

**From:** [Hawkes, Trevor](#)  
**To:** [MeetingClerk](#)  
**Subject:** FW: Napa County Notice of Planning Commission Hearing  
**Date:** Tuesday, March 18, 2025 9:23:23 AM  
**Attachments:** [image001.png](#)

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Please add as public comment for item 7B for tomorrow's public hearing item.

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**From:** Quackenbush, Alexandria <[Alexandria.Quackenbush@countyofnapa.org](mailto:Alexandria.Quackenbush@countyofnapa.org)>  
**Sent:** Thursday, March 6, 2025 10:23 AM  
**To:** Hawkes, Trevor <[trevor.hawkes@countyofnapa.org](mailto:trevor.hawkes@countyofnapa.org)>  
**Cc:** Ramirez Vega, Angelica <[Angelica.Vega@countyofnapa.org](mailto:Angelica.Vega@countyofnapa.org)>  
**Subject:** FW: Napa County Notice of Planning Commission Hearing

Please see below, public comment for Staglin Family Vineyards.



A Tradition of Stewardship  
A Commitment to Service

**Alexandria Quackenbush**  
Administrative Secretary II  
Planning, Building, & Environmental Services  
Napa County  
Phone: (707) 253-4417  
1195 Third Street, Suite 210  
Napa, CA 94559  
[www.countyofnapa.org](http://www.countyofnapa.org)

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**From:** RICHARD W SVENDSEN <[rsvensen@sbcglobal.net](mailto:rsvensen@sbcglobal.net)>  
**Sent:** Thursday, March 6, 2025 10:22 AM  
**To:** Quackenbush, Alexandria <[Alexandria.Quackenbush@countyofnapa.org](mailto:Alexandria.Quackenbush@countyofnapa.org)>  
**Subject:** Re: Napa County Notice of Planning Commission Hearing

[External Email - Use Caution]

That's what Napa County DOES NOT NEED is another winery in this county. Please vote  
NO

Sent from my iPhone

On Mar 6, 2025, at 9:54 AM, Quackenbush, Alexandria  
<[Alexandria.Quackenbush@countyofnapa.org](mailto:Alexandria.Quackenbush@countyofnapa.org)> wrote:

*STAGLIN FAMILY VINEYARDS, MONITORING HEARING – NO. P18-*

00253

<image001.png>

**Alexandria Quackenbush**  
**Administrative Secretary II**  
**Planning, Building, & Environmental Services**  
**Napa County**  
**Phone: (707) 253-4417**  
**1195 Third Street, Suite 210**  
**Napa, CA 94559**  
[www.countyofnapa.org](http://www.countyofnapa.org)

<P18-00253\_Monitoring Hearing\_PHN.pdf>



# WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

952 SCHOOL STREET #316 NAPA CA 94559

VOICE: (707) 681-5111

EMAIL: GENERAL@WATERAUDITCA.ORG

March 18, 2025

To Napa County Planning Commissioners

Kara Brunzell (District 1),  
Walter Brooks (District 2)  
Heather Phillips (District 3)  
Pete Richmond (District 4)  
Megan Dameron (District 5)

Sent via email to: [meetingclerk@countyofnapa.org](mailto:meetingclerk@countyofnapa.org)

Greetings:

RE County of Napa Planning Commission March 19, 2025  
AGENDA 7B. STAGLIN FAMILY VINEYARDS / STAGLIN FAMILY  
VINEYARDS / MONITORING HEARING FOR P18-00253

## **Introduction**

While the facts have great similarity, there is one primary difference between the Staglin proceeding and the Henry application that preceded it. The difference reveals the injury done by poor planning review.

The code violations that have persisted since 1991, and languished unaddressed until the 2018 forgiveness plan. Attached by gaining both forgiveness AND additional entitlements, the Applicant started the current process seven years ago. There are two underlying hearings. The February 3, 2021 hearing was continued to March 3, 2021. The March 3, 2021 hearing did not carry forward the Water Availability Analysis/Water System Feasibility Study, Wastewater Feasibility Study, or Traffic Impact Study, and therefore they are not available for Planning Commission review or comment. Selected relevant omitted documents are attached.

It is unclear at this date whether the CEQA process has been performed. State Clearing House website posts a Notice of Determination Negative Declaration dated March 19, 2021 from [https://files.ceqanet.opr.ca.gov/268198-1/attachment/ZatmQGnrht0orfELNe9cd5rjnCQg1-nlLm7Woa-eKiX9LTIVZ17QOuZZ29D\\_kqc4Ys1DjNtYiY3CgBH70](https://files.ceqanet.opr.ca.gov/268198-1/attachment/ZatmQGnrht0orfELNe9cd5rjnCQg1-nlLm7Woa-eKiX9LTIVZ17QOuZZ29D_kqc4Ys1DjNtYiY3CgBH70); however, there are Project review documents for the P18-00253. (see <https://ceqanet.opr.ca.gov/Search/serp?q=staglin>) Furthermore, there is a CEQA posting for the 1991 initial request at <https://ceqanet.opr.ca.gov/1991053048>

The Planning Commission March 3, 2021, hearing was a demonstration of horse trading whereby visitation changed from annually to seasonally, with the Chair acknowledging a “head nod” from someone outside view of video camera.

### **Questions re Equitable Process**

There were three questions which should be considered to determine whether this was an equitable process:

1. Was the approved visitation greater than the Applicant request when visitation changed from annually to seasonally?
2. Were cumulative impacts to groundwater in the surrounding community and injury to the public trust considered?
3. Without including critical documents in the March 3, 2021, hearing packet, did the Commissioners rely solely on staff recommendations based solely on hearsay submitted by the applicant?

The March 19, 2025 hearing packet omits graphics for the parcels. Water Audit California’s (“Water Audit”) review of the underlying documents in the prior Planning Commission hearings revealed that the “Overall Site Plan” truncated one of the three project parcels. This is a classic move, mirroring for limited example the earlier Hillwalker and Ingelnook Projects.

