

Napa County

1195 THIRD STREET
SUITE 310
NAPA, CA 94559



Agenda

Wednesday, November 5, 2025

9:00 AM

**Board of Supervisors Chambers
1195 Third Street, Third Floor
Napa, CA 94559**

Planning Commission

District 1, Kara Brunzell (Vice-Chair)

District 2, Walter Brooks

District 3, Molly Moran Williams

District 4, Pete Richmond

District 5, Megan Dameron (Chair)

Brian D. Bordona, Director

Laura Anderson, County Counsel

Michael Parker, Planning Manager

Alexandria Quackenbush, Meeting Clerk

Angie Ramirez Vega, Meeting Clerk

Aime Ramos, Meeting Clerk

How to Watch or Listen to the Napa County Planning Commission Meetings

The Napa County Planning Commission will continue to meet pursuant to the annually adopted meeting calendar available at the following link:

<https://www.napacounty.gov/DocumentCenter/View/35930/2025-Planning-Commission-Meeting-Calendar?bidId=>

The Napa County Planning Commission meets as specified in its adopted annual calendar on the first and third Wednesdays of the month at 9:00 A.M. at 1195 Third Street, Suite 310, Napa, California 94559. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Planning Commission. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Planning Commission's office no less than 72 hours prior to the meeting date by contacting (707) 253-4417 or meetingclerk@countyofnapa.org.

The Napa County Planning Commission realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Remote Zoom participation for members of the public is provided for convenience only. In the event that the Zoom connection malfunctions for any reason, the Planning Commission reserves the right to conduct the meeting without remote access.

Please watch or listen to the Planning Commission meeting in one of the following ways:

1. Attend in-person at the Board of Supervisors Chambers, 1195 Third Street, Napa, Third Floor.
2. Watch online at <https://napa.legistar.com/calendar.aspx> (click the "In Progress" link in the "Video" column).
3. Watch on Zoom using the attendee link: <https://countyofnapa.zoom.us/j/87621457786>. Make sure the browser is up-to-date.
4. Listen on Zoom by calling 1-669-900-6833 (Meeting ID: 876-2145-7786).
5. Watch on your TV - Napa Valley TV Channel 28.

If you are unable to attend the meeting in person and wish to submit a general public comment or a comment on a specific agenda item, please do the following:

1. Email your comment to meetingclerk@countyofnapa.org. Emails will not be read aloud but will still become part of the public record and shared with the Planning Commission.
2. Use the Zoom attendee link: <https://Countyofnapa.zoom.us/j/87621457786>. Make sure the browser is up-to-date. When the Chair calls for the item on which you wish to speak, click "raise hand". Please limit your remarks to three minutes.

3. Call the Zoom phone number: 1-669-900-6833. (Meeting ID: 876-2145-7786). When the Chair calls for the item on which you wish to speak, press *9 to raise hand. Please limit your remarks to three minutes.

****Please note that phone numbers in their entirety will be visible online while speakers are speaking****

For more information, please contact us via telephone at (707) 253-4417 or send an email to meetingclerk@countyofnapa.org

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE COMMISSION:

ON A MATTER ON THE AGENDA

Please proceed to the podium when the matter is called and, after receiving recognition from the Chair, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Commission, but is generally limited to three minutes.

ON A MATTER NOT ON THE AGENDA

Public comment is an opportunity for members of the public to speak on items that are not on the agenda but are within the subject matter jurisdiction of the Commission. Public comment is limited to three minutes per speaker, subject to the discretion of the Chair. Comments should be brief and focused, and speakers should be respectful of one another who may have different opinions. Please remember this meeting is being recorded and broadcast on live television. The County will not tolerate profanity, hate speech, abusive language, or threats. Also, while public input is appreciated, the Brown Act prohibits the Commission from taking any action on matters raised during public comment that are not on the agenda.

1. **CALL TO ORDER; ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN COMMENTS AND RECOMMENDATIONS**

The Commission invites Citizen comments and recommendations concerning current issues and future prospects of a planning nature which are within the jurisdiction of the Planning Commission. Anyone who wishes to speak to the Commission on such a matter, if it is not on the agenda, may do so at this time.

4. **APPROVAL OF MINUTES**

The Clerk of the Commission request approval of Minutes for the meeting held on:
October 15, 2025 (All Commissioners present)

5. **AGENDA REVIEW**
6. **DISCLOSURES**
7. **PUBLIC HEARING ITEMS**

- A. TODD SHALLAN / SILVERADO RESORT & SPA PROJECT / USE PERMIT MINOR MODIFICATION NO. P24-00141-MM [25-1880](#)

CEQA status: Consideration and possible adoption of Categorical Exemptions Classes 1 and 4: It has been determined that this type of project does not have a significant effect on the environmental and is exempt from the California Environmental Quality Act (CEQA). [See Class 1 (“Existing Facilities”) and Class 4 (“Minor Alterations to Land”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15304(a), §15304(b), and §15304(f); as well as Napa County’s Local Procedures for Implementing the California Quality Act, Appendix B, Class 1: Existing Facilities, Subsection 3]. The project site is not included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5.

Request: Approval of a Use Permit Minor Modification to construct an event pavilion and an event lounge. An Exception to the Road and Street Standards is also requested to permit a firetruck turnaround and emergency vehicle access road to be located greater than 50 feet from the event lounge.

Staff Recommendation: Find the project categorically exempt from CEQA and approve the Minor Modification to Use Permit as conditioned.

Staff Contact: Trevor Hawkes, Supervising Planner, 1195 Third St, Suite 210, Napa, CA 94559; (707) 253-4388; trevor.hawkes@countyofnapa.org

Applicant Contact: Todd Shallan, Vice President , 1600 Atlas Peak Rd, Napa, CA 94598; (707) 257-5430; todd.shallan@silveradoresort.com

Applicant Agent: Scott Greenwood-Meinert, 700 Main Street, Suite 301, Napa, CA, 94558; (415) 772-5741; sgreenwood-meinert@coblentzlaw.com

Other Representative Contact: Christina Nicholson, P.E., 1665 2nd Street, Napa, 94559; (707) 773-7829; cnicholson@sherwoodengineers.com

Attachments: [Recommended Findings](#)
[Recommended Conditions of Approval and Final Agency Memos](#)
[Water Availability Analysis](#)
[Arborist Letter concerning oak tree removal and mitigation](#)
[The Grove Tree Planting Exhibit](#)
[Napa Sanitation Board of Directors Resolution No. 21-006](#)
[Revised Noise Study](#)
[Item 7A Public Comment \(added after initial agenda posting\).pdf](#)
[Item 7A- Additional Public Comment\(added after initial agenda posting\).pdf](#)
[Item 7A- Letter to Planning Commission\(added after initial agenda posting\).pdf](#)
[Item 7A- Additional Public Comment \(Added after meeting\).pdf](#)
[Item 7A- Silverado Powerpoint\(Added after meeting\).pdf](#)

8. ADMINISTRATIVE ITEMS - NONE

9. DIRECTOR OR DIRECTOR'S DESIGNEE REPORT

- DISCUSSION OF ITEMS FOR THE NOVEMBER 19, 2025 REGULAR MEETING
- BOARD OF SUPERVISORS ACTIONS
- OTHER DEPARTMENT ACTIVITIES
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

10. COMMISSIONER COMMENTS/COMMITTEE REPORTS

11. ADJOURNMENT

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 10/31/25 BY 3:00 P.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

ANGIE RAMIREZ VEGA (By e-signature)
Angie Ramirez Vega, Clerk of the Commission



Napa County

Board Agenda Letter

1195 THIRD STREET
SUITE 310
NAPA, CA 94559
www.napacounty.gov
Main: (707) 253-4580

Planning Commission

Agenda Date: 11/5/2025

File ID #: 25-1880

TO: Napa County Planning Commission
FROM: Brian D. Bordona; Director of Planning, Building and Environmental Services
REPORT BY: Trevor Hawkes; Supervising Planner
SUBJECT: Silverado Resort & Spa Project; P24-00141-MM

RECOMMENDATION

TODD SHALLAN / SILVERADO RESORT & SPA PROJECT / USE PERMIT MINOR MODIFICATION
NO. P24-00141-MM

CEQA status: Consideration and possible adoption of Categorical Exemptions Classes 1 and 4: It has been determined that this type of project does not have a significant effect on the environmental and is exempt from the California Environmental Quality Act (CEQA). [See Class 1 ("Existing Facilities") and Class 4 ("Minor Alterations to Land") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15304(a), §15304(b), and §15304(f); as well as Napa County's Local Procedures for Implementing the California Quality Act, Appendix B, Class 1: Existing Facilities, Subsection 3]. The project site is not included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5.

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CONTINUED FROM OCTOBER 15, 2025, PLANNING COMMISSION MEETING

EXECUTIVE SUMMARY

PROPOSED ACTIONS:

That the Planning Commission:

1. Find the project categorically exempt based on the recommended Findings 1-4 in Attachment A;
2. Approve the Napa County Road and Street Standards Exception Request based on the recommended Findings 5-6 in Attachment A, and subject to the recommended Conditions of Approval in Attachment B.
3. Approve Use Permit Minor Modification Application No. P24-00141-MM, based on recommended Findings 7-14 in Attachment A, and subject to the recommended Conditions of Approval in Attachment B.

Discussion: On October 15, 2025, the Planning Commission held a public meeting to consider approval of Minor Modification to Use Permit; P24-00141-MM. Staff presented to the Commission the proposal by the applicant to construct a 9,308 sq. ft. event pavilion and 1,750 sq. ft. event lounge in the area within Silverado Resort and Spa commonly referred as 'The Grove'. After the applicant's presentation the Commission opened the public hearing and received public testimony. At the conclusion of public testimony the Commission closed the public hearing, deliberated and then a motion was made, seconded and voted on to continue the hearing to the November 5th, 2025, Planning Commission agenda, in order for Staff and the applicant to address specific concerns of the commission and to allow the public more time to review requested revisions to the request.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act [See Class 1 (“Existing Facilities”) and Class 4 (“Minor Alterations to Land”), which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15304(a), §15304(b), and §15304(f).

BACKGROUND AND DISCUSSION

On October 15, 2025, the Planning Commission held a public hearing to consider approval of a Minor Modification to Use Permit for an event pavilion and lounge at the area commonly referred to as the Grove at Silverado Resort and Spa. A copy of the full Staff report and supporting documents can be found at:

<https://napa.legistar.com/LegislationDetail.aspx?ID=7691240&GUID=5D4C209C-A46E-4FEF-86CA-8B227BE27B8C&Options=&Search=>>

A video of the public hearing is available here: https://napa.granicus.com/player/clip/5712?meta_id=541246

Prior to the public hearing comments were received from neighbors and the general public with project concerns about the following topics; processing procedures, the environmental determination, noise, oak tree removal, stream impacts and flooding. Comments were also received in support of the project. Similar comments were made by members of the public in attendance at the hearing and by Planning Commissioners during deliberations on the request. Prior to the hearing the Commission had also received a Change Memo from Staff, requesting revisions to the recommended Conditions of Approval and identifying issues with the uploading of supporting technical documents in the application packet. Ultimately the Commission voted on continuing the public hearing to November 5, 2025, to allow the Commission, neighbors and the general public further opportunity to review the revisions to the associated documents and to allow Staff and the applicant time to respond to some of the issues raised by the Commission.

Technical Documents

At the October 15, 2025, public hearing for P24-00141, Staff identified that an older review copy of the application’s Water Availability Analysis (WAA) had been attached to the agenda (May 2024). Staff review of the WAA versions on file determined that the only discrepancy between the current and older copy of the WAA was a more robust explanation of how the proposed landscape plan would reduce groundwater use compared to existing conditions. This was detailed in the Change Memo received by the Commission just prior to the hearing. The Revised WAA (September 2024), is included in Attachment C. As also mentioned in the Change Memo to the October 15, 2025, public hearing, a Wastewater Feasibility Report from an earlier version of the project when the applicant was proposing onsite septic was erroneously attached to the Staff Report. The project as currently proposed will connect to Napa Sanitation sewer lines for the project’s wastewater needs.

Oak Tree Removal and Landscaping

Many of the comments received prior to the October 15, 2025, public hearing, including comments by Commissioners during deliberations, centered around the project’s planned removal of eight (8) oak trees. Attached to this Staff Report in Attachment D the applicant has included a supplemental letter from an Arborist providing additional rational for the proposed oak tree removal and mitigation.

Additionally, the applicant, in response to comments that were received, is proposing to revise their proposed landscape plan with additional tree plantings. Included in Attachment E that applicant has provided Staff with a Tree Diagram. The exhibit identifies, with an area around the Grove, that there will be approximately 96 trees remaining after removal of the eight (8) oak trees that are proposed for removal. The applicant proposes then to

supplement the draft landscaping plan they provided in the Water Availability Analysis with 32 tree plantings, including 12 Ray Hartman Wild Lilacs, nine (9) Western Rosebuds and 11 Valley Oaks.

Staff has included project specific conditions committing the applicant to designing the eventual submitted Grove landscape plan with these 32 trees. Since these trees were not part of the landscape package analyzed in the WAA to determine that groundwater demand for landscaping could be maintained at 'no net increase', a condition has also been added that the eventual landscape package submitted for approval under COA No. 6.4 shall demonstrate a no net increase in groundwater demand for permit issuance.

Processing Procedures and Environmental Determination

Comments were also received from the public and commissioners concerning the processing procedure and determination by Staff that the project as proposed qualifies for categorical exemption from the CEQA. The Commission asked questions surrounding conditions applied to the project by Napa Sanitation and noted potential discrepancy between Staff determination and project analysis statements in approval memos from Napa Sanitation and the Department of Public Works.

Pursuant to Napa County Code 18.124.130(B) the holder of a non-winery use permit may process a minor modification to said use permit if the result of the request would result in any structure or the aggregate of all approved structures being increased more than 25 percent in size of one story in height based on the size allowed under the approved use permit. The minor modification may be approved in regard to project design or permit conditions which 'do not affect the overall concept, density, intensity or environmental impact of, or substantially alter or delete any environmental mitigation measure for the project'.

Regarding the determination by Staff that the project qualifies for a categorical exemption; Cal Code of Regulations Title 14, §15300 requires that the CEQA guidelines include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of the CEQA. In the course of establishing their own procedures, public agencies shall list those specific activities which fall within each of the exempt classes. Public agencies may omit from their implementing procedures classes and examples that do not apply to their activities, but they may not require EIRs for projects described in the classes (Cal Code of Regulations Title 14, §15300.4)

Appendix B of Napa County's Local Procedures for Implementing the CEQA (Revised February 2020) includes a list of local project types which, in addition to the exemptions contained in the State CEQA Guidelines, the Board has found do not have a significant effect on the environment and therefore qualify for a categorical exemption. Item #3 under Class 1: Existing Facilities includes; 'Very Minor and Minor Modifications of existing use permits in conformance with Section 18.124.130(B) and (F) of the County Code.' Therefore, if the project request is determined to meet the qualifications for processing of a minor modification to a non-winery use permit (NCC §18.124.130(B)), then the project is categorically exempt from the CEQA, pursuant to the County's local procedures.

Subsequent to the October 15, 2025, public hearing on this item Staff held meetings with Napa Sanitation and the Department of Public Works for information on how those agencies approach their analysis of the project. Provided in Attachment F, Staff has included Napa Sanitation's Board of Directors Resolution 21-006, which applies to this project because the sewer main that serves Silverado Resort and Spa lacks wet weather capacity. On review of the project the district determined that wastewater flows from the development would be feasible to mitigate with a contribution to a planned Inflow/Infiltration project (first bullet beneath the Developer Options of Attachment F). It's important to note that the district's determination that the project would increase flows is not impacted by operational conditions of a project's use permit; a cap on visitation or events would not have changed the calculation since the determination is based on whether a project connects to the system, the square footage of the project and the likely occupancy type.

The Department of Public Works provided the following excerpt regarding their review of the project; *Based on a detailed review of the project description and supporting documentation, the proposed improvements to the Grove at Silverado Resort are not expected to generate additional daily or peak-hour*

vehicle trips. While the project will allow the facility to operate year-round-potentially increasing the total number of events and annual trip activity-these trips will be spread throughout the year and will not exceed the resort's existing operational capacity on any given day. The facility will continue to serve the existing guest and member population, with no increase in the approved number of employees, guests, or visitors. The proposed improvements do not introduce new land uses or intensify resort operations beyond what has already been approved. Historical traffic and parking studies analyzed the resort at full operational capacity, including event use at the Grove, and those conditions remain unchanged. Therefore, the project does not result in any new traffic impacts and no additional analysis or conditions are warranted.

Given the above Staff believe the project meets the requirements for processing as a minor modification to a non-winery use permit, however a decision-making option has been added below should the Commission disagree with this determination.

Noise

In response to comments received from the public and the Commission, the applicant has submitted a revised Noise Study, along with revised proposed Conditions of Approval in order to further prevent the potential for amplified sound from outdoor events at the Grove to exceed the County's Noise Ordinance at nearby sensitive receptors. The conditions as currently proposed would require outdoor events held at the Grove to orient their sound equipment away from sensitive receptors. The applicant proposes to procure their own sound measurement devices and have them stationed at the easterly property line adjacent to sensitive receptors and monitor events taking place, including having permittee staff intervene should the monitors demonstrate that the event is exceeding the noise standard.

Staff has also proposed additional Noise conditions from what was brought to the Commission on October 15th. These conditions would require the applicant to hire an acoustical engineer to monitor a minimum of three (3) events held at the Grove after building occupancy. The engineer would collect readings of events and send their findings in a report to PBES staff at the conclusion of the third event, with the intent of the Planning Commission holding a publicly noticed Noise Monitoring hearing for the Grove within 6 months of receiving the report.

Decision Making Options:

As noted in the Executive Summary Section above, staff is recommending the Planning Commission approve the project as proposed, subject to the recommended Findings and Conditions of Approval in Attachments A & B. Decision making options include the following:

Option 1 - Applicant's Proposal (Staff Recommendation)

Disposition - This action would result in the adoption of the Categorical Exemptions, approval of the Napa County Road and Street Standards Exception, and approval of a Minor Modification to Use Permit for the Silverado Resort and Spa to approve a 9,308 square-foot pavilion and a 1,750 square-foot lounge to be used for events. Staff recommends this option as the request is consistent with the Zoning Ordinance, applicable General Plan policies, and other County regulations as presented in the Recommended Findings (Attachment A).

Action Required - Follow the proposed action listed in the Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at time motion is made. This option has been analyzed for its environmental impacts, and the project was found to be categorically exempt from CEQA.

Option 2 - Modify the Applicant's Proposal

Disposition - This option would result in modification of the proposed project and use to address concerns of the Planning Commission and/or public comments if solicited.

Action Required - Follow proposed actions listed in the Executive Summary and recommend amended scope and applicable conditions of approval. The item may need to be continued to a future date if significant revisions to the recommended conditions of approval are desired.

Option 3 - Process the Application as a Major Modification to Use Permit

Disposition - In the event the Planning Commission determines that the project does not, or cannot, meet the requirements to process a Minor Modification pursuant to NCC §18.124.130(B), the Commission should articulate what aspects of the project are in conflict with the required non-winery minor modification to use permit processing requirements. Should the Commission come to this decision the project would not qualify for categorical exemption under the County's local procedures. The Commission should continue the hearing to a date uncertain to allow Staff time to prepare and distribute a CEQA Initial Study prior to returning to the Commission.

Action Required - Commissioners should move to continue the item to a date uncertain while articulating what aspects of the project do not, or cannot, meet the processing requirements for a non-winery Minor Modification.

Option 4 - Deny Proposed Project

Disposition - In the event the Planning Commission determines that the project does not, or cannot, meet the required findings for the granting of the Minor Modification to Use Permit, the Commission should articulate what aspects of the project are in conflict with the required findings. State Law requires the Commission to adopt findings, based on the General Plan and County Code, setting forth why the proposed Minor Modification to Use Permit is not being approved.

Action Required - The Commission would move to deny the project.

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval and Final Agency Memos
- C. Water Availability Analysis
- D. Arborist Letter concerning oak tree removal and mitigation
- E. The Grove Tree Planting Exhibit
- F. Napa Sanitation Board of Directors Resolution No. 21-006
- G. Revised Noise Study

“A”

Recommended Findings

Silverado Resort & Spa Project
Minor Modification to Non-Winery Use Permit
P24-00141-MM
Planning Commission Hearing – November 5, 2025

RECOMMENDED FINDINGS

**SILVERADO RESORT & SPA USE PERMIT MINOR MODIFICATION
APPLICATION NO. P24-00141-MM
1600 ATLAS PEAK RD, NAPA, CA 94558
APN: 060-010-001-000**

ENVIRONMENTAL:

The Planning Commission has received and reviewed the proposed Categorical Exemption pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and finds that:

1. Because the project involves the expansion of existing facilities and new construction in an urbanized area where all public services and facilities are available, the project is categorically exempt from CEQA under §15301. The proposed project avoids disturbance of the riparian area that was delineated in the November 2024 habitat assessment conducted by Zentner Planning and Ecology and also includes a 4:1 replacement plan for tree removal as proposed by the applicant.
2. Because the project presents minimal grading on slopes less than 10 percent outside of waterways, includes new gardening and landscaping, includes minor trenching and backfilling where the surface is restored, and will be conditioned to incorporate fuel management within 100 feet of structures, the project is categorically exempt from CEQA under Sections 15304(a), 15304(b), 15304(f), and 15304(i).
3. The site of this proposed project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5 and is not within the boundaries of any airport land use plan.
4. The Secretary of the Planning Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Second Floor, Napa, California.

EXCEPTION TO THE ROAD AND STREET STANDARDS:

The Planning Commission has reviewed the attached Napa County Road and Street Standards (NCRSS) Exception Request Letter in accordance with Road and Street Standards Section 3 and makes the following findings.

5. The exception will preserve unique features of the natural environment which include, but are not limited to, steep slopes, heritage oak trees, or other trees of at least six inches diameter at breast height and found by the decision-maker to be of significant importance, but do not include man-made environmental features such as rock walls, ornamental or decorative landscaping, fences or the like.

Analysis: According to the Napa County Road and Street Standards regarding Local Responsibility Area (LRA) Exceptions, owners and leaseholders of property that is located completely within the LRA and not designated as being in a Very High Fire Hazard Severity Zone (VHFHSZ) may apply for an exception to these Standards. The exception request must provide measures which provide safe access for emergency apparatus, save civilian evacuation, and the avoidance of delays in emergency response based on the demands of the property as determined by the County Engineer and Fire Marshal on a case-by-case basis.

The Engineering Division received a request (the request) by Sherwood Design Engineers, dated January 23, 2025, for an exception to the design criteria as outlined in the latest edition of the Napa County Road and Street Standards (RSS), Revised April 18, 2023 {Resolution 2023-59}, as part of an application for a modification to an existing Use Permit. Access to the project site is via Westgate Drive. The applicant is seeking an exception to allow the turnaround to be greater than 50 ft from the proposed lounge structure. All other portions of the proposed and existing driveway will be improved to minimum design standards for emergency vehicle access, per the 2023 RSS. The nature and constraints for the road exception are as follows:

In order to construct an emergency access road and turnaround within 50 feet of the proposed lounge structure, it would require ground disturbance and vegetation clearing within the stream and riparian setbacks, further tree removal, and the construction of an access bridge across the watercourse that flows through the center of the project site, and as such the exception supports the preservation of the natural environment.

Engineering Division Evaluation and Recommendation:

Engineering Division staff has reviewed the Request and has made the following determination:

- The exception request has provided the necessary documentation as required by RSS Section 3. The request is in connection with an application for a modification to an existing use permit and has received the appropriate environmental review from the Planning Division. The project site is located entirely within the Local Responsibility Area (LRA) according to the Cal Fire's Fire Hazard Severity Zones Map. The property is also not designated as being in a VHFHSZ.
 - In accordance with Section 5 and Section 3 of the RSS, the Request has demonstrated that the project as proposed will provide measures which provide safe access for emergency apparatus, safe civilian evacuation, and the avoidance of delays in emergency response based on the demands of the property.
6. Grant of the Road and Street Standards Exception will provide the same overall practical effect as the Standards do in providing defensible space, and does not adversely affect the life, safety, and welfare of the public or persons coming to the property.

As stated in Finding 5, the Request has demonstrated that the project as proposed will provide measures which provide safe access for emergency apparatus, safe civilian

evacuation, and the avoidance of delays in emergency response based on the demands of the property

The determinations are based on existing site conditions and previous approvals. The Engineering Division supports the approval of the exception request as proposed with the following conditions that are in addition to any and all conditions previously placed on the project as part of the discretionary application. All roadway improvements shall be completed prior to execution of any new entitlement or final on all new development proposed:

1. The private drive surface shall be periodically maintained by the property owner to assure sufficient structural section for loading conditions equivalent to support apparatus weighing 75,000 pounds, and the design Traffic Index.
2. The property owner shall also install clear directional signage at the entrance to the driveway and all internal roadways. The directional signage shall be consistent with California Department of Forestry and Fire Protection requirements and shall be a minimum 6-inch letter height, 0.75-inch stroke, reflectorized, contrasting with the background color of the sign.
3. The roadway improvements shall be constructed and maintained to the approved condition prior to any new commercial use and/or occupancy. Maintenance of the roadway shall continue throughout the life of the parcel and its proposed use. The County may require future road design changes if changes in use or intensity are proposed in the future.
4. Any/all future road design changes or changes in use of this roadway beyond the existing use shown on the above noted request shall require re-evaluation of the roadway to comply with the requirements of adopted codes, standards and regulations and may require additional conditions.

USE PERMIT:

The Planning Commission has reviewed the use permit request in accordance with the requirements of the Napa County Code makes the following findings:

7. That the Planning Commission has the power to issue a use permit under the zoning regulations in effect as applied to the property;

Analysis: NCC §18.124.130(B) states that the Zoning Administrator may approve minor noncontroversial modifications after giving notice of intent to approve, and NCC §18.124.130(B)(2)(b) states that notices shall be mailed or delivered to all owners of real property, including businesses, corporations or other public or private entities, as shown on the latest equalized assessment roll within 1,000 feet of the real property. According to NCC §18.124.130(B)(3), if any member of the public requests a public hearing during the comment period, then the zoning administrator will provide a public notice in accordance with NCC §18.136.040 and conduct a public hearing.

On July 30, 2025, a Notice of Intent was sent to all owners of real property within 1,000 feet of the project parcel, and in response the Planning Division received four requests for a public hearing. Given the proposal's potential to give rise to public disagreement,

the Zoning Administrator has concluded that the project does not fall within the description of a noncontroversial project, and that the decision-making body shall be the Napa County Planning Commission. Through this course of events, the Planning Commission has the power to issue a use permit under the zoning regulations in effect as applied to the property.

8. That the procedural requirements set forth in this chapter have been met;

Analysis: Under NCC § 18.124.130, the use permit may be granted by the Planning Commission and a companion action is not required by the Board of Supervisors. The appropriate application, fees, and public hearing requirements have been met. The hearing notice and intent to find the project categorically exempt from CEQA was posted and published in the Napa Valley Register on October 2, 2025, and copies of the notice were forwarded to property owners within 1,000 feet of all project parcels, according to the procedures described in NCC § 18.124.130 and procedural requirements for noticing of public hearing described in NCC § 18.136.040. A public hearing was held before the Planning Commission on October 15, 2025. After receiving a report on the proposal from Staff and opening the public hearing for public comments, the commission closed the public hearing, deliberated, and voted to continue the hearing to a date certain; November 5th, 2025.

9. Granting the Use Permit Minor Modification for the project, as proposed and conditioned, will not adversely affect the health, safety, or welfare of the County.

Analysis: Affected County divisions and departments have reviewed the project and commented regarding the proposed site access, parking, building permits, fire protection, drainage, and wastewater system. Conditions are recommended which will incorporate these comments into the project to assure the protection of the public health, safety, and welfare.

The Napa County Environmental Health Division, Fire Department, Engineering Division, Building Division, and Department of Public Works have all reviewed the proposed project and provided comments and conditions of approval. Several revisions to the project proposal have been made to meet each agency's requirements.

The resort utilizes public utility water through the City of Napa, and no use of groundwater is part of the proposal. The Napa Sanitation District (NapaSan) has indicated that the project is within proximity to a connection for wastewater treatment and that NapaSan has capacity for the proposal, and Environment Health has requested a will serve letter from NapaSan as a condition of approval. As such, a proposed septic system has been removed from the plan.

The Engineering Division and Fire Department have provided several comments through multiple rounds of project revisions and the current proposal meets the required findings necessary for a Road and Street Standard (RSS) exception that ensures emergency vehicle access and safety requirements are met and/or have the same practical effect. Specific Building Code requirements are included in the

conditions of approval and will be required at the building permit phase prior to receiving their certificate of occupancy.

10. That the proposed use complies with the applicable provisions of this code and is consistent with the policies and standards of the general plan and any applicable specific plan;

Analysis: The proposed use is consistent with the Planned Development zoning district and the Urban Residential General Plan designation. All applicable NCC provisions have been met. The project has been designed to avoid development within the riparian area that runs along the tributary to Milliken Creek, and the proposal meets the required stream setbacks per NCC § 18.108.025.

Under Napa County Code (NCC) §18.124.130, Minor Modifications to Non-Winery Use Permits can be approved for changes in location and/or size of approved structures or portions thereof, provided that the approval of the requested minor modification would not affect the overall concept, density, intensity or environmental impact, and would not result in any structure or the aggregate of all approved structures being increased by 25 percent in size or one story in height based on size allowed under the approved use permit. The proposed increase of 11,358 square feet of resort space represents a 24.1 percent increase to the resort mansion and convention center alone, and when the 221,000 square feet of hotel space is included it represents just a 4.24 percent increase.

The proposed building height of approximately 26.3 feet for the pavilion and 20 feet for the lounge which is below the maximum building height of 35 feet described in NCC § 18.104.010. Due to the location of the project in the center of a large parcel, all other required setbacks described in NCC § 18.104 and § 18.112 have been met.

Applicable General Plan Policies include:

Policy AG/LU-22: Urban uses shall be concentrated in the incorporated cities and town and designated urbanized areas of the unincorporated County in order to preserve agriculture and open space, encourage transit-oriented development, conserve energy, and provide for healthy, “walkable” communities.

Analysis: An event pavilion and lounge that hosts the congregations of large amounts of people on a regular basis can be considered an urban use, and the parcel has an urban residential General Plan designation. Approving a project of this nature at this location, within closer proximity to the City of Napa, can encourage future transit-oriented development and energy conservation when considering travel and commuter distances and greenhouse gas emissions that occur during large gatherings.

Policy AG/LU-24: Commercial uses will be grouped in areas outside of those designated for agricultural uses in the General Plan (subject to exceptions contained in Policies AG/LU-43 through 45 of this General Plan).

Analysis: The proposed commercial use is located outside of areas designated for agricultural uses in the General Plan.

Policy CC-6: The grading of building sites, vineyards, and other uses shall incorporate techniques to retain as much as possible a natural landform appearance. Examples include:

- The overall shape, height, and grade of any cut or fill slope shall be designed to simulate the existing natural contours and scale of the natural terrain of the site.
- The angle of the graded slope shall be gradually adjusted to the angle of the natural terrain.
- Sharp, angular forms shall be rounded and smoothed to blend with the natural terrain.

Analysis: The preliminary landscape plans submitted for this project are specifically designed to run along the natural contours of the riparian area and align with the natural terrain of the project site. The designs, which include a creek front lawn with periphery dry creek plantings, were created to meet the required stream setbacks and avoid any impacts on the existing riparian area and stream. This has resulted in landscape plans that are rounded and smoothed, and blend in well with the natural terrain.

Policy CC-36: Residential and other noise-sensitive activities shall not be located where noise levels exceed the standards contained in this Element without provision of noise attenuation features that result in noise levels meeting the current standards of the County for exterior and interior noise exposure.

and

Policy CC-38: The following are the County's standards for maximum exterior noise levels for various types of land uses established in the County's Noise Ordinance. Additional standards are provided in the Noise Ordinance for construction activities (i.e., intermittent or temporary noise).

**EXTERIOR NOISE LEVEL STANDARDS
(LEVELS ARE NOT TO BE EXCEEDED MORE THAN 30 MINUTES IN ANY
HOUR)**

Land Use Type	Time Period	Noise Level (dBA) by Noise Zone Classification		
		Rural	Suburban	Urban
	10 p.m. to 7 a.m.	45	45	50

Single-Family Homes and Duplexes	7 a.m. to 10 p.m.	50	55	60
Multiple Residential 3 or More Units Per Building (Triplex +)	10 p.m. to 7 a.m.	45	50	55
	7 a.m. to 10 p.m.	50	55	60
Office and Retail	10 p.m. to 7 a.m.	60		
	7 a.m. to 10 p.m.	65		
Industrial and Wineries	Anytime	75		

Analysis: The applicant has submitted a Grove Event Noise Study completed by Salter Acoustical Consultants dated September 30, 2024. The study is based on two noise measurement locations, one attached to the courtyard perimeter fence and another was attached to a tree near the property line and closest residence to the proposed project. Three outdoor events were measured that include a dinner with 25 guests that took place on August 28, 2024, a wedding with 200 guests that took place on August 31, 2024, and another wedding with 100 guests that took place on September 1, 2024. The dinner included an amplified violin and background music and reached a decibel level (dBA) of 57 dBA at the measurement location near the property line. The August 31st wedding included a 14-piece amplified band and reached 78 dBA at the property line, while the September 1st wedding included a DJ and reached 73 dBA at the property line. These existing noise levels approach or exceed the exterior noise levels described in General Plan Policy CC-38 for urban single-family and duplex residential units for both daytime (7 a.m. to 10 p.m. – 60 dBA) and nighttime (10 p.m. to 7 a.m. – 50 dBA) levels. The Noise Study concluded that almost all amplified bands and DJs are to be moved indoors to the new Pavilion Building, the new event space will have interior acoustic treatment to reduce overall noise levels. With exterior doors and windows shut, a significant noise reduction of at least 35 dBA at the property line is expected. The study recommends that exterior doors be tight-fitting with acoustic perimeter gaskets. With these measures in place, General Plan Policy CC-36 will be supported and enhanced through the approval of the project.

Policy CON-24(d): Provide replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible.

Removal of oak species limited in distribution shall be avoided to the maximum extent feasible.

Analysis: As part of the project proposal, eight valley oak trees have been marked for removal to construct the proposed structures. This figure is a reduction from the removal of ten valley oak trees originally proposed. The diameter at breast height (DBH) of the eight trees to be removed range from 14 inches to 38 inches, with approximately 91 trees identified on the site plans that are within immediate proximity to the proposed structures to be preserved. General Plan Policy CON-24, which requires the replacement of lost oak woodlands or the preservation of like habitat at a 2:1 ratio, applies to the project. As such, the project is proposing a 4:1 replacement ratio for the eight valley oak trees to be removed, with submitted plans for the replanting of 32 valley oak trees on the property. The 32 trees will be planted across six designated areas on the parcel and will include a minimum size of 15-gallon oak plantings.

Policy E-6: The County values the businesses which currently operate in Napa County. Business retention strategies will be integral to meeting the County's economic goals.

Analysis: With the original golf course dating back to the 1950s and the resort and planned community dating back to the 1960s, the resort is one of the oldest establishments for hosting events in the County. By approving this project, the County will be supporting an operating business and reinforcing its retention as an establishment in the community.

Policy SAF-1.3: Evaluate safety hazards. The County shall evaluate potential safety hazards when considering General Plan Amendments, rezoning, or other project approvals (including but not limited to new residential developments, roads, or highways, and all structures proposed to be open to the public and serving 50 persons or more in areas characterized by any of the following: 1) Slopes over 15 percent; 2) Identified landslides; 3) Floodplains; 4) Medium, high, or very high fire hazard severity; Former marshlands; and 6) Fault zones.

Analysis: A major safety hazard associated with the project site is the existing floodplain. According to the National Flood Hazard Layer from FEMA, areas surrounding the project site, including portions of proposed landscape area, are within Flood Hazard Areas A and AE, meaning these areas are subject to inundation by the one percent chance or 100-year floodplain area and are considered high-risk flood zones. Due to this, the Napa County Engineering Division has included the following condition: No person shall deposit or remove any material, excavate, construct, install, alter or remove any structure within, upon or across a Special Flood Hazard Area, nor otherwise alter the hydraulic characteristics of as Special Flood Hazard Area without first obtaining a floodplain permit pursuant to Chapter 16.04 of the Napa County Code of Ordinances.

Another major safety hazard at the project site are existing fire hazards, and to address this the Napa County Fire Marshal's Office has set forth 20 recommended conditions

of approval. These conditions address issues including fire safety construction and building codes, emergency vehicle accessibility, access road design and standards, access gates, hydrant standards, sprinkler system standards, egress for emergency exits and exit standards, and defensible space.

With these additional conditions of approval together with the standard development conditions of approval, the project is in compliance with General Plan Policy SAF-1.3 from the Safety Element.

11. That, in the case of groundwater basins identified as "groundwater deficient areas" under Section 13.15.010, the proposed use would not require a new water system or improvement, or utilize an existing water system or improvement causing significant adverse effects, either individually or cumulatively, on said groundwater basins in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Section 13.15.070 or 13.15.080 of this code;

The proposed project is in the Milliken-Sarco-Tulucay (MST) subarea, which is designated as a Napa County groundwater deficient area under NCC § 13.15.010. The project will not require a new water system or improvement causing significant effects as it will be served by the City of Napa Water Service Area. No adverse effects, either individually or cumulatively, on any groundwater basins are expected.

12. That, in the case of other groundwater basins, or areas which do not overlay an identified groundwater basin, substantial evidence has not been presented which demonstrates that the new water system or improvement might cause a significant adverse affect on any underlying groundwater basin, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Section 13.15.070 or 13.15.080 of this code;

As the project is utilizing the City of Napa Water Division, and is not located within the Napa Valley Subbasin as identified by the Groundwater Sustainability Agency boundary. As such, the project will not require a groundwater permit under NCC § 13.15.070 or 13.15.080 of this code.

13. In the case of a development or improvement with a reasonably foreseeable connection to a public water supply as defined in Section 13.15.010, regardless of the number of parcels served, that the proposed use would not require a new water system or utilize an existing water system necessitating a groundwater permit pursuant to Chapter 13.15. This finding shall not be required if the applicant presents substantial evidence demonstrating that the use of groundwater for such development or improvement would not have a significant adverse effect on the underlying groundwater basin; or if that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Section 13.15.070 or 13.15.080 of this code.

The proposed project relies on water from the City of Napa. The applicant has provided a Water Availability Analysis prepared by Sherwood Design Engineers, revised in September 2024, which demonstrates that this finding shall not be required as the use of groundwater is not an element of the project proposal.

“B”

Recommended Conditions of Approval and Final Agency Memos

Silverado Resort & Spa Project
Minor Modification to Non-Winery Use Permit
P24-00141-MM
Planning Commission Hearing – November 5, 2025

RECOMMENDED CONDITIONS OF APPROVAL

SILVERADO RESORT & SPA PROJECT USE PERMIT MINOR MODIFICATION APPLICATION NO. P24-00141-MM 1600 ATLAS PEAK RD, NAPA, 94558 APN: 060-010-001-000

This Permit encompasses and shall be limited to the project commonly known as **The Silverado Resort & Spa Project, located at 1600 Atlas Peak Rd, Napa.** Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as "Reserved" and, therefore, have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

This Permit encompasses and shall be limited to:

- 1.1 An Exception to the Napa County Road and Street Standards to permit a firetruck turnaround and Emergency Vehicle Access road to be located approximately 260 feet from the proposed 1,750 square foot event lounge.
- 1.2 Construction of an event pavilion (9,308 square feet) and an event lounge (1,750 square feet) for a total additional square footage of 11,358 square feet of resort use.
- 1.3 Landscaping elements including event and activity lawns (19,062 square feet), landscaped planting beds (23,456 square feet), and native grass area (41,224 square feet).

The **Silverado Resort & Spa Project** shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion of or change in use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 MONITORING COSTS

All Staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions of approval and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the permittee's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the project:

4.1 GROUND WATER MANAGEMENT – WELLS [RESERVED]

4.2 AMPLIFIED MUSIC [RESERVED]

4.3 TRAFFIC [RESERVED]

4.4 PARKING

The location and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage.

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during authorized events. In no case shall parking impede emergency vehicle access or public roads.

4.5 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use or occupancy of an existing building unless the building is made to comply with requirements of the current CBC as for a new building.

4.6 FIRE DEPARTMENT – TEMPORARY STRUCTURES **[RESERVED]**

4.7 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**

4.8 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, MECHANICAL EQUIPMENT, AND TRASH ENCLOSURE AREAS

- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County.
- b. All landscaping shall be permanently maintained in accordance with the landscaping approved by the County.
- c. All outdoor screening, storage, mechanical equipment and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior equipment shall be maintained to not create a noise disturbance or exceed noise thresholds in the County Code.
- d. The colors used for the roof, exterior walls and built landscaping features of the project shall be limited to earth tones that will blend the facility into the colors of the surrounding site-specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint color that differs from the approved building permit. Highly reflective surfaces are prohibited.
- e. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.9 NO TEMPORARY SIGNS

Temporary off-site signage, such as “A-Frame” signs are prohibited.

4.10 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies’ requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions as stated in their Memorandum dated February 27, 2025.
- b. Department of Public Works operational conditions as stated in their Memorandum dated November 7, 2025.

- c. Environmental Health Division operational conditions as stated in their Memorandum dated November 1, 2024.
- d. Fire Department operational conditions as state in their Memorandum dated January 1, 2025.
- e. Napa Sanitation District operational conditions as stated in their Memorandum dated March 26, 2025

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those County Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify this permit.

4.11 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

4.12 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. The exterior doors and windows of the structures referenced in COA NO. 1.2 shall be closed and shall remain closed during all events utilizing amplified noise above the County Noise Ordinance exterior noise standard for the Urban noise zone classification (single and double) of 60 dBA in Table 8.16.070 of Chapter 8.16 of the County Code.
- b. All outdoor events in the areas referenced in COA No. 1.3 shall comply with the County Noise Ordinance exterior noise standard for the Urban noise zone classification (single and double) of 60 dBA in Table 8.16.070 of Chapter 8.16 of the County Code as measured at the nearest easterly property line from the areas referenced in COA No. 1.3, and the permittee shall take the following measures to be sure that exterior noise does not exceed that standard:
 - 1. The facility's exterior speaker/amplification system or music and audio vendors, such as disc jockeys at events, shall orient all speakers on the lawn area due north and all speakers on the event pavilion's southern exterior shall orient due south.
 - 2. The permittee shall procure a Type 2 sound level meter and conduct measurements of amplified music systems before and during the use of amplified sound at both a 50-foot distance and at the easterly property line to ensure the amplified sound does not exceed the County's noise standards referenced above.
 - 3. All audio/music vendors for exterior events shall be notified of these criteria in writing and permittee staff shall be responsible for compliance throughout events.
- c. Noise Monitoring Hearing

1. Within the first year of occupancy of the structure referenced in COA 1.2, the permittee shall hire a qualified acoustical engineer to conduct noise monitoring before and during three (3) events held jointly between the structures referenced in COA 1.2 and/or the areas referenced in COA 1.3. The permittee shall make every possible effort to select events for noise monitoring that are representative of the size, duration and type of amplified sound of typical events held at 'The Grove'. Measurements shall be held at measurement locations referenced in COA 4.12(b).
2. The acoustical engineer shall prepare a written report and submit the results of the noise monitoring to the Napa County Planning Division within six (6) months of the conclusion of the third event identified for noise monitoring in COA No. 4.12(c)(1).
3. The Planning Commission shall hold a publicly noticed monitoring hearing on this approval approximately six (6) months after the submittal of the noise monitoring report required in COA No. 4.12(c)(2). The hearing shall focus on noise and other neighborhood impacts, if any. Prior to the issuance of a permit for the structures referenced in COA No. 1.2, the permittee shall submit a \$2,000 monitoring deposit to the Planning Division to fund (or, as the case may be, partially fund) staff time associated with the required monitoring hearing. The permittee shall be responsible for promptly reimbursing the Planning Division in the event that the monitoring costs exceed \$2,000.

4.13 PREVIOUS CONDITIONS [RESERVED]

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition environmental, building and/or other applicable permit applications:

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated February 27, 2025.
- b. Department of Public Works plan review/construction/preoccupancy conditions as stated in their Memorandum dated November 7, 2025.
- c. Environmental Health Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated November 1, 2024.
- d. Fire Department plan review/construction/preoccupancy conditions as state in their Memorandum dated January 1, 2025.
- e. Napa Sanitation District plan review/construct/preoccupancy conditions as stated in their Memorandum dated March 26, 2025.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those County Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the permit.

6.2 BUILDING DIVISION – GENERAL CONDITIONS

Please contact the Building Division with any questions regarding the following:

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the CBC or any State or local amendment adopted thereto
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a “J” number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and or site improvements must comply with the CBC accessibility requirements, as well as, American with Disabilities Act requirements when applicable. When alterations or additions are made to existing

buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.
- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward; located as low to the ground as possible; the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.

6.4 LANDSCAPING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this permit. The plan shall be prepared pursuant to the Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
- b. Plant materials shall be purchased locally when practical, and, to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. **[RESERVED]**
- d. Evergreen screening shall be installed between the industrial portions of the operation (e.g., tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.
- e. **[RESERVED]**

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the project shall be limited to earth tones that will blend the facility into the colors of the surrounding site-specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

- a. Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.
- b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or be made virtually invisible from the subject roadway.

6.7 MECHANICAL EQUIPMENT

- a. Roof mounted equipment shall be screened by a parapet wall of equal or greater height than the highest piece of roof mounted equipment or vent. Equipment may be screened by a separate roof screen that is architecturally integrated with the building if screening by a parapet wall is not feasible or is architecturally undesirable. When separate roof screens are used, roof equipment should be organized into major groups screening a smaller number of units rather than multiple areas. The PBES Director may approve exceptions for solar equipment. All screening is subject to review and approval by the PBES Director. Any skylights shall be subject to review and approval by the PBES Director prior to the issuance of building permits.
- b. The term "equipment" includes roof mounted equipment or vents, electrical equipment, gas meter, communication antennas, irrigation valves, storage tanks, or other mechanical equipment. The manner of screening shall be as follows: Communications equipment, including microwave equipment, may remain unscreened if visually integrated with the building design through color, location, and construction; all building mounted equipment, including but not limited to louvers, pipes, overhead doors or service doors, access ladders, downspouts, conduit, and electrical/service boxes, shall be painted consistent with the color scheme of the building.
- c. Ground mounted equipment shall be screened by walls or landscaping to the satisfaction of the PBES Director.
- d. Exterior equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.8 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. 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 pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.9 ADDRESSING **[RESERVED]**

6.10 HISTORIC RESOURCES **[RESERVED]**

6.11 DEMOLITION ACTIVITIES

- a. Final demolition plans of the Burger Shack shall be submitted for building permit issuance. A site plan prepared by a qualified professional shall denote streams, stream setbacks, existing and proposed improvements and slopes. No new construction or earthmoving activities is allowed within established stream setbacks unless specifically approved as part of this permit in COA No.1.0 (Scope) above. As determined by the PBES Director or designee, temporary construction fencing shall be placed at the stream setback line to prevent unauthorized encroachments.
- b. A landscape plan for the demolition area shall be submitted. The landscape plan shall be approved by the PBES Director or designee prior to installation.

