

Correspondence Received at the
April 2, 2012
Planning Commission Hearing

Trippi, Sean

From: Trippi, Sean
Sent: Monday, April 02, 2012 9:27 AM
To: Napa Pipe Project
Subject: FW: Greenbelt Alliance supports Napa Pipe

**CDC
MEETING**

'APR --2 2012

**AGENDA ITEM
NO. 5A**

----- Forwarded message -----

From: **Maria Wilson** <mwilson@greenbelt.org>
Date: 2012/3/30
Subject: Greenbelt Alliance supports Napa Pipe
To: mattpope384@gmail.com

Commissioner Pope:

I wanted to drop you a line to follow up on the voicemail I just left you. For the last 4 years, Greenbelt Alliance thoughtfully reviewed the Napa Pipe proposal. We support the project, although we do have some concerns which we have outlined in previous correspondence.

I'm writing because this forward-thinking vision for Napa County is now under siege, and I wanted to tell you where we stand in advance of Monday's Planning Commission meeting discussion on the project.

We endorsed the project last year because after years of analysis, we concluded that compact, mixed-use development, with an ample amount of housing (it was 2,580 at the time) was the best way to fulfill the County's housing needs, shorten local commutes, and reuse this brownfield site. The developer's proposal makes the most of a site with a bunch of complex challenges, addressing current needs and also providing for a sustainable future for Napa.

We are concerned about County staff's proposal to reduce the housing at Napa Pipe. Really, what's at stake are the project's core benefits—parks and open space, retail, greater transit connections—and overall, its feasibility.

What County staff has proposed as an alternative, additional industrial land east of the train tracks, is troublesome because it does nothing to improve the project. In fact, it makes it MORE likely to be problematic in terms of concerns like traffic and water that we share with others in the community. Water uses for any new industrial areas are highly likely to be higher than what residential would require. Napa County has a glut of vacant industrial space – more than 1,400 acres countywide. The need there is simply not as great as the need for housing. And as you know, the project as proposed by the developer already includes 50 acres of light industrial uses, located in the airport flight path. The environmental study has actually shown that peak-hour traffic would be worse with the additional industrial development than with housing on the same area.

Adopting County staff's proposal (of 700-945 units) would limit the site's potential, which would be disappointing and a lost opportunity. From what I've heard, a compromise may be emerging that would regard County Staff's proposal as the first phase of the developer's proposed project, with 2,050 units, that we support. We hope the County will continue to work toward compromise to ensure this project is not only economically viable but is favorable from an environmental standpoint, with regard to traffic, water, local retail, and other considerations.

Thanks for your time. I would love to hear your perspective as well, so please feel free to call me to discuss further – you can reach me at [415-543-6771](tel:415-543-6771) x308.

Best regards,

Maria Wilson

--
Marla Wilson
Field Representative

Greenbelt Alliance
631 Howard St., Suite 510 • San Francisco, CA 94105
(415) 543-6771 x308 • mwilson@greenbelt.org

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greenbelt.org • Facebook • Twitter

Trippi, Sean

From: Gitelman, Hillary
Sent: Friday, March 30, 2012 4:29 PM
To: Gray, Melissa
Cc: Trippi, Sean
Subject: FW: Greenbelt Alliance supports Napa Pipe

This is Planning Commission correspondence for Monday's meeting.

Hillary Gitelman
Director of Conservation, Development & Planning
1195 Third Street, Napa, CA 94559
(707) 253-4805

From: Michael Basayne [<mailto:mike@loneoakcompany.com>]
Sent: Friday, March 30, 2012 4:25 PM
To: McDowell, John; Gitelman, Hillary
Subject: Fwd: Greenbelt Alliance supports Napa Pipe

Additional correspondence...

Michael Basayne
Principal
The Lone Oak Company
(707) 815-7042
Sent from my iPhone

Begin forwarded message:

From: Marla Wilson <mwilson@greenbelt.org>
Date: March 30, 2012 3:52:08 PM PDT
To: <mike@loneoakcompany.com>
Subject: Greenbelt Alliance supports Napa Pipe

Chairman Basayne,

I wanted to drop you a line to follow up on the voicemail I just left you. For the last 4 years, Greenbelt Alliance thoughtfully reviewed the Napa Pipe proposal. We support the project, although we do have some concerns which we have outlined in previous correspondence.