The omitted information was a creek tributary to the Napa River, i.e. a significant watercourse under the protection of the public trust doctrine. That omission led to discovering that the CEQA process, water-related documents, and Conditions of Approvals are also flawed.

## **Recommendations**

Based on this new evidence, Water Audit recommends continuing the hearing, and collect monitoring and measuring groundwater data prior to approving this Use Permit Modification based on the following:

- (1) The Overall Site Plan is incomplete and omits critical information. The Plan truncates the vineyard parcel APN 027-250-065 (including as it locates the leach-fields on its land), and it omits a Creek that borders the parcel, and that is a tributary to the Napa River. All three parcels are within the GSA boundary. The Plan has no creek, no elevations, and no distances from leach-field or well(s.)  
Is there one or two wells on the winery parcel?
- (2) Staff has not performed a CEQA process review for P18-00253.
- (3) Public Works consulting engineer, LSCE, did not perform a Water Availability Analysis review. The WAA determined Tier 1 only, however, there are no Well Completion Reports and no Well Location Map.
- (4) The Water Supply Feasibility calculations are not consistent with the County's 2015 Water Availability Analysis Guidance document. WAA calculated Marking at 6 gallons per visitor (without supporting that factor), but WAA Guidance factors 15 gallons per visitor. WAA calculated Winery Process at 6 gallons per gallon of wine, but WAA Guidance factors 7 gallons of process water
- (5) Water system well pumping tests are not in accord with Environmental Health Services 2005 revised 2018 "County Regulated Water System Memorandum" and Worksheet calculus:  
  
"Water supply capacity. Can the water system (including all sources and storage facilities) supply a minimum of three gallons per minute for at least 24 hours for each service connection served?"
- (6) Conditions of Approval are insufficient and do not protect public trust in groundwater.

"1.1 PROJECT SCOPE" omits installation of transient non-community water system and improvements proposed for the existing well.

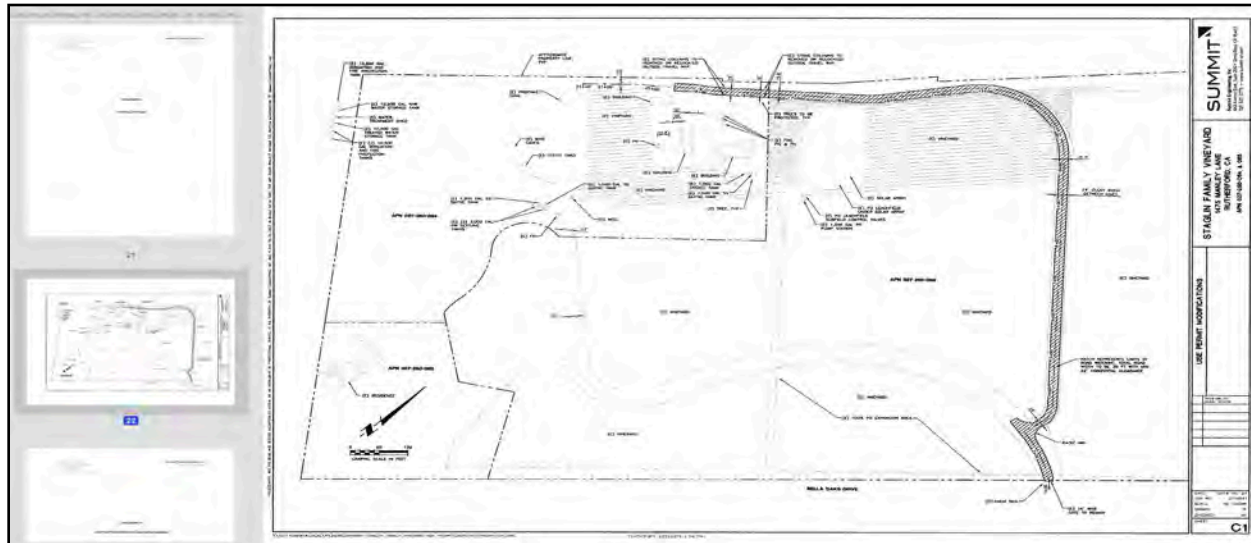
"4.9 GROUNDWATER - WELLS" omits "implemented jointly by the Public Works and PBES departments", omits parcel acre-feet limitation on groundwater, and omits the Groundwater Conditions of Approval "4.9 GROUNDWATER - WELLS" omits "implemented jointly by the Public Works and PBES departments", omits parcel acre-feet limitation on groundwater, and omits the Groundwater Demand Management Program.

(7) Condition of Approval Environmental Health Services Letter prohibited increased visitation (emphasis added):

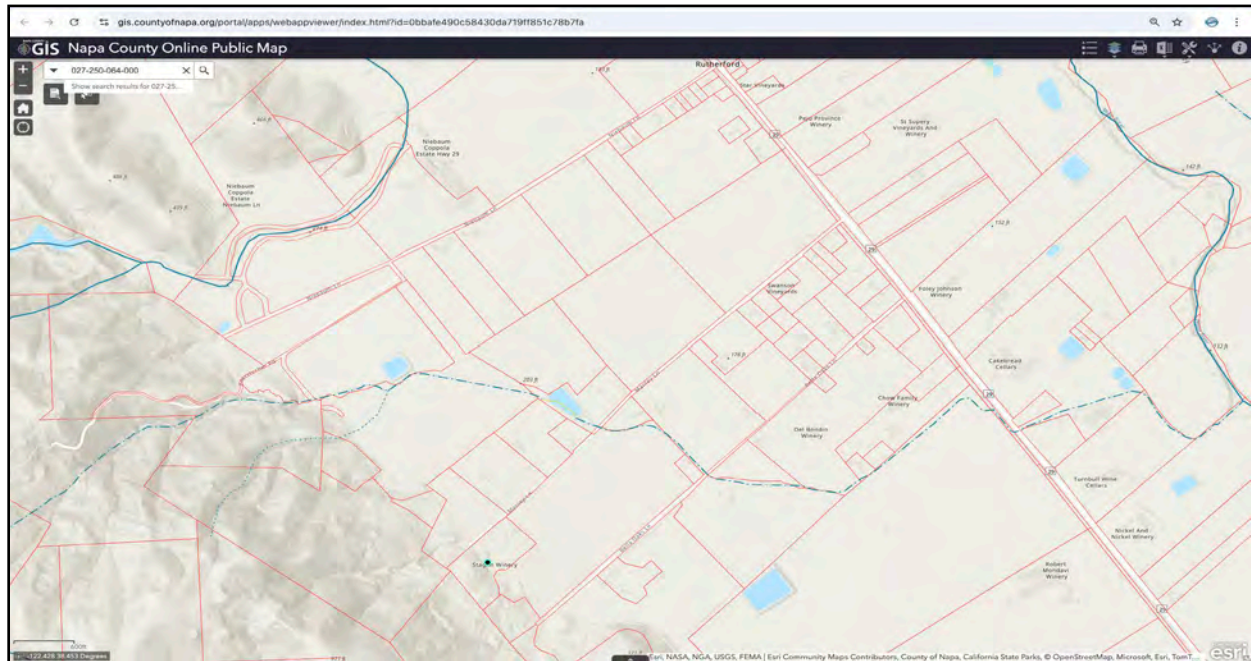
"1. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. **This will require plan review and approval prior to approval of building permits or increasing visitation, marketing and/or employees...**"

