

NAPA COUNTY HOUSING ELEMENT UPDATE EIR



County of Napa | April 22, 2009



DESIGN, COMMUNITY & ENVIRONMENT

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I INTRODUCTION

A. Purpose of the Environmental Impact Report

This document provides responses to comments received on the Draft Environmental Impact Report (EIR) for the proposed Napa County Housing Element Update, and includes necessary revisions to the text and analysis in the Draft EIR. The Draft EIR identified the likely environmental consequences associated with the project, and recommended mitigation measures to reduce potentially significant impacts.

This document, together with the Draft EIR, will constitute the Final EIR if the Napa County Board of Supervisors certifies it as complete and adequate under the California Environmental Quality Act (CEQA).

B. Environmental Review Process

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project, and to provide the general public and project applicant with an opportunity to comment on the Draft EIR. This Final EIR has been prepared to respond to those comments received on the Draft EIR and to clarify findings in the Draft EIR.

The Draft EIR was made available for public review on January 16, 2009. The Draft EIR was distributed to local and State responsible and trustee agencies and the general public was advised of the availability of the Draft EIR through public notice posted by the County Clerk as required by law. A public hearing to receive comments on the Draft EIR was held by the Napa County Conservation, Development and Planning Commission on February 18, 2009. The CEQA-mandated 45-day public comment period ended on March 9, 2009.

Copies of all written comments received on the Draft EIR are contained in this document. A transcript of oral comments made at the February 18, 2009 public hearing is also included.

This Final EIR will be provided to the Napa County Planning Commission for their review prior to their consideration of a resolution recommending the Housing Element and associated actions to the Board of Supervisors. The Commission will be asked to make a recommendation to the Board of Supervisors on certification of the EIR as a full disclosure of potential impacts, mitigation measures and alternatives.

However, the Planning Commission will not take final action on the EIR or the proposed project. Instead, the Board of Supervisors will consider the Planning Commission's recommendations on the Final EIR and the proposed Housing Element Update during a noticed public hearing, and make the final action in regards to certification of the Final EIR and approval of the project. If the Housing Element Update is approved, recommended mitigation measures will be adopted and implemented as specified in the Board's resolution and an accompanying mitigation monitoring and reporting program unless the Board finds the measures infeasible as specified in CEQA Guidelines Section 15091 (Findings). Given the presence of significant and unmitigable impacts, the Board's resolution will also contain a statement of overriding consideration pursuant to CEQA Guidelines Section 15093.

C. Modifications to the Draft Housing Element Update

A draft of the Housing Element Update consistent with the project description in Chapter 3 of the Draft EIR, Project Description, was provided to the California Department of Housing and Community Development (HCD) in November 2008 pursuant to California Government Code (CGC) Section 65585(b). A draft Housing Element was also provided, along with proposed amendments to other sections of the General Plan, to potentially affected agencies and interested individuals pursuant to CGC Section 65351 *et seq.* In addition, circulation of the Draft EIR resulted in a number of comments concerning the contents of the Housing Element, particularly its housing sites inventory and housing programs.

Comments received from agencies and individuals regarding the draft Housing Element and conforming General Plan amendments have been addressed in revisions to the draft documents consistent with informal direction from the Napa County Board of Supervisors provided on March 17, 2009. These changes are summarized below and in Table 1-1, and copies of the revised documents will be provided to the Planning Commission and made available for review at the Napa County Department of Conservation, Development and Planning, 1195 Third Street in Napa prior to the Commission's hearing on May 6, 2009.

1. Housing Sites Inventory

Based on comments from HCD, other agencies and members of the public, the revised documents provide a modified inventory of housing sites as shown in Table 1-1, along with an expanded analysis justifying retention of existing sites which do not meet the default density of 20 dwelling units per acre (du/acre).

The most important changes to this proposed inventory of sites involve the recognition of Moderate and Above Moderate units throughout the county, and the reduction in the number of units provided at the Napa Pipe site from 850 in the prior version of the document to 304. The latter change can be justified based on the County's total regional housing needs allocation (RHNA) (569), the number of Low and Very Low income units (259), and the potential for these to be partially met at the other identified sites. (See the revised draft Housing Element and Housing Needs Assessment discussion for more information.) Also, the City of Napa has offered to provide urban services to the smaller number of units at the Napa Pipe site, eliminating the need to rely on groundwater as a potable water source.

In addition to the changes described above, there were minor changes made to the number of units provided on the Moskowitz Corner and Spanish Flat sites. The Draft EIR had evaluated the development of 105 and 99 units on these sites, respectively. As shown in Table 1-1, the revised Housing Element includes 100 units on the Moskowitz Corner sites (a decrease of five units)

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TABLE I-1 **REVISED SUMMARY OF RHNA AND HOUSING UNITS**

	Very Low & Low	Moderate	Above Moderate	Total
Original RHNA Allocation	297	130	224	651
Less Transfer to the City of Napa	38	16	28	82
Net Adjusted RHNA	259	114	196	569
<i>Less Units Already Produced</i>				
Single-Family Homes	0	0	119	119
Second Units	0	22	0	22
<i>Sub-Total Units Already Produced</i>	<i>0</i>	<i>22</i>	<i>119</i>	<i>141</i>
NET Remaining RHNA	259	92	77	428
Unit Capacity of Identified Sites				
Angwin	80	51	60	191
Moskowite Corner	25	25	50	100
Spanish Flat	27	23	60	110
Napa Pipe ^b	152	152	0	304
SFR on Vacant Parcels ^a	0	0	315	315
<i>Sub-Total Capacity of Sites</i>	<i>284</i>	<i>251</i>	<i>485</i>	<i>1,020</i>
“Buffer” or Excess Capacity	25	159	408	592
Unit Capacity of Housing Programs				
Second Unit Production				50
Second Unit Production on Agricultural Preserve Parcels				
Farmworker Housing Production				10
Density Bonus on Planned Development in Mobile Home Parks				20

	Very Low & Low	Moderate	Above Moderate	Total
Accessory Units on Commercial Limited/Commercial Neighborhood Parcels				40
<i>Sub-Total Capacity of Housing Programs</i>				120
Total Capacity of Sites and Programs				1,140
Total “Buffer” or Excess Capacity from Sites and Programs				712

^a Vacant sites available for market rates units exceed this number but the growth management system provides approximately 97 market rate permits per year.

^b 20 acres of the Napa Pipe site are proposed for rezoning for up to 304 units at 20 du/ac; 152 units would be “by right”.

Source: Napa County, Revised Draft Housing Element Update, April 2009.

and 110 units on the Spanish Flat sites (an increase of eleven units). This change was made in order to be consistent with what the existing Zoning Ordinance allows on these sites. Because these changes are so small, the EIR’s findings would not change, and no additional analysis is required.

The revised Housing Element identifies sites for 1,020 units, 315 of which are vacant or underdeveloped parcels dispersed throughout the county with the potential for new principal residences. A total of 705 of the units in the sites inventory would be located on the specific sites identified in Angwin, Moskowitz Corner, Spanish Flat, and Napa Pipe. This represents a change from the Draft EIR project description, which included 1,245 total units, all focused on the identified sites, as shown on page 3-2 of the Draft EIR.

2. Housing Element Programs and Policies

Based on comments from HCD and members of the public, the revised Housing Element also includes modifications to some of the policies, objectives, and programs included in the earlier draft and described in the Draft EIR. Readers interested in the specific changes should consult the revised Housing Element itself, since most changes address the wording or timing of programs, rather than attributes that might result in physical environmental impacts.

Most notably, in response to substantial comments included in this Final EIR, Program H-2k, which suggested the re-designation of an area adjacent to the City of Napa from Rural Residential to Urban Residential, has been changed. In the January 2009 draft of the Housing Element, Program H-2k included the following two components:

- ◆ The County will remove the Affordable Housing (:AH) overlay or combination district from the three Monticello Road/Atlas Peak sites.
- ◆ The County will re-designate another area closer to the City boundary from “Rural Residential” to “Urban Residential,” permitting property owners to request rezoning for dwelling unit densities up to 4 units per acre provided that municipal water and sewer services are extended to the area.

Part 1, which includes the removal of the :AH overlay district from the Monticello/Atlas Peak sites, has been carried forward and renumbered to be Program H-2j in the revised draft. Part 2, which includes the re-designation of the area adjacent to the City of Napa from Rural Residential to Urban Residential, has been eliminated from the revised draft.

In addition to the change described above, there was a minor change made to the number of units provided through the second unit production programs. The Draft EIR had evaluated the development of 70 units under these programs. As shown in Table 1-1, the revised Housing Element includes a total of 50 units produced through the second unit production programs (a decrease of 20 units). Because this change is so small, the EIR’s findings would not change, and no additional analysis is required.

As shown in Table 1-1, the sum total of all revisions to programs and policies in the draft Housing Element is expected to reduce the number of potential units that could result from these programs from 153 to 120. Again, see page 3-2 of the Draft EIR.

3. Conforming Amendments to Other Sections of the General Plan

When the Housing Element is updated, other sections of the General Plan will also have to be amended to ensure that the overall plan remains internally consistent, and to address requirements of AB 162 (2007) related to flood hazards. A draft of the conforming amendments to other sections of the General Plan was provided to interested agencies and individuals, resulting in a number of comments. A revised draft of the conforming amendments has been prepared, containing a number of changes and clarifications.

Most notably, the modifications proposed to the sites inventory in the Housing Element to reduce the size and development potential of the Napa Pipe site proposed for rezoning has resulted in changes to related sections of the Agricultural Preservation & Land Use Element. Specifically, the conforming amendments no longer propose re-designation of the entire Napa Pipe site (approximately 150 acres) from Study Area to Transitional, instead adjusting the Study Area language to allow multifamily housing development on sites identified for housing in the Housing Element.

D. Validity of the EIR Analysis for the Modified Project

The review process mandated by CEQA is by nature time consuming and iterative, including multiple opportunities for public comment and for project changes in response to those comments. In the case of a planning document like the County's Housing Element, it is not uncommon for the proposed plan to evolve during the EIR process, so that the draft plan presented at the time of the Draft EIR has been revised by the time of the Final EIR. CEQA Guidelines Section 15088.5 addresses this situation, explaining how to evaluate whether changes to the project/plan (and to the Draft EIR's analysis and conclusions) necessitate recirculation of the Draft EIR prior to preparation of a Final EIR.

In summary, recirculation of the Draft EIR is required when there is significant new information about the project or its impacts. Significant new information means disclosure of a new impact or mitigation measure, a substan-

tial increase in the severity of an impact, or a new feasible alternative or mitigation measure considerably different from others already analyzed that would reduce or lessen significant impacts of the project but that the project proponents decline to adopt. Recirculation is also required if a Draft EIR is so inadequate that meaningful public comment was precluded.

In the current instance, meaningful public comment on the Draft EIR was obtained, and resulted in the changes to the project described in this chapter. The changes would reduce the number of dwelling units proposed at the Napa Pipe housing site, and acknowledge the possibility of continued development of single-family homes on currently vacant parcels dispersed throughout the county. This change would have the effect of reducing impacts associated with the Napa Pipe site described in the Draft EIR, since the number of units at the site would be 304 rather than 850. Impacts associated with single family home development throughout the county would be diffuse and less than significant due to the County's growth management system, which would regulate the number of units annually, and the County's minimum parcel sizes, which would ensure that new residences are not substantially concentrated in any one area. In addition, the County's viewshed protection program would ensure that new residences are largely unseen from important County roads, and the County's stormwater controls would ensure the houses, accessory structures, and drives/roads are constructed in a manner that is consistent with best management practices for pollution prevention. Cumulative impacts described in the Draft EIR would not be affected by the proposed changes to the sites inventory and programs.

In addition, the change to acknowledge the possibility of development of single family homes on vacant parcels does not represent a policy change under the proposed Housing Element that would require environmental review. Such development would be allowed by right under the existing General Plan and Zoning Ordinance, and is not a result of the Housing Element itself. The change described is to simply count those units toward the RHNA. Furthermore, the 315 units that the Housing Element recognizes could be developed are less than the number of units reduced on the Napa Pipe site, so the

total number of units recognized in the Housing Element is still below the number of units evaluated in the Draft EIR.

Overall, modifications proposed to the Housing Element sites inventory and programs since the Draft EIR was prepared would have the effect of reducing, rather than increasing, impacts of the project and revisions to the project description and analysis in the Draft EIR have not been deemed necessary. No new significant impacts or new mitigation measures have been identified that were not already included in the Draft EIR, and recirculation of the Draft EIR is not required.

Specific findings about the modified project will be prepared for the Board of Supervisor's consideration as part of their resolution adopting the modified Housing Element in June 2009 (CEQA Guidelines Section 15091). The findings will explain how the modified project falls within the scope of the EIR, as well as the disposition of relevant mitigation measures.

E. Document Organization

This document is organized into the following chapters:

- ◆ **Chapter 1: Introduction.** This chapter discusses the use and organization of this Final EIR, and describes modifications to the draft Housing Element update.
- ◆ **Chapter 2: Report Summary.** This chapter is a summary of the findings of the Draft and the Final EIR. It has been reprinted from the Draft EIR with necessary changes made in this Final EIR shown in underline and ~~strikethrough~~.
- ◆ **Chapter 3: Revisions to the Draft EIR.** Corrections to the text and graphics of the Draft EIR are contained in this chapter. Underline text represents language that has been added to the EIR; text with strike-through has been deleted from the EIR.

- ◆ **Chapter 4: List of Commentors.** Names of agencies and individuals who commented on the Draft EIR are included in this chapter. Please note that comments received after the close of the public comment period that could feasibly be included have been listed here and responded to in Chapter 5.
- ◆ **Chapter 5: Comments and Responses.** This chapter contains reproductions of the letters received from agencies and the public on the Draft EIR. The responses are keyed to the comments which precede them. Concluding this chapter are the comments provided at the public hearing on February 18, 2009.

2 REPORT SUMMARY

This is a summary of the findings of the Draft and Final EIRs. This document has been reprinted from the Draft EIR with necessary changes made in this Final EIR shown in underline and ~~striketrough~~.

This summary presents an overview of the analysis contained in *Chapter 4: Environmental Evaluation*. CEQA requires that this chapter summarize the following: 1) unresolved issues and areas of controversy; 2) significant impacts; 3) unavoidable significant impacts; 4) implementation of mitigation measures; and 5) alternatives to the project.

A. Project under Review

This Draft EIR provides an assessment of the potential environmental consequences of adoption of the Napa County Draft Housing Element, conforming Napa County General Plan amendments affecting other elements of the General Plan and implementing ordinances. The Housing Element is intended to satisfy the State requirement that cities and counties fairly accommodate their share of California's projected housing needs. Napa County is required to analyze local housing needs and resources in order to develop policies and implementation programs to meet the needs of all income segments of the community and of future residents. The proposed project would incorporate several components to meet these requirements, including programs that would create affordable housing units, implementation of policy changes intended to facilitate the construction of affordable housing and designation of sites as potential locations for the construction of new affordable housing units. The Draft Housing Element includes a wide range of policies and programs to encourage and support the production, preservation and rehabilitation of housing affordable to all economic segments of the community. The components of the Draft Housing Element are further detailed in Chapter 3 of this EIR.

B. Unresolved Issues and Areas of Controversy

The County received comments related to potential areas of controversy surrounding the Housing Element at a community meeting regarding EIR Scoping on July 7, 2008. Additional written comments were received in response to the Notice of Preparation that was issued by the County on July 3, 2008. Commentors suggested that the EIR should consider potential impacts related to:

- ◆ Accessibility to jobs from housing sites, availability of jobs in the northern areas of the county and accommodation of workforce housing.
- ◆ Availability of adequate services on housing sites, including sewer, water and emergency response.
- ◆ Importance of smart growth policies when planning for future housing and transportation facilities.
- ◆ Impacts associated with traffic, growth and new infrastructure.
- ◆ Safety hazards, including health risks associated with previous agricultural and industrial uses on housing sites.
- ◆ Incompatibilities between adjacent land uses.
- ◆ Potential for archaeological resources that have not yet been identified in site inventories.
- ◆ Future development of the Napa Pipe sites and associated impacts on the City of Napa.

C. Alternatives to the Project

This Draft EIR analyzes alternatives to the proposed Housing Element. Two alternatives to the proposed project are considered and described in detail in Chapter 5:

- ◆ No Project Alternative
- ◆ Regional Housing Needs Allocation Transfer Alternative

As shown in the alternatives analysis in Chapter 5, the No Project Alternative has the least environmental impact and is therefore the environmentally superior alternative. The next most environmentally-preferable alternative would be the Regional Housing Needs Allocation Transfer Alternative.

D. Summary Table

Table 2-1 presents a summary of impacts and mitigation measures identified in this report. It is organized to correspond with the environmental issues discussed in Chapter 4.

The table is arranged in four columns: 1) environmental impacts; 2) significance prior to mitigation; 3) mitigation measures; and 4) significance after mitigation. For a complete description of potential impacts, please refer to the specific discussions in Chapter 4.

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Agriculture			
<i>There are no significant impacts related to agricultural resources as a result of the proposed Housing Element Update. Therefore, no mitigation measures are necessary.</i>			
Land Use			
LU-1: Proposed residential land uses on the Napa Pipe sites could conflict with adjacent industrial uses.	S	<p>LU-1: In compliance with Action Item AG/LU-94.1 of the Napa County General Plan, future development on the Napa Pipe sites will be required to include design features to buffer proposed residential uses from industrial uses. Such features shall include, but are not limited to:</p> <ul style="list-style-type: none"> ◆ Buffering and visual screening from existing industrial uses. ◆ Design features that include physical buffers and design features, such as vegetation, landscape features and walls. ◆ Building placement and orientation that physically separates new development from incompatible operations of adjacent uses, such as truck traffic, odors and stationary noise sources. ◆ Measures to address noise and vibration. 	LTS
LU-2: Proposed land uses on the Napa Pipe sites could conflict with the existing Union Pacific Railroad line bisecting the project site.	S	<p>LU-2: The Napa Pipe developer and the County will coordinate with staff from the Public Utilities Commission and Union Pacific to identify desired railroad crossings and implement required safety equipment and improvements. Requirements may include signs, audible signals, gates that close when a train approaches and fencing along other sections of the right of way. These or other, similar required improvements will be installed by the developer during construction of roads and other infrastructure on site. The developer will be responsible for making any modifications that are needed to existing crossings, and for constructing new crossings acceptable to the Public Utilities Commission.</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Population, Housing and Employment			
POP-1: The housing programs and sites included in the proposed Housing Element could generate units potentially in excess of ABAG population projection for 2015. Because there are no feasible measures to mitigate this impact to a less-than-significant level, this impact is <i>significant and unavoidable</i> .	SU	There are no feasible measures to mitigate this impact to a less-than-significant level. Therefore, this impact is <i>significant and unavoidable</i> .	
POP-2: The proposed Housing Element would contribute to the General Plan's significant and unavoidable cumulative impact resulting from exceeding ABAG's regional population projections and the County's 1 percent population growth standard derived from the Growth Management System. Because there are no feasible measures to mitigate this impact to a less-than-significant level, the proposed project contributes to a <i>significant and unavoidable</i> cumulative impact.	SU	There are no feasible measures to mitigate this cumulative impact to a less-than-significant level. Therefore, this cumulative impact is <i>significant and unavoidable</i> .	
Transportation			
TRAF-1: Project-related traffic would increase the V/C ratio by more than 5 percent at the unsignalized intersection of Deer Park Road/Silverado Trail (Intersection 3) during the AM peak hour under Year 2015 and Cumulative (Year 2030) conditions. Unsignalized intersection operations would degrade from an acceptable LOS C to an unacceptable LOS E in Year 2015 and LOS F in	S	TRAF-1: The County Public Works Department shall monitor operation of the intersection of Deer Park/Silverado Trail and convert the traffic signal equipment already installed at this intersection to operate as a standard traffic signal when warranted by delays. At the same time, each intersection approach shall be re-stripped and/or reconfigured to provide, at a minimum, separate left-turn lanes and combined through/ right-turn lanes.	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Cumulative (Year 2030) during the PM peak traffic hour due to project related traffic.			
TRAF-2: Project-related traffic would increase the V/C ratio by more than 5 percent at the unsignalized intersection of St. Helena Highway (State Route 29)/Rutherford Road (State Route 128) (Intersection 4) during both the AM and PM peak hours under Year 2015 and Cumulative (Year 2030) conditions.	S	TRAF-2: The intersection of State Route 29/ State Route 128 in Rutherford shall be signalized, or improved with an alternate configuration to provide acceptable operations prior to 2015. The final configuration will be determined by Caltrans in consultation with the County Traffic Engineer and will be based on actual volumes and conditions at the intersection. As a State highway, State Route 29 is under Caltrans jurisdiction.	LTS
TRAF-3: Operations at the unsignalized intersection of Trancas Street/Monticello Road (State Route 121)/Silverado Trail (State Route 121) (Intersection 8) would degrade from an acceptable LOS D during the AM peak traffic hour and LOS C during the PM peak traffic hour to an unacceptable LOS F during both the AM and PM peak traffic hours under Year 2015 and Cumulative (Year 2030) conditions. Project-related traffic would increase the V/C ratio by more than 5 percent at this intersection.	S	TRAF-3: The County Public Works Department shall monitor operations at the intersection of Trancas/Monticello Road/Silverado Trail and shall provide for signalization or other improvements in order to provide acceptable operations (LOD D or better) as needed before 2030. The intersection contains a Caltrans controlled facility.	LTS
TRAF-4: Project-related traffic would increase the V/C ratio by more than 5 percent at the signalized intersection of Imola Avenue (State Route 121)/Soscol Avenue (State Route 121/221) (Intersection 12) during both the AM and PM peak hours under Year 2015 conditions.	S	TRAF-4: The intersection of Imola/Soscol (State Route 121 and 121/221) shall be reconstructed to provide an additional left-turn lane on the eastbound approach, an exclusive right-turn lane on the westbound approach, and an additional through lane on Soscol Avenue in both directions. Protected phasing shall be provided for the eastbound and westbound left-turn movements. Right-of-way acquisition may be required as part of this widening.	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRAF-4 <i>continued</i>		<p>This mitigation measure would be consistent with recommendations from previous studies in the City of Napa. However, such an extensive widening of roadways at this intersection would substantially increase pedestrian crossing distances and may not be consistent with the County's and City's desire to promote transit and bicycling as alternative transportation modes.</p> <p>This intersection is located within the City of Napa and includes a Caltrans controlled facility. If Mitigation Measure TRAF-4 were implemented under these conditions, the intersection would continue to operate at LOS F in the AM and PM peak hours, but the capacity of the intersection would be increased, so Housing Element-related traffic would no longer create an increase of over 5 percent to the V/C ratio. Therefore, the impact of the proposed Housing Element would be reduced to a less-than-significant level.</p>	
TRAF-5: Project-related traffic would increase the V/C ratio by more than 5 percent at the signalized intersection of Imola Avenue (State Route 121)/Soscol Avenue (State Route 121/221) (Intersection 12) during both the AM and PM peak hours under Cumulative (Year 2030) conditions.	S	<p>TRAF-5: To achieve baseline conditions operations (LOS F) under Year 2030 conditions at the intersection of Imola/Soscol (State Route 121 and 121/221), the following configuration shall be constructed:</p> <ul style="list-style-type: none"> ◆ Northbound: two left-turn, three through, and one right-turn lane ◆ Southbound: two left-turn, three through, and one right-turn lane ◆ Eastbound: one left-turn, two through, and one right-turn lane (right-turn lane shall have overlap phasing during the AM peak hour) ◆ Westbound: one left-turn, two through, and one right-turn lane <p>As with Mitigation Measure TRAF-4, this intersection is located within the City of Napa and includes a Caltrans controlled facility. If Mitigation Measure TRAF-5 were implemented, the intersection would continue to operate at LOS F in the AM and PM peak hours, but the capacity of the intersection would be increased, so Housing Element-related traffic would no longer create an increase</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRAF-5 <i>continued</i>	<p>Operations at the signalized intersection of Carneros Highway (State Route 121)/Sonoma Highway (State Route 12/ State Route 29) (Intersection 13) would degrade from LOS D to LOS F under Year 2015 conditions during both the AM and PM peak hours and project-related traffic would increase the V/C ratio by more than 5 percent. Also, operations would degrade from LOS D to LOS F under Cumulative (Year 2030) conditions during both the AM and PM peak hours, with project-related traffic increasing the V/C ratio by more than 5 percent.</p>	<p>of over 5 percent to the V/C ratio. Therefore, the impact of the proposed Housing Element would be reduced to a less-than-significant level. In order to achieve acceptable LOS D or better operations, advanced intersection treatment (e.g. grade-separation, continuous-flow operations) would be needed.</p> <p><u>TRAF-6 and 7</u>: A second eastbound right-turn lane shall be constructed at the intersection of State Route 121/ State Route 29 prior to 2015 to achieve acceptable operations at this intersection and additional northbound and southbound through lane shall be constructed prior to 2030 if necessary to maintain acceptable operating conditions. As a State highway, State Route 29 is under Caltrans jurisdiction.</p>	LTS
<p><u>TRAF-8</u>: Project-related traffic would increase the V/C ratio by more than 5 percent at the signalized intersection of Sonoma Highway (State Route 12)/State Route 29/Napa Vallejo Highway (State Route 221) (Intersection 14) during both the AM and PM peak hours under Year 2015 and Cumulative (Year 2030) conditions.</p>	S	<p><u>TRAF-8</u>: Construct a southbound left-turn fly-over at the intersection of State Route 12/29 and State Route 221 and restrict the movements made at the at-grade intersection to the following:</p> <ul style="list-style-type: none"> ◆ Northbound and southbound right-turns ◆ Eastbound and westbound through and right-turns <p>At this time, Napa County and Caltrans are cooperating to develop a preferred design for improvements to this intersection. This mitigation measure is the current preferred design.</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significance Before Mitigation	Significant Impact	Mitigation Measures	Significance With Mitigation
TRAF-8 <i>continued</i>	<p>This intersection currently functions at LOS F in both the AM and PM peak periods under existing conditions. This improvement, which would be needed regardless of the impacts of the proposed Housing Element, may have its own traffic circulation impacts and would require a separate and thorough environmental review process. If this improvement is constructed and adequate local access is provided, impacts to this intersection would be reduced to a less-than-significant level. As a State highway, State Route 29 is under Caltrans jurisdiction.</p>	<p><u>TRAF-9:</u> The intersection of State Route 12 and State Route 29 shall be reconstructed as a grade-separated interchange as proposed in the Napa County General Plan. Construction of this interchange would improve operations at this location to acceptable levels and would reduce the project's impact to a less-than-significant level. As a State highway, State Route 29 is under Caltrans jurisdiction.</p>	LTS
S	<p><u>TRAF-9:</u> Operations at the signalized intersection of Jameson Canyon Road (State Route 12)/State Route 29 (Intersection 15) would degrade from an acceptable LOS D to LOS F in the PM peak hour under Year 2015 and Cumulative (Year 2030) conditions. Project-related traffic would increase the V/C ratio by more than 5 percent in the AM peak hour for the intersection currently operating at an unacceptable LOS F.</p>	<p><u>TRAF-10:</u> Operations at the signalized intersection of 1st Street/Silverado Trail (State Route 121) (Intersection 9) would degrade from an acceptable LOS B to an unacceptable LOS F during the PM peak traffic hour under Cumulative (Year 2030) Conditions.</p>	LTS
S	<p><u>TRAF-10:</u> The intersection of 1st Street/Silverado Trail in the City of Napa shall be improved by constructing a second southbound through lane on Silverado Trail (State Route 121). Widening Silverado Trail at this location beyond a two-lane roadway would be in direct conflict with the City of Napa's General Plan and would require City approval following a General Plan amendment.</p>	<p><u>TRAF-10:</u> The intersection of 1st Street/Silverado Trail in the City of Napa shall be improved by constructing a second southbound through lane on Silverado Trail (State Route 121). Widening Silverado Trail at this location beyond a two-lane roadway would be in direct conflict with the City of Napa's General Plan and would require City approval following a General Plan amendment.</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p>TRAF-11: Operations at the signalized intersection of 1st Street/Soscol Avenue (Intersection 10) would degrade from an acceptable LOS B to an unacceptable LOS F during the PM peak traffic hour under Cumulative (Year 2030) conditions.</p>	S	<p>TRAF-11: The only possible solution for this cumulative impact would be to construct a third through lane on both the northbound and southbound approaches of Soscol Avenue, including widening of newly-constructed bridge structures to the north and south of the intersection. Widening Soscol Avenue beyond a four-lane roadway would be in direct conflict with the City of Napa's General Plan and widening of the new bridge structures is not considered reasonable or feasible. Therefore, this cumulative impact is considered <i>significant and unavoidable</i>.</p>	SU
<p>TRAF-12: Operations at the signalized intersection of Soscol Avenue/Silverado Trail (State Route 121) (Intersection 11) would degrade from an acceptable LOS C in the AM peak hour and LOS B in the PM peak hour to an unacceptable LOS E during both the AM and PM peak traffic hours under Cumulative (Year 2030) conditions.</p>	S	<p>TRAF-12: The intersection of Soscol/Silverado Trail shall be reconstructed to include an exclusive westbound left-turn lane while maintaining the shared left/right-turn lane. This would achieve an acceptable LOS C during both the AM and PM peak hours.</p> <p>This intersection is located within the City of Napa and includes a Caltrans controlled facility. If the identified mitigation were implemented under these conditions, the impact would be reduced to a less-than-significant level.</p>	LTS
<p>TRAF-13: The proposed Housing Element Update would conflict with adopted policies, plans or programs supporting alternative transportation because the remote locations of the housing sites and the lack of alternative transportation facilities in these remote locations would not promote the use of bicycle, pedestrian, or transit facilities.</p>	S	<p>TRAF-13: The County shall work with VINE to establish transit stops, within ¼-mile of each proposed housing site, either by rerouting existing transit routes or by establishing new routes, prior to occupancy of the units. Alternatively, park-and-ride areas shall be provided near the sites. In addition, adequate bicycle and pedestrian connections shall be provided to these transit stops and adjacent land uses. Class II bicycle lane striping or Class III shared roadway signage shall be added to roadways connecting housing sites to employment or retail centers.</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significance Before Mitigation	Significant Impact	Mitigation Measures	Significance With Mitigation
S	<p>TRAF-14: The proposed Housing Element would contribute significant levels of vehicular traffic to roadway segments identified in the General Plan EIR as operating at an unacceptable level of service with cumulative traffic in Year 2030. In addition, development on the Napa Pipe site may significantly increase delays and/or contribute to significant cumulative delays at intersections not selected for analysis in this EIR.</p>	<p>TRAF-14: The County shall require site-specific evaluation and project-specific analysis of the Napa Pipe project prior to approval of a development agreement. The analysis shall extend beyond the intersections included in this program-level EIR to include all road segments and intersections that may be significantly impacted, and the developer shall be required to mitigate impacts as feasible. Potential impacts and mitigation measures are expected to resemble those outlined in the draft transportation study for the project cited in this EIR, although the feasibility of mitigation has not been determined yet, and this impact is therefore considered significant and unavoidable.</p>	SU
<p>Biological Resources</p>			
S	<p>BIO-1: Angwin Sites A and B, Moskowite Corner Sites A, B, C and D, and Spanish Flat Sites B, D, E and F may contain special-status plant species which, if extant, may be negatively affected by housing development.</p>	<p>BIO-1: Prior to issuance of a building permit for development on Angwin Sites A and B, Moskowite Corner Sites A, B, C and D, and Spanish Flat Sites B, D, E and F, the County shall ensure that the property owner or developer retains a qualified biologist to undertake confirmation surveys for special-status plant species. Detailed surveys shall be conducted during the flowering period by a qualified botanist to confirm absence of any special-status plant species from the vicinity of proposed improvements. The surveys shall be conducted consistent with the latest surveys guidelines of the CDFG, and include sufficient field surveys to allow for a determination on presence or absence. If populations of any special-status plant species are encountered on any site, housing development on the site shall be designed to avoid the identified populations in compliance with State and federal law.</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significance Before Mitigation	Significant Impact	Mitigation Measures	Significance With Mitigation
S	<p>BIO-2: Angwin Site A, Moskowitz Corner Sites A, B and C, Spanish Flat Sites C, D and F and Napa Pipe Sites A and B may contain aquatic special-status animal species that could be affected by housing development.</p>	<p>BIO-2: Prior to issuance of a building permit for development on Angwin Site A, Moskowitz Corner Sites A, B and C, Spanish Flat Sites C, D and F, and Napa Pipe Sites A and B, the County shall ensure that the property owner or developer retains a qualified biologist to undertake confirmation surveys for aquatic special-status animal species shall be conducted on the sites listed above. Detailed surveys shall be conducted by a qualified biologist to confirm absence of any aquatic special-status animal species from the vicinity of proposed improvements. This may include conduct of protocol surveys for California red-legged frog if development is proposed within 300 feet of potential breeding or dispersal habitat is present, which is possible on Angwin Site A, Moskowitz Corner Sites A, B and C, and Spanish Flat Sites C and D. If populations of any aquatic special-status animal species are encountered on any site, housing development on the site shall be designed to avoid the identified populations and habitat in compliance with State and federal law.</p>	LTS
S	<p>BIO-3: Angwin Sites A and B, Moskowitz Corner Sites A, B, C and D, Spanish Flat Sites B, D, E and F and Napa Pipe Sites A and B may contain nesting habitat for special-status bird species that could be affected by housing development.</p>	<p>BIO-3: Prior to issuance of a building permit for development on Angwin Sites A and B, Moskowitz Corner Sites A, B, C and D, Spanish Flat Sites B, D, E and F, and Napa Pipe Sites A and B, the County shall ensure that the property owner or developer retains a qualified biologist to undertake pre-construction nesting surveys for special-status bird species shall be conducted on the sites listed above. The pre-construction nesting surveys shall be conducted for loggerhead shrike, burrowing owl, and tree nesting raptors at sites with a potential for nesting activity if earthmoving and construction is to be initiated during the months of April through August. The surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of grading. If any special status raptor nests are found during pre-construction surveys, a 500-foot no-disturbance buffer will be created around the nest during the breeding season or until all young have fledged. If nests of other special status birds are found during pre-construction surveys, a 250-foot buffer zone will be created consistent</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-4 <i>continued</i>	<p>On Angwin Sites A and B, Moskowitz Corner Sites A, B, C and D, Spanish Flat Sites B, C, D, E and F, and Napa Pipe Sites A and B, proposed development could affect sensitive habitats or natural communities unless they are adequately protected.</p>	LTS
S	<p>Prior to issuance of a building permit for development on Angwin Sites A and B, Moskowitz Corner Sites A, B, C and D, Spanish Flat Sites B, C, D, E and F, and Napa Pipe Sites A and B, the County shall ensure that the property owner or developer retains a qualified biologist to accurately map locations supporting sensitive habitats and natural communities and that development plans for individual sites, and construction on these sites, avoids these locations. If sensitive habitats and natural communities include wetlands, off-site restoration with approval from the US Army Corps of Engineers may occur in place of avoiding development on wetlands.</p>	LTS
S	<p>Proposed development on Angwin Sites A and B, Moskowitz Corner Sites A, B, C and D, Spanish Flat Sites B, C, D, E and F, and Napa Pipe Sites A and B could result in the obstruction of wildlife movement corridors. If native resident or migratory wildlife corridors are found to be used on the site, measures to minimize restricted wildlife movement shall be developed in consultation with a qualified biologist, such as development and fencing restrictions, road design and use of critter culverts. In addition, measures shall be tailored to the needs of the species that are found to use the corridor.</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p>BIO-6: Proposed development on Angwin Sites A and B, Moskowite Corner Sites A, B, C and D, Spanish Flat Sites B, C, D, E and F, and Napa Pipe Sites A and B could conflict with a number of policies in the Conservation Element intended to protect biological resources, including policies to protect native vegetation, sensitive wildlife habitat and mature oaks.</p>	S	<p>BIO-6: This impact will be mitigated to a less-than-significant level by the implementation of Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4 and BIO-5, above. No new mitigation measure is required.</p>	LTS
<p>Fisheries</p>			
<p>FIS-1: Future development on Angwin Site A; Moskowite Corner Sites A, B and C; and Spanish Flat Site F could adversely affect riparian habitat.</p>	S	<p>FIS-1: Compliance with the County's conservation regulations and Mitigation Measure BIO-4 would ensure that during preparation of development plans for individual sites, locations supporting riparian vegetation are accurately mapped, and that development avoids these areas.</p>	LTS
<p>Noise</p>			
<p>NOISE-1: At Angwin Sites A and B, Moskowite Corner Sites A, B and C, and Napa Pipe Sites A and B, the Housing Element Update would allow residential units to be constructed where noise levels would exceed the Napa County Noise and Land Use Compatibility Standards or the Napa County Noise Ordinance limits.</p>	S	<p>NOISE-1: Sound-rated building construction shall be used to achieve acceptable indoor noise levels in units proposed in Angwin Sites A and B, Moskowite Corner Sites A, B and C, and Napa Pipe Sites A and B. The specification of these treatments shall be developed during the architectural design of the buildings. In general, rooms along the perimeter of the site shall require sound rated windows. All residential units in the project shall require mechanical ventilation to allow for air circulation while windows are closed for noise control.</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p>NOISE-2: Housing development on Napa Pipe Sites A and B would be constructed in the vicinity of a railroad and a quarry, potentially exposing sensitive uses to groundborne vibration.</p>	S	<p>NOISE-2a: Consistent with General Plan Policy CC-40, residences proposed within 100 feet of any significant source of groundborne vibration, a vibration study shall be conducted prior to construction by a qualified consultant to ensure that residents would not be exposed to excessive vibration levels that be disruptive (e.g. potential to interrupt sleep) or cause structural damage. The results of the study shall include performance standards to fully mitigate vibration impacts, which may take the form of building setbacks, site design, soil compaction/grouting, and other appropriate methods.</p> <p>NOISE-2b: Residences proposed within proximity of the Syar Quarry or haul roads leading to the Syar Quarry shall be buffered and constructed to avoid significant disturbance related to groundborne vibration (e.g. potential to interrupt sleep or cause structural damage). A vibration study shall be conducted by a qualified consultant prior to construction to determine the extent of the buffer and other required measures related to building/foundation design. Prior to issuance of a building permit, the property owner shall demonstrate how study recommendations will be implemented to fully mitigate vibration impacts.</p>	LTS
<p>NOISE-3: At Angwin Site B, the Housing Element Update would allow residential units to be constructed where aircraft noise levels would exceed the Napa County Noise and Land Use Compatibility Standards or interior intermittent noise level limits.</p>	S	<p>NOISE-3: An aviation easement shall be recorded for all new residential development, informing future residents of the presence of the airport and its potential for creating current and future noise.</p>	LTS
<p>NOISE-4: The proposed Housing Element Update would contribute to a cumulatively considerable increase in traffic noise along roadways in the county.</p>	SU	<p>There are no feasible measures to mitigate this cumulative impact to a less-than-significant level. Therefore, this cumulative impact is <i>significant and unavoidable</i>.</p>	

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Air Quality			
AIR-1: The proposed Housing Element Update would conflict with regional clean air planning efforts, since population and vehicle miles traveled would increase at a greater rate than projections used for air quality planning. The projected growth could lead to an increase in the region's VMT, contributing to the on-going air quality issues in the Bay Area. In addition, the proposed Housing Element Update would contribute to a cumulatively significant impact related to conflicts with regional clean air planning efforts because population and vehicle miles traveled will be greater than projections used for air quality planning under the General Plan.	SU	There are no feasible measures that could mitigate this cumulative impact to a less-than-significant level. Therefore, the cumulative impact remains <i>significant and unavoidable</i> .	
AIR-2: Implementation of the proposed Housing Element Update would contribute to an increase in GHG emissions from vehicle transportation and building energy use, contributing to increases in atmospheric GHG concentrations that lead to global warming. The proposed project would also contribute to a cumulatively significant impact under the General Plan related to GHG emissions.	SU	Although the County is undertaking measures to address GHG emissions consistent with policies and action items in the 2008 General Plan, there are no identified feasible measures that could mitigate this cumulative impact to a less-than-significant level. Therefore, the cumulative impact remains <i>significant and unavoidable</i> .	
Human Health and Risk of Upset			
HUM-1: Spanish Flat Sites B and F are listed with the County as contaminated with hazardous materials. Construction of housing on these sites could constitute a significant impact.	S	HUM-1: Prior to development approval, construction at these sites shall be subject to Phase I and Phase II studies. Any contamination shall be cleaned up and disposed of as per local, State and federal law.	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p>HUM-2: The Napa Pipe sites are currently listed by the California Department of Toxic Substances Control as a leaking underground fuel tank site as well as a spill, leak, investigation or cleanup site. A soil and groundwater investigation has been conducted and a remediation action plan (RAP) was developed under the supervision of the San Francisco Bay Regional Water Quality Control Board. Until implementation of the RAP has been completed, the project would result in a significant impact creating a hazard to the public or environment.</p>	S	<p>HUM-2: Prior to construction, the property owner and/or developer shall implement the approved Remedial Action Plan consistent with the Remedial Design and Implementation Plan, and obtain clearance from the Regional Water Quality Control Board. These measures would ensure that construction activities and site reuse are carried out in a manner that addresses environmental and human health risks associated with contaminated soil and groundwater.</p>	LTS
<p>HUM-3: Future housing development under the programs and policies of the proposed Housing Element and on the Angwin, Moskowite Corner and Spanish Flat sites has the potential to expose people or structure to risks involving wildland fires.</p>	S	<p>HUM-3: Prior to issuance of a building permit for development on the Angwin, Moskowite Corner and Spanish Flat sites, the County shall ensure that the following conditions will be met to address potential risks involving wildland fires:</p> <ul style="list-style-type: none"> a. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 15 feet. These roadway widths allow for traffic to travel in both directions on the roadway but do not allow for parking. If parking is allowed on only one side of the roadway, the width shall be 30 feet, and parking on both sides of the roadway requires the roadway to be 40 feet wide. b. Fire department access roads shall be provided to within 150 feet of all portions of all structures. c. Two means of access/egress shall be provided for any development that serves 25 or more sites. 	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Significance With Mitigation
HUM-3	<i>continued</i>	
d.	Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.	
e.	Fire department access roads shall comply with the Napa County Road and Street Standards for road surface, turning radius, grade and marking.	
f.	Proposed developments located in a Very High Fire Hazard Severity Zone shall use Class-A rated roofing materials on all structures.	
g.	A comprehensive Vegetation Management Plan (VMP) shall be developed and submitted to the Napa County Fire Marshal's Office and the California Department of Forestry for approval for developed lands. This VMP shall include fuel modification, treatment zones, methods of treatment, maintenance and responsibility. Prior to the start of fire season every year, the owner of the development would be required to verify to the Fire Department compliance with the approved VMP.	
h.	Development approvals for residential development projects, serving 11 to 350 parcels or sites, shall provide 1,000 gallons per minute for a two-hour flow duration totaling 120,000 gallons of water storage to be available only for fire fighting operations. The Fire Department is willing to accept automatic fire sprinkler systems installed and maintained to the National Fire Protection Association (NFPA) Standard 13-D (Sprinkler Systems in One- and Two-Family Dwellings) throughout all of the residences as an alternate methods or material request.	

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HUM-3 <i>continued</i>		<ul style="list-style-type: none"> i. The private fire service mains shall be installed and maintained in accordance to the National Fire Protection Standard #24 (Installation of Private Fire Service Mains and Their Appurtenances 2007 edition). Fire service mains shall be a minimum of 6 inches in diameter, listed for fire protection use, and in compliance with American Water Works Association standards. j. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the California Fire Code, 2007 edition. All hydrants shall have two- 2½-inch National Hose male connections and one- 4½-inch National Hose male connection. Hydrants shall be spaced 500 feet apart with a maximum travel distance of 250 feet to any hydrant. k. The approved address numbers shall be placed on each building in such a position as to be plainly visible and legible from the street fronting the property. The address numbers shall be a minimum of 3 inches in size, visible from both directions on the road fronting the property, reflective and contrasting in color with the background. l. The development approval shall have a written evacuation plan approved by the Napa County Fire Marshal's Office and shall post the fire safety rules and regulations with the evacuation plan. m. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at no charge to the County (California Fire Code section 103.1.1) for the independent peer review of alternate methods proposals. n. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and/or as described above. 	

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Geology, Soils and Mineral Resources	<p>GEO-1: Housing developed on any of the proposed housing sites could result in the exposure of people, structures and/or property to seismic ground shaking or other geologic risks.</p>	<p>GEO-1: Consistent with Napa County General Plan Policy SAF-8, prior to development of all housing sites, a design-level geotechnical report shall be prepared by a qualified geotechnical engineer and engineering geologist. The report shall include a detailed geologic map showing all landslides, fill areas, erosion areas, faults and other pertinent geologic and seismic features. The report shall include recommendations for fill placement, cut and fill slope inclinations, slope stabilization, old fill mitigation, liquefaction mitigation, earthquake design criteria, treatment of expansive soils and surface and subsurface drainage. In addition, the report shall provide design criteria for facilities such as retaining walls, pavements, and foundations. The report shall be based on adequate subsurface investigation. At a minimum, subsurface investigations shall be conducted in all areas where cut or fill slopes greater than ten feet in vertical height are planned.</p> <p>Potentially unstable slopes shall be mitigated such that the risk of in-stability during the life of the project is very low. Slope instability can be effectively mitigated through the use of relatively flat slopes, retaining walls, or reconstructing slopes with compacted fill. Specific measures shall be included in the design-level geotechnical report.</p> <p>It may be desirable to divide the geotechnical investigations into planning-level and design-level phases. At a minimum, the planning-level phase shall be completed prior to approval of the Tentative Map. The design-level report shall be completed prior to approval of the final grading plan.</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
GEO-1 <i>continued</i>		<p>Cut and fill slopes shall be constructed in accordance with modern geotechnical standards, including the County grading ordinance and the International Building Code. The applicable standards shall be those in effect at the time the grading plan accepted by the County.</p> <p>A geotechnical engineer shall sign improvement plans and approve them as conforming to their recommendations prior to parcel/final map approval. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the County, prior to acceptance of the work that the work performed is adequate and complies with its recommendations. Additional soils information may be required by the Chief Building Inspector during the plan check of individual building plans in accordance with the International Building Code and California Building Code.</p>	
GEO-2: The Housing Element would increase the county's population and the number of structures with a potential for seismic-related risk. Thus the proposed Housing Element would have a cumulatively considerable impact related to seismic-related ground shaking and ground failure.	SU	There are no feasible measures that could mitigate this cumulative impact to a less-than-significant level. Therefore, the cumulative impact remains <i>significant and unavoidable</i> .	
Hydrology and Water Quality			
HYDRO-1: Within the Milliken-Sarco-Tulucay (MST) groundwater deficient area, new second units, new units accessory to commercial uses, and new units permitted as a result of re-designation of 60 parcels in the Monticello Road area from RR to UR could exacerbate groundwater problems.	LTS	HYDRO-1: To avoid exacerbating existing groundwater deficiencies, property owners seeking approval for new second units, accessory units or subdivisions within the MST as a result of Housing Element policies and programs shall be required to demonstrate the availability of municipal water supplies, or to demonstrate that potential groundwater use will be fully off-set by reductions in the use of groundwater elsewhere on the affected parcel(s).	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p>HYDRO-2: New development on the Angwin sites that relies on the PUC groundwater system conflicts with General Plan Policy AG/LU-61, which prevents a net increase of groundwater use within the Conn-Creek-Upper Reach Local Drainage. In addition, there is insufficient data available to determine whether there is adequate groundwater supply.</p>	S	<p>HYDRO-2: To comply with General Plan Policy AG/LU-61, the County shall require use of groundwater on the Angwin sites to be fully offset elsewhere in the Conn-Creek-Upper Reach Local Drainage by implementing water conservation strategies – such as using low-flow toilets, fixing leaky pipes and using reclaimed water for irrigation purposes – or other strategies to decrease the use of groundwater associated with existing activities in the watershed. Alternatively, the developer may demonstrate that the project would have no impact on the long term sustainability of groundwater supplies by providing monitoring data and technical analyses or by providing evidence of an alternative water source prior to issuance of a building permit.</p>	LTS
<p>HYDRO-3: Although new development on the Moskowitz Corner sites would rely on surface water from the Moskowitz Reservoir, it is not certain whether the availability and reliability of the surface water supply from the Moskowitz Reservoir will be sufficient to support the proposed housing development. Therefore, groundwater may be needed for this development, and there is insufficient data available to determine whether there is adequate groundwater supply to serve development on the Moskowitz Corner sites.</p>	S	<p>HYDRO-3: Prior to approving a building permit for development on the Moskowitz Corner sites, the property owner and/or developer shall be required to demonstrate adequate capacity from surface water sources. If there is not adequate long-term supply from surface water sources, groundwater shall be explored as an alternative or emergency source of potable water, as well as the potential to offset groundwater use by using reclaimed water for irrigation purposes in the watershed.</p>	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Cultural and Paleontological Resources			
CUL-1: Buried archaeological or paleontological resources could be present on any of the potential housing sites or lands to be developed under the proposed programs, and accidental discovery could occur during work on the sites. Disturbance of unknown archaeological or paleontological resources would be a significant impact.	S	CUL-1: Discretionary development projects proceeding under Development under all of the programs and policies of the Housing Element and development on all of the housing sites shall comply with Action Item CC-23.2 in the Community Character Element of the Napa County General Plan. Action Item CC-23.2 requires that the Planning Department be notified if any prehistoric, archaeological or paleontological artifact is uncovered during construction. In such an event, construction must cease and an archaeologist must be consulted to evaluate the findings and recommend actions to be taken.	LTS
CUL-2: Angwin Sites A and B contain prehistoric archaeological resources that have been tentatively classified as lithic scatter. Direct impacts to the resources could result from development activities including grading, excavation, and trenching. Indirect impacts could occur from collection of artifacts by development/construction personnel and increased pedestrian traffic.	S	CUL-2: Prior to issuance of a building permit, Angwin Sites A and B shall undergo further archaeological investigations to determine whether the cultural resources on these sites qualify as sparse lithic scatters (as defined by the State Historic Preservation Officer), or whether the resources are more significant archaeological sites. If the sites are found to consist solely of sparse lithic scatters, then they shall be treated as such following SHPO treatment plans and development may occur after proper treatment has been completed. If the sites are found to be more significant archaeological sites, then no development shall occur within the limits of the sites and the limits of the sites shall be fenced and excluded from development and construction activities.	LTS
CUL-3: Moskowite Corner Sites C and D contain prehistoric archaeological sites. Direct impacts could result from development activities including grading, excavation, and trenching. Indirect impacts could occur from collection of artifacts by development/construction personnel and increased pedestrian traffic.	S	CUL-3: No development shall occur within the limits of the known archaeological sites on Moskowite Corner Sites C and D. The limits of the archaeological site shall be fenced and excluded from development and construction activities. Construction, parking, equipment and materials storage, and all other development activities shall be restricted from the archaeological site. Development and construction personnel shall be restricted from the archaeological site.	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
CUL-4: Moskowitz Corner Sites C and D contain buildings that could be significant cultural resources. Altering or demolishing these buildings would be a significant impact.	S	CUL-4: The existing buildings on Moskowitz Corner Sites C and D shall be left intact, unless a survey of these buildings conducted following protocol established by the State Office of Historic Preservation determines that they are not eligible for inclusion on the California Register of Historical Resources.	LTS
CUL-5: The construction of housing on the Napa Pipe sites would result in the demolition of the Basalt Shipyard, a significant historic architectural resource, which would contribute to a cumulatively significant impact from the General Plan. With Mitigation Measure CUL-5, this impact would be reduced, but not avoided, and would remain <i>significant and unavoidable</i> .	SU	CUL-5: The Basalt Shipyard shall be evaluated for potential inclusion on the California Register, and if found eligible shall be photo-documented to the Historic American Buildings Survey (HABS) standards. Removal of this significant architectural resource would remain <i>significant and unavoidable</i> .	SU
CUL-6: Buried human remains could be present on any of the potential housing sites or lands to be developed under the proposed programs, and accidental discovery could occur during work on the sites. Disturbance of unknown human remains would be a significant impact.	S	CUL-6: Discretionary development projects proceeding under Development <u>Discretionary development projects proceeding under Development</u> under all of the programs and policies of the Housing Element and development <u>ment</u> on all of the housing sites shall comply with Action Item CC-23.2 in the Community Character Element of the Napa County General Plan. Action Item CC-23.2 requires that construction must cease if human remains are found, and the County Coroner must be notified to determine if the remains are Native American, in which case CEQA procedures outlined in Section 15064.5 (d) and (e) shall must be followed.	LTS
Public Services and Utilities			
PUB-1: Development of the Napa Pipe sites would likely necessitate a new fire station to respond to service calls generated at the site. Construction and operation of new fire protection facilities would likely result in environmental impacts.	S	PUB-1: The County shall require the Napa Pipe <u>Napa Pipe</u> developer of the <u>Napa Pipe</u> site to provide a new fire station on the site. New fire protection facilities must be sited appropriately to minimize potential environmental impacts associated with the construction and operation of the facility. In addition, fire protection facilities adequate to serve residents on the Napa Pipe sites must be in place prior to occupancy of proposed housing.	LTS

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
PUB-2: Development of the Angwin sites could necessitate a new sheriff station to respond to service calls generated at the site. Construction of new law enforcement facilities would potentially result in environmental impacts.	S	PUB-2: The County shall require that any new law enforcement facility in the Angwin area must be sited appropriately to minimize potential environmental impacts associated with the construction and operation of the facility.	LTS
PUB-3: The proposed Housing Element Update would contribute to a significant cumulative impact associated with the need for a new sheriff substation to serve the full buildout of the Napa Pipe site.	S	PUB-3: The County shall require that a new substation at Napa Pipe be sited to minimize potential environmental impacts, possibly in conjunction with a new fire station. In addition, development of a new sheriff sub-station at Napa Pipe will be required to comply with Napa County General Plan Policy SAF-34, which requires consultation with the Sheriff's Department and the City of Napa Police Department.	LTS
PUB-4: PUC and SFWD have inadequate wastewater capacity to serve new units at Angwin and Spanish Flat proposed by the Housing Element Update.	S	PUB-4: No housing shall be built on the Angwin, Moskowite Corner or Spanish Flat sites until adequate wastewater services are available.	LTS
Visual Resources, Light and Glare			
VIS-1: Moskowite Corner Sites A and B are part of scenic vistas and visible from County-designated scenic routes. Due to the flat topography, new development could not be screened without blocking the scenic vista or viewshed of Highway 128. No feasible mitigation measure was identified to reduce this impact. Therefore, the impact of developing on Moskowite Corner Sites A and B is <i>significant and unavoidable</i> .	SU	There are no feasible measures to mitigate this impact to a less-than-significant level. Therefore, this impact is <i>significant and unavoidable</i> .	

