

NAPA OAKS II PROJECT

Final Environmental Impact Report

SCH No. 2012082093



City of Napa
Community Development Department
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CONTENTS

Chapters 1 through 20 can be found in the Draft EIR.

For convenience, the entire Draft EIR is included on CD attached to the back cover of hard copy versions of this document.

	page
Chapter 21: Introduction to the Final EIR and Revised Project	21-1
Purpose of the Final EIR	21-1
Summary of the Project	21-1
EIR Review Process	21-2
Report Organization	21-2
Chapter 22: Revisions to the Draft EIR	22-1
Revisions to the Draft EIR	22-1
Changes to Table of Contents	22-1
Changes to Chapter 2: Executive Summary	22-1
Changes to Chapter 3: Project Description	22-2
Changes to Chapter 4: Aesthetics	22-4
Changes to Chapter 5: Agricultural, Forest and Mineral Resources	22-4
Changes to Chapter 7: Biological Resources	22-4
Changes to Chapter 8: Cultural Resources	22-9
Changes to Chapter 9: Geology and Soils	22-9
Changes to Chapter 12: Hydrology	22-10
Changes to Chapter 13: Land Use and Planning	22-10
Changes to Chapter 16: Transportation and Circulation	22-11
Changes to Chapter 19: Alternatives	22-12
Chapter 23: Response to Comments	23-1
Introduction	23-1
Master Responses	23-3
Response to Specific Comments	23-10

Figures and Tables

Figure 4.2a: View from CA 121 (Imola Bridge) – Existing View	22-5
Figure 9.4: Site Geologic Map	22-7
Figure 19.1: Alternative E Site Plan	22-14
Table 19.1: Summary of Habitat Impacts, Proposed Project versus Alternative E	22-16

Appendices

Appendices A through I can be found in the Draft EIR.

The following appendices are included on CD attached to the back cover of hard copy versions of this document:

Appendix J: Revised Project Plans

Appendix K: Revised Project and Alternative E Floor Plans and Elevations

Appendix L: Alternative E Plans

Appendix M: Alternative E Comparative Visual Simulation

Appendix N: Alternative E Biological Resources Report

Appendix O: Alternative E Traffic Study

INTRODUCTION TO THE FINAL EIR

PURPOSE OF THE FINAL EIR

The California Environmental Quality Act and the Guidelines promulgated thereunder (together “CEQA”) require an Environmental Impact Report (EIR) to be prepared for any project which may have a significant impact on the environment. An EIR is an informational document, the purposes of which, according to CEQA are “to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.” The information contained in this EIR is intended to be objective and impartial, and to enable the reader to arrive at an independent judgment regarding the significance of the impacts resulting from the proposed project.

This document, together with the Draft Environmental Impact Report (Draft EIR) published in March 2016, shall constitute the Final Environmental Impact Report (Final EIR) prepared pursuant to the California Environmental Quality Act (CEQA) as amended (commencing with Section 21000 of the California Public Resources Code) and the CEQA Guidelines for the proposed Napa Oaks II Project (“Project”) in the City of Napa, California. Davidon Homes. The Lead Agency is the City of Napa.

SUMMARY OF THE PROJECT

The full description of the Project is included in Chapter 3 of the Draft EIR, as revised by Chapter 22 of this Final EIR. A brief summary is included here for convenience.

The Project site is located at 3095 Old Sonoma Road on the south side of Old Sonoma Road between Casswall Street and Congress Valley Road and includes Assessor’s Parcels 043-040-008, -010, -013 and -025. The Project consists of the subdivision of the 80.63 acre hillside property into 51 single-family residential lots and associated roadways, a 0.5 acre neighborhood park, and 49.43 acres of open space. The primary access would be located on the south side of Old Sonoma Road opposite Lilienthal Avenue, where a new roundabout is proposed. A secondary emergency vehicle access (EVA) is proposed further west on Old Sonoma Road. (There have been minor changes in the Project since the Draft EIR. See Chapter 22: Revisions for details.) The site currently contains two residences and associated outbuildings and is used for the grazing of cattle. Areas of the site have been graded in the past, and the proposed home sites have been plotted on the flatter portions of the property with slopes generally less than 15 percent.

EIR REVIEW PROCESS

Draft EIR

A Draft EIR was made available for public review in March 2016. During the extended public review period for the Draft EIR (ending June 10, 2016), the City received written comments.

Final EIR

This Final EIR contains all comments received by the City on the Draft EIR and also includes responses to these comments, together with necessary changes or revisions to the text of the Draft EIR document. Changes to the text of the Draft EIR are included in Chapter 22 of this Final EIR. The revisions in Chapter 22 include addition of a new alternative, Alternative E, created and assessed to respond to requests for smaller home sizes more typical of Napa residences.

None of the revisions or responses to comments contained in this Final EIR would be considered “significant new information” under section 15088.5 of the CEQA Guidelines and therefore no recirculation of the Draft EIR is required.

This Final EIR will be presented to the Planning Commission and City Council along with the Draft EIR at public hearings to consider recommendation for and certification of this document as a technically adequate, full disclosure document consistent with the requirements of CEQA. Assuming certification of this EIR as complete and adequate under CEQA, this document together with the Draft EIR will constitute the EIR for this Project. The Planning Commission may recommend and the City Council may require additional changes or modifications to this EIR prior to certification.

An EIR does not control the agency’s ultimate discretion on the Project. In accordance with California law, the EIR must be certified before any action on the Project can be taken. However, EIR certification does not constitute Project approval.

REPORT ORGANIZATION

This Final EIR consists of the following chapters, commencing after Chapter 20 of the Draft EIR:

Chapter 21: Introduction to the Final EIR. This chapter outlines the purpose, organization and scope of the Final EIR document and important information regarding the public review and approval process.

Chapter 22: Revisions to the Draft EIR. This chapter includes corrections, clarifications or additions to text contained in the Draft EIR based on comments received during the public review period.

Chapter 23: Response to Comments. This chapter provides reproductions of letters received on the Draft EIR. The comments are numbered in the margin of the comment letters received. The responses to comments are also provided in this chapter immediately following each comment letter, and are keyed to the numbered comments.

REVISIONS TO THE DRAFT EIR

REVISIONS TO THE DRAFT EIR

The following are minor text changes, additions or modifications made to the Draft EIR for the Napa Oaks II Project. An explanation of the changes made in response to comments can be found in Chapter 24.

Comments, including the original location in the Draft EIR of the text to be changed, are in *italics*. Deletions are noted by ~~striketrough~~. Additions are underlined.

CHANGES TO TABLE OF CONTENTS

- *Page vii*

The following addition is hereby made to the Table of Contents to add Table 2.2, which was accidentally omitted from the list of tables.

2.2: Summary of Project Conditions of Approval 2-20

CHANGES TO CHAPTER 2: EXECUTIVE SUMMARY

- *Page 2-2*

The following revisions are hereby made to the summary of biological resources impacts to correct reported acreages consistent with the Biological Resources chapter.

The Project would result in fill of ~~0.3943~~ acre of wetlands, and preservation of ~~0.8582~~ acre of existing wetlands plus an additional ~~0.7886~~ acre to be created within an onsite open space preserve consistent with accepted mitigation practices and regulations (Mitigation Measure Bio-1a). Potential disturbance of these wetlands during and following construction would be minimized through use of appropriate barriers, management and monitoring (Mitigation Measures Bio-1b and Bio-1c). With this mitigation, impacts to wetlands would be reduced to less than significant.

While the Project would result in the loss of 9.36 acres of the ~~27.29~~ acres of oak woodland on the Project site...

- *Page 2-4*

The following revisions are hereby made to the summary of Alternatives to add Alternative E.

~~Five~~ ~~Four~~ alternatives are evaluated in Chapter 19 of this EIR. All of the alternatives are located on the Project site. With the exception of Alternative E, the ~~The~~ alternatives focus on reducing the size of the Project, which could further reduce impacts related to noise and biological resources that are already reduced to less than significant levels through mitigation. Alternative E reduces the size of the lots and houses proposed for development, resulting in provision of an additional 17 dwelling units and an approximately half-acre park on approximately the same footprint as the proposed Project.

...

Alternative E: Increased Density/Smaller Homes Alternative. Alternative E assumes the site would be developed generally as proposed, but at a higher density to result in 70 dwelling units, and can be summarized as developing more but smaller homes on the same approximate areas. Alternative E includes an approximately half-acre publicly accessible park that would be privately owned and maintained by the HOA (no formal park was proposed under the Project) and more trails than under the Project. Alternative E would meet the Project Objectives to the same or greater degree than the Project.

- *Page 2-6 through 2-19*

Revisions are hereby made to Table 2.1: Summary of Project Impacts and Mitigation Measures to be consistent with specific revisions made to impacts or mitigation measures later in this chapter including: Mitigation Measures Bio-1a and Bio-2a, Impact and Mitigation Measure Bio-6, Mitigation Measures Culture-2a and -2b, and Impact and Mitigation Measure Traf-7.

- *Pages 2-4 and 2-20*

Revisions are hereby made to page 2-4 and Table 2.2 on page 2-20 to clarify the contents of that table and ensure consistency with the analysis chapters.

All other impacts would be less than significant without the need for mitigation, as detailed in **Table 2.1. Non-standard** Conditions of Approval identified in this Draft EIR as those assumed to be implemented with the Project are also detailed in **Table 2.2.** This table is not intended to be a complete list of all the Conditions of Approval that will be applicable to the Project.

...

Table 2.2: Summary of Non-Standard Project Conditions of Approval Assumed in the EIR

Condition of Approval	Issue Area
• Extend Old Sonoma Road Bike Lanes. The proposed Project shall fund and construct the necessary improvements to continue the existing Class II bike lanes on Old Sonoma Road from their current termini at the Old Sonoma Road and Foster Road intersection to the westerly end of the Project site, <u>as feasible</u>, thereby connecting the Project site to the citywide bicycle network. • <u>The applicant shall pay a fair share percentage to the City for the construction of a sidewalk along the south side of Old Sonoma Road between the secondary access at the northwest corner of the site and the intersection of Lilienthal Avenue. This sidewalk can be constructed entirely within City right-of-way. The applicant shall construct a sidewalk along the south side of Old Sonoma Road east of Lilienthal Avenue to the resumption of the sidewalk approximately 300 feet east of the Project site. The 60-foot right-of-way at this location is wide enough to accommodate the sidewalk. These improvements would facilitate convenient and safe pedestrian access to the rest of the city along their desired line.</u>	Traffic and Transportation

CHANGES TO CHAPTER 3: PROJECT DESCRIPTION

- *Page 3-3*

The following revisions are hereby made to update the proposed zoning to RS 7, which has setback requirements more consistent with proposed lots.

The proposed development would not be allowed under the current General Plan RA land use designation or AR zoning that exists for the majority of the site, but is consistent with the existing Hillside Overlay district. The Project proposes to change the General Plan designation so the entire site was would be designated as “SFR - Single-Family Residential” and the zoning to “RS-10-7 - Single Family Residential” with a “PD – Planned Development” overlay. The PD overlay allows for certain variations from the RS-7 development standards and prevents further development of the designated open space areas.

- *Page 3-4*

*The following revisions are hereby made to update the revised home designs consistent with the updated proposal (included as **Appendix J**) to provide more diverse and improved architecture.*

- Plan 1 is a ~~3,888-3,418~~-square-foot single-story ~~34~~-bedroom home with a 3-car garage. ~~There are options for a, with the option to replace the 4th bedroom with a study instead of a den and an addition to fit a 4th car. Nine lots, those numbered 1, 19, 24, 30, 33, 34, 37, 46, and 50, would be developed with Plan 1 homes~~ would be developed on 11 lots.
- Plan 2 is a ~~3,906-3,829~~-square-foot single-story ~~34~~-bedroom home with a 3-car garage. ~~Ten lots, those numbered 2, 4, 23, 31, 32, 35, 38, 45, and 52, would be developed with~~ with the option to replace the tandem garage with a study. Plan 2 homes would be developed on 9 lots.
- Plan 3 is a ~~4,200-4,353~~-square-foot 2-story 4-bedroom home with a 3-car garage, though there are options to replace the recreational room with a 5th bedroom and/or ~~replace 1 parking spot with a~~ the option to replace roof area with a recreational room or 6th bedroom. Six lots, those numbered 6, 7, 11, 20, 48, and 51, would be developed with Plan 3 homes would be developed on 7 lots.
- Plan 4 is a ~~4,431-4,564~~-square-foot down-split 4-bedroom home with a 3-car garage. ~~Six lots, those numbered 13, 15, 16, 21, 42, and 43, would be developed with Plan 4 homes~~ would be developed on 6 lots.
- Plan 5 is a ~~4,522-4,596~~-square-foot two-story 4-bedroom home with a 4-car garage, ~~though there are with the options to replace the recreational room with a 5th bedroom and/or replace 1 parking spot with a 6th bedroom. Ten lots, those numbered 3, 5, 9, 12, 17, 26, 28, 36, 47, and 53, would be developed with Plan 5 homes~~ would be developed on 9 lots.
- Plan 6 is a ~~4,657-4,797~~-square-foot down-split 4-bedroom home with a 3-car garage. ~~Five lots, those numbered 14, 22, 40, 41, and 44, would be developed with Plan 6 homes~~ would be developed on 5 lots.
- Plan 7 is a ~~5,061-5,109~~-square-foot two-story 5-bedroom home with a ~~4-3~~-car garage, ~~though there are options to replace a recreational room with a 6th bedroom and/or replace 1 parking spot with a 7th bedroom. Seven lots, those numbered 8, 10, 18, 25, 27, 39, and 49, would be developed with Plan 7 homes~~ would be developed on 6 lots.

Elevations of each of these revised plans are included as ~~Figures 3.5 through 3.29 in Appendix K.~~

- *Page 3-34*

The following discussion of minor project changes is hereby added at the end of the chapter to include a discussion of minor changes to the Project from that analyzed in the EIR and note that further minor changes are possible.

MINOR PROJECT REVISIONS

Minor revisions to a project are a common occurrence as part of the approval and design-level permitting processes and often fall within the analysis performed for the project and/or project alternatives in the EIR. No additional CEQA document is required if the EIR remains applicable to the project with minor revisions (per CEQA Guidelines Sections 15162, 15163, and 15164).

The Project described in this chapter and analyzed in this EIR has undergone minor revisions since the analysis was completed: namely, two elements of Alternative E have been incorporated into the Project as revised, including incorporation of a roundabout at the intersection of Old Sonoma Road and the proposed site entrance, which implements mitigation measure Traf-7, and replacement of two lots (lots 3 and 4 in

the Draft EIR site plan) with a 0.5-acre neighborhood park, which would reduce the overall number of residences from 53 to 51. The reduction in units would act to slightly reduce traffic and emissions impacts but all impacts, mitigation measures, and conclusions of this EIR would remain applicable to the Project with these revisions and no additional CEQA document is necessary. The revised Project is included as **Appendix J**.

If future revisions to the Project are proposed, they shall be reviewed to determine whether this EIR remains applicable, and if so, no additional CEQA document will be required. If it is determined revisions or additions to the EIR are necessary to make the EIR applicable to the revised Project, the appropriate CEQA document shall be prepared per CEQA Guidelines Sections 15162, 15163, and 15164.

CHANGES TO CHAPTER 4: AESTHETICS

- *Page 4-8*

Page 4-8 was accidentally omitted from some versions of the Draft EIR (specifically the version posted in multiple parts digitally on the City's website), so is included on the next page for reference.

CHANGES TO CHAPTER 5: AGRICULTURAL, FOREST AND MINERAL RESOURCES

- *Page 5-8*

In response to a comment suggesting the excerpt was missing, the following text is hereby indented as shown to ensure it is identifiable as excerpted text.

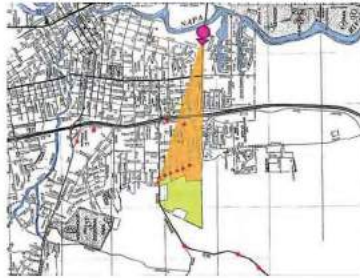
Only one of these—Napa Quarry—is a significant mine. Located on hill slopes southeast of the City of Napa, the Napa Quarry (formerly Basalt Rock Quarry) first opened in the early 1900s. Today it generates about 500,000 tons of basalt rock each year for use as concrete aggregate.⁴

CHANGES TO CHAPTER 7: BIOLOGICAL RESOURCES

- *Page 7-2*

The following revision is hereby made to correct the elevation consistent with that reported in other locations in the Draft EIR.

Elevations within the Napa Oaks property range from about ~~18070~~ 3093 feet ~~msl~~ at the northeast corner to approximately ~~3093~~ 336 feet along the ridgeline at the southwest corner of the site. Slopes within the property range from flat topography at the tops of hills and along ridgelines and within lower valleys, to fairly steep slopes over much of the area.



Viewpoint Location



PORTION OF SITE VISIBLE
HOMES POTENTIALLY VISIBLE

Figure 4.2a: View from CA 121 (Imola Bridge) - Existing View

Source: LCA Architects, dated August 15, 2012 (subsequent changes to the site plan would not affect this viewpoint)

- Pages 7-18, 7-20, and 7-21

The following measures are hereby revised to clarify mitigation ratios instead of acreages to maintain applicability even if impacted area or required replacement ratio are revised through the approval process and include calculations in the discussion following the mitigation measures.

Bio-1a: **Wetland Replacement.** The Corps and RWQCB require mitigation for the impacts on ~~0.43 acre~~ of seasonal wetlands. The applicant shall develop a wetland mitigation plan to mitigate impacts on jurisdictional areas as part of the Corps and RWQCB permit process. Pursuant to this plan, the applicant shall establish ~~0.86 acre~~ of the required ratio of replacement wetlands acreage onsite within the open space preserve area, which is anticipated to be 2:1 based on a site-specific characteristics.

...

Bio-2a: **Oak Woodland Preserves.** The applicant shall establish both on- and off-site oak woodland preserves to permanently conserve oak woodlands consistent with accepted mitigation practices and regulations per the California Public Resources Code ~~(at a ratio of at least 3:1 acres for protected trees oak woodlands removed) totaling at least 28.08 acres.~~ The conserved acres shall include oak woodlands that could be preserved within the on-site open space preserve and individual tree protection subject to deed restriction and managed by the HOA, and off-site oak woodlands within a nearby conservation easement created by the developer. The applicant shall prepare and implement an Oak Woodland Mitigation Implementation Plan that will specify the on-site and off-site preservation/conservation areas and mechanism of conservation/preservation to permanently implement this measure.

Bio-2b: **Tree Replacement Plan.** The applicant shall prepare and implement an Oak Woodland Mitigation Implementation Plan that will specify a tree replacement plan, a construction-period tree protection plan.

As part of the Oak Woodland Mitigation Implementation Plan the applicant shall prepare and implement a Tree Replacement Plan that includes a description of:

(i) how the replacement of trees in the Oak Woodland Mitigation Implementation Plan satisfies the requirements of City of Napa Municipal Code, Chapter 12.45 (the Project shall be required to replace protected trees to be removed using the following formula; for each six inches or fraction thereof of the protected native tree, two trees of the same species in a minimum 15-gallon container or larger size shall be planted on the project site or an in-lieu fee of \$300.00 per tree may be paid to the City for planting a tree on public land);

...

The applicant proposes to meet the requirement for preservation of at least 28.08 acres of oak woodland through an Oak Woodland Mitigation Implementation Plan that accomplishes: (a) the preservation of at least 9.36 acres ~~of the approximately 17.89 acres~~ of remaining existing oak trees and oak woodland on-site, (b) the preservation of up to 22.77 acres of oak woodland off-site within a nearby approximate 29-acre area of conservation easement created by the developer adjacent to the Project site (Mitigation Measure Bio-2a) to total at least the 3:1 ratio specified in mitigation measure Bio-2a, and (c) the replacement of trees lost to development through the required Oak Woodland Mitigation Implementation Plan and Tree Replacement Plan (Mitigation Measure Bio-2b). It is anticipated that the Tree Replacement Plan will include replacement of the 173 protected trees to be removed with 1,242 replacement trees either entirely planted on the Project site or planted on public land through payment of the in-lieu fee. These measures represent a conservation/tree replacement in excess of 3 acres of oak woodlands for every 1 acre lost. While the Project would result in the loss of 9.36 acres of oak woodland and removal of

protected trees, the identified mitigation is consistent with accepted mitigation practices and regulations to reduce impacts, and the Project's impact on oak woodlands would be reduced to ***less than significant***.

- Page 7-24

The following revisions are hereby made to the discussion of western pond turtle impacts and mitigation to clarify the location in which impacts could occur and require a preconstruction survey prior to installation of an exclusion fence.

Impact Bio-6: Construction-Period Danger to Western Pond Turtles. Construction operations during creation of the onsite replacement wetlands (Mitigation Measure Bio-1a) could impact western pond turtles, which have been observed in the adjacent irrigation pond and that could possibly move across the southern portion of the Project site. This is a ***potentially significant*** impact.

The Project site is unsuitable for western pond turtle nesting and estivation, but the species was observed in irrigation ponds in the Project vicinity, including an irrigation pond along the southern boundary of the site. It is possible that a western pond turtle could move across a small part of the property and be impacted during construction operations (e.g., could be crushed by construction vehicles).

Mitigation Measure

Bio-6: Construction-Period Western Pond Turtle ~~Setback Survey and Fencing.~~ The following controls shall be implemented during the construction period to reduce the potential for occurrence of western pond turtles at active construction sites:

~~A setback of at least 200 feet between the southern grading limits of the Project and the high water edge of the irrigation pond shall be established.~~

A qualified biologist shall conduct a preconstruction survey for western pond turtle at the southern end of the Project site within 24 hours of commencement of activities related to the construction of onsite replacement wetlands (Mitigation Measure Bio-1a) in that area. Any western pond turtles encountered shall be relocated to the irrigation pond to the south of the site.

Once it can be assured that no western pond turtles are present within the construction area, a western pond turtle exclusion fence (silt fence) shall be installed along the southern property line and adjacent to the offsite pond, to prevent western pond turtles known to occur in the irrigation pond from entering construction areas. This Silt-silt fencing shall be installed and maintained at the southern end of the development area during all construction operations to prevent western pond turtle from potentially entering the construction area. The fence shall be examined by a qualified biologist on a regular basis during the construction period to make sure it is functioning properly.

With a pre-construction survey and construction-period setback and fencing to avoid any potential negative effects to western pond turtle, as identified in Mitigation Measure Bio-6, the potential for construction-period ~~sediment to impact downstream riparian areas~~ impacts to western pond turtle would be reduced to ***less than significant***.

- Page 7-25

The following revision is hereby made to the end of the chapter to add a specific discussion of cumulative biological impacts.

CUMULATIVE BIOLOGICAL RESOURCES IMPACTS

The Project is located within the City's RUL. The majority of surrounding undeveloped areas are not located within City limits and are not planned for substantial development. Contribution to cumulative biological resources impacts would be reduced to less than cumulative considerable through implementation of the mitigation identified in this chapter. There would be no additional significant cumulative biological resources impacts.

CHANGES TO CHAPTER 8: CULTURAL RESOURCES

- *Pages 8-6 and 8-7*

The following measure is hereby revised in response to a request by the Yocha Dehe Wintun Nation for an expanded buffer area in the event of discovery of resources or remains.

Mitigation Measures

Culture-2a: **Halt Construction Activity, Evaluate Find and Implement Mitigation.** In the event that previously unidentified paleontological, archaeological or historical resources are uncovered during site preparation, excavation or other construction activity, all such activity within ~~25~~ 100 feet of the discovery shall cease until the resources have been evaluated by a qualified professional, and specific measures can be implemented to protect these resources in accordance with sections 21083.2 and 21084.1 of the California Public Resources Code.

Culture-2b: **Halt Construction Activity, Evaluate Remains and Take Appropriate Action in Coordination with Native American Heritage Commission.** In the event that human remains are uncovered during site preparation, excavation or other construction activity, all such activity within ~~25~~ 100 feet of the discovery shall cease until the remains have been evaluated by the County Coroner, and appropriate action taken in coordination with the Native American Heritage Commission, in accordance with section 7050.5 of the California Health and Safety Code or, if the remains are Native American, section 5097.98 of the California Public Resources Code.

CHANGES TO CHAPTER 9: GEOLOGY AND SOILS

- *Page 9-7*

The following revision is made to correct the figure number.

Figure ~~79.3~~ Fault Setback Map

- *Pages 9-9 to 9-10*

The following revisions are hereby made to include Figure 9.4 and revise the references as appropriate.

Most of the surficial soils covering the site are estimated to be less than a few feet thick. Areas where soils are estimated to exceed 5 feet in thickness are shown as colluvium (Qc) or alluvium (Qal-Qf) on the geology map, **Figure 9.34**.

...



Figure 9.4: Site Geologic Map

Source: Engeo dated 5-14-13

Note: Fault setbacks and grading limits in this figure do not accurately reflect the proposed Project. Figure 9.4 is included to show characteristics of the existing soils only.

According to BSA and ENGEO, portions of the site are underlain by undocumented fills up to about 30 feet thick, as shown on **Figure 9.34**. The fills were placed without engineering observation and are therefore likely to have been placed on unprepared natural surface soils without keys or benches, controlled compaction, or subdrainage. BSA recommended that the portions of the undocumented fills that could affect development be removed during Project construction. At some locations, portions of the undocumented fills will remain to preserve existing trees. ~~The limits of proposed fill removals are shown on Figure 9.3.~~

...

~~The PG and BSA investigations identified several soil slips within the Project. The most recent site-specific geologic map depicting landslides was prepared by Berlogar & Stevens as shown on Figure 9.3.~~ A soil slip is a shallow landslide similar to a debris flow that has occurred in the soil mantle overlying the surface of the bedrock. Soil slips are typically triggered by heavy rainfall. They typically occur in soil filled ravines and may travel a considerable distance down slope in steep terrain. The deposits identified as “Qf” and designated “A” through “D” on Figure 9.34 are debris fans formed by the accumulation of soil slips from the slopes above. Other soil slips within the Project boundary are designated “E” through “H” on Figure 9.34.

CHANGES TO CHAPTER 12: HYDROLOGY

- Page 12-1

The following revision is made to the last sentence of the fifth paragraph to correct the site elevations consistent with other locations in the Draft EIR.

Site elevations range from approximately ~~607~~770 feet at the northeast corner ~~top of the southeastern hill~~ to approximately ~~539~~336 feet along the ridgeline at the southwestern corner of the property.

- Page 12-8

The following revision is made to correct a typo in the last sentence of the last paragraph on this page.

According to Project calculations provided by DK Associates, the Project would incorporate the proposed detention ~~basis~~basins at Project outfalls to capture stormwater and slowly release it at a discharge rate equivalent to the pre-Project condition in order to mitigate the potential for off-site flooding as a result of the Project.

CHANGES TO CHAPTER 13: LAND USE AND PLANNING

- Page 13-3

The following revision is made to correct the referenced acreages consistent with the Biological Resources chapter.

The Project site includes hillsides and some wetlands (~~1.246~~1.25 acres existing, ~~0.85~~0.82 acre of which would be preserved along with establishment of an additional ~~0.78~~0.86 acre in on-site preserve areas). The potential impacts related to biological resources and aesthetics are assessed in Chapters 7 and 4, respectively. The proposed Project would result in loss of approximately ~~12.52~~9.36 acres of woodland habitat on the Project site. ~~14.79~~A total of at least 28.08 acres of oak woodland would be protected through a mix of on site preservation and at least 22.77 acres will be preserved off-site through a conservation agreement on private property. Preservation of woodlands at a ratio of 3 acres to every 1 acre lost, as proposed, is consistent with accepted mitigation practices and regulations. This is discussed in more detail in Chapter 7: Biological Resources.

- Page 13-5

The following revision is hereby made to the first sentence on this page to clarify that the public will be able to access sidewalks and trails on the project site.

With incorporation of mitigation identified in this document, the Project will provide walking and bicycling opportunities to residents and to the public. Two local bus lines, Vine routes 2 and 3, have stops within a quarter mile of the Project site.

- Page 13-10

The following revision is hereby made to update the proposed zoning in the discussion under Impact Plan-1, consistent with changes to the Project Description.

The Project site is currently designated “RA – Resource Area” and “SFR – Single Family Residential” by the Napa General Plan. It is zoned as “AR” Agricultural Resource (Municipal Code Chapter 17.16) and “RS-710” Single-Family Residential, Minimum Lot Size 7,000 ~~10,000~~ square feet (Municipal Code Chapter 17.08). As part of the project approval process, the City would rezone the site as part of a Planned Development Overlay district to allow for the clustering of residences and related preservation of natural areas, allow for certain variations from the RS-7 development standards and prevent development of the designated open space areas.

CHANGES TO CHAPTER 16: TRANSPORTATION AND CIRCULATION

- Pages 16-26 to 16-27

The following revision is hereby made to clarify responsibility for bicycle improvements in the right-of-way.

The following is included as a condition of approval for the Project to address the lack of bike lanes on portions of Old Sonoma Road:

- Extend Old Sonoma Road Bike Lanes. The proposed Project shall fund ~~and construct~~ the necessary improvements to continue the existing Class II bike lanes on Old Sonoma Road from their current termini at the Old Sonoma Road and Foster Road intersection to the westerly end of the Project site, as feasible, thereby connecting the Project site to the citywide bicycle network.

- Pages 16-27

The following revision is hereby made to the end of the last paragraph on this page to remove the term “substantial” as this item is addressed as informational only and such a determination is not necessary.

...Absent a sidewalk in this location, pedestrians would need to make a ~~substantial~~ detour along “F” Street and “A” Street internal to the site or walk along a roadway without a sidewalk. Therefore, the proposed Project would result in potential conflict for residents walking to nearby areas outside of the Project site, conflict with adopted City policies supporting walking, and be inconsistent with City goals to develop and maintain a safe, integrated pedestrian network.

- Pages 16-29 through 16-32

The following revisions are hereby made to the discussion of site distance to allow for use of a roundabout to mitigate the potential impact.

Impact Traf-7: Inadequate Sight Distance. Creating a new access point onto Old Sonoma Road with inadequate sight distance could increase the potential for collisions at this

intersection. The sight distance of eastbound traffic for drivers exiting the Project site ~~is~~ could be inadequate under proposed conditions. This is considered a *significant impact*.

...

Mitigation Measure

Traf-7: **Removal of Foliage on Old Sonoma Road.** The applicant shall coordinate and implement prior to occupancy removal of foliage on Old Sonoma Road to improve sight distance to required levels. To mitigate the currently inadequate sight distance conditions, the strategic removal of 200 feet of foliage along the south side of Old Sonoma Road to the west of the proposed site entrance is required. This remediation would improve the sight distance of eastbound traffic by up to 250 feet and bring it within minimum requirements. The foliage that would need to be removed is on City of Napa right-of-way, which extends at a minimum depth of 14 feet to the south from the edge of asphalt along Old Sonoma Road west of the intersection with Lilienthal Avenue.

OR

Installation of a Roundabout on Old Sonoma Road. Alternatively, the applicant shall coordinate with the City to install a roundabout meeting City design requirements at the intersection of Old Sonoma Road and the proposed site entrance. Because roundabouts reduce speeds and provide control for all traffic movements, sight distances for roundabouts are based on the shorter stopping sight distance, rather than corner sight distance. Sight lines for a roundabout on Old Sonoma Road at that location are well in excess of 360 feet and would meet applicable stopping sight distance standards without the need for foliage removal along Old Sonoma Road.

If implemented, Mitigation Measure Traf-7 would reduce the impact related to inadequate sight distance to a level of *less than significant* through foliage removal or roundabout installation to ensure adequate sight distances.

CHANGES TO CHAPTER 19: ALTERNATIVES

The applicant has worked with City staff to create a new alternative to respond to comments on the Draft EIR. The following revisions to this chapter relate to inclusion of Alternative E.

- *Page 19-4*

The following revisions are hereby made to Selection of Alternatives to add Alternative E.

SELECTION OF ALTERNATIVES

- A. No Project, No Development
- B. Reduced Density, General Plan Allowance
- C. Reduced Density, 25% Reduction
- D. Reduced Density, 40% Reduction
- E. Increased Density/Smaller Homes Alternative

Five ~~Four~~ alternatives were evaluated. Each of the alternatives are located on the Project site. With the exception of Alternative E, the ~~The~~ alternatives focus on reducing the size of the Project, which could

further reduce impacts related to biological resources that are already reduced to less than significant levels through mitigation. Alternative E would generally maintain the overall footprint of the Project while reducing the size of the lots and houses proposed for development.

In addition to the specific alternatives analyzed below, larger residential projects were previously proposed at this site with various environmental documents circulating between 1999 and 2002. A Final EIR was completed and certified by the City of Napa for the former Napa Oaks project, dated August 2002 (State Clearinghouse Number 1998012049), but the project was not approved. That Former Certified EIR analyzed a project composed of 63 new large single-family homes and project alternatives, including prior proposals with additional lots. The current Project is revised from that previously proposed Napa Oaks Project. That prior analysis was considered in the review and selection of the alternatives considered in this document.

The ~~five~~ four alternatives to be analyzed in comparison to the proposed Project are shown in **Table 19.42** and are as follows:

...

Alternative E: Increased Density/Smaller Homes Alternative. The applicant worked with City staff to create a new alternative in response to comments on the Draft EIR related to providing homes that are more typical for Napa. The dwelling units proposed under Alternative E are smaller in lot size and square footage, and there would be a higher percentage of single-story units, reducing visibility of the development from off-site. This alternative also addresses traffic safety comments through inclusion of a roundabout at the Project intersection with Old Sonoma Road. The Alternative E site plan is included as **Figure 19.1**. Additional Alternative E plan materials are included in **Appendix L**.

Alternative E assumes the site would be developed generally as proposed, but at a higher density consistent with the “SFR – Single-Family Residential” General Plan designation and “RS-7 – Single-Family Residential” zoning proposed. Alternative E includes an approximately one-half-acre publicly accessible park that would be privately owned and maintained by the HOA (no formal park was proposed under the Project) and more trails than under the Project.

Alternative E would result in 70 dwelling units, which is 17 more units than proposed under the Project, and can be summarized as developing more but smaller homes on the same approximate areas. The overall footprint and roadway system under Alternative E is similar to that of the proposed Project, and emergency access would remain the same. The footprint would be marginally smaller under Alternative E—38.09 acres would be graded compared to 41.05 acres with the Project.

Alternative E lot sizes range from 6,316 square feet to 33,212 square feet, with an average lot size of approximately 14,125 square feet (down from a range of 13,360 to 41,835 and an average of 23,499 square feet under the Project). Alternative E house sizes would range from 1,996 square feet to 5,109 square feet (down from 3,418 square feet on the low end of the range and the same on the high end of the range under the Project). Alternative E would include 44 single-story dwelling units (representing 63% of the total units), 11 (16%) down-split units built into a slope, and 15 (21%) two-story units (compared to 20, 11, and 22 units respectively, representing 38%, 21%, and 46% of the total units under the Project).

As with the Project, individual residences are identified by a series of prototype designs. Plans 1 through 7 are the same as under the Project. Alternative E proposes Plan 1 homes on 5 lots, Plan 2 homes on 4 lots, Plan 3 homes on 6 lots, Plan 4 homes on 6 lots, Plan 5 homes on 5 lots, Plan 6 homes on 5 lots, and Plan 7 homes on 4 lots.

Alternative E includes the following three Plans in addition to those included under the Project (included in Appendix K).

- Plan 8 is a 1,996-square-foot single-story 3-bedroom home with a 2-car garage. Plan 8 homes would be developed on 11 lots.



Figure 19.1: Alternative E Site Plan
Source: dk Consulting dated February 1, 2017

- Plan 9 is a 2,172-square-foot single-story 3-bedroom home with a 2-car garage. Plan 9 homes would be developed on 13 lots.
- Plan 10 is a 2,489-square-foot single-story 3-bedroom home with a 2-car garage, with the option to replace the office with an additional bedroom. Plan 10 homes would be developed on 11 lots.

With more but smaller units on a similar footprint, it is assumed for this assessment that Alternative E would have approximately the same type of and timeframe for construction activities as the Project. This results in a the same or reduced impacts related to construction activities (see particularly assessments of emissions, traffic, and noise in the Draft EIR), as stretching the construction period out longer would result in the same total emissions, traffic, and/or noise spread across more days, so the same or lower daily averages.

- *Page 19-11*

The following revisions are hereby made to insert the impact analysis for Alternative E after that for Alternative D.

ALTERNATIVE E: INCREASED DENSITY/SMALLER HOMES ALTERNATIVE

Impact Analysis

Impact Summary

While Alternative E would increase by 17 the number of dwelling units proposed at the site, impacts would not substantially change from that of the Project, as the footprint of development would be similar (2.96 acres smaller under Alternative E), and increases in development density represented by the increased unit count would not change significance levels of identified impacts or result in new impacts. Inclusion of a roundabout at Old Sonoma Road would mitigate the potential for inadequate site distances at this intersection.

Aesthetics

As with the Project, the existing site topography would hide much of the development from any given view point and landscaping is proposed to further camouflage proposed units. While more units would be developed under Alternative E, a higher percentage of these would be single-story and more easily hidden with site topography and landscaping, and views of on-site development from off-site locations would be generally similar or reduced from what would occur under the proposed Project (see the Comparative Visual Simulation set included in **Appendix M.**) Although the increased density under Alternative E could result in more sources of residential light from homes and vehicles than under the Project, as with the Project, lighting quality, intensity, and design are required to meet City standards to minimize glare, light trespass, and “sky glow” and would be within allowable levels for residential uses.

No aesthetics impacts were considered significant under the Project and they would be similar under Alternative E and remain less than significant.

Agricultural, Forest, and Mineral Resources

Under Alternative E, proposed residential homes would remain substantially the same minimum distance from adjacent agricultural sites and standard conditions would be applied to either the proposed Project or Alternative E to reduce potential conflicts between residents and agricultural activities including deed notification consistent with Napa County’s Right-to-Farm Ordinance, requirements for mechanical ventilation, and design-level acoustical analyses.

As with the Project, construction activities under Alternative E would convert existing oak woodlands, with a loss of approximately 8.56 acres of oak woodland habitat under Alternative E, representing 31.4%

of the total oak woodland habitat on the site. This is less than the loss that would occur under the Project (9.36 acres or 34.3%).

Impacts related to agricultural, forest, and mineral resources under Alternative E would be the same/similar to those under the Project and mitigated to less than significant levels through implementation of standard conditions and biological mitigation related to oak woodland preserves and a tree replacement plan.

Air Quality and Greenhouse Gas Emissions

This Alternative would result in approximately 132% of the dwelling units proposed under the Project resulting in corresponding increases in built structures and vehicle trips and associated emissions. Operational air quality impacts and GHG emissions would be expected to be approximately 32% greater than those identified under the proposed Project. However, air quality emissions would remain below screening levels and GHG emissions impacts would be anticipated to remain below the threshold of significance with inclusion of standard measures such as energy efficiency and waste reduction required by City of Napa and the proposed new tree plantings. Thus, Alternative E would result in similar less than significant impacts related to emissions as those under the Project.

Alternative E would require construction activities and standard mitigation for construction-period emissions would be still be required to reduce emissions levels to less than significant levels, the same as required under the proposed Project.

Biological Resources

A biological resources report (**Appendix N**) was developed to provide an analysis of Alternative E. The site would still require grading and connecting roadways, with the grading footprint resulting in the disturbance of approximately 2.96 less acres than under the Project and a resultant reduction in impacted areas of all habitat types on the site. A comparison of impacted habitat area is provided in **Table 19.1**.

Table 19.1: Summary of Habitat Impacts Proposed Project versus Alternative E

<u>Habitat Type</u>	<u>Impacted Area (acres)</u>		
	<u>Proposed Project</u>	<u>Alternative E</u>	<u>Difference</u>
<u>Annual Grassland</u>	<u>28.69</u>	<u>26.60</u>	<u>-2.09</u>
<u>Coast Live Oak Woodland</u>	<u>9.36</u>	<u>8.56</u>	<u>-0.8</u>
<u>Freshwater Marsh</u>	<u>0.43</u>	<u>0.42</u>	<u>-0.01</u>
<u>Urban</u>	<u>2.57</u>	<u>2.51</u>	<u>-0.06</u>
<u>Total</u>	<u>41.05</u>	<u>38.09</u>	<u>-2.96</u>

According to the arborist report prepared for Alternative E (included in Appendix N), this alternative would result in the removal of 509 oak trees, a reduction of at least 62 trees from the 571 to be removed under the Project, including preservation of an additional 39 Native Protected trees.

While impacted habitat areas and number of removed oak trees would be slightly reduced, as shown above, the significance of biological resources impacts would be the same/similar under Alternative E as under the proposed Project and the same mitigation would be required to reduce impacts to less than significant levels.

Geology and Soils

Alternative E would result in development on the same general footprint, with the same minimum fault setbacks, and would therefore have the same/similar impacts in regard to geology and soils with the same mitigation measures required to ensure compliance with the design-level geotechnical investigation and a stormwater pollution prevention plan.

Noise

Although Alternative E would result in a higher density development, increases in traffic noise would remain below significance threshold levels. Similar to the Project, construction activities under Alternative E would comply with applicable Napa regulations and noise levels would be reduced to within levels considered acceptable through the use of acoustical construction planning and methods. Therefore, Alternative E would result in similar less than significant impacts related to noise as those under the Project.

Population, Public Services, and Recreation

With 17 more dwelling units, Alternative E would result in an estimated population increase of 192, which is an increase of 47 compared to the Project. This increase in dwelling units and residents would remain within historic and projected growth levels and within service areas and there would be no change in significance levels of impacts related to population growth and public services.

Alternative E would provide a new half-acre publicly accessible park, whereas the Project proposed payment of in-lieu fees rather than provision of more formal park amenities, and would provide more extensive trails than under the Project. Impacts related to recreation would be similar or reduced from the Project as would remain less than significant.

Transportation and Circulation

A traffic study (**Appendix O**) was developed to provide a comparative analysis of Alternative E. The increase in density proposed under Alternative E would result in 12 additional a.m. peak hour trips and 16 additional p.m. peak hour trips. As under the Project, the additional trips under Alternative E would not result in delays that would exceed the City's operational standard at study intersections. In total, Alternative E would generate an additional 152 daily vehicle trips in the vicinity, which would not exceed available capacity of the roadways. Impacts related to traffic volumes would be anticipated to be below the threshold of significance for both the Project and Alternative E.

Alternative E includes a roundabout at the intersection with Old Sonoma Road rather than a side-street-stop-sign-controlled intersection at that location. Because drivers on all legs of the intersection must reduce their speed to negotiate a roundabout, which is visibly located near the middle of the street, inclusion of a roundabout as under Alternative E would mitigate the potential for impacts related to inadequate site distance at that intersection.