I'm writing because this forward-thinking vision for Napa County is now under siege, and I wanted to tell you where we stand in advance of Monday's Planning Commission meeting discussion on the project.

We endorsed the project last year because after years of analysis, we concluded that compact, mixed-use development, with an ample amount of housing (it was 2,580 at the time) was the best way to fulfill the County's housing needs, shorten local commutes, and reuse this brownfield site. The developer's proposal makes the most of a site with a bunch of complex challenges, addressing current needs and also providing for a sustainable future for Napaans.

We are concerned about County staff's proposal to reduce the housing at Napa Pipe. Really, what's at stake are the project's core benefits—parks and open space, retail, greater transit connections—and overall, its feasibility.

What County staff has proposed as an alternative, additional industrial land east of the train tracks, is troublesome because it does nothing to improve the project. In fact, it makes it MORE likely to be problematic in terms of concerns like traffic and water that we share with others in the community. Water uses for any new industrial areas are likely to be higher than what residential would require. Napa County has a glut of vacant industrial space – more than 1,400 acres countywide. The need there is simply not as great as the need for housing. And as you know, the project as proposed by the developer already includes 50 acres of light industrial uses, located in the airport flight path. The environmental study has actually shown that peak-hour traffic would be worse with the additional industrial development than with housing on the same area.

Adopting County staff's proposal (of 700-945 units) would limit the site's potential, which would be disappointing and a lost opportunity. From what I've heard, a compromise may be emerging that would regard County Staff's proposal as the first phase of the developer's proposed project, with 2,050 units, that we support. We hope the County will continue to work toward compromise to ensure this project is not only economically viable but is favorable from an environmental standpoint, with regard to traffic, water, local retail, and other considerations.

Thanks for your time. I would love to hear your perspective as well, so please feel free to call me to discuss further – you can reach me at 415-543-6771 x308.

Best regards,

Marla Wilson

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Marla Wilson
Field Representative
Greenbelt Alliance
631 Howard St., Suite 510 • San Francisco, CA 94105
(415) 543-6771 x308 • mwilson@greenbelt.org
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[greenbelt.org <http://www.greenbelt.org/>](http://www.greenbelt.org/) • Facebook <http://www.facebook.com/pages/San-Francisco-CA/Greenbelt-Alliance/63088415063> • Twitter
[<http://www.twitter.com/gbeltalliance>](http://www.twitter.com/gbeltalliance)

Trippi, Sean

From: Trippi, Sean
Sent: Monday, April 02, 2012 9:33 AM
To: Napa Pipe Project
Subject: FW: PLEASE vote in favor of Napa Pipe!

----- Forwarded message -----

From: Jonna Beck Lewis <jonna.lewis@gmail.com>
Date: Fri, Mar 30, 2012 at 1:22 PM
Subject: PLEASE vote in favor of Napa Pipe!
To: mattpope384@gmail.com

Mr. Pope,

I urge you to vote in favor of this project. Napa residents NEED options! This project has benefits for every resident, whether you live there or not. Jobs, river access AND a housing option for so many Napers... how could you not be in favor of it! I am a fan of all the protections we have in place to keep our hillsides and agricultural areas as they are. The scenery is beautiful for residents and tourists alike. However, this site is ugly to begin with, not agricultural and waiting for the return of manufacturing is ridiculous. This is a wonderful vision and I applaud those that have taken the time to see this project through. **PLEASE VOTE YES ON NAPA PIPE!**

Sincerely,
Jonna Beck Lewis.

Jonna Beck Lewis, Realtor®

DRE# 01102070

c: 707/ 815.4982 o: 707/ 256-2314 f: 707/ 240-5229

jonna.lewis@gmail.com

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Trippi, Sean

From: Trippi, Sean
Sent: Monday, April 02, 2012 9:27 AM
To: Napa Pipe Project
Subject: FW: Yes on Napa Pipe

----- Forwarded message -----

From: **Mark Lewis** <mark.nfd@gmail.com>
Date: Fri, Mar 30, 2012 at 11:53 PM
Subject: Yes on Napa Pipe
To: matt pope384@gmail.com

Hi Mr. Pope,

I am writing to you to urge you to support Napa Pipe project. I have lived in Napa since 2003 and we love it here. I love that we have ordinances that protect our beautiful agricultural areas. What I dont love is when people are against effective and beneficial redevelopment of an abandoned manufacturing area. That property is unused space that would be of great use as housing and river access. In addition it will offer even more community enhancing benefits. How great would it be to turn an area that is destined to be ugly and vacant and turn it into a vibrant area where residents and tourists can go to live work and play. Please vote yes on Napa Pipe!

