

“E”

## Applicant's Response





## Transmittal

Date: August 3, 2025

To: Matt Ringel, Planner III  
Napa County Planning, Building & Environmental Services  
1195 Third Street, Suite 210  
Napa, CA 94559

Project: Use Permit #'s P18-00448-UP & P21-00241-UP; Exception to County Road and Street Standards  
1581 Oakville Grade, Oakville, California 027-360-022

Via the Napa County Online Planning website upload we are electronically transmitting the following:

1. Response Letter
2. Letter from Cave Engineer
3. Letter from Geologist
4. Spoils Pile Renderings
5. Cave spoils – Civil Drawings

541 Jefferson Street  
Napa, CA 94559  
707.257.1148  
paulkelleyarchitecture.com





Vineyard House Winery  
1581 Oakville Grade  
Oakville, California 94562

August 3, 2025

Matt Ringel  
Planner III  
Planning, Building & Environmental Services Department  
County of Napa  
1195 Third Street, ste 210  
Napa, California 94559

Re: Use Permit #'s P18-00448-UP & P21-00241-UP; Exception to County Road and  
Street Standards 1581 Oakville Grade, Oakville, California 027-360-022

Dear Mr. Ringel:

The purpose of this letter is to respond to issues raised by the Commission during the recent public hearing. These issues were summarized in the email dated July 21, 2025:

1. Obtain data on groundwater use of the 'Harlan' well
2. Engage in additional discussions with neighbors on cave spoil and access improvements

#### Harlan Well

Members of my Winery Entitlements Project Team (my Team) met with the attorney representing Harlan following the July 16<sup>th</sup> hearing to formally request information on water withdrawal from the Harlan well. The Team first requested information on the Harlan well when the water availability analysis was initiated in 2017. Then as now, no information from the Harlan team providing water draw or refuting our estimates of groundwater withdrawal from the Harlan well has been provided to my Team.

#### Neighborhood Coordination

As indicated at the July 16<sup>th</sup> hearing, my Team reached out and has been working with neighbors going back to 2017. Most recently we sent letters to our neighbors, utilizing the county's approved mailing list, inviting them to reach out to us for any questions or concerns about the project. We held an open house where neighbors were invited, and plans and color renderings displayed. We received no comments from neighbors as a result of these outreach efforts until the July 16<sup>th</sup> hearing.

At the direction of the Commission my Team met with or heard from representatives of our immediate neighbors: Tom Futo, the Harlan properties and Far Niente properties, to discuss general neighborhood and specific project concerns. As expressed in the letter to the commission, Harlan remains principally concerned with the dispensation of cave spoils. Specific concerns are still not clear to me. Tree protection and maintenance of trees on the collective driveway improvements was also discussed. The Harlan





representative was invited to provide my Team with any other project specific concerns. No response has been received to date. My Team also met with a representative from Far Niente. We discussed the advantages of working together on the full engineering and installation of a shared left turn lane. No other project related issues were discussed or concerns raised.

#### Response to Neighbor Outreach—Disposition of Cave Spoils

Following discussions with neighbors, considering the written input and direction from the commission, my Team agreed to evaluate alternative potential dispersal sites, that were analyzed in the county's CEQA document. Vineyard block 4D (Area B) located at the northeast portion of the property, where existing vineyards have been removed since the original filing, would be a logical place to place a portion of the cave spoils.

We continue to propose the majority of the estimated cave spoils be spread on the southern portion of the property as currently proposed, and will also use the fallow, former vineyard block 4D (Area B) to dispose of approximately 2,000 cu. yds of cave spoils, as analyzed in the current CEQA document prepared by county staff. Spreading of approximately 2' of fill on this location will even out the minor topographic condition and will be imperceptible visually. A site plan showing the alternate disposal site (Area B) will be uploaded to the county website.

Area B, a 1.5 +/- acre site, located within the boundaries of the subject property, is less than 5% slope, devoid of vegetation and other biological or topographic features. Disposal of a portion of the cave spoils in this area will reduce the height and scale of the current disposal site.

Disposition of the spoils on the southern portion of the property was evaluated by the initial study and subsequent MND. Staff concluded that no significant impact would occur as a result of soil placement. Our project biologist supports this conclusion and in their expert opinion, impacts remain less than significant.

We now propose to place a portion of the cave spoils in Area B, within the project boundary, evaluated in the MND. Use of this area will have even less impact, than that previously found insignificant. Subsequent planting of this portion of the property requires erosion control planning and grading permits including an evaluation of the suitability of the disposal site for vineyard cultivation.