While Alternative E would increase vehicle trips compared to the Project, the increase in trips would not result in changed significance conclusions related to exceedance of operational standards or available capacity and all transportation and circulation impacts (other than that related to the proposed roundabout discussed above) would be the same/similar under Alternative E and related mitigation measures would remain applicable to Alternative E as they are under the Project.

Other Environmental Topic Areas

Other than those discussed above, all impacts under Alternative E would be similar to those under the Project and there would be no additional impacts under Alternative E. Impacts and mitigation related to construction activities, seismic activity and soils, and hydrology would remain applicable under Alternative E, which would have a very similar project footprint as the Project. All Project impacts were less than significant or reduced to that level through mitigation measures, which would remain applicable to Alternative E as they are under the Project.

Ability to Accomplish Project Objectives and Feasibility

Alternative E would have the following ability to meet project objectives:

1. Alternative E would have almost the same footprint as the Project and would meet the objective to create a low-density residential project that will respect the unique physical and environmental attributes of the project site, including utilizing the project site's previously graded areas.
2. Alternative E would meet to a greater degree the objective to development a high-quality yet economically feasible project that will support public benefits including public trails, conservation areas, drainage improvements, fire safety plan, and water supply improvements. Alternative E includes an approximately one-half-acre publicly accessible park (not proposed under the Project) and more trails than under the Project.
3. Alternative E would meet to a greater degree the objective to help Napa achieve its goal of providing housing types currently undersupplied. All housing types are currently in demand in the region and Alternative E would provide a range of dwelling unit sizes.
4. Alternative E would meet to a greater degree the objective to enhance the overall quality of the community and provide visual and architectural variety within the project in an aesthetically pleasing manner. Alternative E includes more single-story homes in the design, which would be less visible from off-site, while providing ten different dwelling unit plans, some with multiple architectural styles available.
5. Alternative E would meet the objective to provide economic benefit to the City of Napa through increased property tax and the multiplier effect from executive relocation opportunities. While many of the dwelling units would be smaller in unit and lot size, more units would be available than under the project.

The increased density of development under Alternative E would meet all of the Project Objectives, some to a greater degree than would the proposed Project.

- *Page 19-11*

The following revisions are hereby made to include Alternative E in the discussion of the environmentally superior alternative.

Table 19.42, on the following pages, provides a summary comparison of the environmental impacts of the alternatives compared to the proposed Project for each of the topic areas in which a potentially significant impact was identified under the Project. The table lists the level of significance of the impacts of the proposed Project to each of the environmental topics areas analyzed in the EIR and shows whether the impacts anticipated under each proposed alternative would be similar to ("s"), greater ("+") or lesser ("-") than the proposed Project or whether the impact would be avoided ("-a").

No significant and unavoidable impacts were identified under the proposed Project. All Project impacts are either less than significant or can be reduced to those levels through implementation of the mitigation contained in this Draft EIR. Because of the low impact of the proposed Project, differences between it and the Alternatives are marginal and confined to reductions in already less than significant impacts. Alternative A, the No Project Alternative, has no impacts as it does not propose any change to the site. Alternative A would be the environmentally superior alternative. However, Alternative A would fail to meet all Project Objectives.

The CEQA Guidelines also require that "if the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives" (CEQA Guidelines Section 15126.6(e)(2)). In general, the environmentally superior alternative minimizes adverse impacts to the environment, while still achieving the basic project objectives.

Alternative B, the Reduced Density, General Plan Allowance Alternative would be the next most environmentally superior alternative with the lower density contributing to reduced impacts, especially as related to biological resources and noise. Alternative B would result in marginal reductions in already less than significant impacts, requiring mostly the same mitigation. Alternative B would meet all Project

Objectives, though some to a lesser degree than the proposed Project. However, the financial feasibility of this alternative is not known, as the reduction in units could undermine the financial feasibility of roadway and utility connections as well as conservation efforts and a public trail.

Alternative E, the Increased Density/Smaller Homes Alternative would be environmentally similar to the Project while meeting to the same or greater degree the Project Objectives.

TABLE 19.12: SUMMARY COMPARISON OF IMPACTS, PROPOSED PROJECT AND ALTERNATIVES

ENVIRONMENTAL ISSUE AREA	Project	ALTERNATIVE				
		A	B	C	D	E
		No Project (No Development)	Reduced Density (General Plan)	25% Reduced Density	40% Reduced Density	Increased Density / Smaller Homes
AESTHETICS						
<i>Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway or a scenic vista?</i>	LTS	-a	-s	-s	-s	<u>-s</u>
<i>Would the project substantially degrade the existing visual character or quality of the site and its surroundings?</i>	LTS	-a	-s	-s	-s	<u>-s</u>
<i>Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?</i>	LTS	-a	-s	-s	-s	<u>+s</u>
AGRICULTURE AND FORESTRY RESOURCES						
<i>Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</i>	No Impact	s	s	s	s	<u>s</u>
<i>Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract, or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</i>	No Impact	s	s	s	s	<u>s</u>
<i>Would the Project result in the loss of forest land or conversion of forest land to non-forest use?</i>	LTS (w/MM)	-a	-s	-s	-s	<u>-s</u>

LTS = less than significant impact

LTS (w/MM) = an impact reduced to LTS through mitigation measures

SU = significant and unavoidable impact (not used)

(no impacts are substantially increased or reduced but not avoided)

s = same or similar impacts

-s = marginally reduced, similar impacts

+s = marginally increased, similar impacts

-a = avoided impacts

		ALTERNATIVE				
		A	B	C	D	E
<i>Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</i>	LTS (w/MM)	-a	-s	-s	-s	<u>s</u>
AIR QUALITY						
<i>Would the project conflict with or obstruct implementation of the applicable air quality plan?</i>	No Impact	s	s	s	s	<u>s</u>
<i>Would the project violate any air quality standard, contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</i>	LTS (w/MM)	-a	-s	-s	-s	<u>+s</u>
<i>Would the project expose sensitive receptors to substantial pollutants?</i>	LTS	-a	-s	-s	-s	<u>s</u>
<i>Would the project create objectionable odors affecting a substantial number of people?</i>	No Impact	s	s	s	s	<u>s</u>
BIOLOGICAL RESOURCES						
<i>Would the project have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Services?</i>	LTS (w/MM)	-a	-s	-s	-s	<u>-s</u>
<i>Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game, or the US Fish and Wildlife Service?</i>	LTS (w/MM)	-a	-s	-s	-s	<u>-s</u>

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		ALTERNATIVE				
		A	B	C	D	E
<i>Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal etc.), through direct removal, filling, hydrological interruption, or other means?</i>	LTS (w/MM)	-a	-s	-s	-s	<u>-s</u>
<i>Would the project interfere substantially with the movement of any native resident of migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?</i>	LTS	-a	s	s	s	<u>s</u>
<i>Would the project conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</i>	LTS (w/MM)	-a	s	s	s	<u>s</u>
CULTURAL RESOURCES						
<i>Would the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?</i>	LTS	-a	s	s	s	<u>s</u>
<i>Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or disturb any human remains, including those interred outside of formal cemeteries.</i>	LTS (w/MM)	-a	s	s	s	<u>s</u>
GEOLOGY AND SOILS						
<i>Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Faulting Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?</i>	No Impact	s	s	s	s	<u>s</u>

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		ALTERNATIVE				
		A	B	C	D	E
<i>Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving exposure to strong seismic ground shaking and/or seismic ground failure, including liquefaction, densification, and differential settlement or landslides?</i>	No Impact	s	s	s	s	<u>s</u>
<i>Would the project be located on a geologic unit or soil that is unstable (or that would become unstable as a result of the project) and which could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</i>	LTS (w/MM)	-a	-s	-s	-s	<u>s</u>
<i>Would development located on expansive soil, creating substantial risks to life and property</i>	No Impact	s	s	s	s	<u>s</u>
<i>Would the project result in soil erosion?</i>	LTS (w/MM)	-a	-s	-s	-s	<u>s</u>
<i>Would the project be located in an area where soils are incapable of adequately supporting the use of septic tanks or alternate waste water disposal systems where sewers are not available for the disposal of waste water?</i>	No Impact	s	s	s	s	<u>s</u>
GREENHOUSE GAS EMISSIONS						
<i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	LTS	-a	-s	-s	-s	<u>+s</u>
<i>Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?</i>	No Impact	s	s	s	s	<u>s</u>
HAZARDS AND HAZARDOUS MATERIALS						
<i>Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	LTS	-a	-s	-s	-s	<u>s</u>
<i>Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an</i>	No Impact	s	s	s	s	<u>s</u>

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(no impacts are substantially increased or reduced but not avoided)

s = same or similar impacts

-s = marginally reduced, similar impacts

+s = marginally increased, similar impacts

-a = avoided impacts

		ALTERNATIVE				
		A	B	C	D	E
existing or proposed school?						
Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	LTS (w/MM)	-a	-s	-s	-s	<u>s</u>
Is the project located within an airport land use plan area, would it result in a safety hazard for people residing or working in the project area?	No Impact	s	s	s	s	<u>s</u>
Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact	s	s	s	s	<u>s</u>
Would the project expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	LTS	-a	s	s	s	<u>s</u>
HYDROLOGY AND WATER QUALITY						
Would the project violate water quality standards or waste discharge requirements?	LTS (w/MM)	-a	s	s	s	<u>s</u>
Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?	No Impact	s	s	s	s	<u>s</u>
Would the project alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site or flooding on- or off-site?	LTS (w/MM)	-a	-s	-s	-s	<u>s</u>
Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	No Impact	s	s	s	s	<u>s</u>
Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?	No Impact	s	s	s	s	<u>s</u>

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s = same or similar impacts

-s = marginally reduced, similar impacts

+s = marginally increased, similar impacts

-a = avoided impacts

		ALTERNATIVE				
		A	B	C	D	E
<i>Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</i>	No Impact	s	s	s	s	<u>s</u>
<i>Would the project expose people or structures to inundation by seiche, tsunami, or mudflow?</i>	No Impact	s	s	s	s	<u>s</u>
LAND USE AND PLANNING						
<i>Would the project physically divide an established community?</i>	No Impact	s	s	s	s	<u>s</u>
<i>Would the project conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?</i>	LTS	-a	-s	s	s	<u>s</u>
<i>Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?</i>	No Impact	s	s	s	s	<u>s</u>
NOISE						
<i>Would the project result in exposure of persons to or generation of noise in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies or cause a substantial increase in ambient noise levels in the project vicinity above levels existing without the project?</i>	No Impact	s	s	s	s	<u>+s</u>
<i>Would the project result in substantial temporary or periodic increase in ambient noise levels in the project vicinity?</i>	LTS	-a	-s	s	s	<u>s</u>
<i>Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</i>	LTS	-a	-s	-s	-s	<u>s</u>
<i>Would the project result in exposure of people residing or working at the project site to excessive noise levels from a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public use airport or a private airport?</i>	No Impact	s	s	s	s	<u>s</u>

LTS = less than significant impact

LTS (w/MM) = an impact reduced to LTS through mitigation measures

SU = significant and unavoidable impact (not used)

(no impacts are substantially increased or reduced but not avoided)

s = same or similar impacts

-s = marginally reduced, similar impacts

+s = marginally increased, similar impacts

-a = avoided impacts

		ALTERNATIVE				
		A	B	C	D	E
POPULATIONS, SERVICES AND RECREATION						
Would the project result in the inducement of substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	LTS	-a	-s	<u>-s</u>	<u>-s</u>	<u>+s</u>
Would the project result in the displacement of substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	No Impact	s	s	s	s	<u>s</u>
Would the project result in increased use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	LTS	-a	-s	-s	-s	<u>-s</u>
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities to provide public services?	LTS	-a	-s	-s	-s	<u>+s</u>
TRANSPORTATION AND CIRCULATION						
Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	LTS	-a	-s	-s	-s	<u>+s</u>
Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	LTS	-a	-s	-s	-s	<u>+s</u>
Would the project substantially increase hazards due to a design feature or incompatible uses?	LTS (w/MM)	-a	s	s	s	<u>-s</u>
Result in inadequate emergency access?	LTS	-a	s	s	s	<u>s</u>

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		ALTERNATIVE				
		A	B	C	D	E
	(w/MM)					
<i>Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i>	LTS (w/MM)	-a	s	s	s	<u>s</u>
UTILITIES						
<i>Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</i>	LTS	-a	-s	-s	-s	<u>s</u>
<i>Would the project require substantial expansion or alteration of the City's water or wastewater treatment and collection facilities or result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</i>	LTS	-a	-s	-s	-s	<u>s</u>
<i>Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</i>	LTS	-a	-s	-s	-s	<u>+s</u>
<i>Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities?</i>	No Impact	s	s	s	s	<u>s</u>
<i>Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; Would the project comply with federal, state, and local statutes and regulations related to solid waste?</i>	LTS	-a	-s	-s	-s	<u>+s</u>

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RESPONSE TO COMMENTS

INTRODUCTION

This chapter contains responses to the written comments on the Draft EIR. Where revisions to the Draft EIR are appropriate, such changes are noted below and the actual text changes are included in Chapter 22.

The City of Napa received fifty-nine (59) letters commenting on the Draft Environmental Impact Report for the Project, in addition to verbal comment at a planning commission meeting.

Specific comments are organized generally in chronological order by grouping, as follows:

LETTERS FROM AGENCIES

Letter A, Napa Sanitation District, 3/29/16

Letter B, Yocha Dehe Wintun Nation, 5/9/16

Letter C, State Clearinghouse, 5/10/16

LETTERS FROM PERSONS AND GROUPS

Letter D, Sybil Hartdegen, 4/8/16

Letter E, Bruce and Carol Barge, 5/1/16

Letter F, Pamela Condos, 5/1/16

Letter G, Carol and Bruce Barge, 5/2/16

Letter H, Phil Sary, 5/2/16

Letter I, Karen Scriven, 5/2/16

Letter J, Larry Gordon, 5/4/16

Letter K, Bernie Jensen, 5/4/16

Letter L, Philip Jensen, 5/4/16

Letter M, Robin Johnson, 5/4/16

Letter N, John McDonald, 5/4/16

Letter O, Myra Snell, 5/4/16

Letter P, Maureen E. Boyd, 5/5/16

Letter Q, James E. and Ruth S. Matson, 5/5/16

Letter R, Matthew Lenhart, 5/6/16

Letter S, David Wagner, 5/6/16
Letter T, Ken Rands, 5/8/16
Letter U, Pat Smith, 5/9/16
Letter V, Kristen Belair, 5/10/16
Letter W, E. Neu, 5/10/16
Letter X, Mark and Sue Phillips, 5/10/16
Letter Y, Joey and Sara Schmitz, 5/10/16
Letter Z, Dan Martin, 5/11/16
Letter AA, Elsebeth N. Schoenberger and Louis Z. Kaplan, 5/11/16
Letter AB, Mike Moskos, 5/16/16
Letter AC, Tom Silva and Renee Bliss, 5/17/16
Letter AD, Charlotte Bentley, 5/18/16
Letter AE, Allen R. Balik, 5/19/16
Letter AF, Barbara E. Balik, 5/19/16
Letter AG, Chuck Dresel, 5/19/16
Letter AH, Maggie Scott-Weathers, 5/23/16
Letter AI, Julia Adkins, 5/25/16
Letter AJ, Neal and Soraya Ennis, 5/25/16
Letter AK, Kelly Thomas, 5/25/16
Letter AL, Doug Wilson, 5/25/16
Letter AM, Lynda Amen Castell-Blanch, 5/26/16
Letter AN, Elizabeth Jones, 5/23/16
Letter AO, Christine Ochs, 5/26/16
Letter AP, Jim Stewart, 5/26/16
Letter AQ, Jeanne Cervone and Juan Garcia, 5/29/16
Letter AR, Cindy Worthington, 5/30/16
Letter AS, Jonathan Blanton and Alma Blanton, 6/1/16
Letter AT, John McDonald, 6/3/16
Letter AU, Jacqueline Yoakum, 6/3/16
Letter AV, Eve Kahn, 6/6/16
Letter AW, Karen Scriven, 6/6/16
Letter AX, Steve Abbs, Davidon Homes, 6/8/16
Letter AY, Gary Deghi, 6/9/16
Letter AZ, Florence Lindstrom, 6/9/16
Letter BA, Elsebeth Nielsen Schoenberger, 6/9/16

Letter BB, Erica Timmerman, 6/9/16

Letter BC, Keith Lindstrom, 6/10/16

Letter BD, John McDonald, 6/10/16

Letter BE, Katherine Philippakis, 6/10/16

Letter BF, Myra Snell, received 6/10/16 (post-dated 6/20/16)

Letter BG, Kevin Teague, 6/10/16

MASTER RESPONSES

Certain topics can be found in multiple comments, across multiple comment letters. The following Master Responses address these repeated topics and will be referenced as appropriate in response to specific comments.

Master Response 1: Non-Environmental Comments

Many comments were received that relate to issues that are not considered part of the environmental analysis. Under CEQA, “‘Environment’ means the physical conditions that exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, or objects of historic or aesthetic significance.” (CEQA Guidelines, section 21060.5)

This document is part of the Environmental Impact Report for the Project and therefore is limited in focus to issues related to the physical environment. A comment identified as being non-environmental is intended to explain why this environmental document is not the appropriate forum for response to that particular comment. Such an indication is not intended to diminish the importance of the comment from a non-environmental perspective, as the environmental analysis is only one element for consideration of project approvals by City decision-makers. All of the comments included in this document have been shared with City staff and decision-makers, for them to take into account when making decisions regarding the proposed Project.

Master Response 2: History of Applications and Decisions Related to the Site

Some comments referenced previous project applications, decisions, and/or legal cases related to the Project site. This is not a comment on the environmental analysis. As noted on page 1-2 of the Draft EIR, the Project is not the same as previous proposals (with environmental documents that circulated between 1999 and 2002) and this EIR is not a subsequent or supplemental EIR nor has it tiered from previously circulated documents, but rather has fully analyzed the proposed Project as a new project under existing conditions. As further noted on that page, the Notice of Preparation of an EIR was circulated in August 2012 for the current environmental analysis process, which can be tracked with State Clearinghouse Number 2012082093.

See also Master Response 1 regarding Non-Environmental Comments.

Master Response 3: Housing Type and Affordability

Some comments expressed concern about the market rate cost of the proposed residential units and suggested that some or all of the units should be made affordable. The affordability of housing is considered a social issue and is not an environmental impact of the Project or analyzed in the EIR. The City will determine consistency with any applicable regulations with Project approvals, including

inclusion of affordable house and/or in lieu fees, as appropriate, as part of consideration of Project approvals.

To respond to requests to provide more typical and/or more affordable housing types at the site, Alternative E has been proposed and added to the analysis (see revisions in Chapter 22). Under Alternative E, lot and home sizes would be generally smaller than those proposed under the Project and considered a more typical size relative to other developments in Napa.

See also Master Response 1 regarding Non-Environmental Comments.

Master Response 4: Changes to the Current State of the Site

Some comments reference the loss of the site as it currently exists, using terms such as natural, or open space, or habitat. Because these issues are often related and/or it is not clear from the comments exactly what environmental issue is intended, they are addressed together here, under the following topics of open space, biological habitat, and views of the site.

Open Space

As defined in the City of Napa General Plan (Appendix F: Open Space Action Program, page F-1), “Open space is any land or water area, public or private, which is unimproved and open to the sky. Open space is not just unused space, but has important functions that include: The preservation of natural resources, habitat, rivers, streams, wetlands and watershed lands; Areas that are used for production of agricultural products, and for environmental functions such as groundwater recharge, stormwater runoff filtration and flood capacity; Areas for outdoor recreation including passive park facilities and trails, scenic highway corridors and areas of outstanding scenic, historic and cultural value; Land that requires special standards to protect public health and safety due to seismic, flood, fire and other risks.” As a largely unimproved site open to the sky, the majority of the existing 80.63-acre site would be considered open space under this definition. Following development as proposed, 44.48 acres of the site (approximately 55%) would be preserved as open space, which does not include additional private lot areas that would also be considered open space under this definition.

A reduction of open space is not an environmental impact per se, but as implied above, can be linked to various environmental considerations. The associated potential environmental impacts related to agricultural resources, aesthetics, biological resources, geology and seismicity, hazards, hydrology and water quality, and recreation, etc. were analyzed specifically for the Project as proposed, which included the resultant reduction in open space at the site. Detailed analysis can be found in the Draft EIR and Appendices. The Draft EIR concluded that all impacts of the Project are either below environmental significance levels or can be reduced to that level through identified mitigation. Therefore, the Project would not result in any significant and unavoidable environmental impacts related to the loss of open space on the site.

Habitat

A biological resource assessment was performed by Zander Associates in coordination with City of Napa staff, as included in Chapter 7 of the Draft EIR, with referenced technical reports additionally included in full in Appendix C of the Draft EIR.

The site was previously developed with a few homes and associated ranch structures and was previously additionally graded in some areas. The site is and has been used for cattle grazing. As summarized on page 7-2 of the Draft EIR, “Vegetation within the Project site consists of primarily

non-native grassland and oak woodland with scattered wetlands.” As further detailed in Table 7.1 and Figures 7.1 and 7.2 of the Draft EIR, of the approximately 81-acre site, 41.05 acres would be disturbed for the proposed development.

Development of the proposed Project would impact some of the wetlands (0.43 of 1.25 acres) and oak woodlands (9.36 of 27.29 acres) on the site. Identified mitigation is consistent with applicable regulations and practices to mitigate the impact of development on these types of habitat, including on-site replacement of wetlands at a ratio of 2:1 for the acreage removed per Army Corps of Engineers and Regional Water Quality Control Board standards and guidelines, and on- and off-site oak woodland preserves at a ratio of 3:1 for the acreage removed per the California Public Resources Code, which exceeds other applicable requirements and was used here even though it only strictly applies to unincorporated land. The identified mitigation will result in formalized conservation and ongoing protection of wetlands and oak woodlands of a greater total area than will be removed from the site and the impact to these habitats is considered mitigated below significance levels for purposes of CEQA. (See impacts Bio-1a, -1b, -1c and -2, and associated Mitigation Measures for further detail.)

The remainder of the site is primarily non-native annual grassland and urban (developed) areas that are not protected habitat. That being said, the potential for special status species to be impacted was also assessed for the entire site. As noted in the Draft EIR (pages 7-24 and 7-25), the biological assessment concluded that most of the special status species in the region would be unlikely to inhabit or use the site due to the lack of suitable habitat or because the site is outside the range of the species. While construction activities have the potential to harm or disturb on-site or nearby nesting or wintering birds, roosting bats, or western pond turtles, the site is not critical habitat for these (or other) species and is not critical for wildlife movement in the area. Identified mitigation to avoid harm to these species during the construction period is consistent with applicable regulations and guidelines and adequate to reduce potential impacts to special status species. (See impacts Bio-4 through -8 and associated Mitigation Measures for further detail.)

Further discussion of loss of trees (as opposed to oak woodland habitat) is included in Master Response 6.

Views of the Site

The complete discussion of aesthetics is included in Chapter 4 of the Draft EIR, including visual modeling from twelve different viewpoints. As noted under the discussion of Impact Visual-1, the Project site is located on a hill visible from surrounding lower-lying portions of the city and county of Napa. The City’s General Plan loosely identifies hillsides as viewsheds, so the site was considered a scenic vista for purposes of the environmental analysis. The analysis focused on whether the Project would have “a substantial adverse effect on a scenic vista” per the State CEQA Guidelines, consistent with the City’s General Plan goals and policies. As summarized on page 4-5 of the Draft EIR, “while some development on the site would be visible from identified vistas (scenic routes), the Project is largely hidden from off-site views by existing topography and is consistent with goals to integrate the urban environment with the city’s natural features.”

As further noted under the discussion of changed visual character of the site (Impact Visual-3), “Because development on hillside sites is not entirely disallowed, it must be assumed that development can meet the goals of the [City’s hillside] overlay zone and that the [purposes of the hillside overlay zone] are not intended to be interpreted narrowly such that all development would be inconsistent with their intent.” The assessment of these items generally concludes that because the Project substantially preserves the existing visible topography of the hillsides and ridgelines while

largely hiding new development and tree loss within valleys between knolls, the Project would not “substantially degrade” the visual quality of the Project site or its surroundings or conflict with the hillside overlay zone such that a significant environmental impact would occur.

Therefore, it was concluded that the changes to the look and view of the site that would result from the Project would not result in significant aesthetic impacts.

Master Response 5: Agricultural Buffer

Some comments suggested that the proposed agricultural buffer area is not large enough, with some commenters asserting that the entire site should be considered a buffer area. The Project site is within the incorporated City of Napa, adjacent to the rural urban limit (RUL) line along the southern and western boundaries of the Project site, as shown on Figures 3.1 and 3.2 of the Draft EIR. Within the City of Napa, Section 17.52.040 of the Municipal Code requires agricultural buffers, noise-reducing design and construction techniques, and deeded right-to-farm for residential lots adjacent to the RUL line. These regulations have the stated purpose “to minimize potential conflicts between agricultural and urban residential uses by providing appropriate agricultural buffer areas, thereby protecting the health, safety and welfare of the residents of the city and contributing to the long-term preservation and maintenance of agricultural activities in Napa County.” As discussed in the agricultural impact analysis on pages 5-5 and 5-6 of the Draft EIR, the Project is consistent with applicable agricultural buffer requirements and would not result in a significant impact related to indirect pressure to convert agricultural lands.

Master Response 6: Removal of Trees

Some comments suggested the removal of trees (oaks) at the site would be a significant environmental impact. A biological resource assessment was performed by Zander Associates in coordination with City of Napa staff, as included in Chapter 7 of the Draft EIR, with referenced technical reports additionally included in full in Appendix C of the Draft EIR, including an arborist report.

The Project would preserve 804 trees on site, including 449 considered native trees and remove approximately 571 trees, including 173 trees considered native trees subject to City of Napa tree replacement regulations (Municipal Code chapter 12.45). However, note that the trees to be removed, including oaks, are not endangered or “special status” such that their removal would otherwise represent a significant environmental impact (excepting as they may contribute to oak woodlands habitat, as discussed under Master Response 4). Mitigation Measure Bio-2b requires City approval of a Tree Replacement Plan that details proposed tree plantings to meet these requirements. With this mitigation, the Project is consistent with applicable tree protection and replacement requirements and would not result in a significant biological impact related to removal of trees.

Master Response 7: Development on a Site with an Earthquake Fault

Some comments referenced the fault trace on the site and noted safety concerns related to development near a fault and/or roadways and utility lines crossing a fault. As discussed in more detail in Chapter 9: Geology and Soils of the Draft EIR, the site is not within a designated Alquist-Priolo Earthquake Fault Zone, but is known to contain an “eastern strand” of the West Napa fault zone. (A “western strand” of the West Napa fault zone contained the epicenter of the South Napa Earthquake in August 2014.) Fault traces in the vicinity are mapped on Figure 9.1 of the Draft EIR, with specific on-site exploration and fault zone mapping shown on Figure 7.3. The specific location of the on-site fault trace and potential area of surface fault rupture have been studied extensively,

including most recently, supplemental trench explorations following the South Napa Earthquake in August 2015.

As noted in the impact discussion related to the fault (page 9-12), CEQA focuses on the impact of the project on the environment and does not consider the impact of existing conditions on future project users. A discussion of the fault was included for informational purposes and concludes that with habitable structures located outside of geologic setback zones and strengthened foundations for lots near distributed ground cracks (lots 16, 17, and 18), the potential risk of loss of homes or danger to residents due to fault rupture would be addressed.

In addition, compliance with design-level geotechnical recommendations is a standard requirement for all construction, but is also formalized as Mitigation Measure Geo-1. The Project, including all structures and infrastructure such as building pads, roadways, storm water retention, and utility lines, will meet all applicable safety standards given the specifics of the site.

As note on page 9-11, the proposed Project does not have the potential to induce an earthquake and as explored in the impact analysis in that chapter, would not otherwise result in or exacerbate seismic-related hazards in the vicinity.

Master Response 8: Soil Slips

Some comments expressed concern about soil slips (a shallow landslide similar to a debris flow) affecting the existing residential lots along Casswall Street, including a history of problematic debris. This issue was analyzed in the Draft EIR and associated technical reports (see Appendix E of the Draft EIR), and as noted on page 9-10 of the Draft EIR, “Along the east side of the site, BSA (2013) identified six soil slips, similar to previous mapping by PG. According to BSA, these soil slips are typically two to less than five feet thick. The soil slip areas along the east side of the site are on a sloping area outside the boundaries of the proposed lots and outside the boundary of proposed grading. BSA (2013) states that development on the nearest lots is proposed well upslope of these soil slips, and that the proposed grading and drainage improvements will divert surface runoff away from them. They therefore conclude that the existing soil slips along the east side will not be adversely impacted by the development (BSA, 2013). They also conclude that the soil slips are not likely to affect the upslope development (BSA, 2011).”

It is important to note that for analysis of environmental impacts under CEQA, the proposed condition is compared to the existing or “baseline” condition (see CEQA Guidelines section 15125(a)). To paraphrase the guidelines, the existing condition is the baseline condition against which the significance of any physical change in the environment that may occur as a result of a project will be measured. There is no nexus to require mitigation of existing conditions under CEQA.

Master Response 9: Downslope Drainage

Some comments expressed concern about the downslope drainage at the lots along Casswall Street, including a history of problematic water. As noted on page 12-8 of the Draft EIR, “stormwater that currently sheet flows off the site toward Casswall Street to the east within the development area would instead be captured by the onsite stormwater collection system, detained in a stormwater pond and ultimately released into an existing storm drain system from a new outfall pipe. Undeveloped portions of the Project site would continue to sheet flow as they do today. Based on the new storm drainage system shown on the Tentative Map for the Project, rainfall runoff sheet flow would be slightly reduced to downslope portions of the site near Casswall Street after the Project is

implemented.” The Draft EIR concluded that the Project would not increase off-site runoff rates and that the environmental impact related to altered drainage pattern would be less than significant.

It is important to note that for analysis of environmental impacts under CEQA, the proposed condition is compared to the existing or “baseline” condition (see CEQA Guidelines section 15125(a)). To paraphrase the guidelines, the existing condition is the baseline condition against which the significance of any physical change in the environment that may occur as a result of a project will be measured. There is no nexus to require mitigation of existing conditions under CEQA.

Master Response 10: Safety of the Stormwater Basin

Some commenters questioned the safety of the proposed stormwater pond (or “detention basin”) and specifically the potential to cause flooding of residential lots along Casswall Street during seismic events. Stormwater that sheet flows off the site toward Casswall Street to the east under current conditions would instead be captured in developed portions of the site by the onsite stormwater collection system, detained in a stormwater pond and ultimately released into an existing storm drain system from a new outfall pipe. As noted on page 12-8 of the Draft EIR, “The basin slopes would be designed in accordance with the Project geotechnical engineer’s recommendations so that they are able to withstand a design seismic event and would not breach or otherwise geotechnically fail during a 100-year recurrence interval storm event.” Compliance with design-level geotechnical recommendations is a standard requirement for all construction, but is also formalized as Mitigation Measure Geo-1. The geotechnical report is included in Appendix E of the Draft EIR and specifies (on the 108th page of the pdf copy of Appendix E) basin slopes of at least 3 horizontal to 1 vertical and evaluation of the soils at the basin bottom during construction with the potential for overexcavation and replacement with engineered fill if too permeable. The final drainage report will also be approved by the City including full calculations to demonstrate appropriate functioning of the stormwater pond (Mitigation Measure Hydro-3). In summary, the stormwater basin has been designed to function appropriately to retain stormwater and will meet all applicable safety standards.

Master Response 11: Traffic, General

Some commenters make either general references to concerns about traffic and congestion or provide anecdotal experience of traffic congestion. A complete transportation impact analysis was prepared by Fehr & Peers in coordination with City of Napa staff, as included in Chapter 16 of the Draft EIR (referred to as the “traffic study”). As detailed in the Draft EIR, the study intersections and roadway segments were chosen in accordance with City criteria and the traffic study was performed in accordance with standard industry practice and City guidelines, including adjustment of baseline traffic volumes to reflect seasonal tourist increases.

Based on this analysis, while the Project would contribute vehicular traffic to study intersections, the Project’s contribution of traffic would not cause any intersection to worsen from acceptable to unacceptable operational levels or significantly increase delay at intersections projected to be operating at unacceptable levels. Similarly, the Project’s contribution to study roadway segments would not cause any roadway to exceed design capacity. Therefore, according to established thresholds for assessment of impacts that can be attributed to a project, the Project’s impact related to traffic congestion were determined not to be significant.

Master Response 12: Age of Traffic Data

Some comments questioned whether the traffic data is too old and no longer accurately reflects conditions. A complete transportation impact analysis was prepared by Fehr & Peers in coordination

with City of Napa staff, as included in Chapter 16 of the Draft EIR (referred to as the “traffic study”). As detailed in the Draft EIR, the traffic study relied on traffic counts collected in February 2013, which were adjusted upward to reflect an August equivalent (the annual peak). Technical analysis takes time, and area changes and development are not put on hold as each project is analyzed. The baseline for consideration of environmental impacts of a project under CEQA is generally the conditions “as they exist at the time the notice of preparation is published,” which was in 2012. Analysis under cumulative conditions is performed to capture other area changes in addition to the Project. Traffic was re-examined in light of Alternative E in 2017 (see Appendix O). No significant changes in traffic patterns relative to road capacity and service have occurred in the study area and the Draft EIR analysis remains applicable to current conditions.

Master Response 13: Cut-Through Traffic

Some commenters were concerned about the potential for the Project to cause or exacerbate cut-through traffic in the nearby Casswall neighborhood. This concern was known at the time of preparation of the Draft EIR (page 16-1) and an analysis of cut-through traffic was included on pages 16-22 through 16-26.

The Project is only accessed from Old Sonoma Road and would not add or remove roadway connections to or near neighborhoods that could encourage new cut-through routes for existing traffic. The Project would not significantly impact any area intersection or roadway operation such that increased congestion due to the Project would encourage use of alternate routes. Therefore, the analysis of cut-through traffic included an analysis of the potential for occupants of the Project site to use cut-through routes. Based upon existing rates of cut-through traffic in the area, the Project has the potential to result in 5 or 6 cut-through trips on Casswall Street during the peak hours. Casswall Street and other neighborhood streets in that area would remain within the design capacity for local streets (page 16-26). A study of collision history in the area identified no recurring types or characteristics of collisions anywhere in the study area that could relate to inherently unsafe roadway conditions (pages 16-32 and 16-33).

Master Response 14: Emergency Vehicle Access

Some comments expressed concern about the proposed emergency vehicle access. As noted on pages 16-28 and 16-29 of the Draft EIR, per City of Napa requirements, emergency vehicle access that does not meet standard specifications can only be approved with additional measures approved by the Fire Marshal. Per coordination with the Fire Marshal, the Project will be required to implement a Fire Plan subject to Fire Department approval that will include shelter-in-place and defensible space allowances and provide a secondary point of access for emergency vehicles as proposed. As specified by City of Napa requirements, with these additional measures approved by the Fire Marshal, emergency vehicle access would be considered adequate and no significant impact related to safety and emergency vehicle access would remain.

Master Response 15: Safety of the Main Vehicular Access

Some comments questioned the safety of the proposed vehicle access street on Old Sonoma Road across from Lilienthal Ave. The safety of the site access and traffic collision data were analyzed in the Draft EIR on pages 16-28 through 16-33. Traffic collision data showed no collisions at the existing intersection of Old Sonoma Road/Lilienthal Ave during the 3-year study period and no recurring types or characteristics of collisions anywhere in the study area that would suggest innately unsafe conditions.

The Draft EIR analysis identified inadequate existing site distance of eastbound traffic for drivers exiting the site that would be mitigated through removal of foliage within the City's right-of-way to extend the site distance (Mitigation Measure Traf-7). Following implementation of this mitigation, the proposed intersection would operate within all safety guidelines and no additional safety impact was identified. As noted in the analysis, these conclusions were based on actual observed vehicle speeds along Old Sonoma Road, which were higher than posted speed limits.

Revisions to Mitigation Measure Traf-7 (see revisions to pages 16-29 through 16-32 in Chapter 22 for details) have been made that would optionally allow for installation of a roundabout at that intersection. A roundabout would also meet all safety guidelines and would serve to slow speeds for all legs of traffic through the intersection.

RESPONSES TO SPECIFIC COMMENTS

The following pages contain comments on the Draft EIR for the Project. Each comment is numbered and responses to these comments are provided following each comment letter or set.

In some instances, responding to a comment received on the Draft EIR resulted in a revision to the text of the Draft EIR. In other cases, the information provided in the responses is deemed adequate in itself, and modification of the Draft EIR text was not necessary.

Letters and meetings referenced in this chapter were not always intended to be focused on environmental matters only and comments sometimes reference matters related to the Project but that are outside the realm of environmental review. Conversely, the responses to comments included here are intentionally focused on matters specific to the environmental review that is required under CEQA. A response noting that a comment is not related to the environmental analysis is intended to signify the specific comment was not addressing a matter subject to review under CEQA and therefore that the EIR is not the appropriate forum for providing a response. Such a response is not intended to dismiss or diminish the validity of the comment outside the CEQA realm. All of the comments are a part of the record and will be considered the Planning Commission and City Council if and when Project approvals are presented for their consideration.

Letter A

From: Broughton, Kyle [mailto:KBroughton@napasan.com]
Sent: Tuesday, March 29, 2016 10:17 AM
To: Eberle, Kevin <keberle@cityofnapa.org>
Subject: Napa Oaks II EIR - NSD Comments

Kevin,

Please find Napa Sanitation District's comments to the Napa Oaks II Draft EIR attached.

Thanks,

Kyle Broughton, PE
Associate Engineer
Napa Sanitation District
1515 Soscol Ferry Road
Napa, CA 94558
Direct: [707-258-6030](tel:707-258-6030)
EMail to: kbroughton@napasan.com
Web: Napa Sanitation District

Chapter 2 – Executive Summary and Impact Overview

Table 2.1: Summary of Project Impacts and Mitigation Measures

Potential Environmental Impact Util-1

Wastewater service is provided by the Napa Sanitation District. Per Napa Sanitation District's conditions of approval for the project, the project will be required to replace approximately 2,000 feet of existing 8-inch sewer main in Old Sonoma Road with a 10-inch main from Lilienthal Street to Cherryview Court.

Chapter 3 – Project Description

Page 3-4

The project will be required to replace approximately 2,000 feet of existing 8-inch sewer main in Old Sonoma Road with a 10-inch main from Lilienthal to Cherryview Court. This requirement is based on Napa Sanitation District's conditions of approval for the project.

Chapter 17 – Utilities

Page 17-1

Approximately 2,000 linear feet of the 8-inch sewer main would be replaced with a 10-inch sewer main per Napa Sanitation District's conditions of approval.

Page 17-5

Impact Util-1: Increased Water Demand and Wastewater Generation

Wastewater service is provided by the Napa Sanitation District.

LETTER A, NAPA SANITATION DISTRICT, 3/29/16

Comment A-1

As part of the permitting process, detailed plans will be reviewed and approved by the City, including Napa Sanitation District, prior to construction. Such plans must be in substantial conformance with any approved Project plans and mitigation measures.

Letter B



YOCHA DEHE
CULTURAL RESOURCES

RECEIVED

MAY 16 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

May 9, 2016

Kevin Eberle
City of Napa
P.O. Box 660
Napa, Ca 94559

RE: Napa Oaks II, YD-04152016-01

Dear Mr. Eberle:

Thank you for your project notification letter dated, March 30, 2016 regarding cultural information on or near the proposed Napa Oaks II, Solano County, CA. We appreciate your effort to contact us and wish to respond.

The Cultural Resources Department has reviewed the project and concluded that it is within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we have a cultural interest and authority in the proposed project area.

We would like more information on your Project. Please send us the cultural resource study for this project. In Mitigation Measures 2a, 2b, we recommend cease work within a 100 ft. radius.

Should you have any questions, please contact the following individual:

Mr. Anthony Flores
Cultural Resources Site Protection Manager
Yocha Dehe Wintun Nation
Office: (530) 796-3400, Email: aflores@yochadehe-nsn.gov

Please refer to identification number Napa Oaks II, YD-04152016-01 in any correspondences concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

James Kinter
Tribal Secretary
Tribal Historic Preservation Officer

B-1

B-2

LETTER B, YOCHA DEHE WINTUN NATION, 5/9/16

Comment B-1

City of Napa staff has provided the requested information and will continue coordination if requested.

Comment B-2

Mitigation Measures Cultural-2a and -2b have been revised as shown in Chapter 22 to reflect the requested 100-foot buffer in the event of resource discovery.

Letter C

RECEIVED



EDMUND G. BROWN JR.
GOVERNOR

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

COMMUNITY DEVELOPMENT
DEPARTMENT



KEN ALEX
DIRECTOR

May 10, 2016

Kevin Eberle
City of Napa
Community Development Dept.
PO Box 660
Napa, CA 94559

Subject: Napa Oaks II
SCH#: 2012082093

Dear Kevin Eberle:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on May 9, 2016, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

C-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012082093
Project Title Napa Oaks II
Lead Agency Napa, City of

Type EIR Draft EIR

Description The project consists of the subdivision of an 80.63 acre hillside property at 3095 Old Sonoma Road into 54 single family lots and 4 open space lots and 44.48 acres preserved as open space. The primary access would be located on the south of Old Sonoma Road opposite Lilienthal Ave, with a secondary EVA access further west on Old Sonoma Rd. The site currently contains two residences and associated outbuildings and is used for the grazing of cattle. Areas of the site have been graded in the past, and the proposed home sites have been plotted on the flatter portion of the property with slopes generally less than 15 percent.

Lead Agency Contact

Name Kevin Eberle
Agency City of Napa
Phone 707 257 9530
email
Address Community Development Dept.
PO Box 660
City Napa
State CA **Zip** 94559
Fax

Project Location

County Napa
City Napa
Region
Lat / Long 38° 17' 5.64" N / 122° 18' 49.3" W
Cross Streets 3095 Old Sonoma Road, approximately 200 feet west of Casswall Street
Parcel No. 043-040-008, -10, -13, -25, -030-003
Township 5N **Range** 4W **Section** NA **Base** MDBM

Proximity to:

Highways Hwy 29, 121, 12
Airports
Railways CNPRR, NV Wine Train
Waterways Napa River
Schools Multiple
Land Use Grazing, open space, rural residential/Agriculture Resource: Hillside Overlay Zone/Resource Area

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

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 3; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 4; Air Resources Board; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; State Lands Commission

Date Received 03/25/2016 **Start of Review** 03/25/2016 **End of Review** 05/09/2016

LETTER C, STATE CLEARINGHOUSE, 5/10/16

Comment C-1

This letter is stating procedure of the State Clearinghouse in CEQA distribution/review. No response is required.

