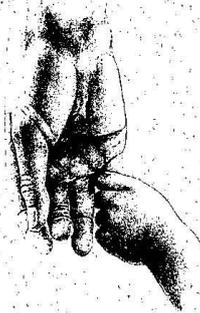


### 3.0 COMMENTS AND RESPONSES TO COMMENTS



Letter 51

## Napa County Child Care Planning Council

2121 Imola Avenue, Napa, CA 94559  
Telephone: (707) 259-5929 Fax: (707) 226-6842

5/21/2007

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

Re: General Plan Update

The Child Care Planning Council is extremely pleased that child care has been duly noted as a support to employment and community economic development, (Public Review Draft, page 228). Land use policies specific to child care are critical. They eliminate unwarranted barriers and support future development of child care services relevant to community, employment, and family needs. We commend the staff and steering committee members who so thoughtfully included child care throughout the County General Plan.

51-1P

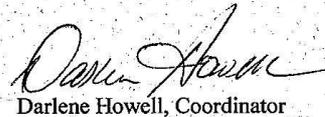
Because misconceptions and unknowns about the child care industry can lead to regulations and interpretations that are unintended or inconsistent with state law, we feel it is important to note that the language used in the General Plan is incomplete and/or inconsistent with reference to child care services. Day Care is used on pages 34, 39, 42, 43, 93, 108, and 264. Child Care on pages 228, and 274. In California, licensed child care facilities are defined as either Family Child Care Homes or Child Care Centers. Family Child Care exists in an operator's home and Child Care Centers are facilities other than in an operator's home.<sup>1</sup>

As family child care is allowed by right in single family residences, it is assumed that all references within the General Plan are intended to define child care centers. Therefore, the Child Care Planning Council recommends that language be edited for accuracy and consistency. This can be accomplished by replacing references to Day Care with **Child Care** or **Child Care Center** where appropriate, and including the definition as referenced above in the glossary.

Again, the Child Care Planning Council commends the thoughtful inclusion of child care as an important community service and assures you our continued support on this or other concerns regarding child care services.

Respectfully,

  
Lola Cornish, Chair

  
Darlene Howell, Coordinator

<sup>1</sup> California Health and Safety Code § 1596.76. Child Care Center (a.k.a. Day Care Center) means any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and schoolage child care centers.

The Napa County Child Care Planning Council is committed to meeting the child care and development needs of children and families, through education, coordinated planning and advocacy efforts. In carrying out this mission the Council shall collaborate to foster public and private partnerships.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 51: LOLA CORNISH & DARLENE HOWELL, NAPA COUNTY CHILD CARE COUNCIL, MAY 21, 2007

*Response 51-1 P:* The commenters note that language related to child care is incomplete and/or inconsistent. Commenters suggest that the words "day care" be replaced with "child care" or "child care center." Policy Ag/LU-3 now includes the following text: "Child care centers will be allowed in agricultural areas where there is a finding that there will be no conflict with agricultural use in the vicinity."

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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RE: Traffic noise

Letter 52

From: "Linda Neal" <lindaneal@mandlvineyards.com>  
Subject: RE: Traffic noise  
Date: Sat, March 24, 2007 9:34 am  
To: "Dennis Harter" <dennisdhr@msn.com>, plowe@napacountygeneralplan.com  
Cc: "Elliot and Avis Stern" <ebstem@starband.net>, rbwtench@pacbell.net, picavis@starbanc.net, finnweld4u@yahoo.com, franco@enzowines.com, mendelcini@aol.com, ddillon@co.napa.ca.us

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Dear Mr. Lowe,

I am writing to follow up on the letter from Dennis Harter regarding the repaving with rubberized asphalt. I have lived at 7701 Silverado Trail since 1987, in a home that has been here since around 1910. The traffic is incredible and not going to get any better. As a farmer, I have hauled trailers all over Napa County and I can honestly say that this stretch of road in front of my house is the worst. Not only is it a cause for extreme noise, but it is dangerous. I invite you to my home to watch and hear as drivers hit these holes and rough spots. The sad thing is that the last repaving actually made it worse than before, so we have been living with this very uneven pavement for a very long time. I am told that the reason it turned out so badly was due to the laser breaking down when they were working on this stretch. I would be grateful for any relief. It sounds as though this rubberized asphalt could help. Please respond and let us know when this might be possible. Meanwhile, if you would like to come out to see the problems, I can be reached at 486-3021 (cel) or leave a message at 944-8720. Thank you.

52-1E/P

Yours truly

Linda Neal

From: Dennis Harter [mailto:dennisdhr@msn.com]  
Sent: Thursday, March 22, 2007 7:56 AM  
To: plowe@napacountygeneralplan.com  
Cc: Elliot and Avis Stern; rbwtench@pacbell.net; picavis@starbanc.net; finnweld4u@yahoo.com; lindaneal@mandlvineyards.com; franco@enzowines.com; mendelcini@aol.com; ddillon@co.napa.ca.us  
Subject: Traffic noise

To: P. Lowe

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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RE: Traffic noise

We have lived on the Silverado Trail for 22 years now, and the increased traffic noise has lowered the quality of life on the Trail. We have been in contact with the County for the past 4 years trying to introduce a product that has been on the market for sometime: "RAC" Rubberized Asphalt Concrete. This product is made of ground up used tires mixed in with asphalt. Napa County has used this product before and have found it works well reducing noise and is very durability. We have been in contact with Lance Heide and now with Tom Goodman with public works, in trying to utilize this product for new projects on the Trail. The next asphalt project is going to be in Oakville, which is where we and several other neighbors live. I would like to see this product, RAC, adopted in the General Plan for use on Silverado Trail on future repaving projects, including this new project for this year here in Oakville. You can go to the website [www.rubberizedasphalt.org](http://www.rubberizedasphalt.org) and see the studies done on this material.

Diane Dillon is also aware of the product as well, and she can speak on this subject. Napa is a beautiful place to live, but somehow we have allowed large corporations to change the normal everyday lifestyle with increased traffic. The least we can do is try to lower the road noise for those of us that live near or around the Silverado Trail.

If you have any questions, please feel free to write or call me. Thank you,  
a Napa Valley citizen since 1974,

Dennis Harter

707-944-1275

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 52: LINDA NEAL, MARCH 24, 2007

*Response 52-1 E/P:* The commenter expresses concern over elevated noise levels even with repaving improvements in place and recommends the County look into the use of rubberized asphalt to reduce traffic noise. Conservation Policy CON-89 includes among the list of potential County actions:

*Adopting requirements for the use of recycled base materials (e.g., recycled raw batch materials, **rubberized asphalt** from recycled tires, and other appropriate materials), if practicable, in requests for bids from public roadway construction projects. [emphasis added]*

*Response 52-2 E/P:* Commenter attaches an e-mail from Dennis Harter in which he reiterates the comments brought up regarding elevated noise levels and the use of rubberized asphalt. See Response 52-1.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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[Fwd: Napa County General Plan]

Letter 53

From: "Geoff Nelson" <gnelson@alum.mit.edu>  
Subject: [Fwd: Napa County General Plan]  
Date: Wed, February 28, 2007 10:13 am  
To: plowe@napacountygeneralplan.com

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----- Original Message -----

Subject: Napa County General Plan  
Date: Sun, 25 Feb 2007 11:55:21 -0800  
From: Geoff Nelson <gnelson@alum.mit.edu>  
To: [info@napacountygeneralplan.com](mailto:info@napacountygeneralplan.com)  
CC: Lloyd Tincher <[tinc@gordonvalley.com](mailto:tinc@gordonvalley.com)>, "Dodd, Bill" <[BDODD@co.napa.ca.us](mailto:BDODD@co.napa.ca.us)>

I have reviewed the new draft just issued, and am in general agreement with its findings and recommendations.

53-1P

However, I am disappointed that neither Wooden Valley nor Gordon Valley is mentioned at all, at least as far as I can find. For example, in the section beginning on page 49, "Policies Specific to Geographic Areas...", these valleys are not even mentioned. Further, on page 222, in the section entitled "Eastern Napa County, both Chiles Valley and Lake Berryessa are covered, but not a word about the rest of the eastern County.

Wooden and Gordon Valleys are unique and vital areas, with a rich historical past, and deserve more attention in the Plan.

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 53: GEOFF NELSON, FEBRUARY 28, 2007

*Response 53-1 P:* The commenter is disappointed that Wooden Valley and Gordon Valley are not mentioned in the draft of the proposed General Plan Update and believes they deserve attention. Both Wooden Valley and Gordon Valley are agricultural areas and thus are subject to all of the agricultural preservation policies included in the Agricultural Preservation and Land Use Element and elsewhere. A sub-section specific to these valleys was not added, since the only areas thus addressed are non-agricultural areas. See pp. 42 et seq. Please also see the response to Letter 31 about Gordon Valley.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

#### Letter 54

From: Lou Penning [<mailto:loupenning@yahoo.com>]  
Sent: Monday, April 02, 2007 9:33 PM  
To: Anne Cottrell & Doug Cutting; James Fitch; Bob Hillouse; Sandy Houck; Joel and Rebecca King; Mark Lucas; Wagenknecht, Brad  
Subject: General Plan

Dear Napa Bike,  
The comment period for the general plan is closing soon. The last public hearing is April 4 th, 6:00pm in Yountville.

From my review of the documents at the library I was disapointed. Some of the highlights

- \* In 2030 Vehicle Miles Traveled (VMT) is expected to more than double, from 196,000 to 525,000.
- \* Bicycle and pedestrian travel has decreased from 7.6% in 1980 to 4.1% in 2000

The plan does encourage alternative travel but its recommendations are watered down. Private projects must plan for pedestrain and bike travel but, public projects require pavement and road improvements only where right of way exists. There should be consideration of alternate users even if right away does not exist. Share the road signs and pull outs for bikes are possible.

54-1P

Where there is a number for a goal for expected bike ridership the space has an X. No number, now it is 4%. This is rather bland statement for our counties transportation goals when you consider it was over 7% 20 years ago.

Jameson Canyon is only required to have room for a class II. Why not put in a class II? I mean, my God, this is the strong vision for our county.

I could not find any commitment to the County Bicycle Plan or the South County Bicycle plan. These should be minimum goals and they are not mentioned. These plans are critical to bicyclists who want to be in on the South County build out. They want Devlin Road built out, but no mention of the bike lane.

the recreation section was very disappointing because the number and needs of bicycle tourists was not figured in. In charts bicycling was in the top of the use, just below walking jogging and wildlife viewing, but in the recommendations it was ignored.

This plan does not firmly state:

- \* Goals for alternative transportation
- \* Any consideration for all users of the road
- \* Encouraging Safe Routes to Schools
- \* Number or needs of recreational cyclists
- \* Complete streets policy as stated by Caltrans and DOT policy

Please help me by reading the documents and posting your comments. Set me straight if these are not true statements.  
Lou Penning

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 54: LOU PENNING, APRIL 2, 2007

*Response 54-1 P:* The commenter makes suggestions regarding bicycle travel as an alternate means of transportation and requests a numeric goal in Objective 3.1. In addition, the plan does encourage alternative transportation but its recommendations are watered down. Policy CIR-2 addresses this issue:

*The County will work with the cities through the Napa County Transportation and Planning Agency to coordinate seamless transportation systems and improve the efficiency of the transportation system by coordinating the construction of planned roadway, bicycle, pedestrian, and other transportation systems.*

Policies regarding bicycle facilities have been revised in the Circulation Element under Goal CIR-1 and CIR-3. Alternative provisions for bicyclists and facilities could be developed by the County in the form of construction details and/or specifications, but need not be included in the General Plan.

According to NCTPA staff, the first phase of widening for Jamieson Canyon proposes a Class II bicycle facility as a cost-saving measure. The bicycle facility is proposed to be updated to Class I as part of a future construction phase and is shown as a Class I bike path in the Napa Countywide Bicycle Master Plan.

The following objective has been added to the Circulation Element regarding support for the Napa Countywide Bicycle Master Plan:

- Objective CIR-3: The County shall work with Caltrans and other agencies to construct or designate approximately 40 miles of additional bicycle lanes in Napa County by 2030, consistent with priorities identified in the Napa Countywide Bicycle Master Plan.

Policy CIR-3.2 has been renumbered and edited as follows in response to the suggestion that policies be added to address the needs of bicycle-using tourists:

- Policy CIR-36: The needs of pedestrians and bicyclists shall be routinely considered and, where possible, accommodated in all roadway construction and renovation projects.

County staff notes that numerous other policies and related action items in the Circulation Element also express support for alternative transportation modes, including:

- Circulation Goal CIR-3
- Policy CIR-26
- Policy CIR-27
- Policy CIR-28
- Policy CIR-29

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Policy CIR-30
- Policy CIR-32
- Policy CIR-33
- Policy CIR-34
- Policy CIR-35
- Policy CIR-36
- Policy CIR-37
- Objective CIR-2
- Objective CIR-3

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Genereral Plan - Global Warming

Letter 55

From: michael\_or\_marieannperri@hotmail.com  
Subject: Genereral Plan - Global Warming  
Date: Wed, April 4, 2007 7:15 am  
To: info@napacountygeneralplan.com

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We must start to approach this current Religion of Global warming with Cooler Heads. There is no reason to believe that this current scare is not just our planet and the Sun doing what they do. No one is even looking at the biggest heat retention factor, Water Vapor. Are we to drain all our oceans, rivers and lakes since Water Vapor holds more heat in large multiples over Carbon Dioxide. Your plan is for 20 years not 200. Can we really stop Global Warming? It seems to me 20 years ago these scare mongers were touting Global Cooling. I think some of you must need more and better proof than the spoutings of Al Gore. Please approach these "believers of doom" with caution, they could lead you down the road to your own doom at the ballot box.

55-1P

Michael and Marieann Perri

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 55: MICHAEL AND MARIEANN PERRI, APRIL 4, 2007

*Response 55-1 P:* The commenters are opposed to global warming being addressed in the General Plan. County staff appreciates the concern of the commenters; however, the consensus among many other commenters is that this topic be addressed more fully in the General Plan Update as it is a viable issue for the County in upcoming years for planning purposes. As such, goals and policies have been included in the Conservation Element that address this issue as many other jurisdictions are currently doing in their General Plan Updates. Please see the Climate Change Master Response 3.4.4 for a complete discussion and rationale regarding this issue and the new section of the Conservation Element entitled *Climate Protection and Sustainable Practices for Environmental Health*.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Angwin Bubble

Letter 56

From: "cphilpot@puc.edu" <cphilpot@puc.edu>  
Subject: Angwin Bubble  
Date: Sun, February 25, 2007 10:23 am  
To: plowe@napacountygeneralplan.com

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Dear Staff,

Regarding the three maps in the draft plan of Angwin on pages 51,52,53.

I observe the following things and make a recommendation.

First, the existing bubble while arbitrarily drawn does seem to serve the needs of the community and Pacific Union College.  
Second, the Scenario 2 map, seems designed to dramatically limit the development options of PUC and could be construed as a "taking".  
Third, the Scenario 3 map, seems to pander directly to the proposed developments on PUC property and may create an up roar of community response.

Finally, it seems to me, that leaving the existing bubble as is, no measure J needed, and them moving forward on a separate measure J proposal to bring the existing Angwin neighborhoods into complying use may be the better way to proceed.

Craig Philpott  
Angwin Resident

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56-1P

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LETTER 56: CRAIG PHILPOTT, FEBRUARY 25, 2007

*Response 56-1 P:* The commenter remarks on the three versions of the Angwin map and suggests leaving the bubble as is, then moving forward on a separate Measure J proposal to bring existing Angwin neighborhoods into compliance. The proposed General Plan has been revised and now identifies a "Preferred Plan" (see Section 2.0 of this document for a detailed description). The Preferred Plan removes areas currently zoned for agricultural use from the Angwin bubble and identifies the existing I residential neighborhood of Angwin for inclusion in the bubble at an unspecified future date (subject to Measure J vote). The proposed map changes do not preclude the PUC's proposed development and would not constitute a constitutional "taking" because they do not deny property owners economic use of their property.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Pacific Union College Eco-Village Project

Letter 57

From: "Craig Philpott" <craigphilpott@hotmail.com>  
Subject: Pacific Union College Eco-Village Project  
Date: Mon, April 23, 2007 8:26 pm  
To: info@napacountygeneralplan.com

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To the Napa County General Plan Steering Committee:

I have never before heard of a non-profit organization opening its complete financial status to a newspaper as Pacific Union College did with the Star. It seems to me this should put to rest any discussion about the college's financial condition and its need to adjust assets and build its endowment. I applaud PUC for allowing an independent third party to review its financial statements. It was a clear example of the college's intentions to secure a better future that allows the college to continue in its primary mission, education.

57-1P

The numbers tell a credible story. They show that PUC has managed its bank accounts in a responsible fashion. The numbers also indicated that PUC understands there is a need to address issues of risk that pose a threat to its ability to compete among other small liberal arts colleges. The Eco-Village project will fund an endowment to accomplish PUC's educational mission and improve our community. Your story made it clear that PUC has an even brighter future if it takes steps for the long-term right now.

Importantly, the development provides a viable balance to improve Angwin and preserve what we enjoy here. That includes preserving ag land, our trails and trees. It means creating nearby housing opportunities and improvements, and a new village square so we don't have to travel to St. Helena. Most importantly, a stronger PUC means a better Angwin and Napa County, with an improved ability to contribute even more to the community at large through jobs, stronger schools and model for sustainability never seen before in the region.

The County's draft general plan says it will support PUC as a "...time-honored institution and employer." I ask you to keep that promise of support. It is clear that PUC has an even brighter future if it takes steps for the long-term right now.

Regards,  
Craig Philpott  
Angwin Resident

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Pacific Union College Eco-Village Project

PO Box 529  
Angwin, CA 94508

707-965-3646

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Mortgage rates near historic lows. Refinance \$200,000 loan for as low as \$771/month\*  
[https://www2.nextag.com/goto.jsp?product=100000035&url=%2fst.jsp&tm=y&search=mortgage\\_text\\_links\\_88\\_h27f8&disc=y&vers=689&s=4056&p=5117](https://www2.nextag.com/goto.jsp?product=100000035&url=%2fst.jsp&tm=y&search=mortgage_text_links_88_h27f8&disc=y&vers=689&s=4056&p=5117)

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### **3.0 COMMENTS AND RESPONSES TO COMMENTS**

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LETTER 57: CRAIG PHILPOTT, APRIL 23, 2007

*Response 57-1 P:* Commenter supports the Pacific Union College proposal for the Angwin area. County staff acknowledges the commenter's support on this topic. However, consideration and analysis of the Eco-Village project is being undertaken separately from the General Plan Update.

Letter 58

*Elizabeth Spencer Wines*

March 28, 2007

Patrick Lowe  
Deputy Planning Director  
Department of Conservation, Development and Planning  
County of Napa  
1195 Third Street, Room 210  
Napa, California 94559

Dear Mr. Lowe:

My husband and I are owners of commercially zoned property in the Rutherford area and currently operate a retail wine sales and public tasting room in the former post office building across from the Beaulieu Vineyards. We have recently acquired an interest in a vacant commercial building adjacent to our existing business and have had several discussions with your staff about potential uses of that building. Both parcels have been zoned and used for a variety of commercial uses since at least the 1970s.

58-1P

We are very interested in establishing live-work units in conjunction with future commercial businesses that are currently allowed by the commercial limited zone district. In discussing this option with your staff we were informed that residential uses are not currently permitted in the commercial limited zone district, but that the new general plan might afford the county and us with the opportunity to provide such uses in the future.

We strongly support the continuation of the city-centered development program that has protected county agricultural lands from urban encroachment. To further strengthen the county's agricultural land protection program, we believe equally strongly that residential uses such as work-live units should be permitted in all of the county's commercially zoned areas. By so doing, we can accommodate reasonable residential growth within those areas long designated for urban level uses, reduce the pressure to convert agricultural lands to urban uses and reduce home-to-work vehicle trips.

We have taken the opportunity to review the draft general plan to determine if it might affect our current and future plans for our properties and whether live-work units are to be permitted within commercial zones. We were pleased to discover and support the county's long-standing commitment to allowing commercial uses on commercially zoned parcels (Policy Ag/LU-42). We also strongly support the County's commitment to pursuing policies and programs to address the need for workforce housing (Policy Ag/LU-28; Policy E-13) and home-based businesses (Policy E-15). While these policies



POST OFFICE BOX 608 | RUTHERFORD, CALIFORNIA 94573  
TEL: 707-963-1847 | FAX: 707-963-1822 | WWW.ELIZABETHSPENCERWINES.COM

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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may be sufficient to allow for live-work units to be developed on our commercial limited properties, we respectfully request that the draft general plan be supplemented with specific language that allows live-work as well as other appropriate residential uses to be built on limited commercial property. We would like to suggest that an explicit policy be added to appropriate locations within the general plan (including Policy Ag/LU-41) and to that section of the general plan addressing the special needs of Rutherford. The addition of the live-work and other appropriate residential uses on commercially zoned properties like ours will increase the viability and livability of those unique geographic areas of the county that have long been designated for non-agricultural uses. Further the combining of commercial and appropriate residential uses in areas already designated for urban uses is consistent with existing and proposed county goals of maximizing housing opportunities while protecting agricultural land (Ag/LU Goals 1 & 3), reducing traffic congestion and work trips (Policy CIR-3.4.1) and improving the county's economic health (Policy E-13).

58-1P  
cont'd

We would appreciate your thoughtful consideration of our proposal and request that you forward our letter to the Steering Committee, the Planning Commission and the Board of Supervisors. Please feel free to contact us if we can provide you with additional information or clarifications.

Sincerely,



Elizabeth Pressler  
President  
Elizabeth Spencer Wines  
1165 Rutherford Road  
P. O. Box 969  
Rutherford, California 94573

CC: General Plan Steering Committee  
Napa County Conservation, Development and Planning Commission  
Napa County Board of Supervisors

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 58: ELIZABETH PRESSLER, ELIZABETH SPENCER WINES, MARCH 28, 2007

*Response 58-1 P:* The commenter is supportive of several policies that encourage live-work arrangements, allowing commercial uses on commercially zoned parcels, and pursuing programs for workforce housing and home-based businesses. Commenter suggests policy be added to the General Plan addressing the specific needs of Rutherford. County staff acknowledges the commenter's request regarding live-work arrangements. Proposed Policy Ag/LU-97 would allow for "all land zoned for commercial uses in the Oakville and Rutherford areas as of February 1, 1990, to develop consistent with their zoning designation as if they were designated on the Land Use Map for these areas." In addition, Action Item Ag/LU 45.1 calls for revisions to County Code to allow "new limited accessory dwellings" on commercially zoned parcels "where appropriate" (p. 39 of the Revised General Plan Update).

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Global Warming and individual rights

Letter 59

From: "Marjorie Preston" <marjpreston@sbcglobal.net>  
Subject: Global Warming and individual rights  
Date: Tue, April 3, 2007 8:47 pm  
To: info@napacountygeneralplan.com

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To the members of the committee writing the new General Plan:

I would like to commend you on your hard work. The General Plan involves many competing interests and it is difficult to be fair to all of them.

But, I have heard there are people promoting a great emphasis on Global Warming. There are many other issues and Global Warming is a theory that some believe and others do not. In any event, it, like all other climate changes, occurs over long time periods not the 20 years which your General Plan is intended to cover. If the problem is worse in 20 years the writers of the next General Plan can take the matter up,

Today, I think you need to deal with today's problems and pressures and preserving individual liberty. We already have a situation with so many rules it is hard for the everyday citizen to know what he or she can or cannot do.

Again thank you for your work. I hope you will not let your work be twisted by the Global Warming hysteria and will work to keep the changes minimal so citizens can understand them.

Sincerely,

Marjorie Preston

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59-1P

[http://www.napacountygeneralplan.com:2095/3rdparty/squir...\\_ent\\_id=0&mailbox=INBOX&passed\\_id=55&view\\_unsafe\\_images=4/18/2007 3:35:37 PM](http://www.napacountygeneralplan.com:2095/3rdparty/squir..._ent_id=0&mailbox=INBOX&passed_id=55&view_unsafe_images=4/18/2007 3:35:37 PM)

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 59: MARJORIE PRESTON, APRIL 3, 2007

Response 59-1 P: The commenter does not believe global warming should be addressed in the General Plan. See Response 55-1.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter 60

Harry T. Price  
1567 Silver Trail  
Napa, California 94558  
(707) 257-7564

March 15, 2007

Ms. Hilary Gitelman, Director  
Attn: General Plan Comments  
Department of Conservation,  
Development & Planning  
County of Napa  
1195 Third Street, Suite 210  
Napa, CA. 94559

RE: General Plan Comments  
Cultural and Historic Resources

Dear Ms. Gitelman,

The current draft of the General Plan still reflects a fear from some quarters that saving and redevelopment of cultural and historic resources will negatively impact the agricultural nature of Napa County and will induce growth.

60-1P

Napa County has had two successful economic periods in its existence between 1870 and prohibition, and since 1967 to the present. In both periods the wine business has been the economic catalyst, accompanied by tourism. In each of its successful periods, tourism (with personal contacts with Buyers) is the mechanism that the premium wine business has historically used to establish brand loyalty and the premier reputation necessary to any successful wine brand.

The tourism development that occurred in Napa County in the late 1800's remains today as historic resort sites. The four most prominent are Aetna Springs, Napa Soda Springs, White Sulphur Springs, and the Calistoga resort. Numerous other smaller facilities existed mostly built around mineral or hot springs.

The historic resorts that have become non-conforming uses by subsequent zoning and that have discontinued resort operations, have no source of funds to restore the historic ruins, because they have no permitted use economically sufficient to pay the high cost of restoration. The environmental impacts of saving any one of these historic tourism sites will be comparable to any of

Harry T. Price  
1567 Silver Trail  
Napa, California 94558  
(707) 257-7564

the 50 largest wineries in the Valley. The General Plan needs to set forth a true perspective of the environmental impact of saving these remaining historic resources and the cost to the community for failing to do so.

Tourism does not develop to view Ag products that are commodities (i.e.) wheat, corn, soybeans, etc., but only develops to support specific branded products created from agriculture, such as wine from grapes. No one is coming to visit to watch wheat grow! In the Wine Country, there exists a symbiotic partnership between wineries and tourism which benefits agriculture by increasing demand for, and prices of grapes; Napa County prices are the highest.

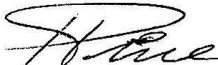
The General Plan needs to recognize the historic and current relationships between tourism, the making and marketing of Napa Valley wines and the positive impact on Napa Valley agricultural products.

The General Plan especially needs to recognize the importance of our few remaining historic resources, to support the application of the Secretary of Interior's standards for redevelopment of the historic properties, to allow for a greater range of adaptive uses to create economic value necessary to preserve these historic sites and to give broad authority to allow County staff, the Planning Commission, and the Board of Supervisors to use their discretion to approve actions that preserve our remaining historic resources.

Napa County was the hotbed of the early American settlement of California. We should be preserving these resources left to our care by prior generations and we should be capitalizing on our rich historical heritage, instead of adopting a General Plan that discourages preservation of historic resources, ignores our history and fears that our future may be as successful as our past.

60-1P  
cont'd

Sincerely,



Harry T. Price

### **3.0 COMMENTS AND RESPONSES TO COMMENTS**

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LETTER 60: HARRY T. PRICE, MARCH 15, 2007

*Response 60-1 P:* The commenter encourages preservation and redevelopment of cultural and historic resources in the County. County staff appreciates the support for preservation of cultural and historic resources. Goals and policies have been incorporated into the Community Character Element that address this topic.

Letter 61

Genji Schmeder  
1901 York St, Napa CA 94559  
email genji @ onemain.com  
Wednesday 30 May 2007

Peter McCrea, Chair  
General Plan Update Steering Committee  
Napa County  
Department of Conservation, Development and Planning  
1195 Third St, Napa CA 94559

Re: Global climate change and the Napa County general plan

Chairman McCrea,

The draft general plan (DGP) is negligent in slighting the problem of global climate change (GCC). Napa County's emission of greenhouse gases (GHG) is only a small portion of the entire Bay Area, and our per capita emission is three-fourths of the Bay Area average, so our production of GHG is the less significant aspect. Rather it's the DGP's failure to address probable GCC effects in planning for housing and agriculture which amounts to imprudence.

61-1E/P

The DEIR's more circumspect treatment of GCC exposes the DGP's inadequacy. The DEIR authors are aware of the overwhelming weight of scientific evidence and the preponderance of world scientific opinion, as well as of state law and policy. The current lawsuit by the state Attorney General challenging San Bernardino County's general plan for ignoring GCC may create a precedent for challenging any general plan for similar inadequacy.

Though the DEIR treats GCC seriously, it and the DGP need to apply this knowledge to specific housing developments and to the impact on the county's major crop. An increase in flood danger through rise in sea level brings into question the proposal to site housing in the Napa Pipe area. Deterioration of growing conditions for grapes could result from shifting to a warmer local climate. It follows that availability of land for housing development and the viability of our agricultural economy would be impacted by those environmental changes.

The debate whether global climate is become less stable and whether human-generated increase in atmospheric greenhouse gases is the predominant cause has been concluded among the world's scientists. For them the pertinent questions are how to estimate the course of GCC and devise ways to restabilize the climate and mitigate problems. Few scientists dispute the fact of human induced global climate change, even fewer with serious standing in their fields. Opposition to recognizing the problem proceeds not so much from evidence as from denial of an inconvenient truth. Recognition and willingness to confront the problem imply basic changes in modern ways of living, especially in production and use of energy.

In February 2007 the Intergovernmental Panel on Climate Change projected that sea levels were most likely to rise by 28 to 43 cm by year 2100, that is 11 to 17 inches. This is a very

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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conservative range which excludes potential accelerated melting, whereby disintegration of ice shelves and lubrication of glaciers by meltwater speed the flow of ice into the oceans. The actual rise of sea level so far has been at or greater than the upper levels predicted. The DEIR on page 4.8-12 cites a 2006 California Energy Commission report projecting a larger rise, between 22 and 35 inches.

61-1E/P  
cont'd

A DGP alternative proposes a large housing development for the former Napa Pipe lowlands next to the Napa River within its tidal zone. The wisdom of siting housing in this area should be reviewed in light of probable sea level rise through GCC.

A shift toward a warmer and dryer climate in Napa County would affect conditions for growing wine grapes. There has been considerable study of the relationship of climate to grape growing because of the long historical record of regional grape varieties and their quality as measured in wine competitions and prices. The observed climate change in the northern temperate zones has been increasing temperatures and gradual shift of biotic zones northward. That change in our county's growing conditions would result in gradual elimination of varieties requiring cool weather. Also, changes in the daily oceanic-continental air interchange would affect cloud and fog cover in Napa Valley with further effects on growing conditions. Warmer-climate grapes like those grown in the Central Valley are typically of lower value. The probable net effect would be detrimental to county agriculture.

The land use goals of the 1983 general plan named agriculture and related activities as the primary land uses in Napa County. Hopefully, the updated general plan will retain this primacy of agriculture. Concern and planning for agriculture's future here must include attention to the threats to it from global climate change.

The general plan steering committee can adopt a definite statement recognizing human-induced global climate change, devise goals and objectives to study its local effects, and reconsider certain proposals in these lights. On the other hand, the committee can persist in its majority's denial. The members should consider their legacy in our community, as leaders or as impediments to addressing our generation's greatest challenge.

Sincerely,



Genji Schmeder

Attached articles (PDF):

- 1- 20060710 Climate change threatens wineries (USA Today)
- 2- 20070202 Humans blamed for climate change (BBC)

BBC NEWS

Humans blamed for climate change

By Richard Black

Environment correspondent, BBC News website, Paris

Global climate change is "very likely" to have a human cause, an influential group of scientists has concluded.

61-2E/P

The Intergovernmental Panel on Climate Change (IPCC) said temperatures were probably going to increase by 1.8-4C (3.2-7.2F) by the end of the century.

It also projected that sea levels were most likely to rise by 28-43cm, and global warming was likely to influence the intensity of tropical storms.

The findings are the first of four IPCC reports to be published this year.

"We can be very confident that the net effect of human activity since 1750 has been one of warming," co-lead author Dr Susan Solomon told delegates in Paris.

Strong language

The report, produced by a team tasked with assessing the science of climate change, was intended to be the definitive summary of climatic shifts facing the world in the coming years.

IPCC PROJECTIONS

Probable temperature rise between 1.8C and 4C

Possible temperature rise between 1.1C and 6.4C

Sea level most likely to rise by 28-43cm

Arctic summer sea ice disappears in second half of century

Increase in heatwaves very likely

Increase in tropical storm intensity likely

The agency said that it would use stronger language to assess humanity's influence on climatic change than it had previously done.

In 2001, it said that it was "likely" that human activities lay behind the trends observed at various parts of the planet; "likely" in IPCC terminology means between 66% and 90% probability.

Now, the panel concluded that it was at least 90% certain that human emissions of greenhouse gases rather than natural variations are warming the planet's surface.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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They projected that temperatures would probably rise by between 1.8C and 4C, though increases as small as 1.1C (2F) or as large as 6.4C (11.5F) were possible.

In 2001, using different methodology, the numbers were 1.4 (2.5F) and 5.8C (10.4F).

On sea level, there has been a more fundamental debate.

Computer models of climate generally include water coming into the oceans as ice caps and glaciers melt. But the potentially much larger contribution of "accelerated melting", where the disintegration of ice shelves and lubrication of glaciers by meltwater speeds up the flow of ice into the oceans, is much harder to model.

So the IPCC had to decide whether to exclude this from its calculations, or to estimate the effect of a process which scientists do not understand well but which could have a big impact.

They used the former, more conservative approach, projecting an average rise in sea levels globally of between 28 and 43cm. The 2001 report cited a range of nine to 88cm.

As for climate change influencing the intensity of tropical storms in some areas of the world, the IPCC concluded that it was likely - meaning a greater probability than 66% - that rising temperatures were a factor.

'Unequivocal'

Dr Rajendra Pachauri, the IPCC chairman, said: "It is extremely encouraging in that the science has moved on from what was possible in the Third Assessment Report.

"If you see the extent to which human activities are influencing the climate system, the options for mitigating greenhouse gas emissions appear in a different light, because you can see what the costs of inaction are," he told delegates in Paris.

Achim Steiner, executive director of the United Nations Environment Programme (Unep), said the findings marked a historical landmark in the debate about whether humans were affecting the state of the atmosphere.

"It is an unequivocal series of evidence [showing that] fossil fuel burning and land use change are affecting the climate on our planet."

He added: "If you are an African child born in 2007, by the time you are 50 years old you may be faced with disease and new levels of drought."

61-2E/P  
cont'd

He said that he hoped the IPCC report would galvanise national governments into action.

At variance

But a study published on the eve of the IPCC report suggested that the international body's previous reports may have actually been too conservative.

Writing in the journal *Science*, an international group of scientists concluded that temperatures and sea levels had been rising at or above the maximum rates proposed in the last report, which was published in 2001.

The paper compared the 2001 projections on temperature and sea level change report with what has actually happened.

The models had forecasted a temperature rise between about 0.15C-0.35C (0.27-0.63F) over this period. The actual rise of 0.33C (0.59F) was very close to the top of the IPCC's range.

A more dramatic picture emerged from the sea level comparison. The actual average level, measured by tide gauges and satellites, had risen faster than the intergovernmental panel of scientists predicted it would.

The IPCC's full climate science report will be released later in the year, as will other chapters looking at the probable impacts of climate change, options for adapting to those impacts, and possible routes to reducing emissions of greenhouse gases.

Richard.Black-INTERNET@bbc.co.uk

Story from BBC NEWS:

<http://news.bbc.co.uk/go/pr/ft/-/2/hi/science/nature/6321351.stm>

Published: 2007/02/02 11:14:13 GMT

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61-2E/P  
cont'd

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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#### USA TODAY

Paper: Climate change threatens wineries

Updated 7/10/2006 7:24 PM ET

By Randolph E. Schmid, Associated Press

WASHINGTON — Climate warming could spell disaster for much of the multibillion-dollar U.S. wine industry. Areas suitable for growing premium wine grapes could be reduced by 50% — and possibly as much as 81% — by the end of this century, according to a study Monday in Proceedings of the National Academy of Sciences.

The paper indicates increasing weather problems for grapes in such areas as California's Napa and Sonoma valleys.

The main problem: An increase in the frequency of extremely hot days, according to Noah Diffenbaugh of the department of earth and atmospheric sciences at Purdue University.

Grapes used in premium wines need a consistent climate. When temperatures top about 95 degrees they have problems maintaining photosynthesis and the sugars in the grapes can break down, Diffenbaugh said in a telephone interview.

"We have very long-term studies of how this biological system (of vineyards) responds to climate," said Diffenbaugh, and that gives the researchers confidence in their projection. Diffenbaugh is a co-author of the paper.

Scientists and environmental experts have become increasingly alarmed in recent years by accumulating gasses such as carbon dioxide in the atmosphere as a result of the burning of fossil fuels.

A panel of climate scientists convened by the National Academy of Sciences reported last month that the Earth is heating up and "human activities are responsible for much of the recent warming." The scientists said average global surface temperatures rose by about 1 degree in the 20th century. While that may not sound like much, many blame it for melting glaciers, weather changes — perhaps even more hurricanes — and threats of spreading diseases.

James A. Kennedy, a professor of food science and technology at Oregon State University, said he was shocked by the report on the potential effects on wine grapes.

"We're definitely, in the wine industry, starting to be concerned about global warming," said Kennedy, who was not part of the research team.

61-3E/P

"The lion's share of the industry is in California, so it's a huge concern from a wine quality standpoint," he said. For people in the industry "this paper is going to be a bit of a shocker."

While problems are seen for California wine country, the paper suggests grape-growing conditions might improve in parts of the Northwest and Northeast.

61-3E/P  
cont'd

However, the researchers note that the Northeastern and Northwestern states have higher humidity levels than the current top wine regions.

High humidity is associated with fungus outbreaks and other potential growing problems, Diffenbaugh said, "so it could be very expensive to produce premium wines in those areas."

"Our simulations suggest that the area suitable for the production of premium wine grapes will both contract and shift over the next century," the researchers concluded.

"Production potential was almost completely eliminated in the Southwest and central United States; only high elevations were marginally suitable in the Intermountain West," they reported.

Some favorable regions remain in coastal California, Oregon, Washington and New England.

A thousand years ago when Viking explorers arrived on the coasts of eastern Canada and New England they named the region Vinland, a designation that has perplexed many historians since grapes are uncommon there now.

The weather was warmer then, however.

In Medieval times there were vineyards in England that were later knocked out by a colder period known as the Little Ice Age, Diffenbaugh recalled. Now, wine grapes are being grown in England again.

The research was supported by the National Science Foundation, National Center for Atmospheric Research and the National Aeronautics and Space Administration. Copyright 2006 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.

Find this article at:

[http://www.usatoday.com/tech/science/2006-07-10-wineries-climate-change\\_x.htm](http://www.usatoday.com/tech/science/2006-07-10-wineries-climate-change_x.htm)  
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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 61: GENJI SCHMEDER, MAY 30, 2007

*Response 61-1 E/P:* The commenter expresses concern over the inadequate treatment and discussion on the topic of greenhouse gases (GHGs) and global warming in the public draft of the proposed General Plan Update. The commenter elaborates on the impacts of global warming on grape growing and the overall impact on Napa County. County staff appreciates the commenter's concern and has included many new goals, policies, and action items that address this topic in the revised General Plan Update Conservation Element section Climate Protection and Sustainable Practices for Environmental Health. See also the Climate Change Master Response 3.4.4 for a detailed discussion on climate change.

*Response 61-2 E/P:* Commenter attaches an article from the BBC News which continues the discussion on climate change and specifically addresses modeling, temperatures, and sea level change and other scientific research related to the topic. See Response 61-1.

*Response 61-3 E/P:* Commenter attaches an article from *USA Today* discussing climate changes affect on wineries. See Response 61-1.

3.0 COMMENTS AND RESPONSES TO COMMENTS

Growth in Angwin

Letter 62

From: "Jeanette Scherence" <56jds-ster@sbcglobal.net>  
Subject: Growth in Angwin  
Date: Sun, March 11, 2007 1:02 pm  
To: info@napacountygeneralplan.com

I am a long time resident in Angwin. I own the home I live in. I am in opposition of the growth planned by the Triad corp. and Pacific Union College. This small community cannot withstand the impact of this sort of expansion. There are many residents who will not financially bennefit from the planned growth but will pay a dear price instead.

62-1P

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 62: JEANETTE SCHERENCEL, MARCH 11, 2007

*Response 62-1 P:* The commenter opposes the growth proposed by Triad and Pacific Union College. County staff acknowledges the commenter's concern for development in Angwin. At the time of publication of the public draft of the proposed General Plan Update, it was unknown exactly what proposal PUC would submit to the County for review. PUC has now submitted an application for development, which is currently under review by County staff and will be addressed in a separate EIR. The Draft EIR associated with the General Plan Update appropriately assesses potential impacts associated with growth in the County at a programmatic level and includes several alternatives which assume development in Angwin.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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General Plan

Letter 63

From: "Marie Schutz" <marieschutz@dominari.com>  
Subject: General Plan  
Date: Wed, April 4, 2007 8:31 am  
To: info@napacountygeneralplan.com

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Please do not allow the global warning alarmist to influence the general plan or hijack the future planning of our community. It is my opinion that global warming may be taking place but occurring over centuries. Please proceed with our immediate and near future concerns in mind.

63-1P

Marieschutz@Dominari.com  
Jurgen and Marie Schutz  
4110 Atlas Peak Road  
Napa, Ca 94558  
707.226.1600

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**Attachments:**

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 63: MARIE SCHUTZ, APRIL 4, 2007

*Response 63-1 P:* The commenter urges the County not to address global warming in the General Plan. County staff appreciates the concern of this commenter; however, the consensus among many other commenters is that this topic be addressed more fully in the General Plan Update as it is a viable issue for the County in upcoming years for planning purposes. As such, goals and policies have been included in the Conservation Element that address this issue as many other jurisdictions are currently doing in their General Plan Updates. Please see the Climate Change Master Response 3.4.4 for a complete discussion and rationale regarding this issue.

Letter 64

LU-120

In addition to the lack of emphasis favoring slower growth in the DGP as a whole, there are specific proposals that encourage faster growth than ever before experienced.

Probably the most pro-growth policy any Napa plan has ever seen is the amendment to the Growth Management Ordinance, Policy AGLU-120. This policy states that the **Board may approve multi-family residential projects on non-agricultural lands if: “they are subject to a phased development plan; would make a substantial contribution to meeting the County’s State-mandated housing needs; and would include a significant affordable housing component.”**

64-1E/P

Basically this means that a developer may propose a multi-family development in any non-agricultural zone, any time, and if it makes a “substantial” contribution to meeting our State-imposed affordable housing goals, the Board can approve it.

Note that the developments don’t have to be all affordable, just a part of them. In Napa the experience has been that developers need 8 or 9 units of market-rate for each “affordable” unit. Thus, faced with a need for 50 units of affordable, the total project will be between 400-500 units! Multiplied by our average persons per household, that means that the population would be about 1,150.

In the case of Napa Pipe, the population would be 7,360, but we would meet our State-mandated goal of about 700 units.

Note also that this applies to all of the industrial, commercial, and residential zones in the county. If the County uses this method of building affordable housing, it means a population growth of 2,300 people for every 100 units of affordable housing. That will surely disrupt the communities and cause great resistance, wherever sites are chosen.

This Policy encourages explosive growth throughout the County, and effectively cancels the meaning of the Growth Management system, voted in by the people.

There is no mitigation proposed for this in the EIR. Indeed, the Mitigation column in the EIR simply repeats the Ordinance paragraph.

Affordable Housing goals can and should be met within the existing rules. There are already over 500 units possible under our existing Growth Management policy. Ten years from now, the allocation will be between 950 and 1,000, so the real need is to look at alternatives for developing housing.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Here are options:

- (1) Do not rely on achieving the goals through requiring private developers to build them.
- (2) Use every means to create small scattered housing within existing non-agricultural zones, by cooperative arrangements with Napa Community Housing, Sisters of Mercy, Habitat for Humanity, and other successful agencies.
- (3) Continue to work on the City-County MOU's. How much is the County really paying per unit?
- (4) Do not allow the creation of detached second units on Agricultural parcels without a signed agreement with the Housing Authority to keep them affordable rentals for an extended period, (25-30 years.)
- (5) Negotiate with local banks, especially the merged new ones, to create loan sources for funding. Also use the State farm loans designed for smaller communities.

64-2P

There are several examples of smaller affordable housing developments, both within Napa County, and throughout the area. Planning Commissioners and Board members should be educated about the possibilities.

