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**CITY OF AMERICAN CANYON GENERAL PLAN  
ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT**

2 November, 1994

Prepared by Envicom Corporation

**Introduction**

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), section 15164, this Addendum to the Final Environmental Impact Report (FEIR) for the City of American Canyon General Plan is prepared to summarize information and documentation contained in the FEIR and Draft General Plan in response to comments received at the Public Hearing conducted by the City of American Canyon City Council on 27 October, 1994. The comments herein confirm the conclusions stated in the written Responses to Comments incorporated in the FEIR and are consistent with the established principle of CEQA that an EIR should be organized and written in a manner that will be meaningful and useful to the decisionmakers and to the public, in accordance with Public Resources Code section 21003(b).

All provisions of applicable notice requirements were met and all agencies commenting at the Public Hearing have acknowledged timely response to comments of that information. In response to statements made at the October 27th, 1994 City Council Public Hearing regarding the public notice and responses to comments on the Draft General Plan and General Plan EIR, the following facts have been confirmed.

- Public Notice was mailed to the General Plan distribution list, published in a local newspaper and posted in accordance with applicable law (10 days) prior to the Planning Commission hearings held on September 22, 1994, October 13, 1994, and the City Council hearing on October 27, 1994. A representative of the Napa County Board of Supervisors attended each of these hearings but did not testify.
- Among the individuals and agencies receiving the above referenced public notices were the Honorable Mike Rippey as Chairman of the local Agency Formation Commission, the Napa County Administrators Office, and Mr. Jeff Redding, the Director of the Napa County Conservation, Development and Planning Department.
- Responses to Comments received during the 45-day written comment period were sent out to the individual commentors on October 7, 1994. Several of the individual or agency representatives who submitted comments indicated that they had received their responses to comments. Documentation was also provided of an Agenda item from the October 25, 1994 Napa County Board of Supervisors meeting in which the Clerk of the Board records that the responses to comments were received on October 11, 1994.

In accordance with Chapter 1230, Stats. 1994, effective October 4, 1994, the City of American Canyon, as the lead agency, specified that it shall be the custodian (at the City of American Canyon City Hall, 2185 Elliott Drive) of the documents and other materials that constitute the record of the proceedings upon which a certification of the EIR and adoption of the statement of overriding considerations are made.

The issue of the Congestion Management Agency's Responses No. 28-33 not being responded to was an inadvertent omission of the Response to Comments document. It should be noted that two public Planning Commission Hearings and a City council Hearing passed without a comment from the CMA regarding this issue. Only following the October 27, 1994 Council hearing was this omission brought to the attention of the Planning Department. These comments have all been responded to and were, and are, included as a part of the Final Environmental Impact Report. In other words, this substantive matter was fairly before the City Council.

### Clarification of FEIR and General Plan in Response to Public Hearing Comments

#### 1. Issue: Water Supply

The County of Napa states that "inadequate responses" were made to their comments NC 16 and NC 17 in their letter of 23 September, 1994, as the Responses indicate "comment acknowledged." It should be noted that the issues addressed by NC 16 and NC 17 are addressed by responses to NC 14 and NC 15 that respond to the same issue. NC 14 presents analysis and information regarding the demands and adequacy of water supply and NC 15 identifies the mitigation measures, I 5.14 and I 5.57. These implementation programs stipulate that "adequate water supply shall be a condition of project approval". This clearly means that there can be no significantly adverse impacts on water supply, as growth beyond the defined capacity can not be achieved. Through Implementation Measure (I-1.9), the General Plan establishes that an ordinance will be developed that includes a mechanism which provides for monitoring and modifying a development limit based upon actual levels of demand and service availability. No additional mitigation is required.

#### 2. Issue: Wastewater Disposal

The County of Napa states that "inadequate responses" were made to their comments regarding the adequacy of wastewater treatment in their letter of 23 September, 1994, as the Responses indicate "comment acknowledged." It should be noted that the issues identified are addressed by response to the Local Agency Formation Commission, LAFCO 22, that address the same issue. The response references Implementation Measure (I-5.57) which stipulates that "adequate wastewater disposal facilities shall be a condition of project approval." This clearly means that there can be no significantly adverse impacts on wastewater disposal; as growth beyond the defined capacity cannot be achieved. Through Implementation Measure (I-1.9), the General Plan establishes that an ordinance will be developed that includes a mechanism which provides for monitoring and modifying a

development limit based upon actual levels of demand and service availability. No additional mitigation is required.

### 3. Issue: Highway 29 and Jamison Canyon Road

The County of Napa states that the EIR does not prescribe specific mitigation for the intersection of State Highway 29 and Jamison Canyon Road, where a Level of Service F would result on implementation of the General Plan. The responsibility for mitigation of this impact on the referenced intersection which is outside the City boundaries would be within the jurisdiction of other public agencies including the County of Napa, the Metropolitan Transportation Commission, the County Congestion Management Agency and Caltrans. In the Responses to Comment, reference is made to Implementation Programs I 1.22 and I 4.10 provide for the coordination of planning and improvements of regional systems in coordination with the County, Congestion Management Agency, Caltrans, and other relevant agencies. CEQA does not require speculation as to what such future coordination of planning and improvements, which would be discretionary discussed at the project level, might be.

### 4. Issue: Criminal Justice Impacts

The County of Napa states that the EIR does not address the impacts of the General Plan on the provision of adequate law enforcement or on the criminal justice system. As indicated in the Responses to Comments, NC 19, the County Sheriff has committed to the provision of adequate levels of service (EIR, communication with the Sheriff's Department, page 8-1). Impacts on the criminal justice system are not required to be address by an EIR as this is a State funding responsibility, which is not recognized as a potential impact which must be assessed (see, Appendix G, CEQA Guidelines). Additionally, even assuming that the criminal justice system was a relevant issue to be address by the adoption of a General Plan, the impacts are primarily economic, social, and political, which impacts are not required to be assessed under CEQA unless they are related to an impact on the physical environment, a connection which has not been made by substantial evidence by the general public or specifically by the County of Napa or LAFCO (see CEQA Guidelines section 15382).

### 5. Issue: General Plan Comments

It should be noted that the City of American Canyon has responded to nearly all the Napa County Comments on the Draft General Plan. Even though this is not a legislative requirement, it was done to assist the decisionmakers and the public in evaluating issues through the General Plan process. However, it should be noted that the substance of all comments have been responded to be responses to other Napa County or other agency comments on the Draft EIR.

6. Issue: Deleted ELF Mitigation Measures

Mitigation Measures ELF-1, ELF-2, and ELF-3 shall be removed from the Environmental Impact Report as Policies 1.30.2, 1.30.3, and 1.30.4 have been added to the General Plan to mitigate these impacts to a level which is less than significant. Thus, no additional mitigation is necessary for this environmental issue.