## Documentation

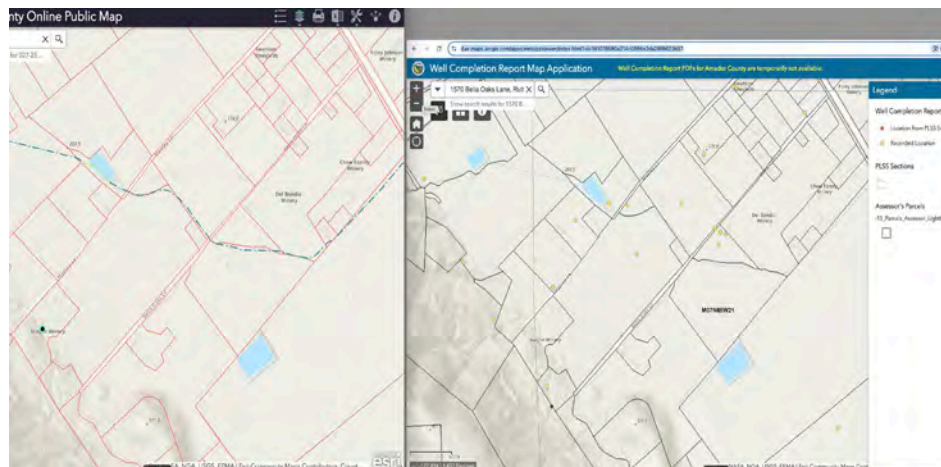
The March 3, 2021, Overall Site Plan found in the "Attachment G. GRAPHICS" at pdf page 5 truncates APN 027-250-064.



Not in Agenda packet but found on County GIS Map is wide shot of winery parcel (small black dot inside light blue ring) with the Creek tributary to Napa River.



Not in the Agenda packet but found on the State Department Water Resources website is the record location of wells on and surrounding the winery parcel. DWR does not site any wells on the winery parcel. The document coinciding with APN 027-250-063 is a “well destroy” completion report. The other record is on the vineyard parcel APN 027-250-063. It is currently unknown whether or not there is an additional well on the vineyard parcel.





Not in the Agenda packet but found on the State Department Water Resources website is the “well destroy” completion report (right side) and the CoGIS Map with APN 027-250-063.

**GIS Napa County Online Public Map**

Parcel Information Table:  
 ASMT 027-250-063-000  
 Notes WAS P/N 027250058  
 Designation RURAL RES < 5 AC W/1 RES  
 Landuse 31  
 TRA 061001  
 Acres 3.43

**WELL COMPLETION REPORT**  
 No. 00079492  
 Date Work Began 9/15/2008  
 Local Permit Agency Napa County Environmental Mgmt.  
 Permit No. E08-00532  
 Permit Date 9/15/2008

**GEOLOGIC LOG**

DEPTH (Feet)	DESCRIPTION
0	EXISTING 6" PVC WELL WAS 400 DEEP
1	MOVED PUMP AND TOP 4" OF CASING
2	BACKFILLED WELL TO 55" WITH PEA GRAVEL
3	PERFORATED CASING WITH DYNAMITE AND
4	INSTALLED BENTONITE GROUT SEAL FROM
5	55 TO 4" CAPPED WITH CONCRETE AND
6	BACKFILLED WITH NATURAL MATERIAL TO
7	SURFACE

**WATER LEVEL & YIELD OF COMPLETED WELL**

DEPTH TO FIRST WATER: (ft) BELOW SURFACE  
 DEPTH OF STAT: (ft) & DATE MEASURED 9/15/2008  
 WATER LEVEL: 50  
 TEST LENGTH: (ft) TOTAL DRILLING: (ft)  
 YIELD: (gpm) TOTAL DRILLING: (gpm)

**CERTIFICATION STATEMENT**

I, the undersigned, certify that this report is a true and accurate statement of the facts and conditions as shown and recorded to the best of my knowledge and belief.

NAME: HUCKLEBERRY WELL DRILLING, INC.  
 ADDRESS: 2110 Tenth Avenue, Napa, CA 94558  
 DATE: 9/15/2008





[illegible]

Not in the agenda packet but found on County website is the Sample-Site-Plan-Revised 2024-PDF\_202411191159440278 found at <https://www.countyofnapa.org/DocumentCenter/View/20486/Sample-Site-Plan-.pdf>

**C. Label existing and proposed structures and uses** Provide dimensions and distance between existing and proposed structures/development. Show all property improvements, such as buildings/dwellings/decks, storage tanks of any kind (including propane tanks), etc. Setbacks from these improvements will enable our divisions to establish safe distance from possible safety/sanitary issues. Be sure to label all existing (E) and proposed (P) improvements, including area of addition, area of remodel, new structure, etc.