Ginny Simms  
4/5/07

LETTER 64: GINNY SIMS, APRIL 5, 2007

*Response 64-1 E/P:* Commenter expresses concern over the public draft of the proposed General Plan Update and adds that it encourages growth faster than ever before. Commenter adds that Policy AG/LU-120 is the most pro-growth policy and states there is no mitigation proposed to mitigate potential impacts. Commenter is referred to Impact 4.3.1 Population Housing and Employment Increases, which fully discloses the population-related impacts associated with implementing the General Plan.

County staff appreciates the concern for the proposed Policy Ag/LU-120. That policy has been omitted from the revised General Plan Update so that the projects proposing development in excess of the 1% limit will require a General Plan amendment. Regarding the encouragement of fast growth, please see Section 2.0, Preferred Plan, in this document, which explains that the Revised General Plan Update would maintain the 1% growth limit and would result in 2,935 new units (only 700 more than the No Project Alternative and Alternative A – Existing Plan). The Preferred Plan would also increase the amount of land designated AWOS.

*Response 64-2 P:* The commenter lists suggested options for mitigating Ag/LU-120. See Response 64-1.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Global Warming and the General Plan

Letter 65

From: NVhigh@aol.com  
Subject: Global Warming and the General Plan  
Date: Wed, April 4, 2007 11:32 am  
To: info@napacountygeneralplan.com

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To Whom It May Concern in the Planning Dept.,

I urge you to ignore, marginalize and/or squash efforts to hijack the general plan in the name of planning for global warming. The views of John Stevens and his ilk represent little more than hysteria and panic. That global warming is real is not the issue. But planning for consequences that at this stage cannot possibly be foreseen is foolish and only panders to goofball doomsday notions.

65-1P

Let's stick to planning for a realistic, foreseeable future.

Regards,  
Charles Smith  
St. Helena

\*\*\*\*\*  
See what's free at <http://www.aol.com>.

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**LETTER 65:** CHARLES SMITH, APRIL 4, 2007

*Response 65-1 P:* The commenter suggests that the County not address global warming in the General Plan. County staff appreciates the concern of this commenter; however, the consensus among many other commenters is that this topic be addressed more fully in the General Plan Update as it is a viable issue for the County in upcoming years for planning purposes. As such, goals and policies have been included in the Conservation Element that address this issue as many other jurisdictions are currently doing in their General Plan Updates. Please see the Climate Change Master Response 3.4.4 for a complete discussion and rationale regarding this issue.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Traffic noiserbwtench@pacbell.net

Letter 66

From: "Elliot Stern" <ebstern@starband.net>  
Subject: Traffic noiserbwtench@pacbell.net  
Date: Thu, March 22, 2007 4:39 pm  
To: plowe@napacountygeneralplan.com

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We concur with Mr. Harter, and request that you give this serious consideration.

66-1E/P

Thank you, a Napa Valley citizen since 1996. Elliot Stern 707-337-2035

7730 Silverado Trail, Oakville, CA

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From: Dennis Harter [mailto:[dennisdhr@msn.com](mailto:dennisdhr@msn.com)]  
Sent: Thursday, March 22, 2007 7:56 AM  
To: [plowe@napacountygeneralplan.com](mailto:plowe@napacountygeneralplan.com)  
Cc: Elliot and Avis Stern; [rbwtench@pacbell.net](mailto:rbwtench@pacbell.net); [picavis@starbanc.net](mailto:picavis@starbanc.net); [finnweld4u@yahoo.com](mailto:finnweld4u@yahoo.com); [lindaneal@mandlvineyards.com](mailto:lindaneal@mandlvineyards.com); [franco@enzowines.com](mailto:franco@enzowines.com); [mendelcini@aol.com](mailto:mendelcini@aol.com); [ddillon@co.napa.ca.us](mailto:ddillon@co.napa.ca.us)  
Subject: Traffic noise

To: P. Lowe

We have lived on the Silverado Trail for 22 years now, and the increased traffic noise has lowered the quality of life on the Trail. We have been in contact with the County for the past 4 years trying to introduce a product that has been on the market for sometime: "RAC" Rubberized Asphalt Concrete. This product is made of ground up used tires mixed in with asphalt. Napa County has used this product before and have found it works well reducing noise and is very durability. We have been in contact with Lance Heide and now with Tom Goodman with public works, in trying to utilize this product for new projects on the Trail. The next asphalt project is going to be in Oakville, which is where we and several other neighbors live. I would like to see this product, RAC, adopted in the General Plan for use on Silverado Trail on future repaving projects, including this new project for this year here in Oakville. You can go to the website

66-2E/P

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Traffic noiserbwtench@pacbell.net

www.rubberizedasphalt.org and see the studies done on this material.

Diane Dillon is also aware of the product as well, and she can speak on this subject. Napa is a beautiful place to live, but somehow we have allowed large corporations to change the normal everyday lifestyle with increased traffic. The least we can do is try to lower the road noise for those of us that live near or around the Silverado Trail.

If you have any questions, please feel free to write or call me. Thank you, a Napa Valley citizen since 1974,

Dennis Harter

707-944-1275

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**Attachments:**

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 66: ELLIOTT STERN, MARCH 22, 2007

*Response 66-1 E/P:* Commenter concurs with Dennis Harter's suggestion that rubberized asphalt concrete be used on the Silverado Trail. See Response 52-1.

*Response 66-2 E/P:* Commenter expresses concern over elevated noise levels even with repaving improvements in place and recommends the County look into the use of rubberized asphalt to reduce traffic noise. See Response 52-1.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Histrionics of global warming

Letter 67

From: Jwbcrusing@aol.com  
Subject: Histrionics of global warming  
Date: Thu, April 5, 2007 8:09 am  
To: info@napacountygeneralplan.com

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Dear Committee members:

I hope you will take the time to read the following discussion of these eminently qualified individuals and compare it to the histrionics of fear mongers. I can send the discussion in the original PDF format for an easier read,

if you accept attachments.

Cordially,

John Stumbaugh

[Jwbcrusing@aol.com](mailto:Jwbcrusing@aol.com) (mailto:Jwbcrusing@aol.com)

Napa

67-1E/P

HUDSON INSTITUTE

BOOK DISCUSSION ON

"UNSTOPPABLE GLOBAL WARMING: EVERY 1500 YEARS,"

BY S. FRED SINGER AND DENNIS T. AVERY

(ROWMAN AND LITTLEFIELD)

THURSDAY, NOVEMBER 9, 2006

12:00 - 2:00 P.M.

BETSY AND WALTER STERN CONFERENCE CENTER,

HUDSON INSTITUTE

INTRODUCTORY REMARKS:

KEN WEINSTEIN, CEO,

HUDSON INSTITUTE

PRESENTERS:

DENNIS T. AVERY, SENIOR FELLOW,

HUDSON INSTITUTE, AND DIRECTOR,

HUDSON INSTITUTE'S CENTER FOR GLOBAL FOOD ISSUES

S. FRED SINGER, PROFESSOR EMERITUS,

UNIVERSITY OF VIRGINIA, AND RESEARCH PROFESSOR,

GEORGE MASON UNIVERSITY

2

Transcript by:

Federal News Service

Washington, D.C.

KEN WEINSTEIN: (In progress) - and welcome. I am Ken Weinstein, CEO of Hudson Institute, and I'm delighted to welcome everyone to Hudson Institute today for

the book forum on the publication of, "Unstoppable Global Warming: Every 1500 Years," by S. Fred Singer and Dennis Avery. This is a unique and well-written book that

challenges much that passes for serious science today on global warming. And the book

makes a very powerful case that in fact the current climate trends we're currently seeing

are part of a product of a solar-linked cycle that creates harmless

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Histronics of global warming

naturally warmer conditions approximately every 1500 years. The book is a fascinating read, and is really quite thoroughly documented, and will create quite a controversy when the mainstream press starts to review it. I should note the book itself was inspired by a beloved Hudson Institute trustee, Wally Sellers, who is a bit under the weather today, and who regrets being unable to be here for the book's debut event. So let me now have the honor of introducing our - the co-authors of this book. I will first introduce S. Fred Singer, who is, as everyone knows, a distinguished climate physicist, and then I will also then introduce the no-less distinguished Dennis Avery, who is a senior fellow here at Hudson. Now, S. Fred Singer, for those of us who follow science and public policy, really needs no introduction. He is a professor emeritus of environmental research at the University of Virginia, currently a distinguished research professor at George Mason University. He has had a long and distinguished career. He was the first director of the U.S. National Weather Satellite Service, and he is the author of a dozen books, and monographs, including, "Global Climate Change," which he published first in 1989. And Professor Singer will be speaking second. But first, it's now my distinct pleasure to introduce my colleague and friend, Dennis Avery, senior fellow at the Hudson Institute, and director of Hudson Institute's Center for Global Food Issues, which is - when people think of Hudson Institute, they think of New York, they think of Manhattan, they think of 15th and K Streets. What they don't think of is that we are actually - we have a small little office based on a farm, a beautiful farm down in Swoope, Virginia, which is about two-and-a-half hours south of here, which I have had the pleasure of being at. Dennis joined Hudson Institute in 1989 after a very long and distinguished career as an agricultural economist, and a number of federal departments, including the U.S. Department of Agriculture, and the Department of State. He was a senior analyst in the Department of State, and was awarded the National Intelligence Medal of Achievement

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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in 1983 by then secretary of State, George Schultz.

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Dennis is well known as a columnist on science and environmental issues, and his

articles have appeared in The Wall Street Journal, the Reader's Digest, and dozens of

other publications. Dennis's first major book was, "Saving the Planet with Pesticides

and Plastics: The Environmental Triumph of High-Yield Farming."

Ladies and gentlemen, it's my pleasure to introduce Dennis Avery. Dennis.

(Applause.)

DENNIS T. AVERY: Thank you, Ken, and I am sorry that Wally isn't here to thank as well.

A little over 20 years ago, Wally and Ken called me, and I had done a little writing on - well, quite a lot on environmental issues, and a little bit on the Medieval

warming, and they asked me if the world needed another book on global warming. And

said, yeah, I think we need a book on the physical evidence of past warming.

And I'll tell you why I said that, because wine grapes are one of the most accurate

and sensitive barometers of climate change that we have, and I knew that he Romans had

grown wine grapes in Britain during the first century, that when William the Conqueror

and his Normans took over the country in the 11th century, their tax records showed

nearly 50 vineyards. And we know that it is not yet warm enough in the modern warming to grow wine grapes in Britain. They are up to two years out of 10

and hopeful.

But this does two things. It first of all introduces the concept of a cycle - first

century, 11th century, 21st century - and it tells us that today's

temperatures are by no

means unprecedented.

And so we decided to do the book. I am an agricultural economist. I would not have presumed to do it without prodding. And I certainly wouldn't have

presumed to do

it without the advice, council, and assistance of Fred Singer, who has been my favorite

expert on the climate of the Earth for a number of years. And let me say

that we cite in

the book over a hundred peer-reviewed studies, none of which were paid for by Exxon.

(Laughter.)

We did the British wine grape thing. Let's come closer now to the current day because it's really only within the last 25 years that we have had a handle

on this

moderate natural, massive, but difficult-to-discern cycle, completely

unrecognized by

people who lack thermometers and written records - too long, too moderate.

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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The people of Iceland lived through the medieval warming, the little ice age - 1920, they were still arguing whether there had been any climate change out there on the climate frontier. And they decided, well, no, there had been no climate change; we just had a lot of bad weather. They had had climate change, and we learned this in 1984 with the first analysis from the Greenland ice core - 250,000 years of climate history, ice layers with varying ratios of oxygen-16 and oxygen-18 isotopes. The lighter isotopes evaporate to a greater degree. And a guy named Hans - Willi Dansgaard and Hans Oeschger - I believe Willi was a Dane, Hans was a Swiss - in 1984 came out with an absolutely fabulous report on this new ice core. They said we expected to find the big ice ages and the warm inter-glacials, like our own. We had not expected to find this moderate, abrupt 1500-year cycle running all the way through both the warmings and the ice ages. And they said the way that the Carbon 14 and the Beryllium 10 isotopes in the ice correlate with sunspot numbers, we think there's a linkage with the sun. And that's all proven to be very true. And four years later, down in the Antarctic, at the other end of the Earth, they dug up an even longer ice core, 400,000 years - Russian team, led by a Frenchman - and here was the 1500-year cycle running all the way through it. And since then, we have found the 1500-year cycle in the seabed of six oceans, including the Atlantic, the Pacific and the Arabian Sea; tiny, little one-celled fossils from the phytoplankton that thrive in the oceans. Their varieties and their number vary with temperature, and our scientists have learned to turn their electron microscopes on these tiny, little one-celled organisms and read the temperatures in the layers. And we now have one seabed core that goes back a million years, from near Iceland - Maureen Raymo of Boston University - and the 1500-year cycle runs through the whole million years, roughly 600 of these moderate natural cycles. Tree rings from around the Northern Hemisphere. Some of the trees are very old.

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Some of our trees go back 4,000 years, still alive, bristle cone pines in the Sierra Nevada of California among them. Some of the trees are dead. They've been buried in peat bogs or under - submerged under lakes. And the scientists have been very creative at finding these old pieces of wood and tracing the tree rings, which demonstrate temperature by their summer widths, although you have to be careful about insect attacks and drier or wetter - but these tree rings are important clues. None of these proxies by themselves would be adequate, but there are dozens of proxies sought out in thousands of places. We have, as I say, over a hundred peerreviewed studies in the book. We could have done 300, probably 500, all of them showing physical evidence that this cycle is real and has been with us, and there's no reason to believe that it has stopped with the modern world. Cave stalagmites - layered history, annual layers. Some of them are nicely light and dark, depending summer or winter, and they can be red like the ice layers and the tree rings. We have them showing the 1500-year cycle from every continent plus New Zealand. There's been some talk, even in the scientific community, that the medieval warming and the Little Ice Age were Europe-only events. No. No. We have found lots of evidence, lots of physical proxies in the Southern Hemisphere: cave stalagmites from 5 both South Africa and New Zealand; 130 glaciers in New Zealand advanced and retreated with the medieval warming and the Little Ice Age at roughly the same times as the glaciers in Europe advanced and retreated; archaeological evidence of prehistoric village locations which marched upslope in the Andes during the medieval warming at the same time they were marching upslope in the Alps in Europe, and then in both cases retreated back down again when the cold, unstable Ice Age came along. Fossil pollen - pollen is very tiny, but our microscopes now can seek it out and identify it, and each plant's pollen is unique. And the North American Pollen Database shows nine complete reorganizations of our trees and plants in the last 14,000 years. That's one every 1,650, for you who are challenged without a calculator like I am.

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In Ontario, Environment Canada says what that meant was during the medieval warming, beech trees were the predominant trees in the forest. As the Little Ice Age set in, the oaks took over; in the depths of the Little Ice Age, pines were predominant. We're now 150 years into the modern warming; the oak trees are coming back and the beech trees are waiting their next turn.

Some people say, gee, I don't like to think of the polar bears having to go through 600 global warmings in the last million years. The polar bears may not prefer it, but they have obviously survived it. We'll talk about that a little bit more later on. It's not my favorite, but it's kind of kinky. The tooth enamel of dead Vikings - they literally have examined the oxygen isotope ratios in the corpses buried in the Greenland Viking colonies early in the life of the colony and 400 years later, when it was near its expiration - one and a half degrees Celsius change in average temperature during that period. If any of those Vikings had lasted until 1700, there would have been a more extreme temperature change, perhaps three degrees Celsius, but we ran out of Vikings.

Shifting rainfall. Near the equator, we don't get a temperature change, we get a rainfall change as the tropical rain belts move north with the climate cycle. This is why during the Holocene warming 5,000 years ago, the Sahara had rhinoceros, giraffes, hunters, cattle and sheep pasture. They hunted and raised the Barbary sheep. The Nile Valley was too wet and wild. Nobody lived there. And then by 3,000 years ago, the cycle had shifted, the Sahara had dried out, and people were raising wheat in the Nile Valley. Not disaster, but change.

[Inaudible]  
We did that.

Sun-climate connection, how can this happen? There's a new book coming out next March by a Danish scientist named Svensmark, and it'll be called the "Chilling Stars," and it will be on his experiments duplicating the impact of additional cosmic rays on the Earth's atmosphere and its temperature. Suffice it to say, that when the sun is

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weak, we get hit by more cosmic rays, they ionize the water vapor in the air and create more low, wet clouds which deflect heat back into space and cool the Earth.

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And a tiny change in the irradiance of the sun, a tenth of a percentage point, is enough to drive a significant temperature change here on Earth. I won't belabor that point more than that, particularly since I'm not qualified to do so. Why the climate models can't forecast. Interesting question. And we know they can't. First of all, they can't model clouds worth a damn, and apparently clouds are the key factor in our climate changes. Secondly, nobody has ever figured out the proper X factor for CO2 (forces ?). Early on, the models predicted far more warming for today than we've had. The Hadley Center has gotten recently an approximation of the actual temperature observations by cutting their X factor by two-thirds. Apparently, these zoomy numbers about how much the Earth is going to warm have been based on a radical overestimate of how much CO2 changes the temperatures. Why the models can't cope? Because we have a massive, cloud-controlled heat vent over the warm pool of the Pacific. This was discovered by NASA in collaboration with Richard Lindzen at MIT, published in 2003 in Science magazine. When the sea surface hits 28 degrees Celsius, rainfall becomes more efficient. The number of highceilinged cirrus clouds, full of ice, radically reduced; the number of low, wet reflecting clouds radically increased. The Earth's temperature cools back down until the sea surface temperature is comfortable for the planet, comfortable for the planet. Why the models can't forecast? Chapter Four: "Sudden Ocean Cooling." I don't know how many of you have noticed recently a report by John Lyman of NOAA, National Oceanographic (sic) and Atmospheric Administration, says that between 2003 and 2005, the oceans, a thousand times more heat than the atmosphere, lost 21 percent of the heat they gained in the previous 50 years. No cycle, no prediction. We don't know where the heat went; we just know that it's not anywhere they can find it on Earth. The folks at NASA say it didn't go out through their heat vent. But we had a massive, sudden ocean cooling. And the data that documented it came from 2500 new smart floats that are scattered around the oceans today, have been out there for just a few years. Previously our ocean temperature data was very sketchy and unreliable. And

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this new data allows NOAA to say that a sudden ocean cooling occurred earlier, between 1980 and 1983, with a similar massive heat reduction in the waters. The models can't forecast this. Their forecasts are built up year on year based on trends. There is no reason to expect the models will ever be able to forecast this unless we identify some sort of cycle. It looks pretty unlikely at the moment. Why Mr. Gore can't cope? I had the dubious pleasure of sitting through his movie - two big problems with it for me, aside from the fact that he doesn't understand the 1500-year cycle. First of all, he showed us a graph with temperature and CO2 concentrations in the atmosphere at the Antarctic in the ice cores tracking closely together through 400,000 years and four ice ages. And that was a good graph to show. But he didn't show the second graph that shows the CO2 changes occurring about 800 years after the temperature changes. In other words, higher temperatures produced more CO2 in the atmosphere, not the other way around. And that's entirely logical because the oceans hold 75 times as much CO2 as the air, and cold water holds more gas, so when the oceans warm they have to release CO2 to the air. There should be nothing surprising about it, and nothing intimidating. My other problem is with the melting of the Antarctic, which is supposed to raise sea levels suddenly by 20 feet. Ladies and gentlemen, the Antarctic is the coldest place on Earth. It doesn't get - it's 30 degrees from melting. The ice there does not melt, first of all, because it aggressively deflects heat; and secondly, with the very low temperatures, you may get a tiny bit of surface melting at the height of the summer in a warm period, but you will not actually melt. If you look at an aerial photograph of the Antarctic surface, you will see huge blocks of ice flowing downhill. And that's why when they get to the edge of the Antarctic they fall off in big blocks, some of them as big as the state of Rhode Island, because they haven't melted. And we have this peer-reviewed study that says they have been flowing at about the same rate for the last 7,000

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years, and that rate is changed with a lag time only by the ice ages themselves.

Will we lose a million species to extinction with the warming? A high-level biologist from Stanford University told us that the Edith's checkerspot butterfly is going

locally extinct in Baja, California. Well, if you look at the habitat map of the Edith's

checkerspot butterfly, it covers the entire Western quarter of the United States from Baja,

California, to the Canadian border. As the temperatures warm, that whole habitat map is

shifting slightly north. And this is true of birds in England, insects in Europe, and species

all over the planet. They are colonizing newly warmer areas, mostly without leaving

behind the temperatures where they flourished before, because trees and plants are coldlimited

but rarely heat-limited. And we can expect this warming to create a greater biodiversity in our forests.

I will tell you that they somehow caught a fish from the Antarctic, and they put it

in a tank and they warmed the tank, thinking that this poor Antarctic fish, which was

adapted to virtually freezing temperatures for maybe a million years - it swam cheerfully

in waters nine degrees Celsius warmer. We may not understand how the species cope,

but any species on the planet today has coped, believe me.

Malaria - well, the biggest outbreak of malaria in history was in Russia in the

1920s. And malaria was eradicated here not by colder temperatures but by DDT and

window screens.

As a closing note, let me point out that three-fourths of our modern warming occurred before 1940, which was before much human-emitted CO2. If we give industrial

CO2 emissions credit for half of the warming since 1940, that's .75 to - what do I want

here? - .15 to .075 - a teeny bit; a teeny bit. From that amount of warming, you cannot

construct five degrees or 11 degrees warming. It just does not compute.

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I would point out also that we've had no warming now since 1998. The last time

that we saw a pattern like this in the Earth's temperature was 1940 - strong run-up, high

peak and then a 35-year decline. I'm not predicting that, but I'm saying that it could

happen.

Before I close, I would like to introduce the editors of the book who happen to be

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here today. My wife, Anne, who did the first edit - (applause) - and Martin Wooster, who is a Hudson author himself and who did the second professional edit. (Applause.) And if and when you do read the book, I think you'll agree with me that it was well edited.

MR. WEINSTEIN: I should say that I was negligent in my duties. I should note the book is available for sale, purchase and signing in the back when the event is over, so please avail yourself.

MR. AVERY: At a discount price.

S. FRED SINGER: Well, Dennis has given a great overview. All I have to do is add a few short remarks.

It's been a very eventful year. You know that we've had Al Gore's science fiction movie, which I've seen, and we've had - just had a report in Britain by Sir Nicholas Stern.

MR. SINGER: - in which he does the economics, strange economics, which no one really accepts, in which he argues strongly for heroic measures to stop global warming and stabilize the planet.

Well, what they have in common is, of course, that they assume the science is settled. They don't assume it; they actually explicitly say so in the case of Al Gore. And

nothing could be further from the truth. And our book, I think, is living proof, as it were,

that the science is quite different from what they imagine.

What we maintain is that there are natural cycles of cooling and warming going

back at least a million years. These are small excursions of temperature, global temperature, much smaller than the ice ages, which is why they haven't been noticed

until the last 25 years or so.

No one doubts their existence. The - and evidence is firm, and we quote some hundred or so peer-reviewed papers by competent authorities.

So what's the problem? Well, the problem is that many people would like to believe that the current warming is caused by human activities, specifically by the release

of carbon dioxide in fossil fuel burning.

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And this raises a very interesting question. How can you decide whether the current warming is human-caused, anthropogenic, or whether it is natural?

It's a very difficult question to answer. How would you do that? Think for a moment. You can go up and ask the thermometers. If you ask them, they won't talk

back. They won't tell you. So that's useless.

You can do as Al Gore did. Al Gore simply says, well, there's a scientific consensus. Well, he's wrong. There isn't a scientific consensus. That should be obvious

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by just looking at the literature, published papers. Of course he quotes an article in Science Magazine, which was written by an incompetent so-called authority, and Science has refused to publish a correction. So he can't work that. The other thing he does is to say, well, look at all the glaciers; they're melting. Well, in the first place, they're not all melting; some are growing. And secondly, that's what you would expect if the climate is warming, you'd expect places to melt, and you'd expect them to grow where the climate is cooling. These are consequences of climate change; they don't tell you anything about the cause. There's a logical error here that these people make, which they don't seem to recognize: Consequences don't tell you anything about the cause. Well, what about the other factor he quotes, the correlation between carbon dioxide and temperature? It's already been mentioned by Dennis - first of all, a correlation is not causation. We should all recognize that. And secondly, the correlation is imperfect. In the ice cores, for example, we've seen that the temperature increases before the increase in carbon dioxide. And in the last century, we've had cooling between 1940 and 1975 - continuous cooling of the climate while carbon dioxide was growing. So that doesn't work either. Well, what's the final recourse these people have? Well, they say the models predict warming; therefore, this must be man-made. That's not a good argument. Model results are not evidence. So what evidence can you use? The only evidence that we have been able to think of - and when I say "we" I'm speaking about the whole scientific community - is to compare the pattern of warming - there's a geographic pattern and an altitude pattern of warming - with what greenhouse models calculate. And the IPCC tried to do that, that is the U.N. science group, and they published their results, and they're clearly wrong. They haven't republished them. They published them in 1995, and they haven't republished them since then, recognizing that they were wrong. However, we're lucky. The U.S. government, after spending \$18 billion on climate research, at the rate of roughly \$2 billion a year, came up with its first report last May. You can look it up; it's called the Climate Change Science Program report 1.1. It's

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their first report, and really the only one that one needs to look at because it's important. It compares the pattern of warming with greenhouse models. And guess what? They don't agree. They diverge strongly. Of course, they don't draw the right conclusion from this, but the data are evident. You just have to look at the graphs in the report. I've written about this in several places and pointed out that this report exists, that these graphs - show the discrepancy between data and models. And the believers pay no attention. We have something called - a blog called Real Climate. You might have heard of it. It was started by people who wanted to defend the so-called hockey stick graph. It's now degenerated into a general attack on skeptics, written by the same people. It's really a funny, funny blog. I call it the unrealclimate.org or the nonrealclimate.org. They'll quote, for example, the article I've written on the CCSP report that shows a discrepancy, but they won't quote the discrepancy. They will - in the last iteration they mention unstoppable global warming, but they won't reference our book. It's sort of funny. And then they say or claim that there was no 1500-year cycle during the Holocene, during the recent - during our present interglacial, which is clearly wrong. They do this in order to preserve the fiction that the 20th century is the warmest in 1,000 years or 5,000 years, give or take. It's all wrong; it isn't even as warm as it was during the medieval warming when the Vikings were able to grow crops in Greenland. Well, so what are we up against? Well, we're up against, then, Al Gore, Nicholas Stern, and now the elections, which will bring, I'm afraid, a lot of people into the Congress who are believers in global warming, and what's even worse, who are believers in strong action. These actions will probably consist of greater subsidies to uneconomic boondoggles that were started during the Bush administration, but they will continue and grow bigger. My advice to you all is invest in ethanol, wind farms and anything else that you can think of that won't work. (Laughter). Because you'll be making a lot of

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money off  
the other guys who pay taxes.  
Our only hope, so to speak, is the Supreme Court, which has agreed to examine the question as to whether carbon dioxide should be classified as a pollutant under the terms of the Clean Air Act. It's a legal point. The petitioners - that is, the plaintiffs, the Commonwealth of Massachusetts is the plaintiff; the EPA - that is, the U.S. government - is the defendant. Interesting case. They lost in the appeals court, so they've taken it to the Supreme Court. I've studied the scientific brief produced by the plaintiffs, or for the plaintiffs. It's full of holes. It's very weak, easily taken care of. Unfortunately, the response brief doesn't take advantage fully of the weak points in the initial brief. But oral arguments will take place, I think, on November 29, and we will get some kind of a decision probably by early next year.

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This is important because when the Supreme Court comes down and says that CO2 is not a pollutant, it will be much more difficult for any future administration or for any future EPA to try to regulate carbon dioxide. So there you are. We have Al Gore, Nicholas Stern on the one hand, and the political establishment. So we have unstoppable politics against unstoppable global warming science. Let's hope we win.

Thank you. (Applause.)

MR. WEINSTEIN: Well, thank you two very much for those fascinating presentations. I'd like to open it up for questions from the audience and answers from our authors.

Sure. Michael. And please identify yourself and if you have organizational affiliation as well. Thank you.

Q: Michael Horowitz at the Hudson Institute.

What argument can - can an argument be made that even if these are cyclical climate changes that are inevitable, that it is not exacerbated, and can't Al Gore shift his

argument and say: Are these two guys right? Yes it's coming, but it's going to be worse

than it's ever been before because of the levels of carbon dioxide and industrial pollutants

and so forth that are out there. Is that an argument that these guys can make?

MR. AVERY: Well, it's an argument that can be made. The problem is that the price - the premium on the insurance policy is so high. We're not talking about the

Kyoto changes to 2012, the 5 percent cut. We're talking about globally a 60

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to 80

percent cut, and for the United States we're talking about something like 100 percent cut in greenhouse gas emissions. That means you're not buying a hybrid car, it means you're buying a skateboard.

Q: (Off mike.)

MR. AVERY: Pardon?

Q: (Off mike.)

MR. AVERY: A hundred-percent cut in our fossil fuel emissions -

Q: (Off mike.)

MR. AVERY: - in order to stabilize greenhouse gases at the same time that unregulated economies in China and India are building new coal-fired power plants at the

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rate of one or two a month. The cost to our economy of virtually eliminating fossil fuels

is radical. It's -

MR. SINGER: Two comments here. One, of course, there must be some consequence of the increasing amount of carbon dioxide in the atmosphere.

MR. SINGER: What we show is that it's minor compared to natural changes. That's all you can say.

Q: (Off mike.)

MR. SINGER: In other words, we cannot deny the greenhouse effect, that's real,

but it's small. It's a lot smaller than calculated from the models. The second point I'd

like to make in answering your question is you implicitly assume - and I get it from your

question - that warming is bad. I would question that. I would ask - you think a colder

climate would be better than the present one? No one would say that. So what - how can

you say - how can you argue logically that a warmer climate is worse? Or would you say

that the present climate just happens to be the optimum climate? That would seem to be

very unlikely.

Economists pretty much agree that a warmer climate is actually better overall. Of

course, there will be some losers, but there will be more winners. They haven't carried it

all the way. It's difficult to do. But the published papers - the published book by this

group at Yale University says that a moderate warming is good for the economy, raises

incomes, raises the standard of living, et cetera, et cetera.

Q: To follow up - Klaus Heiss from High Frontier - and also SEPP.

To follow up on the point - I mean, if you go to Paleoclimate scales - 600 million

years - CO2 has sunk consistently and dramatically over these times, and

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over the last 50 million years as well. Before then, of course, it was very low and we had ice-ball Earth and so on. So basically, returning some of the CO<sub>2</sub>, which came from the atmosphere to begin with, has only beneficial effects. I mean, the burden of proof that it's bad is contrary to 600 million years of life organisms and activity and diversity. You also find extinctions when it's cold and again blooming when it's warm. So why don't we here make a real effort to find out what the costs of the Ice Age are without modeling? All we have to do is go back 20,000 years and say, Massachusetts, do you want to be covered by one mile of ice and where are the species, and we don't have to simulate. I mean, here are the facts, and what are the economic impacts - Russia disappears, half of Europe disappears 20,000 years ago - as against what if the ice actually continues disappearing and the consequences will be we can grow wine again in England. But we owe that to the people. Nobody is doing it. You know -

MR. AVERY: I think we have a nearer model to look at, and that is the history of the medieval warming and the Little Ice Age. I'd recommend to you a book on the Little Ice Age by a guy named Fagan - I've forgotten his first name - graphic depiction of the famines and the climate instability and the huge storms. And any examination of the medieval warming can start right here at this moment. Any of you who have been to Europe who have seen travel logs of Europe - those famous castles and cathedrals were all built during the global warming during the last overheated planet period. And the people were so grateful that they built the Cathedral of Reims that soars to the sky with flying buttresses - A, lots of food, B, lots of people, C, everybody felt really good.

Q: My name is - (off mike).  
The question is, in terms of the cause of this 1500-year - are you talking about the angle of the sun?

MR. AVERY: No.

Q: What are you talking about taking place?

MR. AVERY: We're talking about an actual change in the solar irradiance. And now that we're measuring it outside the obscuring atmosphere of the Earth

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from a satellite, we're finding a tenth of a percentage point change. And the proxy that comes closest is the length of the solar cycles. It's not even the number of sunspots. And if you check a graph of even sunspot numbers, then you find a lagged response in the sea surface temperatures on the Earth. The angle and the distance to the sun are part of other cycles. But the 1500-year cycle is irradiance.

Q: Thank you.

MR. SINGER: The solar sunspots, that is, were only discovered relatively recently, a few hundred years ago. What evidence we have shows that during a minimum of the sunspot cycle, that so-called Maunder minimum, this coincides with the maximum cold period. That is, with the coldest period of the Middle Ice Age. The other suggestions we have - we have proxies for the sun - some radioactive materials, like Carbon-14, in - which has been measured in tree rings; Beryllium-10, measured in ice cores. So we can trace back solar activity some hundreds of thousands of years and correlate that with climate. That seems to work.

Then another heroic effort has been done by a Canadian geologist, Veizer, and Nir Shaviv in Jerusalem, who were able to correlate, in this case, cosmic rays with

climate change going back as far as 600 million years. That should be enough.

MR. WEINSTEIN: John, and then we'll go here - (off mike).

Q: John Weicher, Hudson Institute.

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Following up on what Dennis was saying about cathedrals and so forth, if I understood you earlier, the 19th century would have been the trough in terms of climate,

you said, going back about 150 years. And that would imply that the fourth century was

the previous trough and something like the 11th or 12th century was the peak. If I have

that right, I have a couple questions.

MR. AVERY: Okay. The cycles are not as regular during the warming periods, apparently, as they were during the ice ages. I'm told that during the ice ages, it was

1470 years, plus or minus 10. That's very regular for a natural cycle.

In our warming period, it is varied by several centuries. The Roman warming is

usually dated from 200 B.C. - (audio break, tape change) - well, now remember, these

tend to be front-loaded; the initial changes are fairly abrupt. So it isn't a nice smooth

curve, it's a shift and then an erratic climb, and then another shift to the next phase.

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It is, I think, very difficult to predict just how long, just how warm, just when.

Q: Well, if the 19th century is the trough, you said going back about 150 years -

MR. AVERY: Well, that was the shift point. It was colder in the 1700s than it was at 1850.

Q: Those two centuries are also periods of dramatic economic growth and technological change. And certainly people living in 1900, in general, were a lot better

off than they were in 1700, from all the non-statistical evidence we have about standards

of living, whereas earlier, that period of - talking about the Romans - is certainly a

period of collapse. But I'm wondering how - if you've tried to relate the economic and

social and cultural changes in our societies with those trends, with those patterns.

MR. AVERY: We've tried, and it's complex. I will say that it looks almost as though the fall of Rome was related to the onset of the Dark Ages. From this distance we can't know.

And as an agriculturalist, I can tell you that some of the changes in European

agriculture, which we are benefiting from to this day, were driven by the famines which

occurred early in the Little Ice Age. Remember, we had a 50 percent increase in

European population during the 11th and 12th centuries, then suddenly we have a cold,

unstable climate, and we're back to the previous population the hard way. And that

drove the development of the cedar, drove the development of crop rotation with

pasturing animals. A lot of the progress made in agriculture was driven by starvation.

Q: Charles Balogh. I represent nobody. You mentioned the fact that you'd have to have 100 percent. That tells me absolutely no carbon dioxide, is that correct?

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MR. AVERY: What other people have suggested, including the Intergovernmental Panel on Climate Change, is that in order to stabilize the climate, so to

speak, we'd need to reduce global emissions of fossil fuels by 60 to 80 percent.

Q: Okay. Well now I'll get to the question. Does that mean we're going to have

to go nuclear, which is the only way I can think of producing our power without us

having any greenhouse gases.

MR. AVERY: This is up to the voice of the people. And I have told - I have said

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that the Green movement and the U.N. are boxing us into a nuclear corner. But it's not my decision to make.

Q: The other question is, okay, you did say you watched Al Gore's movie.

Okay,

could you comment about him saying about the ice cap decreasing up in the Arctic area?

You mentioned Antarctic in your previous book.

MR. AVERY: Yeah. Actually, Fred is better qualified on this than I am.

MR. SINGER: We have data on the Arctic, published data, going back approximately to 1920, I think. The warmest years in the Arctic region were around

1935, then it cooled, and now it's warming again but it hasn't quite reached the 1935

level. If you assume that ice cover and everything else is related to temperature, this

would suggest that the ice history of the Arctic has varied in a similar fashion.

MR. AVERY: I would also add that Chinese court records say that in 1421 the Chinese sent a naval expedition to the Arctic Ocean and found no ice. This was right at

the end of the medieval warming.

MR. SINGER: Oh, yeah, let me mention something else that's some uncertainty. There's a letter from the president of the Royal Society in London to the Admiralty in

1817 informing the Admiralty that the ice has receded, and it is now possible to attempt

to have a passage from northern Europe to Japan or what have you unimpeded by ice.

And he wanted to apprise the Admiralty of this. We have that letter.

So it seems to vary on some cyclical basis. I don't know the reason for it. I don't

think anybody else does.

Q: Jonathan Rauch, National Journal.

Does the observed pattern of warming in this century fit completely within the

confines of what would be predicted by the 1500-year cycle or is there something

additional going on? As you will detect, this is another way of asking Mr. Horowitz's

question, which you did not in fact directly answer.

For Mr. Singer, what is wrong with the science paper that found that 900 studies

included not a single one that took exception of global warming as a fact? 16

MR. AVERY: We can't know whether all of the warming that we've had since 1850 is due to the cycle and none of it due to the CO2. And as Fred suggests, logic would

tell us - experiments tell us that more CO2 in the air has some warming fact - some

warming affect. What we're suggesting is that both history and the recent

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pattern of things, particularly the warming before 1940, would indicate that the CO2 impact is a good deal smaller than the climate models which are telling us to be frightened.

MR. SINGER: Well, let me answer the other question. I think experience tells us

that scientific consensus is a fallacious concept, number one. In other words, that's not

how science advances. It advances because there's not a consensus. Someone thinks

differently and puts forward his ideas, whether it's Isaac Newton or someone else, or

Einstein. So scientific consensus is not necessarily a good thing.

But now let me talk about the article in Science magazine, which came out, for

those who are interested, in December of 2004, was it, or 2003; 2003. It was written by

Naomi Oreskes, a professor of science history at the University of California in San

Diego, and she claims, and still does, that out of the 932 abstracts which she got from the

ISI database on the Internet, not a single one disagreed with the consensus about manmade

global warming.

Subsequent to this remarkable article, which many people tried to reply to but

none of the replies were published by Science, she found that she had overlooked 11,000

other abstracts, and published a correction, but still maintained her original position. She

didn't examine the 11,000. But it's interesting that someone who works in the field

would be unaware of the fact that there were 11,000 - 12,000 papers published in the last

10 years and she only ended up with 900.

MR. AVERY: You will find in the footnotes in our book something on the order of 500 authors whose work testifies in and of itself to the fact of the

1500-year climate

cycle.

MR. SINGER: Now, someone took it upon himself - Benny Peiser, professor at the University of Liverpool in England - to look at those 932 abstracts. And he did. And

he got very different results. He found that more disagreed with the consensus than

agreed, but most of them were noncommittal and just didn't comment.

His work is published in another journal because Science accepted his corrections

but then decided not to publish it, for reasons which we don't fully understand. So the

uncorrected version still stands in the literature unresponded to, at least

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in Science  
magazine.

Q: I'm Sam Kazman, Competitive Enterprise Institute.

A year ago, in the wake of Katrina, global warming alarmists were claiming that that was just a foretaste of what was to come. Now, we're very close to the end of the

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current hurricane season, which, in terms of that prediction, of course, goes the other

way, but on the other hand, one calm hurricane season is not really proof of anything.

My question to you is, based on the patterns that you've identified, how soon can

we expect to see anything in the way of natural phenomena that offer a much more

persuasive refutation of the alarmist claims?

MR. AVERY: I just happen to have here some historic data from the British Navy, which was keeping close track of Caribbean storms in the 17th, 18th, 19th centuries

because they had wooden sailing ships based there, and sugar plantations. The British

Navy, between 1700 and 1850, recorded one major land-falling Caribbean hurricane

every two years. More recently, between 1950 and 1998, we recorded one major landfalling

Caribbean hurricane every five years.

And Fred tells me this accords neatly with theory, because theory says storm intensity and power is gauged - is produced by the temperature differential between the

equator and the poles. During a global warming, the temperature at the equator changes

hardly at all. In our proxy studies, the temperature in the Arctic may change 4 or 5

degrees Celsius. So the temperatures come closer together; the power available to drive

storms is reduced.

MR. SINGER: Yeah, that certainly is true for extra-tropical cyclones. But I'll

make a general remark about hurricanes. They're very interesting, but they don't tell you

anything about the cause of the warming. Even if there is a consequence of increased

hurricane frequency or intensity, which there doesn't seem to be, but if there were, it

wouldn't tell you what's causing the warming, which I think is the crucial question. This

is just another consequence, possible consequence.

MR. WEINSTEIN: Anyone else?

Q: Alex Avery with the Hudson Institute.

My question is for Fred. I just got an article from a mathematician in

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London, a  
Keenan, Dr. Keenan. There was a paper published in Nature in 2004 that purported to estimate summer temperatures based on grape harvest dates. And the paper was published and it said that 2003 - according to their computer model that calculated summer temperature averages based on the grape harvest dates, 2003 was the warmest since 1370. And he went back and compared their model predictions with actual recorded temperatures and found that their model had estimated 2003's temperatures 4 degrees higher than actual, and previous warm periods where we had actual measurements from this portion in France were not modeled accurately. Nature would not publish his criticism of that paper, and he had to get it published in another scientific journal. And I've had the same exact experience at Nature regarding agricultural scientific issues.

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And I ask you, with both Nature and Science seemingly shutting out legitimate and well-founded criticisms of widely publicized studies, what is going wrong with our scientific institutions, which we all rely on to be neutral referees in the game?

MR. SINGER: Well, what you say is unfortunately true. The two leading science journals in the world now are Science and Nature, and they both have editors that -

whom I know - who have a very strong personal view on the issue of global warming.

And this colors their whole approach to papers that they receive.

Don't forget, editors are not required to have papers refereed in the first place.

Their job is to seek the advice of referees. Well, obviously, if they know what they want

to do with a paper, they can always take referees who will give them the convenient advice.

The referee system really doesn't seem to work very well. Take, for example, the

Hockey Stick paper which was published in Nature, which was proven to be egregiously

wrong; wrong not only in the data, but also the methodology. It took two independent

scientists who were not even climate experts - they were statisticians - to find the errors

and to publish them eventually against great opposition.

MR. AVERY: It was worse than that, Fred. The key data in the Hockey Stick was derived from a paper written by two guys who were measuring the fertilization effect

of more CO<sub>2</sub> in the atmosphere, and they specifically said in their paper that the - there

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was no local temperature change that would have caused the growth spurt in the Bristlecone pines that produced the hook in the Hockey Stick. It's the closest thing I've ever seen to scientific fraud.

Q: I'm sorry. I would like a follow-up though, Dennis, to the question, because

I'm still not clear or satisfied with your responses.

I want to get to the question of - you say it's a smaller - it's - the effect of all of

the commercial activity in the CO2 is small relative to the cyclical changes - in what

ratio, is, I guess, in part the question. And let me ask it in a different way: can Al Gore

not accept your data and say - and I want to get a sense of the relative importance of the

CO2 emissions - yes, it is cyclical, but this time, it won't grow grapes on England; half

of it will be covered over by the Atlantic Ocean. I mean, that is what we hear, that there

are going to be just whole sunken parts of the civilized world. And you haven't, at least

for me, refuted the notion that it's our incremental CO2 emissions that's causing it.

That's the follow-up question.

And the other one I'd just want to ask is whether the good news of this - or whether you would regard it as good news - that if it generated much greater freedom for

nuclear power - forget about windmills and the rest - but would you as scientists regard

it as a good coming out of all of which you regard as fraud if it freed us up to go nuclear

to a much greater degree?

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MR. AVERY: Let me try to answer, and Fred can critique me if he differs. As an

economist and a lay historian, it looks to me as though 75 to 80 percent of the warming I

see can be credited to the natural cycle. If we're talking about 15 to 20 percent of the

warming being associated with man-made CO2, and we understand that each additional

increment of CO2 has less forcing power and at some point not too far along, each

additional CO2 unit as no forcing power, then there is virtually nothing in the outlook

from the standpoint of the 1500-year cycle that would drive frightening temperatures;

remembering that a huge number of Americans are at this moment voting for global

warming by moving to and living in the sunbelt.