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p>VIS-2: Housing development on the Napa Pipe site will constitute a significant change in visual character and could impact view corridors to the Napa River from public rights-of-way such as State Route 29.</p>	S	<p>VIS-2: Prior to approval of a development agreement for the Napa Pipe site, require the creation of design guidelines and ensure their use to preserve view corridors to and from the Napa River.</p>	LTS

3 REVISIONS FOR THE DRAFT EIR

This chapter presents specific changes to the text, tables or figures of the Draft EIR that are being made in response to comments made by the public and/or reviewing agencies. In each case, the revised page and location on the page is set forth, followed by the textual, tabular or graphical revision. None of the changes constitute significant changes to the Draft EIR, so the Draft EIR does not need to be recirculated.

All changes to Chapter 2 of the Draft EIR, including changes to the Summary of Impacts and Mitigation Measures for the Housing Element, are included in Chapter 2 of this Final EIR.

The second paragraph on page 3-4 of the Draft EIR is hereby amended as follows:

Five incorporated municipalities are located in Napa County: the Cities of Napa, Calistoga, American Canyon, and St. Helena, and the Town of Yountville. Most of the land area in Napa County remains unincorporated. Highway 37 is the primary and preferred corridor connecting Interstate 80 and Highway 101, 42 is the primary east west transportation corridor, while Highway 29 provides north-south access through the county.

Figure 3-1 on page 3-5 of the Draft EIR is hereby replaced with the figure on the following page.

The first bulleted paragraph on page 3-8, continuing onto page 3-13, of the Draft EIR is hereby revised as follows:

- ◆ **Site A:** Site A (APN 024-410-007) is a flat, ~~47-acre~~ 18.5-acre parcel located at 10 Brookside Road in Angwin. The site is designated in the General Plan as Urban Residential and is zoned for Planned Development with the Affordable Housing Combination District (:AHCD) overlay. Five acres of the site are already developed with the Brookside Park Apartments student housing, owned and operated by Pacific Union College (PUC). The Angwin Volunteer Fire Station occupies an additional acre. A potential wetland occupies the southern portion of the property,

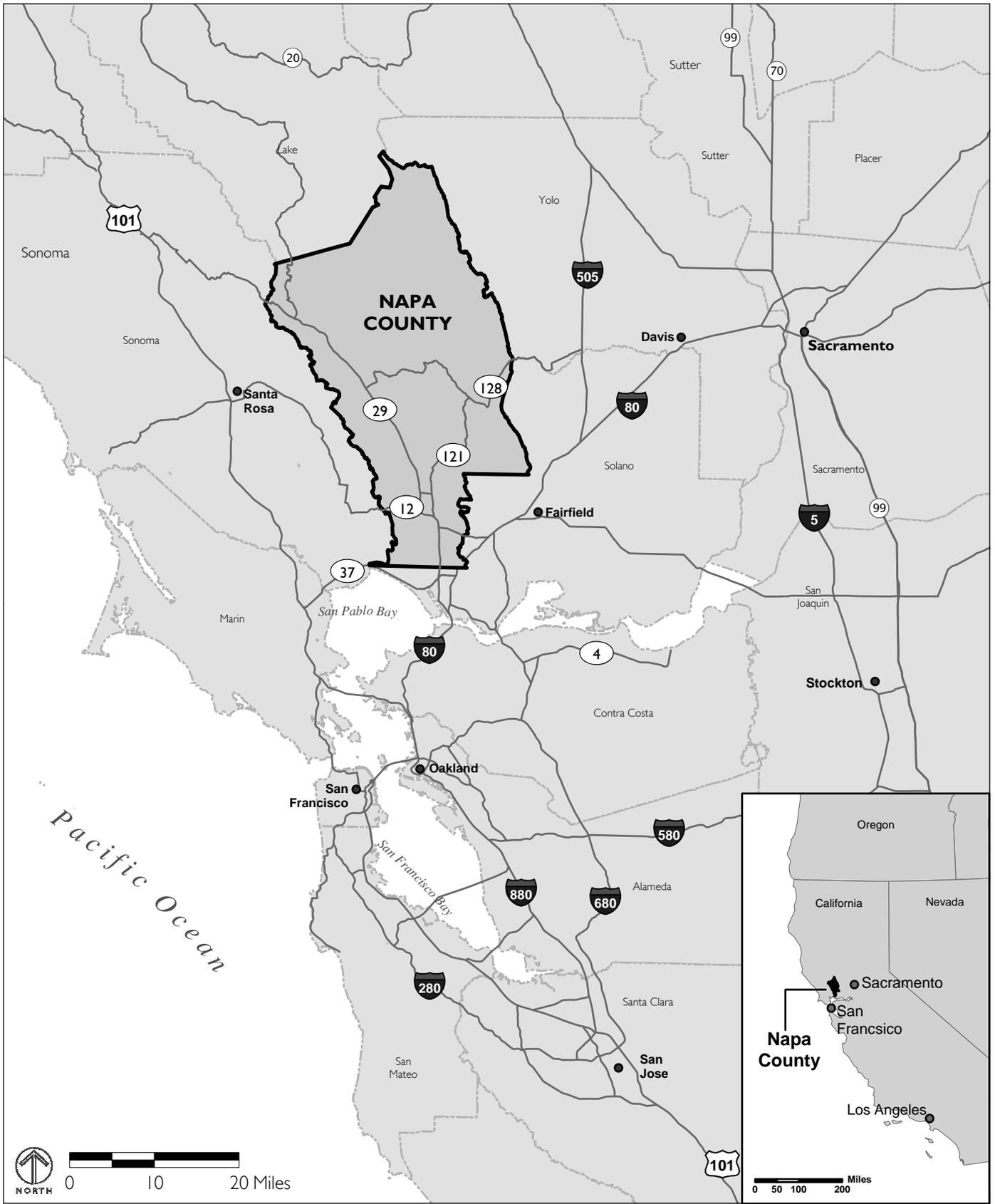


FIGURE 3-1

REGIONAL LOCATION

and there is active agriculture on the portion of the parcel between the fire station and the existing housing. Adjacent uses include a gas station, a shopping center and PUC. A bicycle path runs along the eastern boundary of the parcel parallel to College Road. Site A is estimated to have 11 developable acres, which could be developed with 114 dwelling units (a density of 10 units to the acre) without any further discretionary approvals from the County. The :AHCD zoning requires that Angwin Site A units meet the following affordability levels: 10 percent Very Low, 30 percent Low and 25 to 30 percent Moderate. No zoning changes are necessary or proposed for this housing site, and development could proceed “by right” if proposed at the required level of affordability.

The first paragraph of Mitigation Measure TRAF-4 on page 4.4-66 has been revised as follows:

The intersection of Imola/Soscol (State Route 121 and 121/221) shall be reconstructed to provide an additional left-turn lane on the eastbound approach, an exclusive right-turn lane on the westbound approach, and an additional through lane on Soscol Avenue in both directions. ~~Protected phasing shall be provided for the eastbound and westbound left-turn movements.~~ Right-of-way acquisition may be required as part of this widening due to existing development.

A new footnote is hereby added to the first sentence in the last paragraph on page 4.11-25 of the Draft EIR as follows:

The high-density multi-family units in the Napa Pipe project are assumed to include 2.2 persons per household⁶ and to generate a water demand of 75 gallons per person per day.^{6z}

⁶ The 2.2 persons per household figure represents the County’s expectation for the realistic household size of future high-density housing units constructed on the Napa Pipe site. Strategic Economics derived a figure of 2.01 persons per household for high density housing on this site based on the 2006 American Community Survey data, and County staff subsequently increased this figure by 10 percent in order to provide a more robust analysis, resulting in the 2.2 persons per household figure. See Sean Trippi, Napa County, personal communication

with Ted Heyd, DC&E, September 27, 2007, and Sean Trippi, Napa County, personal communication with Nancy Eaton and Robert Hickey, Strategic Economics, October 4, 2007.

⁶²Nakano, Gerry, Project Manager; Elizabeth Drayer, Project Engineer; and Irene Suroso, Project Engineer, West Yost Associates. Technical Memorandum with Phil Brun, City of Napa; Hillary Gitelman, Napa County; and Keith Rogal, Napa Redevelopment Partners, LLC. January 18, 2008, page 5.

Footnote 8 on page 4.11-36 of the Draft EIR is hereby amended as follows:

~~⁸ Manley, Whitman F., and Amanda R. Berlin. Remy, Thomas, Moose and Manley, LLP, Attorneys at Law. Personal memorandum communication with Hillary Gitelman and Sean Trippi, Napa County, and Steve Noack, DC&E, April 4, 2008. Philip Williams and Associates (PWA) responses to February 2008 peer review conducted by Balance Hydrologics on PWA Flood Hazards Report.~~

The third paragraph on page 4.12-5 of the Draft EIR is hereby amended as follows:

The proposed programs and policies also do not designate any areas for housing development on sites known to contain paleontological resources or unique geological features and most would generally result in construction projects with small footprints (e.g., second units) so the likelihood of encountering unknown resources is somewhat limited. However, according to the collections database maintained by the Museum of Paleontology at the University of California, Berkeley, there are eight identified paleontological sites and 52 specimens in Napa County.¹ Therefore, it is possible that unknown paleontological resources or unique geological features may be uncovered during construction, particularly of larger projects, which would involve discretionary approvals by the County.

¹ County of Napa, *Napa County General Plan Draft Environmental Impact Report*, February 2007, page 4.12-17.

Mitigation Measure CUL-1 on page 4.12-10 of the Draft EIR is hereby amended as follows:

Mitigation Measure CUL-1: Discretionary development projects proceeding under Development ~~under all of the programs and policies of the Housing Element and development~~ on all of the housing sites shall comply with Action Item CC-23.2 in the Community Character Element of the Napa County General Plan. Action Item CC-23.2 requires that the Planning Department be notified if any prehistoric, archaeological or paleontological artifact is uncovered during construction. In such an event, construction must cease and an archaeologist must be consulted to evaluate the findings and recommend actions to be taken.

Mitigation Measure CUL-6 on page 4.12-12 of the Draft EIR is hereby amended as follows:

Mitigation Measure CUL-6: Discretionary development projects proceeding under Development ~~under all of the programs and policies of the Housing Element and development~~ on all of the housing sites shall comply with Action Item CC-23.2 in the Community Character Element of the Napa County General Plan. Action Item CC-23.2 requires that construction must cease if human remain are found, and the County Coroner must be notified to determine if the remains are Native American, in which case CEQA procedures outlined in Section 15064.5 (d) and (e) ~~shall~~ must be followed.

Mitigation Measure PUB-1 on page 4.13-9 of the Draft EIR is hereby amended as follows:

Mitigation Measure PUB-1: The County shall require the ~~Napa Pipe~~ developer of the Napa Pipe site to provide a new fire station on the site. New fire protection facilities must be sited appropriately to minimize potential environmental impacts associated with the construction and operation of the facility. In addition, fire protection facilities adequate to serve residents on the Napa Pipe sites must be in place prior to occupancy of proposed housing.

The third paragraph on page 4.13-37 is hereby amended as follows:

The NSD is currently able to accommodate the potential units at the Napa Pipe housing site in the proposed Housing Element Update. No new construction or expansion of existing wastewater treatment plants and associated facilities would be necessary. However, additional conveyance infrastructure may be needed to serve the development, which could result in short-term and temporary noise and air quality impacts. Other adverse impacts would be dependent on the characteristics of the location of the infrastructure, but could include water quality, erosion and biological resources. The construction of such facilities would be regulated by pertinent federal, State and local regulations, and would undergo environmental review under CEQA. For the purposes of this programmatic EIR, it is assumed that new wastewater facilities would comply with such regulations and required CEQA mitigations. Therefore, the impacts would be considered *less than significant*.

The last paragraph on page 4.13-48, continuing onto page 4.13-49, of the Draft EIR is hereby amended as follows:

Residences at the proposed Angwin sites would be served by the Howell Mountain Elementary School, a K-8 school, and St. Helena High School. Howell Mountain School is currently at capacity with 115 students; however, the school's capacity could be increased from 120 students to 140 students if existing rooms on campus were converted to classrooms.² Using the generation rate of the Howell Mountain School District, at 0.5 students per household, the 191 potential housing units at the Angwin sites would potentially generate 96 students for the K-8 grades at Howell Mountain School. The Howell Mountain School has capacity for new students, but the Elementary School could not accommodate more than 25 students. The Elementary School is anticipating developer fees from projected new development in the Angwin area and is planning to use those fees to fund the construction of additional facilities which would raise the school's maximum capacity to 220 students; ~~however, How-~~

² Superintendent Tom Stubbs, Howell Mountain Elementary School District, personal communication, September 25, 2008.

ever, these facilities would not be completed until 2015,³ the end of the planning timeframe for the proposed Housing Element Update. Therefore, the housing development on the Angwin sites could result in the need for new or expanded school facilities in the Howell Mountain School District.

The first sentence on page 4.13-53 is hereby revised as follows:

The Napa Pipe housing sites would be served by the NVUSD. The ~~805~~ 850 residential units proposed at Napa Pipe would generate approximately 564 new students.

The last paragraph on page 5-13, continuing onto page 5-14 of the Draft EIR, of the Draft EIR is hereby revised as follows:

Under the proposed project, a total of 1,398 housing units could be built in the unincorporated portion of the county. The proposed programs and policies account for 153 of these housing units; the remaining 1,245 housing units represent the realistic unit capacity of the four housing sites. Under the RHNA Transfer Alternative, 79 units would be built in the City of ~~Napa~~ American Canyon, 371 units would be built in the City of ~~American Canyon~~ Napa, and 548 units would be built in unincorporated areas of Napa County. The proposed programs and policies account for 153 of these unincorporated housing units; the remaining 395 unincorporated housing units represent the realistic unit capacity of the Angwin, Moskowitz Corner and Spanish Flat housing sites.

³ Superintendent Tom Stubbs, Howell Mountain Elementary School District, personal communication, September 25, 2008.

NAPA COUNTY
HOUSING ELEMENT UPDATE FINAL EIR
REVISIONS FOR THE DRAFT EIR

4 LIST OF COMMENTORS

A. Written Comments

Written comments were received from the following agencies, organizations and members of the public. Other than the comment letter from the State Clearinghouse, which is listed first in the State Agencies section, letters are arranged by category, and then by date.

Federal Agencies

1. Gregor Blackburn, CFM, Branch Chief, Floodplain Management and Insurance Branch. U.S. Department of Homeland Security, FEMA Region IX. January 28, 2009.

State Agencies

2. Terry Roberts, Director, State Clearinghouse. State of California, Governor's Office of Planning and Research. March 3, 2009.
3. Katy Sanchez, Program Analyst. State of California, Native American Heritage Commission. January 28, 2009.
4. Lisa Carboni, District Branch Chief, Local Development - Intergovernmental Review. State of California, Department of Transportation. March 2, 2009.

Local Agencies

5. Frank Lagorio, President, Board of Trustees. Napa River Reclamation District #2109. March 5, 2009.
6. Dana M. Smith, Assistant City Manager for Development Services. City of Napa. March 9, 2009.
7. Dana M. Smith, Assistant City Manager for Development Services. City of Napa. March 9, 2009.

Non-Governmental Organizations and Members of the Public

8. Owen and Mary Huddleston. Date Unknown.
9. Benjamin Benson. Napa, California. February 2009.
10. Steve Harrington. Napa, California. February 2009.

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LIST OF COMMENTORS

11. John and Sharon Langenbach. Napa, California. February 2009.
12. Eve Kahn. February 3, 2009.
13. Penelope Brault. February 11, 2009.
14. Walker family. Napa, California. February 11, 2009.
15. Steven Frost. Napa, California. February 15, 2009.
16. William and Marianne Wiley. Napa, California. February 15, 2009.
17. Penelope Brault. Napa, California. February 16, 2009.
18. Connie Campbell. February 16, 2009.
19. Kenneth and Gladys Coil. Napa, California. February 16, 2009.
20. Marlene and Joseph Gerosa. Napa, California. February 16, 2009.
21. Steven Hamilton. Napa, California. February 16, 2009.
22. Lorna Kerruish. Napa, California. February 16, 2009.
23. Fred Lyon. Napa, California. February 16, 2009.
24. Elizabeth Miller. Napa, California. February 16, 2009.
25. Dr. Robert Niklewicz and Mrs. Coralie Niklewicz. February 16, 2009.
26. Joan Osburn. Napa, California. February 16, 2009.
27. William Pate. Napa, California. February 16, 2009.
28. Colleen and Dennis Pedisich. Napa, California. February 16, 2009.
29. Arlene Reynolds. Napa, California. February 16, 2009.
30. Carol and Scott Ritter. Napa, California. February 16, 2009.
31. Penelope Rozis. Napa, California. February 16, 2009.
32. George Wentworth. Napa, California. February 16, 2009.
33. Diane McGowan. Napa, California. February 16, 2009.
34. Edwin McGowan. Napa, California. February 16, 2009.
35. Janet McGowan. Napa, California. February 16, 2009.
36. Alfred Colon. Napa, California. February 16, 2009.
37. Frisch & Frisch Attorneys at Law. 1114 Franklin Street, Napa, California. February 17, 2009.
38. John Pappas. February 17, 2009.
39. Eve Kahn. Napa, California. February 18, 2009.
40. Dave and Karen Shubin. Napa, California. February 18, 2009.
41. Earl and Elizabeth Tutt. February 20, 2009.
42. John and Diane Anderson. Napa, California. February 24, 2009.
43. John Pappas. February 24, 2009.

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44. Richard Rugen. February 25, 2009.
45. Name unknown. Napa, California. March 1, 2009.
46. Name unknown. Napa, California. March 1, 2009.
47. V.M. and Jennifer Accursco. Napa, California. March 1, 2009.
48. Edward and Betty Freitas. Napa, California. March 1, 2009.
49. Harriet Goodman. Napa, California. March 1, 2009.
50. Carla and John Pappas. Napa, California. March 1, 2009.
51. Robin and Lyle Pittman. Napa, California. March 1, 2009.
52. David and Sharon Bosson. Napa, California. March 2, 2009.
53. Chris Hunter and Julie Crawford. Napa, California. March 2, 2009.
54. Joan Osburn. March 2, 2009.
55. Erik Erickson. Napa, California. March 3, 2009.
56. Eve Kahn. Napa, California. March 3, 2009.
57. Kellie Anderson. Angwin, California. March 5, 2009.
58. Myrna Baldwin. Napa, California. March 5, 2009.
59. Penelope Brault. Napa, California. March 5, 2009.
60. Peter Nissen, President. Napa County Farm Bureau. March 6, 2009.
61. Thomas Carey, Dickenson, Peatman & Fogarty. Napa, California. March 9, 2009.
62. Whitman F. Manley, Remy, Thomas, Moose and Manely, LLP. Sacramento, California. March 13, 2009.
63. Petitions received in response to proposed redesignations in the Monticello Road Rural Residential area.

B. Public Hearing Comments

On Wednesday, February 18, 2009, a public hearing was held on the Draft Housing Element Update and Draft EIR during the official public review period.

Oral comments made during the public hearing are included as Comment #64 in Chapter 5.

**NAPA COUNTY
HOUSING ELEMENT UPDATE
ADMINISTRATIVE DRAFT FINAL EIR
LIST OF COMMENTORS**

5 COMMENTS AND RESPONSES

This chapter includes a reproduction of, and responses to, each letter received during the public review period. Each letter is reproduced in its entirety, and is immediately followed by responses to the comments in it. Letters follow the same order as listed in Chapter 4 of this Final EIR and are categorized by:

- ◆ Federal Agencies
- ◆ State Agencies
- ◆ Local Agencies
- ◆ Non-Governmental Organizations and Members of the Public

Within each category, letters are arranged in chronological order by the date sent. Each comment and response is labeled with a reference number in the margin.

In addition, the chapter includes responses to comments received at the public hearing on the Draft EIR, which was held on February 18, 2009.

Where the same comment has been made more than once, a response may direct the reader to another numbered comment and response. Where a response requires revisions to the Draft EIR, these revisions are explained and shown in Chapter 3 of this Final EIR document.

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



FEMA

January 28, 2009

Nancy Johnson
Department of Conservation
Development and Planning
1195 Third Street, Suite 210
Napa, California 94559

Dear Ms. Johnson:

This is in response to your request for comments on the Notice of Availability: Housing Element Update Draft Environmental Impact Report (DEIR) for Napa County, California.

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the County of Napa (Community Number 060205), Map revised September 26, 2008. Please note that the County of Napa, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any *development* must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

1-1

Nancy Johnson
Page 2
January 28, 2009

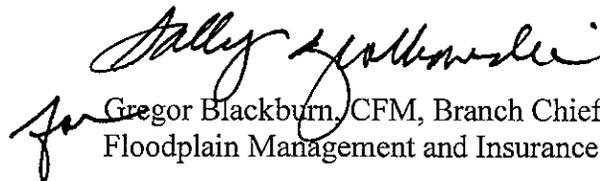
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Napa County floodplain manager can be reached by calling Robert J. Peterson, Director, Department of Public Works, at (707) 253-4351.

If you have any questions or concerns, please do not hesitate to call Michael Hornick of the Mitigation staff at (510) 627-7260.

Sincerely,


Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

Robert J. Peterson, Napa County, Director, Department of Public Works
Ray Lee, State of California, Department of Water Resources, Central District
Michael Hornick, Floodplanner, CFM, DHS/FEMA Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

1-1

LETTER 1: Gregor Blackburn, CFM, Branch Chief, Floodplain Management and Insurance Branch. U.S. Department of Homeland Security, FEMA Region IX. January 28, 2009.

1-1: This comment acknowledges that the U.S. Department of Homeland Security has reviewed the Draft EIR. The commentor references the current effective Flood Insurance Rate Maps for the County of Napa and National Flood Insurance Program regulations. The comment does not address the adequacy of the Draft EIR, so no further response is necessary.

Reviewers are encouraged to consult the amendments to the Safety Element of the General Plan which are proposed for adoption concurrent with the Housing Element Update. In conformance with AB 162 (2007), these amendments address flood hazards in the county.



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



ARNOLD SCHWARZENEGGER
 GOVERNOR

CYNTHIA BRYANT
 DIRECTOR

March 3, 2009

LETTER #2

Nancy Johnson
 Napa County
 1195 Third Street, Room 310
 Napa, CA 94559

Subject: Napa County Housing Element Update
 SCH#: 2008072011

Dear Nancy Johnson:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on March 2, 2009, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

2-1

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

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

Sincerely,

Terry Roberts
 Director, State Clearinghouse

Enclosures
 cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008072011
Project Title Napa County Housing Element Update
Lead Agency Napa County

Type EIR Draft EIR

Description The County is proposing to rescind and replace the Housing Element of its General Plan with an updated Housing Element prepared in conformance with State law. The updated element will contain policies and programs to encourage production of housing, and will also include quantitative objectives for the planning period which extends to 2014 and an inventory of housing sites including sites at Angwin, Moskowite Corner, Spanish Flat, and Napa Pipe. Concurrent with the updated Housing Element, the County proposes to adopt conforming amendments to other sections of the GP, as well as amendments to the Safety and Conservation Elements Update, State comments on the draft Housing Element Update, and a draft of other proposed GP amendments are available on the Country's website.

Lead Agency Contact

Name Nancy Johnson
Agency Napa County
Phone 707-299-1352 **Fax**
email generalplanhousing@co.napa.ca.us
Address 1195 Third Street, Room 310
City Napa **State** CA **Zip** 94559

Project Location

County Napa
City Napa
Region
Lat / Long
Cross Streets
Parcel No.
Township

<i>Range</i>	<i>Section</i>	<i>Base</i>
--------------	----------------	-------------

Proximity to:

- Highways**
- Airports**
- Railways**
- Waterways**
- Schools**
- Land Use**

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

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 3; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Integrated Waste Management Board; Regional Water Quality Control Board, Region 2; Native American Heritage Commission

**Document Details Report
State Clearinghouse Data Base**

Date Received 01/16/2009 *Start of Review* 01/16/2009 *End of Review* 03/02/2009

LETTER 2: Terry Roberts, Director, State Clearinghouse. State of California, Governor's Office of Planning and Research. March 3, 2009.

- 2-1: This comment acknowledges that the State Clearinghouse has received the Draft EIR and has circulated copies of the documents to selected State agencies for review. The letter further states that Napa County has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to CEQA. No further response is necessary.

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-4082
 (916) 657-5390 - Fax



January 28, 2009

Nancy Johnson
 Napa County
 1195 Third Street, Suite 310
 Napa, CA 94559

RE: SCH#2008072011 Napa County Housing Element Update EIR; Napa County.

Dear Ms. Johnson:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

3-1

Sincerely,

Katy Sanchez
 Program Analyst

CC: State Clearinghouse

Native American Contact
Napa County
January 28, 2009

The Federated Indians of Graton Rancheria
Gene Buvelot
6400 Redwood Drive, Ste 300 Coast Miwok
Rohnert Park , CA 94928 Southern Pomo
coastmiwok@aol.com
(415) 883-9215 Home

The Federated Indians of Graton Rancheria
Greg Sarris, Chairperson
6400 Redwood Drive, Ste 300 Coast Miwok
Rohnert Park , CA 94928 Southern Pomo
coastmiwok@aol.com
707-566-2288
707-566-2291 - fax

Wintun Environmental Protection Agency
P.O. Box 1839 Wintun (Patwin)
Williams , CA 95987
corwepa@hotmail.com
(530) 473-3318
(530) 473-3319
(530) 473-3320 - Fax

Suscol Intertribal Council
Charlie Toledo
PO Box 5386
Napa , CA 94581
suscol@i-cafe.net
707 256-3561
707 256-0815 Fax

Rumsey Indian Rancheria of Wintun
Marshall McKay, Chairperson
P.O. Box 18 Wintun (Patwin)
Brooks , CA 95606
(530) 796-3400
(530) 796-2143 Fax

Kathleen Smith
1778 Sunnyvale Avenue Pomo
Walnut Creek , CA 94596 Coast Miwok
(925) 938-6323

Ya-Ka-Ama
6215 Eastside Road Pomo
Forestville , CA 95436 Coast Miwok
(707) 887-1541 Wappo

Mishewal-Wappo Tribe of Alexander Valley
Earl Couey, Cultural Resources Manager
P.O. Box 5676 Wappo
Santa Rosa , CA 95402
ecouey.1@netzero.net
707-478-7895

3-1

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed CH# 2008072011 Napa County Housing Element Update EIR; Napa County.

Native American Contact

Napa County
January 28, 2009

Cortina Band of Indians Elaine Patterson, Chairperson PO Box 1630 Williams, CA 95987 (530) 473-3274 - Voice (530) 473-3190 - Voice (530) 473-3301 - Fax	Wintun / Patwin	The Federated Indians of Graton Rancheria Frank Ross 440 Apt. N Alameda del Prado Novato, CA 94949 miwokone@yahoo.com (415) 269-6075	Coast Miwok Southern Pomo
---	-----------------	---	------------------------------

Cortina Band of Indians Thelma Brafford, Tribal Administrator P.O. Box 1630 Williams, CA 95987 (530) 473-3274 (530) 437-3301 FAX	Wintun/Patwin	Rumsey Indian Rancheria of Wintun Leland Kinter, Native Cultural Renewal Committee P.O. Box 18 Brooks, CA 95606 (530) 979-6346 (530) 796-3400 - office (530) 796-2143 Fax	Wintun (Patwin)
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Kesner Flores PO Box 1047 Wheatland, CA 95692 calnagpra@hotmail.com 925-586-8919	Wintun / Patwin	Rumsey Indian Rancheria of Wintun Cynthia Clarke, Native Cultural Renewal Committee P.O. Box 18 Brooks, CA 95606 (530) 796-3400 - office (530) 796-2143 Fax	Wintun (Patwin)
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Cortina Band of Indians Karen Flores, Vice Chairperson PO Box 1630 Williams, CA 95987 (530) 473-3274 - Voice (530) 473-3190 - Voice (530) 473-3301 - Fax	Wintun / Patwin	Mishewal-Wappo Tribe of Alexander Valley Scott Gabaldon, Chairperson PO Box 1794 Middletown, CA 95461 sgdcinc@sbcglobal.net 707-494-9159	Wappo
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This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed CH# 2008072011 Napa County Housing Element Update EIR; Napa County.

LETTER 3: Katy Sanchez, Program Analyst. State of California, Native American Heritage Commission. January 28, 2009.

- 3-1: This comment acknowledges that the Native American Heritage Commission has received the Notice of Completion. The comment includes recommended actions regarding archaeological resources. The comment does not address the adequacy of the Draft EIR, so no further response is necessary.

Reviewers should consult Section 4.12 of the Draft EIR which addresses the likelihood that significant cultural resources will be encountered and includes mitigation measures that would reduce potential impacts to less than significant. Also, the County has contacted California Native American tribes regarding the proposed Housing Element Update as required by California Government Code Section 65352.3.

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 622-5491
FAX (510) 286-5559
TTY 711



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LETTER #4

March 2, 2009

NAPGEN080
SCH#2008072011

Ms. Nancy Johnson
Housing and Community Development Coordinator
Napa County Department of Community
and Intergovernmental Affairs
1195 Third Street, Suite 210
Napa, CA 94559

Dear Ms. Johnson:

NAPA COUNTY GENERAL PLAN HOUSING ELEMENT UPDATE – DRAFT ENVIRONMENTAL IMPACT REPORT

Thank you for including the California Department of Transportation (Department) in the environmental review process for the Napa County General Plan Housing Element Update (HEU). The following comments are based on the Draft Environmental Impact Report (DEIR). Our previous comments still apply and are incorporated here by reference.

4-1

Community Planning

The 2007-2014 Regional Housing Needs Allocation (RHNA) for unincorporated Napa County is 651 units, of which 181 units (28%) and 116 units (18%) are designated to be for very low and low income households, respectively. However, the HEU only proposes to provide up to 153 units and does not specify how these would be distributed by income category. Napa County (County) has a well-documented need to provide more workforce housing for those already employed in the County and make long commutes to more affordable housing outside the County. The Department recommends that the County modify its plan to meet its RHNA allocation, particularly for low and very low income households, in order to reduce commuting distances, resulting regional vehicle miles traveled (VMT), and identified impacts to the state highway system. The Department also recommends that the County coordinate workforce housing with transportation services, such as shuttles to employment locations, and bicycle facilities as a means of further reducing regional VMT and traffic impacts on the state highways.

4-2

4-3

4-4

Design, North and System Planning

1. DEIR, 4.4-46, page 4. Please address parking capacity and its impact for the proposed housing programs.

4-5

2. TRAF-Impact 11, Intersection #10, intersection of 1st Street/Soscol Avenue: DEIR states the impact is significant and unavoidable. Therefore, the neighboring intersections should be studied based on acceptance of this impact. Other alternatives should be studied to reduce impact. | 4-6
3. Alternative Transportation: None of the proposed housing developments are directly served by existing transit or bicycle/pedestrian facilities. Please describe whether transit routes will be augmented or revised to accommodate the increase in housing units. | 4-7
4. The DEIR is lacking a study of infill housing potential and how infill would help meet the housing demand. | 4-8
5. The Department would like to see the County aggressively study how to decrease the Automobile Trips Generated (ATG) in the urbanized areas and adjust the proposed housing element accordingly. | 4-9
6. The DEIR must indicate the responsible party for funding and implementation measures on state routes. | 4-10
7. The Department would prefer the proposed mitigation measures be in place before the start of the project. | 4-11

Highway and Traffic/Signal Operations

1. The transportation mitigation measures must address whether the left turn queue on state routes can accommodate the proposed housing project's additional volume. | 4-12
2. Intersection 8, Trancas Street/Monticello Rd (State Route (SR) 121), Page 4.4-65, Mitigation Measure TRAF-3: Based on existing traffic counts, queues are prominent in the PM in the northbound (NB) lane and eastbound (EB) turn movements and will continue to grow based on years 2015 and 2030 projections. Based on the Department's analysis of year 2015, the projected traffic volumes will generate long queues unless this intersection is signalized. | 4-13
3. Intersection 11, Soscol/Silverado Trail (SR 121), Page 4.4-70, Mitigation Measure TRAF-12: This mitigation will require sufficient length of the exclusive westbound (WB) left turn lane for this to be viable. Please verify that there is sufficient right of way (ROW) to use this mitigation. | 4-14
4. Intersection 12, Inola Avenue / Soscol Avenue (SR 121), Page 4.4-66: Please check current phasing. The EB and WB left- turns are already protected phasing. | 4-15

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be submitted to the address below. Traffic-related mitigation measures should | 4-16

Ms. Nancy Johnson
March 3, 2009
Page 3

be incorporated into the construction plans during the encroachment permit process. See the website link below for more information.

<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

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

4-16

Please feel free to call or email Sandra Finegan of my staff at (510) 622-1644 or sandra.finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,



LISA CARBONI
District Branch Chief
Local Development – Intergovernmental Review

c: Ms. Terry Roberts, State Clearinghouse

LETTER 4: Lisa Carboni, District Branch Chief, Local Development - Intergovernmental Review. State of California, Department of Transportation. March 2, 2009.

- 4-1: This comment acknowledges that the California Department of Transportation has reviewed the Draft EIR. This comment serves as an introduction to the following comments. It requires no response other than the responses to Comments 4-2 through 4-16, below.
- 4-2: The commenter's suggestion that the County's RHNA allocation is 651 units fails to acknowledge a transfer agreement with the City of Napa and a subsequent approval by ABAG adjusting the County's RHNA allocation from 651 to 569 units. The commenter's suggestion that the County's Draft Housing Element provides sites for 153 units is based on a mis-reading of Table 3-1 in the Draft EIR. As shown in this Table, the Draft Housing Element as originally proposed included sites for 1,245 units and programs for an additional 153 units. Please see the discussion in Chapter 1 of this Final EIR for a summary of the Revised Draft Housing Element, the total number of units proposed to be accommodated, and their distribution by income category.
- 4-3: The commenter recommends that the County modify its Draft Housing Element to meet its RHNA allocation. As noted in the response to Comment 4-2 above, the County's Draft Housing Element does in fact meet the County's RHNA requirement, as does the revised draft discussed in Chapter 1 of this Final EIR.
- 4-4: The commenter recommends that the County coordinate workforce housing with transportation services, such as shuttles to employment locations. Please refer to Mitigation Measure TRAF-13 in the Draft EIR, which proposes transportation investments supporting alternatives to the private (drive-alone) automobile.

4-5: The commentor requests that the Draft EIR address parking capacity and its impact for the proposed housing programs. The Housing Element EIR addresses the housing developments on a programmatic level. As described on page 4.4-46 of the Draft EIR, any housing developed under the Housing Element would be required to meet the parking standards in the Zoning Code, in conformance with Policy CIR-23 of the General Plan Circulation Element. No specific projects with site plans and parking supplies have been proposed, so a more detailed parking analysis cannot be completed at this time. Also, parking standards in the Affordable Housing Combination District apply to sites subject to this Combination Zoning District.

4-6: The comment suggests that neighboring intersections near the 1st Street/Soscol Avenue intersection be studied due to the finding of a significant and unavoidable impact to the intersection.

As stated on pages 4.4-49 through 4.4-54 of the Draft EIR, commensurate impacts would occur at other intersections, such as those that have already been studied and identified in the Napa Pipe Draft Transportation Impact Analysis and the American Canyon Citywide Circulation Study Administrative Draft Report. Also, Mitigation Measure TRAF-14 in the Draft EIR requires site-specific analysis of the Napa Pipe project prior to approval of a development agreement, stating that the analysis “shall extend beyond the intersections included in this program level EIR to include all road segments and intersections that may be significantly impacted...” Because the effectiveness and feasibility of mitigation included in the cited analysis of the Napa Pipe project has not been established, the impact has been deemed significant and unavoidable.

4-7: The commentor asks whether transit routes will be augmented to accommodate proposed housing developments. The Draft EIR finds a significant impact, Impact TRAF-13, regarding conflicts between the Housing Element Update and adopted policies, plans or pro-

grams supporting alternative transportation because the remote locations of the housing sites and the lack of alternative transportation facilities in these remote locations would not promote the use of bicycle, pedestrian, or transit facilities. As stated in Mitigation Measure TRAF-13 of the Draft EIR, the County shall work with VINE to establish transit stops, within ¼-mile of each proposed housing site, either by rerouting existing transit routes or by establishing new routes, prior to occupancy of the units. Alternatively, park-and-ride shall be provided near the sites. In addition, adequate bicycle and pedestrian connections shall be provided to these transit stops and adjacent land uses. Class II bicycle lane striping or Class III shared roadway signage shall be added to roadways connecting housing sites to employment or retail centers.

- 4-8: The comment states that the Draft EIR is lacking a study of infill housing potential and how infill would help meet housing demand. The Draft EIR is intended to present an evaluation of the potential environmental impacts of the proposed Draft Housing Element and is not intended to serve as a study of the feasibility of infill housing in Napa County. However, the Housing Element process included consideration of two sets of potential alternative infill sites. First, as described on pages 5-1 and 5-2 of the Draft EIR and pages 109 to 117 of the Draft Housing Needs Assessment, the County considered several alternative housing sites that are close to existing urban areas, specifically the Coombsville and Big Ranch Road Rural Residential areas, the Napa Airport industrial area, and the Calistoga Fairgrounds and other County-owned sites. Each was rejected from inclusion in the sites inventory due to a range of reasons: groundwater deficiency, conflicts with existing uses, and probability of redeveloping within the timeframe of the Housing Element. Secondly, the Draft EIR analyzed the RHNA Transfer Alternative, described on pages 5-13 through 5-25, which would transfer 450 units from the County to the City of Napa and/or American Canyon, where they would be constructed on residential and mixed-use sites throughout

the cities. The EIR did not analyze fiscal or political issues related to infill housing, since these are not topics covered by CEQA. However, the analysis of the RHNA Transfer Alternative concluded that it would have substantially equivalent impacts to agriculture, transportation, biological resources, fisheries, air quality, geology, hydrology, and public services and utilities. The EIR concluded that the RHNA Transfer Alternative would offer slight improvements over the impacts of the Draft Housing Element to land use, population, noise, human health and safety, cultural resources, and visual resources.

- 4-9: The commentor requests that the County “aggressively” study how to decrease the Automobile Trips Generated in urbanized areas and adjust the proposed Housing Element accordingly. This is a request for separate study and not a comment on the adequacy of the Draft EIR, so no response is required. Also, it should be noted that unincorporated Napa County contains few urbanized areas, and the County has no land use authority in incorporated jurisdictions where reducing auto trip generation might be most cost effective.
- 4-10: The comment states that the Draft EIR must indicate the responsible party for funding and implementation measures on State Routes. CEQA does not require that funding sources for mitigation measures be identified in the EIR. The Board of Supervisors will consider the feasibility of mitigation measures at the certification hearing for this EIR. If the Board finds that any mitigation measures are infeasible, they will eliminate the mitigation measure, conclude that the impact cannot be reduced to a less-than-significant level, and make a statement of overriding considerations. In general, improvements to the State highway system are cost prohibitive for affordable housing developers and local governments without a lot of ongoing development activity.

- 4-11: The commentor suggests that proposed mitigation measures be put in place before the start of the project. The Board of Supervisor's resolution adopting the Housing Element Update will include adoption of a mitigation monitoring and reporting program indicating when and how feasible measures will be adopted.
- 4-12: The comment states that transportation mitigation measures must address whether the left-turn queue on State Routes can accommodate the additional volume from proposed housing development. 95th percentile queue lengths were evaluated for each intersection located on a State Route and compared to existing storage capacity. As noted in the response to Comment 4-14, below, the Soscol Avenue/Silverado Trail intersection would require widening to include the necessary turn-pocket. Additionally, the Imola Avenue/Soscol Avenue intersection is expected to have queues that exceed the northbound and southbound left-turn pockets and the northbound right-turn pocket. However, as noted in the EIR, this intersection is forecasted to operate unacceptably, even with feasible mitigation, with and without traffic that would be generated by development allowed under the Housing Element. As described in Mitigation Measure TRAF-5 on pages 4.4-66 and 4.4-67 of the Draft EIR, advanced intersection treatment would be required to achieve acceptable operations, at which time queuing would be reassessed and considered in design. No other intersections are expected to exceed existing turn-pocket storage with implementation of identified feasible mitigations.
- 4-13: The commentor states that projected traffic volumes will generate long queues at the Trancas Street/Monticello Road intersection unless the intersection is signalized. Mitigation Measure TRAF-3 in the Draft EIR identifies that this intersection shall be signalized in order to provide acceptable operations of LOS D or better.

- 4-14: The commentor requests that it be verified whether sufficient right of way exists to implement Mitigation Measure TRAF-12, which requires that a westbound left-turn lane be included in the Soscol Avenue/Silverado Trail intersection. To accommodate the recommended storage pocket, widening of the roadway on either side must occur. This appears to be feasible on the existing shoulders, but right of way acquisition may be required.
- 4-15: The commentor requests that the current phasing of the Imola Avenue/Soscol Avenue intersection be verified. The eastbound and westbound left-turn movements at this intersection are already provided with protected phasing. Therefore, as shown in Chapter 3 of this Final EIR, Mitigation Measure TRAF-4 on page 4.4-66 of the Draft EIR has been revised to remove the sentence regarding protected phasing for these left turns.
- 4-16: This comment provides information regarding encroachment permits. The comment does not address the adequacy of the Draft EIR, so no further response is necessary.

Johnson, Nancy

From: Tyrrell, Patricia
Sent: Tuesday, February 24, 2009 2:55 PM
To: Johnson, Nancy; Gitelman, Hillary
Subject: RE: Housing Element update

The NRRD meets only monthly. At its February 5th meeting, the district manager handed the letter to Margaret Woodbury. She advised he contact Silva Darbinian. He did so. Silva advised that a memo be addressed to Hillary regarding certain language referencing NRRD's role. The next NRRD meeting is March 5th.

I will be recommending that the NRRD board approve a letter to you that requests a change to language in paragraph 2 on page 17 – specifically -- “Levee facilities in that area are under the jurisdiction and control of the Napa River Reclamation District and development behind those levees is controlled by the County's Floodplain Management Ordinance.” – to read instead: “Levees in that area are within the jurisdictional area of the Napa River Reclamation District and the County's Floodplain Management Ordinance applies to development behind those levees.”

-- Pat

From: Johnson, Nancy
Sent: Tuesday, February 24, 2009 2:42 PM
To: Tyrrell, Patricia; Gitelman, Hillary
Subject: RE: Housing Element update

5-1

The deadline to respond to the DEIR is March 2nd. We hope to have comments on the policy document by March 9th, so we can incorporate those into the next version.

From: Tyrrell, Patricia
Sent: Tuesday, February 24, 2009 2:39 PM
To: Gitelman, Hillary; Johnson, Nancy
Subject: Housing Element update

The Napa River Reclamation District received your January 30, 2009 letter. What is the deadline for NRRD's feedback?

-- Pat

NAPA RIVER RECLAMATION DISTRICT #2109

1501 MILTON ROAD
NAPA, CA 94559

Phone 707-255-2996
Fax 707-255-2996
tomnrrd@msn.com
pennvnrrd@msn.com

RECEIVED

MAR 09 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

March 5, 2009

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

Re: Housing Element Update and Conforming General Plan Amendments

Greetings:

The District has received your January 30, 2009 letter to Local Agencies regarding the Napa County Housing Element Update and Conforming General Plan Amendments.

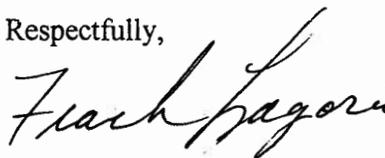
5-2

District staff has reviewed the letter and attachments and recommends the following change to language in paragraph 2 on page 17, with which the Board of Trustees concurs and likewise recommends – specifically -- *“Levee facilities in that area are under the jurisdiction and control of the Napa River Reclamation District and development behind those levees is controlled by the County’s Floodplain Management Ordinance.”* – to read instead: *“Levees in that area are within the jurisdictional area of the Napa River Reclamation District and the County’s Floodplain Management Ordinance applies to development behind those levees.”*

5-3

Although it was not noted in your January 30, 2009 letter, it is our understanding that you provided information to County Counsel by email that the deadline to provide comments to the Draft EIR is March 2nd, 2009, and the deadline to provide comments on the policy document is March 9th, 2009. We hereby request that you accept the above recommended change.

Respectfully,



FRANK LAGORIO, President
Napa River Reclamation District Board of Trustees

LETTER 5: Frank Lagorio, President, Board of Trustees. Napa River Reclamation District #2109. March 5, 2009.

- 5-1: This comment concerns the deadline for submittal of comments regarding the Draft Housing Element and conforming amendments to other sections of the General Plan. The resulting comment letter was received on March 9, 2009 and included here for review and response. (See Response 5-3, below.)
- 5-2: The commenter indicates receipt of the County's letter requesting comment. No response is required.
- 5-3: The commenter requests a specific text amendment to language regarding the Napa River Reclamation District in the draft of conforming amendments to other sections of the General Plan intended for adoption concurrent with the Housing Element Update. The County has included the commenter's suggested language in the revised draft prepared for consideration by the Planning Commission and the Board of Supervisors.

RECEIVED

MAR 09 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

LETTER #6



CITY of NAPA

CITY MANAGER
955 School Street
Mailing Address:
P.O. Box 660
Napa, California 94559-0660
(707)- 257-9501
FAX (707) 257-9534

March 9, 2009

Ms. Nancy Johnson
c/o Conservation, Development and Planning
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

**Subject: City of Napa's Comments on Draft Environmental Impact Report
for the Napa County Housing Element Update**

Dear Ms. Johnson:

The City of Napa ("City") has reviewed the Draft Environmental Impact Report ("DEIR") for the County's proposed Housing Element Update (the "Project"), and submits the following comments as provided for by the California Environmental Quality Act ("CEQA").