**D Setbacks** Provide the setbacks that we need to review your submittal for permit. Setbacks are the distance between existing and proposed property improvements. They are the distance of your project from property lines, septic systems, wells, tanks, structures, dwellings (and in case of generator exhaust, the distance from the nearest opening on the structure closest to the installation). Indicate the distance from the center of road for all improvements.

**F. Identify Natural Features** such as creeks as there are creek setbacks that must be maintained to protect the natural feature from damage and prevent possible flood issues. Identify required creek setback distance pursuant to County Code 18.108.025.

**G. Existing and proposed water, wastewater, and stormwater treatment systems systems** must be shown and include:

- Wells on the property
- Wells within 100 feet of the project property
- Septic system tanks and sewer line location
- Leach fields (existing and proposed)
- 100% reserve area (existing and proposed). This is the area that will be used in the event of a septic system failure.

- Storage tanks (Water, grey-water, waste storage)
- Label distances between well(s), septic tank, leach field, and creek, streams, rivers or lakes, if applicable

**I. Utilities** Show utility lines or service points of connection (water, sewer, electrical, gas, cable). Indicate work areas under overhead lines or above buried lines. If a utility line crosses over a structure/improvement, show clearance above the structure/improvement.

**J. Easements** Show any easements that exist. Indicate the location of all easements (water, sewer, roadways, open space, etc.)

## WATER AVAILABILITY ANALYSIS

County of Napa PC 20210203 Agenda 7A. Staglin Family Vineyard Attach G. WAA/  
Water System Feasibility County: No WCR, Incomplete APN 027-250-065, No  
elevation, no blueline, no legend, no vicinity map, No Well Location Map of project or  
neighboring parcels, No Water "Existing" Process, Marketing calcs "6"  
[there is a 2004 easement -064 supplies -063?]

County of Napa PC 20210203

**"G"**

Water Availability Analysis / Water System  
Feasibility Study  
Staglin Family Vineyards Major  
Modification  
P18-00253-MOD

1

2

3

Staglin Family Vineyard  
Project No. 2018041  
June 12, 2018  
Revised October 16, 2018

SUMMIT ENGINEERING, INC.  
Water System Feasibility

### SYSTEM DESCRIPTION

Staglin Family Winery is applying for a Use Permit (UP) Modification for the existing winery facility to increase employees, visitation and marketing events. Summit has prepared the following Water System Feasibility Analysis, which evaluates the capacity of the existing water system to provide sufficient water to meet the facility demands. The existing water system is capable of meeting the facility demands and consolidation with another existing water system is not required because this water system is not a new application.

The existing winery parcels (APN: 027-250-063, 027-250-064, 027-250-065) consist of winery, hospitality, and office buildings, onsite vineyards, a 4-bedroom residence, landscaping, and a combined sanitary sewage and process wastewater pressure distribution leach field. Since the existing water system was permitted under a California Uniform Food Facilities Law (CURFFL) exemption, Staglin Family Vineyards will have to apply for a Public Water System Permit.

The water source for the project consists of one groundwater well (Well 03) located on the south side of the main winery parcel (APN: 027-250-064), near the main entrance to the winery caves. The existing well was constructed in 1997 to a depth of 615 feet with a grouted seal to 51 feet. Initial testing at the time of drilling yielded 200 gpm with no drawdown over a 3-hour period. Please see the enclosed well log for details. Staglin Family Vineyards has indicated that the current, long-term yield of the well is approximately 30 gpm. The well is installed in an underground vault to protect it from vehicle traffic. As part of the Use Permit Modification, Staglin Family Vineyards will be required to apply for a Public Water System Permit. As a result, Well 03 must be improved so the well head terminates at least 18 inches above ground.

The existing water treatment system includes four raw water storage tanks (10,500 gallons each) and one treated water storage tank (10,500 gallons), one Kinetico sedimentation filter, two Kinetico water softener units, one Sanitron 2400B UV disinfection unit, and pressure tanks for separate domestic, irrigation, and well treatment sources.

With the proposed Use Permit modifications, the facility has an estimated water demand of 592 gpd average and 1,200 gpd peak process water, and 897 gpd average and 2,340 gpd peak domestic water. The total combined water demand is 1,489 gpd average and 3,540 gpd peak (see Enclosure B). The anticipated water demand for the facility can be met with the existing domestic well operating for 12 hours per day at 2.1 gpm, to meet the average demand, and by operating the well for 12 hours per day at 4.9 gpm to meet the peak demand.

The existing system has five 10,500 gallon storage tanks. Three tanks (31,500 gallons total) serve irrigation demand and fire protection storage. One tank stores raw well water prior to process use within the winery, or prior to water treatment and disinfection. One tank stores treated and disinfected well water prior to domestic uses. To meet the Maximum Day Demand requirement of 8,850 gallons, the existing 10,500 gallons of treated water storage will be utilized.

2



## WATER AVAILABILITY ANALYSIS

County of Napa PC 20210203 Agenda 7A. STAGLIN att G. WAA/ Water System Feasibility pdf6 WINERY PROCESS WATER DEMAND "6gpm; existing well; Domestic exisitng on-site wells" [fn rate wo source] COMP COUNTY WAA Guidance "PW 2.15af per100K[anno

Are there two wells or one? Does -065 have a well? No well production logs are presented for any well.

