

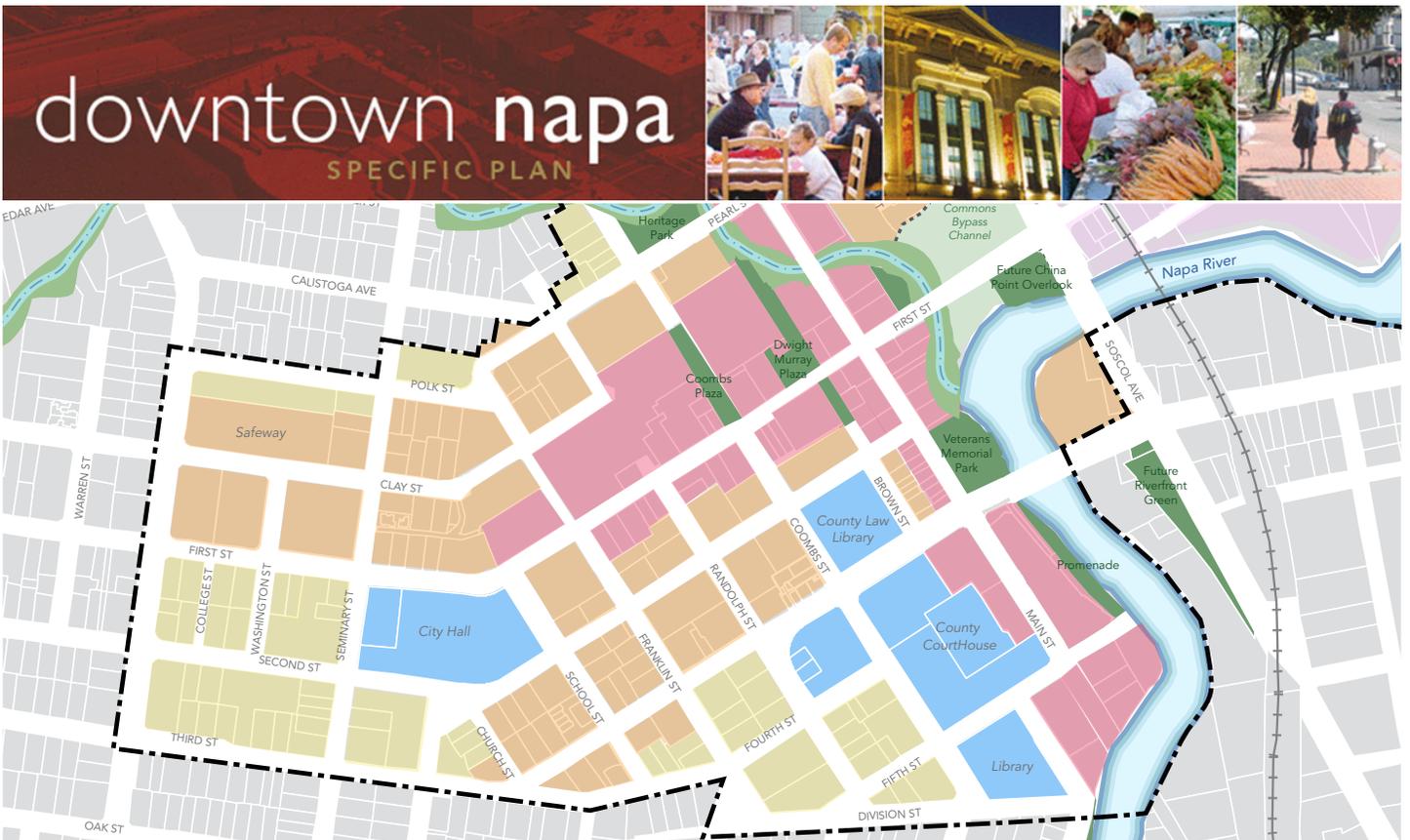
Final

DOWNTOWN NAPA SPECIFIC PLAN

Program Environmental Impact Report
SCH# 2010042043

Prepared for
City of Napa

March 2012



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SCH# 2010042043

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March 2012



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Downtown Napa Specific Plan Final Environmental Impact Report

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CHAPTER 1

Introduction

A. CEQA Process

On January 27, 2012 the City of Napa (Lead Agency) released for public review a Draft Environmental Impact Report (Draft EIR) for the City's proposed Downtown Napa Specific Plan (SCH# 2010042043). The minimum 45-day public review and comment period on the Draft EIR began on January 27, 2012 and closed on March 12, 2012.

The Draft EIR for the proposed Downtown Napa Specific Plan (proposed project) together with this Response to Comments Document constitutes the Final EIR for the proposed project. The Final EIR is an informational document prepared by the Lead Agency that must be considered by decision-makers before approving the proposed project and that must reflect the Lead Agency's independent judgment and analysis of the anticipated physical impacts of proposed project on the environment (CEQA *Guidelines*, Section 15090). California Environmental Quality Act (CEQA) *Guidelines* (Section 15132) specify the following:

The Final EIR shall consist of:

- (a) The Draft EIR or a revision of that draft.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in a summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The responses of the Lead Agency to significant environmental points raised in review and consultation process.
- (e) Any other information added by the Lead Agency.

This document has been prepared pursuant to CEQA and in conformance with the CEQA *Guidelines*. This Response to Comments Document incorporates comments from public agencies and the general public, and contains appropriate responses by the Lead Agency to those comments. The Final EIR reflects the City's independent judgment and analysis.

B. Method of Organization

This EIR Response to Comments Document for the proposed project contains information in response to comments raised during the public comment period.

This chapter, *Introduction*, describes the CEQA process and the organization of this Response to Comments Document.

Chapter 2, *Revisions to the Draft EIR*, contains text changes to the Draft EIR. Some changes were initiated by the City; others were made in response to comments received on the Draft EIR.

Chapter 3, *Agencies, Organizations and Individuals Commenting on the Draft EIR*, lists all agencies, organizations, and persons that submitted written comments on the Draft EIR during the public review and comment period. The list also indicates the receipt date of each written correspondence.

Chapter 4, *Responses to Written Comments on the Draft EIR*, contains comment letters received during the review and comment period. The responses to the comments are provided following each letter.

Chapter 5, *Responses to Comments Received at the Public Hearing on the Draft EIR*, contains a summary of all environmental topics raised regarding the Draft EIR at the Planning Commission public hearing on February 16, 2012.

Chapter 6, *Mitigation Monitoring and Reporting Program*, describes the identified mitigation measures and the responsible parties, tasks, and schedule for monitoring mitigation compliance.

CHAPTER 2

Revisions to the Draft EIR

The following revisions are made to the Draft EIR and incorporated as part of the Final EIR. Revised or new language is underlined. Deleted language is indicated by ~~striketrough~~ text.

The revisions in this chapter do not identify any new significant impacts other than those already identified in the Draft EIR, nor do they reveal any substantial increase in the severity of an environmental impact in comparison to the analyses contained in the Draft EIR. The revisions also do not describe any project impact or mitigation measure that is considerably different from those identified in the Draft EIR. Accordingly, the revisions in this chapter do not constitute “significant new information” and it is therefore not necessary for the Lead Agency to recirculate the EIR for public comment prior to certification of the Final EIR (CEQA Guidelines Section 15088.5).

Section A, below, identifies staff-initiated changes made to the Draft EIR. Section B identifies changes made to the EIR in response to comments received.

A. Staff-Initiated Changes to the Draft EIR

The text changes presented in this section are initiated by Lead Agency staff. Changes include minor text corrections to the Draft EIR and revisions to four mitigation measures to specify that individual projects under the Specific Plan would be required to adhere to the Mitigation Monitoring and Reporting Program. None of the revisions results in fundamental alterations of the conclusions of the Draft EIR, nor do they change any EIR significance determinations.

The following text has been corrected in the first sentence on page 1-4 of the Draft EIR, under Notice of Preparation:

On April 12, 2010, the City sent a Notice of Preparation (NOP) to government agencies, organizations, and individuals potentially interested in the Specific Plan.

The following text edit has been made under Alternative 2: Reduced Development, on page 2-6 of the Draft EIR:

Under the Reduced Development Alternative, all land uses in the Specific Plan would be developed but would be reduced by 25 percent, with the exception of the hotel use which would remain the same as proposed by the Specific Plan. This Alternative assumes the circulation and streetscape improvements and public space facilities proposed under the Specific Plan would be implemented, ~~even though the reduced amount of potential private development could likely result in less impact fee revenue and associated funding resources for certain public improvements, which could reduce the number of public improvements that could be realized.~~ The Reduced Development Alternative was selected as a reasonable and feasible alternative as it maintains the overall land use mix, consistent with the project objectives, albeit to a lesser extent.

The following text edit has been made under Alternative 3: Reduced Office and Housing, on page 2-7 of the Draft EIR:

Under the Reduced Office and Housing Alternative, all land uses in the Specific Plan would be developed in the Planning Area, however, residential development would be reduced by 25 percent and office development would be reduced by 40 percent; commercial and hotel development would be the same as proposed in the Specific Plan. Under this alternative, the building regulations, standards and guidelines would be as proposed in the Specific Plan, as would the proposed circulation and streetscape improvements and public space facilities. ~~While the reduced amount of potential private development could likely result in less impact fee revenue and associated funding resources for public improvements, which could reduce the number of public improvements that could be realized, the worst case environmental effects associated with implementation and operation of the proposed public improvements and facilities are considered to ensure a conservative analysis.~~ Overall, the Reduced Office and Housing Alternative aligns with the project objectives by maintaining the overall land use mix and reflecting the City's priority land use goals to increase residential, commercial and hotel use in the Planning Area.

The following edits have been made under Alternative 4: Additional Hotel, page 2-7 of the Draft EIR:

Under the Additional Hotel Alternative, all land uses in the Specific Plan would be developed but an additional 200-room hotel would replace 167,000 square feet of office space envisioned in the Specific Plan buildout ~~Comparison to~~. With the exception of the reduced office space and additional hotel, all other uses which would remain the same as proposed by the Specific Plan. Under this alternative, the proposed building regulations, standards and guidelines proposed in the Specific Plan would apply in the Planning Area. This Alternative assumes the circulation and streetscape improvements and public space

facilities proposed under the Specific Plan would be implemented, ~~even though the reduced amount of potential private development could likely result in less impact fee revenue and associated funding resources for certain public improvements, which could reduce the number of public improvements that could be realized.~~ Specifically, all the circulation changes proposed by the Specific Plan are assumed for the Additional Hotel Alternative, including the conversion of east-west streets from one-way to two-way, opening Coombs Street Plaza to vehicular traffic and reconnecting parts of the grid with the redevelopment of the Town Center. The worst case environmental effects associated with implementation and operation of the proposed public improvements and facilities are considered to ensure a conservative analysis.

The following text has been modified in the second paragraph of page 3-5 of the Draft EIR, under Project Setting:

The Planning Area contains several public facilities, including city and county administrative offices, the State Superior Courthouse, four public parking structures and the Napa Library.

The following text has been corrected in the second paragraph on page 3-7 of the Draft EIR, under Specific Plan Objectives:

~~The Reflective of the~~ Vision Statement of the Downtown Napa Specific Plan Specific Plan the EIR objectives, pursuant to CEQA Guidelines Section 15124(b), are as follows:
~~identifies the Objectives:~~

The following text has been corrected in the first sentence on page 3-17 of the Draft EIR, under Public Improvement and Facilities; the third bullet from the bottom:

- Napa Creek/Heritage Park improvements

The following text has been corrected in the first sentence on page 3-17 of the Draft EIR, under Potential Growth Under the Specific Plan; in the last sentence of the first paragraph:

Within the Downtown plan area, there are numerous opportunities for mixed-use development with ground-floor commercial and residential or office ~~in~~ on the upper floors.

The following text has been corrected in the first sentence on page 3-17 of the Draft EIR, under Potential Growth Under the Specific Plan; in the footnote:

It should be noted that this EIR presents a conservative estimate of development capacity, ~~as it projects~~ as it projects 5 to 15 percent more development than the Downtown Napa Specific Plan itself depending on the land use category (except the hotel land use which is the same as the Specific Plan).

The following text has been corrected in the third paragraph of page 4.A-1 of the Draft EIR, under Setting Conditions:

The general vicinity surrounding the Planning Area contains low- and medium-density residential uses, mixed-use neighborhoods, and public uses. Adjacent neighborhoods include residential districts (~~Central West~~ Napa neighborhood and ~~ABC street~~ Spencer's Addition to the ~~north west~~ and northwest), historic districts (Napa Abajo/Fuller Park Historic District to the south and Calistoga Avenue Historic District to the northwest), and mixed-use neighborhoods (Soscol/East Napa neighborhood to the east).

The following text has been corrected in the first sentence of the second full paragraph of page 4.A-3 of the Draft EIR, under Visual Resources:

The Planning Area contains many visual resources including both natural and manmade elements such as the Napa River, Napa Creek, ~~and~~ neighborhood-serving parks, and historic buildings, which are scattered throughout the Planning Area.

The following text has been corrected in the first sentence of the second full paragraph of page 4.A-6 of the Draft EIR, under Local Plans and Policies:

Redevelopment Project Areas' Five-Year Implementation Plans Agency

When the Downtown Specific Plan process was initiated, the City of Napa's redevelopment agency administered two redevelopment project areas called Parkway Plaza and Soscol Gateway, each with territory within the boundaries of the DSP. Redevelopment funding would have been a tool for implementing some of the infrastructure improvements identified in the Downtown Specific Plan, such as circulation and streetscape improvements, public parking, and open space enhancements. However, effective February 1, 2012, all redevelopment agencies in the State of California were dissolved. It will be some time before the State identifies new economic development tools and enacts

legislation local governments can implement, such as infrastructure financing districts. In the meantime, the City of Napa will develop a funding strategy and continue to seek opportunities the City can employ to implement the Downtown Specific Plan.

~~Prepared in compliance with Section 33490 et seq. of the California Redevelopment Law, the Five Year Implementation Plan for fiscal years 2010/2011 – 2014/2015 for the Parkway Plaza and Soscol Gateway redevelopment project areas was adopted by Napa’s Redevelopment Agency Board of Directors in June 2010. This plan authorizes a variety of tools that the City’s Redevelopment Agency may employ to revitalize the Soscol Gateway and Parkway Plaza redevelopment areas in a manner that is consistent with the Napa General Plan. The Implementation Plan contains the following goals and objectives which are relevant to visual resources for the Specific Plan:~~

- ~~● Soscol Gateway Goals: The Soscol Corridor will become the primary mixed-use gateway into the city with vital and prosperous business activity, healthy residential neighborhoods, enhanced transportation and circulation systems, and upgraded properties to serve local residents, businesses, employees, and visitors. The northern end of the project area is at the confluence of established residential neighborhoods, tourist commercial development, Downtown and the Napa River, future trails and open space, a future transit center and boat dock, and a major transportation corridor. The design and character of new development along the corridor will take into account the larger area context and how the development serves to connect to the larger community and the Napa River.~~
- ~~● Encourage development according to the City’s General Plan, the Soscol Corridor/Downtown Riverfront Development & Design Guidelines and the Gasser Master Plan, as these documents currently exist or may be amended in the future.~~
- ~~● Help preserve and enhance existing conforming residential neighborhoods through landscaping, street and other infrastructure improvements.~~
- ~~● Work with business and property owners to upgrade their properties in the Project Area.~~
- ~~● Encourage policies that protect historic structures and ensure historic preservation in the Project Area.~~
- ~~● Rehabilitate deteriorated residential and commercial properties to eliminate safety deficiencies to extend the useful lives of these structures.~~
- ~~● Work with property owners to eliminate the negative impacts related to non-conforming land uses (City of Napa, 2005).~~
- ~~● Work with the appropriate agencies to ensure the design of the Downtown Reach of the Flood Protection Plan is consistent with the community’s vision, maximizes pedestrian and watercraft access to the riverfront, and ensures continuity of design among all the features.~~
- ~~● Encourage and support downtown riverfront development that maximizes the guidance provided in the Soscol Avenue/Downtown Riverfront Design Guidelines or any subsequent adopted design guidelines. Encourage owners of existing buildings to upgrade river fronting facades, to provide outdoor seating and~~

~~amenities between their buildings and the river, and to orient parking in accordance with the Guidelines.~~

- ~~● Promote greater access between the downtown core commercial and surrounding areas through pedestrian, automobile, bicycle, public transit, and circulation linkages. Continue to improve the major entryways and gateways to Downtown through upgraded signage, landscaping and removal of blighting conditions.~~
- ~~● Ensure appropriate “transitional zones” between the downtown core and surrounding neighborhoods. Address issues relating to the interactions between the two areas such as traffic, noise, overflow parking and visual blight. Proactively work with major parking users and residents to ensure neighborhoods are not negatively impacted by increased parking demand in adjacent commercial areas. Work to protect housing stock in historic areas on the periphery of the commercial downtown in these transitional areas.~~
- ~~● Ensure the Napa River becomes a focal point for Downtown. Provide key public open spaces and plazas along the river’s edge and throughout Downtown to serve the growing need for recreational activities and special events.~~
- ~~● Maintain and enhance the prosperity of existing businesses in Downtown Upgrade infrastructure as needed to support increasing demand and facilitate private investment and development. Work with the City to implement dedicated maintenance programs to insure the quality and appearance of the area over time.~~

The following text has been corrected in the second sentence of page 4.A-8 of the Draft EIR, under Impacts and Mitigation Measures:

In addition, other view corridors, including the view of the hills from the Oxbow area, that could be affected by development facilitated under the proposed Specific Plan include Jefferson Street, Soscol Avenue, and First, Second and Third streets.

