



****Amended 11/2/21****
City of St. Helena
Planning Commission
Regular Meeting
Tuesday, November 2, 2021 @ 6:00 PM

This meeting will be conducted pursuant to the provisions of Government Code Section 54953 (as amended by AB 361) which authorizes teleconferenced meetings under the Brown Act during certain proclaimed States of Emergency. The Governor of California proclaimed a State of Emergency related to COVID-19 on March 4, 2020. This teleconferenced meeting is necessary so that the city can conduct essential business and is permitted under Government Code 54953 in order to protect public health and safety of attendees.

Consistent with Government Code Section 54953, this Planning Commission Meeting will be held via teleconference only, and will not be physically open to the public. Commission members and staff will teleconference into the meeting by audio and/or video. The meeting will be conducted via Zoom Webinar.

The Planning Commission meeting will be live-streamed on Comcast Channel 28 and on the City's website, barring technical difficulties. Those members of the public wishing to participate must do so remotely via Zoom electronic meetings in the following ways; by either logging onto the Zoom link located on the meeting agenda (please download the app to your computer or mobile device) and enter the meeting ID or by calling a listed number and enter the meeting ID. Public comment for Planning Commission meetings will be accepted via email to publiccomment@cityofstheleena.org. All public comments must be emailed by 4:00 PM prior to the meeting. Emailed public comments will not be read out loud but will be publicly available and attached to the on-line Planning Commission agenda.

Please see the end of the agenda for detailed PUBLIC PARTICIPATION instructions. Spanish translation for this meeting will be offered. To access Spanish translation, you will need to join the meeting using the Zoom app from a computer, iPad or iPhone. You will see an icon on the screen that will allow you to choose Spanish translation. To learn how to use Zoom, please see the instructions below.

Please click the link below to join the meeting:

<https://us02web.zoom.us/j/84517301810>

Or One tap mobile :

US: +16699006833,,84517301810# or +12532158782,,84517301810#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 929 205 6099
or +1 301 715 8592

Meeting ID: 845 1730 1810

International numbers available: <https://us02web.zoom.us/j/kcaCjGmrp>

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes.

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**Ciudad de Santa Helena  
Reunión del Comisión de Planificación  
2 de noviembre del 2021 @ 6:00 PM**

Esta reunión será realizada conforme a las provisiones del Código de Gobierno Sección 54953 (modificada por AB 361) la cual autoriza las reuniones de teleconferencia bajo el Brown Act durante ciertos Estados de Emergencia. El gobernador de California proclamó Estado de Emergencia relacionado con el COVID-19 el 4 de marzo del 2020. Esta reunión por teleconferencia es necesaria para que la ciudad pueda realizar deberes esenciales y es permitido bajo el Código de Gobierno 54953 en orden de proteger la salud pública y seguridad de los asistentes.

Consistente con el Código de Gobierno Sección 54953, esta reunión del Comité de Planificación será realizada via teleconferencia y no será físicamente abierta al público. Miembros del comité y personal atenderán la reunion por audio y/ o video. La reunion será transmitida via Zoom.

La reunión del Comité de Planificación de la Ciudad se transmitirá en vivo por el Canal 28 de Comcast y en el sitio web de la Ciudad, salvo dificultades técnicas. Aquellos miembros del público que deseen participar deben hacerlo de forma virtual a través de las reuniones electrónicas de Zoom de las siguientes maneras; iniciando sesión en el enlace Zoom ubicado en la agenda de la reunión (descargue la aplicación en su computadora o dispositivo móvil) e ingrese el ID de la reunión o llamando al número ubicado en la agenda e ingrese el ID de la reunión. Se aceptarán comentarios públicos para la reunión del Comisión de Planificación por correo electrónico a [publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org). Todos los comentarios públicos se harán públicos y se adjuntarán a la agenda, pero no se leerán en voz alta. Todos los comentarios públicos que se reciban después de las 4:00 PM se adjuntarán a la agenda al día siguiente.

**Consulte el final de la agenda para obtener instrucciones detalladas de PARTICIPACIÓN PÚBLICA.**

Se ofrecerá traducción al español para esta reunión. Para acceder a la traducción al español, deberá unirse a la reunión utilizando la aplicación Zoom desde una computadora, iPad o iPhone. Verá un icono en la pantalla que le permitirá elegir la traducción al español. Para aprender como utilizar Zoom, consulte las instrucciones a continuación.

Haga clic en el enlace a continuación para participar en la reunión:

<https://us02web.zoom.us/j/84517301810>

O por iPhone one-tap:

US: +16699006833,,84517301810# or +12532158782,,84517301810#

O por telefono:

Marque (para mejor calidad de llamada, marque al numero basado en su localizacion actual):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

**ID de la Reunión: 845 1730 1810**

Números Internacionales Disponibles: <https://us02web.zoom.us/j/kcaCjGmrp>

**TENGA EN CUENTA: Cualquier persona que desee hablar sobre un tema en la agenda o hacer un comentario en la sección de "comentario público" de la agenda puede hacerlo, pero por favor observe el límite de tiempo de cuarto minutos.**

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Page

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

Chair: John Ponte

Vice Chair: Daniel Hale

Commissioners: Autumn Anderson, Rosaura Segura and Marika Rothfeld.

City staff present at the meeting will be noted in the minutes.

3. PUBLIC FORUM:

This is an opportunity for the public to address the Commission on items of interest to the public that are NOT listed on the agenda. Because of restrictions imposed by the Brown Act, the Commission may not engage in discussion nor take action on matters not described on the agenda. **Please observe the time limit of four minutes.**

4. CONSENT ITEMS

Members of the Commission or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

4.1. Approval of Minutes: October 19, 2021

9 - 11

[Planning Commission Minutes 10.19.2021](#)

5. PUBLIC HEARINGS

5.1. Receiving Comments on the Draft Environmental Impact Report for the Hunter Subdivision Project

13 - 144

CEQA Determination: Draft Environmental Impact Report (Currently in 45-Day Public Review)

Prepared By: Eric Norris, Planning Consultant

Recommendation:

No action can be taken by the Planning Commission at tonight's meeting, which is solely for the purpose of receiving public comments on the Draft EIR.

The proposed project will require a public hearing at both the Planning Commission and City Council, which will be separately noticed as required by the City's procedures.

Staff therefore recommends that the Planning Commission:

- 1) Receive staff's presentation on the EIR process;
- 2) Open the public hearing;
- 3) Receive comments from the public; and
- 4) Close the public hearing

Staff and members of the team which prepared the EIR will be available if members of the Commission have questions about the document.

***\*\*Public comment received before meeting***

***\*\*\*Public comment received post meeting\*\*\****

[\\*\\*Receiving Comments on the Draft Environmental Impact Report for the Hunter Subdivision Project - Staff Report](#)

[\\*\\*Hunter PPT Presentation](#)

6. NEW BUSINESS

7. SCHEDULED MATTERS

8. DEPARTMENT REPORTS

This is an opportunity for staff to report on or update the Commission on any relevant matters.

9. AGENDA FORCAST

Below is a link to a list of pending and upcoming projects which may be of interest to the community.

This is also an opportunity for the Commission as a whole to request items be placed on future agendas for discussion. These items should be consistent with, and work to implement adopted Council Goals.

A list of all current planning projects is available on our city website in the link below:

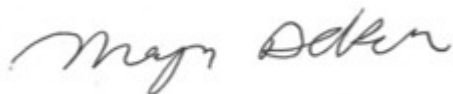
[http://www.cityofsthelena.org/projects?term\\_node\\_tid\\_depth=21](http://www.cityofsthelena.org/projects?term_node_tid_depth=21)

Please contact the assigned project Planner for additional questions.

10. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for November 16, 2021 at 6:00 pm.

I do hereby certify that a copy of the foregoing agenda was posted on the City website on October 21, 2021 and amended on October 22, October 28, 2021, November 1, 2021 and November 2, 2021.



Maya DeRosa, Planning & Building Director

**Appeal.** A person who is dissatisfied with a decision of the Planning Commission may appeal that decision to the City Council pursuant to

Municipal Code Section 17.08.180, Appeal procedure. Actions of the Planning Commission will be listed on the City Council agenda the following Tuesday to give the City Council opportunity to review the Planning Commission's decision. Absent of an appeal by the City Council or by a citizen, the appeal period will terminate two weeks after the Planning Commission hearing.

**Special Assistance for the Disabled.** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 967-2792. Notification 48 hours prior to the meeting will enable City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility. The City Clerk has equipment to assist those with a hearing impairment.

#### PUBLIC TESTIMONY PROCEDURES

Pursuant to the Government Code Section 54954.3, the public may address the Commission on each agenda item during the Commission's consideration of that item. Each speaker has the option to state his or her name for the record before testifying. Depending on the number of speakers or the interest of the item, the Planning Commission Chairman may also restrict, at his/her discretion, the speaker's time to three minutes. The Chairman may also restrict public comments if they become irrelevant to the agenda item or repetitious of prior comments. All persons interested may appear and be heard or submit written statements prior to the Planning Commission meeting. Please note that if you challenge the City's decision on any of these matters in court, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered to the City at, or prior to, the meeting.

#### CHALLENGING DECISIONS OF CITY ENTITIES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of St. Helena is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing.

If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of St. Helena, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

## SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the Planning Commission regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the Planning Department's Office located at 1480 Main Street, St. Helena, California, during normal business hours. In addition, such writings or documents will be made available on the City's web site at <http://cityofsthenelena.org> and will be available for public review at the respective meeting.

## THE CITY OF ST. HELENA ENCOURAGES ONLINE PUBLIC PARTICIPATION IN VIRTUAL PLANNING COMMISSION MEETINGS

St. Helena, CA– The City of St. Helena is committed to public participation in City government in a manner that is consistent with guidance provided by the Napa County Public Health Official and Governor Newsom's Executive Order N-25-20. These guidelines relate to social distancing, and are intended to protect everyone by limiting the spread of COVID-19 in our community. In adherence to these guidelines, the St. Helena Planning Commission will host a Virtual Planning Commission Meeting on Zoom; a free teleconferencing tool that enables users to watch and/or call into the meeting from their computers or phones. This meeting will be open to public and allows for live public comment. The meeting will also be recorded, livestreamed, and posted on the City's website after the adjournment of the meeting if technical difficulties occur: <https://sthenelena.civicweb.net/Portal/>

**The ZOOM web link, meeting ID, and phone number will be listed at the top of the Planning Commission Meeting Agenda. You will be required to enter the meeting ID, but there will be no password or participant ID.**

### How to Watch or Listen to Planning Commission Meetings:

1. Watch on Comcast Channel 28
2. Watch the livestreaming video on the City's website
3. Watch and Listen on Zoom.us by clicking on the link in the Planning Commission Agenda
4. Listen only by calling the Zoom number listed on the Planning Commission Agenda

### Watch Planning Commission Meetings by Joining the Zoom Meeting:

1. **By Computer, Tablet, or Smart Phone:**
  - a. Before joining the virtual Planning Commission Meeting, it is highly encouraged that you download the Zoom App. To sign up for your own free account, visit [zoom.us/signup](https://zoom.us/signup) and enter your email address. You will receive an email from Zoom (no-reply@zoom.us). In this email, click Activate Account.
  - b. If you are logged into your account, Enter the **Meeting ID** listed on the Planning Commission Agenda. If you have not created an account go to: <https://zoom.us/join> and enter the **Meeting ID**
  - c. Select if you would like to connect audio and/or video and tap **Join Meeting**.

- d. For specific instructions for your device, go to:  
<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

1. **Listen Only by Telephone:**

- a. **Dial** the number listed on the Planning Commission Agenda.
- b. At the prompt, enter the **Meeting ID** provided on the top of the Planning Commission Meeting Agenda and **Press #. A participate ID is not required.**
- c. To disconnect from the meeting, hang up the phone.

**Ways to Provide Public Comment:**

While attending the virtual Planning Commission Meeting, the public will have the opportunity to provide live public comment during Public Forum and after each agenda item. When it is the appropriate time for public comment the Chair will verbally open public comment. At this time each individual is permitted 4 minutes to speak.

1. **Send a Public Comment in by 4:00 PM Prior to the Meeting to:**  
[publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org)

The easiest way to provide public comment is to email your public comment. Public comments may be emailed to [publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org). Please include in the subject line "COMMENT TO PLANNING COMMISSION and the AGENDA ITEM". Any public comment is required to be submitted no later than 2 hours before the scheduled meeting and will be included as an attachment to the agenda. All public comments will be made publicly available and attached to the agenda item and will not be read out loud. All public comments that are received after 4:00 PM will be attached to the agenda the following day.

2. **Provide Comment through Zoom meeting from a computer, tablet, or smart phone**

This option allows the public to virtually attend the meeting as a muted 'attendee' with no video or screen sharing capabilities. You will be able to see and hear those participating in the meeting, but they will not be able to hear you until the host unmutes you.

If you wish to provide public comment during a specific agenda item or during public forum, you can use the "**raise hand**" feature located in the control panel at the bottom of your screen. The icon is a small blue hand. In Windows you can also use the Alt+Y keyboard shortcut to raise or lower your hand. In Mac you can also use the Option+Y keyboard shortcut to raise or lower your hand.

The host will be notified that you've raised your hand and you will be placed in a queue with all incoming requests.

When it is your turn to speak, you will be notified that the host has unmuted you. To be removed from the queue, just click the '**raise hand**' button again.

3. **Call in to the ZOOM meeting from a cell phone or landline phone only**

This option allows the member of the public with the opportunity to verbally participate in public comment.

If you wish to speak during public comment time dial **\*9** on your telephone.

The host will be notified that you would like to speak and you will be placed in a queue with all incoming requests.

When it is your turn to speak, you will be notified that the host has unmuted you. You may press **\*9** again if you wish to be removed from the queue.

You will be notified at the end of your statement that you have been muted.

**MINUTES**  
**City of St. Helena**  
**Planning Commission Meeting**  
**Tuesday, October 19, 2021 @ 6:00 PM**  
**Virtual Meeting**

A complete video recording of this meeting, except for closed session, can be found at <https://sthelena.civicweb.net/Portal/> or by calling the City Clerk at (707) 967-2792. The Planning Commission video is the official record of the Planning Commission meeting.

**Present:** Chair John Ponte, Vice Chair Daniel Hale, Commissioner Autumn Anderson, Commissioner Rosaura Segura and Commissioner Marika Rothfeld  
**Absent:** None  
**Staff Present:** Maya DeRosa, Planning & Building Director, Chantal Power, Contract Planner and Kamille Garcia, Administrative Records Assistant

**1. PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER AND ROLL CALL**

**3. PUBLIC FORUM:**

No public comment was received.

**4. CONSENT ITEMS**

**4.1 Approval of Minutes: October 5, 2021**

No public comment was received.

Commissioner Daniel Hale moved to approve consent item 4.1. The motion was seconded by Commissioner Rosaura Segura and on roll call carried by the following vote:

AYES: Daniel Hale, Autumn Anderson, Rosaura Segura, John Ponte, and Marika Rothfeld

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

**5. PUBLIC HEARINGS**

**5.1 A request by Beth Novak Milliken of Spottswoode Winery for approval of design review for a 780 square foot second story office addition to an existing winery production building located at 1902 Madrona.**

CEQA Determination: Class 1 Categorical Exemption under Section 15301 of the CEQA Guidelines

**Recommendation:**

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15301; and
2. Accept the required findings and approve a resolution granting design review approval for the proposed 780 square foot second story addition remodel of the existing wine production building at the Spottswode Winery located at 1902 Madrona Avenue.

The Public Hearing was opened.

Contract Planner Chantal Power presented on the item and Project Architect Karen Jensen addressed the Planning Commission.

No public comment was received.

The Public Hearing was closed.

Commissioner Daniel Hale moved to approve the staff recommendation determining that the project is exempt from the requirements of CEQA pursuant to Section 15301; and accept the required findings and approve a resolution granting design review approval for the proposed 780 square foot second story addition remodel of the existing wine production building at the Spottswode Winery located at 1902 Madrona Avenue. The motion was seconded by Commissioner Autumn Anderson and on roll call carried by the following vote:

AYES: Daniel Hale, Autumn Anderson, Rosaura Segura, John Ponte, and Marika Rothfeld  
NOES: None  
ABSENT: None  
ABSTAIN: None  
RECUSE: None

**6. SCHEDULED MATTERS**

**7. DEPARTMENT REPORTS**

Reports were made by staff.

**8. AGENDA FORCAST**

**9. ADJOURNMENT**

Chair Ponte adjourned the meeting at **6:23 pm**.

The October 19, 2021 minutes were approved at the \_\_\_\_\_  
Planning Commission meeting.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
John Ponte, Chair Planning Commission

\_\_\_\_\_  
Maya DeRosa, AICP  
Planning and Building Director





## PLANNING COMMISSION REPORT

Planning Commission Meeting of November 2, 2021

**SUBJECT:** Receiving Comments on the Draft Environmental Impact Report for the Hunter Subdivision Project

**PREPARED BY:** Eric Norris, Planning Consultant

**REVIEWED BY:** Maya DeRosa, Planning & Building Director

**APPROVED BY:** Maya DeRosa, Planning & Building Director

### **APPLICATION FILED:**

### **BACKGROUND**

In 2010, the applicant, Bill Van Zutphen, applied to the City to subdivide an approximately 17-acre parcel of land in the eastern area of the city, east of the existing terminus of Adams Street. The proposed subdivision would create lots for 51 single family homes and a 52nd lot on which at least 25 attached multi-family homes would be built. The applicant proposes to include Accessory Dwelling Units (ADUs) with 11 of the 51 single family homes. Including the ADUs, the project would have 87 homes, which is the minimum number of homes that can be built on the site per its existing General Plan and Zoning density.

Designs for the single-family and multi-family homes have not yet been submitted. The only approval being sought at this time is the subdivision itself.

If the subdivision is approved, the project will also require future discretionary approval of: 1) an Affordable Housing Agreement prior to recordation of a Final Map; 2) a Conditional Use Permit (the latter for the development of the proposed multi-family homes); and 3) a Design Review permit. These applications are not being considered at this time but will be submitted and reviewed at a future date.

DRAFT ENVIRONMENTAL IMPACT REPORT

A Draft Environmental Impact Report (EIR) examining the potential environmental impacts of the proposed project has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970 (California Public Resources Code, Section 21000 et seq.) and the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines; 14CCR 15000 et seq.) published by the Public Resources Agency of the State of California.

A professional consultant, Dudek, working for and at the direction of the City, prepared the Draft EIR, which is available online at:

<https://www.cityofsthenelena.org/planning/page/hunter-draft-eir>

The Draft EIR is also available in printed form at:

- St. Helena Public Library, 1492 Library Lane, St. Helena, CA 94574; and
- St. Helena Planning Department, 1572 Railroad Avenue, St. Helena, CA 94574

The purpose of the Draft EIR is to describe the project and to analyze whether and to what extent the project's construction or operation could result in physical impacts to the environment. Where impacts are identified, the Draft EIR identifies mitigation measures that are available to reduce or eliminate the impact.

The Draft EIR's purpose is to be an informational document. It does not recommend whether the project should be approved or denied.

The Draft EIR examines a wide range of environmental topics:

- Aesthetics/Visual Resources
- Agriculture And Forestry Resources
- Air Quality
- Biological Resources
- Cultural And Tribal Cultural Resources
- Geology And Soils
- Greenhouse Gas Emissions
- Hazards And Hazardous Materials
- Hydrology And Water Quality
- Land Use
- Noise And Vibration
- Public Services And Recreation
- Utilities And Service Systems
- Transportation And Circulation
- Energy

The Draft EIR concludes that the project's impacts can all be reduced to a less-than-significant level except impacts related to "Vehicle Miles Travelled," which measures the amount of new vehicle travel (measured in the number of miles driven by residents to work, shopping, and other locations). Impacts related to VMT are identified as "significant unavoidable." All other impacts in the Draft EIR have been mitigated to a level of less than significant.

CEQA requires that the Draft EIR also examine the impacts of a range of alternatives to the project. The following four alternatives are analyzed in the Draft EIR:

- Alternative 1: No Project/No Development
- Alternative 2: No Project/General Plan
- Alternative 3: Park/Open Space Preserve
- Alternative 4: Increased Density/Affordable Housing

Finally, the Draft EIR considers the project's potential to induce growth on other parcels, impacts that would be created in combination with other existing and future development, and other topics required by state law. Technical studies to support the analysis and conclusions in the EIR are included in an Appendices volume.

#### PUBLIC COMMENT

On September 23, 2021, the Draft EIR began a state-mandated 45-day review period, during which the public and other public agencies can review and comment on the document. The public comment period ends on Monday, November 8, 2021, at 5:00 p.m.

Public and agency comments on the Draft EIR can be submitted in several ways:

- Via email to [MDerosa@cityofsthelena.org](mailto:MDerosa@cityofsthelena.org)
- Via US Mail to:

Maya DeRosa, AICP, Planning and Building Director  
 City of St Helena, Planning Department  
 1572 Railroad Avenue  
 St Helena, CA 94574

- Verbally or in writing at tonight's meeting.

Written comments received to date have been uploaded to the project agenda page. Tonight's meeting will be recorded, preserving all verbal comments. However, it is recommended that comments are submitted in writing to ensure that the commentor's specific questions/comments are properly recorded.

Comments should be focused on the adequacy of the Draft EIR, not the project itself. Comments expressing an opinion or position on the project can be sent to the City, but will not be responded to in the Final EIR if they do not relate to the accuracy or adequacy of the EIR. The proposed project will be considered in public hearings at both the Planning Commission and City Council, at which the public will be able to speak and offer comments and opinions on the project.

As required by state law, all comments received from the public and other public agencies during the public review period will be responded to before the EIR is presented to the Planning Commission for consideration of certification. These “responses to comments” or Final EIR will be available to commentors and the public for review prior to any decision by the Planning Commission and City Council to certify the EIR as complete and adequate.

### **STAFF RECOMMENDATION**

No action can be taken by the Planning Commission at tonight’s meeting, which is solely for the purpose of receiving public comments on the Draft EIR.

The proposed project will require a public hearing at both the Planning Commission and City Council, which will be separately noticed as required by the City’s procedures.

Staff therefore recommends that the Planning Commission:

- 1) Receive staff’s presentation on the EIR process;
- 2) Open the public hearing;
- 3) Receive comments from the public; and
- 4) Close the public hearing

Staff and members of the team which prepared the EIR will be available if members of the Commission have questions about the document.

### **ATTACHMENTS**

[Attachment 1 Tentative Map](#)

[Attachment 2 Hunter DEIR NOA 9-20-21](#)

[\\*\\*Public Comment \(1\) Rose](#)

[\\*\\*Public Comment \(2\) Bouligny](#)

[\\*\\*Public Comment \(3\) Vrabel](#)

[\\*\\*Public Comment \(4\) Gundling](#)

[\\*\\*Public Comment \(5\) Gundling](#)

[\\*\\*Public Comment \(6\) Dickson](#)

[\\*\\*Public Comment \(7\) Echols](#)

[\\*\\*Public Comment \(8\) Hansen](#)

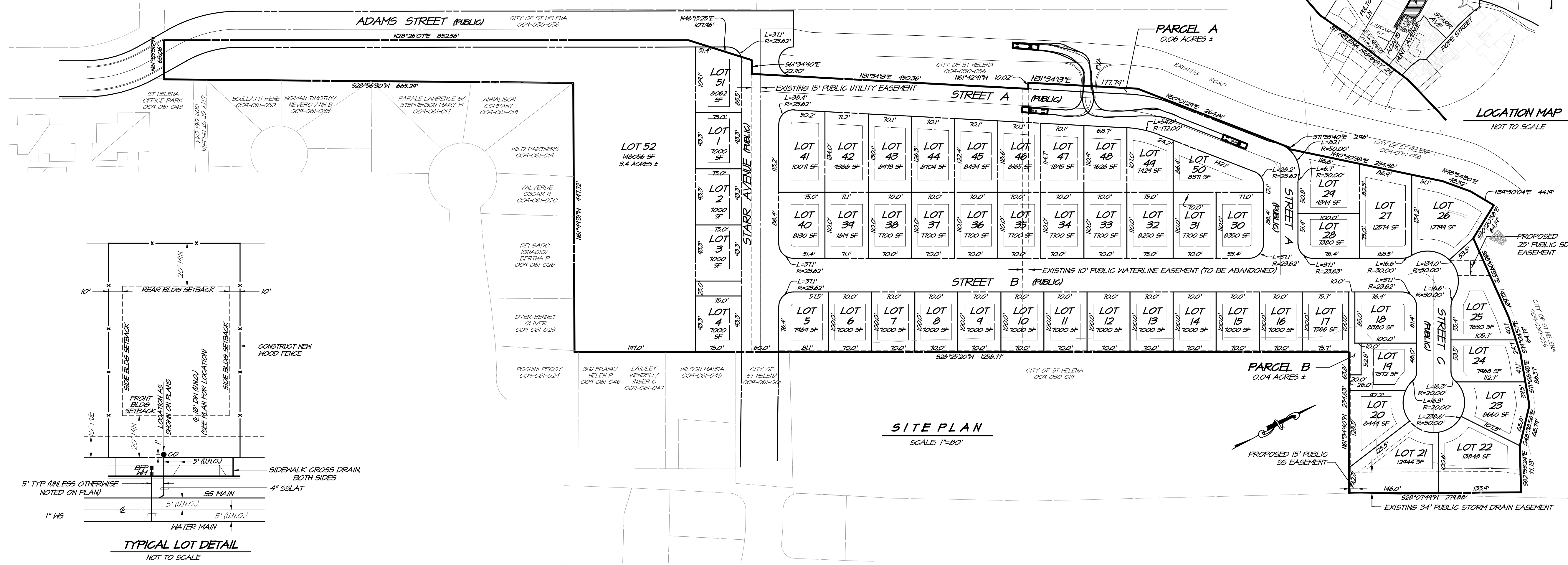
[\\*\\*Public Comment \(9\) Galbraith](#)

[\\*\\*Public Comment \(10\) Corsetti](#)

[\\*\\*Public Comment \(11\) Buckley](#)  
[\\*\\*Public Comment \(12\) Buckley](#)  
[\\*\\*Public Comment \(13\) Amoroso](#)  
[\\*\\*Public Comment \(14\) Buckley](#)  
[\\*\\*Public Comment \(15\) Buckley](#)  
[\\*\\*Public Comment \(16\) Buckley](#)  
[\\*\\*Public Comment \(17\) Kelly](#)  
[\\*\\*Public Comment \(18\) Redmon](#)  
[\\*\\*Public Comment \(19\) Belt](#)  
[\\*\\*Public Comment \(20\) Dervin](#)  
[\\*\\*Public Comment \(21\) Dale](#)  
[\\*\\*Public Comment \(22\) Villegas](#)  
[\\*\\*Public Comment \(23\) Gingerelli](#)  
[\\*\\*Public Comment \(24\) Fowler](#)  
[\\*\\*Public Comment \(25\) Burton](#)  
[\\*\\*Public Comment \(26\) Willey](#)  
[\\*\\*Public Comment \(27\) Wilson](#)  
[\\*\\*Public Comment \(28\) Patton](#)  
[\\*\\*Public Comment \(29\) Powell](#)  
[\\*\\*Public Comment \(30\) Bryan](#)  
[\\*\\*Public Comment \(31\) Cole](#)  
[\\*\\*Public Comment \(32\) Casten](#)  
[\\*\\*Public Comment \(33\) Paulus](#)  
[\\*\\*Public Comment \(34\) Schoof](#)  
[\\*\\*Public Comment \(35\) Mosler](#)  
[\\*\\*Public Comment \(36\) Venezia](#)  
[\\*\\*Public Comment \(37\) Lane](#)  
[\\*\\*Public Comment \(38\) Marks](#)  
[\\*\\*Public Comment \(39\) Hardy](#)  
[\\*\\*Public Comment \(40\) Ritchie](#)  
[\\*\\*Public Comment \(41\) Candia](#)  
[\\*\\*Public Comment \(42\) Cohen](#)  
[\\*\\*Public Comment \(43\) Ford](#)  
[\\*\\*Public Comment \(44\) Jonelis](#)  
[\\*\\*Public Comment \(45\) Krsek](#)  
[\\*\\*Public Comment \(46\) Austin](#)  
[\\*\\*Public Comment \(47\) Wood](#)  
[\\*\\*Public Comment \(48\) McCreedy](#)  
[\\*\\*Public Comment \(49\) Stephens](#)  
[\\*\\*Public Comment \(50\) Brown](#)  
[\\*\\*Public Comment \(51\) Kenealy](#)  
[\\*\\*Public Comment \(52\) Amoroso](#)  
[\\*\\*Public Comment \(53\) Ringenberg](#)