6.12 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**

6.13 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**

6.14 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.15 FINAL MAPS **[RESERVED]**

6.16 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

- a. Building permit plans for the event pavilion approved in COA No. 1.2 shall include callouts identifying the specific treatment and exterior shell features identified for noise reduction in the June 2, 2025, Noise Study by Salter, have been incorporated into the project.

If changes in the proposed building would cause any of the specific treatment or exterior shell features to change substantially from what is described in the June 2, 2025, Noise Study the permittee shall include a memo from Slater identifying that the modifications meet or exceed the noise reduction assumptions for the construction of the event pavilion.

- b. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Valley oak trees removed for the project shall be limited to eight (8) and replaced at a 4:1 replanting ratio and sized at 15 gallons as described in the submitted Tree Replanting Exhibit dated August 27, 2025. Trees to be retained shall be protected during construction by fencing securely installed at the

outermost dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with project development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

- c. Landscape Watering Measurement. As the Project area landscaping shall be watered using groundwater, as it has been since the Resort originally developed the Project area, the permittee shall install a water use measuring system (e.g. a meter) for landscape watering for the Project area and accordingly measure on a monthly basis the amount of groundwater used for landscaping. This measuring excludes the adjacent golf course. Such data will be provided to the PBES Director on an annual basis. The permittee will use best available water control technology and best water management practices for the Project area landscape watering.
- d. The detailed final landscaping and irrigation plan required under COA 6.4 shall include 32 trees as proposed and identified in the Tree Diagram exhibit submitted to the Planning Commission for the November 5, 2025, public hearing (Attachment E).
- e. The detailed final landscaping and irrigation plan's Estimated Total Water Use shall be less than 4.34 af/yr.

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENT

Please contact Engineering Services with any questions regarding the following:

- a. **GRADING & SPOILS**
All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.
- b. **DUST CONTROL**
Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.
- c. **AIR QUALITY**
During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. **STORM WATER CONTROL**

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board.

7.2 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a

qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities only shall occur daily between the hours of 8:00 AM to 5:00 PM.

7.4 CONSTRUCTION MITIGATION MEASURES [RESERVED]

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL [RESERVED]

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES

8.1 TEMPORARY OCCUPANCY [RESERVED]

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence:

9.1 FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all Departments and Agencies with jurisdiction over the project, shall be completed.

9.2 SIGNS

Detailed plans, including elevations, materials, color, and lighting for any project identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. Administrative review and approval is not required if the signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this permit approval. All signs shall meet the design standards as set forth in the County Code. Any off-site signs allowed shall be in conformance with the County Code.

9.3 GATE/ENTRY STRUCTURES

Any gate installed at the project entrance shall be reviewed by the PBES Department and the Fire Department to assure that the design allows large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required pursuant to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this permit approval.

9.4 LANDSCAPING

Landscaping shall be installed in accordance with the approved landscape plan.

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**

9.6 DEMOLITION ACTIVITIES

All demolition activities associated with the Burger Shack shall be completed, landscaping installed, and debris cleared from the subject parcel.

9.7 GRADING SPOILS **[RESERVED]**

9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

- a. Applicant shall demonstrate to the Planning Division, prior to Planning Division Final, that all exterior doors, windows, and other improvements associated with structures in COA No.1.2 are tight-fitting with acoustic perimeter gaskets and noise insulating measures installed.



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Planning, Building & Environmental Services

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

Brian D. Bordona
Director

MEMORANDUM

To: Andrew Amelung, Planning	From: Jeannette Doss, Engineering <i>JD</i>
Date: February 27, 2025	Re: Silverado Resort and Spa Use Permit Mod – Engineering CoA 1600 Atlas Peak Road, Napa, CA 94558 P24-00141 APN: 060-010-001-000

The Engineering Division received a referral for comment on a modification to an existing use permit. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

EXISTING CONDITIONS

1. Portions of existing parcel are located within the 100-year Special Flood Hazard Area per FEMA Flood Insurance Rate Map 06055C0510F.
2. Parcel is currently developed with a golf course and resort.

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

1. All roadway, access drive, and parking area improvements shall be completed prior to execution of any new entitlements approved under this Use Permit Modification.

PREREQUISITES FOR ISSUANCE OF PERMITS

2. No person shall deposit or remove any material, excavate, construct, install, alter or remove any structure within, upon or across a Special Flood Hazard Area, nor otherwise alter the hydraulic characteristics of a Special Flood Hazard Area without first obtaining a floodplain permit pursuant to Chapter 16.04 of the Napa County Code of Ordinances.
3. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall conform to the Road Exception Evaluation composed by this Division, dated February 27, 2025 and enclosed herein, and per the accepted construction and inspection practices defined in Federal, State and Local codes. Any roadway, proposed new or reconstructed, not included in the above mentioned Road Exception Evaluation shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards at the time of use permit approval. The property owner shall obtain a permit for all proposed roadway improvements.

4. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and grading permit documents at the time of permit application. A plan check fee will apply.
5. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
6. **Prior to issuance of a building permit and/or grading permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.
7. **Prior to issuance of a building and/or grading permit** the owner shall prepare a Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
8. **Prior to issuance of a building and/or grading permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

9. All roadway, access drive, and parking area improvements shall be completed **prior to** issuance of temporary occupancy of any new and/or remodeled structures.

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

10. Operations and Maintenance Agreement for any required post-construction Stormwater facilities must be legally recorded.
11. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Jeannette Doss from Napa County Planning, Building, and Environmental Services Department, Engineering and Conservation Division, at (707)259-8179 or by email at Jeannette.Doss@countyofnapa.org



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Brian D. Bordona
Director

MEMORANDUM

To:	Andrew Amelung, Planning	From:	Jeannette Doss, Engineering Division 
Date:	February 27, 2025	Re:	Silverado Resort & Spa Evaluation of Napa County Road and Street Standards Exception Request 1600 Atlas Peak Road, Napa, CA 94558 P24-00141 APN: 060-010-001-000

Road Modification Request

The Engineering Division received a request (the request) by Sherwood Design Engineers, dated January 23, 2025 for an exception to the design criteria as outlined in the latest edition of the Napa County Road and Street Standards (RSS), Revised April 18, 2023 {Resolution 2023-59} as part of an application for a modification to an existing Use Permit. Access to the subject property is off of Westgate Drive. The applicant is seeking an exception to allow the turnaround to be greater than 50 ft from the proposed lounge structure. All other portions of the proposed and existing driveway will be improved to minimum design standards for a Emergency Vehicle Access, per the 2023 RSS. The nature and constraints for the road exception are as follows:

EXCEPTION #1 EMERGENCY TURNAROUN LOCATION EXCEPTION:

The RSS requires that the emergency vehicle turnaround be located within 50 ft of the structure. This project includes an emergency vehicle turnaround that is 350 feet from the lounge. A pedestrian path and separate cart path connect the proposed turnaround area with the structure.

Engineering Division Evaluation and Recommendation:

Engineering Division staff has reviewed the Request noted above and has made the following determination:

- The exception request has provided the necessary documentation as required by RSS Section 3. The request is in connection with an application for a modification to an existing use permit, and has received the appropriate environmental review from the Planning Division, therefore the approving body shall be the Zoning Administrator.
- The project site is located entirely within the Local Responsibility Area (LRA) according to the Cal Fire Fire Hazard Severity Zones Map. The property is also not designated as being in a Very High Fire Hazard Severity Zone (VHFHSZ).

- In accordance with Section 5 and Section 3 of the RSS, the Request has demonstrated that the project as proposed will provide measures which provide safe access for emergency apparatus, safe civilian evacuation, and the avoidance of delays in emergency response based on the demands of the property.

The determinations stated above are based on existing site conditions and previous approvals. The Engineering Division supports the approval of the exception request as proposed with the following conditions that are in addition to any and all conditions previously placed on the project as part of the discretionary application. All roadway improvements shall be completed prior to execution of any new entitlement or final on all new development proposed:

1. The private drive surface shall be periodically maintained by the property owner to assure sufficient structural section for loading conditions equivalent to support apparatus weighing 75,000 pounds, and the design Traffic Index.
2. The property owner shall also install clear directional signage at the entrance to the driveway and all internal roadways. The directional signage shall be consistent with California Department of Forestry and Fire Protection requirements and shall be a minimum 6 inch letter height, .75 inch stroke, reflectorized, contrasting with the background color of the sign.
3. The roadway improvements shall be constructed and maintained to the approved condition prior to any new commercial use and/or occupancy. Maintenance of the roadway shall continue throughout the life of the parcel and its proposed use. The County may require future road design changes if changes in use or intensity are proposed in the future.
4. Any/all future road design changes or changes in use of this roadway beyond the existing use shown on the above noted request shall require re-evaluation of the roadway to comply with the requirements of adopted codes, standards and regulations and may require additional conditions.

EXHIBIT A

SILVERADO RESORT & SPA
ROAD EXCEPTION REQUEST

January 23, 2025

Brian Bordona
Director
Napa County Planning, Building & Environmental Services (PBES) Department
1195 Third Street, Second Floor
Napa, CA 94559

Re: P24-00141 Silverado Resort & Spa Project
1600 Atlas Peak Road, Napa, CA 94558, APN 060-010-001
Road and Street Standards Exception Request

Dear Mr. Bordona,

The Silverado Resort & Spa is proposing to construct two new structures and associated improvements under Use Permit P24-00141. The two new structures (the Atrium Pavilion and the Lounge Pavilion) are constructed within the “Grove” area on the subject parcel. The project located at the above referenced parcel is requesting a road exception request to the Napa County Road and Street Standards (R&SS) for access to the Lounge Pavilion.

Emergency Vehicle Access (EVA) to the “Grove” area is provided off Hillcrest Drive and travels around the golf course area to the southeasterly side of the Atrium Pavilion (refer to sheet C2.1 from the Silverado Resort & Spa “The Grove” Use Permit Set). The EVA access road travels around the Atrium Pavilion with a firetruck turnaround located near the structure and within the 50 foot required distance.

An unnamed blue line stream, tributary to Milliken Creek, flows through the Grove area. The Atrium Pavilion is located east of the stream and the Lounge Pavilion is located to the west. A pedestrian path and a separate cart path currently exist between the proposed locations of the Atrium and Lounge Pavilions. Primary access to the Lounge Pavilion will continue to be provided through golf cart paths from the Resort & Spa main entrance.

An exception to the R&SS is requested to permit a firetruck turnaround and EVA access road to be located greater than 50 feet from the structure. The firetruck turnaround is located approximately 350 feet from the structure. The EVA access road is located approximately 260 feet from the Lounge Pavilion. Access between the two structures is provided through a foot path and golf cart path.

Exception Request and Justification

The R&SS allow for such exceptions when the following summarized criteria are met:

- i. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of least six inches in diameter at breast height and found by the decision-maker to be of significant importance, but does not include human altered environmental features such as vineyards and ornamental or decorative landscaping, or artificial features such as, rock walls, fences or the like;*

The exception to the R&SS is requested to preserve the existing unnamed blue line stream and surrounding oak trees. Installing an EVA access road and turnaround within 50 feet of the Lounge Pavilion will require a new road and a fire truck-rated creek crossing that requires grading and infrastructure improvements within the creek setback, stream riparian zone, and oak woodland. The proposed plan has been reviewed with the Napa County Fire Department and the proposed EVA access route shown on Sheet C2.1 of the Use Permit plan is sufficient for providing services to both Pavilion buildings.

Thank you for your consideration of our request for this exception. You may contact us directly at 707.773.7829 with any questions or to schedule a site visit if necessary.

Sincerely,

Christina Nicholson

Christina Nicholson, P.E.
Project Manager



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Department of Public Works

1195 Third Street, Suite 101
Napa, CA 94559-3092
www.countyofnapa.org/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Steven Lederer
Director

MEMORANDUM

To: PBES Staff

From: Anna Vickroy, P. E., T.E.
Traffic Engineering Staff Consultant

Date: November 7, 2024

Re: Silverado Resort & Spa, P24-00141
Use Permit Minor Modification

This memorandum is prepared at the request of Planning, Building, and Environmental Services (PBES) staff to review the application materials for the Silverado Resort & Spa Use Permit Minor Modification, dated May 14, 2024 to construct an approximately 8,300 square foot building to host events in an area known onsite as "The Grove". The project is located at 1600 Atlas Peak Road, (APN 060-010-001) in Napa, CA.

To prepare this memorandum, the following documents were reviewed:

- Revised Project Statement dated September 30, 2024 by Coblenz, Patch, Duffy & Bass LLP
- Revised Water Availability Analysis dated September 2024 by Sherwood Design Engineers
- Response to Comments Letter dated September 5, 2024 by Sherwood Design Engineers
- Revised Plan Set dated September 5, 2024 by Sherwood Design Engineers

After careful evaluation of the above mentioned submitted documents, we have determined that the project will not generate additional daily or peak hour trips and thus will not have any traffic impacts. Additionally, a left-turn lane warrant analysis is not required due to the low through traffic volumes on Atlas Peak Road, and the fact that most patrons access the subject property via a right-turn into the driveway. There is an existing signal at the main driveway providing protected access for left-turns out of the driveway.

Since the proposed project does not have any traffic impacts and there are no proposed improvements within or adjacent to the public right-of-way, we offer no conditions of approval.

If you have any questions or concerns on this matter, please contact Ahsan Kazmi, P. E. at ahsan.kazmi@countyofnapa.org or call (707) 259-8370.



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
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Brian D. Bordona
Director

MEMORANDUM

To: Andrew Amelung, Project Planner	From: Maureen S. Bown, Senior Environmental Health
Date: 11-01-2024	Re: Use Permit # P24-00141 Silverado Resort & Spa Minor Modification- Wedding Venue at the Grove Area 1600 Atlas Peak Road, Napa APN 060-010-001-000

Environmental Health staff has reviewed an application requesting approval for a pavilion at the Grove, as described in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. All waste water lines of the proposed development must be connected to the Napa Sanitation District.
2. The proposed development must be connected to the City of Napa water system.
3. Complete plans and specifications for the future food preparation areas, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by this Division prior to issuance of any building permits for said areas. An annual food permit will be required.
4. Adequate area must be provided for collection of recyclables. 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.
5. All improvements must meet clearance per Napa County Code Section 13.28.040.

During construction and/or prior to final occupancy being granted:

6. 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:

7. 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.
8. The applicant shall file for a storm water permit from this Division, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Certain facilities may be exempt from storm water permitting. A verification inspection will be conducted to determine if exemption applies.
9. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.



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**Napa County Fire Department
Fire Marshal's Office**

951 California Blvd
Napa, CA 94559
www.countyofnapa.org
Main: (707) 299-1464

Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

TO:	Planning Department	DATE:	1/31/2025
FROM:	Jason Downs, Fire Marshal	PERMIT #	P24-00141
SUBJECT:	Silverado Resort and Spa – Grove Pavillion	APN:	060-010-001-000

The Napa County Fire Marshal's Office has reviewed the submittal package for the above-proposed project. The Fire Marshal approves the project as submitted with the following conditions of approval:

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes, and ordinances at the time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested, and finalized.
3. Where conditions listed in 2022 California Fire Code Section 105 are proposed, separate permits will be required before Building Permit issuance for:
 1. Automatic fire-extinguishing systems
 2. Fire alarm and detection systems and related equipment
 3. Fire Hydrant and Underground Mains
4. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards
5. The Napa County Fire Marshal's Office has reviewed and acknowledges the road exception attached to p24-00141. Before issuance of a building or grading permit, the owner shall demonstrate on the plans that all roadway construction associated with this application shall conform to the Road Exception Evaluation composed by the Napa County Engineering Division. Any roadway proposed new or reconstructed, not included in the above-mentioned Road Exception Evaluation shall meet the requirements for a Emergency Vehicle Access driveway as outlined in the latest Napa County Road and Street Standards (RSS).



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**Napa County Fire Department
Fire Marshal's Office**

951 California Blvd
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Main: (707) 299-1464

Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

6. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.
7. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
8. EVA Driveways shall be a minimum of 10 feet in width with a 4-foot shoulder and 15-foot vertical clearance.
9. Turnouts shall be a minimum of 12 feet in width, 30 feet in length, and 25-foot taper on each end.
10. Turnarounds are required on driveways and dead-end roadways.
11. Grades for all roadways and driveways shall not exceed 16 percent. The roadway grade may exceed 16 percent, not to exceed 20 percent, provided the provisions outlined in the NCRSS are met.
12. Roadway radius shall not have an inside radius of less than 50 feet. An additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
13. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards, and CA Fire Safe Regulations for projects within SRA.
14. Commercial - Approved pressurized hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested, and maintained per NFPA 24.



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**Napa County Fire Department
Fire Marshal's Office**

951 California Blvd
Napa, CA 94559
www.countyofnapa.org
Main: (707) 299-1464

Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

15. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.
16. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24 for the installation of Underground Fire Protection Mains
17. An automatic fire sprinkler system shall be installed by provisions outlined in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
18. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware, and exit illumination.
19. Provide and maintain a 100-foot defensible space around all structures in accordance with the Napa County Defensible Space Guidelines.
20. Provide and maintain a 10-foot defensible space on both sides of all roadways leading to the facility, in accordance with the Napa County Defensible Space Guidelines.

Please note the conditions of approval noted above are based on the Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any further questions please contact me at (707) 299-1467 or email me at jason.downs@countyofnapa.org



March 26, 2025

Planning, Building, & Environmental Services
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

SUBJECT: 24-00141 The Grove at Silverado Resort, REFRL-001587, Sherwood Engineers, 1600 Atlas Peak Road (Amelung)

The owner shall pay to NapaSan the prevailing fees and charges in effect as established by Resolutions and Ordinances before the issuance of a County Building Permit, and shall adhere to the rules and regulations as they apply to the application.

NapaSan has identified the following comments based on the current application. NapaSan reserves the right to modify the following conditions/comments based on changes to future applications or changes to the project site plan.

The proposed project shall be subject to the following conditions of approval:

1. A NapaSan permit is required for this project. A plan showing the required sanitary sewer improvements, conforming to NapaSan standards, shall be prepared by a registered civil engineer and submitted to NapaSan for approval prior to issuance of permits.
2. This project will increase projected sewer flows at a greater intensity than what was evaluated in NapaSan's 2021 Collection System Master Plan. The sewer system that serves the Silverado Resort was designed to serve a finite number of connections and is at buildout capacity. NapaSan will require the project to comply with the requirements of NapaSan Board Resolution 21-006 for wet weather flow mitigation. The requirements of Resolution 21-006 include:
 - a. The developer shall enter into an agreement with NapaSan to fund all costs to design and construct an Inflow & Infiltration (I&I) reduction project located upstream of a sewer pipeline where flows are projected to be greater than capacity.
 - b. The developer shall pay for NapaSan to install flow monitors in the collection system immediately upstream of the impacted pipeline during the wet weather seasons before and after the I&I project is constructed.

March 26, 2025
Page 1



3. A grease interceptor will be required for any restaurant or food service types of use.
4. Should there be a drain in the trash enclosure, it shall be connected to the grease interceptor serving the building and the trash enclosure shall meet NapaSan standards. Contact NapaSan for more information.
5. The proposed development would be subject to the following fees, based on the rates in effect at the time they are paid:
 - a. Plan Check Fees
 - b. Inspection Fees
 - c. Capacity Charges for commercial space (based on use and square footage. Outdoor dining and event space are included in the square footage)
6. Floor drains are not allowed except in restrooms and food service areas.
7. NapaSan has updated sanitary sewer and recycled water standard specifications and details. The updated specifications and details are available online at NapaSan's website (www.NapaSan.com). NapaSan may revise the standard specifications and details at any time. It is the responsibility of the engineer, contractor, and developer to verify that they are in possession of the current version of the standards prior to design and construction of sanitary sewer and recycled water improvements.

The capacity charge for an equivalent dwelling unit currently is \$11,818 and will increase by the Consumer Price Index (CPI) annually in July. Commercial capacity charges are determined per NapaSan Code Section 5.02.030.B. Contact NapaSan Staff at (707) 258-6012 or gglascott@napasan.com for additional information.

Sincerely,

Gavin Glascott, P.E.
Associate Engineer

“C”

Water Availability Analysis

Silverado Resort & Spa Project
Minor Modification to Non-Winery Use Permit
P24-00141-MM
Planning Commission Hearing – November 5, 2025

Water Availability Analysis

For

The Grove at the Silverado Resort & Spa

APN 060-010-001

**1600 Atlas Peak Rd,
Napa, CA 94558**



Revised September 2024



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ATTACHMENTS

- 1: Existing & Proposed Landscape Area Exhibit
- 2: Existing & Proposed Water Demand Calculations
- 3: WELO Appendix A – Reference Evapotranspiration (ET_o) Table, The Grove Proposed Planting Species

1.0 PROJET SUMMARY

The Silverado Resort and Spa located at 1600 Atlas Peak Road in Napa County is proposing to enclose an existing events space within the golf course area on the subject parcel. The project proposes the demolition of existing paved surfaces and the construction of two (2) event buildings (the Pavilion and the Lounge). As requested by Napa County Planning, Building & Environmental Services (PBES) Department, this analysis provides a Tier 1 analysis per the Water Availability Analysis (WAA) guidance document to evaluate the existing and proposed groundwater uses for the project.

1.1 Site Description

The 278 acre subject parcel is located approximately four miles north east of the City of Napa off Atlas Peak road and within the Milliken-Sarco-Tulocay (MST) area of Napa County. The project site is currently developed with a golf course, resort buildings, a spa, and private club homes. The parcel is relatively flat and falls within a designated groundwater deficient area as defined in Napa County Code, Section 13.15.010.C.

1.1.1 Land Use

The Silverado Resort & Spa is located in the Urban Residential (UR) area and is zoned for Planned Development (PD). The site is predominately vegetated with golf course turf and areas of oak woodland. An unnamed blue line stream¹ flows through two portions of the parcel until converging into Milliken Creek. A vicinity map per the Napa County Geological Information Systems (GIS) online mapping database is shown below:



Figure 1 Vicinity Map

¹ National Hydrography Dataset (NHD) Permanent Identifier 41663111

2.0 WATER SOURCES

2.1 Domestic and Fire Water

The domestic and fire water uses for the project are currently served by the City of Napa municipal water system. The project does not propose any new uses and therefore an increase in water usage is not proposed for the project. The existing water lines will be extended to the proposed buildings for water and fire protection services that are provided through an existing meter connection. The water line extension is shown on the Use Permit Minor Modification Plans sheet C4.0.

2.2 Landscape Irrigation

The landscape water usage for the project will be served through the existing onsite wells. The project proposes to decrease water demand for landscape irrigation by replacing high water use turf grass with low to moderate water use plants and native grasses.

3.0 WATER DEMAND

3.1 Domestic Water Demand

Domestic water is not proposed to increase as part of the project and will continue to be sourced from the City of Napa Water Division. Therefore, domestic water demands are not calculated as part of this Water Availability Analysis.

3.2 Existing Landscape Irrigation Demand

Existing water meter readings were not available for the Grove area for landscape irrigation values. The existing landscape water usage is estimated based on the Model Water Efficient Landscape Ordinance (MWELO) worksheet for estimating water usage based on plant type, irrigation efficiency, and climate. The existing plant types are based on observation of existing plant type as well as discussions with the landscape architect. The existing landscape areas and plant types at the Grove include:

- 61,550 square feet (sf) of high-water usage plans (turf grass)
- 16,150 sf of low to moderate water usage plants.

Refer to the Existing Landscape Area Exhibit in Attachment 1 for the existing landscape areas, plant types, corresponding plant factors (PF), and landscape irrigation efficiency (IE).

The plant factors for the corresponding plant types are referenced from the Department of Water Resources 2000 publication of "Water Use Classification of Landscape Species (WUCOLS)". Using MWELO water usage calculations, the Estimated Total Water Usage (ETWU) for the existing landscape areas is calculated to be 6.42 acre-feet/year. The MWELO water use calculations are included in Attachment 2.

3.3 Proposed Landscape Irrigation Demand

The project proposes to remove existing turf grass areas and replace them with lower water usage plants. The proposed landscape areas at the Grove include:

- 19,062 sf of turf grass
- 23,456 sf of low to moderate water usage plants
- 41,224 native grasses

The proposed landscape irrigation areas are shown in Attachment 1 as well as the corresponding plant types, corresponding plant factors (PF), and landscape irrigation efficiency (IE). The proposed irrigation demand is estimated based on the proposed landscape areas and the MWELO worksheet for estimating water usage. The proposed plant types and corresponding Plant Factors are included in Attachment 3. The ETWU for the existing landscape areas is calculated to be 3.62 acre-feet/year.

3.3.1 MWELO Criteria

The MWELO criteria requires the ETWU for the project to be equal or less than the Maximum Applied Water Usage (MAWA) for the proposed development. The MAWA for the proposed landscape area is calculated to be 4.34 acre-feet/year. The calculated ETWU of 3.62 acre-feet/year is less than the calculated MAWA which is compliant with the MWELO criteria for water efficiency. Refer to Attachment 2 for the MWELO water use calculations.

4.0 CONCLUSION

Per Table 2A of the WAA Guidance Document the MST Groundwater Deficient Area screening criterion is 0.3 acre-feet per acre per year or “no net increase” over existing conditions. Domestic water is sourced from the City of Napa municipal water system and is not proposed to increase as part of this project. The project is proposing a decrease in landscape irrigation water which is sourced from groundwater wells. The project proposes a decrease in water usage from 6.42 acre-feet per year to 3.62 acre-feet per year by replacing high-water usage turf grass with lower water use plantings. Although the total area of landscape is increasing, the total landscape irrigation demand is decreasing because the project proposes replacement of high water use turf grass with low to moderate water use plants.

The proposed decrease in water usage associated with the Minor Modification Permit Application are within the Tier 1 criteria set forward by the WAA guidance document.

Attachment 1:
Existing & Proposed Landscape Area Exhibit

Existing Landscape Information

Planter Areas ³		Area (sf)	PF	CF	SLA	IE	
	A	61,550	0.8	0.62	0	0.71	High-Water Use Plants (Turf Grass)
	B	0	0.4	0.62	0	0.71	Medium-High Water Shrubs
	C	16,150	0.3	0.62	0	0.71	Low-Moderate Water Planting
	D	0	0.2	0.62	0	0.71	Native Grass/Seed Mix
Total		77,700	sf				
		0.24	acres				

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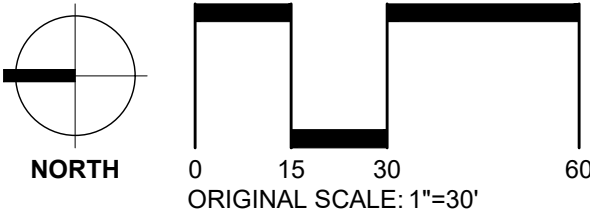
ISSUE
NAPA COUNTY WELO

RELEASE DATE
03/08/24

REVISIONS
1 9/05/2024

PROJECT NO. 7174
MADE BY KC/HL
REVIEWED BY SB

EXISTING
LANDSCAPE
AREA EXHIBIT



Attachment 2:
Existing & Proposed Water Demand Calculations

Model Water Efficient Landscape Ordinance (MWEL)

Existing Landscape Irrigation Calculations

MAWA = Maximum Applied Water Allowance (gallons per year)
 ETo = Reference Evapotranspiration from Appendix A (inches per year)
 0.7 = ET Adjustment Factor (ETAF)
 LA = Landscaped Area includes Special Landscape Area (square feet)
 0.62 = Conversion factor (to gallons per square foot)
 SLA = Portion of the landscape area identified as Special Landscape Area (square feet)
 0.3 = the additional ET Adjustment Factor for Special Landscape Area (1.0 - 0.7 = 0.3)

Project Specific Climate Data

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
ETO ¹ (in)	1.30	1.70	2.80	3.90	5.10	6.00	7.10	6.10	4.80	3.10	1.50	0.90	44.30 in/year
Rainfall (in) ²	3.97	4.00	3.49	1.63	0.54	0.13	0.00	0.00	0.16	1.51	2.55	4.81	22.79 in/year
Eppt (in)	0.99	1.00	0.87	0.41	0.14	0.03	0.00	0.00	0.04	0.38	0.64	1.20	5.70 in/year

Landscape Design Information

Planter Areas ³	Area (sf)	PF ⁴	CF	SLA	IE	
A	61,550	0.8	0.62	0	0.71	Irrigated Turf
B	0	0.4	0.62	0	0.71	Medium-High Water Shrubs
C	16,150	0.3	0.62	0	0.71	Low-Moderate Water Planting
D	0	0.2	0.62	0	0.71	Native Grass/Seed Mix
Total	77,700	sf				
	0.24	acres				

Existing ETWU

$$ETWU = (ETo)(0.62) \left(\frac{PF \times HA}{IE} + SLA \right)$$

where:

ETWU = Estimated total water use per year (gallons per year)
 ETo = Reference Evapotranspiration (inches per year)
 PF = Plant Factor from WUCOLS (see Definitions)
 HA = Hydrozone Area [high, medium, and low water use areas] (square feet)
 SLA = Special Landscape Area (square feet)
 0.62 = Conversion Factor (to gallons per square foot)
 IE = Irrigation Efficiency (minimum 0.71)

Planter Areas ³	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
A	55,898	73,097	120,395	167,693	219,291	257,990	305,288	262,290	206,392	133,295	64,497	38,698	1,904,825 gal/year
B	0	0	0	0	0	0	0	0	0	0	0	0	0 gal/year
C	5,500	7,192	11,846	16,500	21,577	25,385	30,039	25,808	20,308	13,116	6,346	3,808	187,426 gal/year
D	0	0	0	0	0	0	0	0	0	0	0	0	0 gal/year
Total	61,398	80,290	132,242	184,194	240,869	283,375	335,327	288,098	226,700	146,410	70,844	42,506	2,092,252 gal/year
													6.42 acre-feet/year

Notes/References

1. ETO values are referenced from Appendix A - Reference Evapotranspiration (ETO) Table from the Model Efficient Landscape Ordinance (WEL) for Yountville (see Attachment 3).
2. Monthly average rainfall amounts are taken from PRISM <https://prism.oregonstate.edu/> for the project site (4km cell) and averaged monthly from Jan 2012 to Jan 2022
3. Refer to the WEL Irrigation Exhibit for the Softscape Reference Plan provided by the project Landscape Architect Design Works.
4. The existing plant types are based on discussions with the landscape architect and the plant factors are based on the Department of Water Resources 2000 publication of "Water Use Classification of Landscape Species (WUCOLS)".

Model Water Efficient Landscape Ordinance (MWEL0)

Proposed Landscape Irrigation Calculations

MAWA = Maximum Applied Water Allowance (gallons per year)
 ETo = Reference Evapotranspiration from Appendix A (inches per year)
 0.7 = ET Adjustment Factor (ETAF)
 LA = Landscaped Area includes Special Landscape Area (square feet)
 0.62 = Conversion factor (to gallons per square foot)
 SLA = Portion of the landscape area identified as Special Landscape Area (square feet)
 0.3 = the additional ET Adjustment Factor for Special Landscape Area (1.0 - 0.7 = 0.3)

Project Specific Climate Data

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
ET0 ¹ (in)	1.30	1.70	2.80	3.90	5.10	6.00	7.10	6.10	4.80	3.10	1.50	0.90	44.30 in/year
Rainfall (in) ²	3.97	4.00	3.49	1.63	0.54	0.13	0.00	0.00	0.16	1.51	2.55	4.81	22.79 in/year
Eppt (in)	0.99	1.00	0.87	0.41	0.14	0.03	0.00	0.00	0.04	0.38	0.64	1.20	5.70 in/year

Landscape Design Information

Planter Areas ³	Area (sf)	PF ⁴	CF	SLA	IE	
A	19,062	0.8	0.62	0	0.71	Irrigated Turf
B	0	0.4	0.62	0	0.71	Medium-High Water Shrubs
C	23,456	0.3	0.62	0	0.71	Low-Moderate Water Planting
D	41,224	0.2	0.62	0	0.71	Native Grass/Seed Mix
Total	83,742	sf				
	0.26	acres				

MAWA w/ Eppt

If considering Effective Precipitation, use 25% of annual precipitation. Use the following equation to calculate Maximum Applied Water Allowance:

$$\text{MAWA} = (\text{ET}_0 - \text{Eppt}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

Planter Areas ³	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
A	2543.889	5790.966	15,946	28,893	41,074	49,368	58,737	50,464	39,379	22,523	7,135	0	321,854 gal/year
B	0	0	0	0	0	0	0	0	0	0	0	0	0 gal/year
C	3130.324	7125.942	19,622	35,553	50,543	60,749	72,277	62,097	48,456	27,715	8,780	0	396,050 gal/year
D	5501.578	12523.92	34,486	62,485	88,830	106,766	127,028	109,137	85,163	48,709	15,431	0	696,061 gal/year
Total	11175.79	25440.83	70,053	126,932	180,448	216,883	258,043	221,699	172,998	98,947	31,347	0	1,413,965 gal/year
													4.34 acre-feet/year

ETWU

$$ETWU = (ET_o)(0.62) \left(\frac{PF \times HA}{IE} + SLA \right)$$

where:

ETWU = Estimated total water use per year (gallons per year)
 ET_o = Reference Evapotranspiration (inches per year)
 PF = Plant Factor from WUCOLS (see Definitions)
 HA = Hydrozone Area [high, medium, and low water use areas] (square feet)
 SLA = Special Landscape Area (square feet)
 0.62 = Conversion Factor (to gallons per square foot)
 IE = Irrigation Efficiency (minimum 0.71)

Planter Areas ³	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
A	17,311	22,638	37,286	51,934	67,914	79,898	94,546	81,230	63,919	41,281	19,975	11,985	589,916 gal/year
B	0	0	0	0	0	0	0	0	0	0	0	0	0 gal/year
C	7,988	10,446	17,205	23,965	31,339	36,869	43,628	37,483	29,495	19,049	9,217	5,530	272,215 gal/year
D	9,360	12,240	20,159	28,079	36,719	43,198	51,118	43,918	34,559	22,319	10,800	6,480	318,948 gal/year
Total	34,659	45,324	74,651	103,978	135,971	159,966	189,293	162,632	127,972	82,649	39,991	23,995	1,181,079 gal/year
													3.62 acre-feet/year

Notes/References

1. ETO values are referenced from Appendix A - Reference Evapotranspiration (ETO) Table from the Model Efficient Landscape Ordinance (WELO) for Yountville (see Attachment 3).
2. Monthly average rainfall amounts are taken from PRISM <https://prism.oregonstate.edu/> for the project site (4km cell) and averaged monthly from Jan 2012 to Jan 2022
3. Refer to the WELO Irrigation Exhibit for the Softscape Reference Plan provided by the project Landscape Architect Design Works.
4. The plant factors are based on the plant types and seed mixes provided by the landscape architect and included in Attachment 3.

Attachment 3:

WELO Appendix A – Reference Evapotranspiration (ET_o) Table, The Grove Proposed Planting Species

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
MODOC													
Modoc/Alturas	0.9	1.4	2.8	3.7	5.1	6.2	7.5	6.6	4.6	2.8	1.2	0.7	43.2
MONO													
Bridgeport	0.7	0.9	2.2	3.8	5.5	6.6	7.4	6.7	4.7	2.7	1.2	0.5	43.0
MONTEREY													
Arroyo Seco	1.5	2.0	3.7	5.4	6.3	7.3	7.2	6.7	5.0	3.9	2.0	1.6	52.6
Castroville	1.4	1.7	3.0	4.2	4.6	4.8	4.0	3.8	3.0	2.6	1.6	1.4	36.2
Gonzales	1.3	1.7	3.4	4.7	5.4	6.3	6.3	5.9	4.4	3.4	1.9	1.3	45.7
MONTEREY													
Greenfield	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
King City	1.7	2.0	3.4	4.4	4.4	5.6	6.1	6.7	6.5	5.2	2.2	1.3	49.6
King City-Oasis Rd.	1.4	1.9	3.6	5.3	6.5	7.3	7.4	6.8	5.1	4.0	2.0	1.5	52.7
Long Valley	1.5	1.9	3.2	4.1	5.8	6.5	7.3	6.7	5.3	3.6	2.0	1.2	49.1
Monterey	1.7	1.8	2.7	3.5	4.0	4.1	4.3	4.2	3.5	2.8	1.9	1.5	36.0
Pajaro	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.1
Salinas	1.6	1.9	2.7	3.8	4.8	4.7	5.0	4.5	4.0	2.9	1.9	1.3	39.1
Salinas North	1.2	1.5	2.9	4.1	4.6	5.2	4.5	4.3	3.2	2.8	1.5	1.2	36.9
San Ardo	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
San Juan	1.8	2.1	3.4	4.6	5.3	5.7	5.5	4.9	3.8	3.2	2.2	1.9	44.2
Soledad	1.7	2.0	3.4	4.4	5.5	5.4	6.5	6.2	5.2	3.7	2.2	1.5	47.7
NAPA													
Angwin	1.8	1.9	3.2	4.7	5.8	7.3	8.1	7.1	5.5	4.5	2.9	2.1	54.9
Carneros	0.8	1.5	3.1	4.6	5.5	6.6	6.9	6.2	4.7	3.5	1.4	1.0	45.8
Oakville	1.0	1.5	2.9	4.7	5.8	6.9	7.2	6.4	4.9	3.5	1.6	1.2	47.7
St Helena	1.2	1.5	2.8	3.9	5.1	6.1	7.0	6.2	4.8	3.1	1.4	0.9	44.1
Yountville	1.3	1.7	2.8	3.9	5.1	6.0	7.1	6.1	4.8	3.1	1.5	0.9	44.3
NEVADA													
Grass Valley	1.1	1.5	2.6	4.0	5.7	7.1	7.9	7.1	5.3	3.2	1.5	0.9	48.0
Nevada City	1.1	1.5	2.6	3.9	5.8	6.9	7.9	7.0	5.3	3.2	1.4	0.9	47.4
ORANGE													
Irvine	2.2	2.5	3.7	4.7	5.2	5.9	6.3	6.2	4.6	3.7	2.6	2.3	49.6
Laguna Beach	2.2	2.7	3.4	3.8	4.6	4.6	4.9	4.9	4.4	3.4	2.4	2.0	43.2
Santa Ana	2.2	2.7	3.7	4.5	4.6	5.4	6.2	6.1	4.7	3.7	2.5	2.0	48.2
PLACER													
Auburn	1.2	1.7	2.8	4.4	6.1	7.4	8.3	7.3	5.4	3.4	1.6	1.0	50.6
Blue Canyon	0.7	1.1	2.1	3.4	4.8	6.0	7.2	6.1	4.6	2.9	0.9	0.6	40.5
Colfax	1.1	1.5	2.6	4.0	5.8	7.1	7.9	7.0	5.3	3.2	1.4	0.9	47.9
Roseville	1.1	1.7	3.1	4.7	6.2	7.7	8.5	7.3	5.6	3.7	1.7	1.0	52.2
Soda Springs	0.7	0.7	1.8	3.0	4.3	5.3	6.2	5.5	4.1	2.5	0.7	0.7	35.4
Tahoe City	0.7	0.7	1.7	3.0	4.3	5.4	6.1	5.6	4.1	2.4	0.8	0.6	35.5
Truckee	0.7	0.7	1.7	3.2	4.4	5.4	6.4	5.7	4.1	2.4	0.8	0.6	36.2
PLUMAS													
Portola	0.7	0.9	1.9	3.5	4.9	5.9	7.3	5.9	4.3	2.7	0.9	0.5	39.4
Quincy	0.7	0.9	2.2	3.5	4.9	5.9	7.3	5.9	4.4	2.8	1.2	0.5	40.2
RIVERSIDE													
Beaumont	2.0	2.3	3.4	4.4	6.1	7.1	7.6	7.9	6.0	3.9	2.6	1.7	55.0
Blythe	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Cathedral City	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Coachella	2.9	4.4	6.2	8.4	10.5	11.9	12.3	10.1	8.9	6.2	3.8	2.4	88.1

The Grove Proposed Planting Species

ENHANCED PLANTING

Plant Name	Water Use	WUCOLS Plant Factor	Notes
Achillea millefolium 'Island Pink'	low, moderate	0.1-0.3	Native cultivar according to Calscape (Santa Cruz)
Deschampsia cespitosa 'Goldtau'	moderate, regular	0.1-0.3	
Heteromeles arbutifolia	moderate	0.1-0.3	
Muhlenbergia rigens	low, moderate	0.1-0.3	
Penstemon mexical 'Pikes Peak Purple'	low, moderate	0.1-0.3	
Salvia greggii 'Mirage Salmon'	moderate	0.1-0.3	
Salvia leucantha	moderate, regular	0.1-0.3	
Sisyrinchium bellum	low, moderate	<0.1	
Stipa ichu	moderate, regular	0.1-0.3	

NATIVE BUFFER

Plant Name	Water Use	WUCOLS Plant Factor	Notes
Achillea millefolium 'Island Pink'	low, moderate	0.1-0.3	
Aquilegia formosa	regular	0.1-0.3	
Carex divulsa	moderate	0.1-0.3	
Ceanothus hearstiorum	low	0.1-0.3	
Ceanothus thyrsiflorus 'Skylark'	low	0.1-0.3	
Deschampsia cespitosa 'Goldtau'	moderate, regular	0.1-0.3	
Epilobium canum	low, moderate	0.1-0.3	
Eriogonum grande rubescens	low, moderate	0.1-0.3	
Eriophyllum lanatum	low, moderate	0.1-0.3	
Festuca californica	moderate, regular	0.1-0.3	
Festuca idahoensis 'Tomales Bay'	moderate, regular	<0.1	
Festuca glauca 'Elijah Blue'	moderate, regular	0.1-0.3	
Frangula californica	low, moderate	<0.1	
Glandularia lilacina 'De La Mina'	low, moderate	0.1-0.3	
Iris douglasiana	low, moderate	0.1-0.3	
Leymus condensatus 'Canyon Prince'	low, moderate	0.1-0.3	
Melica californica	low, moderate	Not in List	
Monardella villosa 'Russian River'	low	<0.1	
Muhlenbergia rigens	low, moderate	0.1-0.3	
Pennisetum massaicum	moderate, regular	0.1-0.3	
Penstemon heterophyllus 'Blue Springs'	low, moderate	0.1-0.3	
Penstemon heterophyllus 'Margarita BOP'	low, moderate	Unknown	
Sisyrinchium bellum	low, moderate	<0.1	
Solanum xanti	moderate, regular	0.1-0.3	
Stipa pulchra	low	<0.1	

TREES

Plant Name	Water Use	WUCOLS Plant Factor	Notes
Ceanothus x 'Ray Hartman'		0.1-0.3	
Cercis occidentalis		<0.1	
Quercus garryana		0.1-0.3	

SEED MIX

Plant Name	Water Use	WUCOLS Plant Factor	Notes
Achillea millefolium	low, moderate	0.1-0.3	
Claytonia perfoliata	low, moderate-high (in winter)	Not in List	
Collinsia heterophylla	low	Not in List	
Festuca idahoensis	moderate, regular	<0.1	
Festuca rubra 'Molate'	moderate, regular	0.1-0.3	
Iris douglasiana	low, moderate	0.1-0.3	
Melica californica	low, moderate	Not in List	Melica imperfecta is <0.1
Monardella villosa	low	<0.1	

“D”

Arborist letter regarding Oak tree
removals and mitigation

Silverado Resort & Spa Project
Minor Modification to Non-Winery Use Permit
P24-00141-MM
Planning Commission Hearing – November 5, 2025

Scott Greenwood-Meinert
D (415) 772-5741
sgreenwood-meinert@coblentzlaw.com

October 23, 2025

Via E-mail only to: michael.parker@countyofnapa.org

Napa County Planning Commission
Attn: Michael Parker
Planning Manager
Napa County Planning Division
1195 Third Street, Suite 210
Napa, CA 94559

Re: P24-00141 – Silverado Resort & Spa Project - Use Permit Minor Modification
1600 Atlas Peak Road, Napa, 94558; APN 060-010-001

Dear Planning Commissioners,

We submit this letter on behalf of our client, Silverado Resort & Spa, in regards to its pending Use Permit Minor Modification (the Project). As you know, at the October 15, 2025 Planning Commission hearing, there were discussions of possible retention of additional oak trees as part of the Project. Following the hearing, the Project team discussed the feasibility of retaining additional trees. After consulting with our architectural team and arborist, for the reasons articulated below, the removal of eight trees will result in (1) larger total canopy cover; and (2) overall greater long-term tree health. So, the proposed tree removal plan is advantageous and the Project will proceed with the tree removal plan as currently proposed.

The Project applicant has already agreed to reduce the total number of trees removed. The initial proposal was to remove ten trees and a replant ratio of 3:1. After discussions with the County, applicant updated the Project to remove only eight trees and replant at a 4:1 ratio (see Tree Replanting Exhibit dated August 27, 2025). So, the Project already goes beyond County mitigation requirements. And, with the replant of 32 healthy trees, the Project will, in turn, only enhance the long-term viability of oak trees on the property.

As you can see from the attached arborist report, the trees proposed for removal are not healthy to begin with. These eight trees are primarily “smaller to medium, suppressed valley oaks” which are “shaded by adjacent, larger, dominant trees.” These trees also exhibit limited lateral branching due to the shading from surrounding trees. The removal of these eight trees will therefore allow for improved access to light, soil moisture, and rooting space for surrounding trees. The tree removal as part of the Project will therefore increase the long term health and quality of the tree canopy in the Project area.

October 23, 2025
Page 2

In addition, due to the interconnected root systems, if the trees proposed to be removed were instead retained, the root systems would experience damage from construction. Such impacts would, in turn, eventually require removal of these same trees.

For these reasons, the removal of eight trees as proposed is beneficial and meets both the objectives of the Project and County requirements. The Project preserves oak trees to the greatest extent possible, while working to increase the overall health and population of oak trees at Silverado. Simply stated, the Project is a “win-win” for Valley oak trees.

Cordially,

A handwritten signature in black ink, appearing to read "Robert Coblentz", written in a cursive style.

SDG:emn

Cc: Trevor Hawkes, Supervising Planner

Attachment: Arborist Report from Signature Tree Solutions, October 22, 2025

Arborist Report

Subject: Rationale for Proposed Oak Removals and Mitigation

Silverado Resort
1600 Atlas Peak Rd
Napa, CA 94558

Wednesday, October 22, 2025

To Whom It May Concern:

Following a second site review of the trees shown for removal on the Habitat Map and the Site Improvement Plan for the Silverado Resort—The Grove project, here are my findings and recommendations.

Findings

- **Which trees are marked for removal:** Primarily **smaller to medium, suppressed valley oaks** (*Quercus lobata*) that occupy the lower **crown class** and are shaded by adjacent, larger, dominant trees.
- **Growth form:** These trees exhibit **vertical, “shade-grown” form** (limited lateral branching) because of **suppression** from surrounding canopies.
- **Feasibility during construction:** Given planned buildings and utilities, preserving these particular trees would require excessive disturbance to their **Critical Root Zone/Tree Protection Zone (CRZ/TPZ)** and significant **crown reduction**—impacts that are **not consistent with ANSI A300 and ISA BMPs** for long-term tree health.

