WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

952 SCHOOL STREET #316 NAPA CA 94559
VOICE: (530) 575-5335
EMAIL: GENERAL@WATERAUDITCA.ORG

June 2, 2026

To Napa County Planning Commission

Sent via email to: meetingclerk@countyofnapa.org

RE June 3, 2026
MARK SCHRATZ / AXR NAPA VALLEY WINERY / USE PERMIT MAJOR MODIFICATION P22-00417-MOD, VARIANCE P26-00045-VAR, AND ADMINISTRATIVE VIEWSHED PERMIT P26-00044-VIEW

To whom it may concern:

Water Audit California ("Water Audit") is a public benefit corporation with a mission to protect the public trust. The following comments are submitted on its own behalf, and in the public interest.

Water Audit is writing to highlight significant compliance gaps and unresolved issues regarding the septic and water systems associated with the AXR Napa Valley Winery project (P22-00417-MOD et al.), as documented in the current project record.

Water Audit has received no financial contribution from any party to make this comment and has no potential of financial interest arising from this comment. Our interest is the public interest in seeing environmental law and public trust review applied equally and fairly.

Septic System Compliance Gaps

Napa County Code 13.28.040 establishes the regulatory setbacks for septic systems near streams, specifically for blue-line watercourses like Hirsch Creek:

- Dispersal Field and Reserve Dispersal Area: Minimum setback of 100 feet from the edge of any creek, stream, or river identified as a blue line on a USGS map.
- Septic Tank, Dosing Tank, D-box: Minimum setback of 50 feet from such watercourses.
- Tight Line (sewer line, effluent line): Minimum setback of 50 feet.

These requirements are detailed in Table 13.28.040 of the Napa County Code of Ordinances.

Cottage #4 Septic System Nonconformance

The dedicated septic system for Cottage #4 appears to be sited within the required setback from Hirsch Creek, contrary to Napa County Code 13.28.040, which mandates a minimum 100-foot setback for dispersal fields from blue-line streams.

Historical permits and site maps confirm the septic field is approximately 40 feet from the creek, and soil conditions are described as very loose gravel and rock, raising concerns about potential contamination and system effectiveness.

The Wastewater Feasibility Study (WWFS) excluded Cottage #4 from its analysis, failing to account for its wastewater impact and not integrating it into the main project sewage disposal system. This omission leaves a regulatory and environmental gap.

Exhibits collectively demonstrate the proximity of the Cottage #4 septic system to Hirsch Creek by providing mapped evidence, regulatory standards, and historical permitting details:

Site Plans and Maps (AXR Exhibits A, B, D, G):

- The Overall Site Plan (Exhibit A, Graphics pdf p.24) and Preliminary Layout Plan (Exhibit B, Graphics pdf p.29) show the northeast parcel corner where Cottage #4 and its septic system are located. The flowline for Hirsch Creek is delineated near Cottage #4, but the site plan omits distance measurements. Overlays with County GIS and Google Earth (Exhibit D) confirm the septic field is inside the required setback.

- The December 2004 Site Map (Exhibit G, EDR 022-080-025 2004 UP P04-0541 PLANS pdf p.2) specifically locates the septic field about 40 feet from the creek flowline, well within the 100-foot setback required by code.

Regulatory Standard (AXR Exhibit E):

- Napa County Code 13.28.040 (Exhibit E) requires a minimum 100-foot setback for dispersal fields from blue-line streams like Hirsch Creek. The mapped location of the septic system violates this standard.

Historical Permit (AXR Exhibit F):

- The 1971 Permit Sewage System (Exhibit F, EDR 022-080-025 1971 SD p.2) describes the Cottage #4 septic system as being inside the Hirsch Creek setback, with soil conditions of very loose gravel and rock, further confirming its noncompliance and environmental risk.

Overall Site Plan (Graphics pdf page 24, AXR Exhibit A):

- The site plan shows the northeast corner of the parcel where Cottage #4 and its septic system are located. The delineated flowline for Hirsch Creek ends just west of Cottage #4 near the parcel's north boundary. However, the plan does not provide explicit distance measurements between the creek and the septic system, leaving the impression that the system is close to the creek.

Preliminary Layout Plan (Graphics pdf page 29, AXR Exhibit B):

- This plan includes the northeast corner and shows Hirsch Creek re-entering the parcel, but does not specifically site the Cottage #4 septic system. Overlays with County GIS and Google Earth (AXR Exhibit D) indicate the septic field is inside the required setback from the creek.

December 2004 Site Map (EDR 022-080-025 2004 UP P04-0541 PLANS pdf page 2, AXR Exhibit G):

- This map specifically identifies the location of Cottage #4's septic system and the Hirsch Creek flowline, showing the septic field approximately 40 feet from the creek—well within the 100-foot setback required by county code.

1971 Permit Sewage System (EDR 022-080-025 1971 SD page 2, AXR Exhibit F):

- The permit describes the septic system as being inside the Hirsch Creek setback, with soil composed of very loose gravel and rock, further confirming its proximity and noncompliance.

These site plans and supporting documents collectively confirm that the Cottage #4 septic system is sited much closer to Hirsch Creek than allowed by Napa County setback

By comparing these mapped exhibits, regulatory requirements, and permit records, it is clear that the Cottage #4 septic system is sited in violation of the required setback from Hirsch Creek

Incomplete Wastewater Impact Assessment

- The WWFS also did not evaluate the impact of large marketing events (75- and 150person gatherings) on the wastewater system, relying instead on portable toilets without assessing cumulative impacts.

Water System Issues

Missing Water System Feasibility Report

The application omits the required Water System Feasibility Report, which is necessary for projects serving 25 or more people. This report is critical to demonstrate compliance with technical, managerial, and financial standards set by the Water Board and County policy.

Lack of Required Well Testing

Neither the primary project well nor the backup well has undergone the mandatory 24hour pumping test at 3 gallons per minute, as required by County and Water Board standards. The Water Availability Analysis (WAA) relies on estimated data and does not include direct observation or test results for the backup well.

The WAA Tier 3 analysis is based on assumed parameters and does not provide assurance of water supply reliability or protection of surface and groundwater resources.

Inconsistent Groundwater Monitoring and Public Transparency

Current conditions of approval do not require uploading well monitoring data to a public online repository, unlike more recent projects. This limits public oversight and transparency regarding groundwater use and potential impacts on surface-water flows.

There is no clear requirement to destroy or properly manage abandoned wells, nor is there a determination on the use of an abandoned well as a backup public water supply.

Recommendations

- Integrate Cottage #4 into the main project wastewater system or require a full compliance review and mitigation for its current nonconforming septic system.
- Require a comprehensive Wastewater Feasibility Study that includes all cottages and event-related wastewater impacts.
- Enforce submission of a Water System Feasibility Report and completion of all required well pumping tests before further project approvals.
- Update conditions of approval to require public posting of groundwater monitoring data and clarify requirements for abandoned wells.

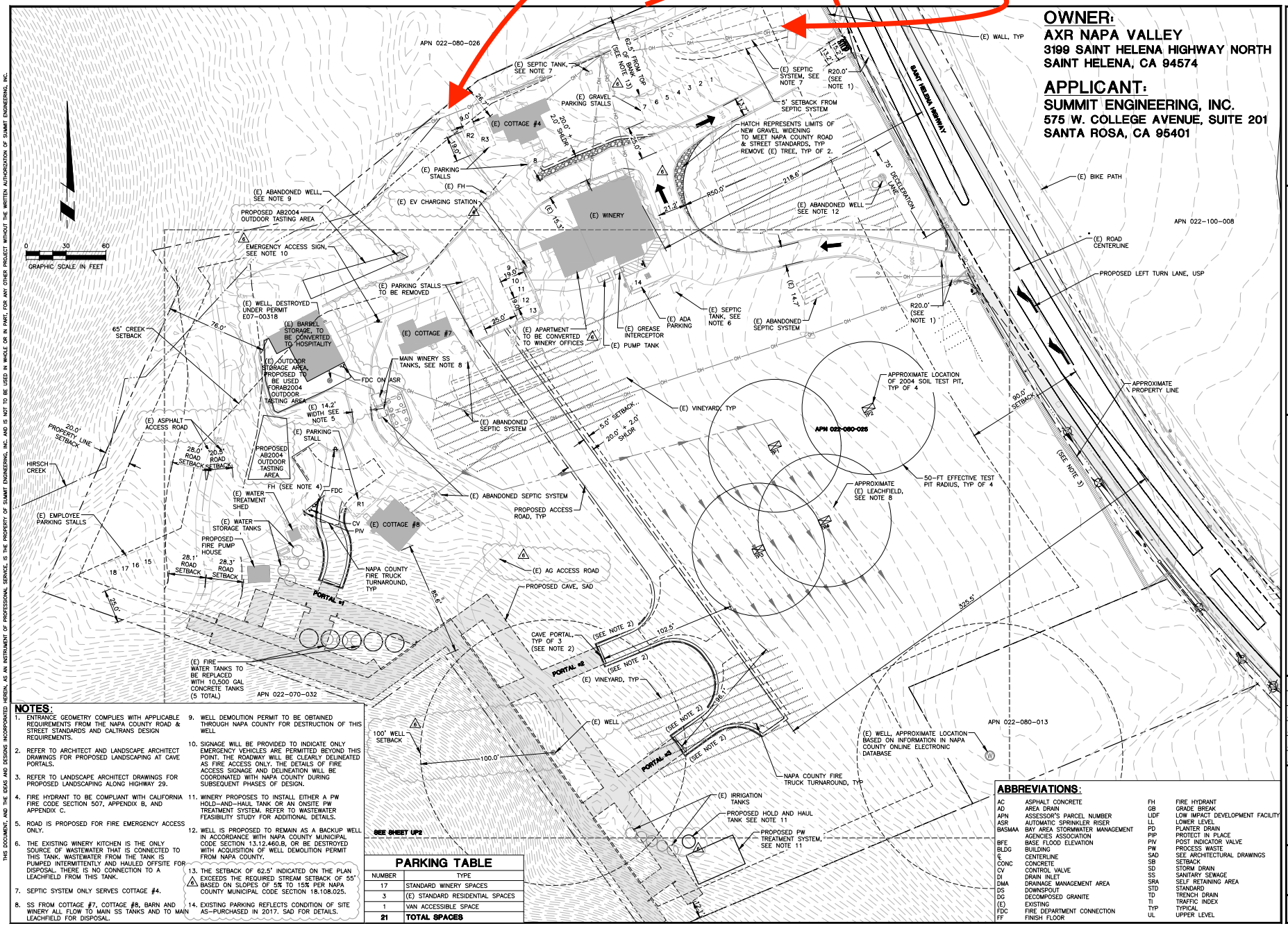
Addressing these gaps is essential to protect public health, water quality, and ensure regulatory compliance.

Respectfully,

William McKinnon
General Counsel
Water Audit California

See attached Exhibits A-M

The Hirsch Creek flowline suddenly ends.
The Overall Site Plan omits the northeast corner.
Cottage #4 septic system.