It is important to note that, while the City has outlined in this letter serious concerns regarding the components of the Project and DEIR that rely on the ultimate development of the Napa Pipe property, the City remains willing to work with the County to cooperatively meet the collective regional housing needs of the County and the City. In fact, the City is in the process of finalizing a proposal, which will be conveyed to the County in a separate letter, by which the City would agree to assist the County in mitigating public facility impacts for an alternative allocation of housing sites. It is the City's goal, through this anticipated proposal, to identify an approach by which the City will be able to assist the County in addressing the concerns outlined in this letter, and the County will ultimately adopt a certified housing element.

6-1

1. Incorporation of documents into the administrative record for the DEIR. The City requests that the County include all relevant documents in the administrative record for its analysis and consideration of the Project. The City has identified the additional documents, on Attachment A to this letter, that the City considers relevant to the County's analysis of this Project. The City expects that, as more information is developed and documented about the Project, it will be necessary to add those documents to the administrative record. Additionally, while the City applauds the County's efforts to make many documents available for public review on its website, the City requests that the County include all documents on its website if they are referenced or relied on in the DEIR. As an example,

6-2

6-3

although the DEIR relies extensively on the County's recently approved 2008 General Plan Update EIR and its appendices, it appears to have been removed from the County's website since the General Plan Update was approved. In addition, the DEIR appears to rely heavily upon many documents relating to the proposed Napa Pipe project, although it is not clear whether these documents have been incorporated by reference into the DEIR and made available for public review.

6-3

6-4

2. Over-reliance on Napa Pipe site to satisfy RHNA requirements. The City is concerned with the extent to which the County proposes to rely on the Napa Pipe site to meet its RHNA requirements. Of the 1,245 units the County proposes for the four housing sites identified in the DEIR, the Napa Pipe site is expected to accommodate 850 of those units, or nearly 70%. Notably, the Napa Pipe site is the only housing site identified in the DEIR that is NOT currently designated for residential development. As a result, the County would be required to amend its General Plan to permit residential development on the Napa Pipe site, whereas residential development is currently permitted and anticipated on all the other identified sites.

6-5

The County's reliance on the Napa Pipe property to provide 850 new residential units, as a means of meeting its RHNA requirement, is particularly troubling given that the County's RHNA requirement is far less than 1,245 units proposed in the draft Housing Element Update. In its draft Housing Element Update, the County acknowledges that its RHNA requirement for the coming planning period is only 569 units. Of the 569 units, 196 are in the above-moderate income categories and, consequently, could potentially be met in many other areas of the County; and 114 are in the moderate income category, which could potentially be met through second units and on the Angwin, Moskowitz Corner and Spanish Flat sites, without any reliance on the Napa Pipe site. This leaves approximately 259 units that need densities of up to 20 units per acre, which could potentially be met on the Napa Pipe site or other cities in the County through RHNA transfer agreements. The County should make a diligent effort to evaluate alternative proposals that would satisfy its RHNA requirement by better utilizing the sites that are already designated for residential development, and reduce or eliminate the need to develop housing on the Napa Pipe property.

6-6

6-7

3. Inadequate environmental review of potential development on the Napa Pipe property. The DEIR's program-level review of the potential development on the Napa Pipe property is not adequate, for at least several reasons. First and foremost, by relying on development of the Napa Pipe property to meet its RHNA requirement, the County appears to be committing itself to development of that property. This commitment is further demonstrated by the County's reliance on various facilities that the County assumes will be constructed on the Napa Pipe site to mitigate the impacts of the instant Project. Under these circumstances, the County cannot rely on a general, program-level review of development on the

6-8

Napa Pipe property, and must instead perform a thorough, project-level environmental review of that development before it adopts its Housing Element Update.

6-8

Moreover, even if the County could rely on a program-level review of the proposed development on the Napa Pipe property, the DEIR's analysis of that development would remain inadequate in numerous respects. For example, as explained further in our subsequent comments, the DEIR's analysis of the potential impacts from Napa Pipe development on traffic, police and fire protection services and infrastructure, water supplies, groundwater and sewer services and infrastructure, and potential flood hazards is insufficient. In many cases, the DEIR does not provide sufficient information about the proposed development on the Napa Pipe site to perform an adequate program-level review. This lack of information in the DEIR is particularly troubling given that the County has issued a Notice of Preparation of EIR for the development on the Napa Pipe property of approximately 2,600 residential units, 250,000 square feet of non-residential development, and a 150 room hotel. The County's issuance of this NOP suggests that there is more information available about the potential development on the Napa Pipe property than is available in the DEIR for this Project. The DEIR's environmental review of the development anticipated on the Napa Pipe site, which the County is relying upon to meet its RHNA requirements, must be informed by all reasonably available information about that development, including all relevant information that is available from the Napa Redevelopment Partners' development applications and all relevant preliminary and technical studies, all of which must be made a part of the administrative record for the instant Project.

6-9

6-10

4. Insufficient effort made to identify potential housing sites. The City is concerned that the County's consideration of potential housing sites was limited to a few of the sites listed in the 2004 Housing Element (plus the Napa Pipe site). While the City agrees that avoiding the development of residential uses on existing agricultural lands is important, it appears that no effort was made to determine whether there are potential housing sites in the County (other than some of the 2004 sites and the Napa Pipe site) that are not currently designated for agricultural use, and so would not require voter-approval for housing development.

6-11

According to the DEIR, the Napa Pipe site was selected "because Napa Redevelopment Partners has purchased the site and has plans to remediate the property to provide a safe environment for housing." The County's selection of housing sites should be motivated by more than the speculative investments of private land developers. Documents analyzing the feasibility of the Napa Redevelopment Partners' proposal, that are available to the County, raise questions about the feasibility of development on the Napa Pipe site and should be analyzed in the DEIR (e.g., ERA's October 2008 *Fiscal Impact Analysis, Service Plan and Infrastructure Financing Plan*, Strategic Economics' May 2008

6-12

Napa Pipe Market Assessment, and EPS/dk Consulting's December 2008 *Report-Summary of Due Diligence Findings for Joint City/County Housing Solution*). The determination of suitable locations in the County for new housing is a significant policy decision that will have permanent consequences for the quality of life in the County. The County should make a diligent effort to identify potential housing sites other than those in its current Housing Element or proposed to the County by private, for-profit developers.

6-12

6-13

5. Inadequate analysis of impacts from concentration of population growth. Section 4.3.D.1.b concludes that the substantial growth contemplated by the Project would be a significant and unavoidable impact. However, this analysis fails to address the adverse impacts of the concentration of growth proposed on the Napa Pipe site. According to the DEIR, a population impact is considered significant if it would result in inducement of substantial growth *or* concentration of population in an area such that significant environmental impacts would occur. (DEIR at p. 4.3-7) While the DEIR analyzes the Project's impacts from the amount of growth proposed by the Project, it appears to assume, incorrectly, for purposes of Section 4.3.D.1, that such growth will be evenly spread across the four housing sites. (see DEIR at 4.3-9 ("The proposed housing sites would generate 1,245 new housing units spread over four different locations[.]")) Thus, while the analysis addresses the potential impacts from the volume of new growth, it does not address the potential impacts due to the concentration of approximately 70% of this growth in a single location. The DEIR's conclusion that the volume of growth constitutes a significant and unavoidable impact does not relieve the County of the obligation to also assess the potential impacts from the concentration of growth proposed for the Napa Pipe site.

6-14

6. Failure to analyze potential impacts relating to the division of an existing community. In the City's comment letter on the County's NOP for the Napa Pipe project, the City noted that development on the Napa Pipe property would rely on the availability and extension from the City of infrastructure and services, establishing a physical, social and economic connection to the City, but creating the potential for a physically divided community. The DEIR dismisses this potential impact without discussion. This issue should be fully analyzed in the DEIR. Given the County's reliance on the Napa Pipe project to meet its RHNA requirement and prepare an adequate Housing Element Update, the City hereby incorporates by reference, in its entirety, the City's January 30, 2009 letter to the County in response to the County's Notice of Preparation for the Napa Pipe Project Environmental Impact Report, and requests that it be made part of the administrative record for the instant Project.

6-15

7. Flawed analysis of cumulative growth impacts. The DEIR concludes that there is no feasible mitigation for the impact resulting from the Project's potential to generate growth in excess of ABAG's population projection for the County for

6-16

2015. However, the DEIR fails to consider whether transferring a portion of the County's RHNA requirement to the City would mitigate this impact. The DEIR should consider and evaluate this possibility.

6-16

8. Flawed analysis of significance of traffic impacts. The City is concerned about the feasibility and enforceability of the mitigation measures that the County is relying upon to mitigate the impacts of its Housing Element Update. The County appears to rely upon numerous infrastructure improvements that are not within the County's jurisdiction, but rather, within the jurisdiction of the City or Caltrans. While the DEIR appears to acknowledge that the County is not in a position to implement or enforce some of these mitigation measures, it nonetheless finds that these measures will mitigate the Project's impacts to less than significant levels. These findings appear to be inappropriate, especially in the current economic climate. Neither the City nor Caltrans can guarantee funding for such improvements; and, because the development projects that will require the construction of these improvements are not within the City's regulatory jurisdiction, the City cannot impose fees to pay for any such improvements. The DEIR contains no discussion or assessment of the feasibility of these measures. In addition, the DEIR acknowledges that there are differences between the study results in the Napa Pipe Traffic Impact Assessment and the traffic study results for the DEIR. Please clarify why and how these different results were reached.

6-17

6-18

9. Failure to adequately consider potential railroad train noise impacts on Napa Pipe site. The DEIR does not appear to adequately consider the potential noise impacts from railroad operations on the Napa Pipe site. On page 4.7-9, the DEIR states, "train movements on the line are infrequent and would not make a significant contribution to overall average noise levels." However, on page 4/7-19, the DEIR states that operations along that line could include at least one daily freight train and could also include commuter trains. There is no indication in the DEIR as to whether there are any restrictions on increased usage of the rail line traversing the Napa Pipe property, or whether any effort was made to determine what the likelihood is of increased usage in the future. On page 4.7-18, the DEIR states, "[i]ntermittent railroad train single-event noise would affect both Sites A and B [of the Napa Pipe site]. The noise exposure at Site A would be 'tentatively compatible,' and the noise exposure at Site B would be 'normally acceptable.'" However, these conclusions appear to be at odds with the DEIR's discussions of noise standards on pages 4.7-3 and 4.7-5, and the DEIR's description of typical noise levels generated by railroad operations on page 4.7-9. Please clarify the assumptions regarding anticipated railroad noise on the Napa Pipe site and the reasoning used to conclude that anticipated railroad operations would be compatible and acceptable on the site.

6-19

10. Failure to analyze air quality impacts relating to development of residential uses adjacent to industrial uses. At page 4.8-16, the DEIR states:

6-20

“Napa County does not have major sources of TACs. There are no major highways with truck volumes and there are no significant industrial processes. There may be localized areas that have high truck volumes or that are adjacent to stationary sources of air pollutants that affect areas very locally.”

6-20

The Napa Pipe site is located in the middle of an existing industrial area. However, no effort appears to have been made to determine whether it contains stationary source air pollutants or is subject to high truck volumes. Please consider whether existing or anticipated TAC sources could significantly affect the proposed residential uses on the Napa Pipe site.

In addition, the Napa Pipe site is located in proximity to the Napa Sanitation District ponds. The DEIR states that the Housing Element Update's identified housing sites are not located near identified odor sources, but does not specifically discuss the NSD ponds. Did the County consider the potential impacts of NSD pond odors on future residents of the Napa Pipe site?

6-21

11. Inadequate evaluation of water supply impacts. The County's existing conservation policies (e.g., CON-53) require a demonstration of the availability of adequate water supplies before a Project can be approved. As explained above, the instant Project appears to commit the County to approve development of at least 850 units on the Napa Pipe property. Under the County's conservation policies, the County must complete an adequate water supply evaluation before it approves the Housing Element Update and associated General Plan amendment for the Napa Pipe site. The DEIR appears to acknowledge that no specific water supply sources have been secured for the Project and an adequate water supply evaluation has not been completed. (See DEIR at page 4.11-26 (“... the ultimate source for potable and non-potable water will be further evaluated as part of the project-specific EIR for Napa Pipe.”) Under Water Code Section 10910, the County must prepare a water supply assessment before it can approve the Project.

6-22

12. Inadequate evaluation of potential safety hazards on the Napa Pipe site. Similarly, County policies (e.g., SAF-3, SAF-25) require a complete evaluation of potential safety hazards, including hazards associated with development in floodplains such as the Napa Pipe site, before Project approval. For example, the DEIR states that the Napa Pipe project will require raising the elevation of the site to address the existing flood risks on the site, from its current elevation of approximately 6 to 9 feet above sea level to approximately 12 to 17 feet above sea level. Yet the DEIR concludes that the flood impacts from the Project will be less than significant because the County will conduct a later CEQA review of the Napa Pipe project. The County cannot rely on an environmental review process that has yet to be completed to conclude that the impacts associated with its current approval of 850 housing units on the Napa Pipe site will be insignificant.

6-23

Similarly, the DEIR concludes that the potential impacts from the lost floodplain storage resulting from raising the elevation of the entire site up to 11 feet will be less than significant, because unspecified modeling results indicate that post-construction downstream flows will increase by less than 100 cubic feet per second. No effort is made, however, to compare this flow increase to current flows, or to otherwise explain the downstream implications for raising the existing floodplain by up to 11 feet. Instead, the DEIR simply concludes that this impact is "minimal" based upon a memorandum from attorneys for the Napa Pipe landowners or the County. More data and analysis are required to evaluate these potential impacts. And for the same reasons that the County must complete an adequate water supply evaluation now, the County must also adequately evaluate these other potential impacts before committing itself to the 850 unit Napa Pipe project.

6-23

13. Lack of information in groundwater analysis. The DEIR states that a significant impact would result if there would be a loss of groundwater flow to surface waters due to groundwater extraction associated with the Project. The DEIR also states that the Napa Pipe project will rely on groundwater to serve the potable water needs of development on the Napa Pipe property. However, no analysis is made as to whether the groundwater basin that would serve this development flows to or would adversely affect other surface or groundwater sources. Such an analysis must be made in order to adequately evaluate the Project's potential groundwater and surface water impacts. Nor is there an adequate analysis of the affect of this proposed groundwater use on agricultural uses in the County. Use of groundwater to serve non-agricultural uses on the Napa Pipe site would be inconsistent with County policies (e.g., CON-51) to preserve groundwater resources for agricultural uses. As explained in the City's January 30 letter on the Napa Pipe NOP, the June 2005 joint City/County study on water supplies concluded that the County will face a shortage of groundwater for agricultural uses by the year 2020. Relying on residential uses that need groundwater to meet the County's RHNA requirement would appear to exacerbate this situation. This potential impact on groundwater must be more thoroughly evaluated in the DEIR.

6-24

6-25

14. Conflict between DEIR's groundwater impact analysis and County's 2007 General Plan analysis. The DEIR concludes that approval of the Housing Element Update and its associated 850 units on the Napa Pipe property would not contribute to the cumulative groundwater impact identified in the County's 2007 General Plan, yet the DEIR also acknowledges that the new housing proposed by the Housing Element Update will increase the County's demands on groundwater, and the 850 units proposed for the Napa Pipe property will rely primarily upon groundwater supplies. The County should reconcile this apparent inconsistency.

6-26

15. Inappropriate reliance on Napa Pipe project improvements to mitigate impacts of Housing Element Update. In several instances, the County relies upon improvements that it expects to be constructed by the owners of the Napa Pipe

6-27

site to mitigate impacts from the current Housing Element Update. For example, the DEIR states that potential impacts on fire protection services would be mitigated by requiring the Napa Pipe developer to provide a new fire station on the site. (DEIR at page 4.13-9; *see also* mitigation for police services impacts) This is premature, given that the County has not approved the Napa Pipe project, or even conducted an adequate environmental review of a development proposal for that site. The same problem would appear to apply to the DEIR's mitigation assumptions for water and sewer services to the Napa Pipe property. As explained above, the County's reliance on Napa Pipe project improvements to mitigate the impacts of its proposed Housing Element Update demonstrates that the County's approval of the Housing Element Update constitutes a commitment to the Napa Pipe project that requires a complete, project-level environmental review of that project before approving the Housing Element Update.

6-27

6-28

6-29

16. Lack of information about status and enforceability of on-going remediation actions on the Napa Pipe site. The DEIR appears to rely heavily upon the Remediation Action Plan prepared by PES Environmental to mitigate potential health hazards on the Napa Pipe property. It is not clear from the DEIR, however, whether this RAP can feasibly be implemented, or whether it is enforceable. Given the County's reliance on the Napa Pipe property to meet its RHNA requirements, more information should be provided with regards to the details of this plan, and the plan itself, as well as any other materials relating to contamination present on the Napa Pipe site, should be included in the administrative record for this Project.

6-30

17. Inadequate evaluation of wastewater treatment facilities impacts. County policy CON-62 requires, among other things, an adequate evaluation of wastewater service for development projects prior to approval. While the DEIR purports to evaluate treatment capacity facilities, it fails to evaluate the impacts associated with wastewater conveyance infrastructure and facilities required for the Napa Pipe site. This is inconsistent with CEQA and the County's policy.

6-31

18. Inadequate Alternatives Analysis. As explained in section 2 (above), the City is concerned that insufficient effort was made to identify potential housing sites other than the Napa Pipe site and the sites contained in the County's 2004 Housing Element. The failure to identify any alternative sites appears to have inappropriately limited the range of alternatives evaluated in the DEIR. The City requests that the County make a diligent effort to identify additional potential housing sites, other than those included in the current proposal, and include and evaluate at least one alternative that incorporates such additional sites with a corresponding reduction of units at the Napa Pipe property.

6-32

The City is pleased to see that the County is considering a RHNA transfer alternative. This is consistent with numerous existing County policies (*e.g.*, AG/LU-23, AG/LU-28) and with the County's Project objectives to distribute and

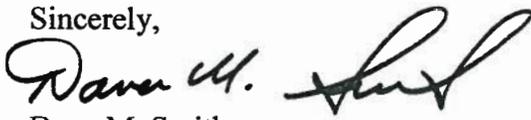
6-33

share the opportunities and responsibilities associated with providing affordable housing. In addition to the RHNA transfer alternative identified in the DEIR, which would involve the cities of Napa and American Canyon, the City requests that the DEIR include a RHNA transfer alternative that would provide for the City of Napa to increase its RHNA share to offset the County's reliance on the Napa Pipe property to meet the County's RHNA obligations. The analysis should include a review of the impacts and issues that the City raised in the "Summary of Due Diligence Findings for Joint City/County Housing Solution" report dated December 10, 2008. The City's Due Diligence analysis finds that such an alternative could substantially reduce many of the potential impacts of the County's existing proposal, including but not limited to the Project's potential impacts relating to land use, transportation, air quality, groundwater, biological resources, hydrology and flood risks, public services and utilities, and cultural resources.

6-33

The City appreciates the opportunity to comment on this DEIR. The undersigned is the contact person for the City of Napa. Please contact us if you have any questions regarding this letter.

Sincerely,



Dana M. Smith
Assistant City Manager for Development Services

Attachment

cc: Mike Parness
Michael Barrett
Mayor and Councilmembers

Attachment A

The City of Napa hereby requests that the County of Napa include the following documents in the administrative record for its consideration and approval of its Housing Element Update and its consideration and certification of the Napa County Housing Element Update Environmental Impact Report:

1. All documents and materials contained in the application by Napa Redevelopment Partners, LLC, for the Napa Pipe Project that is the subject of the Notice of Preparation prepared and published by the County on January 2, 2009;
2. All documents and materials contained in the County's files for the Napa Pipe Project that relate to the Napa Redevelopment Partners' proposal to develop residential uses on the Napa Pipe property;
3. All documents cited to or referenced by the Napa County Housing Element Update EIR dated January 16, 2009, including but not limited to the following:
 - a. Napa Pipe Draft Transportation Impact Analysis, completed November 2008;
 - b. All studies, reports and other materials prepared by PES Environmental, Inc., relating to the Napa Pipe property, including but not limited to the 2007 *Summary of Remedial Investigations, Feasibility Study and Remedial Action Plan*;
 - c. Geotechnical investigation reports prepared by Treadwell & Rollo, dated January 23, 2007 and May 21, 2007;
 - d. Technical Memorandum No. 3, October 19, 2005, Gerry Nakano, Project Manager and J.J. Westra, Project Engineer;
 - e. *Water Supply Assessment for the Napa Pipe Project, Napa County, California*, Preliminary Review Draft, December 8, 2008;
 - f. Personal memorandum communication with Hillary Gitelman and Sean Trippi, Napa County, and Steve Noack, DC&E, April 4, 2008. Whitman F. Manley and Amanda R. Berlin. Remy, Thomas, Moose and Manley, LLP, Attorneys at Law.
4. Technical Memorandum re Napa Pipe Development Project, Task 1: Water Demand and City Water System Hydraulic Impacts, dated August 21, 2008;
5. Technical Memorandum re Napa Pipe Development Project, Task 2: Peer Review of Draft Water Supply Assessment and Hydrogeologic Assessment Prepared by Project Proponents, dated August 21, 2008;
6. Draft Napa Pipe Transportation Impact Analysis, Fehr & Peers, Transportation Consultants, November 2008;
7. Letter from Dana M. Smith, Assistant City Manager to Sean Trippi, Napa County Department of Conservation, Development & Planning re Response to County's Notice of Preparation for the Napa Pipe Project EIR, dated January 30, 2009;
8. Summary of Due Diligence Findings for Joint City/County Housing Solution, prepared by EPS in association with dk Consulting, December 10, 2008;
9. Napa Pipe Market Assessment, prepared by the City and County by Strategic Economics, May 1, 2008;
10. Administrative Draft Report on Napa Pipe Fiscal Impact Analysis, Service Plan and Infrastructure Financing Plan prepared for Napa Redevelopment Partners, LLC by Economics Research Associates, October 21, 2008.

6-34

LETTER 6: Dana M. Smith, Assistant City Manager for Development Services. City of Napa. March 9, 2009.

- 6-1: The commenter indicates “serious concerns” regarding components of the project and Draft EIR, while expressing a willingness “to work with the County to cooperatively meet the collective regional housing needs of the County and the City” and indicating that a “proposal” will soon be advanced. Please see responses regarding specific concerns, below, and responses to Letter 7, which contains the City’s proposal.
- 6-2: This comment requests that all relevant documents be incorporated into the administrative record for the EIR. In response to this request, relevant documents have been included in the project file maintained at the County offices. To access these documents, please contact:
Nancy Johnson
Napa County Department of Community & Intergovernmental Affairs
1195 Third Street, Suite 310
Napa, CA 94559
(707) 299-1352
generalplanhousing@co.napa.ca.us
- 6-3: This comment requests that all documents cited in the Draft EIR be provided on the County’s website, and states that the EIR for the General Plan Update has been removed from the County’s website. Some documents cited in the Draft EIR are available on the County’s website. Documents that are not available on the County’s website will be part of the administrative record and may be accessed as noted in the response to Comment 6-2. In addition, the Draft EIR for the General Plan update is available at www.napacountygeneralplan.com/library/deir.htm.

- 6-4: This comment notes that many of the documents cited in the Draft EIR are related to the proposed Napa Pipe project, and requests that they be made available for public review. As noted in the response to Comment 6-2, these documents have been made available at the County offices.
- 6-5: The comment concerns the Housing Element Update rather than the Draft EIR and notes that nearly 70 percent of the housing units proposed under the Housing Element would be located on the Napa Pipe site, and expresses concern about the Housing Element being over-reliant on this site.

The current draft Housing Element includes sites zoned for affordable housing in Angwin, Moskowite Corner and Spanish Flat within the housing inventory, along with the Napa Pipe sites. Consistent with past practice, the County must provide sites for more units than its RHNA because the State has the discretion to reject sites, or require a “buffer” of additional units. Accordingly, the Napa Pipe site was added to the inventory. The County intends to amend the General Plan and Zoning Ordinance to allow housing on this site, and this EIR evaluates the potential impacts of this policy change.

In response to the concerns expressed in this letter, Napa County has since reduced the number of units proposed on the Napa Pipe site, which would reduce potential impacts associated with the Napa Pipe site. Please see Chapter 1, Introduction, for a description of the reduction in development potential on this site. The growth projections used in the Draft EIR will not be revised to reflect this change because an impact analysis using higher growth projections provides a more conservative approach.

- 6-6: This comment also addresses the Housing Element Update rather than the Draft EIR and notes that the proposed Housing Element includes substantially more housing units than required by the regional

housing needs allocation (RHNA). The comment also suggests that the need for 259 units that remains after accounting for units generated from the housing programs and on the sites included in the 2004 Napa County Housing Element could be met through less development on the Napa Pipe site or through RHNA transfer agreements.

In response to the concerns expressed in this letter, Napa County has since reduced the number of units on the Napa Pipe site, which would reduce potential impacts associated with the Napa Pipe site. Please see Chapter 1, Introduction, for a description of the reduction in development potential on this site. The growth projections used in the Draft EIR will not be revised to reflect this change because an impact analysis using higher growth projections provides a more conservative approach.

- 6-7: This comment suggests that the County evaluate alternatives to satisfy the RHNA that better utilize sites that are already designated for residential development and that do not rely on the development of housing on the Napa Pipe property.

As required by State law, Napa County has conducted an exhaustive evaluation of potential housing sites to satisfy its RHNA requirement. The Draft Housing Needs Assessment includes the State-required housing sites inventory and analysis, which evaluates a wide range of potential housing sites.¹ As noted on pages 5-1 to 5-3 of the Draft EIR, several alternative housing sites that are close to existing urban areas were considered for inclusion in the Housing Element, but were determined to be unsuitable for the following reasons:

- ◆ The Coombsville and Big Ranch Road Rural Residential areas are largely built out with rural residential development or in active agricultural use. In addition, portions of this area are located

¹ County of Napa, October 31, 2008 *Draft Housing Element Update Housing Needs Assessment*, pages 109 to 117.

within a groundwater-deficient basin and do not have access to water service from the City of Napa.

- ◆ Residential uses in the Napa Airport industrial area would be incompatible with airport operations.
- ◆ The Calistoga Fairgrounds and other County-owned sites are unlikely to be available for housing development during the time-frame of the 2007 to 2014 housing cycle.
- ◆ Residential uses at the Boca/Pacific Coast site would potentially be incompatible with the active quarry operations on the adjacent Syar site, and existing industrial uses on the site would likely mean that no housing could be constructed before 2014.

At the direction of the County Board of Supervisors and Planning Commission, the County focused on viable sites that are near urban areas and employment centers where adequate infrastructure and services can be made available to accommodate new development.

Section 15126.6 of the CEQA Guidelines indicates that the EIR does not need to consider every conceivable alternative to the proposed project. Rather, the EIR should consider a reasonable range in order to foster informed decision-making. The Draft EIR considers a reasonable range of alternatives, including the No Project Alternative and the RHNA Transfer Alternative, both of which do not include development of housing on the Napa Pipe property.

- 6-8: The comment states that because the Housing Element relies on development of the Napa Pipe site in order to meet the RHNA requirement and because the County relies on facilities that would be constructed on the Napa Pipe site to mitigate impacts of the proposed project, the County is committing itself to development of the property. Therefore, the County must conduct a project-level environmental review, rather than the programmatic level used in the Draft EIR.

The Draft Housing Element analyzed in the Draft EIR provides a commitment to rezone a portion of the Napa Pipe sites for high-density residential development, indicating that project-specific environmental review will be conducted before rezoning and development occurs. Thus, there is no commitment to the actual development of this site prior to project-specific environmental review.

The designation of the Napa Pipe site as a housing site in the proposed Housing Element is a policy-level issue that is appropriate for a programmatic environmental review. Construction on the Napa Pipe sites would only occur after approval of a development application for the Napa Pipe site, and would undergo project-level environmental review at that time. The mitigation measures included in the Housing Element Draft EIR are intended to mitigate potential impacts from development on the Napa Pipe site that would be allowed by rezoning and do not constitute a commitment to the project. If no development goes forward, the mitigation measures would not be needed.

- 6-9: The comment states that the Draft EIR's analysis related to the Napa Pipe site is insufficient. Please see the responses to Comments 6-14 through 6-31, which address the specific concerns outlined in the letter about the adequacy of the analysis of traffic, public services, utilities, and flood hazards.
- 6-10: The comment notes that the Notice of Preparation for the Napa Pipe development project has been issued, which suggests that there is more information available about the potential development of the Napa Pipe site than was available in the Draft EIR.

As noted in the response to Comment 6-8, a programmatic EIR is appropriate for the proposed Housing Element, and detailed, project-specific information is not required. The Draft EIR relied upon all

reasonably available information related to the Housing Element update and has fully evaluated potential impacts at an appropriate level of detail. Section 15152 of the State CEQA Guidelines encourages local lead agencies to “tier” from programmatic environmental documents as the County intends. This section of the State Guidelines indicates that agencies must analyze reasonably foreseeable significant effects of the plan or program (i.e., and not defer the analysis to a later environmental review), but “the level of detail contained in a first tier EIR need not be greater than that of the program, plan, policy or ordinance being analyzed.”

- 6-11: The comment states that the County made insufficient efforts to identify potential housing sites other than the 2004 Housing Element sites and the Napa Pipe site. Please see the response to Comment 6-7.
- 6-12: The comment quotes the Draft EIR, suggesting that the Napa Pipe site was included only because a developer has proposed remediation and reuse of this brownfield site. In fact, the Napa Pipe site was selected for inclusion in the sites inventory following a review of other possible sites because Napa Pipe provides advantages that other sites do not have, including the absence of residential neighbors that might object, the absence of agricultural uses or adjacent agricultural uses that could be impacted, and the opportunity to return an underutilized and contaminated urban property to constructive use. The existence of a developer’s proposal to remediate and reuse the site adds evidence that the site’s redevelopment is deemed feasible by that developer and his financial partners.

The comment further indicates that City-prepared documents analyzing the feasibility of development on the Napa Pipe site should be analyzed in the Draft EIR. As noted in the response to Comment 6-8, the proposed Housing Element includes, and the Draft EIR evaluates, only the rezoning of the Napa Pipe site, not the development of

a specific project. Therefore, the feasibility of a specific development proposal for this site does not require discussion or analysis in the EIR, although as noted above, the fact that a private development entity considers high density residential development of the site to be feasible, provides support for the site's inclusion in the County's housing inventory.

6-13: The comment states that the County should make a diligent effort to identify potential housing sites other than those in the current Housing Element or proposed by developers. The County did this as part of the Housing Element Update. Please see the response to Comment 6-7.

6-14: The comment states that the Draft EIR's analysis of population growth and conclusion that a significant unavoidable impact would occur is inadequate because it does not consider the concentration of population growth on the Napa Pipe site.

The commenter does not, however, indicate why concentrating housing at the Napa Pipe site might be significant, or what secondary impacts (traffic, noise, etc.) have not been considered and addressed by the Draft EIR. The Napa Pipe site is a brownfield site that has supported on-going, intensive industrial uses and activities for decades. The site is also adjacent to other industrial areas and to a city of over 70,000 people. In that context, it is unclear why the commenter believes identification of a housing site for 850 dwelling units on approximately 40 acres would result in a significant concentration of population. Also, any physical impacts from increased population on the Napa Pipe site are covered in chapters on transportation, public services, utilities, etc.

Despite the adequacy of the Draft EIR's analysis and conclusions, and as indicated in Chapter 1, Introduction, the County has reduced

the number of units allocated to the Napa Pipe site in the proposed Housing Element.

- 6-15: The comment states that the Draft EIR did not adequately evaluate potential impacts related to the division of an existing community, explaining that by relying on City infrastructure and services, the site would be physically, socially and economically connected to the City, but disconnected from City governance.

The City's comments, here and in their scoping letter, misconstrue the Land Use section of Appendix G of the State CEQA Guidelines which implies that a land use impact may be significant if the project would "Physically divide an established community." As noted on page 4.2-10 of the Draft EIR, no existing residential communities would be affected by development of the Napa Pipe site. Residential development on the Napa Pipe site would add a new type of development in a location that is already urbanized. It would not divide an existing community or create a divided community simply by using City services and infrastructure. Furthermore, it is not clear that City services or infrastructure would be required for development on the site. (See Draft EIR Section 4.13-1 on public services and utilities.) Finally, CEQA does not require an evaluation of social, economic or political relationships that might or might not exist following project implementation.

- 6-16: The comment states that the Draft EIR is deficient because it identifies a significant unavoidable impact associated with population in excess of the ABAG projection that could be mitigated by transferring of a portion of the County's RHNA requirement to the City of Napa.

The Draft EIR evaluated the population impacts of the RHNA Transfer Alternative, in which 450 housing units from the County's RHNA would be transferred to the Cities of Napa and American

Canyon. As indicated on pages 5-15 and 5-16 of the Draft EIR, this alternative would still exceed ABAG's population projections for Napa County and the City of Napa. Although this alternative would exceed the ABAG projections to a somewhat lesser degree than the proposed project, it would still result in a significant and unavoidable impact. Please also see the response to Comment 6-33.

- 6-17: The comment states that the Draft EIR relies on improvements that are not within the County's jurisdiction and that neither the City nor Caltrans can guarantee funding for these improvements. CEQA does not require that funding sources for mitigation measures be identified in the EIR, only that lead agencies identify measures that could minimize significant adverse impacts (CEQA Guidelines Secti15126.4). The Board of Supervisors will consider the feasibility of mitigation measures at the certification hearing for this EIR. If the Board finds that any mitigation measures are infeasible, they will eliminate the mitigation measure, conclude that the impact cannot be reduced to a less-than-significant level, and make a statement of overriding considerations pursuant to State CEQA Guidelines Sections 15091 and 15093.
- 6-18: The commentor requests clarification regarding why the results of the Napa Pipe Traffic Impact Assessment differ from the results for the Draft EIR. The analysis in the Housing Element DEIR is based on only the residential component of the Napa Pipe Project likely to be constructed in the next five years. The Napa Pipe project-specific analysis will look at the impacts of full build-out of all uses proposed at the site. Both analyses consider potential cumulative impacts of the project and other potential development by using a projection of likely growth by year 2030.
- 6-19: The comment states that the Draft EIR fails to adequately consider potential train noise impacts on Napa Pipe. As described on page 4.7-8 of the Draft EIR, the noise environment at the Napa Pipe site is

predominantly the result of vehicular traffic and industrial uses at the site and in the vicinity. Existing train operations along the railroad line adjacent to the Napa Pipe site are very infrequent (about one train per week), and noise generated by these events is not a substantial contributor to existing ambient noise levels on site. The noise analysis in the Draft EIR assumed a moderate increase in railroad train noise in the future based on information provided by the director of operations for the Napa Valley Wine Train in 2005. Future operations were assumed to include a daily freight train of about five to 15 cars. According to 2005 information regarding the future use of the railroad line, daily average noise levels at the site would continue to result primarily from vehicular traffic and industrial sources, and noise generated by infrequent railroad train events (one train per day) would continue to be an insignificant contributor to daily average noise levels. However, as identified in the Draft EIR, the future noise environment at the Napa Pipe site would exceed “tentatively compatible” levels because of future traffic conditions and nearby industrial noise sources resulting in significant impact. Mitigation Measure NOISE-1 would reduce the impact to a less-than-significant level by requiring that noise control be implemented during project design to achieve a compatible interior noise environment.

- 6-20: The comment states that the Draft EIR fails to analyze air quality impacts relating to the development of residential uses adjacent to industrial uses on the Napa Pipe housing site. According the California Air Resources Board’s Community Health Air Pollution Information System (CHAPIS), there are no substantial sources of air pollutant or toxic air contaminant (TAC) emissions close enough to the Napa Pipe site to individually result in substantial exposures to future residences. In addition, the air quality analysis in the Draft EIR used guidance from CARB’s *Air Quality and Land Use Handbook: A Community Health Perspective* was used to determine that no other sources of TAC emissions that could affect the site. While there is some truck traffic in the area, there are no freeways or busy

roadways with high truck volumes or large truck distribution centers that affect the site.

- 6-21: The commentor asks whether the County considered potential impacts of Napa Sanitation District (NSD) pond odors on future residents on the Napa Pipe housing site. The NSD wastewater treatment plant is located approximately 0.75 to 2 miles south of the Napa Pipe site. The wastewater treatment plant is a modern facility that is not expected to frequently expose new residences to facility odors. The Bay Area Air Quality Management District recommends a screening distance of 1 mile between wastewater treatment facilities and sensitive receptors (such as residences) to ensure that there would not be odor complaints. Since the Napa Pipe site is generally one mile or further away from the site and the NSD facility is fairly modern, odor complaints would not be expected. Many modern wastewater treatment plants operate within one mile of sensitive receptors and do not result in frequent odor complaints.
- 6-22: The comment states that a water supply evaluation must be prepared for the Napa Pipe site because the Housing Element would commit the County to the development of 850 units on this site. As indicated in the response to Comment 6-8, the proposed Housing Element commits to the rezoning of the Napa Pipe site and to undertake a project-level environmental review prior to development on the site. The Draft EIR (Sections 4.11 and 4.13) cites a preliminary water supply assessment which concludes that there is more than sufficient groundwater availability to serve all development needs on the Napa Pipe Site for purposes of this programmatic EIR.
- 6-23: The comment states that a full analysis of potential flood impacts related to development on the Napa Pipe site is required, and that the less-than-significant finding cannot rely on future CEQA analysis. In addition, the comment requests more data and analysis to

evaluate potential downstream flooding impacts related to the placement of fill on the Napa Pipe site.

The Draft EIR provides a programmatic evaluation of the potential flood-related impacts of allowing development on the Napa Pipe site on page 4.11-34. The project is found to have a less-than-significant impact related to flooding primarily because of the County Floodplain Management Ordinance, which would require a permit for development on this site. The Draft EIR also mentions other factors that would help to reduce any flood-related impacts, including the following:

- ◆ Current development plans for this site include raising the elevation to approximately 12 feet through the placement of fill. The lowest residential living levels would be approximately 15 feet above sea level.
- ◆ The Code of Federal Regulations for the National Flood Insurance Program would require that structures on the Napa Pipe site be designed to avoid flooding impacts.
- ◆ Site-specific evaluation of flooding impacts would occur through the required project-level CEQA review process.

The Draft EIR also provides an evaluation of the potential downstream flooding impacts on pages 4.11-34 and 4.11-36. As indicated on these pages, modeling results indicate that the pre- and post-construction maximum flow rate conditions downstream of the Napa Pipe site would differ by less than 100 cubic feet per second, demonstrating a minimal impact. The Draft EIR's citation for this information was unclear because it was labeled as a personal memorandum from attorneys from the Napa Pipe project. This information was provided through a document that contains responses from Philip Williams and Associates (PWA), a consulting firm that evaluated the potential flood impacts related to the Napa Pipe site, to comments on their *Flood Hazards Analysis* report from Balance Hy-

drologics, another consulting firm. The citation has been corrected, as shown in Chapter 3 of this Final EIR.

- 6-24: The comment states that the Draft EIR did not adequately evaluate the potential groundwater impacts of the Napa Pipe site because it did not include an analysis about whether the groundwater basin that would serve development on the Napa Pipe site would flow to or adversely affect other surface or groundwater sources.

As indicated on page 4.11-26 and 4.11-30 of the Draft EIR, the aquifer underlying the Napa Pipe site has the capacity to provide more than 20 times the demand of housing on the Napa Pipe site. As explained in the cited references, this conclusion is based on a substantial amount of historic data. It is thus far more specific and defensible than the gross level of analysis provided in the 2050 water study cited by the commenter. Also, the cited references specifically assess potential impacts on other groundwater users, concluding that there is no significant impact. This analysis will be further clarified, expanded, and peer reviewed as part of the project-specific CEQA analysis conducted prior to rezoning and development approval on the Napa Pipe site.

- 6-25: The comment states that the use of groundwater to serve development on the Napa Pipe site would be inconsistent with County policies to preserve groundwater resources for agricultural uses.

The question as to whether rezoning and development is or is not consistent with General Plan Policy CON-50 discouraging urbanization based on groundwater will be further addressed at the time that rezoning and development is subject to project-level analysis. Inclusion of the Napa Pipe site in the County's housing inventory is not considered to conflict with this policy because the site is already urbanized.

Despite the adequacy of the Draft EIR's analysis and conclusions, and as indicated in Chapter 1, Introduction, the County has reduced the number of units allocated to the Napa Pipe site in the proposed Housing Element based on the City's proposal (See Comment Letter 7), which implies that the City may make municipal water supplies available to the site.

- 6-26: The comment finds a conflict between the Draft EIR's groundwater impact analysis and the County's 2007 General Plan analysis because the Draft EIR indicates that the proposed Housing Element will increase demands on groundwater but would not contribute to the cumulative groundwater impact identified in the County's 2007 General Plan EIR.

The 2007 General Plan EIR analysis found a significant and unavoidable groundwater impact. In the General Plan EIR, the County concluded that the exact location and type of future development under the General Plan could not be known in detail, and so it took the conservative approach of finding a significant and unavoidable impact, particularly because development under the General Plan through 2030 could potentially occur in the Milliken-Sarco-Tulocay (MST) Basin, a designated groundwater deficient area. The Draft EIR for the proposed Housing Element relies on more detailed data both about potential water sources and about the number, location, and type of new housing units included in the housing inventory and enabled by the housing programs. Using this more detailed information, the Draft EIR concludes that groundwater impacts from the proposed Housing Element would be less than significant, and would not contribute to the General Plan's cumulative impact as long as mitigation measures HYDRO-1, 2 and 3 are implemented. (See Draft EIR pages 4.11-38 through 4.11-40.) Therefore, there is no conflict between the 2007 General Plan EIR and the Draft EIR for the proposed Housing Element.

- 6-27: The comment states that the Draft EIR inappropriately relies on improvements on the Napa Pipe site to mitigate impacts from the proposed Housing Element, citing Mitigation Measure PUB-1, which calls for a new fire station on the Napa Pipe site and that it be sited appropriately.

Mitigation Measure PUB-1 is required in order to mitigate the potential impacts of future development through the rezoning of the Napa Pipe site. As shown in Chapter 3 of this Final EIR, this mitigation measure has been modified to clarify that a fire station would be required to be provided and sited appropriately prior to any development on the site, rather than specifying that the Napa Pipe developer provide and site appropriately the fire station. This mitigation measure does not constitute approval of the Napa Pipe development. The County has not committed to any specific project by suggesting this mitigation measure. Rather, it addresses the potential fire service impact related to the proposed rezoning of the Napa Pipe site. The mitigation monitoring program for this EIR will identify how and when each mitigation measure will be implemented. If no residential development occurs on the Napa Pipe site, no new fire station would be required.

- 6-28: This comment states that the Draft EIR inappropriately relies on water and sewer service improvements on the Napa Pipe site to mitigate impacts from the proposed Housing Element.

The Draft EIR finds that although new water service infrastructure will be needed to serve the Napa Pipe site, such facilities would be regulated by pertinent federal, State and local regulations, and would undergo environmental review under CEQA as required by law. For a programmatic-level evaluation, it is appropriate to assume that the new facilities would comply with these regulations and result in a less-than-significant impact. If no residential development is proposed on the site, no new water infrastructure would be required.

The Draft EIR also finds a less-than-significant sewer service impact related to the Napa Pipe site because there is adequate wastewater capacity to serve the development. However, the Draft EIR should have also noted that any new conveyance sewer infrastructure would also be regulated by pertinent federal, State and local regulations, which would contribute to the less-than-significant finding. As shown in Chapter 3, the text has been modified to reflect this clarification.

Neither the water nor sewer service impact discussions for the Napa Pipe site rely on specific Napa Pipe improvements to mitigate impacts of the proposed Housing Element. As noted above, they rely on existing federal, State and local regulations and existing capacities.

6-29: The comment states that the County's reliance on Napa Pipe improvements to mitigate impacts of the proposed Housing Element constitutes a commitment to the Napa Pipe project. The County disagrees -- please see the response to Comment 6-8.

6-30: The comment questions the feasibility of the Napa Pipe Remediation Action Plan (RAP) and requests additional information given the Draft EIR's reliance on the RAP to mitigate hazards impacts on the Napa Pipe site.

The RAP has been approved by the Regional Water Quality Control Board (RWQCB), which indicates that the RAP is feasible and enforceable. Questions or concerns about the feasibility of the RAP should be directed to the RWQCB as the responsible oversight agency. The RAP is part of the administrative record for the Housing Element EIR and is available for review at County offices, as described in the response to Comment 6-2.

- 6-31: The comment states that the Draft EIR fails to evaluate potential impacts associated with wastewater conveyance infrastructure and facilities related to the Napa Pipe site.

As noted in the response to Comment 6-28 and shown in Chapter 3 of this Final EIR, the wastewater impact discussion for the Napa Pipe site has been clarified to indicate that any new conveyance sewer infrastructure would be regulated by pertinent federal, State and local regulations, which would contribute to the less-than-significant finding. Since the Housing Element EIR does not evaluate a specific development proposal with site plans and other detailed documentation, it is not possible to analyze exactly what infrastructure would be needed and where it would be located to serve the residential development that would be allowed by rezoning the site. As noted in the response to Comment 6-28, for a programmatic-level evaluation, it is appropriate to assume that the new facilities would comply with these regulations and result in a less-than-significant impact.

- 6-32: The comment states that the range of alternatives evaluated in the Draft EIR was inappropriately limited by the insufficient effort to identify housing sites other than the Napa Pipe site, and requests that the Draft EIR include at least one alternative that incorporates additional sites with a reduction of units on the Napa Pipe site. Please see the responses to Comments 6-6 and 6-7.
- 6-33: The comment requests that the Draft EIR consider an alternative in which the County would transfer its RHNA share to the City of Napa to offset the County's reliance in the Napa Pipe property to meet the RHNA obligation. The comment also requests that this analysis include a review of the issues raised in the "Summary of Due Diligence Findings for Joint City/County Housing Solution" report.

As noted in the responses to Comments 6-6 and 6-7, the Draft EIR did consider an alternative in which a portion of the RHNA obligation would be transferred to the City of Napa, offsetting the need to include the Napa Pipe site in the proposed Housing Element.

RHNA transfer agreements must be conducted between the time that the RHNA is published and the deadline for the adoption of the Housing Element. At this current point in time, there is not adequate time to execute an additional RHNA transfer with the City of Napa. However, as noted in the response to Comment 6-7, the County has responded to the City's concerns about Napa Pipe by reducing the number of units on the Napa Pipe site that would be allowed under the rezoning adopted as part of the Housing Element process. Please see Chapter 1, Introduction, for a description of the reduction in development potential on this site. The growth projections used in the Draft EIR will not be revised to reflect this change because an impact analysis using higher growth projections provides a more conservative approach.

The Due Diligence study referenced in the comment was prepared without Napa County participation. Napa County staff are not familiar with the methodology of developing the study, the locations it considered for housing, and the basis for its conclusions, and therefore would not consider it appropriate to rely on the findings of the Due Diligence Study for the County's Housing Element EIR. The Draft EIR's description and assessment of the RHNA Transfer alternative is deemed sufficient. (Also see the responses to Letter 62.)

- 6-34: The comment requests that the listed documents be provided in the administrative record. Please see the response to Comment 6-2.



CITY MANAGER
955 School Street
Mailing Address:
P.O. Box 660
Napa, California 94559-0660
(707)- 257-9501
FAX (707) 257-9534

March 9, 2009

Mr. Larry Florin
Community Intergovernmental Affairs Manager
County of Napa
1195 Third Street, B-20
Napa, CA 94559

RE: City Concepts to Support the County in Meeting its Regional Housing Needs
Assessment Numbers for the Draft County Housing Element

Dear Mr. Florin:

The City provided comments on Monday, March 9th on the County's Draft EIR for the proposed Housing Element. The comments were focused on the issues related to the linkages inherent in the DEIR's reliance on the yet to be considered Napa Pipe Partners proposed development. City staff believes a cooperative agreement between the City and County can be reached that will remove the dependency on the Napa Pipe Partners project approval and allow the County to move forward with a smaller area for a rezone to housing. The City staff believes that a reduced zoning proposal on the Napa Pipe site that is not dependent upon the Napa Pipe Partners proposal for services would allow the County to meet its remainder regional housing needs allocation for this cycle that is not provided for on other sites throughout the County.

7-1

7-2

In the 2008 City/County 2x2 meetings, city staff suggested that because the county was having the most difficulty providing sites at 20+ units per acre that would qualify to meet its low income housing need of 259 units, it may be possible to identify 15 acres of Napa Pipe land adjacent to the City where the City might extend municipal services. If zoned for 20-25 units per acre, that would yield well above the 259 units the County now needs. City staff suggests that the County consider in its Draft Housing Element EIR a smaller alternative of 300-350 units at 20-25 units/acre on approximately 15-20 acres of the Napa Pipe site. The lower number provides sites for the lower income total need including a 20% buffer as described by State guidelines and assumes that moderate income totals would be met on other listed County sites. The higher number adds in a portion of the County's moderate income totals that could be used as buffer should the County need to provide redundancy with its other listed sites. (Acreages or densities could be adjusted somewhat to provide for appropriate recreation facilities or other services.) In this alter-

7-3

7-4

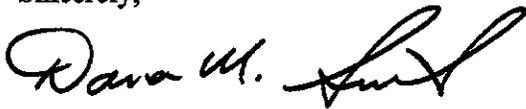
Mr. Larry Florin
Page 2
March 11, 2009

native, the City would work with the County to provide urban services to the much smaller residential site. The zoning and General Plan category could be "Multi Family Residential" or some similar designation and zone that would assure higher density housing. If we could mutually agree on a portion of the site adjacent to the City's Corporate Park, it may be possible to reduce impacts cited in the City's DEIR comment letter. For example, zoning for 300-350 units removes the need for a water supply assessment and could provide greater assurances for municipal services through an agreement with the City.

7-4

If this is an option the County is willing to pursue, we would be pleased to quickly convene meeting(s) to work through the steps needed to support your efforts, including meeting with the City Council for policy concurrence.

Sincerely,



Dana M. Smith
Assistant City Manager for Development Services

DMS/civ

cc: Michael Parness, City Manager
Mayor and City Councilmembers
Michael Barrett, City Attorney

LETTER 7: Dana M. Smith, Assistant City Manager for Development Services. City of Napa. March 9, 2009.

