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**Conservation, Development and Planning**

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**Hillary Gitelman**  
Director

November 3, 2009

Dana Smith  
Assistant City Manager  
City of Napa  
PO Box 660  
Napa, CA 94559-0660

Dear Ms. Smith, *DANA*

Thank you for your letter requesting an extension of the deadline to submit public comments on the Napa Pipe Draft EIR. As your letter notes, the comment period is currently scheduled to end after 60 days, on December 22, 2009.

Our practice has been for the Planning Commission -- and not County staff -- to determine whether an extension of the legally required comment period (45-days) is warranted. In the current instance, the Commission will have an opportunity to make this decision at their first public hearing on the Draft EIR, scheduled for the evening of November 17, 2009. The Commissioners have already received copies of your letter.

Regards,

*Hillary Gitelman*  
Hillary Gitelman  
Director of Planning

cc. Napa County Board of Supervisors  
Napa County Planning Commission  
Napa Redevelopment Partners  
Larry Florin  
Sean Trippi/File



SEAN  
**CITY MANAGER**  
955 School Street  
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October 27, 2009

Mr. Sean Trippi  
Napa County Dept. of Conservation, Development, & Planning  
1195 Third Street, Suite 210  
Napa, CA 94559

Re: Draft Environmental Impact Report (DEIR) for Napa Pipe Project  
Request for Extension of Public Review Period

Dear Mr. Trippi:

The City of Napa is requesting an extension of the deadline to submit public comments on the Napa Pipe DEIR. Public comments on the DEIR are currently due by December 22, 2009. The City requests that the due date be extended by 60 days to February 20, 2010. This would give the public and responsible agencies a total of 120 days in which to review and comment on this very important and complex DEIR. For the following reasons, we believe that 'unusual circumstances' exist that merit a time extension.

The Napa Pipe project is an urban project, not connected to an existing municipality, which is unprecedented in its density and scale in the North Bay area. Per CEQA Section 15206, this project meets the criteria to be deemed of statewide, regional, or area wide significance. The DEIR, technical studies and appendices to be reviewed are unusually voluminous - 2,400 pages in length. In addition, the concurrent submittal to the County of the Comprehensive Development Application (dated October 22, 2009) which the DEIR is evaluating, contains substantial new information that has not been previously available for public review. Ample time to review and understand all of the data and documents is very critical to the City as many of the effects of environmental impacts will be felt most directly on the City of Napa, its residents and businesses.

Because the DEIR includes numerous significant adverse impacts and proposed mitigation measures, the City, by the very nature of location and service delivery options is obligated to provide its thoughtful input for development of adequate mitigation measures as well as alternative city service delivery assistance and possibly direct delivery of some services. Additional time will allow more constructive comments and enhance greater understanding of the project.

The City also believes that input and involvement from the general public is paramount in the CEQA process. Adequate time for the public and the policy makers who will act on the project, all of whom are not experts in the issues studied in the DEIR, must be allowed.

**RECEIVED**

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NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

Mr. Sean Trippi  
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Extending the time frame will greatly enhance the effectiveness of the review period and result in better community input and comment.

And finally, the review period falls within an extremely busy time of year with major holidays as well as end of year vacation schedules. This affects not only the public but also the staff of various agencies who are reviewing and commenting on the DEIR. We understand that the applicant has been working on this project for over three years, and the applicant solicited public input during that time. However, now that potential environmental impacts of the project have been documented in the DEIR, it is essential that the public also have an adequate opportunity to review and comment on these important environmental issues. The potential significance of the impacts of this proposed project on the future of the citizens of Napa County surely warrants additional time for the public to review, pose questions, and comment on the DEIR.

We hope that the County will grant this request for time extension. We would appreciate receiving a response at your earliest convenience.