#### Commission Oral Questions

The commission posed some general as well as project-related questions during the hearing. We will address any remaining questions at the upcoming, September 3<sup>rd</sup> hearing.

#### Summary and Conclusions

Following the July hearing my Team continues its efforts to coordinate and discuss our project with our neighbors. These discussions identified both project and neighbor related concerns. Project related comments focused on cave spoils and tree protection. As discussed previously in this correspondence, the Team identified an appropriate site Area B within the project boundary that was analyzed as part of the CEQA document, where some of the cave spoils could be placed. Use of the alternate site Area B will reduce the effective height and scale of the cave spoils as originally proposed. It should be noted that the CEQA





document prepared by staff concluded that the siting and scale of the cave spoil as proposed would have less than significant impact with no mitigation required.

Neither representatives of Harlan or Far Niente expressed any specific project concerns beyond the comments made at the commission meeting, and in letters submitted at or prior to the hearing. Unfortunately, despite our ongoing and current efforts to provide information on the Harlan well, that information has not been provided to us to by Harlan. We stand by our estimate of groundwater withdrawal from the Harlan well s outlined in the approved WAA.

In summary, siting of the small winery in an on-site cave represents the appropriate way to develop the site for winery use, given the steep topographic contours, extensive site vegetation and acres of existing mature vineyard. The project reinforces and supports the historic agricultural use of the property, it's historic setting and the Baldrige House, the site's historic resource. Completion of the project also fulfills a life-long dream of mine to produce wines from the Halter Valley on site in my own small facility.

Disposal of cave spoils on the project site eliminates hundreds of truck trips on the collective driveway and hauling/disposal to an alternate site. Dispensation of the majority portion of the cave spoils will still require county approval of an erosion control plan. The two spoils areas have been evaluated for potential impacts to biological resources, and both have been evaluated in the initial study and background biological report with no significant impact.

Extensive background study revealed less than significant impacts to all historic resources, rare and endangered plants and animals and their habitat; blue-line or ephemeral streams includes the restoration of an on-site ephemeral stream. Finally, the project reduces total water use to below current baseline conditions, while ensuring retention and planting of site vegetation beyond that required by Napa County codes.

The proposed project conforms to the county's winery development standards, requests no variance, involves the restoration of an on-site watercourse, and retains the rural character of the collective private driveway, while making measured improvements. Traffic safety on the collective driveway will be vastly improved for neighborhood use and will further benefit as a consequence of reduction in grape deliveries from the property; strategic widening of the driveway and required turnouts with proposed and related improvements is our goal. A left turn lane is also proposed to be coordinated with Far Niente as a further traffic safety enhancement. In total this project respects the bucolic site conditions in which it is proposed, reduces all potential environmental impacts to less than significant levels and ensures neighborhood compatibility with added safety measures.

I thank you for your attention and continued support of our project.

Sincerely,

Jeremy Nickel, proprietor

Enclosure



# PROVOST & PRITCHARD CONSULTING GROUP

1194 Hwy 49, Ste B, Sonora, CA 95370 • (866) 776-6200  
www.provostandpritchard.com

P&P Project No. 4075-25-001

July 29, 2025

Jeremy Nickel  
The Vineyard House Winery  
PO Box 422  
Oakville, CA 94562

RE: The Vineyard House Winery – Use Permit  
Response to Comments

Dear Mr. Nickel:

Provost & Pritchard Consulting Group (P&P) has prepared this letter in response to the Napa County Planning Commission meeting that took place on July 16, 2025.

We are responding specifically to the Cave Safety discussion that occurred during the meeting. Our team has worked with hundreds of winery cave clients over the past 35 years. To the best of our knowledge, each of our projects is designed to meet the California Building Code in effect at the time the design is prepared and constructed. We have worked with other consultants who ensure that all other governing ordinances (i.e. fire sprinklers, egress, life-safety, ventilation, etc.) are addressed to the building code at the time of design and construction.

We understand that a specific question came up regarding potential CO2 hazards within the cave associated with the fermentation area of the cave. We have worked on many caves with underground fermentation areas, which are typically isolated from other areas of the cave using doors, and dedicated ventilation shafts designed by qualified mechanical engineers from other firms. While not shown on the current schematic design drawings, doors and ventilation features will be added as necessary for Building Permit submittal.

Please contact us if there are any additional questions or you need further explanation.