OWNER:
AXR NAPA VALLEY
3199 SAINT HELENA HIGHWAY NORTH
SAINT HELENA, CA 94574

APPLICANT:
SUMMIT ENGINEERING, INC.
575 W. COLLEGE AVENUE, SUITE 201
SANTA ROSA, CA 95401

NOTES:
1. ENTRANCE GEOMETRY COMPLIES WITH APPLICABLE REQUIREMENTS FROM THE NAPA COUNTY ROAD & STREET STANDARDS AND CALTRANS DESIGN REQUIREMENTS.
2. REFER TO ARCHITECT AND LANDSCAPE ARCHITECT DRAWINGS FOR PROPOSED LANDSCAPING AT CAVE PORTALS.
3. REFER TO LANDSCAPE ARCHITECT DRAWINGS FOR PROPOSED LANDSCAPING ALONG HIGHWAY 29.
4. FIRE HYDRANT TO BE COMPLIANT WITH CALIFORNIA FIRE CODE SECTION 507, APPENDIX B, AND APPENDIX C.
5. ROAD IS PROPOSED FOR FIRE EMERGENCY ACCESS ONLY.
6. THE EXISTING WINERY KITCHEN IS THE ONLY SOURCE OF WASTEWATER THAT IS CONNECTED TO THIS TANK. WASTEWATER FROM THE TANK IS PUMPED INTERMITTENTLY AND HAULED OFFSITE FOR DISPOSAL. THERE IS NO CONNECTION TO A LEACHFIELD FROM THIS TANK.
7. SEPTIC SYSTEM ONLY SERVES COTTAGE #4.
8. SS FROM COTTAGE #7, COTTAGE #8, BARN AND WINERY ALL FLOW TO MAIN SS TANKS AND TO MAIN LEACHFIELD FOR DISPOSAL.
9. WELL DEMOLITION PERMIT TO BE OBTAINED THROUGH NAPA COUNTY FOR DESTRUCTION OF THIS WELL.
10. SIGNAGE WILL BE PROVIDED TO INDICATE ONLY EMERGENCY VEHICLES ARE PERMITTED BEYOND THIS POINT. THE ROADWAY WILL BE CLEARLY DELINEATED AS FIRE ACCESS ONLY. THE DETAILS OF FIRE ACCESS SIGNAGE AND DELINEATION WILL BE COORDINATED WITH NAPA COUNTY DURING SUBSEQUENT PHASES OF DESIGN.
11. WINERY PROPOSES TO INSTALL EITHER A PW HOLD-AND-HAUL TANK OR AN ONSITE PW TREATMENT SYSTEM. REFER TO WASTEWATER FEASIBILITY STUDY FOR ADDITIONAL DETAILS.
12. WELL IS PROPOSED TO REMAIN AS A BACKUP WELL IN ACCORDANCE WITH NAPA COUNTY MUNICIPAL CODE SECTION 13.12.460.B, OR BE DESTROYED WITH ACQUISITION OF WELL DEMOLITION PERMIT FROM NAPA COUNTY.
13. THE SETBACK OF 62.5' INDICATED ON THE PLAN EXCEEDS THE REQUIRED STREAM SETBACK OF 55' BASED ON SLOPES OF 5% TO 15% PER NAPA COUNTY MUNICIPAL CODE SECTION 18.108.025.
14. EXISTING PARKING REFLECTS CONDITION OF SITE AS-PURCHASED IN 2017. SAD FOR DETAILS.

PARKING TABLE

NUMBER	TYPE
17	STANDARD WINERY SPACES
3	(E) STANDARD RESIDENTIAL SPACES
1	VAN ACCESSIBLE SPACE
21	**TOTAL SPACES**

ABBREVIATIONS:

AC	ASPHALT CONCRETE	FH	FIRE HYDRANT
AD	AREA DRAIN	GB	GRADE BREAK
APN	ASSESSOR'S PARCEL NUMBER	LIDF	LOW IMPACT DEVELOPMENT FACILITY
ASR	AUTOMATIC SPRINKLER RISER	LL	LOWER LEVEL
BASMAA	BAY AREA STORMWATER MANAGEMENT AGENCIES ASSOCIATION	PD	PLANTER DRAIN
		PIP	PROTECT IN PLACE
BFE	BASE FLOOD ELEVATION	PIV	POST INDICATOR VALVE
BLDG	BUILDING	PW	PROCESS WASTE
℄	CENTERLINE	SAD	SEE ARCHITECTURAL DRAWINGS
CONC	CONCRETE	SB	SETBACK
CV	CONTROL VALVE	SD	STORM DRAIN
DI	DRAIN INLET	SS	SANITARY SEWAGE
DMA	DRAINAGE MANAGEMENT AREA	SRA	SELF RETAINING AREA
DS	DOWNSPOUT	STD	STANDARD
DG	DECOMPOSED GRANITE	TD	TRENCH DRAIN
(E)	EXISTING	TI	TRAFFIC INDEX
FDC	FIRE DEPARTMENT CONNECTION	TYP	TYPICAL
FF	FINISH FLOOR	UL	UPPER LEVEL

SUMMIT
Summit Engineering, Inc.
575 W. College Ave., Suite 201 • Santa Rosa, CA 95401
707.542.9500 • www.summit-sr.com

AXR NAPA VALLEY
3199 ST HELENA HIGHWAY NORTH
SAINT HELENA, CA 94574
APN 022-080-025

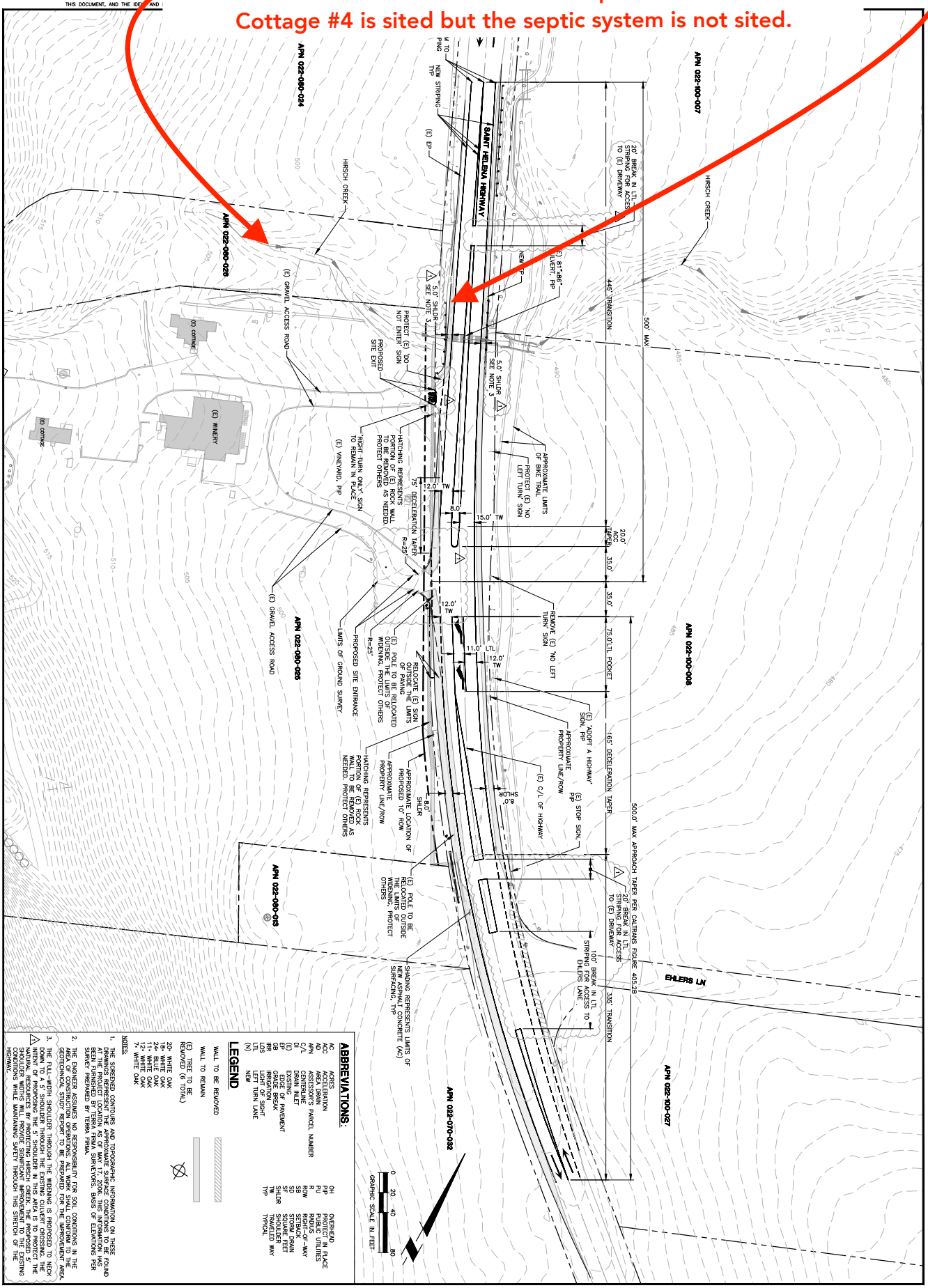
USE PERMIT MODIFICATION

OVERALL SITE PLAN

2023-04-13	USE PERMIT RESUBMITTAL
2023-12-11	USE PERMIT RESUBMITTAL
2024-03-19	USE PERMIT RESUBMITTAL
2024-07-25	USE PERMIT RESUBMITTAL
2025-06-12	USE PERMIT RESUBMITTAL
2025-11-14	USE PERMIT RESUBMITTAL

DATE: 2024-03-19
JOB NO: 2021183
SCALE: AS SHOWN
DRAWN: JH
CHECKED: TCS
SHEET UP1 1OF 5

The northeast parcel corner is included.
The Hirsch Creek flowline reenters at the parcel's northeast corner.
Cottage #4 is sited but the septic system is not sited.



ABBREVIATIONS:

AC	ASPHALT CONCRETE
ACC	ACCELERATION
AD	AREA DRAIN
APN	ASSESSOR'S PARCEL NUMBER
C/L	CENTERLINE
DI	DRAIN INLET
(E)	EXISTING
EP	EDGE OF PAVEMENT
GB	GRADE BREAK
IRR	IRRIGATION
LOS	LIGHT OF SIGHT
LTL	LEFT TURN LANE
(N)	NEW
OH	OVERHEAD
PCC	PORTLAND CEMENT CONCRETE
PIP	PROTECT IN PLACE
PU	PUBLIC UTILITIES
R	RADIUS
ROW	PUBLIC RIGHT-OF-WAY
SB	SETBACK
SD	STORM DRAIN
SS	SANITARY SEWER
SHLDR	SHOULDER
TW	TRAVELED WAY
TYP	TYPICAL

LEGEND

- WALL TO BE REMOVED
- WALL TO REMAIN
- (E) TREE TO BE REMOVED (6 TOTAL)
- 20" WHITE OAK
- 18" WHITE OAK
- 14" WHITE OAK
- 12" WHITE OAK
- 7" WHITE OAK

NOTES:

1. THE SCREENED CONTOURS AND TOPOGRAPHIC INFORMATION ON THESE DRAWINGS REPRESENT THE APPROXIMATE SURFACE CONDITIONS TO BE FOUND BETWEEN SURVEYED POINTS. THIS INFORMATION WAS FURNISHED BY TERRA FIRMA SURVEYORS. BASIS OF ELEVATIONS PER SURVEY PREPARED BY TERRA FIRMA.
2. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR SOIL CONDITIONS IN THE ABSENCE OF A CONSTRUCTION RECOMMENDATIONS PREPARED FOR THE IMPROVEMENT AREA BY A GEOTECHNICAL ENGINEER. CONTRACTOR TO REVIEW AND COMPLY WITH RECOMMENDATIONS PRIOR TO CONSTRUCTION.
3. ⚠ DOWN TO 4'-0" SHOULDER THROUGH THE EXISTING CULVERT CROSSING. THE INTENT OF PROPOSING THE 5' SHOULDER IN THIS AREA IS TO PROTECT THE NATURAL RESOURCES BY PROTECTING HIRSCH CREEK. THE PROPOSED 5' SHOULDER WIDTH WILL BE MAINTAINED TO THE EXTENT POSSIBLE GIVEN EXISTING CONDITIONS WHILE MAINTAINING SAFETY THROUGH THIS STRETCH OF THE HIGHWAY.

