1 INTRODUCTION

A. Purpose of the Environmental Impact Report

This document provides responses to comments received on the 2009 Draft Environmental Impact Report (2009 DEIR) and Supplement to the 2009 DEIR for the proposed Napa Pipe Project (the project), and includes necessary revisions to the text and analysis in the 2009 DEIR and Supplement to the 2009 DEIR. The 2009 DEIR and Supplement to the 2009 DEIR identified the likely environmental consequences associated with the project, and recommended mitigation measures to reduce potentially significant impacts. In a few cases, the 2009 DEIR and the Supplement to the 2009 DEIR are referred to collectively as the "Draft EIR" in order to distinguish work completed before this Final EIR (FEIR).

This document, together with the 2009 DEIR and Supplement to the 2009 DEIR, will constitute the Final EIR if the Napa County Board of Supervisors certifies it as complete and adequate under the California Environmental Quality Act (CEQA).

B. Environmental Review Process

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project, and to provide the general public and project applicant with an opportunity to comment on the Draft EIR. This Final EIR has been prepared to respond to those comments received on the 2009 DEIR and Supplement to the 2009 DEIR and to clarify findings in the 2009 DEIR and Supplement to the 2009 DEIR.

The 2009 DEIR was made available for public review on October 23, 2009 and the Supplement to the 2009 DEIR was made available for public review on February 14, 2011. Both documents were distributed to local and State responsible and trustee agencies and the general public was advised of the availability of the Draft EIRs through public notice posted by the County Clerk as required by law. Three public hearings to receive comments on the 2009 DEIR were held by the Napa County Conservation, Development and

Planning Commission, including one on November 17, 2009 and two on December 16, 2009. The original 60-day public comment period was scheduled to end on December 22, 2009. However, the close of the comment period was extended from December 22, 2009 to February 5, 2010.

Following publication and public review of the 2009 DEIR, certain components of the project were revised. As described on page 1-1 of the Supplement to the 2009 DEIR, most of the information and analysis in the 2009 DEIR remains applicable to the project. Consistent with Section 15088.5 of the California Environmental Quality Act (CEQA) Guidelines, the County published a Supplement to the 2009 DEIR, finding that some of the project revisions constituted "significant new information." The Supplement to the 2009 DEIR evaluates: the possible use of a surface water from a tributary of the Sacramento River; new information regarding the conveyance of treated wastewater to an off-site location; the potential use of the "Harrison property," a 10-acre site adjacent to the project site, which would be reserved for the future development of an elementary school by the Napa Unified School District; site remediation strategies proposed in response to comments received on the 2009 DEIR; and new guidance concerning the analysis of air quality and greenhouse gas emissions that had been adopted by the Bay Area Air Quality Management District since the release of the 2009 DEIR. The document was referred to as the Supplement to the 2009 DEIR, rather than a "Revised DEIR," because it provides supplemental information that should be reviewed together with the 2009 DEIR. The Supplement to the 2009 DEIR contains new environmental analysis, as well as revised sections of the 2009 DEIR that are clearly indicated with strikethrough and underline formatting.

One public hearing to receive comments on the Supplement to the 2009 DEIR was held by the Napa County Conservation, Development and Planning Commission, on March 16, 2011 (the hearing had two sessions; a morning session was held at the Board of Supervisors Chambers, and an evening session was held at Office Of Education 2121 Imola Avenue). The original 45-day public comment period was scheduled to end on March 31, 2011.

However, the close of the comment period was extended from March 30, 2011 to May 2, 2011.

Copies of all written comments received on the 2009 DEIR and Supplement to the 2009 DEIR are contained in this document. Transcripts of oral comments made at a total of six public hearings on the 2009 DEIR and Supplement to the 2009 DEIR are included in Chapter 5 of this FEIR.

This FEIR will be provided to the Napa County Planning Commission for their review prior to their consideration of a resolution recommending the proposed project and associated actions to the Board of Supervisors. The Commission will be asked to make a recommendation to the Board of Supervisors on certification of the EIR as a full disclosure of potential impacts, mitigation measures and alternatives.

However, the Planning Commission will not take final action on the EIR or the proposed project. Instead, the Board of Supervisors will consider the Planning Commission's recommendations on the Final EIR and the proposed project during a noticed public hearing, and make the final action in regards to certification of the Final EIR and approval of the project. If the project is approved, recommended mitigation measures will be adopted and implemented as specified in the Board's resolution and an accompanying mitigation monitoring and reporting program unless the Board finds the measures infeasible as specified in CEQA Guidelines Section 15091 (Findings). Given the presence of significant and unavoidable impacts, the Board's resolution will also contain a statement of overriding consideration pursuant to CEQA Guidelines Section 15093.