67-2E/P  
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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Histrionics of global warming

MR. SINGER: Just to expand on this - what Dennis says is quite correct. The effect of CO2 - incremental CO2 is what we call logarithmic; that is the effect does not increase lineally with CO2. If you double CO2, you'll get double the effect. The reason for this has to do with physics. There's no disagreement on this, by the way. What happens to the absorption bands of CO2 are very strong and they get saturated. Once they're saturated, adding more CO2 doesn't change the situation. They're already saturated. You get a little more absorption at the edges, and this is what gives you the logarithmic effect.

As to how much of the current warming is due to human activities, I wouldn't want to guess. One cannot tell from the data. That's all I can say. We know it must be there. We also know it's small. But exactly how much, I have no idea.

Q: (Off mike) - nuclear -

MR. SINGER: On the nuclear, well, that's something that has to be determined by economics and to some extent by regulation. We seem to be lagging behind in the

United States. Many other countries are going ahead full blast with nuclear energy. On

the other hand, some countries are going backwards. I'm thinking of Sweden, Austria

and Germany. But many countries like Finland, Japan, France are moving ahead. Q: (Off mike.)

MR. SINGER: Oh, I'm pro-nuclear.

MR. AVERY: On the other hand, I'm pro-clean coal. I don't see why we should waste that resource if we have clean-burning technologies that allow us to use it with no pollutant other - well, I won't classify CO2 as a pollutant. But clean coal does produce

CO2. If CO2 is not a problem, then why waste the coal?

MR. SINGER: Let me expand on that. I'm also for burning coal, which is a native resource in the United States. We have huge reserves here. We export coal to the

rest of the world. You know, we're the Saudi Arabia of coal, basically.

One correction, not of Dennis but of the general discourse on this issue.

You hear

the words bandied about, "clean coal." To me, clean coal means what it really says, it

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means that the pollutants have been removed. You can do that; you can remove the

sulfur, you can remove the mercury, you can remove all the pollutants. To many people,

clean coal has become a euphemism for coal burning that doesn't emit carbon dioxide.

That's nonsense. Of course you emit carbon dioxide. What they mean by this

67-2E/P  
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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Histrionics of global warming

is that we must get it back again, sequester it and bury it somewhere. That's the worst idea I've ever heard of.

On the other hand, if you want to benefit financially, I would encourage you to

invest in coal sequestration. The Department of Energy has just decided to spend \$450

million on demonstration projects for coal sequestration - and that's in the Bush

administration, so you can imagine what's going to happen if the administration should

change.

MR. WEINSTEIN: Diana. Let's make this the last question.

Q: Well, speaking of changes, I was wondering what you thought was going to be the result of the next Congress and their positions on global warming, what they might

do. And I was specifically wondering about the next farm bill, which is apparently going

to have a higher mandate for ethanol content of gasoline. And I was wondering if you

might be able to say a few words about that.

MR. AVERY: As the author of a new paper published by CEI, "Biofuels, Food, or Forests (sic\Wildlife)? The Massive Land Costs of Corn Ethanol."

We currently burn 134 billion gallons of gasoline per year, and corn ethanol will

net us - net, net - 50 gallons worth of gasoline per acre per year. How many million

acres of forest are we willing to sacrifice to get small amounts of another low-grade auto

fuel, when Canada has more oil than Saudi Arabia in the Athabasca tar sands, that are

now being produced by steam injection at less than \$20 a barrel?

I consider the ethanol mandate the greatest danger to the environment in the First World.

MR. SINGER: It is also the greatest boondoggle that's been conceived of in recent years.

Now that the election is over, I would hope that the politicians will no longer

move in that direction, because, you know, the question of Iowa, of Nebraska and so on

has become somewhat moot, at least until the next election. We -

Q: But I hear they're considering increasing the mandate, increasing the percent

of our gasoline that's used from ethanol.

MR. AVERY: Doubling it, yes. Yeah. Yeah.

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Q: And that lowers our fuel consumption.

MR. SINGER: Yesterday I listened to a debate between David Pimentel from Cornell, who - an ecologist against ethanol, debating Bill Holmberg, who's

67-2E/P  
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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Histrionics of global warming

the executive director of the - listen to this - the Renewable Fuels Association of America, or something to that effect. And you could imagine how the debate went.

MR. SINGER: I'd like to just add just two remarks here. It's clear to me that - they argued about how much energy is required to make ethanol in relation to the energy you get out of it. In other words, they debated energy ratios. Pimentel argued that it takes more energy - fossil fuel energy to create ethanol, which then gives you some energy back when you burn it. And Holmberg, of course, argued the other way. They're both probably off.

But let's assume that the amount of fossil fuel energy you put into ethanol equals the amount you get out. It still doesn't make any sense. It causes all sorts of problems, and it is sustained only by subsidies.

MR. AVERY: It is sustained only, Fred, by the greens having driven us into foregoing all of the other fuels which are kinder to the environment than corn ethanol.

MR. SINGER: No, no, no, no.

MR. SINGER: No, we still have gasoline. It's sustained by greed, not green, but greed, spelled G-R-E-E-D.

MR. SINGER: And the subsidies are considerable. There's the question of whether ethanol will be taxed as gasoline is, as a road user fuel. But there's even one subtle point as to why the automobile companies have become enamored by ethanol, which I learned about yesterday, which is that they think they can gain points on the CAFE standards. They think they can calculate CAFE based on the amount of gasoline they burn per mile, rather than ethanol. It's a very complicated subject, but it is completely driven by subsidies, in my view.

MR. AVERY: It is weird that corn ethanol is the only energy source that the American public currently will approve using more of.

MR. WEINSTEIN: Hm. Well, on that note of slight disagreement between our two distinguished authors - (laughter) -

MR. SINGER: It's unstoppable. (Laughter.)

MR. WEINSTEIN: - exactly - we'd like to thank both of them for this fascinating and provocative discussion, which really gives you some of the character of

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this fascinating, provocative and rather detailed on the research side book that makes this

67-2E/P  
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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Histrionics of global warming

really unique argument - which, again, I urge all of you to purchase.  
I want to also thank a number of Hudson colleagues who helped set up the event today.  
(END)

67-2E/P  
cont'd

\*\*\*\*\* See what's free at <http://www.aol.com>.

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 67: JOHN STUMBAUGH, APRIL 5, 2007

*Response 67-1 E/P:* Commenter requests that the Steering Committee read the discussion related to global warming and climate change. County staff appreciates the concern of this commenter; however, the consensus among many other commenters is that this topic be addressed more fully in the General Plan Update as it is a viable issue for the County in upcoming years for planning purposes. As such, goals and policies have been included in the Conservation Element that address this issue as many other jurisdictions are currently doing in their General Plan Updates. Please see the Climate Change Master Response 3.4.4 for a complete discussion and rationale regarding this issue.

*Response 67-2 E/P:* The commenter attaches a book discussion from the Hudson Institute titled "Unstoppable Global Warming: Every 1500 Years." This comment is a discussion and presentation regarding global warming and climate change. See Response 67-1.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter 68

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From: "Carol Troy" <caroltroy@mac.com>  
Subject:  
Date: Sun, March 18, 2007 9:31 pm  
To: plowe@napacountygeneralplan.com

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Could you please resend me the notice for public hearing #1 in Napa? | 68-1P

I can't download from the copy I kept and I'd like to see the draft  
environmental impact report.

Best,

Carol Troy  
St. Helena

963 8765

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 68: CAROL TROY, MARCH 18, 2007

*Response 68-1 P:* The commenter requests a copy of the notice for public hearing #1 and of the Draft EIR. Copies of the notices were posted on the County's Web site for the General Plan Update.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter 69

**From:** Paul Williams [mailto:dornbush4097@sbcglobal.net]  
**Sent:** Wednesday, January 03, 2007 8:19 PM  
**To:** Johnson, Nancy  
**Subject:** Angwin fire danger and development

Please forward to Peter McCrea:

To whom it may concern:

I am a resident of Angwin who corresponded with Avery Brown, (Angwin fire chief), within the past year regarding a very dangerous situation here. I was taking the initiative to do something about this situation prior to my awareness of the proposed Angwin housing development. My concerns are even greater now.

First let me remind you of the Oakland Firestorm many years ago. At that time, I read an article discussing areas of California which were of comparable risk to Oakland hills. One of the areas mentioned was Angwin.

If a firestorm moves in a direction from Linda Falls Terrace toward Angwin, traffic could potentially be cut off from both Old Howell Mountain Road and Deer Park/Howell Mountain Roads which lead into Angwin. We have a bottleneck situation up here.

Let me remind you that there are several schools located in Angwin, as well as a fairly large elderly population due to the fact we have resources such as a store and hospital close by which allow them to remain somewhat independent in a rural area. Many of these elderly do not drive. Combine this with the elementary schools (there are two of them), and parents who work in the valley who cannot rescue their children during a firestorm. Even if they wanted to, these parents would probably be cut off from access to their children. Any fire responses would probably need to come up from Pope Valley and this would add an additional hour or so of response time. In the meantime, if the fire moved rapidly toward these schools, there would not be sufficient means to transport this vulnerable population off the hill.

Imagine if a college town, two elementary schools, and a significant elderly population had been integrated into the scene of the Oakland hills fire of 1991. Even without a particularly vulnerable population, 25 people died. One of them, a teenager who was alone at home, died attempting to escape off the hill by running. I often think about her when I discuss with my kids how to survive a wildfire by going to the vineyard lake we live close to. I've taught them to take a look outside when the Angwin fire siren goes off. I've also taught them to leave immediately; to get off this hill ASAP now that they both drive, 'before' the bottleneck occurs. We are not hiding our heads in the sand pretending it will never happen. Some people say it's a matter of 'when' not 'if', and I believe them.

Compounding the problem are the large number of college students (some of them do not have their own vehicles), who would also need to evacuate. If the only way off the hill is toward Pope Valley, people would probably panic, cars might stall, and there could be limited access for fire response teams. A bottleneck situation with a fire moving toward a vulnerable population has the potential to be hugely catastrophic. The local fire department most likely lacks the resources to deal with such a scenario.

Before people decide that it's a great idea to locate large subdivisions in a rural place like Angwin, please think about how vulnerable Angwin is right now, and then add one or two children for each new house constructed. Also include the additional people who might be home on a weekend, for example, who will join the ranks of those trying to evacuate through a bottleneck. If 200 homes are built, there could potentially be, at least, 600 additional people trying to escape through a bottleneck. How many students are typically enrolled at PUC? Let's say 1000.. Add another 2500 or so people who now live in Angwin and that adds up to at least 4000 people attempting to escape down a narrow winding road which may not have enough room for fire response vehicles. We cannot afford to pretend it will never happen, or that if it does, that it won't occur at a catastrophic level. If we mentally minimize the impact and allow unrestrained growth here in Angwin, it could be disastrous.

Just last summer a neighbor of mine was smoking toward the outskirts of his property. A small fire started right under the canopy of the trees. This was mid July. My youngest son saw the smoke and we immediately called the neighbor who was able to put it out. But...the incident was a close call and reminded me of just how vulnerable we are here in Angwin. I'm not against growth. I just think that there are more appropriate areas in Napa County for larger subdivisions. Please exercise wisdom when offering your input into this matter.

Thank you,  
Doreen Williams

69-1P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 69: DOREEN WILLIAMS, JANUARY 3, 2007

*Response 69-1 P:* The commenter opposes development in Angwin, particularly for fire safety reasons. Commenter states that fire safety in Angwin is of current concern as well. County staff appreciates the commenter's concern regarding development in Angwin and fire safety. Any application submitted to the County for review will need to address fire safety and many other issues before approval for development is granted.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Angwin needs a 'public' space

Letter 70

From: "Paul Williams" <dornbush4097@sbcglobal.net>  
Subject: Angwin needs a 'public' space  
Date: Thu, March 8, 2007 12:55 pm  
To: plowe@napacountygeneralplan.com

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Quote from a PUC employee:

"The development of a shopping center with a central plaza will provide a greater sense of community and may introduce us to neighbors who may be interested in our faith and message. The expansion of services and small local business that the town growth will promote should also create more jobs for students. These, to me, are very exciting possibilities." Comment from Marie Lopez, PUC employee. Napa Register <http://www.napavalleyregister.com/articles/2007/03/07/opinion/commentary/doc45eefd1c1aefa445244152.txt>

Please help us in Angwin. If you are going to approve 190 homes (I've heard that this is pretty much set in stone), please require a public park to be included in the development. I'm not talking about homeowner association lands or PUC owned green space around the development. We need an actual 'PUBLIC' space where we can go and feel free from the intrusions of any particular religion. We do not want to be held captive in a central plaza or given sneers because we do not associate with the church. I've lived in Angwin for 13 years and you have no idea the subtle forms of cohesion that exist up here. It's unhealthy and as long as there are no 'PUBLIC' lands, they have every right to do whatever they please in regards to discrimination, prothesizing etc.

There have been numerous Napa Valley Register postings about how PUC is 'PRIVATE' land and "GET OFF" if you don't like it. If you disagree with the development, they want you to just go away. Well, we will need a place to 'go away' to, a safe place to verbally defend ourselves if someone begins to prothesize. We still live in a country where a separation of church and state exists right? We've been patient about postal service on Saturdays. But enough is enough. Please require the development to set aside public lands for use by anyone.

Keep in mind that this development is not just about PUC. As the quote above implies, expansion of services will provide jobs for PUC students. Right now if a non SDA kid wants a job at the college, they must stand at the back of the SDA line. The SDA job application asks applicants if they will donate their 'tithe'. They are able to weed non SDA's out of the application process. Please also make certain that these homes become available to ALL types of Napa County residents and that they cannot be set aside solely for employees of SDA institutions. Limiting house sales to SDA institutions alone might very well cross the boundaries of separation of church and state.

One last comment, the Napa Register/Angwin survey taken yesterday had a strong 3 to 1 ratio against the development all day long and then about the time that people arrived home, a sudden surge of 'yes' votes came in. I believe that Triad/PUC employees were encouraged to make a vote. This survey is not limited to Napa County residents and it should not be viewed as a true reflection of opinions. Rather, the comment ration better reflects the statistics I noticed in the earlier part of the

70-1P

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**3.0 COMMENTS AND RESPONSES TO COMMENTS**

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Angwin needs a 'public' space

day.  
Thank you for your time,  
Doreen Williams

|70-1P  
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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 70: DOREEN WILLIAMS, MARCH 8, 2007

*Response 70-1 P:* The commenter opposes Angwin development by Triad and Pacific Union College and provides information in support of that opposition. County staff acknowledges the commenter's concern about this topic. However, consideration of this project is not associated with the General Plan Update.

Letter 71

**Sharp, Jeff**

**From:** Lowe, Rone Patrick  
**Sent:** Monday, March 05, 2007 10:23 AM  
**To:** Sharp, Jeff  
**Subject:** FW: Conservation, Development & Planning >GP Comment>

Jeff.....GP comment for the files....

-----Original Message-----  
From: Gitelman, Hillary  
Sent: Monday, March 05, 2007 8:43 AM  
To: Lowe, Rone Patrick  
Subject: FW: Conservation, Development & Planning

Here's a general plan comment. Hillary

-----Original Message-----  
From: CDP  
Sent: Monday, March 05, 2007 6:55 AM  
To: Gitelman, Hillary  
Subject: FW: Conservation, Development & Planning

Remember to reply to her and not the CDP line. :-)

-----Original Message-----  
From: S R-H [mailto:napasusan@hotmail.com]  
Sent: Sunday, March 04, 2007 10:09 AM  
To: CDP  
Subject: Conservation, Development & Planning

Dear Hillary Gitleman,  
It does not seem that we have locally addressed the predicted changes occurring in our world when it comes to conservation, development and planning. Many think that we are protected because we are located in a valley...if the wind blows out the pollutants in our air it also blows the pollutants in...if we add to the the water pollutants, they come back to haunt us...even if we didn't "add" significant amounts of poisons to the world at large, we are significantly affected by them. With the threat to the well-known animal species (the polar bear, the bees, and the mountain gorilla), it would seem we would be a bit more sensitive to the plant and animal species indigenous to our county. News articles such as what can be found here... [http://www.truthout.org/docs\\_2006/030307C.shtml](http://www.truthout.org/docs_2006/030307C.shtml) makes me think we would rather reject bad news then deal with it. Thanks you for your time, Susan

71-1P

Win a Zune™—make MSN® your homepage for your chance to win!  
<http://homepage.msn.com/zune?icid=hmetagline>

### **3.0 COMMENTS AND RESPONSES TO COMMENTS**

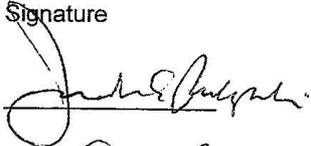
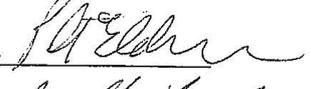
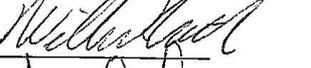
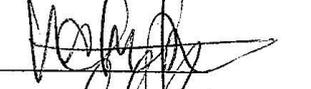
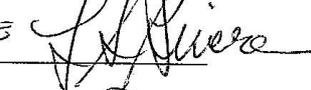
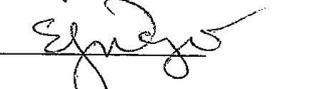
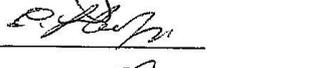
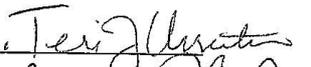
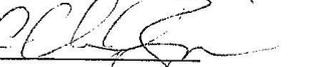
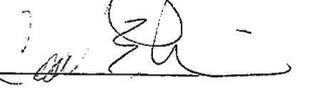
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LETTER 71: SUSAN R-H, MARCH 4, 2007

*Response 71-1 P:* The commenter expresses concern that the General Plan does not adequately address predicted changes related to conservation, development, and planning. County staff appreciates the commenter's concern for the environment and notes that many modifications have been made to the Conservation Element that address climate change, energy conservation, sustainability, and natural resources protection. See also the comprehensive discussion on climate change in the Climate Change Master Response 3.4.4.



3.0 COMMENTS AND RESPONSES TO COMMENTS

Name	Address	Signature
JOSEPH NABRYNSKI	275 SHEPHERD WAY	
VICKI REZA	231 SHEPHERD WAY	
RICHARD REZA	231 SHEPHERD WAY	
BILL ELLER	219 SHEPHERD WAY	
P. A. ELLER	219 SHEPHERD WAY	
WILLIAM WATL	38 CAROLYN DR.	
VICTOR RIVERA	130 WETLANDS EDGE RD	
LUISA RIVERA	130 WETLANDS EDGE	
SANDY WARGO	28 ALTA LOMA	
EMILIANO LLAVE JR.	15 ORANGE BLOSSOM CT	
CHARLES CAMARCA	4 CHERRY BLOSSOM	
TERI URRUTIA	150 RADWALL ST. D.C.	
JACKIE COSTANEDA	939 DANROSE DR. Apt C	
MIKE ZIMMERMAN	109 CARMEL DRIVE	
CAROL HARRIS	5 COBBIN DR.	

3.0 COMMENTS AND RESPONSES TO COMMENTS

Name	Address	Signature
Leslie Gaffney	413 Knightsbridge	Leslie Gaffney
Patricia G. S. A. ...	402 Devonian Way	Patricia G. S. A. ...
Joyce L. Shields	2555 Flosden Rd. Sp 43	Joyce L. Shields
Patricia Canella	4 Cherry Blossom Am Csm	Patricia Canella
Howard Drucci	213 Washington Dr Brentwood Way	Howard Drucci
MELANIE L. BAUTISTA	234 Northampton Dr	Melanie L. Bautista
Thomas R. Scott	412 Blanca St	Thomas R. Scott
Alia Urrutia	150 Bradwall St.	Alia Urrutia
Patricia Kelly	211 Sheffield Way	Patricia Kelly
Brian Kelly	211 SHEPPARD WAY	Brian Kelly
Nancy Nabrynski	225 Sheffield Way	Nancy Nabrynski
William Lawrence	225 Sheffield Way	William Lawrence
MARIE E. WALTON	238 CAROLYN DR.	Marie E. Walton
Christina Domany	234 Carolyn Dr	Christina Domany

cc: Bill Kisliuk, Managing Editor Napa Valley Register  
Mike Waterman, Editor American Canyon Eagle

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 72: CONCERNED CITIZENS OF AMERICAN CANYON, APRIL 21, 2007

*Response 72-1 P:* The commenters ask that the County correct the RUL in American Canyon. The proposed General Plan Update has been revised and now identifies a "Preferred Plan" (see Section 2.0 of this document for a complete description). The Preferred Plan proposes an RUL for the City of American Canyon that reflects the current status of negotiations between the City and the County. (See Policy Ag/LU-130 and Figure Ag/LU-5 in the Revised General Plan Update.)

Letter 73

**Shannon Damonte**  
Post Office Box 174  
Pope Valley, California 94567

(707) 965-2342

sbdamonte@yahoo.com

(707) 849-8668

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May 23, 2007

Napa County Dept. of Conservation, Development and Housing  
1195 3<sup>rd</sup> Street, Suite 210  
Napa, CA 94559

*RE: Pope Valley Commercial Zoning*

Attn: R. Patrick Lowe:

I am writing in regards to commercial zoning in Pope Valley. While I understand the need to protect agricultural zoning and the concerns of the citizens against commercial zoning here, I feel a balance of the two should be met.

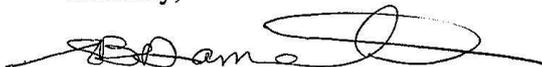
73-1P

Many businesses here, such as; Pope Valley Store, P.V. Garage and recycling yard, P.V. Market, P.V. Community Center (aka: Farm Center) P.V. Fire Station #20, and P.V. Water Company have all been in operation for many years with commercial use in an agricultural zoning area.

The loss of these businesses would be devastating to our small community. I would like to ask that you please consider changing the zoning of the above referenced businesses to commercial as well as a reasonable amount of additional acreage for future planning purposes.

Thank you for your consideration in this matter.

Sincerely,



Shannon Damonte

### **3.0 COMMENTS AND RESPONSES TO COMMENTS**

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LETTER 73: SHANNON DAMONTE, MAY 23, 2007

*Response 73-1 P:* Commenter requests that businesses in Pope Valley under Agricultural zoning to be changed to Commercial zoning. County staff has proposed very limited changes to land use designations. There would be no map changes in Pope Valley, although the Preferred Plan (see Section 2.0 of this document) would permit property owners to seek approval for commercial uses in designated historic buildings that are rehabilitated and maintained according to strict historic preservation standards.

Letter 74

April 21, 2007

Harold Moskowitz, Chairman  
Board of Supervisors  
County Administration Building  
1195 Third Street, Suite 310  
Napa, Ca 94559

cc: BOS  
Original H. Moskowitz

Dear Chairman Moskowitz,

I was very disappointed with the draft General Plan as recommended by the General Plan Advisory Committee.

As you know American Canyon has a General Plan that was adopted when we incorporated in 1994. I believe that the draft county plan is not consistent with the goals and objectives of the community of American Canyon or South Napa County.

74-1P

I also am not in favor of the Hess Vineyards being as the draft plan states...I think it should be in agriculture watershed only, not in any other use.

I believe the county should not change the RUL line and keep it at Fagan Creek where it belongs....

Sincerely,  
Fran Lemos  
300 Hess Road  
American Canyon, Ca  
94503



### **3.0 COMMENTS AND RESPONSES TO COMMENTS**

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LETTER 74:                   FRAN LEMOS, APRIL 21, 2007

*Response 74-1 P:*        Commenter states that Hess Vineyards property should be in agriculture watershed, not transitional, and that the American Canyon RUL should remain at Fagan Creek. Under the Preferred Plan (see Section 2.0 of this document), Hess Vineyards would be re-designated as AWOS to correlate with existing AW zoning and existing land use. The Preferred Plan proposes an RUL for the City of American Canyon that has been jointly agreed to by the City and the County.

Letter 75

April 19, 2007

APR 24 2007

Harold Moskowitz, Chairman  
Board of Supervisors  
County Administration Building  
1195 Third Street, Suite 310  
Napa, Ca. 94559

Dear Chairman Moskowitz,

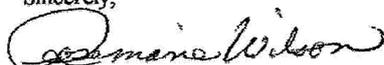
I have been reading in the American Eagle that the County's General Plan Advisory Board failed to have a formal review of the controversy surrounding the recommendation to reset the County RUL to match American Canyon's current city limits. This is not a good move. Since 1994 the City's ultimate Northern Boundary has been Fagan Creek. Your own staff acknowledged that there were only four areas of controversy concerning the draft Plan. The failure to agendaize and discuss with the City of American Canyon the current rationale behind the move, is arrogant and only gives birth to mistrust. Mistrust of the County resulted in the people of American Canyon incorporating and forming its own City because of the past land use practices of the County toward our community.

75-1P

Placing the County's RUL at the current City Limit Line is wrong and the Board needs to correct this attempt to stifle our community's right to self-determination through the implementation of the City's adopted General Plan.

Please right this wrong to the people of American Canyon.

Sincerely,



Rosemarie Wilson  
219 Crawford Way  
American Canyon, Ca. 94503  
707-557-4519  
rosemaariewilson1@yahoo.com

### **3.0 COMMENTS AND RESPONSES TO COMMENTS**

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LETTER 75: ROSEMARIE WILSON, APRIL 19, 2007

*Response 75-1 P:* Commenter does not agree with the County's proposed RUL for American Canyon. The Preferred Plan (see Section 2.0 of this document) proposes an RUL for the City of American Canyon that has been jointly agreed to by the City and the County.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter 76

+Napa County Dept. of conservation and Planning  
1195 3rd. St. Ste 210  
Napa, Ca. 94559

June 6, 2007

Attn: R. Patrick Lowe

I'm writing regarding commercial zoning in Pope Valley for the following listed properties and businesses: Pope Valley Store, Pope Valley Garage and recycling yard, Pope Valley market, Pope Valley Community center, Pope Valley Fire Station and Pope Valley Water Co.

76-1P

These businesses have operated for as long as 60 to 122 years with commercial use in an agricultural area. These parcels should have never been painted into the Ag. watershed without public hearings. The supervisors at the time operated in an illegal manner and should have been taken to task at the time, but as with all agriculture and land issue rights, we don't have the voting power to vote in or vote out a supervisor who will not protect these landowners constitutional rights.

I believe these properties should be re-zoned to commercial use and additional parcels should be zoned for future use. If you are going to correct a faulty county plan, it should consider all the needed uses for the future in the entire valley.

Sincerely,

Richard DeVita

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 76: RICHARD DEVITA, JUNE 6, 2007

*Response 76-1 P:* The commenter supports commercial zoning for properties and businesses in Pope Valley where current business are operating. County staff acknowledges the commenter's support for continuation of businesses already in operation. County staff has proposed very limited changes to land use designations. There would be no map changes in Pope Valley, although the Preferred Plan (see Section 2.0 of this document) would permit property owners to seek approval for commercial uses in designated historic buildings that are rehabilitated and maintained according to strict historic preservation standards.

Letter 77

April 25, 2007

Napa County Dept. of Conservation, Development and Planning  
1195 3<sup>rd</sup> Street, Suite 210  
Napa, Ca 94559

Attn: R. Patrick Lowe

I am writing to you regarding commercial zoning in Pope Valley for the businesses listed below:

77-1P

Pope Valley Store, Garage, recycling yard, Pope Valley Market, Pope Valley Community Center, Pope Valley Fire Station and Water Company.

These businesses have been in operation for a minimum of 60 and for as many as 122 years with commercial use in an agricultural zoning. I believe the zoning of these properties should be changed to commercial, and it is important that some additional acreage should receive commercial zoning for future planning purposes.

Sincerely,

*Jean M. Warner*  
*6279 Pope Valley Road*  
*Pope Valley, Ca. 94567*

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 77: JEAN M. VARNER, APRIL 25, 2007

*Response 77-1 P:* The commenter encourages commercial re-designation of existing uses in Pope Valley. County staff has proposed very limited changes to land use designations. There would be no map changes in Pope Valley, although the Preferred Plan (see Section 2.0 of this document) would permit property owners to seek approval for commercial uses in designated historic buildings that are rehabilitated and maintained according to strict historic preservation standards.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter 78

April 25, 2007

Napa County Dept. of Conservation, Development and Planning  
1195 3<sup>rd</sup> Street, Suite 210  
Napa, Ca 94559

Attn: R. Patrick Lowe

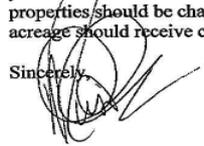
I am writing to you regarding commercial zoning in Pope Valley for the businesses listed below:

Pope Valley Store, Garage, recycling yard, Pope Valley Market, Pope Valley Community Center, Pope Valley Fire Station and Water Company.

78-1P

These businesses have been in operation for a minimum of 60 and for as many as 122 years with commercial use in an agricultural zoning. I believe the zoning of these properties should be changed to commercial, and it is important that some additional acreage should receive commercial zoning for future planning purposes.

Sincerely,



### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 78: [UNKNOWN/UNREADABLE], APRIL 25, 2007

*Response 78-1 P:* The commenter encourages commercial re-designation of existing uses in Pope Valley. County staff has proposed very limited changes to land use designations. There would be no map changes in Pope Valley, although the Preferred Plan (see Section 2.0 of this document) would permit property owners to seek approval for commercial uses in designated historic buildings that are rehabilitated and maintained according to strict historic preservation standards.

Letter 79

May 22, 2007

Dear Member, Napa County General Plan Update Steering Committee.

I would like to refer you to a recent letter in your file by Dr. Richard Osborn, president of Pacific Union College, requesting that the Angwin Urban Bubble remain in place as is. I would like to present some historic information which rebuts the arguments presented.

79-1P

**The Historic Urban Bubble**

It is obvious that the Angwin Urban Bubble is a “historic planning mistake.” The Bubble stretches northward beyond the Pacific Union College campus for more than half a mile, incorporating lands which have historically been agricultural and open space.

79-2P

At the same time, the Bubble does not include most of the village of Angwin. So the Bubble represents poor planning, both in what it includes and in what it excludes.

**No County Commitment**

The County did, indeed, draw the Bubble in response to the request of the College some 30 years ago. However, nothing in the text presents any rationale for the configuration. Nothing indicates a County desire for any development up to one-half mile removed from the campus. There is nowhere in the text any commitment to accommodate the College in any future development on these agricultural lands.

79-3P

To the contrary, the working definition of Pacific Union College, for planning purposes, has always addressed JUST THE EXISTING CAMPUS AND THE EXISTING COMMERCIAL AREA DIRECTLY ACROSS FROM THE CAMPUS on Howell Mountain Road.

This position was re-affirmed in 1998, when the Board of Supervisors was asked by the College to approve two developments just outside the Bubble. A majority of the Board agreed that future development should be restricted to just the existing complex. A record of that discussion includes an opinion by the County attorney that the Board could utilize a working definition of the College as just the existing campus.

In short, any PUC assertion that the County had historically intended to encourage, accommodate, or permit development beyond the existing campus and the existing commercial area adjacent is not substantiated by the record.

The College additionally refers to a policy statement that the County should “support” this time-honored institution, “Support” is a very general word. It cannot be stretched artificially to accommodate urbanization of College agricultural lands. Other over-riding provisions in the General Plan argue against that.

**Potential Economic Loss to the College**

The College asserts that restricting the agriculturally zoned lands within the Urban Bubble to agricultural use will diminish their value to the College. Indeed, the value of these parcels for agriculture may be less than for residential or commercial development. But that is true of every agricultural parcel in the County. The County cannot afford to make an exception in this case, which would be unfair to every other landowner who is bound by public policy.

79-4P

Napa County should not be asked to abandon its basic land use policies protecting agricultural lands in the General Plan to accommodate any single corporate institution.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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#### **Not a Religious Issue**

PUC asserts that Adventist denominational position on alcoholic beverages discourages it from the profitable leasing or selling of its agricultural lands for vineyards. This is not historically correct. In recent years, the College has knowingly and deliberately sold parcels for vineyards. Three which come to mind are 1) a parcel sold to David Abreu, 2) a parcel sold for a Beringer vineyard, and 3) a parcel on Sentinel Hill which was being prepared to go onto the market for vineyard development, but which was purchased by Randy Dunn to prevent deforestation.

79-5P

In short, this is no longer an issue. College officials have stated publicly and repeatedly that the College cannot and should not dictate the eventual use of any lands it might sell. The College no longer considers itself bound by the religious considerations which Dr. Osborn raises.

#### **The College's stated intentions**

This issue has become pertinent in 2007 because the College – in consort with the Triad corporation of Seattle - recently sought to have agricultural parcels within the Bubble converted to residential.

79-6P

The College's request to keep the Bubble reveals a clear desire to urbanize these agriculturally zoned lands some time in the future. Its letter states this wish unequivocally, when it maintains that the County should not "diminish the value of College land (by restricting it to agricultural use) and deprive the College of the flexibility it needs to meet the challenges of the future."

#### **Conclusion**

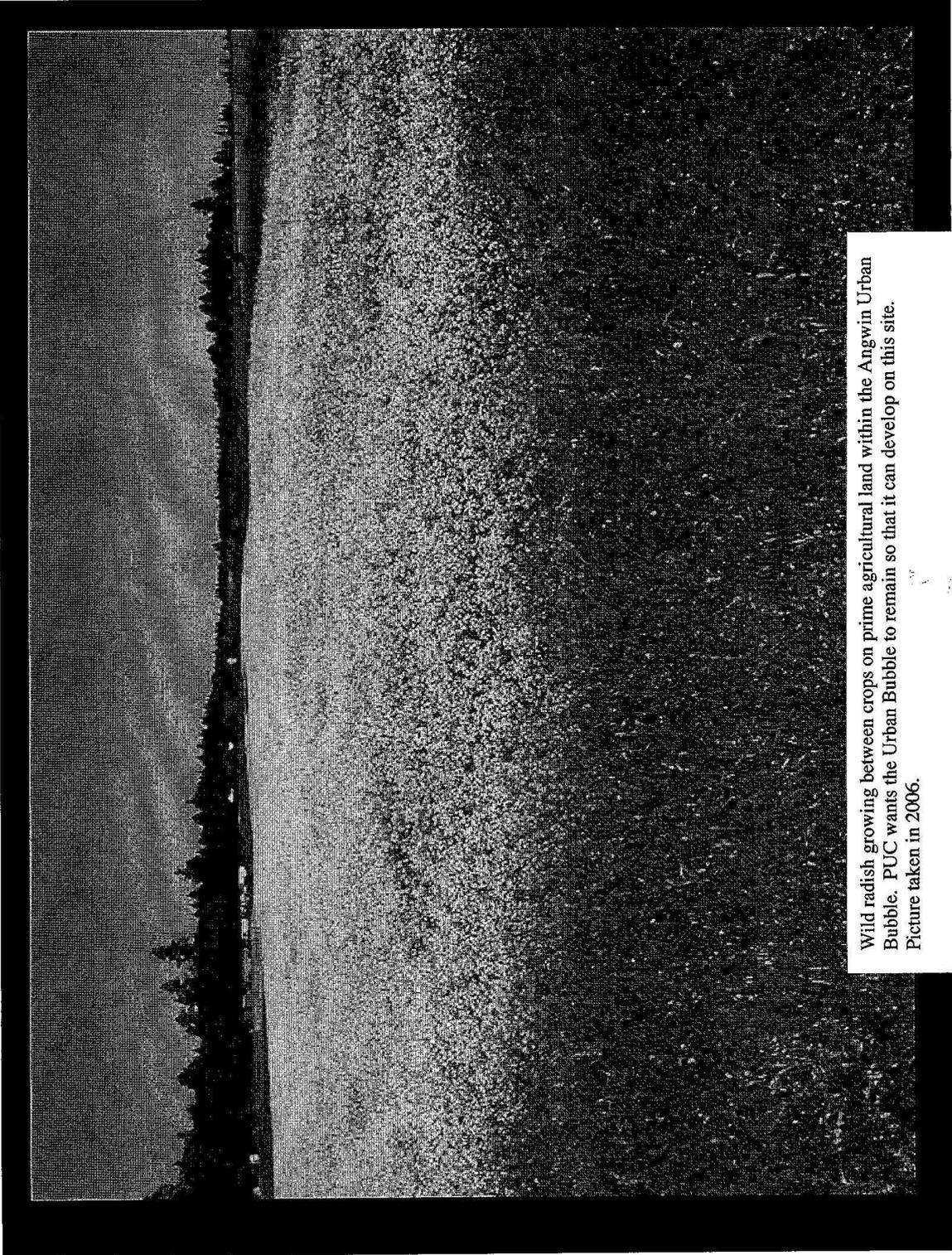
Nothing in the General Plan text indicates a commitment by the County to rewrite its land use policies to accommodate some future development which Pacific Union College might desire within an Urban Bubble. Any ambiguous statement that the County wishes to "support" the College cannot be interpreted to support conversion of agricultural lands to urban development.

79-7P

I appeal to the Committee to remove endangered agricultural parcels from any new Urban designation of Angwin in the new General Plan. The General Plan should embody policies consistent with its broader long-range goals, not the special interests of a single corporate institution.



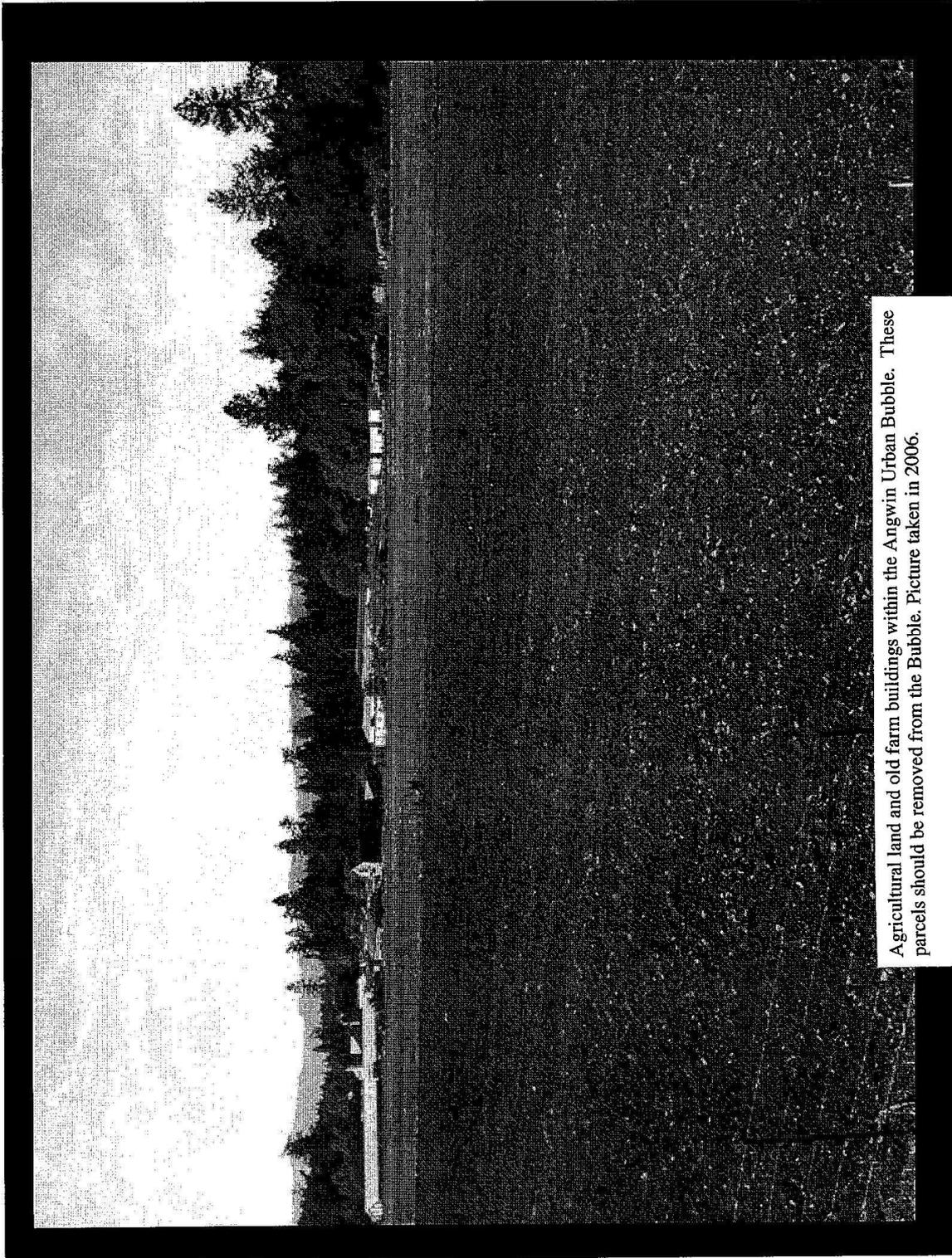
Duane L. Cronk  
P. O. Box 707  
Angwin, CA 94508  
Phone: 707 965 2085



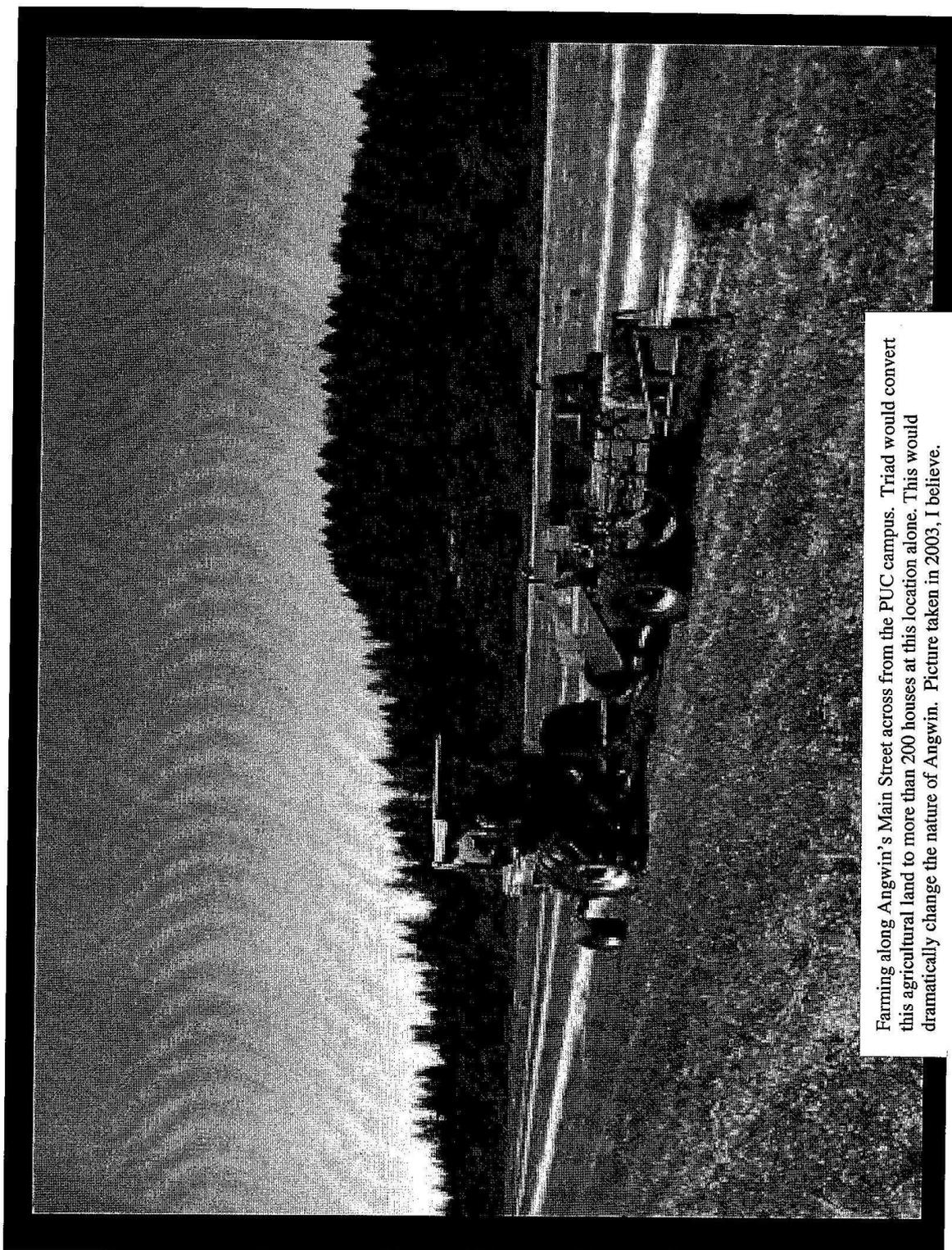
Wild radish growing between crops on prime agricultural land within the Angwin Urban Bubble. PUC wants the Urban Bubble to remain so that it can develop on this site. Picture taken in 2006.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Agricultural land and old farm buildings within the Angwin Urban Bubble. These parcels should be removed from the Bubble. Picture taken in 2006.