Professional opinion

- Removing the **less dominant, suppressed individuals** will **release** the adjacent **mature, dominant valley oaks**, improving their access to light, soil moisture, and rooting space. This will **increase long-term stand vigor and canopy quality**.
- Retaining these smaller, suppressed trees in place would likely result in **ongoing decline or structural compromise** due to unavoidable **root severance** and **branch clearance** requirements during construction.

Mitigation and canopy outlook

- The proposed **4:1 replacement ratio** is **more than adequate** mitigation for the removals.
- If replacements are **properly sited and spaced** (allowing for the species’ mature **canopy spread of ~60–100 ft**), the project will achieve **greater total canopy cover over time** than if the suppressed trees were left in place.
- Replacement trees should be planted per **ISA/ANSI standards**, with irrigation establishment plans and **structural pruning** in years 2–5 to ensure strong form.



Arborist Report

Subject: Rationale for Proposed Oak Removals and Mitigation

Recommendations

1. **Proceed with removal** of the specified suppressed valley oaks as shown on current Habitat and Site Improvement plans.
2. **Implement strict TPZ fencing** before any grading per plan (minimum TPZ = 1.5 ft of radius per inch DBH, or more where feasible).
3. **On-site arborist monitoring** during trenching near retained trees; use **air-spade** exploration where conflicts are tight, and shift alignments if major roots (≥ 2 in.) are encountered.
4. **Replacement planting plan** to include:
 - Spacing that anticipates **60–100 ft mature spread** and avoids future conflicts with structures and utilities.
 - **Species selection** favoring valley oak and other site-appropriate natives.
 - **Mulch, no turf in TPZ**, and a 2–3 year **establishment watering** schedule.
5. **Post-construction assessment** at 12 and 24 months to verify tree health and canopy establishment, with corrective pruning as needed under **ANSI A300**.

Glossary

- **Suppressed:** A smaller tree shaded and outcompeted by larger neighbors.
- **Crown class:** A way to describe a tree's status in the canopy (dominant vs. suppressed).
- **TPZ/CRZ:** The protected root/soil area a tree needs to stay healthy during construction.
- **Release:** Improving conditions for better trees by removing weaker competitors.

Respectfully,



Curtis Fosnaugh CEO
 ISA Certified Arborist WE-10218A
 ISA Tree Risk Assessment Qualified
 TCIA Certified Treecare Safety Professional # 02949



“E”

The Grove Tree Planting Exhibit

Silverado Resort & Spa Project
Minor Modification to Non-Winery Use Permit
P24-00141-MM
Planning Commission Hearing – November 5, 2025

THE GROVE

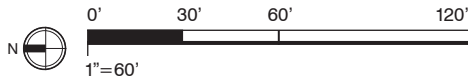
EXISTING CONDITIONS AROUND THE GROVE



THE GROVE

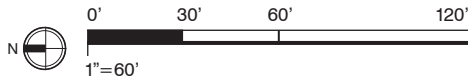
EXISTING CONDITIONS - TREE COUNT

EXISTING TREES IMMEDIATE TO THE GROVE
- 104



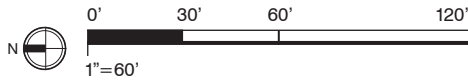
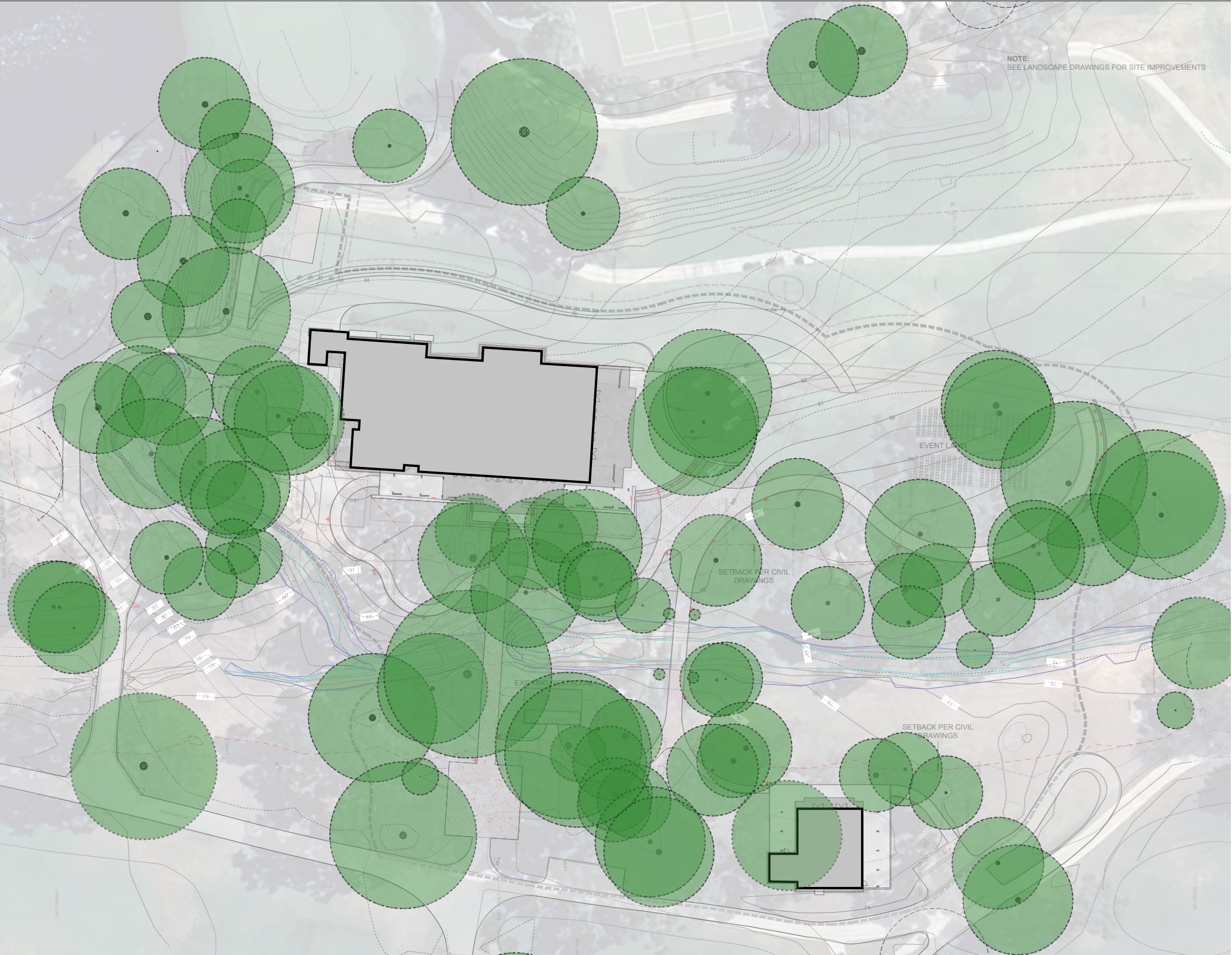
THE GROVE
EXISTING CONDITIONS - TREE COUNT

- EXISTING TREES TO REMAIN - 96
- EXISTING TREES TO REMOVE - 8



THE GROVE

EXISTING TREE'S WITH BUILDING
FOOTPRINT

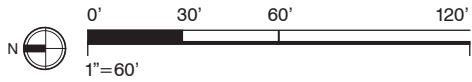


THE GROVE

PROPOSED TREE'S TO BE PLANTED

- EXISTING TREES TO REMAIN - 96
- RAY HARTMAN WILD LILAC - 12
- WESTERN REDBUD - 9
- VALLEY OAK - 11

TOTAL TREES IN GROVE - 128
(14 MORE THAN EXIST TODAY)



“F”

**Napa Sanitation Board of Directors
Resolution No. 21-006**

Silverado Resort & Spa Project
Minor Modification to Non-Winery Use Permit
P24-00141-MM
Planning Commission Hearing – November 5, 2025

RESOLUTION NO. 21-006

RESOLUTION OF THE BOARD OF DIRECTORS OF THE NAPA SANITATION DISTRICT ADOPTING A POLICY ALLOWING INFLOW/INFILTRATION REDUCTION PROJECTS AS A WET WEATHER FLOW MITIGATION OPTION FOR NEW DEVELOPMENT PROJECTS

WHEREAS, the Napa Sanitation District published a Collection System Master Plan (CSMP) in February 2021; and

WHEREAS, the CSMP identified portions of the existing collection system that have capacity deficiencies during wet weather flow conditions directly related to inflow/infiltration (I&I); and

WHEREAS, the CSMP recommends I&I reduction and/or pipeline capacity upsizing to address these capacity deficiencies during wet weather flow conditions; and

WHEREAS, the growth projections in the CSMP are consistent with the City of Napa General Plan 2040 in progress at that time, and Napa County General Plan; and

WHEREAS, the planning period in the CSMP is through 2040; and

WHEREAS, there is the potential for development projects to request sewer service that were not anticipated or are larger than the growth projections in the CSMP; and

WHEREAS, such a development project requesting sewer service could be located immediately upstream of a pipeline that was identified as lacking sufficient wet weather capacity during the 10-year design storm in the CSMP; and

WHEREAS, it is possible to create adequate wet weather capacity in a pipeline by removing the ability for I&I to enter the collection system upstream of a development project by rehabilitating the sewer system; and

WHEREAS, the Board of Directors desires to adopt a policy to provide direction to staff for future development projects that are beyond planning projections and are upstream of pipelines that lack sufficient wet weather capacity;

NOW, THEREFORE BE IT RESOLVED that the Board of Directors, as the governing body of the Napa Sanitation District, hereby authorizes and directs the implementation of the following policy for future development projects that are beyond planning projections and are upstream of pipelines with wet weather capacity deficiencies:

Circumstances under Which Staff May Consider an I&I Reduction Project

- The proposed development shall not have been included in, or significantly exceed, the growth projection in the CSMP. Projects can be considered if they are located inside or

outside of the District's boundary. Projects outside of the District's boundary are required to annex into the District before connecting to the sewer system.

- The proposed development is upstream of a pipeline identified in the CSMP that lacks sufficient wet weather capacity.

Requirements for an I&I Reduction Project

- I&I reduction project must achieve a total peak wet weather flow rate reduction greater than the incremental increase for two primary reasons:
 - Depending on the location and type of I&I rehabilitation work, collection system flows from that location could be attenuated prior to reaching the portion of the trunk sewer impacted by the incremental flow increase; and
 - The rehabilitated and/or replaced portions of the existing sewer collection system will degrade over time, which can result in a future increase in I&I at those locations.

A 2:1 mitigation ratio is required for an upstream I&I reduction project based on research of similar sewer systems.

- An I&I reduction project must be located upstream of the pipeline where flows are projected to be greater than capacity. The developer shall pay for the District to install flow monitors in the collection system immediately upstream of the impacted pipeline during the wet weather seasons before and after the I&I reduction project is constructed.
- An I&I reduction project shall completely rehabilitate the public sewer system between manholes. The public sewer system includes, mains, public laterals and manholes.

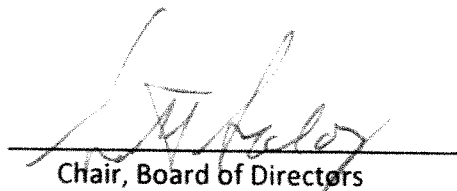
Developer Options

- The developer may contribute funds to a planned District capital project as long as the project meets the above requirements. The Developer contribution shall be calculated by multiplying the total project cost by the development's estimated peak wet weather flow and dividing by the measured reduction in I&I.
- If the District does not have a planned project, the Developer shall enter into an agreement with the District to fund all costs to design and construct an I&I reduction project. District staff will select and manage a design consultant who will prepare construction documents. The project will be bid in accordance with District procedures. Depending on the scale of the project, District staff or a consultant will manage and inspect the construction of the I&I reduction project.

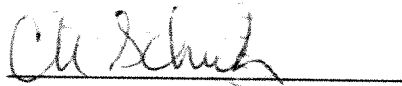
- If the measured I&I reduction exceeds the amount required for the development project, the pipeline will effectively have additional wet weather capacity to support other upstream development. The developer shall have the option to apply the excess capacity to another project that is upstream of the under capacity pipeline for a period of 10 years after the completion of the I&I reduction project. The developer is allowed to transfer the excess capacity to another developer's project as long as the sale of excess capacity is based solely on the proportional actual direct cost of the I&I project that created the capacity. The District must agree to the transfer in writing prior to the transfer, or the transfer will not be recognized by the District. The 10-year period shall not be extended if the capacity is transferred to another developer.

I hereby certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the Napa Sanitation District, at its regularly scheduled meeting on the 3rd day of March, 2021, by the following vote:

AYES: GREGORY, LUROS, MOTT, SEDGLEY
 NOES: NONE
 ABSENT: GRAVES
 ABSTAIN: NONE


 Chair, Board of Directors

ATTEST:


 Secretary, Board of Directors

“G”

Revised Noise Study

Silverado Resort & Spa Project
Minor Modification to Non-Winery Use Permit
P24-00141-MM
Planning Commission Hearing – November 5, 2025

30 October 2025

Scott Greenwood-Meinert
Coblentz Patch Duffy & Bass LLP
sgreenwood-meinert@coblentzlaw.com

Subject: The Grove at Silverado Resort – Noise Study
Salter Project 24-0381

Dear Scott:

This report studies event noise at the Silverado Resort in Napa, CA. We conducted continuous exterior noise measurements onsite between 28 August and 3 September 2024 which included three separate outdoor events. We have also reviewed the 100% CD drawing set received on 5 May 2025. This letter summarizes our observations and site conditions, event types, measurement results, and noise projections.

Site Conditions

Refer to **Appendix A** for an aerial view of the entire Silverado Resort and Golf Course which is bounded by Atlas Peak Road, Hillcrest Drive, and Westgate Drive. The current outdoor event area is outlined in red. The resort encompasses most of the adjacent area to the north, west, and south. Within the boundary of Silverado Resort are multiple residential communities including The Grove to the east, the Oak Creek East to the Northeast, and Silver Trail residences to the Southwest. **Figure 1** below shows a closer view of the event area, adjacencies, and two noise measurement locations LT-1 and LT-2.



Figure 1: Site Plan

The existing event courtyard includes an outdoor stage and seating area. Measurement kit LT-1 was attached to the courtyard perimeter fence between the stage and residences to the east. The second measurement kit LT-2 was attached to a tree further east.

To the south of the courtyard and stage is an additional outdoor pavilion which includes a small platform stage and seating area along the dry creek bed.

Measured Event Noise Levels

Current event sizes range from small groups to over 600 people. Typical ceremonies include reinforced speech or amplified program audio. Some larger events may include live DJs and bands.

Noise levels were collected between 28 August and 3 September 2024. Refer to **Figure 1** for measurement locations. During the long-term measurements three separate events took place in the courtyard event area between 5 and 10 PM on August 28th and 31st, and September 1st. The event types, headcount, and entertainment information is summarized below in addition to the maximum noise levels measured during those events at location LT-2.

Event Type	Date	Headcount	Maximum Leq (30min) LT-2	Notes
Dinner	Aug 28 th	25	57 dBA	Amplified Violin & Background Music
Wedding	Aug 31 st	200	78 dBA	14-piece Amplified Band
Wedding	Sept 1 st	100	73 dBA	DJ

The measured events above included headcounts of 25 to 200 people with a larger 14-piece band. This represents a good range of event sizes, specifically, the August 31st event would represent the upper limit of anticipated amplified noise levels.

Future Building and Events Summary

Two new future buildings include a lounge further west and a pavilion building in the location of the current outdoor courtyard and stage (measurement location LT-1). Refer to **Figure 2** below.

The smaller lounge building includes bride and groom rooms which will not be sources of noise during events.

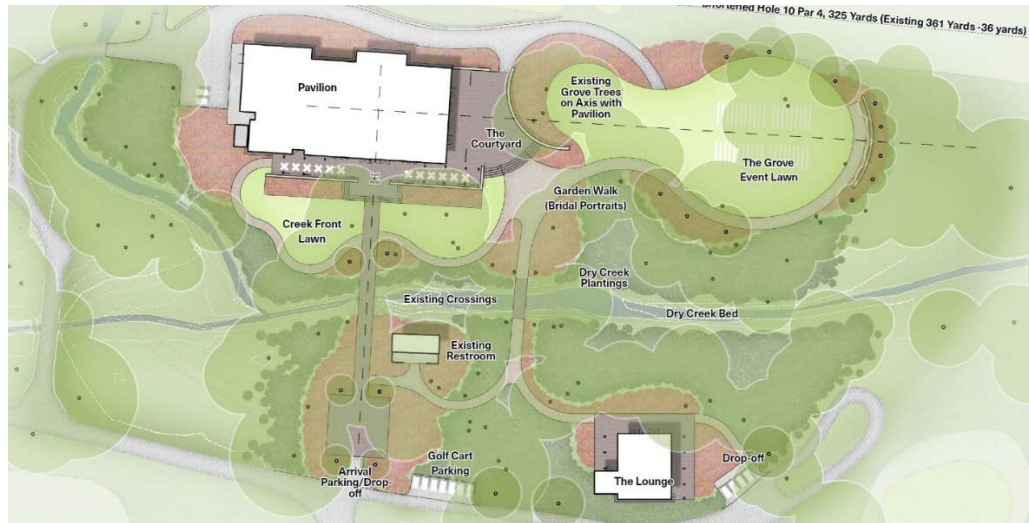


Figure 2: Lounge and Pavilion Building Locations

Per discussions with Silverado Resort we understand there will be no change in event types, maximum size, or duration compared to existing operations.

The music for events will be located at one of the three locations indicated in **Figure 3** below, including one location within the Pavilion. The “Grove Event Lawn” in the figure below is in the same location as the existing open-air pavilion and seating area. Music will either be produced by live musicians or played through loudspeakers at those locations.

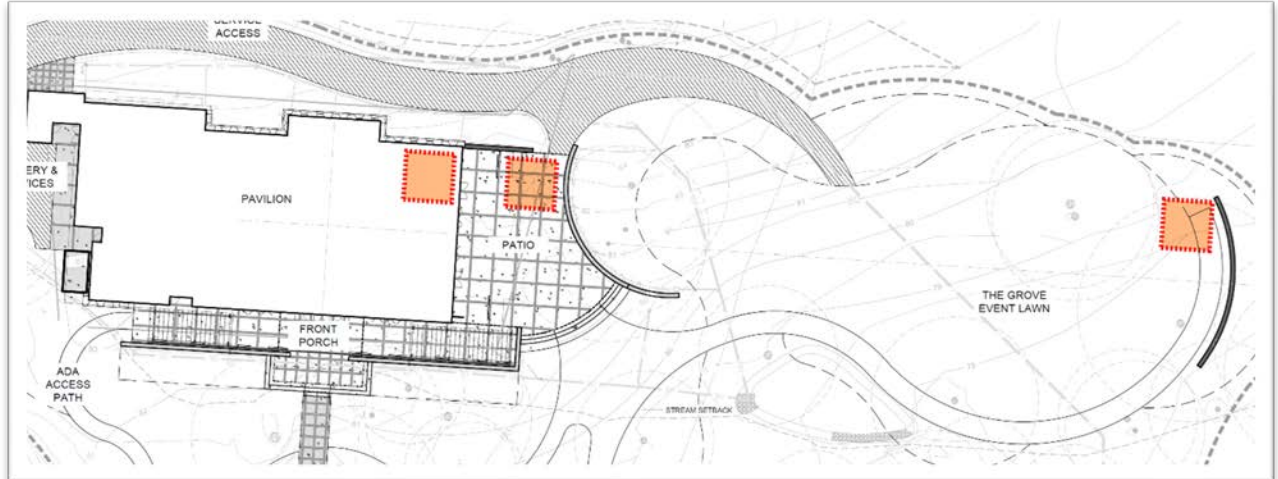


Figure 3: Locations of Music

Napa County Noise Ordinance

The Napa County municipal code noise ordinance includes interior and exterior noise limits for fixed machinery, devices, musical instruments, loudspeakers, amplified sound, etc. as summarized below. Daytime criteria is provided; Silverado has confirmed events will only take place during the daytime hours of 7am-10pm. Additionally we have provided criteria for urban land usage as confirmed by Napa County PBES.

Interior Noise Limits - Section 8.16.060.A

Maximum permissible sound levels within any dwelling unit are 60 dBA during the day (7am-10pm). This assumes dwelling unit exterior windows and doors are closed.

Exterior Noise Limits – Section 8.16.070.A

This section states that daytime (7am-10pm) exterior noise shall not exceed 60 dBA at receiving residential properties for more than 30 minutes in any hour.

Outdoor Events on Lawn

The music location at the lawn shown in **Figure 3** is approximately 275 feet to the nearest residential property line, which is located at the Grove Residences to the east (near measurement location LT-2).

Noise Ordinance Conformance

To meet Napa Country property line criterion of 60 dBA, we estimate that the noise level of music must be below 83 dBA approximately 10 feet from the stage or loudspeaker location. It is likely that this noise level will be difficult to achieve for events with drums or loud amplified instruments. Smaller amplified acts, acoustic musicians, and music played over loudspeakers can more easily achieve these criteria. It is recommended that noise level meters be used to gauge noise ordinance conformance of various music acts at both 10 feet away (83 dBA max) and at the nearest property line (60 dBA max). It is especially important to notify music acts that bring their own equipment of this maximum noise level criteria. Volume shall be lowered where necessary. Further noise reductions can be achieved with the measures below.

We understand Silverado Resort plans to orient the loudspeakers in the outdoor lawn to face north towards the Pavilion building. This will provide noise reduction for noise emitting from loudspeakers compared to existing conditions where loudspeakers face the property line. Further noise reduction can be achieved with volume limiters and enacting a noise-limiting policy to meet the maximum noise level criteria.

Indoor Events & Noise Reduction of Pavilion Exterior Shell

From discussions with Silverado Resort, the Pavilion Building events space will be used for many indoor amplified events. This section studies the noise reduction of the Pavillion Building exterior shell for indoor events when windows and doors are closed.

Per the 100% CD drawing set, the exterior shell of the pavilion building includes gypsum board walls, glass entry doors, and glass walls on the south and west facades. Corresponding test reports for the chosen windows and doors are included in **Appendix B**.

Interior Acoustic Treatment

Per the Sheet A6.12 event space reflected ceiling plan, acoustic panel Type AP-1 will be used which is specified as Armstrong Woodworks. MechoShade blackout shades are also planned for exterior glazing. The ceiling panels and window shades will effectively reduce overall noise buildup within the space. Once the event space is occupied, the human bodies will further reduce noise buildup.

Exterior Gypsum Board Walls

These walls are tagged as Type W1. Per Detail 1 on Sheet A8.03, this is an insulated single metal stud wall with one layer of gypsum board on the interior. The exterior face is comprised of plywood, one-inch-thick sheathing, and polyash siding finish.

Based on laboratory test reports for a standard three-layer interior wall, we expect this assembly to be STC 45.

Exterior Glass Swing Doors

Exterior swing doors 102, 103, 104, 106, and 108 will be Sierra Pacific model C-OD-3684-1, which is STC 33 per the **Appendix B** Western Electro Acoustic Lab Test TL03-261. The installed doors shall match the tested product (glass assembly, hardware, frame etc.).

Specifically, the tested STC 33 system is comprised of 3/4-inch-thick glass with the following build-up:

- 7/32-inch laminated glass with 0.03-inch interlayer
- 3/8-inch airspace
- 1/8-inch double strength glass

The door hardware includes perimeter kerfed gaskets, door sweep, door shoe, weather stripping etc. per the test report.

Exterior Glass BiFold Doors

Exterior BiFold doors 101, 105, and 107 will be Nanawall model SL70, which is STC 41 per the **Appendix B** SG-Bauakustik Test Report Number 1821-003-19 Annex 16. The installed doors shall match the tested product (glass assembly, hardware, frame etc.).

Specifically, the tested STC 41 system is comprised of the SGG Climaplust XN (43 dB) with the following build-up:

- VSG STADIP Silence - 44.2
- 20 mm glass interspace (Argon-filling)
- ESG SECURIT XN II 6 mm

Exterior Glazing

Exterior windows 1 to 14 will be Sierra Pacific aluminum clad fixed windows, which are STC 34 per the **Appendix B** Element Materials Technology Lab report ESP029747P-3. The installed windows shall match the tested product (glass assembly, hardware, frame etc.).

Specifically, the tested STC 34 system is comprised of 15/16-inch insulated laminated glass with 3/16-inch glass, 1/2-inch airspace, and 1/4-inch laminated glass.

Aggregate Performance of Exterior Walls

Aggregate STC performance was calculated for each Event Space wall with windows and doors shut, per the attached **Appendix B** test reports and exterior elevations.

- East Wall – STC 44
- North Wall – STC 35
- West Wall – STC 35

Resultant Indoor Event Noise Levels at Property Line

Refer to **Figure 4** below. Noise of indoor events is projected to the property line assuming exterior doors and windows shut. At the nearest property line at the Grove community (near LT-2 in Figure 1), the measured event noise levels are expected to be reduced by approximately 35 dB based on the anticipated aggregate noise reduction of the exterior shell.



Figure 4: Resultant Noise at LT-2

Noise Ordinance Conformance

Based on our event noise measurements, noise projections, and the anticipated noise reduction of the Pavilion exterior shell, we conclude that the interior and exterior noise limits in the Napa County noise ordinance will be achieved during indoor events at the nearest residences (with Pavilion windows and doors closed).

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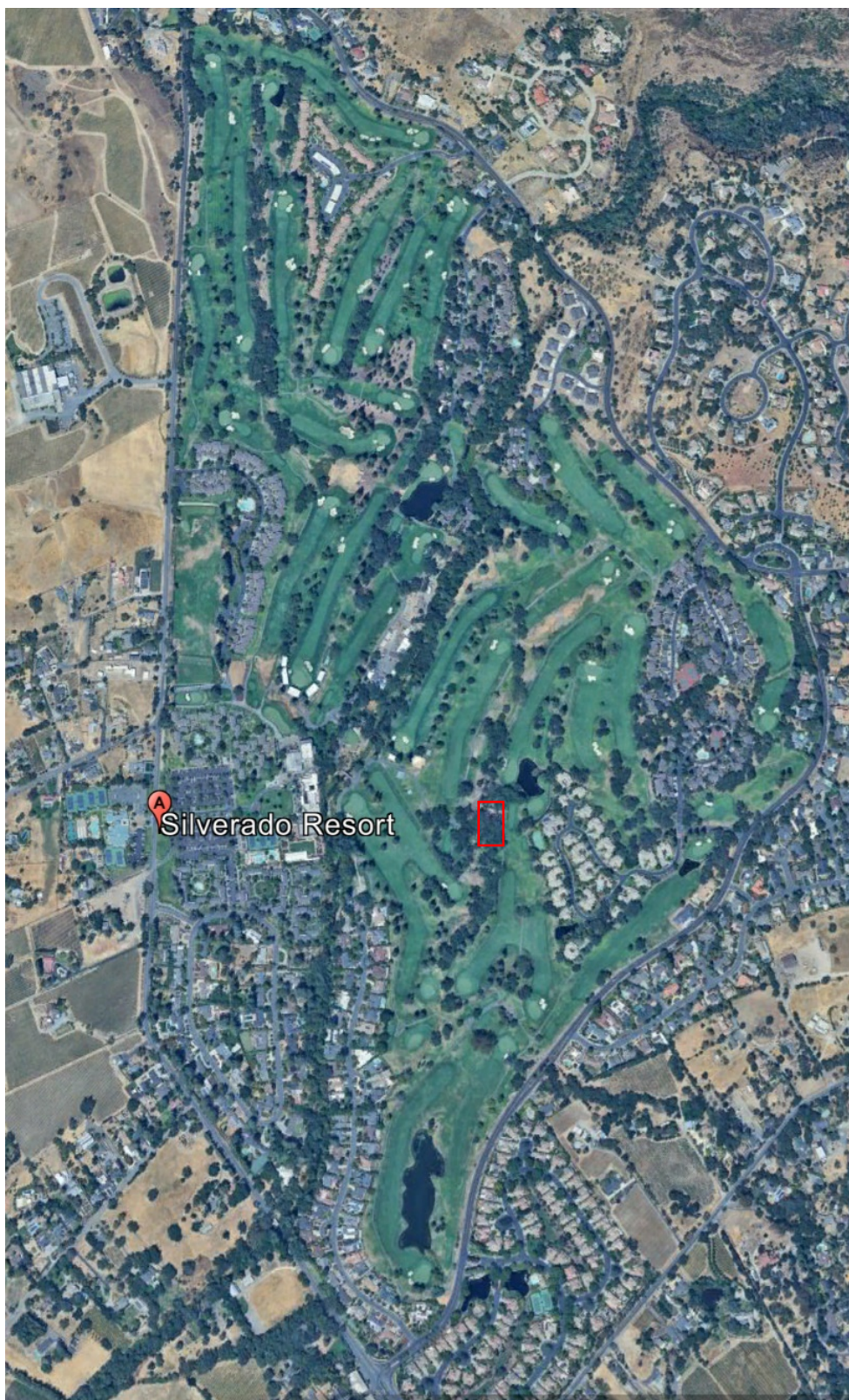
This concludes our comments. Please call if you have any questions.

Sincerely,

SALTER

Dennis Mill
Senior Associate

Appendix A – Aerial View of Silverado Resort



Appendix B – Laboratory Test Reports for Event Space Exterior Windows & Doors



Test report with assessment

No. 1821-003-19 dated 20th August 2019

**Airborne Sound Insulation of the Acoustic SL70
(Acoustical 70) Folding Glass Wall in Laboratory**

Manufacturer:

Solarlux GmbH
Industriepark 1
49324 Melle

Client:

Nana Wall Systems, Inc.
100 Meadowcreek Dr. #250
Corte Madera, CA 94925
United States of America

Test Object:

Folding Glass Wall, type Acoustic SL70 (Acoustical 70)
with flush sill options, dimensions 3.000 mm x 2.500 mm

Contract:

Ascertainment of Airborne Sound Insulation according to
DIN EN ISO 10140-2 in Laboratory

Author:

M. Eng. Laszlo Pobloth

SG-Bauakustik
Institut für schalltechnische Produktoptimierung
Mainstraße 15
45478 Mülheim an der Ruhr

1. Definition of Project and General Details

1.1 Definition of project

Solarlux GmbH, Melle, manufactures and sells (among others) Folding Glass Walls which can be used as partitions in the interior of buildings or for closing off heated living quarters from the outside area.

The system to be tested, type Acoustic SL70 (Acoustical 70), is a Folding Glass Wall consisting of aluminum with an installation depth of 70 mm, which is equipped with concealed fittings and sliding locking-system. The tested 3-panel wall construction is provided with a top-track as well as a flush sill and has vertical seals at the wing joints as well as horizontal seals above and below on the top-track and flush sill.

The airborne sound insulation of the construction in different configurations in direct transmission in a functional state according to DIN EN ISO 10140-2 in the test stand with suppressed flanking transmission according to DIN EN ISO 10140-5 is to be ascertained.

1.2 Manufacturer of test arrangement

Solarlux GmbH
Industriepark 1
49324 Melle

1.3 Client requesting test

Nana Wall Systems, Inc.
100 Meadowcreek Dr. #250
Corte Madera, CA 94925
United States of America

2. Set-up of Test Objects and Test Arrangements

2.1 Laboratory

The sample element was installed in the test stand belonging to the test institute by the manufacturer's installers in order to ascertain the airborne sound insulation with suppressed flanking transmission in accordance to

DIN EN ISO 10140-5.

The maximum sound reduction index $R'_{\max}$ of the test stand when a type A wall (lightweight wall) was installed in accordance to DIN EN ISO 10140-5, Appendix A.2.2.1.1 amounted to:

f_{Terz} in Hz	50	63	80	100	125	160	200	250	315	400	500
$R'_{\max}$ in dB	29,2	40,8	34,6	44,1	44,3	49,6	55,7	59,6	61,6	63,8	68,1

f_{Terz} in Hz	630	800	1000	1250	1600	2000	2500	3150	4000	5000
$R'_{\max}$ in dB	70,6	72,0	75,1	74,6	73,2	73,3	78,7	83	86,2	90,5

The rated sound reduction index amounted to:

$$R'_{w, \max} = 68 \text{ dB.}$$

The enclosing wall of the test object was manufactured by skilled test institute employees. In order to achieve an adequately high level of sound insulation, the wall panels of the altogether approx. d (= thickness) = 500 mm thick wall were built up on both sides of the butt joint with freestanding metal stands.

2.2 Set-up of test object

The tested sample element is a Folding Glass Wall made of aluminum with a construction depth of 70 mm. The construction consists of three panels, with side stop profiles, one flush sill, one top-track as well as a sliding lock. The Folding sliding-panels which relate to one another (Panel joint width 157 mm including mullion) are moved through a roller carriage system (with concealed fittings) in the top-track and flush sill. The connection to the side wall connection is carried out with a vertical connection profile.

All tests were carried out with a flush sill (type 5-60-23-x). In order to simulate a recessed or barrier-free installation (integrated in the floor) of the flush sill, it was covered with wooden strips (d = 25 mm) in the transmission and receiving room.

The element was delivered with a surrounding frame made of wooden beams and was built in flat in the wall of the test stand. The dimension's amount width x height = 3.000 mm x 2,500 mm or 3.250 mm x 2,750 mm with surrounding wood frame.

The Folding Glass Wall has a surface of approx. $S = 7,50 \text{ m}^2$ and has a glass surface proportion of approx. 80%.

The glazing units used were provided with glass stickers. The following glazing units were used:

Type: **SGG Climaplust XN (32 dB)**
Build-up: ESG SECURIT 4 mm klar
16 mm glass interspace (Argon-filling)
ESG SECURIT XN II 4 mm

Type: **SGG Climaplust XN (43 dB)**
Build-up: VSG STADIP Silence - 44.2
20 mm glass interspace (Argon-filling)
ESG SECURIT XN II 6 mm

Type: **SGG Climaplust XN (48 dB)**
Build-up: VSG STADIP Silence - 55.2
18 mm glass interspace (Argon-filling)
VSG STADIP Silence XN - 44.2

The following build-ups were tested:

- Measurement 1:** Folding Glass Wall, type Acoustic SL70 (Acoustical 70)
Glazing: **SGG Climaplust XN (32 dB)**
Measurement as found
- Measurement 2:** Folding Glass Wall, type Acoustic SL70 (Acoustical 70)
Glazing: **SGG Climaplust XN (43 dB)**
Measurement as found
- Measurement 3:** Folding Glass Wall, type Acoustic SL70 (Acoustical 70)
Glazing: **SGG Climaplust XN (48 dB)**
Measurement as found

The surrounding joints between test object and test opening were sealed using silicon compound or with durable elastic filling mass respectively.

The detailed build-up of the construction can be seen in the manufacturer's construction drawings, annex 1 to 8. Annex 9 and 10 show the construction characteristics of the glazing units (stickers on glass). Annexes 11 and 12 contain photo documentation of the set-ups in the laboratory. A schematic diagram of the test set-up in the test stand is shown in annex 13.

3. Measurement and Execution of Measuring

The measurements of the rated sound reduction index R_w in dB of the test object were carried out in accordance with the requirements of the standard

- DIN EN ISO 10140-2
"Laboratory measurement of sound insulation of building elements"
Part 2: "Measurement of airborne sound insulation"

The measurement set-up as well as a description of measuring can be seen in annex 14 of this test report.

4. Measurement Results

The rated sound reduction index of the setups (detailed structure, see section 2.2 and Annexes 1 to 10) tested on 8th August 2019, installed in functional condition, without any influence from flanking structures can be found in the following table:

Table 1: Measurements from 8th August 2019

Measurement	Test object	R _w in dB
1 Annex 15	Folding Glass Wall, type Acoustic SL70 (Acoustical 70) Glazing: SGG Climaplust XN (32 dB) Measurement as found	33 (33,8)
2 Annex 16	Folding Glass Wall, type Acoustic SL70 (Acoustical 70) Glazing: SGG Climaplust XN (43 dB) Measurement as found	41 (41,6)
3 Annex 17	Folding Glass Wall, type Acoustic SL70 (Acoustical 70) Glazing: SGG Climaplust XN (48 dB) Measurement as found	43 (43,5)

In brackets the unrounded values are given with decimal place for orientation.

The frequency dependent curve progress of the sound insulation measurements can be seen in annex 15 to 17.

5. Assessment

Nana Wall Systems, Inc., Corte Madera (USA), plans to equip the Folding Glass Wall, type Acoustic SL70 (Acoustical 70) with appropriate glazing units, depending on the requirements of the system's airborne sound insulation. Based on the measurement results obtained on configurations with different glazing's (see section 4), appropriate conclusions can be drawn on the required glazing.

Table 2: Rated sound reduction index glazing unit or overall construction

Rated sound reduction index of the glazing unit R_w [dB]	Rated sound reduction index of the Folding Glass Wall Acoustic SL70 (Acoustical 70) R_w [dB]
32	33
33	34
34	34
35	35
36	36
37	37
38	37
39	38
40	39
41	40
42	41
43	41
44	42
45	42
46	42
47	43
48	43

The values shown are estimated values determined based on empirical values for similar constructions as well as the measurement results.

Appendix 3 (detail 70e-2-4) shows the tested structure of the Folding Glass Wall Acoustic SL70 (Acoustical 70) with two brush seals (25-0-1065-x) on the flush sill, type 5-60-23-x. A comparable structure of the flush sill as shown in Appendix 6 and 7 (detail 70-2-12 and detail 70e-2-22) should be offered as an alternative to the tested configuration. The sealing of the two brush seals on the flush sill is carried out acoustically comparable to the tested construction on the profile of the respective flush sill (type 5-0-1001-x and type 5-0-1003-x). An influence on the rated sound reduction index of the Folding Glass Wall Acoustic SL70 (Acoustical 70) is not expected.

Mülheim an der Ruhr, 20th August 2019

A handwritten signature in blue ink, appearing to read 'Grill', with a stylized, flowing script.

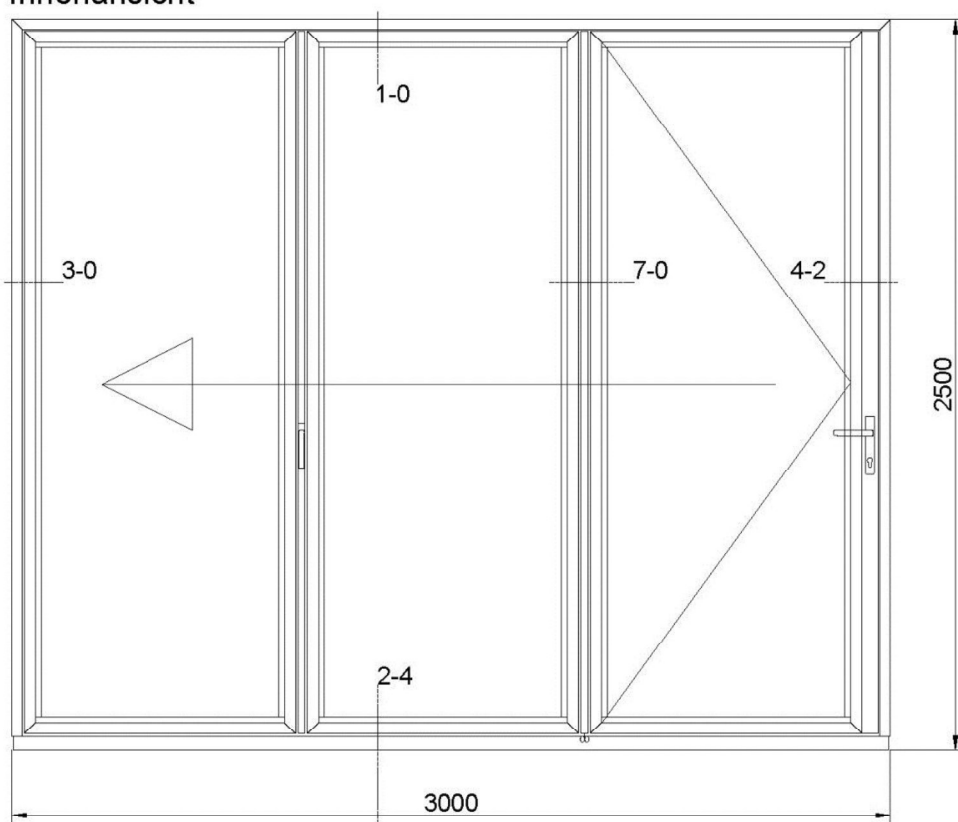
Stefan Grill

A handwritten signature in blue ink, appearing to read 'Poblath', with a stylized, flowing script.

Laszlo Poblath



SL 70e
Innenansicht



Gutachterliche Stellungnahme für:

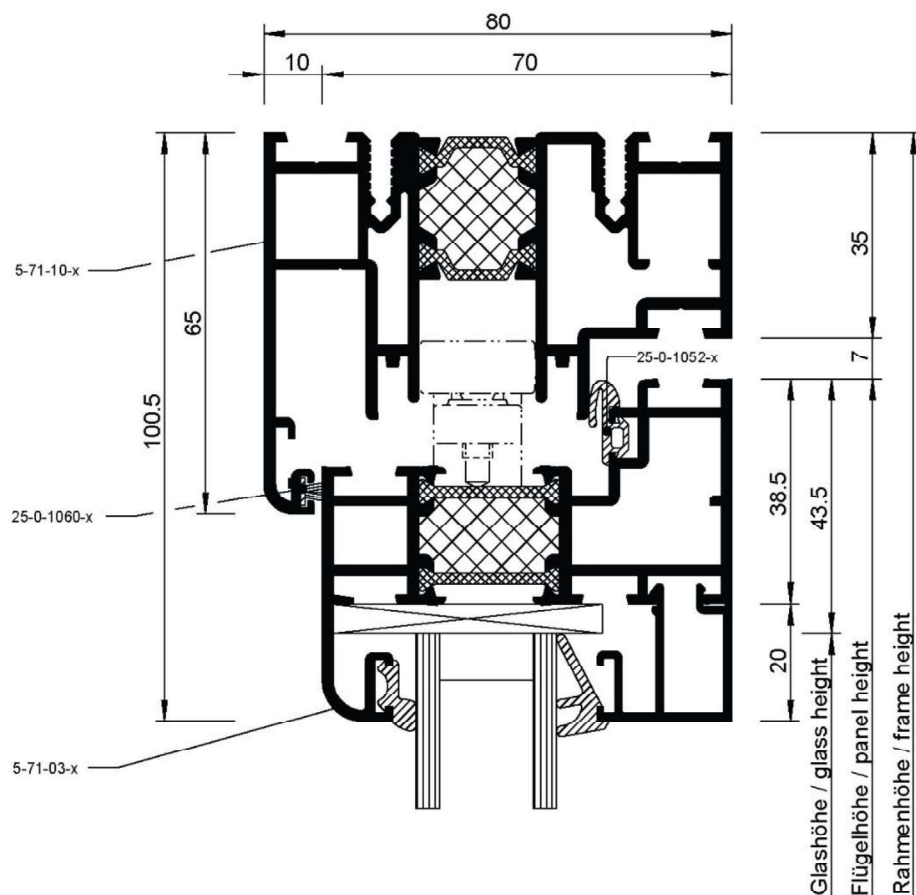
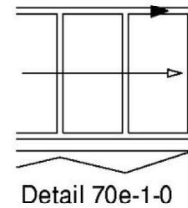
2-2
2-12
2-22

Test Report No.: 1821-003-19
SG-Bauakustik
Institut für schalltechnische Produktoptimierung
Mainstraße 15
45478 Mülheim an der Ruhr, 20th August 2019

Laszlo Pobloth



SL 70e
Detailschnitte / Detail Sections
 Glas-Faltwand / Folding Glass Door



01/2013: Technische Änderungen vorbehalten / Subject to change without notice.

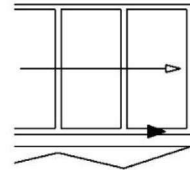
Detail • 1

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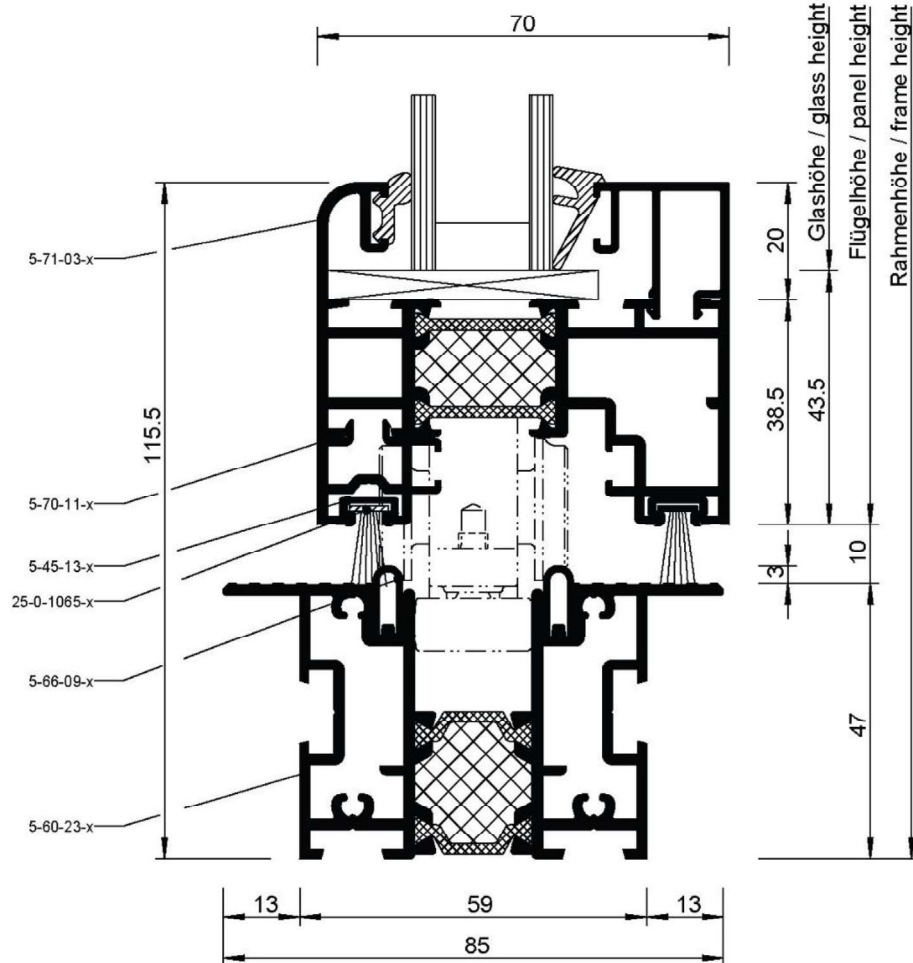
Laszlo Pobloth



SL 70e
Detailschnitte / Detail Sections
 Glas-Faltwand / Folding Glass Door



Detail 70e-2-4



01/2013- Technische Änderungen vorbehalten / Subject to change without notice.