Thanks for your time,

Mark Lewis
1059 Westview Drive
Napa CA, 94558

Trippi, Sean

From: Trippi, Sean
Sent: Monday, April 02, 2012 9:28 AM
To: Napa Pipe Project
Subject: FW: Reminder

----- Forwarded message -----

From: <GGBGinny@aol.com>
Date: Thu, Mar 29, 2012 at 1:11 PM
Subject: Reminder
To: mattpope384@gmail.com

Dear Matt,

Here are three important facts:

Do not change the Groundwater policy. It is NOT "conjunctive" use. What it means is that if a water agency does not want to serve you, you can make a new Water District, and use wells. This threatens every city and water district in the County. It will begin to destroy the Agricultural Preserve.

Napa Pipe Traffic will degrade 29 intersections. This will add 32 MINUTES to a trip from First Street in Napa to Jamieson Canyon, and another 10 MINUTES to Vallejo. Developers will pay a fraction of mitigation costs. Our taxpayers will pay 90% of the costs, and there is no money.

All of the buildings proposed will be on Bay Muds. That is what took down The Marina and the Cypress freeway in the 1980's.

Ginny Simms

Trippi, Sean

From: Whit Manley [WManley@rmmenvirolaw.com]
Sent: Thursday, March 29, 2012 9:11 AM
To: Michael Basayne (napacommissioner@yahoo.com); Bob Fiddaman (fidd@comcast.net); Heather Phillips (heather@vinehillranch.com); Matt Pope (mattjpope@gmail.com); Terry Scott (tkscottco@aol.com)
Cc: McDowell, John; Heather Phillips (heather@vinehillranch.com); Anderson, Laura; Gitelman, Hillary; Trippi, Sean; Paul, Rob
Subject: FW: Memo to Planning Commission -- Napa Pipe
Attachments: Memo to PC.pdf

Chairperson Basayne and Members of the Planning Commission:

Please find attached a memorandum from Wes Strickland addressing groundwater use at the Napa Pipe site.

Regards,

Whit Manley
For Napa Redevelopment Partners

From: Strickland, Wes [mailto:WStrickland@bhfs.com]
Sent: Wednesday, March 28, 2012 8:58 AM
To: Keith Rogal; Richard Walsh; Whit Manley
Subject: Memo to Planning Commission

Attached.

Wes Strickland
Brownstein Hyatt Farber Schreck, LLP
Address: 21 East Carrillo Street | Santa Barbara, CA 93101
Email: wstrickland@bhfs.com
Website: <http://www.bhfs.com>
Blog: <http://privatewaterlaw.com>
Twitter: <http://twitter.com/PrivateWaterLaw>
Main: 805.963.7000
Direct: 805.882.1490
Mobile: 805.451.4166
Assistant: 805.882.1470 (Gina Lane)

Any federal tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for purposes of (i) avoiding penalties under the Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any transaction or tax-related matter addressed herein. This is a transmission from Brownstein Hyatt Farber Schreck, LLP. This message and any documents attached to this may be confidential and contain information protected by the attorney-client privilege or attorney work product doctrine. They are intended for the addressee only. If any attachments require conversion or this transmission is received in error, please call my assistant. Please consider the environment before printing this message.

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Memorandum

C. Wesley Strickland
Attorney at Law
805.882.1490 tel
805.965.4333 fax
WStrickland@bhfs.com

DATE: March 28, 2012

TO: Chairperson Basayne and Members of the Planning Commission

COPY: Hillary Gitelman, Director of Conservation, Development and Planning

FROM: Wes Strickland

RE: Precedential Effect of Groundwater Use for the Napa Pipe Project

1. Introduction

During discussions regarding the Napa Pipe Project (Project), the question has arisen whether use of groundwater for the Project would create a precedent for use of groundwater by future urban developments in Napa County. This memorandum explains why there would be no such precedential effect based on unique features of the Project and its water rights.

2. Napa County Groundwater Policies

Napa County has adopted two groundwater-related policies in its General Plan, Conservation Goal CON-11 and Policy CON-51. Those provisions read as follows:

Goal CON-11: Prioritize the use of available groundwater for agricultural and rural residential uses rather than for urbanized areas and ensure that land use decisions recognize the long-term availability and value of water resources in Napa County.