- 7-1: The commenter explains that earlier comments were submitted. See the responses to Letter 6.
- 7-2: The commenter states that an agreement between the City and the County can be reached to “remove the dependency” on the Napa Pipe developer and move forward with a “reduced zoning proposal on the Napa Pipe site.” As indicated in Chapter 1, the County has revised the Draft Housing Element to include a smaller site and fewer units at the Napa Pipe site. The text and analysis in the Draft EIR have not been revised, since they assess a larger – and therefore more conservative in terms of impacts – number of units at the site. Nonetheless, the County is continuing to separately evaluate the developer’s proposal for the Napa Pipe site, and anticipates that any development on the site will of necessity involve the property owner (i.e., some “dependency”).
- 7-3: The commenter suggests that the Housing Element include 300 to 350 units at the Napa Pipe site rather than 850 as originally proposed. As discussed in Chapter 1, the Revised Draft Housing Element includes 304 units at the Napa Pipe site.
- 7-4: In this comment, the City states that it “would work with the County to provide urban services” to the smaller number of units at the Napa Pipe site, suggesting a “meeting with the City Council for policy concurrence.” The County is pleased with the City’s offer, and has reduced the number of units included at the Napa Pipe site in the Housing Element.

Dear Hillary Gitelman,

The Walker property is in our back yard and is about five feet higher than our property. Any structure or structures built along the property line would take away our privacy and that of our neighbors, and definitely diminish our property value.

8-1

We built here fifty-two years ago because it is rural. The possibility of sixteen homes on the Walker property does not fit in with any of the neighborhoods affected by this change of zoning. Most properties in this area have about half acre lots. There is also the possibility of at least thirty- two additional cars to add to the all ready high volumne of traffic on Monticello Road.

8-2

8-3

Sincerely,

Owen Huddleston
Mary Huddleston

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LETTER 8: Owen and Mary Huddleston. Date Unknown.

8-1: The County appreciates the participation and input of so many citizens regarding the redesignation of the Monticello Road Rural Residential area from Rural Residential to Urban Residential under Program H-2k of the January 2009 Draft Housing Element.

As discussed in Chapter 1 of this Final EIR, in response to substantial comments included in this Final EIR, Program H-2k, which suggested the re-designation of an area adjacent to the City of Napa from Rural Residential to Urban Residential, has been changed. In the January 2009 draft of the Housing Element, Program H-2k included the following two components:

- ◆ The County will remove the Affordable Housing (:AH) overlay or combination district from the three Monticello Road/Atlas Peak sites.
- ◆ The County will re-designate another area closer to the City boundary from “Rural Residential” to “Urban Residential,” permitting property owners to request rezoning for dwelling unit densities up to 4 units per acre provided that municipal water and sewer services are extended to the area.

Part 1, which includes the removal of the :AH overlay district from the Monticello/Atlas Peak sites, has been carried forward and re-numbered to be Program H-2j in the revised draft. Part 2, which includes the re-designation of the area adjacent to the City of Napa from Rural Residential to Urban Residential, has been eliminated from the revised draft. Since the comments included in this chapter of the Final EIR reference the policy number provided in the January 2009 Draft Housing Element, this Final EIR continues use of the old policy number, H-2k in its responses to those comments.

Comments included in this Final EIR will be provided to decision-makers for their use and information. Also, in response to this and

other letters, County staff has recommended eliminating this part of the program. Please see Chapter 1, Introduction, for a description of this change. The growth projections used in the Draft EIR will not be revised to reflect this change because an impact analysis using higher growth projections provides a more conservative approach.

- 8-2: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, and the potential change in the neighborhood's rural character. Please see the response to Comment 8-1.
- 8-3: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, and its associated traffic impacts. Future traffic volumes on Monticello Road were assessed in the Draft EIR and in the General Plan EIR before it, leading to inclusion of mitigation measures TRAF-3 and -14. Also see the response to Comment 8-1, above.

February , 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman;

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

9-1

Sincerely,



1098 Rose Drive
Napa, Ca 94558

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LETTER 9: Benjamin Benson. Napa, California. February 2009.

- 9-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

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LETTER #10

February , 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,



Steve Harrington
Homeowner:

2000 Silverado Trail

Napa 94558

10-1



LETTER 10: Steve Harrington. Napa, California. February 2009.

10-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February , 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,

*John and Sharon
Lungenbach*

2006 Silverado Trl.

11-1

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LETTER 11: John and Sharon Langenbach. Napa, California. February 2009.

11-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

Johnson, Nancy

From: Eve Kahn [evekahn@juno.com]
Sent: Tuesday, February 03, 2009 4:39 PM
To: generalplanhousing
Subject: Housing Element Question

In reviewing the Draft EIR I read a comment on page 3-28 about revising AG/LU-119 to simplify the Growth Management System. But I cannot find the proposed revision.

12-1

Many thanks, Eve Kahn

Get the word out. Click here for professional brochure production!

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LETTER 12: Eve Kahn. February 3, 2009.

12-1: The commenter questions the changes to General Plan Policy AG/LU-119 referred to in the Draft EIR. The proposed changes to this policy were included in a document titled “Conforming Amendments to Other Sections of the General Plan” and provided to the commenter and other interested parties for review and comment. As explained in Chapter 1, a revised draft has been prepared to address comments received, and contains a number of changes and clarifications. Please see the revised version available on the County website in advance of the May 6, 2009 Planning Commission hearing.

1061 Rose Drive,
Napa,
California 94558

February 11, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

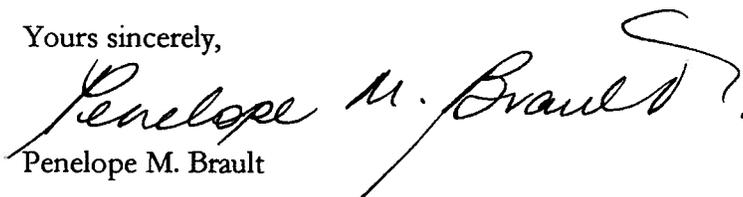
With reference to your letter dated February 4, 2009, and in acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive.

It is flabbergasting to read that Program H-2k would include re-designation of Rose Drive and its near neighborhood from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

As a resident of Rose Drive for twenty years, I am completely happy living in this rural lane – the way it is. My husband and I chose and purchased our property precisely because it was zoned "Rural Residential". We were attracted to the area by its rural tranquillity, its trees, gardens, and backyard orchards, and simultaneously were attracted by the absence of street lights and sidewalks and painted lines, McMansions and two-storey multiple family units and cheek-by-jowl single family homes. It is distressing indeed to realise that the stability afforded by a rule or law or General Plan can be upended arbitrarily, one's comfortable neighborhood and lifestyle thrown to the winds if one doesn't respond to an unexpected, unbidden letter from the County. Inevitably, four units per acre would mean the end of the two gorgeous foxes scampering through my garden last month; I don't mind a septic tank, I don't mind the beavers in the creek, the raccoons and skunks and gophers and moles and possums and a small, rural enclave of friendly human neighbors always ready to help if need be.

With appreciation for your invitation to respond and with gratitude in anticipation of your consideration of my firm objection to the proposal to rezone this area.

Yours sincerely,


Penelope M. Brault

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13-1

LETTER 13: Penelope Brault. February 11, 2009.

13-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

Walker Family
1055 Monticello Road
Napa, California 94558

February 11, 2009

To Whom It May Concern:

We are writing this letter since many of our neighbors recently received a letter and map from Napa County describing certain changes that it is considering making to land uses in our neighborhood. When we read the letter, it was very legalistic and confusing. Since we have been following this matter for some time; we wanted to contact you directly to better explain what the county is proposing.

14-1

Most of you know our family and the efforts to develop our 4-acre property at 1055 Monticello Road with upscale homes that we believe will improve the property values in the neighborhood for all of us. We have also been working with the county and the Napa Sanitation District to help bring sanitary sewer to our neighborhood to allow those of you who have septic systems that are old or failing to hook up to this new system.

14-2

The letter and map that accompanied it gave you the impression that the county was proposing an affordable housing project for the three (3) parcels near the Silverado Country Club. In fact, the county is proposing to remove this possibility by eliminating the existing AH overlay from these parcels. Therefore the affordable housing that the county has been proposing for our neighborhood since 2004 will no longer happen if the county adopts policy H-2K. We hope that you will support the adoption of this policy on February 18, 2009 when it comes before the County Planning Commission.

14-3

As far as our property at 1055 Monticello Road is concerned, we know that there have been complaints of smell, dust and drainage problems in the past. In which the neighbors have brought to our attention. The current zoning (RS: B-2) precludes us from improving our property to correct them. However, approval of policy H-2K will change our property to an 'Urban Residential' designation that would allow for future development of approximately 16 upscale homes. **Our property would not be an affordable housing site!** We think the letter from the county may have left you with that impression. Our property would be an upscale development that would increase the property values in the neighborhood. Changing our designation to Urban Residential will also eliminate the possibility that our property will be used for chickens and other farm animals. In addition, since a new sewer system in our area will be expensive the additional homes will cause the costs to be spread over more homes reducing the costs for all of us.

14-4

14-5

14-6

The State of California has mandated the use of two new septic systems to replace any failing systems. We have been told that the new systems are expensive to install. Instead of investing in these new expensive systems, we would like to see sanitary sewer brought to the area and made available to all of you and end dependence on failing septic systems.

14-7

Current county policy will not allow for sanitary sewer from the Napa Sanitation District to be brought to our neighborhood. Approval of the proposed Urban Residential designation and allowing the Walker family to develop its property as contemplated by policy H-2K will greatly increase that possibility and would take care of the current dust and drainage problems.

14-7

We feel that by putting upscale housing in an area that is already surrounded by nice homes would be good for the neighborhood and take care of issues of land use in the past.

14-8

We hope this letter will help you better understand what the county is proposing for our neighborhood. We hope too that you will support the adoption of policy H-2K

14-9

If you have any questions, we would be more than happy to meet with you and explain in more detail.

Please call Ron Walker at 707 249-5679

Thank You.

LETTER 14: Walker family. Napa, California. February 11, 2009.

- 14-1: The commenter indicates that a letter sent to neighbors regarding the proposed Program H-2k from the January 2009 draft of the Housing Element was confusing, offering “to better explain what the County is proposing.” This is not a comment on the Draft EIR and no response is required.
- 14-2: The commenter explains his family’s interest in developing “upscale homes” and “to help bring sanitary sewer to our neighborhood.” This is not a comment on the Draft EIR and no response is required.
- 14-3: The commenter explains that the County is proposing to eliminate the affordable housing overlay zoning from the Monticello Road/Atlas Peak sites included in the current housing element and asks for support for this change. This is not a comment on the Draft EIR and no response is required.
- 14-4: The commenter explains that current zoning prevents the property owner from addressing existing smells, dust, and drainage problems on his parcel. This is not a comment on the Draft EIR and no response is required.
- 14-5: The commenter states that the proposed Program H-2k from the January 2009 draft of the Housing Element will redesignate the neighborhood to “Urban Residential” and allow for development of “approximately 16 upscale homes.” Under the draft program, development of up to 4 units per acre would have been permitted, although provision of access/infrastructure would have limited the actual number of parcels. Also, under proposed changes to the County’s inclusionary housing ordinance, up to 20 percent of the units would be required to be affordable, rather than “upscale.”

As described in Chapter 1, the Revised Draft Housing Element has been revised to eliminate this portion of Program H-2k from the January 2009 draft of the Housing Element in response to comments received.

- 14-6: The commenter explains that redesignation of the parcel would increase property values and eliminate possible uses by chickens and other farm animals. This is not a comment on the Draft EIR and no response is required.
- 14-7: The commenter suggests that more homes would mean lower costs for each homeowner if and when sewer service is extended to the area, and explains the desirability of sewer service in light of changing State laws regarding septic systems. County staff agrees that extending sewer services to the area would be beneficial (see General Plan Policy AG/LU-92). For service to be extended, the area would have to be included in the Napa Sanitation District's service area.
- 14-8: The commenter explains their support for new "upscale housing." This is not a comment on the Draft EIR and no response is required.
- 14-9: The commenter requests support for Program H-2k from the January 2009 draft of the Housing Element. This is not a comment on the Draft EIR and no response is required.

February 15, 2009

Ms. Hillary Gitelman,
Director of Conservation
Development & Planning
1195 Third Street, Suite 210
Napa, California 94559

RE: Program H-2k

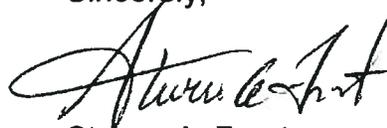
Dear Ms. Gitelman,

This is in acknowledgment of your invitation for input with reference to your letter dated February 4, 2009, and to the Draft EIR cited therein. I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighbourhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive, and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighbourhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,



Steven A. Frost
1064 Rose Drive
Napa, CA 94558

cc: Mr. Bill Dodd, Supervisor
1195 Third Street, Suite 210
Napa, CA 94559

15-1

RECEIVED

FEB 17 2009

**NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.**

LETTER 15: Steven Frost. Napa, California. February 15, 2009.

15-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 15, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210
Napa, California 94559

Dear Ms. Gitelman,

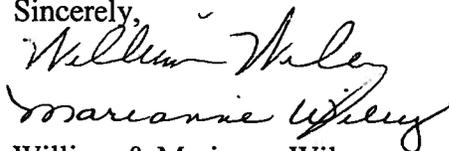
With reference to your letter dated Feb. 4, 2009, and to the Draft EIR cited therein:

To acknowledge your offer for input concerning the potential changes in the Housing Element affecting our neighborhood, Rose Dr., **we strongly oppose it.**

It alarms us to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential". By allowing this it would open up requests for higher densities, provided that municipal water and sewer services are extended to the area. This is a ploy for those of us using septic systems to be forced into paying for something we do not want. And it would change our neighborhood, impacting us with more housing, more traffic and the loss of "the rural feeling". That is just the tip of the iceberg if this re-designation occurs.

16-1

Sincerely,



William & Marianne Wiley
1093 Rose Dr.
Napa, Ca. 94558

RECEIVED

FEB 17 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

LETTER 16: William and Marianne Wiley. Napa, California. February 15, 2009.

16-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

1061 Rose Drive,
Napa,
California 94558

Mr. Bill Dodd, Supervisor,
1195 Third Street, Suite 310,
Napa, California 94559

February 16, 2009

Dear Mr. Dodd,

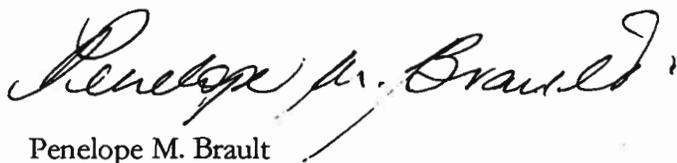
I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 in a letter from Hillary Gitelman dated Feb. 4, 2009; Figure 3-7 of the Draft EIR cited in her letter).

It is disconcerting to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you. I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

My choosing to reside in Rose Drive was a very deliberate decision based upon its "Rural Residential" zoning: a quiet lane with trees, backyard orchards, gardens, wildlife, and a cluster of diverse but friendly neighbors always ready with a smile, a wave, a greeting, and eager to help if need be.

Enclosed, please find a copy of my letter to Hillary Gitelman, Director of Conservation, Development & Planning – a letter in which I express my opposition to the aforementioned proposal.

Yours sincerely,


Penelope M. Brault

Copy to: Ms. Hillary Gitelman

17-1

LETTER 17: Penelope Brault. Napa, California. February 16, 2009.

17-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 16, 2009

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

Dear Ms. Gitelman,

My family received your letter regarding the re-designation of my neighborhood (Rose Dr., Monticello Road, Rosemount Circle, and Woodside Drive) from "Rural" to "Urban" Residential. If my family had wanted to live in an "urban" area, we would have located to a house in the city of Napa. I really appreciate you sending the letter from the Walker family on Monticello Road, as now I understand you want to change our whole neighborhood to the benefit of one family. That is not right.

Rezoning this neighborhood, which includes a number of vineyards and farms, will mean that Napa County will end up losing more of its agricultural land to development. I believe the voters have already let you know that is something we don't want. You must consider the greater picture. Water is scarce, or haven't you heard? Allowing subdivision in our area is not only environmentally irresponsible, but against the will of most everyone in my neighborhood.

Sincerely,

Connie Campbell



PS. The first part of your job title
is as director of conservation.

LETTER 18: Connie Campbell. February 16, 2009.

18-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

**KEN AND GLADYS COIL
1019 WOODSIDE DRIVE
NAPA, CA 94559**

February 16, 2009

Ms. Hillary Gitelman
Director of Conservation, Development and Planning
1195 Third Street, Suite 210
Napa, CA 94559

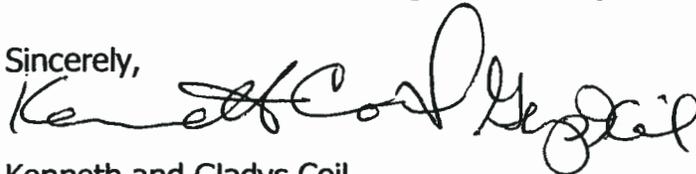
Dear Ms. Gitelman,

This letter is in reference to your letter dated February 4, 2009 soliciting comments to the proposed Housing Element update to rescind and replace the portion of the Housing Element of the Napa County General Plan to re-designate Woodside Drive, in the unincorporated area of Napa County, from Rural Residential to Urban Residential in the program H-2k.

We are opposed to this portion of the update. We have chosen to live in a rural setting in Napa County for 23 years to enjoy the freedom and beauty it provides. Changing the designation of the area to Urban Residential opens up unwanted opportunities for dense housing and possible future annexation to the City.

We thank you for your attention and kindly request that you leave Woodside Drive Rural Residential during this Housing Element update.

Sincerely,



Kenneth and Gladys Coil

LETTER 19: Kenneth and Gladys Coil. Napa, California. February 16, 2009.

19-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, we write to express our opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,

*Marlene Hensen
1035 Woodside Dr
Napa ca
Joseph Hensen*

20-1

LETTER 20: Marlene and Joseph Gerosa. Napa, California. February 16, 2009.

20-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

RECEIVED

MAR 02 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

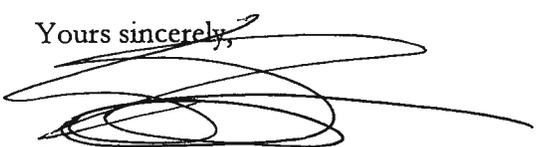
With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Yours sincerely,



Steven L. Hamilton

3 Rosemont Circle

Napa, CA 94558

21-1

LETTER 21: Steven Hamilton. Napa, California. February 16, 2009.

21-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, we write to express our opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,


Pamela R. Kernush
1041 Woodside Dr
Napa, CA 94558

22-1

LETTER 22: Lorna Kerruish. Napa, California. February 16, 2009.

22-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

Fred Lyon
1094 Rose Drive
Napa CA 94538

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,

1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,



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FEB 17 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

23-1

LETTER 23: Fred Lyon. Napa, California. February 16, 2009.

23-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

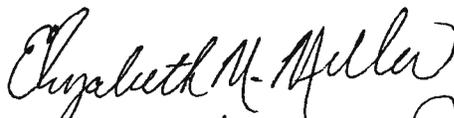
In acknowledgment of your invitation for input, we write to express our opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,


1056 Woodside Dr
Napa, CA 94558
707.287.0023
miller@net.com


1056 Woodside Dr.
Napa CA 94558
707.287.0023
emiller@net.com

24-1

LETTER 24: Elizabeth Miller. Napa, California. February 16, 2009.

24-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 16th 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning
1195 Third St. Suite 210
Napa, CA 94559

RE: Program H-2k

Dear Ms. Gitelman,

We are responding to your letter of 2-4-09 regarding the Draft EIR. My wife and I are opposed to the proposal concerning potential changes to the Housing Elements affecting the neighborhood in the redesignated area UR bordered by Rose Dr., Silverado Trail, Rosemont Circle, Woodside Dr and Monticello Rd.

We are very much against the re-designation from Rural Residential to Urban Residential of our home. Our home has been in the family since 1960 and the community that we chose to live in and retire to; did not include rezoning to Urban Residential. It is not hard for me to imagine the future annexation of the vineyard between Woodside and Ross Drives to the east, for more housing since the precedence would be set to the west of us.

We cannot in good conscious believe that the proposed changes would not be changed from "Upscale development" to "high density" at the whim of the current owners. We rather have chickens and farm animals than the increased traffic and congestion that the changes would surely happen. Monticello is hard enough to get across now let alone with more houses in a very small area.

We strongly object to the proposal to rezone any one or more properties in our neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,



Dr. Robert Niklewicz PT DHSc

Mrs. Coralie Niklewicz

25-1

LETTER 25: Dr. Robert Niklewicz and Mrs. Coralie Niklewicz. February 16, 2009

25-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
Third Street, Suite 210,
California 94559

1195
Napa,

Dear Ms. Gitelman,

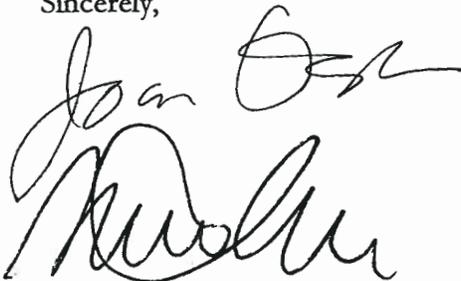
With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,



1091 ROSE DRIVE
NAPA CA. 94558

26-1

LETTER 26: Joan Osburn. Napa, California. February 16, 2009.

26-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,

William F. Pate
102A Woodside Dr.
Napa, CA 94558

27-1

LETTER 27: William Pate. Napa, California. February 16, 2009.

27-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,

Colleen Dennis Pedisich

Colleen Pedisich

Dennis Pedisich

*1050 Woodside Dr.
Napa 94558*

28-1

LETTER 28: Colleen and Dennis Pedisich. Napa, California. February 16, 2009.

28-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,

Arlene Reynolds
1047 Woodside Dr.
Napa, Ca 94558

29-1

LETTER 29: Arlene Reynolds. Napa, California. February 16, 2009.

29-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, we write to express our opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,



1044 WOODSIDE DRIVE

30-1

RECEIVED
FEB 25 2009
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

LETTER 30: Carol and Scott Ritter. Napa, California. February 16, 2009.

30-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

PENELOPE ROZIS
1094 ROSE DRIVE
NAPA CA 94538

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,

1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

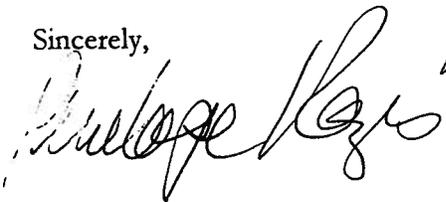
With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,



31-1

RECEIVED

FEB 18 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

LETTER 31: Penelope Rozis. Napa, California. February 16, 2009.

31-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.



1060 ROSE DRIVE
NAPA, CA. 94558
CELL 925.765.6256 FAX 707.251.0573
glwentworth@comcast.net

February 16, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
Third Street, Suite 210,
California 94559

1195
Napa,

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Sincerely,

Cc: Mr. Bill Dodd, Supervisor
1195 Third Street, suite 210
Napa, Ca. 94559

32-1

RECEIVED

FEB 18 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

LETTER 32: George Wentworth. Napa, California. February 16, 2009.

32-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 17, 2009

**Ms. Hillary Gitelman
Director of Conservation, Development and Planning
1195 Third Street, Suite 210
Napa, CA 94559**

Dear Ms. Gitelman,

Subject: Program H-2k

In Reference to: Your letter of February 4, 2009

You requested comments regarding the re-designation of our property at 1073 Monticello Road (APN 049-161-002-000) from "Rural Residential" to "Urban Residential"

I am opposed to this re-designation of the area from Rural Residential to Urban Residential. I am the third generation to live in this home that my great grandfather built and I enjoy the rural atmosphere and the ability of my neighbors and myself to have animals and open space around us. If a higher density of homes is allowed in this area, our taxes are surely to rise with the higher prices of the new homes and property improvements to the area. I do not wish to be on the Napa Sanitation sewer system nor do I want to be annexed to the City of Napa.

33-1

33-2

Thank you for your attention to this matter on my behalf,

Sincerely,



**Diane L McGowan
1073 Monticello Road
Napa, CA 94558**

RECEIVED
FEB 17 2009
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

LETTER 33: Diane McGowan. Napa, California. February 16, 2009.

- 33-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 33-2: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, sewer infrastructure expansion, and annexation to the City of Napa. No annexation or expansion of sewer service is proposed at this time, and when/if a sewer proposal is advanced, it will be subject to environmental review and public noticing. Please also see the responses to Comments 8-1 through 8-3.

February 17, 2009

Ms. Hillary Gitelman
Director of Conservation, Development and Planning
1195 Third Street, Suite 210
Napa, CA 94559

Dear Ms. Gitelman,

Subject: Program H-2k

In Reference to: Your letter of February 4, 2009

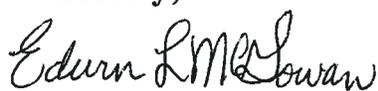
You requested comments regarding the re-designation of our property at 1073 Monticello Road (APN 049-161-002-000) from “Rural Residential” to “Urban Residential”

I am opposed to this re-designation of the area from Rural Residential to Urban Residential. I enjoy the rural atmosphere and do not want the next step which would lead to Napa City annexation and a flood of new homes in the area.

34-1

Thank you for your attention to this matter on my behalf,

Sincerely,



Edwin L McGowan
1073 Monticello Road
Napa, CA 94558

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**NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.**

LETTER 34: Edwin McGowan. Napa, California. February 16, 2009.

34-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

February 17, 2009

**Ms. Hillary Gitelman
Director of Conservation, Development and Planning
1195 Third Street, Suite 210
Napa, CA 94559**

Dear Ms. Gitelman,

Subject: Program H-2k

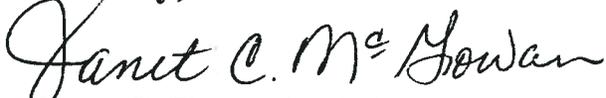
In Reference to: Your letter of February 4, 2009

You requested comments regarding the re-designation of our property at 1073 Monticello Road (APN 049-161-002-000) from "Rural Residential" to "Urban Residential"

I am opposed to this re-designation of the area from Rural Residential to Urban Residential. My grandfather built this home and it has been in our family ever since it was built. The memories of the open space then and now are of deep concern to me and my family.

Thank you for your attention to this matter on my behalf,

Sincerely,



**Janet C (French) McGowan
1073 Monticello Road
Napa, CA 94558**

35-1

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DEVELOPMENT & PLANNING DEPT.**

LETTER 35: Janet McGowan. Napa, California. February 16, 2009.

35-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

Johnson, Nancy

From: Alfred Colon [alandconniec@sbcglobal.net]
Sent: Tuesday, February 17, 2009 9:46 AM
To: Johnson, Nancy
Subject: Housing Plan for Napa County

Dear Ms Johnson:

I see that the Planning Commission is considering the approval of low income housing at the Corners and Spanish Flat in the Lake Berryessa area. What is wrong with this picture is that none of the infrastructure for housing nor business is located in these two areas.

The following services are non-existent for new and existing housing:

- Public Transportation
- Domestic Water
- Waste Water Treatment Plants
- Employment Opportunities
- Grocery Stores
- Drug Stores
- Medical Facilities
- and the list goes on

36-1

Does the County plan to provide public transportation to the area? The travel times to Napa for a bus are 45 to 60 minutes, minimum. The bus would have to service the area from 5:00 AM until 10:00 PM to accommodate work, medical and shopping needs.

36-2

Some prior studies have indicated that Spanish Flat has water and waste water treatment facilities available and this is not true. These facilities are at design capacity.

36-3

My wife and I have lived full-time in the Spanish Flat area since 1997 and we are acutely aware of the lack of services. Most business that try to start here fail within 2 to 3 years due to lack of sales. Just visit the areas and you will see. We have also found that living in a rural setting like Lake Berryessa is very expensive and you are dealing with persons that need financial help, not an added burden of higher living costs.

36-4

36-5

The roads are very difficult to navigate and if the Bureau of Reclamation ever gets their act together, the weekend and summer traffic with slews of boats, travel trailers and motorcycles make the roads very dangerous. And you want to add the traffic from additional housing?

36-6

In addition, Napa County has no plans to improve the roads by straightening where possible, turn-outs and even asphalt repair is hit or miss.

36-7

So an argument can be made that if one builds, they will come. This is not true unless the County is willing to make major investments in infrastructure, if they will change the land use rules that allows smaller parcels, which is contrary to the County voters desires and where does the money for County and Developer investment come from. Heck, the State of California, Nap. County and the City of Napa are on the verge of a financial disaster, how can anyone in their right mind even consider low income housing at Lake Berryessa.

36-8

You need to put the housing where existing systems can be expanded with minimal investment. Napa Pipe is one of those areas.

36-9

So please at your convenience pass on my concerns to the Planning Commission for their consideration. If you have any questions, please feel free to call me at (707) 966-1122.

Sincerely,

Al Colon
4870 Knoxville Road, Napa 94558

LETTER 36: Alfred Colon. Napa, California. February 16, 2009.

- 36-1: The comment states that Lake Berryessa area is lacking in services. A discussion of public services and infrastructure for the Spanish Flat and Moskowitz Corner sites is provided in Chapters 4.4 and 4.13 of the Draft EIR. Also, the Draft Housing Element Update and associated Housing Needs Assessment explains that redevelopment of resorts at Lake Berryessa in the Bureau of Reclamation jurisdiction is expected during the planning period for this Housing Element (i.e., until 2014), and it is therefore reasonable to expect some increase in services and housing demand. This comment does not address the adequacy of the Draft EIR, so no further response is necessary.
- 36-2: The comment asks whether public transportation will be provided to the Spanish Flat and Moskowitz Corner area. As indicated on pages 4.4-45 and 4.4-46, none of the proposed housing sites are directly served by existing transit. The Draft EIR finds a significant impact related to alternative transportation, and provides Mitigation Measure TRAF-13, which would mitigate this impact to a less-than-significant level by either providing transit service or areas for park and ride facilities.
- 36-3: The comment states that water and wastewater treatment facilities in the Spanish Flat area are at design capacity. This condition is recognized on pages 4.13-23 and 4.13-32 of the Draft EIR.
- 36-4: This comment states that there is a lack of services in the Spanish Flat area. Please see the response to Comment 36-1.
- 36-5: The comment states that the cost of living in the Spanish Flat and Moskowitz Corner area is very high, and that affordable housing is not appropriate here. Please see the response to Comment 36-1.

- 36-6: The comment states that roads near Lake Berryessa in the Spanish Flat housing sites area are difficult to navigate. The commenter questions whether the County wants to add traffic to these roads from additional traffic.

The Draft EIR assesses vehicular volumes and compares them to significance thresholds adopted by the County. These thresholds are developed for different types of roadways with specific design characteristics. The volumes analyzed represent peak conditions, since that is generally when traffic is at its worst. The analysis of traffic impacts in the Draft EIR based on these volumes found no significant impacts, although it is acknowledged that on some summer weekends, traffic around the lake can be affected by recreational users. Traffic from new housing in the Spanish Flat area is not expected to result in substantial increases in traffic or noticeably change the existing situation on summer weekends.

- 36-7: The comment states that Napa County does not have any plans to improve the roads near Lake Berryessa in the Spanish Flat housing sites area. As stated in response to Comment 36-6, above, proposed housing in the Spanish Flat area is not expected to result in substantial increases in traffic, therefore roadway improvements would not be necessary to accommodate housing on the Spanish Flat housing sites.

- 36-8: The commenter questions the wisdom of housing sites near Lake Berryessa. See the response to Comment 36-1.

- 36-9: The commenter states that the County should “put the housing where existing systems can be expanded with minimal investment. Napa Pipe is one of those areas.” As noted in the Draft EIR, Spanish Flat is considered an area where the existing system can be expanded with modest investments. The commenter’s assessment of Napa Pipe as a preferable site is noted.

FRISCH & FRISCH
ATTORNEYS AT LAW

FRANCIS H. FRISCH (1908-1997)
JOHN F. FRISCH (RETIRED)
KERRY J. FRISCH

1114 FRANKLIN STREET
NAPA, CALIFORNIA 94559
(707) 226-3404
FAX: (707) 226-3465

February 17, 2009

Hillary Gitelman
Director of Conservation, Developing & Planning
1195 Third street, Suite 210
Napa, CA 94559

Re: Program H-2k, Monticello Road/Atlas Peak and Walker

Dear Ms. Gitelman:

We strongly **oppose** your rezoning proposal as outlined in your letter of February 4, 2009 and enclosure Figure H-1.

It appears that you are using Walker's request for rezoning to rezone other parcels of real property. It is assumed that this is to correct Bill Dodd's mistake of allowing Affordable Housing at Monticello Road and Atlas Peak. The residents of Woodside and Rosemont Circle do not want the Walker property developed into 16 or more homes. However, I am sure the residents of Silverado County Club and the surrounding area would approve the rezoning of the three sites indicated on Figure H-1. **These should be decided separately!** The way you have it set up is if you wish to remove the Affordable Housing on Monticello and Atlas Peak, you vote for development on the Walker project. This is unconscionable!

37-1

With regard to the Walker project:

1. There is no ingress or egress wide enough to accommodate 16 or more homes, upscale or not. In order to provide adequate access it would be necessary to widen the current one-car lane. There are homes on both sides of the lane and I am sure they would object strongly to the constant comings and goings of cars along their sides as well as along Monticello Road in front. This would drastically affect their property values and quality of home life.

37-2

2. The Walker project would put too many more cars on the road. At the present time, it is very difficult to get out onto Monticello from Woodside Drive and Rosemont Circle at peak times. To have additional cars coming and going from the Walker lane would make it impossible and dangerous. In addition, the lane is directly coming off of the bend around Rosemont Rest Home which makes entering traffic dangerous.

37-3

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February 17, 2009
Page Two

3. The Walker's letter dated February 11, 2009 indicates that they would bring sewer to the County. They may want and need the new sewer lines but we do not, nor do we want to be forced to connect to them at our cost.

37-4

Their letter indicates that a change to Urban Residential will "eliminate the possibility that our property will be used for chickens and other farm animals". This is the County still and certain animals are acceptable in certain quantities. If taken care of, no one objects.

Walker's say they have complaints of smell, dust and drainage problems, which is why they need to develop the property. It seems to me that these problems could be taken care of by planting crops or digging drainage, with little cost or effort by the Walkers. To my knowledge, the Walkers have never done anything with the property and have just allowed it to go untended.

37-5

The Walker letter mentions the nice homes surrounding their property. All of these homes would lose value if large, close, multilevel homes were to be built next to them and indeed probably looking down on them.

That being said, the property is a great wildlife refuge. Deer, possum, coyotes, racoons, frogs and others come off the creek. The land does flood somewhat and in the past has been crisscrossed with jellied lines of frog eggs.

Therefore, we request that you separate the Walker and Monticello Road/Atlas Peak rezoning issues and that you deny the Walker request for rezoning and development.

Very truly yours,

JOHN F. FRISCH

KERRY J. FRISCH

1032 Woodside Drive
Napa, CA 94558

LETTER 37: Frisch & Frisch Attorneys at Law. 1114 Franklin Street, Napa, California. February 17, 2009.

- 37-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, and its connection to the removal of the :AHCD designation of the Monticello/Atlas Peak sites under this program. Please see the responses to Comments 8-1 through 8-3. Also, the Planning Commission and the Board of Supervisors do have the ability to decide the two components of this program separately as suggested by the commenter.
- 37-2: The comment states that there is no ingress or egress wide enough to accommodate 16 homes as part of the Walker project and states that future traffic will affect property values. The Draft EIR is a programmatic EIR. Project access was not evaluated as a part of the Draft EIR analysis because no specific development proposals have been made. Analysis of ingress and egress would be conducted when each individual project submits proposed designs and formal applications. The extent to which developments would affect property values cannot be determined as a part of the traffic analysis. The traffic analysis in the Draft EIR is adequate in scope for the purposes of a programmatic EIR. Please also see the responses to Comments 8-1 through 8-3.
- 37-3: The comment states that the Walker project will result in dangerous traffic conditions. The Draft EIR found that the project would have a less-than-significant impact to circulation in the area based on criteria adopted by the County. Project access design will be addressed when this particular project proceeds to a development phase. The traffic analysis in the Draft EIR is adequate in scope for the purposes of a programmatic EIR. Nonetheless, development of the Walker project under Program H-2k from the January 2009 draft of the

Housing Element has been eliminated, as discussed in the responses to Comments 8-1 through 8-3 and in Chapter 1 of this Final EIR.

- 37-4: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, and its related infrastructure expansion. The comment is noted.
- 37-5: The comment indicates that existing deficiencies on the Walker property could be addressed without redesignation and development, that surrounding properties would lose value, that that the site provides a wildlife refuge. Please see the responses to Comments provided above, as well as the responses to Comments 8-1 through 8-3.

Johnson, Nancy

From: Gitelman, Hillary
Sent: Tuesday, February 17, 2009 10:44 AM
To: Johnson, Nancy
Cc: Darbinian, Silva
Subject: FW: walker project

Housing Element comments

From: jrpctp@aol.com [mailto:jrpctp@aol.com]
Sent: Tuesday, February 17, 2009 9:47 AM
To: Gitelman, Hillary
Subject: walker project

hello hillary, my name is john pappas and i left you a voice message this am. my questions regarding the walker project are as follows, if you could provide answers before we meet on thursday @ 9:30am i would appreciate it.

1) it has come to my attention after talking with many of the residents on rose drive this weekend that approximately two years ago the walkers (or representatives of theirs) passed around a petition for sewer service to "their property", as it was told to everyone . little did we know then what we know now! a slight misrepresentation???

38-1

2) why is the county planning department not just looking at the walker project as it's own entity, meaning addressing their desires to build with-in their current zoning ordinance? why is it being "bunched" with other items on the agenda i.e., "state law", affordable housing, zoning changes? why not just let them re-draw their property lines to be in accordance with the surrounding area 1 acre parcels with one house, which would effectively let them develop this site in accordance with the surrounding area as compared to what they are proposing,, change the surrounding area to conform to their plans.

38-2

3) why not look at just their property for sewer hook-up? why include such a larger area?

38-3

4) traffic issues on both rose drive access on and off of silverado is horrendous, not to mention monticello road. has a traffic impact report been done? would access for this proposed walker project be off rose drive or monticello road?

38-4

what if one of the properties to the south of the walker property wanted to "join in" with the walkers in development, what impact on access would that have on our neighborhood?

38-5

38-6

5) how many times in the last 1 year, 5 years, 10 years,, or ever has the planning department changed zoning on a LARGE area to conform to plans for a small area???

38-7

i look forward to these answers and our meeting on thursday. and to go on the record, i oppose this project as it is written. this needs to be deleted from the general plan and dealt with as a separate entity.

john pappas

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

LETTER 38: John Pappas. February 17, 2009.

- 38-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, and expresses concern over a petition that had been circulated to expand sewer service to the area. Please see the responses to Comments 8-1 through 8-3.
- 38-2: The comment expresses opposition to inclusion of the development of the Walker property in Program H-2k from the January 2009 draft of the Housing Element, and asks why they couldn't re-draw property lines under existing zoning without affecting the neighborhood. The current zoning in this area is Residential Single (RS) with a B-2 combination district, meaning that there is a 2-acre minimum parcel size with one house per parcel allowed (actually one principal residence plus a legal second unit provided that water and wastewater issues are addressed). The area is also designated Rural Residential on the General Plan Land Use Map, which carries with it a 10-acre minimum parcel size. Thus, the property owner cannot apply to subdivide the property under the current General Plan and zoning designations. Also, the County cannot "spot zone" one small parcel, and thus must consider the designation of a group of parcels together.
- 38-3: The comment asks why the Walker property wasn't considered separately for sewer hook-up under Program H-2k from the January 2009 draft of the Housing Element. The County is not proposing to provide sewer services to the area, and the only question posed by the draft Housing Element was whether the County should redesignate the parcel and a group of parcels around it in such a manner that the property owner(s) could pursue rezoning and sewer service in the future. As noted elsewhere, this proposed element of Program H-2k from the January 2009 draft of the Housing Element has been eliminated from the revised draft Housing Element.

- 38-4: The comment states that development on the Walker property under Program H-2k from the January 2009 draft of the Housing Element would cause traffic problems. The Draft EIR and the General Plan EIR before it analyzed traffic volumes and congestion on Monticello Road and concluded that the proposed Housing Element would have a less-than-significant impact to circulation in the Monticello Road Rural Residential area -- please also see the response to Comment 8-3.
- 38-5: The comment asks how development on the Walker property under Program H-2k from the January 2009 draft of the Housing Element would be accessed and what the impact would be if access came through another parcel in the area. The Draft EIR is a programmatic EIR. Project access was not evaluated as a part of the Draft EIR analysis because no specific development proposals have been made. Analysis of ingress and egress would be conducted when each individual project submits proposed designs and formal applications. The extent to which developments would affect property values cannot be determined as a part of the traffic analysis. The traffic analysis in the Draft EIR is adequate in scope for the purposes of a programmatic EIR. Please also see the response to Comment 8-1.
- 38-6: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, as well as the redesignation of the larger Monticello Road Rural Residential area. Please see the responses to Comments 8-1 through 8-3.
- 38-7: The comment asks how often the County has changed the zoning in a large area to please a smaller area. The County very seldom reviews rezoning applications affecting either individual parcels or larger areas with multiple parcels. There is one such application currently pending that affects Gordon Valley.

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DEVELOPMENT & PLANNING DEPT.

February 18, 2009

Napa County Planning Commission
1195 Third Street
Napa, CA 94559

LETTER #39

RE: Napa County Housing Element

Dear Planning Commissioners:

This afternoon's hearing, while noticed as a review of the Housing Element Draft EIR, actually covers other related documents and changes. So I will separate my comments relating to each document:

Housing Element:

- 1. In reviewing the Housing Element, I am concerned that this document identifies potential building sites supporting more than twice the required ABAG housing allocation (page H-10). For years we, as one of the last rural, agricultural counties in the SF Bay Area, have positioned ourselves, and fought for, a reduction in ABAG allocations. Now, miraculously, we indicate we not only don't have a problem, but can support more than double the allocation.

39-1

Is this the message we want to give ABAG and the State? What are the short and/or long term impacts of this decision? What are the unintended consequences?

- 2. *Page H-14, Policy H-4i: The County will increase the acreage within the County where multifamily housing can be constructed, while recognizing local, State and LAFCO policies aimed at the preservation of agricultural lands.*

39-2

I don't question this policy but do suggest adding appropriate words to clarify where this acreage is coming from. For example: is the intent to reuse existing sites in urbanized areas (or within City boundaries)? Or to reuse industrial sites? As an open ended policy it could be construed and could be applied to mean a rezoning of Ag lands.

Note: This policy is missing from Table H-G, Summary of Housing Element Programs.

39-3

- 3. *Page H-21, Program H-5d: The County shall implement and simplify its Growth Management System by ...shall be calculated based on the percentage change in population in incorporated Napa County since the last update or one percent (1.0%), whichever is less, and in no instance shall the new permit limit be lower than the previous permit limit.*

39-4

I am puzzled by the last 16 words in Program H-5d. There are a few scenarios (such as an increase in vacancy factor of existing housing or a decrease in population) and simple math that would result in a number of permit limit lower than the previous permit. Why is this so black and white?

4. Page H-40, Preliminary Site Inventory and Analysis

Napa Pipe (Sites A and B) Napa Pipe Phase I contains 49 acres located on the northern portion of two parcels (APN 046-412-005 and APN 046-400-030), which total approximately 150 acres.

Environmental Constraints & Other Observations, ... The realistic development capacity of this site is based on a development proposal that has been submitted to Napa County. Because the development proposal would take many years to build out, only the first phase of the proposal (49 acres total) was included in the priority housing sites inventory. The realistic unit capacity of the northernmost 49 acres is estimated at 850 units. Constraints on development of the Napa Pipe site primarily relate to the cost of site preparation (including environmental remediation) and needed infrastructure. Also, the development of a first phase of housing, providing an estimated 850 units in the current housing cycle, is likely to be predicated on execution of a development agreement regarding build-out of the entire site in multiple phases.

39-5

The Housing Element & the Draft EIR only include phase 1 of an existing proposal and application. I ask County Counsel to review CEQA rules as I don't believe it is legal to include a partial project in the housing element when there is an **active proposal in process**.

The description of this site in both documents clearly understates the water, traffic, public services and environmental impacts of the full project.

39-6

Housing Element Draft EIR:

5. Page 3-4: Within the almost last paragraph on this page is a statement "*Highway 12 is the primary East-West transportation corridor*". While this may be a true statement for those already living in Napa County, this is not a position that the Board nor NCT&PA supports for the region. This paragraph should be modified to indicate that Highway 37 is the primary and preferred corridor connecting Highway 80 and 101 East and Westbound.

39-7

6. Next page: Figure 3-1 Regional Location map: This map incorrectly omits Highway 37 altogether. While this seems to support the wording on the previous page, it must be corrected to be consistent with the General Plan & current policy. [see attached]

39-8

7. Page 4.4-36: The chart on this page refers to all sites with Single Family Detached homes. This is incorrect and should be modified to accurately reflect single and/or multi-family structures that support the proposed density. [see attached]

39-9

Conforming Amendments to General Plan:

8. Please clarify the timing for the recommended GP changes. The verb tense in a few areas are confusing. For example - Page 1, B3, the last sentence is "Approximately 150 acres at the Napa Pipe site WERE subsequently re-designated..." While on Page 2, B4, "The Growth Management System (Policy AG/LU-119) WAS simplified..."

39-10

9. Page 3, C3, Add a new Policy AG/LU-51.5 to read as follows: **Maximum Building Density:** Residential building densities shall be a minimum of 20 dwelling units per acre, with a maximum of 2,580 dwelling units on the Napa Pipe site averaging 1,200 square feet in size and including up to 40,000 square feet of neighborhood-serving commercial uses. Other commercial and Industrial building densities shall be established as 50% lot coverage, or a Floor Area Ratio of 0.5.

39-11

I am unclear on the intent of including the average size of the units or maximum square feet of neighborhood-serving commercial uses in the General Plan. This would limit the flexibility of the developer to meet local housing needs and constrain their ability to include required or requested commercial uses. It is more appropriate for a government agency to define the density and floor area ratio and leave other details to the development agreement with the developer.

10. Page 5-15 – changes to Policy AG/LU-119, the Growth Management System:

Page 5, middle paragraph removes reference to the nine Bay Area Counties. This important reference alters not only to the original intent of the Growth Management System, but creates an appearance that our housing goals are inconsistent with the "fair share" of regional growth – and should be retained. My suggestion is to retain these words and incorporate a section of page 6, 2nd paragraph that specifically identifies that the Growth Management system "satisfies the requirement that the County is accommodating its share of regional need for housing".

39-12

Likewise, I suggest that the following deleted sentences on page 5 be retained in AG/LU-119: "The 1% population growth rate approximates the Bay Area population growth rate" and "Plans for Napa County, its constituent cities and town and ABAG, all call for city-centered urban development which reduces the unincorporated area's proportional share of the County's total share of regional housing needs."

39-13

39-14

Page 7, Review Following Census: See comments in bullet point #3 above regarding the phrase "and in no instance shall the new annual limit be less than the prior limit".

39-15

HCD Letter

11. The HCD letter contains the phrase "multifamily housing must be permitted by right" on various pages. For example: Page 2, Program 6b, 6e, and 6e and top of Page 6.

Page 3, 2nd paragraph: Please clarify if HCD is asking, or requiring, the County to remove the Use Permit processing (because it is a constraint to development) or asking the County to mitigate the impacts of our Use Permit requirements?

39-16

Information on HCD's website clearly states that the Government Code prohibits public hearings on future multifamily development proposals on adequate sites identified in the Housing Element. What does this mean for multifamily housing in Angwin or Napa Pipe? Are these discretionary vs by right? If the review process must remain ministerial (public design review OK) I think the public needs to understand the changes to Government Codes and the implication of identified sites in the Housing Element.