Sincerely,  
Provost & Pritchard Consulting Group



Scott Lewis, PG, CEG  
Principal Tunneling Consultant



Andy Kositsky, PE, GE  
Principal Geotechnical Engineer

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August 3, 2025

Katharine Falace  
Buchalter, Inc.  
1230 Pine St.  
St. Helena, CA 94574-1106  
kfalace@buchalter.com

**RE: Vineyard House Winery Use Permit (P18-00448) – Response to Comments Relative to Biological Resources**

Dear Ms. Falace,

This letter serves to provide additional information and responds to public and commission comments on the Vineyard House Winery Use Permit on July 16, 2025. Specifically, this memo addresses comments we understand were raised regarding potential impacts to biological resources relative to placement of cave spoils and tree removal. These comments and our responses are addressed below.

We understand a comment was raised regarding the potential for significant impacts to existing biological resources from the planned disposal of 14,000 cu. yds. of cave spoils in an area “... located over a natural and altered drainage area that potentially includes streams identified in the water availability analysis.” The commenter indicates there is no discussion or mitigation related to hydrological impacts to underground and natural creeks in the spoils location. We also understand a comment was raised regarding the adequacy of analysis with regards to tree removal, including 34 trees including some County-protected species of oaks and an additional 14 trees to accommodate the proposed road widening.

The Biological Report prepared by Sol Ecology on which the county-prepared MND is based on focuses on incremental changes to land use and the impacts of those proposed changes to biological resources relative to baseline conditions. Biological resources addressed in the report include sensitive and non-sensitive plant communities, special status plants and wildlife, essential habitat elements for special status plants or wildlife, and wetlands and non-wetland waters, as described in Section 1.3 and include the cave spoils disposal area, and 34 oak trees and an unspecified number of trees associated with the proposed driveway wide; both the oak woodland habitat associated with the new cave and the proposed driveway widening area are depicted in Appendix A, Figure 1.

Our biological assessment concluded that no sensitive animal or plant species, aquatic resources (including blue-line or ephemeral streams, wetlands, and other hydrological features)



are present, nor within close enough proximity to be indirectly affected by placement of materials in either of the two disposal areas. With less than significant levels of impact no mitigation measures are required under CEQA.

Our report beginning in Section 1.2, on page 3 where we state, “The soil disposal area is comprised entirely of existing vineyards and maintained upland areas dominated by non-native annual grassland vegetation with no surface waters, including wetlands nor streams being present.” Further, our report also states in Section 4.0 on page 12, that the project would have a significant impact on biological resources if it would result in a substantial adverse effect on any federally protected wetlands as defined by Section 404 of the Clean Water Act, or any riparian habitat or sensitive natural community.

The comment relating to underground streams is addressed directly in the approved 2024 WAA prepared by Richard Slade Associates. The WAA and comments from the project engineer concluded that the north-south trending valley (aka ‘Halter Valley’) where existing vineyards are located had many small seasonal drainages across it before vineyards, planted over 30 years ago were planted. All were placed underground when the vineyard was cultivated as discussed on pages 33 to 34 and shown on Figures 1 and 2 in the WAA.

Underground streams are not considered wetlands in the Clean Water Act unless they occur within an existing defined channel with bed and bank. Similarly, they would not be considered a sensitive natural community unless the presence of a perched water table or spring lends to formation of hydrophytic vegetation. Since neither expression was observed within the cave spoils disposal area during the field investigation, it is presumed that neither federally protected wetlands nor sensitive natural communities would be significantly impacted (directly or indirectly) by the proposed project, and therefore no mitigation is proposed.

We also understand that the applicant evaluated an additional disposal site where a portion of the cave spoils could be spread. This alternative site, east of the winery access driveway is essentially flat, contains no rare, endangered or candidate plant or animal species and is well away from any surface watercourse. This area was covered in vines as of the date of the first site visit. Previously existing vineyards have been removed as part of the applicants regular replanting program. There is no creek in the vicinity. What is noted as “Lincoln Creek’ on the National Wetland Inventory and some County maps was culverted many years ago when the vineyards were first planted. Given that this alternate disposal area was formerly covered by vineyards, it is unlikely to support any naturally occurring sensitive communities, nor special status plants or wildlife.

Finally, impacts to oak trees and the woodland community are adequately addressed in the report on page 13 in Section 4.1 in terms of area rather than number of trees. Specifically, the report states, “Oak woodland mitigation will be provided to offset oak removals located in the driveway widening and winery improvement areas, and to ensure that any loss of vegetation canopy coverage within the 35-foot streamside setback is replaced on-site.” Compensatory mitigation for removal of oaks is prescribed at a 3:1 ratio, irrespective of the number of oaks



removed. Similarly, oak trees can serve as habitat for wildlife species including both of the special status avian species identified in the report. Mitigation to ensure special status birds and/or other birds protected under the Migratory Bird Treaty Act is also provided regardless of the number of trees proposed for removal.