The following text has been corrected on page 4.A-13 of the Draft EIR, under Design Guidelines to Address Historic Resources:

Guidelines that would affect the visual character of the Planning Area include those that require that historic facades be preserved; that any additions to existing buildings be located on a secondary or rear façade or set back from the primary façade; and that new construction near historic residential properties be appropriately set back from the street to preserve the open space and rhythm between ~~residences~~ properties. ~~A guideline requiring~~ The Guidelines direct that building additions or new construction appropriately reference adjacent historic resources such that proposed changes are compatible both with the subject property and adjacent historic resources.

The following text has been corrected on page 4.A-14 of the Draft EIR, under Conclusion:

The Specific Plan would respond to the General Plan goal of improving the vitality and character of ~~downtown~~ Downtown through planning and design by implementing massing and design controls to moderate the degree of visual change between existing and new buildings and provide for articulation to enhance the visual interest of buildings.

The following text has been corrected in the fourth sentence of page 4.B-1 of the Draft EIR, under Regulatory Setting:

In California, the California Air Resources Board (ARB) is responsible for establishing and reviewing the state ambient air quality standards, developing and managing the California SIP, securing approval of this plan from the U.S. EPA, and identifying TACs.

The following text has been corrected in the second sentence of the third paragraph of page 4.B-1 of the Draft EIR, under Regulatory Setting for Criteria Pollutants:

The EPA calls these pollutants criteria air pollutants because the agency has regulated them by developing specific public health and welfare-based criteria as the foundation for setting permissible levels. Ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter (PM) and lead are the six criteria air pollutants.

The following mitigation measure text has been altered on page 4.B-25 of the Draft EIR, under Mitigation Measure 4.B-2:

Mitigation Measure 4.B-2: The City shall ensure that ~~the Specific Plan design guidelines and development standards~~ all projects in the Planning Area incorporate the following measures to reduce or avoid exposure of sensitive receptors to TACs:

For construction activities, measures may include, but are not limited to, the following:

The following mitigation measure text has been altered on page 4.B-27 of the Draft EIR, under Mitigation Measure 4.B-3:

Mitigation Measure 4.B-3: The City shall ensure that ~~the Specific Plan design guidelines and development standards~~ individual project applicants incorporate the following

measures to reduce or avoid exposure of sensitive receptors to odors during development under the Specific Plan:

Footnote 1, of Table 4.B-5, on page 4.B-29 has been corrected to reflect the correct appendix:

¹ Emissions were modeled using the BAAQMD GHG Model for the proposed land uses to be developed under the Specific Plan. Results of the model are included in **Appendix D C (AIR-1)**.

Mitigation Measure 4.B-5, on page 4.B-30 of the Draft EIR, has been corrected to reflect the correct appendix:

Mitigation Measure 4.B-5: The City shall ensure that applicant(s) for individual projects to be developed under the Specific Plan would incorporate Green Building and Development Measures as listed in **Appendix C D (AIR-2)**. Each increment of new development under the Specific Plan requiring a discretionary approval from the City (e.g., proposed tentative subdivision map, conditional use permit), would demonstrate that GHG emissions from operation would be reduced by 30 percent from business-as-usual 2020 emissions levels, in order to achieve 1990 levels by 2020.

The following text has been corrected under Mitigation 4.B-5, on page 4.B-30 of the Draft EIR:

Significance after Mitigation: Significant and Unavoidable. Implementation of Mitigation Measure 4.B-5 would reduce GHG emissions associated with development facilitated by the Specific Plan. However, even with mitigation, emissions related to development facilitated by the Specific Plan would remain cumulatively significant because of the large size of the development and related substantial GHG emissions.

The following edit has been made in the last sentence of the first paragraph, under the heading Birds and Bats, on page 4.C-27 of the Draft EIR:

Birds and Bats

However, bird-safe construction timing, and building and design measures have not been addressed by General Plan policies and therefore **Mitigation Measure 4.C-1b** is required.

The following edit has been made in the second sentence, of the last paragraph, on page 4.C-27 of the Draft EIR:

However, ambient levels are fairly high relative to natural situations because the Planning Area is already developed, and the existing condition constitutes the CEQA baseline.

The following mitigation measure text has been altered on page 4.C-29 of the Draft EIR, under Mitigation Measure 4.C-1a:

Mitigation Measure 4.C-1a: The City shall ensure that subsequent projects in the Planning Area ~~the Specific Plan design guidelines and development standards~~ incorporate the following measures to reduce or avoid impacts to fish species:

The following text has been corrected in the first sentence of the last paragraph, on page 4.C-34 of the Draft EIR:

Additionally, projects that may impact wetlands or streams within the Planning Area ~~are~~ would need to comply with the City's General Plan policies.

The following policy text has been corrected on page 4.C-35 of the Draft EIR:

Policy NR-1.5. Restoration and enhancement of wetland, riparian, and fish habitats will be pursued by the City.

The following text has been corrected in second paragraph, last sentence, under the heading 1970s to Today, on page 4.D-9 of the Draft EIR:

In the early twenty-first century, the Agency applied for and received preservation grants and oversaw the seismic retrofit of the historic Goodman Library and Borreo Building, both now owned by the City of Napa.

The following text has been corrected under the header ARG Windshield Survey of the Planning Area, on page 4.D-12 of the Draft EIR:

Initial survey results indicate that few historically significant buildings were omitted from the HRI. Some additional buildings, however, might be of historic merit to be placed on the HRI, but would require additional study to be certain. Such buildings fell into two categories; 1) buildings that have historic value but were not on the HRI list, and 2) buildings that might have historic value pending further research or removal of past alterations that could be hiding original material. The initial survey results also noted that although many buildings in the Downtown are in continuous use, others are vacant. Several buildings have undergone adaptive reuse and restoration while many have been substantially altered. ~~The final results of the ARG windshield survey in tabular and graphical format is currently pending.~~

The following policy text has been corrected on page 4.D-24 of the Draft EIR:

Policy HR-6.1. The City shall enforce current federal and state ~~and~~ procedures for identifying, preserving and protecting prehistoric sites.

The following text has been corrected under the City of Napa Municipal Code on page 4.D-25 of the Draft EIR:

The Napa Municipal Code Section 15.52 includes regulations pertaining to historic preservation and neighborhood conservation. This section includes General Plan policies and enforces important preservation and conservation concepts. In addition, this section defines the roles, criteria, and enforcement procedures of the Cultural Heritage Commission and City of Napa. (City of Napa, 2011)

The following text has been corrected under the Significance Criteria header on page 4.D-26 of the Draft EIR:

Directly ~~or~~ indirectly destroy a unique paleontological resource or site or unique geologic feature; or

Mitigation Measure 4.D-1 has been edited on page 4.D-28 of the Draft EIR:

Mitigation Measure 4.D-1: The City shall require that any future development under the Specific Plan ~~to~~ meets the intent and goals of the City of Napa Downtown Historic

Design Guidelines. This includes any project that would alter historic resources or would be constructed adjacent to a historic resource. ~~Alternatively, the General Plan shall include a new policy which requires that any development in the Downtown Area adhere to the goals identified in the City of Napa Downtown Historic Design Guidelines.~~

The following text has been corrected in the first sentence, last paragraph under Mitigation Measure 4.L-1a, on page 4.L-33 of the Draft EIR:

There may be an opportunity to ~~de~~ develop a series of roundabouts on and near the First Street overpass which could help mitigate the traffic issue in this area.

B. Changes to the Draft EIR in Response to Comments

The text changes presented in this section were initiated by comments on the Draft EIR. None of the revisions results in fundamental alterations of the conclusions of the Draft EIR. The following text changes have been made:

The following edit has been made to the first bullet on page 2-2 of the Draft EIR:

- To enable the ~~County~~ City to consider environmental consequences when deciding whether to approve the proposed project; and

[See Chapter 4, Comment 10-1]

CHAPTER 3

Agencies and Persons Commenting on the Draft EIR

A. Agencies and Persons Commenting in Writing

The following agencies, organizations and individuals submitted written comments on the Draft EIR during the public review period. The minimum 45-day public review and comment period on the Draft EIR began on January 27, 2012 and closed at 5:00 p.m. on March 12, 2012.

Letter	Person/Agency and Signatory	Date
1	State Clearinghouse (Scott Morgan, Director)	January 27, 2012
2	Native American Heritage Commission (Katy Sanchez, Program Analyst)	January 31, 2012
3	Mishewal Wappo Tribe of Alexander Valley (Vincent Salsedo, Tribal Council Member)	February 8, 2012
4	California Department of Transportation (Gary Arnold, District Branch Chief)	February 27, 2012
5	Department of Toxic Substances Control (Daniel Murphy, P.E., Contra Costa County Unit Chief)	February 28, 2012
6	State Clearinghouse (Scott Morgan, Director)	March 6, 2012
7	Napa County Landmarks (Stephen Cuddy, AIA, LEED AP, Board President)	March 9, 2012
8	Linda Kerr (St. John's Historic Neighborhood Representative)	March 11, 2012
9	Bicycle and Trails Advisory Commission (Jason B. Holley, PE., Senior Civil Engineer)	March 12, 2012
10	Napa County (Hillary Gitelman, Director of Conservation, Development and Planning)	March 12, 2012
11	California Department of Transportation (Gary Arnold, District Branch Chief)	March 12, 2012

Letter	Person/Agency and Signatory	Date
12	Napa County Green Party (Erica Martenson, Co-coordinator)	March 12, 2012
13	Bay Area Air Quality Management District (Jean Roggenkamp, Deputy Air Pollution Control Officer)	March 12, 2012

B. Commenters at the Public Hearing

Planning Commission

The following persons offered public comment during the City of Napa Planning Commission Public Hearing on the Draft EIR held at the Napa City Hall on February 16, 2012:

- Planning Commissioner Arthur Roosa
- Planning Commissioner Jim Scoggin
- Planning Commission Vice Chair Michael Murray

CHAPTER 4

Written Comments on the Draft EIR and Responses to Comments

This chapter contains copies of the comment letters received during the public review period on the Draft EIR, and the individual responses to those comments. Each written comment letter is designated with a number (1 through 13) in the upper right-hand corner of the letter based on the order in which it was received.

Within each written comment letter, individual comments are labeled with a number in the margin. Immediately following each comment letter is an individual response to each numbered comment. Where responses have resulted in changes to the Draft EIR, these changes also appear in Chapter 2 of this response to comments document.



STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Edmund G. Brown Jr.
Governor

Ken Alex
Director

Notice of Preparation

January 27, 2012

RECEIVED

FEB 01 2012

COMMUNITY DEVELOPMENT
DEPARTMENT

To: Reviewing Agencies
Re: Napa Downtwon Specific Plan
SCH# 2010042043

Attached for your review and comment is the Notice of Preparation (NOP) for the Napa Downtwon Specific Plan draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

1-1

Please direct your comments to:

Julianne Ward
City of Napa
1600 First Street
Napa, CA 94559

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

SCH# 2010042043
Project Title Napa Downtwon Specific Plan
Lead Agency Napa, City of

Type NOP Notice of Preparation
Description The Downtown Napa Specific Plan would guide all new development in the Planning Area through detailed policies, design guidelines and development standards and financing mechanisms. New development projects would be required to follow the policies, programs and guidelines set forth in the specific plan. Existing developments would not be directly affected unless the occupants or owners choose to expand or change their structures, grounds or uses.

Lead Agency Contact

Name Julianne Ward
Agency City of Napa
Phone (707) 257-9345 **Fax**
email
Address 1600 First Street
City Napa **State** CA **Zip** 94559

Project Location

County Napa
City Napa
Region
Cross Streets
Lat / Long
Parcel No. multiple
Township **Range** **Section** **Base**

Proximity to:

Highways SR 29, SR 121
Airports Napa County
Railways Napa Valley Wine Train
Waterways Napa River
Schools
Land Use GP & Z: Multiple

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Forest Land/Fire Hazard; Flood Plain/Flooding; Drainage/Absorption; Geologic/Seismic; Job Generation; Housing; Minerals; Noise; Public Services; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects.

Reviewing Agencies Resources Agency; Department of Boating and Waterways; Department of Conservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 3; Native American Heritage Commission; Public Utilities Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; Air Resources Board, Transportation Projects; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 2

Date Received 01/27/2012 **Start of Review** 01/27/2012 **End of Review** 02/27/2012

Comment Letter 1

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 - 916/445-0613

NOTICE OF COMPLETION AND ENVIRONMENTAL DOCUMENT TRANSMITTAL FORM

See NOTE BELOW
 SCH# **2010042043**

1. Project Title Napa Downtown Specific Plan
 2. Lead Agency City of Napa
 3a. Street Address 1600 First Street
 3c. County Napa 3d. Zip 94559
 3. Contact Person Julianne Ward
 3b. City Napa
 3e. Phone 707-257-9345

Project Location 55 Blocks of Downtown Napa

4. County Napa 4a. City/Community Napa
 4b. Assessor's Parcel No. multiple 4c. Section _____ Twp. _____ Range _____
 5a. Cross Streets _____ 5b. For Rural, Nearest Community _____
 6. Within 2 miles: a. State Hwy# SR 29, SR 121 b. Airports Napa County Airport
 c. Railways Napa Valley Wine Train d. Waterways Napa River

RECEIVED
 JAN 27 2012
 STATE CLEARING HOUSE

7. Document Type

CEQA 01. NOP 05. Supplement/Subsequent EIR (Prior SCH No.: _____) NEPA 09. NOI OTHER 13. Joint Document
 02. Early Cons 10. FONSI 14. Final Document
 03. Neg Dec 06. NOE 11. Draft EIS 15. Other _____
 04. Draft EIR 07. NOC 12. EA 08. NOD

8. Local Action Type

01. General Plan Update 05. Annexation 09. Rezone 12. Waste Mgmt Plan
 02. New Element 06. Specific Plan 10. Land Division (Subdivision, Parcel Map, Tract Map, etc.) 13. Cancel Ag Preserve
 03. General Plan Amendment 07. Community Plan 11. Use Permit 14. Other: Design Review and Planned Development
 04. Master Plan 08. Redevelopment

9. Development Type

01. Residential: Units _____ Acres _____ 07. Mining: Mineral _____
 02. Office: Sq.ft. _____ Acres _____ Employees _____ 08. Power: Type _____ Watts _____
 03. Shopping/Commercial: Sq.ft. _____ Acres _____ Employees _____ 09. Waste Treatment: Type _____
 04. Industrial: Sq.ft. _____ Acres _____ Employees _____ 10. OCS Related
 05. Water Facilities: MGD _____ 11. Other: Specific Plan Goals and Policies
 06. Transportation: Type _____

10. Total Acres 125

11. Total Jobs Created _____

12. Project Issues Discussed in Document

01. Aesthetic/Visual 09. Geologic/Seismic 17. Social 25. Wetland/Riparian
 02. Agricultural Land 10. Jobs/Housing Balance 18. Soil Erosion 26. Wildlife
 03. Air Quality 11. Minerals 19. Solid Waste 27. Growth Inducing
 04. Archaeological/Historical 12. Noise 20. Toxic/Hazardous 28. Incompatible Land Use
 05. Coastal Zone 13. Public Services 21. Traffic/Circulation 29. Cumulative Effects
 06. Economic 14. Schools 22. Vegetation 30. Other _____
 07. Fire Hazard 15. Septic Systems 23. Water Quality
 08. Flooding/Drainage 16. Sewer Capacity 24. Water Supply

13. Funding (approx.) Federal \$ _____ State \$ _____ Total \$ _____

14. Present Land Use and Zoning

General Plan: multiple

Zoning: multiple

Description of Nature, Purpose, and Beneficiaries of Project

The Downtown Napa Specific Plan would guide all new development in the Planning Area through detailed policies, design guidelines and development standards and financing mechanisms. New development projects would be required to follow the policies, programs and guidelines set forth in the specific plan. Existing developments would not be directly affected unless the occupants or owners choose to expand or change their structures, grounds or uses.

