

## **Attachment L**

Applicant's Objections to  
Good Cause Requests

September 27, 2023

Laura Anderson  
Napa County Counsel's Office  
1195 Third Street  
Napa, California

Delivery via email to: *[laura.anderson@countyofnapa.org](mailto:laura.anderson@countyofnapa.org)*

**RE: Duckhorn Appeals – Permittee's Objection to Appellants' Submission of New Grounds of Appeal**

Ms. Anderson:

Permittee objects to the submission made by Water Audit California ("WAC") on September 26, 2023 because it introduces new grounds of appeal not contained in the appeal packet. WAC's September 26<sup>th</sup> submission includes legal argument regarding the Endangered Species Act (ESA) and California Endangered Species Act (CESA). These statutory authorities were not referenced or raised in WAC's appeal packet. "Any grounds of appeal, assertions, or legal or factual arguments that are not set forth in the appeal packet shall be waived." (Napa County Code §2.88.050(C)(6)). Given that Permittee's deadline for submitting its brief is contemporaneous with WAC's deadline, WAC's addition of new grounds of appeal puts Permittee at a disadvantage in addition to violating the above cited code section.

Permittee requests that WAC be prevented from adding the new grounds of appeal and legal arguments based on the ESA and CESA. Thank you.

Respectfully,



Rob Anglin

cc: William McKinnon  
Amy Minter