Letter D

4-8-14

Kevin Eberle
~~Napa Community~~ Community Development Dept
P.O. Box 660
Napa, Ca. 94559

RECEIVED

APR 14 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

D-1

This is to advise you that I adamantly oppose this project of 53 houses that you are proposing to build on Old Sonoma Rd. As you recall, a project such as this was proposed for the Sonoma Rd. Hill Top several years ago and rejected by all the neighbors in this area.

What are you people trying to do? Turn Napa into another San Jose? We already have alot of apartments in Napa that have been empty ever since they were built

Our traffic is a grid-lock now, and we can hardly get around. Can you imagine how we will get around with more traffic on Old Sonoma Rd. & Foster Rd.? Are you just won't care? Also, there is a school on Old Sonoma Rd.

D-2

Another thing, you people are building alot of Hotels and up-scale restaurants down town - catering to the tourists. No concern for the local people who have lived here a long time. As far as I'm concerned, Napa is turning into a Disneyland for the tourists.

We don't even have a decent department store since M & C's has moved out

I adamantly oppose this project

Sybil Hartdegen
2719 Idaho St.
Napa, Ca. 94558

LETTER D, SYBIL HARTDEGEN, 4/8/16

Comment D-1

This comment expresses opposition to the Project and relates to the type and affordability of proposed residential units. See Master Responses 1 and 3 regarding non-environmental comments and housing type and affordability.

Comment D-2

See Master Response 11 regarding general traffic/congestion concerns. The traffic study performed for the Draft EIR analysis included specifically the referenced intersection of Old Sonoma Road and Foster Road. Traffic counts and projections include school traffic at the existing school approximately ½ mile away on Old Sonoma Road.

Comment D-3

This is not a comment on the environmental analysis and expresses opposition to the Project. See Master Response 1 regarding non-environmental comments.

Bruce and Carol Barge
251 Casswall Street
Napa, CA 94558
949-533-6747

Letter E

We are homeowners in the Napa neighborhood bordering the hillside where Davidon Homes wants to build out the Napa Oaks II subdivision. This hillside is a buffer between established city neighborhoods near Old Sonoma and Foster Roads and vineyards on the opposite side of the hill.

E-1

Davidon Homes seeks a zoning change from RA to Single Family Residential for the property. RA is the only appropriate zoning for this 80+acre parcel. To change this RA property to Single Family Housing would destroy in perpetuity this sensitive and beautiful natural area and overturn multiple past analyses highlighting significant viewshed, watershed, and geotechnical risks.

Davidon Homes contends that uprooting trees, tearing up the hillside, building homes, roadways and driveways will have “no significant impacts on the environment with the implementation of the recommended mitigation measures.” We vehemently disagree. This hillside subdivision will negatively impact our neighborhood and all future generations. It will rob our Napa community of the rolling hills, mature oak trees, and the serenity enjoyed by all those who border it and look upon it from across town.

E-2

Listed below are some of the major problems that can’t be or are poorly mitigated in the DEIR.

Multiple earthquake faults run through the development.

The following quotes are taken directly from Appendice E, Geology as part of the DEIR. “According to a report prepared by the Earthquake Engineering Research Institute (EERI) an “Eastern Strand” of West Napa Fault crosses through the subject Napa Oaks property.” Furthermore, “Berlogar-Stevens Associates (BSA) prepared a geotechnical report for the current applicant in 2013” and “concluded that future movement of the fault could be expected to occur along the eastern margin of the fault zone.” “BSA performed a supplemental fault investigation (Reference 1) between September 2 and November 3, 2014 to evaluate the ground cracking that occurred as a result of the 2014 Napa Fault earthquake. The field investigation consisted of site reconnaissance, mapping of surface cracks and the excavation and logging of 12 exploratory trenches totaling about 1,709 lineal feet. During their site reconnaissance, BSA documented a zone of relatively continuous ground cracks from the barn area at the north end of the site to the southern property line.” It appears woefully insufficient to mitigate these unstable soils with a 25’ setback from all noted fault lines. New ground cracking resulted in the August 24, 2014 Napa earthquake. It seems absolutely reckless to build roads, driveways, and large houses in an active earthquake zone that has been so clearly studied and mapped out.

E-3

Dangerous egress/ingress to the proposed subdivision.

Old Sonoma Road is a main artery leading in and out of downtown Napa and the surrounding area. Visitors staying in downtown Napa travel along Old Sonoma Road to access the Carneros wine region, and many locals commute and travel on this heavily trafficked road. The Draft Environmental Impact Report (DEIR) clocked 85% of the traffic coming into town driving 45 MPH, which is 10 miles per hour over the posted 35 MPH speed limit. And 10 mph over the limit is the average, meaning there are many cars traveling even faster. Traveling at a high rate of speed is easy to do because of the steepness of the hill. There should be great concern that collisions will occur when Napa Oaks II residents are trying to enter or exit the property, given the volume and speed of traffic driving in and out of town.

E-4

An OPEN retention pond located adjacent to and across the street from existing homes, threatens not only those homes, but wildlife, domestic animals and children.

Davidon proposes locating an open retention pond at the base of the hillside and immediately adjacent to existing homes/neighborhood. Wildlife, domestic animals and children may be attracted to it, resulting in health and safety risks. Also, homes along Casswall Street which border the development already deal with a high degree of runoff from the hillside. Casswall Street has recently been undergoing major infrastructure work to mitigate runoff. Streets adjacent to the proposed pond already have a high water table. Some residents on Idaho Street, which would be directly across the street from this open retention pond, need to use sump pumps throughout the year to reduce the water table around their homes. Parts of Idaho Street are continually wet due to an underground spring running underneath the asphalt. Public Works has been alerted to this problematic underground spring. Increased run-off from the development would only exacerbate this naturally occurring situation, creating further instability in the neighborhood.

E-5

Cut-through traffic is unsafe for pedestrians on Casswall Street.

The DEIR estimates a minimum of 144 additional cut-through trips per day to access Hwy 29 and businesses along Imola Ave. We believe this significantly underestimates the volume of traffic (e.g., residents, landscapers, delivery trucks) that would result from the development. According to the DEIR, the traffic counts for various intersections affected by the development were done on a Wednesday or Thursday in February 2013. According to the DEIR report, and due to the high degree of tourists that come to the area, February is second only to January in least amount of traffic for the area. Also according to the DEIR, the City of Napa has a conversion chart that tallies the traffic to reflect a Thursday in August. These traffic counts are likely to be woefully inaccurate and underestimate even current traffic, especially considering that the traffic report is 3 years old. One could rightfully assume that traffic has done nothing but increase over the past 3 years due to new downtown businesses and across the City. Because there are no sidewalks on Casswall Street, the many pedestrians and dog-walkers like us would be endangered by speeding cars and trucks on their way to or coming from Old Sonoma Road. The State Streets, as they are locally known, (Iowa, Idaho, etc) have young families who allow their children to play along their streets, shooting baskets or playing tag. The safety of these children playing, a significant quality of life factor for those families, would be at risk.

E-6

Does not meet Emergency Vehicle Access requirements, according to the DEIR.

The secondary access point off Old Sonoma Road for EVA does not meet city standards. It is unable to accommodate a standard Napa fire truck and the road grade of 18.5%, which exceeds the city requirements of a 15% grade maximum. The Browns Valley Fire Station that would eventually service this development has yet to be built, straining the existing fire station currently responsible for this area. According to the DEIR, "The Fire Marshal would have to approve a Fire Plan as an alternative to the EVA." If the alternative fire plan turns out to be "shelter in place," this could put those residents at significant risk.

E-7

The proposed roadway leading to the subdivision will create a high degree of noise for the surrounding neighbors.

Large trucks during construction will have to downshift going up and down the steep hill. This will no doubt be incredibly loud for the existing neighborhoods, downhill from the roadway. And when the project is complete, large delivery trucks such as UPS and FedEx will also have to downshift in order to navigate safely up and down the steep hill. The added vehicle traffic and noise from the residents, their guests, landscapers, pool companies, housekeepers, utility

E-8

companies, and others who will service these homes will severely impact quality of life for those in existing nearby neighborhoods.

E-8
Cont'd

Napa Oaks II will be a hillside eyesore for the entire Napa Community.

For the roadway in particular, it will be impossible for the developer to “hide” this from view. The trees that are supposed to be planted along it will take many years to mature. The DEIR doesn’t even address the roadway and its view impact. It is merely illustrated with a line of trees on either side. In addition, the DEIR goes to great lengths to illustrate the minimal view of homes/rooftops from various vantage points. But these illustrations are also very misleading. It appears the photos are taken at close range to the hillside, rather than from further back, thereby minimizing the true homes and roadway view impact. These illustrations, too, show mature landscaping disguising the homes from view, as if the landscaping will miraculously appear the day the homes and roadway are built. Further, some of the homes located on the hillside facing south along the Carneros vineyard region will also be visible along Old Sonoma Road. It is entirely conceivable that long after the developer is finished with the project, these future residents will cut down additional trees on their property to enhance their hilltop view. This will further expose their homes to the residents in and around the hillside. What are now rolling hills studded with Oak trees will be forever transformed by the proposed roadway and homes, negatively impacting the view for all future generations.

E-9

Light pollution from the roadway and homes.

There is no way to mitigate the light pollution emanating from the homes and the vehicles traveling up and down the hillside in the evening hours. Headlights shining into existing homes on both sides of the hillside will significantly reduce the quality of life for the established residents living on either side of the proposed development. There is no information in the DEIR about whether the roadway will be lighted. If it is lighted, it will only add to the light pollution from the cars and homes. What is now a quiet, agricultural/neighborhood area will be forever invaded with light pollution.

E-10

Davidon Homes sued the City and lost that lawsuit, back in 2008.

In the Court of Appeal of the State of California in the First Appellate District, the court concluded, “The finding that the site is too sensitive and constrained, was properly based on the physical attributes of the property itself, rather than an application of the RA designation. Thus, even if the improper findings were eliminated, Napa would have been required under Government Code, section 66474 to deny the application.” And further in the ruling, “Davidon cannot show any injury because, under the express findings of the council, the plan would still have been rejected under Government Code section 66474 no matter what plan the council applied.” (See attached 66474 Code) This Code lists 7 mitigating factors that would override an application on this site. Even if only one is met, the City is compelled to deny application to build.

E-11

To summarize, there are a host of significant risks to development of this area that are ignored or minimized in the DEIR. Past proposals to develop this property were denied because of these risks, and the 2014 Napa earthquake that registered 6.0, makes it an even more sensitive, unreliable building site for Single Family Homes given the extent of the West Napa Fault Zone that run through it. There is no basis to change the zoning for this property from RA, and we ask that you further investigate the above concerns and deny the Davidon proposal.

E-12

Respectfully,

Bruce and Carol Barge

LETTER E, BRUCE AND CAROL BARGE, 5/1/16

Comment E-1

See Master Response 5 regarding agricultural buffers.

Comment E-2

See Master Responses 2 and 4 regarding the history of applications and decisions related to the site and changes to the current state of the site.

Comment E-3

See Master Response 7 regarding development on a site with an earthquake fault.

Comment E-4

See Master Response 15 regarding the safety of the main vehicular access point on Old Sonoma Road.

Comment E-5

See Master Responses 9 and 10 regarding downslope drainage and the safety of the stormwater pond. As shown on the landscaping plan (Figure 3.3 in the Draft EIR), the stormwater pond will be secured by safety fencing or similar means providing security around the pond.

Comment E-6

See Master Responses 12 and 13 regarding the age of the traffic data and cut-through traffic.

Comment E-7

See Master Response 14 regarding emergency vehicle access.

As noted in the analysis of fire protection (page 15-6 of the Draft EIR), the Project is within service range of existing fire stations (Station 1 and 4) and can be adequately served with existing facilities.

Comment E-8

An analysis of potential noise impacts of the Project was conducted by Illingworth & Rodkin in coordination with City of Napa staff, as included in Chapter 14 of the Draft EIR and associated Appendix H. As detailed in the Draft EIR, Project would not result in significant noise impacts during the construction period or the operational period, which includes vehicle and truck trips.

Comment E-9

See Master Response 14 regarding changes to the current state of the site.

Visual modeling of the site (Figures 4.1a through 4.12c in the Draft EIR) includes roadways as well as homes whenever these were visible from the viewpoint locations and includes figures both without proposed landscaping and with landscaping (with about 10 years of growth) for each viewpoint.

Twelve viewpoints were included for the visual modeling, including some closer and some farther away from the site.

Comment E-10

As noted on page 4-32 of the Draft EIR, the Project would add additional sources of light to the site, including interior and exterior building lights, street lighting, and light from vehicular traffic. The lighting levels are required to conform to City regulations and will be consistent with those typical of suburban development and would not result in significant environmental impacts. These regulations include Policy Resolution 27, which requires “All new lighting on private property shall be designed to eliminate direct light spilling onto adjacent residential properties.” Because the project entrance is aligned with Lilienthal Avenue, vehicular light will not create a significant impact.

Comment E-11

This is not a comment on the EIR. See Master Response 2 regarding the history of applications and decisions related to the site.

Comment E-12

This comment expresses opposition to the project, references past decisions related to the site, and references the earthquake fault. See Master Responses 1, 2, and 7 regarding non-environmental comments, the history of applications and decisions related to the site, and development on a site with an earthquake fault.

RECEIVED

MAY 05 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

Letter F

May 1, 2016

Dear Mr. Ebone,

I strongly oppose the consideration of allowing Jardon Homes build on our beautiful valley land.

I urge you to seriously consider the voices of the people of Napa ~ voices that need to, and should matter. Our voices should matter more than a small contingent of developers who do not represent the choices of our community.

Please don't sell out to big business! We need fewer multi-million dollar homes and more affordable housing for our citizens. Thank You! Make

The right choice and listen to the people! Keep Napa green!

Sincerely,

Pamela Condos
73 Bellevue Ave.
Napa, Ca, 94558

F-1

LETTER F, PAMELA CONDOS, 5/1/16

Comment F-1

This comment expresses opposition to the Project and the need for more affordable housing. See Master Responses 1 and 3 regarding non-environmental comments and housing type and affordability.

Letter G

From: Bruce and Carol Barge [<mailto:2barges@gmail.com>]

Sent: Monday, May 2, 2016 11:18 AM

To: Eberle, Kevin

Subject: EIR additional comments

Hi Kevin,

Can you add these questions/concerns to the letter we previously sent? There is a lot to comment on and I appreciate your forwarding this on to the EIR Consultant.

Thanks much,

Carol

Napa Oaks II

Questions/Concerns

Carol and Bruce Barge
251 Casswall Street, Napa
May 2, 2016

Open Basin

- What is the size/depth of the Open Basin?
- How close will it be to the existing homes on either side of it?
- What is the proposed setback on Casswall Street?
- Will it have a fence? If so, what is the proposed fencing?
- Who will maintain and oversee the integrity of the Basin?
- Who will mitigate possible mosquito infestation?
- During record breaking rainfall, this hillside has released so much water that residents recall “white water rapids” coursing through their streets as happened in the winter of 1998. Have there been engineering studies regarding basin integrity during record rainfall?
- What contingencies are in place if it were to fail?

G-1

Entrance/Exit to the Development

- We have a concern about accidents caused by speeding cars coming down the hill into Napa on Old Sonoma Road, at the exact area where the entrance/exit for the development is proposed. Have there been studies done regarding traffic visibility and accident risk when entering or exiting the proposed development?
- While driving south on Old Sonoma Road at dusk, drivers experience sun in their eyes and have great difficulty seeing the road. Has this been considered as a potential accident risk?
- The DEIR proposes a 200-foot swath along Old Sonoma Road to increase visibility for oncoming traffic. Who will maintain the landscape/tree-trimming required for visibility?

G-2

G-3

G-4

Roadway into the Development

- How steep is the grade for the proposed roadway?
- How close will the roadway come to existing homes on Casswall Street’s back property lines?
- What size trees will be planted to visually shield the roadway?
- Given the need for vehicles to shift and downshift as they traverse the steep roadway, what noise mitigation measures are planned for the neighborhood existing downhill from the roadway?

G-5

G-6

- Will the roadway be lit? If so, what and how many lights are planned?
- Have there been any studies conducted regarding the potential for vehicle accidents while driving a steep and curving roadway?

G-7

G-8

Oak Woodlands

- According to the DEIR, 570 trees (34%) will be removed to make way for the development. Does the removal of these trees (which equates to 9.36 acres of woodland) conflict with the City's Municipal Code?
- According to the DEIR, three trees will be planted for each one that is removed. 1710 newly planted trees need a lot of watering to ensure their survival. Could watering all the replanted trees create unstable soils and even more runoff?
- What size will the replacement trees be? How long will it take for them to grow to provide similar view protection as that provided by the existing trees?
- It is entirely feasible, if not likely, that new homeowners will want to cut down trees on their lot to enlarge their view, make way for a pool and new landscape. This could result in even more soil instability and runoff while at the same time making these homes more visible to existing neighborhoods and the greater Napa area. Will there be restrictions in place to limit or even prohibit new homeowners from cutting down additional trees?

G-9

Water Runoff

- In a normal year of rainfall, a tremendous amount of water cascades down the hillside onto Casswall Street, resulting in deep ruts, loose pavement and excessive potholes. With the addition of 53 homes and all the landscape watering that will result, in addition to seasonal rainfall, what mitigation measures will be in place to protect Casswall Street from further degradation and erosion?
- Other streets in the neighborhood, in particular Idaho Street (which will be directly across from the proposed basin), experience a constantly wet surface on part of it. Many residents run sump pumps to keep water away from their homes. Will this water problem on Idaho Street be an even bigger issue for them, once there is additional runoff from the development?

G-10

Hiking Trail

- The DEIR indicates there will be a hiking trail open to the public. Parking anywhere on Old Sonoma Road or Casswall Street will be potentially dangerous for hikers to exit their cars and walk to the

G-11

- trailhead. Where will hikers park in order to gain access to the trailhead?
- Where will the entrance to the trailhead be?
 - How close will this trail be to the new home sites?
 - What hours will the trail be open for use?

G-11
Cont'd

Earthquake Risks/Utility Lines

- Given the seismological studies of earthquake risks to this development, is the City of Napa potentially liable for lawsuits from potential homeowners if an earthquake resulted in severe damage to their homes?
- The DEIR has illustrations of the fault lines running through the property. Will there be any utility lines that will cross those fault lines exposing them to risk during future earthquakes?
- Will Davidon Homes be able to avoid existing earthquake faults in the installation of utility lines?
- Will Davidon Homes be required to advise prospective homeowners of the location of existing fault lines when marketing the homes?

G-12

LETTER G, CAROL AND BRUCE BARGE, 5/2/16

Comment G-1

Details of hydrological design and calculations are included in Appendix G of the Draft EIR and meet or exceed required design parameters to address severe storm conditions.

See also Master Response 10 regarding the safety of the stormwater basin.

The stormwater basin and capacity are addressed on pages 12-8 and 12-10 of the Draft EIR and shown on Figures 3.2 and 3.3. As shown on Figure 3.3 of the Draft EIR, the detention basin near Casswall Street is proposed to be fenced with a 6 foot tall fence. The specific details of the fencing are not necessary for the EIR, but a type of “open space view fence” is currently being proposed. The term “setback” when discussing lot development generally applies to buildings, but the fence would begin approximately 45 feet back from Casswall Street. The detention basin is approximately 10 feet deep from the perspective of the ground level at Casswall Street, with non-vertical sides sloping at a minimum of 3 to 1 (horizontal to vertical). As a detention basin for private development, it would be privately owned and maintained by the HOA though the City of Napa would have jurisdiction to enforce all relevant codes relating to adequate maintenance and safety.

Comment G-2

See Master Response 15 regarding the safety of the main vehicular access point on Old Sonoma Road.

Comment G-3

See Master Response 15, which includes a discussion of collision history in the area.

Comment G-4

The foliage removal identified in Mitigation Measure Traf-7 is within Old Sonoma Road right-of-way and maintenance of landscaping along this frontage is and would continue to be City of Napa responsibility.

Comment G-5

These are questions regarding details of the Project beyond that needed for the environmental analysis and not deemed comments on the environmental analysis. Notwithstanding this, the average slope of the roadway is 15% and meets City standards; the road is not located within any prohibited setback and is approximately 60 feet to a Casswall Street residential property line at its closest point near the intersection with Old Sonoma Road. Other than where noted for the emergency vehicle access, proposed roadways will conform to all applicable City standards and requirements, including grades. Minimum tree planting at the roadway entrance is 24-inch box. See Master Response 1 regarding non-environmental comments.

Comment G-6

An analysis of potential noise impacts of the Project was conducted by Illingworth & Rodkin in coordination with City of Napa staff, as included in Chapter 14 of the Draft EIR and associated Appendix H. As detailed in the Draft EIR, Project would not result in significant noise impacts during the construction period or the operational period, which includes vehicle and truck trips and no mitigation is warranted.

Comment G-7

Yes, roadways will be lit. The specific number and location of street lights has not been specified or included in the EIR but is not necessary to reach significance conclusions. As noted on page 4-32 of the Draft EIR, the Project would add additional sources of light to the site, including interior and exterior building lights, street lighting, and light from vehicular traffic. The lighting levels are required to conform to City regulations and will be consistent with those typical of suburban development and would not result in significant environmental impacts. See also Response to Comment E-10.

Comment G-8

Roadway and intersection standards are set for safety and take into account technical industry understanding of traffic safety in relation to grades and curves along roadways. Other than where noted for the secondary emergency vehicle access, proposed roadways will conform to all applicable City standards and requirements considered protective of safety, including grades.

See Master Response 15, which includes a discussion of the EIR study of vehicle accidents in the area.

Comment G-9

Plants, including trees, and associated root systems generally act to help bind soil and do not represent increased risk for soil slips and erosion. Homeowners will be subject to City of Napa Municipal Code requirements related to tree removal and replacement. The landscape plan, including details of tree plantings, is shown on Figures 3.3 and 3.4 of the Draft EIR.

See Master Response 6 regarding the removal of trees. See Master Response 9 regarding downhill drainage.

Comment G-10

See Master Responses 8 and 9 regarding soil slips and downhill drainage.

Comment G-11

On-street parking will be allowed on the new roadways within the Project, which would be expected to accommodate any trail users that drive to the site. As shown on Figure 3.3 and 3.4 of the Draft EIR, the trail would connect to the roadway at two points: near lot 1 and near lot 35.

As discussed in Chapter 22: Revisions, Alternative E includes a community park and more extensive trail system and these elements have been adopted as minor project changes as well. The updated site plan includes as Appendix J. As shown in the site plan in Appendix J, the currently-proposed trail system would include three additional trail connections to the roadway (for a total of 5), including one at the new community park, which will include nine parking spaces in a lot.

See also the discussion of parking as a non-environmental issue in the Draft EIR pages 16-32 through 16-34 and Master Response 1 related to non-environmental issues.

Comment G-12

See Master Response 7 regarding development on a site with an earthquake fault. For comments not related to the environmental analysis (liability, marketing), see Master Response 1.

Letter H

From: Phil Sary [<mailto:loonsary@yahoo.com>]

Sent: Monday, May 2, 2016 2:47 PM

To: Eberle, Kevin

Subject: Napa Oaks II project

Dr. Mr. Eberle,

I want to let you and the council know that I am very much opposed to the Napa Oaks II project.

Just a few reasons are:

The planned development would at least partially destroy an important watershed oak forest habitat and an important buffer zone between the residential area that exists on the eastern side of the crest and the agricultural area that is on the western side. It is important to both of those areas to have an effective buffer between them.

I walk up Old Sonoma Rd. regularly and can tell you that many none human species "call that area home." I have seen flights of 50 or more turkeys, countless numbers of deer

Napa does not need another multi-million dollar development.

The drainage to the properties below the development would be very problematic. During this year's rainy season the drainage was challenged with things as they already exist.

The hill sides, in terms of slippage would become more vulnerable.

I believe that there is a major fault line going through that area; is it a good idea to build on/along a potential seismic problem?

The developer, Davidson Homes of Walnut Creek has already been denied permission in the past. If this company wants to develop property, I suggest they do so in Walnut Creek.

Anyway, thanks for listening. There are things more important than money.
respectfully,

Phil Sary
42 Bridgegate Way
Napa, CA 94559

H-1

H-2

H-3

H-4

H-5

H-6

H-7

H-8

H-9

LETTER H, PHIL SARY, 5/2/16Comment H-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Comment H-2

See Master Response 4 regarding changes to the current state of the site.

Comment H-3

See Master Response 5 regarding agricultural buffers.

Comment H-4

A biological resource assessment was performed by Zander Associates in coordination with City of Napa staff, as included in Chapter 7 of the Draft EIR, with referenced technical reports additionally included in full in Appendix C of the Draft EIR. This analysis assessed the impacts to biological resources, including potential impacts to wildlife.

Comment H-5

This is not a comment on the environmental analysis. See Master Response 3 regarding housing type and affordability.

Comment H-6

See Master Response 9 regarding drainage to downslope areas.

Comment H-7

See Master Response 8 regarding soil slips.

Comment H-8

See Master Response 7 regarding development on a site with an earthquake fault.

Comment H-9

This is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues. See Master Response 2 regarding the history of applications and decisions related to the site.

Letter I

From: Karen Scriven [<mailto:karenscriven@att.net>]

Sent: Monday, May 2, 2016 4:08 PM

To: Eberle, Kevin

Subject: Re: Napa Oaks II

Hi Kevin,

I'm forwarding this letter that I recently sent to the Napa Register.

Napa Valley Register,

ATT: Letters to the Editor

Re: Napa Oaks II

Thanks, Napa Valley Register for your front page coverage on May 1. The "Letters to the Editor" in the same issue also added a knowledgeable addendum from the opposition.

I've lived on Casswall Street since 1977. This street parallels the western ridge. The "ridge" features unspoiled rolling hills, native oaks and a variety of wildlife. Davidon Homes wants to build 53 houses on this land ranging from 3,888 to 5,061 sq. ft. Davidon calls them "family estate houses". I call them "McMansions"! Davidon has tried three times to get a green light for this project, in 2002, 2012 and present. There were many concerns then, and they're still valid today! Here are three that are extreme safety issues: (1) Multiple earthquake faults run through the location of the proposed development. The seismic report in 2012 confirmed this. If you don't believe the report, the 2014 quake should convince you! (2) The development does not meet emergency vehicle access requirements. WHAT? No easy access for EMTs and fire vehicles? That's just absurd! (3) Also, the entrance/exits in and out of the subdivision are dangerous per the DEIR (Draft Environmental Impact Report). Does Davidon understand what "dangerous" means?

I urge you to go to the website StopNapaOaks.com and sign the petition. Let's preserve our beautiful, undeveloped hills in Napa Valley. Once it's gone, it's gone!

Karen Scriven
(707) 226-5324

I-1

I-2

I-3

I-4

I-5

LETTER I, KAREN SCRIVEN, 5/2/16

Comment I-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Comment I-2

See Master Response 7 regarding development on a site with an earthquake fault.

Comment I-3

See Master Response 14 regarding emergency vehicle access.

Comment I-4

See Master Response 15 regarding the safety of the proposed access.

Comment I-5

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter J

From: LarryRGordon [<mailto:larryrgordon@comcast.net>]

Sent: Wednesday, May 4, 2016 10:35 AM

To: Eberle, Kevin

Subject: Napa Oaks 2 proposal

I would like to register my concerns over this subdivision proposal at the gateway to this 'rural' valley. First in my mind, I am concerned about the aesthetic value of the presentation of the valley. This section is of significant importance in the 'introduction' to the valley. It is hard to earn the term 'legendary' when you start with housing in view- does not set the tone. Second, but not lesser in value, I have concerns about traffic mitigation on Old Sonoma road, and the issues it raises with egresses on such a steeped slope area. Third, the West Napa fault is just beginning to be understood, and the potential for problems with any infrastructure placed in those hills, I think, will be significant. I would hope that other areas can be found for housing needs. Once done, the effects cannot be undone, and the feeling created on the way in to wine country will be altered-not the investment that we have worked so hard to create. Counterproductive, really. I have more concerns, but these are sufficient to express my concern. Please to not allow this subdivision by Davidson of Walnut Creek to proceed. Thanks for your time in reading this. Larry Gordon 2921 Conifer Ct. Napa, Ca.

J-1

J-2

J-3

J-4

LETTER J, LARRY GORDON, 5/4/16

Comment J-1

See Master Response 4 regarding changes to the current state of the site.

Comment J-2

See Master Responses 11 and 15 regarding traffic and the safety of the access.

Comment J-3

See Master Response 7 regarding development on a site with an earthquake fault.

Comment J-4

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues. See Master Response 4 regarding changes to the current state of the site.

Letter K

From: Bernie Jensen [<mailto:berniejensen64@gmail.com>]

Sent: Wednesday, May 4, 2016 2:43 PM

To: Eberle, Kevin

Subject: EIR for Napa Oaks II - Comments

Dear Planning Commissioners:

I am fully opposed to the Napa Oaks II proposed development and believe that the environmental impact would be negative and not justified at all.

This is exactly the sprawl that so many people do not want. The oak-spotted grassy hillsides that surround Napa are true local treasures that make us stand out so well compared to other locations that do not have the same topography changes.

This will not help in any way the housing shortage that Napa and other similar communities are currently struggling with. These houses will be affordable only for people who already have housing choices available to them

The EIR states that the aesthetic impact is “less than significant”. I ABSOLUTELY disagree with this and consider the impact to be completely significant and detrimental to our community. I have lived in Napa for decades and I fully support the community values of open space and views and natural resource areas over the proposed development.

Please protect this hugely important “Resource Area”. Do not allow the variance that would change the zoning for this precious hillside area.

The increase in community tax base for these 53 homes is NOT WORTH IT.

Bernie Jensen

546 Coombs St, Napa

K-1

K-2

K-3

LETTER K, BERNIE JENSEN, 5/4/16

Comment K-1

This is largely not a comment on the environmental analysis and expresses opposition to the Project. See Master Response 1 regarding non-environmental issues and Master Response 3 regarding housing type and affordability.

See Master Response 4 regarding changes to the current state of the site.

Comment K-2

See Master Response 4 regarding changes to the current state of the site.

Comment K-3

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter L

From: Philip Jensen [<mailto:philip@napajensens.com>]

Sent: Wednesday, May 4, 2016 11:08 AM

To: Eberle, Kevin

Subject: NO to Napa Oaks II

Mr Eberle and the Napa Council:

We are strongly opposed to the proposed development in west Napa called Napa Oaks II. Again.

This development would benefit ONLY the developer. It would not help the housing problem in Napa as the luxury properties it would build are NOT the type of housing that our population needs.

It would destroy permanently the oak woodland and all of its benefits, including water, wildlife, and natural beauty. There is no "do-over" on this... once it is gone, it will never be recovered.

It is your duty to us as Planning officials to make wise, long-term decisions in the best interest of all of Napa's citizens.

Please do not be tempted by the money that this development would bring to the City through property tax, etc. In 10 years, that benefit will have been absorbed and forgotten... but the permanent scarring of Napa's hillsides will still be there. And on your heads.

Please do your duty in this.

Thanks.

Philip Jensen

L-1

L-2

L-3

LETTER L, PHILIP JENSEN, 5/4/16

Comment L-1

This comment expresses opposition to the Project and the need for more affordable housing. See Master Responses 1 and 3 regarding non-environmental comments and housing type and affordability.

Comment L-2

See Master Response 4 regarding changes to the current state of the site.

Comment L-3

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter M

From: Robin Johnson [<mailto:rubywinemaker@yahoo.com>]

Sent: Wednesday, May 4, 2016 10:40 AM

To: Eberle, Kevin

Subject: Napa Oaks II

Hello,

My name is Robin Johnson and I live on Sunrise drive which connects with Lilienthal Ave. My concern of the development of the Napa Oaks II housing opposite of Lilienthal avenue mainly is the impact of the traffic. I commute every day using Old Sonoma road and traffic is already impacted due to Harvest Middle school. I also have concerns of people using Sunrise drive as a sort of shortcut to old Sonoma via Lilienthal Ave.

M-1

Other concerns are the fire danger to the opposite side of hill off Old Sonoma. A few years back a small spark ignited a fire that burned quickly.

M-2

Also, what are the water resources for this project? Also wastewater?

M-3

Lastly, It seems that area is directly on the fault that caused the 6.0 earthquake recently.

M-4

Thank you,

Robin Johnson
2953 Sunrise Drive
Napa, CA 94558

LETTER M, ROBIN JOHNSON, 5/4/16Comment M-1

See Master Responses 11 and 13 regarding traffic and cut-through traffic. Traffic counts and projections include traffic related to existing schools. While Sunrise Drive was not specifically analyzed in the cut-through analysis, the conclusions would remain applicable to any project cut-through traffic in that area, being that the volume of potential cut-through traffic would not have the potential to cause a significant environmental impact.

Comment M-2

The Project will be required to meet all applicable fire safety standards and will implement a Fire Plan subject to Fire Department approval that will include defensible space allowances and vegetation management requirements in perpetuity to reduce wildland fire risks (Mitigation Measure Traf-6).

Comment M-3

Utilities are discussed in Chapter 17 of the Draft EIR. The Project is within the service area of the City of Napa Public Works Water Division and Napa Sanitation District for water and wastewater. As noted on page 17-5, “While the proposed Project would lead to an increase in demand for water and generation of wastewater, it would utilize existing water facilities and resources and would not cause an exceedance of wastewater treatment requirements or result in the need for new off-site facilities. Therefore, the impacts related to water and wastewater are less than significant.”

Comment M-4

See Master Response 7 regarding development on a site with an earthquake fault.

Letter N

John McDonald

2708 Utah St.
Napa CA 94558

707.252.1431

RECEIVED

MAY 09 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

May 4, 2016

Kevin Eberle
Contract Planner
City of Napa
1600 1st Street
PO Box 660
Napa, CA 94559

Dear Mr. Eberle,

I urge the City of Napa to reject the proposed Napa Oaks II building development. The steep unstable hillside currently provides a buffer of unmatched natural beauty between residential and heavy industrial farming areas. But this land, with an active fault line running right through it, is no place to build a massive housing development, with all of its traffic and activity. Current zoning prohibits it. Proposed building developments on this site were rejected at least twice before because the hillside was too dangerous to build on—the recent earthquake highlights the potential for big problems.

N-1

Rain runoff from the hillside is already substantial, and there is a good chance that the proposed development would worsen this unstable situation.

N-2

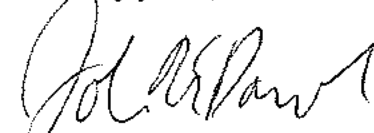
Even if this were ground to build on this huge development on the edge of town will overwhelm the “feeder” streets below with traffic.

N-3

I urge you to reject the proposed Napa Oaks II building development—we do not need it and we do not want it.

N-4

Sincerely yours,



John McDonald

LETTER N, JOHN MCDONALD, 5/4/16Comment N-1

This is largely not a comment on the environmental analysis and expresses opposition to the Project. See Master Response 1 regarding non-environmental issues and Master Response 2 regarding the history of applications and decisions related to the site. The comment lists some environmental concerns, as addressed below.

See Master Response 5 regarding agricultural buffers.

See Master Response 7 regarding development on a site with an earthquake fault.

See Master Response 8 regarding soil slips.

Comment N-2

See Master Response 9 regarding drainage to downslope areas.

See Master Response 8 regarding soil slips.

Comment N-3

See Master Response 11 regarding traffic.

Comment N-4

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter O

Myra Snell
2708 Utah Street
Napa, CA 94558

May 4, 2016

Kevin Eberle
Contract Planner
City of Napa
1600 1st Street
Napa CA 94559

RECEIVED

MAY 09 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

Dear Mr. Eberle,

I am a homeowner on Utah Street and as such I have lived below the site of the proposed Napa Oaks development since 1992. My initial concerns about the 1997 proposal for developing the hillside above my home have been exacerbated by the recent earthquake and the discovery of a new fault line running through the proposed site. It is really hard to believe that this housing development is being considered again. From my home it is visibly clear that the hillside has continued to erode over the 24 years I have lived here. Erosion, significantly increased traffic on Old Sonoma, Casswall and Foster streets, and an intrusion on the privacy of those of us living below the hillside are serious concerns that should take precedence over the over-reaching plans of a developer from Walnut Creek.

O-1

I love the natural beauty of this entry into the Napa Valley with the intermittent vineyards. I would be heartbroken if it was ploughed under.

O-2

I urge you to stand steadfast, as the Napa City Council did over 10 years ago, and reject this proposal.

O-3

Thank you for your service to our city.

Warm regards,


Myra Snell

LETTER O, MYRA SNELL, 5/4/16Comment O-1

This is largely not a comment on the environmental analysis and expresses opposition to the Project. See Master Response 1 regarding non-environmental issues, which includes privacy. See Master Response 2 regarding the history of applications and decisions related to the site. Environmental-related concerns are addressed below.

See Master Response 7 regarding development on a site with an earthquake fault.

See Master Response 8 regarding soil slips.

See Master Responses 11 and 13 regarding traffic and cut-through traffic.

Comment O-2

See Master Response 4 regarding changes to the current state of the site.

Comment O-3

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter P

Maureen E. Boyd

3342 MacBeth St.

Napa, CA 94558

May 2, 2016

RECEIVED

MAY 05 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

Kevin Eberle

Napa Community Development Dept.

PO Box 660 Napa, CA

Dear Kevin Eberle,

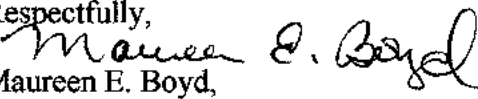
This letter is in response to the application by Davidson Homes of Walnut Creek and their application to build Napa Oaks II above Casswall St. and adjacent to Old Sonoma Road. I am opposed to such a development for all the many reasons already stated in previous application and current reports: damage to our water shed and environment; traffic, noise, erosion; danger of mudslides; presence of earthquake faults underlying this area, and many other concerns. In addition, Davidson Homes developer wants Napa to change our zoning from Resource Area to single family zoning, so as to accommodate this unnecessary and outrageous development. What ever happened to affordable housing for the middle and lower socioeconomic families? They certainly would not be able to afford homes ranging in size from 3,880 sq. ft. to 5,061 sq. ft. Who needs that much room in which to live? This project in another reason that show developers are out of touch with the Valley's, and indeed, the planet's, serious environmental condition. Developers like this show little understanding or concern for our beautiful Valley's fragile ecosystem, and shortsightedly look only for their "bottom line". I am not adverse to building homes for our families, but there are beautiful, "green", eco-friendly and affordable home designs that could be built elsewhere in a less sensitive area. Napa Valley does not need a subdivision of "McMansions" in our fragile hillsides.

P-1

P-2

Mr. Eberle, please voice your opposition to this project.

Respectfully,


Maureen E. Boyd,

Cc: Mayor Jill Techel; Peter Mott, Mary Luros, Julian Inman, Scott Sedgley

LETTER P, MAUREEN E. BOYD, 5/5/16Response to Comment P-1

This comment expresses opposition to the Project and is largely not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues. Listed environmental concerns are addressed below:

See Master Response 4 regarding changes to the current state of the site.

See Master Response 7 regarding development on a site with an earthquake fault.

See Master Response 8 regarding soil slips.

See Master Responses 11 and 13 regarding traffic and cut-through traffic.

An analysis of potential noise impacts of the Project was conducted by Illingworth & Rodkin in coordination with City of Napa staff, as included in Chapter 14 of the Draft EIR and associated Appendix H. As detailed in the Draft EIR, Project would not result in significant noise impacts.

Response to Comment P-2

This comment expresses opposition to the Project and discusses housing affordability. See Master Responses 1 and 3 regarding non-environmental comments and housing type and affordability.

Letter Q

RECEIVED

May 5, 2016

MAY 10 2016

Kevin Eberle
Napa Community Development Department
P. O. Box 660
Napa, CA 94559

ECONOMIC DEV.

Subject:: NAPA OAKS II PROJECT
Reference: 2783 Illinois, APN:004 322 016 000

Dear Mr. Eberle:

We have reviewed the lengthy EIR and have the following comments, all related to Health and Safety.

Previously unknown FAULT LINES which caused slippage in the 2014 Earthquake, coupled with the removal of 570 mature oak trees, could cause further slippage and erosion. Replacing each mature tree with 3 small trees is not a satisfactory solution and the beauty of the hills will be completely lost.

Q-1

Ingress and Egress of Emergency Vehicles into the subdivision does not appear adequate. THIS COULD BE A REAL PROBLEM in the event of a major disaster.

Q-2

Q-3

Traffic going East on Old Sonoma Road is already a problem. Cars come down the hill at 50+MPH rather than the posted 35 MPH and getting onto or off of Casswall Street can be a real challenge. An additional 53 homes with at least 2+ Cars will greatly add to the problem. Will there be a traffic study to resolve these problems?

Q-4

Regarding the 4 parcels totaling 44+ acres which are to remain open space areas, it is my understanding they will be the property of the HOA and will never be built on. Will the Developer and the HOA forfeit the right to ever build on these parcels?

Q-5

The Building Elevations indicate the land is flat. What is the finished floor/grade height; is it accurate on the Plan, or will the Plan be updated?

Q-6

Thank you for your attention to this matter.

Sincerely,


James E. and Ruth S. Matson 
5024 Avenida del Sol
Laguna Woods, CA 92637

LETTER Q, JAMES E. AND RUTH S. MATSON, 5/5/16Response to Comment Q-1

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment Q-2

See Master Response 4 regarding changes to the current state of the site.

See Master Response 6 regarding removal of trees.

See Master Response 8 regarding soil slips.

Response to Comment Q-3

See Master Response 14 regarding emergency vehicle access.

Response to Comment Q-4

See Master Responses 11 and 15 regarding traffic and safety of the Project access.

Response to Comment Q-5

This is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental concerns. Areas to be preserved must record easements to ensure preservation in perpetuity.

Response to Comment Q-6

This is a question regarding details of the Project beyond that needed for the environmental analysis and not a comment on the environmental analysis. Notwithstanding this, building pads will be graded generally flat except for down-split plans (Plans 4, and 6) as shown on building elevations by plan included as Figures 3.5 through 3.29 of the Draft EIR, with heights of each story indicated. Visual modeling from various off-site viewpoints, included as Figures 4.1a through 4.12c, shows the proposed units at the heights proposed on the context of the site.

Letter R

May 6, 2016

Dear Mike Allen and the Planning Commission of the City of Napa,

Like so many other concerned citizens, I urge the planning commission to oppose the large scale Davidson Homes subdivision proposed for rural land in the western foothills off Old Sonoma Road.

R-1

Our valley has a uniquely stunning landscape. I believe that it is the responsibility of its residents and local government to preserve its splendor, as well as to provide new housing.