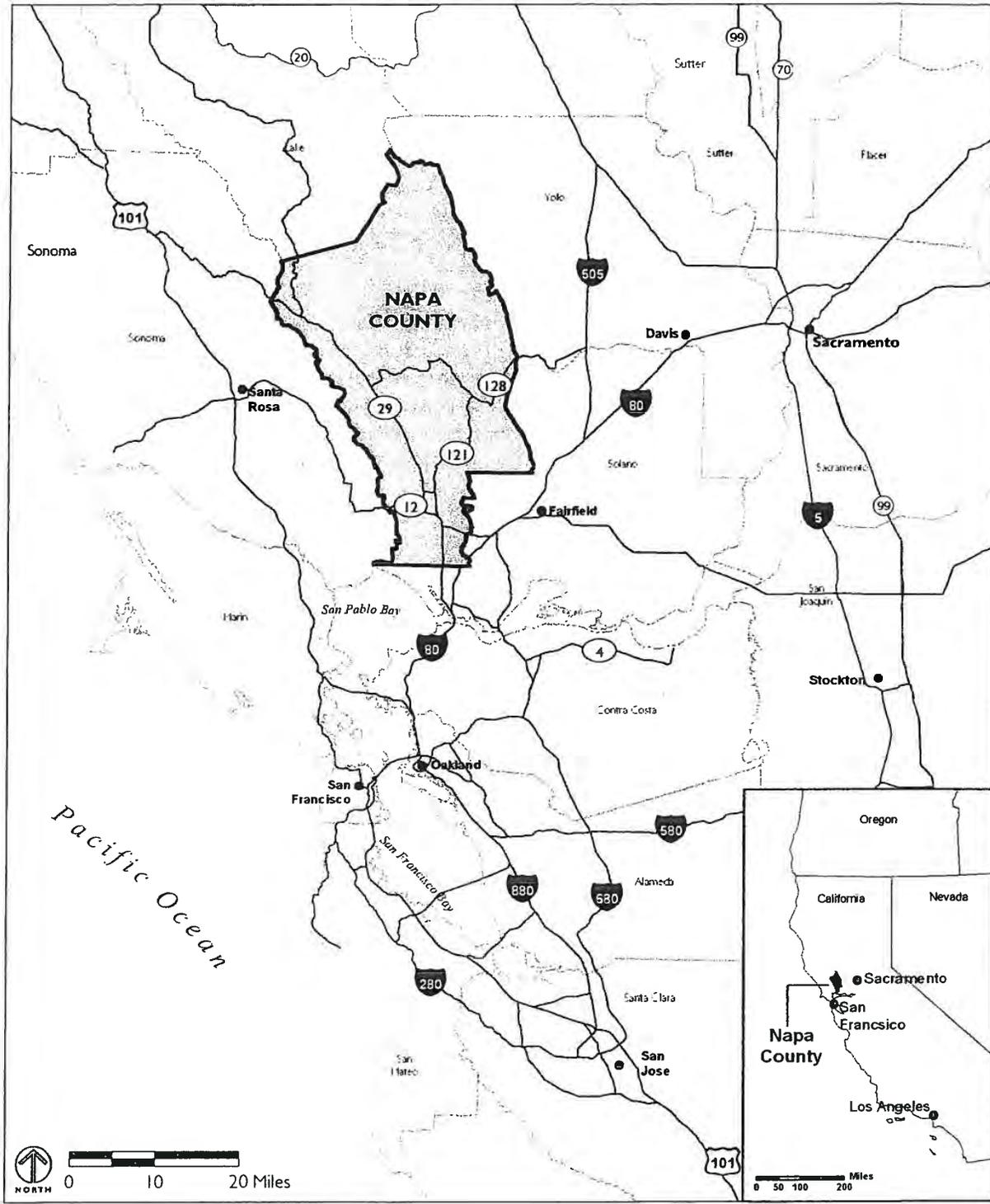
39-17

Thanks and regards,



Eve Kahn
3485 Twin Oaks Court
Napa, CA 94558

attachments



39-18

FIGURE 3-1

REGIONAL LOCATION

TABLE 4.4-4 HOUSING SITE TRIP GENERATION

Land Use	Size	AM Peak Hour		PM Peak Hour	
		In	Out	In	Out
Angwin					
Single-Family Detached Housing	191 units	36	107	121	71
Moskowite Corner					
Single-Family Detached Housing	105 units	21	62	71	41
Spanish Flat					
Single-Family Detached Housing	99 units	20	59	67	39
Napa Pipe					
Single-Family Detached Housing	850 units	151	453	464	272
Monticello Road Rural Residential Area					
Single-Family Detached Housing	13 units	5	14	11	6
Subtotal		233	695	734	429
Peak Hour Total		928		1,163	

Note: DU = Dwelling Units

Source: *Trip Generation* (7th Edition; Institute of Transportation Engineers, 2003).

3. Trip Distribution and Assignment

The likely geographic distribution of origins and destinations for project-generated traffic was estimated using the Napa/Solano County Travel Demand Model and the 2000 Census Journey to Work and Place of Work data. The two data sources were generally consistent; however, the base year (Year 2000) Napa/Solano County Travel Demand Model provided more detail regarding the distribution of trips within the City of Napa and unincorporated

LETTER 39: Eve Kahn. Napa, California. February 18, 2009.

- 39-1: The commenter expresses concern regarding the number of housing sites and housing units accommodated in the draft Housing Element. The County's obligation is to identify sufficient sites to satisfy its Regional Housing Needs Allocation (RHNA), and has found it prudent based on guidance from HCD to provide a "buffer" above the RHNA number. In addition, there have been changes in State law since the County's last housing element was certified that essentially require the County to prove the validity of any sites zoned at densities less than 20 du/acre. All of these requirements mean that the County cannot simply provide a sites inventory to accommodate the number of units included in its RHNA. Nonetheless, in response to this commenter's concern and others, the revised draft Housing Element has somewhat reduced the number of units included in the sites inventory.
- 39-2: The commenter requests clarification of a specific policy in the Draft Housing Element Update. This policy has been retained in the revised draft and would be implemented by the program related to rezoning a portion of the Napa Pipe site.
- 39-3: The commenter offers a correction for Table H-G in the Housing Element. The comment is noted.
- 39-4: The commenter requests clarification of changes proposed to the Growth Management System. This program has been clarified to indicate that in no instance will the new annual permit limit be lower than the previous limit, except when adjustment is needed to reflect annexations and incorporations.
- 39-5: The commenter suggests that analyzing phase one of an active application with multiple phases may be a violation of CEQA. The Draft EIR for the Housing Element Update appropriately focuses on the

impacts of development anticipated within the housing cycle that ends in 2014, *and* potential cumulative impacts of that development *plus* other development (like later phases of the pending application) that might occur before the year 2030. This is an acceptable approach from a CEQA perspective and all reasonably foreseeable impacts from the pending development application have been included at a general, or programmatic level of detail in either the existing plus project (2014) or cumulative (2030) analysis.

- 39-6: The commenter believes that the draft Housing Element and the Draft EIR understate the water, traffic, public services and environmental impacts of the “full” Napa Pipe project. Please see Draft EIR sections related to cumulative water, traffic, public services and other impacts. These analyses consider the possible effects of full build-out of the Napa Pipe site in combination with development on the identified housing sites and reasonable projections of growth throughout the region. The commenter does not identify specific issues or impacts that have not been identified or addressed in this way.
- 39-7: The comment references page 3-4 of the Draft EIR, which states that “Highway 12 is the primary east-west transportation corridor,” and suggests that this be revised to indicate that Highway 37 is the primary and preferred corridor connecting Highways 80 and 101. This section of the Draft EIR has been revised accordingly, as is shown in Chapter 3 of this Final EIR.
- 39-8: The comment states that Figure 3-1 of the Draft EIR omits Highway 37. Figure 3-1 of the Draft EIR has been revised to include Highway 37, as is shown in Chapter 3 of this Final EIR.
- 39-9: The commentor is correct that Table 4.4-4 lists the land use on all housing sites as Single-Family Detached Housing. The commentor suggests that this table be revised to reflect the housing types that would support proposed densities on the housing sites.

As explained on page 4.4-35 of the Draft EIR, the traffic analysis conducted for the Draft EIR assumed that all housing units on the proposed housing sites would be single-family detached dwellings, which have the highest traffic generation rates of all housing types. Therefore, trip generation modeling using single-family homes provides the most conservative projections and analyzes a worst-case scenario. Table 4.4-4 is accurate as it appears in the Draft EIR and no revision to the Draft EIR is necessary.

- 39-10: The commenter requests clarification to the conforming amendments to other sections of the General Plan. Please see the revisions proposed in response to this comment in the revised version proposed for Planning Commission consideration on May 6, 2009.
- 39-11: The commenter questions including specific land uses for the Napa Pipe site in the conforming General Plan amendments. While general plans are supposed to be “general,” the County has an obligation to provide sufficient information about each land use designation to determine densities and intensities. Nonetheless, in response to this commenter’s concern and others, the conforming amendments have been revised to eliminate the proposed re-designation of the Napa Pipe sites from Study Area to Transitional. Please see Chapter 1, Introduction, for more information.
- 39-12: The commenter requests that information about the nine Bay Area Counties be retained in the discussion of the Growth Management System. Please see the revised version of the conforming amendments for changes proposed in response to this comment.
- 39-13: The commenter requests retention of a reference to the Bay Area’s growth rate of 1 percent. Please see the revised version of the conforming amendments for changes proposed in response to this comment.

- 39-14: The commenter requests retention of another sentence in the Growth Management System text. This sentence has not been re-inserted in the revised draft because of the desire to shorten the text by deleting the three paragraphs beginning “First” “Second” and “Third” which are unnecessary to the policy and implementation of this section.
- 39-15: This comment is similar to Comment 39-4. Please see the response offered above.
- 39-16: The commenter asks for clarification of a comment received from HCD regarding the constraints on development posed by use permit requirements. HCD has asked the County to eliminate the use permit requirement or otherwise address the use permit process in a way that will removed constraints on housing development. HCD has also pointed out that any sites included in the County’s inventory that rely on rezoning must permit housing for Low and Very Low income households by right (without a use permit). As explained in Chapter 1, Introduction, the revised Draft Housing Element allows “by right” development of Low and Very Low units at all of the proposed housing sites.
- 39-17: The commenter questions whether housing proposed in Angwin and at Napa Pipe will be “by right.” Under the existing and proposed Housing Element, multifamily housing is permitted “by right” on the two housing sites in Angwin provided that the specified levels of affordability, densities, and development standards are met. Any multifamily housing project which does not comply with these requirements would be subject to a use permit. At Napa Pipe, the revised Draft Housing Element proposes that about 20 acres of the site should be rezoned to accommodate up to 152 units of multifamily housing “by right” and 152 units with a use permit or development

agreement. Please see Chapter 1, Introduction, or the revised Draft Housing Element itself for more information.

39-18: This comment contains supporting documentation for Comment 39-8. Please see response to Comment 39-8, above.

39-19: This comment contains supporting documentation for Comment 39-9. Please see response to Comment 39-9, above.

Johnson, Nancy

From: Gitelman, Hillary
Sent: Wednesday, February 18, 2009 4:48 PM
To: Johnson, Nancy
Subject: FW: Program H-2k

Housing Element comment

From: shubin6@comcast.net [mailto:shubin6@comcast.net]
Sent: Wednesday, February 18, 2009 10:54 AM
To: Gitelman, Hillary; Dodd, Bill
Subject: Program H-2k

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and the Draft EIR cited therein:

In acknowledgement of your invitation for input, I write to express our opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive, and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR.

40-1

It is alarming to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

We recognize that affordable housing is much needed in our community, and as such agree that the County should be working toward resolving this issue. This project does not do that. Supervisor Bill Dodd states on his web page, *"With the rising costs of housing, people who are essential members of our community, such as firefighters, sheriff officers and teachers, are finding it difficult to find affordable housing. To solve these problems, one must look at the big picture and be willing to change the way the county does business. Thus, if land has been set aside for development and will be developed, choosing the right project is of the utmost importance. In that respect, the county should choose those projects that give back the most to the County in the form of traffic, low-income housing, open space, and parks."* Specifically Project H-2k would remove the affordable sites already designated in our neighborhood. At the same time passage of Project H-2k would allow increased housing densities in the neighborhoods mentioned above changing the nature of the community, increasing traffic congestion, no new parks or open space while doing nothing to help the workers of Napa live in Napa. We have received communication from the Walker family with property at 1055 Monticello that states "approval of policy H-2k will change our property to an "Urban Residential" designation that would allow for future development of approximately 16 upscale homes. **Our property would not be an affordable housing site.**" We object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

40-2

Sincerely,

Dave and Karen Shubin
1020 Rose Dr.

LETTER 40: Dave and Karen Shubin. Napa, California. February 18, 2009.

40-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

40-2: The comment expresses opposition to Program H-2k from the January 2009 draft of the Housing Element, indicating that it would not provide affordable housing because it would eliminate the AH zoned sites at Monticello Road and Atlas Peak and because development on the Walker parcel would not be affordable. The comment is noted.

February 20, 2009

Dear Hilary Titelman,

I have received a letter from the Planning Commission, and a letter from the Walker family indicating a change from rural residential to urban residential.

41-1

I moved here in 1961 because of the rural atmosphere, and I want it to continue that way.

If the Walker family is allowed to develop their property under the Urban residential designation it would create more traffic and noise,

41-2

Sincerely,
Earl & Elizabeth Jutt

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FEB 23 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

LETTER 41: Earl and Elizabeth Tutt. February 20, 2009.

- 41-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 41-2: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, and its potential traffic and noise impacts. The Draft EIR found that the proposed Housing Element would have a less-than-significant impact to circulation in the Monticello Road Rural Residential area based on criteria adopted by the County. The Draft EIR also found that the proposed Housing Element would have a less-than-significant impact on traffic-related noise levels, since the increase in noise levels attributable to the proposed Housing Element would be less than the Federal Interagency Committee on Noise (FICON) significance thresholds. Nevertheless, development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element has been eliminated from the revised draft Housing Element as explained in Chapter 1, Introduction. Please also see the responses to Comments 8-1 through 8-3.

02/24/09

Ms. Hillary Gitelman

I live at 1057 Monticello Road. I am opposed to the re-designation of my property from Rural Residential to Urban Residential in the program H-2k.

42-1

This change would benefit 1 property out of approximately 60. I quote from the Walker Family letter of 11 Feb 09 "...since a new sewer system in our area will be EXPENSIVE the additional houses will cause the costs to be spread over more homes reducing the costs for all of us." Why should the rest of the homeowners subsidize the costs of their development? I'm retired and on a fixed income. I am not interested in spending thousands of dollars on something I don't need.

42-2

My property is bordered on 2 sides by the Walker property. At present there is a 1 lane gravel road leading to the present 2 houses. This proposal would add up to 16 additional houses. This would require a widening of this road. The resulting road would add increasing traffic. Monticello Road is increasingly busy. I don't need another busy road down another side.

42-3

During the public meeting at the planning commission the Walker attorney made several statements I disagree with. There were generalizations such as the average lot size in this area is 1/3 acre. (I suppose this is to make 1/4 acre seem not much smaller.) In fact the average lot size in this area is larger. He talks of old and failing onsite wastewater treatment systems (septic) and the threat to Sarco Creek without any evidence. He also suggested just changing part of the re-designated area. How would this change our concerns?

42-4

My father built this house in 1962. To me it is a legacy. It is about quality of life not value of house. To build 16 2-story Victorian-style houses looking down on my backyard (as Ron Walker has suggested) would not improve the quality of life and would not fit in with the neighborhood.

42-5

I appreciate your concern in this matter. I strongly oppose this re-designation.

Sincerely,

John Anderson
Dianne Anderson

RECEIVED
FEB 26 2009
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

LETTER 42: John and Diane Anderson. Napa, California. February 24, 2009.

- 42-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 42-2: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, and its associated infrastructure expansion. Please see the responses to Comments 8-1 through 8-3.
- 42-3: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, and its associated traffic impacts. The Draft EIR found that the proposed Housing Element would have a less-than-significant impact to circulation in the Monticello Road Rural Residential area based on criteria adopted by the County. Please also see the response to Comment 8-3.
- 42-4: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 42-5: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

Johnson, Nancy

From: Gitelman, Hillary
Sent: Wednesday, February 25, 2009 9:35 AM
To: Johnson, Nancy
Subject: FW: walker project

For the Housing Element file

From: jrptcp@aol.com [mailto:jrptcp@aol.com]
Sent: Wednesday, February 25, 2009 9:31 AM
To: Gitelman, Hillary
Subject: Re: walker project

hillary, thank you for that wonderful explanation! that clears the "confusion". lets set that meeting up soon.
take care
john pappas

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

From: Gitelman, Hillary <hgitelman@co.napa.ca.us>
To: jrptcp@aol.com
Cc: Dodd, Bill <BDODD@co.napa.ca.us>; Johnson, Nancy <NJOHNSON@co.napa.ca.us>
Sent: Wed, 25 Feb 2009 9:27 am
Subject: RE: walker project

John:

I think there's been some misunderstanding. As I explained to Penelope yesterday, we can't simply eliminate Program H2k from the Draft Housing Element because that program contains two parts: (1) removing the Affordable Housing designation from three parcels near Atlas Peak Rd; and (2) re-designating your neighborhood from rural residential to urban residential.

I am interested in retaining the first part of this program, but re-writing H2k in some way to address concerns expressed by you and your neighbors regarding the second part. We may be able to simply eliminate the second part, or we may want to find some way that it can be improved upon, but I don't want to make a decision regarding staff's recommendation until we've received all of the public comment (folks have until March 6 to submit comments), and had a chance to meet and discuss the options. I suggested to Penelope that we get together (county staff and a small group of=2 0neighbors) sometime in mid-March. Supervisor Dodd may be interested in attending too.

At that meeting, I was thinking the agenda would be to discuss (a) how staff should modify program H2k in the revised draft Housing Element it recommends to the Planning Commission; and (b) next steps for you and your neighbors in terms of influencing the final outcome of the planning process. There will be hearings at the Planning Commission and the Board in May/June that you will want to participate in no matter what the staff recommends.

Hope this explanation helps. Please call anytime with questions 253-4805

Hillary

From: jrptcp@aol.com [mailto:jrptcp@aol.com]
Sent: Tuesday, February 24, 2009 9:00 PM
To: Gitelman, Hillary

00050000

43-1

Subject: walker project

hello hillary, i have heard from the neighbors that you stated you cannot remove the walker project from the general plan? is this true? if so, why? this project seems to be camouflaged in with the bigger picture, it should be dealt with by itself as many other similar county projects have been in the past. i have done some homework and indeed no rezoning of this magnitude has ocured with-in the county like this proposal.

you have 99.99% documented opposition to this project, what else do you need to see or hear?

sincerely,

john pappas

43-2

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

LETTER 43: John Pappas. February 24, 2009.

- 43-1: This comment includes a response from the County to the concerns outlined in Comment 43-2. No further response is necessary.

- 43-2: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3 and the response provided in Comment 43-1.

February 25, 2009

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FEB 26 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Ms. Hillary Gitelman
Director of Conservation, Development & Planning
1195 Third Street, Suite #210
Napa, CA 94559

Dear Ms. Gitelman,

Today I was informed by the neighbors of Woodside Drive that your department has a pending proposal concerning changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road. Notably, that a Draft Environmental Impact Report (EIR) and a letter dated February 4, 2009 concerning this neighborhood has been mailed out to the residents of this affected neighborhood.

44-1

I am the son of James E. Rugen, deceased, who resided at 1002 Woodside Drive since 1956. I grew up in this neighborhood and still reside here in Napa and temporarily at 1002 Woodside Drive as the care-taker for the property until it is sold by the family estate. It is very alarming to be informed that the "Walker Property", a four acre parcel is proposed for the development of 16 residences. I respectfully wish to inform you that I strongly oppose this development.

The traffic on Monticello Road has greatly increased over the years with growth easterly of the area, i.e. Silverado Country Club, and people commuting to Napa via Green Valley from the Fairfield areas. I perceive that an additional 16 residences at the proposed location and its proximity to the junction of Silverado Trail and Monticello Road will only exacerbate the traffic and safety of this area. It is dangerous enough as it is with drivers coming up the grade from Trancas and Silverado Trail and accelerating down Monticello Road going east. Inserting 16 residences into this 4 acres off of Monticello Road will change the nature of this area from Urban Rural to an Urban Residential area of developed subdivisions.

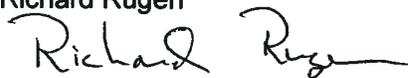
44-2

I firmly object to the proposal to rezone any one or more of the properties within this neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

44-3

Respectfully,

Richard Rugen



cc: Mr. Bill Dodd, Supervisor

LETTER 44: Richard Rugen. February 25, 2009.

- 44-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 44-2: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element, and its potential traffic impacts. The Draft EIR found that the proposed Housing Element would have a less-than-significant impact to circulation in the Monticello Road Rural Residential area based on criteria adopted by the County. Please see the response to Comment 8-3.
- 44-3: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3. Also, no rezoning is currently proposed – the question posed by the prior draft Housing Element Update was whether the area should be redesignated in the General Plan so as to permit future applications for rezoning. As noted in Chapter 1, Introduction, the revised draft has eliminated this suggestion.

1043 Rose Drive,
Napa,
California 94558

March 1, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read in your letter that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Yours sincerely,



RECEIVED

MAR 04 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

45-1

LETTER 45: Name unknown. Napa, California. March 1, 2009.

45-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

1043 Rose Drive,
Napa,
California 94558

March 1, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read in your letter that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Yours sincerely,



RECEIVED

MAR 04 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

46-1

LETTER 46: Name unknown. Napa, California. March 1, 2009.

46-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

Vincent and Jennifer Accurso
1075 Rose Drive
Napa, CA 94558

March 1, 2009

Dear Hilary Gitelman,

This letter is in response to program H-2K and the development of the Walker property. We are opposed to the re-zoning and the city sewer service that has been proposed. The only owners of property in this area that stand to benefit from these changes are the Walkers, all surrounding property owners will have to burden the expense in more than one way.

The residents of Rose Drive, Woodside Drive, Rosemont Circle and the Monticello area choose to live here because of the rural atmosphere. If we wanted to live in a subdivision we would have bought in town. Napa County has always had stringent growth guidelines and the people in office have been placed in these positions to uphold these.

We, as well as our neighbors, have invested heavily in our individual properties and way of life this area provides. The proposed rezoning would negatively affect our interests economically, and most importantly our quality of life. The residents in the Rose Dr., Woodside, and Rosemont Circle have spoken, hopefully we have been heard.

Sincerely,

V. M. Accurso
Jennifer A. Accurso

47-1

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MAR 03 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT

LETTER 47: V.M. and Jennifer Accursco. Napa, California. March 1, 2009.

47-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

LETTER #48

1972 Silverado Trail,
Napa,
California 94558

March 1, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

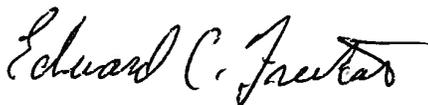
In acknowledgment of your invitation for input, as the owners of Parcel Number 049-170-001-000 at 1972 Silverado Trail, Napa, we write to express our opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read in your letter that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Yours sincerely,

Edward C. Freitas



Betty A. Freitas



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MAR 03 2009

**NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT**

48-1

LETTER 48: Edward and Betty Freitas. Napa, California. March 1, 2009.

48-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

LETTER #49

1968 Silverado Trail,
Napa,
California 94558

March 1, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, I write to express my opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read in your letter that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

I object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Yours sincerely,


Harriet Goodman

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MAR 04 2009
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

49-1

LETTER 49: Harriet Goodman. Napa, California. March 1, 2009.

- 49-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

RECEIVED

MAR 02 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Napa,
California 94558

March 1, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, we write to express our opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read in your letter that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

We object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Yours sincerely,


Carla Pappas
1099 Rose Drive


JOHN PAPPAS

50-1

LETTER 50: Carla and John Pappas. Napa, California. March 1, 2009.

50-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

LETTER #51

1043 Rose Drive,
Napa,
California 94558

March 1, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

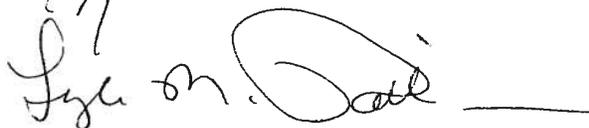
With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, we write to express our opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read in your letter that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

We object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Yours sincerely,

RECEIVED
MAR 04 2009
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

51-1

LETTER 51: Robin and Lyle Pittman. Napa, California. March 1, 2009.

- 51-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

LETTER #52

1024 Woodside Drive,
Napa,
California 94558

March 2, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, we write to express our opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

It is alarming to read in your letter that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

We object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Yours sincerely,



Sharon Bosson

David Bosson



52-1

LETTER 52: David and Sharon Bosson. Napa, California. March 2, 2009.

52-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

LETTER #53

1020 Woodside Drive,
Napa,
California 94558

March 2, 2009

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

Dear Ms. Gitelman,

With reference to your letter dated February 4, 2009, and to the Draft EIR cited therein:

In acknowledgment of your invitation for input, we write to express our opposition to the proposal concerning potential changes to the Housing Element affecting the neighborhood of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive and Monticello Road (Figure H-1 of your letter, Figure 3-7 of the Draft EIR).

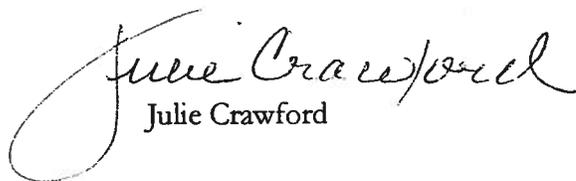
It is alarming to read in your letter that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential", a process that would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area. No, thank you.

We object firmly to the proposal to rezone any one or more properties within the neighborhood as it would pertain to the Housing Element Update and anticipated amendments to the Napa County General Plan.

Yours sincerely,



Chris Hunter



Julie Crawford

53-1

**LETTER 53: Chris Hunter and Julie Crawford. Napa, California.
March 2, 2009.**

53-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

Ms. Hillary Gitelman

March 2, 2009

Director of Conservation, Development & Planning

Third Street, Suite 210, California 94559

Dear Ms. Gitleman,

RECEIVED

MAR 09 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Along with many concerned neighbors, I attended the Planning Commission meeting on Wednesday, February 18, 2009, which was very informative. I wanted to let you know some of my own personal thoughts regarding the issue of proposed changes to our little treasured neighborhood:

- 1) Low income housing is a mandate that I believe is well founded. I understand NIMBY very well and know that we cannot always have what we want in our beloved neighborhoods. However, as an observant seasoned design professional, it is all too obvious that the growth of the town and country of Napa has not been well planned nor well executed to this point. Napa is such an exceptionally beautiful spot on the earth that continuing to rush forward without careful aesthetic planning as has been done in the past, will do nothing but continue the suburbanization of our lovely village lifestyle. We cannot afford to miss this opportunity to preserve what is left of the beauty and character of our plot of earth! Yes, we must have affordable housing, but the location(s) needs to be carefully selected, and the plan for construction carefully rendered and executed. I know that everyone involved, including the Planning Commission has a difficult task: the need to carefully balance all the competing factors in order to come up with a plan that will satisfy a myriad of specific requirements and ultimately please no one. This issue is about design, design related to construction and design related to human placement. It is certainly possible that both can be well served with careful planning. It is not about NIMBY but rather about right time and right place for the right development. Napa has so many places ripe for high density that it is a mystery as to why our little rural neighborhood is even being considered!
- 2) Point two is why not downtown? Our little Napa downtown needs to have a Capital D for "Downtown." There is just no there there. Nothing new here to add to all the opinions voiced by others regarding this missing link for the Valley. High density housing is vital in a downtown area, from low income to high income. It serves the businesses well and creates a synergy. There are many who prefer high density to low density for the energy and vitality it fosters in an urban context. Yes there are hotels going in, and restaurants scattered about, but retail is a disaster. All those empty storefronts will remain empty until there are people who can walk from their homes to shop and who drive by will see actual people on the street! It is all about critical mass and now we have critical emptiness.

54-1

54-2

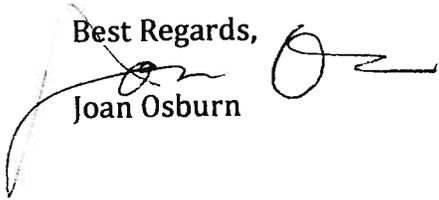
- 3) The most obvious issue of the absurdity of the Walker request for high-density construction is almost funny. Suffice to say the Walkers have clearly stated that their project proposal is NOT low-income housing. This admission on the part of the Walkers, plus the objection of all the neighbors for logical reasons, as put forward in the meeting and in letters, plus the incongruity of this proposal in this neighborhood, would seem to me to make it unacceptable to the Planning Commission. It is perfectly acceptable for property owners to have a profit motive, but not acceptable if one party's profit interferes with the value of all the others' property as is obvious in the case of the Walkers! 54-3
- 4) As for the City sewer proposal. If the City of Napa thinks that the neighborhood needs sewers, then the City should provide them, notwithstanding any proposed private construction projects. Not to beat a dead horse on this issue, but the neighbors all seem to think their private septic tanks adequate. 54-4
- 5) If it is even necessary, which is highly doubtful, it seems there are less impactful ways to increase density in rural neighborhoods. In-law units are obvious as many rural Napa properties already have an extra structure on the plot. And yes, in this economy many families are moving in together. 54-5

Can we turn the tide of unsightly development in Napa and preserve our beautiful area or will it only get uglier and uglier? In these difficult economic times builders will not be putting quality and aesthetics first, whether it be for low, medium or high income housing. The blight caused by cheap construction will forever mark the future vision of Napa. Please let us be judicious and err on the side of caution. 54-6

Thank you for your kind attention.

Best Regards,

Joan Osburn



LETTER 54: Joan Osburn. March 2, 2009.

- 54-1: The commenter explains that Napa has many locations that would be appropriate for increased density, and questions why the neighborhood included in Policy H-2k from the January 2009 draft of the Housing Element is being included. The comments are noted.
- 54-2: The commenter asks why housing is not located in downtown Napa rather than in this neighborhood. The Draft EIR does evaluate an alternative which would involve a transfer agreement between the County and the City, potentially resulting in higher densities in downtown.
- 54-3: The commenter suggests that the Walker's proposal should be rejected because it does not address the need for affordable housing and it will "interfere with the value" of adjacent properties. The comment is noted.
- 54-4: The commenter addresses the question of sewers, indicating that neighborhood septic tanks are adequate. If sewer services are ever extended to the neighborhood (an action that is not currently proposed), the project would be implemented by the Napa Sanitation District, rather than the City of Napa.
- 54-5: The commenter suggests in-law units as a technique for increasing densities and providing affordable housing. The draft Housing Element discusses the desirability of so called "second units" and suggests increasing the supply by allowing them within the Agricultural Resource designation.
- 54-6: The commenter urges caution and an end to unsightly development. The comment is noted. Please also see the responses to Comments 8-1 through 8-3.

March 3, 2009

TO: Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

FROM: Erik W. Erickson
1026 Rose Drive
Napa, CA, 94558

Dear Ms. Gitelman,

Regarding your letter dated February 4, 2009, the Draft EIR cited, and in recognition of your invitation for input, I am writing to express my extreme opposition to the proposal regarding prospective changes to the Housing Element affecting the neighbourhoods of Rose Drive, Silverado Trail, Rosemont Circle, Woodside Drive, and Monticello Road.

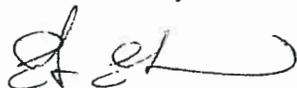
It is shocking to read that Program H-2k would include re-designation of this area from "Rural Residential" to "Urban Residential." This would permit property owners to request rezoning for dwelling unit densities up to four units per acre provided that municipal water and sewer services are extended to the area.

I have lived in Napa nearly my entire life, with 10 of these years on Rose Drive: this proposal flies in the face of what Napa Valley is historically and what we all want Napa to continue to be – an agricultural community rooted in slow-growth.

I object strongly and unequivocally to the proposal to rezone any one or more properties within these neighbourhoods!

Thank you for your time and consideration with this important matter.

Yours sincerely,



Erik W. Erickson

RECEIVED

MAR 04 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

55-1

LETTER 55: Erik Erickson. Napa, California. March 3, 2009.

55-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

March 3, 2009

Napa County Planning Commission
1195 Third Street
Napa, CA 94559

RE: Napa County Housing Element & EIR

The following information contains additional comments, questions, issues, and suggestions for the Napa County Housing Element and it's EIR:

Page 1-1, 1B – Program-Level Analysis and Tiering from the General Plan EIR. *“As a programmatic EIR, it is not project-specific, and does not evaluate the impacts of a specific project that may be proposed under the Housing Element Update. Such projects will require separate environmental review to secure the necessary development permits.”*

56-1

This programmatic EIR should be accurate in scope and scale. I have documented numerous areas within the EIR where the impacts and/or mitigations conflict with details in the Housing Element. I will again suggest the County review the CEQA guidelines as the information provided for Napa Pipe in the Housing Element EIR grossly understates the impacts, mitigations, and feasibility of the full project's application currently under EIR preparation.

Page 2.5 Summary of Impacts and Mitigation Measures. *POP-1 and POP-2 discuss the impacts of a Housing Element that far exceeds the fair-share of housing allocations from ABAG and a number of housing permits that exceed the County's 1% growth standards.*

56-2

Both POP-1 and POP-2 are listed as Significant and Unavoidable. Why is this the only option? Implementation and enforcement of the County's Growth Management System as a mitigation measures clearly reduces the significance with mitigation.

Page 3-12 Housing Sites Summary Table. *Napa Pipe Sites A & B include a footnote to a rezoning requirement within one year of the Housing Element adoption.*

I recommend a modification of this footnote to indicate a rezoning ONLY AFTER approval of the EIR and applicant proposal by the County and other agencies. The County should not commit to rezoning these parcels until they fully understand the environmental and fiscal impacts of this large project. And HCD's requirements indicate “the element must include a program to identify sites that can be developed within the planning period.” But the timeframe is not required to be 1 year!

56-3

Page 3-20, Napa Pipe Project Description and Page 4.2-17 Land Use. The description of Napa Pipe on these pages defines a mixes of use on parcel sites A & B. It is inappropriate to consider rezoning these to “Napa Pipe Residential”. Spot zoning and unique designations have not proven to be an effective planning tool. It would seem more appropriate to divide the two parcels into functional components – for example, Commercial, Urban Residential, Public Utilities, etc – and then zone them only after final review and approval (as mentioned above).

56-4

Page 4.3-9 b. Housing Sites. The narrative in this section omits the option of using County permits and available affordable housing trust fund dollars to build Category 4 permits within the cities and township in Napa County.

56-5

Page 4.3-13/14. E Cumulative Impacts. It is quite troubling to have a Housing Element that almost doubles the building permits and 1% Growth Management System that has effectively managed slow growth for the past few decades and defined our rural, agriculturally based County. To assume that there are no alternatives for the County is naïve. After all the years of urban, city-centered growth, unincorporated Napa County now wishes to lay the groundwork for housing growth that exceeds all other 8 Bay Area Counties.

56-6

Section 4.4 Transportation. As referenced on page 1, here is another area where inclusion of only a small portion of the Napa Pipe development provides a distorted view of transportation impacts. Smart Growth principles suggest that infrastructure be completed prior to major development. Levels of Service at various intersections, the need for expanded roadway capacity, etc. is overlooked due to the small number of homes. The distortion is compounded by the fact that local serving needs on the Napa Pipe site is not likely to be constructed in Phase 1 – so a disproportionate number of trips must be included as the site improvements do not exist locally (eg grocery, pharmacy, banking)

56-7

Page 4.11-25 Hydrology and Water Quality iv Napa Pipe. *“The high-density multi-family units in the Napa Pipe project are assumed to include 2.2 persons per household...”*

56-8

The number of persons per household is inconsistent with the 2.54 persons per household mentioned on page 4.3-10. There is no data to support this reduced number.

Page 4.11-26 Hydrology and Water Quality iv Napa Pipe. *“Development on the Napa Pipe sites would rely on both groundwater and surface water. Potable water demands will rely on groundwater, while non-potable water needs will rely on surface water...from either NSD or a new on-site package wastewater treatment plant.”*

56-9

The County Housing Element Site Inventory for Napa Pipe (attached) only lists “existing City and NSD services designed for industrial uses would have to be modified or supplemented.” Nowhere is the use of groundwater or on-site treatment mentioned. The information on this page is inconsistent with Pages 4.13-33, 34, 37 and is deceptive as the full build-out of Napa Pipe could not be supported by NSD.

Page 4.11-34 Hydrology and Water Quality. *“The Napa Pipe sites are nearly level and currently range in elevation from approx. 6-9’ above mean sea level. As a part of the current development plans for this site, which would comply with the Napa County Code, the elevation of the sites would be raised to approx. 12’ above sea level to be above the flood level, plus an additional 5’ because of potential for sea level rise due to climate change.”*

56-10

This is another example of a critical impact not referenced in the Housing Element Site Inventory. Phase 1 (850 dwelling units) on the Napa Pipe site requires full toxic remediation, flood mitigation, etc.

Page 4.13-9 Public Services and Utilities. *“Full build-out of Napa Pipe site will likely.. require a new fire station for a four-person engine company. PUB-1 shall require the Napa Pipe developer to provide a new fire station on the site.” “Full build-out of the Napa Pipe site will likely generate the need for seven new law enforcement officers and a new substation on site.”*

56-11

I am unclear if the developer is providing the site only. Where will the funds come for building the fire station/sheriff substation, buy the equipment, and the staff? Will the County residents be paying for these? Again, the inclusion of only a small portion of the Napa Pipe project in the Housing Element EIR is deceptive.

Page 4.13-52 Public Services and Utilities. *“Napa Pipe housing would generate approximately 564 new students. Therefore, the housing development on Napa Pipe sites could result in need for new and expanded school facilities.”*

56-12

Here is yet another area of impact that is not clearly understood due to the partial inclusion of Napa Pipe in this EIR.

Thanks and regards,



Eve Kahn
3485 Twin Oaks Court
Napa, CA 94558

attachment

COUNTY OF NAPA
HOUSING ELEMENT UPDATE
PRELIMINARY SITES INVENTORY AND ANALYSIS

TABLE 1 SITES RECEIVING PRELIMINARY CONSIDERATION FOR HOUSING INVENTORY, JULY 2008 (CONTINUED)

Site	APN/ Location	Existing Zoning	Existing General Plan	Acreage	Existing Use	Comments ^a
Maskowitz Corner - Site F	032-430-016	Commercial Neighborhood/ Commercial Limited	Rural Residential	1.3	Automobile-related use	CVWD additional water supplies and wastewater infrastructure required
Spanish Flat - Site A	019-261-038	Commercial Limited /AHCD*	Rural Residential	1.5 (entire parcel - 6.2 ac) ^b	Undeveloped	SFWD additional water and wastewater infrastructure required
Spanish Flat - Site B	019-261-035	Agricultural Watershed /AHCD*	Rural Residential	6.7	Napa County Maintenance Facility - Corporation Yard	SFWD additional water and wastewater infrastructure required
Spanish Flat - Site C	019-261-026	Marine Commercial /AHCD*	Rural Residential	1.7	RV and boat storage	SFWD additional water and wastewater infrastructure required
Spanish Flat - Site D	019-261-025	Commercial Limited /AHCD*	Rural Residential	0.9	Undeveloped	SFWD additional water and wastewater infrastructure required
Spanish Flat - Site E	019-262-001	Agricultural Watershed /AHCD*	Rural Residential	3 (entire parcel - 27.3 ac) ^b	RV and boat storage	SFWD additional water and wastewater infrastructure required
Spanish Flat - Site F	019-050-003	Marine Commercial /AHCD*	Rural Residential	8.1	RV and boat storage	SFWD additional water and wastewater infrastructure required
Napa Pipe - Sites A and B	046-412-005 and 046-400-030	Industrial - Airport Compatibility	Study Area*	157.1	Union Pacific Railroad right-of-way and industrial	Existing City and NSD services designed for industrial use would have to be modified or supplemental
Boca/Pacific Coast - Sites A and B	046-370-021 and 046-370-024	Industrial	Study Area*	84.6	Industrial	Existing City and NSD services designed for industrial use would have to be modified or supplemental; wetlands
Monticello Road Rural Residential Area - Site A	039-222-007	Residential Country	Rural Residential	2	Undeveloped	City and NSD approvals required for water and wastewater
Monticello Road Rural Residential Area - Site B	039-300-018	Residential Country	Rural Residential	4.2	Undeveloped	City and NSD approvals required for water and wastewater
Monticello Road Rural Residential Area - Site C	039-320-015	Planned Development	Rural Residential	1.7	Undeveloped	City and NSD approvals required for water and wastewater

LETTER 56: Eve Kahn. Napa, California. March 3, 2009.

- 56-1: The comment states that the Draft EIR does not provide an adequate review of the development of the Napa Pipe site because it only includes a portion of the full Napa Pipe project.

The EIR is appropriate in scope and scale for a programmatic EIR. State law requires Housing Elements to show how the RHNA can be met within the Housing Element period, which in this case is 2007 to 2014. Therefore, the analysis in the Housing Element Draft EIR is based on only the amount of residential development that could be expected to be constructed on the Napa Pipe site in the next five years, and the balance of potential development on the Napa Pipe site is included in the evaluation of 2030 cumulative impacts. No impacts are understated, and moreover, a project-specific EIR will be prepared to identify the impacts of full build-out of all uses proposed at the site at a greater level of detail. Please also see the responses to Comments 56-7, 56-11, and 56-12.

- 56-2: The comment questions why alternatives that would avoid impacts POP-1 and POP-2 are not provided, and suggests that implementation and enforcement of the County's Growth Management System would reduce the impacts to a less-than-significant level.

As noted on pages 4.3-8 through 4.3-10 of the Draft EIR, the proposed Housing Element does not exceed the County's Growth Management System. Furthermore, the Housing Element proposes to maintain and perpetuate the County's Growth Management System. Impact POP-1 is found because the growth anticipated during the life of the Housing Element would exceed ABAG's projected population increase for the county. This is because ABAG's projection is extremely low – much lower than the County's 1 percent growth limit. Impact POP-2 is found because the Housing Element would contribute to a significant and unavoidable impact of the General Plan

resulting from exceeding ABAG's projections and the 1 percent growth standard. However, as noted above, the Housing Element would itself conform to the 1 percent limit, and thus applying the Growth Management System as mitigation would be unnecessary. The Draft EIR did consider two alternatives to the proposed Housing Element in Chapter 5, but concluded that both of these alternatives would still exceed ABAG projections, and therefore would result in similar significant and unavoidable impacts to population growth.

In response to concerns expressed in this and other letters, Napa County has reduced the number of units in the proposed Housing Element, which would reduce the amount by which the population allowed under the Housing Element exceeds ABAG projections. Please see Chapter 1, Introduction, for a description of the reduction in development potential in the proposed Housing Element. The growth projections used in the Draft EIR will not be revised to reflect these changes because an impact analysis using higher growth projections provides a more conservative approach.

- 56-3: The commenter requests that the County not commit to rezoning the Napa Pipe site within one year. In response to comments received on the Draft Housing Element Update, the revised document suggests that a smaller portion of the Napa Pipe will be rezoned, and that the County will accomplish the rezoning by the end of 2010 (rather than the middle of 2010). The County cannot indicate, as the commenter suggests, that rezoning will occur "only after approval of the EIR and applicant proposal" because by including a portion of the site in its inventory of housing sites, the County will be obligated to rezone the identified portion of the site even if the developer's current proposal is denied.
- 56-4: The commenter suggests that Napa Pipe should be rezoned using districts such as Commercial, Urban Residential, etc. instead of

“Napa Pipe Residential.” Thank you for these suggestions – there will be time between adoption of the updated Housing Element and the deadline for rezoning to consider all available options.

- 56-5: This comment suggests that the County should consider using Category 4 permits and affordable housing trust fund monies to build affordable units within the incorporated cities in the county. The draft Housing Element Update allows continued use of the County’s trust fund dollars for City projects, but City projects would not require permits (Category 4 permits or other permits) from the County and would not, under State law, “count” towards satisfying the County’s RHNA requirement unless there were a transfer agreement as envisioned in the Draft EIR’s RHNA Transfer Alternative.
- 56-6: The comment expresses concern with the number of housing units proposed by the Housing Element Update. Please see the response to Comment 56-2, above.
- 56-7: The comment expresses concern that only a portion of the full Napa Pipe project is considered in the Draft EIR, and suggests that infrastructure should be in place prior to development.

Please see the response to Comment 56-1. Full build-out of the Napa Pipe site is included in the cumulative sections of the Draft EIR (for Traffic, see the discussion and tables starting on page 4.4-47 of the Draft EIR.) Also, the commenter is mistaken in assuming that neighborhood-serving uses would not be included in phase one of the Napa Pipe project. While this is obviously a decision that cannot be made until a specific proposal and its phasing is considered in some detail, it would be perfectly appropriate for the County to require neighborhood services and infrastructure to be concurrent with early phases of a project of this magnitude.

56-8: The comment requests clarification regarding the 2.2 persons per household figure used for projecting water demand from housing developed on the Napa Pipe site on page 4.11-25 of the Draft EIR. The 2.2 persons per household figure represents the County's expectation for the realistic household size of future high-density housing units constructed on the Napa Pipe site. High-density housing typically includes smaller units than would be constructed on the other housing sites with lower densities, and the smaller units typically include smaller households. Strategic Economics derived a figure of 2.01 persons per household for high density housing on this site based on the 2006 American Community Survey data, and County staff subsequently increased this figure by 10 percent in order to provide a more robust analysis, resulting in the 2.2 persons per household figure.² This clarification is also provided in Chapter 3 of this Draft EIR.

As the commentor points out, the remainder of the Draft EIR relies on an average household size of 2.54 persons per household. This figure is based on the 2008 Department of Finance estimate for average household size in the unincorporated area of Napa County, and the use of this figure reflects the EIR's assumption that the new units constructed under the Housing Element would have the same average household size as existing households. This higher persons per household figure throughout the rest of the EIR provides a conservative estimate of population-related impacts under the Housing Element. Even with a household size of 2.54 persons per household, 850 housing units on the Napa Pipe housing site would not be expected to exceed the available groundwater supply on the site.³

² Sean Trippi, Napa County, personal communication with Ted Heyd, DC&E, September 27, 2007, and Sean Trippi, Napa County, personal communication with Nancy Eaton and Robert Hickey, Strategic Economics, October 4, 2007.

³ Calculations were conducted by multiplying the water demand factor in gallons per day by the projected population, and then converting the projected total

Therefore, the impact finding in the Draft EIR is adequate and no further response is necessary.

- 56-9: The commentor references Table 1 of the Napa County Preliminary Sites Inventory and Analysis and states that the table fails to mention that future development on the Napa Pipe sites could rely on a combination of groundwater and surface water. Table 1 of the Preliminary Sites Inventory and Analysis is not intended to replace the impact discussions contained in the Draft EIR or present a comprehensive summary of all housing site conditions or potential impacts resulting from the proposed project. Furthermore, as stated by the commentor, Table 1 of the Preliminary Sites Inventory and Analysis does state that existing infrastructure on the Napa Pipe sites would have to be modified to accommodate development on the housing site. This is a comment on the Preliminary Sites Inventory and Analysis and does not address the adequacy of the Draft EIR, so no further response is necessary.
- 56-10: This comment indicates that the Housing Element Sites Inventory and Analysis does not adequately assess the safety and hazards impacts of development on the Napa Pipe site. The Sites Inventory and Analysis is not intended to replace the impact discussions contained in the Draft EIR or present a comprehensive summary of all housing site conditions or potential impacts resulting from the proposed project. This is a comment on the Sites Inventory and Analysis and does not address the adequacy of the Draft EIR, so no further response is necessary.
- 56-11: The comment requests clarification regarding Mitigation Measure PUB-1, and questions the funding for a new fire/police station and additional staff. The comment also expresses concern about only including a portion of the full Napa Pipe project in the analysis.

water demand to acre-feet per year (2.54 persons per household x 850 housing units = 2,159 persons x 75 gallons per person per day = 161,925 gallons per day, or 181 afa).

As shown in Chapter 3 of this Final EIR, this mitigation measure has been modified to clarify that a fire station would be required to be provided and sited appropriately prior to any development on the site, rather than specifying that the Napa Pipe developer provide and site appropriately the fire station. CEQA does not require that funding sources for mitigation measures be identified in the EIR. Funding may be identified through an impact fee program or development agreement. The Board of Supervisors will consider the feasibility of mitigation measures at the certification hearing for this EIR. If the Board finds that any mitigation measures are infeasible, they will eliminate the mitigation measure, conclude that the impact cannot be reduced to a less-than-significant level, and make a statement of overriding considerations. Please also see the response to Comment 56-1.

- 56-12: This comment states that the full impacts on school services are not clearly understood because only a portion of the full Napa Pipe project is included in the proposed Housing Element. As explained in the response to Comment 56-1, above, it is appropriate for the Housing Element EIR to focus on only those housing units that could be developed within the Housing Element timeframe of 2007 to 2014, rather than full buildout on the Napa Pipe site, which could take significantly longer to occur. Full build-out is included in the assessment of cumulative impacts contained in sections throughout the Draft EIR.

On page 4.13-52, the Draft EIR indicates that development on the Napa Pipe site could result in the need for new or expanded school facilities. Such construction would be regulated by pertinent federal, State and local regulations, and would undergo environmental review under CEQA, resulting in a less-than-significant impact.

- 56-13: This comment contains supporting documentation for Comment 56-9. Please see the response to Comment 56-9.

Comments on the Napa County Housing Element Update EIR January 16, 2009

To: Napa County Planning Commission
1195 Third St., Room 210
Napa CA 94559

March 5, 2009

From: Kellie Anderson
445 Lloyd Lane
Angwin CA 94508

Dear Commissioner Fiddaman and Napa County Planning Commission,

Thank you for the opportunity to comment on the EIR of the Housing Element. Before I comment on the EIR, I have included some observations on the direction the Housing Element appears to be taking.

After reading the proposed Housing Element and accompanying documents, I am struck by the obvious attempt (and failure) of the Housing Element to legitimize *Priority Development Housing Sites* in remote locations of rural Napa County. The proposed Housing Element offers several sites that are infeasible to accommodate ABAG/RHNA numbers and appear unacceptable in most circumstances to Department of Housing and Community Development (HCD), due to their lack of feasibility. Most *Priority Development Housing Sites* proposed lack access to infrastructure (sewer and water), social services, jobs, schools, public transportation, law enforcement and adequate fire protection. In two cases (Moskowite Corner and Spanish Flat), the proposed *Priority Development Housing Sites* do not even provide access to the most basic services needed by low income populations: a grocery store and a gas station.

57-1

Berryessa Estates may serve as an reminder as to how well such concepts have served the County in the past.

Yet, the proposed Housing Element asks you to believe that three sites included in the 2004 Housing Element in the Silverado/Atlas Peak/Monticello Rd. area (Monticello Rd. Sites A, B & C totaling **18.2 acres**), which are literally seconds from the incorporated city of Napa, (and have a logical chance of being serviced by sewer and water infrastructure, and are the most feasible of locations for *Priority Housing Development Sites*, and have existing trunk lines already in place under Monticello Rd. EIR 4.13-35), "**are no longer needed**" per pg. H-27/ Pg. 38 of Exhibit B Draft Housing Element Update October 31, 2008.

57-2

These sites are **removed from consideration** in the *County of Napa Housing Element Update Preliminary Sites Inventory and Analysis* (prepared by Bay Area Economics Oct. 31. 2008 pg. 117), which states these sites were "eliminated from consideration due to the infeasibility of providing adequate water and wastewater to these sites before 2014."

Really?

The County of Napa web site states “Napa County will be sending letters to the City of Napa and Napa Sanitation District seeking requirements for inclusion of the Monticello/Atlas Peak sites listed in Appendix H of the Housing Element, in their service district. Those letters will likely be sent by the end of November.”

How can it be both ways?

How is it possible to request inclusion in the Napa Sanitation District for **one new** site in the Monticello Rd. area (**at a whopping 3 units per acre**), while at the same time removing 3 sites totaling 18.2 acres included in the 2004 sites inventory, that could provide many dozens of housing units?

57-2

How is it possible that the most feasible locations for housing proposed to date, are the subject of suggested **text changes to the General Plan** which will exclude those sites from future consideration for housing?

This problematic situation is verified by the *Conforming Amendments Proposed to the Napa County General Plan (Other than the Housing Element)* document, which is attempts to craft specific language to the General Plan removing all possibility of Monticello Rd. Sites A, B & C from consideration for affordable housing by making their removal part of the actual General Plan!