Reviewing Agencies

- | | |
|---|--|
| <input type="checkbox"/> Resources | <input checked="" type="checkbox"/> Caltrans District 4 |
| <input checked="" type="checkbox"/> Boating / Waterways | <input type="checkbox"/> Dept. of Transportation Planning |
| <input type="checkbox"/> Conservation | <input type="checkbox"/> Aeronautics |
| <input checked="" type="checkbox"/> Fish and Game | <input type="checkbox"/> California Highway Patrol |
| <input type="checkbox"/> Forestry | <input type="checkbox"/> Housing and Community Development |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> Statewide Health Planning |
| <input type="checkbox"/> Dept. Water Resources | <input type="checkbox"/> Health |
| <input type="checkbox"/> Reclamation | <input type="checkbox"/> Food and Agriculture |
| <input type="checkbox"/> Parks and Recreation | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Office of Historic Preservation | <input type="checkbox"/> Public Works |
| <input type="checkbox"/> Native American Heritage Commission | <input type="checkbox"/> Corrections |
| <input type="checkbox"/> S.F. Bay Conservation and Development Commission | <input type="checkbox"/> General Services |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> OLA |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> Santa Monica Mountains |
| <input type="checkbox"/> State Lands Commission | <input type="checkbox"/> TRPA |
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> OPR – OLGA |
| <input type="checkbox"/> Solid Waste Management Board | <input type="checkbox"/> OPR – Coastal |
| <input type="checkbox"/> SWRCB: Sacramento | <input type="checkbox"/> Bureau of Land Management |
| <input checked="" type="checkbox"/> RWQCB: Region # 2 | <input type="checkbox"/> Forest Service |
| <input type="checkbox"/> Water Rights | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Water Quality | <input type="checkbox"/> Other _____ |

For SCH Use Only:

Date Received at SCH _____ Catalog Number _____
 Date Review Starts _____ Applicant _____
 Date to Agencies _____ Consultant _____
 Date to SCH _____ Contact _____ Phone _____
 Clearance Date _____ Address _____

Notes: _____

Resources Agency

- Resources Agency
Nadell Gayou
- Dept. of Boating & Waterways
Nicole Wong
- California Coastal Commission
Elizabeth A. Fuchs
- Colorado River Board
Gerald R. Zimmerman
- Dept. of Conservation
Elizabeth Carpenter
- California Energy Commission
Eric Knight
- Cal Fire
Allen Robertson
- Central Valley Flood Protection Board
James Herota
- Office of Historic Preservation
Ron Parsons
- Dept of Parks & Recreation
Environmental Stewardship Section
- California Department of Resources, Recycling & Recovery
Sue O'Leary
- S.F. Bay Conservation & Dev't. Comm:
Steve McAdam
- Dept. of Water Resources Resources Agency
Nadell Gayou

Fish and Game

- Depart. of Fish & Game
Scott Flint
Environmental Services Division
- Fish & Game Region 1
Donald Koch

- Fish & Game Region 1E
Laurie Harnsberger
- Fish & Game Region 2
Jeff Drongesen
- Fish & Game Region 3
Charles Armor
- Fish & Game Region 4
Julie Vance
- Fish & Game Region 5
Leslie Newton-Reed
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Brad Henderson
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

- Food & Agriculture
Sandra Schubert
Dept. of Food and Agriculture
- Depart. of General Services
Public School Construction
- Dept. of General Services
Anna Garbeff
Environmental Services Section
- Dept. of Public Health
Bridgette Binning
Dept. of Health/Drinking Water

- Delta Stewardship Council
Kevan Samsam

Independent Commissions, Boards

- Delta Protection Commission
Linda Flack
- Cal EMA (Emergency Management Agency)
Dennis Castrillo

County: INYO

- Native American Heritage Comm.
Debbie Treadway
- Public Utilities Commission
Leo Wong
- Santa Monica Bay Restoration
Guangyu Wang
- State Lands Commission
Jennifer Deleong
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics
Philip Crimmins
- Caltrans - Planning
Terri Pencovic
- California Highway Patrol
Suzann Ikeuchi
Office of Special Projects
- Housing & Community Development
CEQA Coordinator
Housing Policy Division

Dept. of Transportation

- Caltrans, District 1
Rex Jackman
- Caltrans, District 2
Marcelino Gonzalez
- Caltrans, District 3
Bruce de Terra
- Caltrans, District 4
Lisa Carboni
- Caltrans, District 5
David Murray
- Caltrans, District 6
Michael Navarro
- Caltrans, District 7
Elmer Alvarez

- Caltrans, District 8
Dan Kopulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Jacob Armstrong
- Caltrans, District 12
Marlon Regisford

Cal EPA

Air Resources Board

- Airport/Energy Projects
Jim Lerner
- Transportation Projects
Douglas Ito
- Industrial Projects
Mike Tollstrup
- State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance
- State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality
- State Water Resources Control Board
Phil Crader
Division of Water Rights
- Dept. of Toxic Substances Control
CEQA Tracking Center
- Department of Pesticide Regulation
CEQA Coordinator

SCH# 2010042043

Regional Water Quality Control Board (RWQCB)

- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Teresa Rodgers
Los Angeles Region (4)
- RWQCB 5S
Central Valley Region (5)
- RWQCB 5F
Central Valley Region (5)
Fresno Branch Office
- RWQCB 5R
Central Valley Region (5)
Redding Branch Office
- RWQCB 6
Lahontan Region (6)
- RWQCB 6V
Lahontan Region (6)
Victorville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
- RWQCB 8
Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)

- Other _____
- _____
- _____
- _____
Conservancy

Comment Letter 1

Letter 1. State Clearinghouse (Scott Morgan, Director)

- 1-1 This letter provides an acknowledgement of compliance with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. No response is required.

NATIVE AMERICAN HERITAGE COMMISSION

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

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FEB - 3 2012

January 31, 2012

COMMUNITY DEVELOPMENT
DEPARTMENT

Julianne Ward
City of Napa
1600 First Street
Napa, CA 94559

RE: SCH# 2010042043 Napa Downtown Specific Plan; Napa County.

Dear Ms. Ward:

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

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

2-1

Sincerely,
Katy Sanchez
Katy Sanchez
Program Analyst
(916) 653-4040

cc: State Clearinghouse

Native American Contact List
Napa County
January 31, 2012

Comment Letter 2

The Federated Indians of Graton Rancheria
Gene Buvelot
6400 Redwood Drive, Ste 300
Rohnert Park , CA 94928
coastmiwok@aol.com
(415) 895-1163 Home
(415) 259-7819 Cell

Coast Miwok
Southern Pomo

The Federated Indians of Graton Rancheria
Frank Ross
PO Box 854
Novato , CA 94948
miwokone@yahoo.com
(415) 269-6075

Coast Miwok
Southern Pomo

Ya-Ka-Ama
7465 Steve Olson Lane
Forestville , CA 95436
info@yakaama.org
(707) 887-1541

Pomo
Coast Miwok
Wappo

Mishewal-Wappo Tribe of Alexander Valley
Scott Gabaldon, Chairperson
PO Box 1086
Santa Rosa , CA 95402
sgdcinc@sbcglobal.net
707-494-9159

Wappo

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

Coast Miwok
Southern Pomo

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

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

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

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010042043 Napa Downtown Specific Plan; Napa County.

Letter 2. Native American Heritage Commission (Katy Sanchez, Program Analyst)

- 2-1 The comment states that the appropriate regional Archeological Information Center should be contacted for the record search and the lack of subsurface evidence of archeological resources does not preclude their subsurface existence. As disclosed in the introduction of Section 4.D, *Cultural Resources*, a records search was conducted at the Northwest Information Center of the California Historical Resources Information System (NWIC) at Sonoma State University on April 23, 2009 (File No. 08-1300). The records were accessed by utilizing the Napa, California, U.S. Geological Survey 7.5-minute quadrangle base map. Further, as discussed on page 4.D-28 of the Draft EIR, under Impact 4.D-2, the review of records and literature on-file at NWIC indicated that no prehistoric or historic-period archaeological resources have been previously recorded within the Planning Area. However, remnants of Native American civilization have been discovered all along Napa Creek and its tributaries, both outside of the Planning Area and within portions of the Planning Area with moderate and high sensitivity for archaeological resources. As such, Mitigation Measure 4.D-2a and Mitigation Measure 4.D-2b would require future projects in the Planning Area that involve ground-disturbing activity to adhere to standard protocols related to archaeological artifacts.

Comment Letter 3

From: Vincent Salsedo [<mailto:vincents@mishewalwappotribe.com>]
Sent: Wednesday, February 08, 2012 3:56 PM
To: Ward, Julianne
Subject: Downtown Napa Specific Plan

Hello Julianne,

I'm writing in regards to the letter I received about the EIR (Draft EIR). We would like convey our concerns that any time there's a cultural resource issue we must be contacted and be a part of the preplanning in order to evaluate our part in this matter, if any. We ask that you keep up on the protocol with cultural resource issues. If there is a site or artifacts present through the preplanning investigations. We will need to monitor the project with a professional archaeologist and our Native American monitor on all ground disturbing and excavation operations. Thanks for your time, take care and be good with my warmest regards. Feel free to contact me with any questions or concerns.

3-1

Vincent Salsedo, Tribal Council Member
Mishewal Wappo Tribe of Alexander Valley
vincents@mishewalwappotribe.com
www.mishewalwappotribe.com
Cell: 707-342-8393
Office: 707-284-1060 ext:105

Letter 3. Mishewal Wappo Tribe of Alexander Valley (Vincent Salsedo, Tribal Council Member)

- 3-1 The comment describes the tribe's desire to be contacted regarding any cultural resource issue in the Planning Area. The comment notes the need for a professional archeologist and Native American monitor for ground disturbing and excavation operations. As discussed on page 4.D-28 of the Draft EIR, under Impact 4.D-2, the review of records and literature on-file at the Northwest Information Center indicates that no prehistoric or historic-period archaeological resources have been previously recorded within the Planning Area. However, remnants of Native American civilization have been discovered all along Napa Creek and its tributaries, both outside of the Planning Area and within portions of the Planning Area with moderate and high sensitivity for archaeological resources. As such, Mitigation Measure 4.D-2a and Mitigation Measure 4.D-2b would require future projects in the Planning Area that involve ground-disturbing activity to adhere to standard protocols related to archaeological artifacts, including preparation of a site-specific cultural resources study by a qualified professional archeologist that meets federal and state requirements, where determined necessary given the likelihood of encountering artifacts during ground disturbing and excavation operations. Additionally, if significant resources are identified and cannot be avoided, treatment plans will be developed in consultation with the City and Native American representatives to mitigate impacts, including where determined necessary, onsite monitoring during construction by a qualified professional archeologist or Native American representative.

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5541
FAX (510) 286-5559
TTY 711

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*Flex your power!
Be energy efficient!*

COMMUNITY DEVELOPMENT
DEPARTMENT

February 27, 2012

NAPGen086
SCH# 2010042043

Ms. Julianne Ward
Community Planning Department
City of Napa
1600 First Street
Napa, CA 94559

Dear Ms. Ward:

Napa Downtown Specific Plan – Notice of Preparation

Thank you for including the California Department of Transportation (Department) in the early stages of the environmental review process for the Napa Downtown Specific Plan project. The following comments are based on the Notice of Preparation. As the lead agency, the City of Napa (City) is responsible for all project mitigation, including any needed improvements to state highways. The project’s fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the state right of way (ROW), and the Department will not issue a permit until our concerns are adequately addressed, we strongly recommend that the City work with both the applicant and the Department to ensure that our concerns are resolved during the California Environmental Quality Act (CEQA) process, and in any case prior to submittal of a permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

4-1

Vehicle Trip Reduction

The Department encourages you to locate any needed housing, jobs and neighborhood services near major mass transit centers, with connecting streets configured to facilitate walking and biking, as a means of promoting mass transit use and reducing regional vehicle miles traveled and traffic impacts on the state highways.

4-2

We also encourage you to develop Travel Demand Management (TDM) policies to encourage usage of nearby public transit lines and reduce vehicle trips on the State Highway System. These policies could include lower parking ratios, car-sharing programs, bicycle parking and showers for employees, and providing transit passes to residents and employees, among others.

4-3

For information about parking ratios, see the Metropolitan Transportation Commission (MTC) report *Reforming Parking Policies to Support Smart Growth* or visit the MTC parking webpage: http://www.mtc.ca.gov/planning/smart_growth/parking/.

↑
4-3
cont.

In addition, secondary impacts on pedestrians and bicyclists resulting from any traffic impact mitigation measures should be analyzed. The analysis should describe any pedestrian and bicycle mitigation measures and safety countermeasures that would in turn be needed as a means of maintaining and improving access to transit facilities and reducing vehicle trips and traffic impacts on state highways.

4-4

Traffic Impact Analysis (TIA)

Please evaluate the proposed project's impacts on state transportation facilities. The following criteria should be used in determining if a traffic analysis for these facilities is warranted:

1. The project would generate over 100 peak hour trips assigned to a state highway facility.
2. The project would generate 50 to 100 peak hour trips assigned to a state highway facility, and the affected highway facilities are experiencing noticeable delay; approaching unstable traffic flow (level of service (LOS) "C" or "D") conditions.
3. The project would generate 1 to 49 peak hour trips assigned to a state highway facility, and the affected highway facilities are experiencing significant delay; unstable or forced traffic flow (LOS "E" or "F") conditions.

4-5

We recommend using the Department's "*Guide for the Preparation of Traffic Impact Studies*" for determining which scenarios and methodologies to use in the analysis. The guide can be accessed from the following webpage:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

If the proposed project will not generate the amount of trips needed to meet the Department's trip generation thresholds, an explanation of how this conclusion was reached must be provided.

Cultural Resources

The project environmental document must include documentation of a current archaeological record search from the Northwest Information Center of the California Historical Resources Information System if construction activities are proposed within state ROW. Current record searches must be no more than five years old. The Department requires the records search, and if warranted, a cultural resource study by a qualified, professional archaeologist, to ensure compliance with CEQA, Section 5024.5 of the California Public Resources Code and Volume 2 of Caltrans' Standard Environmental Reference (<http://ser.dot.ca.gov>). These requirements, including applicable mitigation, must be fulfilled before an encroachment permit can be issued for project-related work in state ROW; these requirements also apply to National Environmental Policy Act documents when there is a federal action on a project. Work subject to these requirements includes, but is not limited to: lane widening, channelization, auxiliary lanes, and/or modification of existing features such as slopes, drainage features, curbs, sidewalks and driveways within or adjacent to state ROW.