Farming along Angwin's Main Street across from the PUC campus. Triad would convert this agricultural land to more than 200 houses at this location alone. This would dramatically change the nature of Angwin. Picture taken in 2003, I believe.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 79: DUANE L. CRONK, MAY 22, 2007

*Response 79-1 P:* The commenter rebuts letter by Dr. Richard Osborn, president of Pacific Union College (PUC), requesting that the Angwin urban bubble remain as is. The proposed General Plan Update has been revised and now identifies a "Preferred Plan" (see Section 2.0 of this document for a detailed description). The Preferred Plan removes areas currently zoned for agricultural use from the Angwin bubble as well as identifies existing rural residential areas for inclusion in the bubble (subject to Measure J vote). Changes to the bubble would not preclude the PUC development proposal, which will be subject to a separate planning process and EIR.

*Response 79-2 P:* The commenter states that the designation of the urban bubble was a historic planning mistake. The County appreciates the commenter's thoughts on the urban bubble concept and recognizes the limitations of the "bubble" as a planning tool. Please see Action Item Ag/LU-114.1, which proposes to address this issue systematically throughout the County.

*Response 79-3 P:* The commenter notes the record shows that the Board of Supervisors did not support extending development outside the bubble. The County acknowledges the commenter's information on this topic.

*Response 79-4 P:* The commenter notes that the County should not acquiesce to PUC in order to accommodate their development plans. The County appreciates the commenter's concerns on this topic. However, consideration of the PUC development proposal will be undertaken separately from the General Plan Update.

*Response 79-5 P:* The commenter notes that the Adventist religious position prevents leasing or selling land for vineyards, but that appears to be not the case. The County appreciates the commenter's concerns on this topic.

*Response 79-6 P:* The commenter suggests that PUC's request to maintain the bubble shows the college's desire to urbanize land zoned as agricultural. See Response 79-4.

*Response 79-7 P:* The commenter asks the Steering Committee to remove endangered agricultural parcels from any new urban designation of Angwin. See Response 79-1.

Letter 80

To: Napa County Department of Conservation, Development, and Planning  
Attn: General Plan Comments  
1195 Third Street, Suite 210  
Napa, Ca 94559

From: John and Marsa Tully  
1515 Howell Mountain Road  
Angwin, Ca 94508

Subject: Policy Ag/LU-57

Current General Plan:

The county recognizes the historical significance of Pacific Union College in the Angwin community and will continue to support this time-honored institution and employer.

Draft General Plan:

same as current general plan

Suggested Wording Changes:

The county recognizes the historical significance of Pacific Union College in the Angwin community and will continue to support this time-honored institution and employer **in its educational mission.**

Rationale:

The county should indeed support the college in its educational efforts but not necessarily in projects which are not educational, and the county should certainly not unconditionally support whatever the college may propose. 'Support' is too broad a word to be used without qualification.

80-1P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 80: JOHN AND MARSA TULLY, JUNE 4, 2007

*Response 80-1 P:* For Policy Ag/LU-57, the commenters suggest adding "...in its educational mission" to end of sentence "The county recognizes the historical significance of Pacific Union College in the Angwin community and will continue to support this time-honored institution and employer." This addition has been made to the policy, which is now numbered as Ag/LU-63.

Letter 81

To: Napa County Department of Conservation, Development, and Planning  
Attn: General Plan Comments  
1195 Third Street, Suite 210  
Napa, CA 94559

From: John and Marsa Tully, Members, Save Rural Angwin  
1515 Howell Mountain Road  
Angwin, CA 94508

**Subject:** Use of the phrase “**already developed areas**”

**Draft General Plan:**

p.14: Longstanding community values include agricultural preservation, resource conservation, and urban-centered growth. These values will be perpetuated by this General Plan, and will continue to ensure that new housing and commercial enterprises are directed to **already developed areas**.

81-1P

p. 15: New non-agricultural development will continue to be focused in the incorporated cities and **already developed areas**.

p. 33 , Policy Ag/LU-3: Concentrate non-agricultural land uses in existing urbanized or **developed areas**.

p. 39, Policy Ag/LU-20: Urban uses shall be concentrated in the incorporated cities and the **already developed areas** of the unincorporated County as they exist in 2006.

**Suggested Wording Changes:**

Replace **already developed area** with **existing incorporated and urbanized areas**.

**Rationale:**

The term **already developed area** is too broad, and, by existing definition, could conceivably be taken to include almost all County lands. The term “urbanized areas” should include only areas with existing “urban” infrastructure; i.e., road networks for ease of accessibility and sewer and water utilities. It should **not** include agricultural lands caught inside “urban bubbles” and overlaid with UR or RR designation.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 81: JOHN AND MARSA TULLY, JUNE 4, 2007

*Response 81-1 P:* Commenters request that the phrase "already developed areas" be replaced with "existing incorporated and urbanized areas." These text changes have been made to Ag/LU-3 and Ag/LU-20. The numbers have been changed to Goal Ag/LU-3 and Policy Ag/LU-22.

Letter 82

To: Napa County Department of Conservation, Development, and Planning  
Attn: General Plan Comments  
1195 third Street, Suite 210  
Napa, CA 94559

From: John and Marsa Tully  
1515 Howell Mountain Road  
Angwin, CA 94508

Subject: Policy Ag/LU-55

Current General Plan: ( Land Use Element 4.9a)

URBAN AREAS - The County will assume that the density of development in the American Canyon Area and the Angwin Area precludes future subdivision activity based on septic tanks and wells. The Angwin Urban Area is Pacific Union College and adjacent commercial facilities.

82-1P

Draft General Plan:

The existing density of development in the Angwin area and the county's desire to be protective of water quality precludes future subdivision activity based on septic tanks. Also, the County shall encourage replacement of existing septic systems with municipal wastewater treatment as feasible.

Suggested Wording:

1. Delete " **...and the County's desire to be protective of water quality...**".
2. Add " precludes future subdivision activity based on septic tanks **and wells.**"
3. Remove the word "**municipal**" before "wastewater treatment" or remove the whole sentence.
4. Re-insert: **The Angwin Urban Area is Pacific Union College and adjacent commercial facilities.**

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Rationale:

1. This phrase seems to have been inserted only to support the removal of “...and wells” from the version in the DGP. It makes it seem that only water quality but not quantity is important. Obviously, if there is not enough quantity, the quality is immaterial.

2. If population density in the 1980s was enough to cause concern about subdivision activity based on wells, it is all the more worrying in 2007, when the population of Angwin has substantially increased.

Note: **Policy Ag/LU-70** (in the Deer Park section , p.64) does not delete the words “...and wells,” nor does it mention anything about “**municipal wastewater treatment.**” Is the DGP attempting to open a door for someone who wishes to build a subdivision particularly in Angwin based on wells and with a “municipal” wastewater treatment system?

3. The word “**municipal**” means “of or pertaining to the local government of a **town or city.**” Angwin is not a town or city and does not have a local government. There is a local entity, however, which wishes to base a subdivision on its private wastewater treatment system. This DGP policy appears designed to aid this entity in its efforts.

4. This sentence correctly and succinctly defines and limits the Angwin Urban Area. In addition, this statement needs to be clearly reflected in a more accurate GP designation map of the Angwin area.

82-1P  
cont'd

**3.0 COMMENTS AND RESPONSES TO COMMENTS**

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**LETTER 82:** JOHN AND MARSA TULLY, JUNE 4, 2007

*Response 82-1 P:* Commenters suggest several word changes to sentence in Policy Ag/LU-55 related to development in the Angwin area and provide rationale for the suggested revisions. The policies identified have been revised somewhat, but not all of the commenter's specific edits have been included. (Please see new policies regarding Angwin beginning on p. 43 of the Revised General Plan Update.)

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter 83

To: Napa County Department of Conservation, Development, and Planning  
Attn: General Plan Comments  
1195 Third Street, Suite 210  
Napa, Ca 94559

From: John and Marsa Tully, Members, Save Rural Angwin  
1515 Howell Mountain Road  
Angwin, CA 94508

Subject: Policy Ag/LU-119, Section 3 (Location of Growth)

Draft General Plan:

The General Plan expresses the County's policy of encouraging urban-centered growth focused in urbanized areas. Higher density development would normally occur in the urban areas as a result of the availability of water and/or sewer facilities. Preference is to be given to the urban areas identified in the County's General Plan such as **Angwin and** those County islands surrounded by the City of Napa and/or the City of American Canyon.

83-1P

Suggested Wording Changes:

Delete ...**Angwin and...**

Add : ...as a result of the availability of water and/or sewer facilities **and existing safe and serviceable access roadways.**

Rationale:

**Policy Ag/LU-119** in the Draft General Plan describes the Growth Management System for Napa County, and it is a great help in defining what the Angwin Urban Area is. Physically Angwin has no resemblance to "those County islands surrounded by the City of Napa and/or the City of American Canyon." Angwin is surrounded by forest and agricultural lands, not by an urban area with a variety of access roadways like those in Napa and American Canyon. (See attached "Reference Visualization Map"). But there must be some resemblance, or these areas wouldn't be mentioned together. Again, the Location of Growth Section states: "Higher density development would normally occur in the urban

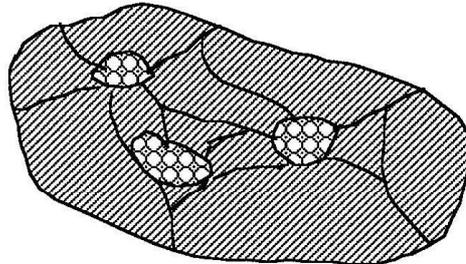
areas as the result of the availability of water and/or sewer facilities.” Only at Pacific Union College are there both water and sewer facilities, and, aside from water used for agricultural purposes, both these utilities are limited to PUC’s existing core campus and existing adjacent commercial facilities. The current General Plan states, “The Angwin Urban Area is Pacific Union College and adjacent commercial facilities”. We have a match. Therefore, the so-called “urban bubble” that encompasses both PUC property and other property does not correctly define the Angwin Urban Area. Pacific Union College was again defined in 1998 (Resolution 97-4) as the existing college complex and its adjacent commercial facilities. The Angwin Urban Area is limited by definition in the current General Plan (Pacific Union College and adjacent facilities) and by infrastructure in the Draft General Plan (availability of water and/or sewer facilities.) The addition of **existing safe and serviceable access roadways** seems an obvious necessity. Water and sewer facilities are useless as a basis for development if the area they serve is not conveniently and safely accessible.

83-1P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

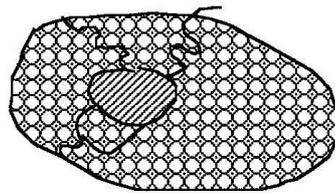
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“REFERENCE VISUALIZATION MAP”



83-2P

Napa or American Canyon (striped incorporated city area) with undeveloped County “islands” available for “infill” development and accessed by urban roadway infrastructure



Angwin Urban Area surrounded entirely by undeveloped areas and accessed by limited and winding country roads

NOTE: The Angwin area is exactly the opposite “negative image” of the Napa City or American Canyon situation. Possibility of “infill” in Napa or American Canyon seems likely because surrounding urban areas include numerous routes of access. But “infill” of the Angwin Urban Area is not feasible because of surrounding undeveloped area which lacks appropriate roadway access.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 83: JOHN AND MARSA TULLY, JUNE 4, 2007

*Response 83-1 P:* For Policy Ag/LU-119, commenters suggest revisions to Section 3: deleting "Angwin" and adding "...as a result of the availability of water and/or sewer facilities **and existing safe and serviceable access roadways**" and provide rationale for the changes. The County appreciates the commenters' input on this topic; however, the suggested changes were not made in the revised Agricultural and Land Use Element. The text of Policy Ag/LU-119 derives from the Growth Management Element of the current General Plan, and County staff have attempted to make the minimum changes necessary since this element implements a voter initiative (Measure A) adopted in 1980.

*Response 83-2 P:* Commenters provide reference visualization maps. The County appreciates the commenters' input for this topic.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter 84

To: Napa County Department of Conservation, Development, and Planning  
Attn: General Plan Comments  
1195 Third Street, Suite 210  
Napa, CA 94559

From: John and Marsa Tully, Members, Save Rural Angwin  
1515 Howell Mountain Road  
Angwin, CA 94508

**Subject:** Policy Ag/LU-120 (p.106)

**Draft General Plan:**

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 levels outlined in the Growth Management System. Those requirements include, but are not limited to: Located in non-agriculturally designated lands; Are subject to a phased development plan; Would make a substantial contribution to meeting the County's State-mandated housing needs; and, Would include a significant affordable housing component.

84-1P

**Suggested Wording Changes:**

Certain multi-family **affordable-housing** 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 levels outlined in the Growth management System. Those requirements include, but are not limited to: Located in nonagriculturally designated lands; Are subject to a phased development plan; and, Would make a substantial contribution to meeting the County's State-mandated housing needs. **(delete final phrase: Would include a significant affordable housing component.)**

**Rationale:**

Building in excess of the annual permit levels should be limited to housing projects which consist entirely of affordable units. Inclusion of only a percentage of affordable units should not be used as bait by developers to gain County

permission to build subdivisions all over the County. In order to gain a few units of affordable housing, the County ends by allowing more than three times as many fair-market units to be built. This is an unacceptable number of total units over the annual permit levels. Not only that, it is a well-known habit of developers to put off the building of the affordable portion of a project until the end of phased development, and then to try to lower the number of affordable units. Sometimes these units never get built at all.

84-1P  
cont'd

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 84: JOHN AND MARSA TULLY, JUNE 4, 2007

*Response 84-1 P:* Commenters suggest wording changes to paragraph starting "Certain multi-family residential project proposals..." and provide rationale for the revisions. This suggestion was related to Policy Ag/LU-120, which is now deleted from the revised Agricultural and Land Use Element.

Letter 85

June 5, 2007

Hilary Gitelman  
Napa County Planning Department  
1334 Third Street, Room 210  
Napa, CA 94558

Dear Hilary,

My name is Harold Moskowitz and I have been in agriculture all of my life in Napa County. In 1974, I converted all of my permanent pasture land into a vineyard in Capell Valley. This vineyard parcel is 173.5 acres which along with a 360 acre parcel make up the majority of my land holdings. The 360 acre parcel has a 500 acre foot lake which provides the water for the vineyard land, the Capell Valley Mobil Estates, which is a 65 unit mobile home park, Moss Creek Winery and The Corners Store, which also includes a Restaurant and Bar business.

The land zoning in Capell Valley should be brought into conformity with the rest of Napa County and similar valleys such as Wooden Valley which is just 2 miles away. My property is zoned for 160 acre minimum and in AWR zoning. Because of this zoning, my vineyard property cannot have more than a single home on a 173.5 acre parcel. Currently we have a modular home which a single vineyard worker lives with his wife and child.

Currently my vineyard is under a lease agreement with my son George Moskowitz who grows Zinfandel, Cabernet Sauvignon, Cabernet Franc, Sauvignon Blanc, Merlot, Syrah, Petite Sirah and Chardonnay. My children are unable to build homes on this property because of the county zoning restrictions limiting the parcel size to 160 acre minimums. Additionally, it is impossible for my children to own their own home and vineyard on property which has been in my family now for 4 generations. Now that the county is about to complete a new general plan it is time we right the mistake and change the zoning error made in 1992 under the old general plan.

The existing Ag resource line is not accurate and excludes prime agriculture land which should be allowed to be divided in 40 acre minimums. Our vineyard is such an example as is many other properties not only in Capell Valley but also in Gordon and Pope Valleys. Years ago we were under the impression that because we were in AWR zoning we would be able to change into AP zoning and have smaller lot sizes. Now is the time to make the changes necessary in the new general plan to allow for 40 acre minimums.

NOW is the time to make the change to correct the problem with the old general plan. I ask you to do the right thing and allow us in Capell Valley to have the same zoning rights as Napa Valley and Wooden Valley.

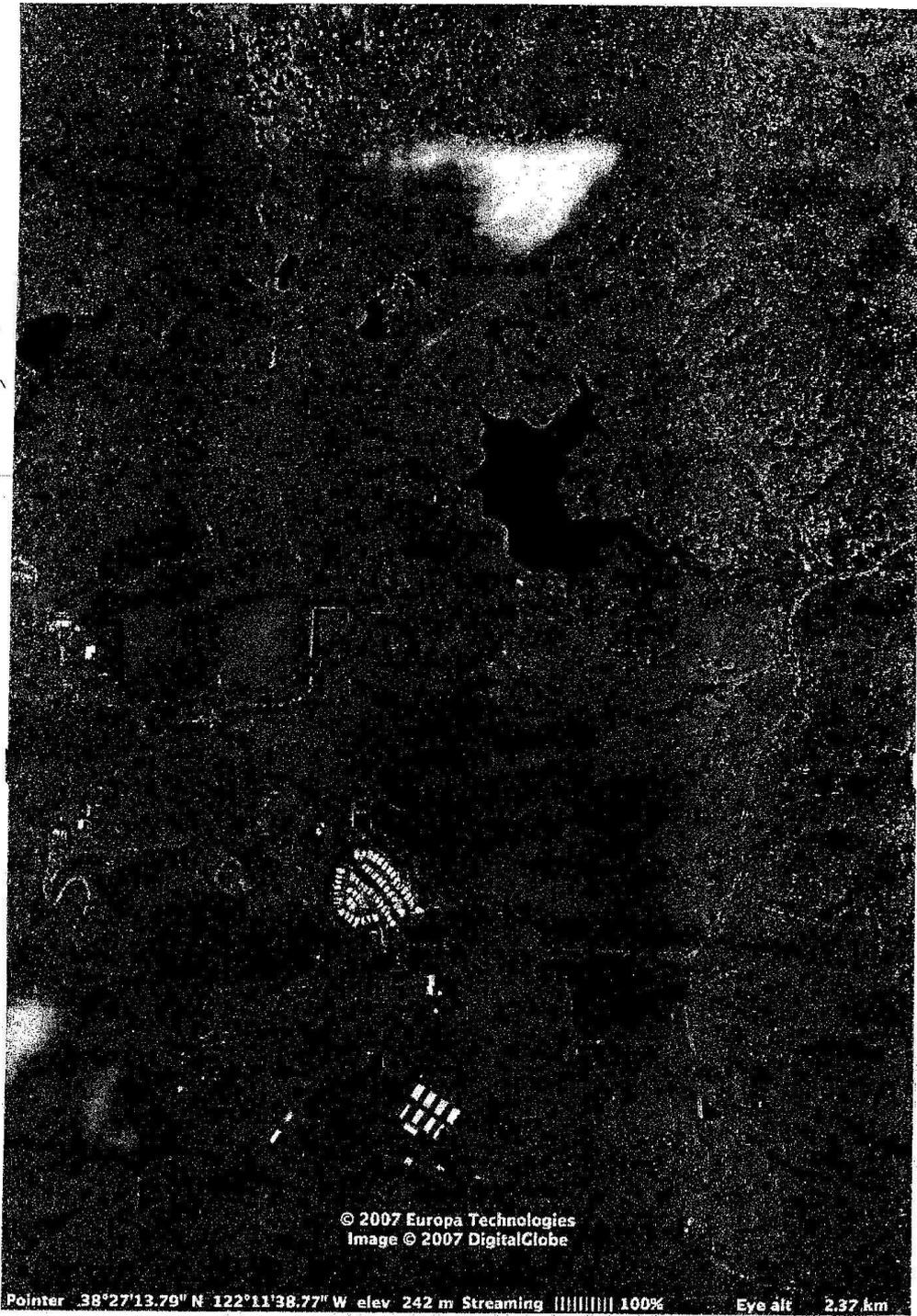
Sincerely,

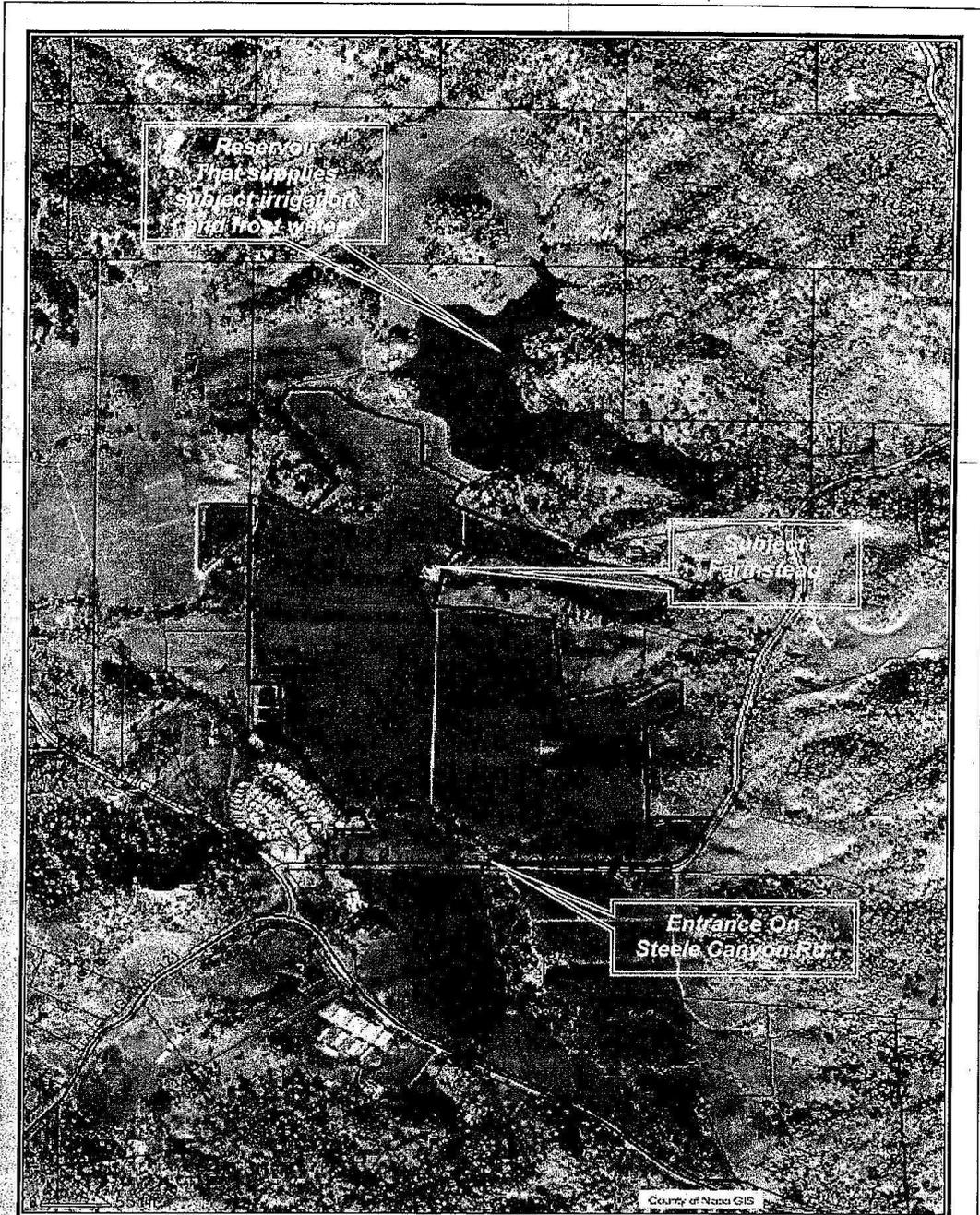
  
Harold Moskowitz  
enclosures

85-1P

3.0 COMMENTS AND RESPONSES TO COMMENTS

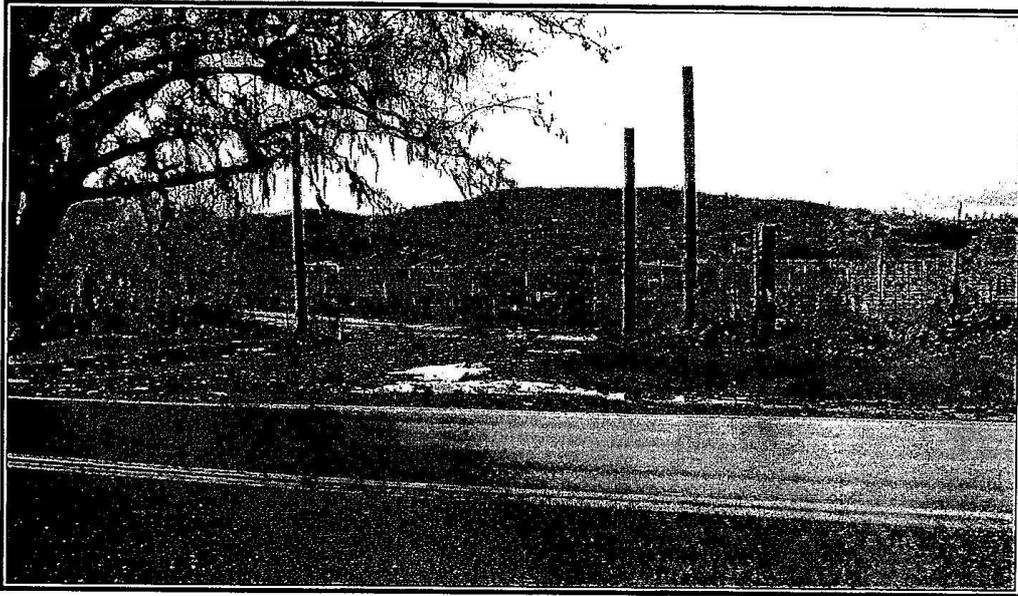
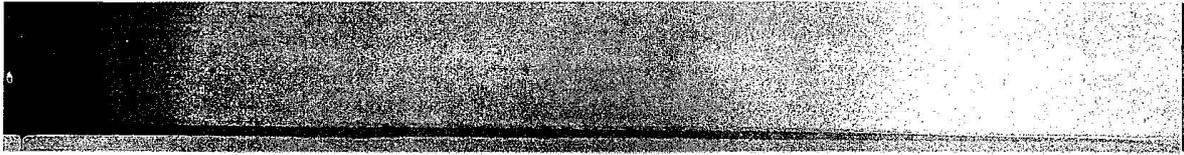
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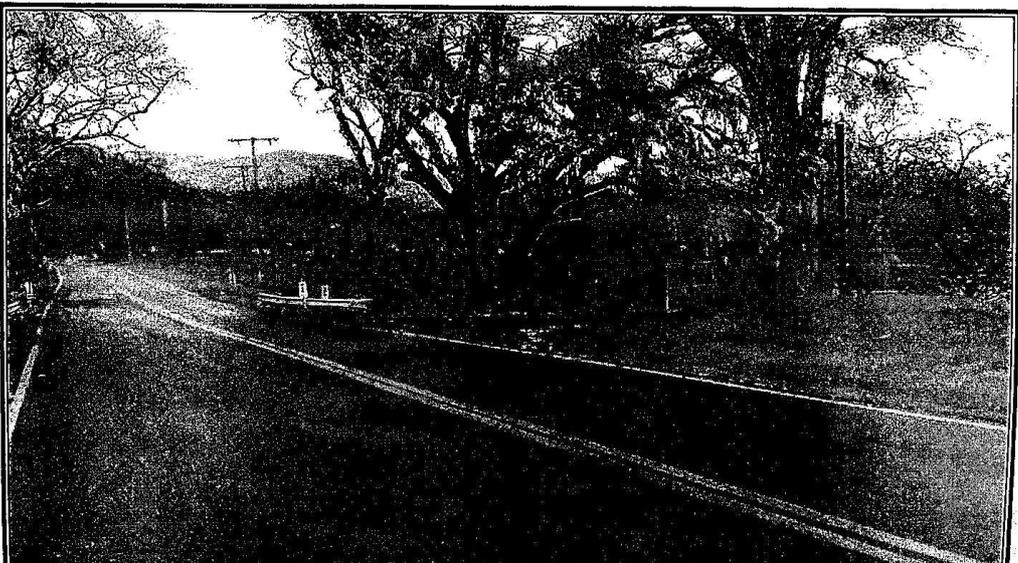


*View of subject property using Napa County GIS service.*

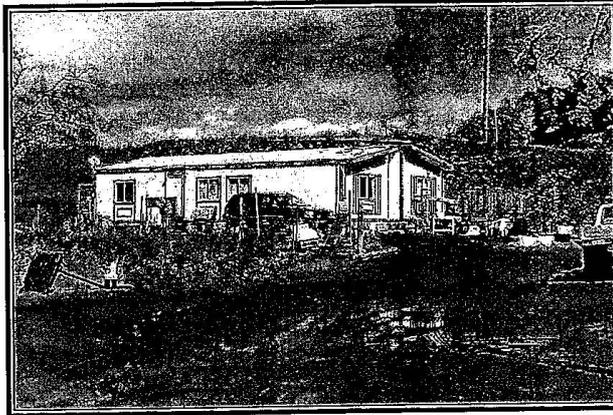
3.0 COMMENTS AND RESPONSES TO COMMENTS



*View of main entrance to Moskowitz Vineyard on Steele Canyon Road.*

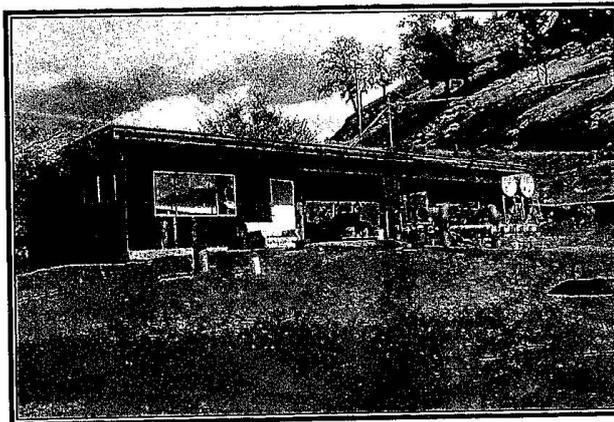


*1,057 sq ft modular home  
Used for labor housing.  
Installed in 1998 on a  
permanent foundation.  
appears to be in average  
condition.*



*Subject's ached metal  
barn located adjacent to  
the modular home. Totals  
1,491 sq ft, has gravel floors,  
power and water.*

*Pump shed located at the  
base of the neighboring  
reservoir. Simple pole frame  
structure on a concrete  
slab. Western end is  
devoted to a modest vineyard  
Office. Remainder is used  
to cover 4 diesel powered  
pumps.*

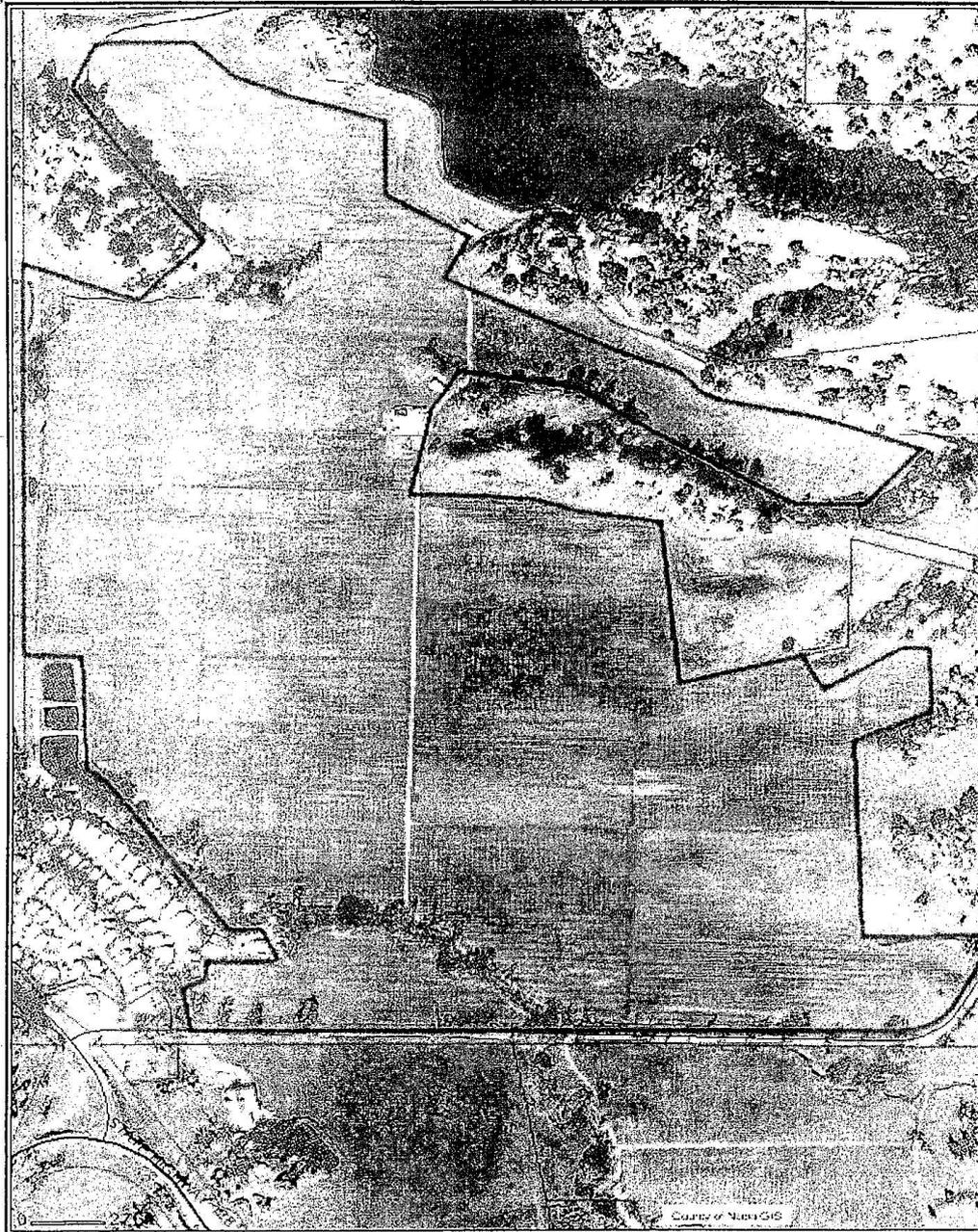


PART III

APPENDIX

**3.0 COMMENTS AND RESPONSES TO COMMENTS**

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*Napa County GIS Map showing the subject parcel.*

LETTER 85: HAROLD MOSKOWITE, JUNE 5, 2007

*Response 85-1 P:* Commenter suggests that the land zoning in Capell Valley be brought into conformity with the rest of Napa County and similar valleys such as Wooden Valley. The commenter's suggestion that the County adjust lines and designations on the official Land Use Map would require a vote pursuant to Measure J. However some of the commenter's objectives may be addressed in other ways, since a portion of his property falls within the Rural Residential designation where a 10-acre minimum parcel size would apply. The commenter is encouraged to consult with the Planning Department and appropriate professionals in the field of planning and development to discuss ways that his objectives can be partially addressed through lot line adjustments and rezoning.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter 86

Please treat this as a comment on the general plan. Hillary

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**From:** gbachich@sbcglobal.net [mailto:gbachich@sbcglobal.net]  
**Sent:** Thursday, June 07, 2007 7:14 PM  
**To:** Gitelman, Hillary  
**Cc:** NVLSA Member list  
**Subject:** Re: Your General Plan Comments

Hillary:

I gather that "affordable" housing is defined in terms of housing cost as a percentage of median County income. However, you also indicated that HCD might require a minimum density of 20 units per acre. I think mobile home parks might meet both requirements. I think you should ask HCD if they are interested in REAL affordable housing in the form of mobile home parks, or just the appearance of affordable housing via large public subsidies that actually raise the cost of housing for everyone.

I believe the reason mobile home park owners want to get out of the business is to get out from under rent control. If they could get a good return on their investment, they would want to keep their mobile home parks and build more. (I know, Napa County doesn't have official rent control. However, I think either the County or the City has de facto rent control through a renters mediation board that exerts downward pressure on mobile home lot rents via the not so subtly implied threat of official rent control if the mediation board does not achieve "satisfactory" results. This helps make mobile home parks lag as investments.)

I think this is an excellent example of socialist bureaucracies shooting themselves in the foot. They establish (real or de facto) rent control ostensibly to protect renters, but the result is that the renters will have fewer options, and eventually, no place to live - in this case no place to move their mobile homes if they don't like their present landlords, and no place to keep their mobile homes if their mobile home parks are converted to more profitable uses.

Then the rest of us will be asked to pick up the tab for this senseless market distortion by funding all kinds of subsidies, including the direct inclusionary premiums paid by buyers of the market rate homes in "inclusionary" projects, the higher prices paid by buyers to reimburse developers for in-lieu fees paid into so-called "affordable" housing trust funds, higher costs for all other new and existing market rate homes driven up by the "comparable sales" of the market units in the inclusionary projects, direct taxpayer subsidies in the form of publicly owned land contributed to affordable housing projects, subsidized financing of both the development and the individual units, direct payments to developers of so-called "affordable" projects, tax credits to developers of so-called "affordable housing", direct rent subsidies, the very real and continuing cost of administering all the subsidies and of policing the rent controlled units and deed restricted properties, as well as cash grants of taxpayer funds to local non-profit housing organizations charged with encouraging the development of so-called "affordable" housing. The bottom line is there is nothing affordable about so-called "affordable" housing. Furthermore, the current system traps the buyers of subsidized units in properties that are deed restricted, prohibiting them from realizing all of the appreciation in market value over time, thereby forever excluding them from the real housing market, and condemning them to live forever in subsidized units. Thus, even the "beneficiaries" of all the subsidies pay a very dear price for their "affordable" units.

I believe a far better solution is to provide REAL affordable housing, and the only REAL affordable housing I know of is mobile homes. My mother lived in one for years, as did her mother. I had several aunts and uncles who lived in mobile homes in their later years, and a cousin who lives in one now. Instead of enacting rent control, we should empower mobile home owners by providing them more options. Allow mobile home parks to be profitable and allocate more space for them, and the market will provide REAL affordable housing without burdening taxpayers or other home owners with useless, counterproductive, costly subsidies and market distortions. Even a very small surplus of mobile home sites would give mobile home owners much more bargaining power with park owners, without the need for rent control. Competition would determine the best mix of price and amenities, and most importantly, anyone who wants affordable housing would be able to find it.

86-1P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Some say that the cost of moving a mobile home to another park is so high that owners have little choice but to accept rent increases. However, for a tiny fraction of the cost of subsidized housing, we could establish a fund to help mobile home owners with the cost of moving their unit to a park with lower rents. The "moving fund" might even be funded by mobile home owners, or park owners, or both, as a kind of insurance. Just having this fund available would remove this highly touted unfair barrier to moving, and empower mobile home owners in their relationship with their park owner. We might find that the fund's mere existence is sufficient to allow competition among mobile home parks to work, and that the fund will not actually be called upon to finance very many moves.

86-1P  
cont'd

What is the current vacancy rate in Napa's mobile home parks? I bet it is very close to zero, except for short term vacancies when a mobile home owner dies. I think the demand for REAL affordable housing is huge. How many families line up for each available subsidized unit? All but one of those are denied affordable housing by our present system of subsidies. If we had REAL affordable housing, all those people could find what they want.

Now the County has apparently driven up the price of the Napa Pipe property by signaling that it might be appropriate for mixed uses, including high density housing. How much lower might the sales price have been if the County had instead signaled that it might be a good location for a mobile home park? I think we should immediately signal that Napa Pipe is not appropriate for high density housing, except perhaps a mobile home park somewhere on it (in which 100% of the units would by their very nature be REAL affordable housing, without requiring any subsidies or government induced market distortions).

86-2P

You may find it surprising that I agree with Brad Wagenknecht, Diane Dillon, Harold Kelly, Ginny Simms, Eve Kahn, and the Sierra Club on the Napa Pipe property. Some of my reasons may be different from some of theirs, but our conclusions appear to be the same. I oppose the direction the County staff and the BOS seem to be taking regarding the Napa Pipe property. Here are my reasons:

1. High density housing should be in the city, not in the county. At a minimum, we should involve the City in any decision to build high density housing immediately adjacent to the city.
2. It is not right to circumvent Napa City's control of its own RUL by building high density housing immediately outside it. If City voters would have to approve extension of the RUL in order to permit this project within the City, then I think they should also have to approve it if the county does the project. A city RUL is meaningless if it is not also respected by the county.
3. We should not let HCD intimidate us into writing a general plan we don't like. We should write the plan we want, and if HCD doesn't like it, let them say so and take the political heat for forcing the change. Why make it easy for them, at our expense?
4. We should not let HCD force us to make 60% of any new housing "affordable", as that is an unreasonable requirement by anyone's standard.
5. We should not let fear of HCD action dissuade us from exploring the possibilities for REAL affordable housing (such as mobile homes).
6. We should seek market solutions and avoid subsidized housing. Subsidized housing is a problem, not a solution.
7. We should avoid the political disaster awaiting any County Supervisors who approve subverting Napa's RUL without approval of the voters. Remember, most Napa County voters live in the City.

I would like the above comments included in the public comments regarding the draft general plan.

George Bachich

PS: If you have new information that you think might change my mind, I would be happy to discuss it. - GB

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 86:                   GEORGE BACHICH, JUNE 7, 2007

*Response 86-1 P:*       The commenter provides a "better" suggestion for affordable housing, which are mobile homes. The County appreciates the commenter's recommendation; however, the idea of mobile homes for affordable housing has not been included in the General Plan Update. This idea and similar ideas may be considered when the County undertakes the next scheduled update of the Housing Element.

*Response 86-2 P:*       Commenter agrees with Sierra Club and others as to opposition to the proposal for development of the Napa Pipe property. County staff acknowledges the commenter's position with regard to the Napa Pipe property. The proposed General Plan Update has been revised and now designates the Napa Pipe site with a "Study Area" designation, requiring further study prior to consideration of land use changes to the site.

3.0 COMMENTS AND RESPONSES TO COMMENTS

Letter 87

April 21, 2007

Harold Moskowitz, Chairman  
Board of Supervisors  
County Administration Building  
1195 Third Street, Suite 310  
Napa, CA 94559

APR 30 2007

Dear Chairman Moskowitz:

We realize the Community of American Canyon and the County of Napa have not always gotten along; a major reason for this community rising up to form its own self government in place of the County of Napa. That of course was a long time ago. Nevertheless, the recent move by the County to move its RUL into the City's Planning Area would appear to be a latent attempt to return to that time when the County **"knew what was best for the community of American Canyon"**.

87-1P

Since 1992 the County is no longer responsible for our planning area or our self governance. The Community has slowly but surely advanced its goals and objectives of the City's General Plan going so far as to bailout the County by taking on more housing responsibilities to get the County out of a legal quagmire. We are saddened that we now must revisit many of the reasons our community incorporated in the first place.

Please take corrective action to return the County's RUL to Fagan Creek and take a huge step towards restoring the trust lost by your Committee unilateral action.

RECEIVED

Sincerely,

MAY 11 2007

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

Name	Address	Signature
<u>ANTHONY QUICHO</u>	<u>460 HIGHLIDGE DR AC</u>	<u>[Signature]</u>
<u>ROSARIO P. QUICHO</u>	<u>460 HIGHLIDGE DR. AC</u>	<u>[Signature]</u>
<u>PAUL KELESIAN</u>	<u>244 WETLANDS EDGE RD.</u>	<u>[Signature]</u>
<u>MARLENE KELESIAN</u>	<u>244 WETLANDS EDGE RD</u>	<u>[Signature]</u>

Page 1 of 3

3.0 COMMENTS AND RESPONSES TO COMMENTS

Name	Address	Signature
Vic + Marie Leach	260 AmCam Rd.	
DL & Linda Leach	3000 Broadway #14	
Isabelino V. Superficioso	410 Downwood Way	
Narciso V. Superficioso	"	
Joni Superficioso	2 CORVINA CT	
Ethel Superficioso	2 CORVINA CT	
Teresita N Blanquera	154 Wetlands Edge Rd. Tolkinguera	
Romeo C. Blanquera	154 Wetlands Edge Rd. Romeo C. Blanquera	
Rosalina N. Alba	154 Wetland Edge RD	
ANTONIO CASTOR	26 Godwall Ct.	
ASUNCION CASTOR	American Cyn 94503	
Kim Bautista	"	
Jennifer Bautista	"	
HONESTO DIMACALI	309 BENTON way Am. Cyn <sup>CA</sup> 94503	
Helen Pison	530 Marla Dr. Am Cyn. 94503	

3.0 COMMENTS AND RESPONSES TO COMMENTS

Name	Address	Signature
<u>TIOGU. EDUQUINO</u>	<u>404 BETTONA WAY AM CANYON</u>	<u>[Signature]</u>
<u>ANNETTE EDNAUNO</u>	<u>404 Bettona Wy Am Can 94503</u>	<u>[Signature]</u>
<u>Leticia T. Elayda</u>	<u>251 Gisela Dr Am Can. CA 94503</u>	<u>[Signature]</u>
<u>NICOLAS B. ESTUPIN</u>	<u>62 Larkspur St. American Can</u>	<u>[Signature]</u>
<u>LIA M. ESTUPIN</u>	<u>62 Larkspur St. Ame. Canyon, CA 94503</u>	<u>[Signature]</u>
<u>Esther S. Roman</u>	<u>22 Daniel Dr. Am. Can. CA. 94503</u>	<u>[Signature]</u>
<u>Rosemarie Dimaanti</u>	<u>303 Benton Way AmCan, CA</u>	<u>[Signature]</u>
<u>Christine Dimacali</u>	<u>303 Benton Way</u>	<u>[Signature]</u>
<u>Elayda Joseph</u>	<u>103 Ford Dr.</u>	<u>[Signature]</u>
<u>Jude [unclear]</u>	<u>3663 Broadway</u>	<u>[Signature]</u>
<u>ALEX UBUNGUEN</u>	<u>231 HUMMINGBIRD WAY</u>	<u>[Signature]</u>
<u>NONA CRUZ- Ubungen</u>	<u>231 Hummingbird Way American Canyon, CA</u>	<u>[Signature]</u>
<u>ERMELYN COLOBOWS</u>	<u>537 CATTAIL DR AMERICAN CYN CA.</u>	<u>[Signature]</u>
<u>LEO PEREZ</u>	<u>3665 Broadway</u>	<u>[Signature]</u>

cc: Bill Kisliuk, Managing Editor Napa Valley Register  
Mike Waterman, Editor American Canyon Eagle

### **3.0 COMMENTS AND RESPONSES TO COMMENTS**

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**LETTER 87:** CITIZENS OF AMERICAN CANYON, APRIL 21, 2007

*Response 87-1 P:* Commenters request that the County return the County's RUL in the vicinity of American Canyon to Fagan Creek. The proposed General Plan Update has been revised and now identifies a "Preferred Plan" (see Section 2.0 of this document for a detailed description). The Preferred Plan proposes an RUL for the City of American Canyon that reflects the current status of negotiations between the City and the County. (Please see Policy Ag/LU-130 and the accompanying map.)