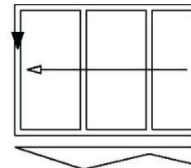
Detail - 5

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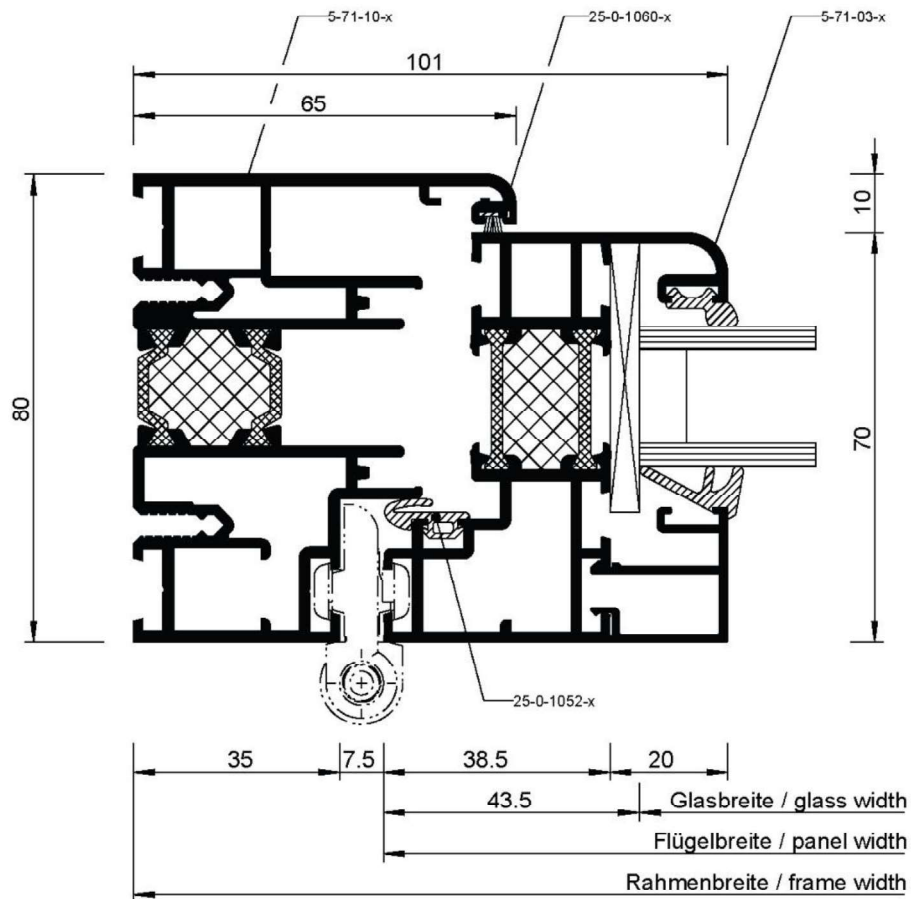
Laszlo Pobloth



SL 70e
Detailschnitte / Detail Sections
 Glas-Faltwand / Folding Glass Door



Detail 70e-3-0



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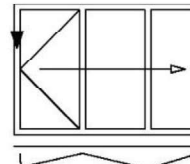
Detail • 11

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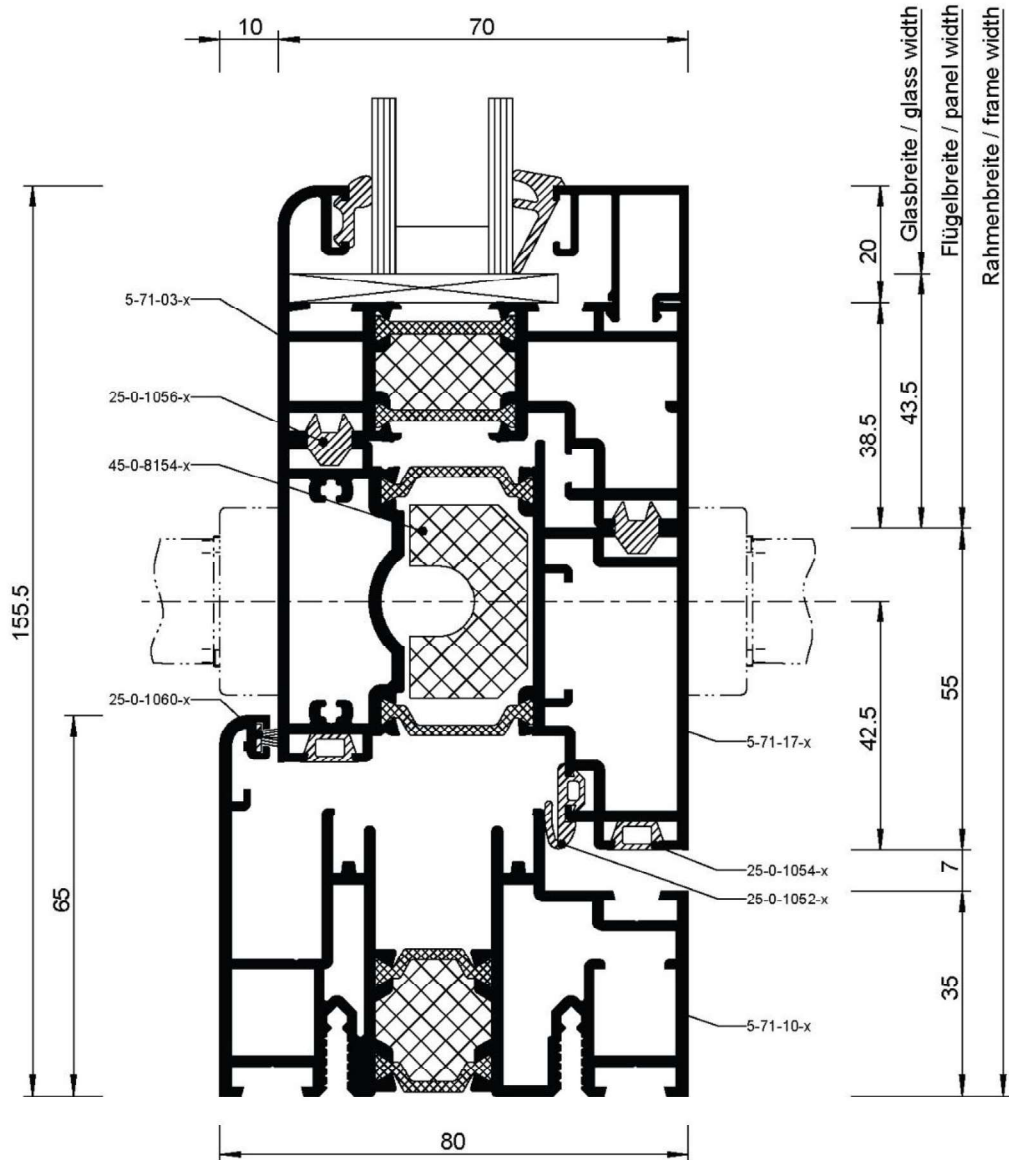
Laszlo Pobloth



SL 70e
Detailschnitte / Detail Sections
 Glas-Faltwand / Folding Glass Door



Detail 70e-4-2



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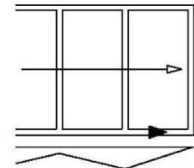
Detail • 15

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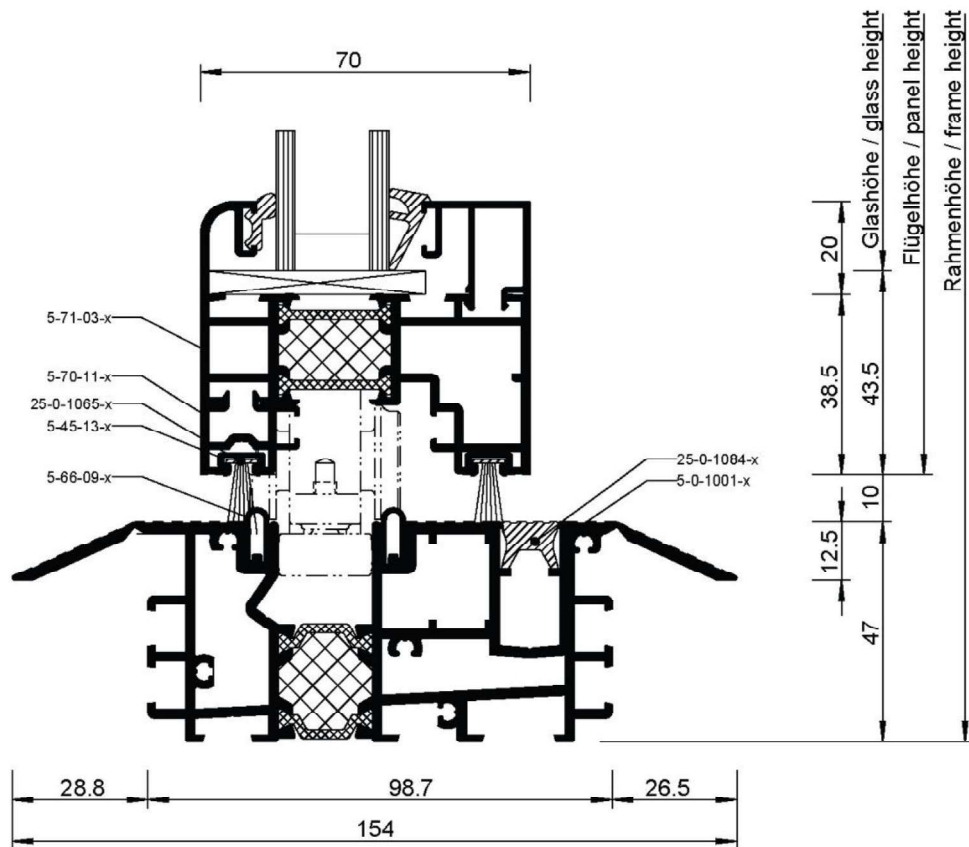
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SL 70e
Detailschnitte / Detail Sections
 Glas-Faltwand / Folding Glass Door



Detail 70-2-12



Ansicht nicht maßstäblich! / Not to scale.

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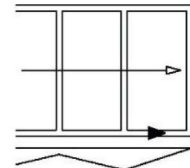
Detail • 7

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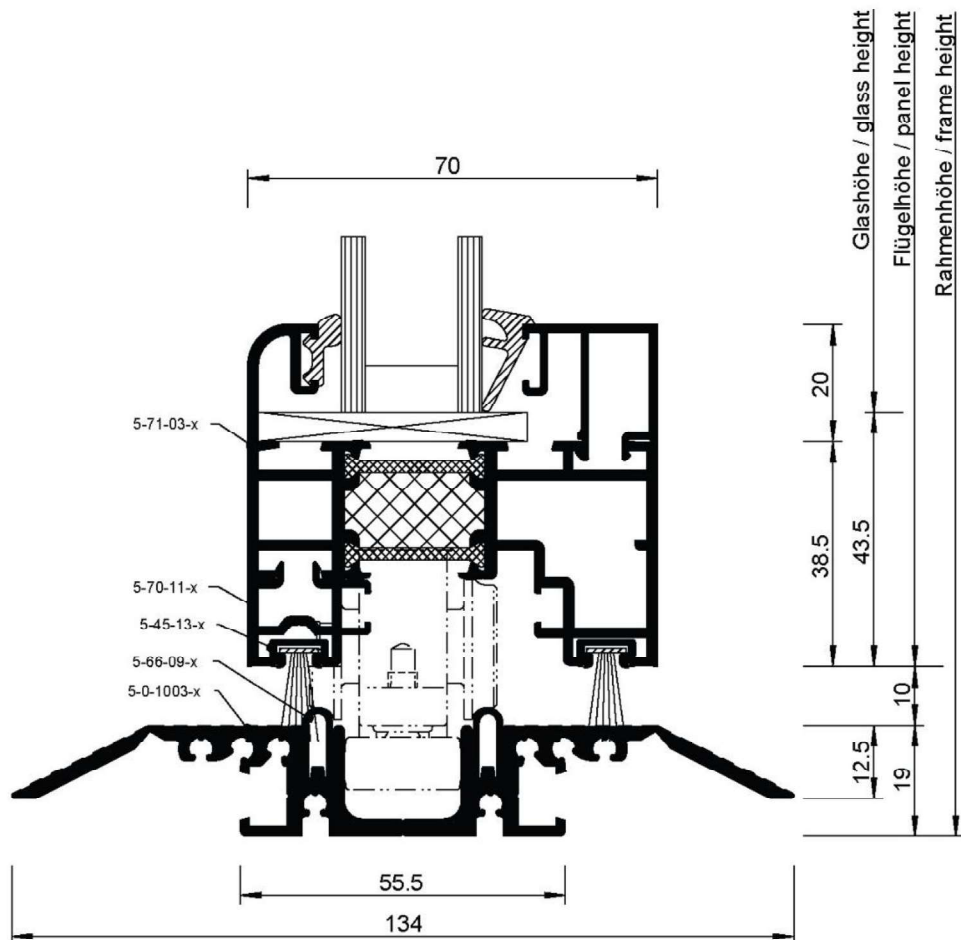
Laszlo Pobloth



SL 70e
Detailschnitte / Detail Sections
 Glas-Faltwand / Folding Glass Door



Detail 70e-2-22



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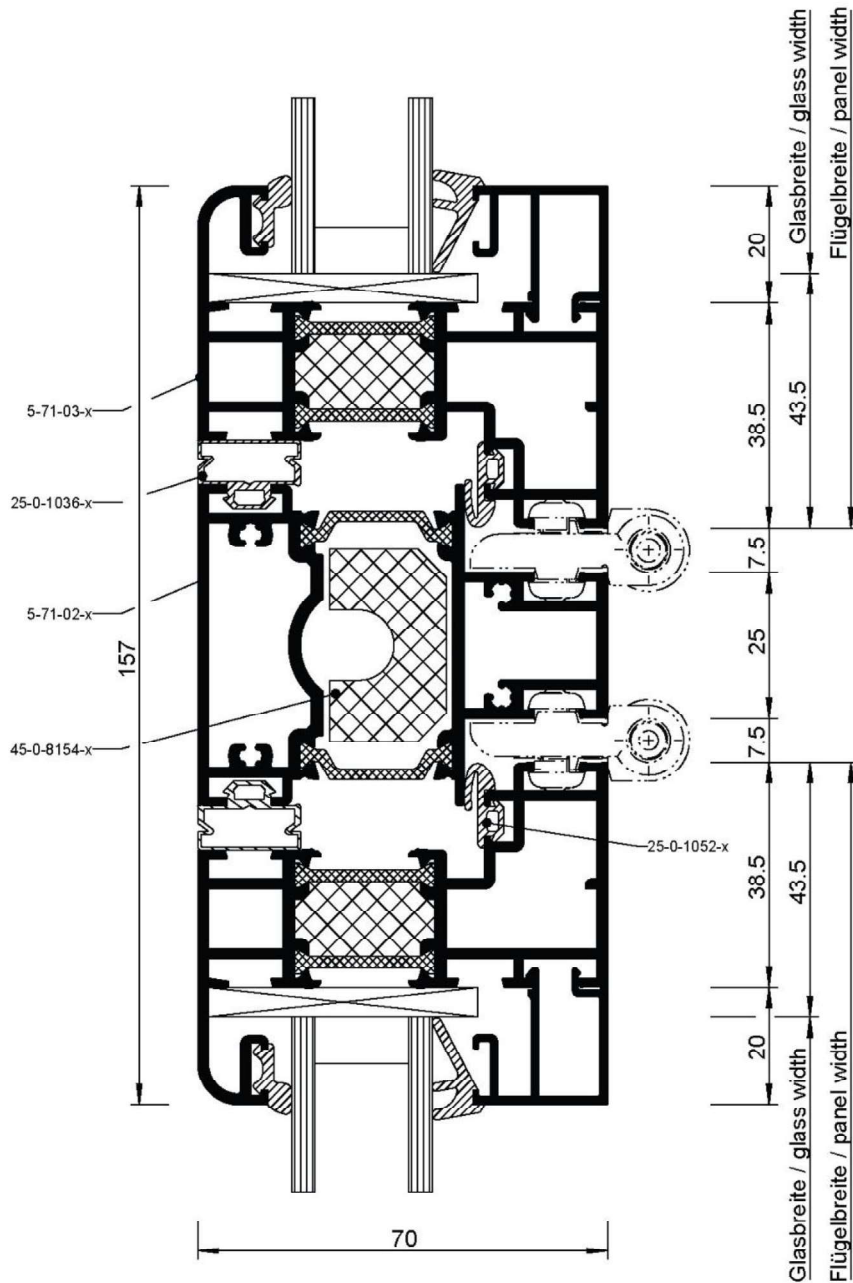
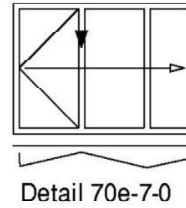
Detail - 9

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SL 70e
Detailschnitte / Detail Sections
 Glas-Faltwand / Folding Glass Door



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Detail • 19

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Photo 4: Folding glass wall Acoustic SL70, view transmission room



Photo 5: Folding glass wall Acoustic SL70, detail flush sill



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Photo 6: Folding glass wall Acoustic SL70, view receiving room



Photo 7: Folding glass wall Acoustic SL70, detail vertical mullion



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 Institut für schalltechnische Produktoptimierung
 Mainstraße 15
 45478 Mülheim an der Ruhr, 20th August 2019

Laszlo Pobloth

Manufacturer: Solarlux GmbH, Melle
 Client: Nana Wall Systems, Inc., Corte Madera
 Test object installed by: Client

Name of Product: Acoustic SL70
 Test Rooms: Laboratory
 Test Date: 08.08.2019

Description of Test Object:

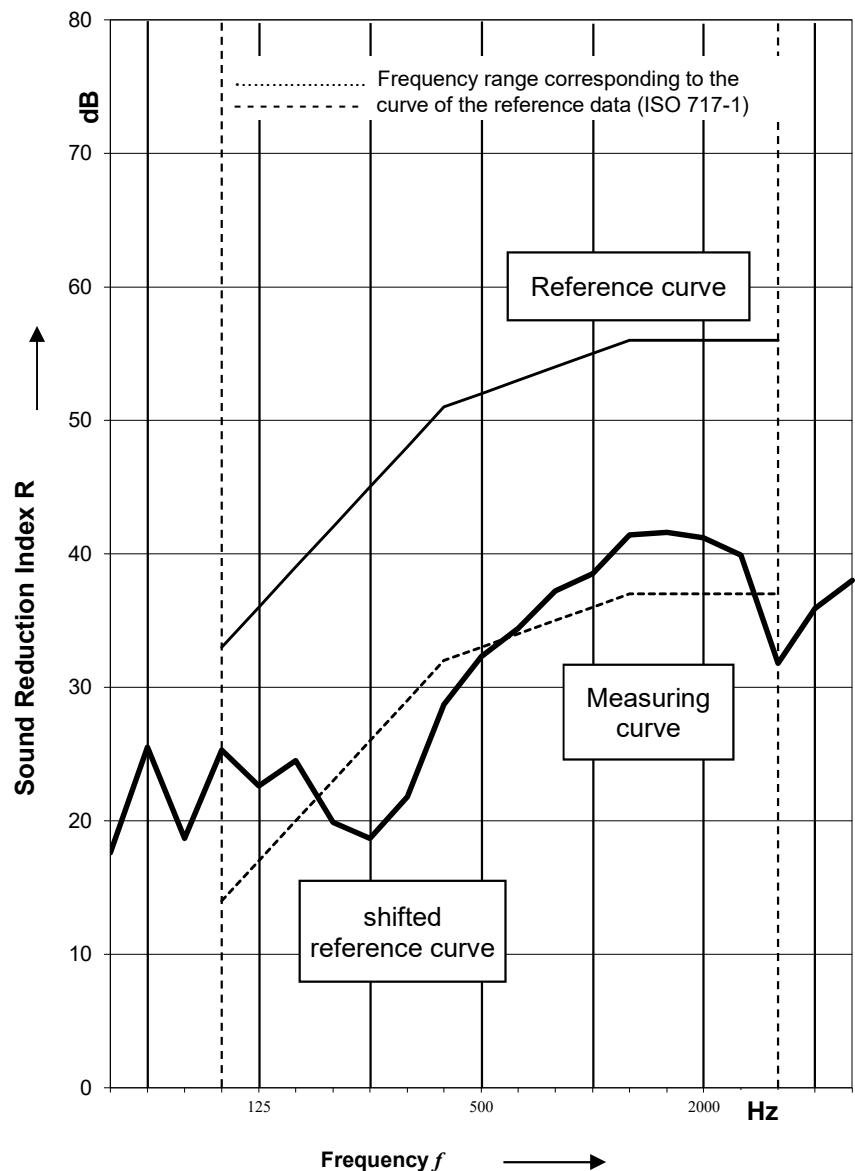
Measurement 1

Folding glass wall, **type Acoustic SL70 (Acoustical 70)**, Brand Solarlux, sliding-system with top-track and flush sill made of aluminum with 3 glass-sliding-panels, glazing each: **SGG Climaplust XN (32 dB)**, Build-up: ESG SECURIT 4 mm klar, 16 mm glass interspace (Argon-filling), ESG SECURIT XN II 4 mm, installed in wooden frame construction, build-up see section 2.2 as well as annexes 1 to 10, dimensions width x height = 3.000 mm x 2.500 mm,

Measurement as found

Surface S test object: 7,50 m²
 Mass per unit area:
 Air temp. in test rooms: 21,2°C
 Air humidity in test rooms: 54,1 %
 Volume transmission room: 81,5 m³
 Volume receiving room: 74,5 m³

Frequency Hz	R Terz dB
50	17,6
63	25,5
80	18,7
100	25,3
125	22,6
160	24,5
200	19,9
250	18,7
315	21,8
400	28,7
500	32,3
630	34,4
800	37,2
1000	38,5
1250	41,4
1600	41,6
2000	41,2
2500	39,9
3150	31,8
4000	35,9
5000	38,0



Evaluation according to ISO 717-1:

$R_w (C; C_{tr}) = 33 (-1; -4) \text{ dB}$

$C_{50-3150} = -1 \text{ dB}$ $C_{50-5000} = -1 \text{ dB}$ $C_{100-5000} = 0 \text{ dB}$

The ascertainment is based on test stand measuring results, which were measured in 1/3 octave bands

$C_{tr50-3150} = -5 \text{ dB}$ $C_{tr50-5000} = -5 \text{ dB}$ $C_{tr100-5000} = -4 \text{ dB}$

Test Report No.: 1821-003-19
 SG-Bauakustik
 Institut für schalltechnische Produktoptimierung
 Mainstrasse 15
 45478 Mülheim an der Ruhr, 20th August 2019

Laszlo Pobloth

Airborne Sound Measurement according to DIN EN ISO 10140-2

Annex 16

Ascertainment of Airborne Sound Insulation of Building Elements in Laboratory

Manufacturer: Solarlux GmbH, Melle
Client: Nana Wall Systems, Inc., Corte Madera
Test object installed by: Client

Name of Product: Acoustic SL70
Test Rooms: Laboratory
Test Date: 08.08.2019

Description of Test Object:

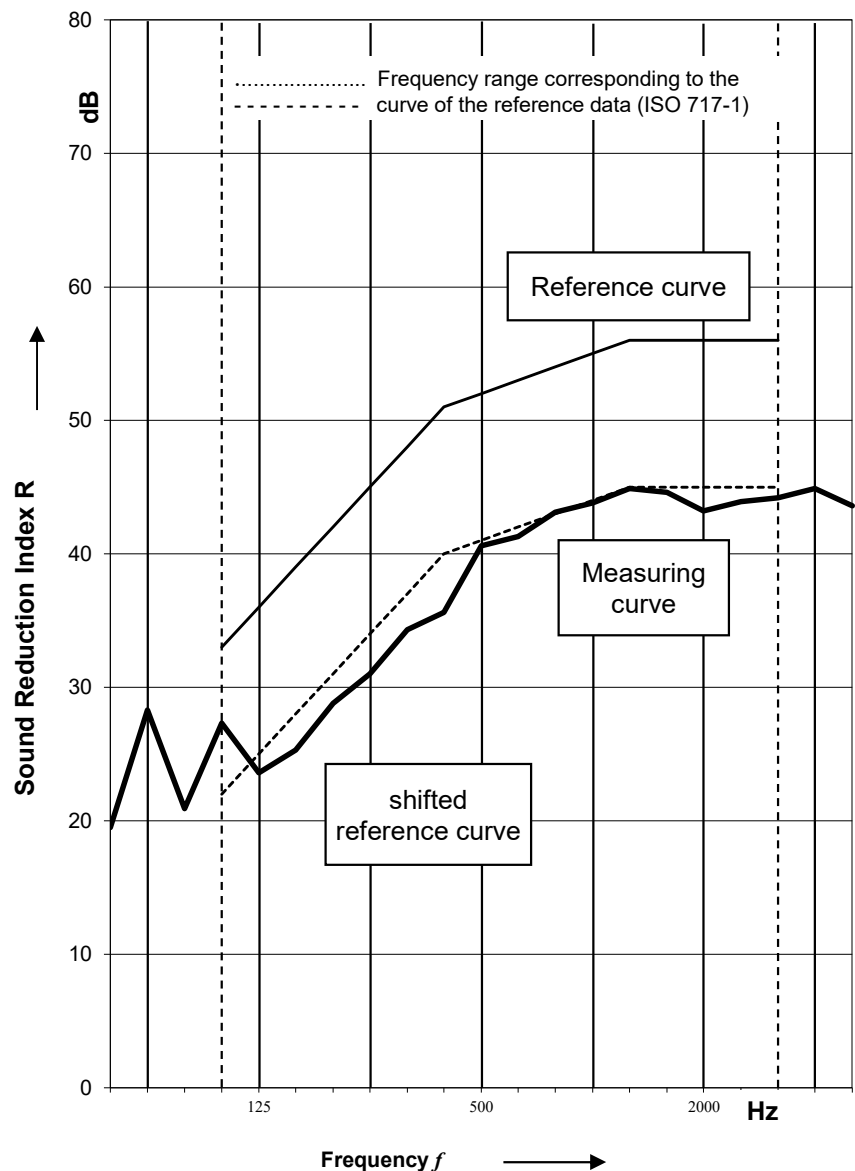
Measurement 2

Folding glass wall, **type Acoustic SL70 (Acoustical 70)**, Brand Solarlux, sliding-system with top-track and flush sill made of aluminum with 3 glass-sliding-panels, glazing each: **SGG Climaplust XN (43 dB)**, Build-up: VSG STADIP Silence - 44.2, 20 mm glass interspace (Argon-filling), ESG SECURIT XN II 6 mm, installed in wooden frame construction, build-up see section 2.2 as well as annexes 1 to 10, dimensions width x height = 3.000 mm x 2.500 mm,

Measurement as found

Surface S test object: 7,50 m²
Mass per unit area:
Air temp. in test rooms: 21,2°C
Air humidity in test rooms: 54,1 %
Volume transmission room: 81,5 m³
Volume receiving room: 74,5 m³

Frequency Hz	R Terz dB
50	19,5
63	28,3
80	20,9
100	27,3
125	23,6
160	25,3
200	28,8
250	31,0
315	34,3
400	35,6
500	40,6
630	41,3
800	43,1
1000	43,8
1250	44,9
1600	44,6
2000	43,2
2500	43,9
3150	44,2
4000	44,9
5000	43,6



Evaluation according to ISO 717-1:

$R_w (C; C_{tr}) = 41 (-1; -5) \text{ dB}$

$C_{50-3150} = -1 \text{ dB}$ $C_{50-5000} = -1 \text{ dB}$ $C_{100-5000} = -1 \text{ dB}$

The ascertainment is based on test stand measuring results, which were measured in 1/3 octave bands

$C_{tr50-3150} = -6 \text{ dB}$ $C_{tr50-5000} = -6 \text{ dB}$ $C_{tr100-5000} = -5 \text{ dB}$

Test Report No.: 1821-003-19
SG-Bauakustik
Institut für schalltechnische Produktoptimierung
Mainstrasse 15
45478 Mülheim an der Ruhr, 20th August 2019

Laszlo Pobloth

Manufacturer: Solarlux GmbH, Melle
 Client: Nana Wall Systems, Inc., Corte Madera
 Test object installed by: Client

Name of Product: Acoustic SL70
 Test Rooms: Laboratory
 Test Date: 08.08.2019

Description of Test Object:

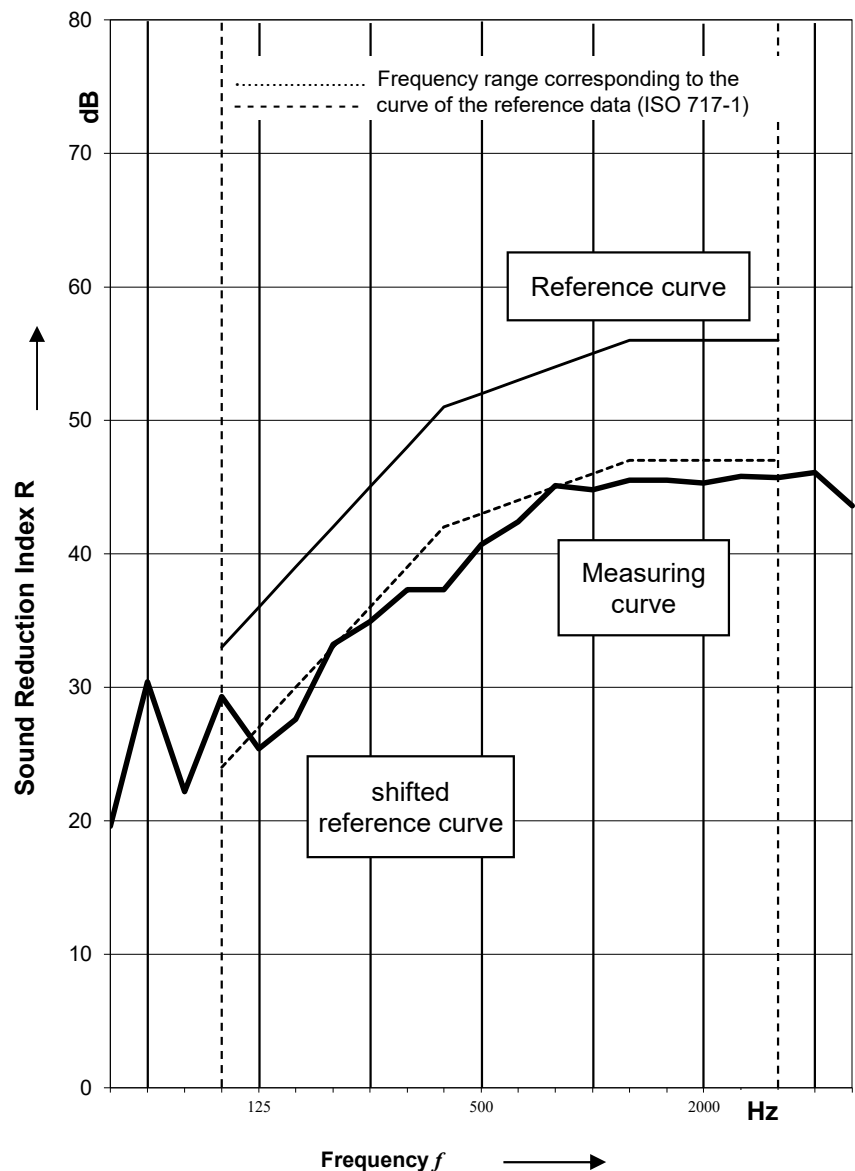
Measurement 3

Folding glass wall, **type Acoustic SL70 (Acoustical 70)**, Brand Solarlux, sliding-system with top-track and flush sill made of aluminum with 3 glass-sliding-panels, glazing each: **SGG Climaplust XN (48 dB)**, Build-up: VSG STADIP Silence - 55.2, 18 mm glass interspace (Argon-filling), VSG STADIP Silence XN - 44.2, installed in wooden frame construction, build-up see section 2.2 as well as annexes 1 to 10, dimensions width x height = 3.000 mm x 2.500 mm,

Measurement as found

Surface S test object: 7,50 m²
 Mass per unit area:
 Air temp. in test rooms: 21,2°C
 Air humidity in test rooms: 54,1 %
 Volume transmission room: 81,5 m³
 Volume receiving room: 74,5 m³

Frequency Hz	R Terz dB
50	19,6
63	30,4
80	22,2
100	29,3
125	25,4
160	27,6
200	33,2
250	34,9
315	37,3
400	37,3
500	40,7
630	42,4
800	45,1
1000	44,8
1250	45,5
1600	45,5
2000	45,3
2500	45,8
3150	45,7
4000	46,1
5000	43,6



Evaluation according to ISO 717-1:

$R_w (C; C_{tr}) = 43 (-1; -4) \text{ dB}$

$C_{50-3150} = -1 \text{ dB}$ $C_{50-5000} = -1 \text{ dB}$ $C_{100-5000} = -1 \text{ dB}$

The ascertainment is based on test stand measuring results, which were measured in 1/3 octave bands

$C_{tr50-3150} = -6 \text{ dB}$ $C_{tr50-5000} = -6 \text{ dB}$ $C_{tr100-5000} = -4 \text{ dB}$

Test Report No.: 1821-003-19
 SG-Bauakustik
 Institut für schalltechnische Produktoptimierung
 Mainstrasse 15
 45478 Mülheim an der Ruhr, 20th August 2019

Laszlo Pobloth



WESTERN ELECTRO - ACOUSTIC LABORATORY, INC.

TESTING • CALIBRATION • RESEARCH

25132 Rye Canyon Loop Santa Clarita, California 91355 Tel: (661) 775-3741 Fax: (661) 775-3742 www.weal.com

SOUND TRANSMISSION LOSS TEST REPORT NO. TL03-261

CLIENT: SIERRA PACIFIC WINDOWS
11605 Reading Road
P.O. Box 8489
Red Bluff, California 96080

Page 1 of 2
7 August 2003

TEST DATE: 19 June 2003

INTRODUCTION

The methods and procedures used for this test conform to the provisions and requirements of ASTM E 90-02, *Standard Test Method for Laboratory Measurement of Airborne Sound Transmission Loss of Building Partitions*.

Details of the procedure will be furnished upon request. The test chamber source and receiving room volumes are 204 and 148.4 cubic meters respectively. Western Electro-Acoustic Laboratory is accredited by NVLAP (National Voluntary Laboratory Accreditation Program) Lab Code 100256-0 for this test procedure. NVLAP is part of the United States Department of Commerce, National Institute of Standards and Technology (NIST). This test report relates only to the item(s) tested. Any advertising that utilizes this test report or test data must not imply product certification or endorsement by WEAL, NVLAP, NIST or the U.S. Government.

DESCRIPTION OF TEST SPECIMEN

The test specimen was a Sierra Pacific C-OD-3684-1 Series aluminum clad wood out swing vision door assembly. The standard 4-9/16 inch (116 mm) douglas fir frame had a thermally broken Combo sill threshold with a 1-1/4 inch (31.8 mm) high wood saddle. The specimen was installed by screwing the nailing fin around the entire perimeter to the wood edge of the test chamber opening. The specimen was sealed into the test chamber opening with a heavy duct seal putty around the entire interior perimeter and vinyl latex caulking on the entire exterior perimeter. The overall thickness of the door panel was 1-3/4 inches (44.5 mm) and it was hung on three 4 inch (102 mm) hinges. The glazing consisted of a 3/4 inch (19.1 mm) dual glazed unit which was 7/32 inch (5.6 mm) laminated glass, 3/8 inch (9.5 mm) air space, and 1/8 inch (3.2 mm) double strength glass. The laminated glass utilized a .030 inch (.76 mm) interlayer. The unit was glazed into the douglas fir door panel using silicone on the full exterior perimeter, urethane sealant on the full interior perimeter, and wood stops. A GU 3-Point Mortise Locking System was used with a 1-1/2 inch (38.1 mm) backset. The weather stripping used on the frame was a Q Lon compression seal at both jambs and at the head. The weather stripping used on the panel was a kerfed leaf seal at the head, a five fingered door shoe, and a fastened door bottom sweep at the sill. The weather stripping used on the Combo sill was a Q Lon compression seal. The net outside frame dimensions of the door assembly were 37-3/4 inches (.959 m) wide by 86 inches (2.18 m) high. The dimensions of the door panel were 36 inches (0.91 m) wide by 83-1/2 inches (2.12 m) high by 1-3/4 inches thick. The overall weight of the door panel was 118.5 lbs. (53.8 kg) for a calculated surface density of 5.68 lbs./ft² (27.7 kg/m²). The operable portion of the assembly was opened and closed five times immediately prior to the test.

RESULTS OF THE MEASUREMENTS

One-third octave band sound transmission loss values are tabulated on the attached sheet. ASTM minimum volume requirements are met at 125 Hz and above. The Sound Transmission Class rating determined in accordance with ASTM E 413-87 (Reapproved 1994) was STC-33.

Approved:

Gary E. Mange
Laboratory Manager

Respectfully submitted,
Western Electro-Acoustic Laboratory, Inc.

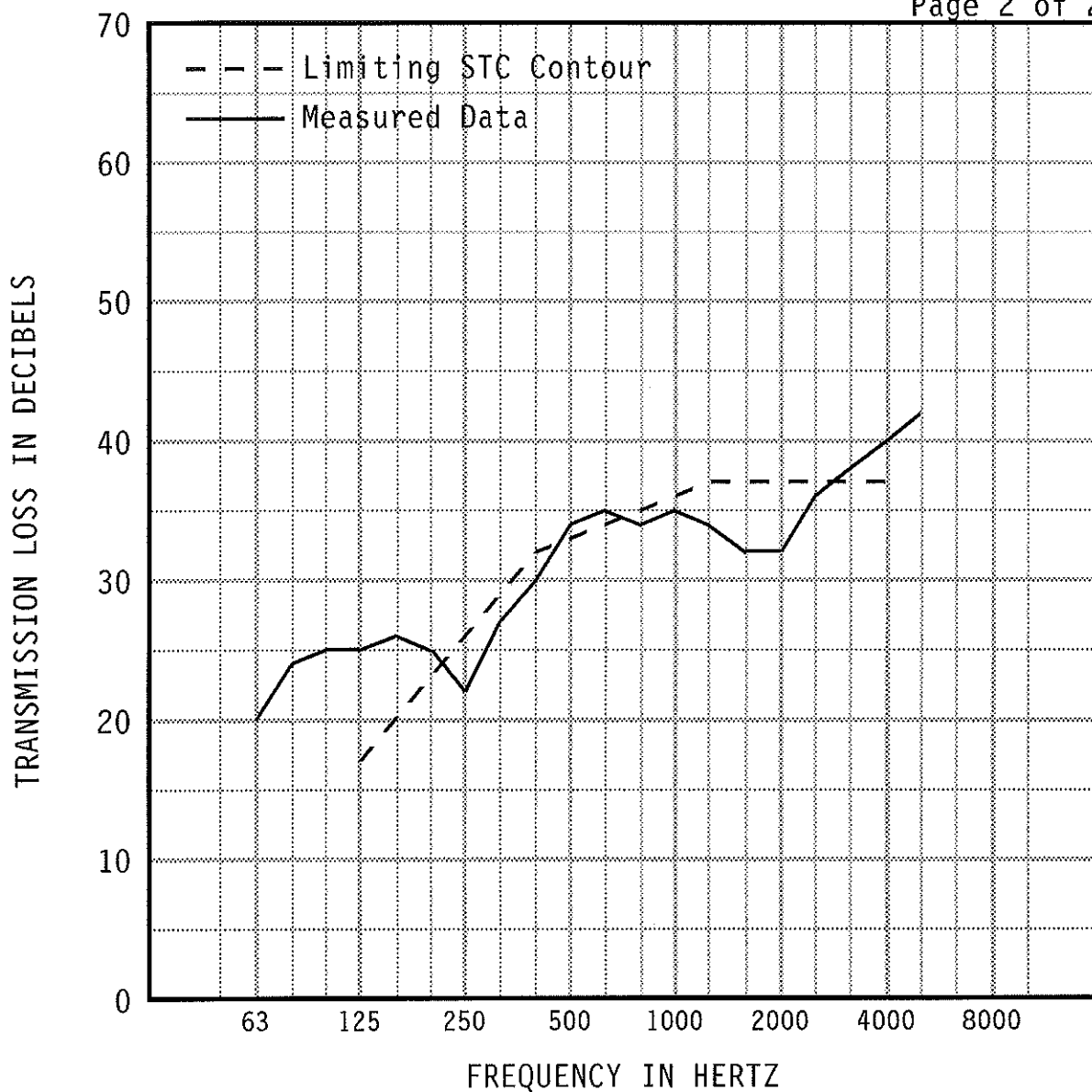
Leo Amezcua
Acoustical Test Technician

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WESTERN ELECTRO-ACOUSTIC LABORATORY, INC.

Report No. TL03-261

Page 2 of 2



1/3 OCT BND CNTR FREQ	63	80	100	125	160	200	250	315	400	500
TL in dB	20	24	25	25	26	25	22	27	30	34
95% Confidence in dB deficiencies	1.42	1.92	2.07	1.47	0.89	0.76	0.80 (4)	0.52 (2)	0.36 (2)	0.38
1/3 OCT BND CNTR FREQ	630	800	1000	1250	1600	2000	2500	3150	4000	5000
TL in dB	35	34	35	34	32	32	36	38	40	42
95% Confidence in dB deficiencies	0.29	0.44 (1)	0.38 (1)	0.39 (3)	0.36 (5)	0.56 (5)	0.55 (1)	0.31	0.32	0.50
EWR	OITC	Specimen Area: 22.55 sq.ft. Temperature: 73 deg. F Relative Humidity: 57 % Test Date: 19 June 2003								STC 33 (24)
35	30									

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Project Number: ESP029747P-3

Page 1 of 5

Report Date: 12/26/2018

ACOUSTIC

**SOUND TRANSMISSION CLASS
TEST REPORT****Series/Model: Aluminum Clad Direct Glaze Plus
Fixed Window****Prepared for:**
Sierra Pacific Windows and Doors
Attn: Ms. Cheryl Wibben
575 South Whelen Ave.
Medford, WI 54451
United States**Customer PO: 66-0116417****Prepared by:****John Wegscheider**
Manager
Product Validation
Telephone: (651) 659-7353

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AIRBORNE SOUND TRANSMISSION LOSS (STC) ASTM E90-09

INTRODUCTION:

This report presents the sound transmission results of a:

Aluminum Clad Direct Glaze Plus Fixed Window

The testing and data analysis were completed on: **Friday, December 14, 2018**

This report must not be reproduced except in full without the approval of Element Materials Technology. The data in this report relates only to the items tested.

The results stated in this report represent only the specific construction and acoustic conditions present at the time of the test. Measurements performed in accordance with this standard on nominally identical constructions and acoustical conditions may produce different results.

Summary of Results

Aluminum Clad Direct Glaze Plus Fixed Window

Glazing Description		Test Results		
		STC	Def	OITC
Glass Type:	15/16" (23.8mm) Insulated Laminated Glass Unit (IG)	34	26	29
Exterior Lite:	3/16" (4.7mm)			
Gap / Airspace:	1/2" (12.7 mm)			
Interior Lite:	1/4" (6.4mm) Laminated			

Project Number: ESP029747P-3

Page 3 of 5

Report Date: 12/26/2018

SPECIMEN DESCRIPTION:**Manufacturer:** Sierra Pacific Windows and Doors**Specimen:** Fixed Window**Model # / Series:** Aluminum Clad Direct Glaze Plus**Material:** Aluminum Clad Wood**Size:** 48.00" W x 60.06" H**Area:** 20.0 -ft²**Weight:** 129.5-lbs**Weight (psf):** 6.5 -lb/ft²**Glazing Details:**

(Measured Thickness)

15/16" (23.8mm) Insulated Laminated Glass Unit (IG)**Exterior Lite:** 3/16" (4.7mm)**Space/Gap:** 1/2" (12.7 mm)**Interior Lite:** 1/4" (6.4mm) Laminated**Sash Size:** N/A**Daylight Opening:** 44 5/8" x 56 3/4"**Additional Details:** Specimen was identified as Aluminum Clad Direct Glaze Plus**Hardware:** N/A**Drainage:** Sloped Sill**Weatherstripping:** N/A

Project Number: ESP029747P-3

Page 4 of 5

Report Date: 12/26/2018

TEST METHOD:**Sound Transmission Test**

ASTM:E90(09), "Laboratory Measurement of Airborne Sound Transmission of Building Partitions," was followed in every respect. The STC value was obtained by applying the Transmission Loss (TL) values to the STC reference contour of ASTM: E413(16), "Determination of Sound Transmission Class." The actual transmission loss at each frequency was calculated by the following equations:

$$TL = NR + 10 \log S - 10 \log A_2$$

where: TL = Transmission Loss (dB)

NR = Noise Reduction (dB)

S = Surface area common to both sides (sq. ft.)

A₂ = Sound absorption of the receiving room with the sample in place (sabins)

OITC Procedure

ASTM:E1332(16), "Determination of Outdoor-Indoor Transmission Class", was followed in every respect. Basically, the OITC was calculated by using the sound transmission loss values in the 80 to 4000 Hz range as measured in accordance with ASTM E-90(09). These transmission loss data are then used to determine the A-weighted sound level reduction of the specimen for the reference source spectrum specified in Table 1 of ASTM E1332(16). The appropriate calculations were made to determine the OITC value. TL measurements were obtained in a single direction, from Source Room to the Receiving room. The source room has a volume of 2948-ft³ (83-m³) and the receiving room has a volume of 5825-ft³ (165-m³).

Windows & Doors: Windows and Doors are operated at least 5-times prior to testing. The test unit is operational unless otherwise stated. The temperatures and relative humidity of the termination room met the requirements of the standard during and after the test. All frequencies met the requirements for 95% confidence established by the standard unless noted. Noise reduction measurements were performed in a single direction (source room to receiving room).

TEST EQUIPMENT:

Item Description	ID#	Manufacturer/Model	Serial #	Cal. Due	Location
1/2" Pressure Condensor Mic	PT-162-075	GRAS/40AD	19220-1244	6/12/2019	Reverberation Chamber
1/2" Pressure Condensor Mic	PT-162-108	GRAS/46AD	167994	1/11/2019	Source Chamber
Microphone Calibrator	PT-162-076	Norsonic/1251	29144	6/12/2019	N/A
Data Acquisition Module	PT-162-107	National Instruments/NI9234	1735986-1893EB3	6/6/2019	Control Center
Temp/Humidity Sensor	PT-162-077	Dwyer/Series RH	M90714-e4SV-Y	5/31/2019	Reverberation Chamber
Temp/Humidity Sensor	PT-162-079	Dwyer/Series RH	m93237-E09w-A	5/31/2019	Source Chamber

REMARKS:

The test sample will be retained for a period of 10-days and then discarded if no written return-request received.