[\\*\\*Public Comment \(54\) Crebs](#)  
[\\*\\*Public Comment \(55\) Buckley](#)  
[\\*\\*Public Comment \(56\) Milliken](#)  
[\\*\\*Public Comment \(57\) Luria](#)  
[\\*\\*Public Comment \(58\) Buckley](#)  
[\\*\\*\\*Public Comment \(59\) Greisen\\*\\*\\*](#)  
[\\*\\*\\*Public Comment \(60\) Nieman\\*\\*\\*](#)  
[\\*\\*\\*Public Comment \(61\) Kenward\\*\\*\\*](#)  
[\\*\\*\\*Public Comment \(62\) Band\\*\\*\\*](#)

TENTATIVE MAP  
HUNTER SUBDIVISION  
ST HELENA CALIFORNIA



SYMBOL LEGEND

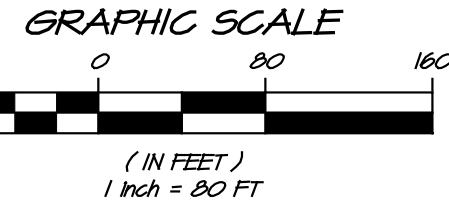
| EXISTING                                   | PROPOSED                |
|--------------------------------------------|-------------------------|
| EDGE OF PAVEMENT                           | EDGE OF PAVEMENT        |
| STORM DRAIN LINE                           | STORM DRAIN LINE        |
| SANITARY SEWER LINE                        | SANITARY SEWER LINE     |
| WATER LINE                                 | WATER SERVICE LINE      |
| SANITARY SEWER MANHOLE                     | STD STORM DRAIN MANHOLE |
| STORM DRAIN MANHOLE                        | STD FIRE HYDRANT        |
| BANK/LOPE                                  | STD WATER VALVE         |
| CURB AND GUTTER                            | STD CATCH BASIN         |
| CATCH BASIN                                | STD FIRE HYDRANT        |
| SIDEWALK                                   | STD WATER VALVE         |
| FIRE HYDRANT                               | STD CATCH BASIN         |
| WATER VALVE                                | STD FIRE HYDRANT        |
| STREET LIGHT                               | STD WATER VALVE         |
| CLEANOUT                                   | STD CATCH BASIN         |
| WATER METER AND BACKFLOW PREVENTION DEVICE | STD FIRE HYDRANT        |
| TREE TO REMAIN                             | STD WATER VALVE         |
| FENCE                                      | STD CATCH BASIN         |
| JOINT POLE IN GUY                          | STD FIRE HYDRANT        |
| DRIVEWAY                                   | STD WATER VALVE         |
| CONTOUR LINE                               | STD CATCH BASIN         |
| SPOT ELEVATION                             | STD FIRE HYDRANT        |
| OVERHEAD ELECTRIC                          | STD WATER VALVE         |

ABBREVIATIONS

|      |                             |       |                                |
|------|-----------------------------|-------|--------------------------------|
| AB   | AGGREGATE BASE              | NH    | NORTHWEST                      |
| AC   | ASPHALT CONCRETE            | OHE   | OVERHEAD ELECTRIC              |
| BVC  | BEGINNING OF VERTICAL CURVE | PL    | PROPERTY LINE                  |
| CB   | CATCH BASIN                 | PUE   | PUBLIC UTILITY EASEMENT        |
| CL   | CLASS                       | PVI   | POINT OF VERTICAL INTERSECTION |
| CO   | CENTERLINE                  | R     | RADIUS                         |
| COG  | CLEANOUT                    | RCE   | REGISTERED CIVIL ENGINEER      |
| CONC | CONCRETE                    | ROH   | RIGHT OF WAY LINE              |
| DI   | DROP INLET                  | S     | SLOPE, SOUTH                   |
| E    | EAST                        | SD    | STORM DRAIN                    |
| ELEV | ELEVATION                   | SDCB  | STORM DRAIN CATCH BASIN        |
| EP   | EDGE OF PAVEMENT            | SDJB  | STORM DRAIN JUNCTION BOX       |
| EVC  | END OF VERTICAL CURVE       | SDMH  | STORM DRAIN MANHOLE            |
| EX   | EXISTING                    | SL    | STREET LIGHT                   |
| EXP  | EXPIRES                     | SS    | SANITARY SEWER                 |
| FACE | FACE OF CURB                | SSLAT | SANITARY SEWER LATERAL         |
| FF   | FINISH FLOOR ELEVATION      | SQ FT | SQUARE FEET                    |
| FG   | FINISH GRADE                | SSE   | SANITARY SEWER EASEMENT        |
| FI   | FIRE HYDRANT                | SSMH  | SANITARY SEWER MANHOLE         |
| FL   | FLOW LINE                   | STA   | STATION                        |
| GB   | GRADE BREAK                 | STD   | STANDARD                       |
| GB   | GARAGE FLOOR ELEVATION      | SH    | SHED                           |
| GNV  | GROUND NOT VISIBLE          | T     | TRASH ENCLOSURE                |
| GP   | GUEST PARKING               | TC    | TOP OF CURB ELEVATION          |
| HP   | HIGH POINT                  | TH    | TOP OF HALL ELEVATION          |
| INV  | INVERT ELEVATION            | TYP   | TYPICAL                        |
| JP   | JOINT POLE                  | VC    | VERTICAL CURVE                 |
| LF   | LINEAL FOOT/FEET            | W     | WATER, WEST                    |
| LP   | LOW POINT                   | WM    | WATER METER                    |
| MAX  | MAXIMUM                     | WUE   | WATER UTILITY EASEMENT         |
| N    | NORTH                       | WV    | WATER VALVE                    |
| NCR  | NAPA COUNTY RECORDS         |       |                                |
| NO   | NUMBER                      |       |                                |

SHEET INDEX

|     |                            |
|-----|----------------------------|
| TM1 | COVER SHEET                |
| TM2 | EXISTING CONDITIONS        |
| TM3 | GRADING PLAN               |
| TM4 | GRADING SECTIONS & DETAILS |
| TM5 | UTILITY PLAN               |



GENERAL NOTES

- NOTES:
- ALL FEATURES SHOWN HEREON REPRESENT CONDITIONS OF THE PROJECT AREA AS COMPILED FROM AN AERIAL SURVEY CONDUCTED JANUARY 4, 2010 BY AEROMETRICS SURVEYS AND A SUPPLEMENTAL FIELD SURVEY BY RSA+ IN JUNE OF 2018. NO ATTEMPT HAS BEEN MADE TO DETERMINE THE EXTENT OR EXISTENCE OF UNDERGROUND UTILITIES OR OTHER FEATURES NOT SURFACE VISIBLE, EXCEPT AS SHOWN HEREON.
  - BOUNDARY INFORMATION SHOWN IS FROM A BOUNDARY SURVEY PERFORMED JULY 2010 BY BROOKS AND ASSOCIATES.
  - THE CITY OF ST HELENA COMPREHENSIVE FLOOD PROTECTION PROJECT IS COMPLETE. SUBJECT PROPERTY IS NO LONGER SUBJECT TO INUNDATION BY FLOOD WATERS AND DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN.
  - THIS MAP SHOWS ALL CONTIGUOUS PROPERTY OF THE OWNERS.
  - THERE ARE NO EXISTING STRUCTURES ON THE SUBJECT PROPERTIES.
  - ALL EXISTING AND PROPOSED EASEMENTS ARE SHOWN.
  - ALL EXISTING AND PROPOSED UTILITIES ARE SHOWN. EXISTING UNDERGROUND UTILITIES AS SHOWN WERE DRAWN FROM RECORD SOURCES ONLY. BURIED PIPES WERE NOT VERIFIED, NOR WAS ANY SUBSURFACE EXPLORATION CONDUCTED.
  - ALL EXISTING UTILITY POLES AND OVERHEAD LINES ARE SHOWN.
  - CONTOUR LINES AS SHOWN ARE AT 1 FOOT INTERVALS.
  - THERE IS NO PHASING PLANNED FOR THIS PROJECT.

**BASIS OF BEARINGS:**  
THE BEARING OF N28°25'20"E BETWEEN THE FOUND MONUMENTS AS SHOWN ON 26 RS 64, MAP NO. 4192

**PROJECT BENCHMARK:**  
USCGS NO. 410 BRASS DISK ON NORTH HALL OF VASCONI PHARMACY.  
ELEVATION 256.58' NGVD 1429

|                           |                                                                                                         |
|---------------------------|---------------------------------------------------------------------------------------------------------|
| OWNER:                    | DENNIS HUNTER<br>1000 COLLEGE AVENUE<br>SANTA ROSA, CALIFORNIA 95404<br>(707) 574-0120                  |
| DEVELOPER:                | BEN AND KELLY VANZUTPHEN<br>231 LORRAINE COURT<br>HEALDSBURG, CALIFORNIA 95440<br>(707) 431-8382        |
| ARCHITECT:                | FARRELL-FABER AND ASSOCIATES<br>1022 MENDOCINO AVENUE<br>SANTA ROSA, CALIFORNIA 95401<br>(707) 574-3811 |
| CIVIL ENGINEER:           | RSA+<br>1515 FOURTH STREET<br>NAPA, CALIFORNIA 94559<br>(707) 252-3301                                  |
| PARCEL NO.:               | APN 004-030-051                                                                                         |
| PARCEL AREA:              | 16.92 ACRES                                                                                             |
| EXISTING USE:             | VACANT/AGRICULTURE                                                                                      |
| PROPOSED USE:             | RESIDENTIAL                                                                                             |
| WATER:                    | CITY OF ST HELENA                                                                                       |
| SEWER:                    | CITY OF ST HELENA                                                                                       |
| EXISTING ZONING:          | MR (MEDIUM DENSITY RESIDENTIAL)                                                                         |
| PROPOSED ZONING:          | MR (MEDIUM DENSITY RESIDENTIAL)                                                                         |
| GENERAL PLAN DESIGNATION: | MEDIUM DENSITY RESIDENTIAL                                                                              |

CITY OF ST HELENA  
COVER SHEET  
HUNTER SUBDIVISION

DATE: JUL 30, 2020  
DRAWN: JES  
DESIGNED: JES  
CHECKED: JNS  
JOB NO.: 180047.0  
SHEET NO.  
**TM1**  
1 OF 5 SHEETS

| APPROVED BY | REVISIONS | DATE | NO. |
|-------------|-----------|------|-----|
|             |           |      |     |

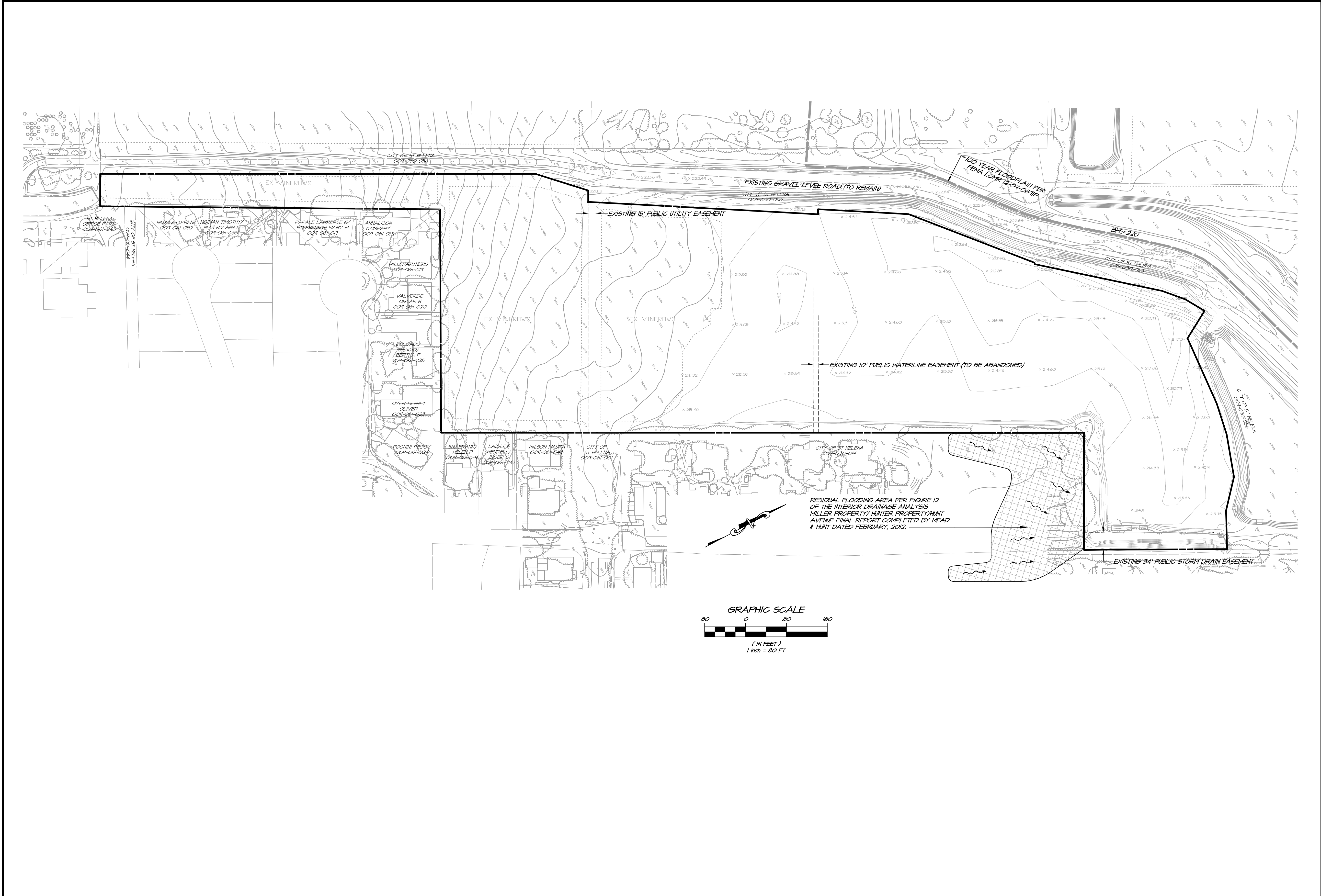
|  |                                                                                                                                                                                      |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <b>RS&amp;A</b><br>REGISTERED PROFESSIONAL ENGINEERS<br>1515 S. GATEWAY AVENUE, SUITE 200<br>SAN ANTONIO, TEXAS 78204<br>TEL: 214-520-1234<br>FAX: 214-520-1235<br>WWW.RSANDASIA.COM |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

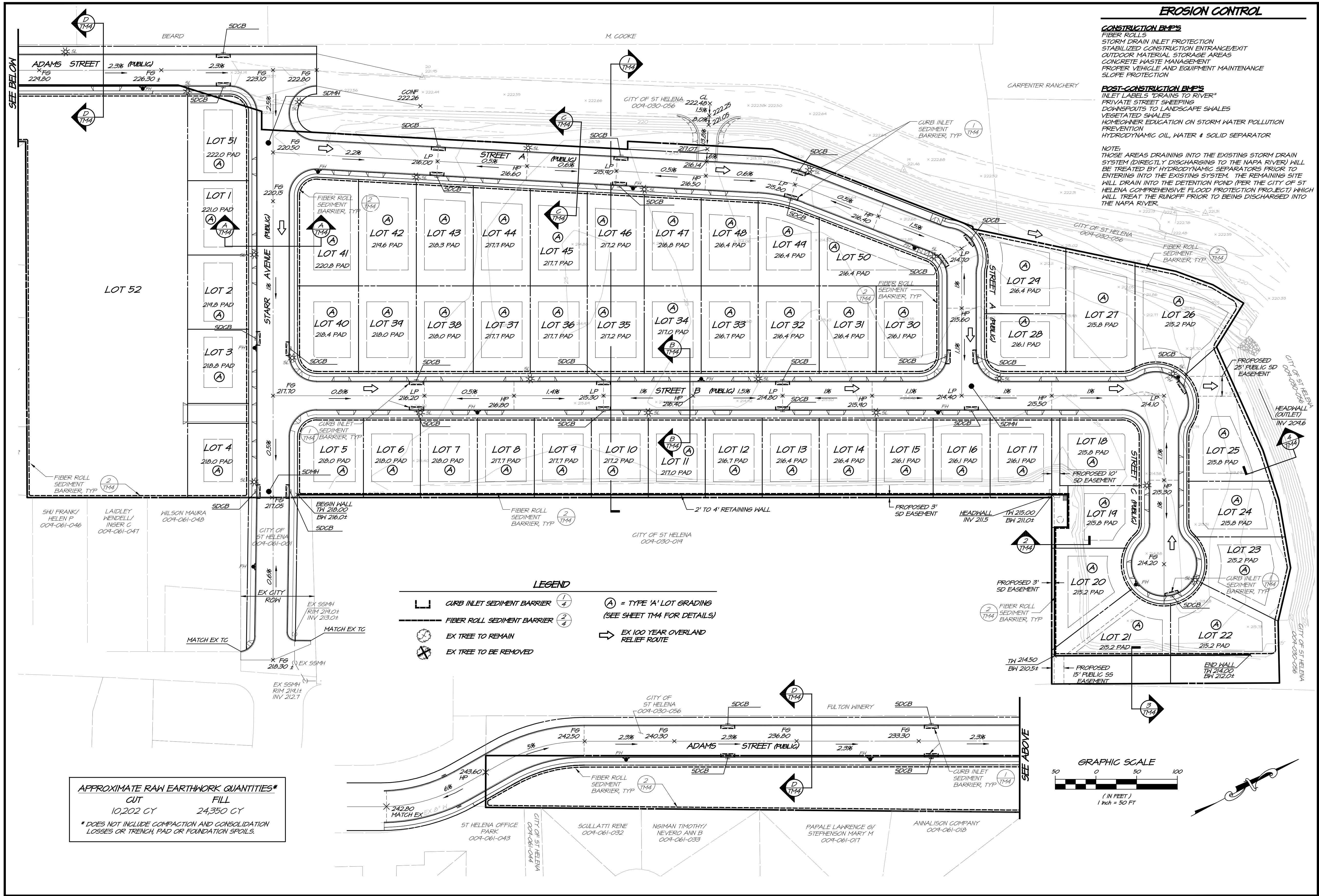
  

|                                                                              |                                                   |
|------------------------------------------------------------------------------|---------------------------------------------------|
| <b>CALIFORNIA</b><br><b>ST HELENA</b><br><b>HUNTER</b><br><b>SUBDIVISION</b> | <b>ENGINEERING</b><br><b>TM2</b><br>2 OF 5 SHEETS |
|------------------------------------------------------------------------------|---------------------------------------------------|

|           |              |
|-----------|--------------|
| DATE      | NOV 20, 2021 |
| DRAWN     | CEL          |
| DESIGNED  | DT           |
| CHECKED   | JN           |
| JOB NO.   | 1100417.0    |
| SHEET NO. | TM2          |





REVISIONS

DATE

PROJECT: ST HELENA CRA PLANNING DIVISION HUNTER SUBDIVISION

DATE: JUL 30, 2021

DRAWN: CIEL

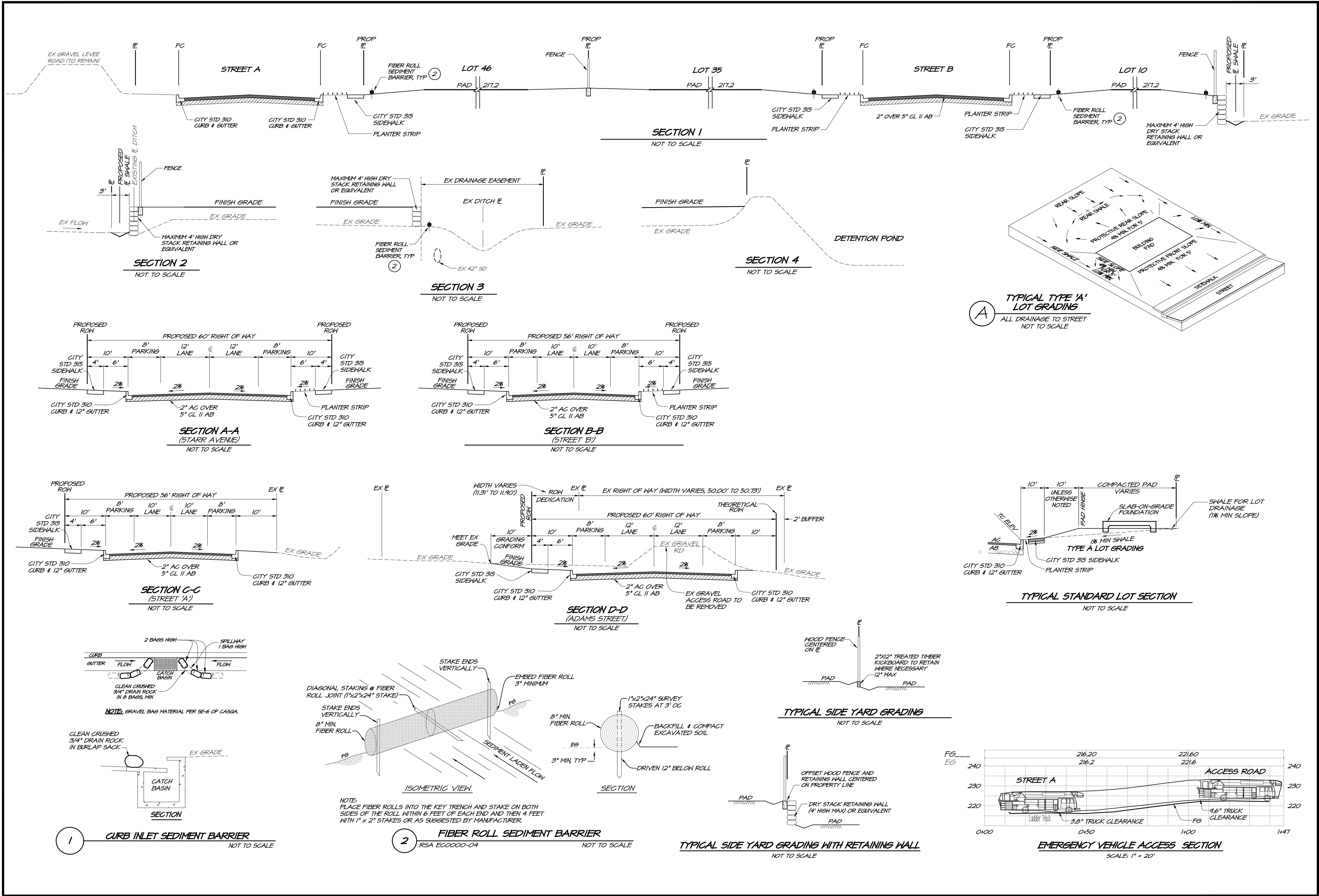
DESIGNED: BTTP

CHECKED: JIN

JOB NO: 170000

SHEET NO. TM3

3 OF 5 SHEETS



|          |        |           |
|----------|--------|-----------|
| APPROVED | DATE   | REVISIONS |
| DATE     | NO.    |           |
| 1.00     | 1.00   |           |
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**City of St. Helena  
NOTICE OF AVAILABILITY**

**Hunter Subdivision Project**  
Draft Environmental Impact Report SCH # 2018032014

**To:** Public Agencies and Concerned  
Citizens/Interested Parties

**From:** City of St. Helena  
Planning Department  
1572 Railroad Avenue  
St. Helena, CA 94574

**Notice:** Notice is hereby given that the City of St. Helena (City), acting as Lead Agency under the California Environmental Quality Act (CEQA), has released a Draft Environmental Impact Report (EIR) prepared for the Hunter Subdivision Project (Proposed Project) for a 45-day review and public comment period. A Planning Commission public hearing to receive verbal comments on the EIR will be held via Zoom on November 2, 2021 at 6:00 p.m. <https://us02web.zoom.us/j/84517301810>. The 45-day public review period will begin on September 23, 2021 and end at 5:00 pm on November 8, 2021. It is highly recommended all comments be submitted to the City in writing.

**Written comments on the Draft EIR must be received by the end of the review period,  
November 8, 2021 at 5:00 p.m.**  
**Submit comments to Maya DeRosa, Planning & Building Director**  
**City of St. Helena, Planning Department**  
**1572 Railroad Avenue, St. Helena, California 94574**  
**or [mderosa@cityofsthelema.org](mailto:mderosa@cityofsthelema.org)**  
**(707) 967-2783**

**Project Description:** The Proposed Project includes a Tentative Map to subdivide the 16.9-acre parcel into 51 single-family lots, a 3.4-acre multi-family parcel, a 0.06-acre remainder parcel, and 0.04-acre parcel to contain an existing agricultural well. Although the only entitlement being sought at this time is a Tentative Map, the applicant intends to build 51 single-family and 11 accessory dwelling units on the lots created by the proposed Tentative Map. The applicant also intends to construct 25 multi-family units on the 3.4-acre parcel. An agricultural well on the 0.04-acre parcel is proposed to remain in place to supply water for all onsite landscaping and other outdoor uses. The Project also includes grading of the site, construction of the extensions of Adams Street and Starr Avenue, construction of local residential streets and installation of utility lines.

The Draft EIR considers the impacts of the project as described above. Future discretionary approvals, including an Affordable Housing Agreement, design review, and a conditional use permit will be required before development of the Project can proceed.

**Project Location:** The Project site is located in the northeast portion of the City, at the eastern terminus of Adams Street, three blocks east of downtown and State Route 29 (SR 29), and west of the Napa River. The site's Assessor Parcel Number is 009-030-057.

**Potential Environmental Impacts:** The following are potentially significant environmental effects anticipated as a result of the Project: aesthetics and light and glare, agricultural resources, biological resources, cultural and paleontological resources, geology, soils and seismicity, hazards and public safety, noise and vibration, and transportation and traffic.

**Location Where the Document can be Reviewed:** The Draft EIR for the Project is available for review at (1) the St. Helena Public Library, 1492 Library Lane, St. Helena, CA 94574; (2) St. Helena Planning Department, 1572 Railroad Avenue, St. Helena, CA 94574; and (3) on the City's website at [www.CityofStHelena.org](http://www.CityofStHelena.org).

**Xinia Gamero**

---

**From:** Linda Rose <linda@mgrose.com>  
**Sent:** Monday, October 4, 2021 4:22 PM  
**To:** Public Comment  
**Subject:** [External] Hunter Project

Dear Planning Commission,

Please do not approve the Hunter Project. It was turned down before, because it is such an ill-advised project. We don't have the water for it. We don't want, and can't handle the traffic it would generate. It's in the wrong place, where nothing should be build. And it is much too big for our town.

Sincerely,  
Linda Rose  
St. Helena

**From:** Trudy Bouligny <[tbouligny@gmail.com](mailto:tbouligny@gmail.com)>  
**Sent:** Sunday, October 10, 2021 10:20 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Hunter Project - Public Comment

To St Helena Planning Dept  
Attn M De Rosa  
Reference: The Hunter Project, St Helena CA

Please add our concerns to the file for the proposed Hunter Project which has come back to life after being soundly rejected 6 years ago. This project still has no grounds for approval. It is in an area of possible serious flooding, there is a dire lack of water in the town of St Helena, traffic issues will be exacerbated by dumping vehicles on Pope St to cross a totally inadequate bridge with a dangerous intersection at the Silverado Trail. The list of problems is lengthy and it doesn't take an expensive EIR consultancy fee to be realistic about the negative impacts to the community. Please reject the proposal when it comes before the Planning Commission.