4-6

Encroachment Permit

Please be advised that work that encroaches onto the state ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans, clearly indicating state ROW, must be submitted to the Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures will be incorporated into the construction plans during the encroachment permit process. See the following website link for more information:

4-7

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

Please forward one hard copy and one CD of the environmental document, along with the TIA, including Technical Appendices, to the following address as soon as they are available: Sandra Finegan, Associate Transportation Planner, Office of Transit and Community Planning, Mail Station 10D, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660.

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

Sincerely,

Lisa Carboni

for GARY ARNOLD
District Branch Chief
Local Development – Intergovernmental Review

c: State Clearinghouse

Letter 4. Department of Transportation (Gary Arnold, District Branch Chief)

4-1 The comment describes the City's responsibility, as Lead Agency, for all project mitigation, including any needed improvements to state highways. The comment notes that all roadway improvements should be completed prior to issuance of the Certificate of Occupancy. As described under Mitigation Measure 4.L-1a in the Mitigation Monitoring and Reporting Program (Chapter 6 of this document), a project applicant in the Planning Area would be required to pay traffic improvement fees, or similar, prior to issuance of building permits.

4-2 The comment encourages locating housing, jobs, and services near transit centers in order to encourage non-motorized transportation. As described on page 4.L-45 of the Draft EIR, the City of Napa General Plan encourages the use of alternative transportation modes, such as transit, bicycling, and walking, especially Downtown. Development facilitated by the Specific Plan, which would be consistent with related General Plan policies, would encourage use of alternative modes because it would provide a variety of new uses near existing and other planned uses. Proposed projects would encourage pedestrian activity by providing a variety of complementary uses within walking distance of other residential, commercial, employment and cultural uses. In addition, Downtown is well-served by transit.

As such, the proposed Specific Plan accommodates a mix of residential densities, commercial/office uses, and pedestrian and bicycle facilities to promote options for movement beyond the use of motor vehicles and includes proposed enhancements to existing transit service, which aim to achieve an overall reduction in vehicle miles on the State Highway System.

4-3 The comment encourages the development of Travel Demand Management (TDM) policies, including lowering parking ratios, car-sharing, bicycling incentives, and transit passes. As discussed on page 4.L-46 of the Draft EIR, the Specific Plan would implement Transportation Systems Management (TSM) strategies within the Planning Area to maximize the effectiveness of existing infrastructure, lessen demand for increased street system capacity and the impacts and cost of expanding streets, help maintain a multi-modal LOS standard for all users, and enhance quality of life for those who use and benefit from the transportation system.

4-4 The comment requests that secondary impacts on pedestrians and bicyclists resulting from traffic mitigation be analyzed. The comment indicates that such an analysis should describe any mitigation measures and safety countermeasures that would in turn be needed to maintain and improve access to transit facilities and reduce vehicle trips and traffic impacts on state highways. Alternative transportation trips are analyzed under Impact 4.L-3, starting on page 4.L-39 of the Draft EIR. Further, traffic safety, including the roadway reconfiguration

and its impact on non-motorized transportation modes, is discussed under Impact 4.L-5, on page 4.L-41 of the Draft EIR. Implementation of the policy provisions to maintain roadways and improve traffic flow in the proposed Specific Plan, in conjunction with enforcement of modern design standards in the construction of new roadway facilities, would ensure that construction or conversion of roadway facilities associated with the proposed Specific Plan would not result in unacceptable safety conflicts between the different modes of transportation.

- 4-5 The comment requests an evaluation of the project's traffic impacts on state transportation facilities. The potential transportation impacts of implementing the Specific Plan are fully addressed in Section 4.L, *Transportation and Traffic*, of the Draft EIR. Specifically, Impact 4.L-1 and Impact 4.L-2 address the Existing plus Project and Cumulative plus Project scenarios. As disclosed in the Draft EIR, the proposed Specific Plan would have a Significant and Unavoidable impact at State Route (SR) 29 Northbound Off-ramp / First Street.

The City will continue to coordinate with Caltrans to install a traffic signal at the intersection of SR 29 Northbound Off-ramp / First Street, and ensure that signal timing would be properly synchronized with the closely spaced intersection to the east at California Boulevard / First Street. The installation of the traffic signal would allow the intersection to operate at an acceptable level of service. Even with the signalization identified as mitigation in the Draft EIR, this project impact would be significant and unavoidable because it cannot be implemented by the City of Napa, as Lead Agency, without the approval of Caltrans. In the event that signalization is implemented and the signal timing could be synchronized appropriately with the adjacent intersection to the east, the impact would be less than significant.

Further, it is important to note that the City's General Plan calls for the widening of the First Street overcrossing over SR 29 to be widened to four lanes. At the time this project moves forward, it would incorporate reconfiguration of the Northbound Off-ramp / First Street, which would result in mitigation of this impact to less than significant.

- 4-6 The comment notes that the EIR should include documentation of a current archeological records search that is less than five years old. As disclosed in the introduction of Section 4.D, *Cultural Resources*, a records search was conducted at the Northwest Information Center of the California Historical Resources Information System (NWIC) at Sonoma State University on April 23, 2009 (File No. 08-1300). The records were accessed by utilizing the Napa, California, U.S. Geological Survey 7.5-minute quadrangle base map.



Department of Toxic Substances Control



Matthew Rodriguez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
700 Heinz Avenue
Berkeley, California 94710-2721

Edmund G. Brown Jr.
Governor

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COMMUNITY DEVELOPMENT
DEPARTMENT

February 28, 2012

Ms. Julianne Ward
City of Napa
1600 First Street
Napa, California 94559

NAPA DOWNTOWN SPECIFIC PLAN NOTICE OF PREPARATION (NOP); SCH #
2010042043

Dear Ms Ward:

Thank you for the opportunity to comment on the NOP for the Environmental Impact Report to be prepared for the subject Specific Plan.

The Department of Toxic Substances Control is a state agency that regulates hazardous substance remediation activities. As such, we review projects for which we are identified as reviewing agencies by the lead agencies for those projects. Your project was so identified.

We understand that the Specific Plan includes provision for development of mixed use areas in areas that have historically not been used for residential purposes. We further understand that individual development proposals undertaken pursuant to this Specific Plan will be subject to additional environmental review per the California Environmental Quality Act. We believe that such areas should be subject to a rigorous review for contamination that might require remediation prior to residential development. We suggest that, at a minimum, a Phase I Environmental assessment be conducted for implementation of each element of development, and that CEQA documentation for each element refer to the results of review for contamination. This will help to ensure that the risk of contamination problems will be minimized during development activities.

5-1

Comment Letter 5

Julianne Ward
February 28, 2012
Page 2

If you have any questions, please feel free to contact me at (510) 540-3772, or email me at dmurphy1@dtsc.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'DM', followed by a long horizontal line extending to the right.

Daniel Murphy, P.E.
Contra Costa County Unit Chief
Brownfields and Environmental Restoration - Berkeley

Letter 5. Department of Toxic Substances Controls (Daniel Murphy, P.E., Contra Costa County Unit Chief)

- 5-1 The comment notes that the land uses in the proposed Specific Plan would be altered to include mixed uses in areas that have not historically included residential. The comment further states that subsequent projects under the proposed Specific Plan would be required to adhere to regulatory actions to minimize contamination risks during development activities. Section 4.F, *Hazards and Hazardous Materials*, of the Draft EIR analyzes and discusses known contaminants in the soil and groundwater in the Planning Area. As noted in the Draft EIR, General Plan Policy HS-7.1 requires continued participation in the County's Certified Unified Program Agency, which would reduce the potential impact from historical releases of hazardous materials by requiring an evaluation for potential risks and remediation, if necessary, prior to reuse of contaminated sites. Further, existing funding requirements by financial institutions typically include preparation of Phase I environmental site assessments, which evaluate past site uses for the potential to encounter subsurface contamination. Investigations and remediation efforts are generally required by overseeing agencies such as the County's Department of Environmental Management, the Regional Water Quality Control Board, and the Department Toxic Substances Control, which establish cleanup levels according to existing or proposed uses. Therefore, because the completion of cleanup activities required by the regulatory agencies would be a condition of construction, this would be a less than significant impact.



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

Memorandum

Date: March 6, 2012
To: All Reviewing Agencies
From: Scott Morgan, Director
Re: SCH # 2010042043
Napa Downtown Specific Plan

The State Clearinghouse forwarded the above-mentioned project to your office for review on January 27, 2012, incorrectly noting the document type as a Notice of Preparation. It has come to our attention that the document is actually an **Environmental Impact Report**. We apologize for this error. The review dates have been adjusted accordingly to incorporate a 45-day review. Please note the correct review period as:

6-1

Review Period Ends: March 12, 2012

For questions or concerns please contact the Lead Agency. All other project information remains the same.

cc: Julianne Ward
City of Napa
1600 First Street
Napa, CA 94559

Comment Letter 6

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 - 916/445-0613
 NOTICE OF COMPLETION AND ENVIRONMENTAL DOCUMENT TRANSMITTAL FORM

See NOTE BELOW
 SCH# 2010042043

1. Project Title Napa Downtown Specific Plan
 2. Lead Agency City of Napa
 3a. Street Address 1600 First Street
 3c. County Napa 3d. Zip 94559
 3. Contact Person Julianne Ward
 3b. City Napa
 3e. Phone 707-257-9345

Project Location 55 Blocks of Downtown Napa
 4. County Napa 4a. City/Community Napa Range _____
 4b. Assessor's Parcel No. multiple 4c. Section _____ Twp. _____
 5a. Cross Streets _____ 5b. For Rural, Nearest Community _____
 6. Within 2 miles: a. State Hwy# SR 29, SR 121 b. Airports Napa County Airport
 c. Railways Napa Valley Wine Train d. Waterways Napa River

RECEIVED
 JAN 27 2012
 STATE CLEARING HOUSE

7. Document Type
 CEQA 01. ~~EG~~ NCP
 02. Early Cons
 03. Neg Dec
 04. Draft EIR
 05. Supplement/Subsequent EIR (Prior SCH No.: _____)
 06. NOE
 07. NCC
 08. NOD
 NEPA 09. NOI
 10. FONSI
 11. Draft EIS
 12. EA
 OTHER 13. Joint Document
 14. Final Document
 15. Other _____

8. Local Action Type
 01. General Plan Update
 02. New Element
 03. General Plan Amendment
 04. Master Plan
 05. Annexation
 06. Specific Plan
 07. Community Plan
 08. Redevelopment
 09. Rezone
 10. Land Division (Subdivision, Parcel Map, Tract Map, etc.)
 11. Use Permit
 12. Waste Mgmt Plan
 13. Cancel Ag Preserve
 14. Other: Design Review and Planned Development

9. Development Type
 01. Residential: Units _____ Acres _____
 02. Office: Sq.ft. _____ Acres _____ Employees _____
 03. Shopping/Commercial: Sq.ft. _____ Acres _____ Employees _____
 04. Industrial: Sq.ft. _____ Acres _____ Employees _____
 05. Water Facilities: MGD _____
 06. Transportation: Type _____
 07. Mining: Mineral _____
 08. Power: Type _____ Watts _____
 09. Waste Treatment: Type _____
 10. OCS Related
 11. Other: _____
 Specific Plan Goals and Policies _____

10. Total Acres 125 11. Total Jobs Created _____

12. Project Issues Discussed in Document
 01. Aesthetic/Visual
 02. Agricultural Land
 03. Air Quality
 04. Archaeological/Historical
 05. Coastal Zone
 06. Economic
 07. Fire Hazard
 08. Flooding/Drainage
 09. Geologic/Seismic
 10. Jobs/Housing Balance
 11. Minerals
 12. Noise
 13. Public Services
 14. Schools
 15. Septic Systems
 16. Sewer Capacity
 17. Social
 18. Soil Erosion
 19. Solid Waste
 20. Toxic/Hazardous
 21. Traffic/Circulation
 22. Vegetation
 23. Water Quality
 24. Water Supply
 25. Wetland/Riparian
 26. Wildlife
 27. Growth Inducing
 28. Incompatible Land Use
 29. Cumulative Effects
 30. Other _____

13. Funding (approx.) Federal \$ _____ State \$ _____ Total \$ _____

14. Present Land Use and Zoning
 General Plan: multiple
 Zoning: multiple
 Description of Nature, Purpose, and Beneficiaries of Project
 The Downtown Napa Specific Plan would guide all new development in the Planning Area through detailed policies, design guidelines and development standards and financing mechanisms. New development projects would be required to follow the policies, programs and guidelines set forth in the specific plan. Existing developments would not be directly affected unless the occupants or owners choose to expand or change their structures, grounds or uses.

State Clearinghouse Contact: (916) 445-0613
 State Review Began: 1-27-2012
 SCH COMPLIANCE 3-12-2012
 *End Review corrected

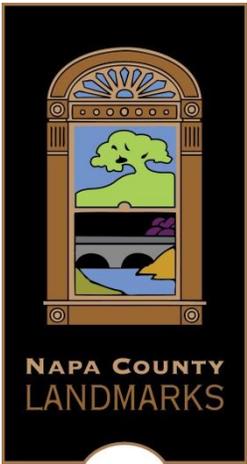
Project Sent to the following State Agencies

- | | |
|--|---|
| <input checked="" type="checkbox"/> Resources | State/Consumer Svcs |
| <input checked="" type="checkbox"/> Boating & Waterways | General Services |
| <input checked="" type="checkbox"/> Coastal Comm | Cal EPA |
| <input checked="" type="checkbox"/> Colorado Rvr Bd | ARB: Airport/Energy Projects |
| <input checked="" type="checkbox"/> Conservation | ARB: Transportation Projects |
| <input checked="" type="checkbox"/> Fish & Game # <u>3</u> | ARB: Major Industrial Projects |
| <input checked="" type="checkbox"/> Delta Protection Comm | SWRCB: Div. Financial Assist. |
| <input type="checkbox"/> Cal Fire | SWRCB: Wtr Quality |
| <input type="checkbox"/> Historic Preservation | SWRCB: Wtr Rights |
| <input checked="" type="checkbox"/> Parks & Rec | <input checked="" type="checkbox"/> Reg. WQCB # <u>2</u> |
| <input type="checkbox"/> Central Valley Flood Prot. | <input checked="" type="checkbox"/> Toxic Sub Ctrl-CTC |
| <input type="checkbox"/> Bay Cons & Dev Comm. | Yth/Adlt Corrections |
| <input checked="" type="checkbox"/> DWR | Corrections |
| <input type="checkbox"/> Cal EMA | Independent Comm |
| <input type="checkbox"/> Resources, Recycling and Recovery | Energy Commission |
| <input checked="" type="checkbox"/> Bus Transp Hous | <input checked="" type="checkbox"/> NAHC |
| <input checked="" type="checkbox"/> Aeronautics | <input checked="" type="checkbox"/> Public Utilities Comm |
| <input checked="" type="checkbox"/> CHP | State Lands Comm |
| <input checked="" type="checkbox"/> Caltrans # <u>4</u> | Tahoe Rgl Plan Agency |
| <input type="checkbox"/> Trans Planning | |
| <input type="checkbox"/> Housing & Com Dev | |
| <input type="checkbox"/> Food & Agriculture | |
| <u>4-22</u> Public Health | Conservancy |
| | Other: _____ |

Please note State Clearinghouse Number (SCH#) on all Comments
 SCH#: 2010042043
 Please forward late comments directly to the Lead Agency
 AQMD/APCD _____
 (Resources: 1)

Letter 6. State Clearinghouse (Scott Morgan, Director)

- 6-1 The comment notes that the Draft EIR was incorrectly-posted with the State Clearinghouse as a Notice of Preparation. The review period was corrected to reflect the March 12, 2012 closing. No response is required.



**NAPA COUNTY
LANDMARKS**

707-255-1836

1219 First Street

Napa, CA 94559

napacountylandmarks.org

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*Napa County Landmarks
is an organization that
promotes the appreciation
of irreplaceable historic
buildings and sites through
educational programs,
public policy advocacy,
research, and technical
assistance.*

Landmarks is a 501(c) [3]

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Federal Tax ID# 23 7387672.