2/11/25	ISSUED FOR CLIENT REVIEW	
4/03/25	ISSUED FOR CLIENT REVIEW	
6/12/25	PLANNING CHECK RESPONSE	

LEFT TURN LANE CONCEPT

PRELIMINARY LAYOUT PLAN
STRIPING AND SIGNAGE PLAN

AXR NAPA VALLEY
3199 ST HELENA HIGHWAY NORTH
SAINT HELENA, CA 94574
APN 022-080-025

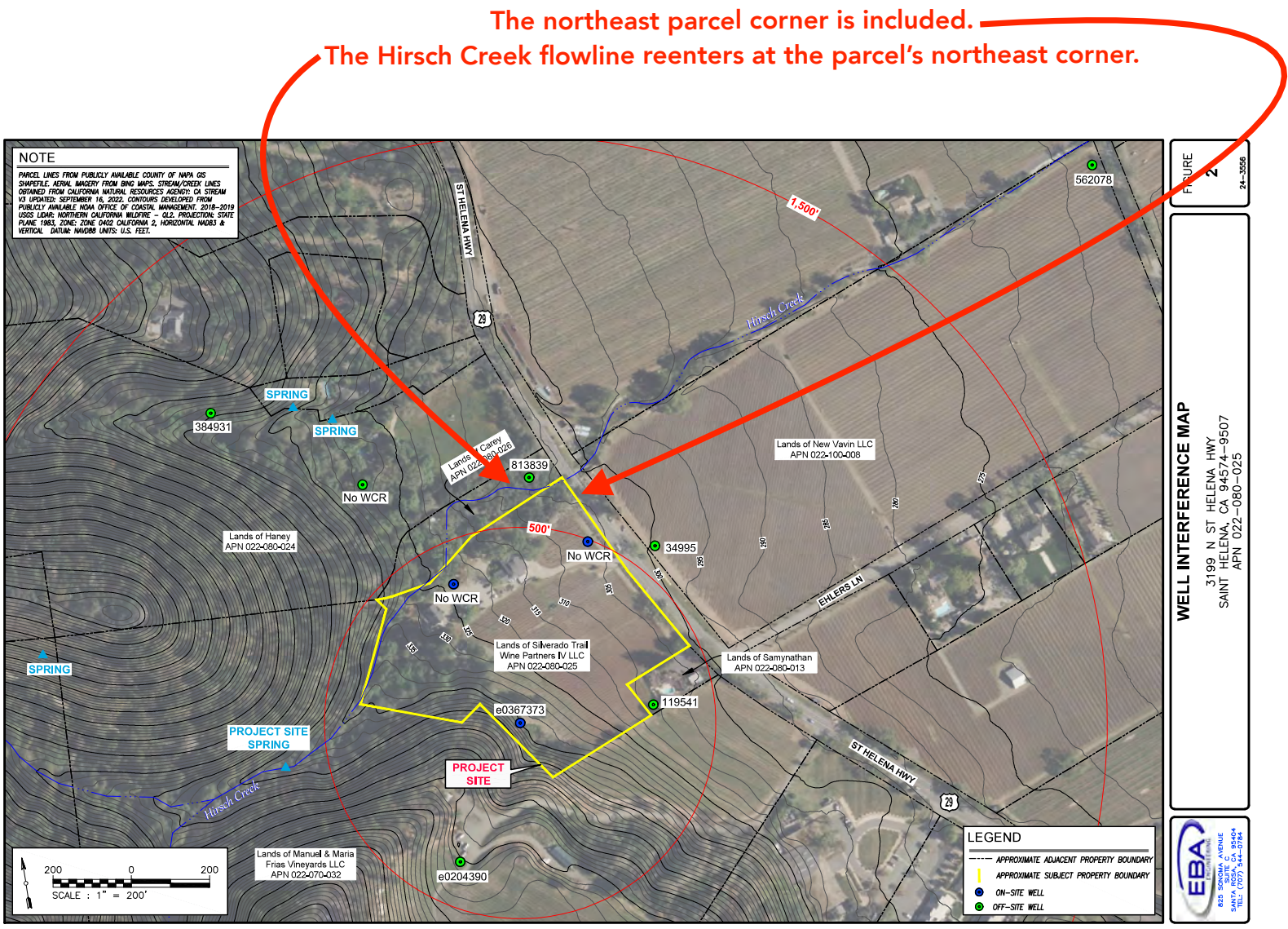
SUMMIT
Summit Engineering, Inc.
575 W College Ave., Suite 201 • Santa Rosa, CA 95401
707-527-0775 • www.summit-se.com

DATE: 2025-02-13
JOB NO: 2021183
SCALE: AS SHOWN
DRAWN: BV
CHECKED: MS
SHEET C1 OF 3

P:\2021\2021183 AXR NAPA UP MOD FEASIBILITY\CAD\CIVIL\LTL CONCEPT\21183 LTL CONCEPT-V2.DWG

PLOTTED ON: 6/12/2025 1:33 PM

Exhibit C


The northeast parcel corner is included.
The Hirsch Creek flowline reenters at the parcel's northeast corner.
NOTE
PARCEL LINES FROM PUBLICLY AVAILABLE COUNTY OF NAPA GIS SHAPEFILE. AERIAL IMAGERY FROM BING MAPS. STREAM/CREEK LINES OBTAINED FROM CALIFORNIA NATURAL RESOURCES AGENCY: CA STREAM V3 UPDATED: SEPTEMBER 16, 2022. CONTOURS DEVELOPED FROM PUBLICLY AVAILABLE NOAA OFFICE OF COASTAL MANAGEMENT. 2018–2019 USGS LIDAR: NORTHERN CALIFORNIA WILDFIRE – QL2. PROJECTION: STATE PLANE 1983, ZONE: ZONE 0402 CALIFORNIA 2, HORIZONTAL NAD83 & VERTICAL DATUM: NAVD88 UNITS: U.S. FEET.
ST HELENA HWY
29
1,500'
Hirsch Creek
562078
SPRING
384931
SPRING
Lands of Carey APN 022-080-026
813839
No WCR
Lands of New Vavin LLC APN 022-100-008
Lands of Haney APN 022-080-024
500'
No WCR
34995
No WCR
EHLERS LN
SPRING
Lands of Silverado Trail Wine Partners IV LLC APN 022-080-025
Lands of Samynathan APN 022-080-013
e0367373
119541
PROJECT SITE SPRING
PROJECT SITE
Hirsch Creek
ST HELENA HWY
29
Lands of Manuel & Maria Frias Vineyards LLC APN 022-070-032
e0204390
200 0 200
SCALE : 1" = 200'
LEGEND
APPROXIMATE ADJACENT PROPERTY BOUNDARY
APPROXIMATE SUBJECT PROPERTY BOUNDARY
ON-SITE WELL
OFF-SITE WELL
FIGURE 2
24-3556
WELL INTERFERENCE MAP
3199 N ST HELENA HWY
SAINT HELENA, CA 94574-9507
APN 022-080-025
EBA ENGINEERING
825 SONOMA AVENUE
SUITE C
SANTA ROSA, CA 95404
TEL: (707) 544-0784


Hirsch Creek
Cottage #4
Dedicated septic field
Hirsch Creek
culvert under highway
"Backup" well

Exhibit D

GOOGLE MAPS 3199 St. Helena Hwy:
AXR sign, Winery, Cottage #4, and Hirsch Creek underpass

GOOGLE MAPS 3199 St. Helena Hwy:
Parking spaces beside Cottage #4 septic field and Hirsch Creek underpass

GOOGLE MAPS 3199 St. Helena Hwy:
Cottage #4, parking spaces, septic field, Hirsch Creek underpass to concrete culvert at St. Helena Highway CA-29

13.28.040 - Clearance from other facilities.

A. Except as provided in Section 13.28.050, no building sewer, private or individual sewage disposal system, or parts thereof, shall be located in any lot other than the lot which is the site of the building or structure served by such sewer or sewage disposal system; nor shall any building sewer, private or individual sewage disposal system or part thereof be located such as to have less than the minimum clearance distance indicated in Table 13.28.040 (CPC § 721.1, modified).

Table 13.28.040

Feature [1]	Tight line - sewer line, effluent line	Septic Tank, Dosing Tank, D-Box	Dispersal Field, Reserve dispersal area
Wells, springs, abandoned wells, wells destroyed prior to February 2004	25 feet (50 feet if not of approved building sewer materials)	100 feet	100 feet
Bays, creeks, streams, rivers (watercourse is identified as a blue line [2] on the USGS map).	50 feet	50 feet	100 feet
Streams, creeks, unlined ditches, unlined canals, unlined culverts (watercourse is not identified on USGS map as a blue line)	10 feet	25 feet	25 feet

Impervious lined ditches, lined canals, lined culverts, or watertight culverts or conduits	5 feet	10 feet	10 feet
Lake or Reservoir-drinking water source	50 feet	200 feet	200 feet
Lake or Reservoir - non drinking water source, non engineered berms	50 feet	50 feet	100 feet
Lake or Reservoir - non drinking water source, engineered berms	10 feet	25 feet	50 feet
Property line	5 feet	10 feet	10 feet
Structures and Foundations, including footings [3]	N/A	5 feet	10 feet
Cave- at higher elevation from sewage disposal system	N/A	5 feet	10 feet
Cave - at equal or lower elevation from sewage disposal system	N/A	100 feet	100 feet [4]

Swimming pool	5 feet	10 feet	25 feet
Areas subject to vehicular traffic - private or public road	See Chapter 18.112	See Chapter 18.112	See Chapter 18.112
Driveways or others areas subject to vehicular traffic not defined as a public or private road	0 feet if properly bedded	5 feet	5 feet
Cut or fill banks, cuts, or steep slopes	10 feet	10 feet	4 X height (50 foot maximum)
Easements [5] or rights of way	5 feet	10 feet	10 feet
Water line - Public	10 feet	10 feet	10 feet
Water line - Private	1 foot	5 feet	10 feet
Underground irrigation or drainage systems (water tight piping)	1 foot	5 feet	10 feet
Underground irrigation or drainage system (non water tight piping) [6]	25 feet	25 feet	50 feet

Notes

1.