Sincerely  
Earl and Trudy Bouligny  
497 Silverado Trail  
St Helena CA 94574

*Earl and Trudy Bouligny  
497 Silverado Trail S  
St Helena CA 94574  
707-963-0814  
707-738-1230 M*

**From:** LORI VRABEL <[winterchampagne@comcast.net](mailto:winterchampagne@comcast.net)>

**Sent:** Monday, October 11, 2021 3:44 PM

**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

**Subject:** [External] Opposing Hunter Subdivision

Dear Maya,

I just want to register my strong opposition to the Hunter Subdivision Project. We are in a severe and long term draught so the additional water use and sewage requirements at this time are totally ridiculous. We are also inundated with traffic on weekends and the addition of these homes would greatly increase that frustration. We also do not have sufficient escape routes for fire evacuation as it is. Thank you for your consideration of my objections.

Respectfully,

Lori Vrabel

**From:** Henry Gundling <[henry.gundling@gmail.com](mailto:henry.gundling@gmail.com)>  
**Sent:** Tuesday, October 12, 2021 9:51 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Cc:** Geoff Ellsworth <[Gellsworth@cityofsthelena.org](mailto:Gellsworth@cityofsthelena.org)>  
**Subject:** [External] Hunter Project DEIR

Re: Hunter Project DEIR Comment

October 12, 2021

Parking

Unless I missed it, buried somewhere in the 638 page document, the Hunter Project Draft Environmental Impact Report DEIR fails to mention the environmental impact caused by inadequate parking. Inadequate off street parking results in cars spilling onto city streets and into surrounding neighborhoods. This impact deserves both identification and mitigation.

Presently in our neighborhood, twenty to thirty vehicles from the Hunt's Grove apartment complex already line the streets of Starr Avenue and Meadowcreek Circle creating an inconvenience for neighborhood residents who are challenged to find parking in front of their own houses, as well as an inconvenience for apartment residents who find themselves walking a long way from home to car. Streets lined with cars also create a hazard for bicyclists, especially children, and drivers.

Saint Helena's Municipal Code requires two parking spaces per unit at Hunt's Grove. For many families with more than two drivers, two parking spaces are clearly inadequate. The city of Saint Helena's lease agreement with Bridge Housing (operator of Hunt's Grove) requires "no Resident household shall be allowed to own or park more than two (2) cars at or in the vicinity of the Development". Since moving to the "vicinity" on Meadowcreek Circle in 2008 I can't remember there ever being a time that Hunt's Grove wasn't in flagrant violation of its operating agreement with the city, and the city has been derelict in not enforcing its own agreement. In addition to the daily commuters, it's not unusual for cars to be dropped onto city streets for long periods of time, or for car servicing and repairs to take place.

Given this poor track record, and given the Hunter Project's proposed 87 total units including 25 Multi Family Units, which could expand upwards to as many as 130 total units depending on the as yet unrevealed "density bonus", it is imperative that the EIR include a parking impact analysis, based on real world household parking demand. The city should insist on adequate off street parking for safety and quality of life. If the developer's parking proposal is deficient, *mitigation should be negotiated before development*.

Yours truly,

Henry Gundling  
1185 Meadowcreek Circle  
Saint Helena, CA

**From:** Henry Gundling <[henry.gundling@gmail.com](mailto:henry.gundling@gmail.com)>  
**Sent:** Tuesday, October 12, 2021 10:11 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Cc:** Geoff Ellsworth <[Gellsworth@cityofsthelena.org](mailto:Gellsworth@cityofsthelena.org)>  
**Subject:** [External] Hunter Project DEIR Water Comment

Re: Hunter Project DEIR

October 12, 2021

Water

The Hunter Project DEIR's claim that the Hunter Project is "water neutral" is downright laughable. The report doesn't even calculate the acre feet of water that will be taken from the city's aquifer directly upstream from its own municipal wells. Unless the developer is proposing zero landscaping, how could there be no impact on Saint Helena's groundwater, one of the city's three critical water sources?! As for indoor water usage, the proposed \$596,808 for water efficiency improvements in 333 existing homes to offset the daily 17,752 gallons from city water (also coming in part from the aquifer) is nice in theory, but the city should insist that this investment, and its proven results, be implemented before development. Saint Helena's current residents will be harmed if the promised benefits fail to materialize, and they should be understandably suspicious of developers' proposed offsets. Remember the roughly \$800,000 "offset" provided by the developer of the Las Alcobas hotel to mitigate the loss of 20 on site low income housing units? Really? Where are the twenty replacement low income housing units purchased by that \$800,000?

The DEIR is wholly inadequate in defining the Hunter Project's potential impact on Saint Helena's water supply, both for residents, as well as wildlife. The city should insist on the DEIR fully disclosing groundwater impacts, and as well, insist on bona fide, rigorously verifiable conservation benefits as a prerequisite to development.

Saint Helena residents are already under Phase II water restrictions due to drought and water supply shortage, and will face the likely prospect of draconian Phase III water restrictions with one more below normal rainy season. It would be irresponsible, reckless and potentially harmful for existing citizens for the city to approve a large, new development, with its huge additional water demand, without securing a truly neutral water supply.

Yours truly,

Henry Gundling  
1185 MEADOWCREEK CIRCLE  
Saint Helena, CA

**From:** [jdicksong@gmail.com](mailto:jdicksong@gmail.com) <[jdicksong@gmail.com](mailto:jdicksong@gmail.com)>  
**Sent:** Friday, October 15, 2021 2:08 PM  
**To:** [Mderosa@cityofsthelea.org](mailto:Mderosa@cityofsthelea.org)  
**Subject:** HUNTER PROJECT

*To: St. Helena Planning Department*

*Our community faces serious challenges which would be compounded by the proposed Hunter Project. Its proximity to Vineyard Valley recalls to us the heroic measures necessitated there during flood and fire emergencies over recent years. Traffic issues are also profound, particularly as regards the Pope Street Bridge. Local practical and safety considerations must weigh more heavily than the profit motive for development. Please reject this Hunter Project.*

*Julie Dickson, 1817 Spring Street, St. Helena*

**From:** C. Echols <[cechols47@gmail.com](mailto:cechols47@gmail.com)>  
**Sent:** Sunday, October 17, 2021 8:50 AM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Hunter Subdivision Project

I live at the back of VV MHP. One advantage of living back here is the quiet and views.

I am greatly concerned about potential noise, traffic, water and sewage availability, and possible property devaluation.

What steps are being taken to lessen the negative impact on the VV MHP residents?

Thank you,  
Chris Echols  
11 Del Rio Court

**From:** Mariam Hansen <[wartuhi@comcast.net](mailto:wartuhi@comcast.net)>  
**Sent:** Monday, October 18, 2021 9:38 AM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Hunter EIR

Hello Maya,  
Here are my comments on the Hunter Project EIR:

The project has to be water neutral, though using 18,000 gallons per day. One of the mitigations is installing water meters at each home in Vineyard Valley—247 of them. There used to be water meters—there is a remnant of one in my driveway. The city deemed it too expensive to read them all, so now we have only two—one for north of the creek and one for south. The water neutrality also plans to remove 5 acres of lawn in town and retrofit toilets.

Many other projects had to retrofit toilets in town. We had to retrofit some in the 1990s when we built a commercial building on Vintage Avenue. How many toilets are left to be retrofitted?

The fire department wants an emergency exit from the dead end cul de sac at the far eastern end of the project. The main exit route in VV is private property. The owners of Vineyard Valley will certainly object to this. This would have to connect with the main exit route for over 200 homes in Vineyard Valley. Experience has shown that in a dire emergency VV has so much trouble getting everyone out they decided to have them drive out the levee road! In future they would have to drive past the new Hunter homes!

If there is a choice between building a freeway off ramp style bridge next to the existing Pope Street Bridge over Napa River and a new bridge for Adams St, I support extending Adams Street to the Silverado Trail. If Hunter is built that would handle the increased traffic in a much better way. Besides, as a historian, I don't want to see the setting of the 1894 Pope Street Bridge denigrated by a monstrous new structure. The bridge is on the National Register of Historic Places.

Is Nov 2 the last time comments on the EIR will be accepted? If so this has been awfully hush hush. Where is the public outreach???

Best,  
*Mariam Hansen*

Wednesday, October 20, 21

**Public Comment on Draft EIR for the Hunter Subdivision Project  
(Water Supply Discussion Only)**

Undersigned's comments are confined to the water supply discussion in the Draft Environmental Impact Report ("EIR"). They address factual matters and also comment on the applicant's "water neutrality" presentation.

1. Draft EIR page 3.13-3: the statement is made that "Average historical yield from the [Bell Canyon] reservoir is approximately 1,800 acre-feet per year." Yet, Table 3.13-1 shows potable water deliveries ranging in water years' 2013-20 from a high of 927 AFY (2013) to a low of 643 AFY (2016). In short, the "average historical yield," assuming "historical yield" means historical deliveries, is less than one-half of the 1,800 AFY asserted textually on page 3.13-3.

As a matter of historical interest, deliveries from Bell Canyon reservoir were much higher in the twenty-year period ending in 2007. But the City was not meeting its State permit-imposed bypass obligations in those years. As documented in the Baseline Report of the Water & Sewer Infrastructure Subcommittee ("Subcommittee Report") of the General Plan Update Steering Committee (June 24, 2010), page 5, the City overdrew the reservoir by on average 525 AF yearly in the period 1988-2007. (The Subcommittee's Report was thoroughly vetted by City Staff and was presented to the Council with no disagreement as to its factual statements.)

The subsequent steep drop in annual deliveries from the reservoir is largely attributable to the City's coming into compliance with its State permit-imposed bypass obligations. The EIR statement at page 3.13-4 is euphemistic: "In recent years, the annual yield from Bell Canyon Reservoir has declined significantly due to required water releases into the Napa River to support fish habitat and also from drought conditions." Rather, as stated in the 2010 Subcommittee Report, the releases came about in and since 2008 (not "recent") and came about due to a City policy change to abide by State bypass obligations. As the Draft EIR on page 3.13-6 indicates, Napa purchased water that was

expected to augment overall potable water supply basically did no more than replace water previously misappropriated from Bell Canyon.

In fact, the historical yield of Bell Canyon varies greatly with rainfall in any given water year. This is documented on page 4 of the Subcommittee's Report. "Averages" conceal wide fluctuations in Bell Canyon productivity. The issue, long recognized, is the City's difficult water supply situation in successive (especially more than two) dry or very dry years. See discussion of Safe Yield Report, point 5 below.

2. Draft EIR page 3.13-3: the statement is made that "the City is authorized to divert and store 3,800 acre-feet from Bell Canyon Reservoir each year." This is incorrect. Correctly stated, the City's storage right is 1,800 AF – and NOT 3,800 AF.

The City's storage "right" was the subject of significant discussion among the undersigned, City Staff, and the Napa Local Agency Formation Commission ("Napa LAFCO") in fall 2020. Napa LAFCO, with the City's concurrence, in its Napa County Water and Wastewater Municipal Service Review Final ("Napa MSR Final" (November 2, 2021)), correctly states (in revision of the prior draft), on page 215: "Bell Canyon Reservoir is owned and operated by the City and has a storage capacity of 2,350 af, of which the City has a storage right of 1,800 af."

The 2010 Subcommittee Report, page 4, also correctly states the City's storage right. "The maximum amount that the City is allowed to **divert to storage** in any one year is 1,800 acre-feet." (Bolding in original) Again, the City approved this statement, after thorough discussion including with the undersigned, in spring 2010 prior to publication of the Subcommittee Report on June 24, 2010.

The 3,800 AF comes about by combining the storage right in State Permit 9157 (1,800 AF) and the forecasted additional storage right in State Permit 14810 (2,000 AF). Permit 14810 authorized the raising of the dam at Bell Canyon from 75 feet to 105 feet, which would have added 2,000 AF of new storage, but the dam was not raised, and the additional storage right was not earned. In consequence the City's storage right has remained at 1,800 AF, as set forth in Permit 9157.

3. Draft EIR pages 3.13-5 to 3.13-7 discusses Napa City's sources of water. This discussion is not relevant. As noted on EIR page 3.13-4, the City of St. Helena has a "take-or-pay" contract with the City of Napa. This means that our City is indifferent to Napa City's sources of water. Napa must supply the City's contracted-for water no matter what supply difficulties it may be experiencing with its own sources of water (including curtailed deliveries from the State Water Project).

4. Draft EIR page 3.13-7: the statement is made: "The City currently restricts the use of groundwater from [the Stonebridge Well Complex] with goal of limiting extraction to 450 AF per year for long term sustainability." The source of this statement is page two of the March 2011 Safe Yield Report. In general, the City's sourcing strategy has been to take the 600 AF from Napa, produce what it can from Bell Canyon consistently with satisfying its bypass obligations, and meet the remainder of potable water demand from its two production wells at the Stonebridge Well Complex. Table 3-13-1 shows annual well production in water years 2013-2020. It has on average been significantly less than 450 AFY, ranging from a high of 400 AFY (2013) to a low of 240 AFY (2019). To undersigned's understanding, the reasoning behind this strategy is to limit groundwater production as much as possible due to environmental concerns for the Napa River, which is a gaining river in our area (which means that groundwater helps to sustain flows in the river). In short, the City since 2011 has achieved a long-term average significantly below 450 AFY.

Having said that, the City delivered 576 AF from the Stonebridge Well Complex in the water year ending June 30, 2021, per monthly Water Report for June 30, 2021, posted in the Public Works section of the City's website under "Water." This represents 34.6% of total water year deliveries. This is significantly more on an absolute basis and also on a percentage basis than the City has produced at the Stonebridge Well Complex in any past water year going back to 1992, when the first of the Stonebridge production wells was completed. Undersigned's personal view is that production in this substantial amount will prove to be not sustainable.

5. Draft EIR page 3.13-8: the EIR presents Table 3.13-7, entitled "City of St. Helena Safe Yields." The Table in column 2 presents a total

normal water year safe yield of 1950 AF. The Safe Yield Committee presented this number in the Report of the Safe Yield Committee (March 17, 2011). As stated in its Report, page 3, the Committee calculated the *net* safe yield, after taking into account “unavailable water,” at 1658 AF. (“Unavailable water” is the volumetric difference between metered water deliveries at delivery sources – Bell Canyon, City Wells, Napa Water Delivery Point in Rutherford -- and metered water deliveries to customers. There are a number of factors that account for lesser metered sales’ volumes than metered input volumes from the City’s three sources of water, with system distribution leaks likely playing a significant part in accounting for the difference.)

The “net safe yield” represents the Safe Yield Committee’s assessment (in 2011) as to the water quantity available for sale while meeting the definition of “safe yield” as defined by the Safe Yield Committee (and subsequently adopted by the Council.) As defined by the Committee, the “safe yield” is the quantity of water needed to supply the City through most rainfall years, including a dry year, without water shortage restrictions. The Committee’s definition continued: “It is recognized that the safe yield, as so defined, could place significant hardship on water customers in a Critically Dry Year (rainfall at 21.9 or less) or in periods of two or more Dry Years.”

As important, there have been supply changes since the Safe Yield Committee did its work more than ten years ago that could affect the “safe yield” calculation. In particular, Bell Canyon may have been less productive than the Committee modeled. The Safe Yield Committee assumed that the Water Enterprise would purchase 200 AF (over the 600 AF) of option water when available; in the last decade there has been no purchase of Napa contract option water. At the same time, the City has benefitted from changes in the Napa contract, especially the yearend 2011 contract amendment. The City also appears to be under environmental and legal pressure to reduce pumping from the Stonebridge Well Complex. The basic point here is that the City should undertake a re-assessment of the “safe yield” and “net safe yield” of its potable water delivery system.

Indeed, the Safe Yield Report concludes: “the City should re-determine the usage/supply balance at the end of each fiscal year in the

ordinary course of business at the Water Enterprise. This will require recalculation each year of the forward-rolling, five-year average total potable water usage. It should also take into account any changes in supply conditions.” The EIR does not cite to work subsequent to 2011 along these lines by the City.

6. Draft EIR page 3.13-8: the statement is made that “the Louis Stralla Treatment Plant (WTP) is “located on Crystal Springs Road in the northeastern part of the City [citations omitted].” The WTP is located on Crystal Springs Road, but it is not within contiguous City limits in what would generally be understood as “the northeastern part of the City,” namely City limits near Deer Park Road and Silverado Trail. Rather, the WTP, while in City limits, is northeast of contiguous City limits and is surrounded on all sides by Napa County lands. See Figure 1.3, NAPA MSR Final. (Following a convincing documentary showing by LAFCO in the final phases of the draft MSR in the fall of 2020, the City advised undersigned that it would revise City maps to show that the City-owned land at Bell Canyon reservoir is within City limits.) Succinctly, Bell Canyon sits on City land, within City limits, which is an island surrounded by County lands.

7. On page 3.13.10 the EIR, in the last bullet point on that page, notes that the 2010 Water Supply Plan recommended, among other recommendations, “a water rate structure that will ensure adequate program funding while encouraging water conservation by accounting for reduced water consumption in the base water rate and increasing high-tier rates.” Unfortunately, this recommendation was not consistent with the subsequently decided decision in *Capistrano Taxpayers Assn. v. City of San Juan Capistrano*, 235 Cal.App.4th 1493, modified (with no change in judgment), 236 Cal.App.4th 1123a (2015). The California Supreme Court denied review, and the *Capistrano* case became the accepted law in California. In accordance with the *Capistrano* case, the City (like many California cities) abandoned tiered rates in its last (2016) rate increase, bringing its rate structures into compliance with State Proposition 218 as interpreted and implemented by the *Capistrano* case. In consequence, it is not possible to incentivize conservation through tiered rates whereby higher volume customers pay more per unit of consumption.

8. A comment on the Municipal Code Section 13.12.030, discussed at Draft EIR pages 3.13-21/22 & 3.13-24/25 (“water neutrality” issue). As the applicant states, City policy requires that new development offset completely its potable water use. The applicant estimates annual indoor water demand at 20 AFY (rounded). This is not a small amount to offset through off-site water efficiency improvements.

The Municipal Code (section 13.12.030D) places the burden on the applicant-developer to identify properties eligible for retrofitting. Ideally, the developer should not be able to shift the burden of offsetting new water use through an in-lieu fee from itself to the City. Rather, certificates of occupancy should not issue unless and until the developer shows that it has effectively offset the potable water usage of new housing units at the time it seeks occupancy permits.

In EIR Appendix J, applicant’s “Water Neutral Report,” prepared by RSA+, a civil engineering firm, RSA+ calculates that 333 off-site residences would need to be retrofitted with water-saving fixtures to achieve an annual off-set savings of 20 AF, calculating the total cost (labor and materials) at \$600,000 (rounded). In its conclusion RSA+ seems to recognize the impracticality of locating and retrofitting such a large number of residences on the City’s potable water system.

The RSA+’s conclusion states: “The offset of the water project demands may *best* be met through assisting the City of Sr. Helena with existing water system improvements via in-lieu fees. The project will pay \$596,808 as an in lieu fee equal to the cost of retrofitting enough residences with low flow fixtures to achieve savings equal to the proposed use.” Italics added.

In short, the applicant appears to be proceeding on the premise that the Council, as it has discretion to do under the Municipal Code (section 13.12.030B), will accept an in-lieu fee, equal to the cost of residential water efficiency upgrades, in place of the upgrades themselves.

In my opinion it is reasonable to conclude that retrofitting 333 off-site residences is “impractical,” which is a basis for Council acceptance of an in-lieu fee under the Municipal Code (section 13.12.030B). At this

juncture, with the water efficiency program in place for many years, it would appear to be both difficult not just to locate a sufficient number (333) of residences in need of water efficiency upgrades and also to persuade eligible residents to undertake paid-for water efficiency improvements. There are no doubt administrative issues for both the developer and the City that would make such a large retrofit program difficult to accomplish successfully. Based on my own experience with our (thinly) staffed City Government, I am skeptical, to put the matter mildly.

But there also appears to be a disconnect between the \$600,000 in-lieu fee proffered by the applicant, calculated by the applicant in Appendix J as the total cost (labor and materials) of retrofitting 333 residences, and the in-lieu fee necessary to accomplish a reduction of 20 AFY through improvements in the City's water distribution system. It does not equate to say that if the City spends \$600,000 on water distribution improvements, it will in fact achieve 20 AF in annual potable water savings. The goal of the water neutrality policy is to ensure neutrality is achieved, and indeed achieved commensurate with the time that the water system must respond to the new demand. Hence the City needs to identify a specific system improvement or improvements that will in fact offset the 20 AFY in new development usage. This statutory requirement is not achieved by allowing an in-lieu fee with no shovel-ready, offsetting improvements ready to go.

Then there is the further question of the amount of the in-lieu fee, if the Council decides to accept an in-lieu fee. The Municipal Code (section 13.12.030B) reads: "If the city council determines that retrofitting existing residential or nonresidential buildings is impractical or constitutes an unusual hardship on an applicant, it may authorize the payment of to the city of an in-lieu retrofit fee in lieu of complying with the requirements of subsection A of this section." Subsection A deals with the calculation of the number of retrofits. It is silent on the calculation of the in-lieu fee. The Council appears to have unfettered authority in fixing the amount of the fee. Assuming this is correct, the fee should be in an amount sufficient to pay for system improvements that in fact accomplish an offsetting 20 AFY reduction.

For example, if a system improvement to achieve a 20 AFY offset costs \$1,250,000, then that should be the amount of the fee. Conversely, if a system improvement to achieve a 20 AFY offset costs \$250,000, then that should be the amount of the fee. If a system improvement results in more than a 20 AFY reduction, then it may be appropriate for the Water Enterprise (ratepayers) to share in the cost, such that the applicant is paying a ratable amount equal to the cost of achieving a 20 AFY reduction. Now, it may be difficult, perhaps impossible, to quantify water savings associated with a specific system improvement, especially improvements designed to reduce unmetered losses in the distribution system ("unavailable water"). Still, the objective in accepting an in-lieu fee is ensuring that the new usage (20 AF) is completely offset, and the applicant should bear the burden of that cost, whatever it is.

9. The applicant assumes that it can lawfully satisfy landscaping water demand through a well on the applicant's property. This may well be correct, but it may not be a complete given. The County's Groundwater Sustainability Agency ("GSA") is addressing the issue of groundwater withdrawals (diversions), with GSA approval of the Groundwater Sustainability Plan ("GSP") due by January 31, 2022. (That is not the end; the State Department of Water Resources ("DWR")) will then be review and approved/disapproved the GSP within the following two years.) The City, Planning Commission, and/or City Council should review the applicant's proposed groundwater usage for conformity with the GSP following GSA approval of the GSP in early 2022.

Respectfully submitted,

Alan Galbraith

Member, GSPUC Water & Sewer Infrastructure Subcommittee,  
2009-10

Member, Safe Yield Committee, 2010-11

Member, Groundwater Resources Advisory Committee, 2011-14

St. Helena Mayor, 2014-18

Member, Groundwater Sustainability Plan Advisory Committee,  
2020- to date

City of St Helena, City Hall

Received

OCT 26

1480 Main St.

St Helena, CA 94574

October 25, 2021

Members of Planning Commission and City Council

Re: Hunter Project

I am enclosing one of the best articles written on the St Helena dilemma of the Hunter Project. I could wax eloquently on all the issues with this project, but a review of the article written in 2016 by Nicholas Pinter, Professor of Watershed Sciences at UC Davis really encapsulates the flood and water issues with this project. Nothing has changed since 2016. Yesterday's rains should highlight these issues. The river rose from a dry creek bed to 14 ft in a matter of hours.

We talk of about 100 year flood plains without really understanding the mathematics and probability of this number. You can at least understand that this does not mean we cannot have a catastrophic flood tomorrow. Houston is in a 500 year flood plain and they have had 3 catastrophic floods 3 years in a row.

We also have the issues of not putting another bridge across the Napa River, the high traffic problem and the proposal for water mitigation by providing better flush toilets which is seemingly idiotic.

The Hunter project is a no go for the citizens of the St Helena. They made that perfectly clear 6 years ago. The council and commission must:

1. Review this article and articulate why these issues are still not real
2. Get a written letter from FEMA that they would cover another flood on this land
3. Guarantee that the City would not be liable for further flood issues if housing is built here
4. Have a legitimate proposal for traffic control without building another bridge
5. Come up with a better water mitigation plan. We have been on Stage 2 water conservation. We cannot ask the citizens to save more to build this ill conceived project.

The Hunter project is too big a risk to leave it to a brief meeting and the votes of a few commissioners and the city council. This is a huge risk to the city which needs greater in person debate. Zoom doesn't do it.

Arlene and Richard Corsetti

1401 Spring Street

St Helena, CA 94574



10/25/21, 4:19 AM

St. Helena, California: Dealing with a Field-of-Dreams Levee, Residual Risk, and a Flood of Controversy | California WaterBlog

**California WaterBlog***A biologist, economist, engineer and geologist walk onto a bar...***St. Helena, California: Dealing with a Field-of-Dreams Levee, Residual Risk, and a Flood of Controversy**

Posted on July 17, 2016 by UC Davis Center for Watershed Sciences

*by Nicholas Pinter*

A new \$37.2<sup>[1]</sup> million levee in the town of St. Helena, on the floodplain of the Napa River, has a colorful history and has been stirring local acrimony since its inception. This project illustrates both the attraction of levee protection, in this case protecting a low-income neighborhood (“low income” by Napa standards) hit by disastrous flooding in 1986 and again in 1995, as well as pitfalls of this strategy for long-term risk management. There are clearly positive elements of the St. Helena levee project, but also numerous missteps that have mired the project in dissent and even, opponents argue, threaten to bankrupt the town. With important planning and zoning decisions now pending, the St. Helena levee is a case study for other communities to examine before they consider all of the options for flood-risk management.

After the release of a recent [journal article on levee protection](#), one reporter tried to wake me up with the following opening question – “Prof. Pinter, why do you hate levees?” I laughed in appreciation of a good icebreaker, and then explained how levees, floodwalls, and other structural protections are valuable tools in a diverse toolkit used to manage flood risk. But levees also come with adverse consequences that need to be rigorously evaluated and balanced against their potential benefits. Those negative impacts and the need for careful evaluation are often lost in the rush to build new levees or enlarge existing structures, typically in the aftermath of a damaging flood.

St. Helena is a town of about 6,000 people along the Napa River about 20 miles upstream of the City of Napa. The river there is small, averaging just 46.7 cubic feet per second (cfs) of flow over the duration of record, but subject to flash flooding after intense local rainstorms. Since 1862, 28 major floods have struck the Napa Valley<sup>[2]</sup>, including 1955, 1963, 1967, 1973, 1978, 1981, 1983, 1986, 1993, 1995, 2002, and 2006. Most of St. Helena is located a safe distance from the river, but starting in the 1970s, the Vineyard Valley area was developed, including 468 homes, apartments, and mobile homes at risk of flooding<sup>[3]</sup>. Most of these are in what is now mapped by FEMA as the so-called 100-year floodplain. During the five-year review process for development of the mobile home park, local residents report that the issue of flood risk was never raised.



Figure 1 – The Vineyard Valley neighborhood of St. Helena under water during the 1986 flood.

Intense rain events hit the upper Napa Valley in February of 1986 and again in March of 1995, sending the Napa River over its banks and into the new Vineyard Valley development. Damages in each event were estimated at over \$50 million in St. Helena alone. During the 1995 flood, over 400 residents of St. Helena were evacuated, and 200 mobile homes in Vineyard Valley were declared a total loss. In both 1986 and 1995, other communities such as Calistoga and Yountville also were hard-hit, including inundation of much of downtown Napa. As described by the [Napa Valley Register](#), “Overnight, the Napa River

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*swelled from a modest tributary of San Francisco Bay to a wrathful Amazon.*” The 1986 flood killed three people, forced the evacuation of over 2,500, and caused total damages estimated at \$100 million<sup>2</sup>.

A typical pattern in flood response is that it takes a one-two punch to motivate any large-scale action to address flood risk. The 1995 flood in Napa was that second punch. Surveying the damage, Napa County officials dusted off a flood-control plan initially drafted by the Corps of Engineers but defeated by a voter referendum in the 1970s. The original Corps flood control plan was considerably reworked and, particularly in the City of Napa, many forward-thinking elements were added, including channel habitat preservation and reconnection of the historic floodplain. Flood control was now put to the voters again, in the form of Measure A, a half-percent county sales tax, which was passed in March of 1998 with a two-thirds voter majority. With local cost-share funding secured through the referendum, Napa County began moving forward with the large-scale flood plan in Napa, with smaller portions of the funding apportioned to other communities along the river.