TEST RESULTS

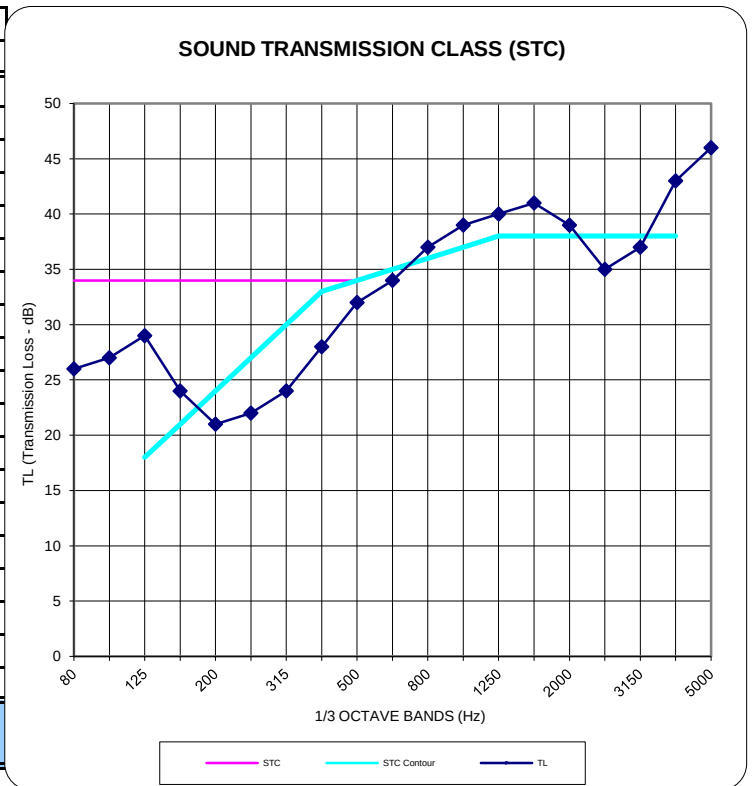
1/3 Oct. Band, Hz	L ₁ (dB)	L ₂ (dB)	Bkgd (dB)	A _v (m ²) Sabins	TL (dB)	Def (dB)	95% Conf.	Notes	
								1	2
80	96.4	66.4	41.6	5.3	26	-	2.8		
100	100.9	70.0	38.4	5.3	27	-	1.5		
125	103.3	70.5	42.5	4.3	29	0	1.4		
160	98.5	71.0	37.2	4.4	24	0	1.8		
200	95.1	69.9	33.1	4.9	21	3	1.3		
250	99.7	73.5	32.6	4.7	22	5	0.7		
315	100.4	72.5	27.8	4.4	24	6	0.6		
400	101.2	69.0	28.9	4.6	28	5	0.6		
500	103.5	67.4	28.8	4.8	32	2	0.4		
630	102.6	64.1	25.9	5.2	34	1	0.3		
800	100.4	59.1	24.1	5.4	37	0	0.3		
1000	98.1	54.1	23.5	5.6	39	0	0.3		
1250	96.6	51.1	22.0	6.2	40	0	0.3		
1600	97.5	51.3	20.1	7.0	41	0	0.3		
2000	96.8	51.6	20.5	8.0	39	0	0.3		
2500	94.8	52.7	20.0	8.8	35	3	0.2		
3150	90.2	46.2	20.1	10.2	37	1	0.4		
4000	87.3	36.2	20.9	12.0	43	0	0.4		
5000	88.4	33.2	21.8	14.7	46	-	0.4		

TL = Transmission Loss (dB)

Def = Deficiencies (below STC contour)

Note #1: Noise Level was less than 10dB above ambient.

Note #2: Confidence Level Exceeded

STC Rating: 34
Deficiency: 26
OITC Rating: 29

Test Conditions:

Laminated Glass Temp(°C):
 Exterior: N/A
 Interior: 22.2

Temp(°C): % RH: ATM (hPa)
 Source Room: 22.6 48 987
 Receive Room: 22.2 47 987

SPECIMEN IDENTIFICATION:

Type: Fixed Window
Series: Aluminum Clad Direct Glaze Plus Fixed Window
Size: 48.00" W x 60.06" H **Area:** 20.0 -ft²
Depth: 5.75
Mass: 130 -lbs **Mass (psf):** 6.5 -lb/ft²

Test Date: 14-Dec-18
Time Stamp: 10:13 AM
Tested by: MJC

Glazing Description
15/16" (23.8mm) Insulated Laminated Glass Unit (IG)

Exterior Lite: 3/16" (4.7mm)

Gap / Space: 1/2" (12.7 mm)

Interior Lite: 1/4" (6.4mm) Laminated


ACCREDITED
 TESTING CERT #1479.01

* As stated by Manufacturer.

From: [MeetingClerk](#)
To: [Parker, Michael](#); [Gallina, Charlene](#); [Hawkes, Trevor](#); [Anderson, Laura](#)
Cc: [Ramos, Aime](#); [Quackenbush, Alexandria](#)
Subject: FW: Public Comment – Silverado Resort Wedding Venue Project
Date: Wednesday, October 29, 2025 1:59:41 PM
Attachments: [image001.png](#)

See public comment below.

Kind Regards,



Napa County – Meeting Clerk - AV
Planning, Building, & Environmental Services
Napa County
Phone: 707-253-4417
Email: meetingclerk@countyofnapa.org
1195 Third Street, Suite 210
Napa, CA 94559
www.napacounty.gov

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From: Legia Oswald <legiaoswald1@gmail.com>
Sent: Wednesday, October 29, 2025 1:35 PM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Subject: Public Comment – Silverado Resort Wedding Venue Project

[External Email - Use Caution]

Hello,

I am writing as a member of the Silverado Community in support of the planned wedding venue. I genuinely believe this new venue will be a great benefit to the Silverado community and to our members—offering a beautiful space for weddings and other special events when not in use.

Thank you,

Legia Oswald
416 Troon Drive, Napa, CA 94558
42 Fairways Drive, Napa, CA 94558
(415) 819-1163 mobile

From: [MeetingClerk](#)
To: [Parker, Michael](#); [Hawkes, Trevor](#); [Gallina, Charlene](#); [Anderson, Laura](#)
Subject: FW: Public Comment for The Grove Expansion Project #P24-00141
Date: Monday, November 3, 2025 3:21:23 PM
Attachments: [image001.png](#)

See public comment below.

Kind Regards,



Napa County – Meeting Clerk - AV
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From: Stephanie O'Brien <saobrien211@gmail.com>
Sent: Sunday, November 2, 2025 5:30 PM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Cc: Chris O'Brien <Chris@obrienhomes.net>
Subject: Public Comment for The Grove Expansion Project #P24-00141

[External Email - Use Caution]

Please see below for written public comment for the November 5th meeting regarding Project #P24-00141, thank you

Subject: Silverado Resort Minor Modification (P24-00141)

To: Napa County Planning Commission

Date: November 2, 2025

Dear Napa County Planning Commission,

Napa County recently adopted its “North Star” vision, committing itself to build vibrant,

inclusive communities while safeguarding our agricultural legacy and protecting natural resources for future generations. This vision is not just aspirational, it is the guiding principle that should shape every land use decision before the Planning Commission. When reviewing the Silverado Resort modification, **we ask that the Commission hold this project to the same standard of stewardship and resilience that the Board of Supervisors has pledged to uphold.** This project requires a full biodiversity study. One that evaluates wildlife corridors, riparian habitat, and groundwater resources, so that decisions are grounded in science and aligned with the County's stated commitment to protecting natural resources.

The County has applied thresholds designed for non-winery minor modifications while justifying CEQA exemption using a winery-specific framework, invoking a wine-tasting model and applying it to a project based on contracted, legally binding events. **The Grove has never operated year-round.** It was routinely closed from November through April due to saturated ground conditions. During these months, the site was removed from event scheduling calendars, and landscaping crews were explicitly instructed not to maintain it. The Grove's seasonal closure can be validated through event contracts and labor records. **Reframing this history to justify exemption suggests a predetermined outcome and selective application of rules.**

Other projects, such as Vine Cliff (P25-00161), demonstrate that biological review is both relevant and precedent-setting. If the County relies on voluntary biological studies to justify CEQA exemptions, it must also acknowledge when no such study exists. **Unlike a winery in the Ag Preserve, Silverado is a 275-acre recreational landscape that serves as critical post-fire habitat for displaced wildlife. This habitat remains unstudied.**

Any shift toward continuous operations, especially during ecologically sensitive winter months, **represents a material intensification of use.** Under CEQA Guidelines §15300.2(c), a categorical exemption cannot be used when unusual circumstances may cause significant environmental effects.

There is at least one blueline stream mapped at the project site and a known well on the property, though its exact location remains unclear. These features, combined with the recovering post-fire landscape, qualify as sensitive environmental resources under CEQA. They disqualify reliance on Class 4 exemptions, regardless of tree classification, and further undermine the County's use of Class 1.

A full Initial Study, including a comprehensive biodiversity assessment, is legally required.

These are not isolated oversights. The County has already been alerted to similar lapses in other projects, and repeating the same mistakes here will show a strong pattern of ignoring ecological standards.

You may approve this project as it is under public pressure, but the right thing to do is to require a full biological review. If you do not, you are betraying the very words you pledged in your North Star vision, and no poster will rebuild the trust you seek from this community.

Sincerely,

Chris & Stephanie O'Brien
Napa, California



WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

952 SCHOOL STREET #316 NAPA CA 94559
VOICE: (503) 575-5335
EMAIL: GENERAL@WATERAUDITCA.ORG

November 3, 2025

County of Napa
Planning Commission

meetingclerk@countyofnapa.org, Kara.Brunzell@countyofnapa.org,
walter.brooks@countyofnapa.org, molly.williams@countyofnapa.org,
pete.richmond@countyofnapa.org, megan.dameron@countyofnapa.org

RE: Hearing – November 5, 2025
7A. TODD SHALLAN / SILVERADO RESORT & SPA PROJECT / USE PERMIT
MINOR MODIFICATION NO. P24-00141-MM STSTEMEN

To all it may concern:

Water Audit California (“Water Audit”) is an advocate for the public trust and submits this supplemental comment to the above stated application.

Under Napa County Code (NCC) §18.124.130, minor modifications to use permits can be approved by the zoning administrator for changes in location and/or size of *approved structures* or portions, provided that the approval of the requested minor modification would not affect the overall concept, density, intensity or environmental impact, and would not result in any structure or the aggregate of all *approved structures* being increased by 25 percent in size or one story in height based on size allowed under the approved use permit. There is no “approved structure” to be modified.

This Use Permit Minor Modification application (Application) is an attempt to avoid environmental review by the claim that the project is a minor deviation from the current use. Given the repeated statements of the anticipated much higher intensity of use, one must question that the assertion of minor change is not contradicted by the purpose of the application.

Our review has been frustrated by the absence of the existing Conditions of Approval in the Application, and our inability to find such a document in County records. In short, this Application is intended to modify a document which does not appear to exist in the record. As a simple matter of logic, one cannot in good faith “modify” something that is not known in the first

place. This problem is particularly vexing when the Application seeks to avoid any constraints on the number of events or persons and apparently is largely founded on a mystery well or wells which are not discussed.

Water Audit review has identified several critical facts excluded from the Application. In the absence of these facts, the Planning Commission does not have the information to make an informed decision. In the absence of credible evidence, the Planning Commission CANNOT perform the due diligence that this Application requires. If the applicant wishes to proceed, an Environmental Impact Statement is required.

Critical facts are omitted from this Application.

First, as noted above, the Application attempts to camouflage the fact that there is no preexisting structure on the proposed site. A patio is being replaced with an all-season events center. See attached images. Accordingly, this project is not CEQA exempt under Class 1 ("Existing Facilities") and Class 4 ("Minor Alterations to Land").

A Class 1 exemption is inapplicable, because of the substantial expansion of use. Under CEQA the baseline is the actual conditions, not conduct that is theoretically allowed but not occurring.

Further, a Class 4 exemption is inapplicable as it involves the removal of healthy, mature scenic trees. The argument that the trees are not "scenic" is disingenuous, given that they have been the core of Silverado's marketing rental events at The Grove for many years. See attached exhibit.

See also public trust review following.

Second, there is a proven relationship on this specific property, recognized by the County, of the reduction of surface water flows by groundwater extraction. This knowledge creates a *prima facie* record of a potential public trust injury, placing high duty of investigation by the public trust trustees. See Water Audit comment herein October 14, 2025, and the following.

Third, decades ago, that knowledge of potential public trust injury resulted in a prohibition of well drilling on the Silverado property. Nevertheless, there is more than one well drilled on the property. Only one has a drilling permit, for a well 10" in diameter, nearly 700 feet in depth, pumping an estimated 800 gallons per minute. The well closest to the proposed facility has no record of permit. There has been no investigation of potential public trust injuries. See Water Audit comment herein October 14, 2025, and the following.

Fourth, there is no reported monitoring of groundwater extraction or levels, or surface water flows or conditions, or any present analysis of the relationship between the two, i.e. a Tier 3 analysis. See Water Audit comment herein October 14, 2025. This willful suppression of information is intended to obscure the relationship between the groundwater table being depressed by well extractions to water the golf course, and the resulting drying of the “ephemeral” stream adjacent to the project site.

The only thing that the applicant offers as replacement is the statement by attorney for the applicant that the project “will do this with no environmental impacts.” This statement should be discarded without consideration. Attorneys present arguments to interpret and apply the law to the facts of the case. These arguments aim to persuade, but do not constitute evidence. Evidence includes witness testimony, documents, physical objects, and other materials presented to establish facts, and is subject to rules of admissibility and scrutiny. In other contexts, evidence is also subject to verification subject to the penalty of perjury. The applicant has not complied with reporting duties to the State Water Resources Control Board.

Although the verification procedure of submitting evidence and testimony under the penalty of perjury has been routinely waived by the Planning Commission, it has been at the expense of veracity. Staff has ignored Water Audit California’s earlier comments regarding the violation existing prohibition of well drilling on the Silverado property. Guilty knowledge may be inferred by silence.

Fifth, the application does not comply with the Fish and Game Code Chapter 6.5 commencing with Section 1625, the Oak Tree Protection Act of 2014. Section 1631(a) provides “Oak removal operations for which an oak removal permit is required pursuant to this chapter are ‘discretionary projects’ subject to the California Environmental Quality Act ...” Except as provided in the Act, sections 1629 and 1630 provide that removal of trees of 20” at breast height requires a Registered Professional Forester to prepare a tree removal plan.

The applicant’s consultant, an arborist, does not appear to be qualified, as is evidenced by their endorsement of this plan. Their work product, alleged to justify cutting in evasion of CEQA, is unconfirming to mandatory professional standards. See Fish and Game Code sections 1629 and 1630. Camouflaged by sloppy work product, which includes the failure to clearly identify the location and size of the trees proposed to be removed, the unqualified proposal seeks to remove century old trees and replace them with a few planter pots. This is justified by the fantasy that the removal addresses the “less dominant suppressed individuals,” the “smaller, suppressed trees.” The things some people will do for money.

Sixth, the noise study is *prima facie* inadequate, in that it states that testing involved an audience of less than 200, while the proposal seeks to authorize unlimited events of more than

600 which will include “reinforced speech and amplified program audio.” It also failed to test the proposed location of an additional pavilion to “the south of the [existing] courtyard ... along the dry creek bed.” (Revised Noise Study, Figure 3, page 3.)

Finally, the Granicus record of the prior proceeding is unavailable, making a complete comment impossible. Inadequate or no notice has been given of substantial additions to the record, and inadequate notice given of the time of hearing. The Applicant has outstanding violations which must be remedied for a year before this Application can be properly filed. Water Audit acknowledges and incorporates the individual comments attached as if set forth in full at this place.

Consideration of public trust issues is a separate duty from compliance with County ordinance policies and procedure.

It is common knowledge that the County of Napa, and its agencies and employees, have duties to protect the public trust assets of the County. See *Interim Napa County Well Permit Standards and WAA requirements – January 2024*: “**Tier 3 analysis is governed by CEQA, the WAA, and the Public Trust Doctrine, and County Resolution 2022-178.** Tier 3 analysis must be performed by a licensed professional retained by the applicant or through County services and paid for by the applicant.” (Emphasis added.)

Note that the duties imposed by the standard are conjunctive. Conjunctive requirements impose duties that necessitate the simultaneous fulfillment of multiple conditions or criteria. In a legal context, this means that all specified elements must be satisfied for a particular obligation or standard to be met. Failure to meet even one of these conditions can result in non-compliance or a failure to achieve the intended legal outcome. These requirements ensure comprehensive adherence to the law by mandating that all relevant factors are considered and addressed. In short, it is insufficient for an applicant to simply comply with Napa Ordinances; they must also ensure that their proposed project does not unnecessarily injure public trust resources.

One of the four individual standards is the public trust doctrine. Under the continuing accrual doctrine public trust injuries are evergreen. See, for example, see *Water Audit California v. Merced Irrigation District* (2025) 111 Cal.App.5th 1147, 1156:

We conclude plaintiff has pleaded a basis for invoking the continuous accrual doctrine. Judicially recognized theories of continuous accrual prevent “the inequities that would arise if the expiration of the limitations period following a first breach of duty or instance of misconduct were treated as sufficient to bar suit for any subsequent breach or misconduct.” (*Aryeh v. Canon Business Solutions, Inc.* (2013) 55 Cal.4th 1185, 1198 [151 Cal. Rptr. 3d 827, 292 P.3d 871].) This allows plaintiffs to “pursue actionable

wrongs for which the statute of limitations has not yet expired, even if earlier wrongs would be barred.” (*Orange County Water Dist. v. Sabic Innovative Plastics US, LLC* (2017) 14 Cal.App.5th 343, 395 [222 Cal. Rptr. 3d 83].) Although generally reserved for cases involving “recurring” acts of wrongdoing, the focus is on whether the duty allegedly breached is “a continuing one” that is “susceptible to recurring breaches.” (*Aryeh*, at p. 1200, italics added.)

The Planning Commissioners, and in turn the Board of Supervisors, are trustees of the public trust. This imposes a series of legal duties which govern this proceeding. For the record we articulate those duties.

A trustee of a public trust has a fiduciary duty of loyalty and prudence that encompasses reasonable investigation into material preexisting injuries or conditions that may affect trust assets, liabilities, beneficiaries’ interests, or the trustee’s ability to administer the trust. This duty typically includes: (1) identifying and verifying preexisting injuries or conditions relevant to the trust corpus or beneficiaries; (2) gathering and evaluating material facts through appropriate due diligence (e.g., records review, expert consultation, and risk assessment); (3) documenting findings and decisions; and (4) taking prudent, legally compliant action to mitigate risk, preserve trust property, and treat beneficiaries impartially. Failure to conduct appropriate investigation can expose the trustee to fiduciary remedies. Thorough due diligence supports defensible decision-making, effective risk management, and compliance with fiduciary standards.

- Duty of loyalty: Act solely in the interests of the trust and its beneficiaries, avoiding self-dealing and conflicts. This includes addressing known or reasonably knowable preexisting issues that could materially affect beneficiary interests.
- Duty of prudence: Administer the trust with care, skill, and caution, including reasonable investigation of material facts, verification of assumptions, and reliance on qualified agents or experts where appropriate.
- Duty to preserve and protect trust property: Identify and remediate conditions that threaten trust assets (e.g., environmental hazards, structural defects, uninsured liabilities).
- Duty of impartiality: Consider the interests of present and future beneficiaries when assessing how preexisting injuries and their remediation costs or risks are allocated.
- Duty to inform and report: Keep beneficiaries reasonably informed of material facts and significant developments related to preexisting conditions and the trustee’s responsive actions, subject to applicable confidentiality obligations.

- Compliance with the law.

A trustee is held to the standard of care of a prudent person administering a trust of like character and purposes, which commonly includes reasonable inquiries into material preexisting risks affecting trust assets. A trustee should evaluate preexisting injuries or conditions to inform decisions. Where investigation reveals preexisting injury or material risk, the trustee should implement appropriate corrective measures.

Due diligence requires that the trustee(s) define which public trust assets may be affected by preexisting injuries and review the governing instrument for any mandated procedures or thresholds. In this instance, the governing criteria concern the potential diminution of flow in Milliken Creek, a known habitat for state and federally protected species. The County of Napa provides that any extraction of water within 1,500 of such a water course be reviewed by a “Tier 3” study which applies known hydrological principles to determine the potential diminution of stream flow by groundwater extraction. See *Environmental Law Foundation v. State Water Resources Control Bd.* (2018) 26 Cal.App.5th 844 237 Cal.Rptr.3d 393.

Appropriate review includes nothing less than historical records, deeds, incident reports, regulatory compliance implications and reporting obligations, prior administrative files. The assessment must include the materiality, likelihood, and potential impact on public trust assets and beneficiary interests. Unless an applicant can satisfy these criteria, it is improper to ratify a change in use.

Approval must include remediation steps proportionate to risk. The trustee(s) must provide beneficiaries with material updates and disclosures consistent with fiduciary duties. In this instance, that requires a report on the historical, existing and proposed condition of the fishery implicated by this project.

Identification and remediation of preexisting injuries can prevent compounding losses. Transparent, impartial handling of preexisting issues supports public confidence and reduces disputes. Diligent investigation helps ensure adherence to applicable laws and avoids controversy, penalties or sanctions.

In summary, a public trust trustee’s fiduciary duties require reasonable investigation of preexisting injuries or conditions that could materially affect the trust or its beneficiaries. Robust, documented due diligence supports prudent administration, mitigates liability, and advances the trust’s public mission. Where specialized risks are implicated, the trustee should promptly engage appropriate experts, provide necessary notices, and implement proportionate remedial measures consistent with the governing instrument and applicable law.

Staff deflection and misdirection do not mitigate or excuse those duties on the part of trustees. Whether the application may or may not show a reduction in groundwater use may be arguably dispositive of County concerns, but it cannot reasonably and in good faith deal with continuing public trust duties. The information available is inadequate for adequate analysis, and therefore an environmental impact report is required.

Respectfully submitted,



William McKinnon
General Counsel
Water Audit California

Attachments –Exs. A-S attached

From: [MeetingClerk](#)
To: [Hawkes, Trevor](#); [Parker, Michael](#); [Gallina, Charlene](#); [Anderson, Laura](#)
Cc: [Quackenbush, Alexandria](#)
Subject: FW: Request for Full CEQA Review of Silverado Resort Project No. P24-00141
Date: Wednesday, October 8, 2025 7:36:17 AM
Attachments: [image001.png](#)

Please see email below.

Kind Regards,



Napa County – Meeting Clerk - AV

Planning, Building, & Environmental Services
Napa County
Phone: 707-253-4417
Email: meetingclerk@countyofnapa.org
1195 Third Street, Suite 210
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From: Stephanie O'Brien <saobrien211@gmail.com>
Sent: Tuesday, October 7, 2025 4:43 PM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Cc: Chris O'Brien <Chris@obrienhomes.net>
Subject: Request for Full CEQA Review of Silverado Resort Project No. P24-00141

Please see below our written public comment for the Silverado Resort Project No. P24-00141, please ensure that it is part of the public record and shared with the Planning Commission as we can not attend the meeting to speak. Thank you.

Dear Napa County Planning Commission,

We are writing as a concerned residents of Napa County regarding the proposed expansion of event operations at The Grove within the Silverado Resort, application No. P24-00141 on the planning commission agenda for October 15, 2025. While we are not CEQA or noise experts, we have spent time researching local land use issues—including the Hoopes lawsuit, the Zinfandel project, and other developments that have shaped our community's environmental trajectory. We respectfully urge the Commission to require a full Environmental Impact Report (EIR) for this project.

CEQA Contradiction: Exemption Memo vs. Project Statement In his CEQA Exemption

Memo dated 07/31/2025 to PBES Director Brian Bordona, Planner Andrew Amelung states that “the number, type, and duration of events will not increase and will remain consistent with existing operations.” This is factually incorrect. The Project Statement submitted by the applicant clearly proposes an additional 45–50 events annually, concentrated in the previously dormant months of late October through early May. This is not a semantic discrepancy—it’s a material intensification of use. CEQA requires evaluation based on actual historical operations, not theoretical permissions. When a staff planner misrepresents core facts in a formal exemption recommendation and it is not corrected by the Director, it raises serious public trust concerns. Expanding into winter months introduces new, unstudied impacts on wildlife, habitat, and soundscape. This contradiction demands accountability. A full Environmental Impact Report is not optional—it is required.

Wildlife and Habitat Concerns The Grove sits within a golf course corridor heavily populated by birds and wildlife, many of which were displaced or impacted by the 2017 fires. No biodiversity study has been conducted since those fires, and the ecological recovery of this area remains undocumented. The proposed year-round use introduces amplified sound and human activity during critical winter months—when wildlife is most vulnerable.

- Amplified sound may mask signals animals use to forage, evade predators, or communicate.
- Migratory birds may avoid the area altogether due to noise disruption.
- Hibernating species could be disturbed by sudden loud sounds, with unknown consequences.

Inadequate Noise Study The noise study presented is deeply flawed and a full study should be required:

- It relies on a 30-minute Leq average, which may obscure peak noise levels. Lmax, L10, and L90 metrics should be included.
- No equipment specifications were provided, and the LT-2 monitor was placed under a tree—an acoustic buffer that invalidates the readings.
- Seasonal changes in vegetation, wind direction, and temperature were not accounted for. Cooler temperatures and downwind conditions can carry sound farther and amplify its impact.
- Amplified sound, especially low-frequency bass, travels upward and can reach elevated habitats. Trees situated above the event site may host nesting birds during critical winter months. Without a full acoustic study, it’s unclear how this vertical sound spill could disrupt nesting behavior, communication, or seasonal rhythms. CEQA requires that these impacts be evaluated, especially in post-fire habitats where recovery is fragile and unstudied.

Mechanical Noise Impacts The Grove is currently an outdoor space without rooftop HVAC or mechanical equipment. Transitioning to an enclosed, year-round facility may

introduce new noise sources—such as air conditioning units, ventilation systems, and rooftop machinery—that have not been measured or evaluated. These impacts must be studied under CEQA before approval.

Fire Hazard Proximity The event site lies within 1,100 feet of Napa County’s Severe Fire Hazard map. While not directly within the mapped zone, CEQA requires analysis of adjacent impacts. Wildlife, sound, and fire risk do not respect parcel boundaries, and proximity to escalating hazard zones must be treated as a material environmental concern.

Loss of Mature Valley Oaks The removal of 10 established Valley oaks will have immediate impacts on habitat, sound buffering, and seasonal wildlife patterns. While replacement trees are proposed, they will not reach full maturity for decades and cannot replicate the ecological function of the originals. CEQA requires evaluation of this loss—not just a planting plan.

Tributary impacts must be studied under CEQA. While the tributary running through The Grove is not formally designated as a Key Riparian Corridor, it merges with Milliken Creek—an identified critical habitat for Steelhead trout and other sensitive species. The tributary’s riparian zone, dominated by valley oaks and ash, plays a role in seasonal water flow and ecological connectivity. In a post-fire landscape, even intermittent channels can carry sediment, pollutants, and amplified sound downstream. CEQA requires evaluation of adjacent and connected waterways—not just those with formal designations. While the tributary may be approximately 2200 feet from the event site as stated in the CEQA exemption memo, the creek is actually around 75 feet from the site. Not including full details and proximity of these waterways is unacceptable.

Inadequate Sound Condition The condition stating that “no amplified sound system or amplified music utilized outside of approved enclosed buildings” is misleading and confusing and implies containment. However, it ignores how sound actually behaves and it does not account for how events operate: doors open for guest flow, catering, and ventilation, allowing sound to escape. Bass frequencies travel through walls and upward into elevated habitats, potentially disturbing nesting birds. Without a full acoustic study that accounts for real-world use, seasonal changes, and vertical sound spill, this condition offers false assurance and fails to protect surrounding wildlife.

Pattern of Misrepresentation and Procedural Failure The Grove project fits into a troubling pattern of misrepresentation and procedural shortcuts in Napa County. In the Bonny’s Vineyard case, Water Audit California sued the County for approving a winery permit without a full Environmental Impact Report, citing unstudied impacts on groundwater, habitat, and public trust resources. In the Castello di Amorosa permit review (Calistoga), the Planning Commission approved the project based on inaccurate water usage data—only for the error to be discovered after Water Audit’s appeal, prompting embarrassment and a remand by the Board of Supervisors. These are not minor oversights; they reflect a systemic failure to provide accurate environmental data to decision-makers. When staff misrepresents facts or omits critical analysis—as is happening again with The Grove—it erodes public trust and violates the spirit and letter of CEQA. The Commission must not repeat these mistakes. A full Environmental Impact Report is not optional—it is the legal and ethical minimum.

Stewardship and Accountability Our rural community deserves thoughtful, informed decision-making that honors both ecological truth and long-term stewardship. Urban

influences should not override the need for environmental integrity. We urge the Commission to require a full EIR for The Grove expansion and to ensure that all impacts—especially those affecting wildlife during winter months—are properly studied.

Thank you,

Chris and Stephanie O'Brien

46 Sea Breeze Ct. Napa CA

sent by email to Andrew on August 1, 2025, duplicate copy by mail to

Planning, Building and Environmental Services

1195 Third Street, Suite 210

Napa, Ca 94559

August 1, 2025

Subject: Request for Public Hearing Regarding Silverado Resorts' Pavilion and Lounge Project, Application P24-00141

Dear Andrew,

Per your note of July 30, 2025, **I am writing to formally request a public hearing** regarding the permit application submitted by Silverado Resort, in light of their documented history of misleading submissions and repeated non-compliance with local regulations.

The applicant has previously submitted permit requests containing inaccurate or incomplete information, attempted to avoid the permitting process and has consistently failed to adhere to the approved procedures and usage requirements for permits that have been issued. These issues of non-compliance are well-documented by the planning department and have been daylighted in the local press as well. The lack of enforcement by other county agencies and the planning department's attempts to short-cut the full process not only undermine public trust but also strain the integrity of our planning and enforcement process.

Specifically:

- **Permit submissions have lacked transparency and included misleading representations about intended property use.** *These are well-documented within the planning department.*
- **Site activities have repeatedly deviated from the scope of approved permits.** *The most visible and glaring example has been failure to follow the "take-down" requirements for the temporary tent structures near the mansion. On more than one occasion, the resort has failed to comply with the permit requirements and only acted after the appropriate agencies were contacted. Voluntary compliance should be a fair expectation. However, repeated violations call into question the likelihood that the resort will comply with use restrictions on the new facilities without constant policing. In fact, when the resort's VP & Managing Director was asked about this at a recent meeting, his response was vague and non-committal to absolute compliance. The cost of compliance, like the cost of the build should rest with the applicant and not be a burden to the county enforcement team or any other agency, nor should the impacted parties be put in a position on policing the proper use.*
- On more than one occasion, the Resort started work without the permits — perhaps in hopes that they would complete the work without agency (county planning and/or any other agency's approval). One of the more recent examples was the tear-down of a walking bridge over the protected creek. The resort attempted to do the work despite knowledge that any projects in the vicinity of the creek need multiple approvals.

- **Compliance with zoning, environmental, and procedural regulations have been neglected or ignored.** *In several recent examples, the county has attempted, as they have here, to take approval short cuts where they have first-hand knowledge of community issues. A full environmental review should be undertaken to ensure the impact of the adjacent waterway, not to mention the wildlife that roams that area is considered. As noted, short cuts in the interest of profitability of the Resort by the county undermine confidence and trust.*
- In addition, the handling of past permit issues by the zoning administrator/planning department has raised concern among residents. **A pattern of questionable decision-making and inadequate oversight and conditions** has led to approvals that have failed to safeguard public interest and community standards. Such precedent only reinforces the need for open dialogue and thorough review before any further approvals are granted. Case in point, the removal of ten valley trees with replacement at 3:1 is totally inadequate. The 10 fully-grown trees are situated in an 11,058 sq foot area or approximately 1 tree per 1,105 sq feet or 1 tree every 33ft x 33 ft area. In exchange, you are asking them to plant 30 trees across a 278.73-acre plot. That is 1 tree every 404,716 sf or 1 tree every 630 ft x 630ft area. Hardly a fair trade-off ... especially when replacing large, fully grown trees with small upstarts! What alternatives did you ask them to consider?
- Lastly, **there is the sewer question** ... I encountered a county roadblock when I explored the addition of a house hook-up, and the county raised the same issue when a multi-use housing project was considered on Atlas Peak. How is it that this project is proceeding when others were closed down?

Given this troubling track record on both the applicant's part and the regulatory oversight, I believe it is in the public interest to ensure full transparency and accountability. A public hearing will allow community members to express concerns, present supporting evidence, and participate in the decision-making process to protect our shared environment and neighborhood quality. And force the county to explain the short-cuts to process that is proposed.

I respectfully ask that this request be placed on the next available agenda, and that appropriate notice be provided to affected residents and stakeholders.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,
Glenn Weckerlin

258 Kaanapali Drive, Napa Ca 94558

707-637-3377



Napa, CA 94559

www.countyofnapa.org

From: glenn weckerlin <gwec3@hotmail.com>

Sent: Monday, July 8, 2024 8:46 AM

To: Amelung, Andrew <andrew.amelung@countyofnapa.org>

Subject: Silverado Resort Proposed Grove Event Pavillon Concerns -- county permitting and enforcement alignment

[External Email - Use Caution]

Andrew,

I support the comments and questions that have been raised by fellow residents/members. To keep this email short, I won't cut and paste them. Instead, I'll focus on an issue that will require coordination within the planning team ...

The Silverado team has a track record of

- failing to file permits on a timely basis, many times waiting to get "caught" (see recent bridge removal without consulting with fish and wildlife or county -- 2023)
- failing to comply with the permit requirements once received (e.g. annual event -- late removal of the big tent that is adjacent to the mansion, with partial year use permit) -- again, waiting to get "caught"
- failing to consult with neighbors on projects with potential safety issues (south course parking for golf event in 2023)
- spraying and tree removal in the creek area without consulting fish and wildlife for environmental issues

This is a partial list with a common theme ... they appear to focus on doing the absolute minimum compliance at best and in most, if not all cases, less than what is required.

I understand the need to "run a business" but there are right and wrong ways to do it ... bottom line, you can't trust them to comply with the requirements and/or live with the plan as they submit it. they

know how to work the system ... its your job as the county to make sure they do not work the system and "beg for forgiveness" when they decide to make changes. They have ample resources to scope a project and identify contingencies. They also know that the county enforcement team has been inconsistent in their efforts to make folks comply with the conditions. They will use this is their risk assessment. (there are multiple versions of the truth floating around already – size of the build varies by several thousand sq feet).

They are no doubt working hard to ready the property for sale – I'm guessing spring 2025 at the latest. When groups are flipping a property, as our friends at KSL have done many, many times, you can count on a couple e of things 1) flippers will focus on cosmetic changes versus systemic improvements and b) they have no intention of being part of the community and/or building relationships with partners – neighbors, members, community partners, local governing bodies, etc.

It's time to ensure a coordinated effort within the county team. If enforcement does not fully enforce, it minimizes the planning team. This gap in the county efforts has been highlighted over the past year plus ...

Please step up! Hold them accountable for being transparent with their plans and accountable to delivering what is permitted!

From: [Jodi Levy](#)
To: [Amelung, Andrew](#)
Subject: Silverado CC use permit modification 2025
Date: Wednesday, February 12, 2025 11:28:23 AM

[External Email - Use Caution]

If a picture is 1000 words on watershed issues for the modification of use permit, please take the time to review the February 04, 2025 runoff video in front of our house in The Grove, 1008 Augusta Court. You will notice the location of small buildings reflects the site proposed to build a 7,000+sq ft structure plus second structure and pavilion.

Also note the photo showing 2 circular ponds as evidence of water pooling after old growth Oaks and ROOT BALLS are removed. This has been my issue regarding subterranean watershed being altered with potential flooding of our house. The existing runoff channels appear to be at MAXIMUM.

I'm compelled to record these issues in the event of future flooding problems for insurance purposes.

Please reevaluate the decision to remove 10+ trees and modify this area to 14,000 sq ft of buildings and property development.

Respectfully submitted

Dr Jay and Jodi Levy

Sent from my iPhone

From: [Jodi Levy](#)
To: [Amelung, Andrew](#)
Subject: SCC use permit modification 2025
Date: Wednesday, February 12, 2025 11:01:58 AM

[External Email - Use Caution]

More runoff pictures to indicate potential flooding if modifications affect watershed. That's our house adjacent the channel at maximum capacity in February 04,2025

The next small white building is part of the proposed area where a 7,000 sq ft building is proposed.
I hope the other video came through
Jodi Levy





Sent from my iPhone

From: [Jodi Levy](#)
To: [Amelung, Andrew](#)
Subject: Silverado Event Center use permit proposal 2024-25
Date: Wednesday, December 25, 2024 1:24:59 PM

[External Email - Use Caution]

Download full resolution images
Available until Jan 24, 2025

Hello Andrew. Merry Christmas and Happy New Year 2025

On December 14-16 I video recorded and provided a few additional photos to describe the powerful watershed during a big rain event. We live at 1008 Augusta Court and wish to document our concerns regarding possible future flooding when the Silverado Event Center is built where 10 Old Oaks trees and rootstock are removed to allow a building to be constructed if the use permit is changed.

We witnessed the powerful runoff and the Golf Course closed 11/22 and 12/14 due to safety concerns. If you take the time to study my photos and video and understand potential flooding conditions our objections are valid.

There exists strong subgrade watershed and I'm confident the County will require further investigation into flooding potential.

I have more photos and videos to support our concerns

Thanks for your support

Respectfully

Jodi Levy

The Grove

[Click to Download](#)

[IMG_8463.MOV](#)

0 bytes

EXHIBIT E



Sent from my iPhone

From: [Jodi Levy](#)
To: [Amelung, Andrew](#)
Subject: Silverado Resort proposed Event Center use permit modification 2024/25
Date: Monday, November 25, 2024 12:27:23 PM
Attachments: [IMG_8423.PNG](#)

[External Email - Use Caution]

Hello Andrew

I have written to you previously about my very real concerns regarding drainage issues when a building(s) is constructed on the picnic site called The Grove and 10 old growth Oak Trees are cut down. We live at 1008 Augusta Court next to the drainage canal and pond on South Course green hole 15.

The views are taken on 11/21-22/24 and show the massive watershed from my bedroom window just 5 feet away from the drainage spillway heading to the pond and waterway in The Grove where buildings are proposed. How will redirecting the natural drainage affect our foundation?

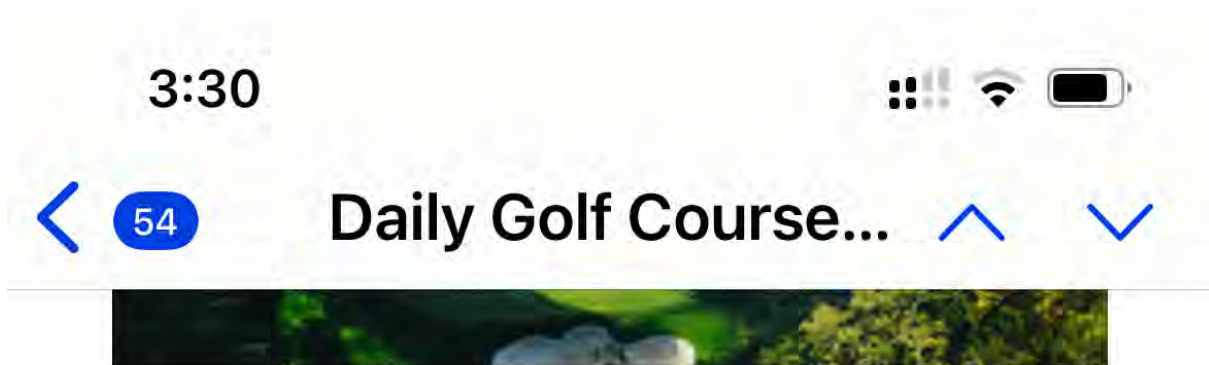
Note the closure of the cart paths due to flooding. This is evidence of my previous concerns about this area.

Please review your decisions to grant this use permit modification.

Respectfully

Jodi Levy





Golf Course Daily Status - UPDATE

November 22, 2024

Both courses closed the
remainder of the day.

The continued rain has caused flooding on both courses. As a result, they have been closed for safety purposes. If you plan to visit the club this evening, we encourage that you travel via car and not by golf cart as many of the cart paths are now flooded and not safe to travel on.

North Course

Closed



Sent from my iPhone

From: [Jodi Levy](#)
To: [Amelung, Andrew](#)
Subject: Silverado Resort application for The Grove building project Fall 2024
Date: Sunday, September 1, 2024 2:43:27 PM

[External Email - Use Caution]

Andrew I have written to you previously expressing concern regarding this project and its impact on wildlife and environment.

Please add the following to my concerns.

Has the County taken into consideration the massive watershed issues created following heavy prolonged rains? Here in the Grove the water table elevates just below grade. There are runoff areas and underground flows that are vital to our stable home foundations.

What happens when this project redirects the existing water runoff?

What happens when those Oak Trees are cutdown and their root balls leave a sunken area after saturation where water will collect?

What happens to the Oak Trees down flow from the new buildings?

Do you believe what is mandated here is an Environmental Impact Report?

I realize that improvement to the existing small buildings should be addressed. I remain opposed to tearing up the beautiful grassy picnic area and Old Oak canopy.

Thank you

Jodi Levy

Resident The Grove

Sent from my iPhone

From: [Jay Levy](#)
To: [Amelung, Andrew](#)
Subject: the Grove project at Silverado C.C.
Date: Wednesday, August 28, 2024 11:13:22 AM

[External Email - Use Caution]

I live at 1008 Augusta Court and the proposed Silverado Grove addition project is almost in my side yard. Is there any information that you can share with me about the current building permit progress?

I have your July 8th letter.

It is my opinion That fire department requirement is a large and expensive one and I do not feel they can preserve 70% of the canopy of the beautiful old oak trees with what they propose removing.

Thanking you in advance,

Jay M Levy MD

From: [beth mattei](#)
To: [Amelung, Andrew](#)
Cc: [Pete mattei](#)
Subject: Silverado Resort modification of "The Grove"
Date: Sunday, August 10, 2025 8:49:00 AM

[External Email - Use Caution]

Hello Andrew,

My husband and I are residents of Silverado Resort would like to request a public hearing on the request for modification at "The Grove" located at the Silverado Resort. When will that hearing be scheduled?

In the meantime, are there photos of which valley oak trees are slated to be removed which we may see? Do you have any renderings of the proposed event pavilion? Is the "event lounge" and indoor space also? Why was CEQA waived? If any of these questions can be addressed in advance (but not in place of) a public hearing, we would appreciate it.

Thank you for your prompt attention to this matter.

Sincerely,

Beth and Pete Mattei

707-812-0040

EXHIBIT F

From: [Hawkes, Trevor](#)
To: [Amelung, Andrew](#)
Subject: FW: P24-00141;Silverado Resort & Spa Project 1600 Atlas Peak Rd, Napa; APN 060-010-001-000
Date: Monday, July 22, 2024 10:28:26 PM

FYI

From: Dennis O'Brien <dobrien@obrienhomes.net>
Sent: Monday, July 22, 2024 12:25 PM
To: Hawkes, Trevor <trevor.hawkes@countyofnapa.org>
Cc: todd.shallan@silveradoresort.com; Dennis O'Brien <dobrien@obrienhomes.net>
Subject: FW: P24-00141;Silverado Resort & Spa Project 1600 Atlas Peak Rd, Napa; APN 060-010-001-000

[External Email - Use Caution]

From: Dennis O'Brien <dobrien@obrienhomes.net>
Sent: Monday, July 22, 2024 12:20 PM
To: trevor.hawkes@dcountryofnapa.org
Cc: Gloria O'Brien <gloria@obrienhomes.net>; Chris O'Brien <Chris@obrienhomes.net>; Susie Frimel <susie@obrienhomes.net>; David Hakman <david.hakman@hakman.com>; Stephen and Ann Marie Massocca (steve.massocca@wedbush.com) <steve.massocca@wedbush.com>; andrew.amelung@countyofnapa.org; Jane Stuart <jstuart@arescorporation.com>; dcjwcf@aol.com; hewcon36@yahoo.com; eric@nyhusdesign.com; jodlevy@yahoo.c; omnaneb1201@gmail.com; Alfredo.Pedroza@napa.org; todd.shallan@silveradoresort.com; Dennis O'Brien <dobrien@obrienhomes.net>
Subject: P24-00141;Silverado Resort & Spa Project 1600 Atlas Peak Rd, Napa; APN 060-010-001-000

Dear Mr. Hawkes,

My family and I have been members of Silverado since 1980. We own a home at the Grove. My company built the Grove along with Silverado Springs community.

First, we take great exception to the approval process of a Minor Modification to Use Permit the owners of Silverado are asking the County of Napa to accept and grant an approval. How can building a 10,000 square foot Pavilion and an accessory building be considered a minor modification ? The proposed 10,000 square foot Pavilion will hold twice the number of people than the existing Grove area has for past events. Is that considered a minor modification to the County of Napa?

We are very disappointed that the Silverado ownership has not sought the input of its neighbors and members affected by this new project. We know ownership is intentionally

From: N Nebeker
To: Amelung, Andrew; trevor.hawkes@countyofnapa.or
Subject: update**Silverado CC PROPOSED Grove EVENT Pavilion Concerns
Date: Tuesday, July 9, 2024 2:27:49 PM

[External Email - Use Caution]

Dear Mr. Amelung,

Please take a moment to review the letter (below) that I sent to Trevor Hawkes (below) and that was meant to be sent to you at the same time.

An additional concern has been brought to my attention: **Residential Property and Liability insurance.** With this large congregation of people, meeting frequently in our backyards, most of whom are not residents of the neighborhood in Silverado, our ability to get 'quality residential insurance' will be negatively impacted. The large number of "guests" using this proposed entertainment facility creates an increased risk of property or liability claims against the home/condominium owners. The larger the crowd, the more difficult to security check individuals and to manage their movement around the Silverado neighborhood. The insurance industry in California is in a very selective position and many companies are relieved to find a reason to NOT insure.

----- Forwarded message -----

From: N Nebeker <naneb1201@gmail.com>
Date: Mon, Jul 8, 2024 at 10:59 AM
Subject: **Silverado CC PROPOSED Grove EVENT Pavilion Concerns
To: <trevor.hawkes@countyofnapa.or>

Dear Mr. Hawkes:

Please work with the Silverado CC owners and developers to reduce or deny their proposal of an oversized **9000 s.f. event building (25'high peak)** with total indoor-outdoor **14,000 square foot event area** at the "GROVE" at Silverado Resort. This project is too big and would allow too many people to congregate at one time in my backyard.

I am a resident and owner of a condominium living across the grass from this proposed **"pay-to-play public event center"** with a **capacity of 3-400 people.** This will drastically alter the security, privacy, and healthy restful nature of our neighborhood. Replacing 10 old growth oak trees with buildings, nonresidents, and vehicles coming and going is giving an investment corporation profit (out of state? REIT?) priority over we locals who choose to live in a beautiful outdoor country setting.

Where do these up to 3-400 people park? Where are the **after dark shuttles** going to be located? Who provides **security for our homes?** **How will emergency (fire 2017, earthquake) evacuation be handled?...** Getting into town to other ground roads is primarily dependent on **"one" one one-lane road...Monticello and quickly becomes a traffic jam.**

My 10/2017 WILDFIRE EVACUATION nightmare is an experience I never want to repeat.

This project creates several dangerous situations and needs to be greatly modified to a **much smaller** event site. Please consider the residents and our California Implied Covenant of Quiet Enjoyment providing the right to the use and quiet enjoyment of our real property per CA Civil Code as opposed to out of state corporate investment profit.

Sincerely,
Nancy Nebeker

From: [Erin Bright Russell](#)
To: [Amelung, Andrew](#)
Cc: [Erin Bright Russell](#); [Bordona, Brian](#)
Subject: Silverado: The Grove Proposal
Date: Friday, August 1, 2025 9:05:46 AM
Attachments: [Grove Plans From County.pdf](#)
Importance: High

[External Email - Use Caution]

Hello Andrew and Brian,

I hope this finds you well.

Will you please send me the plans for the Silverado expansion at the Grove?

I, and several neighbors, are quite concerned about this development.

Why is it not being evaluated under the lens of CEQA?