Relating to tree preservation and protection, our report also references the existing provisions of Napa County Conservation regulations (at 18.108) which require both preservation of existing trees to remain as well as replacement of any trees removed with or without permission. All trees to be removed within the setback area will also need to be mitigated as required in the state regulatory permits as described in Section 4.1, which includes long-term monitoring typically for a minimum period of at least 5 years or more. Monitoring would be performed to ensure full replacement of all trees removed is accomplished.

In summary our biological assessment and the county's initial study/mitigated negative declaration collectively address all project impacts associated with the project as currently proposed. Public comments relating to potential biological impacts are addressed in our report as well as the County-prepared initial study. We conclude that county conditions of approval, provisions of the zoning ordinance as well as migration measures proposed in our report and by County staff will reduce all potential impacts on biological resources to less than significant levels.

Respectfully,

A handwritten signature in black ink, appearing to read "Dana Riggs", with a stylized, flowing script.

Dana Riggs, CEO and Principal Biologist

































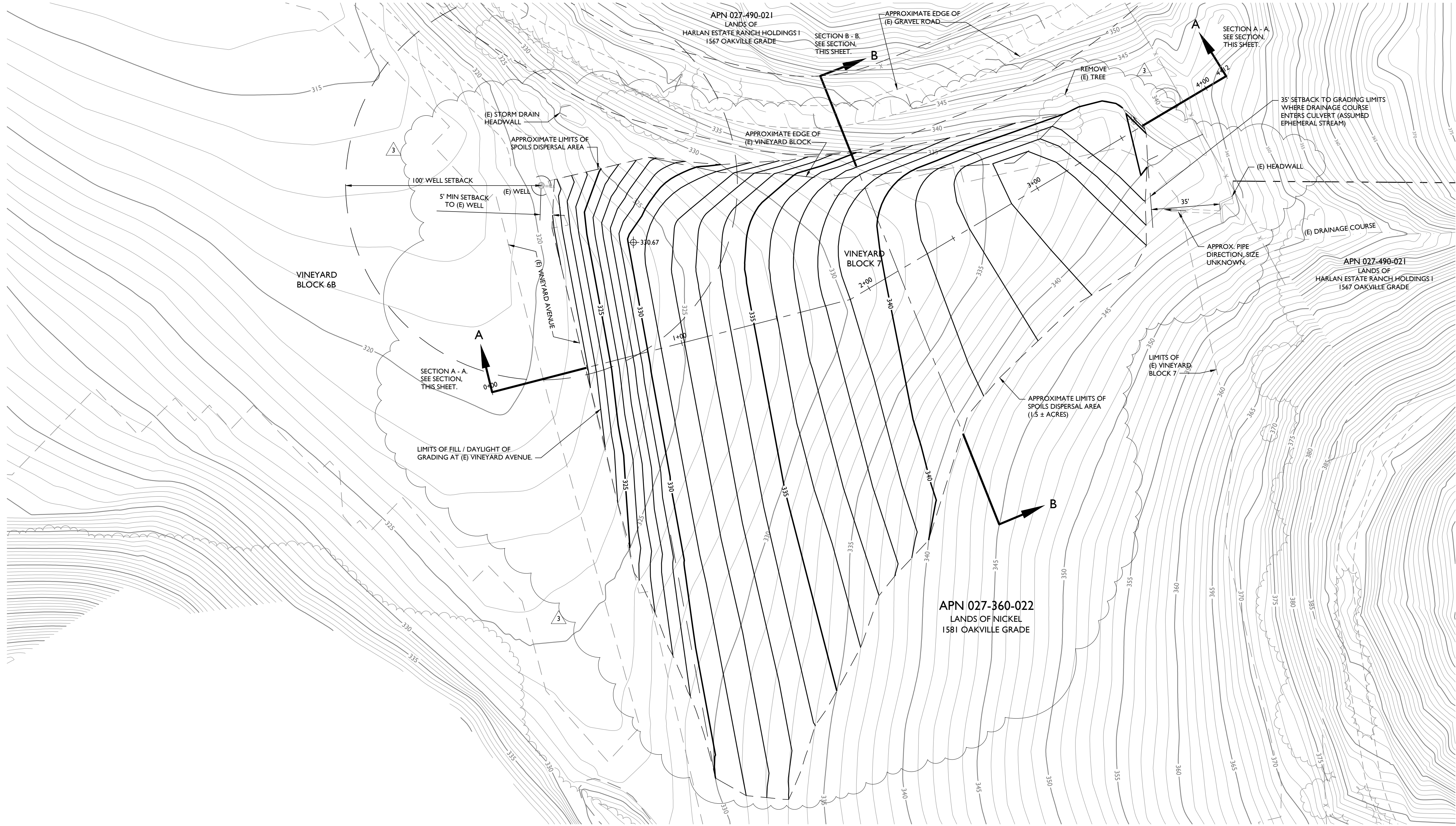