In St. Helena, plans were drawn up that focused on a large levee and floodwall to protect the Vineyard Valley area, as well as several other elements. These other elements of the project included bank stabilization, removal of a channel constriction, internal stormwater management, and excavation of a storage area outside the levee (a “terrace,” the project calls it) planted in native vegetation. The channel restriction, for example, involved the removal of 17 mobile homes and the associated land closest to the river, which opened that area to better pass flood flows. This bend in the river channel represented a chokepoint during floods, significantly obstructing flow and raising water levels in that area and upstream. Removal of these homesites and augmenting the conveyance capacity of the channel at this chokepoint certainly lowered flood danger by both reducing at-risk infrastructure and by lowering water levels during future floods.



Figure 2 – The positive side of flood control. As part of the St. Helena project, a total of 17 mobile homes were permanently removed and the flood wall set back from the river.

Although the St. Helena project included several forward-thinking elements, it remained much more of an “old school” structural flood-control plan than what was implemented in Napa. The St. Helena plan centered on approximately 2,000 ft of floodwall surrounding the Vineyard Valley mobile home park and another ~2,000 ft of levee that extends from the floodwall to the north and west. As now required of urban levees in California, the system protects to the “200-year” level – that is, designers of the levee and floodwall have affirmed that they will keep out floods up to those with a 0.5% chance of occurring in any year.

On a map the St. Helena levee is relatively small, a tiny fraction of the length of the systems that protect the Central Valley or great alluvial floodplains of the Midwest. But its height is impressive. Standing on the new levee crest above the Napa River, one can almost imagine looking out on the Sacramento or Mississippi River. The levee is also proportionally wide, with a crest 15-20+ feet across, wide enough to meet requirements for much larger rivers and floodplains. Wide enough, in fact, to carry two full lanes of traffic. Indeed, the initial St. Helena planning documents<sup>[4]</sup> called for a multi-function levee that would also serve as a new roadway. This new road would have crossed the floodplain and the river across a new bridge, connecting St. Helena to the Silverado “wine trail” on the northeast bank. Currently that connection is across the Pope Street bridge, a historic stone structure built in 1894 and so narrow that it is terrifying to cross even when the driver coming the other way hasn’t spent

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the afternoon sampling the latest vintages. Using flood-control funding to simultaneously serve another goal might not be illegal, but it raises questions about priorities in design details. In this case, the proposed bridge link was rejected after litigation focused on its environmental impacts, but before levee construction. Nevertheless, the width of the St. Helena levee retained the width of a road to nowhere, as well as – importantly – a path that took the levee far wide of the housing it was funded to protect, enclosing a broad swath of floodplain undeveloped and empty except for rows of grapevines. More on this in a moment.

Another interesting aspect of the St. Helena levee is the funding to plan and design the project. The city obtained an \$8 million grant from FEMA's Hazard Mitigation Grant Program (HMGP). HMGP uses a slice of FEMA's total disaster-related funds to promote "mitigation," meaning actions taken by communities to lower their overall exposure to future disasters. Flood-mitigation strategies favored by FEMA nationwide include buyouts and relocation of repeatedly flooded homes or elevation of floodplain structures up beyond the reach of future floods.

FEMA carefully monitors HMGP projects to make sure that taxpayer funds are used for their intended purpose. In 2013, when FEMA audited St. Helena, the city was unable to account for a large block of HMGP money. Among project expenditures, the city had spent \$1.64 million on lobbying expenses, reportedly including lavish entertainment expenses in Washington aimed at securing Army Corps of Engineers and other federal funding for levee construction. When FEMA reviewed the city's books, it disallowed \$1.9 million in expenses, requiring St. Helena to withdraw this amount from its operational accounts. Further local acrimony ensued because the city repaid the FEMA money without adequately, some argue, disclosing the financial missteps and the resulting impacts on city finances. This repayment resulted in a \$1.5 million budget deficit and significant cuts to city services.

The details above are a selection of the complaints voiced by local levee opponents in St. Helena. This dissent contrasts with the broad consensus surrounding the much larger flood-control measures implemented in the City of Napa. Large public projects never reach perfect consensus, but the Napa Project solicited input from a broad range of stakeholders and integrated these opinions in final project designs. In contrast, the St. Helena project continues to roil that community even now that the levee is complete and a done-deal.

The final shoe – probably the most problematic element of the St. Helena flood-control debate – is now dropping, five years after the levee's completion. The current issue results from the unusual pathway of the levee, which sweeps well north and west of the neighborhoods previously flooded and includes 16.9 acres of undeveloped vineyard land. Undeveloped until now, that is. Just 17 days before the passage of Measure A, the mechanism that funded large-scale flood engineering throughout Napa County, much of the empty floodplain land behind the St. Helena levee was purchased by a private developer. On Sept. 8, 2010 the developer submitted plans to convert the empty agricultural land behind the levee into high-density residential development, including 87 new residential units[5]. This despite an explicit provision in Measure A that "none of these projects are intended or designed to encourage population growth."

My research group has worked hand-in-hand with floodplain residents to provide them planning guidance and technical expertise. We've also studied levee projects that would increase flood heights for neighbors, increase long-term flood risk, or degrade habitats, sometimes in exchange for very limited local flood-protection benefits. After struggling with this balancing act time and again, we've proposed a **three-step "levee sniff test" to preliminarily judge any proposal**. New or enlarged levees and floodwalls may be an appropriate solution if the system is designed to protect floodplain infrastructure that is:

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1. *concentrated,*
2. *high in value, and*
3. *pre-existing.*

The most crucial – and often the most politically fraught – of these criteria is the third. The worst case is construction of “field of dreams” levees – new, expensive, often muscular levees surrounding undeveloped or sparsely occupied floodplain land. “Build it and they will come” – field-of-dreams levees are meant to attract new construction and development on the floodplain. Political leaders see expansion of their local tax base, and developers salivate over the prospect of transforming low-cost floodplain land into urban real estate as soon as the new levee “solves the problem of flooding forever.”



Figure 3 – The Levee Sniff Test

By intent or by accident, the St. Helena project created a “field of dreams” levee. The original position of the levee was set by the desire of the city to piggyback a long-sought transportation project onto available flood-control funding. A private developer saw an opportunity for windfall profits and snapped up this floodplain acreage. What remains unclear is why, when plans for the roadway were scrapped, did St. Helena not downsize its levee? Local levee opponents see nefarious motives here, and the optics are not good. In 2008-2009, local residents had proposed several possible levee alignments that hugged the edges of existing neighborhoods that needed protection. These alternatives would have eliminated the “field of dreams” issues, cut construction costs, and would have significantly reduced future flood levels for neighboring properties outside the levee. But these alternatives were rejected at the April 14, 2009 meeting of the City Council. Why? Perhaps simply a result of frustration at the grassroots opposition and the desire to move forward with the existing blueprint, however much conditions had changed since those plans were drawn up.

*“Residual Risk – the small but real possibility that a levee may fail or be overtopped during future floods.”*

So past mistakes aside, why not fill in every square inch of land behind a levee once you’ve got one? The problem with levees, and with field-of-dreams levees above all, is that no type of structural flood protection can ever reduce the flood risk to zero. Even the strongest levee or floodwall carries a “residual risk” of failure or overtopping during large floods. Furthermore, having flood waters pour over or burst through a tall barrier turns the gradual process of floodplain inundation into a much more violent, dangerous, and damaging event. The history of occupation of U.S. floodplains is a history of levee failures, with headlines almost every year bringing footage of disastrous levee failures somewhere in the country. One levee system on the Mississippi River, not an atypical one, was breached 14 times through its history, only to be patched and raised each time, in the process driving up flood levels for the next event and contributing to the next failure. Expert after expert, blue ribbon panel after panel, has implored engineers, local leaders, and floodplain residents to not forget about residual risk. Brig. Gen. (Ret.) Gerald Galloway, former commander of the US Army Corps of Engineers puts it this way, “Let no one believe that because you are behind a levee, you are safe” (Galloway, 2005). The point has also been made more bluntly, “There are two kinds of levees ... [t]hose that have failed and those that will fail” (Martindale and Osman, 2010).

10/25/21, 4:19 AM

St. Helena, California: Dealing with a Field-of-Dreams Levee, Residual Risk, and a Flood of Controversy | California WaterBlog

*“Developers and home builders may be gone, but residents of Natomas will be there and are the ones who are rolling the residual-risk dice year after year.”*

Neglecting residual risk of flooding behind levees creates a false sense of security for residents and a lunatic calculus in which the local community can find itself with far greater long-term flood risk than before the levee was built.

California has made these mistakes before. In fact, the leading example of a “field of dreams” levee, discussed in floodplain management circles around the world, is Natomas on the northwest side of Sacramento. The Natomas Basin is ringed by 42 miles of levees, encompassing approximately 53,000 acres of the floodplains of the Sacramento and American Rivers. This land was sparsely populated until roughly 1990. Despite a tangled history, the Natomas system was built and they did come. On-going levee construction, particularly improvements initiated in 1992, ushered in a wave of development. As of 2010, Natomas was home to over 22,800 structures, the large majority of them residential units and home to more than 90,000 people[6]. The City of Sacramento currently plans to permit up to 1,000 additional single-family homes per year, 500 multifamily residential units per year, and unlimited industrial, commercial, and retail construction behind this levee[7]. Today, total property in Natomas at risk of flood damage, should the levee fail or be overtopped, exceeds \$8.5 billion, with flood depths that could reach 25 feet[8]. Heroic efforts are now underway by the Sacramento Area Flood Control Agency, the California Central Valley Flood Protection Board, and the Corps of Engineers to patch deficiencies in the Natomas levee and raise the overall protection provided by the system. When that huge – and hugely expensive – effort is complete, the State of California, the Corps, and FEMA will sign off that they have reduced the statistical chance of catastrophic flooding in Natomas to 0.5% per year (less than once every 200 years, on average). That is a high level of protection by US standards, and engineers and leaders who are implementing the project will be justifiably proud of their accomplishment.

But ... our country’s 400+ year history with levees also tells us that such claims of almost complete flood protection have often been repeated, and almost always were over-stated. Lots of reasons why this has happened in the past, and many of those reasons hold true for the future. But even at face value, a 0.5% exceedance probability for a system now protecting \$8.5 billion in property translates – crudely – into up to \$42.5 million in risk each year. If those 22,000+ homes and other structures had already been there before the levee (concentrated, high-value, and preexisting), then this annual \$42.5 million in residual risk would have been a necessary tradeoff. But because Natomas was a field-of-dreams levee built intentionally to create new floodplain infrastructure, the large majority of this \$42.5 million/year is all-new and added risk.

Who bears this residual risk if (some would say “when”) California’s drought turns to flood and hands us a “>200-year flood?” Or a lesser flood that finds a chink somewhere in the 42-mile long, gopher-prone armor that surrounds Natomas? Developers and home builders may be gone, but residents of Natomas will be there and are the ones who are rolling the residual-risk dice year after year. So too are all US taxpayers, since we bankroll disaster relief. Federal expenditures for disaster relief have averaged ~\$35 billion per year in recent years[9], equivalent to about \$400 per year per US household.

Residual risk also can be borne by the governmental agencies that facilitate “field of dreams” levees. Legal liability came to roost in California in 2003, when the Court of Appeals found the state liable for \$500 million in damages resulting from a levee break on the Yuba River in February of 1986, the same storms that flooded St. Helena. The case was Paterno v. State of California, and although the state neither built nor maintained the levee that gave

10/23/21, 4:17 AM

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way, the court found that it was responsible for inadequate maintenance and management of the system. And liability extends to counties and towns as well; for example, California Assembly Bill 80 made local jurisdictions liable for “property damage caused by a flood [if they] ... unreasonably approv[e] new development in a previously undeveloped area[10].” In the Paterno case, the financial hit of that \$500 million decision shook the financial structure of the entire state, such that California was forced to borrow funds from Merrill Lynch in order to pay the claims against it[11].

So where does St. Helena and its levee fit into this broader picture? This levee and the new construction proposed behind it are tiny compared to what has gone onto Sacramento area floodplains, St. Louis floodplains, Houston floodplains, and others. But the principles are the same, and the potential consequences for a small community like St. Helena are proportionally even more threatening than for a large city. The St. Helena Vineyard Valley levee was built to protect residents who had the misfortune of living in a neighborhood built on the edge of the Napa River and far into the floodplain, a neighborhood that should not have built in the first place. That was certainly mistake number one. But after repeated and devastating floods, those residents were justified in seeking a mitigation solution. The second crucial misstep occurred in 2009, when the city approved a levee map that enclosed a large area of floodplain empty except for rows of grapevines. Whether by nefarious purpose or just fatigue, St. Helena opened the door to the crucial and difficult decision now in front of them – whether to bow to the pressure and temptation of approving development of that empty land behind their levee.

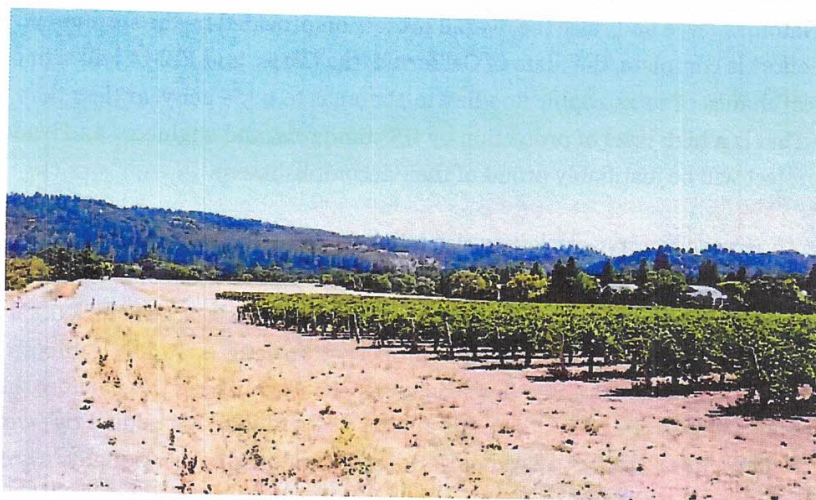


Figure 4 – View from Vineyard Valley Levee access road, towards the east, showing current conditions of the proposed development area. Figure IV.A-3a in Hunter Valley Subdivision Project, Draft EIR, Dates 5/29/2012.

One concern certainly on the minds of St. Helena city leaders is the threat of litigation if they deny the development plans in front of them. When such cases go to court, plaintiff lawyers typically cite the Fifth Amendment of the US Constitution, which states that “private property [shall not] be taken for public use, without just compensation.” The legal claim is that refusal to allow development of the owner’s land constitutes a “takings” of the value of that land. The St. Helena situation is typical of many examples where the legal threat of a takings claim is used to thwart zoning or planning to manage flood risk and other natural hazards. Developers and their lawyers argue that zoning to prevent development is unjustified, arbitrary, and an infringement of the rights of landowners. On the contrary. The St. Helena developer purchased agricultural land in a floodplain at a price consistent with those conditions. Despite the construction of a levee at taxpayer expense surrounding that

10/20/21, 4:17 AM

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land, it remains a floodplain. The limitation on building expensive homes and apartments on that floodplain is imposed by nature, not the City of St. Helena.

Fear of lawsuits and potential liability is a tangible pressure on a town like St. Helena. But in considering development of floodplain land behind a field-of-dreams levee, these communities are perhaps looking at the lesser threat. Bowing to the will of the developer dodges a likely “takings” lawsuit, but loads St. Helena with new residual risk – risk that is small as an annual percentage, but large in total magnitude. The mean value of a detached home in St. Helena is \$640,000 and an attached unit is \$401,000<sup>[12]</sup>. Given current plans for 51 new single-family homes, 11 granny units, 24 multi-family units<sup>5</sup>, and a typical value of 50% content damages for flood-loss estimates, these 87 new units could suffer \$49 million in damages if that area were inundated. After the 1995 flood, residents of Vineyard Valley sued the City, and residents of the proposed new development could take the same action. The 2003 Paterno decision against California amounted to just 0.5% of the state’s total budget that year. For comparison, the City of St. Helena, with revenue to its general fund of \$10.5 million in FY 2015/16, could face a financial hit totaling 469% of its annual resources. In other words, the legal liability from the proposed new development could bankrupt the city nearly five times over.

*“The legal liability from the proposed new development could bankrupt the city nearly five times over”*

St. Helena was founded in the mid-1800s, near enough the Napa River to gain the benefits of that proximity, but up and off the floodplain. However beginning in the 1970s, the town suffered the same magnetic pull as countless other communities across the US – succumbing to pressures for growth and the attraction of empty land ever closer to the river. Located deep in the Napa River floodplain, the Vineyard Valley neighborhood was reviewed and approved, reportedly without even discussing the possibility of flooding. This was an oversight for which residents paid dearly in 1986 and again in 1995. Mistake followed mistake: land that never should have been developed, an expensive levee that has already sent the town into financial distress and political discord, and a levee map that somehow enclosed much more floodplain land than the neighborhood it was designed to protect. St. Helena now has a last chance to bring this cascade to an end and avoid construction of 87 new homes behind their field-of-dreams levee. Floodplain managers, river scientists, and prudent leaders worldwide counsel that levee protection is never absolute, and that even the tallest and strongest wall comes with an inherent residual risk, a small but real possibility that it may fail or be overwhelmed during future floods. For concentrated and existing floodplain infrastructure, levees can be the right solution, and residual risk preferable to no action at all. But towns like St. Helena should understand that levee protection brings a range of consequences, including the possibility of multiplying, not diminishing, the long-term risk of damage and potentially even loss of life in their community.

*Nicholas Pinter is a professor in the Department of Earth and Planetary Sciences and an affiliate of the Center for Watershed Sciences. This article was developed with assistance from Megan Nguyen, a junior researcher at the Center for Watershed Sciences.*

### Further Reading

<sup>[1]</sup> Report to the St. Helena City Council, Council Meeting of January 26, 2016

<sup>[2]</sup> City of Napa. 2009. Hazard Mitigation Plan, 2009 update.



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

From: Bernerd Buckley <[bernerdbuckley@gmail.com](mailto:bernerdbuckley@gmail.com)>

Sent: Tuesday, October 26, 2021 4:08 PM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Cc: Geoff Ellsworth <[GEllsworth@cityofsthelena.org](mailto:GEllsworth@cityofsthelena.org)>; Anna Chouteau  
<[AChouteau@cityofsthelena.org](mailto:AChouteau@cityofsthelena.org)>; Paul Dohring <[PDohring@cityofsthelena.org](mailto:PDohring@cityofsthelena.org)>

Subject: [External] Hunter project

The proposed Hunter project will have 87 water consuming households. The project's consultants claim the project will be water neutral if 333 existing homes are retrofitted with new toilets, shower heads and faucets. The only way to know for sure is to install in all 333 homes and monitor the usage for at least a year's climate cycle. Under the extreme drought we going through, it's in the best interest of the people who currently live in Saint Helena that their water needs are met. We need to know for sure if the Hunter project is water neutral!!

Sent from my iPhone

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

From: Bernerd Buckley <[bernerdbuckley@gmail.com](mailto:bernerdbuckley@gmail.com)>

Sent: Tuesday, October 26, 2021 4:35 PM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Cc: Geoff Ellsworth <[GEllsworth@cityofsthelena.org](mailto:GEllsworth@cityofsthelena.org)>; Anna Chouteau  
<[AChouteau@cityofsthelena.org](mailto:AChouteau@cityofsthelena.org)>; Paul Dohring <[PDohring@cityofsthelena.org](mailto:PDohring@cityofsthelena.org)>

Subject: [External] Hunter project

The levee that's supposed to protect the proposed development it is said to be sufficient to withstand the 200 year flood. In the DEIR it says that if the levee fails, the houses behind would only flood the first floor's by 5 feet. People could escape to the second floor. (Unless they have a disability and couldn't make it)? If the levee fails is the city of Saint Helena responsible? The cost of a failure could cost millions!! If the city is responsible for cost of damage shouldn't all current home owners be notified of potential liabilities? I have been told the City of Saint Helena is responsible for the maintenance of the levee does anyone working for the city have experience or training on levee maintenance?

Sent from my iPhone

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

From: Ron Amoroso <RJAmoroso@myastound.net>

Sent: Tuesday, October 26, 2021 3:52 PM

To: Maya DeRosa <MDeRosa@cityofsthenana.org>

Subject: [External] Hunter Project EIR Comment

Hello:

My name is Ron Amoroso. I am the owner of 1365 Grove Court, St. Helena Ca. The following are my comments on the Draft EIR # 2108032014 (The Hunter Project).

For all the obvious reasons (It's a "Agricultural Area and the reason people (revenue) comes to the Napa Valley) as well as all those much better stated and substantiated in the documentary "Kiss The Ground", I would summarily "disagree" with, and suggest the Planning Department deny allowing this development to be allowed. That movie dramatically shows how plant life causes "Carbon Recapture" that not only reduces pollution, but also "reduces the existing" Co2 buildup that is causing the radical environmental changes we are experiencing. Removing the existing acres of vineyards and replacing them with houses, buildings, and other hardscapes will "increase" the production of heat, reduce the production of Carbon recapture back into the soil through "photosynthesis" and reduce air quality as well as the likelihood of adequate rainfall going forward. Please spend a hour and watch this documentary to see how this project will negatively affect this area. Buying "open space somewhere else" as has been proposed by the developer is not going to eradicate the environmental effects on this area. Is that "open space" going to be "prime agricultural" land??

For these considerations, I vote NO on this development!!

There are two big "elephants" in the room regarding the immediate impact this proposed project will have directly on this area.

1- Flood potential/The levee/Related Township liabilities

2- Availability of potable water

1- Flood Threat/City/Taxpayer Liability:

The Levee was constructed by the City of St. Helena in an attempt to protect existing "Flood Plains" currently known as Vineyard Valley MHP and the Vineyard where the Hunter Project is being proposed. As such, this levee is only accredited by FEMA to 100 year flood specs since it has only been "certified" by FEMA to the 100 year Flood. Currently, it is not "unusual" for those 100 Year Flood values to be surpassed so failure has been deemed by various "experts" as inevitable!! The levee was never inspected by or approved by the Army Core of Engineers or FEMA so the City of St. Helena (Me and all the other St. Helena Tax Payers) are responsible for the results of a breach of that levee. That responsibility, which has been accepted by the City

of St. Helena, is one thing when it amounts to Farmland and a MHP, and totally another when it includes 87 new housing units occupied by ?? new residents!! Both in the form of physical bodily risk and financial risk. I am not ready to assume that additional risk so Mr. Hunter can generate a handsome financial gain. Mr. Hunter needs to provide the additional security (possibly a insurance bond) to cover the additional risks that will be incurred as a result of his development converting the existing, former flood plain, “ag-land” into residential housing land.

Another reason to vote NO on this development.

2- Water availability:

Adequate potable water availability has been a ongoing issue in St. Helena for the past 15 years that I know of. Not only are there no plans to make it any better, it is routinely getting worse due, in part, to Some of the environmental issues the Hunter Project will only worsen. How can the city of St. Helena approve the addition of 87 new residential units occupied by ?? how many new residents??? Replacing existing toilets with “water saver” toilets is a “clever” idea but also one that is NOT VERIFIABLE. So, where is all the additional water going to come from to support all the new residents who will occupy the 87 new residential units??

Again, another NO vote on this development.

I don’t know if any one of these issues is a “underlying” negative issue against this development. Combined, however, they represent significant and overwhelming reasons to summarily and permanently deny this project to proceed.

Thank you,

Ron Amoroso

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

From: Bernerd Buckley <[bernerdbuckley@gmail.com](mailto:bernerdbuckley@gmail.com)>

Sent: Tuesday, October 26, 2021 6:45 PM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Cc: Geoff Ellsworth <[GEllsworth@cityofsthelena.org](mailto:GEllsworth@cityofsthelena.org)>; Paul Dohring  
<[PDohring@cityofsthelena.org](mailto:PDohring@cityofsthelena.org)>; Anna Chouteau <[ACHouteau@cityofsthelena.org](mailto:ACHouteau@cityofsthelena.org)>

Subject: [External] Hunter project

Almost all affordable housing is located east of Main st. About 40% of that housing is located on Hunt st. to Starr ave. The Monte vista apartments and Hunts Grove being the largest. There also senior affordable housing at the Woodbridge property.

The families who live in these homes are forced to park blocks from their homes because the properties were built with inadequate parking. There will be 50 cars parked on the street, from the path Hunt st to Adams st, on Grove ct, Monte Vista, Hunt st, Starr ave and Meadowcreek Cir. The additional proposed 25 affordable homes will be between the Monte Vista apartments and Hunts Grove. This will increase the number of affordable homes in that area to over 40%. and additional parking problems. This Hunter project has a real negative effect on these people of limited resources in the area. The Hunter development only benefit the developers not the current residents of Saint Helena.

Sent from my iPhone

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

From: Bernerd Buckley <[bernerdbuckley@gmail.com](mailto:bernerdbuckley@gmail.com)>

Sent: Tuesday, October 26, 2021 6:55 PM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Cc: Geoff Ellsworth <[GEllsworth@cityofsthelena.org](mailto:GEllsworth@cityofsthelena.org)>; Anna Chouteau  
<[AChouteau@cityofsthelena.org](mailto:AChouteau@cityofsthelena.org)>; Paul Dohring <[PDohring@cityofsthelena.org](mailto:PDohring@cityofsthelena.org)>

Subject: [External] Hunter project

The DERI says the well at the Hunter development will provide the water for landscaping. What landscaping? Is it for all the homes? With the drought we are facing and ground water levels dropping, what happens if the well fails? Who is responsible for replacement or repair?

Sent from my iPhone

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

From: Bernerd Buckley <[bernerdbuckley@gmail.com](mailto:bernerdbuckley@gmail.com)>

Sent: Wednesday, October 27, 2021 10:47 AM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Cc: Paul Dohring <[PDohring@cityofsthelena.org](mailto:PDohring@cityofsthelena.org)>; Geoff Ellsworth  
<[GEllsworth@cityofsthelena.org](mailto:GEllsworth@cityofsthelena.org)>; Anna Chouteau <[ACHouteau@cityofsthelena.org](mailto:ACHouteau@cityofsthelena.org)>

Subject: [External] Hunter project

With the closing of Silverado trail, we see commute traffic coming across the Pope st. bridge and through residential neighborhoods to avoid traffic and traffic lights on Main st. This gives a look into the future, extending Starr ave to Adams st. We will be looking at the new traffic avoiding route. The DERI says about 800 cars a day will use these streets? With cars having gps we will have a expressway through the residential neighborhood and traffic could be much more than forecast. The effect won't be much on the west side of town but a nightmare on the east.

Sent from my iPhone

October 27, 2021

To members of the St. Helena City Council  
and members of the St. Helena Planning Commission,

I have lived on Meadowcreek Circle in St. Helena since 2003.

Many of my concerns regarding the proposed Hunter project echo those previously voiced, as listed on page ES-3 of the Draft Environmental Impact Report for the Hunter Subdivision Project (DEIR):  
“Concerns raised from public agencies and the public include impacts to the property from potential flooding, traffic and circulation impacts, increased water demand, and impacts to cultural resources.” I have chosen to focus my comments on specific threats to the health and safety of current and future St. Helena residents, should the Hunter project be built.

#### **Environmental/Air Quality Issues**

According to page 3.0-3 of the DEIR, “The Proposed Project application does not include a formal phasing plan. Therefore, for the purposes of this EIR buildout of the Project would occur based on market conditions and the timeliness of obtaining building permits. Therefore, it is assumed that the Project could take anywhere from 6 years or longer for full buildout, based on market and growth management factors.”

Page 3.3-23 of the DEIR: “For the analysis, it was generally assumed that heavy construction equipment would be operating for approximately 8 hours per day, 5 days per week (22 days per month) during Proposed Project construction.” As a local resident, I will verify there are currently existing conditions of substantial dust and noise from agricultural and grass control activities affecting residences in the vicinity of the proposed Hunter project, and the proposed 6 years of construction will certainly exacerbate those existing air quality issues.

Page 3.3-26 of the DEIR: “Notably, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might impact a project’s occupants, except where the project would significantly **exacerbate** an existing environmental condition.

On page 3.3-26 the DEIR verifies that the probable worsening of existing air quality issues in the vicinity of the proposed Hunter project would rise to the level of a significant impact under California Environmental Quality Act (CEQA) Guidelines: “Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.”