How is it possible that the proposed Housing Element suggests changes to land use designations from the AH overlay to RC and PD at Monticello Rd. Sites A, B & C?

Why are these proposed changes of land use designation not being considered similarly to changes at Angwin and Pope Creek?

57-3

It is apparent that these changes are intended to appease the District #4 Supervisor who does not support affordable housing in his district. These proposed actions are biased to reflect the desires of one Supervisor. These proposed changes will be under the scrutiny of HCD and run the risk of leaving the credibility of the entire Housing Element in question. Attempts to justify housing in remote, rural locations within Napa County, and to removing feasible sites from the Housing Element, leave the County vulnerable to noncompliance with HCD requirements. These actions leave the door open for litigation from affordable housing advocacy groups due to the infeasibility of development at the proposed *Priority Housing Development Sites*.

57-4

Comments on the Napa County Housing Element Update EIR.

57-5

The Draft EIR is inadequate or incomplete or does not support conclusion in the following areas:

1) The Summary Table (orange pages) of the EIR lists mitigation measures for impacts. The column on the far right indicating the level of significance after mitigation, is incomplete in most cases where the impact is significant and unavoidable.	57-5
2) The EIR states the proposed Housing Element (HE) generates units in excess of ABAG population projections..... resulting in a significant and unavoidable impactthe EIR fails to adequately discuss alternatives to the proposed HE numbers which exceed the County's 1% growth management system.	57-6
3) The EIR notes significant and unavoidable impacts on regional clean air planning efforts inconsistent with GP CON-75, and notes significant and unavoidable impacts on increases in Green House Gas emission which is inconsistent with GP policy CON-65. Again no justifiable evidence is provided to support housing numbers beyond those mandated in the RHNA	57-7
4) The analysis of alternatives to the proposed HE is incomplete. The EIR fails to discuss reasonable alternative housing sites. Several viable project alternatives were excluded from discussion. The alternate and more viable sites, Monticello Rd. sites A, B & C specifically are not discussed.	57-8
5) The EIR fails to adequately address the impacts of the proposed HE on schools and includes incorrect information. On pg. 4.13-47 the EIR states "Aside from the 'program' to redesigned the Monticello Road Rural Residential area, the program and policies of the proposed Housing Element do not specify exact locations for new housing units." This statement is false as the Monticello Road 'program' only proposes to identify where HOUSING SITES ARE NOT LOCATED. It is abundantly clear where new schools would need to be located, however, EIR fails to address the impacts of constructing and funding needed schools under the proposed Housing Element.	57-9
The EIR reports erroneously pg. 4.13-48 that the Howell Mountain Elementary is planning to construct additional facilities which would raise the schools capacity to 220 students.	57-10
The following statement are true, however:	
The EIR reports that additional schools will likely be needed to service students from the Spanish Flat sites who would attend St. Helena schools.	57-11
The EIR states that elementary schools within the NVUSD are approaching capacity.	
The EIR states that the Calistoga Joint Unified School District is currently at or over capacity.	
The EIR conclusion that these are less than significant impacts is not supported by the evidence.	57-12
The impacts of transporting students to schools from remote rural locations is reason to question the feasibility of the proposed HE.	57-13
6) The proposed mitigation measures are infeasible to address lack of waste water treatment capacity . The EIR notes existing services are inadequate to serve the Angwin and Spanish Flat sites (4.3-38) and notes that the proposed housing at Angwin would exceed existing wastewater capacity. Pg 4.13-36. The EIR erroneously concludes that the proposed mitigation measure are adequate to reduce these impacts to the level of less than significant. The proposed mitigation measure would require the creation of special services districts which are economically infeasible . No financial analysis is provided on the creation of such special services districts.	57-14

<p>7) The EIR is inadequate in it's discussion of fire and medical response which is provided by volunteer organizations in Angwin, Moskowite Corner and Spanish Flat. The conclusion that impacts to fire and medical response needs are mitigated to a level of less than significant is unsupported by the evidence. Angwin sites are noted to be in the highest wild land fire areas of the County and overall volunteer Fire and Medical Responders can not provide adequate service to the proposed urban populations.</p>	<p>57-15</p>
<p>8) The discussion on Law Enforcement requirements are incomplete and the conclusions that impacts can me mitigated to a <i>less than significant level</i> are not supported. How would such needed increases to County Sheriffs's staff be funded in the Angwin and Moskowite Corners areas? Who would fund needed Sheriff sub station construction?</p>	<p>57-16</p>
<p>9) The EIR fails to discuss how needed special services districts would be funded. How are the low to moderate income residents of such communities expected to support the needed infrastructure? How is this strategy working in Lake Berryessa Estates? The consultant and staff should provide a detailed financial analysis which demonstrate the feasibility of funding and maintaining such districts.</p>	<p>57-17</p>
<p>10) The EIR incorrectly states on pg 4.14-7 that Angwin sites are not part of scenic resources or scenic corridor. The General Plan notes all of Howell Mt. Rd. Is a designated scenic corridor. The EIR does not adequately discuss mitigating measures from impacts to designated scenic roads in Angwin</p>	<p>57-18</p>
<p>(Howell, Mountain Rd) or Moskowite Corners (Highway 128) and erroneously concludes that these impacts are significant and unavoidable, however, fail to consider selection of sites away from these designated scenic corridors.</p>	<p>57-19</p>
<p>11) The EIR does not address the impacts of conversion of Prime Farmland, Unique Farmland or Farmland of State wide importance in the Angwin area Site A has actively productive agricultural enterprises that support local families. This site meets the definition of Farmlands of Local Importance. The EIR fails to adequately address the inconsistency with GP GOAL AG/LU-1 "preserve existing agricultural land uses and plan for agricultural activities as the primary land uses in Napa County."</p>	<p>57-20</p>
<p>12) The EIR fails to discuss (pg 4.1-13) the Changes in the Existing Environment which Result in Conversions to Non-Agricultural Use or Conflict with Agricultural use. The EIR fails do adequately support the conclusion of less than significant impact from the conversion of farm land to urban uses and the mitigation measures offered are inadequate to reduce the impact to a level of less than significant.</p>	<p>57-21</p>
<p>13) The EIR is inconsistent with General Plan Policy AG/LU-57 " The County shall seek to maintain Angwin's rural setting and character while providing opportunities for limited commercial services focused on the Angwin community."</p>	<p>57-22</p>
<p>14) The EIR does not adequately discuss inconsistency with General Plan policies, plans or programs supporting alternative transportation to proposed sites due to their remote locations. The stated mitigation measure claim to reduce impacts to level of less than significant which is unsupported by Figure 4.4-2 EIR Location of Vine Transit lines. Note these bus routes do not come even remotely near Angwin, Spanish Flat or Moskowite Corner. It is infeasible to expect bus service to provide public transportation in any reliable manner to these remote locations.</p>	<p>57-23</p>
<p>15) The EIR is inconsistent with AG/LU-51 "no net increase in the Conn Creek Upper Reach Local Drainage", as the proposed Angwin sites would rely entirely on ground water wells for</p>	<p>57-24</p>

Notes on areas of Housing Element requiring additional comment:

- A) How can the inadequate sum of **\$150,000** be offered as leverage to other state and federal public and Private housing rehabilitation funds? This figure is telling in it's lack of intent to do any real work to rehabilitate existing housing, and clearly indicates the Housing Element's is a growth inducing project as it virtually ignores the possibilities of housing rehabilitation. Also of note is the consultant report that the County had done nothing towards seeking credits with HCD for rehabilitating dilapidated housing. A step that if just applied in just Angwin could result in hundreds of units of housing units credits! **57-25**
- B) How does Objective H-1a of the HE with its suggest tactic of 'facilitating housing rehabilitation' for an unbelievably grand total of **15 housing units** through "**code enforcement efforts**", even begin to address the real human issues related to providing AH for Napa County resident? **57-26**
- C) The EIR fails to address how the sites in Angwin can be reasonably offered as *Priority Housing Development Sites* for compliance with RHNA numbers while a pending project application is being entertained by the County which proposes **alternative uses for Angwin sites A & B which do not meet the mandated levels of affordability?** How will HE Program H2-C work in Angwin with the proposed Traid project? Would additional sites in Angwin be the focus of study for future RHNA allocations? **57-27**
- D) Please provide discussion on public participation of **all economic segments** of County residents in the Housing Element update process. **57-28**
- E) Please provide discussion/explanation (Appendix H-1 Housing Sites and Inventory Analysis) as to how the staff believe that the "County focused on viable sites that are near urban areas and employment centers where adequate infrastructure and services are available to accommodate new developments." in light of the conclusions of the EIR that services are unavailable on inadequate at nearly all proposed sites? **57-29**
- F) Please provide comment on the results of BAE's October 31, 2008 report that indicates declining jobs in Napa County overall and reports that the **majority of job growth will occur in the Airport Industrial Area**, and would include largely employment in manufacturing and retail sectors. **57-30**
- G) Please develop objectives that **provide assistance to low-moderate income families at risk of losing homes to foreclosure.** **57-31**
- H) Please develop objectives that would **allow individual property owners to create single units of affordable housing with assistance from Housing Impact fees in the construction or rehabilitation of low to moderate income units.** **57-32**
- While the Housing Elements is required as part of every County General Plan by section 6530 (c) of the Government Code. The County has the responsibility to create a Housing Element that is passably plausible. It is unlikely that the HCD will find the proposed Housing Element adequate. **57-33**
- Beyond the bias of the Housing Element toward removing housing sites from District #4, the placement of *Priority Housing Development Sites* in remote, rural locations with little realistic feasibility of development, and the inadequacies of the EIR, the question must be asked: Is this the document we can credibly offer for certification?

Sincerely,

Kellie Anderson
Angwin

LETTER 57: Kellie Anderson. Angwin, California. March 5, 2009.

- 57-1: The commenter suggests that housing sites included in the Draft Housing Element Update are infeasible and will be rejected by HCD. The County appreciates this perspective, but believes that most housing sites in unincorporated Napa County will share the disadvantages listed by the commenter, and as long as Napa County receives a RHNA requirement, it will be forced to identify some sites to accommodate its RHNA. The sites in the inventory were chosen because, after reviewing a broader range of possible sites, it was determined that they were the best available sites to accommodate the RHNA during this housing cycle.
- 57-2: The commenter asks how the Housing Element can legitimately remove the Monticello Road/Atlas Peak sites from further consideration. While the commenter is correct that these sites are close to the City of Napa, and therefore should be more desirable and feasible than other sites, they have received more interest and investigation than most other sites. That investigation, which included the exchange of letters referenced by the commenter as being on the website, has led to a greater understanding of the sites' limitations. As a result, the Housing Element reports these sites as being less desirable than the Napa Pipe site.
- 57-3: The commenter asks why the change in zoning proposed for the Monticello Road/Atlas Peak sites is not being considered "similarly to changes at Angwin and Pope Creek." The commenter appears to be referring to a separate planning process that has been underway in the County since April 2008 to examine possible adjustments to the Urban Residential land use designation on the County's official land use map (General Plan Figure Ag/LU-3). The Housing Element's proposed change to the Monticello Road/Atlas Peak sites affects zoning, rather than a General Plan land use designation. However, the Housing Element Update referencing this change will be the subject

of a Board resolution, similar to any re-designations that affect Angwin and Pope Creek.

- 57-4: The commenter again expresses concern that the County's Housing Element will be found lacking by HCD, leaving the County open to lawsuits, specifically questioning the elimination of the Monticello Road/Atlas Peak sites. Please see the responses to Comments 57-1 and 57-2. Also, if the commenter is correct, and HCD declines to certify the County's Housing Element, the County will be forced to find new sites for housing and/or potentially revisit sites previously rejected or removed from the inventory.
- 57-5: This comment notes that the column labeled "Significance with Mitigation" column in Table 2-1 is left blank when the impact is significant and unavoidable. The column is left blank only when there is no mitigation available. When an impact is significant, and a mitigation measure is listed, the "Significance with Mitigation" column is filled out. If no mitigation measure is included, the impact is labeled as significant and unavoidable (SU) in the second column labeled "Significance before Mitigation." The "Significance with Mitigation" column does not apply when there is no mitigation measure.
- 57-6: The comment states that the EIR does not adequately discuss alternatives to the proposed Housing Element that would reduce the number of housing units in order to not exceed the County's Growth Management System.

As indicated on pages 4.3-8 through 4.3-10, the proposed Housing Element does not exceed the County's Growth Management System. The Housing Element proposes to maintain and perpetuate the County's Growth Management System. Therefore, an alternative to address an impact related to exceeding the Growth Management System is unnecessary. Please also see the response to Comment 56-2.

- 57-7: This comment notes that there are significant and unavoidable impacts related to consistency with clean air planning efforts and increases in green house gas (GHG) emissions. The comment states that there is no justifiable evidence provided to support housing numbers that exceed the RHNA obligation.

The Draft EIR included an analysis of the No Project Alternative, which would include a total of 686 housing units, a unit count that is close to the County's RHNA obligation of 569 units. As indicated on page 5-9, under the No Project Alternative, although significant and unavoidable air quality impacts related to consistency with clean air planning efforts and increases in GHG emissions would be reduced, they would not be eliminated.

In addition, in response to concerns expressed in this and other letters, Napa County has reduced the number of units in the proposed Housing Element, which would reduce potential impacts. Please see Chapter 1, Introduction, for a description of the reduction in development potential in the proposed Housing Element. The growth projections used in the Draft EIR will not be revised to reflect these changes because an impact analysis using higher growth projections provides a more conservative approach.

Policy CON-65 in the County's General Plan states that the County will support efforts to reduce GHG emissions and lists a number of actions the County will take. As acknowledged in the General Plan Update EIR, these actions (i.e., all proposed mitigation) will not reduce the impact to less than significant. The draft Housing Element is consistent with Policy CON-65 and the Housing Element Draft EIR appropriately references and builds from the General Plan EIR.

- 57-8: The comment states that the Draft EIR did not evaluate a reasonable range of alternatives. Specifically, the Draft EIR should have evalu-

ated Monticello/Atlas Peak Sites A, B and C from the 2004 Housing Element.

The Draft EIR provided a reasonable range of alternatives, including the Monticello/Atlas Peak sites. On pages 5-3 through 5-13, the Draft EIR includes an analysis of the No Project Alternative. As indicated on page 5-3, the No Project Alternative would maintain the Monticello/Atlas Peak Sites A, B and C as housing sites.

- 57-9: The comment states that the EIR does not address the impacts of constructing and funding needed schools.

As indicated on pages 4.13-47 through 4.13-52 of the Draft EIR, the *programs and policies* of the proposed Housing Element could generate the need for new or expanded school facilities in the Napa Valley Unified School District, Calistoga Joint Unified School District, and Howell Mountain Elementary School District. In addition, the *housing sites* could generate the need for new or expanded school facilities in the Howell Mountain School District, St. Helena Unified School District, and Napa Valley Unified School District. The construction or expansion of such facilities would be regulated by pertinent federal, State and local regulations, and would undergo environmental review under CEQA. For the purposes of a programmatic EIR, it is appropriately assumed that new or expanded school facilities would comply with such regulations and the required CEQA mitigations, resulting in a less-than-significant impact.

CEQA requires evaluation of impacts to the physical environment. It does not require the analysis of fiscal impacts or funding mechanisms, so the EIR is not required to address the impacts of funding new schools. As noted on pages 4.13-47 and 4/13-48 of the Draft EIR, Napa County requires new residential development to pay school impact fees. According to State law (California Government Code Section 65996), the payment of these impact fees is considered

to be “full and complete school facilities mitigation.” Therefore, any residential development that pays all required school impact fees cannot be found to have a significant impact on schools.

- 57-10: The comment states that the Draft EIR erroneously reports that the Howell Mountain Elementary School District is planning to construct additional facilities that would increase the school’s capacity.

The Draft EIR’s discussion of the Howell Mountain School District was based on communication with Superintendent Tom Stubbs, as noted in footnotes 43 and 44 on pages 4.13-48 and 4.13-49, respectively. The information provided in the Draft EIR has been clarified, as is shown in Chapter 3 of this Final EIR, to state that expansion plans for the Howell Mountain Elementary School will be funded by impact development fees collected from new development in the school district. This clarification does not affect the findings of the Draft EIR. As stated on page 4.13-49 of the Draft EIR, expansion of the Howell Mountain Elementary School would not be completed until 2015, so the expansion plans were not relied upon for a less-than-significant finding. Rather, as stated on page 4.13-49, new or expanded school facilities would be regulated by pertinent federal, State and local regulations, resulting in a less-than-significant impact.

- 57-11: The comment notes that a number of statements about the conditions of school district capacities are true. The comment does not address the adequacy of the Draft EIR, so no further response is necessary.
- 57-12: The comment states that capacity issues at the St. Helena Unified School District, Napa Valley Unified School District, and Calistoga Joint Unified School District do not support a less-than-significant finding regarding school services.

The CEQA threshold related to school services finds a significant impact if implementation of the proposed Housing Element would cause “substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services.” In pages 4.13-47 through 4.13-52, the Draft EIR evaluates the potential impacts associated with the construction or expansion of school facilities and determines that these impacts would be less than significant. The fact that some of the schools are at or over capacity does not constitute a significant impact under CEQA. Please also see the response to Comment 57-9, above.

- 57-13: The comment questions the feasibility of the proposed Housing Element because of the impacts associated with transporting students from remote rural locations to schools. Students living in remote rural areas of Napa County are routinely transported to schools, which indicates that this transportation is feasible. The comment does not address the adequacy of the Draft EIR, so no further response is necessary.
- 57-14: The comment finds the Mitigation Measure PUB-4 to be infeasible because it would require the creation of special service districts, which are economically infeasible.

Mitigation Measure PUB-4 states that “No housing shall be built on the Angwin, Moskowitz Corner or Spanish Flat sites until adequate wastewater services are available.” It does not require the creation of special districts. Regulatory approval would be required for the creation of any special districts. As stated on page 4.13-5 of the Draft EIR, CEQA does not require an economic or financial feasibility analysis of mitigation measures as part of an EIR.

- 57-15: The comment states that the EIR's discussion of fire and medical response provided by volunteer services in Angwin, Moskowitz Corner and Spanish Flat is inadequate and not supported by the evidence. The comment also notes that the Angwin sites are in a high wildland fire risk area, and suggests that volunteers cannot provide adequate service to the proposed housing sites.

As indicated on page 4.13-7 and 4.13-8 of the Draft EIR, the Napa County Fire Marshal has confirmed that no new facilities would need to be constructed to provide fire and medical response to the Angwin, Moskowitz Corner, and Spanish Flat sites. Because no new facilities would be required to serve these sites, there would not be any substantial adverse physical impacts associated with providing new governmental facilities.

- 57-16: The comment states that the law enforcement service discussion is incomplete and that the findings that the impacts can be mitigated to a less-than-significant level are not supported. In addition, the comment questions the funding source for law enforcement staffing and facilities.

Mitigation Measures PUB-2 and PUB-3 require that new facilities be sited appropriately to minimize environmental impacts. Because this is a programmatic EIR, specific details about such facilities are unknown at this time, and these mitigation measures are appropriate. CEQA does not require that the funding for mitigation measures be assessed in the Draft EIR.

- 57-17: The comment questions how needed special services districts would be funded and requests a detailed financial analysis to demonstrate the feasibility of funding and maintaining such districts. Please see the response to Comment 57-14. CEQA does not require the preparation of a financial analysis of funding for infrastructure required to

serve development that would be allowed under the proposed Housing Element.

- 57-18: The comment states that the EIR incorrectly indicates that the Angwin sites are not part of scenic resources or a scenic corridor.

The EIR recognizes the scenic values of the Angwin sites and the nearby scenic corridor. On page 4.14-6, the Draft EIR indicates that Angwin Site B is part of a scenic vista. On page 4.14-7, the Draft EIR states that Angwin Site A is located in a low-lying area and is blocked from view from surrounding areas by hills, vegetation and existing development, and that it is not visible from the nearest County-designated scenic route, Howell Mountain Road.

- 57-19: The comment states that the EIR does not adequately discuss mitigating measures related to visual impacts to scenic vistas, resources or views from development on the Angwin and Moskowitz Corner sites, and that the EIR fails to consider an alternative without visual impacts.

As indicated on page 4.14-6 and 4.14-7 of the Draft EIR, development on Angwin Site B would have a less-than-significant impact on scenic vistas, resources and views because it is designated with the Affordable Housing Combination District (:AHCD), which includes design standards that prevent potential impacts, and would be subject to the County's Viewshed Protection Program. Angwin Site A would have a less-than-significant impact on scenic vistas, resources and views because it is not visible from surrounding areas, including the County-designated scenic route, Howell Mountain Road.

As indicated on page 4.14-7 of the Draft EIR, because of the flat topography on Moskowitz Corner Sites A and B, it would be impossible to screen development without blocking the scenic view of the Capell Valley from Highway 128, a County-designated scenic route,

resulting in a significant and unavoidable impact. Because housing is already allowed by right on Moskowitz Corner Sites A and B, the alternatives analysis did not consider an alternative that would avoid this impact. However, the Draft EIR did consider two alternatives that would avoid a significant impact related to visual resources on the Napa Pipe site. Given the range of impacts, the Draft EIR considered a reasonable range of alternatives. Please also see the response to Comment 6-7.

- 57-20: The comment states that the EIR does not address the impacts of farmland conversion for the Angwin sites because Site A is currently used for productive agriculture that meets the definition of Farmlands of Local Importance. The comment also states that the EIR does not address the inconsistency with General Plan Goal AG/LU-1 regarding agriculture preservation.

As noted on page 4.1-9 of the Draft EIR, the CEQA threshold regarding conversion of agricultural land considers only Prime Farmland, Unique Farmland, and Farmland of Statewide Importance as mapped by the State Farmland Mapping and Mitigation Program (FMMP). Collectively, these are termed “farmlands of concern” under CEQA. The Angwin sites are not located on farmlands of concern, so there is no impact related to the conversion of farmland under CEQA. The CEQA threshold does not consider Farmlands of Local Importance. Moreover, the Angwin sites are not designated as Farmlands of Local Importance by the FMMP. The most current available FMMP data is shown on Figure 4.1-1 on page 4.1-7 of the Draft EIR.

Although a portion of Angwin Site A is currently used for agriculture, this site has been designated for urban development under the Napa County General Plan. Given this non-agricultural designation, this site is considered an *existing urbanized area* in the General Plan. As indicated on page SV-3 of the Napa County General Plan, exist-

ing urbanized areas include the five incorporated areas and the non-agricultural areas designated on the official Land Use Map and contained in the Agricultural Preservation and Land Use Element. Therefore, development of Angwin Site A would not conflict with General Plan Goal AG/LU-1.

- 57-21: The comment states that the EIR fails to adequately support a less-than-significant finding related to changes in the existing environment which result in conversion to urban uses, and that the mitigation measures are inadequate.

As indicated on pages 4.1-13 and 4.1-14 of the Draft EIR, local policies and ordinances, such as the Napa County Right to Farm Ordinance, would protect agricultural uses from conflict with adjacent development, resulting in a less-than-significant impact for this threshold. The local policies and ordinances adequately support this finding. No mitigation measures are required or proposed. Please also see the response to Comment 57-20 regarding Angwin Site A.

- 57-22: The comment states that the EIR is inconsistent with Napa County General Plan Policy AG/LU-57, which is to maintain Angwin's rural setting and character.

As indicated on pages 4.14-8 and 4.14-9 of the Draft EIR, development on the Angwin sites would be subject to existing regulations, including the AHCD design standards and the Viewshed Protection Program, that would prevent impacts to the visual character and quality of the area. Furthermore, the Angwin sites have already been designated for residential development in the County's General Plan, and the addition of 191 units in the Angwin area would not fundamentally change Angwin's rural character.

- 57-23: The comment states that the EIR does not adequately discuss inconsistency with General Plan policies that support alternative transpor-

tation. The comment also states that Mitigation Measure TRAF-13 is unsupported by Figure 4.4-2, which shows the location of VINE transit lines, and that it would be infeasible to provide bus service to the remote housing sites.

On pages 4.4-56 and 4.4-57, the Draft EIR discusses potential conflicts with adopted plans, policies and programs supporting alternative transportation, and finds a significant impact. If implemented, Mitigation Measure TRAF-13 would reduce this impact to a less-than-significant level. Mitigation Measure TRAF-13 indicates that the County should work with VINE to expand or change transit routes to provide stops within ¼ mile of the housing sites, or provide park-and-ride areas near the sites. Because these would be new or changed transit routes, they would not be shown as existing transit routes in Figure 4.4-2. In addition, the Board of Supervisors will consider the feasibility of mitigation measures at the certification hearing for this EIR. If the Board finds that Mitigation Measure TRAF-13 or others are infeasible, they will eliminate the mitigation measure, conclude that the impact cannot be reduced to a less-than-significant level, and make a statement of overriding considerations.

57-24: The comment states that the EIR is inconsistent with General Plan Policy AG/LU-61, which calls for no net increase in groundwater usage in the Conn Creek Upper Reach Local Drainage.

On pages 4.11-24 and 4.11-25, the Draft EIR acknowledges that groundwater usage on the Angwin sites would be inconsistent with General Plan Policy AG/LU-61, and finds a significant impact. The Draft EIR also includes Mitigation Measure HYDRO-2 on page 4.11-39, which requires that groundwater usage on the Angwin sites be fully offset elsewhere in the Conn Creek Upper Reach Local Drainage, and which would mitigate the impact to a less-than-significant level.

- 57-25: The commenter questions the lack of financial commitment to housing rehabilitation, asserting that the Housing Element is a “growth inducing project” which “ignores the possibilities of housing rehabilitation.” While the County appreciates this input, it is always difficult to design programs that provide public funds for the rehabilitation of private residences, particularly when those residences are in mostly lower density and single family settings like Angwin. This is because it’s difficult to justify the expenditure as being in the public good, and not just benefiting a property owner or for-profit landlord. (Please see the revised Draft Housing Element’s suggestion that the County’s funds be provided to non-profit housing developers performing housing rehabilitation as an alternative.) Thus, while the County has acknowledged that housing rehabilitation is an important activity, it has focused its efforts on identifying programs and sites to increase the stock of housing in the county. This effort has not resulted in “growth inducement” as explained on page 6-1 of the Draft EIR.
- 57-26: The commenter asks how the objective related to housing rehabilitation in the draft Housing Element addresses the need for affordable housing. Please see the response to Comment 57-25, above.
- 57-27: The commenter asks how the Housing Element can include sites in Angwin which are the subject of a separate, pending planning application. Because the pending application is just that – pending – and there is no way to know whether it will be approved, the County felt justified in maintaining the Angwin sites as part of the housing sites inventory. If the pending application is approved and the sites are occupied with uses that are not consistent with the Affordable Housing Combination District, Program H2c (re-numbered as H2b in the revised draft Housing Element) would require the County to identify additional sites to provide affordable units.

- 57-28: The commenter requests a discussion of public participation by all economic segments of County residents. Please see the public participation summary included in the revised draft Housing Needs Assessment for the information available.
- 57-29: The commenter asks why housing sites have been included if services are inadequate. The County feels that the sites identified are feasible for the development of housing and that infrastructure deficiencies can be addressed. Specific discussion about this topic is included in the Housing Element, Housing Needs Assessment, and Draft EIR.
- 58-30: The commenter requests comments on the Housing Needs Assessment's conclusions about jobs. The Housing Needs Assessment is cited in the housing policy document and considered an integral part of the Housing Element submitted to the State. No further comment is required.
- 57-31: The commenter requests objectives in the Housing Element related to risk of foreclosure. The County has not identified a specific program that would address home foreclosures, and would welcome suggestions. By meeting the need for low income housing, the sites and programs in the Housing Element would indirectly address this issue.
- 57-32: The commenter requests a program that would permit individual property owners to access the Affordable Housing Fund to construct or rehabilitate low to moderate income units. As discussed in the response to Comment 57-25, it is difficult to design programs that assist individual homeowners and avoid criticism for providing public money for private gain. Thus, the focus of the County's affordable trust fund ordinance is to provide funds for sites and programs related to multifamily housing, and the County has a track record of providing funds to non-profit housing developers. Nonetheless, the Housing Element does acknowledge the important role of second

units and other moderately priced rental units to the County's housing stock.

- 57-33: The commenter suggests that HCD will find the County's Housing Element less than plausible, and asks if the County can do a more credible job. While County staff appreciates this perspective, it is for HCD to decide if the housing element can be certified. If HCD declines to certify the element, the County will need to prepare revisions.

From: Myrna Baldwin [mailto:himyrna1@yahoo.com]
Sent: Thursday, March 05, 2009 10:30 PM
To: generalplanhousing
Cc: Myrna Baldwin
Subject: public response to housing review

Hillary Gitelman, Napa County Planning Director

Dear Hillary,

For two years I've served on the City of Napa Community Development Block Grant Commission dealing with fair housing issues here. Have also attended several Napa County Planning Commission meetings which you opened to the public.

I have respected your endeavor to meet the demands for county housing development requirements, and the awareness of and appreciation for citizen response and feedback. Thank you for allowing comments on the plans for sites like NAPA PIPE, Angwin, Moskowitz Corner and Spanish Flat. I am personally familiar with all these areas as I've lived here since 1972 and have lived with the patterns of growth and development.

The area of critical concern, in my opinion, are the plans for housing at the NAPA PIPE site. All the other sites are in more rural sections of the county than in the already congestion-threatened area between Vallejo and Napa Valley. In a recent news article, Napa Register March 3, 2009 a front page article called attention to the situation of our neighboring American Canyon and its rapid building dilemma - The Big 3: Traffic, Water and Growth. Can we learn from others' mistakes or do we have to repeat them? Another article of genuine concern in the same issue - Will history be kind to Napa Valley? What kind of a legacy of history are we leaving to the next generation? Will the future be based on promotional plans of eager land developers who spend millions of dollars on fancy brochures trying to persuade the community they are doing a huge favor for Napa County. I say, Please could we **SCRATCH THE WHOLE PROJECT AT NAPA PIPE** and begin again?

58-1

The reality of careless short term planning or carefully thought out consideration for a genuine sense of community and township where visitors and residents can both share in what Napa has to offer seems at stake. What will the southern entrance to the renowned Wine Country look like? Will it be a chain of houses, restaurants, retail shops and business establishments or will it have the taste of a creatively unique area to be remembered for it's inviting open spaces, natural preserves, river, trails etc. that might give opportunity to live a remembered experience about the history and cultures of those who have shared this valley for hundreds of years? This, I believe, needs to be a gravely important concern to the Napa County Planning Commission. You are the "Mother Board" for the family of cities and towns represented.

58-2

1. Napa Pipe project could rob the attention of what the City of Napa has spent millions of dollars to promote along the river and to downtown Napa.

58-3

2. Too much like what is being presented in downtown Napa. Why not add the housing in the old town depressed area of Napa as city/county cooperative measure?

3. Could the City/ County purchase the the Napa Pipe land from developers as a Recreational Park Reserve of some kind? (I'm a dreamer.)

58-4

4. Homeowners and long time residents in Napa I've personally spoken with are against the development planned at Napa Pipe. This does not represent a large number but when you combine it with comments in the local newspaper and editorials

58-5

there seems to be a strong consensus of opinion that this project is not supported by the community.

Thank you for the opportunity to make comments on the challenges at hand.

Sincerely,

Myrna L. Baldwin 64

Belvedere Ct. Napa, CA 94559

(707) 257-1676

LETTER 58: Myrna Baldwin. Napa, California. March 5, 2009.

- 58 -1: The commenter expresses opposition to development of housing on the Napa Pipe site. While the County appreciates the commenter's concerns, the Napa Pipe site offers an opportunity to meet the State-mandated RHNA requirement without locating high density housing on agricultural land, within existing residential neighborhoods, or in remote rural areas. Thus, as explained in Chapter 1, the County is proposing to rezone approximately 20 acres of the 150+ acre site to allow high density housing. Separately, the County is evaluating a development proposal for the entire 150+ acre site and preparing a detailed project-specific environmental impact report (EIR). When that project-specific EIR is complete, County policy makers will have to decide whether to allow housing on more than 20 acres of the site, and if not, what alternative uses should be permitted. Please continue to provide your thoughts and perspectives during the on-going planning process about Napa Pipe.
- 58-2: The commenter asks the Planning Commission to consider what the southern entrance to Napa will look like. County staff shares this commenter's concern regarding auto-oriented land use and development patterns such as those along Highway 29 south of Soscol Ridge and those along Soscol Boulevard north of Imola. As noted on page 4.14-9 of the Draft EIR, development on the Napa Pipe site could cause a significant impact on the visual character of the site, although the site is only visible in distant views from Highway 29 and elsewhere. Mitigation Measure VIS-2 requires the development of design guidelines to preserve view corridors to and from the Napa River and would reduce this impact to less than significant.
- 58-3: The commenter suggests that development on the Napa Pipe site could "rob the attention" from the City of Napa's riverfront, and suggests adding housing in downtown Napa instead. This idea has been included in the Draft EIR as the RHNA Transfer Alternative,

although there are significant practical difficulties having to do with the State statutes regarding housing transfers, jurisdictional boundaries, and property ownership patterns that may make this alternative infeasible. Even if this alternative is rejected in favor of the revised draft Housing Element, County policy makers have indicated their desire to continue discussions with the City of Napa about a mutually agreeable solution to the City's and the County's housing requirements.

- 58-4: The commenter asks if the City or County could purchase the Napa Pipe site for recreational uses. While an assessment of this idea is beyond the scope of the current study, it is probably safe to say that the City and County lack the financial resources to implement this suggestion at present.
- 58-5: The commenter suggests that there is a "strong consensus of opinion" against development of the Napa Pipe site. The County appreciates this input, and encourages participation in the on-going planning process for the Napa Pipe site. As noted in Chapter 1, Introduction, the draft Housing Element would affect only 20 acres of the 150+ acre Napa Pipe site. No commitment has been made to the developer, and no final decision will be reached on the balance of the site until project-specific environmental review is complete.

RECEIVED

MAR 05 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

LETTER #59

1061 Rose Drive,
Napa,
California 94558

Ms. Hillary Gitelman,
Director of Conservation, Development & Planning,
1195 Third Street, Suite 210,
Napa, California 94559

March 5, 2009

Dear Ms. Gitelman,

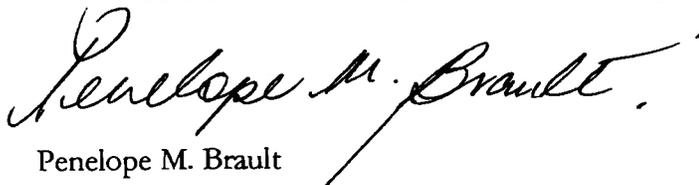
Attached please find an eleven-page petition with the signatures of property owners opposed to the re-designation of part or all of their neighborhood from "Rural Residential" to "Urban Residential" as outlined in your letter dated February 4, 2009 and as proscribed in Program H-2k of the Draft EIR.

This petition pertains to properties in the Monticello Road Rural Residential Area (page 3-23 and Figure 3-7 of the Housing Element Update in the Draft EIR). In addition to the eleven pages attached herein, a complementary part of this petition was submitted to you on February 17, 2009, representing some of the property owners on Woodside Drive. Together they comprise the whole, representing 56 of the 60 parcels concerned.

In addition to the petition itself, please find attached a hard-copy of Figure 3-7 in the Draft EIR. The owners of the 56 property parcels highlighted in red ink have each signed the petition. Those four parcels not highlighted represent two owners who declined to sign, one elderly widow from Rosemont Circle is in a nursing home, and the owners of Parcel Number APN 049-161-009 have not been approached.

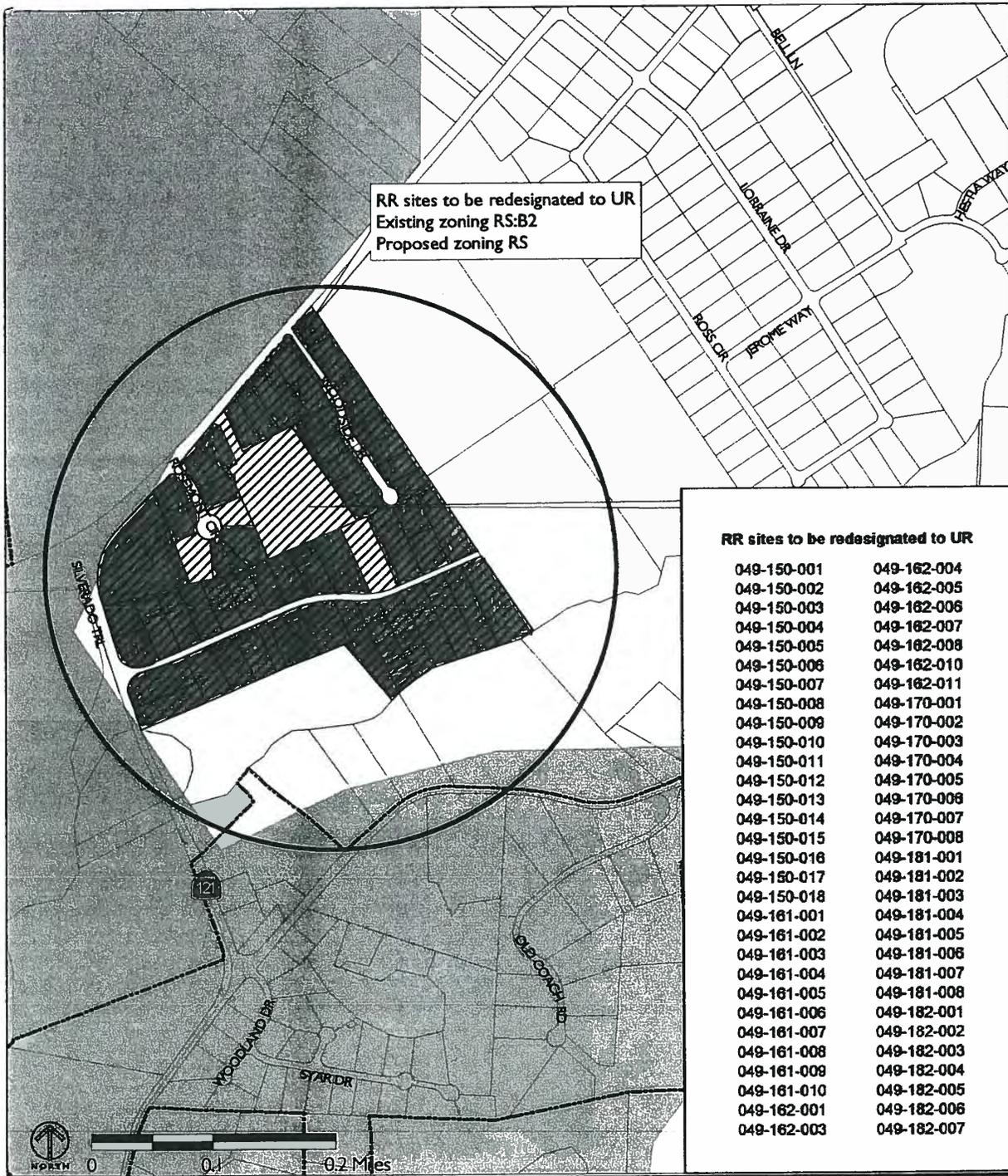
All signatures submitted are those of eligible voters. In addition to those of the above-mentioned property owners, some signatures are those of their families and others residing in the neighborhood itself and its vicinity.

Yours sincerely,



Penelope M. Brault

59-1



RR sites to be redesignated to UR

- | | |
|-------------|-------------|
| 049-150-001 | 049-162-004 |
| 049-150-002 | 049-162-005 |
| 049-150-003 | 049-162-006 |
| 049-150-004 | 049-162-007 |
| 049-150-005 | 049-162-008 |
| 049-150-006 | 049-162-010 |
| 049-150-007 | 049-162-011 |
| 049-150-008 | 049-170-001 |
| 049-150-009 | 049-170-002 |
| 049-150-010 | 049-170-003 |
| 049-150-011 | 049-170-004 |
| 049-150-012 | 049-170-005 |
| 049-150-013 | 049-170-006 |
| 049-150-014 | 049-170-007 |
| 049-150-015 | 049-170-008 |
| 049-150-016 | 049-181-001 |
| 049-150-017 | 049-181-002 |
| 049-150-018 | 049-181-003 |
| 049-161-001 | 049-181-004 |
| 049-161-002 | 049-181-005 |
| 049-161-003 | 049-181-006 |
| 049-161-004 | 049-181-007 |
| 049-161-005 | 049-181-008 |
| 049-161-006 | 049-182-001 |
| 049-161-007 | 049-182-002 |
| 049-161-008 | 049-182-003 |
| 049-161-009 | 049-182-004 |
| 049-161-010 | 049-182-005 |
| 049-162-001 | 049-182-006 |
| 049-162-003 | 049-182-007 |

FIGURE 3-7

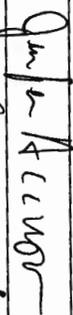
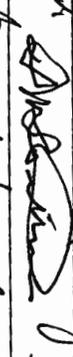
RR sites to be redesignated to UR
 City of Napa City Limits
General Plan Land Use Designation
 Rural Residential
 Cities
 Agricultural Resource
OPPOSED TO REDESIGNATION

**MONTICELLO ROAD RURAL RESIDENTIAL AREA
SITES PROPOSED FOR REDESIGNATION**

NAPA COUNTY HOUSING ELEMENT UPDATE
DRAFT EIR

Source: County of Napa, 2008; Design, Community & Environment, 2008

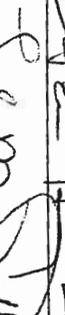
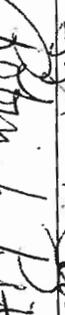
We, the undersigned eligible voters of the County of Napa residing in the vicinity of Silverado Trail, Rose Drive, Rosemont Circle, Woodside Drive and Monticello Road, petition in opposition to the proposal to re-designate part or all of this neighborhood from "Rural Residential" to "Urban Residential".

Name	Signature	Address	Date Signed
Jennifer Accurso		1075 Rose Drive	2/21/09
Elizabeth J. Kelley		1065 Rose Drive	2/21/09
Sharon Langenbach		20010 Silverado Tr	2/21/09
Mavis L. Pittman		1043 Rose Dr Napa CA	2/21/09
Gary North Bepko		1033 Rose Dr Napa	2/21/09
Daniel H Baren		1033 Rose Dr.	2/21/09
Paul Erickson		1026 Rose Dr.	2/21/09
Karen Shubin		1020 Rose Dr	2-21-09
Kathryn Sabin		1020 ROSE DR.	2-21-09
Karen Shubin		1020 Rose Dr	2/21/09
Mona Lea		2000 SILVERADO TR	2/21/09
JOHN LANGENBACH		2006 SILVERADO TRAIL	2/21/09
PAUL SEGAS		1054 ROSE DR	2/21/09

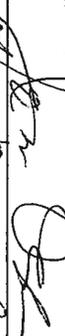
We, the undersigned eligible voters of the County of Napa residing in the vicinity of Silverado Trail, Rose Drive, Rosemont Circle, Woodside Drive and Monticello Road, petition in opposition to the proposal to re-designate part or all of this neighborhood from "Rural Residential" to "Urban Residential".

Name	Signature	Address	Date Signed
Celia Pappas	<i>Celia Pappas</i>	1099 Rose Drive	2/15/09
JOHN PAPPAS	<i>John Pappas</i>	1099 Rose Drive	2/15/09
Charlotte Christensen	<i>Charlotte Christensen</i>	1096 Rose Drive	2/15/09
Benjamin J. Banson	<i>Benjamin J. Banson</i>	1098 Rose Drive	2-15-09
SUSAN McDANIEL	<i>Susan McDaniel</i>	1097 Rose Dr.	2-15-09
ROY MC DANIEL	<i>Roy Mc Daniel</i>	1097 ROSE DR.	2-15-09
MARIAUDE WILEY	<i>Mariande Wiley</i>	1093 Rose Dr.	2-15-09
William Wiley	<i>William Wiley</i>	1093 Rose Dr	2-15-09
VINCENT M. ACTURSO	<i>V.M. Acturso</i>	1075 ROSE DR.	2/15/09
Steven A. Frost	<i>Steven A. Frost</i>	1064 Rose Dr	2/15/09
Penelope Brault	<i>Penelope Brault</i>	1061 Rose Drive	2/15/09
GERTSEL MENTWORTH	<i>Gertsel Mentworth</i>	1060 Rose Drive	2-15-09
KAREN SEARS	<i>Karen Sears</i>	1054 Rose Dr	2-15-09

We, the undersigned eligible voters of the County of Napa residing in the vicinity of Silverado Trail, Rose Drive, Rosemont Circle, Woodside Drive and Monticello Road, petition in opposition to the proposal to re-designate part or all of this neighborhood from "Rural Residential" to "Urban Residential".

Name	Signature	Address	Date Signed
Malyn Rasmussen		1046 Rose Drive	2-24-09
Andrea Wesson		1036 Rose Dr.	2-24-09
George M. Fleischman		1027 Rose Dr.	2-24-09
Tomaso Kaufman		1010 Rose Dr	2-24-09
Marl Rodman		1021 Rose Dr	2-25-09
Steve Harrington		2000 Silverado Trail	2-25-09
Lyle W. Pittman		1043 Rose Drive	3-1-09
John L. Pittman		1043 Rose Drive	3-1-09
Mark W Pittman		1043 Rose Drive	3-1-09
HARLETT A. GOODMAN		1068 SILVERADO DRIVE	3-1-09
Lucy Lanuza		1000 Monticello Rd	3-2-09

We, the undersigned eligible voters of the County of Napa residing in the vicinity of Silverado Trail, Rose Drive, Rosemont Circle, Woodside Drive and Monticello Road, petition in opposition to the proposal to re-designate part or all of this neighborhood from "Rural Residential" to "Urban Residential".

Name	Signature	Address	Date Signed
STEVEN OSBORN		1091 ROSE DR	2/19/09
JOAN OSBORN		1091 ROSE DR	2/19/09
BILL WILSON		1083 ROSE DR.	2-19-09
KYLE RASMUSEN		1040 ROSE DR	2-19-09
PATRICIA SHANAGHNESSY		1030 ROSE DR.	2-19-09
Gerald J. Shanaghnessy		1030 ROSE DR	2-19-09
JOHN BENEVENTI		1030A ROSE DR.	02/19/09
Susan J. Bennett		1033A ROSE DR, UNDA-	2/19/09
Kendyll Pappas		1099 ROSE DRIVE	02-19-09
Dora Pappas		1099 ROSE DRIVE	2-19-09
VINCE PAPPAS		1099 ROSE DRIVE	2-20-09
Glynn DeSangre		34 JOSHUA CT	2-20-09
FRANCO DECICCO		34 JOSHUA CT	2-20-09

We, the undersigned eligible voters of the County of Napa residing in the vicinity of Silverado Trail, Rose Drive, Rosemont Circle, Woodside Drive and Monticello Road, petition in opposition to the proposal to re-designate part or all of this neighborhood from "Rural Residential" to "Urban Residential".

Name	Signature	Address	Date Signed	Phone #
Melissa Witek	Melissa Witek	19 Rosemont Circle	2-19-09	927-332
Michelle P. Witek	Michelle P. Witek	15 Rosemont Circle	2-17-09	"
MARY M. HADDLESTON	Mary M. Haddleston	35 Rosemont Circle	2-17-09	226-8535
Dawn Y. Haddleston	Dawn Y. Haddleston	35 Rosemont Circle	2-17-09	226-8535
Elizabeth A. Witt	Elizabeth A. Witt	9 Rosemont Circle	2-17-09	226-920
EARL TYTT	Earl Tytt	9 Rosemont Circle	2-17-09	"
Marilyn P. Bredt	Marilyn P. Bredt	15 Rosemont Circle	2-17-09	255-363
Joy A. Bredt	Joy A. Bredt	15 Rosemont Circle	2-17-09	255-363
William Gustaf	William Gustaf	47 Rosemont Circle	2/21/09	252-432
BRECKEN GUSTAF	Brecken Gustaf	47 Rosemont Circle	2/21/09	252-432

LETTER 59: Penelope Brault. Napa, California. March 5, 2009.

- 59-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3. The County appreciates the input of neighborhood residents and property owners.
- 59-2: The comment contains supporting documentation for Comment 59-1. Please see the response to Comment 59-1.
- 59-3: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.



NAPA COUNTY FARM BUREAU

811 Jefferson Street Napa, California 94559 Telephone 707-224-5403 Fax 707-224-7836

March 6, 2009

Ms. Nancy Johnson
Napa County Conservation, Development and Planning Commission
1195 Third Street
Napa, CA 94559

RE: Comments on draft Napa County Housing Element EIR

Dear Ms. Johnson,

Napa County Farm Bureau has reviewed the draft EIR for the Napa County Housing Element. Our main concern is centered on growth issues and the impact to agriculture. It is clearly stated in the document that the proposed growth far exceeds not only ABAG projections, but also the Regional Housing Needs Assessment (RHNA) numbers given the county by ABAG and the state of California. This is not the place to argue about RHNA. However, it is beyond comprehension why we should build one housing unit more than the state demands.

60-1
60-2

The EIR also makes it very clear that the negative growth and noise impacts can not be mitigated. The projected increase in traffic is proposed to be mitigated largely by installing traffic signals, which is an inadequate mitigation.

60-3

We also challenge the EIR's conclusion that agriculture is not affected by the Housing Element plan. Even if no agricultural land is proposed to be paved over - population growth, increased traffic and increased water use certainly affect agriculture greatly. In general it is obvious that the quality of life is going to deteriorate.

60-4

Overall, we understand the difficulties associated with adopting a Housing Element for rural Napa County, which has long been committed to city-centered growth and preservation of farm and watershed lands in the incorporated areas. We also understand the difficult challenges that Napa and all of the Bay Area counties encounter in providing affordable and workforce housing.

60-5

We applaud the county and city of Napa for collaborating in the current housing element cycle (and also the city of American Canyon in the last cycle). Housing is best sited in urban areas where services, transit modes and infrastructure already exist, and we urge the county to work closely with all five cities in the county to develop a county-wide vision to meet our community's housing needs.

Thank you for the opportunity to comment.