**WINERY PROCESS WATER DEMAND**

Water demand for wine production is expected to correlate to the process wastewater (PW) generated at the facility. The existing wine production capacity is 36,000 gallons per year, with the projected process wastewater generation calculated as follows:

Proposed Annual Peak production	=	36,000 gal wine/year
PW generation rate	=	6 gal PW/gal wine <sup>a</sup>
Annual PW Flow	=	36,000 gal wine x 6 gal PW/gal wine
	=	216,000 gal PW/year
Average PW Flow	=	(216,000 gal PW/year) / (365 days)
	=	592 gal PW/day
Peak PW Flow	=	(216,000 gal PW/year x 15.4 <sup>b</sup> )/ (30 days)
	=	1,181 gal PW/day = 1,200 gal PW/day
Annual Production Water Demand	=	(216,000 gal water/yr) / (525,851 gal/ac-ft)
	=	0.66 ac-ft water/yr

<sup>a</sup> Generation rate based on industry standards

<sup>b</sup> Percentage of flows accounted for during the harvest month of September, based on water data from similar wineries

Staglin Family Vineyard  
Water Availability Analysis  
June 12, 2018

SUMMIT ENGINEERING, INC.  
Project No.: 2018081

Process wastewater generation is expected to be equivalent to the process water demand for wine production. The expected annual water use associated with the proposed production capacity is 216,000 gallons per year, or 0.66 ac-ft per year. Winery process water demand will continue to be provided by the existing well.

**PROPOSED WATER DEMAND**

Proposed additional water demand will be required to supply the 36,000 gallon per year winery facility with 11 full time employees, 5 seasonal employees, and increased marketing events. All existing water demand will continue, with additional demand required by winery employees and winery visitors.

**DOMESTIC WATER DEMAND**

Expected domestic water demand at the winery facility is determined based on a maximum of 11 full-time employees, 5 part-time (PT) employees, 44 daily visitors, and marketing events. The domestic and process water supply will still be provided by existing on-site wells. The proposed annual domestic water demand for the winery is outlined in Table 2.

**Water Availability Analysis (WAA) – Guidance Document** Adopted May 12, 2015

appliances and fixtures, including toilets and shower-heads, are old and have not been upgraded or replaced by water saving types. The owners wash their cars weekly but they don't have nozzles or sprayers on the hose. They do not shut off the water while they are soaping up the vehicles, allowing the water to run across the ground instead. Water is commonly used as a broom to wash off the driveways, walkways, patio, and other areas. The estimated water usage for Home #1 is 1.2 acre-feet of water per year.

**Example 2:**

Home #2 is also 2500 square feet. Outside of the house there is a small lawn of drought tolerant turf, extensive usage of xeriscape landscaping, and no swimming pool. Inside the house all of the appliances and fixtures, including toilets and showerheads, are of the low flow water saving types. The owners wash their cars weekly, but have nozzles or sprayers on the hose to shut off the water while they are soaping up the vehicles. Driveways, walkways, patios, and other areas are swept with brooms instead of washed down with water. Estimated water usage for Home #2 is 0.5 acre-feet of water per year.

The above are only examples of unique situations. The estimated water use for each project will vary depending on existing parcel conditions.

**Guidelines For Estimating Non-Residential Water Usage:**

**Agriculture:**

Vineyards:	
Irrigation Only	0.2 to 0.5 acre-feet per acre per year
Heat Protection	0.25 acre-feet per acre per year
Frost Protection	0.25 acre-feet per acre per year
Irrigated Pastures	4.0 acre-feet per acre per year
Orchards	4.0 acre-feet per acre per year
Livestock (sheep or cows)	0.01 acre-feet per acre per year

**Winery:**

Process Water	2.15 acre-feet per 100,000 gal. of wine
Domestic and Landscaping	0.50 acre-feet per 100,000 gal. of wine
Employees	15 gallons per shift
Tasting Room Visitation	3 gallons per visitor
Events and Marketing, with on-site catering	15 gallons per visitor

**Industrial:**

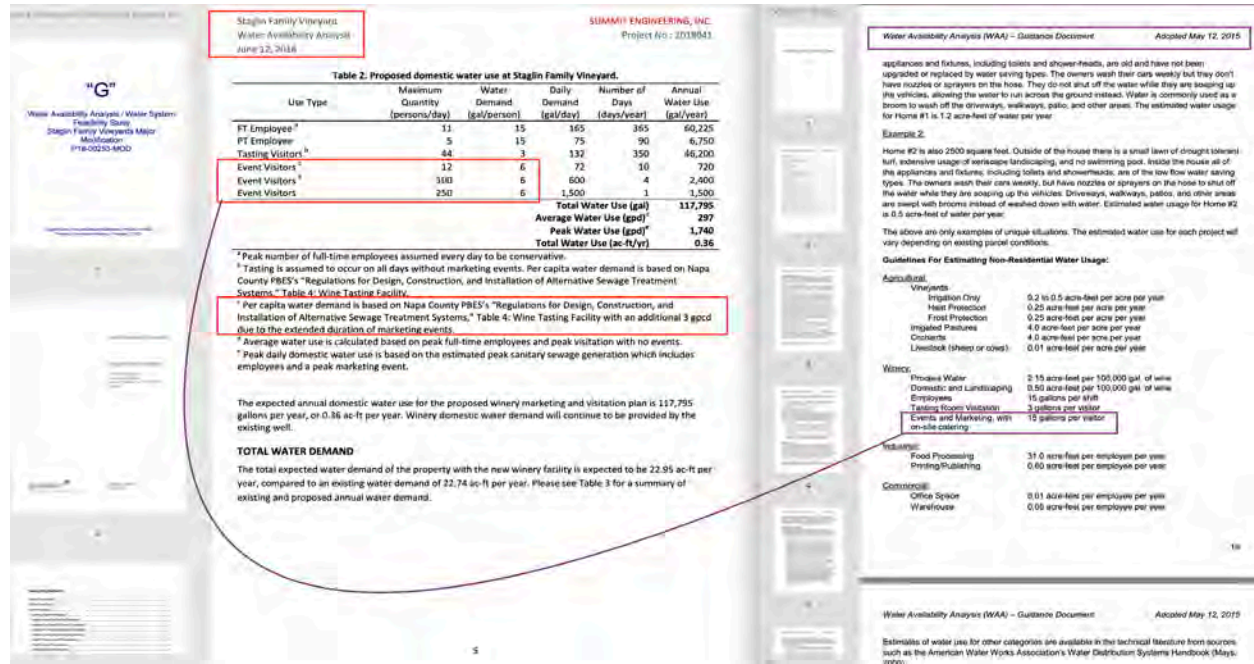
Food Processing	21.0 acre-feet per employee per year
Printing/Publishing	0.80 acre-feet per employee per year

**Commercial:**

Office Spaces	0.01 acre-foot per employee per year
Warehouse	0.05 acre-feet per employee per year



# WATER AVAILABILITY ANALYSIS



Not in the Agenda packet but found on the County website link to Water Availability Analysis (WAA) Guidance Document Adopted May 12, 2015, at document page 6 (emphasis added). The application was not accompanied by a PBES/PW review.