I question which entity, the City of St. Helena or the Hunter project developers, will be legally and financially responsible for any loss of health, life or property by adjacent property residents resulting from environmental and air quality degradation caused by a protracted 6 year Hunter construction project?

**Water Quality and Availability**

According to the St. Helena City government, we are in a serious water emergency. Expensive upgrades will be necessary to provide adequate water service to existing customers of the St. Helena City water enterprise moving forward. In addition, past City of St. Helena leadership has made binding water supply decisions which have worsened our current water shortage. During the summer of 2021, many City water customers incurred unaffordable fines for excessive water use as a consequence of St. Helena water rationing regulations. I'm sure any future residents of the Hunter Subdivision would not enjoy sharing in this experience!

There are also ongoing issues with the quality of St. Helena City water and malfunctions at the City sewage treatment plant, as documented by City correspondence and local news media. Here is a recent example: below is a photo of water from the kitchen faucet of my St. Helena residence this week, from 10/25/21 to 10/26/21. I was assured by staff at St. Helena Public Works on the morning of 10/25/21 that this water was safe to drink, but to my knowledge, no water testing had been undertaken by the City, in spite of admission by City staff that a water main had been ruptured and infiltrated with pollutants. I was told that the Vice Mayor and the City Manager were aware of the situation. The City's difficulties in ensuring a quality water supply must be overwhelming, judging by the lack of timely communication on this issue. Finally, on the afternoon of 10/25/21, there was a single press release from the City mentioning a ruptured water main, but no mention of the visibly poor water quality, or any apparent attempt to determine if the water was fit for consumption. In addition, I can attest that my students at Robert Louis Stevenson Middle School were drinking this questionable water with no warning or word of caution from St. Helena City leadership to the school district.



In reference to the St. Helena 2010 Water Supply Plan, the DEIR (page 3.13-10) clearly states "...water supplies under both the Likely Buildout Scenario and the Full Buildout Scenario would not be sufficient to meet demands during all [water supply] scenarios."

Given these circumstances, how can the City or the developer warrant to any future Hunter Project residents that there will be a sufficient supply of good quality water to supply their residences? What if the water supply and quality continues to be inadequate? The current lack of an adequate supply of quality water in the City of St. Helena indicates that the addition of any further housing units must wait until the water delivery infrastructure is upgraded. Which entity, the City or the Hunter project developers, will be legally and financially responsible for any future injury to health, life or property resulting from the worsening of City of St. Helena water supply/quality issues, exacerbated by addition of 80+ households in the proposed Hunter project?

There are mitigating actions listed in the DEIR, such as page ES-3 "Minimize City water use by continuing the use of an existing on-site water well for irrigation of Proposed Project landscaped areas" and page 3.13-28 "The Proposed Project would be designed not to exceed 0.4 acre-feet/year/dwelling unit of water based on the installation of increasingly efficient and lower- water-using fixtures and appliances and irrigation systems." However well intentioned, these mitigating actions don't come close to solving the difficult issues facing the City of St. Helena's water enterprise.

#### **Danger from Earthquake/Flooding**

The DEIR states "The following policies from the City of St. Helena 2019 General Plan, Public Health and Safety element are relevant to geology, soils, and seismicity issues in the Project site. Policy PS3.1:

***Minimize risk of injury, loss of life and property damage from seismically induced and other known geologic hazards*** (page 3.6-18)."

Page 3.6-22 of the DEIR points out a substantial problem: "It is not acceptable to place compacted, engineered fill (designed to support future development) on the Hunter Parcel without first over excavating and recompacting the existing weak surface layer, due to the anticipated settlement of the weak soil layer as a result of the loads imposed by the new fill, as well as future building loads. Settlement of the weak soil layer, if left in place beneath the recently placed compacted fill, could lead to damage to new residential structures, streets, utilities, and concrete flatwork supported over the weak soil layer."

Due to the potential for liquefaction and/or settlement of weak soils, the Proposed Project could potentially expose residences to significant impacts from a major earthquake. The DEIR clearly states this is considered a significant impact.

Another safety issue is levee surrounding the Hunter property. It is well known that local news media has reported past correspondence between the City of St. Helena and the Army Corps of Engineers questioning whether the levee was constructed according to accepted engineering and safety standards. As one citizen brought up during public comments at the City Council meeting of 9/14/21, no one -- City of St. Helena staff or the Hunter developer--will answer simple questions in a public meeting regarding which entity, the City or the developer, will take responsibility for possible future damage to health, life or property if the levee protecting the Hunter property should be damaged. Was

the levee built to current engineering and safety standards? No one seems to want to answer that question affirmatively, with supporting documentation.

Fortunately, page 3.9-12 of the DEIR provides us with a response on this issue: “Where the levee may be overtopped or in a 200+ year flood event, Proposed Project residents would have ample warning to evacuate prior to flooding. Based on a comparison of the base flood elevation to proposed lot pad elevations, flooding of Proposed Project lots would range between 0 and 5 feet in depth, with the deepest flooding occurring on the northern part of the Project site. ***This level of flooding would leave upper floors of residences available for refuge. Because of this, the risks from a 200+ year flood and/or levee failure are limited to property damage rather than risk of life. As previously indicated, this would be an impact of the pre-existing environment on the Proposed Project rather than the Proposed Project’s impact on the environment.***”

Where is the mitigation or measures to protect public safety in this strategy? I remind the reader how readily disease vectors are spread via flood waters, and how toxic mold can grow for years in a structure damaged by a flood. In section 3.9-12, the Hunter project developers are clearly stating “The danger from the levee is just a pre-existing condition of this property, we won’t take any responsibility for the outcome, we’re going to move forward with this project no matter who is endangered, and the City of St. Helena will be left to deal with the legal and financial consequences.” How about not building the proposed project in such an unsafe location? I wouldn’t buy any residence under the unsafe circumstances proposed for the Hunter project, but that’s just my personal perspective. I’m simply not interested in being trapped in my home’s second story while unsanitary flood waters circulate through the lower story.

I’m wondering which entity, the City or the Hunter project developers, will be legally and financially responsible for any future loss of health, life or property resulting from a levee break or earthquake damage at the location of the proposed Hunter project?

#### **Traffic and Lack of Emergency Access/Egress**

Page 3.14-4 of the DEIR states “Would the proposed project result in inadequate emergency access? This is a less than-significant impact.” I do not agree. Based on my 18+ year residence in the area immediately adjacent to the proposed Hunter project, I would like to elaborate on the negative traffic impacts of further residential development in the area.

Page 3.14-5 of the DEIR states “Under Cumulative conditions, would the proposed project conflict or be inconsistent with CEQA Guidelines section 15064.3(b)? This is considered a significant impact. No mitigation measures available.” My understanding is that CEQA section 15064.3(b) pertains to potential negative traffic impacts. On page 3.15-5 the authors of the DEIR thus acknowledge the project will exacerbate traffic problems in the immediate vicinity and there are no mitigating actions possible.

According to the DEIR page 2-23, “Development of the Project site would require the extension of Adams Street and Starr Avenue onto the Project site to provide two points of ingress and egress....” The developed areas adjacent to the proposed Hunter project -- Hunt Avenue/Hunt’s Grove/Meadowcreek Circle/Starr Avenue -- have had a crowded street parking situation that has increased over the last decade. In addition to aggravating the impacted neighborhood parking situation, further increasing the density of the adjacent neighborhood housing will directly endanger

current residents, well as any future residents of the proposed Hunter project, if a sudden emergency evacuation is necessary, given the few points of exit (Pope Street bridge, Main Street) from the area. Responsible addition of 80+ households to this area must require development of *several* additional entry and exit points; the two cited in the DEIR are not sufficient to safely evacuate the planned Hunter development. In addition, due to prior land use agreements made by the City of St. Helena, it is highly questionable whether there will ever be a bridge built crossing the river at the intersection of Adams Street and Silverado Trail.

The DEIR cites the historic frequency of local natural disasters in the form of floods "...1973, 1978, 1982, 1983, 1986, 1995, 1997, 1998 and 2005 (page 3.9-5)" and wildfires "August 2020 there were a number of wildfires including the LNU Lightning Complex Fire and the Glass Fire that burned large areas of Napa County including a small portion of the Project site (page ES-4)." This week, CHP and St. Helena Police Department reported "Early Monday morning (October 25), a section of Silverado Trail was damaged in a storm-related washout, resulting in a closure at Madrone Knoll Way to Meadowood Lane near St. Helena. Efforts are underway to reopen this section of Silverado Trail as soon as possible. The County expects repair work will begin as early as Friday and anticipates that **Silverado Trail will be reopened within the next three weeks.**" The fragile and limited points of egress on the east side of St. Helena have had a history of creating crisis situations as a result of our frequent natural disasters. Why is increased housing density being considered in an area of St. Helena with so few points of safe entry/exit? Why are the construction of multiple new points of entry/exit not integral to the Hunter Subdivision proposal? Why are the recommendations of the California State Department of Transportation on the development of safe evacuation routes (Evacuation Route Guidance, Design Information Bulletin 93, dated 12/23/20) not being followed in the plans for the Hunter project?

In the aftermath of the 2020 Glass Fire, the St. Helena Police Department and Napa County Sheriff launched a media campaign promoting the ZoneHaven evacuation management platform. Why is the City considering endangering the safety of residents by crowding 80+ more households into an evacuation zone with an existing high density housing complex and very few evacuation routes? This seems contradictory to any sort of safe and responsible evacuation plan. Which entity, the City or the Hunter project developers, will be legally and financially responsible for any future loss of health, life or property resulting from a faulty evacuation from the area surrounding the proposed Hunter Project?

### **Right to Fair Housing**

Over the last three decades, the vast majority of St. Helena's high density housing units, as well as the majority of St. Helena's low income housing, has been constructed east of Main Street. These cumulative actions are well documented in the past minutes of St. Helena City Council and St. Helena Planning Commission meetings. As a result of actions by past St. Helena City leadership over many years, civil rights violations have emerged over the systematic practice of concentrating high residential density and low income housing in the area east of Main Street in an unbalanced manner. This sustained conduct on the part of past City of St. Helena leadership appears to qualify as discrimination in the conditions of housing under the the jurisdiction of the United States Office of Fair Housing and Equal Opportunity. This discrimination has been inflicted on the entire class of St. Helena residents living east of Main Street.

When and where will a comparative number of high density or low income housing units be built west of Main Street, in order to mitigate actions that together constitute discrimination in the conditions of housing by past City of St. Helena leadership against the class of residents living east of Main Street? When will a project similar in scope and size to the proposed Hunter project be built west of Main Street?

These and other protracted local problems will be exacerbated if the proposed Hunter Subdivision project becomes a reality. While the DEIR repeatedly states (pages 2-33, 3.0-1, 3.10-13, 3.10-15, 3.10-17, 3.13-9, 4-5) that the California Housing Crisis Act of 2019 (SB 330) prohibits public agencies such as the City of St. Helena from imposing a moratorium or similar restriction on housing development, the SB 330 legislation provides for an exception which specifically protects citizens and municipalities against development that poses an imminent threat to public health and safety. The Hunter project poses numerous specific threats to the health and safety of current and future St. Helena residents, should the project be built, by compromising:

- environmental/air quality,
- water quality and availability,
- safety from earthquake/flooding
- emergency access/egress,
- the right to fair housing.

It seems to me that the answer regarding whether or not to move forward with the Hunter Subdivision Project as proposed can be found on page ES-17 of the DEIR: “Of the alternatives evaluated above, Alternative 2, the Park Preserve alternative [eg. maintaining the land as a nature preserve] is the environmentally superior alternative.” Taken as a whole, this solution also sounds like the highest and best use of the parcel known as the Hunter Property, in order to responsibly ensure sustained health and safety for current and future residents of St. Helena.

Best regards,

Sherri Kelly  
1192 Meadowcreek Circle

**From:** Lisa Redmon <[lisa@redmonwines.com](mailto:lisa@redmonwines.com)>  
**Sent:** Thursday, October 28, 2021 12:22 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Hunt Street Project

Hello, My name is Lisa Redmon and I am a 45 year local to St. Helena. For the last 20 years I have lived at 1185 Starr Avenue which is at the corner of Hunt and Starr. I am learning that the single family home project across the street from my house is going up for approval again. I've got several concerns:

1. The flooding and water issues - I know this was one of the key reasons the project was turned down prior. I assume the same issue is at play now which is very worrisome. What is different this time around? How can there possibly be enough water as we are already rationed.
2. I evacuated for the 2021 fire and am worried about traffic if this happens again.
3. Parking is already a mess on Starr Avenue due to the existing low income housing. I'm on the corner and have absolutely no parking by my house. Especially during harvest seasons when folks are here to work. There is really no room for more overflow parking which we have seen happens. The parking in the the existing low income housing is tandem which also contributes to folks needing Starr Ave.
4. ALL of the low income housing is packed into the same area of St. Helena. It does not seem right to put more instead of spreading it out a bit. I think it will affect our neighborhood more than it already has.

Regards,

Lisa Redmon  
Owner, Redmon Wines  
[www.redmonwines.com](http://www.redmonwines.com)  
707-235-0282



October 28, 2021  
Ms. Maya Derosa,  
St. Helena Planning and Building Director

Dear Ms. Derosa,

My wife and I are deeply opposed to the Hunter Subdivision Project primarily because the City of St. Helena has an inadequate water supply during dry and critically dry rainfall years. Since 2018, St. Helena has experienced three critically dry rainfall events. If this project is approved, it will no doubt create an even greater hardship for the city's current water customers during drought periods.

St. Helena has delayed undertaking several important capital improvements projects (CIPs) for its water enterprise over the last ten years. Two years ago, St. Helena conducted a master water plan which identified 60 million dollars in needed CIPs. Until these improvements are completed, the Hunter Project's 87 additional housing units will likely over burden St. Helena's current water enterprise.

Currently, there is no plan to increase St. Helena's limited water supply other than to build a new sewage treatment plant having the ability to provide tertiary water for landscaping. Unfortunately, the construction of the treatment plant is years away from completion and the installation of a city-wide tertiary pipe system is a decade away, and at best, a "pipe dream".

Our opposition also stems from the fact that much of the data and information used in the 2021 Hunter Subdivision Project Draft EIR has been taken from past St. Helena General Plans extending back to 1993. Climate change has become a major concern during the last several years and none of the data from the City's past General Plans have given global warming the serious attention it currently requires.

In October of 2020, St. Helena imposed a 43% reduction in water use for its residential customers. This required compliance with a 65 gallon/day/occupant water allotment that resulted in fines and penalties exceeding several million dollars. The ensuing year is currently predicted to be another lower-than-normal rainfall year which may result in St. Helena imposing even stricter water restrictions in the future.

In the last two years, St. Helena is the only city among five cities in the Napa Valley that has imposed mandatory water allotments on its residential and commercial water customers. American Canyon, Napa, Yountville, and Calistoga have all relied upon "voluntarily compliance" with each city's water restrictions. This is indicative that St. Helena currently has an inadequate water supply during one or more critically dry rainfall years. The Hunter Subdivision Project Draft EIR reads the subdivision will require 20-acre feet/year of municipal water to serve the proposed 87 new residences. The simple fact is, St. Helena currently does not have enough water to sustainably support its current citizens, let alone the number of new residents the project will add to our city.

The Hunter Subdivision Project Draft EIR reads there is a pre-existing inoperable agricultural water well near the Hunter property. The Draft also reads the project is reliant on the reconstruction of that “inoperable agricultural water well”. There are sections in the Draft that make it unclear where the exact location of this inoperable water well is located? In one section, the Draft reads the existing well is “near” the Hunter Subdivision property. In another section, the Draft refers to the water well’s location being adjacent to proposed Lot 19. The exact location of the existing agricultural well needs better disclosure because if the existing well does not exist on the Hunter Property, it would be in noncompliance with the city’s municipal code to drill a new water well for residential or commercial purposes when the existing inoperable agricultural well was originally intended for agricultural use. (S.H. Municipal Code Section 13.16.080 B.)

Section 13.16.080(A) of the city’s municipal code reads: “Wells shall not be drilled, nor the water produced therefrom used for residential, commercial or industrial land use activities except that replacement well(s) for residential, commercial and/or industrial land uses may be established for well(s) which existed and were in active use prior to the effective date of this chapter; provided that no net increase in water production results from the replacement well(s)”. It should be noted St. Helena does not maintain historical records of water production from past water wells. Consequently, this provision of the city’s municipal code cannot be complied with.

The Hunter Subdivision Project Draft EIR reads that it is reliant on sharing St. Helena’s municipal Stone Bridge water wells. Currently, St. Helena is being sued by Water Audit California contending the city is over-drawing water from its wells and contributing to the seasonal loss of surface flows that adversely impact Napa River’s endangered fisheries and aquatic life. The Stone Bridge water wells are located very close to the Napa River and the proposed redevelopment of the Hunter Subdivision’s “inoperable” agricultural water well is also very close to the Napa River. If the inoperable well is reactivated, it could potentially add to the further loss of surface flows in the Napa River.

Additionally, the outcome of the Water Audit Lawsuit may very well limit or even terminate the amount of water St. Helena can pump from its Stone Bridge wells. The presumption of sharing St. Helena municipal water in the Draft Hunter EIR may not be possible after the conclusion of the lawsuit primarily because of the well’s impact on California’s Public Trust Doctrine and endangered species.

The Draft EIR for the Hunter Subdivision Project significantly underestimates the amount of municipal water the subdivision will require. This is because the writers of EIRs employ California’s Green Building Guidelines (CGBG) to project interior water use. As an example, California’s Green Building Guidelines were used to project St. Helena’s recent Hunt Street Affordable Housing Project. The guidelines projected the five dwelling units with four occupants per dwelling would require 25 gallons per day per occupant. Currently, under Phase 2 water rationing, St. Helena is being challenged to achieve compliance with residential water customers limiting their water use to 65

gallons per day per occupant. What is more important, when St. Helena approves new construction using CGMG, there is no routine follow-up by the city to ensure the occupants remain in compliance with the amount of water initially approved for the project. In the long run, this can lead to a greater demand for the city's water than what was originally approved for the development. This issue is further exacerbated because St. Helena's policy treats individual water consumption as proprietary and thereby conceals the information from the public.

To comply with St. Helena's water neutrality agreement, the developers of the Hunter Project propose to contribute \$596,808 in in-lieu fees to retrofit 333 existing households with water saving toilets, shower heads and faucets. The developer claims this will make up for the additional municipal water the Hunter Project will require. The City of St. Helena has experienced several critically dry rainfall years during the last decade at a time when most households have already installed low flow appliances. This leads one to question: How long it will take to retrofit 333 existing homes in St. Helena? Or, if there are even 333 existing households left in St. Helena needing retrofitting?

The bottom line is "Water Neutrality" is an example of bogus terminology. It implies a development will not use more water than was projected in the proposed permit application. Without routine municipal enforcement of the water neutral ordinance's, the term falls significantly short of accomplishing its intended purpose.

Lastly, the Hunter Subdivision Project is proposed to take place in a flood zone where water damage is possible during a higher-than-normal rainfall year. If the project is ultimately approved by St. Helena's City Council, a condition of the approval should include complete indemnification for the City of St. Helena for any future losses that may occur to the Hunter Subdivision Project due to future flooding.

Respectfully submitted,

Thomas and Margot Belt  
1520 Hillview Place,  
St. Helena CA 94574

October 23, 2021

Dear City of St. Helena Planning Department and City Council,

I submit the following Comments on the Draft Environmental Impact Report for the Hunter Subdivision Project:

1. There is currently an unmanaged traffic problem at the east side of the intersection of Adams Street and Railroad Avenue. Specifically, egress and ingress on Adams Street at the north side of the parking lot for Smiths Pharmacy, Safeway, and a few other businesses is already unsafe. How will the Hunter Subdivision be built without severely exacerbating this already dangerous traffic problem?
2. There is currently an unmanaged traffic problem on Adams Street between Main Street and Railroad Avenue. Specifically, traffic already backs up on Adams Street on the east side of Main Street impeding access to the service station on the north east corner of the intersection as well as Chase Bank on the south side of Adams Street. During tourist seasons the traffic on this block of Adams Street backs up to the four way stop sign/ Intersection at Adams Street and Railroad Avenue causing dangerous and time consuming traffic jams. It is gridlock until the traffic signal changes. How will the Hunter Subdivision be built without severely exacerbating this already dangerous traffic problem?
3. There is a conservation easement intended to preserve the land, protect wildlife habitat, And provide for public access consistent with the purposes of the Flood Protection Corridor Program in direct proximity to the proposed Hunter Subdivision project. How would the Hunter Subdivision project be able to proceed without having a negative impact on the flora, fauna, and Napa River adjacent to the proposed project?
4. We recently underwent emergency evacuations due to wild fires surrounding St. Helena. Evacuation for the residents of Vineyard Valley Mobile Home Park (VV), occupied mostly by senior citizens, was difficult and scary. Had the fire come .25 miles closer there would surely have been significant loss of life. Currently there is Pope Street or the levee road as exit routes for VV. How is it possible for the developer to build and populate the Hunter Subdivision without significantly endangering the lives of VV residents the next time an emergency evacuation is ordered?
5. There is already a severe parking problem on Star and Hunt Avenues and other nearby streets due to insufficient parking at Hunts Grove, Woodbridge Village, the recently acquired fourplex on Adams Street, and the numerous multifamily apartment buildings on Grove Court. With a proposed 87 homes, and possibly more, how will the Hunter Subdivision provide the minimum 174 parking spaces that would be required in order to not exacerbate our current parking problems?
6. How have the developers actually *proven* the Hunter Project would be water neutral and have no negative impact on the Napa River at the very outset of the project and remain water neutral in perpetuity?

I look forward to reading the results of the studies that will be conducted to address my, and all the other peoples' numerous concerns about the foreseeable negative impacts the Hunter Subdivision Project would have on St. Helena.

Sincerely,  
Nancy Dervin

**From:** Nicole Dale <[nicole.garriott@gmail.com](mailto:nicole.garriott@gmail.com)>  
**Sent:** Thursday, October 28, 2021 9:47 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Public Comment - Hunter Subdivision

Dear Maya,

We share a property line with the proposed Hunter Project and are in opposition of the development. In addition to our concerns over traffic, water, flooding, etc. another top concern is the loss of open trail space that we see so many St. Helena residents use daily. There are no other open walking or hiking paths in St. Helena and it would be a huge loss to both locals and tourists who all enjoy the space.

A separate concern- we understand that one of the biggest benefits to this project is affordable housing. The fact that the developer is proposing ADU's on the single-family home lots to fulfill the affordable housing requirement is offensive to the law.

Best Regards,  
Nicole and Scott Dale  
1326 Monte Vista Ave

**From:** Maria Villegas <[marrivilla1@comcast.net](mailto:marrivilla1@comcast.net)>  
**Sent:** Friday, October 29, 2021 1:29 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] DEIR questions and comments

Dear Ms. DeRosa,  
The following are questions and comments on the DEIR.

#### Question 1

ES.5. Effects found to be less than significant  
Wildfire

“Starting in August 2020, there were a number of wildfires including the LNU lightning Complex Fire and the Glass Fire that burned large areas of Napa County including a small portion of the Project site. Based on the current CAL FIRE maps the Project site is not located within a State Responsibility Area and is not designated as a VHFHSZ”

#### Question

1. If the Glass Fire burned a small portion of the Project, please clarify why the Project site has not been re-evaluated as a fire zone?
2. When determining State Responsibility Areas, has Climate Change been taken into consideration given recent extreme fire behavior and patterns?
3. The last fire which crossed Silverado Trail and came extremely close to residents at Vineyard Valley, had limited evacuation routes or evacuation warnings. Evacuation routes would not only impact existing surrounding neighborhoods, but the newly proposed Project. Please clarify how evacuation routes will be mitigated.

With the current closure of Silverado Trail, the current traffic conditions gives insight how dangerous and life threatening any disaster would be to the community. While the DEIR readily admits traffic is a problem, I see no reasonable data which would mitigate the problem.

#### Question 2

Landscaping and Lighting

“Approximately 74 scarlet maple trees would be planted along the Adams Street extension...57 Chinese pistachio trees would be planted along Street A. Approximately 54 tulip trees would be planted along Street B ...”

#### Question

1. Currently the City is in a Phase II water conservation. The city has mandated discontinuation of landscaping irrigation how will the water shortage be mitigated in a severe drought?
2. Why is the City of St Helena the only city in Napa County being penalized for over usage of water? Will the current penalty fees be used on the Hunter Project in any way?
3. Is the proposed well currently functioning and operational?
4. When was the well last inspected or tested?
5. If the applicant is proposing the well be owned and maintained by a homeowners association or similar method, how will that impact the city's water usage in the event the well is non-functioning?
6. How was it determined the applicant determine who owns the well and through what means it will be maintained?

It is known most citizens of St. Helena have not been pleased with excessive penalty fees. Why would any new development be considered now?

### Question 3

### 3.5 Cultural and Tribal Cultural Resources

#### Records Search

"This work has demonstrated the area to contain significant and highly sensitive archaeological resources. A total of 163 human remains/burials were recovered from one site (CA-NAP-399) as part of the Flood Protection project, the largest number of burials recovered from a single site in the Napa Valley to date (Schneider et al. 2013:44).

"Subsurface probing (XPI probing or investigation) was conducted by a Dudek archeologist from November 15, 2018 to November 17, 2018...Excavation included three 6-inch hollow-stem augers and 5 shovel test probes. Excavations did result in the identification of areal within the Project site that contain, and have the potential to contain archaeological resources."

#### AB 52

AB 52 requires consultation with Native American tribes traditionally and culturally affiliated with the geographic area in which a project requiring CEQA review is proposed if those tribes have requested to be informed of such proposed projects....This law is in addition to existing legislature protecting archaeological resources associated with California Native American tribes. AB 52 applies to all projects initiating environmental review in or after July 2015.

### Question

1. If the area contains "significant and highly sensitive archaeological resources with a total of 163 human remains/burials, the largest number of burials recovered from a single site in the Napa Valley to date (Schneider et al. 2013:44)...., why is the site no longer eligible for the California Register of Historic Resources and the National Register of Historic Places?

2. The DEIR states a number of prehistoric sites have been identified within the study area and “two sites were identified with the boundaries of the proposed Project”. Please clarify.
3. Have the following artifacts been returned to the Wappo Tribe?  
Found on two sites of the project were:
  - Historic Wappo - Trade Beads
  - Projectile points
  - Charmstones, Bone Tools, Groundstone
4. If the artifacts were not returned to the Wappo Tribe, who has current possession of the artifacts?
5. AB 52 requires consultation with Native American Tribes traditionally and culturally affiliated with the geographic area. The DEIR indicates Scott Gabaldon, Tribal Chairman, Mishwah-Wappo Tribe was not notified. Please clarify why the Tribal chairman was not contacted?
6. Where are the 163 human remains?
7. California Health and Safety Code Section 7070.5(b) of the California Health and Safety Code specifies protocols to address any human remains that may be discovered. Was this protocol followed? Please clarify.

The DEIR has addressed the issue of human remains and historical artifacts in a most deplorable manner. I trust the applicant would demonstrate some sign of decency and respect for human sanctity.

Thank you,  
Maria Villegas

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

From: Dottie Gingerelli <[dgingerelli@comcast.net](mailto:dgingerelli@comcast.net)>

Sent: Saturday, October 30, 2021 2:50 PM

To: Xinia Gamero <[XGamero@cityofsthelena.org](mailto:XGamero@cityofsthelena.org)>

Subject: [External] Hunter Project

Hello Ms. Gamero,

Along with all the arguments against the Hunter Project such as severe water scarcity, increased global warming with more gas vehicle emissions, destroying an established in-place bike/walkability access to grocery stores, the pharmacy and downtown shopping, essential to cities for their citizens and businesses.

I'd like to submit the issue of safety for seniors at Vineyard Valley and all local First Responders. Presently, half the senior residents of VV Park evacuate to the main drive to the South exit of the park onto Pope St., while all First Responders enter into VV on the right side of the entrance driveway, off of Pope St. safely passing each other.

The other half of VV residents exit to the trail at the north end of the park, where the Hunter Project is under consideration.

Without that North access, all senior residents of VV Park will be forced to get onto the main drive at the same time, going the same way. Time is of the essence!