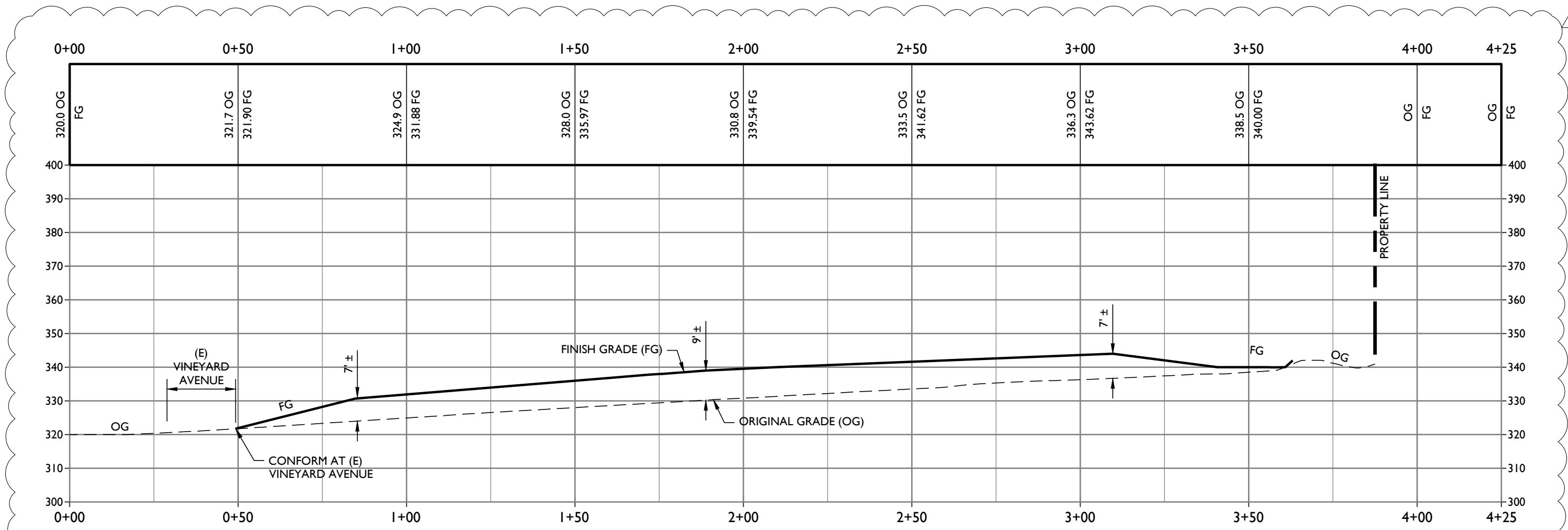




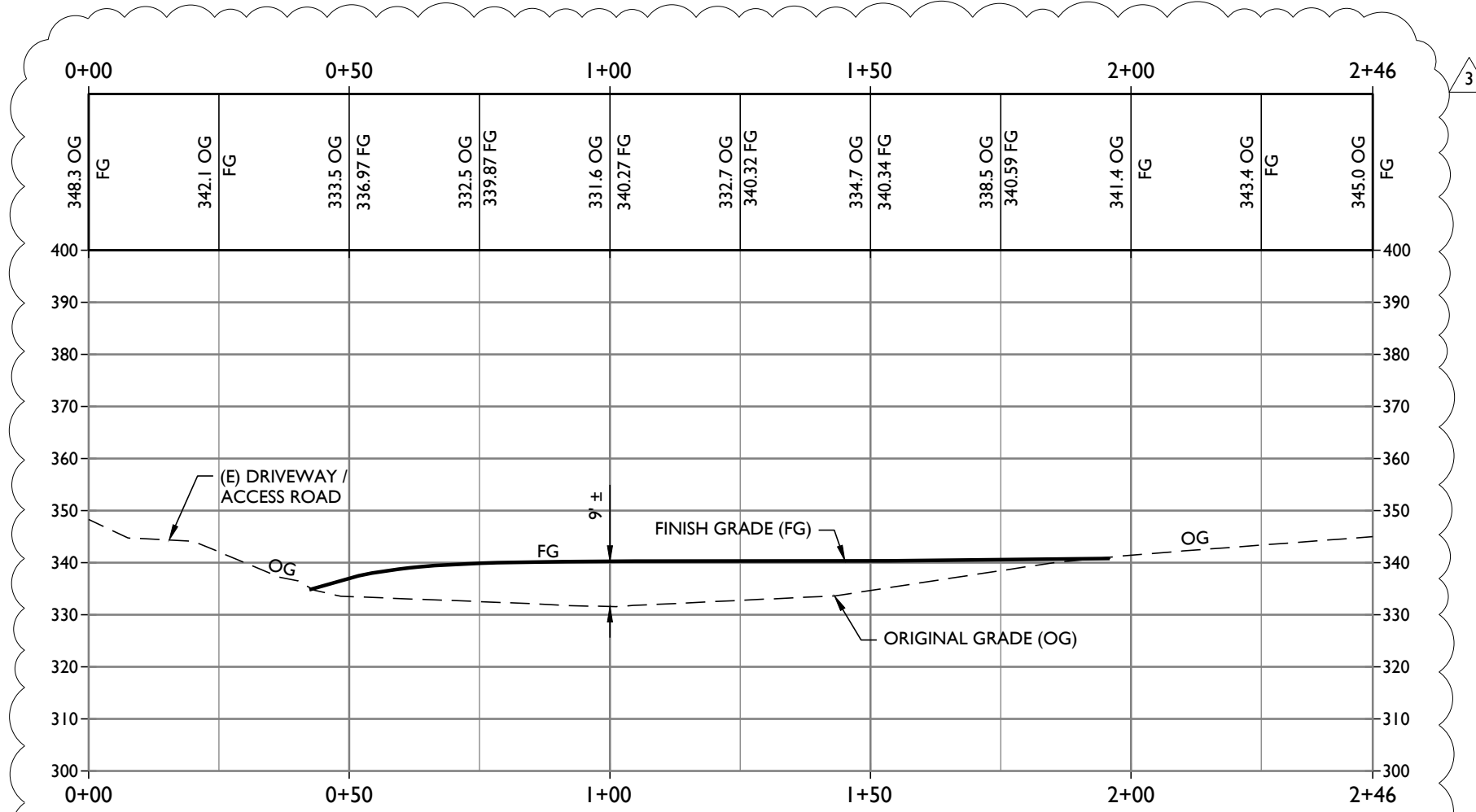




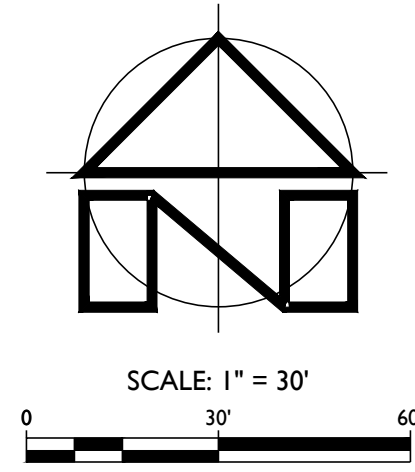
**SPOILS DISPERSAL AREA A**  
SCALE: 1" = 30'



**SECTION A - A**  
SCALE: 1" = 30'



**SECTION B - B**  
SCALE: 1" = 30'



**THE VINEYARD HOUSE WINERY**

**USE PERMIT CONCEPTUAL SITE IMPROVEMENT PLANS**

**SPOILS DISPERSAL AREA A**

PREPARED UNDER THE  
DIRECTION OF:



DRAWN BY:  
SMI

CHECKED BY:  
MRM

DATE:  
AUGUST 1, 2025

REVISIONS: BY:

1 8/30/2019 SMI  
RESPONSE TO  
COMMENTS

2 5/15/2021 SMI  
PROJECT REVISIONS

3 8/1/25 SMI  
UPDATED SPOILS  
DISPERSAL AREAS

JOB NUMBER:  
10-130

FILE:  
10-130CONC\_SPOILS.DWG

ORIGINAL SIZE:  
24" X 36"