Sincerely,

Peter Nissen
President

cc: Napa County Farm Bureau Directors

**LETTER 60: Peter Nissen, President. Napa County Farm Bureau.
March 6, 2009.**

60-1: The comment expresses concern about growth and impacts to agriculture associated with the proposed Housing Element. Please see the responses to Comments 60-3 and 60-4.

60-2: The comment expresses concern that the proposed Housing Element includes more units than required by the RHNA and more growth than is projected by ABAG. The County's obligation under State law is to prepare and submit a Housing Element to the State that includes sufficient sites and programs to meet its RHNA requirement. Because of statutes favoring sites with densities of 20 du/ac or more and HCD's practice of requiring a "buffer" above the RHNA requirement, it would not be wise for the County to submit a Housing Element that did *not* include more units than the RHNA. Similarly, given the nature of CEQA law and practice, it would be unwise for the County to prepare an EIR based solely on ABAG population projections, which are extremely low for Napa County.

Nonetheless, in response to the concerns expressed in this and other letters, Napa County has since reduced the number of units in the proposed Housing Element, which would reduce potential impacts. Please see Chapter 1, Introduction, for a description of the reduction in development potential on this site. The growth projections used in the Draft EIR will not be revised to reflect this change because an impact analysis using higher growth projections provides a more conservative approach.

60-3: The comment observes that significant growth and noise impacts cannot be mitigated and suggests that mitigation measures in the Draft EIR to install traffic signals are inadequate. The commenter is correct to observe that the Draft EIR conservatively identifies significant, unavoidable impacts due to projected growth in the county

and the region. Traffic signals are suggested as mitigation measures only where the traffic analysis indicates that there would be significant increases in delay that could be addressed through signalization. This is a common approach to addressing significant traffic delay and congestion, and the suitability of a traffic signal for mitigation was determined under two criteria: the Level-of-Service thresholds set forth by the County and the Manual on Uniform Traffic Control Devices (MUTCD)⁴ peak hour signal warrant. When both of these criteria are met, a traffic signal is considered a suitable mitigation. The County regularly monitors these conditions and determines their applicability.

- 60-4: The comment challenges the EIR's finding that agriculture impacts will be less than significant because population growth, traffic and water use affect agriculture.

As described in Chapter 4.1 of the Draft EIR, the proposed Housing Element is not expected to result in any significant impacts to agricultural resources under the standards of significance defined under CEQA. New development that will contribute to population increases will be subject to Napa County's Right to Farm Ordinance and County Code setback requirements to prevent conflicts between housing and agricultural uses. Furthermore, as stated on page 4.1-12 of the Draft EIR, the proposed Housing Element contains programs to allow secondary and farmworker dwelling units on agricultural lands, which are expected to encourage the continuation of agricultural activities and production by providing housing affordable to farmworkers.

In addition, on pages 4.1-13 to 4.1-14, the Draft EIR discusses impacts related to changes in the existing environment, which, due to their

⁴ The Federal Highway Administration publishes the MUTCD, which defines standards for traffic control devices.

location or nature, could result in the conversion of farmland to non-agricultural use. Furthermore, an analysis of population, traffic and water impacts is provided in the Draft EIR. Although these impact analyses do not directly discuss how population, traffic and water use affect agriculture, the findings and mitigation measures indirectly address the relationship of these impacts to agriculture.

- 60-5: The comment urges the County to work with the Cities to develop a county-wide vision to address housing needs. The comment does not address the adequacy of the Draft EIR, so no further response is necessary.



DICKENSON, PEATMAN & FOGARTY
A Professional Law Corporation

RECEIVED
MAR 09 2009
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

THOMAS F. CAREY
tcarey@dpf-law.com

809 Coombs Street
Napa, CA 94559-2977
Tel: 707 252 7122
Fax: 707 255 6876

March 9, 2009

www.dpf-law.com

HAND DELIVERED

Hillary Gitelman, Director
Napa County Conservation, Development and Planning Department
1195 Third Street, Room 210
Napa, CA 94559

- Charles H. Dickenson
- Paul G. Carey
- James W. Terry
- Thomas F. Carey
- Matthew J. Eisenberg
- Kevin W. Teague
- Michael J. Holman
- David A. Diamond
- J. Scott Gerien
- Brandon R. Blevans
- Kevin D. DeBorde
- David Balter
- W. Scott Thomas
- J. Robert Anglin, Jr.
- Gregory J. Walsh
- Megan Ferrigan Healy
- Julia M. Walk
- John N. Heffner
- Carol Kingery Ritter
- Erik W. Lawrence
- Daniel Peralta
- Julia A. Gahagan
- Aleson R. Kent
- Susan L. Schwegman

Re: Proposed Housing Element Language (Vineland Vista/Milani Mobile Home Park)

Dear Hillary:

This letter proposes language for inclusion in the Housing Element of the Napa County General Plan. The proposed language will create a specific, limited exception to the allowed building density on lands designated as Agricultural Resource in the General Plan in order to encourage the redevelopment of certain existing multifamily residential developments, including mobile home parks, to provide permanently restricted affordable and/or local preference housing units.

The proposed language is presented below followed by a discussion of the language and analysis of the law.

DRAFT LANGUAGE

Goal: (placed after Goal H-5 in the most recent draft Housing Element)

Support the creation and improvement of affordable and/or local preference housing units in existing multi-family residential developments, such as mobile home parks, to increase and sustain the supply of affordable housing, while ensuring the preservation of agricultural land.

Policy: (placed after Policy H-2j in the most recent draft Housing Element)

Consistent with Agricultural Preservation and Land Use Element Policy AG/LU-21 and Housing Element Policy H-2j, the County shall allow the redevelopment of existing multi-family residential developments on parcels designated as agricultural resource in excess of the applicable

61-1

61-2

- Of Counsel
- Francis J. Collin, Jr.
- C. Richard Lemon
- Richard P. Mendelson
- David W. Meyers
- Cathy A. Roche

- Retired
- Howard G. Dickenson
- Joseph G. Peatman
- Walter J. Fogarty, Jr.
(1939-2007)

building density for such parcels, provided that the following conditions are met: (1) not less than twenty-five percent (25%) of the total residential units on the parcel in excess of the allowable density are permanently restricted as Affordable and/or Local Preference Housing; (2) the project is located on a parcel with frontage on a major public road that serves as a public transit route; (3) the project will not result in the subdivision or any net loss of agricultural land; and (4) the project is located within an area “providing a transition” between more urban and more agricultural and rural areas of the County as described in Land Use Policy AG/LU-102.

DISCUSSION

This proposed Housing Element policy is intended to allow the redevelopment of the Vineland Vista/Milani Mobile Home Park (“Milani”) on Highway 29 in South St. Helena, in exchange for the construction of additional affordable and/or local preference housing units. As will be described below, the proposed policy will contribute to both the County’s affordable housing requirements and the “effectiveness of the element” review for the next Housing Element update and will not result in the subdivision or any loss of agricultural land or trigger a vote of the people under Measure J/P. We have detailed below the legal bases for affordable housing requirements and their relevancy to this proposed policy along with an analysis of the proposed policy’s consistency with local laws and regulations.

61-2

LAW

State Law

California Government Code sections 65580-65589.8 make up the State Housing Element Law dictating the need for affordable housing in California. According to the California Department of Housing and Community Development (“HCD”), “[t]he law recognizes that in order for the private sector to adequately address housing needs and demand, local governments must adopt land-use plans and regulatory schemes that provide opportunities for, and do not unduly constrain, housing development.”¹ In addition, California Housing Element Law recognizes that “cooperation between government and the private sector is critical to attainment of the State’s housing goals.”²

¹ Memorandum by the California Department of Housing and Community Development titled *State Housing Element Law*, dated Aug. 31, 2005 contained in the Bay Area Housing Element Tool Kit, June 2008 available at <http://www.hcd.ca.gov/hpd/hrc/plan/he/heoverview.pdf>.

² Memorandum by the California Department of Housing and Community Development titled *State Housing Element Law*, dated Aug. 31, 2005 contained in the Bay Area Housing Element Tool Kit, June 2008 available at <http://www.hcd.ca.gov/hpd/hrc/plan/he/heoverview.pdf>.

The Association of Bay Area Governments (“ABAG”) is the regional land use planning agency for the 9 counties (including Napa) in the San Francisco Bay Area. ABAG is in charge of the Regional Housing Needs Allocation (“RHNA”) for each local government but ultimately each local government will answer to the State (HCD) in meeting this allocation. The RHNA allocations do not require the units to be built, only that the local entities have done a satisfactory job of setting the stage for affordable units to be built. The local entities, like Napa County, achieve this by updating the Housing Element, altering zoning and removing other constraints so that private developers can build the affordable units.

Even though Napa County does not have to ensure units are built, the County’s Housing Element is evaluated for effectiveness at the end of the five year planning period. In the *Housing Element Review Worksheet* there is a section titled “Evaluation and revision of the previous element” where the effectiveness of the element is included. This review is pursuant to California Government Code section 65588(a)(2) and entails a “review of the actual results of the previous elements goals, objectives, policies and programs. The results should be quantified where possible.”³ The number of affordable housing units that are actually built is part of this review. Notwithstanding the County’s lack of responsibility for built units, the State still looks at the number of units actually built in this effectiveness measurement. A private developer such as the owner of the Milani Mobile Home Park can readily create several affordable units in keeping with the goals of the State Housing Element Law while also providing concrete quantifiable implementation of the County’s Housing Element for the next review. This redevelopment, although smaller than those sites identified in the County’s Housing Sites Inventory (such as Napa Pipe), has a higher probability of being constructed within the five year period and credited to the County.

61-2

In addition, according to ABAG’s “10 Tips to Developing a Successful Housing Element,” the densities permitted on parcels of land directly and significantly impact the affordability of housing. ABAG recommends local governments “[i]ncrease residential densities to promote housing affordability for all income levels, especially in and around commercial centers and in areas served by transit.”⁴ The proposed policy is consistent with these principles because the density increase is only being permitted for a property on a major transit route.

Although the Milani project will include some market-rate units as well as affordable/local preference units, this mix is consistent with State law. State Housing

³ Napa County *Housing Element Review Worksheet* available at <http://www.co.napa.ca.us/GOV/Departments/8/Forms/HousingElementReviewWorksheet20081031.pdf>.

⁴ Bay Area Housing Element Tool Kit, June 2008 available at <http://www.abag.ca.gov/planning/toolkit/> (quoting an excerpt from 2001: 10 Tips to Developing a Successful Housing Element from ABAG).

Element Law promotes a variety of strategies for encouraging the private sector to rehabilitate and increase the number of affordable units. And, State law indicates that the affordable units that must be protected from conversion to market-rate units are only those that are “assisted affordable units.”⁵ The Milani project is not an “assisted affordable” project that is restricted from such conversion. Therefore, it is not contrary to State law to redevelop the property with a mix of affordable, local preference and market rate units.

Napa County General Plan

As you know, parcels located in the Agricultural Resource area on the Napa County Land Use Map are subject to Policy AG/LU-21 (formerly 3.F.8.d) of the General Plan. Policy AG/LU-21 allows one dwelling per parcel except as specified in the Housing Element. As we discuss below, under this policy, and the voter-approved Measure P (replacing Measure J), the proposed exception to this density requirement in the Housing Element would be consistent with the General Plan and would not trigger a vote of the people under Measure J/P.

The proposed policy for parcels with an existing multi-family development situated in “transitional areas,” as described in Land Use Policy AG/LU-102, is appropriate and consistent with the General Plan for several reasons. First, the requirement that a housing development be “existing” to qualify for the exception will ensure that prime agricultural land is not developed inconsistent with the General Plan. Therefore, an exception would not be inconsistent with Policy AG/LU-28 which requires *new* multi-family housing to be located in the incorporated cities, towns, and urbanized areas.

Second, an exception would be consistent with Policy AG/LU-30 which directs the County to use a “variety of strategies to address its long-term housing needs and to meet the state and regional housing requirements.” The strategies specifically listed under this policy include “[o]ther policies... which address the need for workforce housing.” Allowing a higher density of units on properties meeting the requirements of this exception will provide an innovative way for the County to increase affordable housing without using agricultural land.⁶ In addition, allowing more units on certain parcels where there is a guarantee that affordable housing will be constructed is consistent with the goals of the Housing Element and the General Plan.

⁵ Memorandum by the California Department of Housing and Community Development titled *State Housing Element Law*, dated Aug. 31, 2005 contained in the Bay Area Housing Element Tool Kit, June 2008 available at <http://www.hcd.ca.gov/hpd/hrc/plan/he/heoverview.pdf>.

⁶ In the ideal situation, a project will build up rather than out, maximizing the previously developed property and preserving the Agriculture Resource designated land.

Third, the General Plan specifically addresses “transitional areas” because these areas are specially characterized by zoning inconsistencies and close proximity to urban areas. The Milani Mobile Home Park is located in the transitional area of South St. Helena. South St. Helena is a transitional area because several parcels there have been zoned commercial, planned development (PD), or otherwise since the 1950s while the General Plan’s Land Use Map has designated these same areas as part of the Agricultural Resource area. This type of inconsistency was reconciled for commercially zoned areas by General Plan Policies AG/LU-45 and Ag/LU-103, which allow lands zoned commercially to develop in conformance with that zoning (at commercial level densities) regardless of the Agricultural Resource designation. There is not an exception, however, for planned development (PD) zoned parcels located within Agricultural Resource designated lands. A specific, limited exception available to these parcels is an appropriate step to reconcile the inconsistencies between what exists on the land, the zoning, and the Land Use Map designation.

Last, according to Policy H-2j in the draft Housing Element, “the County shall facilitate the rehabilitation of mobile home parks to provide new affordable units.” A policy that exempts existing multi-family housing, such as mobile home parks, from the density requirement would be consistent with and implement this Housing Element policy.

61-2

Priority Households and Affordable Housing

The most recent workforce housing stakeholders’ workshop at the County, December 11, 2008, focused on local preference, “Vehicle Miles Traveled,” or “VMT” housing. Requiring a project to be located in a “transitional area,” as defined by the General Plan, and located on a parcel with direct access to a major roadway that serves as a public transit route will contribute to the County’s goals of local preference housing. The Board of Supervisors and the Planning Department are focused on Vehicle Miles Traveled (“VMT”) as a key aspect in increasing local preference housing; so much so that an ordinance is under consideration that would impose a deed restriction on all new units constructed by developers which would act to impose a substantial fee on the developer, and any subsequent seller, who does not sell to a “priority household.” The County has yet to decipher a reasonable (and legal) definition of a “priority household” but a 10-mile limit on VMT or use of public transportation are potential characteristics.

Multi-family housing projects located on a major road with access to public transportation will assuredly provide housing for a “priority household” that uses public transportation to reach their places of employment. The additional requirement in the proposed policy regarding “transitional areas” will also cater to “priority households”

Hillary Gitelman, Director
March 9, 2009
Page 6

because exempt projects will be located in close proximity to both urban and rural areas and therefore limit the VMT.

A narrow exception to the density limits for Agricultural Resource areas that contain existing multi-family housing developments will provide an innovative option for the placement of "priority" affordable housing. And, expansion of existing developments will assist the County in achieving its State-mandated housing goals while avoiding the use of undeveloped Ag land.

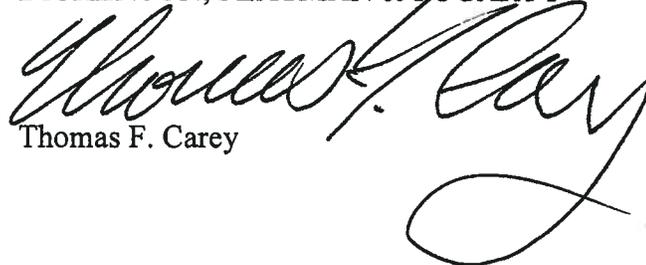
Measure P

According to the recent voter-approved Measure P, General Plan policies describing intent, minimum parcel size and maximum building intensity of lands designated AR or AWOS cannot be changed unless the voters approve such a change. According to Policy AG/LU-21 (formerly 3.F.8.d of the General Plan), the Maximum Building Intensity for lands designated as Agricultural Resource is one dwelling per parcel "except as specified in the Housing Element." (Emphasis added.) Here, the proposed policy provides for an increase in building density on certain parcels in order to achieve the goals of the Housing Element and therefore requires approval only by the Napa County Board of Supervisors and not a vote of the people.

Please call me if you have any questions.

Sincerely,

DICKENSON, PEATMAN & FOGARTY


Thomas F. Carey

cc: Kathryn Hall
Supervisor Diane Dillon

61-2

LETTER 61: Thomas Carey, Dickenson, Peatman & Fogarty. Napa, California. March 9, 2009.

61-1: The commenter suggests specific language for inclusion in the Housing Element to “create a specific, limited exception to the allowed building density on lands designated as Agricultural Resource in the General Plan in order to encourage the redevelopment of certain existing multifamily residential developments, including mobile home parks.” County staff appreciates the detailed suggestions and analysis contained in this comment letter, and believes that the commenter’s objectives are fulfilled by Program H-2l (renumbered as H-2k in the revised Draft Housing Element). This program would permit existing mobile home parks that are zoned Planned Development (PD) and located in the Agricultural Resource or Agriculture, Watershed and Open Space land use designations to be redeveloped consistent with their PD zoning. This program language has been modified to ensure its effectiveness based on conversations with the commenter, and yet ensures that existing affordable housing units will not be eliminated.

61-2: See response 61-1, above.

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March 13, 2009

BY FACSIMILE

Robert Westmeyer
County Counsel
County Administration Building
1195 Third Street, Room 301
Napa, CA 94559

Dear Robert:

I am writing on behalf of Napa Redevelopment Partners, applicant for the proposed Napa Pipe project. This letter concerns the County's Housing Element Update. I understand the Board may discuss the update on March 17, 2009.

Based on recent media reports, we understand there may be some interest in discussing the RHNA Transfer Alternative identified in the Housing Element Update Draft EIR. Under this alternative, the County would not amend its land-use plan or zoning ordinance to authorize any housing, other than the housing already authorized by the County's existing Housing Element. No housing would be provided at the Napa Pipe property. Instead, the housing would be distributed to the Cities of Napa and American Canyon.

62-1

The Draft EIR is ambiguous regarding how this distribution would be accomplished. The Draft EIR states that 371 units would be distributed to the City of Napa, and 79 units would be distributed to the City of American Canyon. Elsewhere, the Draft EIR states precisely the opposite. (See Draft EIR, p. 5-13.)

62-2

The County cannot consider whether to approve this alternative without an adequate CEQA analysis of its consequences. The analysis of this alternative in the Draft EIR does not provide such an analysis. The Draft EIR generally takes the position that the impacts of this alternative would be less than significant because such impacts would

62-3

Robert Westmeyer
March 13, 2009
Page 2

be resolved by means of site-specific review of housing projects as they come forward. (See, e.g., Draft EIR, pp. 5-15 [land-use impacts of RHNA Transfer Alternative would be "resolved through local development permitting requirements in the Cities of Napa and American Canyon . . ."], 5-20 [noise impacts in cities would be addressed by applying cities' noise standards].) Elsewhere, the Draft EIR states the alternative may cause a shift in impacts from the County to the cities, but does not provide specific information on what these impacts will be, or whether they will be more or less severe under this alternative. (See, e.g., Draft EIR, pp. 5-18 [traffic], 5-20 [noise].) The Draft EIR also states that vehicle trips will be shorter, and traffic and air quality impacts reduced, under the RHNA Transfer Alternative; the Draft EIR does not, however, explain why this conclusion necessarily follows from shifting housing from Napa Pipe (a relatively dense, mixed-use project surrounded on three sides by major employment centers) to unidentified sites located in the cities. (Draft EIR, pp. 5-18, 5-21.)

62-3

The central premise of this analysis is that the potential impacts of this alternative cannot be identified because the location where the housing units will be constructed in the cities is unknown. (See Draft EIR, p. 5-19.) There are two fundamental problems with this approach.

First, the County and the cities must understand the environmental and land-use impacts of such a shift. The County has proposed looking to the Napa Pipe site to accommodate 850 residential units. If those units are not constructed at Napa Pipe, then they will need to be constructed elsewhere. If that "elsewhere" is in the cities, then both the County and the cities must understand the implications of that decision. If the alternative consists of more intense development within the cities, then the Draft EIR must disclose the impacts associated with more intense development. Moreover, the Draft EIR should not assume that development in the cities will necessarily result in more efficient land-use patterns; given the location of the Napa Pipe site, there may be sites in the cities that would result in less desirable land-use patterns. The problem is that, based on the approach taken in the Draft EIR, the County and cities have no way of knowing.

62-4

Second, if the RHNA Transfer Alternative is to receive serious consideration, then the County must undertake a realistic assessment of its feasibility. If the affordable housing units called for under the County's RHNA, including those slated for the Napa Pipe site, are transferred to the cities, then the County and the cities must undertake a realistic assessment of whether sites exist within the cities to accommodate those units (over and above the cities' existing housing obligations). Otherwise, the consideration of this alternative would be an empty accounting exercise.

62-5

Indeed, many of the sites presently identified in the City of Napa's draft Housing Element may be infeasible at the densities proposed. At other sites, existing applications

Robert Westmeyer
March 13, 2009
Page 3

or approvals limit the feasible number of affordable units. For example, the City's draft Housing Element identifies the Gasser site as accommodating 440 affordable housing units. Yet, per City Council Resolution R2006214, just 10% of 500 units permitted in the Gasser Master Plan must be affordable to Low Income households, i.e. only 50 affordable units. Thus, the reference to 440 units in the draft Housing Element cannot be reconciled with approvals for the property.

62-5

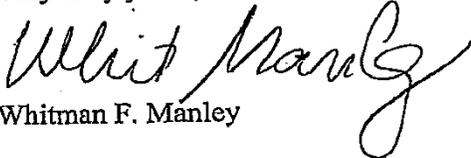
The fundamental point is that, without a realistic consideration of the feasibility of available sites within the cities, the consideration of the RHNA Transfer Alternative would be an empty accounting exercise unlikely to survive HCD scrutiny.

We are proud of the Napa Pipe proposal. In our view, the project has great potential to create a vibrant neighborhood, to redevelop an underutilized site, to reduce pressure on agricultural land, to reflect efficient transit-oriented development, and to help the County and region meet their housing obligations and make progress towards a healthy jobs/housing balance. We recognize other stakeholders, particularly the cities, have concerns. We regard the CEQA process as the appropriate forum in which to address and resolve these concerns. That is one reason why we have agreed to provide the resources necessary to perform an exhaustive analysis of the Napa Pipe proposal, including financing studies prepared under the joint auspices of both the County and the City of Napa. When the time comes for the County to consider whether to approve the Napa Pipe proposal, no one can question that the Board of Supervisors will be informed fully of the consequences of doing so. That is as it should be, and we welcome such scrutiny. In our view, the RHNA Transfer Alternative deserves equal scrutiny. The analysis of this alternative in the Housing Element Update EIR does not provide that level of analysis.

62-6

We appreciate the opportunity to provide these comments.

Very truly yours,



Whitman F. Manley

cc (by facsimile):
Larry Florin
Hillary Gitelman

LETTER 62: Whitman F. Manley, Remy, Thomas, Moose and Manley, LLP. Sacramento, California. March 13, 2009.

62-1: The comment summarizes the RHNA Transfer Alternative, and notes media reports have indicated that there is some interest in discussing the RHNA Transfer Alternative. The comment does not address the adequacy of the Draft EIR, so no further response is necessary.

62-2: The comment states that the Draft EIR is ambiguous regarding how the distribution of housing units to the Cities of Napa and American Canyon would be distributed.

On page 5-13, the Draft EIR states that 79 units would be built in the City of Napa and 371 units would be built in the City of American Canyon. This is a typographical error. As indicated elsewhere in the document, 371 units would be built in the City of Napa and 79 units would be built in the City of American Canyon under this alternative; this correction is reflected in Chapter 3 of this Final EIR. The population, housing and employment analysis of this alternative on pages 5-15 to 5-18 uses the correct unit count for each city, so the findings are not affected by this error.

62-3 The comment finds that the analysis of the RHNA Transfer Alternative is not sufficient for the County to select this alternative because the analysis relies on future site-specific review of housing projects, does not provide specific information on the impacts that would be shifted from the county to the cities, and does not explain the conclusion that vehicle trips would be shorter with the shift of development from the Napa Pipe site to unidentified sites in the cities.

Section 15126.6(d) of the CEQA Guidelines requires that the EIR include information to provide a “meaningful evaluation, analysis, and comparison with the proposed project.” Because specific informa-

tion about alternative sites within the cities is unknown, the detailed analysis requested in this comment is not feasible. However, the Draft EIR provides sufficient analysis to meaningfully compare the proposed project with the RHNA Transfer Alternative at a programmatic level, given the information that is available. The land use and noise discussions cited in this comment indicate that local permitting requirements and noise standards would address potential land use and noise impacts, which is an appropriate assumption for a programmatic-level alternatives analysis.

As indicated in the comment, the Draft EIR suggests that impacts may be shifted from the county to the cities under this alternative. Although specific details about the impacts are unknown, each section of the RHNA Transfer Alternative analysis on pages 5-14 to 5-24 indicates whether impacts would be more or less severe through a finding of whether the alternative would be an improvement over, similar to, or a deterioration from the proposed project.

As indicated in the comment, the Draft EIR finds that the RHNA Transfer Alternative would generate fewer trips than the proposed project. Although the full Napa Pipe project is planned to be a dense, mixed-use project, the proposed Housing Element only includes a portion of the residential units that would be allowed to develop at full buildout of the Napa Pipe site. The Housing Element EIR does not consider the development of jobs or services on the Napa Pipe site. Therefore, the Draft EIR concludes that sites within the cities of Napa and American Canyon would be more likely to have better access to services and jobs than would new housing units on the Napa Pipe site.

62-4 The comment states that the analysis of the RHNA Transfer Alternative must disclose all potential impacts, and that it is problematic that specific alternative sites within the cities are unknown. In addition, the comment states that the assumption that the RHNA Trans-

fer Alternative would result in more efficient land use patterns is not valid. Please see the response to Comment 62-3.

- 62-5 The comment states that if the RHNA Transfer Alternative is to receive serious consideration, then its feasibility regarding available sites in the cities must be assessed.

Section 15126.6(a) of the CEQA Guidelines requires that the EIR evaluate “a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation.” In addition, “there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.” Although the County and Cities have not undertaken a thorough review of potential sites for this alternative, the RHNA Transfer Alternative is a reasonable and potentially feasible alternative that allows a meaningful comparison with the proposed Housing Element. A final decision regarding its feasibility will be made at the time the Board of Supervisors considers whether to adopt the revised Draft Housing Element.

- 62-6 The comment notes positive aspects of the Napa Pipe development proposal, and states that the Draft EIR’s analysis of the RHNA Transfer Alternative is inadequate. Please see the responses to Comment 62-3.

KEEP WOODSIDE DRIVE RURAL

We the undersigned residents of Woodside Drive oppose the proposal to rescind and replace the portion of the Housing Element of the Napa County General Plan to redesignate Woodside Drive in the unincorporated area of Napa County from Rural Residential to Urban Residential in the program H-2k.

We residents of Woodside Drive specifically chose to live in this rural setting to enjoy the freedom and beauty it provides. Changing the designation of the area to Urban Residential opens up unwanted opportunities for dense housing and possible future annexation to the City.

We thank you for your attention and kindly request that you leave Woodside Drive Rural Residential during this Housing Element update.

NAME	SIGNATURE	ADDRESS	DATE SIGNED
KENNETH COIL		1019 WOODSIDE DR.	2-16-09
Glaucus Coil		1019 Woodside Dr.	2-16-09
SCOTT MURPHY		1023 Woodside Dr	2-16-09
WILLIAM PATE		1029 Woodside Dr.	2-16-09
Kenny J. Frisch		1032 Woodside Dr.	2-16-09
Donnie Campbell		1026 Woodside	2-16-09
Bob Niksewicz		1038 Woodside Dr.	2-16-09
JOHN FRISCH		1072 Woodside Dr.	2-16-09
DAVID CAMPBELL		1026 Woodside Dr.	2-16-09
Lisa Murphy		1023 WOODSIDE DR.	2-16-09

KEEP WOODSIDE DRIVE RURAL

We the undersigned residents of Woodside Drive oppose the proposal to rescind and replace the portion of the Housing Element of the Napa County General Plan to redesignate Woodside Drive in the unincorporated area of Napa County from Rural Residential to Urban Residential in the program H-2k.

We residents of Woodside Drive specifically chose to live in this rural setting to enjoy the freedom and beauty it provides. Changing the designation of the area to Urban Residential opens up unwanted opportunities for dense housing and possible future annexation to the City.

We thank you for your attention and kindly request that you leave Woodside Drive Rural Residential during this Housing Element update..

NAME

ADDRESS

<u>Queen Pedraza</u>	<u>1050 Woodside Dr. Napa 94558</u>
<u>Tom Kearns</u>	<u>1041 Woodside Dr Napa 94558</u>
<u>Rama R. Kervish</u>	<u>1041 Woodside Dr. Napa 94558</u>
<u>Arline Reynolds</u>	<u>1047 Woodside Dr. Napa 94558</u>
<u>Marlene Kervish</u>	<u>1035 Woodside Dr Napa 94558</u>
<u>Joseph Kervish</u>	<u>1035 Woodside Dr Napa 94558</u>
<u>Elizabeth Kervish</u>	<u>1056 Woodside Dr., Napa, CA 94558</u>
<u>Cheryl Kervish</u>	<u>1050 Woodside Dr Napa CA 94558</u>
<u>John Kervish</u>	<u>1050 Woodside Dr. Napa CA 94558</u>
<u>Lisa Murphy</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____

We, the undersigned eligible voters of the County of Napa residing in the vicinity of Silverado Trail, Rose Drive, Rosemont Circle, Woodside Drive and Monticello Road, petition in opposition to the proposal to re-designate part or all of this neighborhood from "Rural Residential" to "Urban Residential".

Name	Signature	Address	Date Signed
Diane McGowan	<i>Diane McGowan</i>	1073 Monticello Rd.	2/16/09
Janet C. Mc Gowen	<i>Janet C. Mc Gowen</i>	1013 Monticello Rd	2/16/09
Edwin R. McGowan	<i>Edwin R. McGowan</i>	1073 Monticello Rd	2/16/09

LETTER 63: Petitions received in response to proposed redesignations in the Monticello Road Rural Residential area.

63-1: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

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**NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING
COMMISSION**

**IN RE: Item B – 1:30 Set Matter – Napa County Housing Element
Update-Draft Environment Impact Report Public Comment
Hearing.**

Transcript of audio-taped proceedings of
February 18, 2009

-o0o-

PRESENT:

Chairperson, Bob Fiddaman
Vice-Chairperson, Heather Phillips
Commissioner, Michael Basayne
Commissioner, Terry Scott
Commissioner, Matt Pope

64-1

Transcribed by: Georgene Larsen

February 18, 2009

1 CHAIR FIDDAMAN: The meeting of the Conservation, Development
2 and Planning Commission. Sorry we are getting started just a
3 little bit late but it was a long morning. We are now set to
4 have the 1:30 PM set matter which is the Napa County Housing
5 update, draft environmental impact report public comment
6 hearing. We will turn it over to the staff.

7 HILARY GITELMAN: Well thank you, Mr. Chair and Commissioners,
8 Hilary Gitelman, Planning Director and I am joined here by Nancy
9 Johnson of county staff and we also have our consultants [DE and
10 dc] to help us with questions. This is a hearing on draft EIR.
11 Our intention is to solicit comments on the drat EIR which was
12 published early in [inaudible] mid-January but while were here,
13 we would like to accept comments on the housing element itself
14 and the draft housing element was submitted to the State as
15 required by statute in November and the State gets a 60 day
16 period within which to review the draft and provide a comment
17 letter. In the materials we have provided to the commission,
18 you've received the draft EIR, you've received the housing
19 element draft that was submitted to the State and you've
20 received the State's response to our draft. A lengthy response
21 that includes a number concerns that we will ultimately have to
22 address in revisions to the housing element draft before it
23 comes to you for consideration. Any comments we get today on
24 the draft EIR will be responded to in a Final EIR that will have
25 to be certified before the Commission can consider its
26 recommendation on the housing element. Any comments we get
today on the housing element draft itself will [inform] the
revisions that we have to make to respond to the State so we

February 18, 2009

1 have this opportunity to revise the draft to respond to the
2 State's concerns at the same time we can make any changes we
3 deem desirable to respond to community concerns.
4 I should say that the State's letter in response to our draft
5 housing element does raise a number of substantive issues that
6 we are carefully analyzing. I think they will take a lot of
7 thought and consideration and when we come back to the
8 commission, later in this process, we will try and explain how
9 we think these comments should be addressed. It is clear to us
10 however that the State has some substantial concerns about some
11 of the sites identified for multi-family housing in draft
12 housing element and really they raise the question as to whether
13 any of our affordable housing sites, other than the Napa Pipe
14 site, are even feasible because they don't meet the statutory
15 twenty units to the acre minimum density. So that's a comment
16 we think we can respond to but I think the jury's still out on
17 where the State will ultimately come down on those other sites
18 in our inventory. As you know the draft housing element doesn't
19 just include this inventory of sites, it includes a number of
20 policies and programs intended to stimulate the production of
21 housing in the county and I want to specifically focus on
22 program that as elicited quite a community response and I think
23 in fact we are going to hear a bit of testimony today. Many
24 members of the audience are here to speak about just that one
25 program related to the Monticello Road area and I have an
26 overhead slide here on the machine I am going to show it you .
We haven't noticed yet the public hearing on the draft EIR and
we won't do so until late April or early May but we thought it

February 18, 2009

1 was not too early to get input on some of the programs that had
2 potential site specific implications and so we sent a letter to
3 the neighbors in this area. This is in fact the map that was
4 attached to the notice and I am going to explain it briefly.
5 Explaining it, we are proposing within the housing element, a
6 program that would do two things in this geographic area. The
7 first thing it would do is remove the affordable housing overlay
8 zoning from the sites at the northern part of that illustration.
9 So in effect, it would be a down-zoning of those parcels to
10 eliminate the potential for high-density multi-family housing.
11 Coincidentally, we would do another change in this area and that
12 would be at the lower portion of the site and I should say the
13 map that we included with the notice included two extra parcels
14 inadvertently. The map in the housing element and the draft EIR
15 is correct. But you'll see that I drew a line there that kind
16 of L-shape, an upside down "L" at the bottom? The two parcels
17 to the south of that line are not included, which should not be
18 included in the shaded area. But essentially what the policy
19 says is that we would have re-designate this small area from
20 rural residential to urban residential on our land-use map. The
21 effect of that would be to allow property owners in this area to
22 some day come in and seek a re-zoning. Currently this ear is
23 zoned RSB2. So Residential single, B2 meaning minimum lot size
24 of two acres. And the rural residential general plan
25 designation has a 10 acre minimum so in reality even though the
26 zoning would allow a 2 acre parcel, the general plan is more
restrictive and so you couldn't subdivide anything less than
twenty acres because it's a ten acre minimum. By changing the

February 18, 2009

1 rural residential designation to urban residential designation,
2 a property owner in the future could come in and request a
3 zoning change and then ultimately subdivision, although they
4 would have to show that they have access to city water and
5 sewer, sewer district. So there would be some substantial
6 additional hurdles to any property owner taking advantage of
7 this and we've gotten quite a number of calls and inquiries
8 about this policy. It's not the most carefully drafted policy
9 and in the draft I think there's no question that if it remains
10 a program in our housing element, it can be improved upon. But
11 again, we would be interested in any comments from the community
12 and from the commission on whether that program should be
13 retained or modified in some way.

14 I mentioned earlier that we don't expect a formal hearing or
15 formal notice of hearing on this project for some time. Our
16 schedule assumes that we can respond to comments on the draft
17 EIR very quickly and get this matter back to the commission for
18 consideration in May. That means a public notice would go out
19 to interested persons some time at the end of April or early May
20 and the commission would hold a hearing in May and make a
21 recommendation to the Supervisors. The Supervisors would hold a
22 noticed hearing in June and be the final [inaudible] of the
23 whole housing [inaudible] package following certification of the
24 final EIR. So that's the schedule we are on. Happy to answer
25 any questions otherwise, I think we should just launch into the
26 testimony. It's all being recorded so we can respond to the
comments received orally today.

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1 CHAIR FIDDAMAN: Okay, any questions from the Commission? All
2 right then we will invite comments from the audience. Volker
3 looks like you're going to be second. He's in a rush to get
4 somewhere. [Inaudible]

5
6 JEFFFREY REDDING: Chairman Fiddaman, members of the Planning
7 Commission, welcome to the new members as well. My name is
8 Jeffrey Redding. I'm a tired face on this project and I see that
9 our project for two years has gone from an incidental contact to
10 now we're the stars of the show. I think in part that's not our
11 intention, as you know, our intention [inaudible] I am speaking
12 to you about the Monticello Road area that director Gitelman
13 just called your attention to and I would like to make two
14 comments, separate my comments into two. The reason for our
15 [inaudible] draft EIR, that's what was noticed that's what
16 people are expecting to talk about but also as Hilary has
17 invited some comments about the proposal that's before you which
18 is policy H2, small k. This has been a two year process for us
19 as you know and we really started at the request of many of the
20 people who live in our neighborhood. It's an area of failing
21 septic tanks, as I brought to your attention, wherein the
22 drainage of Sarco creek. We approached the Napa Sanitation
23 District two years ago and said, you know, we'd like to connect
24 to the sewer, I mean ultimately [inaudible] to do some
25 additional development but the neighbors and Ron Walker at the
26 time represented some of those neighbors went to the Napa
Sanitation and said how can we make this happen and they said
two things. Number one, we will not sewer this area until such

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1 time as extend sewer to this area, sewer is already on
2 Monticello Road as you know. We will not extend sewer into this
3 area until, unless and until it is urban residential in nature
4 and secondly, until your property develops. The latter is
5 needed because the sewer line has to cross that property in
6 order to serve that balance of that area. So your environmental
7 impact report I think should properly show that urbanization of
8 this area as recommended by the staff at this point will
9 actually add an environmental benefit, that is we have failing
10 septic tanks right now, the State as you know is also looking at
11 making folks with failing septic tanks upgrade those with very
12 expensive systems. Many of the parcels in this particular area
13 are an acre or less [inaudible] to meet that without
14 [inaudible]. So one of the benefits of this policy and that is
15 what's in it for public is an opportunity for you to improve
16 water quality in Sarco Creek and to remedy and eliminate any of
17 these failing septic tanks. And that's something that is
18 extremely important. I think there's some misconception and I
19 appreciate Hilary clarifying it this morning. I know some of
20 the Walker family has gotten has been about affordable housing
21 and what this proposal will not do is allow affordable housing
22 on the Walker property, in fact, what it will do is eliminate
23 affordable housing the three areas that are currently proposed
24 for it. This project will also , policy will also allow for
25 upscale housing to be constructed on his property which is a
26 benefit to the neighborhood as well. There have been drainage
problems and dust associated with the Walker property because it
can't be developed anymore. It's a 3.99 acre piece or

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1 thereabouts. It's at its development potential. In a situation
2 like ours where we're trying to protect agriculture and
3 concentrate uses in urban areas, it doesn't make sense to leave
4 a property like this which is essentially surrounded by a
5 developed neighborhood to remain undeveloped. It provides some
6 relief for the housing that we desperately need in this
7 community. I think that was the rationale that Hilary and her
8 staff looked at as well as the water quality issues to say, this
9 makes some sense. And she noted also we will not be developing
10 as a result of this policy. This sets the stage for many public
11 hearings and environmental review that [inaudible]. I would
12 also conclude by drawing your attention to your own
13 environmental draft document which I have given to you and I
14 have highlighted the things which I think are, tell the story a
15 lot more than the letters, a lot more of sort of the fear that's
16 going around. This project would accomplish two things. One it
17 would make it possible to extend sanitary sewer to this area to
18 improve water quality and secondly, it would eliminate the
19 affordable housing site. Interestingly enough and in
20 conclusion, on page H3-23 you will note in the second paragraph
21 that I've outlined that the impacts on the neighborhood are
22 [inaudible]. There isn't rapid growth that's going to occur. If
23 you look at the aerial photograph that I've included before
24 [inaudible] this property is essentially it and most of the
25 properties there are entitled to a second unit already under the
26 existing zoning so we are not talking about an incremental
change of any significance but we're talking about a great deal

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1 of public benefit and we hope that your draft EIR and final will
2 reflect those kind of environmental benefits. Thank you.

3 CHAIR FIDDAMAN: Thank you.

4 VOLKER EISELE: Volker Eisele, Napa County Farm Bureau. First
5 of all Mr. Chairman, I have a procedural question. We also
6 received a document called amendments of the general plan and to
7 facilitate all of this, let's see what is it called. Conforming
8 amendments proposed to other sections of the Napa County general
9 plan, sections other than the housing element. Is that on the
agenda as well today?

10 MS. GITELMAN: Thank you Mr. Chair. Thank you for the
11 clarification. There is a document called conforming amendments
12 to the plan that is included in your packet and we also would
13 welcome any testimony on that today. The intention of that draft
14 document was to delineate the changes to other sections of the
15 general plan that we think may be necessary to find conformance,
16 you know to keep the general plan in conformance once the
17 housing element is adopted because the housing element is still
18 a little bit in flux, this document also is in flux. Both would
19 be revised and brought to your hearing, properly noticed in the
timeframe I mentioned in May and June [inaudible].

20 CHAIR FIDDAMAN: So it's open, open for discussion.

21 VOLKER EISELE: Thank you Mr. Chairman. First of all I have to
22 apologize. Just like two commissioners this morning said they
23 were a little slow on the uptake because they had to get up so
24 early, I just got back from Argentina and I am a little slow on
25 the uptake. This is rather a hefty document so we will
eventually [inaudible]. On this sixteen page document, it is

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1 really amazing that all of a sudden a few months after the
2 general plan was passed, we find this needed. Why is that? And
3 especially everything concerning Measure A is all of a sudden
4 substantially changed and the only way we can read it is to make
5 it easier [inaudible] and to sort of play down Measure A
6 whatever one thinks about Measure A but the background that is
7 still in the existing general plan that you approved a few
8 months ago is now all of a sudden stricken or proposed to be
9 stricken. Everything seems to be designed to increase the
10 potential number of homes. Now that is probably the single
11 biggest issue in all of these documents. The State of
12 California assigned in their last measure for our {inaudible}
13 period, 569 units. This document analyzes 1250 units, roughly
14 and you know I still fail to see why we have to go a single unit
15 more than the State of California wants us to go. I want to
16 give you a little history of the last six years. In 2003, there
17 was against the county [inaudible] for failing to do the housing
18 element properly. And we're here to rush to come up with some
19 numbers and some sites and eventually the State said okay, you
20 are home free. And so now we have [inaudible] this element and
21 at the time when this was all done every supervisor told us and
22 every county planning commissioner told us, you gotta deal with
23 the State. It's the State that is killing us. The State is
24 demanding housing and it's the State that is killing
25 agriculture. So some half hearted attempts were made to get
26 some legislation going in Sacramento and they didn't go very far
as we all know. And now all of a sudden, we are proposing for
this cycle twice as many homes as were envisioned by the State.

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1 Now the State is usually the most extreme when it comes to
2 housing but then we doubled that number. It's absolutely beyond
3 me. Now I also read that letter of the State sent back with the
4 draft housing element and I happen to agree with the State on
5 one thing and that is that some of the sites for affordable
6 housing are really not appropriate and we have said this over
7 and over again when you build housing in the [inaudible], that
8 is not what we wanted in 2009. This is not saving energy. This
9 is not really anything for the public. And then we are taking
10 the affordable housing over or at least we are proposing to do
11 that from the area [inaudible]. And we all understand why and
12 how but this isn't right. And we are opposing this very very
13 strongly. Now on the...even in the safety element there is
14 something very very interesting. Flood Control is supposed to
15 make sure that we don't have empty lots because that's bad for
16 taxes. This is [inaudible] that we are dealing with fiscal
17 matters in this. And everybody who knows about Flood Control
18 knows that we actually empty spaces for flooding. But its bad
19 but we should have the right type of development on there, maybe
20 like Copia, a great success story as we all know. So, in any
21 case, so much for the sixteen pages and now to my...this document
22 which is fabulous. I would actually like to know how much this
23 costs. Probably three hundred thousand or so, it's my guess.
24 Are we entitled to knowing this, Mr. Chairman, or we not
25 entitled to know this? Is that secret?

26 MS. GITELMAN: By no means is it secret. We have a contract and
its public record. I don't have the figure off the top of my
head but we will include it in our responses [inaudible].

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1 MR. EISLE: Ok, thank you very much. It is very interesting
2 here when you go through the summary of [inaudible]. First of
3 all agriculture. Zero impact. Now, I am in agriculture. I
4 have been in agriculture for 35 years but I do know when there
5 is unavoidable population increase as is on the next line and
6 unavoidable traffic increase, there's an impact on agriculture.
7 So to me this is flimsy analysis as best, at best. And now we
8 cannot [inaudible] as an unavoidable significant impact
9 population growth. Especially when that population growth is
10 twice as high as the State demands. We simply cannot do this
11 and I would like to remind the Commission and the staff that we
12 strenuously argued against the members in the EIR for the
13 general plan on exactly the same grounds and we predicted that
14 the numbers would increase and that we would be saddled with
15 more houses. And there is no excuse for that. None whatsoever.
16 And, let's see. Napa County actually would get [inaudible]
17 ABAG projections. State projections. And the only thing on
18 earth that is usually our quote unquote enemy and here we are
19 doing it to ourselves. And in traffic, I really, it's just
20 amazing. I've just come from Buenos Aires, well there's
21 horrible traffic, I can assure you. It is so bad that my wife
22 and I chose not to drive. It is taking your life in your hands.
23 Here we have the pollution and I'm more curious than ever who
24 came up with that. You just put up a traffic signal and boom
25 the traffic problem is solved. And all throughout the document,
26 that is the solution and then you redesign the intersections a
little bit. It's amazing. Now, some of you might travel on
occasion on the highway between St. Helena and Napa late

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1 afternoon and you should see sometimes the bumper to bumper
2 because of the traffic light in Yountville. Then the traffic
3 goes all the way up to Zinfandel Lane or maybe into town in St.
4 Helena. I mean its not what we are looking for that we are
5 building this traffic, put up more lights, a few more lights and
6 then it looks all like Trancas. Where you hobble from light to
7 light, and red to red. I mean it just doesn't make sense to me.
8 I'm just aI almost said just a little farmer but I do know
9 and I've been around in many places of the world and I know of
10 this. It's not a solution. Now they do know they cannot really
11 [inaudible] it and then [inaudible]. When it gets really
12 hearing the traffic and for once I can site the [inaudible],
13 they say the development should then in their specific EIR deal
14 with the traffic problems after we basically said okay
15 developers go to this or this area. We should tell them how to
16 solve the problems with the traffic. But we want to put the
17 [inaudible] on the developers. That isn't right. That isn't
18 [inaudible] the issue obviously. And um, oh the noise. Noise
19 it's unavoidable. We can't mitigate it. Do we have to live with
20 more noise? I just was in a hotel in a big city in Argentina
21 and I know what noise is. And I can tell you, I don't like
22 that. And I never found a human being that really likes noise.
23 So that we get this black and white, that noise is an
24 unavoidable consequence of what we are planning is beyond me.
25 It's absolutely beyond me. And it's beyond me that staff and
26 commission and supervisors are not saying wait a minute this
cannot be right. Something has to be done and [inaudible]. The
EIR recognizes every year some significant geological problems.

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1 And they come up with a solution that I have to read to you so
2 you can appreciate it. Its on page 220. Potentially unstable
3 slopes shall be mitigated such that the risk of instability
4 during the life of the project is very low. Slope instability
5 can be effectively mitigated through the use of relatively plant
6 slopes. Well can somebody here [inaudible] what plant slope is?
7 I mean these brilliant minds who put this together at our
8 expense they must have some idea. And finally there is
9 something about water which those of us who are active in
10 [inaudible] is really interesting. On page 222. To comply with
11 general plan policy AGL61, the county shall require use of
12 ground water on the angle sides to be fully offsite elsewhere in
13 the concrete upper [inaudible] local drainage by implementing
14 water conservation strategies and now it comes such as low flow
15 toilets, fixing leaky pipes. It's brilliant. I mean we have to
16 look for toilets and leaky pipes to save our water. That isn't
17 going to solve our water problems. We have never looked for
18 example what the true capacity of the wells at [inaudible] are.
19 You don't know that yet. You still don't know this. So for all
20 those reasons we have severe problems with this. We want this
21 to be corrected and problems addressed and we cannot live with
22 these kinds of mitigation [inaudible]. And finally I would like
23 to make one little comment on the housing element of the
24 proposed housing element. There is a reference which I think is
25 absolutely in appropriate to a project that doesn't even have
26 legal standing as we all know for a fact this is the [inaudible]
project. Why is that in the general plan? It has no business
to be mentioned. That's not part of the 30 year general plan.

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1 Or even a seven year general plan. In any case, thank you very
2 much for your time and we will [inaudible]

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3 CHAIR FIDDEMAN: Thank you. Did you want to respond to that
4 Hilary?