If an evacuation order were in effect again, the senior residents could possibly be stranded in a fire evacuation and First Responders would be hindered in their ability to evacuate the park and start protective measures. A life and death situation is very possible for both the senior residents and the First Responders. Delays could prove deadly!

I also have a question. If a loss of life should occur because of the passing of this project, would the city be prepared for probable lawsuits for their actions limiting access to safety for senior residents and First Responders?

Thank you,

Dottie Gingerelli

50 Laguna Seca Ct.

St. Helena, CA 94574

[dgingerelli@comcast.net](mailto:dgingerelli@comcast.net)

**From:** Chris Fowler <[chris@alanssainthelena.com](mailto:chris@alanssainthelena.com)>  
**Sent:** Saturday, October 30, 2021 6:55 PM  
**To:** Public Comment <[publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org)>  
**Subject:** [External] Public Comment November 2 PC Meeting

Dear Planning Commission,

I am commenting on Agenda Item 5.1. I will try and keep this rather brief. Other commenters have discussed some very large elephants that are in the DEIR room, and I would like to point out the Option 4 elephant that is standing in the corner. Option 4 seems conveniently buried at the bottom DEIR, but maybe they were saving the best for last.

St. Helena is running out of available space and time to even make a dent in the next RHNA cycle. Water and potential site flooding issues aside, maybe now is a good time for some discussion and consideration of low and affordable housing alternatives. Adams Street dead-ends at this parcel, is this where the can-kicking can finally stop?

Thank you,  
Chris Fowler

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

From: Lynda Burton <[burtonfamilylaw@gmail.com](mailto:burtonfamilylaw@gmail.com)>

Sent: Sunday, October 31, 2021 1:08 PM

To: Public Comment <[publiccomment@cityofstheleena.org](mailto:publiccomment@cityofstheleena.org)>

Cc: Maya DeRosa <[MDeRosa@cityofstheleena.org](mailto:MDeRosa@cityofstheleena.org)>

Subject: [External] Hunter Project

Dear Sir/Madam,

I write to register my grave concerns with and opposition to the proposed Hunter Project.

While there are many reasons to oppose the project, my primary concern is the project's impact on our extremely limited water supply. Their proposed mitigation measures seem laughably inadequate, especially given the project's long term impact on the city's water consumption.

Our need for affordable housing can be better met by smaller, specifically targeted projects for seniors and lower income families.

Sincerely,

Lynda M. Burton  
Attorney at Law (Retired)  
1501 Allyn Avenue  
St. Helena, CA 94574

**From:** mark willey <[mark.c.willey@gmail.com](mailto:mark.c.willey@gmail.com)>  
**Sent:** Saturday, October 30, 2021 1:05 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Cc:** Jeanette Cheeseman <[jkc525@msn.com](mailto:jkc525@msn.com)>  
**Subject:** [External] For ST. Helena's planning department / Hunter Subdivision project

**TO: Maya DeRosa, Planning & Building Director**  
**City of St. Helena, Planning Department**  
**1572 Railroad Avenue, St. Helena, California 94574**

Good day Ms. DeRosa,

Please accept our comments regarding the Hunter Subdivision Project: While we agree that adding additional affordable housing can help our community we have concerns with the proposed location of this project. As St. Helena residents at 36 Laguna Seca Ct. we thank you for allowing my wife and I to share our serious concerns.

1) Safety-- having an affordable housing complex located by 2 retirement communities will bring crime. Vineyard Valley will be easily accessible by the planned development residents and the new complex will also bring crime to The Springs Retirement complex which is close by as well. Residents of both communities are older and will be easy victims. Note that the Vineyard Valley community which consists of mobile homes has many elderly residents that live independently with virtually no security systems and with easy access to their homes and vehicles it further increases the likelihood of crimes being committed.

Fire / earthquake evacuation-- the residents of VV recently held a practice evacuation driving drill which included, upon the decision of town officials and safety experts, to utilize the area being proposed as a road for the new development. So now this emergency access goes away and is replaced with more traffic and maybe not even accessible to all residents? Are we now saying our residents' safety is not as important as new affordable housing? One assumes also that the increased traffic into the area will slow the ability of medical response and also fire and police when the needs occur. One further assumes that the additional houses and population will increase the probability and likelihood of fires, ie BBQ's, smoking, etc. What happens to our community seniors when they must be evacuated and lose their homes? Or potentially their lives. Is that what is best for our community? Who will pay the cost of additional police, fire, medical equipment and personnel? Why were these and the following not either at all, or completely, addressed in the environmental impact report nor by the developer?

2) Wildlife--very near the proposed development there is a habitat restoration area that is posted keep out. We believe the development will severely and negatively impact this area. One would guess that the housing will include children and pets that may run free into this protected area. Have studies been done to address and successfully mitigate this and related issues?

3) Loss of use of the walking trail for residents and the negative impact on the wineries built along the pathway-- Napa Valley is known for its beauty, wineries etc.. The development will have a negative effect on existing residents and visitors to the area who will no longer be able to enjoy the openness and use of the walkway and current open areas proposed to be lost to the project. Vineyard Valley residents and visitors often throughout the day use the walkway along the proposed Adam Street extension to walk to town, to walk their pets and to just enjoy the beauty of the surrounding area. Taking this away

also forces more traffic onto either Pope Street, or along the new proposed extension now with vehicles again putting our seniors, pets and others in potential danger.

There are existing and new wineries that have been built to take in the existing views and experience and if the project is approved the existing wineries customers, the number of which will surely drop, will be looking out at affordable housing. We do not see how the proposed development will be anything but negative for the wineries built and being built along the area. Millions have been invested to utilize the surrounding area with vineyards and wineries, shouldn't the area be used the same? Let's increase the visitors and residents' experience which will increase St Helena's revenue while not severely hurting our existing community residents and businesses.

4) Water- St. Helena has been in drought conditions for years. With climate change the conditions are expected to worsen and will continue to do so. This year we were forced to discontinue exterior watering, which while understandable, hurts our lifestyle and even resale and we wonder how close were we, as a community, to enter into mandatory water rationing?

We reviewed a comment and offer by the developer and his consultant to provide low flow water units to a certain number of existing homeowners which would, according to the developers consultant, actually, even with the new housing, lessen the current usage of water for all of St. Helena. WOW, this is probably one of the most ludicrous proposals to mitigate a very serious environmental issue. Seriously, let's build almost a hundred of new homes / townhouses/ apartments which increase the population by much more than the total units built, then install low flow water toilets and faucets in a few thousand homes, assuming existing residents accept the offer; or will this be mandated by the Town? ,and the ultimate net water affect is a savings to all the water used in St. Helena. There is no way. The water use and needs in St Helena will go up, and dramatically. Where will the water come from? We also wonder who pays any additional repairs that are found to be necessary should a resident accept the new low flow units? Forcing, or even offering, units to an existing resident and then having them incur additional costs does seem like a positive step for our community. Oh, and will the developer guarantee contractors will be available to do the work? What about the added impact to the Town's existing infrastructure? Roads and utilities will fail sooner and maybe more often with the added use.

While we appreciate the County and town's concerns to address the mandate for affordable housing, we must oppose the Hunter subdivision development based on numerous factors, some as touched on above.

Respectfully submitted, Mark and Jeanette

Best regards,

Mark Willey  
707-480-3645

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

From: Connie Wilson <[clw1956@comcast.net](mailto:clw1956@comcast.net)>

Sent: Sunday, October 31, 2021 4:30 PM

To: Maya DeRosa <[MDeRosa@cityofsthehena.org](mailto:MDeRosa@cityofsthehena.org)>

Subject: [External] Hunter Project Opposition

Dear Ms. DeRosa,

I wish to express my opposition to the Hunter Project. I believe that no new commercial or residential construction or projects should be considered at this time with our dire water situation. Additionally, the Hunter Project has been continually rejected by the majority of St. Helena citizens.

With our water and sewer problems and historical local opposition, this project should not be considered for approval.

Thank you.

Connie Wilson  
1658 Scott Street  
St. Helena

**From:** Joann Patton <[mcnjo@buckeye-express.com](mailto:mcnjo@buckeye-express.com)>  
**Sent:** Sunday, October 31, 2021 3:42 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** Fwd: [External] Hunter Project  
Sent from my iPhone

Begin forwarded message:

**From:** Joann Patton <[mcnjo@buckeye-express.com](mailto:mcnjo@buckeye-express.com)>  
**Date:** October 31, 2021 at 3:33:55 PM PDT  
**To:** [publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org)  
**Subject:** Hunter Project

To whom it may concern,  
This project SHOULD concern us all and there are a myriad of reasons to be opposed to it. I will leave detail to others but two main reasons are lack of water and city liability in case of levee failure. This discussion needs to end and never reopen.  
Thank you.  
Joann Patton  
1832 Crinella  
St Helena CA  
Sent from my iPhone

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

From: Charlotte Powell <[charlottecora@gmail.com](mailto:charlottecora@gmail.com)>

Sent: Sunday, October 31, 2021 3:17 PM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Subject: [External] Hunter Subdivision

To whom it may concern:

Please do not approve the Hunter Subdivision. The open space, and field provide homes to so many local wild plants and animals. I have often seen a plethora of birds, foxes and coyote in that field on early morning walks. We have far too open spaces like that for people to enjoy in town. Please do not build there!!!!

Thank you for your time.

Charlotte Powell

Sent from my iPhone

**From:** Andree Bryan <[andree@bryanconsulting.net](mailto:andree@bryanconsulting.net)>  
**Sent:** Saturday, October 30, 2021 4:18 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] I AM OPPOSED TO THE HUNTER PROJECT

Hi Maya DeRosa,

I am writing to let you know that I am very opposed to the Hunter Subdivision Project.

My concerns are:

1. Availability of water
2. The plan calls for sharing water with Vineyard Valley --- I AM VERY OPPOSED TO THIS!
3. Impact on traffic. Our city has become unbearable when it comes to traffic and now you want to build 51 homes in a small, small area.
4. You will destroy the beauty of the walking trail that so many of us enjoy. Saint Helena does next to nothing for it's residents in terms of walking paths and accessibility to nature. This is probably our only walking path --- and you want to take that away.
5. I have yet to see an environmental impact study.

Thank you,

Andree Bryan  
Resident of SH and Vineyard Valley

**From:** Joseph Cole <[josecole134@gmail.com](mailto:josecole134@gmail.com)>  
**Sent:** Saturday, October 30, 2021 2:49 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Hunter Project

Looking southwest from Carpenter Ranch. across the wide open expanse, Vineyard Valley mobile home park was there. Hunt street Apts. nope! Starr ave( didn't exist) Hunt Ave. dead ended a little past Monte Vista. I am a newby, here. Been transplanted desde Socal( 1983). Married born and raised home grown Saint Helena girl: Misty Sagadin. Our two sons are grown men. ( oh, yeah. They, too, born/ raised here. I left southern California and have experienced this incredible upper valley. Hunter Project is going to serve only a few.the reality of what it's fruition will harvest a self- inflicted disregard for the wonder a rural community experiences. Don't do that.

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

From: BERT CASTEN <[bertcasten@aol.com](mailto:bertcasten@aol.com)>

Sent: Saturday, October 30, 2021 2:37 PM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Subject: [External] Hunter st

I have been taking kids and adults to walk behind the library for years. Access to the river is so much fun. Please do not let Hunter Subdivision Project take our open space/ access to river away.

Thank you

Bert Casten 1830 Adams st

Sent from my iPhone

**From:** Kathy Paulus <[toonie.anderton@gmail.com](mailto:toonie.anderton@gmail.com)>  
**Sent:** Saturday, October 30, 2021 12:11 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Hunter Subdivision Project

The Hunter project is to be situated in the Napa River floodplain. Floodplains provide groundwater recharge, filter sediment and contaminants, transport nutrients, and support habitats for some of our most sensitive living resources. A floodplain is an area of land adjacent to a river which stretches from the banks of its channel to the base of the enclosed valley walls and which experiences flooding during periods of discharge.

Building on floodplains has serious consequences because water that would be otherwise absorbed by the land instead runs off more quickly into the river that then burst their banks. An area that is subject to natural flooding from an adjoining waterway is in an area that makes the habitats for many creatures rare and unnatural as their natural habitable has been destroyed. It also makes it very dangerous for the creatures to build down river as the oils and dirt gets washed in the river polluting it by dangerous amounts.

Developers see the advantage to building in a floodplain because they tend to be flat and therefore easy to develop and are close to other amenities. This is one of many very big reasons to STOP the Hunter Subdivision Project.

From a concerned citizen,  
Kathleen Paulus  
St. Helena

**From:** John Schoof <[jpschoof@comcast.net](mailto:jpschoof@comcast.net)>  
**Sent:** Saturday, October 30, 2021 11:33 AM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Cc:** Patricia N. Schoof <[pnschoof@comcast.net](mailto:pnschoof@comcast.net)>  
**Subject:** [External] Hunter Subdivision Project concerns

Dear Ms. DeRosa:

I missed the public comment period in 2018 as we were new to the area during that time. However, I want to share my perspective of the Hunter Subdivision Project. With the drought conditions we are experiencing, my initial reaction to the project is that it should be deferred until a more abundant and sustainable water supply is available; one that can support existing and future potable water demand for Saint Helena. The ideas that follow are my concerns with the project, along with some suggested solutions that collaterally provide some additional benefits in the City of Saint Helena.

#### **Preserve the vineyards**

There are two healthy, productive, and beautiful vineyards on the proposed development site, and as you are aware, those vineyards are also bordered by additional vineyards to the north. While it is not a city park, it seems to get visited by dozens of residents each day – residents out for their daily strolls, residents walking their dogs, and children riding their bikes or flying kites. To me this is part of the charm of Saint Helena. Let's preserve that which is a foundation of the county and city in which live and that we thoroughly enjoy.

I understand that the owners of the property desire to monetize their investment. I also assume that if only half of the land was developed for housing, that the economics might not work for the developers. Perhaps there is a solution away from greenfield development on the planted/producing land to an infill development within the City of Saint Helena. I have often thought to myself that the land on Mitchell Drive (behind the Umpqua Bank) might be a great location for high(er) density/affordable housing that is closer to shopping and main vehicle traffic lanes. A conceptual solution would be for the City of Saint Helena to acquire the Mitchell Drive property(ies) and exchange it for the vineyard land at the end of Starr Avenue; the Hunter Subdivision Project developers could then develop affordable housing off Main Street and Mitchell Drive and the City of Saint Helena could put the vineyards into a land trust to protect them for perpetuity (and enjoy the benefits of positive cash flow from a long-term lease of the vineyards).

#### **Integrate safer vehicle traffic patterns**

Starr Avenue, running from Pope Street to Hunt Avenue is already used as a bypass route to downtown Saint Helena. There is a current child safety iss due to the number of vehicles that ignore the stop signs at the intersection of Hunt Avenue and Starr Avenue. In addition, along with Meadowcreek Circle the two streets accommodate an abundance of overflow parking for the Hunt's Grove Apartments. The current proposal to extend Starr Avenue to intersect with an extension of Adams Street would exacerbate the current traffic, child safety and parking situation.

If only the land in the unplanted portion of the Hunter Subdivision Project was developed, the development could be accessed via an extension of Adams Street (only) without a tie-in from Starr

avenue such that Adams Street could (someday) be extended over the Napa River to intersect the Silverado Trail. From the Adams Street extension, among the requisite streets required for the project, the developer could incorporate a feeder street built behind the east end of the preserved vineyards. This street would also be configured to provide a second vehicle access to the Hunt's Grove Apartments. Finally, within the Hunt's Grove Apartment's property, provide a secondary rear parking solution for the tenants and their guests (I believe that part of that parcel is already owned by the City of Saint Helena).

#### **Migrate to sustainable energy resources**

I would hope that all utilities would be underground. To mitigate the use of natural gas and the movement to all electric homes in California all homes in the development should be outfitted with solar panels, as well as electric storage batteries. As a further contribution to affordability and energy sustainability, a solar electric generation system along with storage batteries should be installed as part of the development project – the solar panels could be located over the water collection basin between the east end of the development and the levee with related storage batteries installed on the Hunt's Grove Apartment's property. The proceeds from this additional power to the electric grid could be used to finance the development of the additional parking in the Hunt's Grove Apartment's property with any excess funds going to improvements of the water and sewage systems in the City of Saint Helena.

#### **Conserve water**

The residents of Saint Helena are frequently asked to conserve water. Adding 80+ new households does not help that effort. Furthermore, adding 80+ new households to the demand for limited amounts of water does not have a positive impact in the effort to create affordable housing for people – this higher cost of water contributes to the cost of living in Saint Helena. The development plan calls for using ground water from an existing well for irrigation but there is no solution for a neutral effect on the use of potable water.

Unfortunately, I do not have an environmentally sound solution for a neutral effect on the use of potable water, but I do have a suggestion to not use precious ground water for residential irrigation. That is to incorporate a series of cisterns under any newly constructed streets (and parking areas in Hunt's Grove Apartments) to store run off from streets, parking lots and buildings for nonpotable water uses such as irrigation to help conserve our limited sources of drinking water.

Agricultural land/vineyard preservation, traffic management improvements, sustainable energy resources, and thoughtful water management in the Hunter Subdivision Project warrant further consideration to help the City of Saint Helena evolve.

Respectfully submitted,

John Schoof

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

From: Doris Mosler <[dhmosler@gmail.com](mailto:dhmosler@gmail.com)>

Sent: Saturday, October 30, 2021 9:30 AM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Subject: [External] Development

As a senior living in vineyard valley I am deeply opposed to the development of the area behind the library. This is too small a town to support a massive housing project. The disturbances while building will be terrible and noisy, the traffic impacts intense and the loss of a lovely natural resource and bird habitat a great loss.

Please do what you can to stop this unwise plan.

Doris Mosler

Sent from my iPhone

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

From: Alexandrine Venezia <[eretz5660@gmail.com](mailto:eretz5660@gmail.com)>

Sent: Saturday, October 30, 2021 7:04 AM

To: Maya DeRosa <[MDeRosa@cityofstheleena.org](mailto:MDeRosa@cityofstheleena.org)>

Subject: [External] Hunter Subdivision Project protest

To the Building and planningDirector

How can such a project be presented, when there are currently such restrictions on the use of water for us residents of st Helena. How can this be omitted? We are told an even worse future. City Hall penalizes residents financially because there has been no serious planning for water management and apparently it is even worse for the future. So I hope that this will be taking in consideration in the protest against that project.

A Venezia Rouas

Sent from my iPad

**From:** gail lane <[gail@winestates.com](mailto:gail@winestates.com)>  
**Sent:** Saturday, October 30, 2021 5:50 AM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Hunter project

I would like to share my serious concerns regarding this project.

My family settled in St. Helena 7 generations ago. I've lived in St. Helena most of my 68 yrs. I've founded several businesses, always looking out for the best interest of our small community.

This project is drastically going to impact traffic on Pope, Starr, Hunt & Adams streets. I understand the owner has a well but our water situation will still be impacted.

Our water table has already been depleted irrigating vineyards. But we are an agricultural county and growing grapes is a priority.

The Glass Fire damaged our city's water supply. We're still in a serious draught. How can our city's resources properly manage all these new homes and homeowners?

We need affordable housing. But there must be a better solution than filling an open space in town with over 51 new homes.

Starr Ave is littered with cars before/after work and on weekends right now. The residents in the apartment complex at the end of Hunt have never had enough parking. They are forced to park and walk several blocks just to get to their apartment. Starr Ave residents have cars lined up in front of their own homes, leaving no room for guests.

I oppose this project due the size of it, the impact on water resources, city sewer & traffic.

Thank you.

**Gail Morgan Lane**  
Broker/Owner  
BRE# 01026604

**St. Helena Real Estate**  
1346 Main Street  
St. Helena, CA 94574  
T 707.967.9570  
C 707.291.0156  
F 707.968.0885  
[gail0634@gmail.com](mailto:gail0634@gmail.com)  
[gail@winestates.com](mailto:gail@winestates.com)  
[www.winestates.com](http://www.winestates.com)



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

From: [marks.marybeth@gmail.com](mailto:marks.marybeth@gmail.com) <[marks.marybeth@gmail.com](mailto:marks.marybeth@gmail.com)>

Sent: Saturday, October 30, 2021 6:30 AM

To: Maya DeRosa <[MDeRosa@cityofstheleena.org](mailto:MDeRosa@cityofstheleena.org)>

Subject: [External] Hunter Subdivision Project

Hi Maya

I am writing to let you know that my husband and I are very much against the proposed Hunter subdivision going forward.

We plan on joining the meeting on Nov 2nd to learn more as we're certain there have been impact studies completed.

This high density housing will go towards accelerating the depletion of our already overtaxed resources, especially our water.

Thank you,

Beth and David Marks  
945 Brown St  
St Helena CA 94574

**From:** Donna Hardy <[mhardysh@att.net](mailto:mhardysh@att.net)>  
**Sent:** Monday, November 1, 2021 10:16 AM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Hunter Draft EIR

Good Morning Maya,

Attached are my questions and concerns about the proposed Hunter Project that will be discussed at Tuesday's Planning Commission Meeting. Please distribute it to the members and make it a part of public record.

Thank you,

Donna Hardy  
620 Harvest Lane  
Saint Helena, CA 94574

After reviewing the Hunter Project Draft EIR, I find the items listed below of concern:

- 1) Does the City of St. Helena have enough water in drought years to permit 87 new homes to be built? Can Water Neutrality be achieved by water conservation and retrofitting old fixtures in town? Should an agricultural well be used for landscape watering to help a proposed housing development achieve Water Neutrality?
- 2) The 1993 General Plan, which is the document being used for this Subdivision request, stipulates that Adams St. be extended to the Silverado Trail; why is this not being required as a condition for the project?
- 3) The Hunter property was in the flood plain before the Measure A Levee was built. After its completion, FEMA then changed the zoning to Firm X, which no longer requires homeowners to purchase Flood Insurance. If the project is approved and homes are built behind a levee the City of Saint Helena created and is required to maintain, the city could be held responsible for the losses if the levee ever failed. Could the city be held in non-compliance of the terms of the Measure A agreement if homes were built as proposed? Did the Measure A Project change the buildability of the Hunter Land?
- 4) It is a requirement that the project be Water Neutral by retrofitting old toilets in town and other water savings measures to offset the interior water use of the 87 new homes. The city is presently in a Phase II water emergency, and homes have been allocated water usage based on the number of people living in them. If usage is over the limit, fines are given, and no new water hookups are allowed during this time. With these restrictions why are we currently considering a subdivision of 87 new homes and how much more can be done to save water if the dry years continue?

All exterior watering for the Project is proposed to be an on-site, inactive, groundwater well that was inoperable at the time of the site visit for the Draft EIR. The Subbasin monitoring well may be within the pumping influence zone of the Stonebridge Complex wells which supplies the entire city with up to 20% of its water demand in normal years, and up to 30% in dry years. Currently the City of Saint Helena is being sued by Water Audit, CA which is critical of its use of the Stonebridge wells for municipal use and a pattern of no discretion in issuing permits for new wells. The City Council is having a Closed Special Meeting on Nov. 1 to discuss the matter. Is the Planning Commission not concerned that approving the use of a groundwater well for outside irrigation of new homes in the city will potentially further open them to another suit from Water Audit, CA or another agency?

On page 490 of the EIR there is a chart that shows water supplies would not be sufficient to meet demands under all scenarios. It is then suggested if supply were low, amount could be increased by

- 1) conservation
- 2) modifying rates to encourage conservation
- 3) increasing ground water production.

With the current drought the city has tried conservation with some level of success, but did not get the results they expected. Stiff fines were implemented modifying the rates to further encourage conservation and the first month over a million dollars in fines were dolled out. Presently the City is, out of necessity, using more groundwater from the Stonebridge Wells to supply the city's needs. Given our small number of water resources it will only get worse with more housing, and using a presently inoperable well for all outdoor irrigation on the project could open us up to further suit.

In the Transportation and Circulation portion of the EIR,, 3.14, pg 522, the streets impacted by the project are defined.

Saint Helena residents know that Starr Ave. is a short route for cars traveling from the Silverado Trail to Safeway, Railroad Ave., or other parts of the city. Pope Street serves most people that come from the Silverado Trail to destinations in Saint Helena, it is the first access street off of the trail if coming from Napa, and an easier street to navigate at Main St. because there is a traffic signal. Pratt Ave. or Deer Park Road, both further North on the trail both have stop signs at Main St. or Hwy 29 and are not always as easy to cross. Early in the morning or after work the stop sign at Pope and Starr can be busy with cars waiting for a break in the Pope St. traffic to complete a left-hand turn. Starr is not a street for mainly the residential neighborhood as defined in the Draft EIR, but a cut through street to get to the center of town or out to the Silverado Trail. If the Hunter Project is put through this will only get worse.

Railroad Ave. is another cut through street that locals use to avoid driving on Main St., and does not mainly serve the industrial and commercial uses in the downtown area as defined in the EIR. There is more vehicle traffic on Railroad Ave. than industrial or commercial traffic.

Adams Street is a main downtown street with three areas where traffic can bunch up, at the Railroad Ave. intersection, a four way stop, the railroad tracks when the Wine Train is coming into the station or leaving, and at the Main St. signal. I question the defined use of some streets in the EIR, either the person writing the descriptions does not know how locals use the streets, or the descriptions were used to make the streets look less busy.

The Hunter project with the extension of Adams and Starr Ave. will increase traffic tremendously for present residents in the area, but one way to help alleviate some of this increase is to extend Adams Street to the Silverado Trail. The 1993 General Plan states "The city desires that the Adams Street extension to the Silverado Trail be completed in an expeditious manner:" and "The city will work with potential developers to acquire the needed combination of public and private financing required to implement this project."

The Hunter Project has used items in the 1993 General Plan which are agreeable to their project i.e., zoning of the land from agriculture to Medium Density Residential, and the extension of Starr Ave. to Adams St. and Adams St. to Starr. They have chosen to overlook the one thing in the General Plan that would help mitigate some of the traffic and circulation problems the development would create for existing, nearby residents. If the Hunter Project is approved the city should require that Adams St. be extended to the Silverado Trail before the first house is built for the safety of new residents and to preserve quality of life for existing neighbors. This would provide a direct route to the center of Saint Helena, relieve traffic on the historic Pope St. Bridge and reduce traffic using Pope St. and Starr Ave. as a by-pass route.

The Hunter Land was originally a part of the Flood Plain until the City of Saint Helena built a Levee as a part of the Measure A Flood Protection Project. After this project was completed, FEMA re-evaluated the land's danger of flooding and revised the FIRM rating to Zone X, alleviating the need to buy Flood Insurance for homes built on the land. Could the Hunter Project put the city in violation of the terms of the Measure A project by allowing homes to be built on land that was previously a part of the Flood Plain? The Measure A agreement states that money from the fund cannot be used to create projects that promote growth, increase population and allow land to be developed that was not previously so. Did the Measure A change the buildability of the Hunter Land taking it out of the flood plain? With the change of FIRM rating, it appears it did. If so the city, by allowing homes to be built without raised foundations, could be in violation of the Measure A requirements.

The Hunter Draft EIR states that chance of flooding is low and if it were to occur it would be with warning and slow. There would be little chance of loss of life as people would have time to evacuate the area or go the second stories of their homes to avoid the water. Why should homes be built in an area where there would even be such a possibility? With the danger of property loss if there were a breach in the levee, threat of the city being held responsibly, putting additional strain on the city's already minimal water supply, and all the other concerns I have raised, this sub-division should not be approved.

Respectfully submitted by,  
Donna Hardy  
620 Harvest Lane  
Saint Helena, CA 94574

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

From: jim ritchie <[carrotopone@yahoo.com](mailto:carrotopone@yahoo.com)>

Sent: Monday, November 1, 2021 3:42 PM

To: Public Comment <[publiccomment@cityofstheleena.org](mailto:publiccomment@cityofstheleena.org)>

Subject: [External] Hunter Project

My two main concerns are the scarcity of water sources for the town at the present time. With this many new dwellings, where is the added water coming from? You can only retrofit so many toilets. What if the developer could also retrofit dishwashers/washing machines (replace with a percentage or rebate of new water wise units paid for by said developer? Is the new norm now on/off showers, no vegetable or fruit gardens, dead landscaping, saving grey water to keep plants alive? If this project does move forward, maybe some of the conditions should be all drought tolerate landscaping, no to pools using city water, putting in grey water systems for all landscaping.