Letter 88

**Angwin Community Council**  
275 College Ave., Angwin, California

June 12, 2007

Hillery Gittelman, Director  
Napa County Planning Department  
1195 Third Street, Room 310  
Napa, California 94559

Dear Mrs. Gittelman:

The Angwin Community Council asks that you convey to the Steering Committee of the General Plan our studied desire that it drop from the General Plan the Policy Ag/LU-62 which calls for a five-member Angwin commission to advise our County supervisor. That failing, we ask that this policy state that the membership of the commission be chosen from the Board of Directors of the Angwin Community Council.

Our reasons for making this request are:

1. The Angwin Community Council is already in place, and already vested with the responsibility of representing the community's needs and desires to our supervisor as well as other members of County government. The Board of Directors of the Council consists of 12 democratically elected members who can and currently do bring broad-based experience and contact in the Angwin community to the supervisor. This group represents some 300 member families of different stations in life, economic levels and persuasions from throughout Angwin.

2. The direct contact of the Angwin Community Council with our present and earlier supervisors has worked well. The creation of the proposed commission could only create disharmony to that good relationship that has existed effectively since the Council's founding in 1938.

Thank you for passing to the Steering Committee our request that this policy be struck from the draft of the General Plan, or modified based on this request.

Sincerely,



Barbara Spelletich, President.

88-1P

### **3.0 COMMENTS AND RESPONSES TO COMMENTS**

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**LETTER 88:** BARBARA SPELLETICH, ANGWIN COMMUNITY COUNCIL, JUNE 12, 2007

*Response 88-1 P:* The commenter requests that the County drop the five-member Angwin Commission from Policy Ag/LU-62, since the Angwin Community Council already exists. This policy has been deleted from the revised Agricultural and Land Use Element.

Letter 89

CDPC 3/29/0

California Native Plant Society

Re: Draft EIR- General Plan Update

March 19, 2007

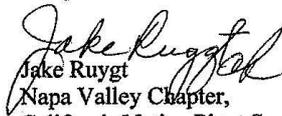
Dear Chairman King and Commissioners,

I have taken some time to complete a first look at the Biological Resources Section of the Draft EIR. I would like to express my appreciation for the inclusion of detailed special status plant data in this section. I would also like to commend the planners for seeking the means to provide protection to special status plant species and sensitive plant communities. My first impression is that careful thought has gone into developing policies to help protect native plant and animal habitat. 89-1E

I have looked over tables 4.5-1, 4.5-5 and 4.5-7 with particular interest in the accuracy of the data presented. A great deal of information is lacking or incomplete. For example, there are 81 species represented in table 4.5-1. The California Native Plant Society currently recognized about 112 species within Napa County as having special status. Was there an intentional decision to omit some species; and if so, the document should discuss the rationale? There have been taxonomic changes to some of the species that has not been updated in the tables. The description of distribution in the county is incomplete or unclear for many species. 89-2E

My review of table 4.5-5 found that several species that inhabit severe serpentine conditions are included under some of the vineyard expansion scenarios. This is illogical because serpentine soils are not suitable for growing grapes, particularly the rocky soils required by some species presented in the tables. Other species that should be included because of vineyard potential, were not included in this table. 89-3E

Because of the number of correction and additions that need to be made in this section of the document and because this is the busiest time of the year for botanical activities I find it inconceivable that the proper details can be ironed out before April 17. I would like to request an additional 2-4 weeks to interact with the staff or consultants to bring the rare plant data up to date. Without complete data, conclusions drawn in this section may be inaccurate and county planners using this section of the General Plan can not be expected to make informed decisions. 89-4E

  
Jake Ruygt  
Napa Valley Chapter,  
California Native Plant Society  
2201 Imola Ave  
Napa, CA 94559



*Dedicated to the preservation of California native flora*

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 89: JAKE RUYGT, CALIFORNIA NATIVE PLANT SOCIETY, MARCH 19, 2007

*Response 89-1 E:* The commenter commends the inclusion of detailed special-status species plant data, planners' efforts, and careful thought into policy development. County staff appreciates the support by the CNPS for the Conservation Element policies related to special-status species.

*Response 89-2 E:* The commenter notes that a great deal of information is lacking or incomplete in Tables 4.5-1, 4.5-5, and 4.5-7. These tables have been updated per the commenter's note. See Section 4.0, Text Changes to the Draft EIR, of this Final EIR.

*Response 89-3 E:* The commenter notes that Table 4.5-5 had species included in severe serpentine soils under vineyard expansion scenarios, which is illogical. Please see Response 169-31 E for an understanding of the vineyard scenario analyses. The scenario analyses are not definitive statements of future impacts and only provide a snapshot of what they could be. Draft EIR mitigation measures, which are now reflected in the General Plan Update, provide protections for all special-status species and not only those reflected in Table 4.5-7. No revision to the EIR is necessary.

*Response 89-4 E:* The commenter requests 2-4 weeks to interact with staff or consultants on rare plant data. This request was granted.

Letter 90



68 -B Coombs Street, Napa, CA 94559  
 707-254-8520  
 www.friendsofthenapariver.org  
 info@friendsofthenapariver.org

March 21, 2007

Napa County Planning Commission  
 1195 Third Street  
 Napa, California 94559

**Napa County Draft General Plan Update and Draft Environmental Impact Report**

Dear Chairman King and Planning Commissioners:

Friends of the Napa River (FONR) appreciates the opportunity to comment on the Draft Napa County General Plan. We have formed a review committee that has begun to study the sections related to our mission to “responsibly protect, restore, develop and celebrate the Napa River and its watershed.” At this point in time, we can only offer some initial, general observations and concerns, as our volunteer committee develops more detailed comments. These initial observations include:

- The Draft EIR lists six alternatives (A, B, C, no project, D, E) without identifying a “preferred alternative” as required by CEQA. | 90-E
- The Draft GP does not seem to be reflected in any one of the DEIR’s alternatives, making it difficult, if not impossible, to assess the environmental impacts and mitigation measures for the GP elements. | 90-2E/P
- The “Living River Principles” developed for the Napa River Flood Control and Restoration Project are only mentioned in passing (on pages 19, 171.) We are missing the chance to build upon a nationally acclaimed project. Page 200 language should include the restoration aspect of the flood control project. | 90-3E/P
- Consideration of the TMDLs for sediment and pathogens don’t seem to be included. | 90-4E/P
- The Napa River is missing or shown incomplete on many of the maps in the GP. | 90-5P
- The threats of Global Warming are mentioned but don’t seem to be considered in the “Hydrology & Water Quality” and other sections of the DEIR. | 90-6E
- Allowance for timberland and woodland conversion appear to be too generous without sufficient impact analysis on aquifer and runoff. | 90-7E/P
- The findings and recommendations of our Boating & Docks Coalition submitted to in 2005 should be included. | 90-8E/P
- Reference to the Bay Area Trail (page 257) should include the definitions of the “Water Trail.” | 90-9E/P
- In general, the language of the GP is often too vague and lacks the measurements to observe successful objective implementations. | 90-10P

The community’s voice for the responsible protection, restoration, development and celebration of the Napa River and its watershed through education and advocacy.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Our more detailed analysis is hampered by the lack of coherence between the various documents (Draft GP, DEIR with appendices and the Base Line Report.) We are concerned that the given response period will not allow us to provide the detailed input to the Draft GP needed to set the course for Napa County for the next decades.

90-11E/P

We request an extension to the review period and to update the documents with the necessary cross references.

Thank you,



Bernhard Krevet  
President, Friends of the Napa River

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 90: BERNHARD KREVEK, FRIENDS OF THE NAPA RIVER, MARCH 21, 2007

Response 90-1E: The commenter states the Draft EIR lists six alternatives without identifying a "preferred alternative" as required by CEQA.

The Draft EIR analysis evaluates alternatives that would obtain most of the basic objectives of the project and the comparative merits of those alternatives (State CEQA Guidelines, Section 15126.6[a]). In accordance with State CEQA Guidelines, an EIR does not need to consider every conceivable alternative to a project, nor is it required to consider alternatives that are clearly infeasible. State CEQA Guidelines Section 15126.6(b) states that an alternatives analysis shall focus on those alternatives that are capable of avoiding or substantially lessening any significant effects of the project, even if they impede to some degree the attainment of the project objectives or would be more costly.

CEQA requires an EIR to identify project alternatives and to indicate the manner in which a project's significant effects may be mitigated or avoided, but does not mandate that the EIR itself contain an analysis of the feasibility of the various project alternatives or mitigation measures that it identifies (Pub. Resources Code, §§ 21002.1, subd. (a); 21100, subd. (b)(4); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1503, citing *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 689-690). As the lead agency, the County of Napa bears the responsibility for the decisions that must be made before a project can go forward, including determinations of feasibility and whether the benefits of a project outweigh the significant effects the project will have on the environment (Pub. Resources Code §§ 21002.1, subds. (b) & (c), 21081). In addition, CEQA specifically provides that in making these determinations, the County shall base its findings on substantial evidence in the record, a provision reflecting an understanding that the Board of Supervisors will not limit its review to matters set forth in the EIR, but will base its decision on evidence found anywhere in the record (*Sierra Club v. County of Napa*, 121 Cal.App.4th at p. 1503; citing Pub. Resources Code, § 21081.5).

According to the State CEQA Guidelines, an EIR need only examine in detail those alternatives that could feasibly meet most of the basic objectives of the project. When addressing feasibility, the CEQA Guidelines Section 15126.6 states that "among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, jurisdictional boundaries, and whether the applicant can reasonably acquire, control or otherwise have access to alternative sites."

State CEQA Guidelines indicate that several factors need to be considered in determining the range of alternatives to be analyzed in an EIR and the level of analytical detail that should be provided for each alternative. These factors include (1) the nature of the significant impacts of the proposed project, (2) ability of alternatives to avoid or lessen the significant impacts associated with the project, (3) the ability of the alternatives to meet the objectives of the project, and (4) the feasibility of the alternatives. See also Alternatives Master Response 3.4.2 for a full discussion on alternatives presented in this EIR.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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The proposed General Plan Update has been revised and the Final EIR identifies a "Preferred Plan" (see Section 2.0 of this document for a detailed description). An analysis of the environmental impacts of this Preferred Plan has been incorporated into Section 2.0 and demonstrates that the impacts would fall within the range of those associated with alternatives presented in the Draft EIR.

- Response 90-2 E/P:* The commenter states that the Draft General Plan is not clearly related to any of the alternatives, making it difficult if not impossible to assess the impacts and mitigation measures. The commenter is referred to Section 1.0, Introduction, of the Draft EIR, which states how the environmental analysis relates to the EIR, the purpose of the EIR, the intended uses of the EIR, and the scope of the EIR. In brief, the Draft EIR included a number of alternatives that were intended to bracket the outcome of the planning process. The February 2007 Draft General Plan Update most closely resembled Alternative C in the Draft EIR, but also shared characteristics with other alternatives. The Preferred Plan presented in Section 2.0 of this Final EIR describes the Revised General Plan Update, and its impacts (as specifically detailed in Section 2.0) have been found to fall within the range represented by the Draft EIR Alternatives.
- Response 90-3 E/P:* The commenter notes that the Living River Principles developed for the Napa River Flood Control and Restoration Project are only mentioned in passing and should be included on page 200 of the public draft of the proposed General Plan Update. Revisions to the Conservation Element have attempted to elevate the importance and understanding of the "living river" concept, as requested by the commenter. The Napa River is specifically described in the Introduction to the Conservation Element and addressed within the Water Resources goals and policies of that element. See particularly Policy CON-45 on page 181 of the Revised General Plan Update.
- Response 90-4 E/P:* The commenter states that a discussion on TMDLs for sediment and pathogens is omitted. Commenter is referred to Draft EIR Section 4.11 pages 4.11-14 through -17 for a detailed discussion regarding total maximum daily loads (TMDLs) and pathogens. Compliance with the Regional Board TMDL process is also incorporated into the policies of the revised Conservation Element. Specifically, please see Policy CON-47 and other policies in the Water Resources section of the Conservation Element.
- Response 90-5 P:* The commenter states that the Napa River is missing or shown incomplete on many maps in the public draft of the proposed General Plan Update. County staff has reviewed all maps and attempted to ensure that the Napa River is included where appropriate.
- Response 90-6 E:* The commenter states the threats of global warming are not discussed in the Hydrology and Water Quality section or other sections of the Draft EIR. Climate change as related to greenhouse gas emissions (GHG) is discussed in Section 4.8, Air Quality, of the Draft EIR. The commenter is referred to Climate Change Master Response 3.4.4 for a detailed discussion regarding climate change and the new section in the revised General Plan Update Conservation Element on Climate Protection and Sustainable Practices for Environmental Health. Specifically, please see Policy CON-73.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response 90-7 E/P:* The commenter states the allowance for timberland and woodland conversion appears too generous without adequate impact analysis on aquifer and runoff. The commenter is referred to Section 4.11, Hydrology and Water Quality, Impact 4.11.1 and Impact 4.11.2, for a detailed discussion regarding non-point source pollution from runoff and construction-related soil erosion and sedimentation. The EIR analysis assumes potential conversion of 12,500 to 15,000 acres of existing habitat and evaluates potential impacts of this conversion by using four hypothetical scenarios, since the geographic distribution of potential new vineyards over the next 25 years is unknown.
- Response 90-8 E/P:* The commenter requests that the findings and recommendations of the Boating and Docks Coalition that was submitted in 2005 be included. The County appreciates the input on this topic. See the revised Recreation and Open Space Element for information on boating and waterways.
- Response 90-9 E/P:* Commenter states reference to Bay Area Trail (page 257) should include definitions of the "Water Trail." Information on the Bay Area Water Trail is included in the Recreation and Open Space Element under Recreational Trails.
- Response 90-10 P:* Commenter states that the language of the General Plan is too vague and lacks measurements for objective implementations. The County appreciates the concerns regarding language in the proposed General Plan. While the Revised General Plan Update is still a policy (rather than a regulatory) document, revisions have resulted in additional action items, and the Revised General Plan Update includes an implementation plan.
- Response 90-11 E/P:* The commenter expresses concern over coherence between the Draft General Plan Update, Draft EIR, and Baseline Data Report and about the length of the comment period not allowing detailed input to set the County's course over the next decades. County staff appreciates the commenter's concern with the complexity of all three documents. The comment period for review of both the Draft EIR and General Plan Update was extended from 60 days to 120 days to allow for more public comment.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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#### Letter 91

**From:** jennifer baerwald [mailto:jenbwald@napanet.net]  
**Sent:** Thursday, June 07, 2007 2:00 PM  
**To:** Lowe, Rone Patrick  
**Cc:** Diane Dillon <ddillon@co.napa.ca.us> Bob Fiddaman  
**Subject:** Response to Napa County General Plan Update

Patrick Lowe  
Napa County Planning Department

Dear Mr. Lowe:

As residents of Pope Valley we feel it is important to comment on the Update of the Napa County General Plan. The citizens of Napa County have been well served by the county's General Plan and land use policies. These policies have preserved an agricultural base that has increased property values and enhanced our quality of life. The farsightedness of past county planners has given us the Agricultural Preserve and Measure J. While much of the Bay Area has lost its agricultural lands to development, the strength of the General Plan has protected agriculture in this county. 91-1P

The General Plan Update weakens many of the agricultural protections of the previous General Plan. With the addition of the "Economic Element" and weakened language of the revisions, the Update puts more emphasis on growth than on preservation. 91-2P

We have specific comments concerning Pope Valley. When the county allowed the Berryessa Estates subdivision in the early 1970's this was an example of shortsighted planning. To put housing so far from services invites further development. This housing development hugely increased development pressures on Pope Valley. Housing leads to pressure to increase jobs which leads to pressure for more housing. Following this path leads to a never ending cycle of growth. This is reflected in the "Issues and Constraints" section under Pope Valley (pg 80) in the General Plan Update which contains language implying that more services are needed in Pope Valley. Important services are already available within a reasonable distance. There is a hospital within 20 min of Pope Valley. There are grocery stores and hardware stores within 15 min (in Angwin and Middletown). There is a high school within 30 min. We are an agricultural community. The only way to support more local services is to grow from a community of 1,500 to a community of several thousand. Should this kind of mindless development occur, it would destroy the Pope Valley community as it presently exists. Do not compound past mistakes by increasing the size and scope of home based businesses (Policy Ag/LU-98). Preserve the historic nature of Pope Valley at the crossroads, but do not rezone land for businesses that cannot be supported by the existing population base. 91-3P

A) Additional issues we wish to address are listed below.  
The Planning Department has asked for input on a potential measure J vote for Pope Valley. Most importantly there is so much change currently occurring in Pope Valley that a measure J vote is premature. More than 50% of the land in Pope Valley has changed hands in the last 5-10 years. The Aetna Springs Resort has been sold as has the Triad property (Juliana Vineyards) in the center of the Valley, both to developers with plans that will profoundly impact the character of the community. Any changes to zoning should be delayed until the impact of these ongoing developments can be assessed. 91-4P

B) Concerning the map on page 79 of the Pope Valley section of the General Plan Update, we would like to make the following comments. 91-5P

- 1) The Valley Market and the Pope Valley Garage are businesses at the crossroads which have served the community well and have been sustained by the existing population. They should be preserved.
- 2) The Pope Valley Store is an historic structure whose restoration would enhance the character of the community.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- 3) Rezoning the Pope Valley Farm Center is unnecessary. Plans have been drawn up and finalized for its renovation within the existing footprint. The existing zoning has preserved the Farm Center for the community. Any new zoning opens the potential for the property to be lost to the community. | 91-6P
- 4) Any rezoning at the crossroads should be to preserve existing businesses but not to increase the potential for further growth. Therefore the map on page 79 should not include the "junk yard" area. | 91-7P

Sincerely yours,

Jennifer and Hans Baerwald  
Susan and Roy Hagar  
Marjory Gaffney

Jan and Mark Gaffney  
Jean and Olav Kvendset  
Sally Kimsey

Chris Thompson  
Betty Wilms

Dear Mr. Lowe:

Two additional signatures that we would like to add to our recent letter regarding the Napa County General Plan Update are:

Peggy Dickson  
Paul Kimsey

Pope Valley  
Pope Valley

Thank you for your attention.  
Jennifer Baerwald

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 91: JENNIFER BAERWALD ON BEHALF OF POPE VALLEY RESIDENTS, JUNE 7, 2007

*Response 91-1 P:* Pope Valley residents have comments on the public draft of the proposed General Plan Update as they were happy with the old General Plan. County staff acknowledges the commenter's concerns with new language in the General Plan Update and recommends review of the revised policies and action items.

*Response 91-2 P:* The Pope Valley residents group notes that the public draft of the proposed General Plan Update weakens many agricultural protections in general. County staff acknowledges the commenters' concerns; however, agricultural protection is still the first and foremost goal for the County. Please see revisions to the Agricultural Preservation and Land Use Element for more specifics.

*Response 91-3 P:* Pope Valley residents note that the public draft of the proposed General Plan Update language for the Ag/LU Element implies more services are needed in Pope Valley, but the County should not rezone for businesses that cannot be supported by the existing population base. The General Plan Update has been revised in response to concerns addressed by the commenters and others. The plan no longer suggests a Measure J vote to designate non-agricultural land for commercial uses in Pope Valley; however a policy related to home-based businesses has been retained (see Policy AG/LU-48.) The revised plan would also permit property owners to seek approval for commercial uses in designated historic buildings that are rehabilitated and maintained to strict historic preservation standards (see Policy CC-28).

*Response 91-4 P:* The Pope Valley residents group notes that any change to zoning should be delayed until the impact of ongoing developments (Aetna, Triad) can be assessed. See Response 91-3 P – a Measure J vote is no longer proposed for Pope Valley.

*Response 91-5 P:* Pope Valley residents group notes that the General Plan map on page 79 of the Ag/LU Element should address the preservation and restoration of the Valley Market, Pope Valley Garage, and the Pope Valley Store. See Response 91-3 P.

*Response 91-6 P:* Pope Valley residents group notes that rezoning of Pope Valley Farm Center is unnecessary as renovation plans are within the existing footprint. Please see Response 91-3 P – a Measure J vote is no longer proposed for Pope Valley; however reuse of historic buildings is encouraged.

*Response 91-7 P:* Pope Valley residents group notes that the Ag/LU Element map on page 79 should not include the "junk yard" area (Pope Valley Crossroads) to increase the potential for further growth. A Measure J vote is no longer proposed for Pope Valley, and any change in zoning for the Crossroads would require a Measure J vote.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Letter 92

**. MARY ELLEN BOYET 349 South Jefferson St., Napa CA 94559-4516**

June 14, 2007

Dear Fellow Members of the General Plan Update Steering Committee,

At our last meeting I made an initial plea for the Committee to find a way to look at the totality of what we have developed as a General Plan. I would like to add to what I said then.

To use an old analogy, it seems to me we have labored so hard through the undergrowth and studied the individual trees so closely, that we never looked at the overall health of the General Plan forest. The process we have used seems to have this flaw built into it. By taking each element one at a time, there has never been a place where we said, "What does all this add up to?"

Therefore, I was very pleased the Committee urged that we should have a chance to "pronounce" on "The Big Three/Big Four" before those issues are handed off to the Planning Commission. And I very much appreciate that Hillary is willing to juggle the schedule to allow us to do that.

92-1E/P

I would merely like to urge that when we discuss "The Big Three" – Angwin, Napa Pipe, and American Canyon RUL – that we also discuss No. Four – the Growth Management plan. In fact, perhaps we should start with that one, since it affects the other three.

Personally, I was rather shocked at the last meeting to be told that, with the exception of a status quo General Plan, all the alternatives being covered by the DEIR now project annual growth in the unincorporated areas of Napa County to be in excess of the 1% mandated by Measure A. I guess I was naïve, but it did not occur to me we were crafting a rather high growth plan. But with a proposed Eco-Village in Angwin and a community the size of St. Helena in the south on Napa Pipe property, it should have been obvious to me, even without other changes we have made.

The current General Plan includes a Goal (No. 2) which is "To develop and implement a set of planning policies which combine to define a population size, rate of population growth and the geographic distribution of that population in such a manner that the desired quality of life is achieved." Our proposed plan no longer has such a goal, but in our Vision we state: "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."

But do the decisions we have made in fact match that Vision? If we adopted something like Alternative B or Alternative C, what would the growth rate actually be? How does this fit with LU-119? Are we going to give up totally on Measure A? Is exceeding the 1% growth mandate really what this Committee intended to do? More importantly, is it what the people we represent want us to do? In light of these questions, does LU-120 seem awfully open-ended?

Citizens of the city of Napa and the County have voted repeatedly for a slow growth approach. While there haven't been any really recent electoral tests of the public will, I find it hard to believe that attitudes have changed today.

I know we feel we have been at this for a long time, and would like to see a speedy conclusion of our work. I know, too, that there are other time pressures and deadlines that weigh on the process. But it seems imperative to me that we find a way to step back and look at the implications of the whole plan and its impact on growth and the quality of life. I respectfully request that at the June meeting we consider this.

Mary Ellen Boyet

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 92: MARY ELLEN BOYET, JUNE 14, 2007

*Response 92-1 E/P:* The commenter suggests that the General Plan Steering Committee consider the Growth Management plan in conjunction with Angwin, Napa Pipe, and American Canyon RUL. Draft EIR alternatives B and C seem to suggest a higher growth rate than 1%.

At the suggestion of the commenter and others, the General Plan Steering Committee considered the County's Growth Management System and elected to delete Policy Ag/LU-120 from the February 2007 draft document. The Planning Commission concurred with this recommendation, and the December 2007 Revised General Plan Update is entirely consistent with the County's 1% growth limit, as discussed in the Preferred Plan analysis in Section 2.0 of this Final EIR. As a result, any development project proposing growth in excess of the County's 1% limit (as articulated in Ag/LU Policy-119) would require a General Plan amendment.

3.0 COMMENTS AND RESPONSES TO COMMENTS

Letter 93

March 21, 2007

Napa Planning Commission  
1195 Third Street  
Napa, CA 94559

Dear Chairman King and Planning Commissioners.

You have a major responsibility on your hands with this review of this new Draft General Plan, if you believe that the Board of Supervisors wants to make this new General Plan "more readable, updated to reflect the current situation and yet maintain the existing General Plan goals and long term direction as has been reflected in the current 1983 plan." You are going to need at least another 60 days beyond the original 60-day review as suggested by staff. This is very complicated and the volume of paper work involved requires a studious review and time as pointed out by others. Staff may want to move it ahead quickly, but that will only increase the liability of challenge to the County.

93-1P

I will only give you only one illustration, that stands out to me.

Measure A was a measure passed by the voters in November 1980 through the year 2000 and then was extended by a vote of the Supervisors, in November 2000, which limits population growth in the County to a maximum of 1% annually. It is clearly defined.

93-2P

The Draft General Plan refers to it in policy Ag/LU-119, page 94 through page 106.

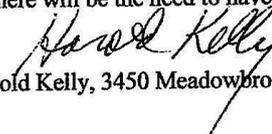
The Draft policy Ag/LU-120 on page 106 is what I think you need to examine carefully. Let me read it: "Certain multi-family residential project proposals, if they meet specific requirements, may- at the discretion of the Board of Supervisors- be allowed to exceed the annual building permit limits outlined in the Growth Management System." (This makes me ask, "what specific requirements, how much discretion, exceed annual limits by how much, what is the purpose of these changes"?)

The paragraph continues, "These requirements include but are not limited to: Located in non-agriculturally designated lands; Are subject to a phased development plan; Would make a substantial contribution to meeting the County's State-mandated housing needs; and Would include a significant affordable housing component." (My question is, "Was this policy written specific for the Napa Pipe property, for the PUC Angwin development, or are there other development plans being considered which would blow the Measure A development guidelines as outlined in Ag/LU-119 out of the water"?)

I think this kind of "adjustment" to the existing General Plan will create a public demand for a new Initiative to put the Growth Management Plan portion and perhaps other parts of this Draft General Plan on the ballot for a public vote, not just permit the 3 votes and 30 days zoning approval permitted by the present system, under the Board of Supervisors. Why do you think Measure A and Measure J were put on the ballot in the first place.?

I Recommend, that you request the Board of Supervisors provide a 120 day review period as there will be the need to have an extensive review of these kind of changes.

93-3E/P

  
Harold Kelly, 3450 Meadowbrook Dr., Napa, CA 94558 707-255-7042

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 93: HAROLD KELLY, MARCH 21, 2007

*Response 93-1 P:* Commenter wanted another 60 days for public review. This request was made by several people and was granted by the Board of Supervisors. The comment period was extended to July 18, 2007.

*Response 93-2 P:* The commenter notes that Policy Ag/LU-120 does not seem to be in keeping with the slow growth mandate. Policy Ag/LU-120 from the February 2007 Draft General Plan Update has been deleted from the revised Agricultural and Land Use Element. The County considers slow growth as a continuing mandate at the 1% limit previously established and expressed in Policy Ag/LU-119.

*Response 93-3 E/P:* Commenter recommends a 120-day review period. This request was made by several people and was granted by the Board of Supervisors. The comment period was extended to July 18, 2007.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

#### Letter 94

Comments to the Planning Commission  
March 21, 2007.

In general, I find that there are many areas where the Draft plan is an improvement, both in language and in protection of our County. However, there are also many areas where the Draft language is less effective, more permissive, and allows for much more change than envisioned by the Board and the public meetings two years ago. 94-1P

The Documents are not properly indexed or numbered to assist in any 1983 – 2007 or Draft to EIR comparisons. The matrix supplement is still not paginated nor does it show changes in the texts or policies. I had difficulties finding exact comments in the EIR for policies, thus trouble in matching mitigations. 94-2E/P

The prime example of this is that in the present matrix there are 154 changes for which there is no direct referral, but a claim that the language is covered in a variety of places. These cannot be verified or checked.

There is also no crossover between the EIR mitigations and the Draft document. Thus I could not find the mitigations for the Growth Management exemption.

There are areas where the language of the old plan is greatly changed in the Draft. Often the new language is weaker. There is no good comparison document, and it is nearly impossible to check them all.

One example is at the very beginning: Land Use Goal #1 in the old plan reads: “To plan for agriculture and related activities as the primary land uses in Napa County, and concentrate urban uses in the County’s existing cities and urban areas.” The new reads: “Preserve existing agricultural land uses.” There is a connection between agricultural focus and urban areas, and the new language only proposes to “preserve.” 94-3E/P

Another example is the use of the term: “non-agricultural” land in the Draft. Together these two statements leave no urgent reason to protect the vast majority of Napa County lands which are essential to agriculture’s survival, and to land use planning in Napa County. (See EIR 4.1-24.)

Lastly, there is a wooly use of the term “developed,” where what is meant is urban or urbanized areas. (“Developed” means with road and/or house.)

There are vital topics which are not included in an organized fashion, thus de-emphasizing them as well as making them vague and ambiguous. 94-4P

One of these is Open Space, which is referred to in several places, but both left in (AWOS) and out (zoning chart pp 92-3), as well as hard to find as a topic.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Another one is The River as resource. By not placing it in an organized fashion wherever it could be consulted, it becomes only incidental to the planning process. For example there is a possible large development on the river south of the City of Napa, and river planning is totally ignored. | 94-5E/P

There is a lack of historical growth rates for population and the economy in a useable fashion. Even though the charts in the plan as well as in the Keyser Marston Appendix have information, there still exists language such as, "people pay more for houses in Napa due to the quality of living." (NOT true now or historically,) OR " we need to decide between slow growth and economic growth," =also NOT true now or historically. | 94-6E/P

And, are we really going to plan for the future and never include Global Climate Change as a factor? | 94-7E/P

There are about a dozen really important topics that will be hard to research, such as the Transitional Zone, or Hess property, without a much better articulation between the documents we have for the Draft plan. | 94-8P

We will need much more time than three weeks, and, I believe, so will you. Please try to get more time before the close of comments. | 94-9E/P

Thank you.

Ginny Simms  
ggbginny@aol.com

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 94: GINNY SIMMS, MARCH 21, 2007

*Response 94-1 P:* The commenter notes that the GP is an improvement as well as less effective and more permissive and allows for more change than envisioned. While the General Plan Update process attempted to utilize as many of the old policies as possible, some changes were required to improve the "readability" of the document and to address issues such as the need for housing, traffic improvements, etc. The commenter is encouraged to review the Revised Draft General Plan Update, which has been revised substantially in response to her concerns and others.

*Response 94-2 E/P:* The commenter notes that documents are not properly indexed or numbered for comparison to the old General Plan and Draft EIR, and the matrix supplement is not paginated and does not show changes in texts or policies. The County appreciates the concern for cross-references. Every effort was made to make these complex documents more accessible to those people wanting to make these comparisons.

*Response 94-3 E/P:* The commenter notes that areas where language of the old plan is changed in the proposed General Plan Update, the new language is often weaker, with examples primarily from the Ag/LU Element. The County appreciates the concern with the concept that specific wording is important in the intent of General Plan goals and policies; however, there are ample other examples both in new and re-phrased policies as well as mitigation measures from the Draft EIR that show the County is still committed to agriculture and related activities as the primary land uses to maintain the rural character of the unincorporated area. Also, the Land Use goals referenced by the commenter have been substantially revised, and terminology has been clarified as feasible throughout the Plan.

*Response 94-4 P:* The commenter notes that vital topics, such as open space, are not included in an organized fashion, making them vague and ambiguous. The commenter is referred to the Revised General Plan Update, which meets the provisions of Government Code Section 65560. Specifically, the Conservation Element addresses open space in regard to natural resources; the Recreation and Open Space Element addresses open space for recreation uses; the Safety Element addresses open space associated with the protection of public health and safety; and the Community Character Element addresses open space in relation to protection of historic and cultural resources. (See the Recreation and Open Space and Conservation Elements for more information on this subject.)

*Response 94-5 E/P:* The commenter states that the Napa River as a resource becomes incidental to the planning process, in particular a potential large development on the river south of the City of Napa that is ignored. The Conservation Element has been revised to elevate the importance of the Napa River (see Policy CON-46 and other policies in the Water Resources section of the Conservation Element). Also, the development site referred to south of the City of Napa has been designated as a "Study Area," indicating that further study will be required prior to any non-industrial development on this brownfield site. Also see the Hydrology section (Section 4.11) of the Draft EIR.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response 94-6 E/P:* The commenter notes that there is a lack of historical growth rates for population and the economy in a useable fashion. The certified Housing Element includes historical growth rates and is incorporated by reference into this General Plan Update. Table 4.3-1 in the Draft EIR Population/Housing/Employment section notes the growth rate for the County from 1990 to 2000 as compared to the State of California. In those 10 years, growth in the County overall has been 12.2% versus 13.8%. However, growth in Napa County between 2000 and 2005 has been 7.9% versus 5.7% for the state. Housing costs in Napa County were stated for 2006 in EIR Section 4.3, but were not directly compared to other counties in the Bay Area. However, at an average sale price of \$683,120, houses do appear to be on the higher end as compared to other counties in the Bay Area. Please also see the introductory discussion within the Agricultural Preservation and Land Use Element, which has been revised in response to the commenter's concerns.
- Response 94-7 E/P:* The commenter recommends that planning for the future needs to include global climate change as a factor. The County appreciates the concern for inclusion of climate change as a Plan issue, and several goals, policies, and action items have been added to the revised Conservation Element that address this topic. The Draft EIR addressed the topic of climate change in Section 4.8, Air Quality. See also Climate Change Master Response 3.4.4 for a detailed discussion on this issue.
- Response 94-8 P:* The commenter notes that topics are hard to research, such as Transitional Zone or Hess property, without better articulation between documents. The Transitional designation has been eliminated in the Revised General Plan Update, and a "Study Area" designation provided instead (see Policy Ag/LU-52). See Policy Ag/LU-40 regarding the Hess Vineyard. County staff has provided reading aids in the form of a fact sheet/summary, a matrix comparing the old and new plans, and a matrix comparing mitigation measures in the Draft EIR to policies in the Revised General Plan Update. Readers may also use the "search" function when reviewing electronic (CD) copies of the plan and the EIR.
- Response 94-9 E/P:* The commenter recommends a longer review period. This request was made by several people and was granted by the Board of Supervisors. The comment period was extended to July 18, 2007.

Letter 95

June 11, 2007

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

RE: Draft General Plan and Draft EIR Comments

Thank you for the opportunity to formally comment on these two documents that will form the basis of Napa County's future.

At the beginning of this process, the Board of Supervisor's established the direction to update and improve the readability of the General Plan while maintaining the status quo. Clearly the work of staff and the Citizen's Steering Committee has been successful in bringing the existing General Plan into the 21<sup>st</sup> century with a format and clarity that meets the Board's direction. Speaking on behalf of Get a Grip on Growth, I am disheartened to see that the Draft GP is very far from the slow and managed growth plan we have today – despite the text on page 15 that clearly outlines “New non-agricultural development will continue to be focused in the incorporated cities and already developed areas...and will embrace a smart growth philosophy”. The attached matrix with our detailed comments is an attempt to bring the Draft GP closer in alignment with previous goals. Goals that are shared throughout this county: the protection and preservation of agriculture along with managed, city-centered and urban-centered growth. In reading through the Ag & Land Use Element, it is rare to find wording that acknowledges that the existing cities provide housing and services for county workers. Therefore, housing needs appear to be solely borne by the unincorporated parcels – which is very far from the truth.

95-1P

An excerpt from the existing Land Use Element (page 2-12) has relevant comments that are still applicable today and should be included in the Draft GP:

“However, the relative attractiveness of the area could be a self-defeating feature. If the attractiveness encourages people to move into the area in such numbers or at such a rate that its resources are overused, or that it becomes indistinguishable from the crowded places the commuter moved away from, the area loses its appeal and people no longer want to move there or live there. Napa County, to preserve the open agricultural character and stabilize the rate of urban growth at a desired level, may opt to limit utilities, facilities and services for housing and highway improvements in the unincorporated area.

95-2P

Napa County is fortunate in that it has recognized the quality of its unique character before most of it has been lost. Other California counties that have undergone rapid growth and experienced a decline in the quality of their environment either did not recognize the changes taking place, or were unwilling or unable to cope with the rate of change. Voter reaction to the 1978 Population Advisory Vote and the 1980 Slow Growth Initiative Measure A indicate the voters in Napa County want limits on the rate of growth and the consequent changes in land use.”