Wise people did this in the 1960's when the Agricultural Preserve was put in place. If these visionaries hadn't done this, there would surely be endless subdivisions blanketing our iconic valley from Calistoga to the city of Napa.

R-2

Instead, homes were built responsibly, balancing agriculture and the need for housing, while still preserving the beauty of the region. A home every ten acres instead of devastating subdivisions mowing down everything in their paths. How simple, yet brilliant.

It's still simple. If we cover our hillsides with sprawling generic subdivisions, we will no longer have that pastoral landscape that makes our valley legendary worldwide. More importantly, the families who make their homes here will lose out too, and for all future generations.

There are many viable arguments against rezoning this property for fifty plus mansions, lack of water, potential for fire, oak forest preservation, landslides, and a zero need for this type of housing in a rural area.

R-3

We now painfully know there is an active, little understood, earthquake fault running directly through this property. The USGS says the newly discovered fault is capable of a 7.0 earthquake. That's many, many times greater than the one we experienced in 2014.

R-4

Should this project be approved, our city would be required to spend tax dollars to maintain roads, water, and gas lines in a geologically unstable area for decades to come. City leaders would knowingly have put families and first responders in harm's way.

R-4
Cont'd

Measure H is on the June ballot to raise tax dollars to move schools away from the fault zone. It seems inconceivable that the planning commission would at the same time consider rezoning the area to put families yards from the same fault line.

The land is perfect for what it's zoned for, pastoral grazing. The horses might be frightened in the next quake, but they won't have homes crashing down upon them or require aid from fire fighters or police.

Our beautiful valley is being threatened daily. On the western hills, there is the proposed massive Davidson Homes subdivision. To the east, a private helicopter airport maybe built in a rural Coombsville neighborhood. And to the south, SYAR's iron claws are reaching for our parks.

R-5

Over the entrance of the university I attended as a young man were written the words, "Today Decides Tomorrow." Simple, yet brilliant. We must ask ourselves, what will Napa be like fifty years from now – rural or irreversibly urban.

Sincerely,

Matthew Lernhart

2738 Utah Street

Napa, CA

Please make this letter an official part of the documents to be considered for the rezoning of the Davidson Homes proposal to build a subdivision on the western foothills south of Old Sonoma Road in Napa.

LETTER R, MATTHEW LENHART, 5/6/16

Response to Comment R-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Response to Comment R-2

See Master Response 4 regarding changes to the current state of the site.

See Master Response 5 regarding agricultural buffers.

Response to Comment R-3

This is largely not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues and Master Response 3 regarding housing type and affordability. Listed concerns that relate to environmental issues are addressed below.

See Master Response 4 changes to the site, including habitat.

See Master Response 6 regarding removal of trees.

See Master Response 8 regarding soil slips.

Utilities are discussed in Chapter 17 of the Draft EIR. The Project is within the service area of the City of Napa Public Works Water Division. As noted on page 17-5, “While the proposed Project would lead to an increase in demand for water and generation of wastewater, it would utilize existing water facilities and resources and would not cause an exceedance of wastewater treatment requirements or result in the need for new off-site facilities. Therefore, the impacts related to water and wastewater are less than significant.”

The Project will be required to meet all applicable fire safety standards and will implement a Fire Plan subject to Fire Department approval that will include defensible space allowances and vegetation management requirements in perpetuity to reduce wildland fire risks (Mitigation Measure Traf-6).

Response to Comment R-4

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment R-5

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter S

Kevin Eberle
Napa Community Development Department
PO Box 660
Napa CA 94559

RECEIVED

MAY 06 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

David Wagner
106 Lilienthal Ave
Napa, CA 94558

Dear Mr. Eberle,

I wish to protest the rezoning of the Napa Oaks II residential subdivision project (#PL11-0024) from resource area to single family residential area.

S-1

My main concern is the traffic impact in the area of the proposed entrance across from Lilienthal Ave. I live one house away from Old Sonoma Road and am very aware of the traffic traveling up and down Old Sonoma Road.

S-2

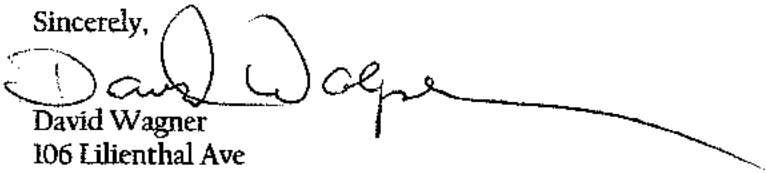
The west bound traffic going up the hill is always accelerating. The Eastbound traffic is going downhill at speeds greater than the posted 35mph in that area. This proposed entrance street is an accident waiting to happen.

I am also opposed to the impact of these homes on the view-shed and the watershed. I am also opposed because of the fact that a known earthquake fault runs through the area which could potentially cause multiple problems.

S-3

Please bring these issues to the City Council.
Thank you.

Sincerely,


David Wagner
106 Lilienthal Ave
Napa, CA 94558

LETTER S, DAVID WAGNER, 5/6/16

Response to Comment S-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Response to Comment S-2

See Master Responses 11 and 15 regarding traffic and the safety of the proposed access.

Response to Comment S-3

See Master Response 4 regarding changes to the current state of the site.

See Master Response 7 regarding development on a site with an earthquake fault.

Changes to the existing drainage pattern on the site were analyzed in Chapter 12: Hydrology of the Draft EIR. As detailed in Mitigation Measure Hydro-3, the Project will not significantly alter rainfall runoff to downstream watercourses (affect watersheds).

Letter T

From: kenrands@gmail.com [<mailto:kenrands@gmail.com>]

Sent: Sunday, May 8, 2016 8:38 PM

To: Eberle, Kevin

Subject: Napa Oaks II

Kevin, my friends and neighbors advised me that the denied housing development known as Napa Oaks II is again being proposed. I am deeply saddened that this poor plan is again taking valuable time from all in Napa.

T-1

This project is so wrong in so many ways that I must send a letter of disapproval.

I have studied the draft Environmental Impact Report. I see a document that ignores the realities of the proposal and seems to show that 53 homes on this land will not be problematic. I believe the reverse is true.

There are so many issues.

1. Removal of oak trees and replanting 3 for 1. How can anyone believe that replanting any amount of trees will adequately replace 100+ year old forests?

T-2

2. Dangerous water retention pond. Who could possibly think that this is safe for neighbors or that it will not be an eyesore?

T-3

3. Houses close to a known and active earthquake fault. How can anyone accept that a few feet from the fault is enough distance to protect homes and residents?

T-4

4. New street at the bottom of a steep hill. Who could deny that this is not adding a dangerous intersection to Napa?

T-5

5. Added traffic to existing residential area. Although the EIR addresses increased traffic, this analysis was prepared years ago. A new analysis of traffic flows should be included in this EIR. The effect of additional building and substantially more visitor traffic should be addressed now.

T-6

6. Steep hillsides with known drainage issues. Who can insure that the necessary land "cut and fill" (the EIR states that much of the land is unstable) will not cause new slides and erosion?

T-7

7. Contrary to Napa's Hillside Overlay District. How is it possible that adding 53 homes will not degrade the natural beauty of this hillside that thousands of residents and visitors will see?

T-8

Overall, the safety of all residents in this area is reduced if this project is approved. Please ask for a re-evaluation of this draft EIR. I believe it is flawed and not in the best interest of anyone living in or visiting Napa.

T-9

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Ken Rands 949-636-0345

LETTER T, KEN RANDS, 5/8/16

Response to Comment T-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Response to Comment T-2

See Master Response 6 regarding removal of trees.

Response to Comment T-3

See Master Response 10 regarding the safety of the stormwater basin. See Master Response 4 related to views of the site.

Response to Comment T-4

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment T-5

See Master Response 15 regarding the safety of the proposed access.

Response to Comment T-6

See Master Response 12 regarding the age of the traffic data.

Response to Comment T-7

See Master Response 9 regarding drainage to downslope areas.

See Master Response 8 regarding soil slips.

Response to Comment T-8

See Master Response 4 regarding changes to the current state of the site.

Response to Comment T-9

This comment generally references a reduction in safety of all residents in the area without further specification. The Draft EIR concluded the Project would not result in significant impacts that could not be mitigated, which includes those related to safety. While no specific issues were identified, Master Responses 7, 10, 13, and 15 relate to safety.

May 9, 2016

Letter U

RECEIVED

MAY 12 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

Kevin Eberle
Napa Community Development Department
P.O. Box 660
Napa, California 94558

Dear Mr. Eberle,

My name is Pat Smith, owner/resident at 205 Old Vine Way, Napa. I am writing to you in your capacity as contact person for the Planning Commission, and writing to add my name to the list of those speaking against the proposed development described recently in the *Napa Register* as Napa Oaks II.

As you can see, I am not a neighbor to the proposed development. And I have no special knowledge or expertise in the area of urban planning, development, etc. Also, I've only been in Napa short of a dozen years, and have no knowledge of the long history of prior proposals and litigations – only what I've read in the paper just recently.

U-1

I did want to get my opposition to the development to you before the May 11th end-of-public-comment deadline.

That, in itself, is a little troubling: I'm glad the *Register* did run an article before that date.

I do agree with the opposition Letters to the Editor: 1) the original City Council stood tall in resisting the 83-unit proposal (current Council: don't cave), 2) the City has survived two lawsuits, 3) Fire/EMS access is a problem, 4) run-off/landslide is a (huge) potential, 5) viewshed is lost (forever), 6) zoning would have to be amended (for only this purpose? For: has anything else changed enough to have to change the zoning that was in the General Plan?).

U-2

Thank you for your consideration and gathering these comments for the Commission.

Sincerely,



Pat Smith
205 Old Vine Way, Napa, CA 94558

LETTER U, PAT SMITH, 5/9/16

Response to Comment U-1

This is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues. See Master Response 2 regarding the history of applications and decisions related to the site.

Response to Comment U-2

This comment includes a list of concerns, as addressed below:

See Master Response 4 regarding changes to the current state of the site.

See Master Response 9 regarding drainage to downslope areas.

See Master Response 8 regarding soil slips.

See Master Response 14 regarding emergency vehicle access.

Questions regarding changes in zoning are not comments on the environmental analysis.

Letter V

From: Kristin Belair [mailto:k_belair@sbcglobal.net]

Sent: Tuesday, May 10, 2016 8:36 PM

To: Eberle, Kevin

Subject: Comments on Draft EIR for Napa Oaks

Dear Mr. Eberle,

As a long time Napa resident and a homeowner on Sunrise Drive, I am writing to you to express my concerns about the proposed Napa Oaks Project.

After reviewing the Draft Environmental Impact Report and looking up some information on the developer, Davidon Homes, I believe that the City of Napa should not change the zoning or general plan to accommodate the development for the reasons stated below.

V-1

The zoning for Ag resource and R-10, although it is within the city of Napa, seems to conform to the spirit and intent of the county wide Ag preserve and Ag watershed initiatives that were started in 1968. My concern is that, although this is city and not county, changing what has been deemed as Ag land to development may spur other developers to try the same in county areas at great cost to the nature of our beautiful valley.

The increase in traffic and traffic flow has not been adequately identified in the draft EIR. They state that the collector roads would be Foster, Laurel and Foothill. There is no mention of Lillenthal, which is stated to be directly across from the only entrance to the development and would likely be used to get to and from Foothill via Sunrise or Greco during high traffic times. I believe that these streets are too small to handle the expected extra traffic and it would destroy the nature of the quiet, almost semi-rural neighborhood. People can often be seen walking with their young children and dogs on these streets in the evening, enjoying the relative peace and quiet.

V-2

Earthquake fault line locations are another concern. The USGS maps show multiple fault lines running through the area (two near the top of the ridge and one on the west side of the ridge). The road on the Napa side of the hill on Old Sonoma road ruptured quite dramatically in the 2014 quake. One can assume that the surface rupture extended along the ridge, yet the plans show homes along the ridge lines. I don't think they have adequately addressed geologic conditions and risks to life and property of potential residents.

V-3

The EIR states that the population growth would only be 145 residents for 53 homes. This seems low as the only 19 of the 53 homes are 3 bedroom. The rest are 4 or more bedrooms. Assuming that all the bedrooms are occupied by a single person 145 seems low. Likely there will also be nannies, gardeners and so forth adding to the traffic.

V-4

Regarding mitigation of environmental impacts such as "off-site" planting of trees and so forth, it needs to be spelled out in more detail as to where and how. Also how will the mitigation projects be funded? What is Davidon's history on following through on these measures? One of the mitigation proposals is expanding the bike lanes on Old Sonoma Road. Would the widening of Old Sonoma Road require an EIR and if so should that be included in the draft EIR?

V-5

There are many other concerns that have been expressed such as loss of open space, runoff, dangerous entrance onto Old Sonoma Road, loss of habitat, loss of view shed, hillside erosion and so forth.

V-6

I would also like to add that in a 2013 article in the Press Democrat, Davidon took a similar tactic in Petaluma with coming in with a grossly overbuilt plan and kept going back until the city approved a smaller plan. It is almost as though Davidon was making it appear that they were making concessions. The Petaluma project had similar issues to the Napa Oaks project with landslide concerns, loss of important open space, flooding and a poorly written draft EIR. I also noted that Davidon is currently in the middle of eviction 35 section 8 tenants in Walnut Creek from an apartment development that they own. While they are within their legal right to ask these folks to pay market rate, it hardly seems conscionable to turn people out like this and certainly not community minded.

V-7

There is a terrible housing shortage in Napa, I agree. But this is not the kind of housing we need. More and more, there are people who work here that can't afford to live here. Traffic gets worse and worse all of the time and many people are commuting from as far away as Marysville and Yuba City. Commuting from Sacramento is not uncommon.

V-8

As a fellow citizen, I urge you to preserve the nature of our valley, look for ways to provide sensible affordable housing and leave the zoning for the Napa Oaks parcel as it stands. The city council made a wise decision when they zoned it as AR and RS10.

Thank you kindly for your consideration.

Respectfully yours,

Kristin Belair

LETTER V, KRISTEN BELAIR, 5/10/16Response to Comment V-1

This comment expresses opposition to the Project, which is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues. As noted in the comment, the Project site is within incorporated City of Napa and County policies do not and are not intended to apply to this site.

See Master Response 5 regarding agricultural buffers.

Response to Comment V-2

A “collector” road is one designed to carry higher levels of traffic (up to 12,000 vehicles per day) than “local” roads (up to 5,000 vehicles per day). Lillenthal Avenue is designed as a local road and not a collector road. “Cut-through” traffic is the term used when traffic that would be expected to use larger collector roads instead uses alternate routes through smaller local roads. Travel along Lillenthal Avenue to get to Foothill Boulevard would be considered cut-through Project traffic. Based on the trip distribution and potential for trips heading to/from that direction (see Draft EIR figures 16.4 and 16.5), the Project would generate a total of 4 vehicle trips along Foothill Boulevard during the AM peak hour and 5 vehicle trips during the PM peak hour. Even if all these trips cut through Lillenthal Avenue and Sunrise Drive/Greco Drive, it is a small number of trips (spaced evenly, this would be one new trip every 12-15 minutes during the peak hours) and well within the design capacity and expected usage of a local road.

See Master Response 13 regarding cut-through traffic. The Draft EIR analysis of cut-through traffic focused on the worst-case location (with the most potential cut-through traffic and highest background traffic) and conclusions are applicable to other potential Project cut-through traffic. While Lillenthal Avenue, Sunrise Drive, and Greco Drive were not specifically analyzed in the cut-through analysis, as demonstrated above, the conclusions would remain applicable and the Project would not have the potential to cause a significant environmental impact related to cut-through traffic on the identified roadways.

Response to Comment V-3

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment V-4

Population estimates were made for analysis of population changes and services and were not used to generate trip rates for the Project. As noted in the traffic study included as Chapter 16 of the Draft EIR (page 16-14), trip generation was based on Institute of Transportation Engineers trip rates for single family homes, as is industry standard for environmental analysis of traffic and an additional 10 daily trips were analyzed above the ITE rates. As further demonstrated in the analysis in that chapter, the Project was not approaching a significant impact such that manual addition of trips to account for possible variation in trip generation would not result in significant impacts.

Response to Comment V-5

Regarding off-site oak woodland mitigation, as specified in Mitigation Measure Bio-2a, an Oak Woodland Mitigation Plan must be prepared and enacted by the applicant and approved by the City, intended to meet the requirements of Public Recourses Code Section 21083.4 even though those are not applicable to a site within the City of Napa. Because the plan has not yet been approved, the details may change. As noted on page 7-21 of the Draft EIR, “The applicant proposes to meet the requirement for preservation of at least 28.08 acres of oak woodland through an Oak Woodland Mitigation Implementation Plan that accomplishes: (a) the preservation of at least 9.36 acres of the approximately 17.89 acres of remaining existing oak trees and oak woodland on-site, (b) the preservation of up to 22.77 acres of oak woodland off-site within a nearby approximate 29-acre area of conservation easement created by the developer adjacent to the Project site (Mitigation Measure Bio-2a), and (c) the replacement of trees lost to development through the required Oak Woodland Mitigation Implementation Plan and Tree Replacement Plan (Mitigation Measure Bio-2b). These measures represent a conservation/tree replacement in excess of 3 acres of oak woodlands for every 1 acre lost.” The currently proposed off-site oak woodland location is on the north side of Old Sonoma Road, across from the Project identified as Accessor’s Parcel Number 43-030-03.

Regarding bicycle lanes, as discussed on pages 16-26 and 16-27 of the Draft EIR, CEQA does not require mitigation of existing conditions and the Project would not have a significant impact related to bicycle lanes. However, it is noted in that discussion that, separate from the environmental analysis, the Project intends to fund continuation of bicycle lanes from their current termini on Old Sonoma Road to the westerly end of the Project site. The proposed lanes are planned within the existing right-of-way and consistent with City of Napa bicycle plans and policies.

Response to Comment V-6

This comment includes a list of concerns, as addressed below:

See Master Response 4 regarding changes to the current state of the site, including habitat, open space, and views.

See Master Response 9 regarding drainage to downslope areas.

See Master Response 8 regarding soil slips.

Response to Comment V-7

This comment discusses a different project in a different city. This is not a comment on the environmental analysis of the proposed Project. See Master Response 1 regarding non-environmental issues.

Response to Comment V-8

These comments express opposition to the Project and discuss affordability of housing and are not comments on the environmental analysis. See Master Responses 1 and 3 regarding non-environmental issues and housing type and affordability. Related Master Response 11 addresses general traffic and congestion.

Letter W

E. NEU
340 ROOSEVELT ST.
NAPA, CA 94558

RECEIVED

MAY 13 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

ATTN: KEVIN EBERLE

NAPA COMMUNITY DEV. DEPT
P.O. Box 660
NAPA, CA 94558
ATTN: KEVIN EBERLE

RE: NAPA OAKS - OLD SONOMA RD.

HAVING LIVED ON NAPA'S WEST SIDE FOR
SO MANY YRS., IT SADDENS ME AND MY
FAMILY TO HEAR THAT THIS AREA WILL
BE CARVED UP BY OUTSIDE DEVELOPERS.
THE LOSS OF HABITAT, WATER PROBLEMS,
EROSION (DESTROYED OAK TREES/VEGETATION),
TRAFFIC CONCERNS, ETC. ONCE IT IS
GONE, IT'S LOST FOREVER. - SAVE IT
FOR LAND TRUST OF NAPA COUNTY.

SINCERELY F NEU

W-1

LETTER W, E. NEU, 5/10/16

Response to Comment W-1

This comment expresses opposition to the Project, which is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues. General environmental concerns are listed, as addressed below:

See Master Response 4 regarding changes to the current state of the site, including habitat, open space, and views.

See Master Response 5 regarding agricultural buffers.

See Master Response 6 regarding removal of trees.

See Master Response 8 regarding soil slips.

See Master Response 9 regarding drainage to downslope areas.

See Master Response 11 regarding general traffic and congestion.

Letter X

From: Sue Phillips [<mailto:mandsphillips@comcast.net>]

Sent: Tuesday, May 10, 2016 9:11 AM

To: Eberle, Kevin

Subject: Napa Oaks II

Mr. Eberle,

We are writing to you regarding the proposed Napa Oaks II project.

We have lived on the corner of Foster and Illinois since 1973. We have always enjoyed our neighborhood and the surrounding area.

In 1999 and again in 2012 this project was presented to the City Council for approval. Each time we opposed it for the following reasons:

1. Increased traffic in the area.
2. Loss of woodlands and scenic beauty on the hillside. This is a very visual entrance to Napa Valley, we don't want to see it dotted with homes.
3. Visual impact of grading on the hillside.
4. **Unstable soil conditions on the site.**
5. Incompatibility with adjacent agricultural land use.
6. The project was already rejected by the voters 2 times before.

We still oppose it for the above reasons and most importantly the new information collected from the recent earthquake – **That there are fault lines in and around the proposed project.** The entrance that is being proposed is only a few hundred yards from a fault line. Is this really in the best interest of public and emergency safety?

The water table in this area is very high. In very wet years, like the one we just had, there is runoff from the hillside in the drains on Caswall and through the cracks in the side streets below for days after the rains. You can see it run along the gutter and down to the storm drain on Foster. We see the project has a water tank to collect water, but when it's full – and it will fill quickly with the high water table - where will all that water go? If there is another earthquake, what will happen to all that water if the holding tank breaks. I'm on the corner of Foster and Illinois and have seen the water come up over the curb to the edge of the lawn when the drain cannot handle the runoff from the hill and Foster road.

For all of the above reasons we oppose this project and ask that it not be approved by the City Of Napa.

Thank You,
Mark & Sue Phillips
393 Foster Road

X-1

X-2

X-3

X-4

LETTER X, MARK AND SUE PHILLIPS, 5/10/16

Response to Comment X-1

This comment expresses opposition to the Project and discusses previous decisions related to the Project site, which are not comments on the environmental analysis. See Master Response 1 regarding non-environmental issues. The comment also lists environmental concerns, as addressed below:

See Master Response 4 regarding changes to the current state of the site, including woodland habitat, open space, and views.

See Master Response 5 regarding agricultural buffers.

See Master Response 6 regarding removal of trees.

See Master Response 8 regarding soil slips.

See Master Response 11 regarding general traffic and congestion.

Response to Comment X-2

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment X-3

See Master Responses 9 and 10 regarding drainage to downslope areas and safety of the stormwater basin.

Response to Comment X-4

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter Y

From: Sara Schmitz [<mailto:sdawn.schmitz@gmail.com>]

Sent: Tuesday, May 10, 2016 7:15 AM

To: Eberle, Kevin

Cc: Joey Schmitz

Subject: Napa Oaks II

My husband and I read through the Environmental Impact reports and nothing about Napa Oaks II sits wells with us.

We live on Iowa Street and one reason we, a young family, chose to buy a home in southwest Napa was because of the beauty of these hills. We could have bought a bigger Bel Aire home like many of our friends did, we could have tried to get further away from some not-so-great apartments, county health facilities, Juvenile Hall, a family shelter. These hills made this part of Napa unique; made it worth purchasing a smaller, older home in a neighborhood with an aging population. My husband and I are born and raised in Napa, both teachers at NVUSD, and we chose to buy a home in this area of Napa because of the natural beauty that these hills provide; a backdrop for our modest, but expensive, home.

Y-1

Traffic is another concern of ours. We've now lived here for 8 years and have learned that as we drive our son to school, NVLA, we carefully drive down Casswall, drive across Old Sonoma onto Foothill. Traffic may not be at the "maximum," but the traffic coming from Browns Valley to River or Harvest Middle School is already dangerous, busy, fast. The addition of this housing would only add to that. As a teacher at Harvest Middle School for the last 12 years, I know that this school, now a magnet school, is attempting to increase enrollment and better balance our demographics of students. We are a school with a high English Language Learner and socioeconomically disadvantaged population of students. We want those Browns Valley parents to drive to our school, we need that "traffic." Those families that have unfortunately been choosing to inter-district transfer to the other local middle schools, are the families we are attempting to attract back to HMS. Adding a driveway for Napa Oaks II and incoming and departing traffic to that dangerous area, is not wise. In addition, Casswall isn't appropriate for additional traffic--any one that has spent any kind of time in our neighborhoods would know that Casswall is where we all walk our dogs, let our children ride their bikes. There is no sidewalk and we cautiously hug the side of the road as people barrel down. Imagining more cars there makes me feel like we will have to avoid that road altogether. Casswall may not also be at that "maximum" and the additional traffic might not exceed that "maximum," but nonetheless, it would negatively affect our ability to enjoy our neighborhood.

Y-2

Y-3

Although we read that the, "site's deficiencies can be corrected to less than significant levels," we feel that what is considered insignificant to wealthy developers and others unaffected by this development, that all that is mentioned as a deficiency is absolutely significant to neighbors and any Napa residents in fact. These hills are for everyone in Napa to view, to enjoy. There is no mitigating factor that will cover this development, traffic, water consumption, or the loss of aesthetic environmental value that make Napa such a beautiful community. Our city has a demand for moderate and low income housing, this project satisfies zero of our city's housing needs. Rezoning so a few can make millions while the rest of us have to live with the mess is unconscionable. It is projects like this that local government should be poised to pounce on and shred to pieces.

Y-4

We urge you to help stop Napa Oaks *for good*.

Y-5

Sincerely,
Joey & Sara Schmitz

LETTER Y, JOEY AND SARA SCHMITZ, 5/10/16

Response to Comment Y-1

This comment is an introduction and largely not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

See Master Response 4 regarding changes to the current state of the site.

Response to Comment Y-2

See Master Response 11 regarding traffic. Traffic counts and projections include traffic related to existing schools.

Response to Comment Y-3

See Master Response 13 regarding cut-through traffic.

Response to Comment Y-4

This comment related to quality-of-life or social concerns as opposed to environmental concerns. See Master Response 1 regarding non-environmental issues and Master Response 3 regarding type and affordability of housing. The comment also lists environmental concerns, as addressed below:

See Master Response 4 regarding changes to the current state of the site, including open space and views.

See Master Response 11 regarding general traffic and congestion.

Utilities are discussed in Chapter 17 of the Draft EIR. The Project is within the service area of the City of Napa Public Works Water Division. As noted on page 17-5, “While the proposed Project would lead to an increase in demand for water and generation of wastewater, it would utilize existing water facilities and resources and would not cause an exceedance of wastewater treatment requirements or result in the need for new off-site facilities.”

Response to Comment Y-5

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter Z

From: Dan Martin [<mailto:dandog99@pacbell.net>]

Sent: Wednesday, May 11, 2016 5:36 PM

To: Eberle, Kevin

Subject: Comments to the Napa Oaks II DEIR

Hello Kevin,

Please find the attached word document containing my comments to the Napa Oaks II DEIR. I've also pasted the contents below in case you have any problems opening the file.

Thank you very much for allowing us a little extra time to review the DEIR.

Its greatly appreciated.

Sincerely,

Dan Martin

3055 Old Sonoma Road

May 11, 2016

NAPA OAKS 2 PROJECT - DEIR

**Comments from Dan Martin, 3055 Old Sonoma Rd., Napa
Submitted to Kevin Eberle, City of Napa**

CHAPTER 4: AESTHETICS - IMPACTS AND MITIGATION MEASURES

SCENIC VISTAS

Page 4-5, under Scenic Vistas, end of fourth paragraph: The statement “the new homes... and be largely obstructed by existing and proposed tree/landscaping”. This statement is inconsistent with Figures 3.3 and 3.4 (Preliminary Landscape Plan) which do not show proposed trees, as implied by Figure 4.1c, 4.3c, 4.5c, 4.6c, 4.7c, and 4.9c, to eliminate the visual impact to both Scenic and Visual Character. The DEIR consistently uses proposed tree/landscaping graphically to virtually hide homes. A more extensive landscaping plan should be proposed to reflect what is shown in the above referenced figures.

Several concerns come into play if an aggressive tree planting was proposed. As shown in Figures 4.7c and 4.9c, these areas are relatively steep-sloped, soil slip prone, and relatively nutrient-poor bedrock (see page 9-14, under Impact Geo-2, “and fact that the relatively nutrient-poor bedrock could make re-establishment of stabilizing vegetation difficult....). Please note that there is a reason why no oak trees are growing in this area. Mitigation by way of trees growing, as shown in Figures 4.1c thru 4.9c, is not feasible and could lead to other impacts, such as soil destabilization.

General Comment: The views shown in Figures 4.1 thru 4.11 have been scaled down to fit the page of the printed document. Actual views are significantly larger when standing at the place of photograph and looking at the site. Using my computer to zoom-in over 400% gave a better sense of reality, as

Z-1

Z-2

compared to the printed document. If you reduce the image size well below reality, as with the case with the DEIR document, the apparent visual impact fades to a *less than significant* observation.

Z-2
Cont'd

SCENIC HIGHWAYS

(Similar comments as in "Scenic Vista" above)

Z-3

VISUAL CHARACTER

(Similar comments as in "Scenic Vista" above), also..

Page 4-31, under section A. Ensure the preservation of the city's hills and ridgelines visible to area residents on major arterials.....: No views were assessed in the DEIR along Old Sonoma Road. This street is a major thoroughfare for locals gaining access to neighborhoods, in addition to commuters and visitors travelling through the Caneros area. Travelling west on Old Sonoma Road from the Highway 29 overcrossing, it becomes very apparent how this hillside is visible and prominent. Key locations are: 1) front of River School/Harvest Middle School, 2) the intersection at Foster Road, and 3) the small commercial district adjoining Foothill Road. Given the number of people that pass through this area on a daily basis, the visual impact will be significantly greater than most of the views in the DEIR that are nestled in quite neighborhood streets. Further, this demonstrates that a significant greater amount of residents and visitors will be impacted than just the local neighborhoods.

Z-4

Additional Comment: At the Napa Quality Outlets, located near Freeway Drive and Browns Valley Road, the project site is in full view. The longest portion of the building facade is orientated in a Northeast to Southwest orientation. This line of direction faces directly at the site. So, anyone who walks and looks out to the southwest view shed will experience a development rather than the current undeveloped, oak filled hillside. Tourists will have one less element of Napa countryside beauty when spending part of their trip at the Outlets. As strange as that sounds, for some, the surrounding aesthetics is just as, or more, impactful than the actual shopping.

Page 4-31, under section D. Preserve predominant views from and of hillside area: There are collectively many predominant views at the site, given its unique topographic character. Although some of these "predominant" views will be preserved, other will not. Thus, **as a whole**, the proposed site development is inconsistent with the City's Hillside Overlay Zone specification D.

Z-5

Page 4-31, under Section E. Retain the natural appearance that hillside areas impart to the City and its environs: Please see comments regarding landscaping in Scenic Vista (above). An attempt to landscape away roads and buildings on the hillside is inconsistent and/or contrary to the City's Hillside Overlay Zone specification E. Landscape attempts will not retain the natural appearance. This area is not conducive to receiving attempts because of soil conditions (lack of nutrients, steep slope, unstable soils).

LIGHT AND GLARE

Page 4-4, under Standard of Significance, Item 4: Would the project create a new source of substantial light or glare...? The DEIR refers to City standards to minimize glare, light trespass and "sky glow". Given the unique location, coupled with zero lighting currently at the site, environmental impacts will be significant, even using City standards. There is an inherent conflict using City standards to mitigate light pollution for a property of this nature. The "AR" zoning designation, combined with the Hillside Overlay Zoning, implies that this site should be held to higher standards.

Z-6

Additional Comment to Chapter 4: Lots 1 thru 4 are the most consistently shown as visible from the

Z-7

photo views, as shown in Figures 4.1a, 4.2a, 4.9a, and 4.11a. The DEIR claims that natural topography and existing trees as mitigating factors for scenic and visual impacts. However Lots 1 thru 4 are inconsistent with this observation. And, one could state, these lots generate extreme impacts.

Z-7
Cont'd

CHAPTER 9: GEOLOGY AND SOILS

Page 9-10, under “Landslides, Soil Slips, and Rock Falls”: Portion of the “Bladed Pedestrian Trail” adjacent to lots 1 thru 4 (on Figure 3.3: Preliminary Plan, Sheet 1 of 2) is on a very steep slope know for its unstable soils, referred to as soil slips in the DEIR . These soil slips are described as outside the boundary of proposed grading. However, the pedestrian trail appears to traverse through this "outside boundary area " with identified soil slips. The potential impact of blading a trail in this section would be significant in terms of destabilizing the slope. Further, any form of trail stabilization, such as a retaining wall or cut slopes would be highly visible and in plain view of the neighborhood below.

Z-8

Page 9-12, under “Earthquake Fault”, second paragraph: The statement “The potential impact to roads is not significant as roadway disruption would likely be minor and roadway repairs could be quickly done.” The DEIR fails to address underground utilities, in particular water and gas lines. As shown in Figure 3.2: Site Plan, several of the proposed streets traverse across the fault zone. In particular, damage to underground utilities within “F” Street could be significant given that the entire street lies within the fault zone.

Z-9

LETTER Z, DAN MARTIN, 5/11/16Response to Comment Z-1

The partial excerpted quote is from a paragraph describing the two viewpoints from scenic corridors CA-29 and CA-121, which ends with a note that the viewpoints are discussed in more detail in the impact section. The referenced additional discussion (page 4-30) reads, “Figures 4.1a, b and c and 4.2a, b and c show the change in the view toward the Project site from these routes. As shown in these figures, portions of the Project visible from these roadways would be generally limited to partial views of homes on lots 1 through 6. From the vantage point of these identified scenic routes, the new homes would remain below the existing ridgeline/treeline. The limited visibility of a few homes is not inconsistent with visible development existing or allowable on other hillsides within the City boundaries. This level of visible development appears consistent with the General Plan goal LU-1 under which the scenic corridors were identified, “[t]o maintain and enhance Napa’s small town qualities and unique community identity.” Therefore, because of the limited views of development from these scenic corridors which are also eligible State Scenic Highways, the Project’s impact related to development within a scenic highway would be less than significant.”

Note that all the visual modeling figure sets include existing conditions as well as proposed conditions both without proposed landscaping and with landscaping (with about 10 years of growth) and the conclusions summarized above demonstrate that they were not dependent on the particulars of the proposed landscaping.

The partially excerpted quote from page 9-14 related to suitability of soils for stabilizing vegetation is discussing construction-period impacts only. As discussed in Master Responses 4 and 6, mitigation for loss of oaks is a combination of off-site preservation and on-site replacement according to an Oak Woodland Mitigation Plan following the guidance of a qualified arborist and as approved by the City. Replacement trees are anticipated to occur within disturbed/developed areas and not undisturbed hillsides and would not be expected to result in soil destabilization.

Response to Comment Z-2

The commenter is correct that the figures are photographs sized to fit a printed page and can be viewed at a larger size in a digital format. As demonstrated in the impact analysis on pages 4-30 through 4-33, the figures are adequate to determine aesthetic environmental impacts of the Project.

Response to Comment Z-3

These comments reference comments identified here as Z-1 and Z-2 under the topics of Scenic Highways and Visual Character. The responses to comments Z-1 and Z-2 above relate to these topics as well and no additional response is required.

Response to Comment Z-4

Contrary to the contention in this comment that no views were assessed along Old Sonoma Road, four viewpoints were included along Old Sonoma Road as shown in Figures 4.3a through 4.6c. The additional locations suggested are not identified scenic corridors or vista points or otherwise necessary to make conclusions related to the environmental analysis.

Related Master Response 4 further discusses changes to the site, including views.

Response to Comment Z-5

See Master Response 4 regarding changes to the site, including views.

The conclusion of the impact discussion (page 4-32 of the Draft EIR) addresses these comments: “While the Project would be partially visible from various off-site viewpoints, the character of the site will remain largely that of grassland and oak woodland hillside and is not inconsistent with the character of other limited hillside development in the area or the stated purposes of the City’s Hillside Overlay Zone which applies to such areas. Therefore, the Project would not “substantially degrade” the visual quality of the Project area or its surroundings and the impact related to changed character would be considered less than significant. Note that this determination from an environmental perspective does not presuppose or constrain the City’s decision-making with regard to their policies and regulations regarding architecture and aesthetics, which go beyond environmental concerns.”

Response to Comment Z-6

The Project as proposed was assessed with consideration of existing and surrounding conditions, including largely existing residential development and existing agriculture. As noted on page 4-32 of the Draft EIR, the Project would add additional sources of light to the site, including interior and exterior building lights, street lighting, and light from vehicular traffic. The lighting levels are required to conform to City regulations and will be consistent with those typical of suburban development and would not result in significant environmental impacts. See also Response to Comment E-10.

The comment seems to be referencing social impacts related to neighbors experiencing visible lights. Master Response 1 related to non-environmental comments.

Response to Comment Z-7

See response to comment Z-5. As noted on page 4-31 of the Draft EIR, “Because development on hillside sites is not entirely disallowed, it must be assumed that development can meet the goals of the overlay zone and that the below items are not intended to be interpreted narrowly such that all development would be inconsistent with their intent.”

Response to Comment Z-8

See Master Response 8 regarding soil slips.

Response to Comment Z-9

See Master Response 7 regarding development on a site with an earthquake fault.

Letter AA

RECEIVED

MAY 16 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

May 11, 2016

Mr. Kevin Eberle, Napa Community Development Department
P.O Box 660
Napa, CA 94558

Dear Mr. Eberle:

AA-1

We wish to express in the strongest terms to the development initiated by Davidon Homes to build 53 large homes on the land which currently is zoned RA but will be re-zoned Single Family Residences if Davidon Homes' request is honored by the City Council. If these homes – with their demands on water, electricity, and fire and police protection – were to be built it would be a disaster for all of us – not only for the neighbors in the immediate vicinity of the project, but also to the city of Napa. These hills are the first introduction to the beauty of the Napa Valley for the 4 million visitors annually who come to enjoy not only the premium wines we grow here, but also the natural beauty of the landscape and the open spaces so much appreciated by all of us.

AA-2

The danger of earth quakes is a real concern here in the southwestern part of the city. Several faults lie below the acreage involved. The earth quake in 2014 severely damaged homes in the area. Adequate supplies of water is a

AA-3

great issue here as well. You have to expect the demand on water for these

AA-4

multi-million dollar homes will be significant. The problem of erosion from rains will lead to mudslides because the soil is not stable. The removal of

AA-5

hundreds of oak trees will be devastating to our already fragile environment.

AA-6

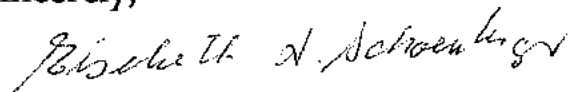
We urge the City Council to do what earlier councils have done: protect our

AA-6
Cont'd

beloved city from developers such as Davidon Homes. It is your duty to do what is best for our city, not for the outside developers waiting at our gates. We have a unique city with lovely green hills surrounding us. Let us not destroy our hills. Listen to the people. Once those hills are gone, they will never return – the bell cannot be unrung. Please consider that and vote against the rezoning requested by the builder.

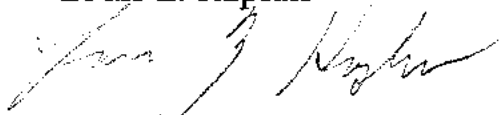
Thank you for your attention to this.

Sincerely,



Elsebeth N. Schoenberger

Louis Z. Kaplan



3113 Old Sonoma Road

Napa, CA 94558

LETTER AA, ELSEBETH N. SCHOENBERGER AND LOUIS Z. KAPLAN, 5/11/16

Response to Comment AA-1

This is largely not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

See Master Response 4 regarding changes to the current state of the site.

Response to Comment AA-2

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment AA-3

Utilities are discussed in Chapter 17 of the Draft EIR. The Project is within the service area of the City of Napa Public Works Water Division. As noted on page 17-5, “While the proposed Project would lead to an increase in demand for water and generation of wastewater, it would utilize existing water facilities and resources and would not cause an exceedance of wastewater treatment requirements or result in the need for new off-site facilities. Therefore, the impacts related to water and wastewater are less than significant.”

Response to Comment AA-4

Tree removal will occur within the development footprint, as will grading, which will include engineering the soil to minimize risks of sliding. Much of the site, including a large portion of the sloping hillside above the homes along Casswall Street, will remain in the state they are today, with no grading or tree removal (see Figure 7.2 in the Draft EIR). As further noted in Master Response 8, if the Project is developed, it will not result in increased risk of sliding or erosion.

Response to Comment AA-5

See Master Response 6 regarding removal of trees and Master Response 4 regarding changes to the site.

Response to Comment AA-6

This comment expresses opposition to the Project and is largely not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues and Master Response 2 regarding the history of decisions related to the site.

Also see Master Response 4 regarding changes to the site.

Letter AB

From: Mike Moskos [<mailto:mike.moskos@sbcglobal.net>]

Sent: Monday, May 16, 2016 3:19 PM

To: Allen, Michael

Subject: Napa Oaks Subdivision

Hi Mike,

I just wanted to go on record to voice my opposition to the reskindled Napa Oaks project.

AB-1

I am a homeowner on Indiana St. at the base of the hills where the project is being proposed.

I have reviewed the entire EIR, and will not go into all of the concerns that have been already voiced by others in the various letters to the Napa Register as well as to the Planning Division, except that we already have too many people speeding through our neighborhood using it as a cut through especially when school is in session.

AB-2

Equally important is the fact that the last thing Napa needs are more multimillion dollar homes, especially on a hillside. At any given time there are more than enough expensive homes on the market, so there is no shortage.

AB-3

Lastly, this property was rezoned by the city for a reason. That should be the end of the discussion.

Thank you.

Mike Moskos
2750 Indiana St.
Napa, CA 94558
707-254-9811

LETTER AB, MIKE MOSKOS, 5/16/16

Response to Comment AB-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Response to Comment AB-2

See Master Response 13 regarding cut-through traffic.

Response to Comment AB-3

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues and Master Response 3 regarding housing type and affordability.

Letter AC

From: tom [<mailto:tsilv1@sbcglobal.net>]
Sent: Tuesday, May 17, 2016 3:40 PM
To: Allen, Michael
Subject: Napa Oaks II

Mr. Allen,

We would like to add our names to the hopefully large and growing group opposed to granting an amendment to the General Plan allowing Davidson to build 53 single family homes on the property off Old Sonoma Road. Within a year of buying our house on Indiana St in 2002, Davidson wanted to build 80 houses on the same property. We attended the council meetings and opposed the development then and we oppose it now.

AC-1

The current designation as a Resource Area is appropriate for the site and should remain as such.

Traffic is certainly a problem in our neighborhood and is getting worse. There are 2 schools, Harvest and Snow, that create problems in the morning and afternoon during the school year. We have a lot traffic on our street as parents driving kids to school and other drivers avoiding the backups on Old Sonoma Road and Foster Road use our streets to get to Casswall St. and then on to Old Sonoma Road avoiding the backup at Foster and Old Sonoma. This also happens during the evenings with drivers avoiding the back same backups at Foster with drivers turning left onto Old Sonoma.