Policy CON-51: Recognizing that groundwater best supports agricultural and rural uses, the County discourages urbanization requiring net increases in groundwater use and discourages incorporated jurisdictions from using groundwater except in emergencies or as part of conjunctive-use programs that do not cause or exacerbate conditions of overdraft or otherwise adversely affect the County's groundwater resources.

Despite those policies, in reality there are a number of municipal and industrial uses of groundwater in Napa County. These uses were commenced prior to adoption of the County policies, and the County has not sought to enjoin them. For example:

- The City of St. Helena produces groundwater for municipal and industrial uses within its water service area;
- Syar Industries produces groundwater to meet its industrial water demands;
- Numerous mutual water companies, hotels, resorts, schools and wineries use groundwater for their operations; and
- Industries located both on and off the Project site have produced groundwater from the property for municipal and industrial purposes.

3. Analysis

As stated in the Water Supply Assessment (WSA) Section 4.3.6, the County policies evince a desire to maintain the historical balance of groundwater use between agricultural, rural residential and urban citizens and preserve adequate groundwater resources for use by future vineyards that contribute to the County's character and economy. The use of groundwater for the Project is consistent with these policies because it involves redevelopment of a previously urbanized site with a long history of substantial groundwater use. The site does not contain existing or former agricultural uses, and as discussed in the WSA Section 4, the production and use of groundwater for the Project has been determined by technical experts not to have any significant impact on existing or future agricultural or rural residential uses of groundwater in the Suscol area. Even with production of groundwater for the Project, significant surplus groundwater will exist in the Sonoma Volcanics aquifer in the Suscol area. Thus, the Project will both maintain the historical balance of groundwater uses in the County and preserve the resource to support future agricultural growth.

Following the language of the County policies, approval of the Project would "recognize the long-term availability and value of water resources in Napa County" and not constitute "urbanization requiring net increases in groundwater use." Although the Project would not be located in an incorporated jurisdiction, it would "not cause or exacerbate conditions of overdraft or otherwise adversely affect the County's groundwater resources." This compliance with the County policies demonstrates that the Project will not create a precedent for groundwater use that is not currently allowed under the General Plan.

As discussed in the WSA Sections 3.1 and 4.2.3, the Project site is unique within Napa County for its location overlying a productive groundwater aquifer and long history of groundwater production and use. Some of the unique features of the Project that would allow it to use groundwater without creating a precedent for other land development projects are described below.

- The project site was urbanized decades ago. The Project is a proposed redevelopment project and would not constitute an “urbanization” project. This is different than other sites proposed for development within Napa County, including those within the boundaries of the City of Napa or City of American Canyon.
- The Project site does not support, and has never supported, agricultural uses. Given environmental conditions on the site, it would not be used for agricultural purposes in the future. This is different than many sites in the County that have been proposed for development, including many within the boundaries of the City of Napa or City of American Canyon.
- The site has been used for groundwater production for approximately 100 years. Groundwater production existed for many years prior to adoption of the County General Plan policies in 2008. Disallowing groundwater use for the Project would prevent the ongoing, historical use of the property and may constitute a compensable taking of vested groundwater rights associated with the property. Other properties proposed for development would not have such historical groundwater production.
- The level of groundwater production from the Project site has fluctuated over the years, but has been as high as 1,230 AFY. Based on this history, it is clear that on-site wells are very productive, and the water is suitable for municipal and industrial uses. The Project site is unique in the Napa Valley for its long history of significant groundwater production. Other proposed projects would not be sited as advantageously or have a history of groundwater production.
- Approval of the Project by the County will not cause more groundwater to be used on the site than would be used without Project approval. Following approval of the Project, groundwater usage would be a maximum of approximately 620 AFY. Without approval of the Project, the site would continue to be used for industrial purposes, and groundwater would continue to be used to meet all water demands on the property. The quantity of future industrial demands is unknown at this time, but could be substantially higher than 620 AFY.
- Historical experience and technical analyses prepared for the Project, subject to independent peer review by the County’s expert, has demonstrated that groundwater use for the Project would have no significant adverse impact on the Sonoma Volcanics aquifer or adjacent wells. This includes a finding that existing and planned future agricultural wells would not be impacted by groundwater withdrawals for the Project.
- Groundwater rights in California are of two types: overlying and appropriative. An overlying groundwater right is paramount to all appropriative rights and entitles the holder to a correlative share of the basin’s natural water supplies. An overlying user may use as much water as it needs, so long as the water is put to a reasonable and beneficial use. The groundwater rights held by Napa Redevelopment Partners for the Project are overlying rights just like those held by agricultural irrigators throughout Napa County. Those rights are different than appropriative rights which would be

formed by the cities within Napa County. Thus, the County's recognition of overlying rights for the Project would not establish a precedent for the formation of appropriative rights to serve future urban developments.