**“PBES and Public Works (PW) staff will review the application for completeness and reasonableness, review the County’s groundwater data management system for additional information about the characteristics of the areas/basin and nearby wells, compare the analysis to the screening criteria, and determine if additional analysis is required... Applications will available geologic and hydrologic information, to be provided by County be staff.”**

*Water Availability Analysis (WAA) – Guidance Document*

*Adopted May 12, 2015*

PBES and Public Works (PW) staff will review the application for completeness and reasonableness, review the County’s groundwater data management system for additional information about the characteristics of the areas/basin and nearby wells, compare the analysis to the screening criteria, and determine if additional analysis is required. In reviewing available information, County staff will consider:

1. The characteristics of the groundwater area or basin (such as confined or unconfined aquifer system; alluvial or hard rock geological setting) and related aquifer properties; and,
2. The location and present use of all existing non-project wells that are within 500 feet of the project well(s), identifying well depths and construction information for existing wells, if known; and,
3. The distance to surface waters within 500 feet of any Very Low pumping capacity project well(s) or 1500 feet of project well(s) with a capacity greater than 10 gallons per minute (gpm).<sup>3</sup>

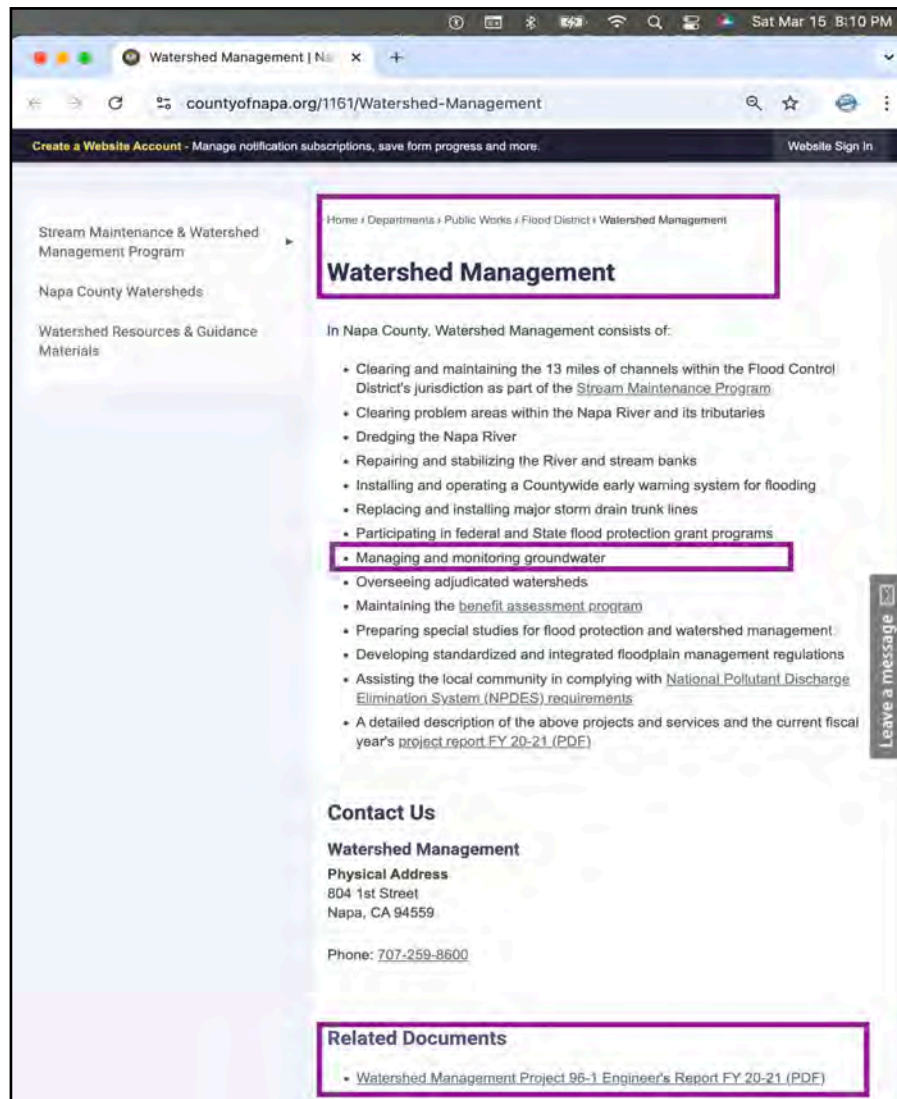
**Screening Criteria**

Applications will be evaluated based on project information, to be provided by the applicant, and available geologic and hydrologic information, to be provided by County staff. As shown in **Table 1**, projects on the Napa Valley Floor and the Milliken-Sarco-Tulucay (MST) that meet the Tier 1 criteria (water use) will generally not be subject to second tier criteria evaluation, unless substantial evidence<sup>4</sup> in the record indicates the need to do so. Parcels in all other areas will generally be required to conduct a Tier 2 evaluation. Projects will be subject to Tier 3 criteria and analysis only when substantial evidence in the record determines the need for such analysis. All criteria are based on information outlined in this procedure, as well as a detailed conceptualization of hydrogeologic conditions in the Napa Valley and substantial evidence in the form of monitoring and hydrologic data, past studies, and well drillers’ logs. Procedures for three tiers of screening criteria will be used on each project as designated herein and as needed for projects with unique issues:

<sup>3</sup> For the purposes of this WAA, “very low pumping capacity wells” are defined as wells with a casing diameter of six inches or less and an installed pump capable of producing less than 10 gallons per minute (gpm). Pumping capacities referenced throughout this WAA were developed as part of a separate analysis of potential streamflow depletion in unconsolidated alluvial settings. Details of this analysis are provided in a separate Technical Memorandum (LSCE, 2013).