AC-2

Of course we have other concerns with potential flooding, landslides, water use and so on. There are also some non-practical concerns that are a part of the asethic of having open space and hills that are not covered with homes. Davidson as a developer is interested in only one thing and that is maximizing the amount of money they can make on this project. Without a change from Resource Area to Single Family Residential they can still build 4 homes on the site. That would be ok with everyone but them. Should we give up our hills and open space so a private company can maximize their profits? We would hope not.

AC-3

Please do not change the designation from Resource area to Single Family Residential.

Tom Silva
Renee Bliss
2710 Indiana St
Napa

LETTER AC, TOM SILVA AND RENEE BLISS, 5/17/16

Response to Comment AC-1

This is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues and Master Response 2 related to the history of decisions regarding the site.

Response to Comment AC-2

See Master Responses 11 and 13 regarding traffic and cut-through traffic. Traffic counts and projections include vehicle traffic and pedestrians related to existing schools.

Response to Comment AC-3

This comment expresses opposition to the Project, which is not a comment on the environmental analysis (see Master Response 1) and lists multiple environmental concerns.

See Master Response 4 regarding changes to the current state of the site.

See Master Response 9 regarding drainage to downslope areas.

See Master Response 8 regarding soil slips.

Utilities are discussed in Chapter 17 of the Draft EIR. The Project is within the service area of the City of Napa Public Works Water Division. As noted on page 17-5, “While the proposed Project would lead to an increase in demand for water and generation of wastewater, it would utilize existing water facilities and resources and would not cause an exceedance of wastewater treatment requirements or result in the need for new off-site facilities. Therefore, the impacts related to water and wastewater are less than significant.”

Letter AD

STOP NAPA OAKS^{II} PLAN !

AD-1

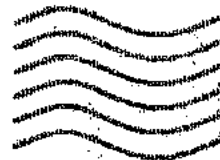
	Name	Address	Phone	Email
1	Charlotte Bentley	131 Foster Rd	226-7824	
2	Deborah Bentley	1032 Delbrook Drive	259-0833	
3	PATRICK BENTLEY	9142 Steele Canyon	227 2233	Rental on
4	Diane Bentley	9142 Steele Canyon	227-9086	Lilienthal
5	Joe Ramirez	2710 Iowa St	294 5042	
6	Steve Albrecht	2757 Old Sonoma Rd	707-227-7366	
7	Lora Blaine	2757 Old Sonoma Rd		
8	Paul Albrecht	700 Sonoma Rd	926-5607	Home owner
9	Cynthia Brown	691 Kent St, Napa	707-224-8784	Home owner
10	Hannah Nelson	2245 1 st Ave Napa	707-224-2896	Home owner
11				
12				
13				
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18				
19				
20				



Charlotte Bentley
131 Foster Rd.
Napa, CA 94558-5923

OAKLAND CA 945

18 MAY 2016 PM 5 L



Mike Allers
Napa Community Develop
P.O. Box 660
Napa Ca
94559

94559-066060



LETTER AD, CHARLOTTE BENTLEY, 5/18/16

Response to Comment AD-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter AE
FROM THE DESK OF
ALLEN R. BALIK

RECEIVED

MAY 24 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

May 19, 2016

Mr. Michael Allen
1600 First St.
Napa, CA 94559

Dear Mr. Allen,

I have read with interest and followed closely the plans for Davidon Napa Oaks II project to develop 54 home sites on the Old Sonoma Road hillside. Aside from my own aesthetic views on this development I see real issues with allowing the project to proceed given it's the second time around and really nothing other than the reduced number of homes has changed.

AE-1

The development will be an eyesore compared to the pristine rural and natural setting it is today and that's not even considering increased traffic on the already somewhat congested road. I am a Browns Valley resident and do not look forward to this traffic issue.

AE-2

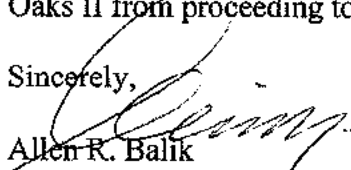
AE-3

I understand that once again the Davidon project will require a zoning change as the property is not currently zoned for this type of residential development. It has always been my understanding that zoning changes are made for the public good. And I see no element of this project that speaks to the "public good."

AE-4

As a long time Napa resident and business owner I want to formally register my objection to Davidon Napa Oaks II from proceeding to fruition.

Sincerely,


Allen R. Balik

Club Essence - Savor Life Through Wine

cc: Ken McNab

LETTER AE, ALLEN R. BALIK, 5/19/16

Response to Comment AE-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues and Maser Response 2 regarding the history of decisions related to the site.

Response to Comment AE-2

See Master Response 4 regarding changes to the current state of the site.

Response to Comment AE-3

See Master Response 11 regarding traffic.

Response to Comment AE-4

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

FROM THE DESK OF
BARBARA E. BALIK

RECEIVED

MAY 24 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

Letter AF

May 19, 2016

Mr. Michael Allen
1600 First St.
Napa, CA 94559

Dear Mr. Allen,

I have read with interest and followed closely the plans for the Davidon Napa Oaks II project to develop 54 home sites on the Old Sonoma Road hillside. Aside from my own aesthetic views on this development I see real issues with allowing the project to proceed given it's the second time around and really nothing other than the reduced number of homes has changed.

AF-1

The development will be an eyesore compared to the pristine rural and natural setting it is today and that's not even considering increased traffic on the already somewhat congested road. I am a Browns Valley resident and do not look forward to this traffic issue.

AF-2

AF-3

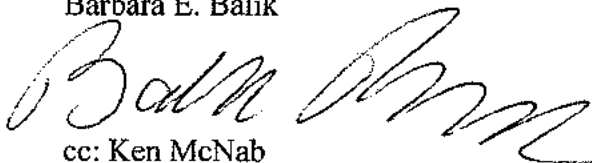
I understand that once again the Davidon project will require a zoning change as the property is not currently zoned for this type of residential development. It has always been my understanding that zoning changes are made for the public good. And I see no element of this project that speaks to the "public good."

AF-4

As a long time Napa resident I want to formally register my objection to Davidon Napa Oaks II from proceeding to fruition.

Sincerely,

Barbara E. Balik



cc: Ken McNab

LETTER AF, BARBARA E. BALIK, 5/19/16

Response to Comment AF-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues and Maser Response 2 regarding the history of decisions related to the site.

Response to Comment AF-2

See Master Response 4 regarding changes to the current state of the site.

Response to Comment AF-3

See Master Response 11 regarding traffic.

Response to Comment AF-4

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter AG

From: Chuck Dresel [<mailto:cdresel@mac.com>]

Sent: Thursday, May 19, 2016 7:51 PM

To: Allen, Michael

Subject: Comment on Napa Oaks II Draft Environmental Impact Report

Mr. Allen,

While it is clear that the developer of the Napa Oaks II project and their consultant feel that the environmental impacts of their plan can be mitigated, I believe that that claim is dubious at best. I am not a specialist in that field so I will not enter the debate on those grounds. However, what is clear to me is that there can be no possible scenario that justifies the rezoning of this parcel of land for the purposes proposed by the developer. The general plan designated this parcel a resource area for a reason and there was substantial citizen input in that process. To rezone this land would be nothing short of the subversion of the democratic process that governs our community. I will be attending any upcoming hearings before the Planning Commission and/or the City Council to make this view known.

AG-1

Thank you for your consideration.

Chuck Dresel
2768 Illinois St.
Napa, CA. 94558

LETTER AG, CHUCK DRESEL, 5/19/16

Response to Comment AG-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter AH

From: **Maggie Scott-Weathers** <msscottweathers@gmail.com>

Date: Mon, May 23, 2016 at 6:30 PM

Subject: comments on Napa Oaks II Project

To: keberle@cityofnapa.org

I encourage the City not to approve the Napa Oaks II Project. There are plenty of places in Napa that are already zoned for residential building - there is no need to re-zone areas that are zoned as agriculture. The loss of the wilderness in that area would be a shame. Part of what makes Napa beautiful is that we are a compact city, close to the country on all sides, with lots of trees.

Projects that don't take that into consideration should not be approved, and I hope the area is left as a place for farms and as a habitat for wild animals. The report is clear that there will be a great deal of environmental harm done to the area if the project is approved - from the construction emissions to the loss of native trees that are protected and the loss of habitat for animals in the area. Re-planting new versions of those protected trees doesn't come anywhere close to making up for their original destruction, and doesn't come close to restoring a habitat when there have been houses built in it's place.

Thank you,
Maggie Scott-Weathers

AH-1

LETTER AH, MAGGIE SCOTT-WEATHERS, 5/23/16

Response to Comment AH-1

See Master Response 4 regarding changes to the current state of the site.

See Master Response 6 regarding removal of trees.

The Draft EIR concluded that impacts of the Project were either below significance levels or reduced to that level through implementation of identified mitigation.

Letter AI

From: Julia Adkins [<mailto:bellasante1949@att.net>]

Sent: Wednesday, May 25, 2016 9:26 PM

To: Allen, Michael

Subject: Napa Oaks Development

Mr. Allen. I am writing to express my opposition to the Napa Oaks Development on many levels: economically, geologically, ecologically, and esthetically. These buildings will serve only the extremely wealthy and to making living in Napa unaffordable for those of us who have lived in this community for decades even more unaffordable. Especially for the elderly, infirm and those on fixed incomes.

AI-1

The golden rolling hills of California are unstable at best but in such a seismically active area it is foolish at best to place large houses on such a hillside. I understand that a small lake or pond is to be included. This is even more of a bad idea. The whole scheme endangers all the homes downhill from the development.

AI-2

The deer and other wildlife on the outskirts of Napa struggle with getting from grazing area to grazing area as it is now. Turning the hillsides into a posh area of mansions will exacerbate their difficulties. The hills are beautiful covered with grasses, not with mansions. Please do not approve this project for all who love Napa and not just the extremely wealthy. Thank you. Julia Adkins, 359 S Jefferson St, Napa 94559

AI-3

AI-4

LETTER AI, JULIA ADKINS, 5/25/16

Response to Comment AI-1

This comment expresses opposition to the Project and the need for more affordable housing. See Master Responses 1 and 3 regarding non-environmental comments and housing type and affordability.

Response to Comment AI-2

See Master Responses 8 and 10 regarding soil slips and the safety of the stormwater basin.

Response to Comment AI-3

See Master Response 4 regarding changes to the current state of the site.

Response to Comment AI-4

See Master Response 4 regarding changes to the current state of the site.

This comment expresses opposition to the Project, which is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter AJ

From: neal ennis [<mailto:ennis.neal@gmail.com>]

Sent: Wednesday, May 25, 2016 7:19 AM

To: Eberle, Kevin

Subject: Napa Oaks Development

Hi Kevin,

Just wanted to write an email let you know that myself and wife both oppose this development. We are new residents to the area from New Jersey and would hate to see the clean a pristine rolling hills developed in this beautiful place.

AJ-1

thanks for listening.

Regards,

Neal and Soraya Ennis

LETTER AJ, NEAL AND SORAYA ENNIS, 5/25/16

Response to Comment AJ-1

See Master Response 4 regarding changes to the current state of the site.

This comment also expresses opposition to the Project, which is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter AK

From: Warren Thomas [<mailto:wkdthomas98@gmail.com>]

Sent: Wednesday, May 25, 2016 9:46 AM

To: Allen, Michael

Subject: Stop Napa Oaks

Dear Mr. Allen,

I would like for the City of Napa to vote no to building on the hills of our beautiful Napa Valley.

I was with my family, attending a funeral, in Southern California, last week. As we drove by all the hills covered in huge houses it made me so sad. And it just made me hope all the more we wouldn't let greed destroy our valley.

AK-1

I live at the bottom of "the hill". My neighbors and I will be terribly affected by the added traffic. We are so excited to have the new Southside restaurant right around the corner. But when I walked over this last Friday it was already treacherous crossing Old Sonoma Rd. without the added traffic that the Napa Oaks will add. I fear to for the children walking to school at Harvest middle school and Snow school.

AK-2

Also the environmental effects from water run off the hill by adding all that concrete and the fact that there is a newly found earthquake fault on the hill just make it so irresponsible to build on these hills.

AK-3

AK-4

Again I respectfully ask that the city uphold previous decisions to stop Napa Oaks and to preserve our green areas!!

Thank you!

Very Sincerely,

Kelly Thomas
[2721 Illinois St.](#)
[Napa](#)
[707-337-1490](#)

LETTER AK, KELLY THOMAS, 5/25/16

Response to Comment AK-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Response to Comment AK-2

See Master Responses 11 and 15 regarding traffic and the safety of the proposed access.

Response to Comment AK-3

See Master Response 9 regarding drainage to downslope areas.

Response to Comment AK-4

See Master Response 7 regarding development on a site with an earthquake fault.

Letter AL

From: Doug Wilson [<mailto:wilsondoug@yahoo.com>]

Sent: Wednesday, May 25, 2016 11:47 AM

To: Allen, Michael

Subject: Napa Oaks

Hello,

Thank you for your service to our city. I wanted to express my concern that the environmental impact report does not adequately address issues of animal habitat. I spend a lot of time on that property, and have seen a number of big cats and lots of other wildlife. We are losing so much habitat to agriculture and human habitation that I don't think losing more is in the higher good.

Thank you,

Doug Wilson, Napa

AL-1

LETTER AL, DOUG WILSON, 5/25/16

Response to Comment AL-1

See Master Response 4 regarding changes to the current state of the site, including habitat.

Letter AM

From: Lynda Castell-Blanch [mailto:lyndaacb52@gmail.com]
Sent: Thursday, May 26, 2016 10:16 AM
To: Allen, Michael
Subject: Oh Please No!!!

Dear Mr. Mallen,

Please fight to keep this development from happening. We have so little natural Napa Valley left, what with the vineyards, which I know are beautiful and is part of our economic stability, but we have lost so much natural habitat. Please help keep whats left of rural Napa intact.

Respectfully,
Lynda Amen Castell-Blanch

AM-1

LETTER AM, LYNDAM AMEN CASTELL-BLANCH, 5/26/16

Response to Comment AM-1

This comment also expresses opposition to the Project. See Master Response 1 regarding non-environmental comments.

Letter AN

To: Napa Planning Department

RECEIVED

Attn: Michael Allen

MAY 26 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

Please review this letter

Thank You

OAKLAND CA 946

23 MAY 2016 PMS 1



RECEIVED

MAY 26 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

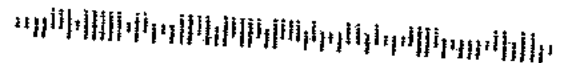
City of Napa

P.O. Box 660

Napa, CA 94559

Attn: Napa Planning Dept.

Michael Allen 94559-066080



MAY 26 2016

COMMUNITY DEVELOPMENT
DEPARTMENT

I grew up in Napa Valley when the population was much smaller. Having moved away long ago due to an unavoidable relocation I still have beautiful memories of the friendly people and plush land.

AN-1

Recently I revisited Napa and was saddened by the vast development and the many vineyards that sprawl the land.

In talking to my friends still living in Napa I was horrified to hear of a development in the works on Old Sonoma Road. I believe it's called the Napa Oaks Project.

AN-2

When I was a young girl, I was captivated by the history of this area. This is where the Southern Wappo Tribe of Native Americans and the Coastal Miwok Native Americans lived and thrived many years ago. It was a well known fact that not only was this select area a very sacred land, but it was also a burial site for their people. It was legend that by being buried on top of a hill or mountain that you would be closer to the Gods so your spirits could travel more quickly. I can remember walking through this area with my friends and finding treasures only to be scolded by our parents for taking

AN-2
Cont'd

them and disturbing their remnants. They told us that our "treasures" did not belong to us and were the artifacts of these Native American people. We were strictly warned by our parents not to pick anything else up because it would be disturbing the elements of this sacred land.

How can a housing development be more important than the history and remains of these Native Americans? To concrete over this area and permanently seal the heritage of these people would be a travesty.

AN-3

This is not the only road block, for the people living along Caswall will also have problems. As a result of the concrete for the housing project the rain water will flow right down the incline causing flooding in their backyards and they may have unwanted rivers flowing through their homes.

AN-4

To further add to my dismay, as we were reliving the devastating Napa earthquake it was brought to my attention that this area suffered major damage. As the fault lines inconspicuously spidered through this hill the earthquake caused many, many open and significantly deep crevices throughout this area. How

AN-4
Cont'd

would it even be remotely possible to build a community atop this vast and extremely unsettled land? How can people live with the lingering and distressing question of what will be the result if or when another destructive earthquake prevails, quite possibly with a much greater severity of intensity? Even if the houses are inexpensive and affordable, would it truly be worth the risk of endangering innocent families should another earthquake occur?

AN-5

Please take time to further study and reconsider this project and help to protect this beautiful land where people and animals once roamed so freely. Let's preserve the indigenous land and heritage of our Native Americans and keep our families and their children safe from the possible harm of another brutal earthquake with the potential of a greater magnitude.

Thank you for your time and careful thought concerning this matter.

Elizabeth Jones

LETTER AN, ELIZABETH JONES, 5/23/16Response to Comment AN-1

This comment is introductory and expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Response to Comment AN-2

An analysis of Cultural Resources was performed for the Project and included in Chapter 8 of the Draft EIR with technical documents included as Appendix D, including a search of relevant records and site investigation. There are no known Native American resources or burials at the Project site. See Comment Letter B and responses related to coordination with the Yocha Dehe Wintun Nation.

Response to Comment AN-3

See Master Response 9 regarding drainage to downslope areas.

Response to Comment AN-4

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment AN-5

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues. It also summarizes previous comments in this letter. See responses to comments AN-1 through AN-4.

Letter AO

From: Christine Ochs [mailto:ceochs@comcast.net]

Sent: Thursday, May 26, 2016 3:19 PM

To: Allen, Michael

Subject: Napa Oakes || Project

Cannot believe City of Napa Planning division is even considering changing a zoning designation, to benefit a group of out of town land speculators {or should we call them gamblers}. I have lived here for many many years and have watched the loss of our beautiful hillside to housing, removal of trees for vineyards etc. Do you really want Napa to become another L.A. where all you ever see is houses on every hill. sometimes sliding down after a big rain storm destroying everything in their path. Our open spaces and beautiful oak trees are what make Napa and the Napa Valley unique. Please do not capitulate to these investors, so they can make millions. Napa doesn't need more million dollar homes.

AO-1

Sincerely,
Christine Ochs

LETTER AO, CHRISTINE OCHS, 5/26/16

Response to Comment AO-1

This is largely not a comment on the environmental analysis. See Master Response 1 regarding non-environmental concerns and Master Response 3 regarding housing type and affordability. The comment also lists a number of environmental concerns, as addressed below.

See Master Response 4 regarding changes to the current state of the site.

See Master Response 8 regarding soil slips.

See Master Response 6 regarding removal of trees.

Letter AP

From: DELTADOGG@aol.com [mailto:DELTADOGG@aol.com]

Sent: Thursday, May 26, 2016 9:40 AM

To: Allen, Michael

Subject: No on Sonoma Road

TO: MIKE ALLEN

Before we go head long into yet another massive and destructive housing project, let's see how the Napa Pipe project plays out. The development of the NP project will give us valuable information on what to expect on the Sonoma Road project. And, the Sonoma Road Project would destroy acres and acres of beautiful countryside, endanger the animals living there, create a possible threat to local residences already in place and tax the already strained infrastructure of our water and sewer systems. NO ON SONOMA ROAD !!

We will be watching your vote. Please don't take away more beautiful Napa country side.

Thank you,

*Jim Stewart
Napa, CA*

AP-1

LETTER AP, JIM STEWART, 5/26/16Response to Comment AP-1

This is largely not a comment on the environmental analysis. See Master Response 1 regarding non-environmental concerns. This comment also lists multiple environmental concerns, as addressed below.

See Master Response 4 regarding changes to the current state of the site.

See Master Response 8 regarding soil slips.

See Master Response 11 regarding traffic.

Utilities are discussed in Chapter 17 of the Draft EIR. The Project is within the service area of the City of Napa Public Works Water Division and Napa Sanitation District for water and wastewater. As noted on page 17-5, “While the proposed Project would lead to an increase in demand for water and generation of wastewater, it would utilize existing water facilities and resources and would not cause an exceedance of wastewater treatment requirements or result in the need for new off-site facilities. Therefore, the impacts related to water and wastewater are less than significant.”

Letter AQ

From: Jeanne Fisher-Garcia [mailto:jeannefishgar@gmail.com]

Sent: Sunday, May 29, 2016 10:50 AM

To: Allen, Michael

Subject: Napa Oaks Project

We strongly oppose the development of the hillside property off Old Sonoma Rd. I opposed the development before and question how many times do we have to fight to preserve this land?

We should not approve to change the General Plan to promote high- end homes by flattening the hillside and removing trees. We must preserve our open space and not set a precedence for this pattern of changing the zoning for developers. Many enter the valley from Hwy 121 to Old Sonoma Rd. Just as we are re-building downtown Napa, let's maintain the integrity of the hillsides outlining the valley structure.

AQ-1

Jeanne Cervone

Juan Garcia

LETTER AQ, JEANNE CERVONE AND JUAN GARCIA, 5/29/16

Response to Comment AQ-1

This is largely not a comment on the environmental analysis. See Master Response 1 regarding non-environmental concerns. The comment also lists a number of environmental concerns, as addressed below.

See Master Response 4 regarding changes to the current state of the site.

See Master Response 6 regarding removal of trees.

Letter AR

From: littlecid2@aol.com [mailto:littlecid2@aol.com]

Sent: Monday, May 30, 2016 10:24 AM

To: Allen, Michael

Subject: Napa Oaks EIR

Dear Mr Allen,

I am writing today to express my concerns regarding the proposed subdivision. First, I am surprised that changing the existing zoning to allow for this development is a consideration. In my opinion, Zoning is not something which should be arbitrarily granted as variance to suit the needs of developers, but should protect the needs of the existing community. And our community does not need high end hillside blight. If we begin to open the door to hillside development, then we will not any different from the rest of the bay area, with our hills filled with homes. Then we lose the charm of our lovely valley.

AR-1

The subdivision calls for removing 570 of our native oak trees. While the EIR calls for replanting at 3-1, oaks are slow growing, and cannot be replaced in our lifetime. We are all grappling with climate change, and to remove trees needlessly to support developers pockets only adds to the problem. I do not believe that this loss can be mitigated.

AR-2

Old Sonoma Road is a busy street after Foothill, as cars increase in speed both going up and coming off the hill. There is no way to safely allow more traffic ingress and egress from that area. Lives will be lost no matter what they propose to curtail traffic.

AR-3

The subdivision has no other ingress/egress other than Old Sonoma Road and this is a huge safety issue. As well as living in Napa my entire life, I owned a home in the Anderson Springs Subdivision outside Middletown. Last fall, the entire community was lost in the Valley Fire. 2 of my neighbors died due to being unable to get out of the one way in/out community. That community was planned in the 50's before much thought went into subdivisions. We know much more now and should be paying careful attention to protecting all planned communities from similar fates. There is no way to mitigate this safety factor either.

AR-4

Building 50 homes on top of several known earthquake faults seems another huge pitfall as well. I see no way to plan for how big our next earthquake will be on that fault. No EIR can come up with a plan to prevent earthquakes. Once the developer has sold the homes, who will pay for almost certain water, street and sewer breaks from the next earthquake? The rest of the Napa taxpayers will. I had no water for 2 weeks after 2014, and I saw how much damage was done to the water lines throughout the area. Building more homes on this faultline is reckless at best.

AR-5

Finally, the stormwater overflow ponds situated above an existing residential neighborhood has to be one of the worst ideas ever. I can only see potential disaster to the Casswall homes if this goes through. If they cannot properly divert water flow to the storm drains then the project seems flawed.

AR-6

Thank you for taking the time to read on consider carefully the flaws to this project. I feel like the City of Napa needs to continue to do the right thing and protect it's citizens, existing, and future from poorly planned housing developments.

AR-7

Sincerely,

Cindy Worthington
2823 Cypress St
Napa

LETTER AR, CINDY WORTHINGTON, 5/30/16Response to Comment AR-1

See Master Response 4 regarding changes to the current state of the site.

This comment expresses opposition to the Project, which is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Response to Comment AR-2

See Master Response 6 regarding removal of trees.

Response to Comment AR-3

See Master Responses 11 and 15 regarding traffic and the safety of the proposed access.

Response to Comment AR-4

See Master Response 14 regarding emergency vehicle access.

Response to Comment AR-5

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment AR-6

See Master Response 10 regarding the safety of the stormwater basin.

Response to Comment AR-7

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter AS

From: Jonathan [<mailto:jtblanton@comcast.net>]

Sent: Wednesday, June 01, 2016 6:30 PM

To: Allen, Michael

Subject: Napa Oaks II

Dear Mr. Allen:

My wife and I strongly oppose the Napa Oaks II development project. We have lived in Napa since 1989-1990 and currently reside in our single family residence on the southwest side of town off of Foster Rd. Since we arrived traffic congestion has worsened significantly and continues to do so and the quality and repair work of the local streets and roads has deteriorated. We would expect this proposed project to worsen those conditions, particularly in our part of Napa. The project would also of course take away prized and beautiful open country and natural land which should remain undisturbed as a higher goal, as well has further strain the natural resources and utilities of the Napa Valley.

AS-1

AS-2

AS-3

Please do everything you and your colleagues can to kill this ill-conceived project.

AS-4

Sincerely,

Jonathan Blanton
Alma Blanton
17 Saint Francis Circle
Napa, CA. 94558

LETTER AS, JONATHAN BLANTON AND ALMA BLANTON, 6/1/16Response to Comment AS-1

See Master Response 11 regarding traffic. The Project would generate standard traffic that would not substantially degrade roadways and would pay taxes that go in part towards standard roadway maintenance. The issue of ongoing roadway maintenance of existing roadways would not be an environmental impact of the Project. See Master Response 1 regarding non-environmental issues.

Response to Comment AS-2

See Master Response 4 regarding changes to the current state of the site.

Response to Comment AS-3

See Master Response 11 regarding concerns of incompatibility with nearby uses.

Response to Comment AS-4

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Letter AT

From: Johnny McDonald [<mailto:jmcd22@att.net>]

Sent: Friday, June 03, 2016 10:15 AM

To: Allen, Michael

Subject: Stop Napa Oaks II

Dear Napa City Planning Department,

I urge the City of Napa to reject once again the proposed Napa Oaks II hillside building development.

AT-1

If allowed, the massive 53-house development would forever destabilize the hillsides. Current problems with storm runoff would greatly increase and threaten the established community below. The developer proposes the unprecedented use of uncovered, above-ground storm runoff diversion tanks. One of these imposing tanks would be situated right in the middle of the established community, literally requiring the removal of one existing home. I don't want to imagine the catastrophic consequence to the surrounding residents and homes if the holding tank overflows in a big storm.

AT-2

The hillside in question has at least three earthquake fault lines running through it, one of which caused the earthquake and its damage in 2014. My house at the bottom of the hill is about 1/2 mile away from the active fault line, and suffered over \$20,000 in property damage. With this recent disaster in mind, I am appalled that the developer proposes to pack as many new houses as possible onto a seismically active site. Proposed houses would be located as close as 25 feet to an active fault line, ridiculously close.

AT-3

Current zoning does allow for a more suitable, sparse hillside development (11 houses). But this developer repeatedly insists on more, ignoring the City's zoning and the fact that this is an environmentally sensitive building site. Even in the new plans, the narrow, winding road in and out of the property is too steep for a firetruck.

AT-4

Current zoning prohibits this massive development. If allowed, a new precedent would be set for other developers to overbuild on other unsuitable hillsides, such as in Brown's Valley.

Proposed building developments by the same developer on this same site were rejected at least twice before (1997, 2002) because the hillside was too dangerous for dense building. The recent 2014 earthquake only highlights the potential for big problems. With its slumping soil, huge water runoff problems, and seismic activity, this natural beauty of a hillside is no place to build a massive housing development.

AT-5

Please help us reject the proposed Napa Oaks II building development—we do not need it and we do not want it. Keep Napa safe, and preserve the beautiful Napa hillsides.

Sincerely,

John McDonald

LETTER AT, JOHN MCDONALD, 6/3/16Response to Comment AT-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Response to Comment AT-2

See Master Response 9 regarding drainage to downslope areas.

See Master Response 8 regarding soil slips.

See Master Response 10 regarding the safety of the stormwater basin. The proposed stormwater system is consistent with applicable current regulations, which require best management practices related to natural filtering of stormwater and the slowing of release of stormwater to equal pre-Project conditions. The proposed stormwater basin can be more appropriately a surface pond than an above-ground tank, as described in the comment.

Response to Comment AT-3

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment AT-4

See Master Response 14 regarding emergency vehicle access. Other elements of this comment are not related to the environmental analysis of this Project (see Master Response 1 related to non-environmental comments).

Response to Comment AT-5

This is largely not a comment on the environmental analysis. See Master Response 1 regarding non-environmental concerns and Master Response 2 regarding the history of applications and decisions related to the site. Listed environmental concerns are addressed below. See Chapter 13 of the Draft EIR for a discussion of land use consistency and amendments to the General Plan and zoning.

See Master Response 4 regarding changes to the current state of the site.

See Master Response 8 regarding soil slips.

See Master Response 7 regarding development on a site with an earthquake fault.

Letter AU

From: Jacqueline Yoakum [<mailto:jacyoakum@comcast.net>]

Sent: Friday, June 03, 2016 1:17 PM

To: Allen, Michael

Subject: Opposed to Napa Oaks Subdivision

Hello Mike,

I am a resident of Napa living on Idaho Steet and am opposed to the Napa Oaks Subdivision. One of my criticisms of the plan is the access to the subdivision via Old Sonoma Road. Old Sonoma Road cannot support the kind of traffic which the subdivision would put on it. Old Sonoma Road is already burdened by the heavy traffic created by the Harvest/River Middle school. And, the access point of the subdivision is very dangerous. Cars come flying into Napa, despite the speed control limit. It is a very bad location for increased traffic.

AU-1

The proposed subdivision would also negatively impact the neighborhood in the State streets, where noise, traffic, and loss of natural habitat would take a negative toll. In Alta Heights, there are multiple ways for the upper streets to exit towards town, but this subdivision puts all the egress onto Old Sonoma Road. Cars would avert traffic by flowing into the side streets. This would make our neighborhood unsafe for small children. We now have very quiet street where children can play, mother's can take strollers, and owner's can walk dogs. All of this would be jeopardized with the ill-conceived traffic flow through the local streets, seeking to avoid traffic.

AU-2

The Planning Department needs to be forward-thinking and assess the impact on surrounding roads and communities. The tax revenue is not enough to make Napa Oaks a good decision. The impact on the surrounding community has to be considered. In my opinion, the Napa Oaks subdivision in not a good fit for the area.

Thank you for considering my opinion in the assessment of the development. I hope you will see that it is not a good fit for the area, and there are not good solutions to ameliorate the problems. Old Sonoma Road is not a good place for a subdivision to flow into Napa.

AU-3

Sincerely,

Jacqueline Yoakum
Winemaker
Napa, CA
Cell: (707) 738-8443
jacyoakum@comcast.net

LETTER AU, JACQUELINE YOAKUM, 6/3/16

Response to Comment AU-1

See Master Responses 11 and 15 regarding traffic and the safety of the proposed access.

Response to Comment AU-2

See Master Response 4 regarding changes to the current state of the site.

See Master Response 13 regarding cut-through traffic.

An analysis of potential noise impacts of the Project was conducted by Illingworth & Rodkin in coordination with City of Napa staff, as included in Chapter 14 of the Draft EIR and associated Appendix H. As detailed in the Draft EIR, Project would not result in significant noise impacts during the construction period or the operational period, which includes vehicle and truck trips. Potential impacts related to road noise are specifically discussed on page 14-15.

Response to Comment AU-3

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

June 6, 2016

Letter AV

City of Napa Planning Department
1600 First Street
Napa, CA 94559

RE: Napa Oaks II Draft EIR

Thanks for allowing me to submit the following questions and comments to you.

1. Page 2-7, Impact BIO-2: Loss of Oak Woodland Habitat, recommended mitigation measures:
 - a. I very much appreciate the 3:1 planting ratio. What kind of deed restrictions will be placed on the open space preserve?
 - b. How will the HOA 'manage' the open space preserve? How will the City of Napa ensure that the open space is truly preserved?
 - c. Where is the 29 acre off-site location noted as 'nearby'? Will the HOA also be managing this site? Or will this fall to another agency (such as Parks & Rec, Park & Open Space District, etc.)? And who will pay for the management/maintenance?
 - d. How will the City or the applicant guarantee that newly planted trees will not be replaced by vines, other agricultural products or developed for residential/commercial use?
2. Page 2-12, Impact Hydro-3: Altered Streambed and Runoff is incomplete.
 - a. This impact only addresses rainfall runoff across the site by creation of impervious surfaces, streets, and storm drains. There is no mention of subsurface runoff that is currently undermining Casswall Street pavement. Adjacent property owners have ongoing issues with water bubbling up thru driveways, seeping thru retaining walls, etc. The omission of this issue is unacceptable and must be addressed. Will all the grading and building make existing condition better, worse, or remain the same? [See #19 below]
3. Page 2-13, Impact Traf-6: Inadequate Number of Emergency Vehicle Access.
 - a. Is a shelter-in-place mitigation really a "Less Than Significant" mitigation? Please clarify if the building materials, windows, landscape, etc. being designed to protect the residents of this new community. Wooden fencing is noted in the plan – a very combustible material that seems to be inappropriate in this setting. Will the homeowners be allowed to have outdoor woodburning amenities? What restrictions are planned to prevent wildland fires? See additional comments in #14 below.
4. Page 2-17, Local Road Traffic Increases.
 - a. The potential impacts on Casswall do not mention nor adequately reference the fact that this street has no sidewalks. Local residents are forced into the traffic lanes while walking their dogs, their kids to school, or just walking the neighborhood for exercise. If cut-through traffic is anticipated to use Casswall, a recommended mitigation measure should require applicant/developer to install sidewalks. See additional comments in #18 below.
5. Chapter 3 Project Description: Overall Project Description is very weak. Items on the site plans are not described – for example on page 3-6 there is no mention of a retention basin or hiking trails.

AV-1

AV-2

AV-3

AV-4

AV-5

6. Page 3-4, "Some home sites would require a sewer pump based on a 2011 hydraulic analysis conducted by West Yost Associates." Will these home sites also be supplied with backup generators? What is the impact if no backup power is provided? What is the time horizon before this becomes a health and safety issue? Please clarify.	AV-6
Page 3-6. Figure 3.3: Please explain the uses or function of the roadway/access adjacent to the detention pond on Casswall Street. No reference is provided.	AV-7
Pages 3-8 to 3-32, House Plans & Elevations. a. Given the existence and proximity to known fault lines on site, will city require and/or developer choose building materials and designs that will withstand very strong & severe shaking as defined in Chapter 9 Geologic Soils? [Note: many homes in Browns Valley had decorative rock and/or brick exteriors fall off their homes due to severe shaking]	AV-8
Page 3-33, Project Objective #3: To help Napa achieve its goal of providing housing types currently underserved in the City of Napa within its Rural Urban Limit line. b. The statement that this (high end) housing is underserved is misleading and inaccurate. The inventory of homes in \$1-3mm range is 6 months [as compared with 1.5 months for homes below \$1mm.] The days on market for homes in the \$1-3mm range is approx. 150 days [compared with approx. 70 days in homes under \$1mm]. There is quite a significant inventory of higher end and larger sq ft homes for potential buyers to choose from. This is definitely NOT an underserved market!	AV-9
7. Chapter 4 Aesthetics: Page 4-2, Regulatory Setting (at state & local level). a. This chapter describes various visual impacts but uses trees as the primary method to screen any homes that have the potential to detract from the existing visual character of the parcel. The analysis should not rely solely upon existing or newly planted trees/vegetation. The EIR does not include the color, orientation/roofline, or materials of the homes being constructed (refer to the County's Viewshed Ordinance & Guidelines). What will prevent the new homeowners from removing trees currently on site or newly planted "to improve their view" or changing the color and exterior materials of the structures? Large lots will encourage outdoor kitchens & lighting. How will this be controlled?	AV-10
8. Chapter 5: Page 5-5, 80' Agricultural Buffer a. Why does the 80' agricultural buffer on the West side of the project align with the parcel boundaries while on the South side cut right thru parcels #12, 27-31? The open space fencing proposed for the project will be insufficient to create an effective barrier (sound, light, wind/chemical spray) contrary to EIR mitigation of less than significant. What are the risks of having a hiking trail in the agricultural buffer zone? Should the hiking trail have warning signs?	AV-11
9. Chapter 9, Geology & Soils: Page 9-12, Impacts of Earthquakes Inadequate/Missing information. a. BSA has recommended a geologic setback zones for habitable structures as shown on Figure 9.3. Roadways depicted on the plan cross active fault traces. The potential impact to roads is not significant as roadway disruption would likely be minor and roadway repairs could be done quickly. Please refer to Figure 3.2 (page 3-5) A, F and H Street all cross the fault line/trace and the recommended geologic setback. BSA has only identified the impact to the roads. Missing is the potential impact to utilities (gas, water, sewer, electricity) ? [NOTE: Browns Valley had significant impact to utilities after the 2014 earthquake. We should expect the same on this site.]	AV-12

Also note that Figure 9.3 mentioned above is incorrectly labeled as 7.3 on page 9-7.

AV-12
Cont'd

10. Chapter 10 – Greenhouse Gas Emissions.

- a. Many of the building plans reflect one or more fireplaces. Will there be any wood-burning fireplaces? Please clarify this in the project description.

AV-13

11. Chapter 11 - Fire Hazards:

- a. Page 11-3: **The major wild land fire hazard risks for residential development are in the city's hilly areas characterized by steep slopes, poor fire apparatus access, inadequate water pressure, and highly flammable vegetation.**
- b. Page 11-4: **Policy HS-5.1 The City shall require that development in wild land urban interface areas provides adequate access roads, onsite fire protection systems, signage, ignition resistant building materials, and defensible space.**

AV-14

This site does not have adequate access and the significant risk is mitigated by a shelter in place plan. I am aware that there is at least one other development that is using a shelter in place – but is much smaller. Are there any other areas the size of this (53 homes)?

- c. Page 11-8: **It is anticipated that fire suppression measures will include fire sprinklers in each new residence, the use of fire retardant materials, and requirements to maintain clear areas/defensible space around homes. Building materials, systems and/or assemblies used in the exterior design and construction of new buildings within the Project area will be required to comply with the applicable sections of Chapter 7A of the California Building Code and Chapter 49 of the California Fire Code as determined by the Fire Marshal of the City of Napa.**

AV-15

It should be more than 'anticipated' that fire retardant material and defensible space will comply with applicable code! Will the fire retardant building materials extend to fences, outdoor decks and/or structures?

12. Chapter 12 - Hydrology

- a. Page 12-5: **16.36.040 Drainage. Stormwater runoff from the subdivision shall be collected and conveyed by an approved storm drainage system. .. In addition, retention ponds, drainage swales and/or check dams may be required to reduce off-site peak storm flow generated by projects.** There is significant analysis, flow coefficients, and other technical analysis as to the size of the retention ponds. What is missing is the rationale for placement of these retention ponds. Environmental analysis of the pond on Casswall Street is missing (most likely due to the fact that it is itself a mitigation). Placing a large open retention pond adjacent to homes/subdivision poses significant risks to wild and domestic animals, is an attraction to inquisitive children, and will be a mosquito breeding ground. With an 80 acre parcel, an alternative site should be identified!
- b. Page 12-6: **The following thresholds for measuring hydrology impacts are based upon CEQA Guidelines thresholds: #4. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site? #5. Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems? #9. Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result**

AV-16

AV-17

of climate-induced sea level rise or the failure of a levee or dam? When asked, Planning staff responded that the open retention basin design was chosen as the surface runoff was too large to use an underground basin. This should raise some concern and awareness that an overflow of the Casswall retention basin will flood neighboring homes. This is clearly in violation of the thresholds mentioned above.

AV-17
Cont'd

13. Chapter 13 – Land Use Planning: There are numerous references in this section that encourage and support a DENIAL of this proposed development and a vote to REJECT the Draft EIR as inadequate. Here are some of the key areas in this chapter as reference:

17.16.010.D.6 Agricultural Resource District (AR) The AR district is applied to lands within the RUL designated “Resource Area” or “Greenbelt” by the Napa General Plan. These are sensitive lands within the RUL that require special standards due to viewshed, resource, habitat, geotechnical or other considerations that further the resource protection goals of the General Plan. Primary purposes are: a. To protect sensitive lands within the RUL that are not appropriate for urban development due to viewshed, resource, habitat, geotechnical or other considerations and are intended to remain unchanged or in very low intensity agricultural, private open space or residential use.

AV-18

CONFLICTS WITH LAND USE PLAN AND ZONING Impact Plan-1: Change in Land Use Designation and Zoning. The proposed Project is not consistent with the current land use designation or zoning.

NOT approving the requested rezoning will truly have a Less Than Significant Impact. Approving this project and subsequent GP Amendment and rezoning will have a significant impact and set a dangerous precedent for other, similar parcels in the City (Browns Valley).

14. Chapter 14 – Noise. Table 14.2 (page 14-3) is very informative. Suggest that the surrounding agricultural noise & ratings on Table 14.6 (page 14-10) be merged into one comprehensive table which makes is easier to understand. Protection of agricultural operations is essential in Napa County – we require all property owners to sign a Right To Farm Ordinance. Sadly, the installation of noise reduction windows and construction materials and advising homeowners to keep their windows closed is a strong indicator that a larger buffer is required. [NOTE: the 80’ agricultural buffer is located at the perimeter of the buildings on the Southern boundary of development.] To imply that frost protection is only used on nights (or early mornings) when windows would be closed anyway is absurd. I live more than a mile from vineyards in Browns Valley area and can hear both frost protection and bird protection often during Spring and Fall.

AV-19

15. Chapter 15 - Public Services, Page 15-6 **Note that because of sub-standard secondary access, the Project would be required to prepare a Fire Plan, as detailed in the traffic chapter. A Fire Plan allows for safe ingress and egress in the event of a fire despite secondary access that does not meet standards.** This is direct contradiction to the Shelter In Place mitigation. See #13 above.

AV-20

16. Chapter 16 – Circulation. Page 16-12, **Policy T-16.1 The City shall require sidewalks along at least one side of all new local streets, and both sides of new and reconstructed arterial and collector streets.** Page 16-22, **Impact Traf-3: Local Road Traffic Increases. The proposed Project could contribute vehicular “cut-through” traffic to Casswall Street, a local access road. Because the projected traffic volume on this street is within the identified capacity for local streets (5,000 vehicles per day), the Project’s impact related to local roadway traffic volumes**

AV-21

would be less than significant. Casswall Street is the only local street in the area for which any substantial cut-through travel is anticipated.