My second concern is traffic. If Adams and Starr are extended but Adams doesn't cross over to the Trail the traffic just impacts all the current residential streets. Adams and Hunt become feeders to Pope Street along with Church, Edwards, Jiune, which are already very well travelled. We've all seen what traffic is like when part of the Trail is shut down and now maybe with this development an additional 200 vehicles with no new exit out of town but the current residential streets surrounding this project. With the added vehicles comes over flow parking into existing neighborhoods as is evident with Hunts Grove and the multi units on Monte Vista.

It just seems that this many units is going to decrease the quality of living in St. Helena by those in close proximity to this proposed development.

Jim Ritchie  
830 Hunt Ave  
963-3836

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

From: Calie Candia <[caliesworld@aol.com](mailto:caliesworld@aol.com)>

Sent: Monday, November 1, 2021 2:27 PM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Subject: [External] Hunter subdivision.

To whom it may concern,

As a resident of Vineyard Valley, I am concerned about this property being developed. The fact that it's going on a flood plane could impact our whole park if a flood should take place. And it seems that nobody wants to take responsibility if it does flood. The army Corp of engineers have done their job building the levee and they are done. The builder won't and can't guarantee it won't flood, and what is the city guaranteeing? Not only that but we have a serious water problem in our county. Not to mention the traffic impact to Pope street, the trail, and Main Street.

I strongly oppose the proposed development.

Sincerely,

Calie Candia

Sent from my iPad

**From:** Robb Cohen <[cohen.robb@gmail.com](mailto:cohen.robb@gmail.com)>  
**Sent:** Monday, November 1, 2021 3:45 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthenana.org](mailto:MDeRosa@cityofsthenana.org)>  
**Subject:** Re: [External] Proposed Hunter Street Subdivision

**Robb Cohen** <[cohen.robb@gmail.com](mailto:cohen.robb@gmail.com)>

3:17 PM (25 minutes ago)

to mderosa

To Whom it may concern:

I am a resident of Vineyard Valley and hereby join with over 200 park residents in registering my opposition to the above-referenced subdivision.

As a former attorney and builder/developer with over 35 years experience with large-scale residential developments, I believe the proposed project is ill-advised and fraught with a host of potential developmental and legal problems. I am particularly concerned that the city of St Helena would even consider such a large-scale development in light of the persistent drought and the resultant water restrictions that have already been imposed on the residents of St Helena in response to the water shortage. This project, should it be approved, will only exacerbate the existing water restrictions/ shortages and concomitant penalty provisions that have already been imposed on drought-weary city residents.. Furthermore, should the subdivision be approved, the risk of building on a flood plain will subject the city to numerous and costly lawsuits, which will inevitably ensue. Given the well- publicized financial difficulties the city has experienced in recent years, the idea that the city would even consider approving this project strikes me as being extremely ill-advised. Additionally, I would expect that should the project be approved, it will expose city officials to legal challenges for claims of misfeasance and malfeasance, which will undoubtedly be costly to defend.

I have purposely omitted any references to the many other allegations and concerns that have already been articulated by the hundreds of St Helenians who have already written in opposition to this project.

I pray that the city council will reject the proposed Hunter subdivision.

Sincerely,

**Robb A. Cohen**  
P: 703.405.1307  
[cohen.robb@gmail.com](mailto:cohen.robb@gmail.com)

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**Robb A. Cohen**  
P: 703.405.1307  
[cohen.robb@gmail.com](mailto:cohen.robb@gmail.com)

**From:** Cindy Ford <[cford327@gmail.com](mailto:cford327@gmail.com)>

**Sent:** Monday, November 1, 2021 4:23 PM

**To:** Public Comment <[publiccomment@cityofstheleena.org](mailto:publiccomment@cityofstheleena.org)>

**Subject:** [External] COMMENT TO PLANNING COMMISSION and the AGENDA ITEM

We are writing to register our strong objections to the proposed Hunter Subdivision on the east side of St. Helena. While we recognize the need for more housing in the Napa Valley, and low cost housing in particular, we find the Draft EIR for this project inadequate in several ways.

The DEIR seems particularly short sighted in its assessment of water supply to the proposed 80+ households. Because St. Helena's current water shortage has put all residents and businesses in the city under strict water rationing, the idea of adding a significant number of homes to our already inadequately supplied town simply does not make good sense. Yes, droughts come and go, and we might hope for relief at some point in the future, but climate change is real, it is here now, and using past water supply and usage figures to predict future needs is foolhardy. More to the point, the idea that retrofitting 333 households with more efficient fixtures will result in an adequate supply of water to this development is dubious to say the least. We would assert that, given our history of droughts, most St. Helena residents have already upgraded to water efficient toilets and showerheads in recent years; how will the city or the developer identify households to be retrofitted? What data shows that sufficient water would be the result of this retrofit? How can the developer claim the existing well proposed as the source of landscaping irrigation can supply sufficient water in future years? How can the DEIR claim that this proposed subdivision does not significantly impact St. Helena's water supply?

Another area of concern is the health and safety of households built behind the levee in the event of flooding. The plan and DEIR are based on a two hundred year flood plain projection which strikes us as overly optimistic in the extreme. Again, climate change makes such assumptions risky; better to plan for the worst and hope for the best. To make matters worse in this regard, we understand neither the Army Corps of Engineers nor FEMA have inspected and certified that the levee meets required standards. What if the levee fails because of shoddy construction or inadequate maintenance? The idea that households in the proposed project could shelter upstairs in the event of a flood is both cold hearted and cynical! Who pays for the property damage in that case? The developer? The city? What would that do to the city's finances and the city taxpayers?

Traffic impacts are another major concern. Hunt and Starr Avenues are already full of cars going too fast and trying to circumvent Hwy 29 traffic. Adding more houses along an extended Adams Street and Starr Avenue will only make matters worse since the only points of entry and exit are Adams or Hunt connecting to Hwy 29, or Starr connecting to Pope Street. We fail to see how the proposed development meets its goal of "minimizing traffic related impacts" as stated in the Project Objectives. What happens if we have a major earthquake or fire or flood? Residents in our neighborhood already have few options given the traffic on Hwy 29 and the very limited capacity of the Historic Pope Street bridge. The DEIR states that, "given the

project is so flat, the proximity to hilly terrain or landslides due to post-fire conditions would not be a concern." That is laughable since the Silverado trail is closed just north of Pope Street right now because of a landslide caused by rain! How can the DEIR claim to have found "no significant impact with regard to wildfire" given the present conditions? Adding more households to this residential neighborhood as proposed will result in more dangerous conditions in an emergency and should not be approved by the Planning Commission.

As residents of St. Helena we are grateful for the opportunity to express our concerns about this proposed subdivision. We hope the Planning Commission and the City Council will think carefully about all proposed developments, who benefits from them along with who does not, how the city can accommodate them fairly and support them with adequate city services, and what is the right thing to do for the whole community.

Sincerely,  
Cindy and John Ford  
[cford327@gmail.com](mailto:cford327@gmail.com)

**From:** fj <[frank.jonelis@gmail.com](mailto:frank.jonelis@gmail.com)>  
**Sent:** Monday, November 1, 2021 9:46 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Cc:** Geoff Ellsworth <[GEllsworth@cityofsthelena.org](mailto:GEllsworth@cityofsthelena.org)>  
**Subject:** [External] Opposing Hunter Subdivision Project

To Saint Helena Planning Dept  
Attn M De Rosa  
Reference: The Hunter Project, Saint Helena CA

Hello Maya

The Hunter Project does not pass the common sense smell test, regardless of what Hunter's fancy consultants and lawyers tell you.

It is a massive, dense project, inappropriate for the small city of Saint Helena.

It will use a lot of water, more than we have, regardless of what the developer claims. Just look at how many units there are. Whatever amount of water Hunter claims they will use, anyone with eyes and a brain can see it will use more water than that.

It will generate an unacceptable amount of traffic, and an unacceptable number of cars parking all over the surrounding streets.

All of those extra cars will generate pollution, noise, and congestion.

What was formerly a quiet, healthy, peaceful open space will be crammed with a ridiculous number of cars and structures.

Water that used to soak into the soil will be blocked by roofs, sidewalks, and streets.

Despite having built a personal levee around his personal property at taxpayer expense, the entire development is on a flood plain. The recent rains raised the water level from nothing to 16 feet in a few hours, even considering that the ground was so dry that it soaked up much of the water before it could even get to the river. 16 feet is only 2 feet below the flood stage of 18 feet. The recent storm was not nearly as severe as many historical storms. And past history is no longer representative of what is happening with climate change, worsening droughts, and more extreme weather.

There is not enough consistent water supply to serve Saint Helena as it is now, even without adding this massive development which will use more water than the developer claims it will.

There is no way to guarantee that future, extreme weather events will be contained by Hunter's personal levee that taxpayers paid for. Saint Helena, not Hunter, will be liable for the damage. Hunter and his money will be long gone.

The size of the project, its water use, its traffic, its noise and its flood risk simply do not pass the smell test. It stinks, and everybody knows it.

The project should not be built.

We urge the committee to reject the Hunter Project.

Frank and Tracy Jonelis  
708 Hunt Ave, Saint Helena

**From:** Laurel Krsek <[laurel.krsek@gmail.com](mailto:laurel.krsek@gmail.com)>  
**Sent:** Tuesday, November 2, 2021 8:16 AM  
**To:** Maya DeRosa <[MDeRosa@cityofstheleena.org](mailto:MDeRosa@cityofstheleena.org)>  
**Subject:** [External] Draft EIR # 2108032014 (The Hunter Project)

Maya DeRosa,  
Planning & Building Director  
City of St. Helena Planning Department  
1572 Railroad Avenue, St. Helena, California 94574

Dear Ms DeRosa,

In regard to the Draft EIR # 2108032014 (The Hunter Project), Transportation and Circulation, I'm strongly opposed to the development of this project. In my opinion the proposed project is completely inadvisable until our community-wide traffic and emergency access issues are addressed.

I've lived in St. Helena for 32 years and have experienced the greatly increased volume of traffic on Pope Street, Starr and Hunt and the frequent difficulty accessing the Silverado Trail via the Pope Street bridge. The addition of the Hunter projects' 100+ households with their associated vehicles makes no sense without an outlet from Highway 29 to the Silverado Trail other than the Pope Street bridge. We already experience serious daily traffic congestion. During emergencies on the Silverado Trail or Highway 29 and in the event of an evacuation we have few existing routes out of the area. Until suitable roads and city infrastructure are in place, the addition of more housing units in this proposed isolated neighborhood is irresponsible.

Laurel Krsek  
1125 Peppertree Circle  
St. Helena

**From:** Debbie Austin <[debraaustin@comcast.net](mailto:debraaustin@comcast.net)>  
**Sent:** Tuesday, November 2, 2021 8:55 AM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Proposed Hunter Project

Planning Commission,

It is hard for us to understand how anyone in Saint Helena would be in favor of the Hunter Project. In Vineyard Valley we have seniors who need assistance in an emergency and we are concerned with the congestion of traffic and how it would effect us in an emergency situation.

Beyond that and even worse is our current situation regarding the drought. We've already cut back severely, with no end in sight. The city clearly does not have enough of a water supply available to allow for the housing project.

We have not spoken to one person in Saint Helena who is in favor of the Hunter Project.

Craig and Debra Austin

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

From: Terry Wood <[terrywod1798@gmail.com](mailto:terrywod1798@gmail.com)>

Sent: Tuesday, November 2, 2021 10:03 AM

To: Public Comment <[publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org)>

Subject: [External] Water

Where will the additional water come from?

Terry Wood

**From:** Kathleen McCreedy <[kamccreedy@gmail.com](mailto:kamccreedy@gmail.com)>  
**Sent:** Tuesday, November 2, 2021 9:39 AM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Vote "Against" Proposed Hunter Subdivision

Good morning Maya Derosa,

Firstly I want to thank you, and the city of St. Helena for caring for our wonderful small town and making your best efforts to maintain her facilitation of a safe, nurturing, city for it's residents and visitors.

I am writing today to have my voice heard "Against" the proposed Hunter subdivision. My husband and I have lived here in St. Helena for over 20 years and 5 years ago downsized to live in the Vineyard Valley Senior Park.

Briefly here are a few of my concerns:

I believe the challenges delivered by this project are many.

***Traffic congestion, water supply, sewer connections and emergency evacuation pathways are currently top of mind.***

***Also on a more personal level, this is a wildlife corridor and an incredible open space that supports an area that is NOT fenced off to wildlife or humans. In world efforts to support wildlife, many conservationist are setting up tourist driven wildlife adventures all over the world to prevent additional clear cutting, agricultural impeachment, commercial and residential development. Let's find a way to share the space and look for ways that we can care for our city of St. Helena (gain taxes) in more creative sustainable ways.***

***Thank you for your time and for all that you do in caring for our beautiful city.***

***Best Regards,  
Kathleen McCreedy  
11 Los Robles Ct.  
St. Helena, CA 94574  
(707) 280-1278***

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

From: Patricia Stephens <[trishstephens2110@gmail.com](mailto:trishstephens2110@gmail.com)>

Sent: Tuesday, November 2, 2021 9:57 AM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Subject: [External] HUNTER SUBDIVISION PROJECT

I am writing in protest of the Hunter Subdivision project. I am a resident homeowner in Saint Helena and am amazed anything of this magnitude would ever get passed. Given the current water situation and the already apparent immense traffic how could anyone even think this is a good idea. The negative impact to our city and it's limited services would be strained to breaking point. No consideration has been given to the strain on the police and fire departments let alone the tax paying citizens who will have to endure the construction, the mess and noise, and the traffic problems such a development would cause.

I believe this to be a very unpopular project. If the elected officials will not listen and heed the wishes of the people who elected them then they do not get re-elected or they are recalled.

Patricia Stephens

Sent from my iPad

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

From: Greg Brown <[gwbrown\\_2000@yahoo.com](mailto:gwbrown_2000@yahoo.com)>

Sent: Tuesday, November 2, 2021 12:26 PM

To: Public Comment <[publiccomment@cityofstheleena.org](mailto:publiccomment@cityofstheleena.org)>

Subject: [External] Hunter Project

The DEIR quotes substantial impacts to traffic and water use with the Hunter Project. How can this Project be justified in light of the current water emergency and the current sorry state of our streets?

Greg Brown  
1179 Starr Ave  
St Helena

**From:** Pat Kenealy <[pkenealy1@yahoo.com](mailto:pkenealy1@yahoo.com)>  
**Sent:** Tuesday, November 2, 2021 10:22 AM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Subject:** [External] Opposing Hunter Subdivision

Please do NOT approve the Hunter subdivision.

The water needs of the project and the traffic it will produce are bad for our dry and traffic-jammed City. The sewer and flood prevention costs and risks are too great for the City's strained infrastructure and financial situation.

Saint Helena needs to get better, not bigger.

Thank you for soliciting public input on this ill-advised project which threatens the quality of life of all Saint Helenans

Patrick Kenealy  
2995 Spring Street

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

From: Ron Amoroso <[RJAmoroso@myastound.net](mailto:RJAmoroso@myastound.net)>

Sent: Tuesday, November 2, 2021 12:50 PM

To: Maya DeRosa <[MDeRosa@cityofsthehena.org](mailto:MDeRosa@cityofsthehena.org)>

Subject: [External] Hunter Project EIR Comment

Hello:

My name is Ron Amoroso. I own the property at 1365 Grove Court in St. Helena and would like to offer a EIR comment regarding the Hunter Project proposal.

While it is a great idea to discuss the immediate and quite local environmental effects associated with removing almost 17 acres of vineyards in favor of multiple residential housing buildings and streets, we should also be considering the “overall” effects.

While it is very important and essential to stop or severely limit the continued pollution of our environment and atmosphere, we should also be looking at, considering, and implementing practices that will begin to “cleanse the existing atmospheric pollution. We should be practicing “Regenerative Agriculture” instead of removing it in place of more carbon producing elements such as those suggested in the creation of the Hunter Project. The existing Vineyards and other green/leafy plants have the effect of drawing down the existing carbon/CO2 from the atmosphere and depositing it into the ground where it benefits further plant growth and cleanses the “overall” environment in the process.

Coupled with the reasons stated in a previous comment, please vote NO to the approval of the Hunter Project!!!

Thank you,

Ron Amoroso

November 2, 2021

St. Helena City Planning Department  
St. Helena, CA 94575

Dear Members:

I am writing as a resident of St. Helena with my concerns and opposition to the Planning Commission and City Counsel's continued support and consideration of the development of the Hunter Project. The community at large has been in opposition to this proposal for many years now. It is for the benefit of the developer and provides no positive contribution to the community.

There are so many environmental concerns and potentially negative effects to the land, the community as well as the negative impact on short and long term fire and flood control. I will address some items that come to mind here that should be specifically addressed, hopefully with studies completed as applicable, before any approval of the DEIR. I will list them in the order of the Environmental Impact Report Chapters.

1. Aesthetics/Visual. I would think this speaks for itself. Two story homes in this cluster will eliminate any vista for residents in Vineyard Valley MHP, in addition to any visitors/residents walking the current open space. My understanding of allowing development as part of the affordable housing initiative is that ALL the accommodations should be of similar design and appearance with the affordable housing scattered throughout, to eliminate the stigma and obvious segregation associated with clustering. This plan appears to be a very upscale home development using over 80% of the land for 56% of the total housing. This *is without* figuring in the 24 "granny unit" apartment/condos in these percentages, which really benefit again the owner of the upscale home on which these units are located.

Another factor which impacts aesthetics is the long term (6 years plus) construction. Aside from the visually offensive nature of long term construction, there is the consideration of the traffic impact to residences and businesses. This is not a small project. This will have a huge impact, affecting local residents and deterring visitors, which, in turn, affects revenue. And, what about the actual road damage the city incurs from this long term project? The number of heavy equipment vehicles and substantial increase WILL impact the quality of our road surfaces as well as the flood plain area itself. Who pays for that?

2. Agricultural and Forestry Resources: Loss of prime agricultural vineyards. What impact will this development have on the current riparian preserve?

3. Air Quality: there is the extensive construction vehicle/machinery impact for years and the addition of an approximate 100-200+ vehicles for residency, averaging only a maximum of 2 per household.
4. Biological Resources: there are so many studies on this subject that support the damage from human development. This is just an excerpt from one: The emerging field of Conservation Physiology links environmental change and ecological success by the application of physiological theory, approaches and tools to elucidate and address conservation problems. Human activity has changed the natural environment to a point where the viability of many ecosystems is now under threat. [Philos Trans R Soc Lond B Biol Sci.](#) 2012 Jun 19; 367(1596): 1607–1614. *Conservation Physiology may be defined as the application of physiological theory, approaches and tools to elucidate and address conservation problems with the aim to provide a mechanistic understanding of how environmental disturbances and threatening processes impact physiological responses and thereby ecological function, population persistence, and species survival.*
5. Cultural and Tribal Resources: has there been a study/archeologic study done on this land? A tribal burial ground has been defined in adjacent land.
6. Geology and Soils: The levee has not been maintained since 2010. Note the fresh gopher holes on the side facing Del Rio. Significant rodent activity in the levee. Concerned about liquification of alluvial soils. Think of what happened to the levees during Hurricane Katrina.
7. Greenhouse Gas Emissions: vehicles, as mentioned above; construction, as mentioned above. There should also be consideration given to the global warming effects from additional roadways, home emissions and reflection, reduction of absorbing land surface.
8. Hazards and Hazardous Materials: Hazards. The open space provides a buffer to manage and help control fires. Homes and vehicles in the area is fire fuel. This greatly increases the potential for flooding as this is currently again a buffer. With homes there, there would be damage in a flood with substantial financial loss to city, personal and other agencies. It also creates a bigger potential for fire and flood threat to existing Vineyard Valley homes as they lose this buffer.
9. Hydrology and Water Quality: *Def: noun the branch of science concerned with the properties of the earth's water, and especially its movement in relation to land.* Contruction of this magnitude is reducing the ability for natural water saturation and flow. Again, contributing to higher potential for flooding and causes a higher rate of run off of natural soils that remain (No.8).
10. Land Use: Refer to the question regarding unauthorized changes to the intended use of the land as certified by the ACOE below. The proposed Affordable Housing violates Municipal Code 1741

in that it has been segregated from the other residences and appears to be significantly different.

11. Noise and Vibration: This category is really spread over several – light noise, traffic noise, general vibration/shifting of the natural landscape from the various facets of development including but not limited to shifting, removal of soil and topographic natural flow, extensive road materials being cleared and laid. General construction noise estimated to last a minimum of 6 years.
12. Public Services and Recreation  
Our police and fire, emergency services, and schools will be impacted, putting a strain on services.  
The walking trails are used by many people from all over St. Helena. My understanding was the intended purpose of the land was to remain open space for both public enjoyment and long term safety regarding both flood and fire.
13. Utilities and Service Systems: City water, sewer have limitations. We are currently in a severe drought situation. The approval of development of this magnitude does not serve the city or its residents. The costs alone will ultimately be absorbed by current residents, at least partially. The pandemic has greatly impacted the small businesses in this area. Adding a project of this size will mean streets being torn up, traffic congestion the city plan does not have the capacity to handle and a greater reduction of visitors and revenue for many years. It is very easy for travelers to choose Sonoma or other destinations, especially in light of today's instant information and reviews available via the internet.
14. Transportation and Circulation: I would think self-evident. As mentioned above, these are just a few of the impacts I can think of. I am sure there are many more.
15. Energy: We have had so many varieties of energy emergencies using PGE as an example. Older lines, older transformers to name two that are current observations. Homes in Vineyard Valley have not had power for the past week. What is the plan to update an infrastructure to support the current needs incorporated into an expansion of this magnitude? And who pays for that?

In addition to the items of concern that are either overlooked or not included as part of the DEIR, I am attaching just a small item from part of the Army Corps of Engineers Policy and Procedures: my understanding is that the flood plain project had to be approved and certified by the ACOE. The Hunter Project seems to be in direct violation of this.

Excerpt taken from an ACOE Policy and Procedure document:

Water Resources Policies and Authorities POLICY AND PROCEDURAL GUIDANCE FOR  
PROCESSING REQUESTS TO ALTER US ARMY CORPS OF ENGINEERS CIVIL WORKS PROJECTS  
PURSUANT TO 33 USC 408

j. Unauthorized Alterations. The policy of USACE is to pursue enforcement and correction of unauthorized alterations of covered projects. If an unauthorized alteration is discovered, the district, after consulting with the Offices of Counsel and Real Estate, should take the appropriate steps to remedy the unauthorized alteration. The Chief of Regulatory should be notified of any unauthorized alterations so the appropriate course of action can be taken with respect to Section 10/404/103 permits. Specific enforcement steps the district takes will depend on the particular nature of the unauthorized alteration and whether the unauthorized alteration is located on project boundaries where a non-federal sponsor holds the land rights for operations and maintenance. Non-federal sponsors with operations and maintenance responsibilities for the USACE project, reference paragraph 6.e.(1), remain responsible for ensuring no unauthorized alterations are occurring within the project boundaries. k. Authorized Project Purpose. **No granting of permission is allowed under Section 408 for a proposed alteration that would have an effect of deauthorizing a project or eliminating an authorized project purpose.**

I am sure there are so many items I am neglecting to address, but I hope these will have some weight in your recognizing that this developmental plan is not in the best interest of our community and approval of same would not be serving the public need nor interests.

Barbara Ringenberg

**Richard Crebs**  
10 San Juan Court  
Saint Helena, CA. 94574  
(707) 580-0418

November 2, 2021

Ms. Maya DeRosa, Planning & Building Director  
City of Saint Helena  
1572 Railroad Avenue  
Saint Helena, CA 94574

**Delivered via email to:** mderosa@cityofsthelena.org

Dear Ms. DeRosa:

Generally, this is a fatefully flawed project projected upon a majority of fill generated from the construction of the flood control levee, subject to probable seismic events and/or flooding, exasperating demands on water we do not have and adding to almost daily traffic gridlock at commute time on the Eastside roads. This town would be better served leaving the land as open space for all to enjoy.

The following are my specific objections to the Hunter EIR.

**3.9 HYDROLOGY AND WATER QUALITY** Commencing on page 367)

The document sets forth in the Section **Flooding Due to Levee Failure or 200-Year Flood Event** (Page 374) propose mitigating the potential risk by suggesting that resident “will have the option of purchasing flood insurance (i.e., FEMA policy”).

(Since the levee project was not certified by the Army Corp of Engineers it is my understanding that if it should fail the city would ultimately be responsible for all ensuing damages.)

Instead require the developer to Hold the City harmless in the case of any future flooding if the project is completed and require the developer to post an evergreen Fifty Million (\$50,000,000) Surety Bond to support the “Hold Harmless” Agreement.

Anything less puts the city, and there for its citizens, at the risk of massive litigation of the Hunter Project should flood in the future. It is not the Cities or its citizens responsibility to be put at significant financial risk just so a developer can profit by develop an extremely questionable parcel with other multiple challenges such as water, sewer, and traffic concerns.

**3.13 -Utilities and Service Systems**

**3.13.4 Impacts**

**Table 3.13-9 Proposed Project Water Demands**

The Hunter EIR reports calculates that this project will consume 19.88- acre feet of municipal water and 17.16- acre feet of groundwater.

This EIR ignores the very factual issues surrounding both municipal and groundwater available. This project should not be allowed to draw any groundwater as indicted for landscaping purposes. Instead, there are commercially available systems to capture all bath water, treated and used for flushing toilets and landscaping. Similar projects have demonstrated a net savings of up to 33% in potable water. A greywater system for *each* housing unit should be mandated.

### **Wastewater Treatment**

The Hunter EIR ignores whether the existing sewer lines situated North to South dissecting VVMHP. If this project is approved then Hunter should be required, under bond, to pay for not just the physical wastewater upgrades necessary but also due payment and consideration afforded to the VVMHP residents during any construction necessary to an increase in wastewater capacity to accommodate the wastewater demands determined necessary.

**Appendix J**  
**Water Neutral Report**

This water neutral report vacuously concludes that rather than undertaking and paying for a portion of the cities Capital Improvement Program (CIP) need that they opt to offer a fop in the form of \$596,809.19 in retrofit fees. Currently, the CIP five-year projected cost approximate \$60,000,000. If the City should choose to approve the Hunter Project, then an a more equitable requirement would be to require Hunter to pay ten (10%) of that amount or the sum of \$6,000,000 to assuage the required in lieu fees.

**3.14-1.Traffic**

All of this report's conclusions are either erroneous, misleading, or incorrect. It does not matter what theoretical studies the reference all of the surface roads on the Eastside of town are already at maximum capacity. There is a solution which the Hunter study studiously avoids. If they wish to have the city approve this project, then let them significantly help ameliorate the Eastside traffic problem by paying for a new bridge connecting Adams Street to the Silverado Trail.

Respectfully submitted:

Richard Crebs

(This letter off comments regarding the Hunter Project are submitted by me as an individual and not on behalf of any organization)

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

From: Bernerd Buckley <[bernerdbuckley@gmail.com](mailto:bernerdbuckley@gmail.com)>

Sent: Tuesday, November 2, 2021 2:36 PM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Cc: Paul Dohring <[PDohring@cityofsthelena.org](mailto:PDohring@cityofsthelena.org)>; Anna Chouteau <[AChouteau@cityofsthelena.org](mailto:AChouteau@cityofsthelena.org)>; Paul Dohring <[PDohring@cityofsthelena.org](mailto:PDohring@cityofsthelena.org)>; Geoff Ellsworth <[GEllsworth@cityofsthelena.org](mailto:GEllsworth@cityofsthelena.org)>; Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
Subject: [External] Hunter development

Looking at the location of affordable low income apartments in the Hunter proposed project, why are they directly behind the low income apartments on Monte Vista? Is it because all the low income apartments should be segregated from Market rate homes?

Sent from my iPhone

**From:** John Milliken <[jmzin@comcast.net](mailto:jmzin@comcast.net)>  
**Sent:** Tuesday, November 2, 2021 2:56 PM  
**To:** Public Comment <[publiccomment@cityofsthenana.org](mailto:publiccomment@cityofsthenana.org)>  
**Subject:** [External] PC Meeting 11/2/2021 Public Comment on Hunter Project DEIR from John Milliken

First of all, I would like to provide a link to an article written by Professor Nicholas Printer of the UC Davis Center for Watershed Science that I think should be mandatory reading for each Planning Commissioner and the City Staff involved in preparing the DEIR.