March 9, 2012

Julianne Ward, Associate Planner
City of Napa
Community Development Department
1600 First Street
Napa, CA 94559

Dear Ms. Ward,

Napa County Landmarks would like to commend you for a job well done. The Downtown Specific Plan (DSP) Environmental Impact Report (EIR) adequately assesses the environmental impacts that would potentially result from the implementation of the proposed Plan. We are pleased that there are numerous references to the Historical Resource Inventory and the importance of our cultural historic resources. Furthermore, the Cultural Resource section is comprehensive and includes references to both the Napa Historic Resource Goals and Design Guidelines.

7-1

We understand that we are only commenting on the adequacy of the EIR and that we will have an opportunity to participate in future public meetings and offer our input on the specifics of the Plan as the process moves towards the adoption of the DSP.

7-2

Thank you for allowing us the opportunity to share our thoughts. We look forward to collaborating with the City as you move forward.

Sincerely,

Stephen Cuddy, AIA, LEED AP
Board President

Letter 7. Napa County Landmarks (Stephen Cuddy, AIA, LEED, AP, Board President)

- 7-1 The comment commends the Lead Agency for adequately addressing environmental impacts of the proposed Specific Plan. Specifically, the comment is pleased with the references to the Historical Resource Inventory, the Napa Historic Resource Goals, and Design Guidelines. No response is required.
- 7-2 The comment acknowledges understanding of future public meetings and opportunities to provide input on the Specific Plan. No response is required.

March 11, 2012

Julianne Ward, Associate Planner
City of Napa
Community Development Department
1600 First Street
Napa, CA 94559

Dear Ms. Ward,

As a representative of the St. John's Historic Neighborhood, I would like to go on the public record to express the neighborhood's concern for the Downtown Specific Plan's proposed designation of Downtown II for the city block bounded by Clinton, Yajome, Pearl, and West Streets due to Downtown II's 60 foot maximum building height standard.

8-1

Thank for the opportunity to provide comments on the Specific Plan's Draft EIR and we hope to work with you in the future to address this concern.

Sincerely,

Linda Kerr
1628 Seminary Street
Napa, CA 94559

Kerr.L@att.net

Letter 8. Linda Kerr (St. John's Historic Neighborhood Representative)

- 8-1 The comment expresses concern that the area designated as Downtown II, the city block bounded by Clinton, Yajome, Pearl and West Streets, would have a 60-foot maximum building height standard. The comment does not raise any environmental issues regarding the concern. However, where an aesthetic issue may arise from a future development proposal on this block, the Specific Plan requires, at a minimum, design review be conducted and an opportunity for public comment on the application prior to City action. Moreover, subsequent environmental review would be required for new construction at or near the maximum building height on this block providing opportunities for comment in a public hearing on the project.

From: Holley, Jason
Sent: Monday, March 12, 2012 2:45 PM
To: Ward, Julianne
Cc: LaRochelle, Jack; Whan, Eric; Moore, Ed; Clark, Libby
Subject: BTAC Comments on the DTSP DEIR

Julianne,

At their Feb 9 meeting, the Bicycle and Trails Advisory Commission reviewed the Downtown Specific Plan’s Draft Environmental Impact Report (DEIR) and had the following comments:

- 1. Page 4.L-40, Alternative Transportation Trips, Impact 4L-3 and Page 4.L-41, Traffic Safety Hazards, Impact 4.L-5:

Implementation of the Plan will involve converting the existing traffic pattern of one-way streets in the Planning Area back to their historical pattern of two-way traffic. The DEIR states the *“Downtown Specific Plan would not interfere with any existing or proposed bicycle facilities, or conflict with the currently adopted pedestrian goals or policies (emphasis added)”*. However, currently advance cyclists can “take a lane” on these one-way streets (i.e. utilize a full vehicle lane as a defacto bicycle lane because of the availability of a second lane for motorized vehicles), but they will not be able to do so after the conversion to two-way streets. Moreover, because there currently aren’t any Class II bicycle lanes on these streets, the implementation of the Plan will force bicyclists and motorists to share the same single travel lane in each direction and the Report does not address the resulting potential impacts to bicyclist’s mobility or safety. While the Plan and the City’s soon to be adopted Bicycle Plan call for Class II bike lanes on Third Street and a Class III route through downtown in the future, these may not be available for some time. The DEIR should require that if the one-way streets are converted, then these bike facilities will need to be built promptly to mitigate the impacts to bicyclists.

9-1

- 2. Page 4.L-42 et seq., Safety at At-Grade Railroad Crossings, Impact 4.L-6:

Development facilitated by implementation of the Plan will increase the number of bicycle trips within the Planning Area. There are four existing Class II bike lane railroad crossings in the Planning Area; two of these crossings (northbound and southbound Soscol Blvd., near McKinstry St.) are skewed (rather than at 90-degrees) to alignment of these train tracks. These two skewed crossings are generally more hazardous for bicyclists than perpendicular crossings. It is infeasible to assume the tracks would ever be realigned to an alignment more perpendicular with the bike lane crossings. Thus, any future project to improve bicyclist safety would require the Class II bike lane be realigned to a more perpendicular alignment with the tracks. The DEIR does not identify the existing safety concerns nor does it proposes any mitigations of safety impacts of the additional bicycle trips generated by the Plan through the realignment of these Class II lanes.

9-2

Please incorporate them into public record.

Thanks,

Jason B. Holley, P.E.
Senior Civil Engineer
Development Engineering Division
City of Napa Public Works Department
(707) 257-9372 (direct) / (707) 257-9522 (fax)
jholley@cityofnapa.org (email)

Letter 9. Bicycle and Trails Advisory Commission (Jason B. Holley, PE., Senior Civil Engineer)

- 9-1 The comment expresses concern that converting one-way streets in the Planning Area would alter bicycle mobility Downtown. While the travel lane width available for bicyclists to share with autos on First and Second Streets does not change with the two-way conversion, the conversion does eliminate the ability for cyclists to “take the lane” and forces motorists to pass them on the left, as they are currently available to do under existing conditions. This may make First and Second Streets less attractive for bicyclists; however, the Specific Plan would provide alternate bicycle routes with proposed facilities on Third Street (Class III & Class II) and Clay, Randolph, Pearl streets (Class III). However, the timing and feasibility of these new routes remains uncertain at this time. In order to mitigate the potential near term impacts to a less than significant level, and in accordance with the *Draft Napa Bicycle Plan* (January 2012), the City proposes to implement Shared Lane Markings (SLM) on these segments of First and Second Streets. SLMs (also known as “Sharrows”) are positional in-pavement legends designed to alert motorists and bicyclists alike that the width of the travel is insufficient to provide a Class II lane and that they are encouraged to “share the road”.
- 9-2 The comment notes that there are four existing Class II bike lanes that intersect with railroad crossings in the Planning Area at a skewed angle, and that these non-perpendicular angles raise safety concerns for bicyclists. The comment alludes to the potential exacerbation of an existing condition that is perceived by the commenter as less than desirable. The existing railroad crossings meet the minimum Manual of Uniform Traffic Control Devices (MUTCD), California Vehicle Code, and Public Utility Commission standards. Moreover, the City has paid to upgrade each of these crossings to include concrete panels, to an existing condition that exceed the relevant regulatory standards. Thus, while the condition of the existing crossing is of concern to bicyclists, because the crossings already exceeds minimum standards and are designed to accommodate additional bicycle traffic, any such traffic generated by implementation of the Specific Plan will not result any significant impact on safety at at-grade railroad crossings.



A Tradition of Stewardship
A Commitment to Service

March 12, 2012

Julianne Ward
City of Napa Community Development Department
1600 First Street
Napa, CA 94559

Comment Letter 10
Conservation, Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

RE: Napa Downtown Specific Plan Draft EIR

Dear Ms. Ward,

Thank you for the opportunity to comment on the draft environmental impact report (Draft EIR) that was prepared for the Napa Downtown Specific Plan. The County appreciates the City and its consultant's consideration of past comments submitted by the County, and we are wondering when we might review revision to the Specific Plan based on our input September 2011. Please consider the following additional comments and questions regarding the Draft EIR:

- Please note that under Section B of Chapter 2, the County is not the lead agency, the City of Napa is; therefore, the environmental consequences would need to be considered by the City when deciding to approve the proposed project. 10-1
- Some of the figures are inconsistent in the way that they depict the County Administrative Offices and Courthouse, including variation such as "County Courthouse", and "State Superior Courthouse". Please ensure that County facilities and State Courts are identified appropriately. 10-2
- Please confirm that the cumulative traffic analysis accounts for the reasonably foreseeable redevelopment of County facilities on the blocks bounded by Third Street/Coombs Street/Fifth Street/Main Street, and Third Street/Coombs Street/Fourth Street/Randolph Street. 10-3
- There does not appear to be reference to the recently completed Napa County Transportation and Planning Agency, *Draft Napa Countywide Bicycle Plan*, or the *City of Napa Bicycle Plan*, dated December 2011, as the plan proposes new Class I, II, and III bicycle lanes within the Downtown study area that should be considered. 10-4

Again, thank you for the opportunity to review the DEIR. If you should have any questions regarding any of the above issues, please don't hesitate to contact Kelli Felker at 707/265-2325 or kelli.felker@countyofnapa.org.

Sincerely,

Handwritten signature of Kelli Felker in blue ink.

Hillary Gitelman
Director of Conservation, Development and Planning

cc Nancy Watt/Kelli Felker/File/Larry Florin

Letter 10. Napa County (Hillary Gitelman, Director of Conservation, Development and Planning)

- 10-1 The comment notes an editorial error under Section B of Chapter 2. The following edit has been made to the first bullet on page 2-2 of the Draft EIR:
- To enable the ~~County~~ City to consider environmental consequences when deciding whether to approve the proposed project; and
- 10-2 The comment notes inconsistency in the depiction of the County Administrative Offices and Courthouse in the figures. The figures have been revised in the Specific Plan.
- 10-3 The comment requests confirmation that the cumulative traffic analysis included the redevelopment of the County facilities on the blocks bound by Third Street/Coombs Street/Fifth Street/Main Street, and Third Street/Coombs Street/Fourth street/Randolph Street. As described on page 4.L-35 of the Draft EIR, the cumulative analysis, including the cumulative traffic analysis, considered the County Facility Master Plan (October, 2010).
- 10-4 The comment notes the absence of a citation of the Draft *Napa Countywide Bicycle Plan* or the recently adopted *City of Napa Bicycle Plan* (December, 2011). Although not referenced in the text, the *Napa Countywide Bicycle Plan* was consulted and appears in the references on page 4.L-66 of the Draft EIR. During the creation of the Specific Plan, the *City of Napa Bicycle Plan* was also being drafted and the bicycle facilities and policies in all three documents were coordinated to ensure consistency.

Comment Letter 11

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5541
FAX (510) 286-5559
TTY 711



*Flex your power!
Be energy efficient!*

March 12, 2012

NAPGen086
SCH# 2010042043

Ms. Julianne Ward
Community Planning Department
City of Napa
1600 First Street
Napa, CA 94559

Dear Ms. Ward:

Napa Downtown Specific Plan – Program Environmental Impact Report

Thank you for including the California Department of Transportation (Department) in the environmental review process for the Napa Downtown Specific Plan (Plan) project. We appreciate the outstanding effort the City of Napa (City) put into the development of the Plan. Please find our additional comments on the Program Environmental Impact Report, the Plan and its impacts on State Route (SR) 29, the central transportation connection for the City, below.

Transportation and Traffic

90 percent of the projected 25-year growth in Napa County (County) will happen in the City and the areas to the south. Please consider the following measures to minimize impacts on SR 29:

1. 2-8, "Issues to be resolved": The jobs/housing imbalance is a major contributor to traffic growth in the County. Please specify which elements of the Plan help to address this issue. 11-1
2. 4.L-14, "Napa Public Transit System": Consider enhancing north-south transit options, especially to better connect dense residential areas with schools, job centers, and other cities. 11-2
3. 4.L-21, "Planned Roadway Improvements": We suggest you include language regarding the City's commitment for complete, multi-modal streets that facilitate transit connectivity and active transportation. The Department will continue to work with the City to find a mutually agreeable solution to the SR 29 northbound off-ramp/1st Street intersection signalization design issues. 11-3

"Caltrans improves mobility across California"

Ms. Julianne Ward/City of Napa
March 12, 2012
Page 2

Comment Letter 11

4. 4.L-51, "City of Napa Parking Requirements": In many cases, parking is a traffic generator. Consider lowering parking requirements for new residential and commercial developments.

11-4

5. 4L-1a and Item 4L-2b, Table 2.1, page 2-21: Both the impacts and mitigation measures seem to be the same. Is this a duplication? Please clarify.

11-5

6. 4.L-38, Impact 4.L-2a: Even though the intersection of Silverado Trail/Third Street/East Avenue/Coombsville Road would operate at level of service (LOS) F in Cumulative (2030) Conditions without the Plan, traffic generated by the proposed project would contribute to more intersection delays and may exacerbate the intersection operations. Please discuss mitigation measures that will maintain the same LOS.

11-6

Traffic Impact Fees

Please identify traffic impact fees. Development plans should require traffic impact fees based on projected traffic and/or based on associated cost estimates for public transportation facilities necessitated by development. Please refer to the California Office of Planning and Research (OPR) 2003 General Plan Guidelines, page 163, which can be accessed on-line at the following website: <http://www.opr.ca.gov/index.php?a=planning/gpg.html>

11-7

Scheduling and costs associated with planned improvements on Departmental right-of-way should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any. Please refer to the state OPR's 2003 General Plan Guidelines, page 106.

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

Sincerely,

for GARY ARNOLD
District Branch Chief
Local Development – Intergovernmental Review

c: State Clearinghouse

Letter 11. Department of Transportation (Gary Arnold, District Branch Chief)

11-1 The comment notes that jobs/housing imbalances are major contributors to traffic growth in the County and asks which elements of the Specific Plan would address this issue. The development capacity under the Specific Plan includes the addition of 627 net new residential units, 108,590 square feet (sq. ft.) of net new retail development, 470,600 sq. ft. of net new office use, and 303 new hotel rooms within the Planning Area. By providing a more diverse and complimentary mix of residential, office, and retail uses within the Downtown, there is a greater propensity for linking of trips within the Planning Area by modes other than the automobile, such as travel by foot, bicycle, or bus. In turn, the increase in office uses within the Downtown provides additional employment opportunities for Napa residents; thus, reducing the reliance on the regional highway system to access employment.

11-2 The comment suggests enhancing north-south transit options to provide better connections between residential areas and activity centers. As illustrated in Figure 4.L-6 on page 4.L-16 of the Draft EIR, there are currently several north-south bus routes that operate along Jefferson Street, Soscol Avenue, Main Street, Coombs Street, and Franklin Street through the Planning Area. Multiple routes operate along Soscol Avenue and Jefferson Street, connecting the Downtown to other destinations in the northern and southern portions of the City of Napa. The bus connections at the Downtown transit center, both at the current location at Pearl Street, and at the future location near Burnell Street/Forth Street, help facilitate convenient transfers between routes, which helps enhance local and regional mobility for transit users. The Specific Plan does not include any significant modifications to the Citywide transit system. Instead, the Specific Plan is focused on enhancing transit use and connectivity within Downtown by providing transit supportive development types and land use mixes, as well as improving the quality of access to the existing transit system within the Downtown.

Further, as discussed under Impact 4.L-3 on page 4.L-40 of the Draft EIR, it is expected that development facilitated under the Specific Plan would generate transit ridership, as compact development and convenient transit increases transit ridership. Additional passengers generated by growth in the Planning Area would be accommodated by the existing service and impacts to transit services would not be considered significant as current services have reserve capacity.

11-3 The comment suggests adding language regarding a commitment for complete, multi-modal streets that facilitate transit connectivity and active transportation. The comment also states that Caltrans will continue to work with the City to find a mutually agreeable solution to the SR 29 Northbound Off-ramp/First Street intersection signalization design issues. Chapter 6 of the Specific Plan, *Circulation and Parking*, outlines the vision for circulation of both motorized and non-motorized transportation in the Downtown. The

comment does not raise any substantive environmental issues. The City looks forward to working with Caltrans to develop a feasible solution to the intersection of SR 29 Northbound Off-ramp/First Street.