AV-21
Cont'd

Impact Traf-3 appears to be in direct conflict with Policy T-16.1 as Caswall has absolutely no sidewalks. Any additional cut-through traffic will put all pedestrians at risk. The applicant should be required to install sidewalks on one side of Casswall as per Policy T-16.1.

Parking requirements (starts on page 16-32) do not describe the need nor location of parking for the users of the public trail.

AV-22

17. Chapter 17- Utilities. Page 17-6 Stormwater Drainage Facilities only references surface water draining, storage, etc. Yet the hill behind Casswall has, and continues to have, sub-surface water drainage that has undermined the pavement of the roadway, damages the retaining walls and driveways of homeowners. The EIR errs in omitting this impact. Will the grading and revised surface water infrastructure improve, degrade, or have no impact on the current situation?

AV-23

18. Chapter 19 – Alternatives. Alternative B, Reduced Density – allows a ‘fair share’ of 11 homes to be built without a General Plan Amendment or rezoning. The EIR analysts have concluded that the development as proposed will be ‘fully mitigatable’. But at whose expense? The developer? NO The new homeowners? NO The existing Napa residents? YES.

AV-24

Many thanks,

Eve Kahn
3485 Twin Oaks Court
Napa, CA 94558
707-363-1512

LETTER AV, EVE KAHN, 6/6/16Response to Comment AV-1

On-site open space will be preserved and maintained in HOA documentation and CC&Rs, which will require review and approval by the City with measures consistent with the mitigation measures and conditions of project approval. Regarding off-site oak woodland mitigation, as specified in Mitigation Measure Bio-2a, an Oak Woodland Mitigation Plan must be prepared and enacted by the applicant and approved by the City, intended to meet the requirements of Public Resources Code Section 21083.4 even though those are not applicable to a site within the City of Napa. Because the plan has not yet been approved, the details may change. As noted on page 7-21 of the Draft EIR, “The applicant proposes to meet the requirement for preservation of at least 28.08 acres of oak woodland through an Oak Woodland Mitigation Implementation Plan that accomplishes: (a) the preservation of at least 9.36 acres of remaining existing oak trees and oak woodland on-site, (b) the preservation of up to 22.77 acres of oak woodland off-site within a nearby approximate 29-acre area of conservation easement created by the developer adjacent to the Project site (Mitigation Measure Bio-2a), and (c) the replacement of trees lost to development through the required Oak Woodland Mitigation Implementation Plan and Tree Replacement Plan (Mitigation Measure Bio-2b). These measures represent a conservation/tree replacement in excess of 3 acres of oak woodlands for every 1 acre lost.” The proposed off-site oak woodland location is on the north side of Old Sonoma Road, across from the Project identified as Accessor’s Parcel Number 043-030-003 (maps as part of 3100 Old Sonoma Road). The conservation easements may be conveyed to the City if desired by the City or will continue to be held by the applicant and/or transferred to the Project HOA. Costs associated with the conservation easement, which are approximately \$15,000 per year are paid by the easement holder unless otherwise negotiated. Regardless of conveyance, the easement places a deed restriction prohibiting tree removal or clearing.

Response to Comment AV-2

See Master Response 9 regarding drainage to downslope areas.

Response to Comment AV-3

See Master Response 14 regarding emergency vehicle access. The Fire Plan is required to address building materials/fencing/woodburning activities/restrictions.

Response to Comment AV-4

See Master Response 13 regarding cut-through traffic.

It is important to note that for analysis of environmental impacts under CEQA, the proposed condition is compared to the existing or “baseline” condition (see CEQA Guidelines section 15125(a)). To paraphrase the guidelines, the existing condition is the baseline condition against which the significance of any physical change in the environment that may occur as a result of a project will be measured. There is no nexus to require mitigation of existing conditions under CEQA.

Response to Comment AV-5

The Project Description chapter is adequate to describe the Project, including through the use of figures. More detailed descriptions of various elements are included as necessary in specific topic

chapters and analyses in the appendices. Additional details about the Project are available in the application on file with the City.

Response to Comment AV-6

Any required sewer pumps will be installed per health and safety requirements. The sewer ejector system for each individual residence will be equipped with extra capacity to retain sewage during a power outage. Disclosures and educational materials will be provided to the homeowners on how the system functions and what to do and not do during a power outage. This is standard practice and no backup generators are required.

Response to Comment AV-7

Maintenance access would be provided to the stormwater basin, as shown on the plan. The access adjacent the detention basin on Casswall Street as shown on the landscape plan (page 3-6 of the Draft EIR) will be used for maintenance vehicle access for the basin and surrounding landscape improvements and also as a trail connection to Casswall Street.

Response to Comment AV-8

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment AV-9

This is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental comments.

Response to Comment AV-10

See Master Response 4 regarding changes to the current state of the site, including views of the site. Visual modeling of the site from twelve different viewpoints (Figures 4.1a through 4.12c in the Draft EIR) include figures both without proposed landscaping and with landscaping (with about 10 years of growth) for each viewpoint and model the proposed homes in the proposed orientation with proposed rooflines.

The contention that aesthetic impact conclusions are based on landscaping screening is incorrect. As detailed throughout the impact assessment on pages 4-30 through 4-33 as well as shown in the visual modeling figures without proposed landscaping (those with a b after the figure number), the proposed development would be largely hidden from off-site views by existing topography and landscaping.

See Master Response 6 regarding removal of trees and mitigation related to preservation at the site.

All newly planted within the open space parcels will be owned & maintained by the HOA and not under the control of individual homeowners. Existing trees on individual properties will be protected under existing City tree ordinance and also enforcement by the HOA. Disclosures to the property owners will be provided. In addition, deed restrictions can be recorded.

House colors will be preapproved by the City with enforcement by the HOA. The City can request a deed restriction.

Response to Comment AV-11

See Master Response 5 regarding agricultural buffers. No homes are proposed within the buffer area, though as noted, some lots include backyard portions within the buffer area. The agricultural buffer is intended to in part protect the adjacent agriculture from the pressures of conversion related to nuisance complaints from nearby residential uses. Acoustical analyses will confirm construction techniques are appropriate for proposed homes to ensure noise levels are protective of sleep (page 14-14 of the Draft EIR). Trail users would not be sleeping and there is no danger to trail users related to nearness to agriculture and no warning signage is required.

Response to Comment AV-12

See Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment AV-13

All proposed fireplaces would be gas or electric and not wood-burning, per current Air District regulations.

Response to Comment AV-14

A secondary emergency vehicle access or a Fire Plan would not be required for a project that is 50 residential units or less. The proposed Project, at 53 units, will comply with applicable requirements, as would any project over 50 units. All applicable plans have been reviewed and approved by the City Fire Marshall.

“Shelter in place” is a well-known approach to wildfire response where homes and communities are built and maintained to certain standards to greatly increase chances that homes will survive a wildfire and reduce the number of residents that need to evacuate during conditions that may be congested and/or hazardous. While an inventory of other shelter in place communities is outside the scope of this analysis, as an example Rancho Santa Fe in southern California has shelter in place communities with hundreds of residential units.

Response to Comment AV-15

The referenced quote is listing items anticipated to be included in the approved Fire Plan. The Project will comply with all applicable regulations. Specific implementation measures, such as details on exact material section Fire Code requirements are reviewed at the subsequent detailed building permit stage in conference with applicable regulations and mitigation measures.

Response to Comment AV-16

See Master Responses 9 and 10 regarding downslope drainage and the safety of the stormwater pond. The stormwater pond will be secured by safety fencing or similar means providing security around the pond. The location of the stormwater pond was chosen based on topography/hydrology of the site (that portion of the site is lower than development above it so is appropriate for gravity-fed stormwater capture) and there is no warrant from an environmental perspective to require consideration of alternative locations in this EIR. The stormwater pond shall be designed per City of Napa drainage standards, the details of which would be approved at the subsequent detailed building permit stage.

Response to Comment AV-17

See Master Response 10 regarding the safety of the stormwater basin. The proposed stormwater system is consistent with applicable current regulations, which require best management practices related to natural filtering of stormwater and the slowing of release of stormwater to equal pre-Project conditions. Stormwater detention basin design includes provisions in extreme events to discharge excess runoff in a controlled manner (e.g. a secondary outfall) such that adjacent property will not be adversely impacted.

Response to Comment AV-18

The potential of the Project to result in environmental impacts, including any related to specifics of the site, was fully analyzed in the Draft EIR, and not assumed to be already decided by the site zoning. The question of whether to approve the Project goes beyond environmental considerations. See Master Response 1 regarding non-environmental comments.

Response to Comment AV-19

By nature, frost protection occurs when there is the possibility of frost, being cold temperatures when windows would be more likely to be closed. As noted in the Draft EIR (pages 14-12 through 14-14), the impact of the environment on the Project is not covered under an analysis of the Project on the environment, but is included as an informational item. A screening-level analysis of noise levels at proposed homes was performed that did not take into account topography, though suggests the required detailed design-level acoustical study will show the proposed homes can be constructed such that noise levels would remain within applicable standards including common construction techniques and mechanical ventilation for potentially affected homes to ensure windows can be closed comfortably.

Response to Comment AV-20

See Master Response 14 regarding emergency vehicle access.

Response to Comment AV-21

See Master Response 13 regarding cut-through traffic.

Response to Comment AV-22

On-street parking will be allowed within the Project, which would be expected to accommodate any trail users that drive to the site. See the discussion of parking as a non-environmental issue in the Draft EIR pages 16-32 through 16-34.

Response to Comment AV-23

See Master Response 9 regarding drainage to downslope areas.

Response to Comment AV-24

This is not a specific comment on the environmental analysis and expresses opposition to the Project in relation to Alternative B representing allowed development under current zoning. See Master Response 1 regarding non-environmental issues.

Letter AW

From: Karen Scriven <karenscriven@att.net>
To: "Allen, Michael" <mallen@cityofnapa.org>
Cc:
Date: Mon, 6 Jun 2016 17:05:00 +0000
Subject: Napa Oaks
June 6 ,2016

Napa Planning Department

Att: Michael Allen, Sr. Planner, City of Napa

Dear Mr. Allen,

Here's a copy of a letter I submitted to the Napa Valley Register on June 5, 2016 and I'm forwarding it to you as well. My first letter about Napa Oaks was published in the Register's May 8 issue and also sent to Kevin Eberle of the Planning Department. Thank you in advance for your consideration of my comments and those of other concerned Napa Valley residents regarding this development..

I obtained a copy of the "Draft Environmental Impact Report" for Napa Oaks, the proposed development on the western hills of Napa. My grandson, Hunter, a junior at Napa High, was doing a "Photo Essay" on the project. We looked through the document and he opted to view it on line as it would be easier to "cut and paste". He's obviously more technological savvy than his grandma! I reviewed the "Summary of Project Impacts and Mitigation Measures" in the report as it was laid out in easy to read columns. Under a heading of "Significant and Unavoidable" it said: "This report has determined that no environmental impacts would remain significant following mitigation." I looked up the word "mitigate" in my Webster's Dictionary and it said: To render or become mild or milder, mollify; to make or become less severe, harsh, etc." The word "solve" was not mentioned. So, what the report says is there are many "significant impacts" that will be "mitigated", not "SOLVED", but "no environmental impacts would remain! I'm not a geologist, biologist, hydrologist or traffic expert, and the report was not written for the layman, but this statement seems incredibly presumptuous and quite frankly, hard to believe. The first column lists "impacts", the second "mitigation measures" and the third column "resulting level of significance". I counted a total of 45 "impacts", 19 of which recommended "mitigation measures", 26 where "no mitigation was warranted", and in the "Resulting Level of Significance" column, all impacts were noted as "Less than Significant." So are the experts saying that after the necessary mitigations are completed, (remember this doesn't mean solving the problems), any impacts will be so small, they won't be noticed!? Who are they trying to fool?? Putting 53 McMansions in an area that features unspoiled rolling hills, an Oak woodland and wildlife habitat is going to make one HUGE IMPACT! Destroying this natural area is only part of the problem. There are safety, seismic and water runoff issues to name a few. Go to StopNapaOaks.com to find out more. This is Davidon Homes' third attempt to build homes on this property. Napa needs to make sure this is the last time!

Karen Scriven, Napa
[707 226-5324](tel:7072265324)

AW-1

AW-2

AW-3

AW-4

LETTER AW, KAREN SCRIVEN, 6/6/16

Response to Comment AW-1

This is largely not a comment on the environmental analysis. Master Response 1 regarding non-environmental comments.

As noted in the introduction to the Draft EIR, the EIR was prepared in accordance with the California Environmental Act and associated Guidelines. Thresholds for determining significance of impacts are detailed in the impact analyses in Chapters 4 through 18 of the Draft EIR.

Response to Comment AW-2

See Master Response 4 regarding changes to the current state of the site including open space, habitat and views.

Response to Comment AW-3

This comment includes a list of environmental concerns, as addressed below:

Master Response 7 addresses comments relating to development on a site with a fault and seismic concerns are further addressed in Chapter 9 of the Draft EIR.

See Master Response 9 regarding site drainage.

This comment also generally references safety as a concern without further specification. The Draft EIR concluded the Project would not result in significant impacts that could not be mitigated, which includes those related to safety. While no specific issues were identified, Master Responses 7, 10, 13, and 15 relate to safety.

Response to Comment AW-4

This comment expresses opposition to the Project and discusses the history of decisions related to the site, which are not comments on the environmental analysis. See Master Response 1 regarding non-environmental issues and Master Response 2 regarding the history of applications and decisions related to the site.

Letter AX

June 8, 2016

Mike Allen
City of Napa
Community Development Dept.
1600 First Street
Napa, CA 94559

**Re: Napa Oaks II
Financial Feasibility of Reduced Density**

Dear Mr. Allen,

The Draft Environmental Impact Report (DEIR) for Napa Oaks II Project, dated March 2016, discusses alternatives in Chapter 19. Within that text, it states that "the financial feasibility of this Alternative has not been determined, as private residential development would need to fund construction of roadway and utility connections as well as conservation efforts and ideally a public trail." Similarly, the Alternatives Conclusion on page 2-5 states that "the financial feasibility of [Alternative B] is not known, as the reduction in units could undermine the financial feasibility of roadway and utility connections, as well as conservation efforts and public trail beneficial to the City."

Davidon has performed extensive financial analysis to evaluate various scenarios for the economic feasibility of this property. This letter provides a brief background and conclusions of that analysis. In summary, Alternative B is not financially feasible. While more feasible than Alternative B, both Alternatives C and D would have to eliminate roadway and utility connections, mitigation, as well as conservation efforts and public trail beneficial to the City to improve the feasibility. Even then, the feasibility of Alternative C is unlikely and Alternative D would remain infeasible.

AX-1

In analyzing the financial feasibility of a project, two areas of feasibility are considered. First, the projected revenue must exceed the projected costs, and it must do so by an acceptable rate of return on investment. Second, assuming the revenue exceeds costs so the project can be built, the project must be able to support the maintenance responsibilities for all privately maintained facilities.

To estimate a project's return, total costs must be evaluated and a market study of projected sales prices are evaluated. The total costs include costs for land, interest, carry, engineering and consultants, subdivision improvements, building construction, agency fees and exactions, contractor and construction overhead, warranty costs, liability insurance, selling expenses, sales

concessions, property taxes, and general & administrative expenses. Of these items listed, some costs remain significantly constant no matter the density of the project, including cost of property, interest, carry, engineering and consultants, and subdivision improvements.

The summation of these fix costs are essential in determining the number of units by establishment of a "finished lot" cost. When density is reduced, it provides fewer lots to absorb the fixed costs and therefore raises the cost of a finished lot. The finished lot cost is then a key component to establishment of what the sales price of each house needs to be to generate an acceptable return. The higher the finished lot cost, the higher the sales price of the home needs to be, which determines the size of the homes based on the market rate.

Improvement costs included in the fixed costs for this project that significantly impact the feasibility include installation of new offsite water main, upsizing of existing offsite water main, upsizing of existing sewer main, Old Sonoma Road improvements (widening, sidewalk extensions, bike lane extensions, etc.), oak woodland preservation, establishment of a public trail system, conservation easement establishment, and in-tract road & utility installation.

A feasibility analysis to determine the equivalent return and HOA generated revenue at various levels of housing was performed. The results are as follows:

<u>Average Priced Home</u>	<u>House Size</u>	<u>Lot Size</u>	<u>Quantity of Units Needed</u>
\$550,000	1,200-1,400 sf	5,000 sf	200
\$800,000	1,500-2,250 sf	7,000 sf	100
\$1,250,000	2,500-3,750 sf	10,000 sf	80
\$1,700,000	3,750-5,000 sf	12,000 sf	54

Based on the above number of units required to be financially feasible, the constraints of the site, both topographically and environmentally, would prohibit the first three scenarios. The analysis determined that 54 units, priced in the mid to high \$1 million range, would meet the minimum criteria for a feasible project. On March 31, 2011, a 54 lot application was submitted.

The second component to determining the financial feasibility of a project is evaluating the feasibility of maintenance of the private facilities. The homeowners association must be composed of enough units to generate enough revenue to effectively maintain the private facilities in perpetuity. Monthly assessments will be paid by each property owner to fund the homeowners association. In evaluating the feasibility, these monthly assessments must be at a price that can be accomplished within the subdivision. A reasonable rate of assessment is one that does not exceed 10% of the homeowners monthly mortgage payment, to a maximum of \$500 per month. For example for a \$500,000 home with a monthly payment of \$2,000, a \$200 HOA assessment is assumed as reasonable and affordable. Projects that exceed this threshold are less marketable and become infeasible.

With the exception of sewer and water facilities, the Napa Oaks II project is proposing that all project improvements to be privately maintained by the HOA. Facilities for this project requiring maintenance include oak woodland preservation, public trail system, conservation easement, and in-tract road, storm drain and landscape facilities.

In August 2014, the South Napa Earthquake hit Napa Valley, exposing a more definable fault zone within the property, which required a design change resulting in a net loss of one lot. The current application consisting of 53 lots was submitted on April 20th, 2015. Though economic analyses showed that 54 lots was Davidon's minimum quantity to provide a feasible project, Davidon had two options to consider: 1) finding a location on site to squeeze in a 54th lot, or 2) reduce the project to 53 Lots. The latter was chosen to preserve the goals and intent of the design by providing a low impact project that addressed previously voiced concerns. Though financially the loss of one lot increases the finished lot cost and the HOA assessments on the property, this was the superior option and one that Davidon felt can be absorbed.

The proposed application, including 53 homes ranging from 3,888 sf to 5,061 sf, was determined by Davidon to be the fewest amount of units with the least environmental impacts while being financially feasible. Fewer than 53 units would require the elimination of roadway and utility connections, mitigation, as well as conservation efforts and public trail beneficial to the City to improve the feasibility.

Chapter 19 of the Draft EIR lists alternatives with reduced densities of 11 units (Alt B), 32 units (Alt D) and 40 units (Alt C). Based on the financial feasibility analyses performed, all three alternatives are not financially feasible and each would apply a financial burden, deeming the project infeasible.

We are hopeful the City will see this project as a great benefit to this City and keep the current density in order for it to be financially feasible for the applicant.

Sincerely,
DAVIDON HOMES



Steve Abbs

Vice President, Land Acquisition & Development

Cc: Kevin Teague

LETTER AX, STEVE ABBS, DAVIDON HOMES, 6/8/16

Response to Comment AX-1

This letter is from the applicant team and expresses support for the Project and discusses financial feasibility of alternatives. An EIR is required to consider potentially feasible alternatives and not reach final conclusions related to financial feasibility, which has not been reviewed for this analysis. Financial feasibility of alternatives can be taken into consideration by City decisions-makers in making CEQA findings for the determination on Project applications.

Letter AY

Huffman-Broadway Group, Inc.

ENVIRONMENTAL REGULATORY CONSULTANTS

826 MISSION AVENUE, SAN RAFAEL, CA 94801 • 415 925.2000 • WWW.HBGROUP.COM

June 9, 2016

Mike Allen
City of Napa
Planning Division, Community Development Department
1600 First Street
Napa, CA 94559

Re: Napa Oaks II DEIR Comment Letter

Dear Mr. Allen,

Huffman-Broadway Group, Inc. (HBG) herein provides a comment related to the Draft Environmental Impact Report (DEIR) for Napa Oaks II Project, dated March 2016. HBG has been under contract with the project applicant and property owner, Davidon Homes, to conduct biological studies and prepare a Biological Resources report (Biological Assessment dated July 26, 2011 as modified by our letter dated February 3, 2015) that was used as a technical resource document by the City of Napa in preparation of the subject EIR. Our comment is solely related to discussion of impacts and mitigation measures pertaining to the potential presence of western pond turtle in the project area.

Although the project site habitat is unsuitable for western pond turtle nesting and estivation, during our biological surveys this species was observed by our subconsultant and species expert Mark Jennings of Rana Resources in irrigation ponds in the project vicinity. As one of these irrigation ponds harboring the species occurs along and just beyond the southern boundary of the site, we determined that it is possible that a western pond turtle could wander onto the southern portion of the property and be impacted during construction operations (e.g., could be crushed by construction vehicles). Therefore, we recommended mitigation measures including the establishment of a setback of at least 200 feet between the southern grading limits of the project and the high water edge of the irrigation pond and the installation of silt fencing at the southern edge of the development area during all construction operations to prevent western pond turtle from potentially entering the construction area.

The current thinking for the project is that this area beyond the development limits of the project at the southern portion of the site adjacent to the irrigation pond would be used for creation of wetlands to compensate for wetland impacts elsewhere in the project development.

Napa Oaks DEIR comment 6-9-16 & 9-16

Huffman Broadway Group, Inc., is a California Certified
Small Business and a Veteran-Owned Small Business.



AY-1

We have recommended slightly modifying the mitigation measure related to the western pond turtle (Mitigation Measure Bio-6 from the subject Draft EIR and also from our July 26, 2011 Biological Assessment report) to accommodate the need for grading to create mitigation wetlands at the south end of the property within 200 feet of the irrigation pond that has been known to support this species. Rather than installing an exclusion fence 200 feet from the property line to provide a buffer for the turtle, we now recommend conducting preconstruction surveys for the western pond turtle at the south end of the site, and once it can be assured there are no pond turtles in the area where wetlands are to be created, installing the exclusion fence along the property line to prevent western pond turtle from moving into the wetland construction area where they could be harmed.

Mitigation Measure Bio-6 related to western pond turtle should be revised as follows:

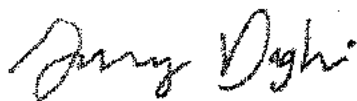
Mitigation Measure Bio-6: Construction Period Western Pond Turtle Preconstruction Survey and Exclusion Fencing. The following controls shall be implemented during the construction period to reduce the potential for occurrence of western pond turtle at active construction sites:

A qualified biologist shall conduct a preconstruction survey for western pond turtle at the southern end of the Project site within 24 hours of commencement of activities related to the construction of mitigation wetlands in that area. Any western pond turtles encountered shall be relocated to the irrigation pond to the south of the site. Once it can be assured that no western pond turtles are present within construction sites, a western pond turtle exclusion fence (silt fence) shall be installed along the southern property line and adjacent to the offsite pond, to prevent western pond turtles known to occur in the irrigation pond from entering construction areas. This silt fencing shall be maintained at the southern end of the development area during all construction operations to prevent western pond turtle from potentially entering the construction area. The fence shall be examined by a qualified biologist on a regular basis during the construction period to make sure it is functioning properly.

Once the wetland mitigation is implemented at the southern end of the site, the new wetlands between the development footprint and the irrigation pond on the adjacent property would provide suitable buffer for western pond turtle that live within the irrigation pond on the adjacent property.

Please contact me or Robert Perrera at 415-925-2000 if you have any questions related to our analysis regarding the western pond turtle at the Napa Oaks II project site.

Sincerely,



Gary Deghi
Senior Environmental Scientist

LETTER AY, GARY DEGHI, 6/9/16

Response to Comment AY-1

Requested changes to Mitigation Measure Bio-6 related to the location of Western Pond Turtle Exclusion Fencing has been reviewed by Zander Associates and found to be consistent with mitigation goals. Revisions as shown in Chapter 22.

Letter AZ

From: Florence Lindstrom <lindstromflorence@gmail.com>
To: "Allen, Michael" <mallen@cityofnapa.org>
Cc:
Date: Thu, 9 Jun 2016 17:29:17 +0000
Subject: Florence Lindstrom, Napa Oaks
6/8/2016

Mike Allan Planning Department

It was painful reading the Environment Impact Report which is several hundred pages long prepared for Napa Oaks II Subdivision. They are attempting to build 53 multi-million dollar homes in the Southwest Napa Hills. They're back, after being shut down twice. To present another proposal to the Napa's Planning department and the City Council. Ugh, this is the most depressing read I've had in years!

AZ-1

The hillside is my favorite view in Napa while driving over the Imola Avenue bridge west or coming northwest on highway 29. The sunsets are some of the most beautiful I've seen, a masterpiece sometimes with its waning colors of light behind the oak trees, grasslands, hillsides and ridges and "ah" moments occur even during storms.

This hillside is the provider of shelter, habitats and nesting for many species of wildlife. Some cattle make it their home seasonally, and their conversations of moos are more comforting than most music. Wild turkeys sing a pleasant gobbled tune between each other with 32 in a flock. A wide variety of birds keep the chatter going while getting on with their daily chores. Just before dusk the crickets have a lot to say about what goes on around here. In the darkness the bull frogs start a dialog with another and soon they sound like they're arguing, until one or the other gets their way. The concert isn't over yet, the owls take over the night watch and their hoots finally put me to sleep. Many other special effects play out on this hillside. A gray fox is often drinking from our fountain, and we've startled a red fox from her sleep in a lounge chair some early mornings, this is my entertainment. I hope future generations can enjoy all of this.

AZ-2

On a more serious and less pleasant note is about the Earthquake August 24, 2014. Waking to what sounded like an explosion that kept the walls of the house moving in and out a couple times, listening to treasured items become fragments. We've had to replace waterlines, fences, retaining walls and we still have many repairs to make because of the earthquake. Our property has a much larger setback from the multiple fault lines that run through the proposed development, which specifies only 25 feet as the setback between Fault lines and homes.

AZ-3

We live just below the proposed development on Casswall Street: the one that's made up of large pot holes and crumbled asphalt. The believed cause is the run off from the hillside and increase in traffic. I've heard rumors we are getting paved this year, we would appreciate it. During wet seasons the run off from the hills has flooded our home three times in the 10 years we have been living here. Adding more homes on the hill that require landscaping will increase the problem. A major concern is for the safety of the families who would buy the homes on the hill, living their dream; until it starts rocking and rolling from the next earthquake. We also have concerns for our neighbors and our own home, with the proposed retention pond on Casswall St. The lot is higher in elevation than most of ours and we believe this above ground pond will only add to our problems and be an eye sore. The proposed pond should not be near an already developed neighborhood.

AZ-4

AZ-5

Grading a hill and removing mature established trees is a recipe that can't be fixed no matter how many saplings you plant trying to make it right. IT'S WRONG! The hills are there because the trees have embraced themselves into the land with its roots much wider than their canopy and deep enough to find the water table. The environmental impact reports prepared for this development claim mitigation can make its impact, "Less Than Significant". That is false. Save our zoning on this beautiful hill and the habitats, all the animals need to survive. "Everything in life is significant"!

AZ-6

Thank you, Florence Lindstrom Napa

LETTER AZ, FLORENCE LINDSTROM, 6/9/16Response to Comment AZ-1

This is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental comments and Master Response 2 related to the history of decisions related to the site.

Response to Comment AZ-2

See Master Response 4 related to changes to the current state of the site, including habitat and views.

Response to Comment AZ-3

See Master Response 7 related to development on a site with an earthquake fault.

Response to Comment AZ-4

See Master Response 9 related to drainage to downslope areas.

Response to Comment AZ-5

See Master Response 10 regarding safety of the stormwater basin. The potential for impacts related to area seismic activity are further addressed in Chapter 9 of the Draft EIR.

Response to Comment AZ-6

See Master Response 4 related to changes to the current state of the site, including habitat and views, and Master Response 6 further discussing removal of trees.

Letter BA

June 9, 2016

Senior Planner Michael Allen

Napa City Planning Commission

1600 First Street

Napa, Ca 94559

Dear Mr. Allen:

BA-1

Thank you for giving me this opportunity to express my views on the application by Davidon Homes (Napa Oaks II) to change the zoning on the 80 acre parcel bordering Casswall Street and Old Sonoma Road. This development of 53 very large homes will have a disastrous effect on the environment. The land is unstable and several earth quake

BA-2

faults run through the property. The development would increase the traffic on Old Sonoma Road, Foster Road and Casswall. The traffic on either of these streets is already problematic. Old Sonoma Road is the short cut to Browns Valley, Foster Road and Casswall are shortcuts to Imola Avenue and the freeway. There are elementary schools in the area with children walking to and from classes. The traffic poses a threat to these

BA-3

young children. I was one of the group of people who objected to Napa Oaks I. This property was rejected by the City Council back in 2001 and should be rejected again in

BA-4

2016 for the same reasons now as then: The last earthquake of 6.1 left our property in

BA-4
Cont'd

shambles. We have no way of knowing what the next earthquake will bring.

BA-5

The project will leave a scar on our beautiful landscape that will never be erased. In short, the acreage is unsuitable for the development proposed. We need to be protected from the onslaught of this very well-connected and well-financed developer. We look to the City Council for this protection.

Thank you for your consideration.

Sincerely,

Elsebeth Nielsen Schoenberger

LETTER BA, ELSEBETH NIELSEN SCHOENBERGER, 6/9/16

Response to Comment BA-1

See Master Response 7 regarding development on a site with an earthquake fault and Master Response 8 regarding soil slips.

Response to Comment BA-2

See Master Responses 11, 13, and 15 regarding general traffic, cut-through traffic, and traffic safety. Traffic counts and projections include vehicle traffic and pedestrians related to existing schools.

Response to Comment BA-3

This is not a comment on the environmental analysis. See Master Response 2 regarding the history of decisions related to the site.

Response to Comment BA-4

See Master Response 7 regarding development on a site with an earthquake fault. The potential for impacts related to area seismic activity are further addressed in Chapter 9 of the Draft EIR.

Response to Comment BA-5

This is largely not a comment on the environmental analysis and expresses opposition to the Project. See Master Response 1 regarding non-environmental issues.

See Master Response 4 regarding changes to the current state of the site.

Letter BB

From: Erica Timmerman [mailto:ent@lawhcd.com]
Sent: Thursday, June 09, 2016 5:03 PM
To: Allen, Michael
Subject: Napa Oaks Development

Dear Mr. Allen:

I am writing to you to express my opposition to the Napa Oaks Development in southwest Napa. I live several blocks from the development and I'd like you to know what current conditions are like in the neighborhood and how they would worsen if this development is built.

First, I want to give you a little background: I grew up in a nice neighborhood in LA which over the years became a commuter short-cut to avoid traffic. I saw my empty neighborhood streets turn into major thoroughfares. I have lived in southwest Napa for nearly 6 years and I can tell you that during the morning and evening rush hours Foothill, Pine, Elm, Roosevelt, and Laurel (all strictly residential streets) are now main thoroughfares. There is a 25 MPH speed limit which constantly gets ignored as do the Stop signs. As I walk my dogs in the early morning and evening, I consistently see drivers going well over 40 MPH on streets being used by children and folk walking their dogs (please note that on certain streets like Roosevelt and Laurel there are spots with no sidewalks). Time and again I see drivers going 50 MPH while bombing through the Stop signs. Most of the drivers are not local, but turn onto these streets due to the traffic on Old Sonoma Road (it's really bad when Harvest Middle School is in session) in order to get to Golden Gate Drive. Even the horrible dip in the road at the intersection of Roosevelt and Elm doesn't slow the drivers down. I live at this intersection and I often find pieces of cars in my yard. Once, a woman lost control of her car after hitting the dip and she ended up in my neighbor's front yard (they repaired the damage to their yard but her car's axle broke). You can see the gouges in the road from people constantly bottoming out on the dip. In the 6 years that I've lived in the neighborhood, I've seen enforcement of traffic laws twice (that's right, only two times).

I write the above because with 53 new homes probably means over 200 more cars making a right turn onto Old Sonoma Road in the morning and 200 making a left turn in the evening (I've heard that there is going to be only one road out of the development). I don't know if you are familiar with the area but Old Sonoma Road can't handle an additional 200 cars during rush hour traffic. Nothing is being done now to alleviate the traffic issues so how can the neighbors expect that traffic issues will be addressed in the near future before and after this development is built?

To reiterate, the neighborhood is not well equipped to handle the traffic it has now and it certainly won't be to handle any additional heavy traffic in the near future.

Also, I've heard that the area has severe drainage problems. I don't know about that but I can tell you what Elm Street looks like when it rains. Have you seen it with your own eyes? If it rains heavily for even an hour, Elm Street from Foothill to Almond becomes a river. This past winter I couldn't get out of my driveway because the street was so flooded. I also have a video from the year before which shows Elm Street as a river.

We can talk about other issues such as the earthquake fault and the lack of water but my main concern is the traffic. Why should thousands of people's quality of life be sacrificed so one guy can possibly make money? I think that we can all predict what's going to happen: as soon as it comes time to

BB-1

BB-2

BB-3

address the traffic issues and the water issues and the drainage issues and the safety issues (one road in and out), the developer will suddenly run out of money and the taxpayers will have to pick up the tab.

BB-3
Cont'd

Thank you.

Erica N. Timmerman

Erica N. Timmerman
Trusts & Estates Paralegal
Hines Carr Diamond LLP
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lawhcd.com | ent@lawhcd.com

LETTER BB, ERICA TIMMERMAN, 6/9/16Response to Comment BB-1

See Master Responses 11, 13, and 15 regarding general traffic, cut-through traffic, and traffic safety. Traffic counts and projections include vehicle traffic and pedestrians related to existing schools.

As detailed on page 16-14 of the Draft EIR, the Project is projected to result in 41 trips during the morning peak hour and 54 trips during the PM peak hour.

Comments related to enforcement and mitigation of existing conditions are not comments on the environmental analysis of the Project. See Master Response 1 regarding non-environmental comments.

Response to Comment BB-2

See Master Response 9 regarding drainage to downhill areas as it relates to the Project site.

Response to Comment BB-3

Portions of the comment not related to the environmental analysis of the Project (quality-of-life, financial gain, taxpayers funding) are responded to by Master Response 1. This comment also lists multiple environmental issues, addressed by the following:

See Master Response 7 regarding development on a site with an earthquake fault.

See Master Responses 11 regarding general traffic and congestion.

Utilities are discussed in Chapter 17 of the Draft EIR. The Project is within the service area of the City of Napa Public Works Water Division. As noted on page 17-5, “While the proposed Project would lead to an increase in demand for water and generation of wastewater, it would utilize existing water facilities and resources and would not cause an exceedance of wastewater treatment requirements or result in the need for new off-site facilities.”

This comment also generally references safety as a concern without further specification. The Draft EIR concluded the Project would not result in significant impacts that could not be mitigated, which includes those related to safety. While no specific issues were identified, Master Responses 7, 10, 13, and 15 relate to safety.

Letter BC

From: Keith Lindstrom [mailto:winer707@comcast.net]
Sent: Friday, June 10, 2016 5:50 PM
To: Allen, Michael
Cc: Keith Lindstrom; Florence
Subject: Napa Oaks II

Hello Mr Allen,

Regarding Napa Oaks II,

A new road would built in the hills that would come out on the downhill, south side of Old Sonoma Road, a major artery into town where vehicles routinely reach speeds of over 50 mph. This safety aspect alone should be enough for the plan to be rejected again. Hundreds more vehicles per day would be using this intersection where drivers are already challenged by the setting sun and traffic speeds that make it dangerous. The EIR doesn't address the potential collisions caused by the setting sun and the speeding drivers at a new intersection. (see attached photo).

BC-1

The EIR says traffic on Casswall St would be less than 5000 vehicles per day, so less than significant. We dispute that finding, because current traffic is no where close to 5000 vehicles per day. Also, the EIR doesn't address the safety of pedestrians on Casswall, where there are no sidewalks.

BC-2

The EIR calls for clearing of brush for 200 feet west of the entrance road, yet it makes no mention of the significant soil excavation and grading that would need to be done within those 200 feet. If you look at the site, you will see that must happen to create clearer sight lines. Will this soil removal cause further erosion issues? Will there be runoff issues? Will there be adequate sight lines for making a left turn onto Old Sonoma Rd?

BC-3

The EIR calls for a hiking trail around the perimeter of the development. This would attract many visitors - where will they park? Is there adequate parking on site? Will there be warning signs for the visitors of the extreme fire danger to nearby homes?

BC-4

Where in the EIR is Road Noise related to vehicles driving up and down the new access road addressed? Will residents in the streets below hear construction and delivery vehicles down-shifting and braking coming down this steep access road?

BC-5

The area is currently designated as a

Resource Area (RA) - sensitive lands inside the RUL that require special standards due to view shed, resource, habitat, geotechnical or other considerations that further the conservation and resource protection goals of the General Plan

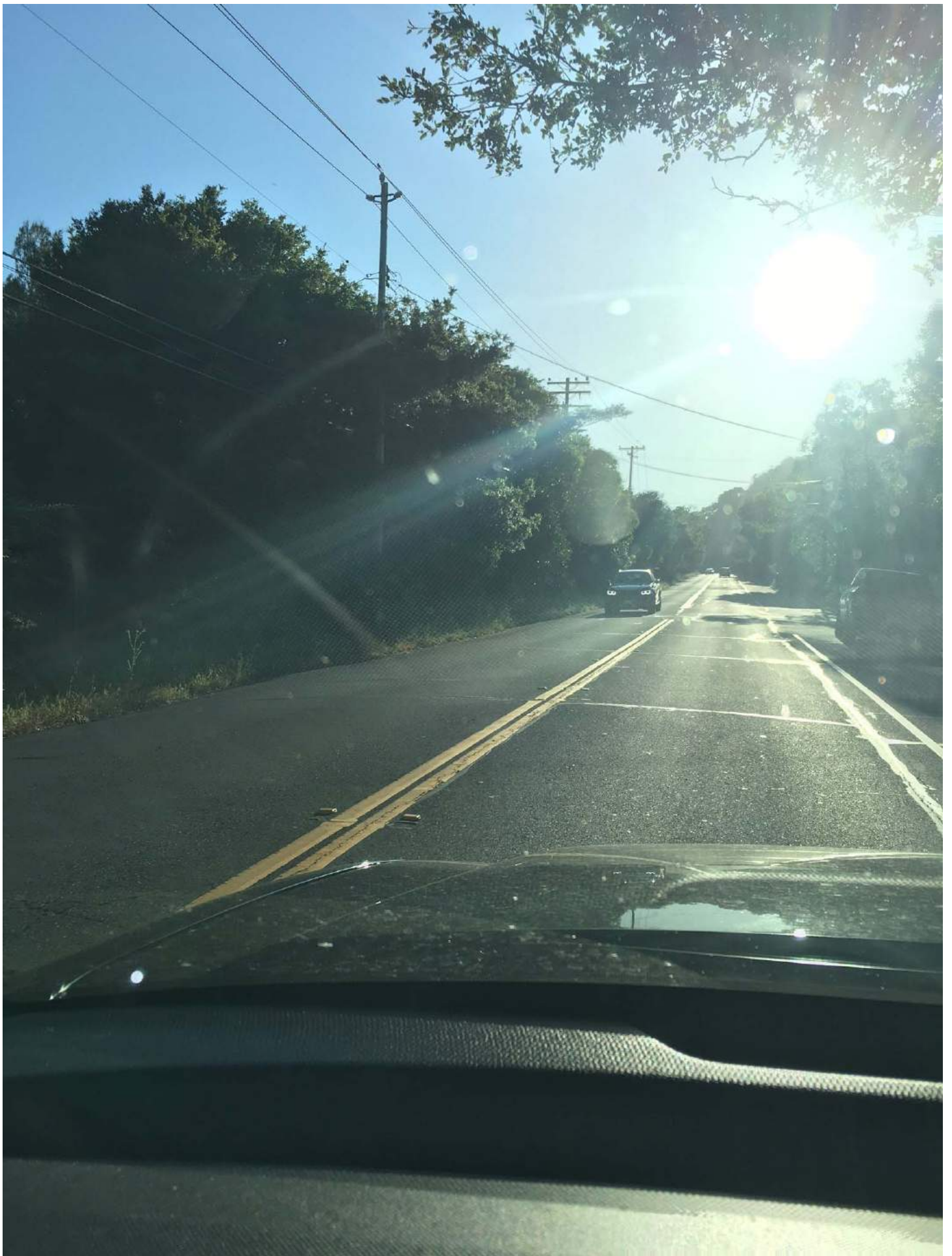
BC-6

what has changed that would necessitate a change of zoning?? A developer wants to change the zoning, but is there any other reason the current zoning should be changed?

I have many other concerns, but I believe most have been addressed by other comments to your department.

thank you,

Keith Lindstrom
275 Casswall St



LETTER BC, KEITH LINDSTROM, 6/10/16

Response to Comment BC-1

See Master Response 15 regarding traffic safety and the proposed access.

Response to Comment BC-2

See Master Response 13 regarding cut-through traffic and safety.

Response to Comment BC-3

The full discussion of site distance at the proposed Project access is included on pages 16-29 through 16-32 of the Draft EIR. Removal of foliage within the street right-of-way only (without any re-grading) will provide adequate site distance to meet safety standards.

Response to Comment BC-4

On-street parking will be allowed within the Project, which would be expected to accommodate any trail users that drive to the site. See the discussion of parking as a non-environmental issue in the Draft EIR pages 16-32 through 16-34.

Response to Comment BC-5

An analysis of potential noise impacts of the Project was conducted by Illingworth & Rodkin in coordination with City of Napa staff, as included in Chapter 14 of the Draft EIR and associated Appendix H. As detailed in the Draft EIR, Project would not result in significant noise impacts during the construction period or the operational period, which includes vehicle and truck trips. Potential impacts related to road noise are specifically discussed on page 14-15.

Response to Comment BC-6

The EIR analyzed the Project as proposed, which includes a change of zoning, from an environmental perspective. Non-environmental considerations are considered separately, as discussed in Master Response 1.

This comment also lists multiple environmental concerns, as addressed below:

See Master Response 4 regarding changes to the current state of the site including open space, habitat, and views.

See Master Response 7 regarding development on a site with an earthquake fault. The potential for impacts related to area seismic activity are further addressed in Chapter 9 of the Draft EIR.