Is the proposal to remove heritage oak trees in the middle of a natural landscape that is shared and enjoyed by the residents and community members and club members?

Is the building envelope within a legal distance from the Milliken creek?

I would like to request a public hearing.

Thank you for letting me know next steps.

Best regards,

Erin

Erin Bright Russell
mobile: 707-337-5994 | office: 707-963-1152
Coldwell Banker Brokers of the Valley
erinbightrussell.com
CalBRE# 01999948

From: [Hawkes, Trevor](#)
To: [Amelung, Andrew](#)
Subject: FW: The Grove proposal at Silverado Country Club
Date: Tuesday, July 9, 2024 1:01:56 PM

From: Linda Price <lindanprice@gmail.com>
Sent: Tuesday, July 9, 2024 12:23 PM
To: Hawkes, Trevor <trevor.hawkes@countyofnapa.org>
Subject: The Grove proposal at Silverado Country Club

[External Email - Use Caution]

Dear Mr. Hawkes,

I am an owner and resident of property on Silver Trail. Learning of the plans for expansion at the Grove gives me many areas of concern:

1. How can 300 to 400 people be effectively shuttled from the parking area going between two buildings and over a single-lane bridge to reach the Grove?
2. Suppose there is a fire danger, how can 300 to 400 people get to their cars in a timely manner?
3. How will the introduction of a large and tall building affect the value of residences adjoining this area?
4. How will this affect those wanting to golf in that area? In the past, the Grove has been used in the evening only when golfing is over.
5. 10 old-growth oaks would be sacrificed for the project which is a shame. This may be even illegal.

Thank you for your consideration.

Sincerely,
Linda Price

1567 Silver Trail, Napa
lindanprice@gmail.com

EXHIBIT J

Boards & Commissions | Napa x Napa County - Meeting of Pl... x Planning Commission on 202... x

napa.granicus.com/player/clip/5712?view_id=3&redirect=true

New Chrome available

html5: Video not properly encoded

Planning Commission on 2025-10-15 9:00 AM

A. 25-1705 TODD SHALLAN / SILVERADO RESORT & SPA PROJECT / USE PERMIT MINOR MODIFICATION NO. P24-00141-MM CEQA status: Consideration and possible adoption of Categorical Exemptions Classes 1 and 4: It has been determined that this type of project does not

8. ADMINISTRATIVE ITEMS - NONE

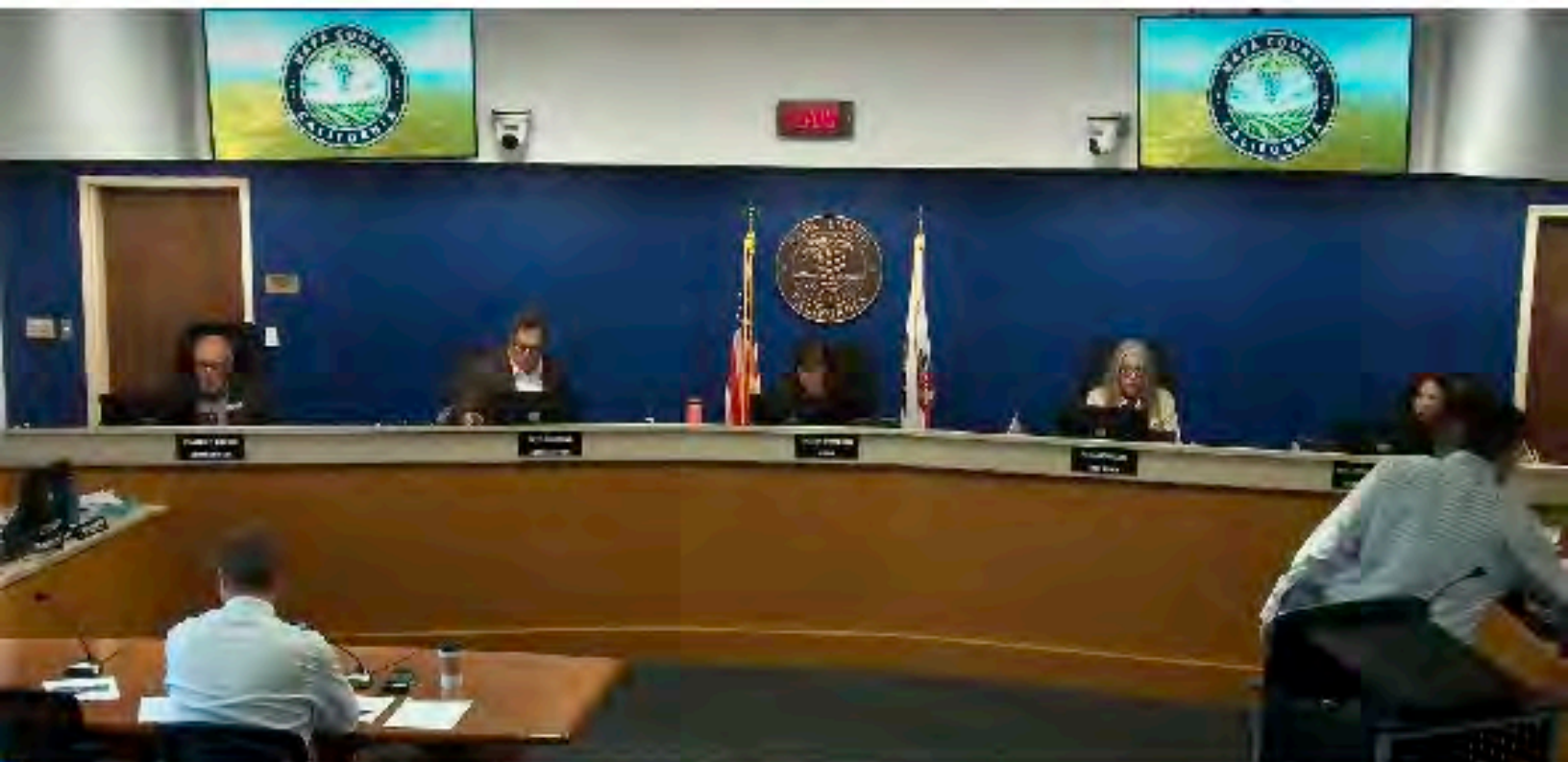
9. DIRECTOR OR DIRECTOR'S DESIGNEE REPORT

- DISCUSSION OF ITEMS FOR THE NOVEMBER 5, 2025 REGULAR MEETING - BOARD OF SUPERVISORS ACTIONS - OTHER DEPARTMENT ACTIVITIES - CODE COMPLIANCE REPORT - ZONING ADMINISTRATOR ACTIONS - OTHER PENDING PROJECTS' STATUS

Index Agenda Documents Share Streaming Video Support

EXHIBIT
K

← → ↺ napa.granicus.com/player/clip/5712?view_id=3&redirect=true



Brooks, miembro en funciones, Marion Williams, página 30 miembro residente en Richmond

Planning Commission on 2025-10-15 9:00 AM

EXHIBIT L



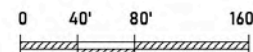
2872 Ygnacio Valley Road #403, Walnut Creek, CA 94598 F: 510.812.6101

FIGURE 2

Habitat Map
The Grove Project
Napa, California



Scale: 1 inch = 80 feet



Legend

- Riparian Tree (dbh approximate)
- Existing Tree to be Removed
- Developed Golf Course/Urban (0.88 Acres)
- Oak Woodland/Oak Savannah Habitat (1.27 Acres)
- Limits of the Project Site
- Top of Bank

Source: Google Earth 2024	Revisions	By
Date: 9/04/2024		
Cartographer: XM		
File: C:\Users\jz001\OneDrive - Zentner Planning and Ecology\Documents\The Grove\2025\Habitat Map_2025.dwg		

OWNER-RESIDENT
970 Augusta Circle, Napa CA

trying to use the Minor Modification to Use Permit processing approach so they can avoid input from the neighbors and members; this seems inequitable and forceful.

The second reason the Silverado ownership is using the Minor Modification to Use Permit approach is to bypass a thorough environmental analysis of the potential adverse effects and impacts of a 10,000 square Pavilion and accessory building. Isn't it important to understand the impact this project will have on the environment that has been undisturbed for the last 44 years or more? How is that approach acceptable in today's world? The proposed project's design is very tightly constrained by the necessary setbacks from creeks and the preservation of massive oak trees. The space left over inside the constraints is too small for a 10,000 square foot Pavilion.

To qualify to use the Minor Modification path the ownership needs to prove "there is no increase in guests beyond existing patterns of use, with no increase in density or intensity". If the Pavilion is 10,000 square feet, that would have an occupancy capacity far exceeding what the historical use of the Grove has been.

We think it would be productive and helpful to the Silverado homeowner community if the County did the following:

1. Deny the use of the Minor Modification Use Approach
2. Require the process provide for public notice and input, thorough planning staff and engineering review and environmental review.
3. Hold Public hearings at the Planning Commission and Board Of Supervisors

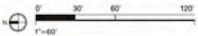
We as a family have always welcomed, supported, and applauded Silverado's ownership's continued investment in the Silverado community. We can support this new proposal if its size and building height are reduced and the process for approval is open and collaborative with those neighbors that are affected.

Sincerely,

Dennis O'Brien

THE GROVE
EXISTING CONDITIONS - TREE COUNT

- EXISTING TREES TO REMAIN - 96
- EXISTING TREES TO REMOVE - 8



bull stockwell allen



SILVERADO RESORT
GOLF | SPA | RESORT

THE GROVE | DESIGN UPDATE | 3



EXHIBIT N

Oak Woodlands Protection Act of 2014 State CDFW Permit Program

An act to add Chapter 6.5 (commencing with Section 1625) to Division 2 of the Fish and Game Code, to read:

The people of the State of California do enact as follows:

SECTION 1. Section 21083.4 of the Public Resources Code is repealed on the effective date of this statute.

SECTION 2. Chapter 6.5 (commencing with Section 1625) is hereby added to Division 2 of the Fish and Game Code, to read:

Chapter 6.5 Oak Woodlands Protection Act

1625. Short Title. This chapter shall be known, and may be cited, as the Oak Woodlands Protection Act.

1626. The Legislature hereby finds and declares all of the following:

- (a) The conservation of oak woodlands enhances the natural scenic beauty for residents and visitors, increases real property values, promotes ecological balance, provides sustainable habitat for over 300 wildlife species and 2,000 plant species, reduces soil erosion, sustains healthy watersheds and water quality, moderates temperature extremes and climate change, and aids with nutrient cycling, all of which affect and improve the health, safety, and general welfare of the residents of the State of California.
- (b) Widespread changes in land use patterns across the landscape and habitat loss due to the pathogen *Phytophthora ramorum*, commonly known as Sudden Oak Death, and infestations of the Goldspotted Oak Borer parasite, are fragmenting oak woodlands' wildland character over extensive areas of the state. The combination of human impacts and other impacts will cumulatively fragment oak ecosystem continuity unless appropriate conservation steps are taken immediately.
- (c) The future viability of hundreds of California's wildlife species are dependent on the maintenance of biologically functional and contiguous oak woodland ecosystems at local and bioregional scales.
- (d) A program to encourage and make possible the long-term conservation of oak woodlands is a necessary part of the state's wildlands protection policies. It is hereby declared to be the policy of the state to conserve oak woodlands and maintain oak ecosystem health.

1627. It is the intent of the Legislature that this Act be construed in light of the following primary objectives:

- (a) To conserve oak woodland ecological attributes remaining in California and to provide habitat for wildlife species that are associated with such habitat.
- (b) To provide maximum conservation of the oak woodlands ecosystem.
- (c) To insure that land use decisions affecting oak woodlands and dependent wildlife are based

on the best available scientific information and habitat mitigation measures.

(d) To restore and perpetuate the state's most biologically diverse natural resource for future generations of Californians.

1628. For purposes of this chapter, the following terms have the following meanings:

(a) "Canopy cover" means the area, defined as a percent of total ground area, directly under the live branches of an oak tree.

(b) "Commission" means the Fish and Game Commission.

(c) "Department" means the Department of Fish and Wildlife.

(d) "Director" means the Director of Department of Fish and Wildlife.

(e) "Dying trees" means oak or riparian hardwood trees which exhibit one or more of the following: have tested positive for Sudden Oak Death; trees designated by an accredited forester, forest pathologist or arborist as necessary to remove in order to control the spread of disease or insect pests to healthy trees; trees toppled by natural events; and damaged trees representing an imminent danger to human life or property.

(f) "Oak tree" means any tree in the genus *Quercus* that is not growing on timberland, as defined in Section 4526 of the Public Resources Code.

(g) "Oak removal" means causing an oak tree to die or be removed as a result of human activity by any means including, but not limited to, cutting, dislodging, poisoning, burning, pruning, topping or damaging of roots.

(h) "Oak removal permit" means a discretionary permit approving an application for the removal of more than ten percent of the existing oak canopy cover on a parcel.

(i) "Oak removal plan" means an oak woodlands biological impacts evaluation and site-specific management plan.

(j) "Oak woodland" means a non-timberland area on a parcel of five (5) or more acres containing oak trees, or a non-timberland area on a parcel of at least one (1) or more acres containing valley oak trees, with a greater than ten (10) percent canopy cover, or that can be demonstrated to have historically supported greater than ten (10) percent oak canopy cover.

(k) "Riparian hardwood" means native broadleaved evergreen and deciduous trees that produce flowers and grow within 50 feet, measured horizontally, of any watercourse or lake.

(l) "Parcel" means a single assessor's parcel of land as shown on maps produced by the county assessor.

(m) "Timberland" means "timberland" as defined in Public Resources Code section 4526.

(n) "Watercourse" means any well-defined channel with distinguishable bed and bank showing evidence of having contained flowing water indicated by deposit of rock, sand, gravel, or soil, including but not limited to a "stream" as defined in Section 4528(f) of the Public Resources Code.

1629. (a) After January 1, 2015, no person shall remove oak trees, or any valley oak tree greater than or equal to 20" diameter at breast height, from an oak woodland unless an oak removal permit prepared by a Registered Professional Forester for such operations has been submitted to and approved by the Director. The Director may delegate this authority to the Department's regional managers.

- (b) Applications for oak removal permits shall be on a form prescribed by the Director.
- (c) By June 30, 2015, the Commission shall adopt regulations to implement this chapter, including regulations establishing an application fee for the cost of processing an application for an oak removal permit. The fee charged is to be established in an amount necessary to pay the total costs incurred by the department in administering and enforcing this chapter. The regulations shall ensure that the vegetation cover and mapping information contained in all oak removal plans submitted as part of an oak removal permit application is incorporated into a vegetation classification and mapping program maintained by the Department.

1630. (a) An oak removal plan, in a form prescribed by the Commission, shall become part of the application for an oak removal permit. The oak removal plan shall be prepared by a Registered Professional Forester and will set forth, but not be limited to, the following information:

- (1) Present and future parcel use.
- (2) Existing and proposed parcel canopy cover percentages.
- (3) Parcel map indicating the location of all proposed oak removal.
- (4) Number, diameter at breast height and type of oak species to be removed.
- (5) Number of acres on which oak removal will occur.
- (6) Habitat mitigation measures.
- (7) Information required pursuant to Public Resources Code section 21160.

1631. (a) Oak removal operations for which an oak removal permit is required pursuant to this chapter are "discretionary projects" subject to the California Environmental Quality Act, at Public Resources Code, Division 13, commencing with Public Resources Code section 21000, and the Director shall review, and decide whether to approve, oak removal permits pursuant to this chapter and the California Environmental Quality Act.

(b) The Director or Commission may apply to the Secretary of the Resources Agency to certify this program pursuant to Public Resources Code section 21080.5.

1632. The Director shall not approve an oak removal permit where:

- (a) The application and oak removal plan do not comply with this chapter or the regulations adopted by the Commission to implement this chapter,
- (b) The Director cannot make the findings specified in Public Resources Code section 21081.
- (c) Oak tree removal operations would remove more than 10 percent of the oak canopy cover that existed on January 1, 2015;
- (d) Oak or riparian hardwood trees would be removed within 50 feet of any watercourse, lake, or reservoir.
- (e) There is evidence that the information contained in the application or oak removal plan is incorrect, incomplete or misleading in a material way, or is insufficient to evaluate the plan's environmental effects.
- (f) The applicant does not have a legal or equitable interest in the property subject to the application.

(g) Implementation of the oak removal plan as proposed would cause a violation of any applicable law.

(h) Subdivisions (c) and (d) of this section 1632 shall not apply to the removal of dead trees or the removal of oak trees to create legally required fire breaks, fuel breaks and rights-of-way.

1633. (a) The applicant may appeal the Director's denial of an oak removal permit to the Commission by filing a notice of appeal with the Department within 15 days after notice of the denial. The Commission shall hear the appeal within sixty (60) days after the appeal is filed unless a later hearing date is mutually agreed upon by the applicant and the Commission.

(b) Any applicant whose application for an oak removal permit has been denied is entitled to a hearing before the Commission pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. The Commission shall hear and decide appeals de novo.

1634. Any person may maintain an action for declaratory and equitable relief to restrain any violation of this division. On a prima facie showing of a violation of this division, preliminary equitable relief shall be issued to restrain any further violation of this division. Oak removal permits approved pursuant to this chapter are "construction projects" as that term is used in Code of Civil Procedure Section 529.1. In any civil action brought pursuant to this chapter in which a temporary restraining order, preliminary injunction, or permanent injunction is sought, it is not necessary to allege or prove at any stage of the proceeding any of the following: (1) that irreparable damage will occur if the temporary restraining order, preliminary injunction, or permanent injunction is not issued. (2) the remedy at law is inadequate.

1635. The permittee shall cause an approved oak removal permit to be recorded in each county in which the property is located before beginning any operations contemplated under said permit.

1636. (a) Any public or private landowner who violates this chapter is subject to a civil penalty of not more than twenty-five thousand dollars (\$25,000) for each violation.

(b) The civil penalty imposed for each separate violation pursuant to this section is separate, and in addition to, any other civil penalty imposed for a separate violation pursuant to this section or any other provision of law.

(c) In determining the amount of any civil penalty imposed pursuant to this section, the court shall take into consideration the nature, circumstance, extent, and gravity of the violation. In making this determination, the court may consider whether the effects of the violation may be reversed or mitigated, and with respect to the defendant, the ability to pay, any voluntary mitigation efforts undertaken, any prior history of violations, the gravity of the behavior, the economic benefit, if any, resulting from the violation, and any other matters the court determines justice may require.

(d) Every civil action brought under this section shall be brought by the Attorney General upon complaint by the Department, or by the district attorney or city attorney in the name of the people of the State of California and any actions relating to the same violation may be joined or consolidated.

(e) All civil penalties collected pursuant to this section shall not be considered fines or forfeitures as defined in Section 13003 and shall be apportioned in the following manner:

(1) Fifty percent shall be distributed to the county treasurer of the county in which the action is prosecuted. Amounts paid to the county treasurer shall be deposited in the county fish and wildlife propagation fund established pursuant to Section 13100.

(2) Fifty percent shall be distributed to the Wildlife Conservation Board for deposit in the Oak Woodlands Conservation Fund. These funds may be expended to cover the costs of any legal actions or for any other law enforcement purpose consistent with Section 9 of Article XVI of the California Constitution.

JUSTIA

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2024 California Code Public Resources Code - PRC DIVISION 13 - ENVIRONMENTAL QUALITY CHAPTER 5 - Submission of Information Section 21160.

Universal Citation:

CA Pub Res Code § 21160 (2024) ○

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21160. (a) Whenever any person applies to any public agency for a lease, permit, license, certificate, or other entitlement for use, the public agency may require that person to submit data and information that may be necessary to enable the public agency to determine whether the proposed project may have a significant effect on the environment or to prepare an environmental impact report.

(b) If any or all of the information so submitted is a “trade secret” as defined in Section 7924.510 of the Government Code by those submitting that information, it shall not be included in the impact report or otherwise disclosed by any public agency. This section shall not be construed to prohibit the exchange of properly designated trade secrets between public agencies who have lawful jurisdiction over the preparation of the impact report.

EXHIBIT P

(Amended by Stats. 2021, Ch. 615, Sec. 380. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

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2024 California Code Public Resources Code - PRC DIVISION 13 - ENVIRONMENTAL QUALITY CHAPTER 5 - Submission of Information Section 21161.

Universal Citation:

CA Pub Res Code § 21161 (2024) ○

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21161. Whenever a public agency has completed an environmental document, it shall cause a notice of completion of that report to be filed with the Office of Planning and Research using the Office of Planning and Research's online process. The public agency is not required to mail a printed copy of the notice of completion to the Office of Planning and Research. The notice of completion shall briefly identify the project and shall indicate that an environmental document has been prepared. The notice of completion shall identify the project location by latitude and longitude. Failure to file the notice required by this section shall not affect the validity of a project.

(Amended by Stats. 2021, Ch. 97, Sec. 9. (AB 819) Effective January 1, 2022.)

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EXHIBIT Q

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While arborists and foresters work with and around trees, the two have some key differences. For example, an arborist typically works with individual trees in an urban setting, while foresters manage large-scale projects involving forests related to the timber industry. This article goes more in-depth on the differences between an arborist vs. forester.

If you need help with a tree on or near your property, reach out to an **arborist from Island Tree Service** and receive all tree care services.

What Does an Arborist Do?

An arborist receives thorough training in tree biology, care, removal, and protection. These professionals typically focus on tree maintenance and rely on services such as the following:

- Pruning
- Watering schedules
- Soil health
- Tree removal
- Diagnosing and preventing illnesses

Usually, you'll need an arborist's help for any of your residential or public tree problems. These experts often work in the private sector. They rely on various tools and training to achieve the maximum potential from trees and can help you eliminate dying or hazardous trees.

To become a certified arborist, one must undergo extensive training and take the ISA Tree Risk Assessment before becoming full-fledged. This test ensures they deeply understand the tasks at hand and are capable of helping you through all necessary tree services.

What Does a Forester Do?

Regarding an arborist vs. a forester, the most significant differences are the day-to-day job description and training. Both professionals know about tree differences, life cycles, and health, but a forester uses that knowledge for different results.

However, a forester uses their skills to do the following:

- Conserve and protect forests
- Prevent and eliminate forest fires

EXHIBIT R

- Practice sustainable forestry
- Study the effects of forestry on the environment
- Balance the needs of the timber industry and the health of forests
- Occasionally, act as law enforcement in forests

Typically, forestry services require project management skills and foresight to protect the environment while providing timber for construction and other uses.

A forester will study for years to gain these skills and usually has a degree in forestry. Many continue education to the master's or doctorate level. To get the proper credentials, they must pass the Society of American Foresters (SAF) Certified Forester Exam after at least a bachelor's degree in a related field.

Which Professional Can Help Me?

You can hire an independent forester to consult about buying land and selling timber on your land. However, you must hire a certified arborist for tree-related help that does not involve timber sales.

Since most people usually need help with pruning practices, removing trees, or tree diseases, they'll hire an arborist. An arborist offers tree services for the average homeowner.

Reach Out to Island Tree Service

Learn more about the **palm trees native to Florida** to understand the trees in your yard better and how to protect or remove them.

Now that you understand the differences regarding an arborist vs. forester and which professional to call for your needs, call our team at Island Tree Service at **239-463-5121** and get an estimate for your tree services in Fort Myers, FL.

Contact Us Today for More Info!

Igor's Urban Website!

Mature Trees at the WUI Interface - Managing Oak Woodlands

Oak Woodland Management Plan

Background and Importance

Extending over vast areas of the state, hardwood rangelands are characterized by overstory canopy of hardwood tree species (predominantly oak) at least 10% cover, with an understory of annual grasses, forbs, and native perennial grasses at lower elevations, and intermixed with montane forests at upper elevations (Huntsinger and Fortmann, 1990 (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/); Standiford et al., 1996 (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/); Los Angeles County Oak Woodlands Habitat Conservation Strategic Alliance, 2011 (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)). Typically found at elevations between 200-5,000 feet (varying by species and location), California oaks also occur as components in desert plant communities and conifer-dominated forest ecosystems (Bernhardt and Swiecki, 2001 (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)).

[Managing Oak Woodlands/Annotated Bibliography_992/](#)). California has approximately 8.5 million acres of oak woodland, and 4.5 million acres of oak forest ([Gamarn and Firman, 2006](#) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)). With over twenty five native oak species, some of the dominant species include: valley oak (*Quercus lobata*), blue oak (*Q. douglasii*), interior live oak (*Q. wislizeni*), coast live oak (*Q. agrifolia*), and Engelmann oak (*Q. engelmannii*) (predominantly in southern California). Different species thrive in specific site conditions, precipitation levels, geographic locations, and at different elevations. For example, valley oaks (endemic to the state) are found in areas with relatively shallow water tables, predominantly found at elevations below 2,400 feet - with some exceptions ([Bernhardt and Swiecki, 2001](#) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/); [Standiford, 2018](#) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)), while blue oak woodlands occur on a wide range of soils, mostly below 3,000 to 4,000 feet, and across a wide gradient of precipitation levels (ranging from 10 to 60 inches annually) ([Standiford, 2018](#) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)). For more information on California's Oak Woodlands species specific characteristics, and habitat distributions click [here](#) (http://ucanr.edu/sites/oak_range/Californias_Rangeland_Oak_Species/).



Problem

Human impacts on oak woodlands have adversely affected oak dominated ecosystems causing significant habitat loss, as trees were cleared for more profitable uses such as: agriculture, rangeland "improvement", urban expansion, industrial development projects, and/or fuelwood (Bernhardt and Swiecki, 2001 (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)). For example, conversion of valley oak woodlands to irrigated agricultural land uses has resulted in a significant decline of this habitat type (Standiford, 2018 (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)). In addition to this, the dynamics of residential expansion into the oak woodlands has led to habitat fragmentation, and loss of essential ecosystem services. Areas dominated by blue, valley, and Engelmann oak have been the mostly affected (Bernhardt and Swiecki, 2001 (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)). Conservation strategies should link restoration and management actions and recognize the widespread extent of oak dominated ecosystems, and their important ecosystem functions, and ecological values

([Standiford et al., 1996](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)).

Ecological Value

With approximately 80% of oak woodlands located on privately owned property ([Kellogg et al., 2010](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)), and primarily used for livestock production, hardwood oak rangelands deliver an array of socio-ecological benefits ([Bernhardt and Swiecki, 2001](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)). The low elevation oak woodlands of California's valleys and foothills provide habitat for over 300 species, and are thought to be among the most biodiverse broad habitat types in California, exhibiting higher species diversity levels than grasslands and irrigated agricultural lands ([Staniford and Bartolome, 1997](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/); [Bernhardt and Swiecki, 2001](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/); [Stewart et al., 2008](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)). In addition to this, oak dominated ecosystems play a critical role in preventing erosion (having an important role in soil development), while preserving water quality, regulating water flow, and maintaining watershed health ([Standiford et al., 1996](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stand/Mature_-_Historic_Tree_Stand_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)).

[Historic Tree Stands/Mature - Historic Tree Stands at the Wildlife-](#)

[Urban Interface WUI/Mature Trees at the WUI Interface -](#)

[Managing Oak Woodlands/Annotated Bibliography_992/](#); [Staniford and Bartolome, 1997](#)

[\[Urban Interface WUI/Mature Trees at the WUI Interface -\]\(#\)](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-</u></p>
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[Managing Oak Woodlands/Annotated Bibliography_992/](#); [Bernhardt and Swiecki, 2001](#)

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[Managing Oak Woodlands/Annotated Bibliography_992/](#)). Oak woodlands are also recognized for their aesthetic value and recreational functions, and are seen as valuable open space around residential development ([Staniford and Bartolome, 1997](#)

[\[Urban Interface WUI/Mature Trees at the WUI Interface -\]\(#\)](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-</u></p>
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[Managing Oak Woodlands/Annotated Bibliography_992/](#); [Stewart et al., 2008](#)

[\[Urban Interface WUI/Mature Trees at the WUI Interface -\]\(#\)](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-</u></p>
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[Managing Oak Woodlands/Annotated Bibliography_992/](#)).

Relevant Legislation, Current Efforts and Management Strategies

The Oak Woodlands Conservation Act of 2001 (AB 242), recognizes the ecological value and multiple benefits stemmed from oak dominated ecosystems, and highlights the importance of protecting and preserving the health of these natural habitats ([State of California Wildlife Conservation Board, 2017](#) ([\[Historic Tree Stands/Mature - Historic Tree Stands at the Wildlife-\]\(#\)](http://ucanr.edu/sites/Igor/Mature_-_</u></p>
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[Urban Interface WUI/Mature Trees at the WUI Interface -](#)

[Managing Oak Woodlands/Annotated Bibliography_992/](#)). In 2004, the California Environmental Quality Act (CEQA) was amended through SB 1334 (Public Resources Code Section 21083.4) to specifically address the impacts and mitigation of land development in oak

woodlands ([Los Angeles County Oak Woodlands Habitat Conservation Strategic Alliance, 2011](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)). Since it is thought that a large coast live oak can sequester over 9 tons of carbon dioxide in 50 years, the Natural Resources Agency and California Air Resources Board (ARB) have started to mandate evaluating the impacts of oak woodland conversion on greenhouse gas emission ([Los Angeles County Oak Woodlands Habitat Conservation Strategic Alliance, 2011](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)).



Los Angeles County Oak Woodlands Conservation Management Plan

The Los Angeles County Oak Woodlands Conservation Management Plan (OWCMP) was drafted in 2011. The purpose of the document was twofold. On one hand it was set to provide input into the Los Angeles County General Plan update. On the other hand it was

intended to meet the requirements of the California Oak Woodlands Conservation Act (AB 242). Some of the primary goals of the plan were to: preserve and develop a consistent policy for the management of oak woodlands; design restoration strategies; preserve, enhance, or restore sustainable oak woodland functions; plan approaches for dealing with loss of oak woodlands, and create opportunities for recovery. Other objectives of the plan were focused on: offering incentives for voluntary conservation of oak woodlands on private property; quantifying the economic and environmental benefits of oak woodland preservation; providing funding to willing landowners to purchase oak woodlands and/or conservation easements, and conserving and enhancing local oak genetic resources (Los Angeles County Oak Woodlands Habitat Conservation Strategic Alliance, 2011 (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)).

The plan consist of a comprehensive document that describes: the value presented by oak woodland ecosystems; issues tied to development of these areas; proposed conservation and restoration practices, as well as monitoring strategies to assess the effectiveness of conservation efforts, among other things.

Some of the general recommendations of the plan focus on preserving the character and integrity of oak woodlands and restoring of oak woodlands (Los Angeles County Oak Woodlands Habitat Conservation Strategic Alliance, 2011 (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)). Specific key recommendations include:

- Retain mature trees with irreplaceable characteristics;
- Maintain snags that represent a variety of sizes, species and decay levels;
- Minimize storm water runoff;

- Retain on-site groundwater recharge and percolation;
- Protect stream crossings for fish passage and to reduce erosion and water quality degradation;
- Designate areas appropriate for seedling/sampling recruitment or replacement;
- Develop landscape plans that enhance native oak woodland associated species and preserve natural hydrologic patterns;
- Remove invasive plants;
- Restoration efforts should provide erosion control, planting of oak seedlings, establishment of appropriate fencing around plantings and important resource areas, planting of native perennial shrubs and grasses, and the control of non-native invasive weed species that may inhibit seedling establishment and survival;
- Examine the proposed land use change within the context of the existing and identified restoration potential of local and regional oak woodlands (mapped zones) and calculate the relative costs/benefits to the County;
- Require developments undergoing CEQA review to develop and evaluate alternative designs that fully preserve and protect oak woodland resources;
- Develop site-planning guidelines to assist planners and developers in integrating oak woodlands successfully into project development;
- Conduct workshops, seminars, and other outreach activities about oak woodlands for the general public and developers ([Los Angeles County Oak Woodlands Habitat Conservation Strategic Alliance, 2011](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)).

As described by the plan, monitoring efforts should:

- Describe the baseline condition of the site;
- Describe the mitigation measures to be implemented;

- Identify measurable performance standards and a timeline;
- Describe how these performance standards will be documented;
- Describe an adaptive management strategy for dealing with problems;
- Provide a monitoring schedule;
- Identify a person or agency responsible for the on-the ground monitoring;
- Provide for reporting, organizing and managing the data collected;
- Identify and provide adequate funding;
- Identify enforcement issues;
- Identify contingency measures;
- Provide a mechanism for long term protection ([Los Angeles County Oak Woodlands Habitat Conservation Strategic Alliance, 2011](http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/) (http://ucanr.edu/sites/Igor/Mature_-_Historic_Tree_Stands/Mature_-_Historic_Tree_Stands_at_the_Wildlife-Urban_Interface_WUI/Mature_Trees_at_the_WUI_Interface_-_Managing_Oak_Woodlands/Annotated_Bibliography_992/)).





WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

952 SCHOOL STREET #316 NAPA CA 94559
VOICE: (503) 575-5335
EMAIL: GENERAL@WATERAUDITCA.ORG

November 4, 2025

County of Napa
Planning Commission

meetingclerk@countyofnapa.org, Kara.Brunzell@countyofnapa.org,
walter.brooks@countyofnapa.org, molly.williams@countyofnapa.org,
pete.richmond@countyofnapa.org, megan.dameron@countyofnapa.org

RE: Hearing – November 5, 2025
7A. TODD SHALLAN / SILVERADO RESORT & SPA PROJECT / USE PERMIT
MINOR MODIFICATION NO. P24-00141-MM STSTEMEN

To all it may concern:

Water Audit California ("Water Audit") is an advocate for the public trust and submits this additional supplemental comment to the above stated application.

See additional exhibits (T-Z, and AA-AJ), which are in concert with Water Audit's comment letter sent earlier and dated November 3, 2025.

Respectfully submitted,

William McKinnon
General Counsel
Water Audit California



EXHIBIT T



EXHIBIT U



EXHIBIT
V



EXHIBIT
W



EXHIBIT X



EXHIBIT X



EXHIBIT Y



EXHIBIT Z

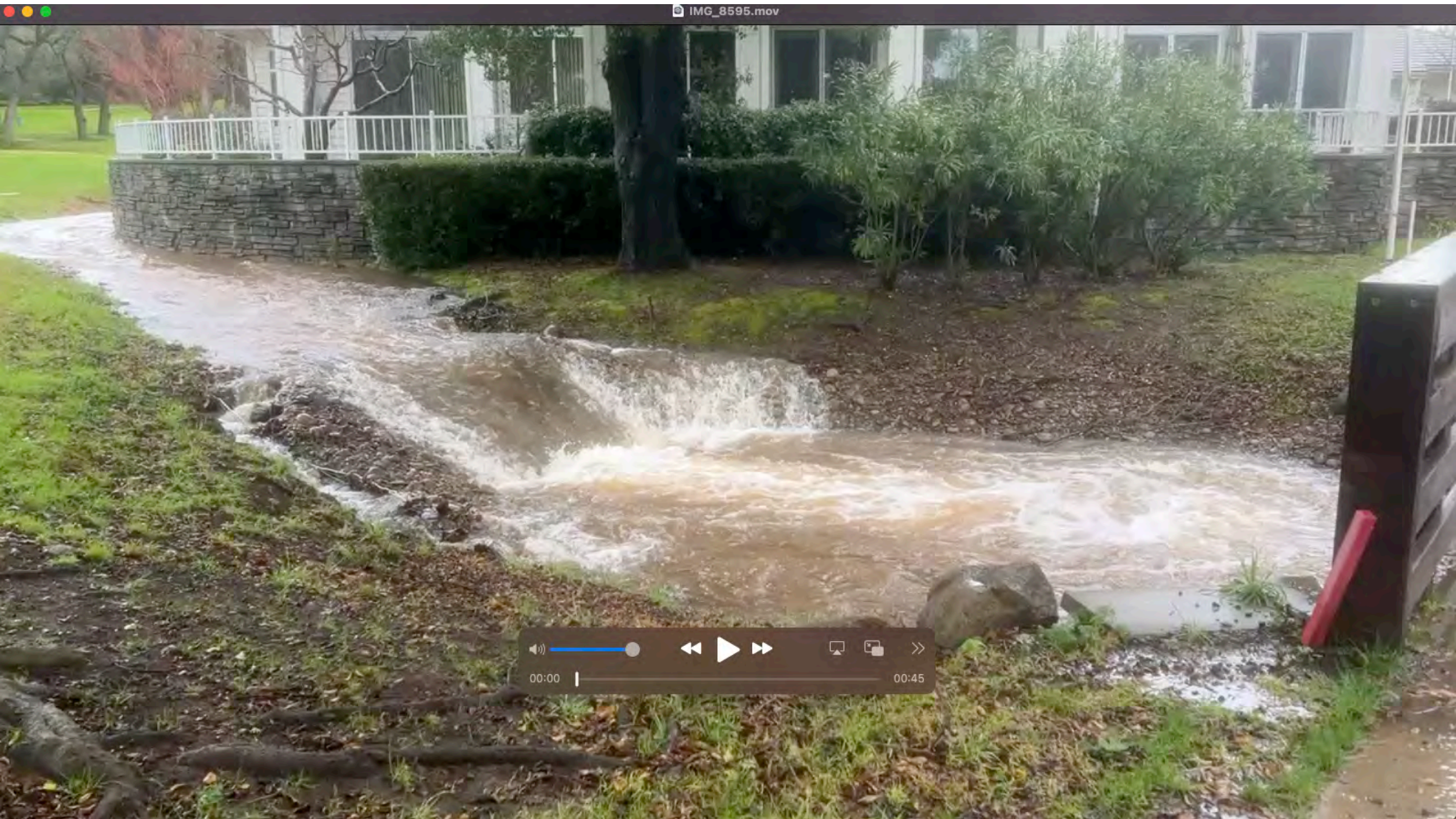


EXHIBIT AA



EXHIBIT AB

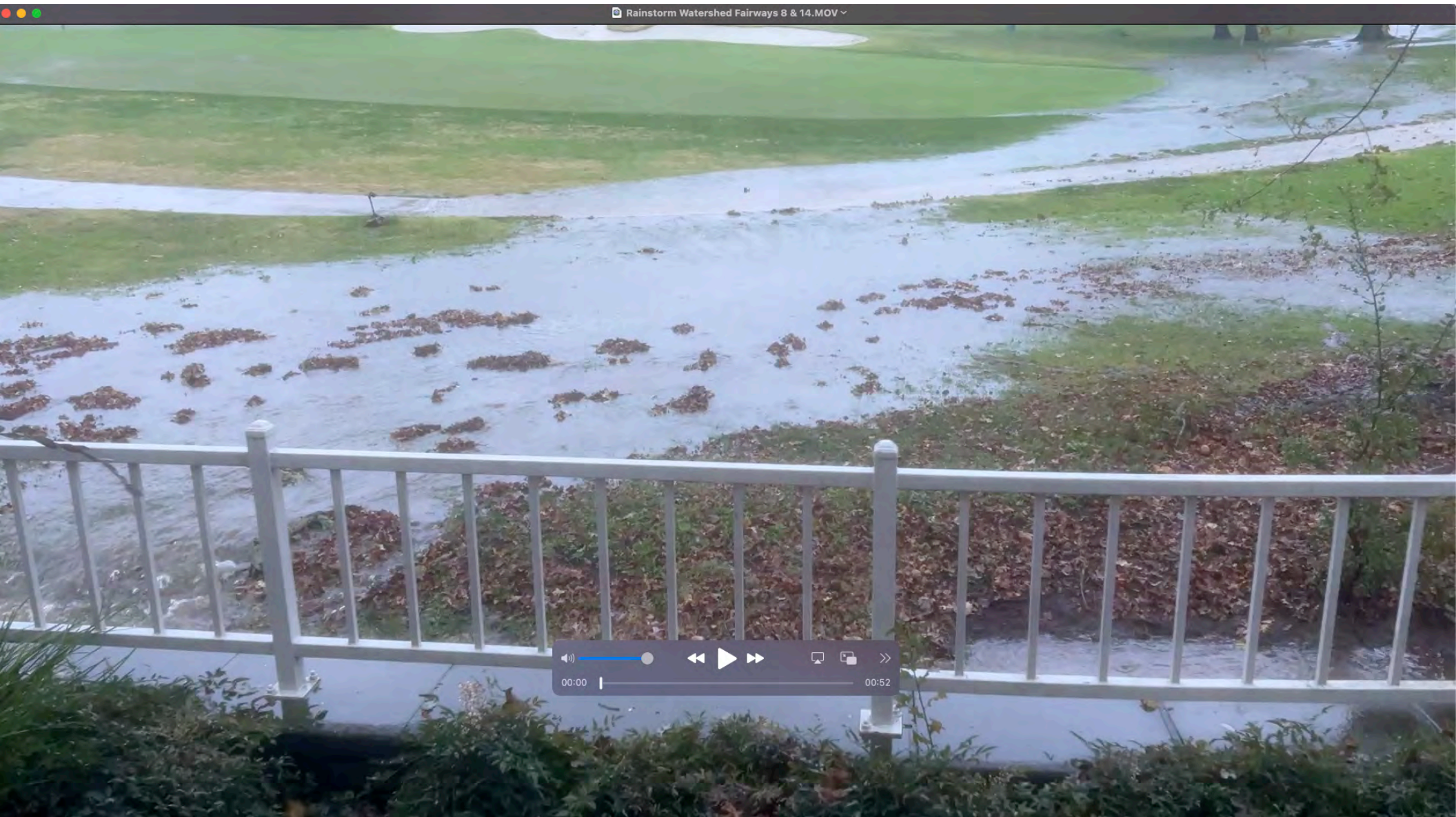


EXHIBIT AC



EXHIBIT AD



EXHIBIT AE



EXHIBIT AF





EXHIBIT AH



EXHIBIT A1



EXHIBIT AJ

From: [MeetingClerk](#)
To: [Parker, Michael](#); [Anderson, Laura](#); [Hawkes, Trevor](#); [Gallina, Charlene](#)
Cc: [Quackenbush, Alexandria](#)
Subject: FW: Silverado Resort & Spa Project/Use Permit Minor Modification #P24-00141-MM
Date: Tuesday, November 4, 2025 10:03:56 AM
Attachments: [image001.png](#)

See email below.

Kind Regards,



Napa County – Meeting Clerk - AV
Planning, Building, & Environmental Services
Napa County
Phone: 707-253-4417
Email: meetingclerk@countyofnapa.org
1195 Third Street, Suite 210
Napa, CA 94559
www.napacounty.gov

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From: Eve Kahn <napavision2050@gmail.com>
Sent: Tuesday, November 4, 2025 9:43 AM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Subject: Silverado Resort & Spa Project/Use Permit Minor Modification #P24-00141-MM

[External Email - Use Caution]

Thank you for delaying your vote so that the county and the public have more time to review, analyze, and modify this proposal as requested/required. Included in this proposal is Policy AG/LU-22.

Policy AG/LU-22: Urban uses shall be concentrated in the incorporated cities and town and designated urbanized areas of the unincorporated County in order to preserve agriculture and open space, encourage transit-oriented development, conserve energy, and provide for healthy, “walkable” communities. Analysis: An event pavilion and lounge that hosts the congregations of large amounts of people on a regular basis can be considered an urban use, and the parcel has an urban residential General Plan designation. Approving a project of this nature in this location, within closer proximity to the City of Napa, can encourage future transit-oriented development and energy conservation when considering travel and commuter distances and greenhouse gas

emissions that occur during large gatherings.

While there has been significant analysis within the County, I do not see any input from the City of Napa regarding increased traffic. When large events occur at Silverado CC (such as golf tournaments), traffic control is very evident within the County and City boundaries. But no traffic-oriented solutions are proposed!

I think it is short-sighted to overlook the potential impacts and overlook the need for comments from the City of Napa. I ask you to delay your decision until you receive their input.

Regards, Eve Kahn

From: [MeetingClerk](#)
To: [Parker, Michael](#); [Anderson, Laura](#); [Hawkes, Trevor](#); [Gallina, Charlene](#)
Cc: [Quackenbush, Alexandria](#)
Subject: FW: P24-00141MM Silverado Spa and Resort
Date: Tuesday, November 4, 2025 1:35:19 PM
Attachments: [image001.png](#)

See email below.

Kind Regards,



Napa County – Meeting Clerk - AV
Planning, Building, & Environmental Services
Napa County
Phone: 707-253-4417
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From: mike hackett <mhackett54@gmail.com>
Sent: Tuesday, November 4, 2025 12:59 PM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Subject: P24-00141MM Silverado Spa and Resort

[External Email - Use Caution]

I wish to make comments directed at Wednesday's Planning Commission meeting. I find serious omissions from the public record as it is submitted to the commission.

1. I see nothing from the City of Napa in regards to this application. Obviously traffic, and city water are issues that they should have commented on.

2. This is clearly an intensification of use. The applicant can justify that it is **not** because of their ability to host 365 days/year. However, this is "smoke and mirrors" and their own admittance to the fact that they will be able to handle 40-50 additional large events each year.

3. I cannot find the COA's upon which this MM is based. The county may possess such a document, but is not available to the public.

4. A Class 1 exemption is not applicable because of the large expansion of use.

5. There is no monitoring of the relationship between groundwater extraction and the stream. According to research by Water Audit California, the application lacks evidence about these factors which lead us to believe there is a likely taking of water under the Public Trust Doctrine and or CEQA. The PTD is evergreen and if something was approved previously, and a new use permit is requested, the public trust must be updated and evaluated.

6. This application is in direct conflict with the Oak Tree Protection Act.

Respectfully submitted. We ask that you continue this proceeding to enable further considerations listed above and from many other submitters.

Mike Hackett

President Save Napa Valley Foundation

From: [MeetingClerk](#)
To: [Hawkes, Trevor](#); [Parker, Michael](#); [Anderson, Laura](#); [Gallina, Charlene](#)
Cc: [Quackenbush, Alexandria](#)
Subject: FW: Public Comment
Date: Tuesday, November 4, 2025 3:07:04 PM
Attachments: [image001.png](#)

Additional public comment came in, see below.

Kind Regards,



Napa County – Meeting Clerk - AV
Planning, Building, & Environmental Services
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From: Kalo Heldt <lee.kalo@yahoo.com>
Sent: Tuesday, November 4, 2025 2:56 PM
To: trevorhawkes@countyofnapa.org; MeetingClerk <MeetingClerk@countyofnapa.org>
Subject: Fwd: Public Comment

[External Email - Use Caution]

Sent from my iPhone

Begin forwarded message:

From: Kalo Heldt <lee.kalo@yahoo.com>
Date: November 2, 2025 at 11:49:42 AM PST
To: planningcommission@countyofnapa.org
Subject: Public Comment

To the Board of Commissioners,

I applaud you on your decision to further review the application for the Silverado Event Center. The removal of 8 heritage oaks is not the same as removing 8 trees. Heritage oaks are over 100 years old and they are an intrinsic part of the landscape. Furthermore, to say that replacing them with 15 gallon container oaks is not at all comparable.

As a Master Gardener I was hired by the City of Vacaville to develop several parks around the city. When a plot of land had heritage oaks we considered that an amenity, not a nuisance.

I am further dismayed by the gross disruption to the serenity of the area where the current Grove Event center is. The large paved access roads, and the size of the event center, with 365 days of potential use, and many more vendors to accommodate the increased number of guests, I envision a negative aesthetic and environmental impact.

I ask you to seriously consider your decision. Should the Event Center go forward, it will destroy what can never be replaced.