5 MS GITELMAN: No, we will respond in writing to the comments.

6 LAURA LEFLER: [inaudible] Question, cause I don't see it added,
7 did you get the letter I sent you yesterday no this topic? I
8 just want to touch on a few things. I did have a meeting with
9 Hilary yesterday. Touching on what Volker started talking
10 about. [inaudible] but many of us have been in front of the
11 planning commission and the board for a few years as well as
12 gotten the updates, you know as ABAG has changed their

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13 [inaudible] and unfortunately [inaudible]. [inaudible] we're an
14 agricultural rural county, we're the only ones in the nine bay
15 area. We don't want to be in the housing business. Don't keep
16 giving us allocations. So I want to add to my concern that you
17 presented them and now we have miraculously found a way to
18 provide more than double, I'm concerned about the message that
19 it sends and this really the right message. Now Hilary

20 mentioned earlier on that the HDE letter may remove some sites
21 but those are only affordable, multi-family and so the question
22 I guess for Hilary is could those [inaudible] sites go back in
23 as [inaudible] and not be affordable multi-family. [inaudible]

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24 So that's the question. The other piece conceptually that I
25 have an issue with and since this conforming amendments is the
26 first time the public has seen this and I spent some time
27 talking to Hilary about this yesterday. There's some history
28 behind why the nine bay area counties are included in

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1 {inaudible} management and to {inaudible} looking on page five,
2 {inaudible} but there were reasons why we were {inaudible} one
3 percent with the bay area and that is {inaudible}. Most people
4 outside Napa wouldn't be surprised {inaudible}. And so Napa
5 even though we are starting with a much smaller number, most
6 people here one percent is a huge amount and that's too much but
7 I think by removing those counties you loose some of that
8 perception that we are in fact part of this bay area and we are
9 honoring our fair shareness, if that's a word. One of the
10 things that Hilary mentioned to me if I can paraphrase
11 {inaudible} conversation is gee the other bay area counties are
12 growing less than one percent. We don't want to include them.
13 Then this tells me why are we wedded to one percent.
14 [Inaudible] it's based upon this formula and since the majority
15 or all of these counties at one point was probably about one
16 percent, we use that. But if they're {inaudible} lasts, here
17 again the only rural county why do we want to stand out that we
18 want grow more. Some {inaudible} conceptual issues that I would
19 ask you to consider. And the other piece just so you have some
20 contacts as I don't think I wrote this as clearly as I talked
21 about it with Hilary, is there's some wording in here that says
22 in no instance, or the suggestion is, that in no instance would
23 we have less than the number of homes than we have today and I
24 question that and there is a clear formula and I think I can
25 quote this its says {inaudible} if in fact let's just look
26 hypothetically down the road Angwin decides its going to create
a city like American Canyon did or down the road the City of
Napa decides to annex Napa Pipe. Then the population of Napa

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1 County unincorporated [inaudible] would drop and therefore the
2 formula of taking the population times one percent and dividing
3 it by [inaudible] would produce less [inaudible] So part of this
4 is kind of making sure that as you change these two [inaudible]
5 simplify them that you're in fact not losing the whole intent of
6 why it was crated or how it was created and that one percent is
7 a target but we shouldn't be so firm as to say oh it has to be
8 one percent and never lower or that the number of permits could
9 never go down. So I think there are some specific details in
10 here. I think there is probably only one other piece that I
11 would just mention in public cause there is a lot more detail in
12 the letter but policy H-14 in the housing element and I quote
13 says the County will increase the acreage within the county
14 where multi-family housing can be constructed while recognizing
15 local state [inaudible] policies aimed at preservation of AG
16 lands and that's it. That's the end of the whole policy and so
17 in my skeptical sense, I say, where are they doing that? Are
18 you increasing the acreage by re-zoning, are you changing, are
19 you in fact using industrial land, are you intending to use the
20 land maybe within the city because there is county land within
21 the city of Napa? So without kind of framing that somebody
22 would read that it just says well I'm going to go out and grab
23 some AG land recognizing [inaudible] supposed to preserve it and
24 I don't think that's the intent but without qualifying it, it
25 just leaves open some questions. So I think I will kind of
26 leave that for my comments because I [inaudible]

CHAIR FIDDAMAN: Thank you.

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1 MILE MILLER: Mr. Chairman, members of the Planning Commission,
2 my name is Mike Miller, I live on Woodside Drive and I'll be
3 brief. This is regarding Program H2K and just wanted to make a
4 couple of points about it today. I appreciate the lawyers'
5 interpretation of the situation out there but we're really
6 looking at changing the zoning for approximately 60 parcels to
7 allow one property to sub-divide and develop in a way that is
8 completely out of character with everything around it. The
9 draft EIR says this clearly quoting from it in part "given
10 current development patterns and parcel sizes only one parcel in
11 the area can develop at a higher density". The proposal to allow
12 four units per acre in this area is out of sync with all parcels
13 adjacent nearby is almost universally opposed by all parcels
14 adjacent nearby. It should be discarded and just by way of
15 background, a few years ago we moved from Alta Heights. We
16 loved living in Alta Heights but we wanted a different
17 environment for ourselves and our kids and that's why we moved
18 out to Woodside Drive. It's essentially a rural setting out
19 there. It's not urban and it should be preserved in that way
20 and that's why I am opposed to this Program H2K. And then just
21 for the record regarding [audible] and septic, not ours, ours is
22 fine we had it inspected in the last two years and its working
23 very well. And I think one other thing you'll notice there are
24 a lot of the folks from the neighborhood out here and I'm sure
25 that some of them want to come up here and speak to you but I
26 think you will find that fairly universally in the neighborhood
are impacted by this, its our position. Thank you.

CHAIR FIDDAMAN: Thank you.

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1 MR. MILLER: I would like to compliment your staff. They are
2 very responsive to the questions which in my experience a little
3 bit out of character with some other government agencies in the
4 area. Hilary was great getting back to me addressing my
5 concerns and answering questions.

6 CHAIR FIDDAMAN: Thank you. We are very proud of our staff.

7 COMMISSIONER POPE: They can find a mean turkey sandwich when
8 they need to.

9 JOHN FRISCH: Good Afternoon. My name is John Frisch. I live
10 on Woodside Drive and I concur with the prior speaker that my
11 septic system works fine and it has and I don't know of anybody
12 else's that doesn't but I could be wrong. I do have a question
13 though. I am looking at Agricultural Preserve for Land Use
14 policy AG/LU34 and it says a minimum parcel size between 0.0625
15 acres and one acre so 0.0625 acres would equal sixteen units per
16 acre? I'm also looking at what has been Napa County Housing
17 Element update draft EIR, page 323, 3-23, paragraph F in regard
18 to the last paragraph that the proposal, the owner are proposing
19 thirteen units for 4.3 acres. To concur with the gentleman from
20 the Agricultural, whatever he was, that if you having an
21 opportunity to put 64 housing units on one acre, or one 4 acre
22 parcel, I doubt that you would pass up the opportunity because
23 that seems to be what we're doing here. We want to subdivide
24 this parcel, the Walker parcel and I am sure they are going to
25 attempt to magnify their opportunity here. So I can imagine
26 that some day in the not too distant future, if this proposal is
passed, that they're coming back and saying well, we changed our
mind, we are liable or we are obligated or we have the right to

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1 enhance the use of our property to 16 units per acre. As has
2 been said, and it will show from the map that when we spoke
3 about this is a developed area except for the Walker parcel. If
4 you go on to Rose Drive, if you go on Rosemont, if you go on
5 Woodside Drive, Ladies and Gentlemen, this is a developed area,
6 we all, all the parcels are developed except this one. And I'm
7 somewhat confused with regard to eliminating the Silverado
8 Country Club area parcels and including our area of the
9 community for this designation when basically you're talking
10 about one parcel and as you look at the parcel map it appears to
11 me and I've passed it practically every day for the last ten
12 years, access to the parcel in question and it doesn't seem to
13 me, I could be wrong, I am not an engineer, but it doesn't seem
14 to me to be adequate to service either 13 parcels or 13 homes
15 for this particular area or the projected or what seems to be a
16 potential 16 units or 64 units for this particular parcel. So
17 all I can say is that, and not to repeat myself, or other
18 speakers, this is not an idea that the neighborhood is going
19 for. As has been told to you there is a number of my neighbors
20 who are here and you know, we are strongly, strongly opposed to
21 this particular parcel. We would like the Walkers to be able to
22 develop their parcel in any way that is in conformity to what we
23 have now and we have a relatively rural area. I backed on to a
24 vineyard and we like it like that and we certainly would like
25 the County to respect our desires and our community's desires
26 here. So, thank you.

CHAIR FIDDAMAN: Thank you.

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1 GINNY SIMMS: Good Afternoon, I'm Ginny Simms, 21 Oakgrove Way,
2 City of Napa. First of all I am very [inaudible] from where we
3 have gone so far. I do support the one percent growth limit and
4 I think the rational for it should be included primarily because
5 when you go to the State, it is nice to be able to show them how
6 you based your limit and that it was not extraordinary outside
7 of the period. Secondly, there's somewhere in here that it
8 mentions the high cost of housing in Napa and I think once again
9 if you [inaudible] from the nine bay are counties, you will find
10 that we're one of the lowest. So I'd like some interpretation
11 wherever that shows that if we have to, to say only one county
12 has the lower average house cost, something like that. Further
13 on, I would like for the plan, our housing plan to reflect how
14 you get from affordable housing, how you get where you want to
15 go without breaking the one percent. I recognize that this has
16 implications about how you build housing for those in the lower
17 two categories. Primarily because if we depend on one percent
18 on a ten percent affordable kind of way to get our affordable
19 housing, our people housed, we need the housing, we're not going
20 to get there if we just use that kind of proposal. The next
21 thing I would like to point out is that I believe our housing
22 element as well as most everyplace else, we should reflect the
23 change in the percentage of city and county [inaudible] and that
24 historically what we need to include in our housing element I
25 believe is a statement of fact about how the county as a whole
26 has grown. How much of it has been inside incorporated cities.
Because if we are going to defend the principle of our general
plan that the growth belongs in cities, then we need to have

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1 some understanding both at the local and state level about the
2 fact that that does not mean that Napa County, that the County
3 as a whole, the governments as a whole are not facing the
4 growing population which they are.

5 Next, I'd like to propose that we look at agricultural housing
6 and other low income or low to moderate income housing and
7 examine the effect, possibly as an alternative to this EIR of
8 adopting a policy that every third unit built on a agricultural
9 parcel that is to say you have right now a home, a guest house
10 and a third unit aimed at farm worker housing. And I would like
11 to see evaluated the effect of from this day forward that the
12 County would indicate that that third unit would have to brought
13 under some form of affordable housing contract to provide for
14 people below, at the 120 below. I think its unreasonable to
15 expect that they can be low low income but I think it is
16 reasonable to expect that they could be people who are working
17 nearby or on that particular large property and can meet that
18 and I think if we state that and then follow up with some
19 possibly lower cost to develop that third unit, we would really
20 be addressing a very great need in the community.

21 Finally, and this is going to be...and I don't want to be
22 misunderstood here by the audience because I know that the
23 audience is saying not here, that isn't appropriate. But I
24 would like to suggest that we're never going to meet the needs
25 of our citizens in terms of low income housing if we act as if
26 no place is a good place. I am deeply concerned about the
State's letter saying that if you zone a multi-family you are
gong to have to go 20 units to the acre or die. I think that's

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1 not creative and I think it's actually unhelpful. But be it as
2 it may, it is not helpful either to figure that one of two
3 options is in front of you. One is to put them all out
4 someplace where they can't jobs and can't get to jobs and the
5 other is to put them all together down outside the city and just
6 turn your back. And I think that's the two options that we're
7 really looking at after today. So what I would like to suggest
8 is that every Supervisorial district should be held responsible
9 for developing a site within that district where there are
10 available two acres, at 20 units per acre or gee, dream a little
11 4 acres at 20 units per acre. That in every Supervisorial
12 district whether adjacent to cities or in any other way they
13 could get it done, that we develop small and I do mean small. I
14 think the success of the housing in the City of Napa is that it
15 has been small. 85 units, I think is one of the biggest ones.
16 And I think we should aim at those kinds of things because they
17 can be done. To say that we have 261 affordable units next to
18 Silverado, is, I think, asking for war. And I don't see why we
19 ask for war when they could probably, very commonly, show that
20 there is a work force that would justify about an 80 unit
21 housing area out there rather than removing, as you are, to tone
22 it down and to then begin to look...I looked at the zoning code
23 or some code the other day and I can't remember which one but
24 there is an RS designation in our general plan that talks about
25 different housing densities and it may be calling our attention
26 to the fact that we need to look at something underneath that RS
that allows us to do some of these creative ways. The
responsibility is ours. I don't think we should shirk it and I

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1 don't think we should fake it. And I don't think we should keep
2 it all in one area or another. I think we should take that
3 responsibility and I think we should walk as softly as we know
4 how. I also believe that you can do what I am suggesting and
5 still come in under the one percent for the next seven years.
6 You don't have to say how am I going to allow both Napa Pipe and
7 Angwin to do all this. You don't have to face that problem if
8 you face the real problem which is how to house our citizens.
9 Thank you.

9 CHAIR FIDDAMAN: Thank you.

10 HAROLD KELLY: I'M Harold Kelly, 3450 Meadowood Drive in Napa.
11 I just want to reiterate some of the comments I made this
12 morning. I haven't read the document that is being commented on
13 in writing and so forth but I think the County has to anticipate
14 that the county holds the cities and the cities however they're
15 growing and the county grows is a whole. We aren't separate
16 members of this community. We are a city member and a county
17 member. And we shouldn't let the State or anyone else dictate
18 that we're going to put all our housing in the county or all our
19 housing in the city or anywhere else. I think we need to look
20 at the whole and the whole ought to be growing at a reasonable
21 rate of one percent or less, not divide communities up and push
22 one up against another. That's what's often done particularly
23 between county and city of Napa, it seems like you're always
24 butting' heads instead of working together. And it just bugs me
25 that the project of Napa Pipe and any other large projects can't
26 be looked at as a whole, county-wide instead of trying to dump
it all on one site or one place and in the county or out of the

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1 county, in the city or out of the county. They're together. We
2 are all together and we should develop our community that way.
3 I just urge the City and the County staffs and Boards to get
4 back together and work on this together. Putting to the State a
5 document on County growth but incorporate how it's related to
6 the cities. The cities when they develop their plan, they
7 should relate how it's related to the county. This business of
8 I'm here and you're there and we don't talk to each other is
9 ridiculous. It's been going on too long. Thank you.

9 CHAIR FIDDAMAN: Thank you.

10 KAREN SCHIVEN: Mr. Chairman, members of the board, Karen
11 Schiven, 1020 Ross Drive, Napa. I will start by saying that I
12 also have a non failing sewer system, just to begin with. I did
13 a little research prior to coming here today and I went to
14 Supervisor Bill Dodd's web page, Supervisor, District four, the
15 district that the area is in and he specifically states that
16 with the rising cost of housing people who are essential members
17 of our community, such as firefighters and I happen to one of
18 those, sheriff officers and teachers are finding it difficult to
19 find affordable housing. To solve these problems, one must be
20 able to look at the big picture and be willing to change the way
21 the county does business, thus, if land has been set aside for
22 development and will be developed, choosing the right project is
23 of the utmost importance. In that respect the county should
24 choose those projects that give back the most to the county.
25 [Inaudible] low income housing/open space and parks. So
26 specifically, project H2k would remove the affordable sites
already designated in our neighborhood. At the same time, will

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1 allow increased housing densities in the neighborhoods mentioned
2 above, the Rose Drive, Woodside and Rosemont and [inaudible] the
3 nature of the community, increasing traffic congestion, no new
4 parks or open space while doing nothing to help the workers who
5 live in Napa. We've also received, the neighbors in the
6 community, communication from the Walker family stating the
7 approval of policy H2K will change our property to an urban
8 residential designation that would allow for future development
9 of approximately 16 upscale homes. Our property (this was boded
10 in the letter) our property would not be an affordable housing
11 site. So how does that fit in with what the County is trying to
12 do. Removing the affordable housing site to allow affordable
13 housing only to have a development as we pointed out they have
14 the one parcel that is the only area to be developed telling us
15 point blank in a letter to the neighborhood that this will be
16 upscale housing. We're not helping our community. As the
17 speaker said before, we have to work together and we have to
18 have a place for the residents and workers of Napa to live.
19 I've been here since I was two years old and I know what we need
20 and need to work together but something like this in a developed
21 neighborhood with one parcel to develop within it for, as it
22 says itself, upscale housing is not [inaudible]. Thank you.

21 CHAIR FIDDAMAN: Thank you

22 COLLETTE PAPPAS: Good Afternoon. I'm Collette Pappas, I live
23 at 1099 Rose Drive and I personally canvassed our area
24 [inaudible] to have the residents sign a petition opposing the
25 H2K, which is the development of that parcel. I had [inaudible]
26 everyone sign this petition on our block opposing this

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1 development and no one, no one, talked about a failing septic
2 system or any problems thereof so that is not an issue on Rose
3 Drive at this point. And like I said, I spoke to everyone on
4 our block. I went into homes and spoke to everyone. We did
5 have one individual who did not sign this petition because he is
6 personally affiliated with the Walkers and had spoken to them
7 already and he felt that it would be, just, it wouldn't be right
8 in his heart to sign this petition. So he was the only one.
9 My husband and I moved to Rose Drive in 1992 because it was
10 rural residential and we wanted to live and raise our children
11 in that environment. Upscale housing does not fit into our area
12 where we live. The whole, if you ever drive out in that area,
13 is a very quiet, a very peaceful tranquil area. It's a
14 wonderful place to live and we want to keep it that way. We
15 have no problem with development and certainly anyone who owns
16 property out there has the right to develop their property but
17 within the rural residential restrictions is appropriate. There
18 is no upscale housing out there. Its all single family
19 dwellings. Everybody has a little piece of property. There's a
20 lot of vineyards, a lot of agriculture. It's beautiful and we'd
like to keep it that way and we appreciate support from our
county. Thank you.

21 CHAIR FIDDAMAN: Thank you

22 BOB MCCLEVITCH: Good Afternoon. I'm Bob McClevitch. I live on
23 Woodside Drive and I [inaudible] opposed to H2K. My septic
24 works fine. Thank you. We have been a resident of the
25 community since 1960 and if we wanted to live in high density
26 housing, we would move to Bel Air. We chose to live in a rural

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1 area. If the City was to rezone areas, how about looking into
2 town where it's closer to transportation, busing, such as Soscol
3 for example there's industrial zones, why don't you change
4 those? It's right in town. They have sewer. They have water.
5 Transportation. I suggest looking in other zones. Thank you.

6 CHAIR FIDDAMAN: Thank you

7 KAREN PARKS: Hi, my name is Karen Parks and I also live on
8 Woodside Drive. My parents, my parents' parents, my parents'
9 parents' parents, we all lived in the country. I live on
10 Woodside Drive because it is my country. We raised our kids
11 there. Our kids are safe. I'm a nurse. When we pull off
12 Woodside Drive now going on to Monticello, there's a lot of
13 traffic. Sometimes we can't even get out. I can't imagine
14 adding more places on to Monticello. There's been a lot of
15 deaths. Teenage problems. My second tank works great. We just
16 put in a new one, no problem there. I have never heard of
17 anybody having any other problems. I just can't picture ...I
18 would actually be looking out at 16 upscale or whatever houses
19 you want to make, affordable housing, out my back door. The
20 only dust I've ever saw was when the Walkers would ride their
21 motorcycle around and create dust. Otherwise it's been quiet.

22 CHAIR FIDDAMAN: Thank you. Anyone else?

23 TOMASA KAUFFMAN: Good afternoon. My name is Tomasa Kauffman
24 and I live at 1010 Rose Drive and I just got back today and I
25 oppose the [inaudible]. Also [inaudible]. Also as mentioned
26 [inaudible] we have no septic problems [inaudible]. We are very
happy with the way things are. It is very nice to leave things
as they are. Thank you.

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1 CHAIR FIDDAMAN: Thank you.

2 MARYANN WILEY: Good Afternoon, my name is MaryAnn Wiley, I live
3 at 1093 Rose Drive and I appreciate you listening to us. I want
4 to be brief. I know a lot of people have said they are on the
5 committee and I think if you look at the whole back row, that's
6 Rose Drive. Most of us are very concerned about this. This is
7 not a project that we feel is good in our area and to our
8 benefit and we are opposed to it.

9 CHAIR FIDDAMAN: Okay, thank you. I'd just like to mention to
10 all those Rose Drive Woodside Drive area that you know we have
11 seen your letters and petitions so I don't want to discourage
12 anybody, you know, from speaking up here today but try to focus
13 on new ideas if you can. If it's just I'm against it, that
14 doesn't help us a lot. We've already been notified of that,
15 anyway,.....

16 CHARLOTTE CHRISTIANSEN: Hi, I am afraid you are going to hear
17 another, I'm against it. My name is Charlotte Christiansen, I
18 live at 1096 Rose Drive. My septic tank has been fine for 30
19 years. I'm opposed.

20 CHAIR FIDDAMAN: Thank you

21 PAULA PETERSON: My name is Paula Peterson, Brookside Drive
22 Angwin and I did just want to also express my concern that the
23 housing element and environmental impact reports identify
24 proposed housing sites that would generate the 1200 plus new
25 housing units spread over four different locations. Further at
26 an average household of 2.54 persons per household in Napa
County, that 1200 sum unit would increase the population of the
unincorporated area by about three thousand sum plus residents

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1 by 2014 which substantially exceeds ABAG'S population
2 projections in the unincorporated area. So it's further stated
3 that this would be significant and unavoidable. And I'm just
4 wondering why after all the hard battles that had been fought
5 and won in the county, why we would want to in our documents
6 create this situation of significant and unavoidable impact.
7 Two other minor things. One, the reference that was made by
8 Volker Eisele earlier [inaudible] housing element, dated October
9 31st. Its Page H-34 that we find the paragraph regarding the
10 project description to be inappropriately included in the
11 general plan. And then finally, small, small point but in
12 various places throughout the documents on the Angwin's
13 [inaudible] its described in some places as an 18.5 acre parcel
14 and other places its described as a 17 acre parcel. In some
15 cases the developable amount is 10 acres and in other places its
16 11. So it's just a consistency thing if it does in fact remain
17 in the document. Thank you.

18 CHAIR FIDDAMAN: Thank you.

19 COLLEEN PETESICH: Mr. Chairman, I will be brief. I am not from
20 Rose Drive or Rosemont but I am from Woodside. I would just
21 like to sayYes, I am Collen Petesich and Dennis and I, I
22 will speak for him since he is not here if I can do that. But
23 we are strongly opposed again as a lot of my neighbors and very
24 dear friends have said so I won't go into that any further but I
25 would like to say that after raising my children there since
26 they very small people and now they're adults, that it was the
best and most wonderful environment, very [inaudible] and we
would like to keep it that way. Thank you very much.

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1 CHAIR FIDDAMAN: Thank you.

2 GEORGE WENTWORTH: Good Afternoon, my name is George Wentworth.
3 I live at 1060 Rose Drive. Been there since 1991 and I back one
4 of the four properties on the Rose side drive of the project.
5 I am strongly against this program and I want to keep it rural
6 residential. We moved here in 1991. It's a very peaceful
7 community, Rose Drive and I don't want to see it turn into a
8 Blackhawk and that's exactly what would happen if this goes to
9 urban residential so I strongly recommend rural residential.
10 Thank you.

11 CHAIR FIDDAMAN: Thank you. Anyone else? Mr. Redding, I'm
12 going to give you two quick bites of the apple here.

13 JEFF REDDING: Thank you and I'll just take one. I was hoping
14 that the staff would clear up a misunderstanding about density.
15 I know you are all aware of it but just for the public and for
16 the record, the program that's being talked about would allow if
17 you approve it, if you and the board, would allow up to 4 units
18 to the acre so there's nothing about 64, there should be no
19 misunderstanding. The word "up to" allows the county to
20 designate the zoning at a public hearing based upon a site
21 condition so I think that's one thing ...that sort of notion is
22 going around. That is not true that it could support 64 units.
23 I think that that is important. I think Secondly, we agree with
24 John Frisch and his assessment. This proposal if you and the
25 board agree would allow a development type [inaudible] density
26 similar to what they enjoy and they it doesn't seem fair
that they should have one per acre parcels but when a proposal
comes in that they would object to someone building as they

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1 themselves already have. That's I know you commissioners hear
2 that all the time and you recognize that kind of [inaudible].
3 We're just asking for the same right that Mr. Frisch and the
4 folks on Woodside Drive enjoy which is approximately one third
5 acre parcels, that's what our property would support and again
6 the density would be based upon the site characteristics.
7 Market rate housing, upscale housing, that's going to be based
8 upon what the market will bear. My sense is that what is around
9 that neighborhood will set the selling price of those units that
10 are likely to be constructed. Mr. Chairman, in conclusion, with
11 all due respect, this is an anomaly this property. We ask the
12 staff and yourselves, is there a way that we could isolate this
13 piece to look at its density in particular we were informed in
14 no uncertain terms that you need to take a more area wide
15 perspective. We hope you will. If some of the property owners
16 object to their designations being modified, change the
17 boundaries. That can be easily done. Allow the public hearing
18 process and your excellent environmental review process to
19 establish the density here. My client is an anomaly. Let him
20 enjoy the kinds of densities and the kinds of development that
21 his neighbors enjoy. I'm sure we will all get along, just give
22 us an opportunity to do that. This policy will allow that.
23 Thank you.

21 CHAIR FIDDAMAN: Thank you. I might suggest that you spend a
22 little time with your neighbors and see if you can't work some
23 things out.

24 CONNIE CAMPBELL: Hello, my name is Connie Campbell. I live at
25 1026 Woodside Drive and just in regard to what he just said, its

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1 true, you should be able to develop your property; however,
2 changing everybody else's property to urban, just because they
3 want to develop their land, its not right. You're making, you
4 affecting everybody for one family's wishes and [inaudible].

5 Thank you.

6 CHAIR FIDDAMAN: Thank you. All right are we done now? All
7 right any other, any other public comments on the general plan
8 anything from the housing element. Anything from the
9 Commissioners?

10 COMMISSIONER PHILLIPS: I have a few questions.

11 CHAIR FIDDAMAN: Okay. Commissioner Phillips.

12 COMMISSIONER PHILLIPS: One thing that Ginny Simms brought up
13 was in regard to the third unit and I know that like on Page 22
14 we start talking about and again this is kind of out of sight
15 out of mind so what I am asking is for you guys to kind of
16 refresh my memory. I know we talked about opening up the AP to
17 second unit and we discussed there being some type of perhaps a
18 deed restriction so that we were just not opening the door to
19 additional rentals or for no benefit in terms of meeting our
20 numbers. Where did we net out with that. Because I know we're
21 talking about creating, I think, opening up 60 units? On page
22 26, the County will facilitate the development of 50 second
23 units including new second units in the AP zoning district
24 between July 1st 2009 and June 30th 2014.

25 MS. GITELMAN: Mr. Chairman perhaps I can offer a little bit of
26 clarification and of course, we can respond to this more fully
in our written responses but first I wanted to clarify the
earlier speaker talked about the third unit. We consider these

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1 second units because guest houses are not permitted to be used
2 as dwelling units.

3 COMMISSIONER PHILLIPS: Okay.

4 DIRECTOR GITELMAN: So the program you are referring to is a
5 program that was first articulated in the general plan update
6 and is carried forward here that would allow second units in the
7 AP areas but subject to some kind of restrictions so they would
8 be used for affordable housing and that program is in here and
9 what you have pointed to is the objective, the number of units
10 we're telling the State we think could be generated from that
11 type of program.

12 COMMISSIONER PHILLIPS: Okay, I guess, I just didn't see then
13 where the flip side of that was where it talks about the region,
14 I bet its..... I must have missed a section where it has the second
15 part of it in terms of the deed restriction or that type of
16 component to it.

17 DIRECTOR GITELMAN: We will make that clear in our responses.

18 COMMISSIONER PHILLIPS: Andoh another thing that we had
19 talked about in some of the earlier goals of the housing element
20 was to add a goal that talked about continuing to reduce the
21 numbers with the State. Continuing to do everything within our
22 power to keep our numbers at a palatable level so I don't know
23 did we decide not to add that as a goal or?

24 DIRECTOR GITELMAN: Well, I think that came up in a discussion
25 with the board and the commission and ultimately it was decided
26 that that would be provocative. The State would look
[inaudible] at that. And I wanted to take a opportunity to just
to clarify for the benefit of some of the commenters I think

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1 from staff perspective we would love to not be doing this every
2 seven years. And they're trying to find a very fine line
3 between meeting the statutory requirements of State law and
4 preserving community character in the policy framework that is
5 in place here including the [inaudible] management system. And
6 so ifit's a significant challenge which you are hearing
7 there are probably many different ways to peel this onion and
8 I'm, the comments we got today are going to be very very helpful
9 in steering us in the right direction. I would say that the
10 comment period extends til March 9th. I hope some of the
11 commenters who made general comments will get specific and
12 provide us with their written comments so that we can respond in
13 writing to the draft EIR comments and work on the policy changes
14 that need to be incorporated [inaudible] the commission.

CHAIRMAN FIDDAMAN: Any other questions?

14 COMMISSIONER PHILLIPS: Just one housekeeping question.
15 Transitional housing - what is the definition of ...I know there's
16 three levels of housing - one is transitional housing.

17 DIRECTOR GITELMAN: On of the suggestions in this element is to
18 re-designate the Napa Pipe site from study area to
19 transitional...

20 COMMISSIONER PHILLIPS: Oh I'm sorry I didn't mean that
21 [inaudible] on page 13, the [inaudible] permanent emergency
22 shelter versus transitional housing versus [inaudible] housing.

23 NANCY JOHNSON: Transitional housing is more of a temporary
24 condition so a lot of times they choose to phase people who are
25 either homeless to use as transitional into permanent housing or

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1 people with special needs to transition into to other permanent
2 housing so its kind of a temporary housing situation.

3 COMMISSIONER PHILLIPS: That's what I figured. I just wanted to
4 make sure I knew everything [inaudible]. Okay, I'm done.

5 CHAIRMAN FIDDAMEN: All right. I'd just make the comment
6 generally here that this whole issue about Rena and Fair Housing
7 and all that ...its, it's a thorny issue and one that I think the
8 staff and the county as a whole is doing a pretty good job of
9 working on when we were very successful thanks to a couple of
10 our supervisors, I think and I have forgotten who else is on
11 that committee in getting our allocation reduced pretty
12 dramatically for this upcoming...the period that we're in now.

13 So I think we're making some progress. Ideally, the way we are
14 trying to run Napa County, we wouldn't have a housing allocation
15 for county itself and it would all be allocated to the cities.
16 But we're not to the ideal yet and there are quite a few issues
17 to work out. People are working on it. Okay, I think that a
18I'm sorry. I am not sure who was first. Mr. Basayne

19 COMMISSIONER BASAYNE: Thank you. Just a quick question with
20 regard to the goals and identifying at least some
21 quantification. Go to H4 on page 21. Maintaining and upgrading
22 county's housing stock and reduce the number of housing units
23 lost through neglect, deterioration or conversion from
24 affordable to market rate or non-residential uses, do we have a
25 handle on those numbers at all? I'm just curious.

26 DIRECTOR GITELMAN: Actually, I think we probably do.
{inaudible} voluminous background or housing needs assessment
that goes along with this policy document and we will get those

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1 numbers to you in our response. I don't know them off the top
2 of my head.

3 COMMISSIONER BASAYNE: Okay, thank you.

4 COMMISSIONER POPE: Just a couple of things. Having gone
5 through this process actually at the city level a couple of
6 years ago, one of the things that is certainly very daunting
7 when we look at this is, yeah this process does come down and it
8 comes down to the myriad local government agencies and in our
9 case ABAG and it certainly does and I think in the case rightly
10 create a lot of anxiety when there's this sort of intent to say
11 oh we're going to re-zone X, Y and Z areas and all of a sudden
12 people have this sense of oh my gosh my community is about to be
13 re-zoned. In some ways, I kind of think of this process as a
14 ...I don't want to use a phrase as strong as "a worse case
15 scenario" but it is stretching to really look at, you know, what
16 are our options to move forward and meet these expectations and
17 you know, as a first pass, what do we need to identify to say
18 where these options eventually exist and certainly having gone
19 through the selection of the housing element consultant in my
20 previous jurisdiction just recently, just in the last year or
21 two, the State has come out with an even greater slate of
22 requirements now that are placed on municipal and county
23 jurisdictions in terms of what they need to identify including
24 things like transitional emergency housing which is again very
25 daunting when you hear it and you realize what's being talked
26 about is making provisions for certain things.

One of my I guess requests for feedback on this plan would be in
dealing with a lot of traffic mitigations and a lot of traffic

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1 impacts. It feels to me like a lot of the mitigations that I'm
2 reading are part of the solution that some people call, you
3 know, trying to pave our way out of the traffic situation.
4 Adding lanes and [inaudible] about adding signalization and
5 those kind of things but just wanting to know if there are other
6 areas that we can see or at least some comments on, you know,
7 what I'm assuming is that this is projecting a 2015 and 2030
8 projections, if not much changes in the way that we [inaudible]
9 and you know, assuming that we still are basically, you know,
10 adding several thousand trips of an internal combustion
11 conveyance with one person driving it and four empty seats, you
12 know, each of us trying to get to our locations and I'm just
13 wondering if there is any way we can capture what might be some
14 different modalities or other possibilities going forward
15 obviously assuming that we're probably not, or hopefully not, be
16 commuting in the same way in 2015 and 2030 that we are now. I
17 would like to see some feedback or consideration on that.

18 COMMISSIONER FIDDAMAN: All right, other comments? IS that
19 helpful

20 DIRECTOR GITELMAN: Appreciate it. Again, we will be accepting
21 written comments until the close of business on March 9th .

22 COMMISSIONER FIDDAMAN: Public hearing is closed. Thank you.
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1 STATE OF CALIFORNIA

2 COUNTY OF NAPA

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4 I, Georgene Larsen, do hereby certify and believe:

5

6 That the foregoing pages are a true and correct transcript of the proceedings
7 before the Napa County Conservation, Development and Planning Commission in the
8 Board Chambers, Napa California, except as noted "unintelligible" or "inaudible" or
9 words placed in [brackets] to the best of my ability.

10

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

14

Dated this 2nd day of March, 2009

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/S/ Georgene Larsen

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LETTER 64: Oral comments made during the public hearing on Wednesday, February 18, 2009.

64-1: This comment is a transcription of Chair Fiddaman and Hillary Gitelman's introductions and general discussion at the February 18, 2009 public hearing. This comment does not address the adequacy of the Draft EIR, so no response is necessary.

64-2: This comment provides background on plans to develop the Walker property under Program H-2k from the January 2009 draft of the Housing Element, including discussions with the Napa Sanitation District regarding the expansion of wastewater facilities. This comment does not address the adequacy of the Draft EIR, so no response is necessary.

64-3: The comment states that the expansion of sewer infrastructure to the Monticello Road Rural Residential area under Program H-2k from the January 2009 draft of the Housing Element should be recognized in the EIR as a beneficial impact due to the presence of failing septic systems.

On page 4.13-35, the Draft EIR recognizes that development under Program H-2k from the January 2009 draft of the Housing Element would require the expansion of the Napa Sanitation District's wastewater distribution facilities to serve the area. The Draft EIR considers the impacts associated with the construction of such facilities. CEQA does not require that benefits associated with sewer facility expansion be considered.

64-4: The comment clarifies that Program H-2k from the January 2009 draft of the Housing Element includes the elimination of the AHCD designation on the Monticello/Atlas Peak sites, as well as the opportunity to construct upscale housing in the Monticello Road

Rural Residential area. This comment does not address the adequacy of the Draft EIR, so no response is necessary.

- 64-5: The comment states that it doesn't make sense to leave the Walker property undeveloped, since it is surrounded by development and would provide needed housing. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-6: This comment states that existing water quality issues associated with septic system use in the Monticello Road Rural Residential area, coupled with the issues described in Comment 64-5, are good reasons to proceed with Program H-2k from the January 2009 draft of the Housing Element. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-7: The comment states that Program H-2k from the January 2009 draft of the Housing Element would eliminate the :AHCD designation on the Monticello/Atlas Peak sites, and would provide the opportunity to extend sewer service into the Monticello Road Rural Residential area. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-8: The comment states that the Walker property is the only property that would be developed under Program H-2k from the January 2009 draft of the Housing Element, and that this development would be a public benefit. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-9: The comment clarifies that the conforming amendments to the General Plan are appropriate for discussion at this hearing. This comment does not address the adequacy of the Draft EIR, so no response is necessary.

- 64-10: The commenter questions the need for conforming amendments to the General Plan. Amendments to other sections of the General Plan are necessary at the time the Housing Element is adopted in order to maintain internal consistency within the plan and in order to comply with requirements of AB 162 (1997).
- 64-11: The commenter suggests that the background information about Measure A should not be stricken from the General Plan. The County's objective is to simplify the Growth Management System (General Plan Policy AG/LU-119) in a way that preserves its functionality but makes it easier to interpret and implement. As a result of comments received, changes have been incorporated into the version of the conforming amendments proposed for consideration by the Planning Commission on May 6, 2009.
- 64-12: The comment expresses concern that the proposed Housing Element includes more housing units than required by the RHNA obligation. Please see the response to Comment 60-2.
- 64-13: The comment states that some of the housing sites are not appropriate. This comment does not address the adequacy of the Draft EIR, so no response is necessary. Please see Chapter 1, Introduction, for a discussion of changes incorporated into the Draft Housing Element as a result of comments received.
- 64-14: The comment expresses concerns about flooding issues. Flood issues are addressed in the conforming amendments proposed to other sections of the General Plan to comply with AB 162 from 1997. The Draft EIR provides an analysis of flooding impacts from the proposed Housing Element on pages 4.11-30 through 4.11-37. Flooding impacts were found to be less than significant.
- 64-15: The comment is a question about the cost of preparing the Draft EIR. The County has contracted with a consulting team of Bay Area

Economics and Design, Community & Environment for preparation of the updated housing element and associated environmental review. The total cost of the contract is \$296,104. This cost does not include County staff time associated with this State-mandated program.

- 64-16: The comment states that the agricultural resources analysis in the Draft EIR fails to identify impacts to agriculture associated with increases in population and traffic.

As described in Chapter 4.1 of the Draft EIR, the proposed Housing Element is not expected to result in any significant impacts to agricultural resources under the standards of significance defined under CEQA. New development that will contribute to population increases will be subject to Napa County's Right to Farm Ordinance and County Code setback requirements to prevent conflicts between housing and agricultural uses. Furthermore, as stated on page 4.1-12 of the Draft EIR, the proposed Housing Element contains programs to allow secondary and farmworker dwelling units on agricultural lands, which are expected to encourage the continuation of agricultural activities and production by providing housing affordable to farmworkers.

In addition, on pages 4.1-13 to 4.1-14, the Draft EIR discusses impacts related to changes in the existing environment, which, due to their location or nature, could result in the conversion of farmland to non-agricultural use. Furthermore, an analysis of population, traffic and water impacts is provided in the Draft EIR. Although these impact analyses do not directly discuss how population, traffic and water use affect agriculture, the findings and mitigation measures indirectly address the relationship of these impacts to agriculture.

- 64-17: The comment expresses concern that the growth proposed on the Housing Element exceeds the RHNA obligation provided by ABAG and the State. Please see the response to Comment 60-2, above. As

described in Chapter 1 of this Final EIR, since publication of the Draft EIR, the County has reduced the development potential of the proposed Housing Element. Please see Chapter 1, Introduction, for a description of the reduction in development potential. The growth projections used in the Draft EIR will not be revised to reflect these changes because an impact analysis using higher growth projections provides a more conservative approach.

- 64-18: The comment states that mitigation measures in the Draft EIR to address traffic impacts are inadequate. The proposed growth in the county would unavoidably add more vehicular traffic to the circulation network. The purpose of the transportation analysis in the Draft EIR is to assess the impacts of the proposed development on the circulation system and identify the necessary mitigations to reduce impacts to less-than-significant levels. It is up to the County to determine the merit of each mitigation. The County considers the analysis in the Draft EIR to be adequate. Any mitigation measures not considered to be feasible by the Board of Supervisors will be addressed through the adoption of a Statement of Overriding Consideration. Please also see the response to Comment 60-3.
- 64-19: The comment expresses concern regarding noise impacts. The Draft EIR provides an analysis of potential noise impacts associated with the proposed Housing Element in Chapter 4.7. The Draft EIR found three significant noise impacts associated with the proposed project, which can all be mitigated to a less-than-significant level. The Draft EIR also found a cumulative noise impact that is significant and unavoidable. This cumulative impact can be attributed to projections in regional traffic that are largely beyond the control of Napa County.
- 64-20: The comment requests clarification on Mitigation Measure GEO-1 regarding geologic risks. The page number and wording provided in the transcription are incorrect; the commentor is referencing page

4.10-27 of the Draft EIR and is quoting a section on “flat slopes.” As stated on page 4.10-27 of the Draft EIR, geologic risks on the proposed housing sites will be mitigated through compliance with General Plan Policy SAF-8, which requires that geotechnical reports be prepared prior to development. Slopes found to be unstable shall be mitigated through the use of flat slopes, retaining walls or reconstructing slopes with compacted fill. Further detail on Mitigation Measure GEO-1 can be found on pages 4.10-27 and 4.10-28 of the Draft EIR.

- 64-21: The comment expresses concern regarding Mitigation Measure HYDRO-2 of the Draft EIR and questions whether it is adequate to reduce significant impacts to groundwater on the Angwin sites.

Mitigation Measure HYDRO-2 states that the County would require that developers implement strategies to offset groundwater use of the Angwin sites within the watershed. The developer of the Angwin sites would also have the option of demonstrating that the project would have no impact on groundwater or would use an alternate water source. Both of these options ensure that there would be no net decrease in groundwater supply as a result of future development on the Angwin sites. This mitigation measure is adequate to ensure compliance with General Plan Policy AG/LU-61. In addition, the Board of Supervisors will consider the feasibility of mitigation measures at the certification hearing for this EIR. If the Board finds that any mitigation measures are infeasible, they will eliminate the mitigation measure, conclude that the impact cannot be reduced to a less-than-significant level, and make a statement of overriding considerations.

- 64-22: The commenter asks why a project “with no legal standing” is mentioned in the proposed Housing Element. Both the Napa Pipe project and the Angwin Ecovillage project are pending applications before the County and the County believes it is appropriate to ac-

knowledge their existence. Neither is taken as a “given” or relied on inappropriately.

- 64-23: The comment expresses concern that the growth proposed on the Housing Element exceeds the RHNA obligation provided by ABAG and the State. Please see the response to Comment 60-2.
- 64-24: The commenter asks what would happen if HCD concluded that some of the sites were not appropriate or sufficient to meet the County’s RHNA allocation. If this occurs, the County will have to identify additional sites, potentially putting sites eliminated from consideration back on the table and looking farther afield.
- 64-25: The commenter is concerned regarding the elimination of background information about the Growth Management System. Please see the responses to Comments 39-12 through 39-15.
- 64-26: Again, the commenter is concerned regarding the elimination of background information about the Growth Management System. Please see the responses to Comments 39-12 through 39-15.
- 64-27: The commenter is asking where the County proposes to increase the acreage where multifamily housing can be constructed. The sites inventory in the draft Housing Element identifies the Napa Pipe site as this location.
- 64-28: The comment expresses concern about redesignating 60 parcels under Program H-2k from the January 2009 draft of the Housing Element, when only one parcel could actually redevelop. Please see the responses to Comments 8-1 through 8-3.
- 64-29: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element because it is not compatible with surround-

ing development. Please see the responses to Comments 8-1 through 8-3.

- 64-30: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element because it would change the rural setting. Please see the responses to Comments 8-1 through 8-3.
- 64-31: The commentor notes that their septic system in the Monticello Road Rural Residential area is working very well. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-32: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 64-33: The commentor notes that their septic system in the Monticello Road Rural Residential area is working very well. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-34: The comment states the minimum parcel size for the Agricultural Preserve designation in the Napa County General Plan. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-35: The comment expresses opposition to Program H-2k from the January 2009 draft of the Housing Element due to the high level of development potential. Please see the responses to Comments 8-1 through 8-3.

- 64-36: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 64-37: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 64-38: This comment addresses the need for background information about the Growth Management System. Please see the responses to Comments 39-12 through 39-15.
- 64-39: The comment addresses average housing cost. Please see the Housing Needs Assessment for an analysis of housing costs for Napa County and the region.
- 64-40: The commenter asks how the Housing Element can be implemented without breaking the County's 1 percent growth limit. Please see page 4.3-9 of the Draft EIR for an explanation as to how units identified in the Housing Element could build out in conformance with the County's Growth Management System.
- 64-41: The comment addresses the growth in the cities and the county. Please see the Housing Needs Assessment for an analysis of population and job growth in the unincorporated county and the county as a whole (i.e., with the cities).
- 64-42: The commenter suggests that the County consider a program to allow a third dwelling unit on agricultural parcels. The draft Housing Element allows second units on agricultural parcels where these are currently prohibited, and in conformance with State law, farm labor dwellings are permitted on any agriculturally zoned parcels.

- 64-43: The commenter expresses frustration with the State's default density requirement of 20 du/ac and suggests that the County's proposed sites either put housing where there are no jobs or where they are outside the city. County staff acknowledges the difficulties associated with the 20 du/ac requirement.
- 64-44: The commenter suggests that each Supervisorial District should contribute one 2- to 4-acre site at 20 du/ac and that the County should look for many small sites, rather than several large ones. Please see the sections of the Housing Element and the Housing Needs Assessment regarding the process that the County and its consultants went through to analyze available sites. The bottom line is that there are very few sites appropriate for high density multi-family housing in unincorporated Napa County by design – the County has an urban-centered growth pattern that is the envy of other jurisdictions. This accomplishment makes the State's RHNA requirements particularly challenging.
- 64-45: The commenter is advocating for a combined City-County solution to the RHNA requirements, similar to the RHNA Transfer Alternative described in the Draft EIR. Please see response to comment 58-3.
- 64-46: The commentor notes that their septic system in the Monticello Road Rural Residential area is not failing. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-47: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

- 64-48: The commentor notes that septic systems in the Monticello Road Rural Residential area are not failing. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-49: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 64-50: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 64-51: The commentor notes that their septic system in the Monticello Road Rural Residential area is not failing. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-52: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element because it would change the rural character of the community. Please see the responses to Comments 8-1 through 8-3.
- 64-53: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element because there are more appropriate places for development that are closer to services and infrastructure. Please see the responses to Comments 8-1 through 8-3.
- 64-54: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element because of traffic impacts. The Draft EIR found that the proposed Housing Element would have a less-than-

significant impact to circulation in the Monticello Road Rural Residential area based on criteria adopted by the County. Please also see the responses to Comments 8-1 through 8-3.

- 64-55: The comment notes that there are not dust issues existing on the Walker property. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-56: The commentor notes that their septic system in the Monticello Road Rural Residential area is not failing. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-57: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 64-58: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 64-59: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 64-60: The commentor notes that their septic system in the Monticello Road Rural Residential area is not failing. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-61: The commentor expresses concern with the population growth proposed in the Housing Element and the significant and unavoidable population impacts found in the Draft EIR. Please see the response

to Comment 60-2. Also, as noted on pages 4.3-8 through 4.3-10 of the Draft EIR, the proposed Housing Element does not exceed the County's Growth Management System, and the Housing Element proposes to maintain and perpetuate the County's Growth Management System. Impacts POP-1 and POP-2 are found because the proposed Housing Element would exceed ABAG's projected population increase for the county. Alternatives to the proposed project were considered in Chapter 5 that would reduce these population impacts.

In response to concerns expressed in this and other letters, Napa County has reduced the number of units in the proposed Housing Element, which would reduce potential impacts. Please see Chapter 1, Introduction, for a description of the reduction in development potential in the proposed Housing Element. The growth projections used in the Draft EIR will not be revised to reflect this change because an impact analysis using higher growth projections provides a more conservative approach.

- 64-62: The commenter is opposed to referencing a pending development project in the general plan. Please see the response to Comment 64-22.
- 64-63: The comment correctly notes that Angwin Site A is sometimes referred to as 17 acres in size and other times referred to as 18.5 acres in size. Angwin Site A is an 18.5-acre parcel. The text on page 3-8 of the Draft EIR has been accordingly corrected, as shown in Chapter 3 of this Draft EIR.
- 64-64: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.

- 64-65: The comment expresses opposition to the development of the Walker property under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 64-66: The comment clarifies the density that would be allowed under Program H-2k from the January 2009 draft of the Housing Element. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-67: The comment requests that the density allowance on the Walker property be considered separately from the rest of the neighborhood. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-68: The comment expresses opposition to the designation change in the Monticello Road area from Rural Residential to Urban Residential under Program H-2k from the January 2009 draft of the Housing Element. Please see the responses to Comments 8-1 through 8-3.
- 64-69: The comment is a transcription of Commissioner Phillips and Hillary Gitelman's clarification of the program to allow second units in Agricultural Preserve areas. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-70: The comment is a transcription of Commissioner Phillips and Hillary Gitelman's discussion about the County's desire to reduce its future RHNA requirements. This comment does not address the adequacy of the Draft EIR, so no response is necessary.
- 64-71: The comment clarifies the definition of transitional housing. This comment does not address the adequacy of the Draft EIR, so no response is necessary.

64-72: The comment states that the County is making progress in reducing the RHNA obligation. This comment does not address the adequacy of the Draft EIR, so no response is necessary.

64-73: As part of the Housing Element update, the County conducted a housing condition survey, which was limited to areas with higher concentrations of older housing units. This survey found only 11 units in need of repair out of 499 units surveyed, meaning less than 3 percent needed repair. Of those 11 units, only 4, or less than 1 percent of surveyed units, were in dilapidated condition sufficient to suggest a possible need for demolition and replacement. Since the survey focused on areas with concentrations of older units, the overall housing stock in the unincorporated area likely has an even lower percentage of dilapidated homes.

Based on the finding that the overall housing stock is in very good condition, the County can expect to lose very few units due to deterioration. However, it is more likely that the County could lose existing units when property owners buy an existing home which may still have years of useful life and then replace that unit with a much larger home.

The County does not currently have a quantitative estimate of units lost to non-residential use. However, County staff are currently increasing code enforcement activities in response to rising concerns about homes used as vacation rental properties.

64-74: This comment summarizes some of the challenges associated with updating the Housing Element in conformance with State law. No response is necessary.

64-75: The commentor suggests that the transportation analysis in the Draft EIR consider different modes of transport. In order to provide the most conservative analysis possible, the transportation analysis in the

Draft EIR assumes no change in travel behavior and use of single-occupancy vehicles. However, the Draft EIR recognizes that using modes of travel other than the automobile would benefit the community in terms of reduced traffic congestion and other impacts. As a result, mitigation measure TRAF-13 calls for increased transit services, park and ride facilities, and bicycle and pedestrian improvements as feasible.

- 64-76: This comment serves as a transcription of Hillary Gitelman and Commissioner Fiddaman's concluding remarks at the February 18, 2009 public hearing. This comment does not address the Draft EIR, so no response is necessary.
- 64-77: This comment contains details regarding the transcription of the February 18, 2009 public hearing. This comment does not address the Draft EIR, so no response is necessary.

NAPA COUNTY
HOUSING ELEMENT UPDATE FINAL EIR
COMMENTS AND RESPONSES