C. Document Organization

This document is organized into the following chapters:

- ◆ Chapter 1: Introduction. This chapter discusses the use and organization of this Final EIR, and describes modifications to the project since the publication of the Supplement to the 2009 DEIR
- Chapter 2: Report Summary. This chapter is a summary of the findings of the Draft and the Final EIR. It has been reprinted from the Draft EIR with necessary additions made in this Final EIR shown in <u>underline</u> and <u>strikethrough</u>.
- ◆ Chapter 3: Revisions to the 2009 DEIR and Supplement to the 2009 DEIR. Corrections to the text and graphics of the 2009 DEIR and Supplement to the 2009 DEIR are contained in this chapter. <u>Double-underline</u> text represents language that has been added to the EIR; text with strikethrough has been deleted from the EIR.
- ◆ Chapter 4: List of Commentors. Names of agencies and individuals who commented on the Draft EIR are included in this chapter. Please note that comments received after the close of the public comment period that could feasibly be included have been listed here and responded to in Chapter 5.
- Chapter 5: Comments and Responses. This chapter contains reproductions of the letters received from agencies and the public on the 2009 DEIR and Supplement to the 2009 DEIR. The responses are keyed to the comments which precede them. Concluding this chapter are the comments provided at the public hearings.

D. Modifications to the Project

Since publication of the Supplement to the 2009 DEIR, certain components of the proposed project have been modified. These modifications are as follows:

- Wastewater treatment and recycled water pipeline. The project no longer proposes to treat wastewater with an on-site wastewater treatment plant (WWTP). Wastewater will be treated by the Napa Sanitation District. Because the project would not include an on-site WWTP, the project no longer proposes to export recycled water from the project site via a pipeline to the Carneros region.
- ◆ Project size. As noted above, the project now proposes to discharge wastewater to NSD. NSD has prepared an analysis of the improvements that would be required in order to accommodate wastewater from the project. NSD used the project alternative called the "Mid-Range Density Alternative" for purposes of analyzing, in detail, potential project impacts, and the improvements which would be necessitated. A description and analysis of the Mid-Range Density Alternative is provided in Chapter 5 of the Supplement to the 2009 DEIR. This Alternative consists of the following proposed uses:
 - 2,050 housing units;
 - Continuing care retirement facility with 150 housing units;
 - 190,000 square feet of office/R&D/light industrial/warehousing/distribution center;
 - 150-suite hotel;
 - 40,000 square feet of retail/restaurant uses; and
 - Approximately 53 acres of open space.

Figure 5-5 in the Supplement to the 2009 DEIR is a conceptual site plan of this alternative.

Because the NSD report focuses on the Mid-Range Density Alternative, and because the DEIR identified the Mid-Range Density Alternative as the "Environmentally Superior Alternative" the applicant has agreed to reduce the size of the project to 2,050 residential units. The Final EIR therefore focuses on the Mid-Range Density Alternative as the "revised project."

The EIR's analysis of impacts uses the project program originally proposed by the applicant, which consisted of 2,580 residential units. Because the EIR analysis focuses on the former, 2,580-unit project, the EIR analysis is conservative, and overstates the impacts that will occur with a 2,050-unit project. Similarly, the mitigation measures identified in the DEIR were designed to address the impacts of the 2,580-unit project, rather than the 2,050-unit project that is now proposed. Accordingly, many mitigation measures, as well, are thus more substantial than would be required by the program of the Mid-Range Density Alternative.

Please see the discussion in Chapter 5 of the Supplement to the 2009 DEIR for a description of how the impacts of a project of this size would compare to the impacts of the project as originally proposed (with 2,580 housing units.

◆ Connection to Kennedy Park. The project no longer proposes a path around Asylum Slough to connect to Kennedy Park. The bridge connection to Kennedy Park is still proposed.