Sincerely,

Kalo Heldt
132 Milliken Creek Drive

Napa

Sent from my iPhone

From: [Don Ilfeld](#)
To: [Hawkes, Trevor](#)
Subject: Silverado use modification
Date: Tuesday, November 4, 2025 3:05:15 PM

With reference to the map I saw at the recent hearing, I recall that eight trees close together were outside the footprint of the new Grove building. These trees must be preserved and could serve as a historic monument with an appropriate plaque stating how they provided the name for the new building.

From: [Jodi Levy](#)
To: [Hawkes, Trevor](#)
Subject: Silverado Use Permit modification
Date: Tuesday, November 4, 2025 2:57:28 PM

[External Email - Use Caution]

Sent from my iPhone

Subject: Silverado Use Permit modification

Dear Napa County Commissioners and Planning Department
From : an affected homeowner

Please follow County Rules and Ordinances and request that the modification to use permit follow the rules of CEQA in protecting our Napa Valley environment. Please follow septic and wastewater requirements and importantly deal with the massive subterranean drainage issues during the heaviest RAIN events.

In winter we are concerned with The Grove HOA neighborhood being impacted with the volume of daily events especially in winter with increased service vehicles and pedestrians restricted to people mover carts. The application requests daily events with 3 areas available to rent. That's increasing from 65 annual events to 365+ events. We are concerned with the intensification of use.

Protecting Old Growth Oak Trees and prudently dealing with watershed and wastewater issues should be the obligatory requirements of County Planners. Where is the plan to connect to Napa San to deal with waste?

Please request for a modification to the Use Permit application of The Grove outdoor event area. It must be downsized in scope and size. It's obvious that the area needs updating but with appreciation for the Old Growth Oaks and preservation of habitat.

I'm sure the Commissioners can provide us homeowners suitable exceptions and rationale as to why County ordinances aren't followed.

We need more time to evaluate and review the changes made to the Application which is 120 pages long.

Thank you

Jodi Levy
1008 Augusta Court
The Grove (homeowner)

Sent from my iPhone

Scott Greenwood-Meinert
D (415) 772-5741
sgreenwood-meinert@coblentzlaw.com

November 4, 2025

***Via E-mail only to:
michael.parker@countyofnapa.org***

Napa County Planning Commission
Attn: Michael Parker
Planning Manager
Napa County Planning Division
1195 Third Street, Suite 210
Napa, CA 94559

Re: P24-00141 – Silverado Resort & Spa Project - Use Permit Minor Modification
1600 Atlas Peak Road, Napa, 94558; APN 060-010-001

Dear Planning Commissioners:

This letter is on behalf of our client, Silverado Resort & Spa, and is in response to the public comment letter from Water Audit California dated November 3, 2025, which was received by the County of Napa on November 4, 2025. For the reasons articulated below, Water Audit's letter is full of inaccuracies, falsities, and mischaracterizations. The Silverado Resort & Spa Project (the "Project"), complies with the California Environmental Quality Act ("CEQA") and comprehensively evaluated any potential impacts of the Project.

Water Audit's Use of Falsities

First and foremost, Water Audit claims that the Project:

"does not comply with the Fish and Game Code Chapter 6.5 commencing with Section 1625, the Oak Tree Protection Act of 2014. Section 1631(a) provides 'Oak removal operations for which an oak removal permit is required pursuant to this chapter are 'discretionary projects' subject to the California Environmental Quality Act ...' Except as provided in the Act, sections 1629 and 1630 provide that removal of trees of 20.'" (Water Audit letter, page 3.)

This section of the Fish and Game Code simply does not exist. Water Audit appears to be referring to Assembly Bill 2162 which attempted to introduce the Oak Woodlands Conservation Act in 2016, but the bill never made it out of committee.

November 4, 2025
Page 2

So it is ironic that Water Audit lectures the Planning Commission on page 3 by saying “Although the verification procedure of submitting evidence and testimony under penalty of perjury has been routinely waived by the Planning Commission, it has been at the expense of veracity.”

Applying Water Audit’s own “verification procedure” to its critique of the applicant’s arborist and its ecologist it is clear that Water Audit’s impugning of qualifications fails. “The things some people will do for money.” (Water Audit letter, pg. 3, last sentence, 5th paragraph.)

However, it must be pointed out that Water Audit’s arguments regarding the Project’s oak tree plans fails as well. The application materials carefully point out the exact location of the trees to be removed, carefully addresses replacing the removed trees in expertly selected locations and with oak trees considerably larger than “a few planter pots.” (Water Audit letter, pg. 3) “Sloppy work product”, indeed. (Id.)

Highlighting the dangers of Water Audit’s false citations, others sent in comments reiterating them.

For your edification, attached with this letter is The State Bar of California’s Standing Committee on Professional Responsibility and Conduct’s Practical Guidance For The Use of Generative Artificial Intelligence In The Practice Of Law, which states in relevant part, “A lawyer must ensure competent use of the technology, including the associated benefits and risks, and apply diligence and prudence with respect to facts and law.” (emphasis added.)

The Project Complies with County Noise Requirements

In regards to noise, Water Audit attempts to discount applicant’s dedication and efforts to comply with all County noise requirements. Water Audit says: “*Evidence includes witness testimony, documents, physical objects, and other materials presented to establish facts, and is subject to rules of admissibility and scrutiny.*” We agree as to what constitutes evidence, and have provided expert evidence to support the Project. Water Audit has not provided evidence or facts to support the position in its letter—so it presents nothing more than attorney arguments, which by it’s own words “do not constitute evidence.”

The Applicant’s expert evidence includes the Noise Study from Salter Acoustical Consultants dated October 30, 2024. (Planning Commission packet, Attachment “G”.) This study supports that the Project would not result in an exceedance of County noise thresholds. We will not belabor this point.

The Project Evaluated Groundwater Impacts

The Project includes a decrease in water usage from 6.42 acre-feet per year to 3.62 acre-feet per year by replacing high-water usage turf grass with lower water use plantings. Domestic water is sourced from the City of Napa municipal water system and is not proposed to increase

November 4, 2025

Page 3

as a result of the Project. (Water Availability Analysis p. 4, Planning Commission packet, Attachment “C”.) The landscape irrigation water comes from an existing well on the property, which are validly permitted. (See Well Permits E11-00145 and E11-00089, for the most recent well-related permits for Silverado—available on the PBES website). The applicable well is located outside of the immediate scope of the Project vicinity, it being located over 500 yards to the south of the Project site. (see the attached diagram) No additional wells are proposed to be drilled as part of the Project. In addition, contrary to Water Audit’s statements, the Project does not require or implicate reporting to the State Water Resources Control Board, as the Project does not propose to use any surface water.

Water Audit claims there is an “ephemeral stream adjacent to the project site.” There is an unnamed blue line stream that runs through the property; however, this stream begins at the pond on the property just northeast of the Project site, with the pond having been there since 1967 when the South Course was completed. To reiterate what applicant and staff have already provided to the Commission in multiple rounds of submittal documents (including the Categorical Exemption Memo, Habitat Assessment, and the submitted Project Description), the Project will not impact the stream.

The Project Complies With CEQA

This Project is not a “substantial expansion of use” as stated in the letter. The Project qualifies for a Class 1 Categorical Exemption, “Existing Facilities,” as a Minor Modification (per Napa County Code (“NCC”) §18.124.130(B)). CEQA Class 1 includes: “The key consideration is whether the project involves negligible or no expansion of use.” (California Code of Regulations (CCR) §15301.) As described in the CEQA Exemption Memo, the Project results in an increase of 4.24% resort square footage, which does not exceed the 25 percent threshold as described in NCC §18.124.130(B). In addition, weddings and events are already allowed at the resort throughout the year. Expanding the timeframe for allowed events (beyond May through October) does not allow for any increase or intensity of the use. Therefore, the Project results in a negligible expansion of use only and is eligible Class 1.

In addition, Class 4, “Minor Alterations to Land,” validly applies to the Project. (CCR §15304.) Class 4 applies to Projects that include tree removal, as long as such trees are not “scenic.” (CCR §15304.) The Project proposes to remove eight total oak trees. These trees are not designated as “scenic” as the trees “are not located in a designated scenic corridor and are not visible from a designated scenic road, and as such would not qualify as scenic trees.” (CEQA Exemption Memo, p. 6.) The Project therefore does not involve “the removal of healthy, mature scenic trees,” as the letter claims. The applicant is not the party that is selectively misstating CEQA or forgetting that the “scenic” issue was addressed by staff in the first Planning Commission on October 15th. To quote Water Audit, “Guilty knowledge may be inferred from silence.” (Nov. 3rd letter, pg.3 again)

And, notably, none of the trees to be removed are within the riparian corridor setback.

November 4, 2025
Page 4

Water Audit's statements therefore inaccurately characterizes the Project. The Project is validly exempt from CEQA under both the Class 1 and Class 4 exemptions.

In conclusion, Water Audit has authoritatively cited laws that do not exist. Further, Water Audit failed to thoroughly review the Project documents, and as a result has inaccurately characterized the Project. For these reasons, applicant requests that the Planning Commission ignore the issues raised in Water Audit's letter, and move forward to approve the Project.

Cordially,

A handwritten signature in black ink, appearing to read "Scott Greenwood-Meinert". The signature is fluid and cursive, with the first name "Scott" being more prominent.

Scott Greenwood-Meinert

SDG:emn

Attachments

cc: Todd Shallan, Silverado Resort & Spa
Trevor Hawkes, Supervising Planner
Laura Anderson, Deputy County Counsel

**THE STATE BAR OF CALIFORNIA
STANDING COMMITTEE ON
PROFESSIONAL RESPONSIBILITY AND CONDUCT**

**PRACTICAL GUIDANCE FOR THE USE OF
GENERATIVE ARTIFICIAL INTELLIGENCE IN THE PRACTICE OF LAW**

EXECUTIVE SUMMARY

Generative AI is a tool that has wide-ranging application for the practice of law and administrative functions of the legal practice for all licensees, regardless of firm size, and all practice areas. Like any technology, generative AI must be used in a manner that conforms to a lawyer's professional responsibility obligations, including those set forth in the Rules of Professional Conduct and the State Bar Act. A lawyer should understand the risks and benefits of the technology used in connection with providing legal services. How these obligations apply will depend on a host of factors, including the client, the matter, the practice area, the firm size, and the tools themselves, ranging from free and readily available to custom-built, proprietary formats.

Generative AI use presents unique challenges; it uses large volumes of data, there are many competing AI models and products, and, even for those who create generative AI products, there is a lack of clarity as to how it works. In addition, generative AI poses the risk of encouraging greater reliance and trust on its outputs because of its purpose to generate responses and its ability to do so in a manner that projects confidence and effectively emulates human responses. A lawyer should consider these and other risks before using generative AI in providing legal services.

The following Practical Guidance is based on current professional responsibility obligations for lawyers and demonstrates how to behave consistently with such obligations. While this guidance is intended to address issues and concerns with the use of generative AI and products that use generative AI as a component of a larger product, it may apply to other technologies, including more established applications of AI. This Practical Guidance should be read as guiding principles rather than as "best practices."

PRACTICAL GUIDANCE

Applicable Authorities	Practical Guidance
Duty of Confidentiality Bus. & Prof. Code, § 6068, subd. (e) Rule 1.6 Rule 1.8.2	Generative AI products are able to utilize the information that is input, including prompts and uploaded documents or resources, to train the AI, and might also share the query with third parties or use it for other purposes. Even if the product does not utilize or share inputted information, it may lack reasonable or adequate security. A lawyer must not input any confidential information of the client into any generative AI solution that lacks adequate confidentiality and security protections. A lawyer must anonymize client information and avoid entering details that can be used to identify the client. A lawyer or law firm should consult with IT professionals or cybersecurity experts to ensure that any AI system in which a lawyer would input confidential client information adheres to stringent security, confidentiality, and data retention protocols. A lawyer should review the Terms of Use or other information to determine how the product utilizes inputs. A lawyer who intends to use confidential information in a generative AI product should ensure that the provider does not share inputted information with third parties or utilize the information for its own use in any manner, including to train or improve its product.
Duties of Competence and Diligence Rule 1.1 Rule 1.3	It is possible that generative AI outputs could include information that is false, inaccurate, or biased. A lawyer must ensure competent use of the technology, including the associated benefits and risks, and apply diligence and prudence with respect to facts and law. Before using generative AI, a lawyer should understand to a reasonable degree how the technology works, its limitations, and the applicable terms of use and other policies governing the use and exploitation of client data by the product. Overreliance on AI tools is inconsistent with the active practice of law and application of trained judgment by the lawyer. AI-generated outputs can be used as a starting point but must be carefully scrutinized. They should be critically analyzed for

Applicable Authorities	Practical Guidance
	accuracy and bias, supplemented, and improved, if necessary. A lawyer must critically review, validate, and correct both the input and the output of generative AI to ensure the content accurately reflects and supports the interests and priorities of the client in the matter at hand, including as part of advocacy for the client. The duty of competence requires more than the mere detection and elimination of false AI-generated results. A lawyer's professional judgment cannot be delegated to generative AI and remains the lawyer's responsibility at all times. A lawyer should take steps to avoid over-reliance on generative AI to such a degree that it hinders critical attorney analysis fostered by traditional research and writing. For example, a lawyer may supplement any AI-generated research with human-performed research and supplement any AI-generated argument with critical, human-performed analysis and review of authorities.
Duty to Comply with the Law Bus. & Prof. Code, § 6068(a) Rule 8.4 Rule 1.2.1	A lawyer must comply with the law and cannot counsel a client to engage, or assist a client in conduct that the lawyer knows is a violation of any law, rule, or ruling of a tribunal when using generative AI tools. There are many relevant and applicable legal issues surrounding generative AI, including but not limited to compliance with AI-specific laws, privacy laws, cross-border data transfer laws, intellectual property laws, and cybersecurity concerns. A lawyer should analyze the relevant laws and regulations applicable to the attorney or the client.
Duty to Supervise Lawyers and Nonlawyers, Responsibilities of Subordinate Lawyers Rule 5.1 Rule 5.2 Rule 5.3	Managerial and supervisory lawyers should establish clear policies regarding the permissible uses of generative AI and make reasonable efforts to ensure that the firm adopts measures that give reasonable assurance that the firm's lawyers and non lawyers' conduct complies with their professional obligations when using generative AI. This includes providing training on the ethical and practical aspects, and pitfalls, of any generative AI use. A subordinate lawyer must not use generative AI at the direction of a supervisory lawyer in a manner that violates the subordinate lawyer's professional responsibility and obligations.

Applicable Authorities	Practical Guidance
Communication Regarding Generative AI Use Rule 1.4 Rule 1.2	A lawyer should evaluate their communication obligations throughout the representation based on the facts and circumstances, including the novelty of the technology, risks associated with generative AI use, scope of the representation, and sophistication of the client. The lawyer should consider disclosure to their client that they intend to use generative AI in the representation, including how the technology will be used, and the benefits and risks of such use. A lawyer should review any applicable client instructions or guidelines that may restrict or limit the use of generative AI.
Charging for Work Produced by Generative AI and Generative AI Costs Rule 1.5 Bus. & Prof. Code, §§ 6147–6148	A lawyer may use generative AI to more efficiently create work product and may charge for actual time spent (e.g., crafting or refining generative AI inputs and prompts, or reviewing and editing generative AI outputs). A lawyer must not charge hourly fees for the time saved by using generative AI. Costs associated with generative AI may be charged to the clients in compliance with applicable law. A fee agreement should explain the basis for all fees and costs, including those associated with the use of generative AI.
Candor to the Tribunal; and Meritorious Claims and Contentions Rule 3.1 Rule 3.3	A lawyer must review all generative AI outputs, including, but not limited to, analysis and citations to authority for accuracy before submission to the court, and correct any errors or misleading statements made to the court. A lawyer should also check for any rules, orders, or other requirements in the relevant jurisdiction that may necessitate the disclosure of the use of generative AI.
Prohibition on Discrimination, Harassment, and Retaliation Rule 8.4.1	Some generative AI is trained on biased information, and a lawyer should be aware of possible biases and the risks they may create when using generative AI (e.g., to screen potential clients or employees). Lawyers should engage in continuous learning about AI biases and their implications in legal practice, and firms should establish policies and mechanisms to identify, report, and address potential AI biases.

Applicable Authorities	Practical Guidance
Professional Responsibilities Owed to Other Jurisdictions Rule 8.5	A lawyer should analyze the relevant laws and regulations of each jurisdiction in which a lawyer is licensed to ensure compliance with such rules.



WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

952 SCHOOL STREET #316 NAPA CA 94559
VOICE: (503) 575-5335
EMAIL: GENERAL@WATERAUDITCA.ORG

November 5, 2025

County of Napa
Planning Commission

Letter to Planning Commission:

meetingclerk@countyofnapa.org, Kara.Brunzell@countyofnapa.org,
walter.brooks@countyofnapa.org, molly.williams@countyofnapa.org,
pete.richmond@countyofnapa.org, megan.dameron@countyofnapa.org

Attorney Scott Greenwood-Meinert: sgreenwood-meinert@coblentzlaw.com

RE: Hearing – November 5, 2025
7A. TODD SHALLAN / SILVERADO RESORT & SPA PROJECT / USE PERMIT
MINOR MODIFICATION NO. P24-00141-MM STSTEMEN
Greenwood-Meinert Letter dated 11.4.25

Greetings:

Water Audit California (“Water Audit”) acknowledges an unfortunate lapse in scholarship, caused not by a fashionable assertion of AI hallucination, but by traditional human error.

Water Audit is trying to support community members’ concerns for a scenic oak grove; concerns that have not been well served by staff. The calendaring of this hearing has reduced response time down to mere hours. For unexclusive example, this letter is being written at 6 a.m., in response to a letter apparently sent after 3 p.m. yesterday *and not copied to Water Audit*. Overnight we have had to learn of the letter, perform research, and respond. Respectfully, we do not do our finest scholarship in such conditions.

We flatly reject the writer’s assertion of improper use of AI. We have found no artificial intelligence that can make any sense of planning applications and therefore are required to invest substantial human time in every comment. It has been over a decade since this writer has used the leather-bound volumes of yore, and while one might wax nostalgic for those long-ago days, they are past. The mistake was the writer’s, made in the haste of the moment. No

misrepresentation or concealment was intended, as evidenced by the attachment of the Bill itself to the comment.

We acknowledge that the *Oak Woodlands Act* was not adopted into law, however at the same time note that its principles have been adopted by the courts. In the very limited time available, we have learned that the California Court of Appeal in *Save Agoura Cornell Knoll v. City of Agoura Hills* (“*Save Agoura Cornell*”) (2020) 46 Cal.App.5th 655 held that when substantial evidence supports a fair argument that mitigation measures are inadequate to reduce oak tree impacts to less than significant levels, an Environmental Impact Report (EIR) is required rather than a mitigated negative declaration. Counties must comply with Public Resources Code Section 21083.4: “As part of the determination made pursuant to Section 21080.1, a county shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment.” Herein the Application asserts that no review whatsoever is required.

At the heart of the California Environmental Quality Act (CEQA) is the requirement that public agencies prepare an EIR for any project that may have a significant effect on the environment. An agency's decision to rely on a negative declaration or a mitigated negative declaration under the CEQA is reviewed for abuse of discretion under the “fair argument” standard. The fair argument standard creates a low threshold for requiring an EIR pursuant to the CEQA, reflecting the legislative preference for resolving doubts in favor of environmental review. (*Save Agoura Cornell Knoll*, supra, 46 Cal.App.5th 655; Cal. Pub. Res. Code, § 21000 et seq.; Cal. Code Regs. tit. 14, § 15064.)

Under the CEQA “fair argument” test for a negative declaration, the lead agency's determination is largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument. (*Center for Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal.App.4th 1156; Cal. Pub. Res. Code, § 21000 et seq.) An administrative remedy is exhausted only upon termination of all available, nonduplicative administrative review procedures.

There is other relevant authority on this topic, but no time available to discuss it.

In addition to the comment regarding oak woodlands, the Greenwood-Meinert letter attempts to clarify the waters source issue, but in fact raises more questions than it answers:

"The landscape irrigation water comes from an existing well on the property, which are [sic?] validly permitted. (See **Well Permits E11-00145 and E11-00089**, for the most recent well-related permits for Silverado—available on the PBES website). The applicable well is located outside of the immediate scope of the Project vicinity, it being located over 500 yards to the south of the Project site. (see the attached diagram)

2

No additional wells are proposed to be drilled as part of the Project. In addition, contrary to Water Audit's statements, the Project does not require or implicate reporting to the State Water Resources Control Board, as the Project does not propose to use any surface water."

(<https://napa.legistar.com/View.ashx?M=F&ID=14912249&GUID=1AD8881E-99C9-4B40-9544-ED683546C4FC>)(emphasis added)

The Application and Recommended findings identify only one APN 060-010-001-000. The "attached diagram" at page 10 is new evidence with annotated words and blue arrows pointing to two wells (Exhibit AO). The "South Course Well" is obscured by overlapping text. There are no well permits assigned to the blue arrows.

The E11-00089 Well Completion Report and Well Permit on the Electronic Document Retrieval database is assigned to the donut hole lot APN 060-140-003. The WCR is 10" pvc, 698 feet deep with 800 (eight hundred) gallons per minute with test length 3-hour air-lift (Exhibit AM). According to the WCR it is 120 feet from Milliken Creek. It was granted an "Emergency Exemption" with no reason given and serves parcel APN 060-010-001 (Exhibit AN).

The E11-00145 Well Completion Report and Well Permit on the Electronic Document Retrieval database is assigned to APN 039-222-017. The WCR is a 5" pvc domestic well, 360 feet deep with 80 (eighty) gallons per minute with test length 3 hour air-lift (Exhibit AK). It was granted an "Emergency Exemption" for "quantity," and is private and permitted to serve only the noted parcel (Exhibit AL). It appends a well destruction permit for an 8" steel casing 100+ foot well.

There are no easements in the application packet.

There are no Use Permit Previous Conditions.

There has been no public trust review of the impact of any of the above exactions on protected public trust waters.

According to the County GIS map, both wells are off-site (Exhibit AP). The "South Course Well" is not associated with E11-00145. If there is a "South Course Well" it appears there is no well permit on the County of Napa or Department of Water Resources record.

Respectfully submitted, in great haste,



William McKinnon
General Counsel
Water Audit California

Additional Exhibit List Attached:

Exhibit AK - EDR 039-222-017 WCR E11-00145

Exhibit AL - EDR 039-222-017 Well Permit E11-00145 w Well Destruction

Exhibit AM - EDR 060-140-003 WCR E11-00089

Exhibit AN - EDR 060-140-003 Well Permit E11-00089.pdf

Exhibit AO - Att 10. Item 7A- Letter to Planning Commission p10 Cover Sheet UP0.0

Exhibit AP - GIS 039-222-017 Well, 060-140-003 Well, 060-010-001 Project Parcel

Environmental

Cover Sheet

APN	039-222-017 - 000
Permit #	E11-00145
Program	WEU
DocType	WL
Street #	1589
Street Name	Atlas Peak
Year	2011



**QUADRUPLICATE
For Local Requirements**

STATE OF CALIFORNIA
WELL COMPLETION REPORT

Refer to Instruction Pamphlet

No. **0948979**

Page **1** of **1**

Owner's Well No. **5-3-11**

Date Work Began **5-3-11** Ended **5-12-11**

Local Permit Agency **Napa County**

Permit No. **E11-00143** Permit Date **5-2-11**

DWR USE ONLY — DO NOT FILL IN

STATE WELL NO./STATION NO. **1589**

LATITUDE **38° 12' N** LONGITUDE **122° 15' W**

APN/TRS/OTHER

GEOLOGIC LOG

ORIENTATION (✓) ☒ VERTICAL ☐ HORIZONTAL ☐ ANGLE (SPECIFY) ☐ FLUID **Mud**

DEPTH FROM SURFACE
Ft. to Ft.

DESCRIPTION

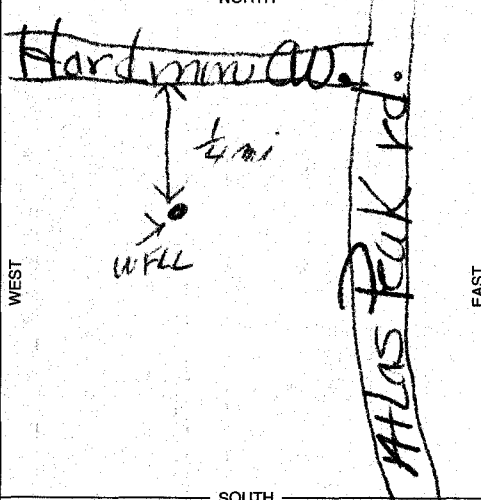
Describe material, grain size, color, etc.

0 165 brown ash & clay
165 360 gray ash, streaks of black broken up ash

Name **[REDACTED]**
Mailing Address **[REDACTED]**
City **[REDACTED]** State **CA** ZIP **94558**

Address **1589 Atlas Peak Rd**
City **Napa** County **Napa**
APN Book **039-220-017**
Township **Range** Section **Long**

LOCATION SKETCH



ACTIVITY (✓)

☒ NEW WELL
☐ MODIFICATION/REPAIR
— Deepen
— Other (Specify)

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

USES (✓)
WATER SUPPLY
☒ Domestic ☐ Public
— Irrigation ☐ Industrial

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

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.**

WATER LEVEL & YIELD OF COMPLETED WELL

DEPTH TO FIRST WATER **80** (Ft.) BELOW SURFACE
DEPTH OF STATIC WATER LEVEL **50** (Ft.) & DATE MEASURED **5-12-11**
ESTIMATED YIELD **80** (GPM) & TEST TYPE **AIR LEAK**
TEST LENGTH **3** (Hrs.) TOTAL DRAWDOWN **300** (Ft.)
* May not be representative of a well's long-term yield.

RECEIVED

JUN 30 2011

DEPT. OF ENVIRONMENTAL MANAGEMENT

TOTAL DEPTH OF BORING **360** (Feet)
TOTAL DEPTH OF COMPLETED WELL **360** (Feet)

DEPTH FROM SURFACE			BORE-HOLE DIA. (Inches)	CASING (S)					DEPTH FROM SURFACE			ANNULAR MATERIAL			
				TYPE (✓)				MATERIAL / GRADE				INTERNAL DIAMETER (Inches)	GAUGE OR WALL THICKNESS	SLOT SIZE IF ANY (Inches)	TYPE
Ft.	to	Ft.		BLANK	SCREEN	CONDUCTOR	FILL PIPE		CE- MENT (✓)	BEN- TONITE (✓)	FILL (✓)				FILTER PACK (TYPE/SIZE)
0	50	11"	X				PLASTIC	5"	200						
50	180	9"	X				"	"	"						
180	360	9"					FACT PIPE	"	"						

DEPTH FROM SURFACE			ANNULAR MATERIAL			
			TYPE			
Ft.	to	Ft.	CE- MENT (✓)	BEN- TONITE (✓)	FILL (✓)	FILTER PACK (TYPE/SIZE)
0	50		X			
50	360					WALL PACK

ATTACHMENTS (✓)

- Geologic Log
- Well Construction Diagram
- Geophysical Log(s)
- Soil/Water Chemical Analyses
- 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 **Pulliam Well Drilling**
(PERSON, FIRM, OR CORPORATION) (TYPED OR PRINTED)
ADDRESS **2877 Piedmont Av. Napa, CA 94558**
Signed **Bill Pulliam** DATE SIGNED **5-18-11** C-57 LICENSE NO. **248677**

Environmental

Cover Sheet

APN	039 - 222 - 017 - 000
Permit #	E11 - 00145
Program	WELL
DocType	pmt
Street #	1589
Street Name	Atlas Peak
Year	2011





A Tradition of Stewardship
A Commitment to Service

Environmental Management

1195 Third Street, Suite 101
Napa CA 94559
www.countyofnapa.org

Main: 707.253.4471

Steve Lederer
Director

WELL PERMIT

Application Type:	Environmental / EM Permits / Water Wells / Class I	Applied Date:	5/2/2011
Permit Number:	E11-00145	Issued Date:	5/2/2011
Parcel Number:	039-222-017-000	Expiration Date:	5/1/2013

Site Address:	1589 ATLAS PEAK RD, NAPA, CA 94558	
Owner:	SILVERADO COUNTRY CLUB & RESORT INC	Phone: () -
Address:	1700 SOSCOL AVE STE 9, NAPA CA 94559	
Applicant:	Bill Pulliam	Phone: (707) 224-9396
Business Name:		

Project Type: Environmental / EM Permits / Water Wells / Class I

Proposed Use:

Use: Private **Name of Public Water System:**

Well To Service This Parcel Only?: Yes

Water Supply:

All Setbacks Required By Code?:	50 To 100	Hazmat Site Within 1500 feet?:	No
Ground Water Permit Required?:	No	Hazmat Site Number and Name:	
Emergency Exemption Granted?:	Yes	Well Located in Flood Zone?:	No
Reason For Emergency Exemption:	Quantity		

Specifications:

Casing Diameter:	5 In.	Method of Seal Placement:	pump
Boring Diameter:	11 In.	Minimum Seal Depth:	50 Ft.
Annular Seal:	3 In.	Material:	grout

TO PERMITEE:

Any work performed or operations conducted under the auspices of this permit constitutes acceptance of all conditions, inspections and comments contained in the this permit, and the incorporation of all requirements as set forth in the permit application.

Staff Signature: [Signature] Date: 5/2/11



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www.countyofnapa.org

Main: 707.253.4471

Steve Lederer
Director

WELL PERMIT

CONDITIONS/INSPECTIONS/COMMENTS

Application Type:	Environmental / EM Permits / Water Wells / Class I	Applied Date:	5/2/2011
Permit Number:	E11-00145	Issued Date:	5/2/2011
Parcel Number:	039-222-017-000	Expiration Date:	5/1/2013
Owner:	SILVERADO COUNTRY CLUB & RESORT INC	Phone:	() -
Applicant:	Bill Pulliam	Phone:	(707) 224-9396

Conditions:

Code	Condition
EM-11	The applicant shall comply with the Department of Public Works "Conditions of Approval-National Pollution Discharge Elimination System Requirements", a copy of which was provided at the time of permit issuance. Failure to comply with the NPDES requirements will result in a stop-work order.
EM-2	A copy of the State of California Well Completion Report must be submitted within 60 days of well completion.

Inspections:

Inspected By:

Date:

Inspection Type

Construction Inspection	RS 5/10/11
Destruction Inspection	RS 5/10/11
Environmental Management Final	✓ JP

50.5"
34'

Comments:

Date	Comment
5/2/2011	Call 253-4135 at least 24 hours in advance during normal business hours to schedule inspection requests. Inspections are taken on a first-come-first-served basis so if you need a specific date and time be sure to call well in advance Well permits are issued only to licensed well drillers. A copy of the well driller's license (C-57) must be on file with DEM. If a claim is to be submitted for a refund, per County Code, a 25% processing fee will be retained. Such claims must be made within one year of the date on the receipt.



COUNTY of NAPA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

TRENT CAVE, R.E.H.S.
Director

WELL CONSTRUCTION APPLICATION

PROPERTY OWNER INFORMATION:

Name: SILVERADO NAPA CORP
Address: 1589 ATLAS PEAK RD
APN: 039-222-017
Phone #: 226-1325ext 102

WELL DRILLER INFORMATION:

Company Name: PULLIAM WELL DRILLING
Contact Person: BILL PULLIAM
Address: 2877 PIEDMONT AVE
Phone #: 224-9396

TYPE OF PERMIT (circle one): Class IA Class IB Class II Deepening
Reconstruction Other: _____

PROPOSED USE (circle one): Private Public

Well to serve this parcel only (check one)? ☒ Yes ☐ No

If "No," list other APN(s): _____

SETBACKS TO WELL:

Sewer Line: _____ feet
Septic Tank: 90 feet
Disposal Field: 90 feet

* DISTANCE $\approx$ 150'

WELL SPECIFICATIONS:

Casing Diameter: 5 inches
Boring Diameter: 11 inches
Annular Seal: 3 inches
Minimum Seal Depth: 50 feet

Sealing Material: GROUT

Sealing Method: PUMP

A map of the well location shall be attached to this application. The map shall include the distance from the well to property lines, sewage disposal systems, structures, etc., and shall include all other pertinent information specific to this well.



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Napa, CA 94559
www.co.napa.ca.us

Steven Lederer
Director

WELL DESTRUCTION EVALUATION REPORT FORM

PROPERTY OWNER INFORMATION

Name: Silverado Corp

Address: 1589 Atlas Peak Rd

APN: 039-222-17

Phone #: _____

WELL DRILLER INFORMATION

Company Name: PULLIAM WELL DRILLING

Contact person: BILL PULLIAM

Address: 2877 PIEDMONT AVE

Phone #: 224-9396

TYPE OF WELL TO BE DESTROYED:

CASED WELL

HAND DUG WELL

OTHER: _____

FOR CASED WELLS:

Casing material: Steel PVC other: _____

Total depth of well: 100+ feet

Well Screen interval(s): UNKNOWN

Sealed Depth: UNKNOWN feet. (For no seal - write "none", if you don't know, write in "unknown")

Casing Diameter: 8 inches.

Annulus diameter: UNKNOWN inches (For no annulus, write "none". If you don't know, write "unknown")

Well Pack Material: _____

Static water level: UNKNOWN feet.

FOR HAND DUG WELLS:

Total depth of well: _____ feet

Diameter of well: _____ feet

Well construction material (brick, stone, etc): _____

DESTRUCTION PROCEDURES:

Describe method to be used to perforate the casing: ~~GROUT~~ Top cased 10' open hole After 10'

Type of filling material to be placed into the well: GROUT / CEMENT

Fill material to be place to bottom up feet below ground surface.

Sealing Material: Concrete Neat Cement

Bentonite Grout (high solids)

Cement Grout

Other: _____

Driller's Comments:



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A Commitment to Service

Environmental Management

1195 Third Street, Suite 101
Napa CA 94559
www.countyofnapa.org

Main: 707.253.4471

Steve Lederer
Director

APPLICATION
THIS IS NOT A PERMIT

Application Type:	Environmental / EM Permits / Water Wells / Class I		
Permit Number:	E11-00145	Parcel Number:	039-222-017-000
Situs Address:	1589 ATLAS PEAK RD, NAPA, CA 94558	Applied Date:	5/2/2011
Owner:	SILVERADO COUNTRY CLUB & RESORT INC	Phone:	(707) 224-9396
Applicant:	Bill Pulliam	Phone:	(707) 224-9396

Worker's Compensation Coverage:

() A Certificate of current Worker's Compensation Insurance Coverage is on file with this office (or filed with this application)

() I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws of California.

By executing this application, the undersigned agrees to comply with all conditions, inspections and comments of the issued permit and all federal, state and county code requirements applicable to this permit. Furthermore, I understand that the Department of Environmental Management in no way guarantees trouble-free operation of the system, and that future repair may be necessary.

Owner or Authorized Agent Signature: _____ Date: _____

Environmental

Cover Sheet

APN	060 - 140 - 003 - 000
Permit #	E11-00089
Program	Well
DocType	WL
Street #	1600
Street Name	Atlas Peak Rd
Year	2011



ORIGINAL
File with DWR

Page 1 of 1

Owner's Well No. 1-2011

Date Work Began 5/12/2011, Ended 6/16/2011

Local Permit Agency Napa County Environmental Mgmt

Permit No. E11-00089

Permit Date 3/29/2011

STATE OF CALIFORNIA
WELL COMPLETION REPORT
Refer to Instruction Pamphlet

No. **e0132010**

DWR USE ONLY -- DO NOT FILL IN	
STATE WELL NO. / STATION NO.	
LATITUDE	LONGITUDE
APN/TRS/OTHER	

GEOLOGIC LOG

WELL OWNER

ORIENTATION (✓) ☒ VERTICAL ☐ HORIZONTAL ☐ ANGLE (SPECIFY)
DRILLING METHOD **ROTARY** FLUID **BENTONITE**

Name **[REDACTED]**

Mailing Address **[REDACTED]**

CITY STATE ZIP

DEPTH FROM SURFACE
Fl. to Fl.

DESCRIPTION

Describe material, grain, size, color, etc.

0	38	SAND & GRAVEL
38	55	GREEN SANDY CLAY
55	76	SAND & GRAVEL
76	98	GRAVEL
98	210	GREEN, GRAY, BROWN, SANDY ASH
210	255	BROWN, GREEN SANDY ASH
255	298	HARD BLACK VOLCANICS
298	320	GREEN VOLCANICS
320	375	BLACK, GREEN VOLCANICS
375	410	MED. HARD BLACK VOLCANICS
410	436	HARD BLACK VOLCANIC ROCK
436	460	GREEN SANDY VOLCANIC ASH
460	490	MED. HARD BLACK VOLCANICS
490	510	TAN SANDY ASH
510	520	GREEN SANDY ASH & ROCK
520	575	MIXED VOLCANIC SANDS
575	585	RED VOLCANIC ROCK
585	590	HARD FRACTURED BLACK VOLCANICS
590	635	MED. HARD BLACK & RED VOLCANICS
635	645	HARD BLACK VOLCANIC ROCK
645	683	HARD FRACTURED BLACK & RED VOLCANICS
683	700	GREEN SANDY VOLCANIC ASH

CONTINUED CASING LAYOUT

458	478	SCREEN PVC 10" SDR-17 .032 SLOT
478	498	BLANK PVC 10" SDR-17
498	578	SCREEN PVC 10" SDR-17 .032 SLOT
578	598	BLANK PVC 10" SDR-17
598	678	SCREEN PVC 10" SDR-17 .032 SLOT
678	698	BLANK PVC 10" SDR-17

TOTAL DEPTH OF BORING 700 (Feet)

TOTAL DEPTH OF COMPLETED WELL 698 (Feet)

Address 1600 Atlas Peak Road

City Napa CA

County Napa

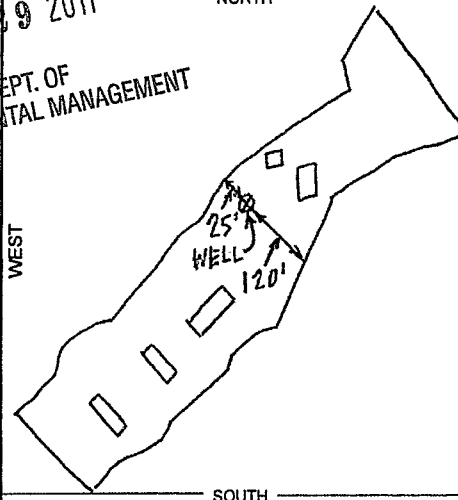
APN Book 060 Page 140 Parcel 003

Township Range Section

DEG. MIN. SEC. DEG. MIN. SEC.

LOCATION SKETCH

NORTH



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

DEPTH TO FIRST WATER N/A (FL) BELOW SURFACE

DEPTH OF STATIC WATER LEVEL 152 (FL) & DATE MEASURED 6/16/2011

ESTIMATED YIELD 800 (GPM) & TEST TYPE AIR-LIFT

TEST LENGTH 3 (Hrs.) TOTAL DRAWDOWN N/A (FL)

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

DEPTH FROM SURFACE Fl. to Fl.	BORE-HOLE DIA. (Inches)	CASING (S)					
		TYPE (✓)				MATERIAL / GRADE	INTERNAL DIAMETER (Inches)
		BLANK	SCREEN	CON-DUCTOR	FILL PIPE		
0	700	18					
0	238		✓			PVC F480	10
238	318			✓		PVC F480	10
318	338		✓			PVC F480	10
338	438			✓		PVC F480	10
438	458		✓			PVC F480	10

DEPTH FROM SURFACE Fl. to Fl.	ANNULAR MATERIAL			
	TYPE			
	CE-MENT (✓)	BEN-TONITE (✓)	FILL (✓)	FILTER PACK (TYPE/SIZE)
0	54	✓		CONCRETE
54	698		✓	#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

WELL DRILLER/AUTHORIZED REPRESENTATIVE

06/28/11
DATE SIGNED

439-746

C-57 LICENSE NUMBER

Environmental

Cover Sheet

APN	060 -140 - 003 -000
Permit #	E11-00089
Program	Well
DocType	pmt
Street #	1600
Street Name	Atlas Peak Rd
Year	2011





A Tradition of Stewardship
A Commitment to Service

Environmental Management

1195 Third Street, Suite 101
Napa CA 94559
www.countyofnapa.org

Main: 707.253.4471

Steve Lederer
Director

WELL PERMIT

Application Type:	Environmental / EM Permits / Water Wells / Class I	Applied Date:	3/24/2011
Permit Number:	E11-00089	Issued Date:	3/29/2011
Parcel Number:	060-140-003-000	Expiration Date:	3/28/2013

Site Address:	1600 Atlas Peak RD, Napa, CA 94558		
Owner:	SILVERADO COUNTRY CLUB & RESORT INC	Phone:	() -
Address:	1600 ATLAS PEAK RD, NAPA CA 94558-1425		
Applicant:	Don Huckfeldt	Phone:	(707) 255-7923
Business Name:			

Project Type: Environmental / EM Permits / Water Wells / Class I

Proposed Use:

Use: Private Name of Public Water System:

Well To Service This Parcel Only?: No

Water Supply:

All Setbacks Required By Code?: Greater Than 100 Hazmat Site Within 1500 feet?: No

Ground Water Permit Required?: No Hazmat Site Number and Name:

Emergency Exemption Granted?: Yes Well Located in Flood Zone?: No

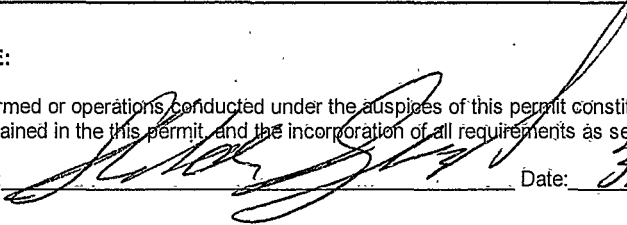
Reason For Emergency Exemption: NA

Specifications:

Casing Diameter:	10 in.	Method of Seal Placement:	pump
Boring Diameter:	18 in.	Minimum Seal Depth:	50 Ft.
Annular Seal:	4 in.	Material:	concrete

TO PERMITEE:

Any work performed or operations conducted under the auspices of this permit constitutes acceptance of all conditions, inspections and comments contained in the this permit, and the incorporation of all requirements as set forth in the permit application.

Staff Signature:  Date: 3/29/11



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Steve Lederer
Director

WELL PERMIT

CONDITIONS/INSPECTIONS/COMMENTS

Application Type:	Environmental / EM Permits / Water Wells / Class I	Applied Date:	3/24/2011
Permit Number:	E11-00089	Issued Date:	3/29/2011
Parcel Number:	060-140-003-000	Expiration Date:	3/28/2013
Owner:	SILVERADO COUNTRY CLUB & RESORT INC	Phone:	() -
Applicant:	Don Huckfeldt	Phone:	(707) 255-7923

Conditions:

Code	Condition
EM-11	The applicant shall comply with the Department of Public Works "Conditions of Approval-National Pollution Discharge Elimination System Requirements", a copy of which was provided at the time of permit issuance. Failure to comply with the NPDES requirements will result in a stop-work order.
EM-2	A copy of the State of California Well Completion Report must be submitted within 60 days of well completion.

Inspections:

Inspected By:

Date:

Inspection Type
Construction Inspection <i>RS 6/</i>
Destruction Inspection
Environmental Management Final <i>JSR 10/10/11</i>

Comments:

Date	Comment
3/29/2011	Call 253-4135 at least 24 hours in advance during normal business hours to schedule inspection requests. Inspections are taken on a first-come-first-served basis so if you need a specific date and time be sure to call well in advance. Environmental Management's inspection must be obtained prior to covering any portion of the system. Any deviation from these permit specifications without prior approval from the Department of Environmental Management will be cause for stopping work until the changes are fully justified and approved. Well permits are issued only to licensed well-drillers. A copy of the well driller's license (C-57) must be on file with DEM. If a claim is to be submitted for a refund, per County Code, a 25% processing fee will be retained. Such claims must be made within one year of the date on the receipt. If this well will at any point serve a public water system, the siting, construction, capacity testing and additional requirements must comply with Title 22 California Code of Regulations (CCR), Chapter 16, California Waterworks Standards. This office may deny an application for a water supply permit if the well does not meet the above noted requirements.
3/29/2011	This is a replacement well for a well located on 060-010-001 (all part of Silverado Country Club). Well destruction is on 060-010-001 and destruction to be completed under permit E11-00094

WELL CONSTRUCTION APPLICATION

PROPERTY OWNER INFORMATION

WELL DRILLER INFORMATION

Name: Silverado Resort Company Name: Huckfeldt Well Drilling

Address: 1600 Atlas Peak Road Napa Contact person: Don Huckfeldt

APN: 060-140-003
060-010-001 Address: 2110 Penny Lane Napa

Phone #: 257-5402 Phone #: 707-255-7923

TYPE OF PERMIT (circle one): Class 1A Class 1B Class II Deepening
Reconstruction Other: _____

PROPOSED USE (circle one): Private Public

Well to serve this parcel only: Y (N) Well Located in MST Groundwater Basin: (Y) (N)
If no, list other APN(s): 060-010-001 Well Located in Floodplain: Y (N)

SETBACKS TO WELL:

Sewer Line: 70 feet
Septic Tank: _____ feet
Disposal Field: _____ feet

WELL SPECIFICATIONS:

Casing Diameter: 10 inches Sealing Material: concrete
Boring Diameter: 18 inches
Annular Seal: 3 inches Sealing Method: pump
Minimum Seal Depth: 50 feet

A MAP OF THE WELL LOCATION SHALL BE ATTACHED TO THIS APPLICATION.
THE MAP SHALL INCLUDE THE DISTANCE FROM THE WELL TO PROPERTY LINES,
SEWAGE DISPOSAL SYSTEMS, STRUCTURES, ETC AND SHALL INCLUDE ALL
OTHER PERTINENT INFORMATION SPECIFIC TO THIS WELL.

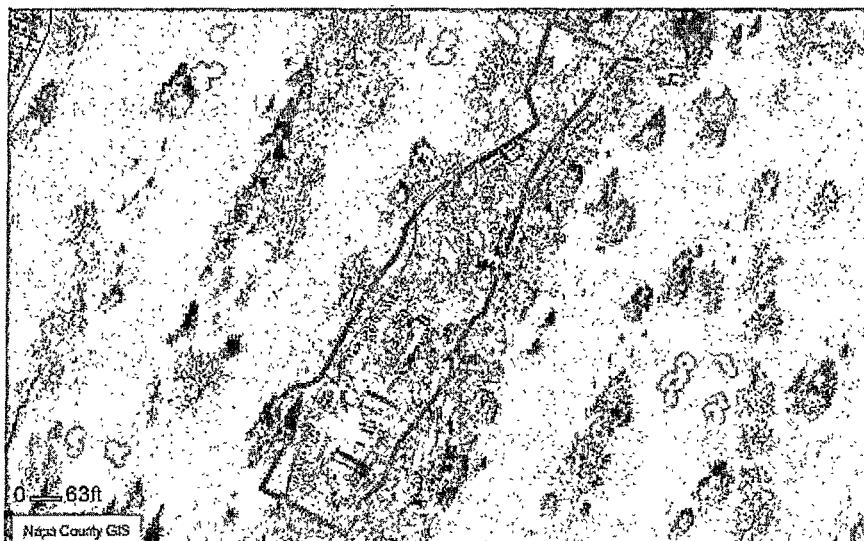
Geographic Information Systems

COUNTY HOME | LIVING IN NAPA | DOING BUSINESS | VISITING NAPA | GOVERNMENT

Menu

- GIS Home
- GIS Data
- User Group
- News & Info
- Training
- Resources
- Reports
- Mapping Applications

Parcel: 060140003000



New Search
Disclaimer

Select tool and click location on map to activate.
☐ Zoom In ☐ Zoom Out ☐ Pan ☒ Identify

Print
Help
Legend

Environmental Data

Flood Zone: Parcel falls within the FEMA Flood Zone
 GW Ordinance: Parcel falls within the Groundwater Deficient Area
 HazMat Releases: No Hazardous Releases found within 1500 ft of this parcel.