See subsection (C) of Section 13.20.080 for repairs.

2. Blue line shall mean any type of blue line on a USGS map.
3. Including porches and steps, whether covered or uncovered, breezeways, roof patios, carports, covered walkways, covered driveways, and similar structures and appurtenances.
4. This distance to be increased to four hundred feet if the sewage disposal system does not comply with the standards in this code. This four hundred feet may be reduced to a lesser distance (but no less than one hundred feet) if after inspection and evaluation by a qualified professional, a lesser distance is determined to be adequate for the purposes of protecting health and safety. Such distance shall be proposed by the qualified professional based on substantial evidence and is subject to approval by the administrative authority.
5. Unless easement is specifically for an onsite sewage disposal system.
6. These distances can be reduced to ten feet if the underground irrigation or drainage system is located upslope of the sewage disposal system.

B. The distance required by Table 13.28.040 may be (1) increased when a greater distance is required because of the existence of a special hazard or (2) decreased, except for water wells and springs, where the standard set forth in the table is impractical because of topological features and in all the circumstances no health hazard will be encountered. The administrative authority shall have the responsibility for making determinations called for by this subsection.

(Ord. No. 1337, § 19, 5-5-2010; Ord. 1252 § 9, 2005: Ord. 1109 § 1 (part), 1996)

(Ord. No. 1374, § 30, 9-11-2012)

Exhibit F

SEWAGE DISPOSAL PERMIT

County of Napa - Department of Public Health
Division of Environmental Health
1021 Third Street, Napa #255-7810

E.R.

Owner CUNY Address ST. HELENA Hwy Date 3-19-71

Contractor MONTELLI Parcel No. ~22-080-12

Work Applied For

☐ Dwelling ☐ New Construction ☐ Alterations or Repairs

2 No. Bedrooms

☐ Other (explain) _____

☐ Private Sewage Disposal System (explain)

Water Supply: ☑ Public ☐ Private ☐ Building Department Form Received

Specifications (explain) 1200 GAL. TANK + 2 - 40'S

Location _____ Permit Fee 12.00

Form by WP Paid 12.00 Receipt No. _____

Signed MONTELLI by WP

INSPECTION RECORD

Date	Initial	Work Inspected

Final Inspection Date 3-19-71 As per plan Yes Initial WO

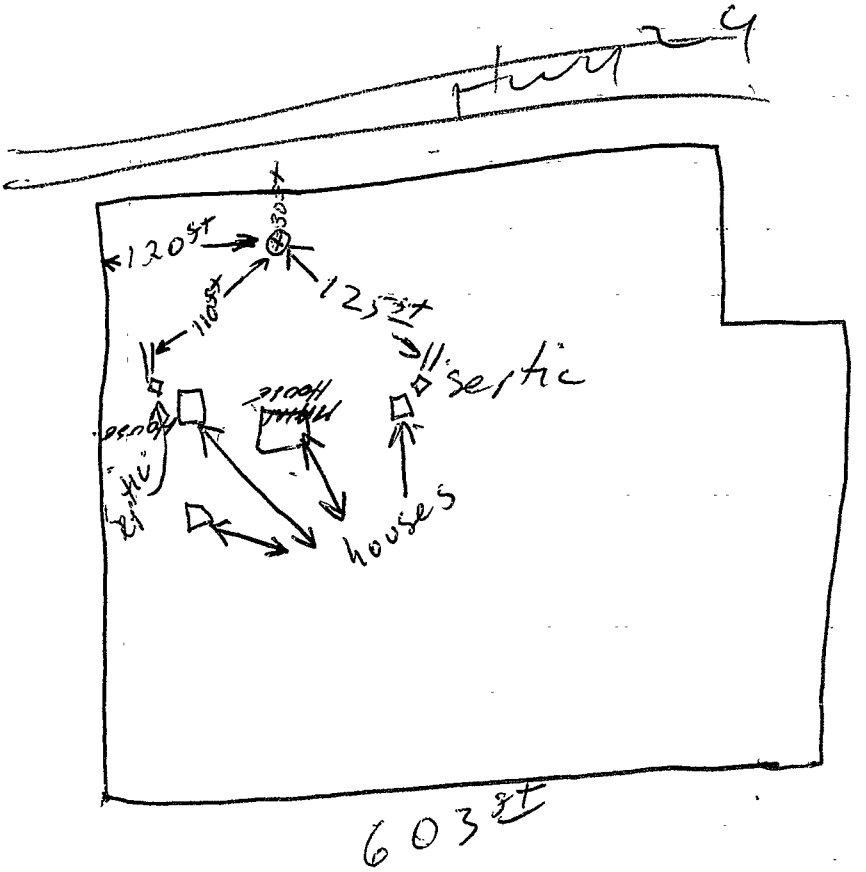
Soil compares with percolation record N.A. surface slope(s) 1 IN 10 %

Trenches - width 24" x depth 30" total length 80 Ft.

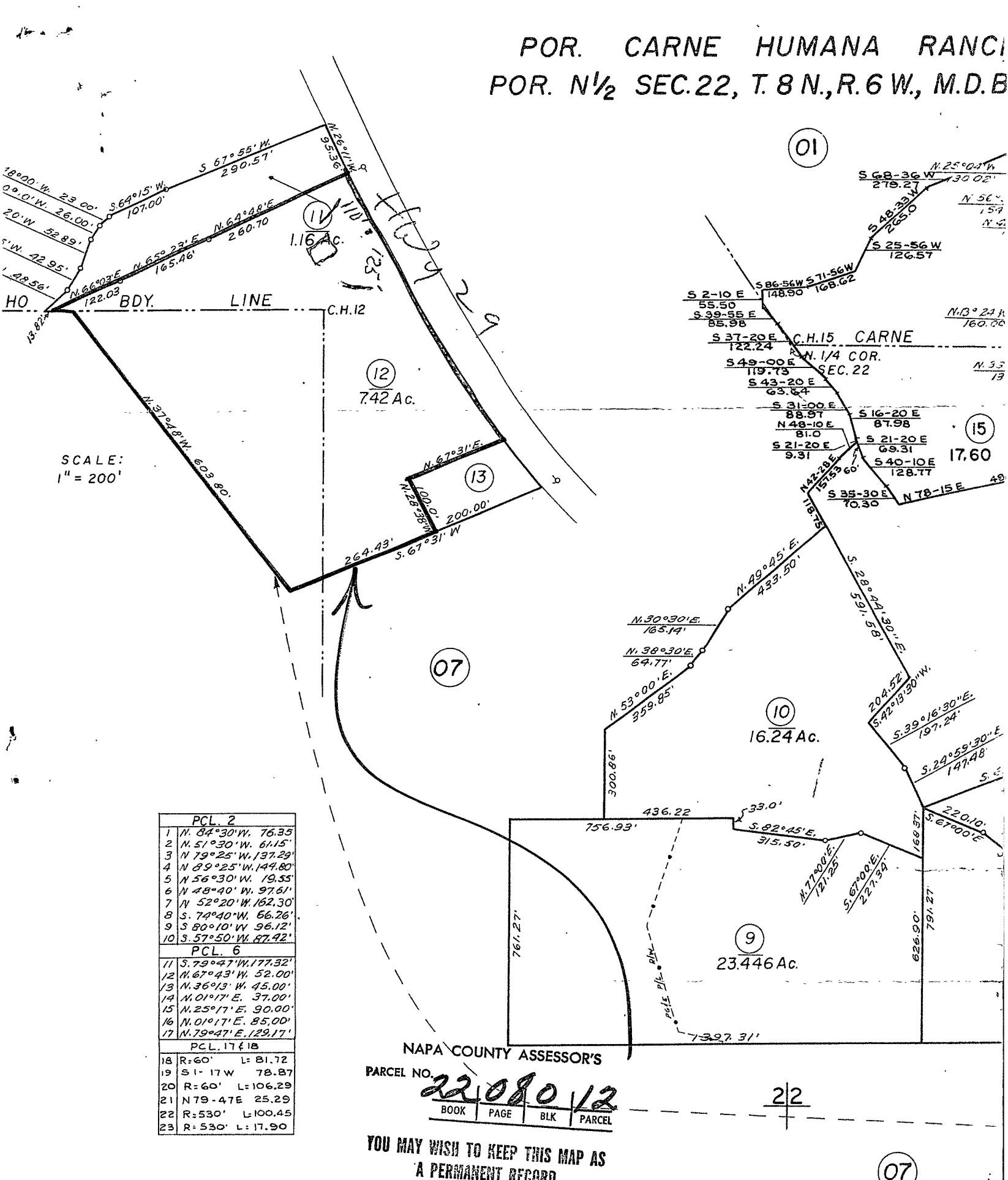
Gravel under tile 12" over tile 2" distance between trenches 8 Ft.

top of tile to finish grade 12" distance well from system

Remarks: THIS SYSTEM TO REPLACE) EXISTING SEEPAGE PIT & 300 GAL. TANK. SOIL VERY LOOSE W/ GRAVEL & ROCK.


Hwy 4
120 ft
30 ft
110 ft
125 ft
septic
well
houses
603 st

POR. CARNE HUMANA RANCH
POR. N½ SEC. 22, T. 8 N., R. 6 W., M.D.B.



PCL. 2	
1	N. 84°30'W. 76.35
2	N. 51°30'W. 61.15'
3	N 79°25' W. 137.29'
4	N 89°25' W. 144.80'
5	N 56°30' W. 19.55'
6	N 48°40' W. 97.61'
7	N 52°20' W. 162.30'
8	S. 74°40' W. 66.26'
9	S 80°10' W 96.12'
10	S. 57°50' W. 87.42'
PCL. 6	
11	S. 79°47' W. 177.32'
12	N. 67°43' W. 52.00'
13	N. 36°13' W. 45.00'
14	N. 01°17' E. 37.00'
15	N. 25°17' E. 90.00'
16	N. 01°17' E. 85.00'
17	N. 79°47' E. 129.17'
PCL. 17 & 18	
18	R=60' L=81.72
19	S 1-17 W 78.87
20	R=60' L=106.29
21	N 79-47E 25.29
22	R=530' L=100.45
23	R=530' L=17.90

NAPA COUNTY ASSESSOR'S PARCEL NO.

BOOK	PAGE	BLK	PARCEL
22	08	0	12

2 | 2

07

YOU MAY WISH TO KEEP THIS MAP AS A PERMANENT RECORD.