- Because the Project site is located at the southern, most downgradient end of the Napa Valley Subbasin, production from wells located on the property captures groundwater that would otherwise flow into San Pablo Bay. A County requirement that groundwater underlying the site remain unused by the Project would cause groundwater to flow out of the Basin, and would possibly constitute waste of water in violation of the California Constitution, Art. X, § 2. No other property is similarly situated.

As seen from the discussion above, there is no site in Napa County that is comparable to the Napa Pipe site with respect to known and studied groundwater supplies, historic and documented groundwater use with no adverse impact on the aquifer or adjacent wells, clear urbanization and lack of any agricultural potential. The argument that use of groundwater for the Project would somehow create a precedent resulting in others making use of groundwater for future urban developments is simply inaccurate. This is especially true in light of the 100 years of groundwater use on the site, decades before adoption of the County groundwater policies in 2008. Based on that long history of use and exercise of vested groundwater rights, the County policy should not be construed in a manner that would preclude use of groundwater for the Project.

SB 609357 v1:011356.0001

Trippi, Sean

From: Trippi, Sean
Sent: Monday, April 02, 2012 9:28 AM
o: Napa Pipe Project
Subject: FW: Seismic Danger Addressed by East Bay Utilities

----- Forwarded message -----

From: **Roger Hartwell** <roger_hartwell@hotmail.com>
Date: Wed, Mar 28, 2012 at 12:54 PM
Subject: Seismic Danger Addressed by East Bay Utilities
To: napacommissioner@yahoo.com, heather@vinehillranch.com, fidd@comcast.net, tkscottco@aol.com,
mattpo384@gmail.com
Cc: john.mcdowell@countyofnapa.org

Commissioners, Thank you for encouraging and finally allowing everyone to speak during last week's meeting. Commissioner Basayne was especially cordial while sticking to business.

I would like to remind you of the seismic danger present in the bay area, including Napa Pipe, and that other municipalities have realized it and taken action. When East Bay Municipal Utility District understood the danger in 2004, they spent \$76 Million to rebuild San Pablo Dam to resist liquefaction predicted from computer modeling of earthquakes on the Hayward Fault-Rodgers Creek Fault. The Napa Pipe site contains alluvial soil that has already exacerbated moderate local earthquake damage in Napa. The three active local faults (West Napa, Concord-Green Valley, and Hayward-Rogers Creek) that bracket the site are of critical concern because the DEIR and USGS information suggests strongly that damage even to buildings constructed to earthquake codes and on engineered and compacted fill would be "ruinous to disastrous."

Please consider this potential for damage, loss of life, and the difficulty to provide emergency service to this limited access area when a large earthquake strikes. It is very costly to revisit these issues once structures are in. Also, rezoning the proposed project area would allow people to occupy the site around the clock, increasing greatly the chance of earthquake injury. Please don't rezone the Napa Pipe land or certify the EIR until appropriate seismic modeling is done to show the site reaction from anticipated earthquakes in the Bay Area.

Thank you for your consideration,

Roger D Hartwell
Executive Committee
Sierra Club
Napa, CA
roger_hartwell@hotmail.com

Trippi, Sean

From: Napa Pipe Project
Sent: Monday, April 02, 2012 9:45 AM
To: 'Bob Massaro'
Subject: RE: Important Question from Org #18

Hi Bob -

Staff is going to respond to your question orally this evening. We think that the Green House Gas (GHG) mitigation measure (GHG-1, on pages 2-30 through 2-33 of Chapter 1A of the Final EIR) proposed for adoption is sufficiently broad so as to ensure that any development plan that is submitted following the rezoning and General Plan amendment will contain a real commitment to energy conservation and other "green" practices in new construction.

The project would also have to comply with our Climate Action Plan (CAP) and reduce "business as usual" GHG emissions by 38% if the CAP is adopted in advance of the development plan.