- 11-4 The comment states that parking is a traffic generator and that the City should consider lowering parking requirements for residential and commercial developments. Parking is not a traffic generator, but a traffic accommodator, as it is the land uses themselves that generate traffic. However, the parking ratios for proposed residential and commercial development projects within Downtown are currently lower than the citywide ratios. This is in recognition of the benefit of shared parking facilities, businesses and homes within walking distance, and access to public transit. While not discussed in significant detail in the Draft EIR, as the analysis of parking impacts is not required under CEQA, the Specific Plan includes recommended policies and strategies to support the efficient management of existing and future parking resources within the Planning Area. These parking strategies include the recommendation for reduced parking standards within Downtown to ensure that the appropriate amount of parking is provided within Downtown without negatively affecting the walkable, pedestrian oriented nature of the Downtown street grid. The recommended parking standards for Downtown are presented in Table 6.2 of the Specific Plan.
- 11-5 The comment notes the similarity between Mitigation Measures 4.L-1a and 4.L-2b and asks for a clarification. The mitigation measures are the same, but represent different impact scenarios. Mitigation Measure 4.L-1a relates to the traffic impact at the SR 29 Northbound Off-ramp/First Street intersection under Existing plus Project conditions. Mitigation Measure 4.L-2b relates to the traffic impact at the same intersection under Cumulative plus Project conditions.
- 11-6 The comment requests discussion of mitigation measures for the intersection of Silverado Trail/Third Street/East Avenue/Coombsville Road, as the project may exacerbate the intersection operations under Cumulative plus Project Conditions. As discussed on 4.L-38 of the Draft EIR under Impact 4.L-2a, mitigation of the unacceptable level of service (LOS) would require substantial intersection modifications to provide enough capacity to achieve the City LOS standard. There are several significant design and funding challenges making potential intersection improvements very difficult. It is likely that right-of-way acquisition would be required and utility poles would need to be relocated to modify the intersection. Further, federal, state and regional transportation funding is limited, and the substantial mitigation costs cannot be fully funded by the City's Traffic Impact Fees.
- The City of Napa General Plan identifies future planned improvements at this intersection to improve traffic operations; however, an ultimate design has not yet been approved and funding has not been identified at this time. As such, there was no realistically feasible improvement to be identified in the Draft EIR.
- 11-7 The comment asks for traffic impact fees to be identified to ensure the funding of future roadway projects in the Planning Area. The City of Napa currently utilizes a Street

Improvement Fee which is a fee charged per unit of new development. This fee schedule was established in 1989 by calculating the sum of various circulation improvements identified in the General Plan. After formulation, that aggregate was divided by the sum of undeveloped parcels yielding a cost per development unit. The City is slated to develop a traffic impact fee program subsequent to the update of their traffic model. A project applicant in the Planning Area would be required to adhere to whichever program is currently being administered by the City prior to issuance of building permits.



Napa County Green Party

napacountygreenparty@gmail.com

Re: Comments to the City of Napa on the Draft Environmental Impact Report for the Downtown Napa Specific Plan

March 11, 2012

In order to meet the goals set forth in the City of Napa General Plan, *Envision Napa 2020*, the Napa Downtown Specific Plan must develop policies to limit the number of formula businesses and promote locally owned businesses in the Downtown Core Commercial zone: a point that has not yet been addressed and should be.

Goal LU-1 of the General Plan seeks “to maintain and enhance Napa’s small-town qualities and unique community identity.” According to the Draft Environmental Impact Report, one of the “overarching objectives of the Specific Plan that will ultimately guide the visual character of the Planning Area [is] to ‘define a unique identity for Downtown Napa.’” By definition, a formula business is “any business that is required by corporate headquarters or franchise or other arrangement to maintain any of the following: standardized services, décor, uniforms, architectures, signs, menus, or food preparation.” Thus, a proliferation of formula businesses is inconsistent with the goal of developing “a unique identity” for Downtown Napa and is, therefore, also inconsistent with both the Napa General Plan and the Downtown Specific Plan; and, policies should be put in place to limit them.

Goal NR-5 and **Policy NR-5.2** in the General Plan state the need to encourage land use patterns “to maintain acceptable levels of air quality in Napa.” As the EIR points out, use of fossil fuels in transportation is the number one cause of greenhouse gases in California. Locally owned businesses make more local purchases, requiring less transportation and contributing less to pollution and traffic congestion. Therefore, encouraging locally owned businesses and discouraging businesses with distant corporate supply lines should be part of the Downtown Specific Plan.

Policy LU-6.E of the General Plan stresses the need to “investigate programs and regulatory procedures to stimulate the rehabilitation and reuse of vacant downtown buildings.” The City should investigate programs and policies that would limit formula businesses while encouraging locally owned businesses in order to revitalize Downtown and fill up empty storefronts. For example, the City of Napa should investigate placing controls on rent on commercial properties in the Downtown Core Commercial zone to discourage property owners from speculating on their properties, holding them vacant until corporate chains come in and pay higher rents, deducting any losses from their

12-1



Comment Letter 12

taxes in the meantime, and to level the playing field so local entrepreneurs can compete with large corporate businesses. The City should also investigate regulation that would restrict formula businesses that would likely cause existing local businesses to fail and/or other negative environmental impacts.* Both of these measures would give local entrepreneurs the confidence and means to open their own businesses. Finally, the City should investigate providing incentives to property owners who rent space to local entrepreneurs, so it is in their economic interest to do so. All of these regulatory procedures and programs would promote locally owned businesses in the Downtown Core Commercial zone, and much of the profit generated would be reinvested back into the local community, rehabilitating not only Downtown but also benefiting the local economy as a whole.

The purpose of the Downtown Specific Plan is to thoughtfully plan and direct the future of Downtown Napa, staying consistent with the City of Napa General Plan. In order to meet the General Plan's goals in terms of promoting the "historic and visual character" and "unique identity" of Downtown, preserving air quality, and revitalizing Downtown, the Plan must put in place regulation to limit formula businesses and incentives to encourage locally owned ones.

* Please see attached model Formula Business Ordinance from Fairfax, Marin County.

Submitted by,
Erica Martenson
Co-coordinator, Napa County Green Party

12-1
cont.

ARTICLE II: FORMULA BUSINESSES AND RESTAURANTS IN CC ZONES

§ 17.100.150 PURPOSE.

It is the purpose of this article to limit the number of formula businesses and formula restaurants in the CC zone to those that are compatible with the needs of area residents, to preserve and encourage the owner-operator character of the town's business, and to promote the local economy.

(Prior Code, § 17.30.010) (Ord. 695, passed 8-20-2002)

§ 17.100.160 DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FORMULA BUSINESS. Any business that is required by a corporate headquarters or franchise or other arrangement to maintain any of the following: standardized services, decor, uniforms, architecture, signs or other similar features. This shall include but not be limited to any retail sales, service, visitor accommodation, wholesale or industrial operations that was not in business within the Fairfax CC zone prior to April 1, 2000.

FORMULA RESTAURANT. Any restaurant devoted to the preparation and offering of food and beverage for sale to the public for consumption either on or off premises and which is required by contractual or other arrangement to offer any of the following: standardized menus, ingredients, food preparation, decor, uniforms, architecture or similar standardized features that was not in business within the Fairfax CC zone prior to April 1, 2000.

(Prior Code, § 17.30.020) (Ord. 695, passed 8-20-2002)

§ 17.100.170 CONDITIONAL USE OF FORMULA BUSINESSES AND RESTAURANTS IN THE CC ZONE.

Formula businesses and restaurants are permitted as conditional uses in the CC zone if the following questions can be answered affirmatively. In order for an approval to be granted pursuant to this chapter, findings, based upon an affirmative answer to the following questions shall be made:

- (A) Is this a pedestrian oriented business, consistent with the CC zone?
- (B) Is it likely that significant revenues from this business will be derived from residents of the Upper Ross Valley, San Geronimo Valley and Central West Marin areas?
- (C) Is it likely the business will provide services and products which satisfy the day-to-day needs of residents of the Upper Ross Valley, San Geronimo Valley and Central West Marin areas?

(D) Is this a smaller scale business in terms of number of customers commensurate with the character of the CC zone?

(E) Is the business consistent with the unique character of Fairfax?

(F) Is it likely this business will provide services or products which complement existing business in the CC zone?

(G) Is there a need for this type of business in town, given the existence of the number of same or similar businesses in Fairfax?

(H) Is the proposed location of this business appropriate, given the type of use and the proximity of same or similar businesses?

(I) Is it likely this business will not cause one or more existing businesses in town to fail?

(J) Will this business keep residents from having to drive out of town for day-to-day needs?

(Prior Code, § 17.30.040) (Ord. 695, passed 8-20-2002)

Letter 12. Napa County Green Party (Erica Martenson, Co-coordinator)

12-1 The comment suggests that the Specific Plan consider including policies to limit the number of formula businesses and promote locally owned business in the Downtown Core Commercial zone. These are policy considerations, and not environmental impacts, and the inclusion of such policies would not alter the findings of this EIR. Policy decisions related to formula verses local business are not the sort of policy issues contemplated under CEQA.



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March 12, 2012

Ms. Julianne Ward, Associate Planner
City of Napa
Community Development Department
1600 First Street
Napa, CA 94559

Subject: Draft Environmental Impact Report (DEIR) for the Downtown Napa Specific Plan

Dear Ms. Ward:

Bay Area Air Quality Management District (District) staff has reviewed your agency's DEIR for the Downtown Napa Specific Plan. We commend the City of Napa (City) for developing a Downtown Specific Plan (Specific Plan) that promotes high density infill development with improved pedestrian and bicycle access. After a thorough review of the DEIR, District staff has the following comments regarding the project's impacts on local and regional air quality.

Long-term Operational Emissions

The DEIR identified significant and unmitigatable air quality impacts associated with implementation of the Specific Plan. The San Francisco Bay Area Air Basin is currently in nonattainment for state and federal ozone standards and fine particulate matter (PM 2.5) standards, and the state PM 10 standards. District staff recommends that the emissions from increased vehicle miles traveled be mitigated to the maximum extent feasible to ensure the Specific Plan does not adversely affect the region's ability to attain health based ambient air quality standards. We recommend the City implement the following additional measures to reduce the identified air quality impacts to the maximum extent feasible:

- Require employers with greater than 50 employees to provide transit subsidies for employees.
- Require employers to provide parking cash-out options to employees.
- Unbundle parking costs from residential leases and rents.
- Require bicycle facility amenities (such as showers and lockers).

Greenhouse Gas (GHG) Analysis

According to the DEIR, the project will have a significant impact with respect to GHG emissions. We encourage the City to require the following mitigation measures as conditions of approval for the Specific Plan:

-

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13-1

13-2

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SONOMA COUNTY

Susan Gorin
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO



- New development should install solar panels/and or solar hot water systems as feasible.
- Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use.
- Install efficient lighting in all buildings (including residential). Also install lighting control systems, where practical. Use daylight as an integral part of lighting systems in all buildings.
- Install Energy Star compliant highly reflective roofing materials.
- Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes.
- Implement waste recycling and composting programs for all types of development.
- Establish a tree planting requirement for parking lots (requiring low VOC-emitting trees).

13-2
cont.

Toxic Air Contaminants (TAC)

According to the DEIR, development proposed under the Specific Plan could expose resident to substantial levels of TACs. We were pleased to see the City incorporate mitigation measures that will reduce some TAC impacts under the Specific Plan. Measures such as installing diesel particulate filters on construction equipment, adopting idling-restrictions for large commercial diesel powered vehicles and requiring heating and ventilation systems that meet the efficiency standard of MERV 13 in residential units will help minimize TAC impacts.

13-3

If you have any questions regarding the issues raised in this letter, please contact Andrea Gordon, Senior Environmental Planner, at (415) 749-4940.

Sincerely,



Jean Roggenkamp
Deputy Air Pollution Control Officer

cc: BAAQMD Director Brad Wagenknecht

Letter 13. Bay Area Air Quality Management District (Jean Roggenkamp, Deputy Air Pollution Control Officer)

- 13-1 The comment requests the addition of several alternative transportation mode incentives to decrease vehicle miles traveled, thus reducing contributions to air quality impacts. The additional traffic trip reduction measures recommended will be considered in development of the Transportation Demand Management (TDM) program, which is discussed in relation to compliance with the BAAQMD Transportation Control Measures in Table 4.B-4 starting on page 4.B-22 of the Draft EIR. Compliance with such measures would be required of projects implemented under the proposed Specific Plan by Mitigation Measure 4.B-1.
- 13-2 The comment requests the addition of several conditions of approval which would reduce the contribution of future development to greenhouse gas emissions. The greenhouse gas mitigation measures recommended are cited broadly in Mitigation Measure 4.B-5 as Green Building and Development Measures, on page 4.B, and detailed in Appendix C of the Draft EIR under the Air Quality and Greenhouse Gas appendix. The requested additional conditions are represented in the extensive list in Appendix C of the Draft EIR.
- 13-3 The comment commends the City for incorporating mitigation measures that would reduce Toxic Air Contaminant exposure during both construction and operation of development projects in the Planning Area. No response is required.

CHAPTER 5

Responses to Comments at the Public Hearing on the Draft EIR

The Planning Commission held a public hearing on the Draft EIR on February 16, 2012. The following is a summary of comments received at the public hearing, followed by responses that address those comments.

A. Environmental Topics Raised and Responses to Comments from February 16, 2012 Public Hearing

The following comments were made at the Planning Commission public hearing on the Draft EIR on February 16, 2012:

Planning Commissioner Arthur Roosa

Comment: Commissioner Roosa understands why the Draft EIR stops analysis at the Downtown Specific Plan boundary but feels it would be a mistake to not look at the Downtown Specific Plan and west of Jefferson Street together as far as traffic impact. He believes the planning vision should extend to Highway 29 and be looked at simultaneously.

Response: In general, the scope of the ‘vision’ of the Downtown Specific Plan is limited to the Planning Area and cannot be changed by the Draft EIR. In contrast, the Draft EIR analyzes potential environmental impacts of the Plan, regardless of the location in which they occur both within and outside the Planning Area.

The Specific Plan calls for the conversion of some existing one-way streets (within the Planning Area) to two-way traffic. Section 4.L, *Transportation and Traffic* of the Draft EIR, provides the analysis of the environmental impacts of these proposed circulation changes. The traffic analysis includes locations outside the Planning Area where such impacts could reasonably be expected to occur, including several locations west of Jefferson Street. The analysis found one impact west of Jefferson Street related to the level of service at the intersection of State Route 29 Northbound off-ramp at First Street. The impact was found to be significant and unavoidable, as the City cannot implement the identified mitigation without Caltrans approval. The analysis did not identify any other significant impacts west of Jefferson Street, thus no other mitigations are identified. The traffic analysis in the area west of Jefferson Street in the Draft EIR is based upon the existing circulation pattern. It does not include analysis of potential impacts of the Specific Plan on non-existing circulation patterns outside the Planning Area, including those areas

west of Jefferson Street, because the Specific Plan does not call for changes to the existing circulation patterns outside the Planning Area.

Any future implementation of two-way streets outside the Planning Area, or west of Jefferson Street, would be evaluated under a separate process. The evaluation would require a detailed engineering and traffic operations assessment, including but not limited to, an evaluation of the needed improvements to intersection geometry, striping, signage and traffic controls at the existing signalized and unsignalized intersections along the streets recommended for two-way conversion.

Planning Commissioner Jim Scoggin

Comment: Commissioner Scoggin agrees with Commissioner Roosa's comment regarding the west of Jefferson issue.

Response: The comment is noted. Please see response to Commissioner Roosa's concern.

Comment: Regarding Impact 4.B-6, the Specific Plan conflicting with applicable plans, policies or regulations of an agency with jurisdiction, Commissioner Scoggin would like to know where this occurs.

Response: As discussed under Impact 4.B-6 on page 4.B-30 of the Draft EIR, because development facilitated by the proposed Specific Plan would have a buildout service population of 3,016 (1,637 new jobs and 1,379 residents), the per capita emission rate would be 7.7 metric tons per service population per year. This would exceed the BAAQMD adopted threshold per service population per metric tons per service population per year. Therefore, GHG emissions of development facilitated by the Specific Plan would have a significant impact using the methodology and significance criteria of the BAAQMD, the air quality regulatory agency with jurisdiction over the Planning Area. Notably, the criteria set by the BAAQMD can be difficult for plans and communities to achieve, and are intended to meet AB 32 GHG reduction goals rather than to prohibit development.