Geo. P. Abate

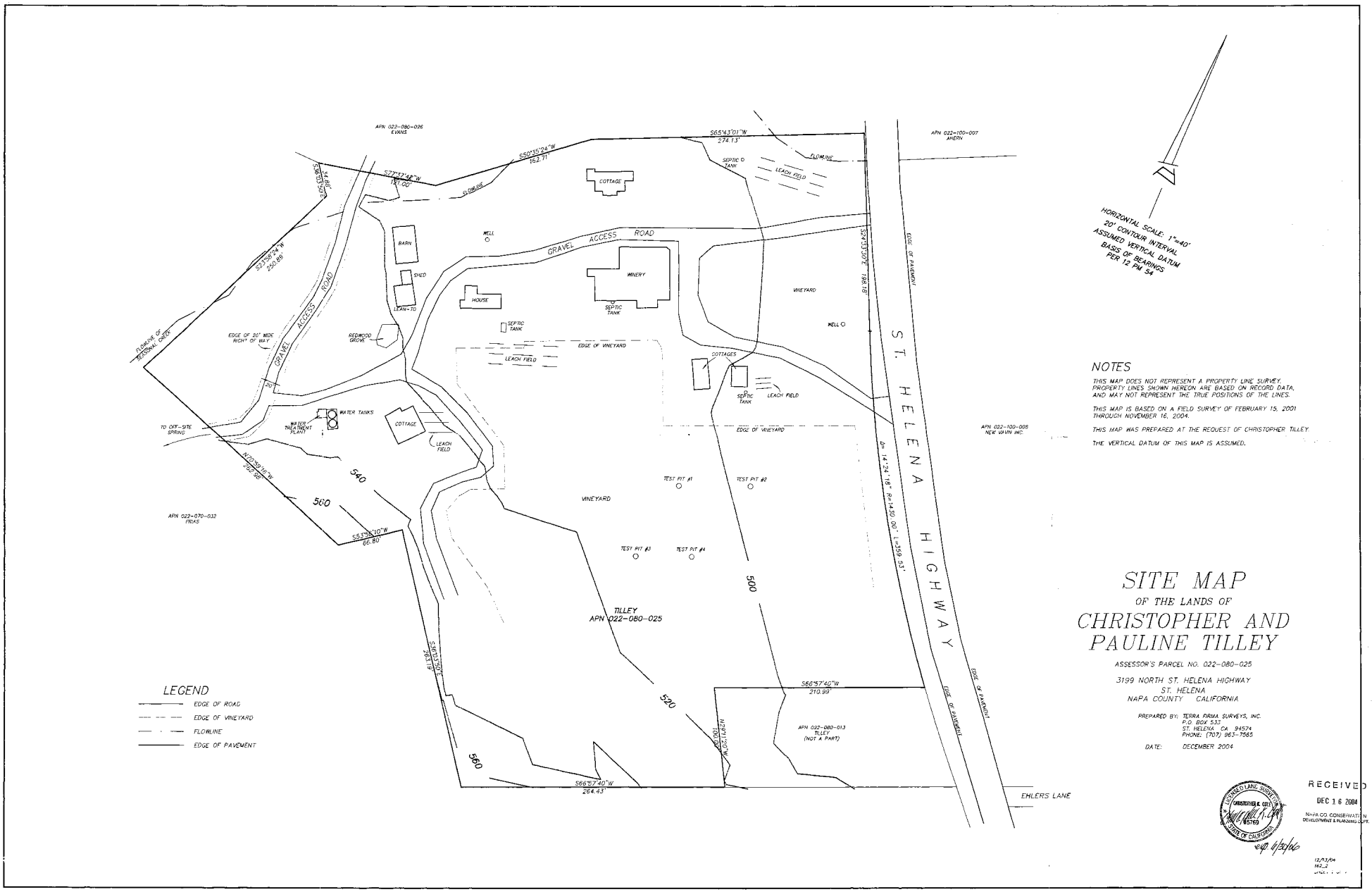
Carne Humana Rancho R.M.Bk. D Pat., Pg. 127

NOTE—Assessor

Assesso

22-080-12

Exhibit G



NOTES

THIS MAP DOES NOT REPRESENT A PROPERTY LINE SURVEY. PROPERTY LINES SHOWN HEREON ARE BASED ON RECORD DATA, AND MAY NOT REPRESENT THE TRUE POSITIONS OF THE LINES.

THIS MAP IS BASED ON A FIELD SURVEY OF FEBRUARY 15, 2001 THROUGH NOVEMBER 16, 2004.

THIS MAP WAS PREPARED AT THE REQUEST OF CHRISTOPHER TILLEY.

THE VERTICAL DATUM OF THIS MAP IS ASSUMED.

SITE MAP

OF THE LANDS OF

CHRISTOPHER AND PAULINE TILLEY

ASSESSOR'S PARCEL NO. 022-080-025

3199 NORTH ST. HELENA HIGHWAY
ST. HELENA
NAPA COUNTY CALIFORNIA

PREPARED BY: TERRA FIRMA SURVEYS, INC.
P.O. BOX 533
ST. HELENA CA. 94574
PHONE: (707) 963-7585

DATE: DECEMBER 2004

LICENSED LAND SURVEYOR
CHRISTOPHER K. COX
No. 5769
STATE OF CALIFORNIA

exp 6/30/06

12/13/04
162_2

Exhibit H

Planning, Building & Environmental Services

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

Brian Bordona
Director

A Tradition of Stewardship
A Commitment to Service

MEMORANDUM

To:	All interested parties	From:	Division of Environmental Health
Date:	January 5, 2005 Revised December 6, 2018	Re:	Use Permits and Regulated Water Systems

The purpose of this memo is to provide information regarding requirements for regulated water system permitting. The Division of Environmental Health has a contract with the California State Water Resources Control Board (Water Board) to administer the small water system program. Public water systems are required to be permitted by Water Board or the local delegated agency.

In Napa County, the most commonly proposed small public water systems serve wineries. During the use permit process, the division reviews the number of anticipated visitors, employees and onsite residents and makes a determination if the proposed facility is required to be served by a regulated water system. A public water system is required if the project includes either (1) a combined number of users (visitors, employees, residents) greater than 24 daily for at least 60 days of the year, or (2) the total number of employees and residents is greater than 24 daily for 6 months or more of the year. If either threshold is met, the water system will be regulated. If you have questions on whether the proposed project will be regulated as a public water system, contact this division to discuss with the district inspector. If the project does not meet these thresholds but will have a regulated kitchen used for food service for food and wine pairings or marketing events, a different type of regulated water system is required.

If your project will be regulated as a small public water system, a water system feasibility report will be required as a completeness item at the time a Use Permit application is submitted. This report ensures that the proposed project can satisfy the technical, managerial and financial requirements set forth by the Water Board and must include the information listed on the attached worksheet. There is a possibility that existing wells may not meet the construction requirements for a regulated water system. If the source does not meet the requirements, a new water supply will have to be developed, which must be reflected in the feasibility report. Prior to issuance of a building permit, the new water supply must be developed and full plans for the water system must be submitted and approved by this division. In addition to the local requirements, the Water Board requires a water system to also submit a preliminary technical report demonstrating the water system is viable and ensuring the water system has evaluated whether consolidating with another water system is possible. The County must receive concurrence from the Water Board before any related building permits can be issued. Additional information regarding the preliminary technical report required by the Water Board can be found at: https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Permits.html

New Community and Non-Community Water Systems
Technical, Managerial and Financial Capacity Worksheet

(Use Permit Applications and Water System Feasibility Reports)

1. **Water system name**
2. **Name of person who prepared the report**
3. **Technical Capacity:**
   - System description-from source to point of use-what is expected (including treatment, etc).
   - One year projection for water demand and an analysis of the water system to meet the projected demand (project expansion and improvements for a ten year period).
   - Source adequacy:
     - Groundwater: Does the well have a 50-foot seal with a 3-inch annular space? Is a well log available?
     - Surface water treatment: Can the water system comply with the Surface Water Treatment Rule?
   - Water supply capacity. Can the water system (including all sources and storage facilities) supply a minimum of three gallons per minute for at least 24 hours for each service connection served?
   - Provide a characterization of the water quality (or expected water quality if a new source is required), including a comparison with established or proposed drinking water standards and the feasibility of meeting these standards.
   - An evaluation of the feasibility of consolidation with other (existing) water systems.
4. **Managerial:**
   - Description of the organization's ability to manage a water system (personnel to be hired and/or job descriptions for water system maintenance responsibilities). For systems that use land that is not owned by the water system, the terms for a long-term agreement for use of the land/facilities must be disclosed.
   - Document the system's water rights.
5. **Financial:**
   - Budget projection and description of system's financial capacity (your ability to financially support the operation of a water system).

Questions on this worksheet or the information required should be addressed to the water specialist in the Division of Environmental Health.

Exhibit I

E18-00508 WL

ORIGINAL
File with DWR

Page 1 of 1

STATE OF CALIFORNIA

WELL COMPLETION REPORT

Refer to Instruction Pamphlet

No. e0367373

DWR USE ONLY — DO NOT FILL IN

STATE WELL NO./ STATION NO.

LATITUDE LONGITUDE

APN/TRS/OTHER

Owner's Well No. 1-2018

Date Work Began 8/3/2018, Ended 9/6/2018

Local Permit Agency Napa County Environmental Mgmt

Permit No. E18-00508 Permit Date 6/19/2018

GEOLOGIC LOG

ORIENTATION (✓) ✓ VERTICAL — HORIZONTAL — ANGLE — (SPECIFY)

DRILLING METHOD ROTARY FLUID BENTONITE

DEPTH FROM SURFACE Ft.	to Ft.	DESCRIPTION *Describe material, grain, size, color, etc.*
0	6	BOULDERS
6	15	TAN SANDY ASH
15	30	FRACTURED VOLCANIC ROCK
30	35	RED VOLCANIC ASH
35	40	HARD BLACK VOLCANICS
40	75	TAN VOLCANIC ASH
75	120	FRACTURED VOLCANIC ROCK
120	140	TAN SANDY ASH
140	190	LARGE FRACTURED VOLCANICS
190	245	TAN VOLCANIC ASH
245	335	FRACTURED MIXED VOLCANICS
335	375	MIXED VOLCANICS WITH ASH STRINGERS
375	380	HARD FRACTURED, RED VOLCANICS
380	435	MIXED VOLCANICS WITH ASH STRINGERS
435	440	HARD FRACTURED BLACK VOLCANICS
440	450	RED SANDY ASH
450	456	BLACK, RED VOLCANICS
456	475	RED, GRAY SANDY ASH
475	530	RED, GRAY VOLCANIC ASH
530	545	MIXED VOLCANIC SANDS
545	554	RED, GRAY VOLCANIC ASH
554	557	MIXED VOLCANIC SANDS
557	598	GRAY VOLCANIC ASH
598	688	FRACTURED BLACK VOLCANIC ROCK
688	700	GRAY VOLCANIC ASH
		CONTINUED CASING LAYOUT
539	559	SCREEN PVC 6" .032 SLOT
559	599	BLANK PVC 6"
599	689	SCREEN PVC 6" .032 SLOT
689	699	BLANK PVC 6"

TOTAL DEPTH OF BORING 700 (Feet)

TOTAL DEPTH OF COMPLETED WELL 699 (Feet)

WELL OWNER

Name [redacted]

Mailing Address 31[redacted]

St[redacted]

CITY [redacted] STATE [redacted] ZIP

WELL LOCATION

Address 3199 St. Helena Hwy

City St. Helena CA

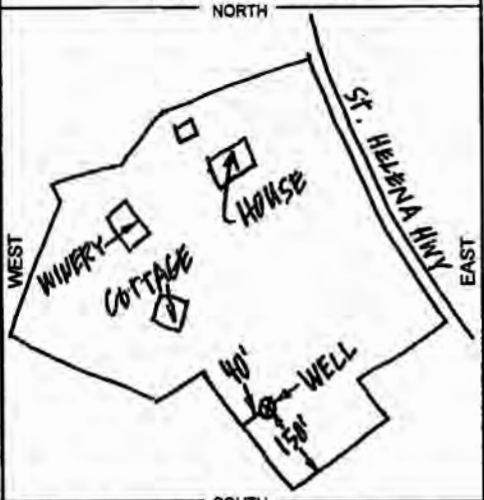
County Napa

APN Book 022 Page 080 Parcel 025

Township ____ Range ____ Section ____

Latitude ____ DEG. MIN. SEC. ____ DEG. MIN. SEC.