Thanks,
Sean

From: Bob Massaro [mailto:bob@healthybuildingsusa.com]
Sent: Wednesday, March 28, 2012 8:54 PM
To: Napa Pipe Project
Cc: Hilary.Gitelman@countyofnapa.org; McDowell, John; Basayne Michael; Lisa Batto
Subject: Fwd: Important Question from Org #18

Hello Sean -

I can appreciate that you are busy, but I would appreciate a response to my e-mail which I sent you 13 days ago, particularly since it includes several factual issues regarding Napa Pipe. I have copied this e-mail again below. Thank you for your response.

Regards
Bob



Robert D. Massaro
Healthy Buildings Management Group, Inc.
Healthy Buildings Construction Group, Inc.
www.healthybuildingsusa.com

Healthy Buildings Technology Group, Inc.
www.hbtg.com
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CoFounder - Thrive Napa Valley
Member - Social Venture Network
Member - Napa County Asthma Coalition

3432 Valle Verde Drive • Napa, CA 94559
(707) 676-8999 office (707) 320-3243 cell

Begin forwarded message:

From: Bob Massaro <bob@healthybuildingsusa.com>
Date: March 15, 2012 9:37:21 PM PDT
To: Sean Napa County <napapipe@co.napa.ca.us>
Cc: Hilary.Gitelman@countyofnapa.org
Subject: Important Question from Org #18 re: Napa Pipe

Hello Sean -

I have spent quite some time reviewing the County's response to Healthy Building's (Org #18) letter to the County re: Napa Pipe, and as much of the 1500-plus pages of the application and surrounding documents as I could. In the County's response to Healthy Buildings letter of 02/05/10 the County states..." LEED certification for the project is described on pages 3-16 and 3-17 of the Project Description. Page 3-16 states that the project's application to the USGBC includes credits for the category of Green Construction & Technology, and page 3-17 states that the project has been awarded pre-entitlement Gold Certification in LEED-ND."

However in reviewing the documents, I find that Page 3-16 and 3-17 have nothing to do with this matter, but rather discuss "signage" and the "process for review and approval of the development agreement".

Sections 2-10 through 2-15 do discuss sustainable technologies, but these only weakly address the issues that were brought up in our letter. These sections make reference to "filling out a checklist" but this step does not equate to bringing forward sustainable buildings.

Since I do plan on attending the hearing on Monday I would appreciate your clarification of the County's response should I elect to speak at the podium. Were you in fact referencing sections 2-10 through 2-15 or is there another section addressing the green building issues? Also Mitigation Measure GHG-1d states, on page 4.7-25 of the 2009 DEIR, that buildings would be designed to meet LEED certification requirements applicable as of the project approval date. Since there are four levels of LEED certification, which level is the project supposed to meet?... and how shall this standard be verified...by the plan checkers?...by the building inspectors?...by other County staff?

Also, on a related matter, the County's response to my letter states that Cal-Green "will have a similar effect as meeting LEED Silver requirements." This is a mis-conception has been corrected by several outside sources. If ALL of Cal-Green VOLUNTARY measures are implemented on a project, in addition to the mandatory measures, then the result is a project that is close to LEED Silver. However since only the mandatory measures are required, Cal-Green does not, by any metric, meet LEED Silver standards. The document reference by the County in its response to this item in my letter is in fact a magazine article from two consulting attorney, who do state in their paragraph entitled "CalGreen is not LEED" that "Compliance with ALL of CalGreen's provisions,

both mandatory and voluntary, is roughly the equivalent to LEED Silver." So please be aware of this fact...unless the voluntary measures are made mandatory there is no LEED equivalency.

Thank you in advance for your response to our questions.

Regards

Bob

p.s. Though I remained very concerned that there are no mandatory green building requirements in the staff recommendations, I am quite pleased about the Planning Departments recommendations of a much smaller project. I think this was a courageous move that shows great consideration for the people of Napa County. My compliments to Hilary, you and all of the staff members who worked on this project.