Boundary & Jurisdiction Data

Township & Range: T06N-R04W24
 USGS Topo Quad: Napa
 Fire Jurisdiction: Napa County Fire - structure & wildland fires
 County Zoning: PD

Property Data

Ownership Summary:

Owner	Granting Doc.	Percent	Title	Type
SILVERADO COUNTRY CLUB & RESORT INC	1989R1618020	1		

Assessor Summary

Situs Address:
 Mailing Address: 1600 ATLAS PEAK RD NAPA CA 94558-1425
 Parcel Description: LOT 3 MAP NO 2427 5P/M54
 Notes: REMAP FROM 040-040-023-000 - 08/18/93
 Total Assessed Value: \$665601.00
 Land Use Code: 50 - VACANT LAND COMMERCIAL
 Map Book & Page: 060 - 14
 Acres: (0 means < 1.0) 4.14
 Tax Rate Area (TRA) Code: 072046

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Environmental Management

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Main: 707.253.4471

Steve Lederer
Director

APPLICATION
THIS IS NOT A PERMIT

Application Type:	Environmental / EM Permits / Water Wells / Class I		
Permit Number:	E11-00089	Parcel Number:	060-140-003-000
Situs Address:	1600 Atlas Peak RD, Napa, CA 94558	Applied Date:	3/24/2011
Owner:	SILVERADO COUNTRY CLUB & RESORT INC	Phone:	(707) 255-7923
Applicant:	Don Huckfeldt	Phone:	(707) 255-7923

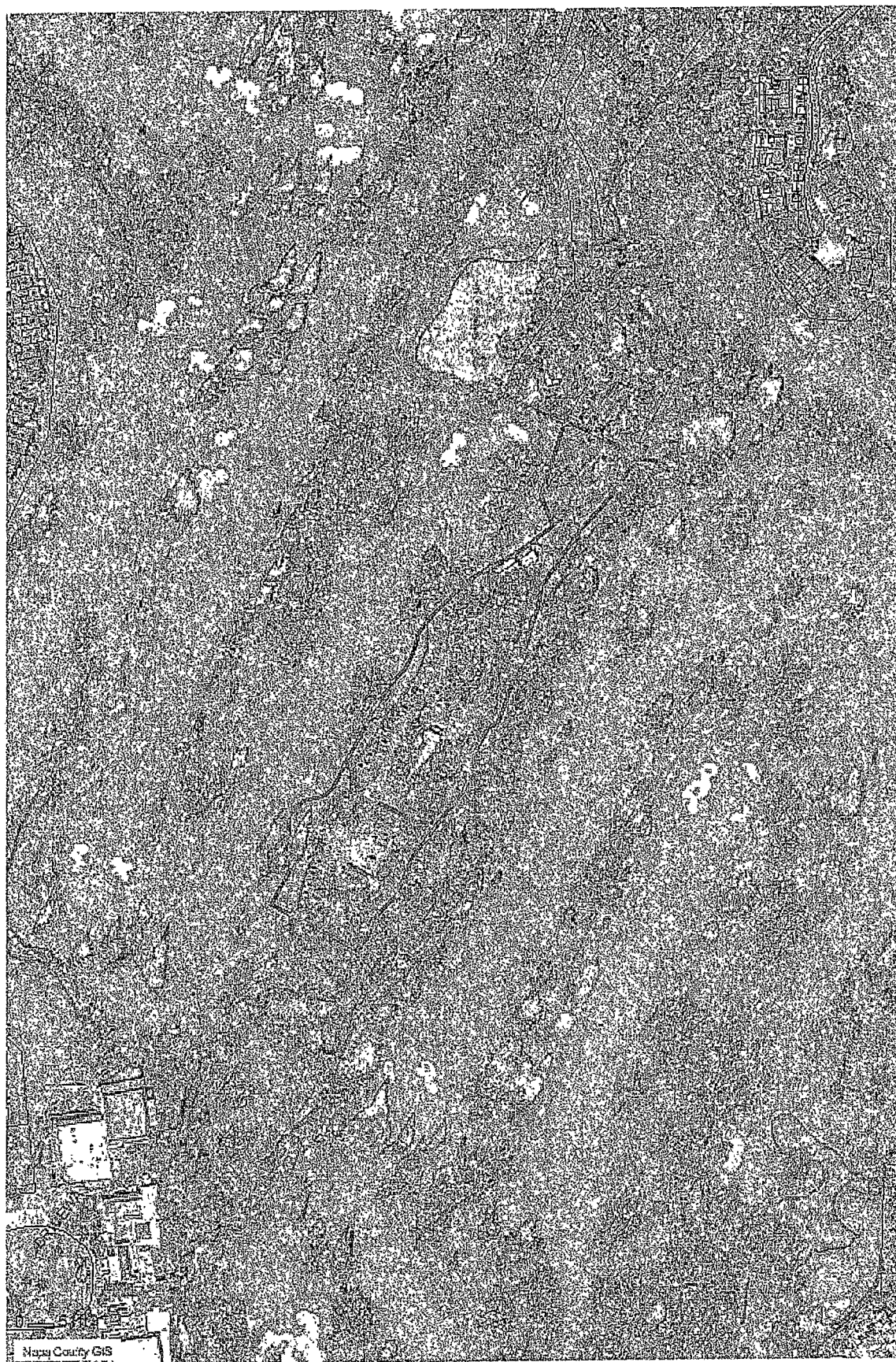
Worker's Compensation Coverage:

() A Certificate of current Worker's Compensation Insurance Coverage is on file with this office (or filed with this application)

() I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws of California.

By executing this application, the undersigned agrees to comply with all conditions, inspections and comments of the issued permit and all federal, state and county code requirements applicable to this permit. Furthermore, I understand that the Department of Environmental Management in no way guarantees trouble-free operation of the system, and that future repair may be necessary.

Owner or Authorized Agent Signature: Date: 3/24/11



Legend

Roads

-  Highway
-  Rural Arterial
-  Urban Arterial
-  Urban Collector
-  Rural Collector
-  Paved Local
-  Unpaved Local
-  Paved Driveway
-  Unpaved Driveway
-  Trail

Parcels

County
2007 - 6
inch

County
2007

County Boundary

AP # 060-140-003



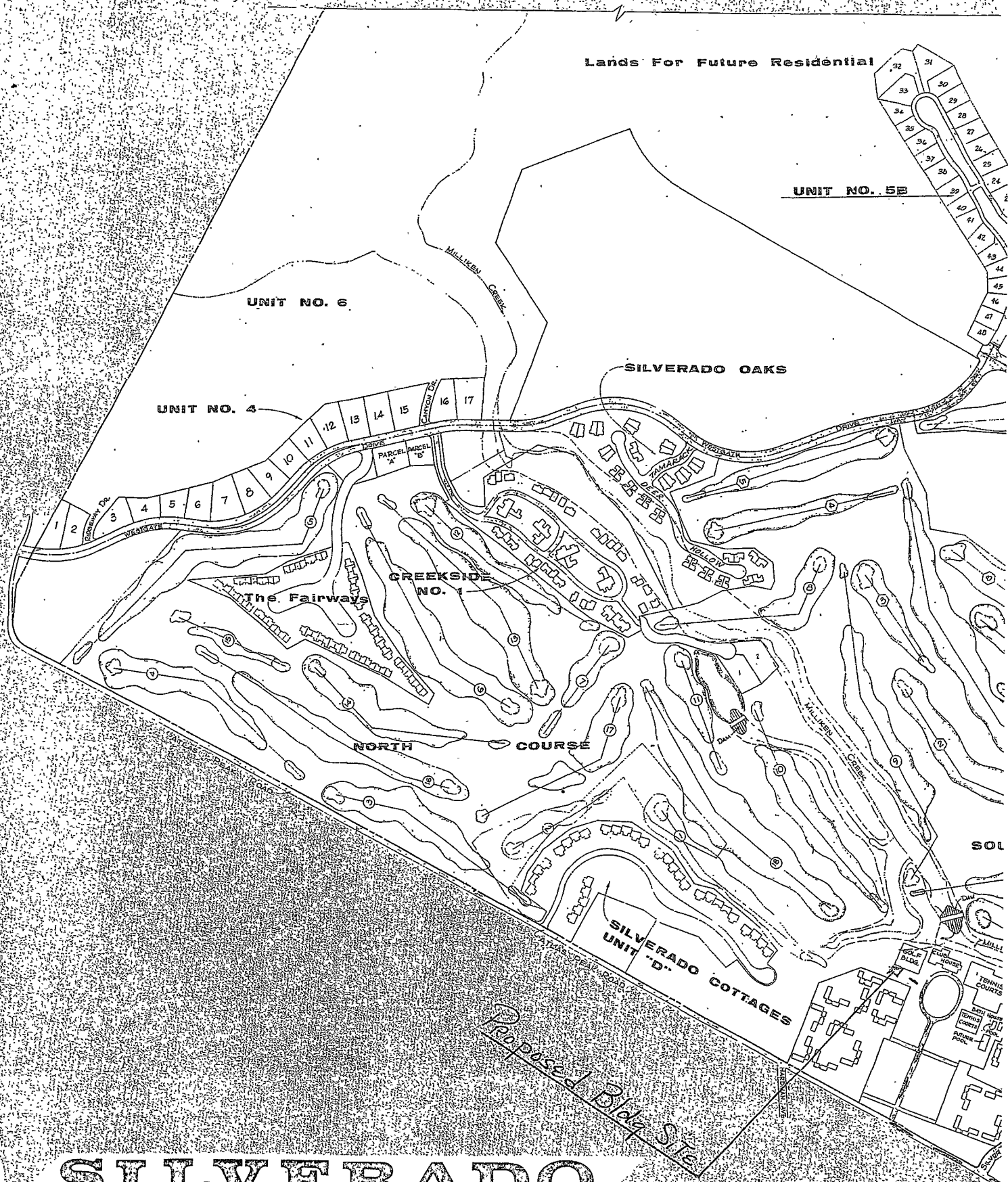
Image Date: Sep 24, 2009

38°21'07.22"N - 122°15'43.87"W - elev: 300'

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Google

2



SILVERADO

NAPA

CALIF.

A DEVELOPMENT BY AMFAC CO.

Main Office: Honolulu, Hawaii

0 100 200
FEET
SC

UNIT NO. 5A

UNIT NO. 2C

UNIT NO. 2B

UNIT NO. 2A

Future Shopping Center & Apartment Area

UNIT NO. 1A

UNIT NO. 1B

Oaks No. 1

Oaks No. 2

COURSE

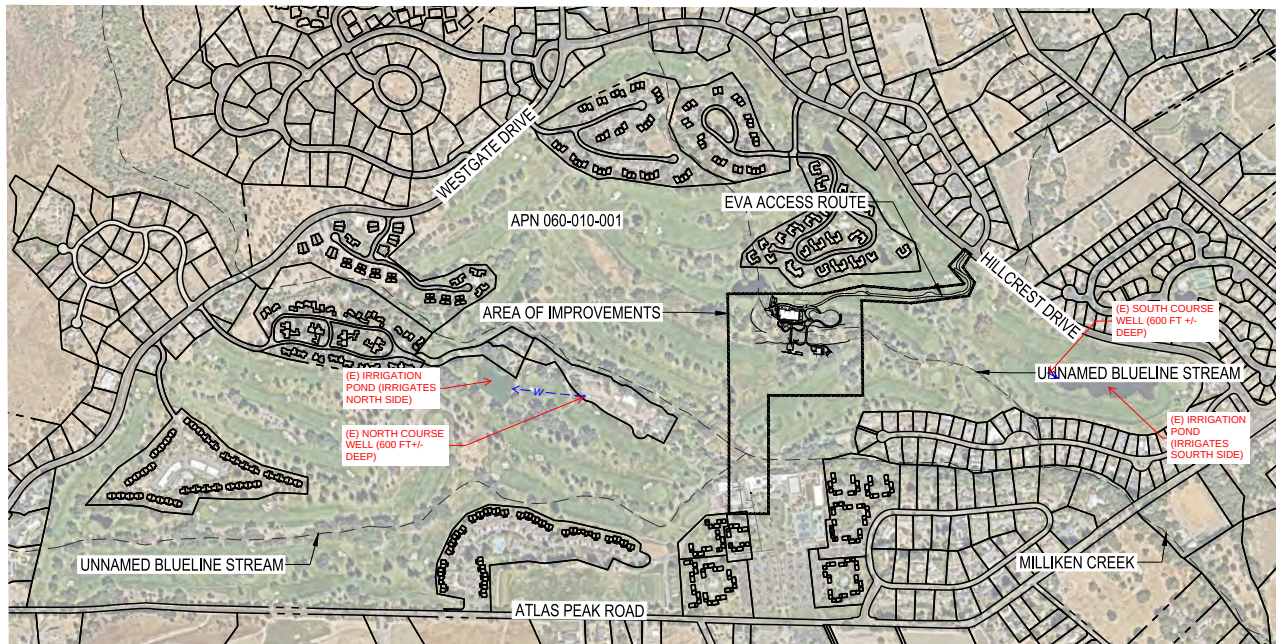
UNIT NO. 1

Proposed Moving Route

Existing Bldg

THE GROVE AT SILVERADO RESORT

USE PERMIT MINOR MODIFICATION P24-00141



SITE PLAN
SCALE: 1"=400'

ABBREVIATIONS			
AB	AGGREGATE BASE	G	GAS
ABD	ABANDONED	GAL	GALLONS
AC	ASPHALT CONCRETE	GB	GRADE BREAK
AD	AREA DRAIN	GI	GREASE INTERCEPTOR
ADA	AMERICANS WITH DISABILITIES ACT	GV	GATE VALVE
CF	CUBIC FEET	HB	HOSE BIB
CL	CENTERLINE	HOPE	HIGH-DENSITY POLYETHYLENE
CMP	CORRUGATED METAL PIPE	HP	HIGH POINT/HINGE POINT
CO	CLEAN OUT	INV	INVERT OF PIPE OR CHANNEL
COMM	COMMUNICATIONS LINE	IRR	IRRIGATION
CONC	CONCRETE	JB	JUNCTION BOX
DEMO	DEMOLISH	LA	LANDSCAPE ARCHITECT
DI	DRAINAGE INLET	LF	LINEAR FEET
DW	DOMESTIC WATER	LP	LIGHT POLE / LOW POINT
(E)	EXISTING	MAX	MAXIMUM
EB	ELECTRICAL BOX	MH	MAINTENANCE HOLE
EL, ELEV	ELEVATION	MIN	MINIMUM
ELEC	ELECTRIC	NTS	NOT TO SCALE
EP	EDGE OF PAVEMENT	(P)	PROPOSED
EVA	EMERGENCY VEHICLE ACCESS	PA	PLANTED AREA
FC	FACE OF CURB	PV	POST INDICATOR VALVE
FFE	FINISHED FLOOR ELEVATION	PL	PROPERTY LINE
FG	FINISH GRADE	POC	POINT OF CONNECTION
FH	FIRE HYDRANT	PSI	POUNDS PER SQUARE INCH
FL	FLOWLINE	PVMT	PAVEMENT
FS	FINISH SURFACE	R, RAD	RADIUS
FT	FEET	RC	RELATIVE COMPACTION
FW	FIRE WATER		RAIN CHAIN
		RIM	TOP OF STRUCTURE GRATE/ COVER
		S	SLOPE
		SAP	SEE ARCHITECTURAL PLANS
		SD	STORM DRAIN
		SDE	SHERWOOD DESIGN ENGINEERS
		SEP	SEE ELECTRICAL PLANS
		SF	SQUARE FEET
		SLP	SEE LANDSCAPE PLANS
		SMP	SEE MECHANICAL PLANS
		SPD	SEE PLUMBING DRAWINGS
		SS	SANITARY SEWER
		SSCO	SANITARY SEWER CLEAN OUT
		SSP	SEE STRUCTURAL PLANS
		STD	STANDARD
		TB	TOP OF BANK
		TBD	TO BE DETERMINED
		TC	TOP OF CURB
		TD	TRENCH DRAIN
		TEL	TELEPHONE
		TG	TOP OF GRATE
		TW	TOP OF WALL
		TYP	TYPICAL
		UG	UNDERGROUND
		VF	VERIFY IN FIELD
		W	WATER
		WM	WATER METER

PROJECT DESCRIPTION

THE PROJECT PROPOSES A USE PERMIT MINOR MODIFICATION TO AN EXISTING RESORT, SPA, AND GOLF COURSE THAT INCLUDES TWO (2) NEW EVENT SPACE BUILDINGS IN AN EXISTING EVENT SPACE AREA. THE PROJECT PROPOSES A REDUCTION IN IMPERVIOUS AREA WITHIN A CREEK SETBACK AND SITE INFRASTRUCTURE IMPROVEMENTS TO SUPPORT THE NEW STRUCTURES. THIS INCLUDES AN EXTENSION OF EXISTING WATER LINES, NEW GOLF CART PARKING AREAS, AND A SEWER CONNECTION TO THE NAPA SANITATION DISTRICT. AN INCREASE IN USES IS NOT PROPOSED UNDER THE MINOR MODIFICATION APPLICATION.

OWNER/APPLICANT

SILVERADO RESORT & SPA
TODD SHALAN, VICE PRESIDENT
1600 ATLAS PEAK ROAD
NAPA, CA 94559
707-267-5430

ARCHITECT

BULL STOCKWELL ALLEN
JOHN ASHWORTH, JANE DU
300 MONTGOMERY STREET, SUITE 600
SAN FRANCISCO, CA 94104
415-281-4720

LANDSCAPE ARCHITECT

DESIGN WORKSHOP
DARLA CALLAWAY
1300 LAWRENCE STREET, SUITE 100
DENVER, CO 80204
303-623-5186

PLANNER / LAND USE ATTORNEY

COBLENTZ PATCH DUFFY & BASS LLP
SCOTT GREENWOOD-ALBERT
700 MAIN STREET, SUITE 301
NAPA, CA 94559
415-772-5741

CIVIL ENGINEER

SHERWOOD DESIGN ENGINEERS
CHRISTINA NICHOLSON
1655 2ND STREET, NAPA, CA
707-273-7829



VICINITY MAP
SCALE: NTS

SHEET INDEX

UP0.0 USE PERMIT COVER SHEET

LANDSCAPE ARCHITECT & CIVIL ENGINEERING SHEETS

L0.05	EXISTING SITE CONDITIONS
L0.06	PROPOSED SCHEMATIC SITE PLAN - ENLARGEMENT
C2.0	SITE IMPROVEMENT PLAN
C2.1	FIRE PROTECTION & CIRCULATION PLAN
C3.0	EARTHWORK ANALYSIS
C3.1	PAVILION GRADING PLAN
C3.2	LOUNGE GRADING PLAN
C4.0	OVERALL UTILITY PLAN
C4.1	PAVILION UTILITY PLAN
C4.2	LOUNGE UTILITY PLAN
C6.0	STORMWATER CONTROL PLAN
L0.02	SOFTSCAPE REFERENCE PLAN
L8.01	TREE PLANTING PLAN
L8.02	TREE PLANTING PLAN
L8.03	TREE PLANTING PLAN
L8.01	SHRUB PLANTING PLAN
L8.02	SHRUB PLANTING PLAN
L8.03	SHRUB PLANTING PLAN

ARCHITECTURAL & LANDSCAPE EXHIBITS

A-0.01	CONCEPTUAL SKETCH - THE PAVILION
A-0.02	FLOOR PLAN - THE PAVILION
A-0.03	FLOOR PLAN - THE LOUNGE
A-0.04	ELEVATIONS - THE PAVILION
A-0.05	ELEVATIONS - THE LOUNGE
A-0.06	RENDERING 01 - THE PAVILION
A-0.07	RENDERING 02 - THE PAVILION
A-0.08	RENDERING 03 - THE LOUNGE
A-0.09	THE GROVE - MATERIAL BOARD
A-0.10	THE GROVE - LIGHTING PLAN
FS1.01	FOOD SERVICE EQUIPMENT PLAN - THE PAVILION LEVEL 1



SHERWOOD
DESIGN ENGINEERS
1040 Main Street, Suite 301
Napa, CA 94559
www.sherwoodengineers.com

SILVERADO RESORT &
SPA . THE GROVE

1600 ATLAS PEAK ROAD NAPA, CA 94558

ISSUE
USE PERMIT SET

RELEASE DATE
5/02/24

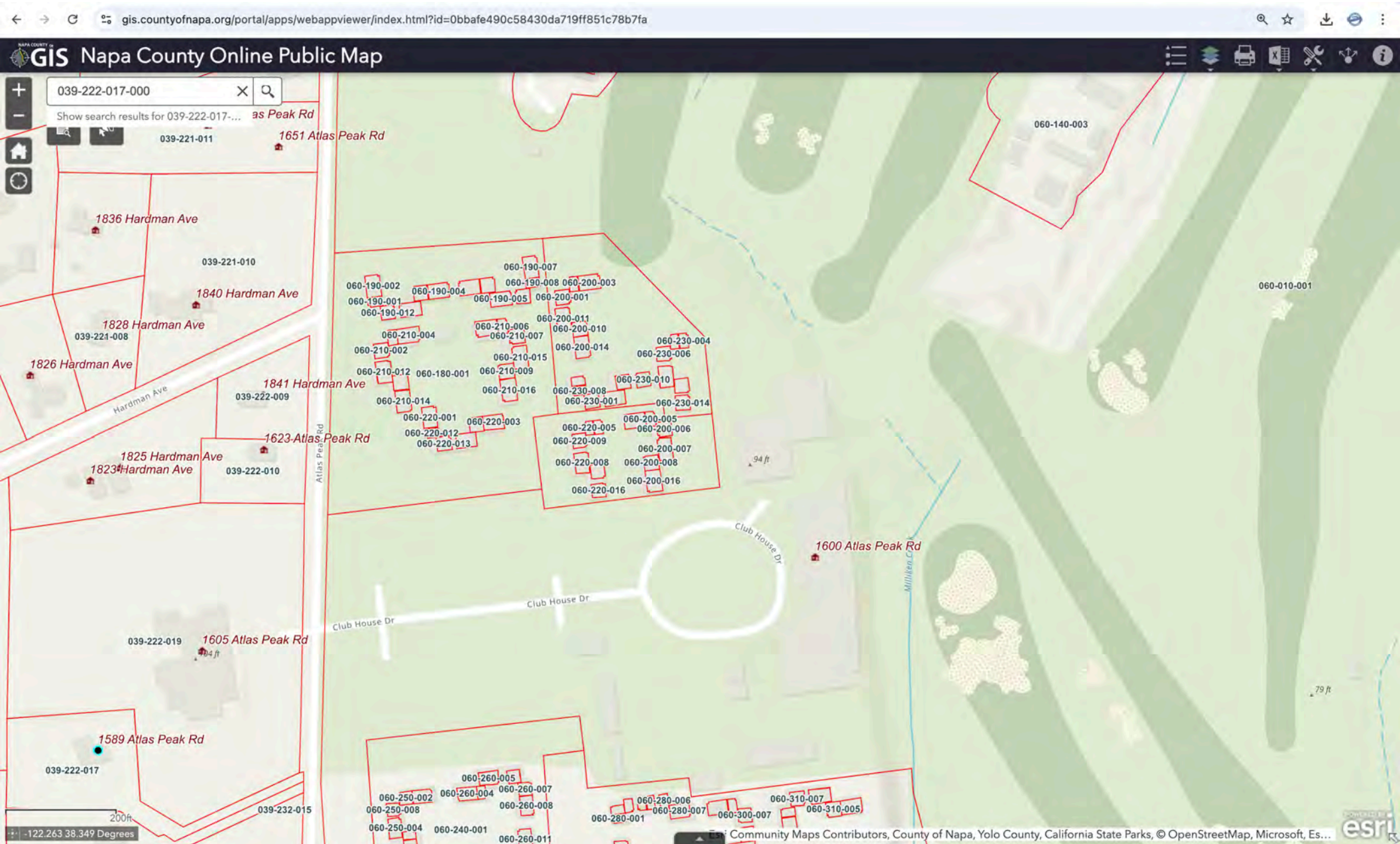
REVISIONS

1. 9/05/2024	REVISION PER COMMENTS
2. 1/24/2025	REVISION PER COMMENTS
3. 09/05/2025	SAVED TWO OAK TREES

PROJECT NO.	23-293
MADE BY	JANIVATION
REVIEWED BY	CN

COVER SHEET

UP0.0



From: [EB Russell](#)
To: [Hawkes, Trevor](#); [MeetingClerk](#)
Subject: Event Center Construction Proposal at The Grove at Silverado
Date: Tuesday, November 4, 2025 4:46:45 PM

[External Email - Use Caution]

Napa County Planning Commissioners,

Thank you for the opportunity to add my concerns to the public record in regard to the Event Center construction project proposed at The Grove at Silverado.

Please see my comments below.

1. The new wedding center is not an expansion of an “Existing Facility” required for a Class 1 exemption to CEQA, nor should its construction be considered “negligible” under CEQA, because it would be a brand new facility (two new buildings) substantially increasing the use of the Silverado property.

2. This new wedding facility would not just be a Minor Alteration of Land, required for a Class 4 exemption to CEQA “Class 4 consists of “minor public or private alterations in the condition of land, water, and/or vegetation which *do not involve removal of healthy, mature, scenic trees* except for forestry or agricultural purposes.” This application would be a major modification of land. Installing 11,000 sf of new facilities, and removing eight (8) 100-year old oak trees is not a Minor Alteration of Land. For the class 4 exemption, the argument that the tree removal doesn't count because they aren't scenic trees is plainly wrong. That exemption is about "minor...alterations in the condition of land, water, and/or vegetation," and it's false to say that removing mature oak trees is inherently a minor alteration just because the trees weren't "scenic.” Although not on a designated scenic road, this is an area where people have come for generations for events in a beautiful natural outdoor area, beneath these heritage oaks, so I would argue that the trees are indeed scenic. But more importantly, even non-scenic oak trees have tremendous ecological value.

The Class 1 exemption should also not apply because the key consideration is whether the project involves negligible or no expansion of use. It's not legitimate to say that the venue is already allowed to host events 365 days a year, so there's no expansion of use, if the venue wasn't in fact previously hosting that number of events every day. Under CEQA, the baseline is the actual conditions, not conditions that are theoretically allowed but not occurring.

3. The INTENSIFICATION OF USE (Both changing the natural landscaping to one with hardscape and two new buildings, and the increase of activities) is not a Minor Modification in use permit. The Application states that once built, the new facility will host between 45-60 (wedding) new events per year. That is at approximately five (5) more events per month at Silverado. There will be impacts on traffic, noise, wastewater, and the destruction of habitat. These are impacts that will be felt by neighbors and the community at large.

6. Replacing the eight (8) trees with 32 eight-foot tall trees in a variety of random locations around Silverado will never replace the canopy the existing eight oak trees provide. It will take decades for those trees to get anywhere near the carbon storage and habitat benefits of existing old growth trees. In addition, removal of the existing trees could make water quality and flooding issues worse than they already seem to be. It could lead to more erosion and impacts to steelhead designated critical habitat and other species offsite and downstream.

7. Inconsistencies in the application's estimates call the veracity of the entire application into question.

8. The project would be built where there's an intermittent stream that is a tributary to Milliken Creek quite close to Milliken Creek itself, which is designated critical habitat for steelhead. It is also an area that experiences flooding during heavy rains.

Below are remarks from a certified consulting arborist:

"The replacement tree formula is established in a Napa County Ordinances. But in my view, even 4-to-1 oak planting, with a requirement of 5 years of tree maintenance and replacement of any new trees that die, is inadequate.

Yes, it is according to the County requirements, however, a 15-gallon valley oak tree has a trunk diameter of about 1 to 2 inches. A 30-inch DBH valley oak is about 100 years old, maybe more. That is how long it takes to reproduce a big valley oak using small nursery stock.

Growing a 15 gallon oak to parity with the mature trees being removed, to achieve equivalent shade, habitat, carbon sequestration, and aesthetic benefits takes decades.

Trees like this can be appraised by various "Cost Approach" methods (according to the Guide for Plant Appraisal,

- Direct Cost Technique: How much would it cost to reproduce the tree by growing a new tree to the same size and benefits?
- Trunk Formula Technique: What is the monetary appraisal of the lost tree?
- Cost Compounding Technique: This uses a the cost of a replacement tree and calculating compounded interest on that cost to recreate the lost tree.
- Functional Replacement Method: The cost of growing a new tree—maybe even of a different species-- to equivalent aesthetic and habitat benefits.

Appraisals often compare and reconcile these various methods and techniques to come up with a reasonable result.

In my experience the Trunk Formula Technique is well known and pretty straight forward to calculate.

Without getting into details on the eight trees proposed for removal, I can say a big valley oak—one of them in the plans is 30-inch trunk diameter— can have a Trunk Formula Technique result of perhaps \$35,000.00. (I just ran an example in the program I use for this.)

How does that square with planting 4, 15 gallon trees at a cost of about \$1,000 and maintaining them for 5 years?

In my view, not well at all.

I know of no actual tree inventory of native oaks but there has been some work as to remaining oak stands around the valley. I have heard that over 99% of the pre-settlement valley oaks are gone.

Fine surface roots can extend far beyond the "dripline" which is the edge of the canopy. Big woody roots taper down rapidly several feet from the trunk. Removing an oak only requires cutting it down and grinding the stump. Valley oak stumps do not sprout. Construction site prep probably requires excavating to remove woody roots probably to a radius of five to ten times the diameter of the trunk and as deep as the engineering for the building foundation requires. Probably several feet. For parking lots and other light duty surfaces excavation for base rock under concrete or asphalt would probably be about 12 inches. For erosion control the project Civil Engineer writes and draws specifications that can include retention facilities,

wattle, jute mesh and other things depending on the slop angle and other variables."

Further information regarding the significance of old growth oak trees in California:

In California, **old-growth oak trees** are considered ecologically significant due to their long lifespan, role in supporting biodiversity, and historical importance in the landscape. As a result, there are **several legal protections** and **policies** aimed at preserving these valuable trees and the ecosystems they support. Below is an overview of the **protections for old-growth oak trees** in California, including **state laws**, **local ordinances**, and **environmental protections**.

1. California Environmental Quality Act (CEQA)

- **Overview:** Under CEQA, **environmental impact reviews** (EIRs) must be conducted for proposed projects that may significantly impact the environment, including native oak woodlands and old-growth oak trees.
- **Protection for Oak Trees:** CEQA requires that the potential impacts of a development project on **oak woodlands** and individual **old-growth oak trees** be thoroughly analyzed. This includes:
 - Impact on oak tree health, biodiversity, and wildlife habitats.
 - Potential for habitat fragmentation or the destruction of oak woodlands.
 - Mitigation measures if impacts are found to be significant.

2. Oak Woodlands Conservation Act (2001)

- **Purpose:** This California state law focuses specifically on **oak woodlands conservation** and aims to **preserve and protect oak trees** by promoting sustainable management practices.
- **Key Provisions:**
 - **Oak Woodlands Management Plans:** Local governments or landowners must create management plans that consider the sustainability of oak woodlands.
 - **Incentives for Landowners:** The act encourages private landowners to protect oak trees by offering grants or incentives for **oak restoration projects**, **conservation easements**, and **habitat preservation**.
 - **County and Regional Cooperation:** The law encourages **regional efforts** to protect oak woodlands and maintain habitat corridors.
- **Restrictions:** It imposes limitations on the **conversion of oak woodlands** to non-oak uses, especially in areas with significant ecological or cultural value.

3. Local Ordinances & Tree Protection Laws

Many local jurisdictions in California have **tree protection ordinances** that apply to **old-growth oak trees** or specific species like **Coast Live Oak** and **Valley Oak**. These ordinances vary by city or county, but typically include:

- **Permit Requirements:** In some areas, a permit is required for the removal or pruning of old-growth oak trees. This is especially the case if the trees are located on public lands, within conservation areas, or in areas with known oak woodlands.
- **Size and Age Criteria:** Some ordinances specifically define "old-growth" or "heritage" oak trees

based on their size (e.g., a minimum trunk diameter of 12–24 inches) or age (often hundreds of years old).

- **Tree Preservation Zones:** Areas where large, historic oak trees are present may be designated as **Tree Preservation Zones**, requiring heightened review before any development activity can occur.

Examples of counties with specific protections:

- **Santa Clara County:** Has regulations that protect oak trees from being removed or disturbed without an approved permit, particularly in **rural and hillside areas**.
- **City of Berkeley:** Has an ordinance that includes specific protections for **heritage oak trees** located on private property.
- **San Diego County:** Requires mitigation for the loss of oak trees in development projects, with emphasis on the conservation of larger, more mature specimens.

Enforcement: Violations of local tree protection ordinances can result in fines, penalties, or requirements for restoration or replanting.

4. California Native Plant Protection Act (1977)

- **Purpose:** While primarily focused on plant species, this act also helps to protect oak trees as **native flora** under California law.
- **Protection Scope:** The act provides protections for California’s native plants that are threatened or endangered, which includes some **oak species** that are considered rare or vulnerable, such as the **Santa Cruz Oak** and **Kern Oak**. This law could be invoked if an old-growth oak is found to be in danger of extinction.

5. California Fish and Game Code

- **Overview:** Certain old-growth oak trees may fall under protections provided by the **California Fish and Game Code**, especially in areas where they are considered essential for supporting **wildlife habitats**.
- **Special Consideration for Oak Habitats:** Oak trees, particularly old-growth oaks, are important for a variety of species, including birds, mammals, and insects. Under the Fish and Game Code, actions that threaten these trees or their habitats may be subject to restrictions or mitigation requirements.
- **Protection for Birds:** Many old-growth oak trees host bird species protected by state or federal law, including the **California Spotted Owl** or **Oak Titmouse**. Therefore, developments affecting these trees must consider the preservation of avian species and their habitats.

Fish and Game Code - Native Plant Protection Act

- The California Fish and Game Code, specifically under Sections 1900–1913, addresses the protection of rare and endangered species. Old-growth oaks and the habitat they provide could be covered under the “native plant protection” category as oaks are recognized as a vital species for a protected habitat.

6. Habitat Conservation Plans (HCPs) & Natural Community Conservation Plans (NCCPs)

- **Overview:** Both **HCPs** and **NCCPs** are long-term planning tools used by California to protect habitats for endangered species and other natural resources, including oak woodlands.

- **Role in Oak Tree Protection:** These plans can incorporate protections for **old-growth oak trees** and surrounding habitats, including mitigation measures for projects that might negatively affect oak trees.
- **Incentives for Conservation:** These plans may also provide incentives for landowners to **preserve oak woodlands** by offering compensation for lost land value or the opportunity to sell **conservation credits**.
- **Example:** The **Santa Monica Mountains NCCP** protects oak woodlands and requires developers in this area to take special precautions when building near **old oak trees**.

7. Federal Protections

While most oak tree protections are state- and locally-based, some **federal regulations** can apply, especially if the oak trees are part of **protected habitats**:

- **Endangered Species Act (ESA):** If an oak species is considered endangered or threatened (such as *Quercus sadleriana*, or the **Sadler's Oak**), federal protections under ESA may apply.
- **National Environmental Policy Act (NEPA):** For large federal or federally-funded projects, an Environmental Impact Statement (EIS) may be required, which could include protections for old-growth oak trees in their habitats.

Summary of Protections for Old-Growth Oak Trees:

1. **CEQA:** Requires thorough environmental review for projects impacting oak woodlands, with mitigation for significant environmental effects.
2. **Oak Woodlands Conservation Act:** Encourages sustainable management of oak habitats and provides incentives for private landowners.
3. **Local Ordinances:** Many cities and counties have laws specifically designed to protect oak trees, especially old-growth specimens.
4. **California Fish and Game Code:** Protects oak trees as part of wildlife habitats and biodiversity conservation.
5. **Federal Protections:** Federal laws like the ESA may apply if certain oak species are endangered or threatened.
6. **Conservation Plans (HCPs, NCCPs):** Provide long-term habitat protection and land-use planning for oak trees and oak woodlands.

Together, these laws and programs aim to ensure that **old-growth oak trees**—which provide critical ecological, cultural, and aesthetic value—are protected from harmful development.

In summary, this proposed construction project will greatly intensify the use of the outdoor area known as The Grove and will have significant environmental effects. We appreciate the Commission's concern for the environment in Napa County and hope that this application is reviewed with careful and appropriate scrutiny for its impacts on the ecosystem.

Best regards,

Erin Bright Russell
707-337-5994

From: [John Davis](#)
To: [Hawkes, Trevor](#)
Subject: Silverado expansion
Date: Tuesday, November 4, 2025 5:08:26 PM

[External Email - Use Caution]

Dear Mr. Hawkes

The owners of Silverado have taken every opportunity to take advantage of all they can with almost no regard for environment.

They did when they encroached on Milliken Creek running equipment in the stream bed to try and repair a bridge. They did when they took old turf piled up along the same creek and pushed into the creek, damaging the creek and messing the stream bed up for the spawning of salmon and steelhead.

These 2 egregious act just begins to tell the whole story of what the owners will do to get something done with total disregard for anything and everything!

I ask you to please say no to this expansion.

Thank you!

John Davis
707-337-6475
JWDgolf@sbcglobal.net

Planning, Building & Environmental Services **Wedding Venue at the Grove (Silverado Resort and Spa); P24-00141-MM**

Trevor Hawkes, Supervising Planner



Agenda

- Overview of the Request
- Items in response to the PC's continuance of the hearing
- Public Comments



Silverado Resort

Property Area: 278.73 acres

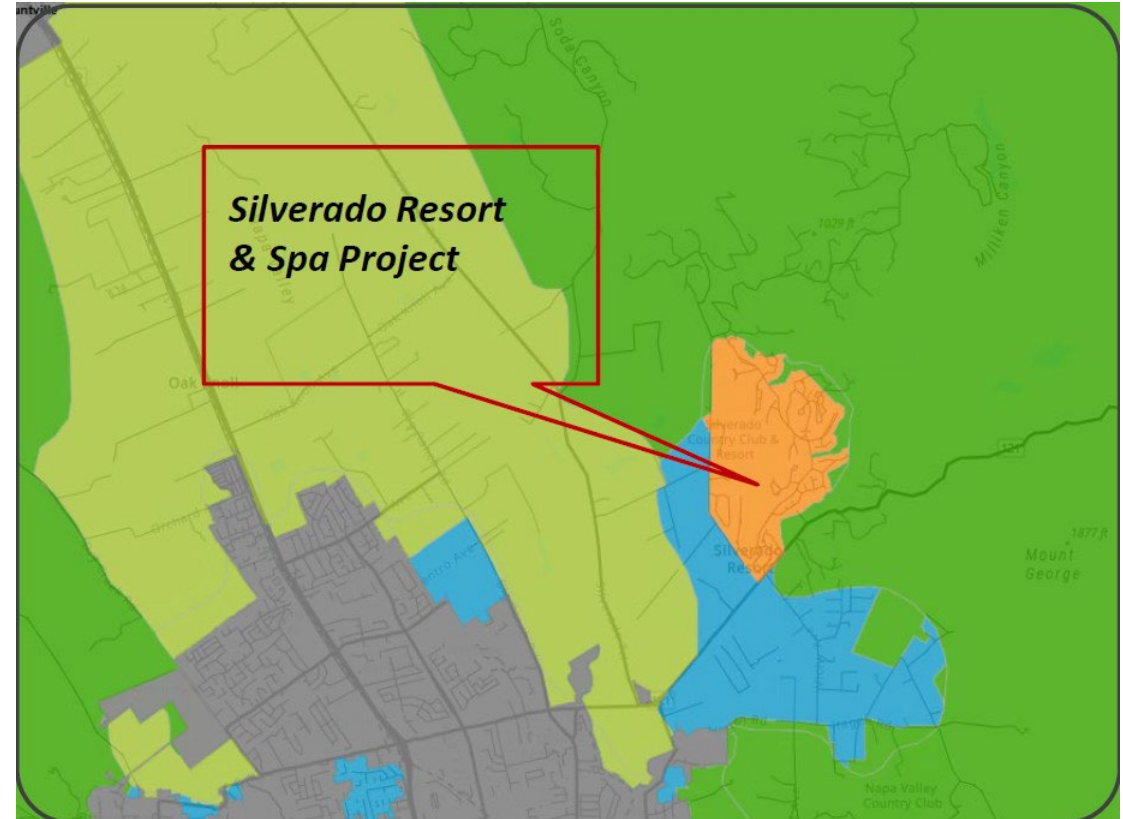
Zoning: Planned Development

General Plan: Urban Residential

Existing Resort Space: 268,180 sq. ft.

Proposed Development: 11,358 sq. ft.

Percentage of existing development: 4.24%



The Grove Wedding Pavilion and Lounge

Event Pavilion: 9,308 sq. ft.

Event Lounge: 1,750 sq. ft.

Total: 11,358 sq. ft.

Total Landscaping: 83,742 sq. ft.

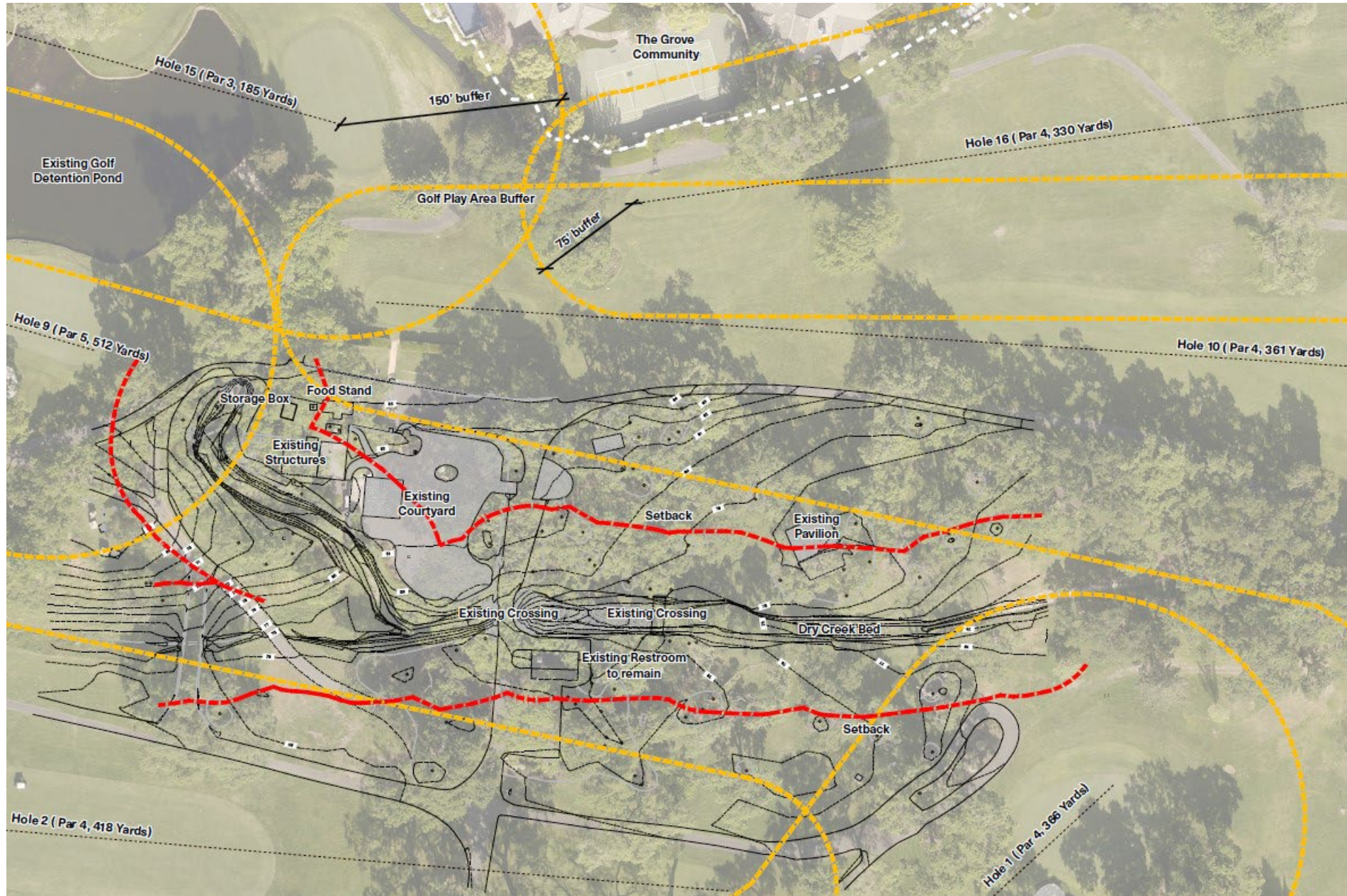
Tree Removal: 8 oak trees

Replacement: 32 oak trees (4:1 replacement ratio)

Request for exemption from the RSS for a Fire Truck turnaround within 50 feet of the Event Lounge.











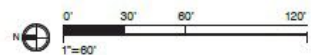
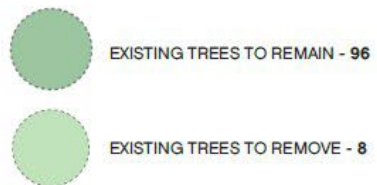
Oak Tree Removal and Landscaping

- 8 Oak Trees planned for removal
- Supplemental Arborist Report and Tree exhibit submitted
- Tree exhibit includes 32 new landscape tree plantings in the grove
- Conditions of Approval 6.16(d) & (e) included due to new landscape tree plantings not being included in the WAA proposed landscape plan & WELO calculations



THE GROVE

EXISTING CONDITIONS - TREE COUNT

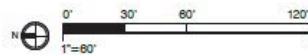


THE GROVE

PROPOSED TREE'S TO BE PLANTED

-  EXISTING TREES TO REMAIN - 96
-  RAY HARTMAN WILD LILAC - 12
-  WESTERN REDBUD - 9
-  VALLEY OAK - 11

TOTAL TREES IN GROVE - 128
(14 MORE THAN EXIST TODAY)



Processing Procedures and Environmental Determination

- Clarification of processing / CEQA exemption determination provided Staff Report
- Napa Sanitation Board of Director Resolution 21-006 included in packet
- Napa Sanitation determination of increase of wastewater flows not impacted by operational conditions of a project
- Public Works analysis provided in Staff Report
- Decision-making option included should Commission determine processing procedures were incorrect



Noise Impacts

- Revised Noise Study submitted to better address and condition outdoor amplified noise from events at the Grove.
- Applicant's proposed outdoor operational amplified noise condition included in COA 4.12(b)
- Staff has also included a condition for future monitoring hearing before the Planning Commission – COA 4.12(c).



Thank you

Trevor Hawkes

Trevor.hawkes@countyofnapa.org

707-253-4388



@countyofnapa