LOCATION SKETCH



Illustrate or Describe Distance of Well from Roads, Buildings, Fences, Rivers, etc. and attach a map. Use additional paper if necessary. PLEASE BE ACCURATE & COMPLETE.

ACTIVITY (✓)

✓ NEW WELL

MODIFICATION/REPAIR
— Deepen
— Other (Specify)

— DESTROY (Describe Procedures and Materials Under "GEOLOGIC LOG")

PLANNED USES (✓)

WATER SUPPLY
✓ Domestic — Public
✓ Irrigation — Industrial

— MONITORING
— TEST WELL
— CATHODIC PROTECTION
— HEAT EXCHANGE
— DIRECT PUSH
— INJECTION
— VAPOR EXTRACTION
— SPARGING
— REMEDIATION
— OTHER (SPECIFY)

WATER LEVEL & YIELD OF COMPLETED WELL

1

DEPTH TO FIRST WATER N/A (Ft.) BELOW SURFACE

DEPTH OF STATIC WATER LEVEL 92 (Ft.) & DATE MEASURED 9/6/2018

ESTIMATED YIELD * 125 (GPM) & TEST TYPE AIR LIFT

TEST LENGTH 2 (Hrs.) TOTAL DRAWDOWN N/A (Ft.)

May not be representative of a well's long-term yield.

DEPTH FROM SURFACE Ft.	to Ft.	BORE-HOLE DIA. (Inches)	CASING (S) TYPE (✓) BLANK	SCREEN	CONDUCTOR	FILL PIPE	MATERIAL / GRADE	INTERNAL DIAMETER (Inches)	GAUGE OR WALL THICKNESS	SLOT SIZE IF ANY (Inches)
0	700	12								
0	239		✓				PVC F480	6	SDR-21	
239	399			✓			PVC F480	6	SDR-21	.032
399	419		✓				PVC F480	6	SDR-21	
419	479			✓			PVC F480	6	SDR-21	.032
479	539		✓				PVC F480	6	SDR-21	

DEPTH FROM SURFACE Ft.	to Ft.	ANNULAR MATERIAL TYPE CEMENT (✓)	BENTONITE (✓)	FILL (✓)	FILTER PACK (TYPE/SIZE)
0	62	✓			10 SK SAND
62	699			✓	#6 SAND

ATTACHMENTS (✓)

— Geologic Log
— Well Construction Diagram
— Geophysical Log(s)
— Soil/Water Chemical Analysis
— Other ____

ATTACH ADDITIONAL INFORMATION, IF IT EXISTS.

CERTIFICATION STATEMENT

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief.

NAME HUCKFELDT WELL DRILLING, INC.
(PERSON, FIRM, OR CORPORATION) (TYPED OR PRINTED)

2110 Penny Lane ADDRESS Napa CITY CA STATE 94559 ZIP

Signed [signature] WELL DRILLER/AUTHORIZED REPRESENTATIVE

09/13/18 DATE SIGNED

439-746 C-57 LICENSE NUMBER

DWR 188 REV. 11-97

IF ADDITIONAL SPACE IS NEEDED, USE NEXT CONSECUTIVELY NUMBERED FORM

Exhibit J

Planning, Building & Environmental Services

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

Brian D. Bordona
Director

A Tradition of Stewardship
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ATTACHMENT B

GUIDELINES FOR PREPARING BIOLOGICAL RESOURCES RECONNAISSANCE SURVEYS - INCLUDING SPECIFIC GUIDELINES FOR SPECIAL-STATUS PLANTS AND WILDLIFE

The following guidelines for preparing Biological Resources Reconnaissance Surveys are intended to help applicants and/or their representatives determine (a) **who** should be considered qualified to conduct such studies, (b) **how** the fieldwork should be conducted, and (c) **what** information should be contained in the survey report. **Napa County will not accept reconnaissance surveys that are not conducted according to these guidelines**.

BACKGROUND: Biological resource reconnaissance surveys are conducted in order to identify the habitat types present on and adjacent to a site, including jurisdictional aquatic features, delineate wildlife movement corridors within and across the subject property, and determine what additional protocol-level wildlife and botanical surveys, if any, are needed to determine the presence of special-status animals and plants and the effects of a proposed project on biological resources.

PERSONS QUALIFIED TO PREPARE: The consultant team used must possess the following qualifications:

a. experience in conducting wildlife and floristic field surveys, and performing aquatic resource delineations;
b. knowledge of terrestrial and aquatic wildlife, plant taxonomy, and plant community ecology;
c. familiarity with the plants and wildlife of the area, including all special-status plant and animal species that may be found there;
d. familiarity with the various habitats within which these special-status plants and animals are likely to be found;
e. familiarity with the appropriate state and federal statutes and procedures related to animal and plant surveys and collection;
f. familiarity with natural communities of the region, including sensitive natural communities and jurisdictional aquatic features; **AND**
g. experience in analyzing the impacts of development on native plants and wildlife, and sensitive natural communities.

EARLY CONSULTATION WITH THE CALFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW): While not required by CEQA, early consultation with the CDFW is strongly encouraged to help ensure adequacy of the impacts analysis and appropriate mitigation measures are included. Early consultation can also help ensure identifying any required permits and the early preparation of them. Early consultation can help reduce comments from CDFW late in the process resulting in possible delays. Please sign the attached attestation form identifying whether the report included early consultation and the incorporation of mitigation measures recommended by CDFW. If early consultation did not occur, please explain the reasons for forgoing the recommended early consultation process with CDFW.

FIELD SURVEY PROTOCOL: Field surveys must be conducted in a manner that will locate the habitats of any special-status plant or animal species that may be present. Specifically, a biological reconnaissance shall be:

a. ***Conducted in the field.***
b. ***Floristic in nature.*** Every plant observed shall be identified to the extent necessary to determine its rarity and listing status. In order to properly characterize the site and document the completeness of the survey, a complete list of plants observed on the site should be included in every botanical survey report. The report shall also include an analysis of mosses and lichens.
c. ***Conducted in a manner that is consistent with conservation ethics***. Collections (voucher specimens) of rare, threatened, or endangered species, or suspected rare, threatened, or endangered species should be made only when such actions would not jeopardize the continued existence of the population and in accordance with applicable state and federal permit requirements. A collection permit from the California Department of Fish and Wildlife is required for collection of state-listed plant species. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document plant identification and habitats whenever possible, but especially when the population cannot withstand collection of voucher specimens.
d. ***Conducted using systematic field techniques in all habitats of the site*** to ensure a thorough coverage of potential impact areas.

REPORT CONTENTS: Biological Resource Reconnaissance Survey reports submitted to Napa County shall at a minimum contain the following information:

a. ***A detailed Project description***, including a detailed map of the project location and Biological Resources Evaluation Area;
b. A written description of the ***biological setting*** of the site and the Biological Resources Evaluation Area (an area that includes all land cover type within 1 mile of the boundaries of the parcel(s) involved plus the entire Napa County defined drainage within which the subject parcel(s) lies upstream of the project site) utilizing a standard community classification scheme such as *A Manual of California Vegetation* (Sawyer et al. 2009) for identifying natural communities from species data. The description should be complete in a regional context with proportionality based both within the given drainage and relative to other areas within the County. A discussion of the natural community(ies) that encompasses the project area shall be included as shall the larger regional habitat of which this community is just one part. Any habitats that do not fit into the classification scheme or are unique to the area must be noted.
c. A vegetation map shall be provided showing the distribution of vegetation communities, including wetlands and other aquatic resources, on and around the project area and in the Biological Resources Evaluation Area;
d. Detailed description of ***survey methodology*** utilized including a map clearly showing the boundaries of the area surveyed and survey routes. Dates of field survey, total person-hours spent thereon, and the name of the field investigator(s) shall be indicated. The methodology should include a description of desktop pre-survey planning activities prior to field work including a 5-mile buffer or 9-quad search from the following electronic databases: California Natural Diversity Database (CNDDB), California Native Plant Society (CNPS) Electronic Inventory, U.S. Fish and Wildlife Service *Information for Planning and Consultation* databases. Citizen science databases (e.g., iNaturalist) may also be included;
e. ***Results*** including detailed maps showing the locations of sensitive habitats and species, wildlife movement corridors, and raptor nests. A list of potentially-occurring special-status species shall be provided based on standard sources (e.g., CNDDB, CNPS, local floras, etc.) and the preparer's

knowledge of the area to be provided in table format. The table shall include: (1) a list of all special-status animals and plants that were evaluated during the analysis, including those known or with potential to occur on or near the project site, (2) regulatory status of each species (e.g., federal, state, Western Bat Working Group, other), (3) habitat requirements and vegetation associations, (4) time of year when species is present, flowering, or identifiable, (5) an assessment as to whether or not the species may be present based on available habitat and observations, and (6) a justification for any negative occurrence conclusions reached. Sensitive or regulated resources that are known or have potential to on-site shall be described in this section, to include a narrative description of habitats, species, and habitat connectivity;

f. ***Change in land cover types and an assessment of potential impacts***, accompanied by a map that clearly illustrates the distribution of special-status animal or plant species, sensitive natural communities, and jurisdictional aquatic resources in relation to the proposed activities. For each sensitive species and regulated resources that is present or with potential to occur on-site, the impact of the proposed project shall be clearly defined . The expected cumulative effect on wildlife populations in general shall also be indicated. In evaluating the effects on wildlife, the biological consequences associated with habitat fragmentation including species exclusion, isolation, extinction edge effects and changes in species composition shall be discussed. The biological report should note the jurisdictional habitats observed on-site and the necessity for the applicant to obtain all applicable permits as determined by potential impacts to those areas;

g. ***Discussion of the significance*** of special-status animal and plant populations in the project area considering nearby populations and total species distribution. Factors such as threats to known populations, whether or not the discovered species distribution is endemic to Napa County, and if it is a disjunct or relic distribution shall be discussed;

h. ***Recommended additional focused species-specific surveys*** needed to determine the presences and/or the impacts to those special-status plant and animal species that are likely to be affected by the proposed project;

i. ***Recommended measures, specific conditions or mitigations*** to avoid, minimize, or offset potential project-related impacts to special-status plant and animal species, as well as buffers or avoidance areas to watercourses, wetlands, riparian corridors, and other aquatic resources necessary to mitigate adverse impacts and comply with applicable local, state and federal regulatory requirements. **As noted earlier in this guidance document, the project biologist shall consult with CDFW to determine if the proposed conditions or mitigations are adequate in their scope, and written in way, to ensure less than significant impacts to special status plant and animal specie.* *

j. A *list of <u>all</u> wildlife and plants observed* within the Biological Resources Evaluation Area identified to the taxonomic level necessary to determine whether or not they are of special-status;

k. A discussion of any necessary tree preservation and/or replanting that is required to meet the County's tree protection requirements, as applicable, which includes: 18.108.020 (C)(D) and (E), 18.108.027, GHG retention requirements, and Policy CON-24; also, see the Conservation Regulations Implementation Guide (formerly the Water Quality and Tree Protection Implementation Guide). The report should discuss the following in regards to tree preservation/or replanting: biological and water quality benefits of the proposed mitigation areas, discuss the quality of habitat proposed for preservation or replanting compared to what is proposed for removal, provide details on installation, maintenance, monitoring and survival rate percentages for preservation and/or replanting areas, the report should also analyze any potential impacts to areas proposed for conversion to woodland, and provide an exhibit detailing where

preservation/replanting will occur[1];