Robert D. Massaro, CEO
Healthy Buildings Management Group, Inc.
Healthy Buildings Construction Group, Inc.
www.healthybuildingsusa.com

Healthy Buildings Technology Group, Inc.
www.hbtg.com
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CoFounder - Thrive Napa Valley
Member - Social Venture Network
Member - Napa County Asthma Coalition

3432 Valle Verde Drive • Napa, CA 94559
(707) 676-8999 office (707) 320-3243 cell
bob@healthybuildingsusa.com
www.hbtg.com www.healthybuildingsusa.com

Trippi, Sean

From: Trippi, Sean
Sent: Monday, April 02, 2012 10:11 AM
To: Napa Pipe Project
Subject: FW: Napa Pipe Project

From: Fristoe, Daniellia [<mailto:daniellia.fristoe@cpuc.ca.gov>]
Sent: Friday, March 23, 2012 12:41 PM
To: Trippi, Sean
Subject: Napa Pipe Project

Sean,

I wanted to follow-up with you on a question that we have in regards to the Napa Pipe Project, Napa County. A concern that we have is the railroad crossings being consider private when in actuality, the roadways leading to the railroad crossing are public. It would not be ideal to have a homeowners association responsible for the what is essentially a public crossing. Please provide an update on that situation asap.

Thanks,

Daniellia Fristoe
Utilities Engineer
California Public Utilities Commission
Rail Crossings Engineering Section
30 Promenade Circle, Suite 115
Sacramento, CA 95834
(916) 928-2108

Trippi, Sean

From: McDowell, John
Sent: Tuesday, March 20, 2012 10:19 AM
To: Gitelman, Hillary; Trippi, Sean; Minahen, Sarah; Paul, Rob
Subject: FW: Letter to Planning Commission on Napa Pipe Project

Correspondence on Napa Pipe from audience member who had to leave before being called on to speak. Please forward to Commission.

From: Trevor Hall [mailto:allsvns@att.net]
Sent: Tuesday, March 20, 2012 9:54 AM
To: McDowell, John
Cc: Trevor Hall
Subject: Letter to Planning Commission on Napa Pipe Project

March 20, 2012

Commissioners,

Thank you for receiving public input regarding the proposed Napa Pipe Project. I attended the public forum held on March 19, 2012 at Napa Valley College. I stayed for about two hours but unfortunately had to leave before I was able to speak. Obviously this is an issue that is important to Napa, given the amount of people who were both present, and spoke to you.

I am 34 years old. I have lived in Napa, both the City and County, for most all of my life with exception to 4 years I served in the Navy. Currently, I live within the city of Napa and commute to Novato, where I work for the City of Novato. My parents, and grandparents, were both raised and live(d) in the Napa area. I am a homeowner as well.

I heard the voices presented to you on the 19th. A lot of good points were discussed. I agree with those who are opposed to the development of this project. I would like to present my opposition to you in the following bullet points:

- I have seen proposed low income/moderate income housing projects, built on promises, fail. Promised infrastructure, such as police and fire services paid for by developers simply weren't produced at the completion of the projects. Homes that were pitched to house policemen, firefighters, teachers, blue collar workers and other government employees were not available to these individuals. Why? These folks made too much income (over 55k a year). Some of the homes and apartments I speak of were bought by large property management groups and rented to low income families receiving government subsidies. Some of these renters were honest and ethical citizens. Obviously, some were not. The bad seeds drove the good folks out. Crime rates went through the roof. Homes that were meant to house workers traveling into the City of Novato, became the homes of inter-city bay area residents who had no ties to the well being of the city. I fear that this Napa Pipe project will suffer the same circumstances as the project(s) I referenced in this example. Crime will increase within the city and County, adding stress to our citizens and both the Police and Sheriff departments.
- A consultant for Napa Pipe stated that 28,800 commuters travel into the county for employment every day. How will even a thousand homes, if produced in this project, make the slightest dent in that number? How can the developer say that these commuters would even qualify, or even want to buy a house at Napa Pipe?