Sincerely,



Dana Smith  
Assistant City Manager

cc: Michael Parness, City Manager, City of Napa  
Mayor and City Council of Napa  
Napa County Board of Supervisors  
Hillary Gitelman, Director of Planning and Conservation, County of Napa  
Lawrence Florin, Intergovernmental Affairs Manager, County of Napa

## Gitelman, Hillary

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**From:** Gitelman, Hillary  
**Sent:** Monday, November 09, 2009 10:50 AM  
**To:** 'Eve Kahn'; Trippi, Sean  
**Cc:** mattjpope@gmail.com; heathertp@comcast.net; tkscottco@aol.com; napacommissioner@yahoo.com; fidd@comcast.net  
**Subject:** RE: Napa Pipe Staff Comments

Eve:

Thanks for your message. I expect the Commission will consider your request for an extension of the public comment period at their first public hearing on November 17. (We also received a request from the City of Napa.)

Planning staff does not intend to provide staff comments on the Draft EIR and we did, in fact, spend quite a bit of time reviewing all of the published materials. Inevitably in publishing complex documents with lots of cross references, there are going to be some typos and other errors. As we become aware of errors, we are working on a list of errata, which we will make available and will include in the Final EIR. (Sean's been out sick the last few days, so I can't tell you exactly when we'll have the first version of the list together.)

Rest assured, however, none of the errors we're finding are show stoppers in that they don't change the analysis and conclusions, and none should impede readers from reviewing the documents and providing their own comments. If you find inconsistencies between the Draft EIR and the Comprehensive Development Application, or between different sections of the Draft EIR, please list those in your comments. They will be responded to in the Final EIR.

Also, we have an obligation to make all cited documents (everything referred to in the text or in a footnote) available for review. We have made some of that material available in the document appendices, and some available on our website. We have set aside a small office here at the Planning Department for the rest of the material. If there is something you would like to review (the Eisen/Letunic memo for example), please contact Sean or myself. If the item you're seeking is short, we can arrange some way to get you a copy, and if it's long, you can come by our office and take a look.

Hope this helps,

Hillary

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

**From:** Eve Kahn [mailto:evkah@juno.com]  
**Sent:** Sunday, November 08, 2009 1:05 PM  
**To:** Gitelman, Hillary; Trippi, Sean  
**Cc:** mattjpope@gmail.com; heathertp@comcast.net; tkscottco@aol.com; napacommissioner@yahoo.com; fidd@comcast.net  
**Subject:** Napa Pipe Staff Comments

Hillary & Sean - In the first week of reviewing the extensive Napa Pipe EIR and Design Guideline documents I have come across some inconsistencies, omissions, document errors, as well as footnote reports that are not included in appendices. I called Sean last week who confirmed that County Staff did not have a chance to review the documents prior to distribution. It would be most helpful and most appreciated if the public gets a copy of staff comments prior to the 11/17 public meeting.

Here are a few examples I have found:

Economics Research Associates Fiscal Impact Analysis - footnoted on page 4.2-18 but not included in Appendix. I did find it on the County's website. If the public is to comment on a project goal of "revenue neutral" it is very difficult to do this without including

key information from this report in the EIR - yet none exists.

Eisen/Letunic Comparison of Household Income & Housing Cost - footnotes on page 4.2-20 is neither in the Appendix nor the County's website .

Transportation Demand Management programs differ in different sections of the EIR - not sure how to evaluate TFM effectiveness as mitigations with these discrepancies.

Project Site Plan (Figure 4.3-2) includes a comment "Reconfigure Kaiser Road with landscaped median, left turn pockets, street trees, roundabout, sidewalks, bike paths, and parking" The impact of these changes to existing industrial uses are not discussed in Traffic & Transportation section. Off road improvements are surprisingly only mentioned in Air Quality - and Kaiser Road is totally missing.

Relevant project details contained in the Design, Community, & Environment memorandum [Napa County Housing Stock & Napa Pipe unit configurations] and the Walker Parking Consultants Parking Demand Analysis [# units owner occupied vs rental] are not included in the EIR document but found in Appendix B.

In order to adequately and appropriately respond to the EIR and reference documents I respectfully request a 1 month extension of the review period to give the public time to evaluate the existing and possibly new information. When the public was reviewing the County's General Plan, it was REALLY helpful to have additional reference (or cross-reference) documents. Any chance you could prepare something similar?

Thanks and regards, Eve

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