Letter BD

From: Johnny McDonald <jmcd22@att.net>
To: "Allen, Michael" <mallen@cityofnapa.org>
Cc:
Date: Mon, 13 Jun 2016 19:49:13 +0000 (Originally sent 10 Jun 2016. Only the version with the noted revision is included)
Subject: Re: Stop Napa Oaks II-AGAIN

Thank you, Mr. Allen.

There was a typo in the first copy—the date in the first sentence should be 1993, corrected below.

BD-1

Sincerely,

John McDonald

Mike Allen
Napa City Planning Department

Dear Mike Allen,

I moved into my house in the fall of 1993, following a prolonged drought in California. And then it rained like crazy. Next summer I noticed my walls and dresser were getting moldy, and the dirt in the crawlspace beneath my house was muddy—in June! I had a water problem, and all of it came from the beautiful hill above me. During prolonged periods of heavy rain, water runs underground, underneath a twenty-foot cement pad, to collect under my house.

Most all of my neighbors have water problems that threaten their health, safety, and comfort, too. French drains, sandbags, dehumidifiers, sump pumps, and man-made arroyos are employed in attempts to keep homes from flooding. Still foundation slabs weep and things get soggy. Avoiding wet-winter water damage at the foot of this beautiful hill feels something like an achievement of engineering, and something like mercy that the rains have finally let up.

Water pours to the foot of hill, flowing over the surface and emerging from underground streams through water-fractured street cracks and sump pump outlets. A four-inch pipe inside a sewer drain outside my house drains water from one of the many creek beds that were filled in 1957—as I write today, June 10, the water is flowing, even though it hasn't rained for months.

BD-2

If Davidon builders is allowed to build densely, they will not only be creating so much more runoff because of increase in hard surfaces, they will be cutting up underground water streams and otherwise unknown water pathways. Where will all this water go? Davidon doesn't know because they do not acknowledge it in the EIR, but they know there will be so much of an increase in runoff that it would overwhelm the city's sewer system. Thus, their inelegant storm diversion tank that they would disrespectfully place in the established neighborhood below. An inelegant solution to a problem we do not need. Much water would surely flow its new path into these holding tanks, but what about the rest? Downhill.

So, no, I do not want the increased runoff from a dense Davidon development, nor do any of my neighbors.

Do not allow a zoning change that would allow the Davidon menace to further threaten Napa.

BD-3

John McDonald
2708 Utah St.
Napa CA 94558

LETTER BD, JOHN MCDONALD, 6/10/16

Response to Comment BD-1

As noted, this letter replaces a letter with a typo. Only the corrected version has been included.

Response to Comment BD-2

See Master Response 9 regarding drainage to downslope areas.

Response to Comment BD-3

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.



**FARELLA
BRAUN + MARTEL LLP**

Letter BE

KATHERINE PHILIPPAKIS
kp@fbm.com
D 415.954.4434

June 10, 2016

Via Hand-Delivery and E-Mail (mallen@cityofnapa.org)

Mike Allen
Napa Community Development Department
Post Office Box 660
Napa, CA 94559

**Re: Comments on Draft Environmental Impact Report (DEIR) for the Napa
Oaks II Draft Environmental Impact Report (State Clearinghouse Number
2012082093; City File Number PL11-0024)**

Dear Mr. Allen:

On behalf of Truchard family (the "Truchards"), we submit these comments to the City of Napa ("City") in response to the Draft Environmental Impact Report ("DEIR") for the Napa Oaks II subdivision ("Project") proposed by applicant, Davidon Homes ("Project Sponsor"). The Truchards are understandably dismayed both by the proposed Project and by the inadequacy of its environmental review.

The Truchards actively farm 160 acres immediately to the south and west of the Project; they share approximately 3,000 linear feet of fence line; they own the water rights on the Project property; and they have an unobstructed view of the west face of the scenic hillside. For these reasons, they are among those who will be most impacted by the Project.

The history of the property in question is relevant to an understanding of the Project and its impacts on surrounding properties. Two previous proposals to develop this hillside were rejected due to the incompatibility of the proposed use with the terrain and with surrounding existing uses. In fact, the unsuitability of the Project site for intensive development was the primary reason it was re-designated in the most recent General Plan update to a more compatible Land Use designation – Resource Area. This revision recognized the importance of providing a buffer between the adjacent agricultural operations and the nearby dense urban housing neighborhood. It also worked to protect an important scenic vista visible from multiple vantage spots within the City of Napa – one which will undoubtedly be compromised when nearly 250,000 cubic yards of dirt movement occurs on the site.

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SAN FRANCISCO ST. HELENA www.fbm.com

BE-1

BE-2

Mike Allen
June 10, 2016
Page 2

Now the protections previously put into place by the General Plan are in jeopardy as the City once more faces a request for the development of the site in a way that is inappropriate to the area's environmental sensitivities. The Truchards raised their concerns with the foreseeable environmental impacts of the development in their November 23, 2012, comment letter in response to the Notice of Preparation ("NOP") for the Project, and these concerns remain valid and unanswered. Among their concerns is the effect of the Project on the scenic vista: in addition to the massive grading associated with the Project, the development will quintuple the density of the site from 11 to 53 units and scatter structures and non-native landscaping over the hillside. By contrast, the existing zoning is proportionate both to the site's topography and to the intensity of use on neighboring parcels. Further damage to the scenic vista will be caused by the construction of an unsightly man-made drainage pond and by the removal of 71% of the existing trees on the site (571 trees).

BE-3

In addition to our clients' concerns with the intensity of the Project and its suitability to this site, the Truchards also have serious concerns about the actual and potential significant impacts the Project will have on the health and safety of the neighborhood and Napa community as a whole. The DEIR fails to analyze these impacts adequately or to mitigate them appropriately. By way of example, the alternatives analysis in the DEIR is inadequate because it fails to depict or analyze how the proposed alternatives (such as developing within existing allowed zoning density) would lessen the Project's significant impacts, including impacts to the treasured scenic hillside vista. Similarly, the DEIR fails to analyze the viability of the Project – a project that is located directly above an active earthquake fault, has no secondary egress (requiring occupants to "shelter in place" during a wildfire), and has an ambiguous construction schedule, calling into doubt when – or if – the Project will ever be completed. Additionally, there is important information missing from the analysis of the Project: what constraints might be placed on the viability of any mitigation measures by the property's proposed homeowner's association and CC&Rs? What economic benefits to the City does the Project provide and, in the absence of a development agreement, are such benefits (assuming they exist) achievable? What potential liabilities to the City are created by the Project? Without a full picture of the costs and benefits of the Project, the City is not in a position to make an informed decision on the Project.

BE-4

BE-5

BE-6

BE-7

CEQA requires the City to carefully describe, analyze and evaluate the full breadth of environmental health and safety risks arising from the Project. As currently drafted, the DEIR is inadequate and fails to disclose and analyze those safety hazards and environmental impacts, to properly mitigate them, or to analyze any Project alternative in sufficient detail to assess whether it significantly reduces the Project impacts.

BE-8

Mike Allen
June 10, 2016
Page 3

A. BACKGROUND RE THE TRUCHARDS' INTEREST IN THE PROJECT.

Tony and Jo Ann Truchard planted vines on their property beginning in 1973. They were among the first farmers to plant vineyards in the Carneros region and one of the pioneers of the soon-to-be Carneros AVA. It is critical to understand that, unlike many other areas of Napa County, there is very little groundwater available in the Carneros because of the shallow clay soil (which restricts groundwater infiltration) and the salt water influence from nearby San Francisco Bay. Given the relative unavailability of groundwater, it is essential for vineyards in the area to utilize surface water diversion and sheet flow from upgradient land into reservoirs to provide the necessary water.

Truchard Vineyards became a leader with regard to this approach in the Carneros region. It used the clay soils to create a network of reservoirs for capturing rainfall sheet flow from the surrounding hills and adopted drip irrigation techniques to minimize the amount of water used. The Truchards also applied for and were granted a series of surface water rights permits from the State Water Resources Control Board ("State Board"), which are some of the oldest and most valuable water rights in the Carneros region. These permits authorize them to divert water from Raynes Creek and other watercourses located immediately downgradient from the Project location and also to collect and use water that comes from the Project area into their reservoirs. Many of these permits only allow the collection of water during very limited time periods and for certain uses, so any interference with the timing, amount and pattern of the flow could appreciably diminish the water available to Truchard Vineyards and thereby severely and adversely interfere its water rights and affect the success of its vineyard business.

B. THE DEIR FAILS TO ADEQUATELY ASSESS ALL POTENTIAL SIGNIFICANT IMPACTS, FAILS TO IDENTIFY REALISTIC ALTERNATIVES AND CREDIBLE MITIGATION MEASURES, AND FAILS TO DISCLOSE, ANALYZE, AND MITIGATE POTENTIALLY SIGNIFICANT LAND USE IMPACTS AND POLICY CONFLICTS.

Among other defects, the DEIR is inadequate on three general grounds:

- (1) the DEIR fails to propose feasible mitigation measures;
- (2) the DEIR fails to identify and analyze details for the feasibility of the alternatives identified for the Project, and
- (3) the DEIR fails to properly analyze and identify significant impacts related to aesthetic impacts relating to grading and tree removal, biological resources, water and hydrology, seismic hazards, and land use, and safety impacts.

Mike Allen
June 10, 2016
Page 4

An EIR can fulfill CEQA only if it analyzes all potential significant impacts caused by a Project. *See* CEQA Guidelines §§15125(a) and §15126.2(a). Once significant impacts are identified, the DEIR must then identify mitigation measures and/or alternatives to lessen the impacts' significance or eliminate the impacts altogether. CEQA Guidelines §§ 15126.4 and 15126.6

BE-10
Cont'd

1. **The DEIR fails to propose legitimate mitigation measures, defers specifics and feasibility of measures, and proposes mitigation measures in conflict with one another based on unsubstantiated evidence.**

For a hillside development project of this scale and magnitude, proposed on property already designated Resource Area¹ by the Napa General Plan, the mitigation measures proposed in the DEIR are weak. For instance, although Appendix G fully discloses the location of the West Napa Fault line – which runs directly through the site – the EIR identifies no significant impacts and proposes no mitigation measures related to seismic hazards. The DEIR glosses over potential significant impacts, including but not limited to environmental hazards to people and their homes from wildfires and the proximity to the fault line, as well as the aesthetic and biological degradation of the scenic hillside. As a result of these poorly described impacts, the corresponding mitigation measures are inadequate.

BE-11

Although the City as lead agency has broad discretion to determine the appropriate manner to analyze the Project in order to ascertain environmental impacts, the analysis used must still be supported by substantial evidence. In other words, the DEIR cannot use a means of identifying and analyzing Project impacts and corresponding mitigation that is not documented with substantial evidence, either in the DEIR itself or a technical appendix. *See Gray v. County of Madera* 167 Cal.App.4th 1099, 1124 (2008).

BE-12

The greatest concerns in this respect are the DEIR's use of unsubstantiated evidence of environmental impacts and its reliance on deferred mitigation measures, some of which are in conflict with other mitigation requirements. For instance, the EIR says that the aesthetics of the hillside development have no visual impacts, without complete analysis of the viewshed impacts. Specifically, the visual simulations do not disclose the change from oak woodlands to residential landscape, nor do they disclose the visual impact of the new roads flanked with non-native

¹ RA is a designation applied to sensitive lands inside the RUL that require special standards due to viewshed, resource, habitat, geotechnical or other considerations that further the conservation and resource protection goals of the General Plan. Limited, very low-density residential use (up to 1 home per existing parcel) is permitted, with discretionary review of the site development details. Other low intensity uses, such as rural residential (to a maximum of 1 dwelling unit per 20 acres) or agriculture, may be considered at the discretion of the City on a case by case basis. All uses will be assessed to determine if they will impact or change the underlying character or feature that is intended for preservation by the RA designation.

Mike Allen
June 10, 2016
Page 5

purple flowering trees, as well as the extensive drainage, fire, and water infrastructure proposed. Further, the conclusion that landscape screening will block the view from the scenic vista vantage points is in direct conflict with Mitigation Measure Traf-6, which requires “aggressive vegetation management in perpetuity” around structures and roadways. Vegetation that must be aggressively managed to provide fire protection cannot provide effective visual screening of the extensive development associated with the Project.

BE-12
Cont'd

Table 2.1 lists all potential impacts as Less than Significant With Mitigation. However, some Mitigation Measures (Air-1, Culture-2 a, Culture 2-b, Geo-1, Geo-2, Hydro 2 and Hydro 3) assume that, by providing additional documentation and complying with regulatory protocols, any potential harm or damage would be reduced to insignificant. CEQA requires more than conclusory statements to justify such a conclusion.

BE-13

With respect to the majority of the Mitigation Measures, the DEIR relies on the Project Sponsor providing future documentation, studies, and submittals for the City to analyze. These items, which are not disclosed in the EIR, are in essence deferred mitigation and therefore the DEIR is not disclosing or analyzing the Project’s complete environmental impacts. Some examples of the deferred mitigations include the following:

BE-14

Mitigation Measure Bio-2 requires the creation of an off-site oak woodland property for protection. However, this property is not identified, nor is there any description of how many acres on-site, if any, will be protected as part of this Project. Again, this is deferred mitigation requiring an indefinite future action. CEQA prohibits deferred mitigation because it is unreliable for reducing impacts to less than significant. Similarly, Traf-6 requires the implementation of a fire plan but does not explain what such a plan would look like, whether such a plan would be compatible with the Project, or whether the impact could be avoided by changes to the Project.

BE-15

In general, while agencies have great latitude in determining the effectiveness of mitigation measures proposed in an EIR, such a determination must be supported by substantial evidence. *See Sacramento Old City Ass’n v City Council* 229 Cal.App.3d 1011, 1027 (1991). It is insufficient to simply conclude, without substantial evidence, that any of the mitigation measures proposed for the Project are effective ---whether they are incorporated into Project design or operation or imposed by a Condition of Approval by the City. Furthermore, deferred mitigation is impermissible under CEQA. Generally, mitigation measures should be described specially in the EIR and not left for future formulation. Guidelines Section 15126.4(a)(1)(B); *see Cal. Clean Energy Comm. v. City of Woodland*, 225 Cal. App. 4th 173, 194 (2014). Deferred mitigation is also improper where an agency both defers formulation of the measure and delays implementation of mitigation --as is the case here -- allowing the project to move forward without settling a timeline for achieving mitigation. *See POET LLC v. Cal. Air Resources Bd.*, 218 Cal. App. 4th 681 (2013).

BE-16

Mike Allen
June 10, 2016
Page 6

The City must revise each Chapter of the DEIR to ensure that these basic CEQA principles are fully satisfied.

BE-16
Cont'd

2. Due to the extreme land use conflicts between the Project and existing adjacent land uses, the Alternatives section requires additional analysis.

According to the Project sponsor, the Project objectives include the following:

1. To create a low density residential project that will respect the unique physical and environmental attributes of the Project site including utilizing the Projects site's previously graded areas.

2. To allow development of a high quality yet economically feasible project, being one that allows for the development of enough low density housing to support public benefits including public trails, conservation areas drainage improvements, fire safety plan, and water supply improvements.

3. To help Napa achieve its goal of providing the housing type currently undersupplied in the City of Napa within its Rural Urban Limit Line.

4. To enhance the overall quality of the community and provide visual and architectural variety within the project in an aesthetically pleasing manner.

5. To provide economic benefit to the City of Napa through increased property tax and the multiplier effect from executive relocation opportunities.

BE-17

Despite these purported objectives, the Project description and DEIR make clear that the main goal of the Project is to provide the developer with an economically feasible project. There are no discernible public benefits associated with the Project. The stated public benefits are actually private benefits for the Project's prospective homeowners. The remaining so-called benefits are actually mitigation measures designed to eradicate environmental impacts, not to provide public benefits. To cite a few examples, the public trail is within a required agricultural buffer. The conservation areas are a mitigation measure. The drainage improvements are a State requirement. The fire safety plan is a deferred mitigation, and the water supply improvements are a necessity. Again, what are the public benefits? A hillside trail around the new subdivision is not adequate benefit to justify the Project.

Furthermore, the Alternatives analysis is faulty in a number of respects. As an initial matter, if the Project Sponsor were to remove the project requirements triggered by the Project's size that are then erroneously claimed as benefits (such as the fire plan for over 50 units), the preferred alternative that meets the Project Objectives would be a project within the existing

BE-18

Mike Allen
June 10, 2016
Page 7

general plan density and within the existing allowed zoning. The DEIR should be revised and re-circulated to depict a subdivision within existing zoning allowances and subject it to full evaluation.

BE-18
Cont'd

Additionally, the Alternatives analysis is based on the faulty assumption that “the currently proposed Project is fully mitigatable, with no significant and unavoidable impacts. Therefore, reduced density alternatives would not have the effect of avoiding or substantially lessening significant impacts, but have been chosen to compare minor reductions in already less than significant impacts.” As demonstrated below, this is simply inaccurate. The conclusions reached in the DEIR regarding impacts on oak woodlands, regulated trees, wetlands biological, scenic ridgelines and other sensitive resources all understate the magnitude of the impact, and do not recommend any additional avoidance, which is in fact the preferable approach to mitigation. If the conclusions and recommendations in Chapter 4 of the DEIR had been sound and adequate mitigation had been provided, a further reduction in the proposed density and footprint of development would have been made in each case. The magnitude of each of the impacts on sensitive resources would have been substantially reduced. And greater compliance with the applicable plans, policies and ordinances of the City of Napa would have been provided. Further avoidance should have been recommended as mitigation for each of these significant impacts, which would have then been captured in the alternatives analysis and supported the logical conclusion, that the project as proposed contains too many units, disturbs too much of the site, and is not appropriate.

BE-19

The contention in the Alternatives chapter that Alternative B: Reduced Density Alternative, General Plan Allowance would have similar impacts to the project as proposed is similarly unsupported. Again, this conclusion flows from the inadequate identification of impacts created by the proposed density of developments. If carefully designed, a reduced density alternative could conceivably avoid most if not all of the existing oak woodland habitat, most if not all of the jurisdictional wetlands, and could avoid siting new residences on prominent hillside and ridgeline locations. The DEIR must be revised to refine the site plan and design features of a reduced density plan, and to objectively disclose the obvious benefit and reduced impacts associated with Alternative B, rather than trying to bolster the proposed 53 unit development plan. Under the discussion of Oak Woodlands, the DEIR assumes that 6.5 acres of oak woodlands and 0.24 acre of wetlands would be impacted under Alternative B. How was this determined and why was no map included in the Alternatives Chapter to show these assumptions? Without the necessary supporting documentation, these assertions are impossible to verify, and the Alternatives analysis is impossible to assess adequately. As such, the DEIR is defective.

BE-20

Mike Allen
June 10, 2016
Page 8

C. SPECIFIC DEFICIENCIES IN THE DEIR

As discussed below, in addition to these general objections of the DEIR's failure to comply with CEQA, there are several specific resources analyses that lack disclosure of impacts, substantial evidence to support conclusions with regard to the severity of impacts and/or failure to propose feasible and effective mitigation measures.

1. The Project Description is Unstable. The Schedule for the Construction Phase is Speculative and Underestimates the Duration of Construction and Resulting Environmental and Human Health Impacts.

The entire environmental analysis here is inadequate because the documentation regarding the duration of construction is not supported by substantial evidence. "An accurate, stable and finite project description is the sine qua non of an informative and legally adequate EIR." *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 192 (1977); *see also Stanislaus Natural Heritage Project v. County of Stanislaus* 48 Cal.App.4th 182, 201 (1996). A rigorous analysis of environmental impacts is not possible where, as here, the project description is inaccurate, misleading or inconsistent.

The basis for a 3-year construction schedule is speculative at best. The developer fully discloses that it anticipates completing demolition and earthwork for the entire property, with homes being constructed based on market demand. This suggests that the construction duration could last much longer than assumed for purposes of the DEIR analyses. It suggests that the developer may subdivide the property and sell the empty lots as needed or desired, with new owners doing the construction of their individual homes. That could create decades of ongoing construction.

Accordingly, the Project Description should be revised to provide specific time estimates for the construction of all aspects of the Project, not just the site development. A revised overall schedule should be provided that is supported by substantial evidence and which accounts for the range of time that the entire Project could take. Further, this should be tied to a development agreement to protect the direct neighbors impacted by this construction and ensure that the Project has both viability and finality.

Because the schedule underestimates the amount of time for the construction phase of the proposed project, the analysis of impacts associated with construction, including air quality, traffic and noise impacts, must be revised to account for construction-related environmental and public health impacts occurring over a longer period. This will require recirculation of the DEIR.

BE-21

Mike Allen
June 10, 2016
Page 9

2. Inadequate Aesthetics Analysis

The analysis of light and glare impacts in the DEIR is inadequate. As an initial matter, the DEIR does not provide sufficient information to determine how much additional lighting will be installed at the Project. Most importantly, there is no substantial evidence disclosing to what extent the new residences, street lighting and other lighting would be visible. The Project site is currently a natural setting with no visible residences or night-time lighting. The addition of the Project would undoubtedly have a significant impact that is not fully disclosed nor supported with substantial evidence.

This is one of the most important sections in the EIR with regard to controlling proposed development such that it conforms to the City's General Plan's goals and policies, and relevant aspects of the Municipal Code. The analysis in this section completely ignores the changes the Project would have on the visual character of this highly visible hillside site. The DEIR simply concludes, without support, that because most of the new residences would not be visible or that landscaping would effectively screen views of these homes, the impacts are "less than significant." The DEIR ignores the fact that some of these homes would daylight against the top of the ridgeline, the most offensive of visual impacts. The DEIR also does not disclose the visual impacts of numerous other aspects of the Project, such as non-native residential landscaping on the oak woodlands, the new fences, the driveways, access roads, and infrastructure improvements for drainage, fire, and water systems. Most importantly, the visual simulations take into account what the site looks like today, but it should disclose what the view will look like after the 517 trees are removed and replaced by dense residential subdivision development which require "aggressive" vegetation management for fire protection purposes.

Typical Mitigation Measures require relocation of the residence to a less visible location. The document does not suggest adjustments to the limits of grading and tree removal to effectively screen residences or require "stepping of structures" but defers this review to a future date for design review. And never does the DEIR analyze the effect of 222,454 cubic yards of grading. To put this into perspective, this amount of dirt would require 22,000-36,000 "typical" dump trucks (holding 6-10 cubic yards each) to move or remove it. The DEIR must disclose and analyze what impact this grading will have on the modification of the landscape, as well as whether the alternatives help to reduce this impact.

Figures 4.1a and 4.2b incorrectly map home visibility. Figure 4.1a shows only six homes visible from CA 29. And Figure 4.2b appears to show only a single home visible from Imola Bridge. With grading, road developments, and associated tree removal associated with development, Lots 45 and 46, and possibly Lot 12 would also be visible from CA 29, Imola Bridge and lands to the east of the site.

BE-22

Mike Allen
June 10, 2016
Page 10

Figures 4.2a is missing (page 4-8). This needs to be provided for decision makers to understand assumptions on potential impacts and home visibility. The figure should indicate all future residences that could be visible, including homes on Lots 45 and 46, if applicable.

BE-23

Figures 4.3a through 4.5a show a number of views from Old Sonoma Road, but not all locations. The visibility of the site changes based on location along Old Sonoma Road, and additional areas not mapped in any of these figures are presumably visible as well. This should be discussed and acknowledged in the section.

BE-24

Figures 4.1c, 4.2c, 4.3c, 4.4c, 4.5c, 4.6c, 4.7c, 4.8c, 4.9c, show the development simulation "with landscaping". But there is no explanation of the assumptions for plotting that "landscaping". Typically some assumptions are defined as part of a visual analysis for how long it would take the trees and other screening to become established and effective. The green massing shown in these figures is 20-30 or more feet in height, and it is reasonable to assume it would take a tree 20 or more years to reach that size and effectiveness. As discussed it does not describe if the landscaping shown is per the concept landscape plan (which only shows the tree-lined roads) or if the landscaping is in conflict with the defensible space requirements.

BE-25

None of the photo simulations depicts the new detention basin that would be highly visible as a large 10-foot berm along Casswall Street. This would be a dramatic change in existing conditions, and would take 5 to 10 years before landscaping would be effective in screening this large mass. Impacts Visual 1 and Visual-2 downplay the change in visual character of the site as a result of the project. The analysis should have described the existing natural character of the ridgeline and hillside from views, and the dramatic change that would occur by siting homes in this natural hillside location. These homes would be highly visible, and would contrast sharply with the existing native vegetation, and would be illuminated at night. Impact Visual 3, regarding the change in visual character of the site, completely disregards the actual changes that would occur as a result of the project. And simply dismisses the conflicts with relevant sections of the City's Hillside Overlay Zone (Chapter 17.40 of the Napa Municipal Code) regarding protection of the city's hills, ridges and ridgelines, and the "natural appearance" of the site. The purpose of the EIR is to disclose that there will be changes, and to recommend ways to avoid or minimize those changes. For such a visible site, that can only be achieved by reducing the number of units and eliminating those units that are in fact highly visible. Many of these highly visible homes will become a focal point in future views unless these homes are removed from the proposed development. A significant change in the existing character and aesthetic beauty of the site, that can only be addressed by removing residences off of the ridgeline and locations visible from the valley floor.

BE-26

The Cumulative Aesthetic Impacts discussion simply states that "limitations" on other hillside development would prevent any cumulative impacts. But it is unclear what – if any -- other undeveloped hillsides exist in the City of Napa within the Rural Urban Limit Line. Thus,

BE-27

Mike Allen
June 10, 2016
Page 11

there is no basis for the conclusion that the changes caused by the Project are “less than significant” and warrant no mitigation. This site is one of the last remaining highly visible ridgelines under City control, and the changes caused by the Project represent a considerable contribution to the cumulative impacts on the visual character and aesthetics of the area. This should be recognized as a significant cumulative impact, and mitigation provided through additional restrictions and controls on proposed homes, night-time lighting and other changes.

BE-27
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3. The Biological Resources section of the DEIR is legally insufficient for a wide variety of reasons.

These deficiencies include the failure to generate the baseline data needed to make impact assessments, the failure to address any impacts to California native grasslands, the inadequate analysis of impacts to (or formulation of mitigation measures for) key species like the Western pond turtle, Western burrowing owl or special status bats, serious analytical problems for the wetlands and oak woodland communities, and the complete lack of a cumulative impact analysis relating to any of these biological resources.

BE-28

a. Failure to Conduct Current Surveys.

At the outset, the Draft EIR lacks the biological data necessary to analyze the significant biological impacts resulting from the Project. The biological reports contained in Appendix C reflect that no plant, mammal, bird or other wildlife surveys have been conducted on the site in five years. The floristic survey took place in March to June 2011 and the wildlife surveys occurred in January to May 2011. These surveys are too old to provide the data necessary to support a 2016 Final EIR and would be too dated and wholly unacceptable for the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (“CDFW”). The City should require the applicant to conduct surveys during the upcoming survey windows for each type of protected plant and wildlife species and then prepare a new Draft EIR.

BE-29

One example of why current surveys are necessary relates to the plant surveys. Those surveys were taken at the beginning of a 3-4 year drought, which has then been followed by a winter of heavy rains prior to this spring. Plant surveys taken during a drought period five years ago are in no way representative of what can be expected on site at the present time or in the future. The Huffman-Broadway Group (“HBG”) Biological Assessment states that up to nine special status plants could potentially be on site, but the old, flawed surveys do not determine whether the plants are currently there (or absent). These surveys cannot be deferred to the preconstruction period. Rather, they need to be performed during the spring/summer 2017 blooming season before the Draft EIR is completed so a legally supportable analysis of plant impacts and formulation of appropriate mitigation measures can occur.

b. California Native Grassland

BE-30

Mike Allen
June 10, 2016
Page 12

California native grassland is a special biological and sensitive natural community in the City of Napa, Napa County and throughout California. In the City of Napa, the amount of native grassland is decreasing due to a variety of residential, commercial, vineyard and other developments. Native grasslands have been severely affected by historic grazing and replacement by non-native species and remaining stands are now considered a sensitive natural community type by CDFW and must be recognized and addressed during CEQA environmental review. The Draft EIR is deficient because it does not determine how much native grassland is present on the site, does not mitigate for the impacts to that grassland and does not analyze the cumulative impact of these losses due to this and other reasonably foreseeable projects.

The HBG Biological Assessment dated July 2011 ("BA") states (page 8) that there are 49.65 acres of "annual grassland" on site, which is 61% of the land area. However, the BA then reports that "some portions of the annual grassland have assemblages of native species..." but it makes no effort to identify how much of the acreage consists of the special vegetation community of California native grassland. The Draft EIR repeats this quoted language (page 7-2), but then also fails to determine how much of this amount is native grassland. A new survey must be conducted to identify the precise amount and location of native grassland. Based on the information currently available, it is highly likely that native grassland communities are present on site.

Once the amount and location of native grassland is determined, CEQA requires that an analysis be made regarding whether there is potentially a "substantial adverse effect" on this natural community. CEQA Guidelines, Appendix G. The amount of that grassland that will be destroyed by the project can be calculated. The Draft EIR can then evaluate ways to avoid the destruction of this native grassland (particularly those stands of high quality) and an appropriate mitigation measure can be proposed to address any unavoidable takes of such grasslands. The standard mitigation ratios range from 2:1 to 3:1 in preservation of off-site grasslands or restoration of native grasslands, depending on the particular circumstances of the impacts.

Finally, it will be important for the Draft EIR to evaluate the cumulative impacts of the losses of native grassland that are occurring. These types of analyses are being done for a wide variety of projects in the Napa Valley and other parts of Napa County.

c. Sensitive Plant and Wildlife Species Impacts

As noted above, no floristic surveys for sensitive plant species or any wildlife surveys have been conducted since 2011, and thus the Draft EIR's conclusion that no impacts on such species will occur is unsupported and flawed. As a result of the lack of current data, no meaningful CEQA analysis can yet be undertaken to determine whether and to what extent the Project will have significant impacts on such species and what mitigation measures are

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BE-30
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BE-31

Mike Allen
June 10, 2016
Page 13

appropriate to address the impacts. These surveys must be undertaken during the relevant plant blooming periods and wildlife presence periods, before another Draft EIR is prepared and circulated.

BE-31
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d. Western Pond Turtle

Western pond turtles are a California species of special concern and are protected by designations by other agencies. During a survey on February 1, 2011, as reported in the HBG BA (page 21), consultant Mark Jennings "observed (with binoculars) basking or swimming adult Western pond turtles in every irrigation pond adjacent to the property within a distance of about a quarter of a mile." Western pond turtles are known to move more than a quarter of a mile from water sources and often hibernate in wooded upland habitats. The Draft EIR concludes (page 7-9) that these observations "makes it likely that western pond turtle could move across a small part of the Project site's southern boundary." One of these irrigation ponds appears to be very close to the Project boundary.

Unfortunately, no surveys of the presence of Western pond turtles, either on the Project site, or through observation of nearby sites, have been made in over five years. Given the sensitive nature of this species and their known movement, hibernation and estivation patterns, a survey must be performed before the Draft EIR is completed.

BE-32

There is currently one proposed Mitigation Measure for Western pond turtles (Bio-6), which only involves a setback of 200 feet from the southern grading limit of the Project and the adjacent irrigation pond and the installation of silt fencing. This measure is woefully insufficient because: (1) there has been no survey in five years to determine the presence of or impacts to pond turtles on or near the site; (2) the turtle is known to travel much longer distances than 200 feet, so the setback distance is far too small; and (3) the installation of silt fencing is an inadequate and potentially harmful measure because it could trap and kill Western pond turtles who are already present on site. In addition, given the potential impacts, a mitigation measure should be imposed to require that a biological monitor be present on site at all times when grading or other ground disturbing activities take place to protect Western pond turtles.

e. Western Burrowing Owl

The Western burrowing owl is a California species of special concern and has special status under certain federal agency designations. Despite the fact that HBG determined that the Project site contains suitable nesting and wintering habitat for the burrowing owl, the applicant failed to perform protocol site surveys for this species. CDFW has adopted special protocols to determine the presence or absence of the species, none of which have been followed for this Project. Rather, the Draft EIR merely proposes in Mitigation Measure Bio-4b that pre-

BE-33

Mike Allen
June 10, 2016
Page 14

construction surveys for burrowing owls be conducted within 30 days of the beginning of construction activity and, if any are detected, further mitigation occur at that time.

**BE-33
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This approach to analyzing and mitigating for the impacts to burrowing owls is inadequate under CEQA. Protocol surveys need to be performed during the appropriate seasons to determine whether burrowing owls are present or absent. Since no surveys of any kind have occurred in the last five years and since suitable habitat has been confirmed to exist on site, it is essential to determine whether and where they are currently present. If any active nests or colonies are encountered, the Project should be revised to avoid these locations. Preconstruction surveys would only avoid an active colony during construction. In this case, the attempt to defer detection of burrowing owls to the construction period fails to achieve the avoidance and compensatory mitigation objectives of CDFW's burrowing owl protocols.

f. Special Status Bats

The existing structures and oak woodlands on site provide suitable nesting or foraging habitat for a number of special status bat species. Indeed, the HBG BA (page 23) determined that seven bat species that are California species of special concern or have other agency designations "have potential to occur within the project boundaries." However, it appears that the applicant has not conducted, and the Draft EIR does not reflect, any bat surveys to determine whether these species are present on the Project site. Instead, the Draft EIR proposes Mitigation Measure Bio-7, which would defer surveys to a future time period just before the destruction of the existing structures on site.

BE-34

This approach to protecting bat species is legally inadequate. It is currently unknown whether these special status species are present on site (although it is highly likely based on the existing information), either in buildings or in the larger trees. Preconstruction surveys are inadequate because they provide no mitigation for permanent loss of existing habitat and do not address the effects on any local population, if present on the site.

g. Wetlands

The U.S. Army Corps of Engineers has issued a preliminary wetland determination that 1.25 acres of wetlands and waters of the United States are present on site. The Project plans to fill 0.43 acre of this total amount (approximately 34% of the total site wetlands) based on an overlay of the development footprint. However, there has been no attempt to revise the limits of grading to avoid additional acreage of affected wetlands – rather, there is just a summary, unsupported statement in the Draft EIR (page 7-16) that "[a]s the wetlands are scattered throughout the Project area, complete avoidance of seasonal wetlands would not be feasible with the level of development proposed." This analysis is inadequate and the City must conduct further consideration of potential avoidance measures.

BE-35

Mike Allen
June 10, 2016
Page 15

h. Oak Woodlands

The Project site contains an extensive, healthy and robust community of oak woodlands, dominated by Coast live oaks. Oak woodlands are considered a vital statewide resource and are protected by laws at the State and City levels, including City of Napa Municipal Code Chapter 12.45. The Draft EIR states that there are 27.29 acres of oak woodlands on the Project site and that 9.36 acres of oak woodland will be destroyed or lost through Project construction. A total of 571 oak trees, including 173 Native Protected trees, are proposed to be destroyed.

There are several important deficiencies in the Draft EIR's analysis of the Project's impacts on oak woodland and in the mitigation measures proposed to address them. First, the Draft EIR undercounts the acreage of oak woodland that will be potentially affected by the Project. Specifically, it appears that there is an additional estimated 3.85 acres of oak woodland contained within individual lots that it assumes (without explanation or the imposition of local controls) would not be removed by individual landowners. These additional trees, which are at risk by future removal within individual yard areas, should be quantified and their risk assessed.

Second, given the importance, good health and prominent hilltop location of these oak woodlands, it appears that there has not been a sustained effort to provide greater avoidance of these valuable oak woodland communities. Although there is a reference in the Revised Tree Report to an effort being made to preserve a few further trees, the Draft EIR does not reflect that the type of sustained and careful effort to avoid as many trees as possible has occurred. This falls far short of the intent embodied in Chapter 12.45 to "...promote a healthy urban forest that contributes to clean air, soil conservation, energy conservation, scenic beauty, enhanced property values and a quality of life through the protection of significant and native trees."

Third, since oak woodland impacts are some of the most significant among many serious environmental impacts of the Project, the Draft EIR's identification and analysis of alternatives is flawed because there is no alternative specifically designed to avoid and minimize these impacts. Although the Draft EIR mentions generic reduced size alternatives (which are promptly rejected for allegedly failing to meet Project objectives), the Draft EIR fails to propose or evaluate an alternative that specifically addresses and minimizes oak woodland and other closely associated environmental impacts. For example, there should be an alternative based on a revised footprint prepared that is intended to preserve significantly more oak woodland and avoid the dramatic and significant hydrology and aesthetic impacts of the Project. The failure to identify such an alternative renders the current alternatives analysis inadequate.

Finally, the two Mitigation Measures proposed in the Draft EIR that attempt to address oak woodland impacts (Bio-2a and Bio-2b) are inadequate and not feasible. For example, it appears that there would be no physical way to accommodate on site the large number of

Mike Allen
June 10, 2016
Page 16

replacement tree plantings needed. Assuming a replacement tree ratio of three 15-gallon trees for every protected tree removed or damaged, a minimum of 519 trees would have to be planted on the site. Assuming planting on 20-foot centers, the replacement trees would occupy a total area of about 5.3 acres. Where on the site is there room for this planting without displacing native grasslands, wetland areas and other sensitive communities? The other problem with these measures is that they improperly defer the details of the mitigation to a future mitigation plan without providing sufficient performance standards.

BE-36
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i. Cumulative Biological Impacts

Unlike many other sections in the Draft EIR, there is no text in Section 7 discussing the cumulative impacts of the Project in the Biological Resources areas. Moreover, the short and generic "Cumulative Impacts" section at page 18-1 of the Draft EIR also does not mention cumulative biological resource impacts, including the cumulative impacts to native grasslands and oak woodlands. The failure to do so constitutes a violation of CEQA. *See, e.g.,* CEQA Guidelines § 15130.

BE-37

4. Water/Hydrology Deficiencies in the Draft EIR

The slopes above Truchard Vineyards have not had any development on them since the vineyards were established. Rather, they have been primarily used for grazing. As a result, Truchard Vineyards has, for more than 40 years, relied on both diversions from the water courses on the upgradient portions of its property just below the new proposed development and sheet flow across this upgradient property to fill their reservoirs and to directly apply surface water to their grape crops.

The proposed Project is designed to fundamentally alter this hydraulic regime for its own purposes and thereby substantially and unreasonably interfere with both the Truchard water diversion permits and the rainfall water flowing across this upgradient property into their reservoirs. The Project proposes to construct a series of large hilltop homes (ranging in size from 3,888 to 5,061 square feet), with large areas of impervious road, driveway, roof and other surfaces. Many of these homes are clustered just above Truchard Vineyards' diversion points and reservoirs, causing a tremendous disruption (if not almost a total blockage) of the natural flows. It appears that the developer is planning to install an elaborate set of ditches, catchments and detention ponds described below to completely reroute, divert and prevent water from proceeding in a natural manner downhill. Unfortunately, and in contravention of CEQA, there is not one word regarding these proposed facilities in the Project Description in Chapter 3 of the Draft EIR. Rather, one has to look at the hydrology chapter and a short hydrology report marked as Appendix G to understand the full scope of these plans.

BE-38

Mike Allen
June 10, 2016
Page 17

Furthermore, the Draft EIR fails to comply with CEQA in many important ways with regard to the significant water and hydrology impacts of the proposed Project on Truchard Vineyards and the other downgradient neighbors. First, the project description in Chapter 3 (pages 3-3 to 3-4) fails to provide any description of the extensive, unusual and significant water management features that are proposed to be built into the Project. The lack of even a conceptual description of these important project components in the project description fails to provide a complete and accurate description of all project components with a direct physical environmental impact in contravention of CEQA. 14 Cal. Code Regs. § 15378; *see, e.g., Habitat & Watershed Caretakers v. City of Santa Cruz*, 213 Cal. App. 4th 1277, 1297 (2013).

Second, the Draft EIR completely fails to analyze the significance of the impacts of the Project on the surface water supply needs and water rights of Truchard Vineyards or other neighbors. The hydrology analysis in Chapter 12 focuses on only three issues: (1) whether the project will degrade water quality, (2) whether it will impact groundwater supplies or recharge, and (3) whether it will result in erosion, siltation or flooding. Nowhere does the document, or any supporting technical report, address the issue of whether and how the project will interfere with the water rights, surface water supplies or water flow patterns of the immediately downgradient Truchard Vineyards facilities or other downgradient neighbors.

This deficiency is apparent at the outset of the Draft EIR's hydrology "significance" discussion. Although ten separate hydrology thresholds of significance are listed on page 12-6, there is no threshold addressing downgradient water supply, rights or pattern impacts. There are two that address substantial alteration of drainage patterns, but they are perplexingly limited to erosion/siltation and flooding. As a result, the Draft EIR fails to provide any significance criterion to assess the impact of the Project on water rights or supply.

In fact, the Draft EIR appears so unreasonably focused on preventing on-site flooding or water escaping their property that they have designed a water management system that takes dramatic steps to cut off almost all flow to the downgradient reservoirs, creeks and ditches that supply water to these vineyards. Ironically, while so doing, the document concedes important issues relating to the significant downgradient water impacts. Thus, the Draft EIR concedes that, under current conditions, "[p]recipitation falling on the site drains quickly in the form of surface flows." Page 12-7. Moreover, once the project detention basin on the south boundary is built, they would need to "account for losses due to infiltration at the southern proposed detention basin location in order to provide assurance that significant reductions of run-off to downstream watercourses would not occur as a result of the Project which could exceed State Water Resources Control Board thresholds of reasonableness." Page 12-9. In so doing, the Draft EIR concedes that the Proposed Project will significantly impair surface flows and that the new facilities will significantly reduce the volume of water released due to infiltration.

BE-38
Cont'd

Mike Allen
June 10, 2016
Page 18

The Draft EIR does at least quickly acknowledge the downgradient water issue by stating in Impact Hydro-3 that the Project's altered stormwater flows "could result in increased erosion, siltation, on- or off- site flooding, or significant reductions in rainfall runoff to existing watercourses," which it terms "a potentially significant impact." Page 12-8. However, it then proposes a mitigation measure deferring analysis of all these issues to the later Final Drainage Report, and on that basis finds that "the impacts related to altered drainage patterns would be less than significant." Page 12-9.

In fact, the Draft EIR does not undertake any real technical or legal analysis of this topic. No hydrology study has been conducted regarding the timing, amount or patterns of the precipitation water that flows to the Truchard reservoirs in the different locations or the amount of flow that will be prevented from reaching Raynes Creek or other surface water drainages from which Truchard Vineyards has the right to divert water. The Draft EIR does not even mention, much less discuss, the Truchard water rights permits to determine the limited time periods during which the Truchards are authorized to divert water or in what amount. The only Project hydrology analysis is for the purpose of sizing the detention basins (primarily to avoid flooding of the new homes), not for analyzing the natural water flow patterns or evaluating the interference with the downgradient vineyard water needs.