<sup>4</sup> Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts, and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

Not in the Agenda packet but found on County website, Water Audit finds the County Public Works Flood Control Division Watershed Management is tasked with “Managing and monitoring groundwater.” (see at <https://www.countyofnapa.org/1161/Watershed-Management.pdf>)



Not in the Agenda packet, and calendared subsequent to the Staglin hearing, the proposed March 19, 2025, Planning Commission Meeting item 8C, Use Permit Processing Presentation, at page 8/9 states that the County Code Compliance Program prohibits Public hearings for a Use Permit or Modification applications until the owner has operated within legal entitlements for one year from the date of the Initial Notice of Violation. This provision is intended to and shall require that the environmental impacts of discretionary permit applications shall be assessed against a "baseline" of operations that are within existing legal entitlements, rather than in violation of them. (emphasis added below):

- Board of Supervisor Resolution No. 2018-164 - County Code Compliance Program, dated December 4, 2018.

Section 1(a)(v): Except for substantially conforming applications received by the Planning Building and Environmental Services (PBES) Department prior to the deadline (March 29, 2019), all properties that have new or continued health and safety or significant pre-existing violations to come into immediate compliance with legal entitlements and all applicable County Code requirements. Owners of properties with health and safety or significant violations shall be required to operate within their existing legal entitlements for one year from the date of the initial Notice of Violation, absent extraordinary circumstances, before a use permit or modification application to remedy the violation(s) may be submitted to PBES. Owners may also be subject to fines or penalties for past and ongoing violations. **This provision is intended to and shall require that the environmental impacts of discretionary permit applications shall be assessed against a "baseline" of operations that are within existing legal entitlements, rather than in violation of them. Owners may submit a Use Permit or Modification application to remedy violation(s) during the one-year period while they operate within their legal entitlements, but only if they agree in writing that their legal entitlements or their existing legal operations, whichever is lower, shall be used as the environmental baseline for all CEQA analysis related to the application. Public hearings for such Use Permit or Modification applications shall not be scheduled until the owner has operated within legal entitlements for one year from the date of the Initial Notice of Violation, absent extraordinary circumstance.**

Further, and for the record, Water Audit submits the following, complete with the documents listed and linked herein:

Planning Commission Meeting February 3, 2021

<https://services.countyofnapa.org/AgendaNet/GranicusMeetingDocuments.aspx?id=636>

2

## *PROJECT DESCRIPTION*

### **7A. STAGLIN FAMILY VINEYARDS / STAGLIN FAMILY VINEYARDS / MAJOR MODIFICATION #P18-00253-MOD**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a Use Permit Major Modification to an existing 36,000 gallon per year winery to allow the following: a) modification to increase by appointment Daily Tours and Tastings Program from the current 10 persons per day (weekdays only) to 44 persons per day (Monday through Sunday), 308 persons maximum per week; b) modification of the locations of the Daily Tours and Tastings Program to take place in the Steckter House and the existing wine caves; c) on-premises consumption of wines produced on-site located in the outdoor areas immediately to the south and west of the Steckter House in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB2004-Evans Bill); d) modification of the existing Marketing Program of nine (9) events per year consisting of (eight (8)) events with a maximum attendance of 45 persons and one (1) event with a maximum attendance of 200 persons) to allow the following: including 32 events per year with 12 attendees maximum (11:00am – 10:00pm), 16 events per year with 32 attendees maximum (11:00am – 10:00pm), three (3) events per year with 100 attendees maximum (6:00pm – 10:00pm), one event per year with 100 attendees maximum (10:00am – 4:00pm), one event per year with 250 attendees maximum (1:00pm – 4:00pm),

catered food prepared by a licensed caterer with minimal on-site preparation (heating and plating), events of 32 attendees or less to occupy the building identified as the Steckter House, and events of 100 attendees or more to occupy the outdoor area north of the Steckter House; e) Increase on-site employees from 8 full-time employees and 0 part-time employees to 11 full-time employees and 5 part-time employees; f) add three (3) parking spaces for a total of 15 spaces; g) deletion of Condition of Approval #3 from the original approved Use Permit (#98072-UP) which required the applicant to notify a representative of neighbors to the applicant 48 hours prior to an event; h) width expansion for sections of the existing internal access driveway to 20 'with a 22 'horizontal clearance to comply with the Napa County Road and Street Standards; and i) modify internal circulation so that a portion of the access driveway loop becomes a one-way road. The project is located on three parcels totaling 63 acres, located at 1570 Bella Oaks Lane, Rutherford, within the Agricultural Preserve (AP) zoning district and General Plan Land Use Designated as Agricultural Reserve (AR). APN 027-250-063, -064 & -065.

Staff Recommendation: Adopt the proposed Negative Declaration and approve the requested Use Permit Major Modification as conditioned.

Staff Contact: Trevor Hawkes, Planner III, (707) 253-4388 or [trevor.hawkes@countyofnapa.org](mailto:trevor.hawkes@countyofnapa.org)

Applicant Contact: Shari Staglin, Staglin Family Vineyard

Representative Contact: Rob Anglin, Holman Teague Roche Anglin, LLP, (707) 927-4280 or [anglin@htralaw.com](mailto:anglin@htralaw.com).