- Some residents spoke on the lack of housing available in Napa, or homes for sale at a value of \$250,000.00 or less. I live in the Bel Aire neighborhood. There are PLENTY of homes for sale at a good value in my neighborhood. On the 19th, several speakers estimated that homes at Napa Pipe would be so expensive that a person making near \$150,000.00 a year couldn't afford to purchase a home and therefore, the properties would be purchased by investors and vacationers. I fear that this is exactly what will happen. These homes will be purchased and then rented by investors. Let's face the facts. Renters, while I am not discrediting them as I was once a tenant, most often don't share the same amount of pride in property that a home owner does. Rented homes are not "kept up" by tenants in the same fashion as a home owner. Have you ever heard of the broken window theory? The theory focuses on quality of life issues related to neighborhoods and I encourage you to research this topic. Bottom line: we have homes, we need to make jobs.
- What I found interesting, and perhaps this is just my point of view, is that most people who were in support of this project, lived in the county and those who lived in the city were opposed. Further, those in the county who were in favor, lived somewhat remotely away from the city and the Napa pipe property. It was almost as if these folks were saying, "Build this property here, near the city, so that it isn't built next to my house." Honestly, the city and it's residents will share much of the burden imposed by this project, which I outline further below:
- ENVIRONMENT: The only clear feasible use for this land is light/moderate commercial, light industrial or open space. A source, even though I cannot validate it, has informed me that 30 feet of soil at Napa Pipe is contaminated and would have to be removed and replaced. That is not acceptable and I don't see how that can be done without contaminating the river. I am an avid outdoorsman. I am extremely concerned about what the health of the Napa river will be once this project is completed. Will an excess amount of contaminants related to the project and future residents drain into the river? Will the banks be lined with trash from workers and residents? Also I want to add that the tidal ponds and canals across the river from Napa Pipe are accessible to waterfowl hunting. The residents at Napa pipe are not only going to be concerned with the sounds of jet engines flying overhead as one Napa resident spoke of, but the lady "enjoying her tea and taking a water taxi into town", is also going to have her morning disturbed by the sounds of hunters from October, through January. An American Canyon resident recently pressured California Fish and Game to close off a section of a wildlife area in American Canyon because they didn't like the sounds of shotguns while in their house and thought it proposed a hazard. That had an impact on me as an outdoorsman. Commissioners, there are no hazards with hunting the river near Napa Pipe and the flooded ponds located nearby. It is completely legal. Yet I fear that complaints from residents will again intrude on an activity I enjoy. The county will be further burdened with handling complaints related to outdoor activities occurring within the general vicinity of this project. Bottom line, this project is no good for the Napa river and impacts the great strides that are being taken to revitalize the diminished salmon and steelhead runs that at one time were so prevalent. A flourishing marsh is located nearby and this development will take away the progress and beauty of that environment. And Mill Creek is another story in itself. You cannot take water away that is so vital to the survival of fish. It won't only be the fish that suffer, but also the commercial and recreational fisheries that sustain jobs; not only at the fish market but in tourism dollars as well.
- INFRASTRUCTURE: Here is my final nail in the coffin. The proposal is that a community, the size of Yountville, will be built just outside the City of Napa. Who is going to pay for the added street repair due to increased traffic? Who is going to pay for the increased police services due to an increased population? Where are all of these kids going to go to school??? I have a newborn, and a 2 year old. I have a 14 year old step-son who is soon to be entering high school. Let me tell you, schools are full, and are getting fuller! Classrooms may soon increase to 30 students per teacher. As a parent let me tell you that if you have a child who is struggling, THEY WILL GET LEFT BEHIND, because classrooms are too large and teachers cannot devote attention to struggling students! I am honestly considering sending my two young girls to a private K-8 school because I am not convinced that NUSD will be able to handle the load in the future will all of these cutbacks we are facing. That in itself appears to be a financial loss to NUSD and I am not alone in my thinking. Both my sister and sister-in-law are considering the same plan that I have.

This project is going to place an awful burden upon the city of Napa and its residents. The proposal that this project will reduce traffic is absurd. The proposed tax revenue that this development claims it will produce is not going to cover all of the bases for the county, or the city and in the end, it is the residents of the city who will suffer most.

I also want to tell you that it is development such as this project that turns my eyes away from this city, county or even this state, as a place where I intend on retiring. The county can reap my tourist tax income when I return to visit for a week, but for now, I struggle with the idea of sending my children to overcrowded schools, with congested inner-city streets, in a city with a higher crime rate.

Final note...I am a realistic person but this idea below is hardly realistic and more like a sales-pitched dream:

Rogal's Idea (Source Napa Valley Regsiter): A young mother wakes up and enjoys tea on the back patio, looking at a garden. After feeding her baby, she walks to a fitness and spa center to do some yoga, soaking in views of the river to the west and the gently rolling hills to the east.

After that, she puts her child in a stroller and boards a water taxi, which ferries her to work in downtown Napa. She rides the same taxi back to Napa Pipe in the evening, and on the way home she stops to pick up some groceries. At home, she meets her husband, who recently arrived on a bicycle from his work, and they eat dinner.

Thank you for your time and good luck.

Sincerely,

Trevor Hall
1871 Yellowstone St.
Napa, Ca 94558
707-251-9047
allsvns@att.net

Trevor Hall
allsvns@att.net