- For 18.108.020.C (Vegetation Retention Requirements)– preserve 70% of tree canopy cover present in June 2016,
- For 18.108.020.D (Vegetation Removal Mitigation) – mitigate for removal through preservation and/or replanting at a 3:1 ratio on slopes less than 30% and outside of stream setbacks. If sufficient canopy cover cannot be accomplished under D(1), option D(2) (preservation or replant on slope greater than 30% and up to 50%) can be pursued provided the Biological Assessment includes a discussion demonstrating that the proposed mitigation option provides the highest biological and water quality protections or benefits, options D(3), D(4) and D(5) can also be utilized however, the applicant needs to demonstrate why a higher level mitigation is not viable before proposing the next,
- For 18.108.027 – preserved 70% of tree canopy cover and 40% of shrub, brush and herbaceous vegetation present in June 1993,
- For Greenhouse Gas (GHG) – Preserve or replant at a 1:1 ratio on slopes less than 30% and outside of stream setbacks, or preparation of GHG study demonstrating how the project will result in less than significant impacts to sequestration (utilizing Sac-Metro Threshold Standards – link: https://www.airquality.org/LandUseTransportation/Documents/CH2ThresholdsTable4-2020.pdf. Additional GHG reduction measures can be utilized to help offset in addition to a preservation/replant plan such as the installation of solar panels, preservation/replanting on other parcels within Napa County.
- For Policy CON-24 – Preserve or replant at 2:1 ratio comparable or better habitat.

l. When a special status plant or Sensitive Natural Community is located, **confirmation** that the occurrence(s) has been reported to the CNDDB; **AND**

m. Reference-cites, persons contacted, herbaria visited, and the location of voucher specimens.

[1] PLEASE BE AWARE THAT IF REPLANTING IS PROPOSED, WATER USE DURING ESTABLISHMENT AND CONTINUED MAINTENANCE (AS APPLICABLE) NEEDS TO BE ACCOUNT FOR IN THE WAA OR WATER USE ANALYSIS FOR THE PROJECT. IF ANY REPLANTING IS OCCURRING OFFSITE THEN A SEPARATE WATER AVAILABILITY ANALYSIS (TIER 1, TIER 2 AND TIER 3 AS APPLICABLE) SHALL BE REQUIRED TO DEMONSTRATE THAT THE INCREASE IN WATER USE ON SAID PARCEL DOES NOT RESULT IN IMPACTS TO GROUNDWATER RECHARGE, OFF-SITE WELLS, OFF-SITE SPRINGS AND SIGNIFICANT STREAMS.

GUIDELINES FOR ANALYZING SPECIAL-STATUS PLANTS

The following guidelines for analyzing Special-Status Plant are intended to help applicants and/or their representatives determine (a) **who** should be considered qualified to conduct such studies, (b) **how** the necessary field work should be conducted, and (c) **what** information should be contained in the survey report. **Napa County will not accept Special-Status Plant Studies that are not conducted according to these guidelines**.

BACKGROUND: Special-status plant surveys are conducted in order to determine the environmental effects of proposed projects on special-status plants and rare plant communities.

Special-status plants are not limited to those species which have been "listed" by state and federal agencies as rare, threatened, or endangered but include any species that, based on all available data, can be shown to be rare, threatened, and/or endangered under the following definitions:

> A species, subspecies, or variety of plant is "endangered" when the prospects of its survival and reproduction are compromised by exploitation, predation, competition, or disease. A plant is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. A plant is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may become endangered if its environment worsens.

Included are California Rare Plant Rank 1B, 2, and 3 plants as well as plants that are identified as rare in the Napa County Baseline Data Report, 2005.

Sensitive Natural Communities are those that are of highly limited distribution in the State, the County or the local area. These communities may or may not contain rare, threatened, or endangered species. The most current version of the California Department of Fish and Wildlife (CDFW) California Natural Community List may be used as a guide to the names and status of communities (https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities). Natural communities with ranks of S1-S3 are considered Sensitive Natural Communities to be addressed in the environmental review processes of CEQA and its equivalents and should be included in rare plant studies.

PERSONS QUALIFIED TO PREPARE: The botanical consultant used must possess the following qualifications:

a. experience in conducting floristic field surveys;
b. knowledge of plant taxonomy and plant community ecology;
c. familiarity with the plants of the area, including all special-status plant species found there;
d. familiarity with natural communities of the region, including sensitive natural communities;
e. familiarity with the appropriate state and federal statutes related to plants and plant collecting; **AND**
f. experience with analyzing impacts of development on native plant species and sensitive natural communities.

FIELD SURVEY PROTOCOL: Field surveys must be conducted in a manner that will locate any special- status plants that may be present. Specifically, special-status plant surveys shall be:

a. ***Conducted in the field at the proper time of year when special-status species are both evident and identifiable***. Usually, this is when the plants are flowering or fruiting. When special-status plants are known to occur in the type(s) of habitat present in the project area, nearby accessible occurrences of the plants

(reference sites) should be observed to determine that the species are identifiable at the time of the survey. This may involve multiple visits.

b. ***Floristic in nature.*** A floristic survey requires that every plant observed be identified to the extent necessary to determine its rarity and listing status. More than one field visit is usually necessary to adequately capture the floristic diversity of an area, with visits spaced throughout the growing season (e.g., in early, mid, and/or late-season) to determine if rare plants are present. In order to properly characterize the site and document the completeness of the survey, a complete list of plants observed on the site should be included in the botanical survey report.

c. ***Conducted in a manner that is consistent with conservation ethics.*** Collections (voucher specimens) of rare, threatened, or endangered species should be made by a permitted individual, and then only when such actions would not jeopardize the continued existence of the population and in accordance with applicable state and federal permit requirements. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document plant identification and habitat whenever possible, but especially when the population cannot withstand collection of voucher specimens.

d. ***Conducted using systematic field techniques in all habitats of the site*** to ensure a thorough coverage of potential impact areas.

RESULTS TO BE INCLUDED IN THE BIOLOGICAL RESOURCE RECONNISANCE SURVEY: Reports submitted to Napa County shall at a minimum contain the following information:

a. Detailed description of ***survey methodology*** utilized including a map clearly showing the boundaries of the area surveyed. Dates of field survey, total person-hours spent thereon, and the name of the field investigator(s) shall be indicated;

b. A description of **desktop pre-survey planning** activities prior to field work including a 5-mile buffer or 9-quad search from the following electronic databases: CNDDB, California Native Plant Society Electronic Inventory, U.S. Fish and Wildlife Service *Information for Planning and Consultation* databases. Citizen science databases (e.g., iNaturalist) may also be included.

c. ***Results*** including detailed maps showing the distribution of special-status plants and sensitive natural communities. Information on rare plant numbers and densities shall be provided and core populations shall, if present, be identified;

d. An ***assessment of potential impacts***. This should include a map clearly showing the distribution of each special-status plant and Sensitive Natural Community found within the parcel and vicinity in relation to proposed activities;

e. Discussion of the ***significance*** of special-status plant populations and Sensitive Natural Communities in the project area considering nearby populations and total species distribution;

f. ***Recommended measures to avoid***, minimize, or offset potential project-related impacts to special- status plant species, as well as buffers to avoid or minimize impacts;

g. A ***list of <u>all</u> plants observed*** within the study area identified to a taxonomic level necessary to determine whether they are special-status;

h. *A* ***description of reference site(s)*** visited and phenological development of special-status plant(s), if applicable;

i. When a special-status plant or Sensitive Natural Community is located, **confirmation** that the occurrence(s) has been reported to the CNDDB; **AND**

j. ***References*** cited, persons contacted, herbaria visited, and the location of voucher specimens.

GUIDELINES FOR ANALYZING WILDLIFE

The following guidelines for analyzing Special-Status wildlife are intended to help applicants and/or their representatives determine (a) **who** should be considered qualified to conduct such studies, (b) **how** the necessary field work should be conducted, and (c) **what** information should be contained in the survey report. **Napa County will not accept Studies that are not conducted according to these guidelines**.

BACKGROUND: Wildlife surveys are conducted in order to determine the environmental effects of proposed projects on special-status plants and rare plant communities.

Wildlife are not limited to those species which have been "listed" by state and federal agencies as rare, threatened, or endangered but include any species that, based on all available data, can be shown to be rare, threatened, and/or endangered under the following definitions:

> A species, subspecies, or variety of wildlife is "endangered" when the prospects of its survival and reproduction are compromised by exploitation, predation, competition, or disease. Wildlife is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. Wildlife is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may become endangered if its environment worsens.

PERSONS QUALIFIED TO PREPARE: The consultant used must possess the following qualifications:

a. experience in conducting wildlife surveys;
b. knowledge of terrestrial and aquatic wildlife, and wildlife community ecology;
c. familiarity with the wildlife of the area, including all special-status animal species that may be found there;
d. familiarity with the various habitats within which these special-status wildlife species are likely to be found;
e. familiarity with the appropriate state and federal statutes and procedures related to wildlife surveys and collection;
f. experience in analyzing the impacts of development on native wildlife.

FIELD SURVEY PROTOCOL: Field surveys must be conducted in a manner that will locate any wildlife that may be present. Specifically, wildlife surveys shall be:

a. ***Conducted in the field at the proper time of year when special-status species are both evident and identifiable***. Usually, this is focusing on periods when animals are most active, such as the breeding season, migration periods or when young are present. This may involve multiple visits.
b. ***Conducted using systematic field techniques in all habitats of the site*** to ensure a thorough coverage of potential impact areas.