Additionally, because it is not clear whether the GHG reduction strategies described in the *Draft Napa Countywide Community Climate Action Plan* are feasible for the Specific Plan, it was assumed that the Specific Plan could conflict with the goals identified in that plan.

Planning Commission Vice Chair Michael Murray

Comment: Vice Chair Murray asked for definition of 'onsite air source' in Impact 4.B-1. Are these HVAC units?

Response: Bay Area Air Quality Management District defines onsite area sources as follows:

“Area sources generally include fuel combustion from space and water heating, landscape maintenance equipment, and fireplaces/stoves, evaporative emissions from architectural coatings and consumer products and unpermitted emissions from stationary sources.”

Comment: Vice Chair asked if any of the four alternatives would lower the Significant and Unavoidable impacts to not Significant and Unavoidable.

Response: As presented in the discussion starting on page 5-8 of the Draft EIR, under *Comparison to Significant and Unavoidable Impacts Identified with the Specific Plan*, and presented in Table 5-5, on page 5-20 of the Draft EIR, the impact determination related to air quality for all four of the project alternatives evaluated would be the same as that identified for the Specific Plan. However, the environmental effects would be incrementally less under Alternative 2, the Reduced Development Alternative, and Alternative 3, Reduced Office and Residential, as development capacity would be incrementally less than the other alternatives.

All of the Significant and Unavoidable impacts identified under the proposed Specific Plan would remain under all the alternatives. This impact is measured by comparing the increase in Vehicle Miles Traveled (VMT) to the increase in population. Under the Specific Plan, on a countywide and citywide basis, the population and VMT assumptions are inconsistent with the Clean Air Plan (CAP), thus triggering the Significant and Unavoidable impact. This is also true of all the alternatives to the Specific Plan. It is important to note that the standards set by the CAP can be difficult for plans and communities to achieve, and are intended as goals to improve air quality rather than to prohibit development.

CHAPTER 6

Mitigation Monitoring and Reporting Program

A. Introduction

When approving projects with Environmental Impact Reports (EIRs) that identify significant impacts, the California Environmental Quality Act (CEQA) requires public agencies to adopt monitoring and reporting programs or conditions of project approval to mitigate or avoid the identified significant effects (Public Resources Code Section 21081.6(a)(1)). A public agency is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The mitigation measures required by a public agency to reduce or avoid significant project impacts not incorporated into the design or program for the project may be made conditions of project approval as set forth in a Mitigation Monitoring and Reporting Program (MMRP). The program must be designed to ensure project compliance with mitigation measures during project implementation.

The MMRP includes the mitigation measures identified in the EIR required to address the significant impacts associated with the proposed project. The required mitigation measures are summarized in this program; the full text of the impact analysis and mitigation measures is presented in the Draft EIR in Chapter 2, Summary, except as revised in this Final EIR. The mitigation revisions in the Final EIR include revisions to Mitigation Measures 4.B-2, 4.B-3, 4.C-1a, and 4.D-1, as presented in Chapter 2 of this document. The revisions to these mitigation measures were made to reflect required implementation procedures in the Mitigation Monitoring and Reporting Program.

B. Format

The MMRP is organized in a table format (see **Table 6-1**), keyed to each significant impact and each EIR mitigation measure. Only mitigation measures adopted to address significant impacts are included in this program. Each mitigation measure is set out in full, followed by a tabular summary of monitoring requirements. The column headings in the tables are defined as follows:

- **Mitigation Measures adopted as Conditions of Approval:** This column presents the mitigation measure identified in the EIR.
- **Implementation Procedures:** This column identifies the procedures associated with implementation of the migration measure.

- **Monitoring Responsibility:** This column contains an assignment of responsibility for the monitoring and reporting tasks.
- **Monitoring and Reporting Action:** This column refers the outcome from implementing the mitigation measure.
- **Mitigation Schedule:** The general schedule for conducting each mitigation task, identifying where appropriate both the timing and the frequency of the action.
- **Verification of Compliance:** This column may be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

C. Enforcement

If the Specific Plan is adopted, the MMRP would be incorporated as a condition of approval for all future projects in the Planning Area. As such, all mitigation measures for significant impacts must be carried out in order to fulfill the requirements of approval. A number of the mitigation measures would be implemented during the course of the development review process for future projects in Downtown. These measures would be referenced on architectural, development and similar plans, in technical reports, and in the field prior to construction. Most of the remaining mitigation measures would be implemented during the construction or project implementation phase.

**TABLE 6-1
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
B. Air Quality and Greenhouse Gases					
<p>Mitigation Measure 4.B-1: In order to be consistent with the MSM A-1 and MSM A-2 transportation control measures (TCMs) listed in Table 4.B-4, the City shall require that the following measures be included as potential Transportation Demand Management (TDM) strategies to be implemented by individual project applicants, where feasible and appropriate:</p> <ul style="list-style-type: none"> • Install charging units for electric vehicles at residences and businesses. • Develop incentives for businesses to include preferential parking for electric and/or hybrid vehicles. (As required by the 2010 California Green Building Standards Code, Chapter 5, Section 5.106.5.2) 	<p>A project applicant, as appropriate for a proposed project, will hire a qualified consultant, approved by the City of Napa, to prepare a Transportation Demand Management Plan (to be implemented by the project applicant) that adheres to all specifications in this measure.</p> <p>The TDM will verify in writing that the plan adheres to all of BAAQMD's guidance which is applicable to the project.</p>	<p>City of Napa Public Works Traffic Engineer; Economic Development, Building Official</p>	<p>Review of TDM plan. Verify inclusion of TDM strategies in applicable construction plans and specifications.</p>	<p>During permit processing.</p>	<p><i>Ongoing</i></p>
<p>Mitigation Measure 4.B-2: The City shall ensure that all projects in the Planning Area incorporate the following measures to reduce or avoid exposure of sensitive receptors to TACs:</p> <p>For construction activities, measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site. • Use new diesel engines that are designed to minimize DPM emissions (usually through the use of catalyzed particulate filters in the exhaust), or retrofitting older engines with catalyzed particulate filters which would reduce up to 85 percent of DPM emissions. <p>For operational activities, in order to comply with the <i>Air Quality and Land Use Handbook: A Community Health Perspective</i> (ARB 2005) and achieve an acceptable interior air quality level for sensitive receptors, appropriate measures, shall be incorporated into residential building design. For projects to be developed under the Specific Plan that include residential receptors within 1,000 feet of a source of TACs (stationary or CNR railroad), the appropriate measures shall include one of the following methods (As required</p>	<p>Prior to approval of projects within the Planning Area, ensure that each project's specifications will incorporate measures to reduce or avoid exposure to TACs, as feasible.</p>	<p>City of Napa Community Development Department; planner assigned to project.</p> <p>Building Official; Field Inspector</p>	<p>Verify incorporation of specifications into construction plans and project design.</p>	<p>Prior to approval of demolition permit or grading permit.</p> <p>and</p> <p>During construction through to issuance of occupancy permit.</p>	<p><i>Ongoing</i></p>

¹ In this Mitigation Monitoring and Reporting Program table, every subsequent development project undertaken pursuant to the Specific Plan would be required to adhere to each mitigation measure.

**TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
B. Air Quality and Greenhouse Gases (continued)					
<p>by the 2010 California Green Building Standards Code, Chapter 5, Section 5.106.5.2):</p> <ol style="list-style-type: none"> 1. The project applicant shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the ARB and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of project residents to TACs prior to issuance of a demolition, grading, or building permit. The HRA shall be submitted to the Planning Division for review and approval. The applicant shall implement the approved HRA recommendations, if any. If the HRA concludes that the air quality risks from nearby sources are at or below acceptable levels, then additional measures are not required. 2. The project applicant shall implement the following features that have been found to reduce the air quality risk to sensitive receptors and shall be included in the project construction plans. These shall be submitted to the Planning Division and the Building Division for review and approval prior to the issuance of a demolition, grading, or building permit and ongoing. <ol style="list-style-type: none"> a. Do not locate sensitive receptors near distribution center's entry and exit points. b. Do not locate sensitive receptors in the same building as a perchloroethylene dry cleaning facility. c. Maintain a 50' buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year). d. Install, operate and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets the efficiency standard of the MERV 13. The HV system shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters shall be used. e. Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources. 					

**TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
B. Air Quality and Greenhouse Gases (continued)					
<ul style="list-style-type: none"> f. Maintain positive pressure within the building. g. Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air. h. Achieve a performance standard of at least 4 air exchanges per hour of recirculation i. Achieve a performance standard of 0.25 air exchanges per hour of in unfiltered infiltration if the building is not positively pressurized. j. Project applicant shall maintain, repair and/or replace HV system or prepare an Operation and Maintenance Manual for the HV system and the filter. The manual shall include the operating instructions and maintenance and replacement schedule. This manual shall be included in the CC&R's for residential projects and distributed to the building maintenance staff. In addition, the applicant shall prepare a separate Homeowners Manual. The manual shall contain the operating instructions and maintenance and replacement schedule for the HV system and the filters. It shall also include a disclosure to the buyers of the air quality analysis findings. 					
<p>Mitigation Measure 4.B-3: The City shall ensure that individual project applicants incorporate the following measures to reduce or avoid exposure of sensitive receptors to odors during development under the Specific Plan:</p> <ul style="list-style-type: none"> • Consider the odor-producing potential of land uses when the exact type of facility that would occupy areas zoned for commercial or mixed-use land uses is determined. Facilities that have the potential to emit objectionable odors would be located with appropriate buffers from existing and proposed sensitive receptors. <p>Identify odor control devices within building permit applications to mitigate the exposure of receptors to objectionable odors if a potential odor-producing source is to occupy the Planning Area. The identified odor control devices would be installed before the issuance of certificates of occupancy for the potentially odor-producing use.</p>	<p>Prior to approval of individual projects within the Planning Area, ensure that each project's specifications comply with this measure.</p>	<p>City of Napa Community Development Department; planner assigned to the project, building official, and building plan checker</p>	<p>Verify incorporation of specifications into project design.</p>	<p>Prior to issuance of building permits and Prior to issuance of occupancy permits.</p>	<p><i>Ongoing</i></p>

TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
B. Air Quality and Greenhouse Gases (continued)					
Mitigation Measure B-4: Implement Mitigation Measure 4.B-1 to ensure consistency with the BAAQMD TCMs to promote clean, fuel efficient and zero emission vehicles.	See Mitigation Measure 4.B-1.				
Mitigation Measure 4.B-5: The City shall ensure that applicant(s) for individual projects to be developed under the Specific Plan would incorporate Green Building and Development Measures as listed in Appendix C (AIR-2). Each increment of new development under the Specific Plan requiring a discretionary approval from the City (e.g., proposed tentative subdivision map, conditional use permit), would demonstrate that GHG emissions from operation would be reduced by 30 percent from business-as-usual 2020 emissions levels, in order to achieve 1990 levels by 2020.	Incorporate Green Building and Development Measures into project design and demonstrate GHG emissions from operations would adhere to reduction goals set by the City.	City of Napa Community Development Department, planner assigned to project and building plan checker	Ensure compliance of individual project applications with Green Building and Development Measures.	During permit processing.	<i>Ongoing</i>
Mitigation Measure B-6: Implement Mitigation Measure 4.B-5 to reduce GHGs.					
C. Biological Resources					
Mitigation Measure 4.C-1a: The City shall ensure that subsequent projects in the Planning Area incorporate the following measures to reduce or avoid impacts to fish species: <ul style="list-style-type: none"> Avoid, reduce, or compensate for indirect impacts to fish species; for example, removal of riparian vegetation would require compensatory shade plantings. Design creek and river crossings so as to maintain connectivity and allow for unimpeded flow of water, and if at all possible avoid building piers or footings within the channel. 	Incorporate all specifications of this measure into project design and development to reduce or avoid impacts to fish species.	City of Napa Community Development Department; planner assigned to the project.	Ensure incorporation of all specifications of these measures into project design and development.	Prior to construction permits.	<i>Ongoing</i>
Mitigation Measure 4.C-1b: Pre-Construction Special-Status Avian Surveys. No more than two weeks in advance of any tree or shrub pruning, removal, or ground-disturbing activity that will commence during the breeding season (February 1 through August 31), a qualified wildlife biologist will conduct pre-construction surveys of all potential special-status bird nesting habitat in the vicinity of the planned activity. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-	The project applicant will prepare construction plans that incorporate pre-construction surveys and buffer zones. If required, avoidance procedures will be implemented. The project applicant will hire a qualified biologist and the project applicant and its contractor(s) will engage the qualified biologist to conduct pre-construction surveys as described.	City of Napa Community Development Department; planner assigned to the project.	Approve a qualified biologist. Review pre-construction survey reports. If active nests are found, inspect construction site to confirm buffer zones.	No more than 14 days before start or restart of construction during the months of February to August.	<i>Ongoing</i>

TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
C. Biological Resources (cont.)					
<p>related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered.</p> <p><i>If pre-construction surveys indicate that no nests of special-status birds are present or that nests are inactive or potential habitat is unoccupied: no further mitigation is required.</i></p> <p><i>If active nests of special-status birds are found during the surveys: implement Mitigation Measure 4.C-1c.</i></p>					
<p>Mitigation Measure 4.C-1c: Avoidance of active nests. If active nests of special-status birds or other birds are found during surveys, the results of the surveys would be discussed with the California Department of Fish and Game and avoidance procedures will be adopted, if necessary, on a case-by-case basis. In the event that a special-status bird or protected nest is found, construction would be stopped until either the bird leaves the area or avoidance measures are adopted. Avoidance measures can include construction buffer areas (up to several hundred feet in the case of raptors), relocation of birds, or seasonal avoidance. If buffers are created, a no disturbance zone will be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted will take into account factors such as the following:</p> <ol style="list-style-type: none"> 1. Noise and human disturbance levels at the Plan area and the nesting site at the time of the survey and the noise and disturbance expected during the construction activity; 2. Distance and amount of vegetation or other screening between the Plan area and the nest; and sensitivity of individual nesting species and behaviors of the nesting birds. 	<p>Incorporate all specifications of this measure into project design and development to reduce or avoid impacts to active nests of special-status birds or other birds found during the surveys.</p>	<p>City of Napa Community Development Department; planner assigned to the project.</p>	<p>Ensure incorporation of all specifications of these measures into project design and development.</p>	<p>Prior to construction permits.</p>	<p><i>Ongoing</i></p>
D. Cultural Resources					
<p>Mitigation Measure 4.D-1: The City shall require that any future development under the Specific Plan meets the intent and goals of the City of Napa Downtown Historic Design Guidelines. This includes any project that would alter historic resources or would be constructed adjacent to a historic resource.</p>	<p>Ensure that each subsequent project in the Planning Area complies with the Downtown Historic Design Guidelines.</p>	<p>City of Napa Community Development Department; planner assigned to the project.</p>	<p>Ensure compliance of individual project applications with City of Napa Downtown Historic Design Guidelines.</p>	<p>Prior to project approval.</p>	<p><i>Ongoing</i></p>

**TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
D. Cultural Resources (cont.)					
<p>Mitigation Measure 4.D-2a: When specific projects are proposed under the Specific Plan that involves ground-disturbing activity into native soils, the City's "Pastfinder" archaeological database shall be consulted. Recommendations provided by the "Pastfinder" database shall be implemented based on a parcel's archaeological sensitivity. In those cases where a site-specific cultural resources study is necessary, it shall be performed by qualified cultural resources professional. The study will include an updated records search, pedestrian survey of the project area, development of a historic context, sensitivity assessment for buried prehistoric and historic-period deposits, and preparation of a technical report that meets federal and state requirements. If significant resources are identified and cannot be avoided, treatment plans will be developed in consultation with the City and Native American representatives to mitigate potential impacts to less than significant.</p>	<p>The project applicant will hire a qualified cultural resources professional to conduct an evaluation, and if necessary, will prepare a site-specific cultural resources study in accordance with the specifications of this measure.</p> <p>If necessary, treatment plans will be developed in consultation with the City and Native American representatives.</p>	<p>City of Napa Community Development Department; planner assigned to project.</p>	<p>Review and approval of the cultural resources professional's technical report(s).</p> <p>If significant resources are identified and cannot be avoided, review and approval of treatment plans in consultation with Native American representatives.</p>	<p>Prior to project approval.</p>	<p><i>Ongoing</i></p>
<p>Mitigation Measure 4.D-2b: Should any archaeological artifacts be found during construction in the Planning Area, all construction activities within 50 feet shall immediately halt and the City must be notified. A qualified archaeologist shall inspect the findings within 24 hours of the discovery. If the site is determined to contain significant cultural resources, funding will be provided to identify, record, report, evaluate, and recover the resources as necessary. Construction within the area of the find shall not recommence until impacts on the historical or unique archaeological resource are mitigated. Additionally, Public Resources Code § 5097.993 stipulates that a project sponsor must inform project personnel that collection of any Native American artifact is prohibited by law.</p>	<p>The project applicant will provide documentation to the City that project personnel were given training regarding the illegality of collecting Native American artifacts.</p> <p>If archaeological artifacts are found, project applicant and its contractor(s) will halt all construction activities within 50 feet and notify the City. Qualified archaeologist will inspect the findings within 24 hours of the discovery. Identify record, report, evaluate, and recover the resources as necessary. Upon full mitigation City will give approval for recommencement of construction within the area.</p>	<p>Community Development Department; planner assigned to project, building official, and building plan checker</p>	<p>Review and approve documentation that project personnel have been trained regarding the illegality of collecting Native American artifacts.</p> <p>Ensure construction within 50 feet of found archaeological artifacts halted; ensure notification of City has occurred; review and approve selection of qualified archaeologist; review and approve archaeologist's report of recovery. Upon full mitigation of historical or unique archaeological resource(s), give approval for recommencement of construction within the area.</p>	<p>Prior to demolition or grading permit (whichever occurs first); ongoing during demotion, grading, and construction.</p>	<p><i>Ongoing</i></p>

TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
D. Cultural Resources (cont.)					
<p>Mitigation Measure 4.D-3: Prior to the start of any subsurface excavations that would extend beyond previously disturbed soils, all construction forepersons and field supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in teaching non-specialists, to ensure they can recognize fossil materials and will follow proper notification procedures in the event any are uncovered during construction. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who will evaluate its significance. Training on paleontological resources will also be provided to all other construction workers, but may involve using a videotape of the initial training and/or written materials rather than in-person training by a paleontologist. If a fossil is determined to be significant and avoidance is not feasible, the paleontologist will develop and implement an excavation and salvage plan in accordance with SVP standards.</p>	<p>All construction forepersons, field supervisors, and construction workers shall receive training by a qualified professional paleontologist; the training shall conform to all specifications of this measure. Project sponsor will provide documentation of such trainings to the City.</p> <p>The paleontologist will develop and implement an excavation and salvage plan in accordance with the specifications of this measure.</p>	<p>City of Napa Community Development Department; planner assigned to project and building official.</p>	<p>Review and approve project sponsor's documentation of trainings of forepersons, field supervisors and all construction workers.</p> <p>Review and approve paleontologist's excavation and salvage plan.</p>	<p>Prior to demolition or grading permit (whichever occurs first); prior to the start of any subsurface excavations.</p>	<p><i>Ongoing</i></p>
<p>Mitigation Measure 4.D-4: The treatment of any human remains and associated or unassociated funerary objects discovered during soil-disturbing activities shall comply with applicable state laws. Such treatment would include immediate notification of the Napa County Coroner. In the event of the coroner's determination that the human remains are Native American, the coroner shall notify of the Native American Heritage Commission, which would appoint a Most Likely Descendant (MLD) (PRC § 5097.98). The archaeological consultant, the Event Authority, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of any human remains and associated or unassociated funerary objects (CEQA Guidelines § 15064.5[d]). The agreement would take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties could not agree on the reburial method, the Event Authority shall follow Section 5097.98(b) of the PRC, which states that "the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."</p>	<p>Upon discovery of human remains and associated or unassociated funerary objects, the project applicant will immediately notify Napa County Coroner and City of Napa project planner. After such notification, the archaeological consultant, project applicant, Native Heritage Commission, and Most Likely Descendant (MID) will develop an agreement in accordance with the specifications of this measure and state law.</p> <p>If the MLD and the other parties could not, applicant will reinter the human remains in accordance with the specifications of this measure and state law.</p> <p>The project applicant will incorporate the specifications of this measure into project specifications and grading and construction plans.</p>	<p>City of Napa Community Development Department; planner assigned to project and field inspector.</p>	<p>Ensure prompt notification of Napa County Coroner; if remains are determined to be Native American, review Coroner's report to Native American Heritage Commission.</p> <p>Facilitate consultation between archaeological consultant, project applicant, Native Heritage Commission and Most Likely Descendant over the allowed 48 hours.</p> <p>If agreement is reached, review report(s) by archaeological consultant and project applicant of actions taken and final disposition of human remains and associated or unassociated funerary objects. Ensure that report(s) are provided to Most Likely</p>	<p>Ongoing during grading and construction of individual projects.</p>	<p><i>Ongoing</i></p>

**TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
D. Cultural Resources (cont.)					
<p>Mitigation Measure 4.D-4 (cont.)</p>			<p>Descendant and his or her tribe, as well as to the local information center.</p> <p>If agreement is not reached, review and approve project applicant's reinterment plan and archaeological consultant's report(s) on reinterment. Forward report(s) to Most Likely Descendant and his or her tribe, as well as to the local information center.</p>		
I. Noise					
<p>Mitigation Measure 4.I-1a: Construction contractors for subsequent development projects within the Planning Area shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds, etc.) when within 400 feet of sensitive receptor locations. Additional techniques shall include, but not be limited to the following noise control elements:</p> <ul style="list-style-type: none"> • Non-residential construction project activities (Monday through Friday) shall be limited to the hours of 7:00 a.m. to 7:00 p.m. with no start up of machines or equipment prior to 8 a.m. No delivery of materials nor equipment shall occur prior to 7:30 a.m. or after 5:00 p.m. No cleaning of machines or equipment shall occur after 6:00 p.m. No servicing of equipment shall occur past 6:45 p.m. Construction of weekends and holidays shall be limited to the hours of 8:00 a.m. to 4:00 p.m., unless a permit allows otherwise. <p>Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used;</p>	<p>The project applicant will incorporate the specifications of this measure into project specifications and grading and construction plans.</p>	<p>City of Napa Community Development Department; planner assigned to project, building official, and field inspector.</p>	<p>Review and approve project specifications and grading and construction plans for inclusion of specifications in this measure.</p> <p>Inspect site during construction to ensure compliance with project specifications and grading and construction plans.</p>	<p>Prior to issuance of building and grading permit(s).</p> <p>Field inspections during construction.</p>	<p><i>Ongoing</i></p>

**TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
I. Noise (cont.)					
<p>this muffler shall achieve lower noise levels from the exhaust by approximately 10 dBA. External jackets on the tools themselves shall be used where feasible in order to achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible;</p> <ul style="list-style-type: none"> All construction equipment shall not be placed adjacent to developed areas unless said equipment is provided with acoustical shielding. <p>Signs shall be posted at all construction site entrances to the property upon commencement of project construction, for the purposes of informing all contractors and subcontractors, their employees, agents, materialmen, and all other persons at the construction site, of the basic requirements of Mitigation Measures 4.1-a through 4.1-c.</p>					
<p>Mitigation Measure 4.1-1b: Should pile-driving be necessary for a proposed project, the project sponsor would require that the construction contractor limit pile driving activity to the least disturbing hours of the day. To further mitigate pile driving and/or other extreme noise-generating construction impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. No extreme noise-generating activities shall be allowed on weekends and holidays. Techniques included may include but not be limited to the following:</p> <ul style="list-style-type: none"> Erect temporary plywood noise barriers around the construction site, Implement "quiet" pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; Use noise control blankets on building structures as buildings are erected to reduce noise emission from the site; Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and <p>Monitor the effectiveness of noise attenuation measures by taking noise measurements.</p>	<p>The project applicant will incorporate the specifications of this measure into project specifications and grading and construction plans.</p>	<p>City of Napa Community Development Department; planner assigned to project, building official, and field inspector</p>	<p>Review and approve project specifications and grading and construction plans for inclusion of specifications in this measure.</p> <p>Inspect site during construction to ensure compliance with project specifications and grading and construction plans.</p>	<p>Prior to issuance of building and grading permit(s).</p> <p>Field inspections during construction.</p>	<p><i>Ongoing</i></p>

TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
I. Noise (cont.)					
<p>Mitigation Measure 4.I-1c: The City shall condition approval of projects in the Planning Area near receptors sensitive to construction noise, such as residences and schools, such that, in the event of a justified complaint regarding construction noise, the City would have the ability to require changes in the construction practices to address the noise complaints.</p>	<p>Approval of permits for projects adjacent to sensitive receptors will be conditioned upon the City's ability to require changes in the construction practices to address justified noise complaints.</p> <p>Project applicants will post the City's noise complaint procedure in publicly accessible locations at each construction site.</p>	<p>Community Development Department; planner assigned to project and code enforcement officer.</p>	<p>Review all noise complaints received; assess whether noise complaints are justified; alert Project Sponsor of revised construction practices.</p> <p>Inspect site during construction to ensure compliance with revised construction practices.</p>	<p>At approval of project specifications, grading permits and building permits; ongoing during demolition, grading, construction.</p>	<p><i>Ongoing</i></p>
<p>Mitigation Measure 4.I-3: Groundborne vibration exposure to proposed Specific Plan residences within 200 feet of the mainline track shall be analyzed in a detailed vibration study by a qualified acoustical engineer to determine if vibration isolation shall be required in building design, such as supporting the new building foundations on elastomer pads similar to bridge bearing pads. The results of each study shall be submitted to the City prior to project approval.</p>	<p>Retain qualified acoustical engineer to determine if vibration isolation shall be required in building design; if so; incorporate such measures into project design.</p> <p>Ensure that each subsequent development projects undertaken pursuant to the Specific Plan that are subject to vibration exposure, adhere to vibration study recommendations, as feasible.</p>	<p>Community Development Department; planner assigned to project and field inspector.</p>	<p>Approve consultant selection and scope of work.</p> <p>Ensure project design incorporates qualified acoustical engineer's recommendations.</p> <p>Review and approve project plans, demolition plans, grading plans and constructions plans for adherence to the Specific Plan's design guidelines.</p>	<p>Prior to project approval.</p> <p>Inspect site during construction to ensure compliance with project specifications and grading and construction plans.</p>	<p><i>Ongoing</i></p>
L. Transportation and Traffic					
<p>Mitigation Measure 4.L-1a: The City shall continue to coordinate with Caltrans to install a traffic signal at the intersection of SR 29 Northbound Off-ramp / First Street or identify other acceptable alternatives to the signal. If the signal pursued, the City shall work closely with Caltrans to ensure that the signal timing is properly synchronized with the closely spaced intersection to the east at California Boulevard / First Street.</p>	<p>The City of Napa Public Works Department will contact Caltrans regarding the signal and work with Caltrans to address this issue.</p>	<p>City of Napa Public Works Department, project engineer; City of Napa community Development Department.</p> <p>Caltrans.</p>	<p>Approval of intersection improvements by City Public Works and Caltrans.</p>	<p>Prior to issuance of an encroachment permit.</p>	<p><i>Ongoing</i></p>
<p>Mitigation Measure 4.L-2b: The City shall continue to coordinate with Caltrans to install a traffic signal at the intersection of SR 29 Northbound Off-ramp / First Street or identify other acceptable alternatives to the signal. If the signal pursued, the City shall work closely with Caltrans to ensure that the signal timing is properly synchronized with the closely spaced intersection to the east at California Boulevard / First Street.</p>	<p>City of Napa Public Works Department will contact Caltrans about regarding the signal. Private developers will pay a Street Improvement Fee which contributes funds toward the First Street Over-Crossing project.</p>	<p>City of Napa Public Works Department, project engineer; City of Napa community Development Department.</p> <p>Caltrans.</p>	<p>Calculation and receipt of payment.</p>	<p>Prior to issuance of building permits.</p>	<p><i>Ongoing</i></p>

TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
L. Transportation and Traffic (cont.)					
<p>Mitigation Measure 4.L-6: This mitigation measure should be applied to developments under the Specific Plan that would generate substantial multi-modal trips crossing at-grade railroad crossings that could substantially increase hazards between incompatible uses (i.e., motor vehicles and trains, or pedestrians and trains):</p> <p>Transportation Impact Studies (TIS) for At-grade Railroad Crossings – The TIS, otherwise required to be prepared for proposed developments under this project, in accordance with standard City policies and practices, must evaluate potential impacts to at-grade railroad crossings resulting from project-related traffic. The TIS should examine whether the proposed project would generate substantial multimodal trips crossing at-grade railroad crossings that could substantially increase hazards between incompatible uses (i.e., motor vehicles and trains, pedestrians and trains), which may include a Diagnostic Review for each railroad crossing.</p> <p>If required, the Diagnostic Review must be completed with all affected properties and Stakeholders, in coordination with the California Public Utilities Commission (CPUC). It will include: roadway and rail descriptions; collision history; traffic volumes for all modes; train volumes; vehicular speeds; train speeds; and existing rail and traffic controls. Based on the Diagnostic Review and the number of projected trips, the TIS will evaluate if the proposed project increases hazards at the crossing. For example, vehicle traffic generated by the proposed project may cause vehicle queuing at intersections resulting in traffic spilling back onto at-grade railroad crossings.</p> <p>Where the TIS identifies substantially hazardous crossing conditions caused by the proposed project, mitigations relative to the project's contribution to the crossing as necessary shall be applied through project redesign and/or incorporation of improvements to reduce potential adverse impacts. Proposed improvements must be coordinated with CPUC and affected railroads and all necessary permits/approvals obtained, including a GO 88-B Request (Authorization to Alter Highway Rail Crossings). These improvements may include:</p> <ul style="list-style-type: none"> • Installation of additional warning signage; 	<p>The project applicant will retain a qualified transportation engineer to prepare a <i>Transportation Impact Study (TIS) for At-grade Railroad Crossings</i> that adheres to all specifications of this measure.</p> <p>Where the TIS identifies substantially hazardous crossing conditions caused by the proposed project, the project applicant will incorporate mitigations (relative to the project's contribution) to the crossing(s) as recommended by the TIS.</p>	<p>Community Development Department; planner assigned to project, in coordination with the Public Works Department; project engineer.</p>	<p>Review and approve selection of qualified transportation engineer.</p> <p>Prior to approval of project plans, ensure incorporation of mitigation to the affected crossing(s) as recommended by the TIS.</p>	<p>During permit processing.</p>	<p><i>Ongoing</i></p>

**TABLE 6-1 (Continued)
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Implementation Procedures ¹	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
L. Transportation and Traffic (cont.)					
<ul style="list-style-type: none"> • Improvements to warning devices at existing rail crossings; • Installation or improvement to automobiles and/or pedestrian control gates; • Installation of concrete panels to provide a smooth crossing surface; • Reduction in the flangeway gap to improve pedestrian and bicyclist safety; • Installation of median separation to prevent vehicles from driving around railroad crossings; • Improvements to traffic signaling at intersections adjacent to crossings (e.g., signal preemption); • Prohibition of parking within 100 feet of the crossings to improve the visibility of warning devices and approaching trains; • Where soundwalls, landscaping, buildings, etc. would be installed near crossings, maintain the visibility of warning devices and approaching trains; • Elimination of driveways near crossings; • Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way. <p>This mitigation measure would be applied by the City on a development project (case-by-case) basis, as appropriate. The incorporation of improvements identified in this mitigation measure could reduce the project's impact to the at-grade railroad crossing to a less-than-significant level.</p>					