E. Modifications to Significance Conclusions

Since publication of the Supplement to the 2009 DEIR, the significance conclusions of Mitigation Measure TRA-5 and Mitigation Measures TRA-9 through TRA-13 were changed from "Less than Significant" after mitigation to "Significant and Unavoidable," as shown in Table 2-1 of this FEIR. The changes were made in response to public and agency comments because each of these mitigation measures were based on the assumption that the applicant would pay a pro-rated fee (i.e. "fair share") for future intersection improvements where the costs for needed improvements were identified, and the improvements are considered physically feasible. Because the affected intersection improvements are not fully funded and not within the County's jurisdiction, there is no assurance that the balance of required funding will be available and that the improvements will be implemented. These changes in significance conclusions to significant and unavoidable do not change the identified impacts, or the required mitigation measures as described in the 2009

DEIR and Supplement to the 2009 DEIR. Also, the resulting conclusions are consistent with Impact TRA-19, which finds that the project will contribute to cumulative significant and unavoidable impacts (i.e. deterioration of levels of service) on roadways and intersections throughout the study area. For these reasons, modification to significant conclusions affecting Mitigation Measures TRA-5 and Mitigation Measures TRA-9 through TRA-113 does not constitute significant new information as defined by CEQA Guidelines Section 15088.5.

F. Appendices

Since publication of the 2009 DEIR, the contents of the appendices have been amended to include updated studies and additional material. The following is a complete list of the contents of the appendices for the 2009 DEIR, Supplement to the 2009 DEIR, and the FEIR.

Appendix A: Notice of Preparation and Initial Study 2009 DEIR:

- ♦ Notice of Preparation
- ♦ Initial Study

Appendix B: Comprehensive Development Application 2009 DEIR:

◆ Comprehensive Development Application (October 22, 2009 draft)

Supplement to the 2009 DEIR:

- ♦ General Plan Amendment and Zoning Proposal (Revised)
- ♦ Revised Site Plan

Appendix C: Napa Pipe Site Tenants List 2009 DEIR:

♦ Memorandum Re: Napa Pipe Site Tenants List

Appendix D: Population, Employment and Housing 2009 DEIR:

◆ Memorandum Re: Napa Pipe EIR Population, Employment and Housing Analysis

Final EIR:

♦ Claritas Workforce Data

Appendix E: Traffic and Circulation

2009 DEIR:

◆ Napa Pipe Transportation Impact Analysis (September 2009)

Supplement to the 2009 DEIR:

◆ Airport-Related Issues Memo (Mead & Hunt, December 2010)

Appendix F: Air Quality

2009 DEIR:

♦ Air quality worksheets (Illingworth & Rodkin, 2009)

Appendix G: Greenhouse Gases

2009 DEIR:

◆ Greenhouse gas emissions worksheets (DC&E, 2009)

Supplement to the 2009 DEIR:

◆ Greenhouse Gas BGM Model (Illingworth & Rodkin, October, 2010)

Final EIR:

♦ BGM Computed Energy Usage

Appendix H: Hazards and Hazardous Materials

2009 DEIR:

◆ RWQCB Letter Re: Remedial Action Plan Approval for the Napa Pipe Facility, 1025 Kaiser Road, Napa, Napa County

Supplement to the 2009 DEIR:

◆ Conditional Approval of the Remedial Design and Implementation Plan (RDIP) for the Former Napa Pipe Facility, 1025 Kaiser Road,

- Napa, Napa County, (California Regional Water Quality Control Board - San Francisco Bay Region, October 18, 2010)
- ◆ Updated Remedial Design and Implementation Plan, (PES Environmental, Inc., July 15, 2010) (Provided on CD)

Appendix I: Hydrology and Water Quality

2009 DEIR:

- ♦ LSCE Final Technical Memorandum
- Water Supply Assessment (Brownstein Hyatt Farber Schreck, LLP, October 2009)
- ◆ Water and Wastewater Feasibility Study (HydroScience Engineers, September 2009)

Supplement to the 2009 DEIR:

- ◆ Supplement to the Water Supply Assessment (Brownstein Hyatt Farber Schreck, LLP, January 2011)
 - Exhibit A: Decree, Los Molinos Land Company v. Cloughs, Tehama County Sup. Ct., No. 3811
 - Exhibit B: HydroScience Engineers, Napa Pipe Project—Water and Wastewater Feasibility Study (January 2011 Update)
 - Exhibit C: A Survey and Summary of Climate Change Reports (January 2011 Update)
- ◆ Napa Pipe Site Redevelopment Project: Flood Hazard Analysis (Philip Williams & Associates, Ltd., May 2009)
- ◆ BCDC Bay Plan Amendments, Memo from Steve Noack (DC&E) to Hillary Gitelman (Napa County) (February 4, 2011)

Final EIR:

- Water Supply Assessment (Brownstein, Hyatt, Farber, Schreck, August 2011)
 - Exhibit A: Hydroscience Engineers, Inc., Napa Pipe Project, Water And Wastewater Feasibility Study (HydroScience Engineers, January 2011)
 - Exhibit B: City of Napa, City of Napa 2005 Urban Water Management Plan Update (January 2006)