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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<p>Not unlike a favorite neighborhood restaurant we frequent – once it gets ‘discovered’, the place gets crowded, the menu changes to meet the new customers demands, the parking lot is overwhelmed, and more importantly, food and service quality declines. Fortunately, through the GP, we can control the location and pacing of growth, the use of services and natural resources! We can and should continue to demonstrate leadership in land use and infrastructure planning.</p>	95-3P
<p>We would like to see more specific text/policies that acknowledges the role Measure A and Measure J have had in formation of our land use policies and supports continuation of these protections.</p>	
<p>Today we face many challenges not addressed in the existing GP that must be more clearly defined in goals and policies throughout the Draft GP.</p>	95-4E/P
<p>One of these challenges relates to climate change, or stated another way, sustainable water and energy resources and reduced green-house emissions. Our goals should permit increased agricultural, industrial, commercial, or residential growth only if we protect our groundwater and energy supplies. A preference for green buildings, solar and alternative power sources, use of reclaimed water, etc. are nowhere to be found in this draft.</p>	
<p>Another challenge relates to the integration of land use and transportation policies. Circulation Goal 1 and Policy CIR-1.1 attempt to correlate land use and transportation policies but stop short of an effective long-term vision. New residential and commercial growth concentrated in urban areas where sufficient densities can support transit services is only looking at one side of the problem. Missing are alternatives to single occupant autos and reduced trip generation. Also missing are goals to place residential and commercial growth where transportation opportunities already exist.</p>	95-5E/P
<p>The needs for affordable and workforce housing today differ greatly from those in our existing General Plan. Sadly, no analysis is available to clearly define who our workforce is, what their housing needs are, and what our goals are relative to meeting them. We urge County staff and leaders to request this analysis before finalizing the EIR and General Plan. We urge County staff to seek out ways to build affordable and workforce housing directly rather than it only being a component (15%) of a larger project. Specific language should be added to the wording regarding second units to prevent them from becoming vacation rentals.</p>	95-6E/P
<p>We very much appreciate Ag/LU Goal 5 that includes “balances the rights of individuals with those of the community.” But including a definition of private property rights unique to Napa County that ignores the State and Federal jurisdiction is problematic and sets up the County for continued legal challenges. Similarly, inclusion of private property rights within Recreation and Open Space policies sets up an inconsistency when not mentioned elsewhere.</p>	95-7P
<p>Looking at the County’s direction, vision, goals, and policies anew provides the best time to seriously look at our ‘Urban Bubbles’. One of the key elements of Smart Growth is to clearly define where you want growth and clearly define where you don’t want growth. Urban Bubbles are inappropriate planning tools for the 21<sup>st</sup> century and inconsistent with our continued vision for city &amp; urban centered growth. Now is the time to eliminate or phase out these urban bubbles and establish zoning that balances our vision and community needs.</p>	95-8P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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We are pleased to see specific policies relating to protection of our aesthetics and views in Goals CC-1 & 2. 95-9P

We understand the rationale of creating multiple EIR scenarios to “cover all bases” while the Draft GP is in flux. Without clear explanation, the EIR scenarios all result in a large number of significant and unavoidable impacts. Mitigations are almost non-existent for policies in the Ag & Land Use Element despite the fact that opportunities for growth with minimal or no infrastructure impacts are a reality. As a community, we need to seek out and find solutions - thinking outside the box rather than presume all our options will result in a grossly reduced quality of life. For example: Impact 4.13.7.1 regarding increased energy use has no mitigations. Here is a wonderful, yet missed, opportunity to demonstrate leadership in uses of alternative energy sources rather than continue to rely solely on PG&E. A similar situation exists in Impact 4.11.5 regarding groundwater. 95-10E/P

Mitigation Measure 4.4.1f states “The County shall provide a policy in the General Plan that requires the County of Napa to demonstrate leadership in implementation of programs encouraging the use of alternative modes of transportation by its employees, as well as the use of alternative fuels. Example programs shall include: Preferential carpooling parking and other ridesharing incentives; flexible working hours; a purchasing program that favors hybrid, electric or other non-gasoline vehicles; secure bicycle parking; and transit incentives. Policy CIR-3.5 restates this policy, yet other Circulation Element policies use words like supporting, encouraging, should be, etc. We feel that Napa County should take a strong stand in this General Plan by requiring and setting county-wide policies to reduce auto trip usage through Smart Growth principles. 95-11E/P

Regards,

Eve Kahn, Chair  
Get a Grip on Growth

Attachment

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

LOCATION/ITEM IN DRAFT GENERAL PLAN	SUGGESTED WORDING CHANGES	RATIONALE	
(page 33) Ag Preserve & Land Use Goals	Insert existing GP Land Use Goal 2 (page 2-16):  <b>To develop and implement a set of planning policies which combine to define a population size, rate of population growth and the geographic distribution of that population in such a manner that the desired quality of life is achieved</b>	The existing goal is still supported by the majority of Napa County residents and should not have been dropped. The Draft GP & EIR as well as staff reports predict a rate of growth 2 to 3 times our 1% goal and 3 to 5 times ABA6 projections.	95-12P
(page 14) Longstanding community values include agricultural preservation, resource conservation, and urban-centered growth. These values will be perpetuated by this General Plan, and will continue to ensure that new housing and commercial enterprises are directed to <u>already developed areas</u> .	Replace <u>already developed area</u> with <b>existing incorporated cities and urbanized areas</b> .	The term "already developed area" is too broad and, by existing glossary definition, covers almost all of the County lands. This broad expansion of development is not anticipated in the EIR.	95-13P
(page 15) New non-agricultural development will continue to be focused in the incorporated cities and <u>already developed areas</u> .	Replace <u>already developed area</u> with <b>urbanized areas</b> .	The term "existing incorporated and urban/urbanized areas" is in the current GP. Refer to wording in Draft policies Ag/LU-21, 25 and 26 (page 39,40) We should be consistent with these terms.	95-14P
(page 33) Ag/LU 3: Concentrate non-agricultural land uses in <u>existing urbanized or developed areas</u> .	Replace <u>existing urbanized or developed area</u> with <b>existing incorporated cities and urbanized areas</b> .		95-15P
Policy Ag/LU-20: (page 39) Urban uses shall be concentrated in the incorporated cities and <u>the already developed areas</u> of the unincorporated County as they exist in 2006	Replace <u>the already developed area</u> with <b>urbanized areas</b> .	Refer to Location of Growth on page 98.	95-16P
Policy CIR-1.1 (page 125) Consistent with urban-centered growth policies in the Agricultural Preserve and Land Use Element, new residential and commercial development should be concentrated within <u>already developed areas</u> and areas planned for development where sufficient densities can support transit services and development of pedestrian and bicycle facilities.	Replace <u>already developed area</u> with <b>existing incorporated cities and urbanized areas</b> .		95-17P

Page 1 of 5

(page 18) Napa County will become known for its successful strategies aimed at increasing the supply of housing available to people at all income levels.	Napa County will become known for its successful strategies aimed at increasing the supply of housing available to <b>Napa County's workforce</b> at all income levels.	The statement in the draft GP implies that we will now be supplying housing for the North Bay region's workers. Without appropriate qualifiers, this goal violates the notion of respecting the community's values & maintaining the goals of the existing GP.	95-18P
(page 31) High Cost of Housing: Those families who choose to live in the county devote a large share of their income to housing, leaving less disposable income for other purposes. (last sentence)	Our suggestion is to remove sentence from GP text.	This is stated as fact, but, is clearly an opinion. Commuting costs using today's gas prices could offset the difference in monthly housing expenses. The length and resulting stress of commuting could also add costs. In some areas of the country the cost of commuting to work exceeds the cost of the mortgage!	95-19P
(page 35) Ag/LU-12: ... In case of wineries, agricultural processing includes...and limited non-commercial food service including wine-food pairings,...	Ag/LU-12: In case of wineries, agricultural processing includes...and limited non-commercial food service including wine-food pairings (e.g. <b>food samplings or tastings</b> ),...	Clarify wine-food pairings to prevent restaurant size portions (where not allowed today). The terms food samplings and tastings are already in use in Sonoma.	95-20P
(page 41) Ag/LU-28 Long term housing needs: Re-use of former industrial sites... to provide for a mix of uses, including affordable and market rate work force housing as appropriate.  Use of overlay designations to permit/facilitate multifamily housing on specific sites..  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.	???	Napa County needs to seek out ways to build affordable and workforce housing without it only being the 15% component of a larger development.  Also need to modify wording of this strategy to preclude production of second units for vacation rentals.	95-21P

Page 2 of 5

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

<p>(page 41-42) Ag/LU-32: The following standards shall apply to lands designated as Urban Residential on the Land Use Map of this General Plan.</p> <p><u>Intent:</u> Provide, in identified urban areas, for development of a full range of urban housing opportunities, such as single family dwellings, multiple dwellings, townhouses, row houses, condominiums, and cluster housing in a desirable relationship to planned common use space, limited commercial, institutional, educational, day care, cultural, recreational and other uses, while at the same time preserving the quality of urban areas.</p>	<p>(page 41-42) Ag/LU-32: The following standards shall apply to lands designated as Urban Residential on the Land Use Map of this General Plan.</p> <p><u>Intent:</u> Provide, in identified urban areas, for development of a full range of urban housing opportunities, such as <b>detached or attached</b> single family dwellings, multiple family dwellings, townhouses, row houses, condominiums, <b>live/work lofts</b>, and cluster housing in a desirable relationship to planned common use space, limited commercial, institutional, educational, day care, cultural, recreational and other uses, while at the same time preserving the quality of urban areas.</p>	<p>Current housing descriptions are too limited. Expand urban housing opportunities to better match existing and/or potential choices.</p>	95-22P
<p>(page 47) Ag/LU-47: The following standards shall apply to lands designated as Transitional on the Land Use Map of this General Plan.</p> <p><u>Intent:</u> This designation provides for flexibility in the development of land, allowing either industrial, or commercial and residential uses. This designation is intended to be applied only to the Napa Pipe site and the Boca/Pacific Coast parcels in the unincorporated area south of the city of Napa, where sufficient infrastructure may be available to support this type of development.</p> <p><u>General Uses:</u> All uses allowed in the Urban Residential, Commercial, and Industrial land use categories may be permitted.</p> <p><u>Minimum Parcel Size:</u> Parcel sizes shall be as established for the Urban Residential, Commercial, and Industrial designations, depending on the use.</p>	<p>(page 47) Ag/LU-47: The following standards shall apply to lands designated as Transitional on the Land Use Map of this General Plan.</p> <p><u>Intent:</u> This designation provides for flexibility in the development of land, allowing either industrial, commercial, residential, <b>tourist-serving, transit, open space, or recreational</b> uses. This designation is intended to be applied only to the Napa Pipe site and the Boca/Pacific Coast parcels in the unincorporated area south of the city of Napa, where sufficient infrastructure may be available to support this type of development.</p> <p><u>General Uses:</u> All uses allowed in the Urban Residential, Commercial, and Industrial land use categories may be permitted.</p> <p><u>Minimum Parcel Size:</u> Parcel sizes shall be as established for the Urban Residential, Commercial, and Industrial designations, depending on the use.</p>	<p>Description of Transitional land uses are too narrow and should be expanded to accommodate all possible future needs.</p>	95-23P

<p>(page 86.87) 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 rights are therefore deserving of respect and consideration whenever land use decisions are made.</p>	<p>(page 86.87) 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 rights are therefore deserving of respect and consideration whenever land use decisions are made. <b>That being said, the definition of private property rights are established by state and federal rulings.</b></p>	<p>The definition of private property rights in the draft GP are unique to Napa County and inconsistent with state and federal court rulings.</p> <p>We should remove the definition to avoid future legal issues or add suggested text to be clear that state and federal rulings have precedent.</p>	95-24P
<p>(page 93) Interagency Cooperation. Policies Ag/LU 115 - 117</p>	<p>Insert: The County will work with the cities, special districts, other governmental units, citizens, and the private sector to plan for services, facilities and accommodations, including housing, transportation, economic development, parks and recreation, open space and other total County needs. (text from existing Land Use Goal #4)</p>	<p>Either add an additional policy, expand Ag/LU 155 in this section or add another Ag/LU goal on page 33 of Draft GP. Here is just one example where clear reference to the cities and other private or public entities is missing.</p>	95-25P
<p>(Page 100) Affordable housing can be of any type (single family, multiple, mobile home or other). It is estimated that mobile homes and farm labor housing will meet the affordability criteria more readily than other types of dwellings. Development of affordable housing (pursuant to Category 4 in the Growth Management System) requires a written agreement with the County and any designated agency prior to issuance of the building permits. It is the developer's responsibility to identify how the unit(s) will meet the "affordable" criteria, and this documentation will be included as part of the agreement. (See the Housing Element regarding incentives for the construction Of affordable housing.</p>	<p>(Page 100) Affordable housing can be of any type. (<b>detached or attached</b> single family, multiple family, mobile home, <b>manufactured home, live/work loft</b> or other in a residential or mixed-use zone). It is estimated that mobile homes, <b>manufactured homes, multiple family homes</b>, and farm labor housing will meet the affordability criteria more readily than other types of dwellings. Development of affordable housing (pursuant to Category 4 in the Growth Management System) requires a written agreement with the County and any designated agency prior to issuance of the building permits. It is the developer's responsibility to identify how the unit(s) will meet the "affordable" criteria, and this documentation will be included as part of the agreement. (See the Housing Element regarding incentives for the construction Of affordable housing.</p>	<p>Expanded examples to broaden the existing definition and scope.</p>	95-26P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

<p>(page 106) Policy Ag/LU-120: Certain <u>multi-family</u> 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 non-agriculturally designated lands; Are subject to a phased development plan; Would make a substantial contribution to meeting the County's State-mandated housing needs; and, Would include a <u>significant affordable</u> housing component.</p>	<p>Policy Ag/LU-120: Certain 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 non-agriculturally designated lands; Are subject to a phased development plan; Would make a substantial contribution to meeting County's State-mandated housing needs; and, Would include a <b>majority of affordable and workforce</b> housing component. <b>Any alteration of annual building permits must be approved in context with the overall growth goals of the county.</b></p> <p>[Note: another suggestion is to add additional wording to limit the override to a specific multiple of the 1% population and building permit allocation.]</p>	<p>This policy is too broad and needs some limits to be consistent with existing GP direction and community values. The pacing of growth in Napa County on an annual basis as well as the overall growth rate over a 30 year period must be considered. If the annual building permit limits are exceeded in any one year, this should not necessarily cause the long term growth rate to exceed 1%</p>	<p>95-27P</p>
<p>(page 133) Policy CIR-3.6 The County shall encourage the use of public transportation by tourists and visitors and will work with wineries to encourage the use of these options and the development of private mass transit.</p>		<p>Our goal should be car-free tourism. This policy should be strengthened and/or another goal added to the Circulation Element.</p>	<p>95-28P</p>
<p>Measure A and Measure J</p>	<p>Our Suggestion is to move full text to an Appendix</p>		<p>95-29P</p>
<p>Tourist-serving Transitional</p>	<p>Add definitions to Glossary</p>		<p>95-30P</p>

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 95: EVE KAHN, GET A GRIP ON GROWTH, JUNE 11, 2007

*Response 95-1 P:* The commenter expresses disappointment with the draft plan and has attached a matrix with comments to bring the proposed General Plan Update closer to previous goals. County staff appreciates the thoughtful work that the commenter has done and urges the commenter to review the revised draft, which has been modified substantially based on her comments and others.

*Response 95-2 P:* The commenter notes that the 1983 General Plan pages 2-12 are still relevant today. County staff appreciates the comment and believes that the revised introduction to the Agricultural Preservation and Land Use Element captures this sentiment. (See text on the top of p. 22 specifically.)

*Response 95-3 P:* The commenter recommends more specific text/policies to acknowledge Measure A and Measure J in formation of the Land Use Element policies. The County believes that the revised Agricultural and Land Use Element policies and action items have included sufficient language to acknowledge Measure A and Measure J. Specifically, see Policies Ag/LU-110 and -119.

*Response 95-4 E/P:* The commenter recommends facing new challenges such as climate change. The County appreciates the concern for inclusion of climate change as a Plan issue, and several goals, policies, and action items have been added to the revised Conservation Element that address this topic. The EIR addressed the topic of climate change in Section 4.8, Air Quality. See also Climate Change Master Response 3.4.4 for a detailed discussion on climate change.

*Response 95-5 E/P:* The commenter recommends a long-term vision in the Circulation Element to integrate land use and transportation policies. The County appreciates the commenter's concern with this issue. Additional language has been added to policies, and new policies have been incorporated under Goal 1 that specifically addresses the integration of land use and transportation. Alternative modes of transportation are also addressed.

*Response 95-6 E/P:* The commenter notes that the need for affordable and workforce housing today differs from the existing General Plan and requests that a definition of workforce and needs be included. As a result, the Revised Draft General Plan Update includes Action Item Ag/LU-30.2 calling for development of a new workforce housing ordinance and a better definition of "workforce housing." A discussion regarding employment and housing needs is also included in Section 4.3, Population/Housing/Employment of the Draft EIR. Additional discussion relating to the types of jobs in the County is described in the Economic Development Element on page 197.

*Response 95-7 P:* The commenter commends the reference to the rights of individuals in Goal 5 but is concerned with the definition of private property rights provided elsewhere in the Agricultural Preservation and Land Use Element and with a related policy in the Recreation and Open Space Element. County staff acknowledges the commenter's concern, but has strived to

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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strike an appropriate balance between members of the community who advocate for private property rights and those who advocate for other policy priorities. County staff does not believe the proposed text either exposes the County to undue legal risk or creates untenable inconsistencies.

*Response 95-8 P:* The commenter notes that urban bubbles are inappropriate tools for the 21<sup>st</sup> century. While the urban bubbles as currently designed do not coincide with existing development, elimination of them may potentially not conform to state law, as explained in the Alternatives Master Response 3.4.2. In addition, deletion of the urban designations in these areas would preclude the County's ability to meet housing needs in future cycles; therefore elimination remains infeasible. Nonetheless, at the suggestion of the commenter and others, the Revised General Plan Update includes adjustments to the Angwin bubble and the Berryessa Estates bubble, and calls for a systematic evaluation of other bubbles following adoption of the updated General Plan. (See Action Item AG/LU-114.1.)

*Response 95-9 P:* The commenter is pleased with Goals CC-1 and CC-2. County staff appreciates that these goals are satisfactory.

*Response 95-10 E/P:* The commenter notes that the Draft EIR does not clearly explain all the significant and unavoidable impacts and does not include adequate mitigation. While the Draft EIR attempts to incorporate as many mitigation measures as possible to eliminate, reduce, or avoid impacts, several topic areas will still contain significant and unavoidable impacts. For instance, while mitigations are proposed that may further reduce traffic impacts, many of these measures are deemed infeasible by the County for the reasons cited in the text. Alternative energy sources are now included as policies under Energy Goals in the revised Conservation Element, but the County cannot force individuals to incorporate alternative energy into private households. The Draft EIR analyzed climate change from an air quality perspective and suggestions were made by several commenters that have been incorporated into these new Energy Goals to help the County reduce these impacts.

*Response 95-11 E/P:* The commenter recommends that the County take a stand in the proposed General Plan Update by requiring and setting county-wide policies to reduce auto trip usage through Smart Growth principles. The County appreciates the emphasis on Smart Growth principles to reduce auto trips, and several new policies have been included under Goal 3 in the Circulation Element that addresses this issue. In addition, the County continues to promote growth in areas that are already urbanized in an effort to limit the need for auto travel.

*Response 95-12 P:* Commenter recommends insertion of existing Land Use Goal 2. The concepts of Land Use Goal 2 are reflected in Goal 4.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response 95-13 P: Commenter recommends replacing **already developed area** with *existing incorporated cities and urbanized areas* in the Ag/LU Element. The County appreciates the commenter's input; however, the paragraph referred to has been deleted from the revised General Plan Update.
- Response 95-14 P: Commenter recommends replacing **already developed area** with *urbanized areas* in the Ag/LU Element. The County appreciates the commenter's input; however, this change has not been made to the General Plan Update in the Summary section of the General Plan Update.
- Response 95-15 P: Commenter recommends replacing **already developed area** with *existing incorporated cities and urbanized areas* in the Ag/LU Element. This edit has been made in the Agricultural and Land Use Element in that section.
- Response 95-16 P: Commenter recommends replacing **already developed area** with *urbanized areas* in the Ag/LU Element. This edit has been made and the number of the policy has been changed to Policy Ag/LU-22.
- Response 95-17 P: Commenter recommends replacing **already developed area** with *existing incorporated cities and urbanized areas* in the Circulation Element. This change has been incorporated into the Circulation Element under Goal 1.
- Response 95-18 P: Commenter recommends adding supply of housing available to **Napa County's workforce** at all income levels to page 18 in the Ag/LU Element. The Summary section of the General Plan Update has been substantially revised.
- Response 95-19 P: Commenter recommends that the following sentence be removed from the General Plan text on page 31 of the Ag/LU Element: "High Cost of Housing: Those families who choose to live in the county devote a large share of their income to housing, leaving less disposable income for other purposes." The edits have been incorporated into the revised housing availability and high cost of housing subheading.
- Response 95-20 P: Commenter recommends addition of text to Ag/LU Element Policy Ag/LU-12 page 35 as follows: "...wine-food pairings (**e.g., food samplings or tastings**). The edits have been made to clarify wine-food pairing. The number of this policy has been changed to Policy Ag/LU-13.
- Response 95-21 P: Commenter includes question marks for Policy Ag/LU-28 and notes that the County needs to seek out ways to build affordable housing and workforce housing without it only being the 15% component of a larger development. This policy has been edited in response to this and other comments.
- Response 95-22 P: Commenter recommends addition of language to intent section: "...such as **detached or attached** single family dwellings...**live/work lofts**, and cluster housing..." The edits have been made to include these terms and the number of the policy changed to Policy Ag/LU-34.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response 95-23 P:* Commenter recommends addition of language to intent section: "...residential, **tourist-serving, transit, open space, or recreational** uses." This policy has been edited in response to this and other policies. This area now designates industrial sites as "Study Areas."
- Response 95-24 P:* Commenter recommends for Ag/LU-109: "...decisions are made. **That being said, the definition of private property rights are established by state and federal rulings.**" The County appreciates this input; however, this specific change was not made.
- Response 95-25 P:* Commenter recommends for Ag/LU-115-117 inserting text from existing LU Goal #4. The County appreciates this input; however, this specific change was not made.
- Response 95-26 P:* Commenter suggests text insertions on affordable housing to broaden existing definition and scope. The edits have been made to include the suggested terms for affordable housing units into Policy Ag/LU-119.
- Response 95-27 P:* Commenter suggests that for Ag/LU-120 add additional wording to limit override to a specific multiple of the 1% allocation. This policy has been eliminated from the Revised General Plan Update in response to concerns expressed by the commenter and others.
- Response 95-28 P:* Commenter recommends that Circulation Element Policy CIR-3.6 should be car-free tourism. County staff does not recommend this change as requested, although policies have been clarified in the Circulation Element regarding inclusion of multi-modal transportation as part of the County's transportation system.
- Response 95-29 P:* Commenter recommends that Measure A and J text should be moved to an appendix. The County appreciates this input; however, this specific change was not made.
- Response 95-30 P:* Commenter recommends the addition of tourist-serving and transitional terms to the glossary. These terms have not been included in the glossary; however, the term "transitional" is no longer being used within the General Plan Update.

Letter 96

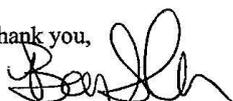
Napa County Department of  
Conservation and Planning  
c/o Mr. Patrick Lowe  
1195 Third St. Suite 210  
Napa, CA 94559

June 14, 2007

Mr. Lowe,

Enclosed are my five pages of comments, organized by General Plan section and page, regarding the Draft Napa County General Plan Update.

Thank you,



Barry Christian  
105 Landana Street  
American Canyon, Calif. 94503

## NAPA COUNTY GENERAL PLAN UPDATE

### COMMENTS

#### RECREATION AND OPEN SPACE ELEMENT

Page 232 – “Recreational facilities - defined”

96-1P

**Comment:**

Under the definition of recreational facilities, there is no mention of docks, ramps, small-boat launching facilities, or other public access to rivers, lakes, and bays.

Also there is no mention in the General Plan of a “water trail”, which basically consists of a series of launch and recovery sites for hand-launched watercraft (kayaks, canoes, etc.). Such a regional trail has already been established through State Legislative action.

Page 253 – Map

96-2P

**Comment:** Is the Bay Area Ridge Trail segment, which has been already been approved and dedicated through the town of Yountville, listed on the map?

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Napa County Draft General Plan Update – comments by Barry Christian

Page 2 of 5

Page 254 – Policy ROS-10: Trails – The policy states: “locate trails ..... to maintain privacy of private property owners and their residences”.

96-3P

Comment:

I am concerned this policy statement could be argued to prevent the creation of an entire trail which might have some smaller segments offering a view from the hills above the Napa Valley (view of private property). Could a better statement say to “route segments of trails" ..... to maintain the privacy of private property owners and their residences wherever possible”.

Page 255 – Policy ROS-3: “Uses on open space lands ..... 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 recreation use”.

96-4P

Comment:

This sentence is vague and subjective. To “contribute to a likelihood” that something “will be proposed” is subject to unlimited interpretation and argument, and will be found to be true (to some degree) in almost any circumstance. Could a possible future offer from an adjacent landowner, allowing a public trail easement along the border of their agricultural property even though the trail did not interfere with any farming activity, be considered a “non-agricultural use of agricultural property”, and therefore be argued to prevent the placement of an entire park or recreation area? A better standard would be to determine whether or not any proposed use actually prevents or interferes with farming activity.

Page 256 – Policy ROS-9: “The County shall not use the power of eminent domain.....”.

96-5P

Comment:

This statement could be argued to prevent the County Board of Supervisors from exercising their existing authority (eminent domain) regardless of the circumstances for the next 10, 20, or 30 years. Our Supervisors are elected to make decisions based on the current circumstances. Does it make sense to remove the tools we’ve given them to perform their duties. A better statement might be to “discourage the use of the power of eminent domain.....”.

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Napa County Draft General Plan Update – comments by Barry Christian

Page 3 of 5

Page 258 – Policy ROS-15: “Focus on improving public access to recreational facilities on existing public lands ...” 96-6P

Comment:  
This statement could be improved to include all “special district” lands owned by Napa County including the closed landfill in American Canyon, the Napa Sanitation District along the Napa River, and the County Airport along the Napa River.

Page 259 – Policy ROS-20: “Partnerships with other public agencies.....” 96-7P

Comment:  
These agencies could include the Waste Management Authority (closed Landfill property), the Napa Airport (Napa River Trail), and Napa Sanitation District (Napa River Trail).

CONSERVATION ELEMENT

Page 212 – “Waste Management Policies”: 96-8P

Comment:  
This section of the General Plan neglects to address any plans for re-use of, or public access to, the closed Landfill in American Canyon. A 1982 Court Settlement Agreement between the State of California and the previous owner of the Landfill reserved a non-motorized, non-exclusive right of public access to and along the Napa River through the Landfill, and also stated the entire property would become “Open Space” when the Landfill was closed, however there still isn’t any public access through the Landfill, nor has the Waste Management Authority addressed this issue in the official closure plan. As of today, the Waste Management Authority has not proposed any public re-use of this property, nor declared any responsibility to do so. American Canyon area residents historically experienced the negative aspects of the adjacent Landfill (including dust, traffic, odor, wind borne debris, and burn pit fumes) for many years, but are not currently receiving any reciprocal benefit. The Landfill stopped accepting debris more than 5 years ago. The original articles of formation for the Waste Management Authority Board did not give that Board any mandate to return the Landfill to beneficial public use. The diverse structure of the Waste Management Authority Board which includes

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Napa County Draft General Plan Update – comments by Barry Christian

Page 4 of 5

Napa County, Napa City, Vallejo City, and American Canyon prevents effective advocacy by local American Canyon residents. The County needs to address this issue in the General Plan for the benefit of all Napa County residents, but especially for the local residents of American Canyon living next to the closed Landfill. The General Plan section titled “Waste Management Policies” might be an appropriate venue for this discussion because previous waste management policies have created the current situation. The County created the Waste Management Authority. Now the General Plan needs to guide the vision for beneficial public re-use of the Landfill.

96-8P  
cont'd

#### AGRICULTURAL PRESERVATION AND LAND USE

Page 34 – Policy Ag/Lu-1: “Agriculture and related activities are the primary land uses in Napa County”.

96-9P

**Comment:**

What does it mean to declare agriculture as the primary land use? Does this statement mean that agriculture is more important than existing housing, local schools, hospitals, and other infrastructure for Napa County residents? What is the definition of “primary land use”?

Page 34 – Policy Ag/LU-2: “The county defines agriculture .....and related marketing, sales, and other accessory uses. Agriculture also includes farm management businesses and agricultural employee housing”.

96-10P

**Comment:**

What is the definition of an agricultural employee? Does the existing definition of “agriculture” include housing for everyone connected to the wine industry including sales, marketing, and other supporting professions, or is it restricted to farm workers?

Page 35 – Policy Ag/LU-11: “No non-agricultural use or development of a parcel located in an agricultural area shall be permitted unless it is needed for the agricultural use of the parcel .....

96-11P

Page 4 of 5

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Napa County Draft General Plan Update – comments by Barry Christian

Page 5 of 5

**Comment:**

This policy statement is overly restrictive beyond what is necessary for the intent of the law (to protect farming and agricultural land). It does not allow for beneficial public uses which do not negatively impact, or prevent agricultural activities. One example of a beneficial public use could be a public trail or bicycle path along the border of an agricultural parcel. Such a trail could serve the greater public interest without frustrating the original intent of the law.

96-11P  
cont'd

Page 43 – Policy Ag/LU-37: The potential rezoning of Hess Vineyards to future industrial use.

**Comment:**

The area around American Canyon (South County) already has a huge share of the county’s industrial areas, but vineyards exist throughout Napa County, including American Canyon. Why does all Industrial Zoning belong in South County?

96-12P

Page 75 - Policy Ag/LU-89: “The County supports the continued concentration of industrial uses in the South County area as an alternative to the conversion of agricultural land for industrial use elsewhere in the county”.

**Comment:**

This statement provides a rationale for protection of agricultural land, but the proposed conversion of the Hess Vineyards property (to industrial uses) violates the entire premise. If the Agricultural Preserve is beneficial to the entire county, why is agricultural land in South County any less valuable than other agricultural land?

96-13P

Page 86 – Policy Ag/LU-109: “..... that private ownership provides valuable incentives for the proper care of property and the environment .....”.

**Comment:**

No examples of “valuable incentives” are presented to support this premise, nor is there any recognition of the negative consequences of some landowners possibly seeking to maximize profit without regard to the environment (for example neglecting the costs of proper erosion controls, thereby threatening our watersheds).

96-14P

Page 5 of 5

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 96: BARRY CHRISTIAN, JUNE 14, 2007

*Response 96-1 P:* Commenter notes that the Recreation and Open Space Element makes no mention of docks, ramps, small-boat launching facilities, or other public access to rivers, lakes, and bays. The County appreciates this input; however, these facilities are not described in detail in the General Plan Update as noted.

*Response 96-2 P:* Commenter asks if the Bay Area Ridge Trail segment that was approved is on the ROS-1 Map on page 253. All maps and figures have been updated as appropriate.

*Response 96-3 P:* Commenter notes they are concerned that Recreation and Open Space Policy ROS-10 could prevent the creation of an entire trail. The Napa County Recreation and Open Space District was formed to investigate the opportunities to connect all trails. In some instances, private property might preclude connection; however, attempts will be made at trail connection to the extent feasible.

*Response 96-4 P:* Commenter notes that for ROS-3 on page 255, the sentence is vague and subjective on the use of open space lands. The County appreciates the commenter's input, and language has been revised as appropriate in the General Plan Update.

*Response 96-5 P:* Commenter notes on page 256 for ROS-9 regarding eminent domain could prevent the Board of Supervisors from exercising existing authority regardless. The County appreciates the commenter's input; however, it is the desire of the County not to use eminent domain for parks and trails acquisition.

*Response 96-6 P:* Commenter notes for ROS-15 to include "special district" lands owned by Napa County including the closed landfill in American Canyon, NSD, and County Airport along the river. The County appreciates the commenter's input; however, this change was not made to the General Plan Update.

*Response 96-7 P:* Commenter notes that for ROS-20, other public agencies could be Waste Management Authority, Napa Airport, and NSD. County staff acknowledges these agencies would be included.

*Response 96-8 P:* Commenter notes that the Waste Management policies section on page 259 neglects to address plans for re-use of landfill in American Canyon. The County appreciates this input. The Recreation and Open Space has been revised to note re-use of the landfill site.

*Response 96-9 P:* Commenter notes for Ag/LU-1 on page 34 there should be a definition of the declaration of agriculture as a primary land use. The County appreciates the suggestion; however, all Ag/LU goals adhere to the notion of agriculture as the primary land use in the unincorporated County area.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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*Response 96-10 P:* Commenter asks, for Ag/LU-2, for the definition of an agricultural employee. The County appreciates the commenter's request; however, no definition was provided for this term.

*Response 96-11 P:* Commenter notes, for Ag/LU-11, the policy is overly restrictive beyond what is necessary for the intent of the law. The County appreciates the commenter's concern for the language, which has been slightly modified, but generally is the same as former policy 3.11.

*Response 96-12 P:* Commenter asks, for Ag/LU-37, why does all Industrial Zoning belong in the South County? Industrial zoning has traditionally been relegated to the southern portion of the county to connect those uses with other already developed urban uses in that area and to allow for preservation of the remainder of the unincorporated for agricultural use.

*Response 96-13 P:* Commenter notes that for Ag/LU-89 the proposed conversion of Hess Vineyards violates the entire premise of protection of agricultural land. Agricultural land in the south county should not be less valuable. The County appreciates the commenter's concerns on this topic. However, Hess Vineyard is now to be re-designated from "Industrial" to "AWOS" to correlate with the existing AW zoning and the existing land use.

*Response 96-14 P:* Commenter notes that for Ag/LU-109, no examples of "valuable incentives" are presented in support of this policy.

Members of the General Plan Steering Committee who suggested Policy Ag/LU-109 (now Ag/LU-108) provided the following examples:

- 1) Private ownership provides pride of ownership; properly stewarded property reflects well on the owner.
- 2) Financial incentive; properly stewarded property is more productive and attractive and therefore more valuable.
- 3) Responsibility incentive; ownership clearly defines who is responsible.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Letter 97

**St. Helena Hospital**  
**Adventist Health**

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Fax 707-963-6461

**RECEIVED**

JUN 11 2007

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

June 7, 2007

Hilary Gitelman, Director  
Conservation, Development and Planning Dept.  
1195 Third Street, Suite 210  
Napa, CA 94559

RE: Comment to Napa County Draft General Plan and Draft Environmental Impact Report

Dear Ms. Gitelman:

St. Helena Hospital has reviewed the Napa County draft General Plan Update ("Draft Plan") and Draft Environmental Impact Report for the Draft Plan ("DEIR"). This letter serves as St. Helena Hospital's comment on the Draft Plan and DEIR.

**ST. HELENA HOSPITAL & NAPA COUNTY'S FUTURE MEDICAL NEEDS**

St. Helena Hospital began serving the residents of Napa County in the year 1878. Since that time the Hospital services have grown to provide emergency care, cardiology, medical and surgical services, oncology, obstetrics, and a host of community based programs. Additionally, St. Helena Hospital has been a significant employer in the County with approximately 150 physicians on staff in addition to some 725 nurses and other personnel. While Napa County updates its General Plan periodically, St. Helena Hospital is constantly evaluating and improving its facilities to keep pace with the County's needs, advances in medical technology, and an increasingly competitive labor market for doctors and nurses.

97-1P

The Draft Plan envisions continued increases in the total population<sup>1</sup> and the average age<sup>2</sup> of Napa County residents. The Draft Plan recognizes that the increased age of Napa County will require "more demand for medical care and transport..."<sup>3</sup> Additionally, development plans being considered for the Angwin community would further increase the number of Napa County residents seeking medical services at the Hospital. St. Helena Hospital has recognized these demographic trends and potential developments as factors that will increase demand for medical services.

To remain competitive in the evolving medical labor market, St. Helena Hospital has developed a plan allowing employees to purchase residences owned by the Hospital (the "Housing Plan"). The Housing Plan adds to the residential units available to employees,

<sup>1</sup> Draft Plan, page 29

<sup>2</sup> Draft Plan, pages 30, 223-224, and 227.

<sup>3</sup> Draft Plan, page 30.

which is a valuable recruiting tool given the Hospital's rural location. Because the Housing Plan requires owners to sell the residence back to the Hospital upon changing employment, the residential units remain available for the Hospital's employees. In addition to its value in recruiting, the Housing Plan benefits Napa County by providing workforce housing and reducing traffic by offering employees a nearby residence.

97-1P  
cont'd

To properly implement the Housing Plan, a subdivision, use permit, and re-zone are required.<sup>4</sup> An application to Napa County for the required use permit, re-zone, and subdivision has been submitted, and the Hospital is currently refining that application to address certain road and circulation issues.<sup>5</sup> St. Helena Hospital fully intends to pursue its application for these entitlements in order to implement the Housing Plan.

**NAPA COUNTY'S DRAFT PLAN**

St. Helena Hospital has two concerns related to the Draft Plan. First, that a policy in the Draft Plan will prohibit the Housing Plan. Second, St. Helena Hospital submits that the Draft Plan should include policies allowing zoning for the Hospital that is tailored to the unique institutional service the Hospital provides to Napa County residents. Each of these concerns is addressed further below.

*Deer Park Area Policies & the Housing Plan*

Unlike the 1983 General Plan, the Draft Plan contains several distinct sections summarizing the Draft Plan's area-specific goals and policies. These area-specific provisions of the Draft Plan include provisions regarding the Deer Park Area in which St. Helena Hospital is located.<sup>6</sup> The Draft Plan's provisions regarding the Deer Park Area recognize St. Helena Hospital's role in the County, and the Hospital applauds policy Ag/LU-71, which states as follows:

97-2E/P

The County supports the continued operation of the St. Helena Hospital, and recognizes the importance of the hospital's role in providing in- and outpatient services and employment for Napa County residents.<sup>7</sup>

Policy Ag/LU-71 recognizes the increasing importance of the Hospital's benefits to employment and medical services in Napa County. Additionally, a policy applicable to the Draft Plan's Rural Residential designation appears to support the Housing Plan by allowing lots smaller than 10 acres in the Deer Park Area as part of the Hospital's master development plan.<sup>8</sup> Unfortunately, policy Ag/LU-70 detracts from the County's support of St. Helena Hospital and the Housing Plan. Policy Ag/LU-70 in the Draft Plan states:

<sup>4</sup> The use permit and re-zone are required due to the Hospital's existing PD zoning district. The subdivision is required so that employees may obtain financing to purchase the residences since lenders require a separate parcel for a mortgage.

<sup>5</sup> The application to implement the Housing Plan is number 96474-UP.

<sup>6</sup> Draft Plan, pages 64-65.

<sup>7</sup> Draft Plan, Ag/LU-71, page 65.

<sup>8</sup> Draft Plan, Ag/LU-33, page 43.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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The existing density of development in the Deer Park Area and the county's desire to be protective of water quality precludes future subdivision activity based on septic tanks and wells. (*Similar to former Land Use Element policy 4.9a about Angwin*)<sup>9</sup>

While policy Ag/LU-70 does not specifically address the Hospital, it would preclude further consideration and approval of the pending application to implement the Housing Plan. Due to this negative impact on the Housing Plan, St. Helena Hospital believes that policy Ag/LU-70 is inconsistent with the expression of continued support in Ag/LU-71 and policy Ag/LU-33 allowing smaller parcels in the Hospital's master development plan.

97-2E/P  
cont'd

St. Helena Hospital is also a major stakeholder in the Deer Park Area as both an employer and as a landowner. As such a stakeholder, the Hospital considers policy Ag/LU-70 to be an incorrect, overbroad, and unnecessary approach to protecting groundwater supplies in the Deer Park Area. Rather than prohibiting subdivisions outright, St. Helena Hospital believes future development applications in the Deer Park Area should be evaluated based on the environmental review of those applications. Where conditions would make septic tanks and groundwater wells a danger to groundwater supplies, Napa County could restrict that development on the basis of the studied environmental conditions.

For the above reasons, the Hospital submits that policy Ag/LU-70 should be re-written as follows:

The existing density of development in the Deer Park Area and the county's desire to protect water quality requires that future subdivision activity based on septic tanks and wells be shown to mitigate any negative impacts to groundwater.

#### Policies Allowing Change in Zoning

St. Helena Hospital requires a certain amount of flexibility to remain competitive in the health care industry and continue its service to Napa County residents. To assist the Hospital, the Draft Plan should include a policy allowing zoning that is tailored to the Hospital's unique institutional needs. Such zoning could be in the form of amendments to the existing provisions governing PD zoning or in the form of an overlay district. To allow for such zoning, St. Helena Hospital suggests the following policy for the Draft Plan provisions related to the Deer Park Area:

97-3P

To accommodate the growing need for medical services, the County shall implement zoning that allows flexibility in the placement, location, and use of hospital facilities to meet the changing demands and medical needs of Napa County residents.

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<sup>9</sup> Draft Plan, Ag/LU-70, page 64.

DEIR FOR THE DRAFT PLAN

After reviewing the DEIR and Draft Plan, St. Helena Hospital believes that the DEIR's analysis of the current Draft Plan is lacking in two respects. First, the DEIR does not address the sufficiency of emergency medical services at the hospital level or the impacts to emergency medical services from the more restrictive land use policies proposed in the Draft Plan. Thus, the DEIR fails to analyze the significant impact of declining level of emergency medical services to residents in the incorporated and unincorporated areas of Napa County that is caused by restrictive land use policies. Second, the DEIR lacks analysis regarding groundwater quality in the Deer Park Area and does not address the impact of a more restrictive groundwater and septic system policy on housing, employment, and emergency medical services.

97-4E/P

Emergency Medical Services

The DEIR<sup>10</sup> and the Baseline Data Report<sup>11</sup> contain information regarding the provision of emergency medical services to Napa County residents. The Baseline Data Report specifically lists St. Helena Hospital as a medical services facility.<sup>12</sup> Accordingly, it is clear that the DEIR and Baseline Data Report include St. Helena Hospital in the tabulation of medical services available to Napa County's increasingly aging population. Additionally, the DEIR provides the following significant impact:

Land uses and development under the proposed Napa County General Plan Update would increase the demand for additional fire protection and emergency medical services and facilities, which may result in physical environmental impacts. (Significant and Mitigable – All Alternatives)<sup>13</sup>

However, the limitations through zoning, remote location, and policy Ag/LU-70 imposed on St. Helena Hospital serve to weaken the Hospital's ability to recruit qualified personnel. Weakness in recruiting and inflexibility in future development options reduce the Hospital's ability to provide services to Napa County.

If Napa County is determined to restrict the Hospital through policy Ag/LU-70, the DEIR should analyze the potential impacts to emergency and non-emergency medical services to County residents. While the DEIR evaluates the ambulance services available for emergency medical needs, the DEIR fails to consider the sufficiency of emergency room care available at the hospitals in Napa County including St. Helena Hospital.

<sup>10</sup> DEIR, Chapter 4.13.

<sup>11</sup> Baseline Data Report, pages 13-11 to 13-14.

<sup>12</sup> Baseline Data Report, page 13-14. In fact, a picture of St. Helena Hospital's emergency room entrance is depicted on page 13-13 of the Baseline Data Report.

<sup>13</sup> DEIR, Impact 4.13.1.1, page 4.13-6 (emphasis supplied).

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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#### Groundwater

While policy Ag/LU-70 asserts that it is based on the protection of groundwater supplies, neither the DEIR<sup>14</sup> nor the Baseline Data Report<sup>15</sup> conclude that the aquifer serving the Deer Park Area is threatened.<sup>16</sup> In fact, a preliminary study of the Deer Park Area's groundwater basin, attached for your review, indicates the supply exceeds the current demand. Without further study of to provide detailed information on any potential threats to groundwater quality and supply, policy Ag/LU-70 is unnecessary as a solution looking for a problem. Furthermore, limiting the subdivision potential of the Deer Park Area (one of the few areas in unincorporated Napa County that is not designated for agricultural use) would adversely affect the County's housing stock. This potential impact is not addressed in the DEIR.

97-5E/P

In conclusion, St. Helena Hospital asks that Napa County carefully consider this comment and revise policy Ag/LU-70 to allow the Hospital the flexibility to meet Napa County's continuing medical needs. St. Helena Hospital also asks that Napa County institute policies allowing adoption of more flexible zoning allow the Hospital to construct facilities to meet the medical needs of Napa residents.

Thank you for this opportunity to comment on the Draft Plan and the DEIR.

Sincerely,



JoAline Olson  
President & CEO

JO:js

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<sup>14</sup> DEIR, Chapter 4.11.

<sup>15</sup> Baseline Data Report, Chapter 16.

<sup>16</sup> DEIR, page 4.11-18.

*Water Solutions Inc.*

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**WATER SUPPLY EVALUATION**

**ANGWIN / DEER PARK AREA**

HOWELL MOUNTAIN MUTUAL WATER COMPANY  
P.O. BOX 9  
ANGWIN, CA 94508-0009  
(707) 965-2205

Report Date: November 19, 2003  
Printed: May 31, 2007

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*Water Solutions Inc.*

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*Water Solutions Inc.*

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Water Supply Evaluation,  
Howell Mountain Mutual Water Company

**Introduction**

Howell Mountain Mutual Water Company has requested a review of the ground water capacity, viability and estimated service potential. Water Solutions Inc. utilized published maps and studies of the subject area and geologically similar areas, low altitude aerial survey, construction and operational data from historical and operational wells, water use data both from the study area and national data, and ground level investigation of geology and recharge characteristics. While every effort has been taken to ensure all statements are supported by sound data and industry standards, no warranty can be expressed or implied.

**With careful management of recharge, withdrawal and consumption it is believed this aquifer can sustain the community.** Our review indicates that the water recharge is balanced with withdrawal levels. This report must in no way be viewed as a sanction of complacency for the community or water system. This report is based on a series of assumptions and estimates. There is the possibility of an error in these numbers. A balanced system is vulnerable to change such as population growth, drought, failing infrastructure, contamination, uncontrolled extraction and unforeseen developments.

**Sonoma Volcanics**

This description of the Sonoma Volcanics in the project area is based upon our observations, our past experience with the formation, and upon several references listed at the end of this report.

The entire area of Howell Mountain Mutual Water Company and the Hospital System at Deer Park, and including Pacific Union College, is underlain by Sonoma Volcanics of Pliocene age (2 to 5 million years old). The rocks are volcano deposited, ranging from tuff (ash) to coarser grained ejecta such as scoria and agglomerate, and harder andesite and basalt flows. Some of the tuff beds and lava flow beds are separated by alluvial deposits, mostly gravel and sand. Most individual rock units cannot be mapped over large areas because of their mode of deposition. Additionally, folding and faulting also separate rock units. The general trend of rock structure is northwest-southeast, the overall direction of Napa Valley. Most of the beds dip 20° - 30° toward the valley. In places the dips are steeper because of folding and faulting.

The Napa Valley itself has relatively thin alluvium (up to several hundred feet thick) overlying Sonoma Volcanics. East of the project area the Sonoma

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## *Water Solutions Inc.*

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Volcanics are in contact with much older rocks; the Franciscan Group (about 150 million years old) and the Great Valley Sequence (about 75 million years old). Some very large landslides, perhaps tens of thousands of years old, are present along this eastern contact. The contact also marks a line of springs along about the 1500-foot contour.

Plate 1 is a map showing the approximate boundaries of the assumed project area.

Plate 2 is a generalized east-west cross section, illustrating the geologic elements of the area and introducing some of the dimensions discussed in the next report section. The vertical scale is exaggerated 5:1 so that the various features are more apparent. The scale exaggeration makes sloping surfaces appear steeper than they really are.

#### **Aquifer Characteristics, Storage, and Recharge**

The Sonoma Volcanics provide an important source of water to many users. Well yields range from a few gallons per minute (gpm) to several hundred gpm. Valley wells in alluvium can yield over 1,000 gpm contrasted with Franciscan/Great Valley wells which may yield from 5 gpm to none at all.

As discussed above, continuity between aquifers is poor, creating a highly compartmentalized condition where nearby wells may not see much interference from each other. Each "compartment" may have boundaries. Water may be present but be limited by these boundaries. This condition is illustrated by an HMMWC report of a new well that tested at 140 gpm but soon thereafter went dry, indicating a lack of continuity between water-bearing strata. More commonly, wells fail because of poor (older) construction practices and lack of maintenance. Old wells may corrode, become clogged with iron bacteria, or fail due to some other mechanism. A good practice is to put wells on a regular maintenance schedule, which will improve yields and reduce energy costs.

Although poor continuity between geologic units produces poor hydraulic continuity, this condition should be considered a relatively short-term phenomenon. In the long term (days or weeks) groundwater will move between units, and act as a single unit groundwater body.

The Sonoma Volcanics have two types of permeability. Primary or inter-granular permeability is found in the coarser ash and ejecta beds, as well as gravel and sand interbeds. Probably, the higher yielding wells in the area receive much of their production from a few feet of thickness of rocks with primary permeability. The other type of permeability is secondary or fracture permeability, found in hard flow rocks – basalt and andesite.

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*Water Solutions Inc.*

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Groundwater production in the region did not vary until recent years, when many new vineyards were planted. The greater groundwater production may be lowering groundwater levels. We therefore provide estimates of groundwater storage and recharge as a perspective on future groundwater production characteristics.

To make this estimate we had to make some gross assumptions:

- The higher elevation area of the project area extending north-south is 5 miles long by 2 miles wide (25,000 feet by 10,000 feet). To be conservative these dimensions are somewhat smaller than the area outlined on Plate 1.
- The depth to groundwater averages 400 feet, deeper in the center, shallower on the fringes.
- Useable groundwater contained in the rock extends at depth from 400 feet to 700 feet, a thickness of 300 feet.
- The specific yield (the amount of water that can be drained from the rock) averages 2% of the total volume of the rock.

The specific yield for the Sonoma Volcanics of 2% is based on comparisons with varying aquifer types. Clean gravels may have specific yields of 30–35% while typical valley fill, such as that in Napa Valley, may range between 10 and 20%. Fractured bedrock may have yields as low as 1%. The Sonoma Volcanics, being an intermediate between old bedrock and alluvium, fit a conservatively low specific yield assignment of 2%. The specific yields assigned to alluvial materials have a strong basis in laboratory tests and experiments. Such is not the case with bedrock materials because of the difficulty in preserving representative samples.

The volume of the water-bearing rock is 75 billion cubic feet. Multiplying by 2% results in storage of 1.5 billion cubic feet of water. If current total annual use is 44.9 million cubic feet, the available storage is more than 30 years, a fairly reassuring amount if the aquifer is not recharged.