Not surprisingly, there is no corresponding legal analysis of the significance of these impacts. Although the hydrology section briefly mentions that the State Board uses a rule of reasonableness relating to diversion and use of water, it fails to make any legal analysis of how the rule applies here. The hydrology section completely fails to address the corresponding legal "reasonable use" doctrine relating to modifications of upgradient water runoff patterns, likely because the dramatic and unstudied modifications contemplated by the Project clearly go far beyond the recognized legal bounds of this doctrine. The failure to make these factual and legal analyses completely undermines the Draft EIR.

First, this mitigation measure constitutes an improper future deferral of a mitigation measure without providing specific performance standards. 14 Cal. Code Regs. § 15126.4(a)(1)(B); *See e.g., San Joaquin Raptor Rescue Ctr. v. County of Merced*, 149 Cal. App. 4th 645, 669 (2007). The only standard mentioned in the measure is that "volume of rainfall runoff shall not significantly reduce rainfall runoff to downstream watercourses." This undefined standard fails to address the complicated timing, pattern and amount issues that would govern the water and hydrology needs of Truchard Vineyards or other downgradient water users. Second, the measure does not even address the significant water rights and supply impacts. Third, even if the Draft EIR did analyze this environmental impact (which it does not), the mitigation measure it adopted (deferring consideration of impacts and appropriate mitigation until a Final Drainage Plan after approval of the Project) fails to meet CEQA's legal standards.

BE-38
Cont'd

Mike Allen
June 10, 2016
Page 19

Fourth, the lack of any analysis of these significant impacts also infects the discussion of alternatives, where CEQA requires that a full set of alternatives be evaluated to avoid or reduce significant environmental impacts. Since the Draft EIR does not even acknowledge that this significant impact even exists, it certainly does not examine a project alternative that would reduce this impact to less than significant levels. The roster of alternatives is basically limited to a “no project” alternative and three simplistic reduced-density alternatives that are discarded as not providing improvements to the City and not meeting the developer’s objectives. There is no evaluation of an alternative that moves the development footprint out of the key surface water drainage zone or which does not unreasonably interfere with downgradient water rights and supply. This failure to examine a full range of alternatives violates CEQA.

BE-38
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In sum, the Draft EIR fails to appreciate, analyze or address one of the most significant environmental issues of the Project: the dramatic, unwarranted and unreasonable impacts of the Proposed Project on the water rights and supply of the downgradient water users and businesses, including Truchard Vineyards. Instead, the Draft EIR attempts to relegate this critical environmental issue to be a mere afterthought that will be covered by a drainage plan after all entitlements are issued. It is surprising that, in the three-plus year period since the Truchards raised this issue in their formal comments on the NOP, neither the developer nor the City has conducted technical studies, formulated a significance criterion or made any serious effort to evaluate these impacts. Instead, the Draft EIR abdicates its responsibility to address this issue factually, technically and legally. Surface water is the lifeblood of the business of Truchard Vineyards and many other downgradient vineyards in the Carneros region and the Draft EIR’s failure to analyze the Project’s impacts in this subject area is a clear and fundamental violation of CEQA.

5. Inadequate Seismic Impacts Analysis

The analysis in the DEIR of the risks of exposure of people and structures to adverse effects of a known fault is lacking. The DEIR fails to identify any potential impacts related to faults or ground shaking, contrary to the significance criteria set forth in the DEIR and required by the Guidelines which state, in part, that the project would have a significant environmental impact if it results in “the exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault...” Despite adopting this significance criteria, the DEIR doesn’t actually analyze the potential for seismic hazards resulting from faults. Instead, it takes a very aggressive interpretation of the recent *CBIA vs. BAAQMD* decision, which found in an entirely different context that CEQA does not require analysis of the environment’s effects on the project, but requires only an analysis of the project’s effects on the environment. This is an incredibly broad principle that has not been tested in the courts. More to the point, this approach fails to acknowledge that it is the Project that causes the *exposure of people and structures* to seismic hazards. It is not necessary to find that the Project will cause earthquakes in order to find a significant seismic hazard. The DEIR’s approach is not only contrary to the significance criteria

BE-39

Mike Allen
June 10, 2016
Page 20

set forth in the Guidelines and adopted by the DEIR itself, but it is also irresponsible. The Project site contains a known fault and presents very real potential for injury and damage to property. The DEIR must disclose and provide mitigation for this known hazard.

BE-39
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Further, the recommended 25 foot setback from the "fault zone" is not based on substantial evidence. It is more common (and more prudent) to provide a 50-foot setback from the edge of the fault zone to all structures. If a reduced setback is permissible in this case, the DEIR must support this conclusion with substantial evidence. In addition, this 25-foot setback is not described as a "mitigation measure," but rather as a "condition of approval," presumably because the EIR erroneously takes the position that there is no significant impact from the known fault.

The DEIR should be revised to apply the significance thresholds earlier articulated and disclose the recommended mitigation thereof.

6. Inadequate Land Use Analysis

As discussed, the analysis is faulty, and the mitigation, which ignores further avoidance and protection of sensitive resources (such as oak woodlands, regulated trees, wetlands, and scenic ridgelines) is completely inadequate. Impact Plan-1 again completely ignores the quantifiable impacts on sensitive resources, which are to be recognized and protected under the General Plan and Municipal Code. This Project that will have very obvious significant, quantifiable impacts on resources to be protected under the City's guiding documents. The majority of the site is designated RA- Resource Area by the Napa General Plan. This designation is applied to sensitive lands within the Rural Urban Limit Line that require special standards due to viewshed, resource, habitat, geotechnical, or other considerations that further the conservation and resource protection goals of the General Plan. To minimize urban/rural conflicts that City shall ensure a buffer is provided between residential uses on the periphery of RUL and productive agricultural land outside the RUL. Based on the fact that the Project is proposing houses so close to intensive farming operations, an 80 foot buffer is arbitrary and insufficient, not being based on any substantial evidence.

BE-40

The DEIR does not fully disclose the extreme inconsistency with the existing zoning and general Plan designation and the proposed designation. The DEIR never discloses existing zoning with a visual map, nor does the Alternatives depict what a project would look like if it were consistent with the existing Zoning and General Plan designation. Further, there is no map to show the property boundaries to the site and the dramatic inconsistency between urban and agricultural zoning. To put this in perspective, the properties bordering the Project have a minimum parcel size of 160 acres. The DEIR needs to disclose these inconsistencies with more accurate representations. The bare assertion that the act of a General Plan amendment makes the Project less than significant is meritless. The public deserves a better description of the intent of

Mike Allen
June 10, 2016
Page 21

the recent re-designation and of how the Project is in conformance with those intentions. Further, the DEIR should disclose if the Project qualifies for a hillside overlay design review approval, rather than defer it to a future date.

BE-40
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D. THE DEIR MUST BE RECIRCULATED.

Recirculation of an EIR prior to certification is required “when the new information added to an EIR discloses: (1) a new substantial environmental impact resulting from the project or from a new mitigation measure proposed to be implemented; (2) a substantial increase in the severity of an environmental impact unless mitigation measures are adopted that reduce the impact to a level of insignificance; (3) a feasible project alternative or mitigation measure that clearly would lessen the environmental impacts of the project, but which the project’s proponents decline to adopt; or (4) that the draft EIR was so fundamentally and basically inadequate and conclusory in nature that public comment on the draft was in effect meaningless.” CEQA Guidelines § 15162; *Laurel Heights Improvement Assn. v. Regents of University of California* 6 Cal.4th 1112, 1130 (1993), citing *Mountain Lion Coalition v. Fish & Game Comm’n* 214 Cal.App.3d 1043 (1989).

Recirculation is required where “significant new information” has been added to an EIR. See *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* 40 Cal.4th 412, 447 (2007). New information is “significant” where it results in a change to the EIR’s analysis or mitigation of a substantial adverse environmental effect. *Id.*

BE-41

Here, the DEIR must be revised and recirculated to address the many deficiencies identified above. For example, the DEIR must be revised and recirculated to allow the public a meaningful opportunity to comment on a complete Project Description that provides a supported basis for the duration of construction, accurate representation of the viewshed impacts, current biological studies and hydrological analysis, and one which provides a revised analysis of Project impacts that would result from the revisions. Unless the DEIR is revised to address these and other identified deficiencies, and unless the DEIR is recirculated for further public review, the public and decision makers will be deprived of an opportunity for full input and informed decision making in violation of CEQA.

E. CONCLUSION.

For the reasons discussed above, this is an ill-judged Project of doubtful benefit to the community and with the potential for significant environmental damage. The environmental analysis conducted to date has not been adequate to allow for approval of the Project. Accordingly, before the City can determine whether or not to approve the Project, the DEIR first requires significant revision, recirculation and review so that the environmental impacts of the Project are discernible. Only then will it be possible to determine whether these impacts may be adequately mitigated.

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BE-42

Mike Allen
June 10, 2016
Page 22

We thank you for your attention to this letter.

| BE-42 Cont'd

Sincerely,


Katherine Philippakis

cc: The Truchard family

LETTER BE, KATHERINE PHILIPPAKIS, 6/10/16Response to Comment BE-1

These are introductory comments and do not contain specific comments on the environmental analysis.

Response to Comment BE-2

Comments related to the history of decisions related to the site are not comments on the current environmental analysis, as addressed in Master Response 2.

As it relates to the current proposal, see Master Response 4 regarding changes to the current state of the site, including views of the site. Agricultural buffers are additionally addressed in Master Response 5.

Response to Comment BE-3

Comments received during the NOP review period were taken into account and summarized as known concerns in relevant chapters of the Draft EIR.

See Master Response 4 regarding changes to the current state of the site, including views of the site. Master Response 6 further discusses removal of trees. The stated 71% removal of trees is incorrect. The Project would result in removal of 41% of the total trees on the site, representing 28% of the native trees on the site.

Response to Comment BE-4

This comment generally references health and safety concerns for residents in the area without further specification. The Draft EIR concluded the Project would not result in significant impacts that could not be mitigated, which includes those related to safety. While no specific issues were identified, Master Responses 7, 10, 13, and 15 relate to safety.

Response to Comment BE-5

This comment relates to impacts related to the change in view of the site, which is addressed in Master Response 4. The alternative analysis in Draft EIR properly focuses on significant impacts of the Project, but also includes an assessment of all topics in Table 19.1, which includes scenic vistas in the fourth row of the table.

Response to Comment BE-6

This comment lists multiple issues stated to be related to the “viability” of the Project. Project “viability” would seem to be outside analysis of environmental impacts and therefore addressed by Master Response 1. Note that there is no indication the Project could not be approved under existing safety regulations. Listed related issues are also addressed as follows.

See Master Response 7 regarding development of a site with an earthquake fault.

See Master Response 14 related to the proposed secondary emergency vehicle access point.

The question of whether the Project will ever be completed does not seem to be a comment on the environmental analysis. Construction duration was estimated to allow for conservative analysis of potential construction-period impacts.

Response to Comment BE-7

Feasible mitigation measures are proposed and must be agreed to by the applicant prior to construction. If any measures are later determined to be infeasible or the applicant refuses to implement said measure(s), that would re-open consideration of environmental impacts.

Considerations other than environmental, such as economic benefits or liabilities, are not environmental considerations and therefore addressed in Master Response 1. Non-environmental considerations can be taken into consideration separately by City decisions-makers in making CEQA findings for the determination on Project applications.

Response to Comment BE-8

This comment generally asserts inadequate analysis of safety hazards and environmental impacts without going into detail. The EIR and related analysis has been completed in full compliance with requirements of CEQA. See response to Comment BE-4 related to health and safety.

Response to Comment BE-9

As analyzed in the Draft EIR and discussed on pages 12-8 through 12-9, hydrologic calculations demonstrate discharge rates to the agricultural property to the south would be equivalent to the pre-Project condition. As detailed in Mitigation Measure Hydro-3, the Final Drainage Report must reconfirm this on a design-detail level and will meet the State Water Resources Control Board threshold of reasonableness for changes to run-off.

Response to Comment BE-10

This is an introductory section to the following comments and does not present specific comments on the environmental analysis. No response is necessary though it can be noted that all specific comments are addressed and no specific inadequacies of the EIR seem to have been identified.

Response to Comment BE-11

This comment seems to be referencing the effects of the environment on the Project (not analyzed under CEQA), as opposed to the effects of the Project on the environment (analyzed under CEQA), as discussed in the Draft EIR Chapter 9: Geology and Soils on page 9-11.

See also Master Response 7 regarding development on a site with an earthquake fault.

Response to Comment BE-12

The specific issue identified in this comment is visual impacts related to views of the site. See Master Response 4 regarding changes to the site, including habitat (oak woodlands) and views of the site. Visual modeling of the site from twelve different viewpoints (Figures 4.1a through 4.12c in the Draft EIR) includes roadways as well as homes whenever these were visible from the viewpoint locations and includes figures both without proposed landscaping and with landscaping (with about 10 years of growth) for each viewpoint.

The contention that aesthetic impact conclusions are based on landscaping screening is incorrect. As detailed throughout the impact assessment on pages 4-30 through 4-33 as well as shown in the visual modeling figures without proposed landscaping (those with a b after the figure number), the proposed development would be largely hidden from off-site views by existing topography and landscaping.

Response to Comments BE-13, -14, -15, and -16

This comment is referencing a summary table. Complete analysis and discussion are included in the relevant sections of the EIR.

The comment lists mitigation measures and implies they are not adequate and/or are improperly deferred. The CEQA Guidelines discuss the requirements for mitigation measures in section 15126.4 including the quote, “Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.” The information provided must be adequate to determine the impact and determine that the impact will be mitigated by the identified mitigation.

All mitigation measures in the Draft EIR meet the requirements for adequate mitigation measures under CEQA and are supported by substantial evidence. Timing of implementation of measures will be included in the Mitigation Monitoring and Reporting Program, but has also been added to these measures in Chapter 22 to clarify timing. Listed mitigation measures are discussed specifically below.

Air-1: As discussed in the analysis in Chapter 6 of the Draft EIR, the Project is below the size at which the Air District (BAAQMD) has determined the potential for construction-period impacts is potentially significant and modeling included in the Draft EIR confirmed this conclusion. The basic construction management practices in this measure are included to further reduce construction-period emissions, as recommended by BAAQMD for all projects. Emissions modeling has been performed both by BAAQMD and for the Project demonstrating construction-period emissions will be below significance levels with this mitigation.

Culture-2a and -2b: As discussed in the analysis in Chapter 8 of the Draft EIR, the Project site was assessed for the potential to contain cultural resources, but the records searches and site investigation did not identify any known cultural resources at the Project site. While the analysis concluded that cultural resources are not expected on the site, these measures detail required procedures to follow in the event unanticipated resources are discovered during earth-moving activities for the site. There is no evidence that would warrant additional sub-surface exploration or further analysis prior to earth-moving.

Geo-1: The Draft EIR and accompanying geotechnical investigations (Appendix E) adequately establish the feasibility of mitigating site characteristics, including possible specific measures to meet seismic structural design requirements, all of which are standard, accepted and proven engineering practices. Use of accepted standards as performance standards is fully adequate under CEQA, even though final design details to meet the requirements have not yet been specifically decided.

Geo-2, and Hydro-2 and -3: The Draft EIR and accompanying geotechnical investigations (Appendix E) and hydrologic calculations (Appendix G) adequately establish the feasibility of mitigating stormwater, including possible specific measures to meet National Pollution Discharge Elimination System requirements and conform to the City’s Phase II Post-Construction Manual, all of which are standard, accepted and proven hydrological practices. Use of accepted standards as performance

standards is fully adequate under CEQA, even though final design details to meet the requirements have not yet been specifically decided.

Bio-2: As specified in Mitigation Measure Bio-2a, an Oak Woodland Mitigation Plan must be prepared and enacted by the applicant and approved by the City to meet the requirements of Public Resources Code Section 21083.4. Because the plan has not yet been approved, the details of how the requirement is met may change, but must meet the performance standard of 3:1 replacement totaling 28.08 acres as specified in the measure. As noted on page 7-21 of the Draft EIR, “The applicant proposes to meet the requirement for preservation of at least 28.08 acres of oak woodland through an Oak Woodland Mitigation Implementation Plan that accomplishes: (a) the preservation of at least 9.36 acres of the approximately 17.89 acres of remaining existing oak trees and oak woodland on-site, (b) the preservation of up to 22.77 acres of oak woodland off-site within a nearby approximate 29-acre area of conservation easement created by the developer adjacent to the Project site (Mitigation Measure Bio-2a), and (c) the replacement of trees lost to development through the required Oak Woodland Mitigation Implementation Plan and Tree Replacement Plan (Mitigation Measure Bio-2b). These measures represent a conservation/tree replacement in excess of 3 acres of oak woodlands for every 1 acre lost.” The currently proposed off-site oak woodland location is on the north side of Old Sonoma Road, across from the Project identified as Accessor’s Parcel Number 43-030-03.

Traf-6: This measure includes possible measures to meet Fire Department requirements, including shelter-in-place, defensible space allowances, ongoing maintenance, and the provision of a second point of access as proposed. This proposed site plan and this measure were reviewed and commented on by the Fire Marshal for its preliminary pre-construction review. The Fire Marshall determined the plan to be feasible and adequate for emergency access subject to review of design details.

Response to Comment BE-17

This comment seems to be focused on future CEQA findings the City may make and not on the analysis contained in the environmental document. See Master Response 1 regarding non-environmental issues.

Note that drainage improvements, a conservation easement, and a fire plan would only be required if a project moves forward and are not currently required at the site (and are therefore linked to development). No trail is required at the site and is not required to be provided in the agricultural buffer.

Response to Comment BE-18

The suggested project consistent with current General Plan allowances and zoning was analyzed in the Draft EIR as Alternative B, which was determined to be the environmentally superior alternative (following the no project alternative), as discussed on page 19-11 of the Draft EIR.

Response to Comment BE-19

The argument in this comment is based on a contention that impacts have not been properly assessed in the Draft EIR. No specific examples were included in this comment, but where mentioned elsewhere in the letter, responses demonstrate that the contention is incorrect. All impacts were appropriately addressed under CEQA in the Draft EIR.

The contention that the Draft EIR did not analyze alternatives that would reduce the number of units and the area disturbed is also incorrect. Four alternatives were analyzed in Chapter 19 of the Draft

EIR, all of which would reduce units and area disturbed as reflected in the specific analysis on pages 19-5 through 19-11 and avoid or reduce impacts as detailed in the table on pages 19-12 through 19-20.

Response to Comment BE-20

The argument in this comment is based on a contention that impacts have not been properly assessed in the Draft EIR. No specific examples were included in this comment, but where mentioned elsewhere in the letter, responses demonstrate that the contention is incorrect. All impacts were appropriately addressed and alternatives appropriately analyzed under CEQA in the Draft EIR.

The analysis of alternatives under CEQA is required to focus on avoiding or substantially lessening significant effects (CEQA Guidelines section 15126.6(a)) and is required to include sufficient information to allow meaningful evaluation while allowing for less detail than for the analysis of the project as proposed (CEQA Guidelines section 15126.6(d)).

This comment references Alternative B and the lack of information to determine the significance of impacts without a site plan. As noted in the description of the alternative on page 19-4, this alternative would result in development approximately where the proposed Project (Figure 3.2) includes lots 1 to 6 and 36 to 53. This description was used to make conclusions in the topic areas, including the location of wetlands and woodlands (Figure 7-2), and aesthetics (Figures 4.1a through 4.12c).

Response to Comment BE-21

This comment questions the accuracy of the construction schedule and related impact analysis. Construction duration was estimated to allow for reasonably conservative analysis of potential construction-period impacts.

Because emissions are averaged over time, a shorter construction period results in a conservative analysis. A longer construction period (for the same amount of construction) would result in reduced average daily emissions and is therefore covered within the analysis and conclusions.

As noted in the relevant analyses on pages 14-16 through 14-18, conclusions related to construction-period noise are related to the peak noise levels and not dependent on duration, which is noted to have the potential to stretch on for a longer period than anticipated due to market conditions. Regardless of the duration, as noted on page 14-16, the Project is required to implement Napa Municipal Code construction noise ordinance measures. Again, therefore, a longer construction period would be covered within the analysis and conclusions for these items.

Peak traffic levels during home construction would be similar to or less than operational traffic levels and changes in the duration of construction would not change conclusions related to traffic impacts.

Response to Comment BE-22

The Draft EIR includes the level of detail necessary to analyze environmental impacts, including that the Project will include interior and exterior building lights and street lighting and light from vehicles (page 4-32 of the Draft EIR). There is no lighting proposed that is not typical of residential development or would otherwise require specification for analysis. See also Response to Comment E-10.

Contrary to the contentions in this comment, the analysis in Chapter 4 of the Draft EIR explicitly assessed the Project as proposed (including grading, buildings, roadways, fences and landscaping) against the existing condition including Figures 4-1a through 4-12c. Much of the grading and development will not be visible from off-site locations, which results in the relatively small impact of these changes when viewed from off-site locations.

Mitigation is only required for significant environmental impacts of the Project. No significant aesthetic impacts were identified, so no mitigation, including the suggested relocation, is warranted under CEQA.

Potentially visible homes identified for each viewpoint (in the “a” figure of each set) take into consideration proposed grading and home construction and not the potential screening from on or off-site trees. Retention or removal of trees does not factor into whether a home is potentially visible, but is demonstrated in the “b” and “c” figures in each set. The additionally visible homes identified in this comment are not correct.

Response to Comment BE-23

Page 4-8 was accidentally omitted from some versions of the Draft EIR (specifically the version posted in multiple parts digitally on the City’s website). It is included in Chapter 22 of this document for those that did not see it originally. See also response to comment BE-22 regarding additionally visible homes.

Response to Comment BE-24

The requested clarification has been added in Chapter 22 that the specific viewpoints included would not be the only viewpoints from which the Project is visible.

Response to Comment BE-25

Each visual model (Figures 4.1 through 4.12) includes three versions: “a” showing the existing conditions, “b” showing proposed development with no new landscaping, and “c” showing the proposed development and landscaping at approximately ten years of growth from the tree sizes specified in the landscaping plan. Because landscaping takes time to grow in and may be modified over time, the EIR conclusions always take into account the “b” visual model showing the development without landscaping.

Response to Comment BE-26

Contrary to the contention in this comment, Figures 4.8a through 4.8c is a viewpoint from Casswall Street at Idaho Street in which the site with the stormwater basin is prominent in views. As mentioned in the comment and can be seen in these figures, visible changes to the site would look much like new fencing and a berm surrounding the basin. Also see response to comment BE-22 related to summarized previous comments regarding aesthetic impacts.

Response to Comment BE-27

Under CEQA, “cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The Draft EIR includes analysis of all impacts of the Project in a project-specific analysis and additionally considers whether there are additional cumulative impacts when the Project is considered together

with other Projects. The comment seems to confuse Project-specific analysis with cumulative analysis that considers impacts from other Projects as well.

As acknowledged in the comment, this is one of the last remaining hillsides under City control and is the last in the immediate vicinity. Therefore, there are no additional substantial hillside projects in the vicinity that would compound with the project to create significant impacts.

The cumulative aesthetics analysis is correct and adequate as written.

Response to Comment BE-28

This comment is an introduction to those below. See responses to comments BE-29 through BE-37 for response to the specific comments summarized in this comment.

Response to Comment BE-29

Most of the special-status plant species with the potential to occur in the area require habitat conditions that are not found on the site. Biological surveys conducted in accordance with applicable requirements of federal and local regulatory agencies, served to confirm the determination that the site does not represent high quality habitat for special status plants due to current and historic grazing and shaded wooded areas (page 7-6 of the Draft EIR). The analysis in the Draft EIR is adequate for CEQA purposes. Compliance with any additional requirements subsequently imposed by regulatory agencies would be required as a matter of course. Therefore, additional or updated studies are not required to support conclusion of the Draft EIR.

Response to Comment BE-30

The comment incorrectly contends that the Draft EIR does not determine the amount of native grassland on the site and notes native grassland has been severely affected by historic grazing. The Project site has been and is used for grazing and as noted in the Draft EIR, the annual grassland at the site is largely non-native under existing conditions and would not be considered a loss of native grassland.

Response to Comment BE-31

See response to comment BE-29 regarding special status plants and surveys.

Response to Comment BE-32

As noted in the Draft EIR, the site is unsuitable for western pond turtle nesting and estivation and any use of the site would be transitory only. Therefore, updated surveys are not warranted, but rather mitigation to prevent turtles from entering the construction site would be appropriate proximate to initiation of construction.

Revisions to this mitigation measure have been included in Chapter 22 to require pre-construction surveys to avoid trapping turtles on the site.

Response to Comment BE-33

As specified on page 7-9 of the Draft EIR, no burrowing owls or signs indicating the presence of burrowing owls (e.g., molted feathers, cast pellets, prey remains, eggshell fragments) were observed

at the site during biological surveys in both the spring and winter (May and January) and the nearest documented occurrence was over 8 miles from the Project site. Nevertheless, the site is within the species range and contains suitable habitat and the presence of ground squirrel burrows so it was assumed burrowing owls could be found at the site and mitigation consistent with applicable guidelines was included as Bio-4b to prevent harm to any burrowing owls that may be at the site during construction.

Measures requiring additional pre-construction surveys consistent with adopted protocols to be performed immediately prior to the start of construction are considered protective of species that are mobile and may move to the site despite not being discovered their during site surveys. Because the impact and mitigation relate to prevention of harm to individuals of the species, determination of whether such species are at the site is assumed to be possible and not otherwise necessary to determine resultant significance of impacts.

Response to Comment BE-34

As noted on page 7-10 through 7-11 of the Draft EIR, no signs of bat usage were observed during biological surveys. Nevertheless, due to historic presence of bats in the area and potentially appropriate habitat on the site, it was assumed bats could be found at the site and mitigation consistent with applicable guidelines was included as Bio-7 to prevent harm to any bats that may be at the site during construction.

Measures requiring additional surveys prior to the start of construction are considered protective of species that are mobile and may move to the site despite not being discovered their during site surveys. Because the impact and mitigation relate to prevention of harm to individuals of the species, determination of whether such species are at the site is assumed to be possible and not otherwise necessary to determine resultant significance of impacts.

Response to Comment BE-35

Development of the proposed Project would impact some of the wetlands (0.43 of 1.25 acres) on the site. Identified mitigation is consistent with applicable regulations and practices to mitigate the impact of development on these types of habitat, including on-site replacement of wetlands at a ratio of 2:1 for the acreage removed per Army Corps of Engineers and Regional Water Quality Control Board standards and guidelines. The identified mitigation will result in formalized conservation and ongoing protection of wetlands of a greater total area than will be removed from the site and the impact to these habitats is considered mitigated below significance levels for purposes of CEQA. (See impacts Bio-1a, -1b, -1c and associated Mitigation Measures for further detail.)

Response to Comment BE-36

The contention that oak woodland within proposed lots is assumed to be preserved is incorrect.

The contention that the Draft EIR did not analyze alternatives that would reduce the area of oak woodland disturbed is incorrect. Four alternatives were analyzed in Chapter 19 of the Draft EIR, all of which would reduce the area disturbed as reflected in the specific analysis on pages 19-5 through 19-11 and avoid or reduce impacts as detailed in the table on pages 19-12 through 19-20. As can be seen in Figure 7.1 showing the oak woodlands on the site, these are not clustered in one area such that an alternative could avoid a portion of the site and thereby avoid impacts to oak woodlands. Due to constraints related to site access and topography, no alternative that avoids all impacts could be

designed and it can instead be generally assumed that less development could result in less loss of oak woodlands and trees.

The comment incorrectly contends that mitigation measures Bio-2a and Bio-2b are improperly deferred because they do not include sufficient performance standards. This is already addressed under response to comment BE-13. The performance standards are included in Public Resources Code Section 21083.4 and Municipal Code Requirements for tree replanting (which allows for off-site planting).

Response to Comment BE-37

As noted in the discussion on page 7-25, there are no additional significant project-specific or cumulative biological resources impacts. Revisions have been added in Chapter 22 to make this clearer.

Response to Comment BE-38

This comment largely relates to legal, as opposed to environmental, implications of water rights and drainage patterns. See Master Response 1 regarding non-environmental comments.

As analyzed in the Draft EIR and discussed on pages 12-8 through 12-9, hydrologic calculations demonstrate discharge rates to the agricultural property to the south would be equivalent to the pre-Project condition. As detailed in Mitigation Measure Hydro-3, the Final Drainage Report must reconfirm this on a design-detail level and will meet the State Water Resources Control Board threshold of reasonableness for changes to run-off.

Response to Comment BE-39

See Master Response 7 regarding development on a site with an earthquake fault. Development must meet applicable health and safety regulations to protect the future residents of the site, as discussed in Chapter 9, but these would not necessarily constitute the Project's impact on the environment. The comment contends that the interpretation of the *CBIA vs BAAQMD* decision to apply to development near a fault line is inappropriate, however, the court's decision mentioned this explicitly and invalidated the portions of CEQA Guidelines section 15126.2(a) that read: "[A]n EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision would have the effect of attracting people to the location and exposing them to the hazards found there."

The adequacy of the 25 foot setback is supported in the 2014 BSA fault investigation and 2015 geotechnical peer review included in Appendix E of the Draft EIR.

Response to Comment BE-40

The argument in this comment is based on a contention that impacts have not been properly assessed in the Draft EIR. No specific examples were included in this comment, but where mentioned elsewhere in the letter, responses demonstrate that the contention is incorrect. All impacts were appropriately addressed and alternatives appropriately analyzed under CEQA in the Draft EIR.

The potential of the Project to result in environmental impacts, including any related to specifics of the site, was fully analyzed in the Draft EIR, and not assumed to be already decided by the existing or proposed site zoning. Zoning and General Plan maps are referenced and publically available and not

necessary to determine or demonstrate environmental impacts. The Draft EIR acknowledges the Project site is within the city at the boundary with the county as shown on Figure 3.1 and discusses consistency with regulations and potential impacts related to development adjacent to the Rural Urban Limit and agricultural uses.

Response to Comment BE-41

As detailed in responses to specific comments throughout this letter the letter raised no valid concerns regarding the consistency of the Draft EIR. The analysis in the Draft EIR is complete and accurate and no recirculation of the EIR is warranted under CEQA.

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Response to Comment BE-42

This comment expresses opposition to the Project, which is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues. See also response to comment BF-2 regarding general adequacy of the Draft EIR.

Letter BF

To: mallen@cityofnapa.org

Date: June 20, 2016

Dear Mr. Allen,

I am writing to request that the Planning Department reject the Napa Oaks II Project.

BF-1

The EIR report lists 21 potentially significant environmental impacts along with extensive mitigation measures. The mitigation measures taken together are a complex “solution” to a wide variety of problems that would be created by this proposed 53-house development.

BF-2

It is impossible to see how such a complex and extensive array of mitigations can be properly implemented, monitored and enforced. Failure to ensure the proper implementation, monitoring and enforcement, the safety of my neighborhood is jeopardized.

Increased potential for flooding: I live at the corner of Utah and Foster streets. Even at this time of year, we have water from the hillside still running in our street storm drains. During the winter months, there is a stream of water flowing down Utah Street from the underground streams feed by hillside run-off. The EIR Impact Hydro-3 notes the potential for on- or off-site flooding. But the mitigation is in essence a promise of that a Final Drainage Plan will be submitted; therefore, it is impossible to know whether the plan will be feasible or whether it will effectively mitigate flooding.

What is included in the recommended mitigations for Impact Hydro-3 is not reassuring. For example, the recommended mitigation says “the Final Drainage Report shall also ensure that significant impoundment of rainfall runoff would not occur and shall include appropriate mitigation measures such as lining of the proposed southerly detention pond with an impermeable liner ...” This is proposed detention pond is located less than 50 yards above an established neighborhood. If this detention pond overflows, or the lining proves problematic over time, dozens of existing homes could be severely damaged from resulting runoff and potential flooding.

BF-3

Building on this hillside will disrupt underground streams and replace permeable woodlands with impermeable surfaces. What guarantees do we have that any plan can truly create a collection system that will not negatively impact the large established housing development in the State streets? This EIR report does not contain enough detail for us to be sure.

Increased threat of fires: Impact Traf-6 notes that there are an inadequate number of emergency vehicle access routes. The proposed housing development has only

BF-4

one exit and it exceeds the grade allowed for emergency vehicle access. The General Plan does not allow the proposed auxiliary access for emergency vehicles without additional measures approved by the Fire Marshall. So again we see that the proposed Napa Oaks II project requires special allowances with no guarantees.

BF-4
Cont'd

Our former Police Chief, Dan Monez, and the Fire Chief in 1997 opposed this development because of the limited access for emergency services and police patrols. What is the proposed mitigation this time? Yet another plan, this one is called the Fire Plan. Again a plan with a title and no details, just empty promises that depend on unnamed parties to monitor and enforce measures such as “aggressive vegetation management requirements into perpetuity.”

Before moving to Napa in 1992, I lived in Oakland and witnessed first hand the devastating firestorm of 1991 in the Oakland hills. The firestorm started from a grass fire on terrain much like the proposed hillside-building site. Due to strong winds, the fire jumped over highways and eventually destroyed over 1,520 acres. This fire killed 25 people and injured 150 others. It destroyed nearly 3,000 single-family dwellings. The proposed Napa Oaks development is on a windy site that is predominantly grasslands. As I write, the strong wind is blowing from the hills through my backyard.

Will the proposed Fire Plan be able to mitigate the increased potential for damaging fires? This EIR report does not contain enough detail for us to be sure.

Please reject Davidon Homes’ request for rezoning the Resource Area that is the proposed Napa Oaks development site. The City Council has twice rejected similar proposals by Davidon Homes for this site. Please stop this proposal once and for all.

BF-5

Sincerely,

Myra Snell
24-year Napa resident
2708 Utah Street
Napa, Ca 94558
snell.myra@gmail.com

LETTER BF, MYRA SNELL, RECEIVED 6/10/16 (POST-DATED 6/20/16)Response to Comment BF-1

This comment expresses opposition to the Project and is not a comment on the environmental analysis. See Master Response 1 regarding non-environmental issues.

Response to Comment BF-2

A Mitigation Monitoring and Reporting Program is required under CEQA for all projects with mitigation and would be adopted as part of Project approvals to track implementation of mitigation.

Response to Comment BF-3

See Master Responses 9 and 10 regarding drainage to downslope areas and the safety of the stormwater basin.

Response to Comment BF-4

See Master Response 14 regarding emergency vehicle access. A portion of the comment is not directly related to the environmental analysis for this Project. See Master Responses 1 and 2 related to non-environmental comments and the history of decisions at the site.

Response to Comment BF-5

This comment expresses opposition to the Project and discusses past decisions is not a comment on the environmental analysis. See Master Responses 1 and 2 related to non-environmental comments and the history of decisions at the site.

June 10, 2016

Letter BG

Mike Allen
City of Napa
Planning Division, Community Development Department.
1600 First Street
Napa, CA 94559

Re: Napa Oaks II DEIR Comment Letter

Dear Mr. Allen,

Please accept this comment letter on behalf of the applicant and property owner, Davidon Homes, on the Draft Environmental Impact Report (DEIR) for Napa Oaks II Project, dated March 2016.

Most of the comments are technical in nature, correcting minor items. Other items provide additional or corrected information where pertinent to the EIR. We have listed the comments in order, below.

<u>Page</u>	<u>Topic</u>	<u>Comment</u>
2-2	Biological Resources, first paragraph:	Wetland acreages do not match those in Table 2.1. These are minor inconsistencies. The impacts and mitigation requirements are accurately stated in the summary table 2.1 on page 2-7 and in the Biological Resources section on pages 7-16 through 7-18. The statements in the Executive Summary should read as follows: "The Project would result in fill of 0.43 acre of wetlands, and preservation of 0.82 acre of existing wetlands plus an additional 0.86 acre to be created within an onsite open space preserve..."
	Second paragraph:	The statement that "While the Project would result in the loss of 9.36 acres of the 29 acres of oak woodland on the Project site. . ." should be changed to read "While the Project would result in the loss of 9.36 acres of the <u>27.29</u> acres of oak woodland on the Project site..." Table 2.1 should be corrected also.

BG-1

- 2-5 Alt B, Financial feasibility: See Attached Letter from Steven Abbs of Davidon Homes. The DEIR text states that the financial feasibility of Alternative B is unknown and that the reduction in units would "undermine the financial feasibility of the roadway and utility connections as well as conservation efforts and a public trail system. The letter analyzes what is known about the financial feasibility of 11 units in Alternative B. It concludes that Alternative B is not financially feasible. The same applies to similar discussions in Chapter 19.
- 2-7 Mit Measure Bio-1a: Reference should be to establish 0.86 acres, rather than 0.84 acres.
- 2-13 Mit Measure Traf-4: The Mitigation measure references internal pedestrian curb ramps at crosswalks. The project roadway system is designed to reflect the rural feel of the site design without the standard sidewalks, ramps and crosswalks. Given the topography, slopes and rural design of the roadway network crosswalks are not required under California Vehicle Code Section 275. Under site conditions as the project site and with compliance to local requirements on hillside overlay standards and street standards, the American's With Disabilities Act does not require crosswalks with the ramping described. Therefore the impact is not significant, mitigation is not required and should be deleted from the discussion.
- 2-20 Table 2.2: The table does not appear to list all pertinent Conditions of Approval as described in the document body. Table 2.2 should be updated.
- 3-4 Plan Discussion: The third bullet should reflect that Plan 3 is seven lots, not six. Lot 53 is a Plan 3 and should also be deleted from the fifth bullet (Plan 5).
- The fifth bullet should reflect that it is nine lots, not 10 (see above).
- 5-7 Mineral Resources: The list of mineral resources is missing at the bottom of the page.
- 7-2 First Paragraph: Elevations range from 70 to 336 feet as discussed in prior sections of the document. Please correct.

BG-1
Cont'd

7-24 Bio-6, Western Pond
Turtle:

According to the Biological consultants (see accompanying letter), the impact statement related to western pond turtle should be revised to read as follows: Impact Bio-6: Construction operations, especially those associated with construction of wetland mitigation at the southern end of the site, could impact western pond turtles, which have been observed in the adjacent irrigation pond and that could possibly move across the southern portion of the Project site.

Mitigation Measure Bio-6 related to western pond turtle should be revised as follows:

Mitigation Measure Bio-6: Construction Period Western Pond Turtle Preconstruction Survey and Exclusion Fencing. The following controls shall be implemented during the construction period to reduce the potential for occurrence of western pond turtle at active construction sites:

A qualified biologist shall conduct a preconstruction survey for western pond turtle at the southern end of the Project site within 24 hours of commencement of activities related to the construction of mitigation wetlands in that area. Any western pond turtles encountered shall be relocated to the irrigation pond to the south of the site. Once it can be assured that no western pond turtles are present within construction sites, a western pond turtle exclusion fence (silt fence) shall be installed along the southern property line and adjacent to the offsite pond, to prevent western pond turtles known to occur in the irrigation pond from entering construction areas. This silt fencing shall be maintained at the southern end of the development area during all construction operations to prevent western pond turtle from potentially entering the construction area. The fence shall be examined by a qualified biologist on a regular basis during the construction period to make sure it is functioning properly.

9-7 Figure 9.3:

Figure is incorrectly referenced as 7.3. It should be named 9.3 and also labeled as Plate 4.

BG-1
Cont'd

9-9	Paragraphs two and three reference to Figure 9.3:	The reference to Figure 9.3 is incorrect. The reference is to a figure from the Berlogar Stevens Report. That figure should be added to the EIR as Figure 9.4 (and table of contents updated).
9-10	First Paragraph:	Reference to Figure 9.3 should be to the new Figure 9.4 (see comment above).
12-1	Fifth Paragraph:	Reference to site elevations should be consistent with prior discussion in the document. See comment to 7.2, above.
12-8	Last line of last paragraph.	The word "basis" should be "basins."
13-3	Center Paragraph:	The references to wetland and woodland acreage should be updated to reflect the correct data as described in Chapter 7.
13-5	First Paragraph:	The sentence describing that the Project will provide walking and bicycling opportunities to residents, should add the following: "and to the public."
16-26	Bicycle facilities, condition of approval:	The EIR correctly notes that the bicycle facilities section is not an environmental impact under CEQA. While the City of Napa General Plan does identify Old Sonoma Road as a future Class II bicycle facility in Figure 3-5(B), the General Plan's future designation of the applicable section of Old Sonoma Road is not related to the Project. The record should reflect that the General Plan contains no specific policy with regard to this section of Old Sonoma Road. In addition the General Plan recognizes that Class II bike lanes may not be feasible in some area. With regard to the proposed condition of approval, a Class II bike lane may not be feasible due to right-of-way, road, topography and site constraints. Therefore, the language should reflect that the condition of approval is "proposed" and the specific reference to Class II bike lanes should include language that reflects the potential infeasibility, such as "or a design acceptable to the City, such as an improved Class III bike lane" to accommodate Old Sonoma Road conditions. Such language does not foreclose future Class II bike lanes consistent with General Plan Figure 3-5(B).

BG-1
Cont'd

16-26 Bicycle facilities,
condition of approval:

The EIR correctly notes that the bicycle facilities section is not an environmental impact under CEQA. While the City of Napa General Plan does identify Old Sonoma Road as a future Class II bicycle facility in Figure 3-5(B), the General Plan's future designation of the applicable section of Old Sonoma Road is not related to the Project. The record should reflect that the General Plan contains no specific policy with regard to this section of Old Sonoma Road. In addition the General Plan recognizes that Class II bike lanes may not be feasible in some area. With regard to the proposed condition of approval, a Class II bike lane may not be feasible due to right-of-way, road, topography and site constraints. Therefore, the language should reflect that the condition of approval is "proposed" and the specific reference to Class II bike lanes should include language that reflects the potential infeasibility, such as "or a design acceptable to the City, such as an improved Class III bike lane" to accommodate Old Sonoma Road conditions. Such language does not foreclose future Class II bike lanes consistent with General Plan Figure 3-5(B).

BG-1
Cont'd

16-27 Impact Traf-4
description and
mitigation:

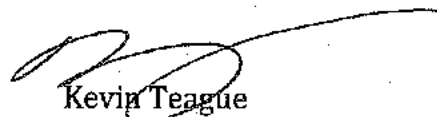
See Comment 2.13, above.

16-27 Last Paragraph:

The reference to "substantial" detour is incorrect. While there is a detour, it is not "substantial" given the length is similar to lengths already required or will be continued in the conditions of approval.

Thank you for your consideration of our comments. Please feel free to call me if you have any questions.

Sincerely,



Kevin Teague

cc: Steven Abbs

LETTER BG, KEVIN TEAGUE, 6/10/16

Response to Comment BG-1

This comment suggests minor revisions to correct/clarify information in the EIR, as reflected in the revisions in Chapter 22.

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