

## APPENDIX A

LAW OFFICES OF

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July 2, 2012

### Via Electronic Mail and Mail

Robert Westmeyer, County Counsel  
County of Napa  
1195 3rd Street, Suite 301  
Napa, CA 94559

Re: Angwin General Plan Initiative

Dear Mr. Westmeyer:

I represent the proponents of the Angwin General Plan Initiative ("Initiative"). A letter of June 4, 2012, submitted on behalf of Pacific Union College suggested that the Initiative might be intended to "re-adopt the Napa County Land Use Map in whole," and thereby possibly restrict the Board of Supervisor's land use authority. Such is not the intent of the Initiative. Nor is this a fair reading of the Initiative. As explained below, the Initiative is clear in its intent to change the Land Use Map for Angwin only, and nothing reasonably suggests an intent to "re-adopt" the entire County Land Use Map. Nevertheless, to prevent confusion, the Initiative proponents will clarify the Initiative's limited intent in the ballot argument submitted for inclusion in the voter information pamphlet.

Specifically, the Initiative makes clear in Sections 1.B. and 2. A. that its purpose is to protect lands *in Angwin*. Similarly, Section 6 states the intent "that the provisions of this initiative shall be interpreted by the County in a manner that facilitates the protection for agriculture, open space, and the rural character of the Angwin area." Further, Section 3.B., which refers to the attached County Land Use Map as it would be revised to incorporate the Initiative's specific changes to the Angwin Map (Exhibit D to the Initiative), clarifies that the Map shown at Exhibit D "incorporates the changes to the General Plan designations *for Angwin* adopted by this initiative." (Emphasis added.)

At the end of the Initiative's text, Exhibit D is described as "The Napa County Land Use Map as proposed to be amended by this initiative." The only part of the Initiative that purports to amend the Napa County Land Use Map is the amendment to the *Angwin* land use map. Nothing in the Initiative supports the notion that the Map shown at Exhibit D, which expressly shows the changes made to the Angwin area map, is meant to re-adopt the entire County Land Use Map. Moreover, Section 5.C., expressly

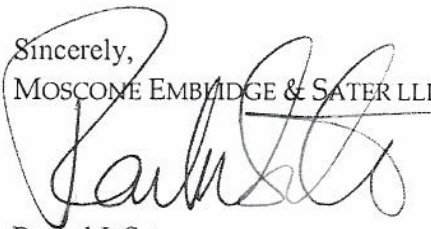
Robert Westmeyer, County Counsel  
July 2, 2012  
Page 2

anticipates "ongoing updates of the General Plan in accordance with the requirements of state law"—the usual process of periodic General Plan updates over which the Board of Supervisors has authority.

Finally, please note that Section 6 states that the Initiative "shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations." Accordingly, if any provision of the Initiative is susceptible to interpretation in a manner that would place the Initiative in conflict with state or federal law, the Initiative expressly requires that such interpretation be rejected.

I hope this clarification is helpful. Thank you for your attention, and please let me know if you have any questions.

Sincerely,  
MOSCONE EMBIDGE & SATER LLP



Rachel J. Sater