An estimate of natural recharge in the assumed project area (25,000 feet by 10,000 feet) must consider the holding capacity of the surface. Where areas have been cleared or where slopes are steep, rock is often exposed and rainfall runs off quickly. However, large portions of the project area are covered with forest, and even more importantly, a thick forest litter. These forest areas exhibit almost no erosion and therefore must accept significant percolation and recharge. It should be noted that forests are being cleared to plant vineyards and further vineyard development has the potential to significantly impact recharge volume.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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## *Water Solutions Inc.*

Conn Creek likely gains water on its route between Howell Mountain Mutual Water Company lakes and Lake Hennessey. The gain is from springs, irrigation runoff and some bank storage. The Creek is mostly cut into bedrock. We have taken the approach that Conn Creek probably takes a small amount of water from storage, because of spring flow. The amount of gain is small because the College captures and uses at least some of the spring flow. Therefore, the gain is not reflected in the groundwater budget presented in this report.

To estimate natural recharge we assume that 2 inches of the annual average of rainfall of about 35 inches over the assumed project area reaches groundwater storage. The calculations result in 42 million cubic feet of annual recharge. The calculations show an annual deficit of about 3 million ft<sup>3</sup>. Given the range of assumptions used, a near balance between use and recharge can be assumed. This conclusion is reinforced by the observation that spring flows appear to be stable and that groundwater levels generally also seem stable. Reduction in yields of wells may be mostly attributed to clogging or other factors, but because of well maintenance issues, the water may not be produced by the wells in the community.

#### **Well Characteristics**

In the above report section, we mentioned potential yield of wells. The new Hillcrest #2 well of the Hospital System was tested at 200-300 gpm and is currently pumping a little less than 200 gpm. The Hospital System is most dependent upon this well during peak summer production time, because other wells in the system are not performing adequately as a result of reduced water levels, the presence of iron bacteria and probably less than timely well servicing.

Hillcrest #2, drilled by air/rotary methods, may be considered a typical well in the westerly part of the project area. This well has:

- Alternating tuff (ash), coarser ejecta, and several hard, flow strata (andesite or basalt)
- 8" casing in 12½ inch boring, 700 feet deep
- Pea gravel installed mainly to stabilize the casing and protect the pump.

We conclude that properly constructed wells with deep enough penetration should be successful over most of the project area.

#### **Water Use and Groundwater Budget**

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*Water Solutions Inc.*

It has been reported to us that the Hospital System at Deer Park annually produces about 10 million cubic feet of water. The users include the hospital and 200 domestic hookups. System workers are installing additional water meters to more accurately determine consumption and total use.

Howell Mountain Mutual Water Company is reported to annually use 5 million cubic feet of water distributed through 400 domestic and small commercial hookups.

We have assigned a total use of 44.9 million cubic feet of groundwater to include the two districts, Pacific Union College, vineyard use, evapotranspiration of vegetation and free spring flow.

The groundwater budget for the project area excludes the surface water use by Howell Mountain Mutual Water Company. We also assume that some of the used water (both surface and groundwater) finds its way back into the groundwater system. The amount of returned water to the groundwater system indicated in the use table below is 10% of Howell Mountain Mutual Water Company use (500,000 ft<sup>3</sup> annually) plus 10% of the College system use from irrigation and wastewater, and 10% of vineyard irrigation from drip systems, resulting in a total return of 3.6 million ft<sup>3</sup> of water. The College and the Hospital have wastewater treatment systems, while Howell Mountain Mutual Water Company customers all are on leach line systems.

Groundwater Use — Annually

Use or Loss	Quantity, ft <sup>3</sup>
Hospital System	+10,000,000
College System	+23,000,000
Spring flow and evapotranspiration	+7,000,000
Vineyard irrigation	+4,000,000
Vineyard frost protection	+4,500,000
Irrigation and wastewater return (10% of Howell Mountain Mutual Water Company and College System use plus 10% vineyard irrigation)	-3,600,000
Total	44,900,000 ft <sup>3</sup> annually

The college use amount was provided by the State Department of Health Services, Santa Rosa, and is the total potable water use for 2002. The college also irrigated using some water from springs and wastewater, but the amounts are unknown.

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Spring flow and evapotranspiration losses are based upon a continuous assumed amount of 100 gpm. The evapotranspiration loss occurs only at springs where the groundwater table is at ground surface. In other areas, vegetation takes water from the unsaturated zone above the groundwater table, but does not take water from storage.

Vineyard irrigation is based upon the following:

- Application rate is 25 gpm per acre.
- Irrigation occurs every 2 weeks over 20 weeks (late May into Sept.).
- Irrigation duration is 4 hr.
- Using aerial photographs and consulting County personnel, acreage in grapes in the project area is estimated to be 500 acres.

Frost protection is based on the following:

- During the frost season and during the time of potential bud break (February through March) there are 8 nights requiring protection.
- Two hundred acres are being protected at a spray rate of 10,000 gpm.
- Duration of spraying on protection nights is 7 hr.

In addition to the water users identified in this report, there are at least four smaller water purveyors within the study area (LAFCO, see references). These small providers in the Four Corners area between the Hospital and Angwin serve approximately 70 residences through six wells. The total water use by these users is estimated to be less than one million ft<sup>3</sup>, a not insignificant amount, but not materially affecting the use conclusions presented herein. No actual data was obtained from these providers.

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### **Artificial Recharge Potential**

A number of tempting reasons present themselves to consider artificial recharge for a combined water system.

1. There is at least some groundwater storage volume available in the subsurface.
2. Howell Mountain Mutual Water Company depends almost completely on surface water while the Hospital system relies on wells and springs.
3. The Howell Mountain Mutual Water Company treatment system is designed to handle more water, so recharge water could be treated to make it acceptable for well recharge, especially during the winter season.
4. The Hospital system wells for the most part are already constructed for dual use – pumping and injection – because of relatively large casing (slot) openings and annulus backfill.

These positive factors are significant, yet there are technical and legal problems for artificial recharge.

Where the land has been cleared and on steep slopes, bedrock is exposed or near the ground surface, and rainfall mostly runs off. Because of the topography and land use, surface artificial recharge does not seem feasible. It may be possible to increase recharge in forested areas by spraying, but this alternative requires thoughtful research. However, the use of wells is the main consideration.

When bedrock wells are pumped there is a relaxation that tends to hold fractures open. When water is injected the opposite occurs. The mineral quality of the two waters may not be compatible, and could cause clogging. Well recharge may also provide the undesirable effect of causing unexpected rising water and springs. The best way to find out if well injection is feasible is to perform a test.

The legal issues may include federal, state and local regulation. It is clear that you have a full right to recover all water injected. It is not clear whether other users in the area may also take the water. You may need to retain a water rights expert.

It should be possible to begin artificial recharge with a small, low-cost test. For example, Hillcrest 1 could be used for recharge and Hillcrest 2 could be monitored for effects.

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### **Iron Bacteria**

Several wells in the study area have a history of premature failure associated with iron bacteria issues ranging from moderate to severe. Iron is a common issue faced by ground water users. Water containing iron is susceptible to fouling from iron bacteria (*Crenothrix* sp., *Gallionella* sp., *Leptothrix* sp. to name some of the more common forms). These bacteria can be rapid growing (clogging a well in less than six months), forming slime or filamentous matter, which physically clogs the water bearing strata, filter pack and well screen. The origin of the contamination is a matter of conjecture. Some bacteria may be introduced during well drilling and some aquifers may harbor the bacteria prior to any well drilling. Iron bacteria is identified by a dark slimy material found in the well and appurtenances, and is confirmed by microscopic examination

It stands to reason that all drilling equipment must be thoroughly disinfected prior to well drilling to reduce the introduction of bacteria to a clean aquifer. Industry standard is to clean all equipment with a solution of 50mg/l of chlorine. Drilling fluid should be maintained at a concentration of 10mg/l of chlorine, understanding that the drilling process may produce a very high chlorine demand. Filter pack material must be clean and should be installed with calcium hypochlorite to provide disinfection.

Contaminated wells can be treated to reduce the impact of the iron bacteria fouling. It should be noted that disinfection or total removal of the iron bacteria is hard to achieve. Regular treatment can however extend the operational life of an iron bacteria fouled well. Rarely is treatment alone as effective as treatment and operational optimization to reduce biological activity in the well. Treatment typically consists of both physical agitation combined with chemical treatment. Chlorine is the most common chemical agent and may be continuously injected into the well. Gas chlorine can be cost effective for both the consumable chemical and the installation (pipe in the well). Periodic treatments may consist of acid, inhibitor and a wetting agent; agitation; and chlorine addition. This entails loss of production for the well, and chemical treatment and labor costs. Heat treatment of the well can be an effective periodic treatment, although the time required to heat the strata above the required 130°F could involve extensive loss of production (time).

Operational modifications involve reducing the amount of oxygen (air) introduced into the aquifer. This is accomplished by reducing pump cycling, installing a pump discharge check valve and cleaning the well screen to reduce entrance velocities. Typically a consultant will evaluate the current water quality, operations procedures and well condition prior to making recommendations.

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Well design for wells in areas of known high biological activity will be designed to minimize oxygen (air) introduction and lower entrance velocities. Material selection, screen style and well diameter will all be adjusted in these applications. Careful evaluation of existing and failed wells will allow the consultant to design a longer service life well.

Remediation of fouled wells needs to be evaluated for cost effectiveness compared to replacing the well and after adjustments to operational optimization have been performed. Factors to consider are: the quality of the original design, the as-built well, the correct or optimal production (this quantity may be significantly less than the utility desires), water quality and amount of damage/loss at the time of study.

### **Well Life Cycle**

Well design and construction has improved significantly in the last thirty years, with better materials, better science on well design and down-hole analysis. A modern well should provide a longer service life with better quality water. Wells have a finite service life and must be scheduled for replacement. The best benchmark for service life will be similar wells in the area, the life of previous wells and careful monitoring of the current well. As a minimum, the well production (gallons pumped), drawdown (amount the water level drops in the well when the pump is turned on) and the specific yield (the gallons per minute of water pumped divided by the number of feet of drawdown) are all critical data, which require regular monitoring. Annually each well should have a professional pump test and well evaluation performed.

### **Conservation**

Water conservation as promoted and advocated by a public water system is both cost effective and required in many cases. Three benefits are identified:

1. Lower water consumption for the utility, reducing source demand, treatment demand and transmission stress.
2. Reduced wastewater production. Municipal and on-site (septic system) wastewater treatment can have significantly lower operating costs and significantly longer service lives through lower flows.
3. Extended infrastructure service life. Extending the service life of water and wastewater treatment by as little as ten years can have huge financial benefits.

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Typical conservation programs by public water systems build on a foundation of public education, conservation policy agreements (customer contracts), biased water rate structure (the more you use, the more you pay), and conservation equipment retrofit.

### **Conclusion**

While the geology of the area is extremely difficult to model due to compartmentalization, folding and general disjuncture, a simplified mass balance of the holding capacity of the aquifer, ground water extraction and recharge rate show a balance of use versus recharge. Evaluation from a second perspective of spring flow, generalized ground water table and water use assumptions, support the hypothesis that recharge is balanced with withdrawal.

### **Recommendations**

Record Keeping. Formalize data collection for water use and aquifer status. Weekly well yield data will improve future planning.

Well Maintenance and Repair. Implement a well maintenance and repair schedule. It can be very cost effective to both maintain and repair wells, often extending service life. With the county rules on new well construction, repair of an existing well will be significantly more cost effective than new well construction.

Well Siting. Plan to retain or acquire land/groundwater rights for replacement wells. Because of the "compartmentalized" nature of the aquifer, a high priority should be given to a new well location strategy. Prospective well sites should be identified with the goal of diversifying aquifer withdrawal locations.

Water Conservation. Consider implementing a water conservation policy and program.

Groundwater Recharge. Consider initiating a ground water recharge study to determine the feasibility, legal issues and benefits of ground water recharge.

Growth Planning. Review the communities' planned growth, the water system's capacity to meet the projected growth, and confirm that the controls for growth are based on land use and zoning and not simply on water system (or waste water) capacity.

Infrastructure Replacement. Implement an infrastructure evaluation and replacement program. Much of the underground infrastructure within the study area appears to be near the end of its useful service life. As systems approach

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the end of their pipe service life, water loss will increase with subsequent demand on the entire system.

Legal and Social Options. Investigate legal options and social mechanisms, including State and County restrictions to improve future District decisions for well siting and operations.

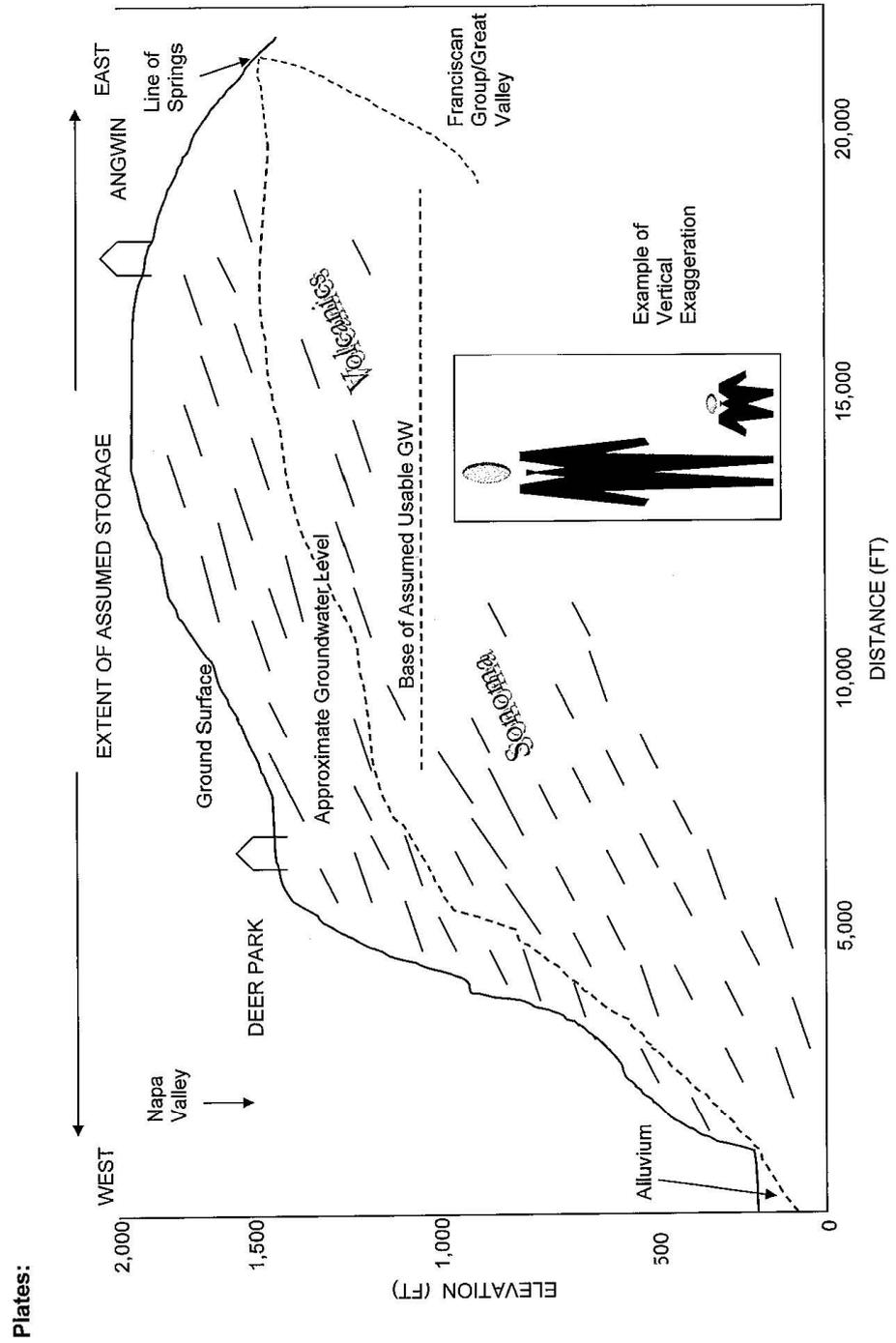
System Consolidation. Review all public water system consolidation options. It has been well documented that smaller water utilities have a harder time providing quality water to customers because of economies of scale. Consolidation is recommended by both state and federal agencies and in most cases provides significantly better system operation.

Frank C. Kresse, Engineering Geologist  
RG 1028 CEG 406

Glenn Reynolds  
R.E.H.T.  
President, Water Solutions Inc.

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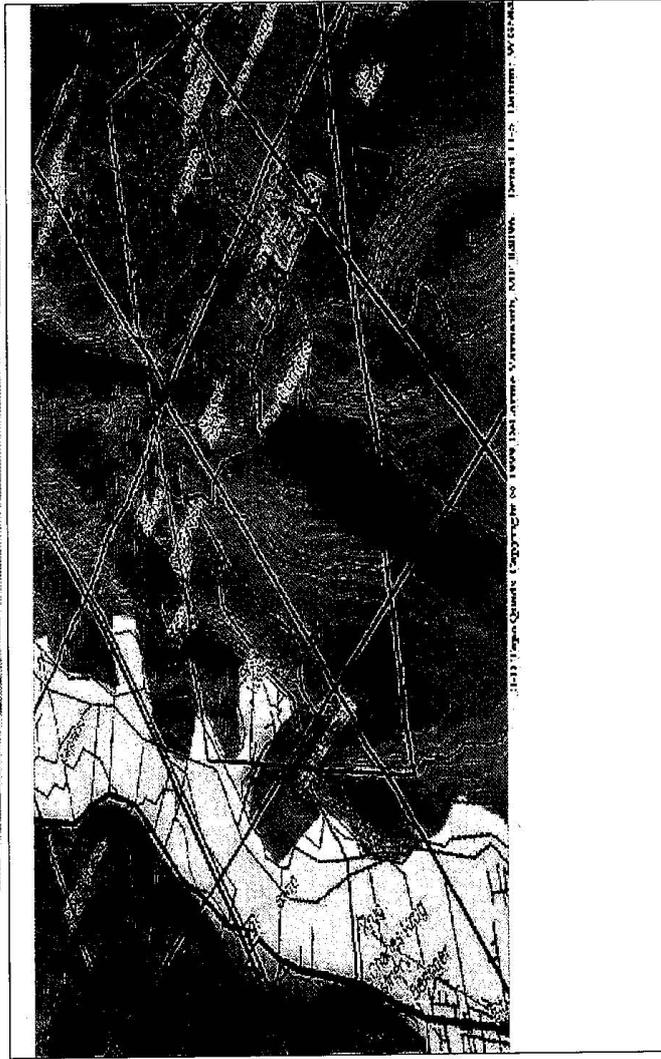


Plate 1

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CA-NV-AWWA Well Rehabilitation Workshop 23 Oct 03

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 97: JOALINE OLSON, ST. HELENA HOSPITAL, JUNE 7, 2007

Response 97-1 P: The commenter notes that to properly implement a housing plan for employees, a subdivision use permit and re-zone are required. The County appreciates the commenter's input on this topic and awaits the additional information necessary to complete the pending application and allow its consideration by the County.

Response 97-2 E/P: Commenter notes Policy Ag/LU-71 recognizes the increasing importance of the hospital's benefits, but Policy Ag/LU-70 detracts from the County's support of St. Helena Hospital and the Housing Plan. Suggests re-write as follows: "The existing density of development in the Deer Park Area and the county's desire to protect water quality requires that future subdivision activity based on septic tanks and wells be shown to mitigate any negative impact to groundwater."

The Revised Draft General Plan Update does not include the specific text suggested by the commenter, but County staff believes that it does address the commenter's concern regarding Policy Ag/LU-70. (Please see the revised policy – Policy AG/LU-75.)

The County is grateful for the additional information submitted by the commenter regarding water resources in the area, and suggests that the commenter also refer to Water Supply Master Response 3.4.1 for additional information regarding water supply for the unincorporated County areas.

Response 97-3 P: The commenter suggests a policy relating to Deer Park Area to accommodate need for medical services. The revised Ag/LU Element includes a policy in support of St. Helena Hospital, but has not proposed amendments to the zoning in the area or the "Rural Residential" designation that makes up the Deer Park "bubble." The hospital could itself initiate such changes, or it could participate in the systematic planning effort called for in Action Item Ag/LU-114.1.

Response 97-4 E/P: The commenter notes that the Draft EIR does not address sufficiency of emergency medical services (EMS) at the hospital level or impacts to EMS from more restrictive land use policies. The Draft EIR notes the following on page 4.13-6:

*"For purposes of the programmatic environmental analysis provided in this DEIR, it is assumed that such facilities would be placed within existing designated rural and urban areas of the County. As previously discussed, the NCFD and emergency medical response service providers are funded through a combination of property taxes and contracts with various municipalities and each local fire department (i.e., NFD, CFD, etc.) are funded through a combination of property taxes and the each jurisdiction's General Fund."*

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The commenter's suggestion that the EIR should identify a "declining level of emergency medical services" is noted; however the EIR analysis appropriately evaluates future impacts based on the current baseline conditions and concludes that impacts related to emergency medical services are significant and mitigable. (See Draft EIR p. 4.13-8.)

Regarding groundwater supply issues in Policy Ag/LU-70, please see the Water Supply Master Response 3.4.1.

*Response 97-5 E/P:* The commenter notes that the potential impact to aquifer serving Deer Park Area is not addressed in the Draft EIR and has attached the Howell Mountain Mutual Water Company study. The County has reviewed this study, which states the following on page 1: With careful management of recharge, withdrawal and consumption it is believed this aquifer can sustain the community. The identified policy has been revised in the Revised General Plan Update, and subdivision activity is not precluded by policies in the revised plan.

The commenter is also referred to Water Supply Master Response 3.4.1 for additional information regarding water supply for the unincorporated County areas.

Letter 98

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**From:** Peter McCrea [mailto:peter@stonyhillvineyard.com]  
**Sent:** Thursday, June 14, 2007 11:41 AM  
**To:** Gitelman, Hillary  
**Subject:** Mendo Model

Hilary:

I would like to formally submit the "Mendo Model", developed as part of the Mendocino County General Plan process, to be part of the formal record for our plan update and to have its content included in our discussion of the conservation element of the plan. Apparently this is being widely used throughout the state as a model for sound sustainability practices.

98-1P

Peter McCrea  
Proprietor  
Stony Hill Vineyard

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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#### MENDOCINO MODEL

In 2006, Mendocino County Planning Team staff embarked on an exercise to define commonly used planning terms such as sustainability and smart growth as they relate to Mendocino County, which remains a relatively rural, low growth County.

The impetus for this process was to inform the General Plan Update process. During the community outreach process to review the draft General Plan Framework Goals and Policies, concerns about stewardship of resources, provision of public services, alternative growth patterns and transportation options were most frequently expressed. These issues embody aspects of sustainability.

The products of this work include:

- A set of sustainability guidelines relevant to Mendocino County that may be used to evaluate other policies, actions and projects to determine whether they are advancing sustainability principles.
- An evaluation of the draft General Plan Update Framework Goals and Policies to determine consistency with these principles.
- Recommendations regarding how the information could be further used in the General Plan Update.

98-2P

#### Why Sustainability?

Human actions have had an enormous impact on the environment, consuming an ever-increasing amount of natural resources, a situation that has led to the depletion of energy resources, raw materials, water supplies, topsoil and fisheries. Additionally, the wastes from our activities have resulted in polluted air, water, and lands. Now it appears that humans are beginning to influence local climates on a global scale due to emissions of greenhouse gases associated with practices like industry, transportation and electricity generation.

According to its fourth assessment report summary (February 2, 2007), the Intergovernmental Panel on Climate Change (IPCC) has concluded that climatic changes seen around the world are "very likely" to have a human cause. Climate change is a global environmental challenge with significant implications for social, economic, and ecological systems. At the same time, mounting evidence indicates that global demand for fossil fuels and other key resources are beginning to exceed the supplies of those resources. In a report sponsored by US Department of Energy in 2005, the conclusion arrived at was that "the peaking of world oil production presents the U.S. and the world with an unprecedented risk management problem." (Hirsh Report). On a regional level, the demands on existing water supplies are straining their ability to meet our needs without degrading the environment.

Consequently, efforts to understand climate change and resource depletion must be complemented by efforts to adapt to changing conditions. In terms of climate change, living sustainably means mitigating human influences on climate while securing adaptability to a range of possible climate change scenarios. For resource depletion, sustainability implies reducing or eliminating dependence on the affected resources by modifying everyday practices and development decisions as well as integrating substitute resources that can be sustained over

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the long term. Resources such as the Green Building Council's LEED<sup>1</sup> for Neighborhood Development rating system can be used to create livable and resilient communities that meet long-term performance goals, protect the environment, and maintain a high quality of life.

Combining the definition of 'sustainable' in the Framework Goals and Policies with other definitions produces the following definition:

***Sustainable:** Any process or activity which can be maintained over long periods of time without harm to community and depletion of resources. A sustainable society meets the needs of the present without sacrificing the ability of future generations to meet their needs.*

98-2P  
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Many of the significant challenges faced by Mendocino County currently and looking into the future speak to the issue of sustainability:

- Increased cost of non-renewable energy due to fossil-fuel depletion.
- Increased cost of nonrenewable elements and materials in common use due to a growing scarcity of available resources.
- Increased competition for reliable water supplies for municipal and agricultural use.
- Meeting the demands of an increasingly culturally diverse, income disparate and aging population.
- Integrating diverging economic trends (i.e., globalization, localization).
- Pressure to convert agricultural lands versus redevelopment of urban areas and efficient settlement patterns.
- Ecological, social and economic stresses as a consequence of population growth and consumption patterns.
- Increased demand for a limited supply of safe, decent and affordable housing.
- Managing waste streams and materials to protect life and the environment.

The concept of sustainability is so fundamental that sustainability may represent different things to different people. Hence, focusing attention on sustainability within the context of land use and development is useful. Various governments and communities have adopted planning frameworks that:

- Ensure availability of and access to resources required for economic, physical and social needs.
- Protect the local environment from the consequences of growth and development.
- Provide necessary goods and services required by the community while providing safeguards for the most vulnerable members of society.

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<sup>1</sup> Leadership in Energy & Environmental Design (LEED)

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Meet the needs of today without jeopardizing the ability to meet future needs.

These objectives generally encompass what has been termed the three “Es” of sustainability: environment, economy and equity.

The County Planning Team, working with the Local Government Commission in the early stage of the project, reviewed the following sustainability principles among other literature<sup>2</sup>.

- Ahwhanee Principles for Resource-Efficient Communities (including economic development and water resource principles),
- Smart Growth Network’s Smart Growth Principles,
- Sierra Business Council’s Principles for Sound Development,
- APA’s Policy Guide on Sustainable Development, and
- Marin County’s Planning Principles for Sustainability
- State Office of Planning & Research’s, General Plan Guidelines<sup>3</sup>

Central to the evaluation of sustainability and other terms are relevancy to Mendocino County, a relatively rural, low growth and low density County. We conclude that these terms are as relevant here as in urban areas, with adjustments in priorities to take advantage of opportunities and areas that will yield effective results.

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<sup>2</sup> Reference materials are attached for those sources listed as well as others

<sup>3</sup> Not attached but available online at: [http://www.opr.ca.gov/planning/PDFs/General\\_Plan\\_Guidelines\\_2003.pdf](http://www.opr.ca.gov/planning/PDFs/General_Plan_Guidelines_2003.pdf)

**Sustainability Guidelines for Mendocino County**

The General Plan emphasizes land use and development, which remains substantially under the purview of local jurisdictions. The choices we—the County, communities and individuals—make affect the long-term vitality and health of the physical and human environment. The following guidelines will promote a sustainable, high quality of life for the residents of Mendocino County.

Livable communities and urban centers with compact forms that maximize the preservation of rural landscapes. Create a long range vision (30-50 years) with centers for settlement, economic activity and social interaction, and ecologically viable watersheds, forests, floodplains and 'working' landscapes.

Communities, buildings and practices that efficiently use energy, space and resources. Create efficiency, reinvesting in existing communities in sustainable ways and creating opportunities in communities lacking infrastructure to support higher densities.

Healthy, safe and active neighborhoods and towns. Create economically and socially vibrant town centers and focal points, local foods and products, parks and places to gather and renew the human spirit, and a society that is welcoming to all—as a foundation for personal responsibility for healthy lifestyles.

Design with nature to benefit from natural processes and minimize harm to communities. Emphasize passive use of renewable resources (e.g., solar orientation). Create opportunities for compatible uses in areas subject to physical hazards, direct new uses away from hazard areas, and take action to reduce risk in existing developed areas.

Cooperative and equitable intergovernmental planning and funding. Create partnerships that transcend jurisdictional boundaries and build on initiatives by other agencies and industry. The County should itself be a leader in the area of sustainability.

Stable jobs, revenue, and tax base as a foundation for individuals and communities to meet basic needs and invest in a sustainable future. A robust economy must be supported by healthy workers, lifelong learning, and suitable housing choices.

Transportation choices that reduce consumption of nonrenewable resources and support healthy lifestyles. Create communities with opportunities for alternative transportation and reduced auto use. Introduce mixed-use and denser development patterns to support alternative transportation.

Transition from one-time use of resources to an integrated cycle of reuse. Use resources and manage wastes in an integrated manner. Minimize use of non-renewable resources through reuse, retrofit, recycling and substitution with renewable resources. Responsibility must be instilled at all levels, from individuals to communities. Sustainable practices and products must be easy for developers, business and individuals to find and use.

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Ecological diversity with abundant and healthy natural resources, such as water, air, soils, watersheds, forests and habitats. Reduce dependence on nonrenewable and non-local resources in favor of renewable and local resources. Sustainably manage the region's resources and lands, including agricultural and timber lands.

98-2P  
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Open, participatory planning processes based on communication, understanding and equity. Make costs/effects on future occupants, generations and natural systems central factors in planning and decision-making. Then, create predictable, fair and cost-effective development processes to advance community goals.

**How can sustainability guidelines be implemented?**

**Consistency with the Framework Goals and Policies**

The primary purpose of this work is to inform the General Plan Update process. The Framework Goals and Policies ('Framework') were evaluated by County staff to determine consistency with the above guidelines. Based on this review staff concluded:

1. The direction taken by the Framework is generally positive in terms of sustainability. However, use of non-mandatory language, such as 'should' or 'encourage', may not achieve results.
2. The Framework incorporates the intent of most of the Mendocino model guidelines.
3. Community design aspects are strong and well stated in the Framework.
4. Resource measures are fairly strong in the Framework. However, the Framework is weak on facilitating the move toward use of renewable resources and reuse of energy, materials, etc.
5. Most elements of the Framework not related to sustainability do not undermine it.
6. Most conflicting statements in the Framework can be resolved with minor language changes.

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**Recommendations to incorporate sustainability into the General Plan**

1. The General Plan should provide a concise statement addressing the challenge of sustainability.
2. The primary sustainability guidelines could be located within the overarching comprehensive planning strategy.
3. Planning for sustainability requires an integrated, systems approach that brings together environmental, economic and social objectives. Integrating sustainability principles, policies and actions throughout the General Plan is generally favored, rather than locating them in one element.<sup>4</sup>
4. Significant attention should be given to sustainability policies and implementation that will produce achievable results. Mandatory, specific implementing actions are more likely to produce results than vague directives.
5. The General Plan should give more attention to facilitating the move toward use of renewable resources and the cycle of reuse.

<sup>4</sup> A virtual General Plan can be developed electronically reconfigured to bring together policies relevant to the areas of interest to the reader, such as sustainability, water resources, energy, policies to guide development applications, etc (i.e. a leaf icon indicates policies related to sustainability).

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6. Indicators by which progress toward sustainability can be measured should be developed and monitored.

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**Glossary of Sustainability Terms**

**Sustainable:** Any process or activity which can be maintained over long periods of time without harm to community and depletion of resources. A sustainable society meets the needs of the present without sacrificing the ability of future generations to meet their needs.

**Renewable resources:** Resources that are not destroyed or can regenerate when they are used or harnessed. Renewable energy sources include the sun, wind, wave, hydro, biomass, geothermal, and biological processes such as anaerobic digestion.

**Greenfield:** Undeveloped land including working landscapes, such as agriculture or forestry, or in an essentially natural state or left to nature

**Development concepts or forms that support sustainability**

**Smart growth:** Community-oriented development that is environmentally sensitive, economically viable, socially equitable, and sustainable. May encompass principles of livable or walkable communities, infill, brownfield and greyfield development, thereby reducing pressures on greenfields. Smart growth means does not mean 'no growth' or a prohibition of working landscapes (e.g., agriculture).

**Livable communities:** Human-scale communities with places and activities common to daily life, such as housing, jobs and places for social interaction, arranged in a manner that is resource efficient and facilitates walking, bicycling or shared vehicle use.

**Walkable communities:** Livable communities with land uses and infrastructure arranged in a manner that facilitates walking and leads to more social interaction, physical fitness, and decreased social problems.

**Brownfield:** Land with an existing or potential hazardous substance, pollutant, or contaminant, which affects its expansion, redevelopment, or reuse.

**Greyfield:** Older, economically obsolescent retail or commercial areas, in disrepair with outdated buildings, failing to generate the revenue that would justify their continued use.

**Green building:** Practices and materials that increase the efficiency with which buildings and their sites use and harvest energy, water and materials, and reduce impacts on human health and the environment. This is accomplished throughout the complete building life cycle — siting, design, construction, operation, maintenance, reuse and removal.

**Green design:** Maximizes water, energy and other resource efficiency, minimizes waste, and maximizes use of recycled and environmentally benign materials in the construction and operation of facilities.

**Green businesses:** Economic activities that employ principles and practices that improve the quality of life for their customers, employees and communities, and the environment. They seek to reduce the company's ecological footprint, provide living-wages to employees, and support local economies.

**Sustainable agriculture:** Agriculture or forest management so that production levels do not exceed the ability of the farm or forest to produce perpetually while maintaining a healthy

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ecosystem. it encompasses environmental health, economic viability and social responsibility in the long term.

**Measures of sustainability**

**Carrying capacity:** The number of individuals an environment can support on an ongoing basis, within the limits of defined resources and without degrading the environment for present and future generations. Carrying capacity is a tool for defining the point at which ecological or natural resources are overburdened beyond the ability to recharge or renew. When applied to the impacts of population growth, carrying capacity is defined by impact thresholds measured by indicators of change or conditions in selected environmental and socioeconomic attributes.

**Ecological footprint:** Measure of renewable and non-renewable resources required to support the resource demands and absorb the wastes of a population or activity. Ecological footprint can be a tool to understanding the impact of populations and activities on resources.

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**3.0 COMMENTS AND RESPONSES TO COMMENTS**

**EXAMPLES OF SUSTAINABILITY IMPLEMENTATION MEASURES**

Offer continuing education for planners on participatory planning.
Conduct focus groups with under-represented populations for all community planning processes
Publicize use of Williamson Act for small farming operations (as small as 10 acres) and for resource protection (Type III preserves).
Provide incentives and streamline permitting for adaptive reuse and infill projects.
Rezone for mixed-use projects that integrate affordable housing, childcare and transportation alternatives.
Zone and plan for active and passive parks and green space in development and communities.
Create long-term growth boundaries around towns using physical features, trail systems, parks, resource management areas, etc.
Develop multi-family housing design guidelines that address safety, health, energy efficiency, design of parking, ADA compliance, and landscaping.
Establish a portfolio of pre-approved multi-family housing designs to encourage infill development.
Adopt a “multi-family housing checklist” for decision-makers that ensures projects are designed for safe, healthy communities that match the character of the community.
Work with the city planning departments to develop 1) a framework for a coordinated approach to planning and land use decisions, and 2) consistent development policies.
Adopt a mixed-use zoning ordinance that addresses a mix of land uses within a comfortable walking distance of transit stops, connected by safe and attractive pedestrian and bike routes.
Designate resource corridors for ecological health (riparian and wildlife corridors, stream floodplains, trail systems, oak woodlands, etc.)
Coordinate with public and private entities (e.g., parks and recreation departments, Land Trusts, and property owners) to establish agricultural and resource easements and community gardens.
Provide incentives for development consistent with hazard avoidance and mitigation, such as clustering, transfer of development rights, conservation easements, etc. Designate adequate lands in low risk areas for development.
Place priority on redevelopment and brownfield development.
Provide incentives and promote local agricultural support industries such as processing facilities, certified community kitchens, wine processing and value-added manufacturing.
Identify market niches and promote diversified range of specialized industry clusters, drawing on local assets and expertise (e.g., renewable energy, green building, value added products).
Provide incentives and streamline permitting for foot-loose industries (telecommuting, flexible hours, etc.) that reduce trips to work and supporting communications infrastructure.
Work with industry to create ways to reward waste reduction, recycling and reuse.
Work with industry to facilitate, support and incorporate into the development process ways to reduce or re-direct non-sustainable technologies and practices—especially those initiatives taken by other levels of government and industry.
Create an area-wide water conservation and recycling initiative in concert with districts, business and agriculture.
Identify neighborhoods and communities that would benefit from Safe Routes to School and pursue funding.
Evaluate non-motorized transportation networks and designate in the Regional Transportation Plan to increase connectivity between pedestrian and bicycle routes.
Coordinate with MTA, Greyhound, Amtrak and local transit lines to expand bus or carpool services along rural routes, and inter-regionally for targeted uses or populations.
Plan for future rail service at established locations adjacent to the rail corridor.
Require pedestrian and bicycle infrastructure in transportation projects. Require pedestrian and bicycle infrastructure in development projects or offsite contributions.
Reduce parking requirements for mixed residential/commercial projects within 1/4 mile of a bus stop.
Designate bicycle routes in every community and provide signage.
Adopt a zero-waste resolution.
Establish goals for local greenhouse gas reduction.
Require residential street patterns to have an east-west orientation to maximize solar exposure.

98-2P  
cont'd

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Provide incentives and streamlined permitting for LEED certified green buildings and neighborhoods.	98-2P cont'd
Waive fees and streamline permitting for on-site renewable energy generation.	
Adopt a community revegetation retrofit program that results in zero vegetation loss.	
Adopt Green Building Guidelines for Mendocino County and urge the cities to do the same.	
Initiate community procurement program for solar photovoltaic panels for distribution to private/public sectors.	

Attachment: Framework Goals and Policies – sustainability

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 98: PETER MCCREA, STONY HILL VINEYARD, JUNE 14, 2007

*Response 98-1 P:* The commenter submits the "Mendo Model" as part of the formal record for sustainability. County staff appreciates the concept of the Mendo Model that has been submitted for consideration. Many of these ideas have now been incorporated as goals, policies, and action items in the revised Conservation Element. Please also see Policy Ag/LU-109 and the final pages of the Vision/Summary section of the Revised General Plan Update which describe the concept of sustainability and reference the "Mendo Model."

*Response 98-2 P:* The commenter notes that the Mendocino County Planning Team staff prepared sustainability guidelines in 2006 to inform the General Plan Update process. Sustainability goals and policies have now been incorporated into the Conservation Element.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter 99



## NAPA COUNTY FARM BUREAU

811 Jefferson Street Napa, California 94559 Telephone 707-224-5403 Fax 707-224-7836

June 18, 2007

Mr. Patrick Lowe  
Deputy Planning Director  
Napa County Planning, Development and Conservation Department  
1195 Third St., Suite 210  
Napa, CA 94559

Dear Mr. Lowe,

Thank you for the opportunity to comment on the draft update of the Napa County General Plan and the draft EIR documents. These documents are vitally important to the county's future, as the new General Plan will guide our county's development and our agricultural preservation efforts for the next thirty years.

99-1E/P

Farm Bureau congratulates the county on the progress thus far and appreciates the dedicated efforts of the Citizen's Steering Committee, the staff and the consultants. Overall, we are very pleased with the initial community workshops and the Steering Committee recommendations to retain the primary vision of protecting and promoting agriculture. The vision of agriculture as the highest and best use of the county's unincorporated lands and of concentrating urban uses in the incorporated cities and urban areas has served our county well over the last few decades, and we support the continuation of those primary planning principles.

The draft General Plan reflects significant differences from our current plan and includes many new or revised goals and policies and a new element on Economic Development. However, the Housing Element was not revised and there was scant in-depth discussion of population and housing projections. Therefore, it is difficult to understand the draft General Plan's comprehensive planning vision and to comment on the General Plan and EIR, as the EIR analyzed multiple alternatives and scenarios, none of which correlate directly to the draft General Plan (DGP), although the staff stated that the closest match between the EIR and DGP is alternative C.

99-2E/P

Farm Bureau's main concern is that all of the EIR scenarios use population, jobs and dwelling unit projections that exceed ABAG's Projections 2005, and in most cases exceed our county's longstanding 1% growth management policy. Consequently, the EIR document projects many impacts that are "significant and unavoidable" and those impacts are contrary and inconsistent with the intended vision of retaining our rural character and sustaining our agricultural industry and outstanding quality of life.

99-3E

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Our major EIR concerns relate to:

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|---|-------|
| 1) Loss of agricultural lands & conflicts with Williamson Act contracts - EIR Impact 4.1.2 and 4.1.4 – significant and unavoidable (all scenarios)                                    | 99-4E |
| 2) Population/Housing/Employment growth that exceeds 1% growth management plan – EIR Impact 4.3.1 – significant and unavoidable (all scenarios)                                       | 99-5E |
| 3) Deterioration of transportation network – EIR Impact 4.4.1 – Significant and unavoidable (all scenarios)   | 99-6E |
| 4) Deterioration of air quality – EIR Impact 4.8.1, 4.8.2 & 4.8.7 - Significant and unavoidable (all scenarios)   | 99-7E |
| 5) Decline of groundwater levels – EIR Impact 4.11.5 - Significant and unavoidable (all scenarios)  | 99-8E |
| 6) Increase demand for additional sources of potable and irrigation water and treatment & distribution facilities – EIR Impact 4.13.3.1 - Significant and unavoidable (all scenarios) | 99-9E |

<p><b>Given these predicted outcomes, we urge significant revisions and clarifications to the draft General Plan goals and policies.</b> A “preferred alternative” and a revised DGP should be created that more closely matches the guiding vision of the General Plan, which is clearly defined in the DGP in pages 13-23.</p>	99-10P
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The following comments reflect Farm Bureau’s review of the draft EIR and General Plan and present recommended changes.