REPORT CONTENTS: Botanical reports submitted to Napa County shall at a minimum contain the following information:

a. Detailed description of ***survey methodology*** utilized including a map clearly showing the boundaries of the area surveyed. Dates of field survey, total person-hours spent thereon, and the name of the field investigator(s) shall be indicated;
b. A description of **desktop pre-survey planning** activities prior to field work including a 5-mile buffer or 9-

quad search from the following electronic databases: CNDDB, U.S. Fish and Wildlife Service *Information for Planning and Consultation* databases. Citizen science databases (e.g., iNaturalist) may also be included.

c. ***Results*** including details on any special-status wildlife identified as occurring or potentially occurring on site;
d. An ***assessment of potential impacts***. A discussion on how the proposed project could impact identified special-status wildlife found within the parcel and vicinity in relation to proposed activities;
e. Discussion of the ***significance*** of special-status wildlife populations in the project area considering nearby populations and total species distribution;
f. ***Recommended measures to avoid***, minimize, or offset potential project-related impacts to special- status plant wildlife, as well as buffers to avoid or minimize impacts;
g. A ***list of <u>all</u> wildlife observed*** within the study area identified to a taxonomic level necessary to determine whether they are special-status;
h. When a special-status wildlife species is located, **confirmation** that the occurrence(s) has been reported to the CNDDB; **AND**
i. ***References*** cited, persons contacted, herbaria visited, and the location of voucher specimen

Planning, Building & Environmental Services

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

Brian D. Bordona
Director

A Tradition of Stewardship
A Commitment to Service

BIOLOGICAL RESOURCE RECONNAISSANCE SURVEYS ATTESTATION FORM OF EARLY CONSULTATION WITH CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW)

Per the County's updated Guidelines for Preparing Biological Resources Reconnaissance Surveys – Attachment B the County strongly encourages applicants to consult early with CDFW prior to the submittal of their Biological Analysis and Land Use Development Application. CDFW is a responsible/trustee agency for evaluating impacts to sensitive resources, as such it is recommended that the projects Biologists consult with CDFW prior to submittal of analysis or survey. Early consultation can help ensure that the Biological Analysis prepared for a proposed development project has adequately assessed sensitive species, flora and fauna located within the project and surrounding areas, and that any mitigations proposed are appropriate. Conducting this early consultation can help reduce comments from CDFW late in the process, which can result in possible delays including the need to recirculate or revise the CEQA document.

This form must be completed by the applicant (or applicant representative)

CONTACT INFORMATION:

_____	_____	_____
Applicant (or Applicant Rep.)	Phone Number	Email Address
_____	_____	_____
Project Biologist	Phone Number	Email Address

I hereby attest that the Biological Resource Analysis (BRA) prepared for my project proposing development of_____ included early consultation
(Insert Land Use Request: New Winery, Major Mod., ECP, etc.)

with CDFW and CDFW was provided the opportunity to review the analysis and provide comments and recommendations on the BRA.

Applicant (or Applicant Rep.) Signature: _____

Date (MM/DD/YYYY): _____

***PLEASE PROVIDE A COPY OF ANY EMAIL CORRESPONDENCE OR COMMENTS FROM CDFW WITH THE SUBMITTAL**
***IF CONSULTATION DID NOT OCCUR YOU DO NOT NEED TO SIGN THE ABOVE, BUT PLEASE COMPLETE THE SECTION BELOW.**

If early consultation did not occur, please explain the reasons for forgoing the recommended early consultation process with CDFW.

Reason for forgoing early consultation: _____

_____

_____

_____

_____

_____

_____

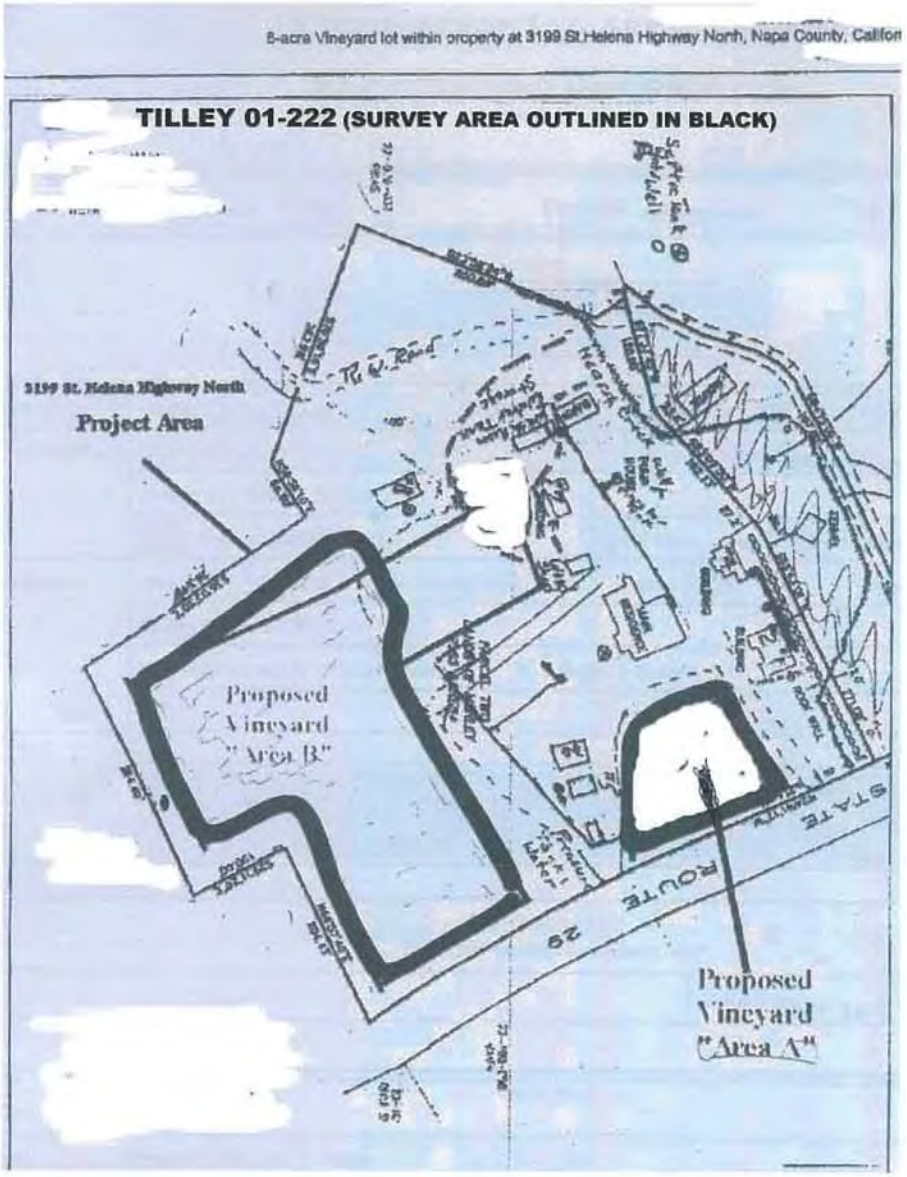
_____

_____

_____

_____

MAP: TILLEY VINEYARD CONVERSION SURVEY AREA



REFERENCES

California Native Plant Society. Inventory of Rare and Endangered Vascular Plants of California. Special Publication 1.

Exhibit L

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Planning, Building & Environmental Services

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Brian D Bordona
Director

ARCHIVE

MEMORANDUM

To:	Kelli Cahill, Project Planner	From:	Maureen S. Bown, Senior Environmental Health
Date:	May 6, 2024	Re:	AXR Napa Valley Winery Assessor Parcel # 022-080-025-000 Permit # P22-00417

This Division has reviewed an application requesting approval for a major modification and related improvements as described and depicted in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Prior to issuance of building permits:

1. Plans for the proposed improvements to the existing sanitary and process wastewater treatment systems, as described in the Onsite Wastewater Disposal Feasibility Study dated April 2024 shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and submitted for review accompanied by complete design criteria based upon local conditions and plan check fee. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Division.

2. Permits to modify the existing sanitary waste system and construct the process water treatment system, as proposed, must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by these systems.

3. If any food or beverage facilities are included in the project, plan review and approval shall be obtained from this Division prior to issuance of any building permits. An annual food permit will be required.

4. The existing well must be properly protected from potential contamination. If the existing well(s) is to be destroyed, a well destruction permit must be obtained from this Division by a licensed well driller. If this well is not destroyed, it must be properly protected, and an approved backflow prevention device installed according to the Water System's specifications.

5. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building

permits. The technical report must be completed by a licensed engineer with experience in designing water systems. The preliminary technical report must be submitted to the Regional Water Quality Control Board staff a minimum of six (6) months prior to beginning any water-related improvement in accordance with the California Health and Safety Code, Section 116527. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The applicant must comply with all required monitoring and reporting.

6. Adequate area must be provided for collection of recyclables and compostables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal. The designated area shall remain available and be properly maintained for its intended use.

Prior to granting final occupancy:

7. The applicant shall enroll for coverage under the State Water Resources Control Board General Waste Discharge Requirements for Winery Process Water by submitting the Notice of Intent, Technical Report and Application to the San Francisco Regional Water Quality Control Board or Napa County for the winery process water treatment system.

8. Annual alternative sewage treatment system monitoring permit(s) must be obtained for the sanitary wastewater subsurface drip onsite wastewater treatment system prior to issuance of a final on the project if required.

9. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

10. Proposed food service for marketing events will be catered, as described in the Onsite Wastewater Disposal Feasibility Study; therefore, all catered food must be prepared offsite and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.

11. A commercial food facility is not included in this project. Food offered at tasting visitors must be prepackaged, non-potentially hazardous and comply with the California Retail Food Code.

12. The employee break room is approved for employee use only. Any food preparation for guests is prohibited in an employee break room. If the proposed break room includes components typical of a commercial kitchen facility the applicant will be required to redesign the break room or apply for a use permit modification for approval of a commercial kitchen meeting all applicable requirements.

13. The applicant shall provide portable toilet facilities for guest use during events of 75 persons or more as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted pumping company.

14. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit, file an approved Hazardous Materials Business Plan to http://cers.calepa.ca.gov/ , and be approved by this Division within 30 days of said activities.

15. The use of the absorption field/drain field area and reserve area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system and reserve include equipment storage, traffic, parking, pavement, livestock, etc.

16. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

17. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.

Potential Impacts and Proposed Mitigation:

Mitigation measures are proposed for Aesthetics, Biological Resources, Cultural Resources, Transportation, and Tribal Cultural Resources. See VIS-1, BIO-1, BIO-2, BIO-3, CUL-1, and TCR-1 in the IS/MND.

Areas of controversy:

Middletown Rancheria of Pomo Indians of California raised concerns with the protection of tribal cultural resources and requested Mitigation Measure TCR-1 be incorporated into the project.

Responsible or trustee agencies for the project:

- Caltrans District 4
- Fish & Wildlife, Region 3
- California Regional Water Quality Control Board, Region 2
- State Water Resources Control Board – Division of Drinking Water #4
- Department of Alcoholic Beverage Control
- Native American Heritage Commission
- Napa County Planning, Building & Environmental Services Department
- Napa County Public Works Department
- Napa County Fire Department

Reviewing Agencies Checklist

- Caltrans District 4 (DOT)
- Fish and Wildlife Region 3 (Bay Delta, Fairfield)
- Native American Heritage Commission
- Regional WQCB # 2
- Toxic Substances Control, Department of
- State Water Resources Control Board – Division of Drinking Water #4

Local Public Review Period

Starting Date: April 30, 2026
Ending Date: May 30, 2026

Signature

Signature:

Hannah Spencer

Signed by Lead Agency contact: Hannah Spencer, Planner III
Date: April 20, 2026