<b>A</b>	<a href="#">Recommended Findings</a> ( Adobe PDF - 172 kb )
<b>B</b>	<a href="#">Recommended Conditions of Approval and Final Agency Approval Memos</a> ( Adobe PDF - 1399 kb )
<b>C</b>	<a href="#">Previous Conditions of Approval</a> ( Adobe PDF - 8893 kb )
<b>D</b>	<a href="#">Initial Study - Negative Declaration</a> ( Adobe PDF - 880 kb )
<b>E</b>	<a href="#">Use Permit Major Modification Application</a> ( Adobe PDF - 995 kb )
<b>F</b>	<a href="#">Traffic Impact Study</a> ( Adobe PDF - 17441 kb )
<b>G</b>	<a href="#">Water Availability Analysis - Water System Feasibility Study</a> ( Adobe PDF - 690 kb )



H	<a href="#">Wastewater Feasibility Study</a> ( Adobe PDF - 929 kb )
I	<a href="#">Winery Comparison Tables</a> ( Adobe PDF - 160 kb )
J	<a href="#">Graphics</a> ( Adobe PDF - 2389 kb )
K	<a href="#">Item 7A Public Comments (Added after initial agenda posting)</a> ( Adobe PDF - 16361 kb )
L	<a href="#">Item 7A Additional Public Comments (Added after meeting)</a> ( Adobe PDF - 294 kb )
M	<a href="#">Proposed Modifications to the Conditions of Approval (Added after meeting)</a> (

## Planning Commission Meeting March 3, 2021

<https://services.countyofnapa.org/AgendaNet/GranicusMeetingDocuments.aspx?id=636>

[4](#)

### PROJECT DESCRIPTION

#### STAGLIN FAMILY VINEYARDS / STAGLIN FAMILY VINEYARDS / MAJOR MODIFICATION #P18-00253-MOD

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a Use Permit Major Modification to an existing 36,000 gallon per year winery to allow the following: a) modification to increase by appointment Daily Tours and Tastings Program from the current 10 persons per day (weekdays only) to 44 persons per day (May 1 through November 30: Monday through Sunday) and 22 persons per day (December 1 through April 30), 308 persons maximum per week; b) modification of the locations of the Daily Tours and Tastings Program to take place in the Steckter House and the existing wine caves; c) on-premises consumption of wines produced on-site located in the outdoor areas immediately to the south and west of the Steckter House in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB2004-Evans Bill); d) modification of the existing Marketing Program of nine (9) events per year consisting of (eight (8)) events with a maximum attendance of 45 persons and one (1) event with a maximum attendance of 200 persons) to allow the following: including 32-16 events per year with 12 attendees maximum (11:00am – 10:00pm), 46-five (5) events per year with 32 attendees maximum (11:00am – 10:00pm), three (3)-four (4) events per year with 400-50 attendees maximum (611:00pm 00am – 10:00pm), two (2) events per year with 70 attendees maximum (11:00am – 10:00pm), one-three (3) events per year with 100 attendees maximum (10:00am – 4:00pm), one event per year with 250 attendees maximum (1:00pm – 4:00pm), catered food prepared by a licensed caterer with minimal on-site preparation (heating and plating), events of 32 attendees or less and evening events of 50 to 100 attendees to occupy the building identified as the Steckter House and its

enclosable porch on the eastern side of the building, and events of 100-250 attendees or more to occupy the outdoor area north of the Steckter House; e) Increase on-site employees from 8 full-time employees and 0 part-time employees to 11 full-time employees and 5 part-time employees; f) add three (3) parking spaces for a total of 15 spaces; g) ~~deletion-replacement~~ of Condition of Approval #3 from the original approved Use Permit (#98072-UP) which required the applicant to notify a representative of neighbors to the applicant 48 hours prior to an event with a required 30 days prior notice of marketing events with over 40 attendees provided to owners of property located within 1,000 feet of the winery parcels and other nearby owners who have requested such notice; h) width expansion for sections of the existing internal access driveway to 20 'with a 22 'horizontal clearance to comply with the Napa County Road and Street Standards; and i) modify internal circulation so that a portion of the access driveway loop becomes a one-way road. The project is located on three parcels totaling 63 acres, located at 1570 Bella Oaks Lane, Rutherford, within the Agricultural Preserve (AP) zoning district and General Plan Land Use Designated as Agricultural Reserve (AR). APN 027-250-063, -064 & -065.

**Staff Recommendation:** Adopt the proposed Negative Declaration and approve the requested Use Permit Major Modification as revised and conditioned.

**Staff Contact:** Trevor Hawkes, Planner III, (707) 253-4388 or [trevor.hawkes@countyofnapa.org](mailto:trevor.hawkes@countyofnapa.org)

**Applicant Contact:** Shari Staglin, Staglin Family Vineyard

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## **CONTINUED FROM THE FEBRUARY 3, 2021 COMMISSION MEETING**

<b>A</b>	<a href="#">Recommended Findings</a> ( Adobe PDF - 171 kb )
<b>B</b>	<a href="#">Recommended Conditions of Approval and Final Agency Approval Memos</a> ( Adobe PDF - 1648 kb )
<b>C</b>	<a href="#">Applicant's Proposed Modifications</a> ( Adobe PDF - 236 kb )
<b>D</b>	<a href="#">Summit Engineering, Inc Memo</a> ( Adobe PDF - 152 kb )
<b>E</b>	<a href="#">Staff Report of February 3, 2021</a> ( Adobe PDF - 138 kb )
<b>F</b>	<a href="#">Winery Comparison Tables - Revised</a> ( Adobe PDF - 164 kb )
<b>G</b>	<a href="#">Graphics</a> ( Adobe PDF - 2387 kb )
<b>H</b>	<a href="#">Public Comments Received Subsequent to February 3, 2021, Hearing</a> ( Adobe PDF - 2351 kb )
<b>I</b>	<a href="#">7A Additional Proposed Mods to the COA (Added after initial agenda posting)</a> ( Adobe PDF - 248 kb )

<b>J</b>	<a href="#">Additional Public Comments (Added after initial agenda posting)</a> ( <i>Adobe PDF - 3625 kb</i> )
<b>K</b>	<a href="#">7A Applicant Response to Comments (Added after initial agenda posting)</a> ( <i>Adobe PDF - 5664 kb</i> )
<b>L</b>	<a href="#">7A Staff Response to Comments (Added after initial agenda posting)</a> ( <i>Adobe PDF - 181 kb</i> )
<b>M</b>	<a href="#">7A Additional Public Comments (Added after meeting)</a> ( <i>Adobe</i>

Respectfully,



William McKinnon  
General Counsel  
Water Audit California