- Exhibit C: Groundwater Report: Former Napa Pipe Corporation (Stetson Engineers, Inc., August 2009)
- Exhibit D: 2050 Napa Valley Water Resources Study (West Yost & Associates, October 2005)
- Exhibit E: Technical Memorandum: Feasibility Level Evaluation
 of the Groundwater Supply Available from the Napa Pipe Corporation Facility for Use as a Municipal Supply, Project No.
 424-02-05-03.01 (West Yost & Associates, August 2005)
- Exhibit F: Geology and Groundwater in Napa and Sonoma Valleys, Napa and Sonoma Counties, California, Geological Survey Water Supply Paper 1495 (F. Kunkel and J.E. Upson, 1960)
- Exhibit G: Ground-Water Resources in the Lower Milliken-Sarco-Tulucay Creeks Area, Southeastern Napa County, California 2000-2002, United States Geological Survey Water-Resources Investigations Report 03-4229 (C.D. Farrar and L.F. Metzger, 2003)
- Exhibit H: Suscol Production Well and Deep Aquifer Characterization Report, Napa Pipe Corporation, Napa, California (Montgomery Watson, October 1993)
- Exhibit I: Decree, Los Molinos Land Company v. Cloughs, Tehama County Sup. Ct., No. 3811
- Exhibit J: Strategic Plan for Recycled Water Use in the Year 2020 (Napa Sanitation District, August 2005)
- Exhibit K: Board of Directors Materials (Napa Sanitation District, June 2009)
- Exhibit L: Reasoned Legal Opinion re Wastewater Service for Napa Pipe Project (Brownstein Hyatt Farber Schreck, LLP, August 2009)
- Exhibit M: Technical Memorandum: Task 1: Water Demand and City Water System Hydraulic Impacts, Project No. 424-02-07-05 (West Yost & Associates, August 2008)
- Exhibit N: A Survey and Summary of Climate Change Reports (Brownstein Hyatt Farber Schreck, LLP, August 2011)

Appendix J: Cultural Resources

2009 DEIR:

- Historical Evaluation of the Buildings on the Napa Pipe Property, South of Napa County, California (Tom Origer & Associates, September 2008)
- A Cultural Resources Survey of the Napa Pipe Property, 1025 Kaiser Road Napa County, California (Tom Origer & Associates, October 2007)

Supplement to the 2009 DEIR:

◆ Cultural Resources Survey for the Napa Pipe Water and Wastewater Feasibility Study (Tom Origer & Associates, December 2010)

Appendix K: Biological Resources

2009 DEIR:

♦ Water Supply Options (Removed)

Supplement to the 2009 DEIR:

- ◆ Environmental Assessment of Imported Water Supply (ICF International, January 2011)
- ◆ Biological Resource Assessment Supplement to the Draft EIR (Environmental Collaborative, January 2011)

Appendix L: Harrison Property

Supplement to the 2009 DEIR:

- ◆ Napa Pipe EIR Harrison Property School Site Noise and Air Quality Constraints (Illingworth & Rodkin, June 2010)
- ◆ Harrison Property Phase 1 Environmental Site Assessment (Kleinfelder, May 6, 2006) (Provided on CD)
- ◆ California Department of Education Initial School Site Evaluation (June 16, 2011)
- California Department of Toxic Substances Control, EnviroStor Database information for Harrisson Property (December 16, 2010)

Final EIR:

◆ Completion Report - Removal of Former Wastewater Treatment Ponds

◆ RWQCB Approval of Completion Report

Appendix M: Public Services and Recreation

Final EIR:

◆ Class I Facilities

Appendix N: Wastewater Treatment

Final EIR:

- ◆ Napa Pipe Wastewater Treatment Plant Impact Analysis (Napa Sanitation District, December 2011)
- ◆ Napa Pipe Recycled Water Impact Analysis (RMC Water and Environment, December 2011)
- Hydraulic Modeling Napa Pipe Collection System Impact Analysis
 Technical Memorandum No. 2 (Winzler & Kelly, December 2011)

Appendix O: Public Comments (Merits Comments)

Final EIR:

♦ (Comment letters from individuals)

Appendix P: Reference Documents List

Final EIR:

♦ List of reference documents.

G. Reference Documents

In addition to the documents included in the appendices, the County has also compiled a list of all documents available for public review to assist members of the public in reviewing documents referenced in this EIR. This list is included in Appendix P, as indicated above.