<https://californiawaterblog.com/2016/07/17/st-helena-california-dealing-with-a-field-of-dreams-levee-residual-risk-and-a-flood-of-controversy/>

None of the issues covered in this article were mentioned in this DEIR.

Second, I would like to express my dismay at what an unprofessional, non-comprehensive, and shallow effort this latest DEIR effort represents. It is absolutely mind boggling that this DEIR could only identify two significant impacts (both traffic related) for a major development project of this size after an almost four-year effort at a cost of over \$450,000. The DEIR reads like an infomercial the applicant. I intend to submit separate comments on the many deficiencies and missed impacts either completely ignored or glossed over by this so-called DEIR. I do not know who was in charge of this effort, but I think the City Council and Planning Commission should seriously consider an inquiry into how this happened and there should be consequences for those responsible. This community (whose environment is being impacted!) deserves much better than this and this DEIR effort crosses the line of professional negligence. I am not asking for a DEIR that supports the grievances of the many members of the community who are opposed to this mammoth 87-unit development, rather, I was expecting a balanced DEIR that fairly identified ALL the environmental impacts presented by this development and was prepared to lawful CEQA standards. This DEIR does neither of those things. How can a DEIR propose meaningful mitigations if it cannot properly identify environmental impacts?

I do not know if this substandard DEIR effort was by intent or the result of a lack of oversight by the Lead Agency, the City of St. Helena, but the end product is seriously flawed. As you can probably see by all the public comments submitted to date and an avalanche of comments to be submitted by the November 8<sup>th</sup> deadline, I am not the only one to have noticed this. Thankfully, many members of our community have taken on the responsibility of correcting this wrong and will be submitting comments that identify way more impacts than were identified in this DEIR. And, they are not being paid \$450,00 to do this and were only given 45 days to prepare comments instead of four years.

Oh,..one more thing. When several members of the community (whose environment is being impacted!) politely asked if the comment period could be extended so that they could have more time to prepare researched, cogent comments on the lengthy 28 Mb download and 633

page DEIR document, they were quickly rebuffed and simply told no. This seems a little harsh considering that this second DEIR effort is heading into its fifth year after a failed first seven-year effort. FYI: The comment period for the first failed EIR effort in 2012 was extended to 90 days. I guess this contempt for the community (whose environment is being impacted!) is the new norm and this is what we will be dealing with for the remainder of the process. It is my hope that Planning Commissioners will ask staff some questions about this DEIR process when they are afforded the opportunity after the Public Hearing closes. The ability to ask questions was not afforded community members.

John Milliken

[jmzin@comcast.net](mailto:jmzin@comcast.net)

707-963-8134 (Office) 707-486-4266 (Mobile\Text)

1256 Hudson Ave.

St. Helena, CA 94574

## PUBLIC COMMENT – HUNTER PROJECT DEIR – LEVEE FAILURE/FLOODING

FROM: Isobel Luria – 1173 Starr Avenue

DATE: November 2, 2021

The Hunter Project's DEIR in its section on Hydrology, Water and Drainage completely ignores the potentially adverse effects of Climate Change. It displays a callous and cavalier attitude when discussing the possibility of a catastrophic flood and the serious consequences that would be faced by future residents of the proposed subdivision.

The Hunter Project has been controversial from its inception and has met with much opposition. While the current city administration cannot be held responsible for the questionable decisions of its predecessors; it will be held responsible from now on.

Briefly, Dennis Hunter purchased the "raw" land for the project in 1997. In 1998, Measure A was passed. Mr. Hunter filed to start development planning in 2005. In 2008, he agreed to a lot line adjustment to facilitate the City's Flood Protection Project. In 2009, the City began work to construct a levee. "... the standard design level of protection (afforded by the levee) is for the 100-year flood event; however, the 200 year design basis was implemented to provide an additional factor of safety and to account for potential settlement..." (DEIR 3.9-8) Meanwhile in 2010, the Applicant filed for a Temporary Subdivision Map, which was accepted in March of 2011. The levee was completed in the same year. In 2012, FEMA revised its flood map, categorizing the area as a Zone X – an area protected by a levy with a moderate to low chance of flooding and an optional Flood Insurance program. It should be noted that this levee and its adjacent floodwall also protects much of East St. Helena, including Vineyard Valley Mobil Home Park, the Hunt's Grove Apartments and the Meadowcreek subdivision, all of which have sizable populations.

It is interesting that this DEIR makes no mention of any "due diligence" on its part of conducting an examination of the levee to ascertain its current condition. I can only assume the Project is leaving that up to the City of St. Helena, the entity responsible for maintaining it. Furthermore, no mention is made of any attempt by the applicant to contact FEMA to ascertain whether, again in view of Climate Change, residents will be able to obtain flood insurance and low interest flood mitigation loans, since this will be needed for new housing built in very close proximity to a **pre-existing** levee. Usually, FEMA supports areas where levees were built as a flood mitigation ie. the housing was already in place and subject to flooding! It should be noted that I could find no discussion about this on the FEMA website.

Now, as a result of Climate Change, the country is experiencing unpredictable and unprecedented weather events with increasing frequency. ( We just had one – the "bomb" cyclone and accompanying atmospheric river.) FEMA is faced with an increasing burden of claims. It is not inconceivable that St. Helena could experience a catastrophic flood in the not too distant future and the levee could fail. The DEIR states that in the event of a catastrophic flood or earthquake, residents would have ample warning to evacuate. Furthermore, "flooding on the Proposed Project lots would range between 0-5 feet in depth, with the deepest flooding occurring on the northern part of the Project site. This level of flooding would leave upper floors of residences available for refuge....the risks from a 200 year

flood and/or levee failure are limited to property damage rather than risk of life.” (DEIR 11-2) On the other hand, FEMA states that while levees reduce the risk of flooding, they don’t eliminate it. They...”**deteriorate overtime and must be maintained. When levees fail, or are overtopped, the results can be catastrophic. In fact, the flood damage can be greater than if the levee had not been built.**” (FEMA website “Living with Levees”) I emphasize that as result of its “Zone X” classification, where flood insurance is **optional**, much of the property might not be covered.

The aftermath of this sort of catastrophic flood is awful. I disagree with the DEIR conclusion that residents would have ample time to evacuate. One can imagine that a levee failure would produce a “tidal-like” wave of debris filled water gushing through the subdivision. Unlike a regular flood where water levels rise more slowly, people would be lucky if they **reached** the second floor. Houses would be severely damaged and residents, if not injured or worse, badly traumatized. In any case, they would need to relocate, file insurance claims with FEMA, if they actually had purchased the optional insurance, possibly secure low interest FEMA loans to finance their flood repair, and, of course, find contractors, not to mention deal with their day-to-day existence – kids, school, work, and so forth. Additionally, there would be the continuing stress of wondering if claims or loans will even be granted because FEMA does its homework: they investigate every claim. In the case of this Applicant’s Project, FEMA might refuse to pay for the flood damage and repair because the houses were built close to a pre-existing levee. They might argue, if they look at the time sequence, that levees should not be erected to protect future subdivisions and that locating new structures near existing levees creates a preventable and needless risk.

Should FEMA withhold its aid, the residents would probably sue the developer and the City, it being the entity who granted permission for the subdivision to be built. These lawsuits could be prohibitively expensive. This scenario would be disastrous for St. Helena. But why should the city even allow itself this level of exposure when a valid reason exists for denying the project: a reason that even the state of California must support. In reality, the city lacks the infrastructure on the East side of St. Helena to safely and expeditiously evacuate even existing residents in a catastrophic emergency. In the case of a severe flood and levee failure, roads in the Hunter Project would probably be impassable, Starr might be affected, and use of the Pope Street bridge to access the Silverado trail, questionable at best.

If the city turns down the applicant on these grounds, and there are additional reasons that are almost as compelling, the applicant will most likely sue. But this exposure is far less than the multiple suits that would derive from not only a badly damaged subdivision, but also one in which lives could have been lost: the city could be found to have been derelict in its obligation to protect its residents.

Finally, it should be noted that I am not an attorney, simply a concerned resident. I am basing my opinion on common sense and logic. It is my belief that the city should not give this applicant the green light.

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

From: Bernerd Buckley <[bernerdbuckley@gmail.com](mailto:bernerdbuckley@gmail.com)>

Sent: Tuesday, November 2, 2021 2:58 PM

To: Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>

Cc: Paul Dohring <[PDohring@cityofsthelena.org](mailto:PDohring@cityofsthelena.org)>; Anna Chouteau  
<[AChouteau@cityofsthelena.org](mailto:AChouteau@cityofsthelena.org)>; Geoff Ellsworth <[GEllsworth@cityofsthelena.org](mailto:GEllsworth@cityofsthelena.org)>

Subject: [External] Hunter project

The DEIR says that a breach of the levee is unlikely but if it happened properties behind it could have 5 feet of water damage. The top of the levee has many pot holes some have been repaired with gravel is this correct material? Do maintenance people have experience or training on levee's?

Sent from my iPhone

Questions for Planning Commission Meeting 11-2-2021 re: Hunter Project

#1 Will the sewer plant upgrade of 16.2 million as per our agreement be completed before construction would begin and will it effect the \$57,000 fine.

#2 The existing sewers were constructed many years ago with the size predicated on the houses they served at that time. Will the existing system be reengineered to handle the increased load

#3 The Water Audit suit calls for the decommissioning of existing wells that are not in use will this have any effect on the project. Will a new permit be required for the now out of use well.

#4 The Water Audit suit also cites meeting sustainability goals from our existing wells providing domestic water will the addition of all of the residential units drawing from these what will the impact be and what effect will this have on the suit by Water Audit.

#5 Do we know if both the new well and the current one in use by the City of St Helena are serviced by the same aquifer?

#6 Given that the proposal will be to retrofit 300 plus homes with water saving devices to augment the additional users, would it be more prudent to have this done and accomplished prior to the additional use of water for the development. My concern is that very few residents, certainly not 300, will embrace the idea and agree to have water saving devices installed in their homes. Many of us had this done in prior years and are not in need of such an endeavor. So the fear is that the money will sit in a slush fund and the actual use for water saving devices never take place and the development will still start using the water which we have so little. Will the 300 plus homes be just on the east side as the well is our main supplier of water.

Gale Greisen  
1181 Starr Ave  
St Helena  
415 729 6039

Attention: Planning Commission  
 From: Timothy Nieman, St. Helena

#### **Comments for Hunter Subdivision DEIR**

##### **Comment about Use of Well for Irrigation**

Page 3.9-43 states “Therefore, the well would draw from the deeper volcanic aquifer, below the Napa Valley alluvium which is considered hydraulically connected to the Napa River (Appendix L). Therefore, the proposed pumping from this well is not likely to have any direct effect on surface flow in the Napa River.” Appendix L then states “The well intercepts groundwater from rocks and deposits of volcanic origin. Well perforations begin at a depth of 80 ft below ground surface and extend to the bottom of the well 410 below ground surface. A 20 ft well seal is in place. The well does not draw water directly from the Napa Valley alluvium, which is believed to be interconnected with surface water of the Napa River. The degree of hydrogeologic connectivity between the underlying volcanic aquifer and the alluvial deposits on the surface of the Napa Valley Floor has not been quantified, but it is likely that withdrawals of groundwater from this deeper aquifer have a less direct effect on surface flow in the Napa River than withdrawals from the shallow alluvial aquifer.”

As a geophysicist, I find this to be appallingly bad science and also bad logic. At best, the authors should simply state they don’t know if the volcanic rocks are connected to the Napa River.

The authors state in Appendix L that the connectivity to the Napa River of the aquifer being tapped has not been quantified. The authors then conjecture, without data, that it might have a “less direct effect” on surface flow in the Napa River than a horizon known to be connected to the river. From this basis, they somehow conclude on page 3.9-43 that the proposed pumping from this well is not likely to have “any direct effect” on surface flow in the Napa River. So, they began with a statement that the connectivity has not been quantified (i.e., nobody knows) and then conclude that pumping will not have any direct effect on surface flow. That statement has no basis of support. They offer no data at all about the geologic column or about depositional units, if any, that exist between the shallow Napa Valley alluvium and the underlying volcanic aquifer.

The Napa River is a gaining river in this area and may well be connected to the aquifer from which the applicant plans to withdraw 5.6 million gallons of water per year. It is certainly not acceptable to approve the use of the well for irrigation at this time and until the aquifer’s connectivity has been verified with subsurface data or other reliable hydrogeologic data. Further, the County’s Groundwater Sustainability Agency is addressing the issue of groundwater withdrawals and will issue findings in 2022, followed by review by the State Department of Water Resources. Because the issue of connectivity is not known and the issue of groundwater withdrawals in this area is not resolved, this should be changed to an impact that is significant and unavoidable based on the data available at this time.

##### **Comment about Levee Safety**

Page 3.9-7 states “Based on the levee design, the Project site would be subject to a flood exceeding a 200-year recurrence interval, equivalent to less than a 0.5% annual chance. During such a flood (200

year), the style of flooding onsite would be slow and gradual, since the high velocity flows remain limited to the regulatory floodway.”

The type of flooding referenced here is an overtopping event. The conclusion that such an event would be slow and gradual is absurd. An overtopping event would fill the area behind the levee rapidly as soon as the water goes over the levee, much as an empty bowl in a sink will fill rapidly once the water in the sink rises above its rim. The area behind the levee is the equivalent of the bowl in the sink. If anything, this type of flooding would be quick and catastrophic. “Overtopping of levees produces fast-flowing, turbulent water velocities on the landward-side slope that can damage the levee.” (*Hydraulics of Levee Overtopping*, Li, Lin et al, CRC Press, 2021). “During a flood event, the risk of a levee overtopping can be significant and the consequences can be catastrophic.” (National Research Council 2013. *Levees and the National Flood Insurance Program: Improving Policies and Practices*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/18309>, pg. 100).

Building behind a levee is never safe. The Association of State FloodPlain Managers states, “Because of the nature of levee failure flooding, the ASFPM believes that levees are not a wise community choice and should never be used to protect undeveloped land so development can occur in the flood risk area behind the levee.” (*National Flood Policy Challenges, Levees: The Double-edged Sword*, Association of State FloodPlain Managers, 2007, [www.floods.org](http://www.floods.org)).

#### Comment about Levee Maintenance

Page 3.9-8 states “Specifically, levee maintenance consists of bi-annual (spring & fall) levee side mowing and levee embankment inspection prior to the rainy season, immediately following a high-water event, and **at intervals not exceeding three months** (City of St. Helena 2012). The purpose of the inspections are to verify that no unusual settlement or loss of material is occurring, that there are no areas of seepage or boils, that **no animal burrows are encroaching upon the levee section**, that toe drainage ditches are flowing properly, and that access roads are properly maintained and are graded to drain.”

Putting homes behind a levee is a bad idea, but at a minimum, requires the absolute assurance of levee integrity. Please include City of St. Helena records to show that required levee bank inspections and related maintenance have been conducted at least once every three months since the construction of the levee.

There are countless gopher holes all over the levee. Please provide verification that the animal burrows were identified during regular maintenance, what measures were taken to map their surface and subsurface extent, and how the problem was addressed. The following pictures were taken during the storm in January 2017, the first picture shows relative location and the second a closeup of just a few of the easily recognizable burrows on the upper edge of the levee.



#### Comment about Earthquakes

Page 3.6-12 states "The 1906 and 1969 earthquakes were of moderate magnitude with earthquake epicenters located near downtown Santa Rosa." The 1906 earthquake was not of moderate magnitude nor was its epicenter near Santa Rosa.

City of St. Helena

I am writing to comment on the DERI for the Hunter project. There are so many reasons to object to this project. There is no water neutrality, loss of conservation easements, the proposed affordable housing does not conform to the Municipal Code, traffic over a railroad track which has a F rating from Caltrans and cannot be mitigated without opening Starr Avenue and building a new bridge over the Napa River and on and on.

However, an important reason is overlooked in this report and one that is an albatross for the city and stirred heated discussion since its beginning: The St. Helena Levee on the Napa River. There is positive to the levee project, but also many mistakes not the least of which is the missing monies never accounted for and continuing worries of no current comprehensive flood-risk management.

The width of the St. Helena levee was built wider than it was intended or needed to be, a size that took the levee wide of the Vineyard Valley property it was made to protect, resulting in a large 16.9-acre agriculture floodplain undeveloped and empty. On Sept. 8, 2010, a developer saw an opportunity and purchased this floodplain acreage. Then submitted plans to convert agricultural land into high density housing including 87 new residential units, this despite an explicit provision in Measure A that “none of these projects (levees) are intended or designed to encourage population growth.”

The limitation on building expensive homes and apartments on this floodplain are many, not the least of which is how will the homeowners be able to purchase insurance for homes built in a flood plain? Will the city be responsible for damages if the levee fails?

St. Helena now has a chance to bring this to an end and avoid construction of 87 new homes behind the levee. “Floodplain managers, river scientists, and prudent leaders worldwide counsel that levee protection is never absolute, and that even the tallest and strongest wall comes with an inherent residual risk, a small but real possibility that it may fail or be overwhelmed during future floods....St. Helena should understand that levee protection brings a range of consequences, including the possibility of multiplying, not diminishing, the long-term risk of damage and potentially even loss of life in their community.”

**I sincerely assume good intent when I ask the Planning Commission and then the City Council to thoroughly understand and preform due diligence into these issues. Best regards, Susan Kenward. St. Helena.**

**Susan Kenward**

**From:** Patrick Band <[pband@napabike.org](mailto:pband@napabike.org)>  
**Sent:** Tuesday, November 2, 2021 6:59 PM  
**To:** Maya DeRosa <[MDeRosa@cityofsthelena.org](mailto:MDeRosa@cityofsthelena.org)>  
**Cc:** Carlotta Sainato <[csainato@napabike.org](mailto:csainato@napabike.org)>  
**Subject:** [External] Request for DEIR Comment Period

Ms. DeRosa -

Following up on my comments at this evening's Planning Commission hearing on the Hunter Subdivision, the Napa County Bicycle Coalition would like to request a 30-day extension of the public comment period on the Draft Environmental Impact Report.

As we discussed, there are significant shortcomings in the DEIR regarding the various City-adopted Plans that are (and are not) considered, notably the failure to include the 2019 Countywide Bicycle Plan and associated bicycle and multi-use facilities.

Given the significance of this project for the City, we feel that an additional 30-days to provide sufficient time to more deeply consider and evaluate the DEIR is more than reasonable.

Thank you for your time and consideration.

--

Patrick Band  
Executive Director, Napa County Bicycle Coalition  
C: (707) 319-1538  
[www.NapaBike.org](http://www.NapaBike.org)



# HUNTER SUBDIVISION DRAFT EIR PUBLIC COMMENTS

NOVEMBER 2, 2021

PLANNING

November 2, 2021 Planning Commission Meeting

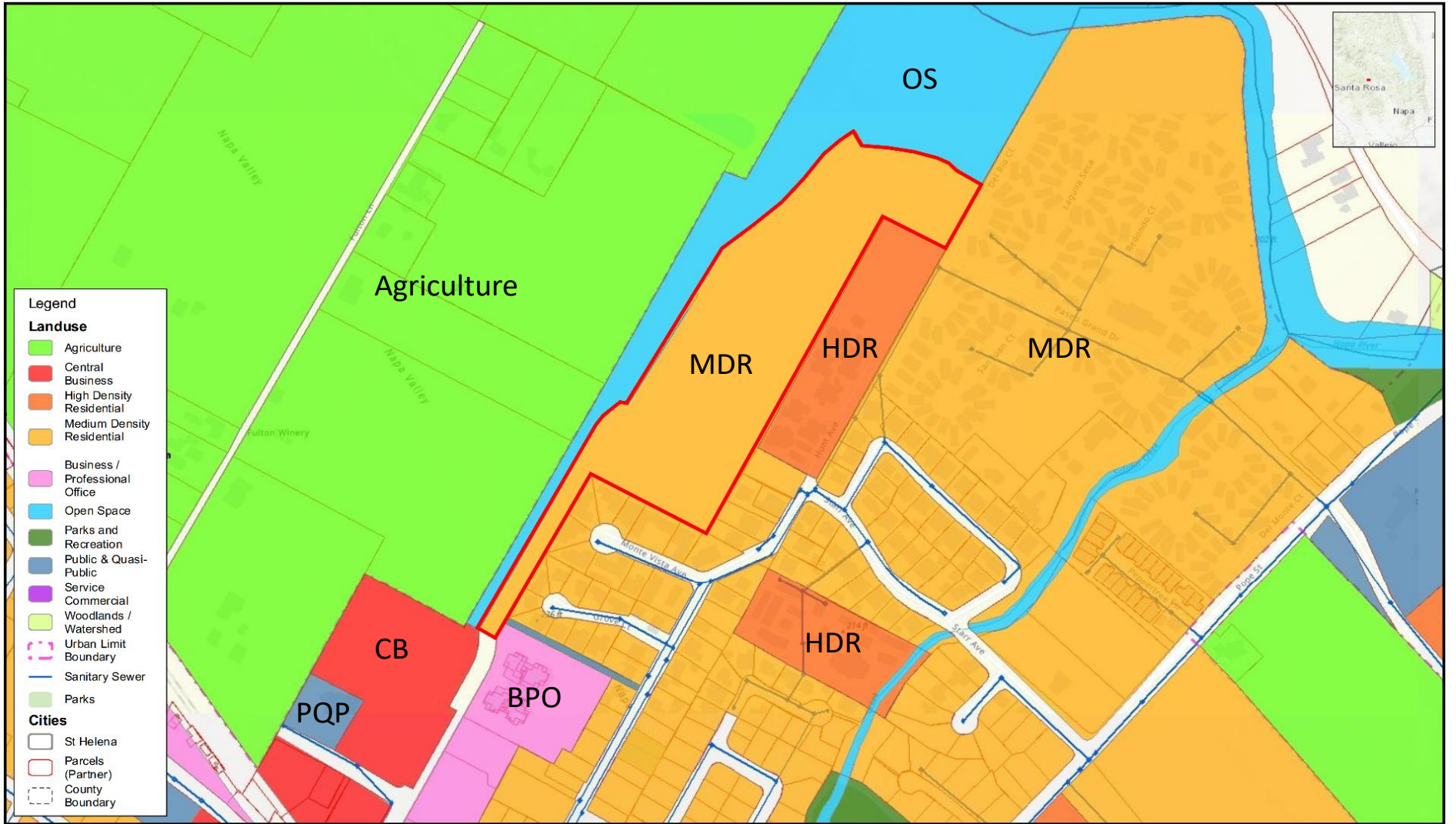






# Hunter Subdivision

- 16.9 Acres
- 87 proposed dwelling units (51 + 25 + 11)
- General Plan: Medium Density Residential (5.1 – 16 per acre)
- Zoning: MDR
- Density: 87 – 270 dwelling units





# Applications

## **Current:**

- Draft EIR
- Tentative Subdivision Map

## **Future:**

- Affordable Housing Agreement (CC)
- Design Review of Proposed Homes (PC)
- Conditional Use Permit for Multi-Family Housing (PC)



# Draft EIR Topics

Aesthetics/Visual Resources

Agriculture And Forestry  
Resources

Air Quality

Biological Resources

Cultural And Tribal Cultural  
Resources

Geology And Soils

Greenhouse Gas Emissions

Hazards And Hazardous  
Materials

Hydrology And Water Quality

Land Use

Noise And Vibration

Public Services And Recreation

Utilities And Service Systems

Transportation And Circulation

Energy



# Draft EIR

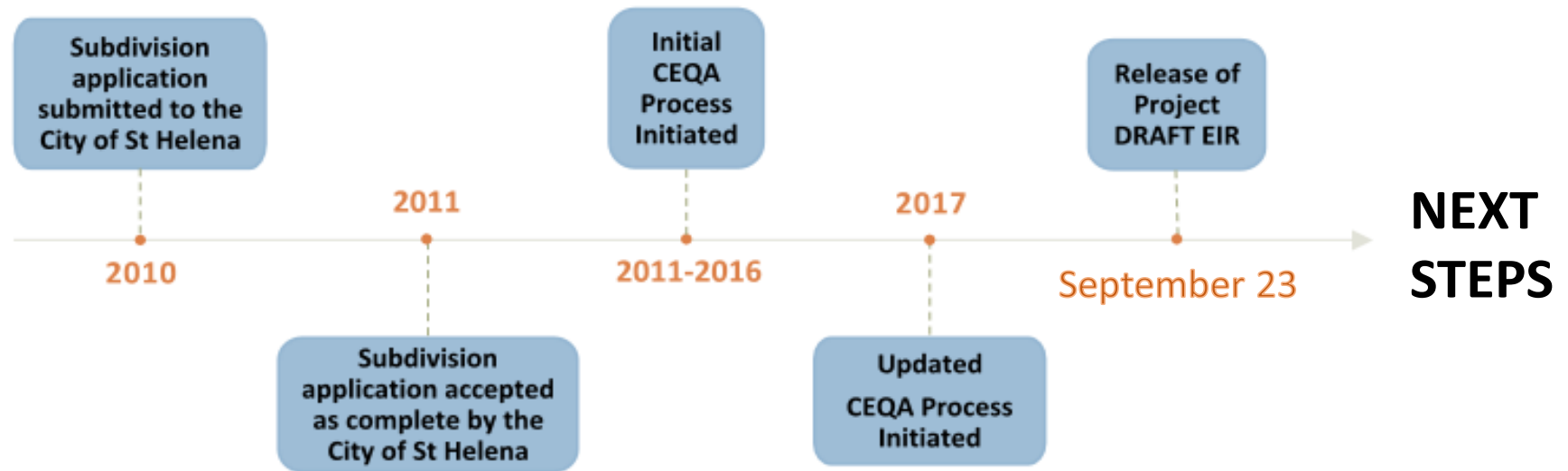
The Draft EIR concludes that the project's impacts can all be reduced to a less-than-significant level **except** impacts related to “**Vehicle Miles Travelled**,” which measures the amount of new vehicle travel (measured in the number of miles driven by residents to work, shopping, and other locations).

Impacts related to **VMT** are identified as “**significant unavoidable**.”

All other impacts in the Draft EIR have been mitigated to a level of less than significant.



# Project Activity to Date





# Hunter Subdivision Next Steps

## **Winter 2021:**

- Responding to comments on the Draft EIR
- Response to Comments/Final EIR

## **Q1 2022:**

- Public hearings on EIR and Tentative Map

## **Future Entitlements (2022 or later):**

- Affordable Housing Agreement (CC)
- Design Review of Proposed Homes (PC)
- Conditional Use Permit for Multi-Family Housing (PC)



# Opportunities for Public Input

| Item                                    | 45-Day<br>Public<br>Review and<br>Comment          | Planning<br>Commission<br>Public<br>Hearing | City<br>Council<br>Public<br>Hearing | Timing                                       |
|-----------------------------------------|----------------------------------------------------|---------------------------------------------|--------------------------------------|----------------------------------------------|
| Draft<br>Environmental<br>Impact Report | ✓<br>(Includes Public<br>comment<br>meeting at PC) | ✓                                           | ✓                                    | 45-Day<br>Review Starts<br>mid-<br>September |
| Tentative<br>Subdivision<br>Map         |                                                    | ✓                                           | ✓                                    | Winter 2021                                  |



# Comments

## **For Tonight's Meeting:**

- Comments on the Draft EIR
- Focus on the adequacy of the Draft EIR—Is information missing? Analysis not correct? Conclusions wrong?

## **NOT for Tonight's Meeting:**

- Comments on the project
- Public hearings in 2022 will be the time to discuss the project



# Draft EIR Availability

<https://www.cityofsthelena.org/planning/page/hunter-draft-eir>

The Draft EIR is also available in printed form at:

- St. Helena Public Library, 1492 Library Lane; and
- St. Helena Planning Department, 1572 Railroad Avenue

***Comment Deadline: November 8, 2021 at 5 pm***



# Recommendation

- Receive staff's presentation on the EIR process;
- Open the public hearing;
- Receive comments from the public;
- Close the public hearing; and
- Provide any Commissioner comments on the Draft EIR