#### AGRICULTURAL PRESERVATION & LAND USE ELEMENT

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| <p>1. There are six new Ag/Land Use goals. We recommend three changes that blend some of the current goals with the new revisions, as the clarity and usefulness of the current goals is well proven and should not be lost in the rewrite.</p> <ul style="list-style-type: none"> <li>• Delete new Ag/LU Goals 1 &amp; 3, which are better stated by retaining the current Goal 1: <u>“To plan for agriculture and related activities as the primary land uses in Napa County and concentrate urban uses in the county’s existing cities and urban areas.”</u></li> <li>• Retain current LU Goal 2: <u>“To develop and implement a set of planning policies which combine to define a population size, rate of population growth and the geographic distribution of that population in such a manner that the desired quality of life is achieved.”</u></li> <li>• Blend current LU Goal 4 with the new Goal 4 to read: <u>“To work with cities, other governmental units and the private sector to plan for commercial, industrial, residential, recreational, open space and public land uses in locations that are compatible with adjacent uses and agriculture.”</u> Working cooperatively with other jurisdictions and agencies is an important concept that should be retained in the new plan.</li> <li>• We support the inclusion of new Ag/LU Goals 2, 5 and 6.</li> <li>• A chart summarizing the above recommendations on the Ag/LU goals changes is attached.</li> </ul> | 99-11P |
| <p>2. Add a policy that acknowledges the effectiveness of Measure J &amp; supports the continuation Measure J beyond its sunset date of 2020.</p>  | 99-12P |

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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| <p>3. Amend LU Policy 120 which overrides the 1% growth management rate of Measure A, a county initiative that passed in 1980 and the subsequent housing allocation program of Ordinance No. 1178, which was adopted in 2000. The discretionary flexibility granted in this policy is too broad, and undermines our county's longstanding slow growth policy. With urbanization pressures increasing, it is imperative to strengthen, not diminish our slow growth and agricultural preservation policies.</p>   | 99-13P |
| <p>4. Ag/LU-7 - In the second sentence replace "may" with "shall."</p>   | 99-14P |
| <p>5. Ag/LU-10 add "within Napa County" when referring to the location of farm labor employment.</p>   | 99-15P |
| <p>6. Ag/LU-14: Agricultural operators should be allowed to "commence" as well as "continue" their agricultural practices.</p>   | 99-16P |
| <p>7. Amend Policy Ag/LU-20 by replacing the term "developed areas" with "<u>urban areas</u>". This would be more consistent with our city-centered planning philosophy which serves to protect agricultural/open space lands, reduce infrastructure costs and promote economic vitality in the county's cities.</p>   | 99-17P |
| <p>8. Amend Policy Ag/LU-28 by deleting the reference to the new land use designation of "transitional". Napa County has fared well for 40 years without such a nebulous designation. Redevelopment of brownfield sites presents opportunities for mixed use planning which could help us to provide workforce housing and meet our industrial needs. But we recommend a specific plan process to determine the potential and infrastructure needs, before any development plans move forward.</p>   | 99-18P |
| <p>9. Amend Policy Ag/LU-37 as it is internally inconsistent with Ag/LU Goal 1 and the preservation of agricultural land uses and Economic Development Policy 5 regarding an adequate supply of industrial land without farmland conversion. The Hess Vineyards should be designated Agricultural to achieve consistency with the General Plans goal of protecting agricultural lands.</p>   | 99-19P |
| <p>10. Amend Policy Ag/LU-47 to delete the "Transitional" Land Use designation (refer to comment #8).</p>  | 99-20P |
| <p>11. Future development in Angwin has generated enormous public concern, and much confusion about the land use map and "urban bubble" configuration. We oppose the urbanization of Angwin, but we strongly support the continued operation of Pacific Union College. We do not endorse any of the three map scenarios presented on pages 51-53, and we recommend elimination of all of the county's "urban bubbles". The bubbles are unnecessary, confusing and according to Jim Hickey, past Napa County Planning Director, were never intended to denote future urban development in the unincorporated areas. Indeed the term "urban bubble" is a misnomer and urban type development in the county's rural areas is internally inconsistent with the General Plan's Ag/LU goals.</p> | 99-21P |
| <p>12. Delete Policy Ag/LU-50-51. As currently written, these policies are illegal in that a General Plan cannot be internally inconsistent. Thus it is not permissible to have</p>  | 99-22P |

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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| <p>Ag/LU-51 declare that the new “area-specific” policies would supersede other General Plan policies in the case of a conflict.</p>  | <p>99-22P<br/>cont'd</p> |
| <p>13. Amend Policy Ag/LU-55 by adding the words “<i>and wells</i>” after septic tanks. This change is consistent with current General Plan LU Policy 4.9a and would be consistent with the new Policy Ag/LU-70 (regarding Deer Park).</p>  | <p>99-23P</p>            |
| <p>14. We oppose Policy Ag/LU-85 which encourages the establishment of a community organization for the Lake Berryessa area to monitor and give input on market conditions. This undermines the county’s city-centered growth policy and unified approach to planning and zoning that has served our county so well. With limited transportation options, retention of the area’s rural nature is essential.</p>  | <p>99-24P</p>            |
| <p>15. The situation is similar in the Pope Valley region. We oppose Policy Ag/LU-97 and do not support the county sponsoring a Measure J initiative to expand commercial services around the Pope Valley junction. The community voted on this issue in 2004, soundly defeating Measure R and commercial expansion in this area. Additionally, we agree with comments made at the Steering Committee that there are no guarantees that if expanded, the businesses would be local serving.</p> | <p>99-25P</p>            |
| <p>16. Clarify Policy Ag/LU-93 and Ag/LU-99 which relate to commercial or residential uses in the Oakville and Rutherford areas. These policies should not be construed to undermine Measure J or our policies that concentrate urban type growth in city and urban areas. It seems legally ambiguous and should be clarified.</p>  | <p>99-26P</p>            |
| <p>17. Delete Ag/LU Policy-98 as its need is unproven and could undermine all the pronouncements regarding ag preservation.</p>   | <p>99-27P</p>            |
| <p>18. Farm Bureau supports voter approved Rural Urban Limit lines (RULs) as an efficient tool to reduce sprawl, protect agricultural lands and encourage compact growth. The city of Napa is commended on their RUL policy, as it exemplifies the success of this tool. We suggest adding a policy under the Regional Planning Issues section that encourages cooperation between the cities and counties in implementing voter approved RULs to further smart growth principles.</p>          | <p>99-28P</p>            |

#### CIRCULATION ELEMENT

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| <p>1. We whole-heartedly agree with the introductory statement that the “County must find ways to maintain and improve access, address congestion and serve remote areas of the County while preserving the area’s rural character.” This is however a tall order, as we note a huge 58% increase in vehicle trips and 128% increase in vehicle miles traveled by 2030 (pg. 120).</p>  | <p>99-29P</p>   |
| <p>2. On page 121, statistics for existing and projected daily traffic volumes are missing in Table CIR-B. The EIR is full of multiple charts of traffic data. Unfortunately, the data predicts a deterioration of the transportation system, even after the planned improvements are in place. The Circulation element’s policies are inadequate to achieve the goals. We recommend the county hire an expert on smart growth and transportation to review the DGP and EIR, and develop better and more innovative policies that will improve the future of our transportation network.</p> | <p>99-30E/P</p> |

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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| 3. Amend Policy Cir 1.1 by deleting “developed areas and areas planned for development” – “concentrated within already developed <i>urban</i> areas where ...” (pg. 125).   | 99-31P |
| 4. Please clarify the intersection improvements mentioned at Yountville Cross Rd., Hwy. 29/Rutherford Cross Rd. & Silverado Trail (pg. 129).  | 99-32P |
| 5. Policy Cir 2.5 states that the county shall maintain a LOS D “except where maintaining this desired level of service would require the installation of more travel lanes...” (pg. 130). Please add language that specifically states that Hwy. 29 north of Yountville and Hwy 121 through Carneros will remain rural 2 lane roadways, as a clear indication of our intent to preserve our rural character. | 99-33P |
| 6. Retain the “regional & local transit” services portion of current Cir Planning Goal # 3 by amend the new Cir Goal 3 to read, “The County’s transportation system shall encompass the use of private vehicles, <i>local and regional</i> transit, paratransit...” (pg. 132).  | 99-34P |
| 7. Amend Policy Cir 3.9 regarding abandoned ROW and alternate uses by adding, “and must be compatible with adjacent uses and sufficiently buffered” (pg. 133).  | 99-35P |
| 8. Many planners and public health experts now recognize the link between transportation and healthy communities. Please add one or more policies that encourage innovative regional transportation and land use planning to promote a healthier community.   | 99-36P |

#### CONSERVATION ELEMENT

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| 1. On page 184, amend the statistic of 49,500 vineyard acres in 2006, to 45,136 which is consistent with the Ag Commissioner’s 2006 Crop Report statistic.  | 99-37P   |
| 2. Amend the paragraph on page 185 regarding sustainable winegrowing to include the sustainable efforts of all of the winegrape/ag industry groups, not just NSWG.  | 99-38P   |
| 3. On page 186, amend the paragraph to clarify the respective roles of Napa Green Certification and Fish Friendly Farming.  | 99-39P   |
| 4. Amend Policy Con-30 to read “to accomplish the following purposes a) clean drinking water ..... and e) <i>agricultural water supply</i> .” (page 200).   | 99-40P   |
| 5. Please clarify Policy CON-31 section h on page 201.  | 99-41P   |
| 6. We support the intent of Action Item CON 31.1, which establishes a streamlined approval process for environmentally superior vineyard development projects. However, EIR MM 4.11.4 outlines very rigid requirements and comprehensive studies, so it is doubtful that there would be any significant cost or time savings. | 99-42E/P |
| a. Amend EIR MM 4.11.4 to specify a specific timeframe for county review and approval once the application is complete.   |          |

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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| <p>b. Amend EIR MM 4.11.4 section H and combine the two bullets to read - “All projects shall provide for stream setbacks <u>that meet those required by Napa County’s Conservation Regulations</u>, and if stream setback areas are currently disturbed/denuded, the entire width of the required setback area shall be restored/revegetated with native vegetation adjacent to the waterway so as to provide a continuous riparian corridor with the setback area.”</p> <p>We note that given the economics and environmental requirements for new vineyard development, the four vineyard development scenarios in the draft EIR are unlikely and unrealistic.</p> | <p>99-42E/P<br/>cont'd</p> |
| <p>7. Policy Con-31 should explicitly exclude Aquifer Storage &amp; Recovery (aquifer injection) as a means of recharging groundwater aquifers.</p>   | <p>99-43P</p>              |
| <p>8. The draft EIR &amp; GP are insufficient and inadequate regarding water supply. With a decline of groundwater deemed <b>significant and unavoidable impact</b> for all scenarios, stronger policies and implementation actions are needed to provide for sufficient water for the community’s welfare and to ensure the viability of agriculture.</p>  | <p>99-44E/P</p>            |
| <p>a. Add a specific policy and implementation actions that clearly supports Goal Con-9, regarding the prioritization of the use of available groundwater for agriculture and rural residential uses rather than for urbanized areas. The DGP should also reference the county’s Groundwater Ordinance.</p>   | <p>99-45P</p>              |
| <p>b. Add a specific policy and implementation actions to achieve Goal Con-11, which promotes additional water supplies and recycled water projects. EIR MM 4.11.5d calls for policy that maximizes the use of recycled water, but a policy is also needed that states a time-specific commitment to develop the infrastructure to deliver the water to agricultural producers and other users in a cost efficient manner.</p>  | <p>99-46E/P</p>            |
| <p>9. Policies related to Goal Con-14 regarding energy conservation need to be strengthened.</p>  | <p>99-47P</p>              |

#### ECONOMIC DEVELOPMENT ELEMENT

This non-mandatory element serves a good purpose, as long as it does not conflict with the viability and protection of our core agricultural economy.

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| <p>1. We support Policy E-5 but note that it is internally inconsistent with Ag Preservation/Land Use Policy LU-37. Please refer to comment Ag/LU Element comment #6 and the recommended amendment to achieve consistent policy regarding agricultural land protection.</p> | <p>99-48P</p> |
| <p>2. Amend Goal E-2 to add, “<u>which are compatible with and do not conflict with agriculture.</u>”</p>   | <p>99-49P</p> |
| <p>3. Policies E-9 and E-10 are well intended, but they would only be successful with significant population or tourism increases. Given the General Plan’s intent to retain</p>  | <p>99-50P</p> |

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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| <p>the rural character of these areas, our strong city-centered growth policies and the limitations of the transportation network, we question the usefulness of these policies and find them internally inconsistent.</p>         | <p>99-50P<br/>cont'd</p> |
| <p>4. The county's need for more economic diversity has not been cogently explained. Delete Policy E-16 as it undermines agriculture with a risk of commercialization of agricultural areas and is inconsistent with Goal E-1.</p> | <p>99-51P</p>            |
| <p>5. We note that Policy E-2 is a statement and not a policy and should be amended to state that tourism should remain supportive of, and not conflict with agriculture.</p>  | <p>99-52P</p>            |

#### RECREATION AND OPEN SPACE

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| <p>1. Add a policy to reduce/eliminate potential conflict with landowners that states, <u>"The County shall not use rights of way across private property that have been legally or practically abandoned."</u></p>  | <p>99-53P</p> |
| <p>2. Amend Policy ROS 16 to include compliance with the county's recreation ordinance. As written, this policy is an extremely subjective and will generate unnecessary controversy and public hearings that pit landowners against the public. The 7 findings of the recreation ordinance are more objective, but leave room for discretion, and if the recreation is truly non-intrusive it will pass scrutiny easily. Please add, <u>"and must meet the findings of Napa County Code 18.104.390"</u> at the end of the ROS 16.</p>   | <p>99-54P</p> |
| <p>3. Amend ROS 11 to add the phrase "without the use of pressure or coercion" to describe "willing landowner" which is a legal term of art. This change captures the language on page 252 and puts it into policy.</p>  | <p>99-55P</p> |
| <p>4. Amend ROS 5 to add, <u>"Any land transferring to public ownership must be deed restricted in perpetuity so as to ensure the land remains in agriculture and or open space."</u></p> <p>The recent purchases of a 9,000 acre parcel and a 13,000 acre parcel by the Department of Fish and Game are purposefully not deed restricted. On the 13,000 acre parcel, the Nature Conservancy is the lead agency. It is their practice and intent to sell the land because neither they nor DF&amp;G have the resources to manage it. Once in Federal hands it can be declared surplus and sold back to the private sector. It gives neighboring land owners pause when asked to deed restrict their lands and the government won't restrict their lands.</p> | <p>99-56P</p> |
| <p>5. The draft General Plan notes that there are 123,619 acres of dedicated Open Space within the county. Please amend ROS-15 to prioritize open space access next to urban areas, which is where the greatest need is.</p>   | <p>99-57P</p> |
| <p>6. Amend ROS Objective 1 to state, "publicly accessible open space within a 15 minute <u>or less</u> drive time..." This change addresses air quality issues and global warming, and the desire for people to walk out of town into the country. This is particularly feasible immediately in Napa City and in American Canyon and the river trail between the two cities.</p>  | <p>99-58P</p> |

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

7. Amend ROS 14 to add the word “encourage” to soften language directed to the cities. |99-59P
8. Amend ROS 3 and omit the word “additional” from the 8<sup>th</sup> line of the 2<sup>nd</sup> paragraph. |99-60P
9. Amend ROS 4 to add “where appropriate and consistent with other ROS policies.” |99-61P

#### GENERAL PLAN IMPLEMENTATION

As recommended by the State Office of Planning and Research, the draft General Plan should include goals, objectives, policy, standards and implementation measures.

It is anticipated that the culmination of the hearing process concerning the five draft general plan alternatives will result in the preparation of a “preferred plan,” which may include portions of several of the five alternatives discussed in the draft EIR. As this preferred plan is prepared, it would be appropriate to incorporate objectives and implementation measures along with the goals and policies outlined in the draft alternatives. Objectives and implementation measures will assist elected officials and their appointed representatives, the staff, and the public as to how and when the community values, as expressed in the general plan goals will be put into effect during the time the general plan update is in effect.

Without stated objectives and implementation measures, it is unlikely that the goals will be furthered, or the policies effectively implemented.

99-62E/P

Whereas, for land use planning purposes, a goal may be defined as an ideal future end related to the public health, safety, and welfare, an objective is a specified end, condition, or state that is a measurable and time-specific step toward attaining a goal, which is achievable during the life of the general plan update. One goal may require several successive objectives to achieve incremental steps toward accomplishing what may be accomplished within the time frame of the general plan update.

Once these quantified objectives have been established, the policies should be reviewed to insure that they provide clear and unambiguous statements that will guide decision making, and, commit the county to a particular course of action.

The draft general plan also includes standards labeled as policies. Standards differ from policies in that standards are generally rules which establish minimum or maximum parameters for development. Standards provide specifications (e.g. minimum parcel sizes), which forward the broader concepts typically set forth in the policies. For ease of reference, the standards should be set out under the heading of standards, not policies.

An implementation measure is the specific program that will carry out the objectives, and, implement the policies. Each policy should have at least one corresponding implementation measure. The programs identified by the implementation measures must establish a time frame within the effective life of the general plan update, and, identify which department or agency will be responsible for preparing and carrying out the respective implementation programs. In that context, the board of supervisors, the county staff, other departments and agencies will be able to budget, over time, for the implementation of the general plan update.

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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#### CONCLUSION

Unfortunately, the Steering Committee discussed each element of the update as an isolated chapter and didn't discuss the "blueprint" as a composite of all the amended policies, nor the impacts associated with the policy changes as identified in the draft EIR. We encourage the county to schedule time for discussion on the entirety of the plan, before launching into a third round of "element-specific" review. | 99-63E/P

After consideration of these and other community comments on proposed changes to the draft General Plan and EIR, we believe that the county should establish a clear summary of the EIR impacts and mitigations of the "preferred alternative" for the decision-makers and public. | 99-64E/P

On behalf of over 1,000 Napa County Farm Bureau members, we urge your support in amending the draft General Plan to strengthen protections that sustain our outstanding quality of life and rural character, protect our natural resources and promote a vibrant agricultural economy. | 99-65P

Again, thank you for your consideration and we look forward to working together to achieve the vision of the county's General Plan.

Sincerely,



Al Wagner  
NCFB President

Enclosure

cc: NCFB Directors

John Weech, California Farm Bureau Federation Associate Counsel  
John Gamper, California Farm Bureau Federation Director of Taxation & Land Use

**3.0 COMMENTS AND RESPONSES TO COMMENTS**

**NCFB Attachment  
AGRICULTURAL PRESERVATION AND LAND USE GOALS  
RECOMMENDED REVISIONS**

<b>Current General Plan</b>	<b>Proposed General Plan</b>	<b>Suggested Revisions</b>
<p>#1. To Plan for agriculture and related activities as the primary land uses in Napa County and concentrate urban uses in the county’s existing cities and urban areas.</p> <p>KEEP</p>	<p><del>#1. Preserve existing agricultural land uses.</del></p> <p>DELETE (no reference to planning for the future of ag, nor defining the primary land use as ag)</p>	<p><b>#1. To Plan for agriculture and related activities as the primary land uses in Napa County and concentrate urban uses in the county’s existing cities and urban areas.</b></p> <p>(Keep existing #1)</p>
<p>#2 To develop and implement a set of planning policies which combine to define a population size, rate of population growth and the geographic distribution of that population in such a manner that the desired quality of life is achieved.</p> <p>KEEP (“quality of life matters to citizens. Action oriented)</p>	<p>#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.</p> <p>KEEP/ADD</p>	<p><b>#2 To develop and implement a set of planning policies which combine to define a population size, rate of population growth and the geographic distribution of that population in such a manner that the desired quality of life is achieved.</b></p> <p>(Keep existing #2)</p>
<p><del>#3 To determine what the land is best suited for; to match mans activities to the lands natural suitability; to take advantage of natural capabilities and minimize conflict with the natural environment</del></p> <p>DELETE (Generally Redundant)</p>	<p><del>#3 Concentrate non agricultural land uses in existing urbanized or developed areas.</del></p> <p>DELETE (Redundant with #1)</p>	<p><b>#3 Support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.</b></p> <p><b>(Keep proposed #2)</b></p>

99-66P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Current General Plan	Proposed General Plan	Suggested Revisions
<p><del>#4 To work with cities, other governmental units, and the private sector to plan for services, facilities and accommodations, including housing, transportation, economic development, parks and recreation, open space, and other total county needs.</del></p> <p>KEEP &amp; Combine with proposed #4 (working cooperatively with cities, and public and private entities is very important!)</p>	<p>#4 Provide for commercial, industrial, residential, recreational, open space and public land uses in locations that are compatible with adjacent uses.</p> <p>KEEP and Combine with existing #4</p>	<p><b>#4 To work with cities, other governmental units, and the private sector to plan and provide for commercial, industrial, residential, recreational, open space and public land uses in locations that are compatible with adjacent uses.</b></p>
<p><del>#5 To implement the General Plan in every possible way to</del></p> <p><del>(A) Ensure the long term protection and integrity of those areas identified in the general plan as agricultural, open space, and other county needs.</del></p> <p><del>(B) Stimulate the development of those areas identified in the general plan for residential, commercial, and industrial.</del></p> <p>DELETE</p>	<p>#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.</p> <p>KEEP</p>	<p><b>#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.</b></p>
<p>NONE</p>	<p>#6 Plan for demographic changes and desired social services when siting public facilities and when considering the design of those facilities.</p> <p>KEEP</p>	<p><b>#6 Plan for demographic changes and desired social services when siting public facilities and when considering the design of those facilities.</b></p>

99-66P  
cont'd

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER 99: AL WAGNER, NAPA COUNTY FARM BUREAU, JUNE 18, 2007

Response 99-1 E/P: The commenter is pleased with the primary vision of protecting and promoting agriculture. The County appreciates that the Bureau concurs with the public draft of the proposed General plan Update Summary Vision.

Response 99-2 E/P: The commenter notes that the Housing Element has not been revised and there is no in-depth discussion of population and housing projections. In addition, none of the EIR alternatives correlate to the Plan, so it is hard to analyze. According to state law, the housing element update schedules for local governments are specified by the Department of Housing and Urban Development, pursuant to SB 491 (2003 California Statutes, Chapter 58). For Napa County, the Association of Bay Area Governments (ABAG) prepares the Regional Housing Needs Determination, which specifies the housing allocation needs for each Bay Area county. According to the HUD Housing Element revision schedule ([http://www.hcd.ca.gov/hpd/hrc/plan/he/he\\_time.htm](http://www.hcd.ca.gov/hpd/hrc/plan/he/he_time.htm)), Napa County is scheduled to submit the next Housing Element revision by June 30, 2009. For this General Plan Update, the current Housing Element has been incorporated until the next revision.

To develop population and employment projections for the General Plan Update and associated program level EIR, County staff retained Keyser Marston Associates to examine ABAG projections in light of more detailed local data than ABAG typically has at its disposal. The result was a revised set of projections that were cited in Section 4.3, Population/Housing/Employment, of the Draft EIR and based on a study included as Draft EIR Appendix B. Draft EIR alternatives used different population and employment projections in order to "bookend" the likely outcome of the General Plan Update.

The Final EIR explains that the Revised General Plan Update constitutes the Preferred Plan, which would result in population and employment growth similar to the No Project Alternative presented in the Draft EIR. These projections are referenced in the Agricultural Preservation and Land Use Element of the Revised General Plan Update.

Response 99-3 E: Commenter is concerned that the Draft EIR scenarios use 2005 ABAG projections that exceed ABAG projections and the County's 1% growth management policy. As explained on p. 4.3-11 et seq. of the Draft EIR and in the Alternatives Master Response 3.4.2 elsewhere in this Final EIR, the County is concerned that ABAG projections were too low to provide a reasonable and responsible assessment of potential impacts associated with 25 years of growth. The rationale is provided in both the KMA study and Draft EIR Section 4.3 to support this thesis, and the Draft EIR notes the following regarding the modified ABAG projections based on the KMA study:

*They represent what is considered a reasonable estimate of the amount of growth by 2030 that could occur given the policy parameters under consideration. Projections are*

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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*reasonable estimations of future conditions, however every effort was made to be conservative (i.e. to lean towards higher numbers) in order to over-state rather than under-state potential impacts related to population, housing, traffic, etc.*

For additional information, please see the Alternatives Master Response 3.4.2 for the range of alternatives considered and an explanation as to why adopting an alternative which exactly mirrors ABAG's regional projections is considered infeasible. Additionally, please note that the Preferred Plan described elsewhere in this Final EIR, as well as several of the other EIR alternatives, would be consistent with the County's 1% growth limit.

- Response 99-4 E: The commenter is concerned regarding the loss of agricultural lands and conflicts with agricultural zoning (Impact 4.1.2 and 4.1.4). As explained in Draft EIR Section 4.1, the Revised General Plan Update would perpetuate the County's commitment to agricultural preservation; however it would result in significant impacts to agricultural resources due to an unusual characteristic of the current General Plan and Land Use Map. Specifically, because the County's Land Use map has designated areas as "urban" which are in some cases also zoned "agriculture," it has created a situation in which implementation of the General Plan would result in re-designation and reuse of agricultural land. This unusual characteristic would be perpetuated in all EIR alternatives (except Alternative D as discussed in the Alternatives Master Response 3.4.2) and in the Preferred Plan. Nonetheless, the Preferred Plan would reduce the potential impact by re-designating agriculturally zoned land in Angwin, Berryessa Estates, and the Hess Vineyards. The Preferred Plan would also increase the amount of land designated as "Agriculture, Watershed and Open Space" on the County's Land Use Map, although it would allow annexation of other such lands to the City of American Canyon in exchange for institution of a voter-approved growth boundary (see Policy Ag/LU-130 in the Revised General Plan Update).
- Response 99-5 E: The commenter is concerned that Impact 4.3.1 would result in growth that exceeds the 1% growth management plan and is significant and unavoidable in all alternatives. Not all of the Draft EIR Alternatives would result in growth in excess of the County's 1% limit, and the Preferred Plan presented in this Final EIR would also not exceed that limit. Nonetheless, all alternatives are identified as having significant impacts because their analysis is based on projections of growth which exceed regional ABAG projections for the reasons discussed in Response 99-3 E above.
- Response 99-6 E: Commenter is concerned with the deteriorating traffic network as noted in Impact 4.4.1. As noted in Draft EIR Section 4.4, Transportation, growth will occur in Napa County with or without growth in the unincorporated area and will impact county roads. Mitigation measures have been recommended as part of the Traffic Impact Study, many of which were deemed to be infeasible to stem further growth and maintain the rural character of the county. To maintain the rural nature and prevent excessive growth, the County is only incorporating those traffic mitigations

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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that would not conflict with the County's rural character (see Draft EIR p. 4.4-53). The County recognizes the challenges it faces, but is taking specific steps to increase non-vehicle travel and the Revised General Plan Update sets aggressive policy objectives. (See the Alternatives Master Response 3.4.2 for more discussion of the significant traffic impacts in all alternatives.)

- Response 99-7 E:* Commenter is concerned with deterioration of air quality as noted in EIR Impacts 4.8.1, 4.8.2, and 4.8.7. As the Draft EIR takes a worst-case scenario approach and notes that VMT would increase with or without the GPU, mitigation measures are provided that would reduce these impacts. Even with Alternative A, where slow growth would be expected to occur as per the Land Use Map in the 1983 General Plan, the rate of VMT growth would still be expected to exceed MTC forecasts. In addition, although the existing (1983) General Plan includes some support of the 19 TCMs to be implemented from the 2000 Clean Air Plan, full support is not provided even if these General Plan policies were carried over to the General Plan Update. The nature of a General Plan update is that it must consider and accommodate for population growth and housing needs. By this very premise, the GPU would result in significant and unavoidable impacts. (See the Alternatives Master Response 3.4.2 for more discussion of the significant air quality impacts in all alternatives.)
- Response 99-8 E:* Commenter is concerned regarding noted decline of groundwater levels in EIR Impact 4.11.5. See the Water Supply Master Response 3.4.1.
- Response 99-9 E:* Commenter is concerned with the increase in demand for additional potable and irrigation water as well as treatment and distribution facilities as noted in EIR Impact 4.13.3.1. See the Water Supply Master Response 3.4.1 and the Alternatives Master Response 3.4.2.
- Response 99-10 E:* Commenter states that the General Plan should have significant revisions and a "preferred alternative" that more closely matches the guiding vision as defined. The proposed General Plan has been revised as the commenter suggested and is described in this Final EIR as the "Preferred Plan" (see Section 2.0 of this document for a detailed description). This Preferred Plan has been analyzed and its environmental impacts fall between those identified for alternatives in the Draft EIR.
- Response 99-11 P:* Commenter recommends three changes to the six new Ag/LU Element goals and attaches a chart summarizing the recommendations (Comment 99-66 P). The County appreciates the commenter's input on this topic. The suggested edits have informed revisions to the goals presented in the Agricultural Preservation and Land Use Element.
- Response 99-12 P:* Commenter requests addition of a policy to acknowledge effectiveness of Measure J and support continuation beyond 2020. The County appreciates the commenter's input on this topic. Please see Policy Ag/LU-110 in the revised Agricultural Preservation and Land Use Element.
- Response 99-13 P:* Commenter feels that the discretionary flexibility of Policy Ag/LU-120 is too broad. The County appreciates the commenter's input on this topic. However, Policy Ag/LU-120 is no longer included as part of the General Plan Update.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response 99-14 P:* Commenter requests that Policy Ag/LU-7 replace "may" with "shall." The County appreciates the commenter's input on this topic. This edit has been made.
- Response 99-15 P:* Commenter requests that Policy Ag/LU-10 add "within Napa County" in reference to farm labor employment. The County appreciates the commenter's input on this topic. This edit has been made to Policy Ag/LU-11.
- Response 99-16 P:* Commenter notes that in Policy Ag/LU-14 the agricultural operators should be allowed to "commence" as well as "continue" their agricultural practices. The County appreciates the commenter's input on this topic. The edits have been made to Policy Ag/LU-15.
- Response 99-17 P:* Commenter asks for Ag/LU-20 to be amended by replacing term "developed areas" with "urban areas." The County appreciates the commenter's input on this topic. The edits have been made to Goal Ag/LU-22.
- Response 99-18 P:* Commenter asks for Ag/LU-28 to be amended by deleting reference to new land use designation of "transitional" for brownfield sites south of the City of Napa. The County appreciates the commenter's input on this topic. The Preferred Plan in the General Plan Update now re-designates these sites as a "study area," indicating that further study will be needed before non-industrial uses can be considered on these sites.
- Response 99-19 P:* Commenter asks for Ag/LU-37 regarding Hess Vineyards to be amended as it is inconsistent with Goal 1. The County appreciates the commenter's input on this topic and has revised this policy (now included as Policy AG/LU-40), redesignating the Hess Vineyard as "Agriculture, Watershed and Open Space."
- Response 99-20 P:* Commenter asks for Ag/LU-47 to be amended by deleting the "transitional" land use designation. See Response 99-18P.
- Response 99-21 P:* Commenter opposes the urbanization of Angwin, but supports PUC and requests that all "bubbles" be eliminated. County staff believes that elimination of all non-agricultural designations (i.e., "bubbles") on the Land Use Map would be infeasible because it would result in a plan that is inconsistent with state law, and would not allow the County to meet its state-mandated housing obligations. Nonetheless, the County has acknowledged that the so-called "bubbles" are not effective representations of non-agricultural areas, and the Revised General Plan Update adjusts two of the "bubbles" (Angwin and Berryessa Estates) and calls for a systematic planning process to address other areas (see Action Item Ag/LU-114.1).
- Response 99-22 P:* Commenter notes that Ag/LU-50 and -51 are illegal as written as they are internally inconsistent. Policy Ag/LU-51 has been edited in response to comments. The number for this item has been changed to Goal Ag/LU-56.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response 99-23 P:* Commenter requests that Ag/LU-55 be amended by adding words "and wells" after septic tanks. The County appreciates the commenter's input on this topic and believes that it has addressed the commenter's concern via the inclusion of a new policy specific to the issue of groundwater use in Angwin. Please See Policy Ag/LU-61 in the Revised General Plan Update.
- Response 99-24 P:* Commenter opposes Policy Ag/LU-85 to encourage establishment of community organization for Lake Berryessa. The County appreciates the commenter's input on this topic. However, the suggested changes were not made. Policy Ag/LU-85 is no longer included as part of the General Plan Update.
- Response 99-25 P:* Commenter opposes Ag/LU-97 for Pope Valley region and does not support County sponsoring Measure J initiative. This policy has been eliminated from the Revised General Plan Update.
- Response 99-26 P:* Commenter asks for clarification of Ag/LU-93 and -99 related to commercial or residential uses in Oakville and Rutherford areas. Please see revised policies on p. 65 of the Revised Draft General Plan Update – County staff believes that the commenter's concern has been addressed.
- Response 99-27 P:* Commenter requests deletion of Ag/LU-98 as its need is unproven and could undermine agricultural preservation. Home-based businesses are currently permitted in agricultural areas and have not undermined agriculture or agricultural preservation to the County's knowledge. Please see Policy Ag/LU-48 in the Revised General Plan Update for the revised plan's policy proposal on this issue.
- Response 99-28 P:* Commenter notes that the Farm Bureau supports the voter approved RUL. The County appreciates the commenter's input on this topic. The Preferred Plan proposes an RUL for the City of American Canyon that represents the current status of negotiations between the City and the County. Proposed Policy Ag/LU-130 would allow additional annexations to the City only if the RUL were adopted by the voters such that it could not be amended without voter approval in the future.
- Response 99-29 P:* Commenter indicates support for the statement that preservation of rural character be balanced with transportation needs, but notes that this is a "tall order," given projected increases in vehicle traffic. The County recognizes the challenges it faces, but is taking specific steps to increase non-vehicle travel.
- Response 99-30 E/P:* Commenter notes that traffic volumes were not shown in Table CIR-B and suggests that the County hire an expert on smart growth and transportation to review the DGP and EIR. Table CIR-B has been updated to include the missing information. See the revised Circulation Element. The commenter notes that projected traffic will result in impacts to roadways in the county, as analyzed in the Draft EIR. Staff notes that the Circulation Element contains numerous policies in support of Circulation Goal 3, which expresses support for transportation alternatives. The additional work suggested by the commenter will be accomplished as part of the County's future work to implement these and other policies.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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The following action item has been added to the Revised General Plan Update:

- Action Item CIR 10.1: County staff shall participate in the periodic updates of the Napa County Transportation and Planning Agency's Strategic Transportation Plan (STP) and shall use that forum for consideration and development of innovative strategies related to the movement of people and services without increasing the use of private vehicles. The County shall see input from experts in sustainability, smart growth, and land use planning in developing potential new strategies.

*Response 99-31 P:* Commenter suggests amending Policy CIR-1.1 by deleting "developing areas and areas planned for development" and revising to read, "concentrated within already developed urban areas where..." Policy CIR-1.1 as currently written states the County's policy to coordinate development with transportation and the development of transportation systems in areas where their operation is supported by sufficient population density.

*Response 99-32 P:* Commenter requests clarification of proposed intersection improvements at two specific locations. Intersection improvements are typically designed to improve safety and reduce delay. No specific designs are available for the referenced intersections at this time.

*Response 99-33 P:* Commenter requests the addition of language specifically stating that Highway 29 north of Yountville and Highway 121 through Carneros will remain as two-lane roadways. Staff notes that the Circulation Map, which expresses the County's policy regarding the ultimate width of roadways in the unincorporated area, shows both of these roadways as having an ultimate two-lane width. In addition, Policy CIR-12 includes Highway 121 from Sonoma County as a location where additional lanes would be added only if needed for safety and subject to specific findings.

*Response 99-34 P:* Commenter suggests amending Circulation Goal 3 to mention "local and regional transit." Circulation Goal 3 has been amended to read as follows:

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

*Response 99-35 P:* Commenter suggests amending Circulation Policy CIR-3.9 by adding, "and must be compatible with adjacent uses and sufficiently buffered." Circulation Policy CIR-3.9 has been renumbered as CIR-34 and amended to read as follows.

- Policy CIR-34: Where they are not needed for other transportation purposes, and where such use would implement the Napa Countywide Bicycle Plan or other County-adopted master plan, abandoned rail rights-of-way ~~should~~ shall be used for alternative uses such as public transit routes, bicycle paths, or pedestrian/hiking routes, where they are compatible with adjacent uses and sufficient funding is available for right-of-way acquisition, construction, and long-term maintenance.

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Response 99-36 P: Commenter suggests adding policies related to land use and circulation planning to “promote a healthier community.” Policy CIR-4 is now a new policy that reads as follows:

- Policy CIR-4: The County supports a coordinated approach to land use and circulation planning to promote a healthier community by encouraging walking, bicycling, and other forms of transportation which decrease motor vehicle use.

Please see also the revised introduction to the Agriculture Preservation and Land Use Element and revised Policy Ag/LU-20.

Response 99-37 P: Commenter requests amendment of the Conservation Element statistic of 49,500 vineyard acres in 2006 to 45,136 consistent with the Ag Commissioner's 2006 Crop Report. The change has been made as requested to the text under the heading of Vineyard Development.

Response 99-38 P: Commenter requests amendment to the paragraph in the Conservation Element paragraph regarding sustainable winegrowing to include all winegrape/ag industry groups, not just NSWG. The County appreciates the commenter's input on this topic and has tried to update this description. Further, specific suggestions would be appreciated.

Response 99-39 P: Commenter requests amendment of the Conservation Element paragraph to clarify the roles of Napa Green Certification and Fish Friendly Farming. The fourth paragraph under the Environmentally Responsible Vineyards heading has been amended as follows:

- The “Fish Friendly Farming” certification program sponsored by the California Land Stewardship Institute is a similar effort to assist growers in developing site-specific practices to restore fish and wildlife habitat and improve water quality (<http://www.fishfriendlyfarming.org/>). According to their website, Fish Friendly Farming provides an incentive-based method for creating and sustaining environmental quality and habitat on private land. Landowners and managers enroll in the program, learn environmentally beneficial management practices, and carry out ecological restoration projects. The focus is on the land manager as the central figure in achieving and sustaining environmental quality. This approach ensures long-term environmental improvements and sustainable agriculture and implements the principles of state and federal environmental regulations. Three resource agencies – the Californian Department of Fish and Game, Regional Water Quality Control Board and the National Marine Fisheries Service – provide an objective third-party certification.

Response 99-40 P: Commenter requests amendment to Policy CON-30: “...e) agricultural water supply.” The policy has been amended with this addition.

Response 99-41 P: Commenter requests clarification of Policy CON-31 in Section h. Policy CON-31 Section h has been modified and a new action item has been added for further clarification.

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- Response 99-42 E/P:* Commenter supports the intent of Policy CON-31.1, but mitigation measure MM 4.11.4 outlines rigid requirements so probably there would be no significant cost or time savings. Commenter suggests amending the mitigation measure: "...stream setbacks *that meet those required by Napa County's Conservation Regulations* and if..." Preferred General Plan policies CON-13, CON-27 and Action Items CON NR-1 of Policy CON-27 address the intent of the mitigation measure; however, the measure provides detailed performance standards that aren't addressed in the policies. This approach is consistent with public comments, which suggested reasons why some of the components of MM 4.11.4 are infeasible, and also suggested that the County take more time to develop the suggested program. County staff is recommending that policy makers reject MM 4.11.4 as infeasible, and adopt the policy and actions item which generally call for development and implementation of a streamlined permitting program for environmentally superior projects. The specific components of such a program will have to be developed based on additional public outreach, and the resulting program will require additional environmental review.
- Response 99-43 P:* Commenter notes that Policy CON-31 should exclude aquifer storage and recovery as a means to recharge groundwater aquifers. Issues related to groundwater are addressed throughout the Water Resources section of the revised Conservation Element, including revised Policy CON-42 part (e); however "aquifer injection" is not specifically prohibited.
- Response 99-44 E/P:* Commenter notes that the Draft EIR and General Plan Update are insufficient and inadequate regarding water supply. See Water Supply Master Response 3.4.1 and changes in policies and action items to the revised Water Resources section of the Conservation Element. Specifically, please see groundwater policies beginning with Policy CON-51 on page 183 of the Revised General Plan Update.
- Response 99-45 P:* Commenter requests to add a policy and implementation actions to support Goal CON-9. This issue has been addressed in Policies CON-41 (c), -51, -52, -57, and -60, and related Action Items 35.1, 35.2, 36.1, 40.1, and 44.1.
- Response 99-46 E/P:* Commenter requests addition of policy and implementation actions to achieve Goal CON-11 regarding additional water supplies, including recycled water. This comment has been addressed under Policies CON-57, -61, and -62, and related Action Items.
- Response 99-47 P:* Commenter requests that policies be strengthened related to Goal CON-14 for energy conservation. This issue has been addressed under the new section entitled Climate Protection and Sustainable Practices for Environmental Health in the Conservation Element (starting on p. 187 of the Revised General Plan Update).
- Response 99-48 P:* Commenter notes that Policy E-5 is internally inconsistent with Policy Ag/LU-37. The County appreciates the commenter's input on this topic. Please see Response 99-19 P above.

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- Response 99-49 P:* Commenter requests amendment of Goal E-2 to add “which are compatible with and do not conflict with agriculture.” The County appreciates the commenter’s input on this topic. However, this change has not been included in the General Plan Update, which instead relies on the clear statements regarding agriculture as the county’s primary land use (Policy Ag/LU-1) and agriculture’s place in our economy (Goal E-1 and subsequent policies).
- Response 99-50 P:* Commenter notes that policies E-9 and E-10 would only be successful with significant population or tourism increases. The County appreciates the commenter’s input on this topic and has attempted to clarify these issues in revisions to the Economic Development Element.
- Response 99-51 P:* Commenter requests that Policy E-16 be deleted as economic diversity undermines agriculture. The County appreciates the commenter’s input on this topic. However, the suggested policies about economic diversity can exist in harmony with policies about agriculture, and they acknowledge the limited availability of non-agricultural land (Policy E-8).
- Response 99-52 P:* Commenter notes that Policy E-2 is a statement, not a policy and should be amended to avoid conflicts with agriculture. The County appreciates the commenter’s input on this topic. However, this change has not been included in the General Plan Update since the suggested policy implements a goal related to the economic viability of agriculture.
- Response 99-53 P:* Commenter requests addition of a policy to reduce/eliminate potential conflict with landowners by prohibiting use of unused rights-of-way for recreational purposes. The County appreciates the commenter’s input on this topic. However, this change has not been included in the General Plan Update, since historic rights-of-way like the Oat Hill Mine Road represent one way for the County to pursue its goal of an expanded trail system without acquiring private property.
- Response 99-54 P:* Commenter requests amendment of Policy ROS-16 to include compliance with County’s recreation ordinance. The County appreciates the commenter’s input on this topic. However, this change has not been included in the General Plan Update. County staff believes that the suggested policy appropriately supports regulations that exist in County code and does not need to repeat them.
- Response 99-55 P:* Commenter requests amendment of Policy ROS-11 to add phrase, “without the use of pressure or coercion.” The County appreciates the commenter’s input on this topic. However, this change has not been included in the General Plan Update since the term “willing land owner” is deemed to be sufficiently descriptive.
- Response 99-56 P:* Commenter requests amendment to ROS-5 to add “Any land transferring to public ownership must be deed restricted in perpetuity so as to ensure the land remains in agriculture and/or open space.” The County appreciates the commenter’s input on this topic. However, this change has not been included in the General Plan Update.

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- Response 99-57 P:* Commenter requests amendment of ROS-15 to prioritize open space access next to urban areas, where the greatest need is. The County appreciates the commenter's input on this topic, and Policy ROS-15 does, in fact, list the suggested priorities for open space access, with many of the suggested priorities falling within areas immediately adjacent to the County's urbanized areas. Please also see Objective ROS-1 on p. 245 of the Revised General Plan Update.
- Response 99-58 P:* Commenter requests amendment of ROS Objective 1 to state, "publicly accessible open space within a 15 minute or less drive time..." The County appreciates the commenter's input on this topic. This change has been made.
- Response 99-59 P:* Commenter requests the addition of the word "encourage" to ROS-14 to soften language directed to the cities. The County appreciates the commenter's input on this topic. However, this policy is intended to clarify the County's expectations and understanding, not to encourage others to do something.
- Response 99-60 P:* Commenter requests amendment of ROS-3 and omit word "additional" from 8<sup>th</sup> line, 2<sup>nd</sup> paragraph. The County appreciates the commenter's input on this topic. This change has been made.
- Response 99-61 P:* Commenter requests amendment to ROS-4 to add "where appropriate and consistent with other ROS policies." The County appreciates the commenter's input on this topic. This change has been made.
- Response 99-62 E/P:* Commenter notes that the General Plan Update needs an Implementation Program as the "preferred plan" may include portions of several of the five alternatives discussed in the Draft EIR. The commenter also explains the role of goals, objectives, policies, standards, and implementation measures. The Revised General Plan Update (the Preferred Plan in this Final EIR) contains an Implementation Program consisting of the action items required to implement the final General Plan Update.
- Response 99-63 E/P:* Commenter notes that the Steering Committee seems to have not discussed "blueprint" as a composite of all amended policies nor impacts associated with the EIR. The Steering Committee has held several reviews of the draft General Plan Update as it has been in the process of review and received copies of the Draft EIR to consider impacts and mitigation measures for their input into the final General Plan. At the commenter's suggestion, the Committee did, in fact, engage in an overall discussion of the plan before diving into an element-by-element review.
- Response 99-64 E/P:* Commenter notes that the County should establish a clear summary of Draft EIR impacts and mitigations of the "preferred alternative." A matrix of Draft EIR impacts and mitigations has been created for this Final EIR, along with a description and analysis of the Preferred Plan. Readers are encouraged to review these sections of the Final EIR.

**3.0 COMMENTS AND RESPONSES TO COMMENTS**

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*Response 99-65 P:* Commenter suggests amending the proposed General Plan Update to strengthen protections and sustain quality of life. The County appreciates the commenter's input on this topic, and believes that the commenter's suggestions have generally been incorporated into the Revised General Plan Update.

*Response 99-66 P:* Commenter attached a matrix of land use goal revisions. The County appreciates the commenter's input on this topic and has substantially revised goals presented in the Agricultural Preservation and Land Use Element.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter 100

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**From:** agraves@santeninc.com [mailto:agraves@santeninc.com]  
**Sent:** Monday, June 18, 2007 6:05 PM  
**To:** Lowe, Rone Patrick  
**Subject:**

Dear Members of the General Plan Steering Committee and Members of the County Board of Supervisors:

As one of Napa County's large employers, recruitment and retention of our workforce is a critical, and ever-more difficult issue. Over half 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.

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") address these crucial affordable and workforce housing supply problems head on. 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." Please know that we support these provisions.

100-1P

There are, of course, important questions which the Planning Commission and Board of Supervisors would have to review in the case of any specific proposals for development prior to granting of specific project approvals. But these broad General Plan policies, as 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,

Adrienne Graves, Ph.D.  
President and CEO, Santen Inc.

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LETTER 100: ADRIENNE GRAVES, PHD, SANTEN INC., JUNE 18, 2007

*Response 100-1 P:* Commenter supports the "transitional" land use designation an Ag/LU-120.

County staff appreciates the support for this proposed land use designation; however, as many people were concerned with a "transitional" designation staff has decided to propose those areas be designated as "study areas."