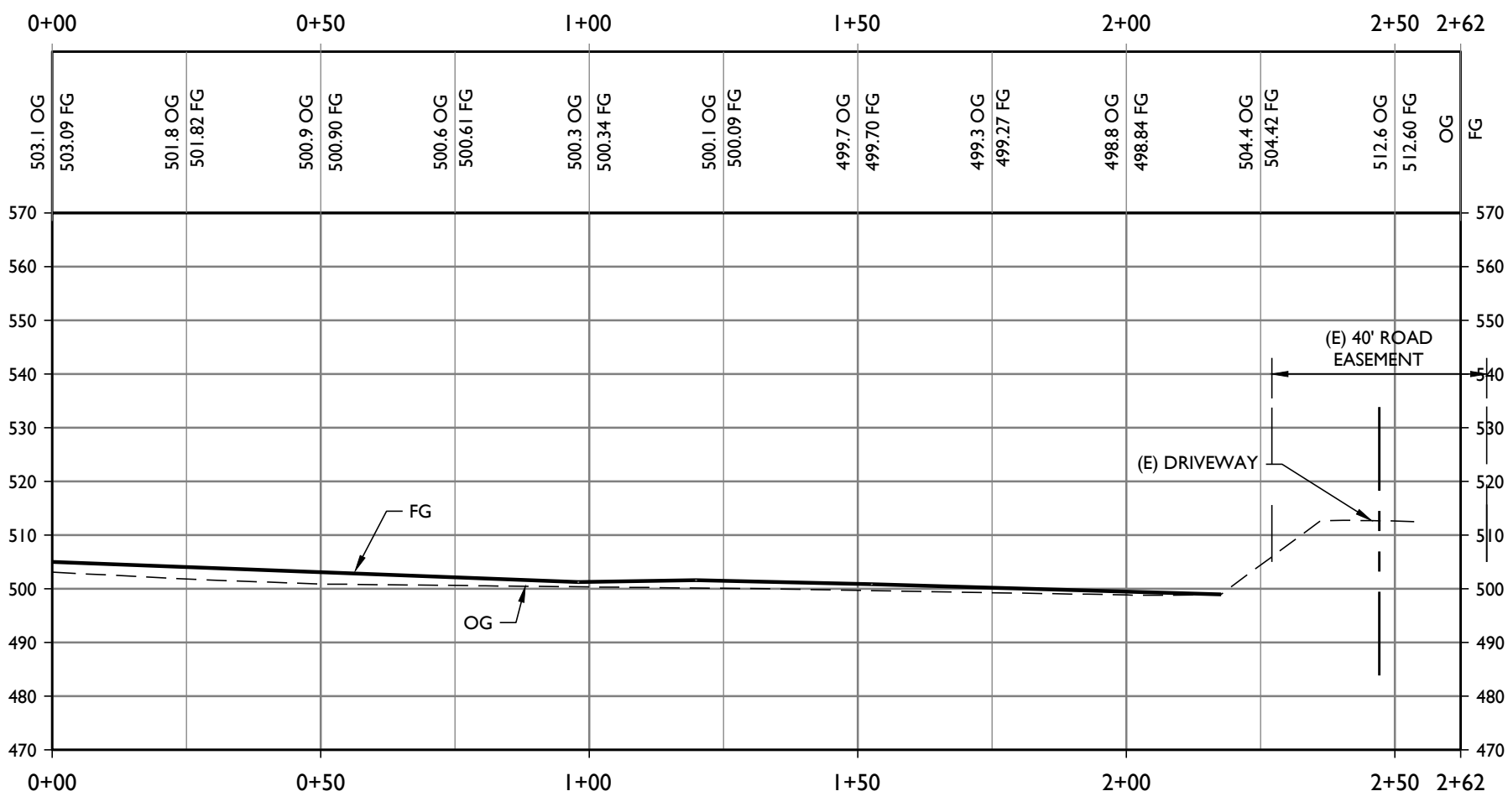
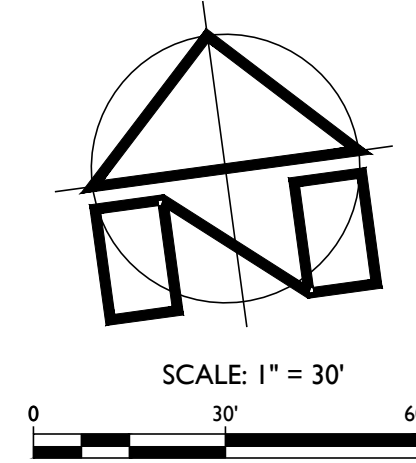
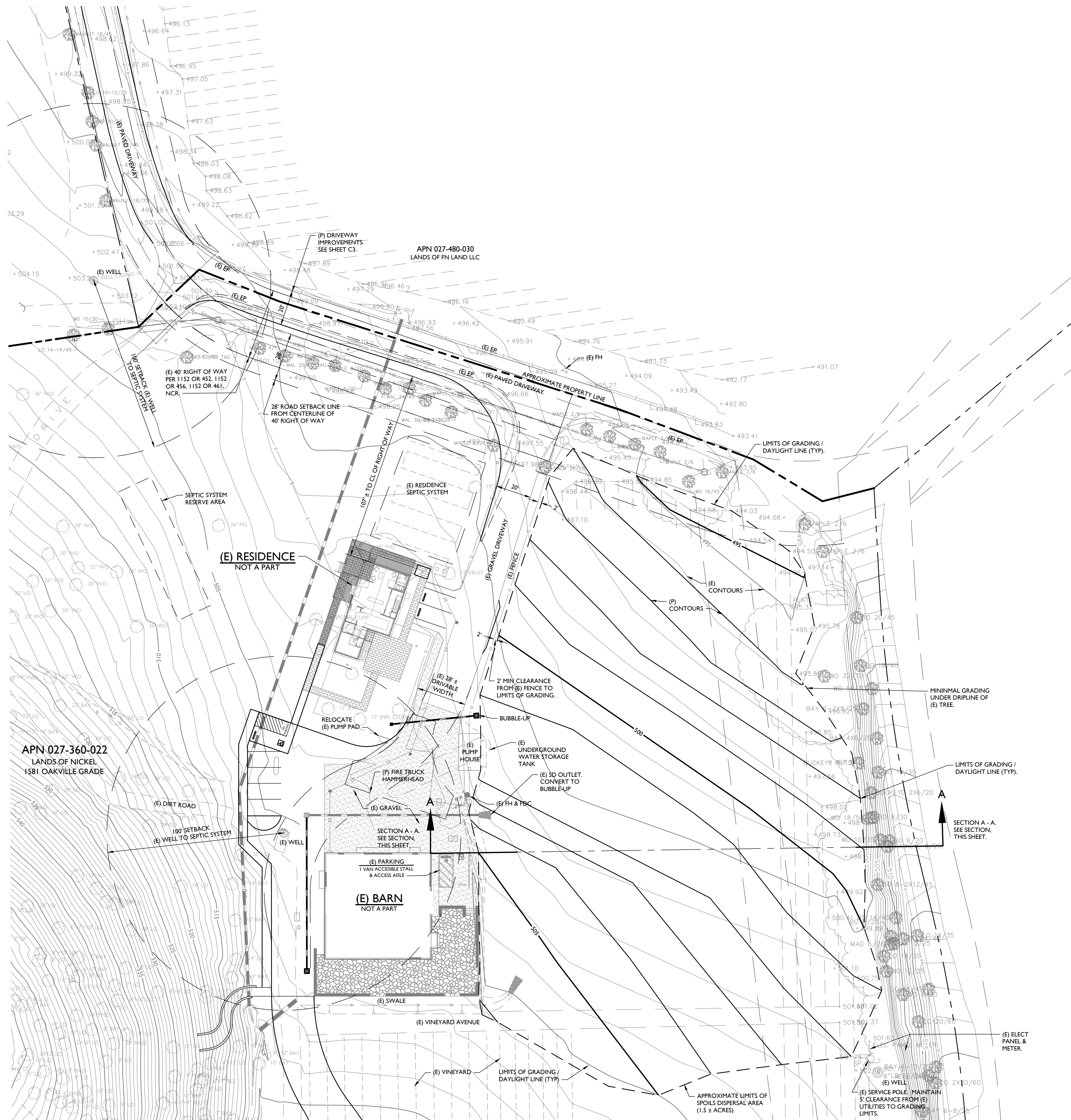
SHEET NUMBER:

**C9**

OF

**12**





**SPOILS DISPERSAL AREA B**  
SCALE: 1" = 30'

**THE VINEYARD HOUSE WINERY**  
USE PERMIT CONCEPTUAL SITE IMPROVEMENT PLANS  
SPOILS DISPERSAL AREA B

PREPARED UNDER THE  
DIRECTION OF:



DRAWN BY:	SMI
CHECKED BY:	MRM
DATE:	AUGUST 1, 2025
REVISIONS:	BY:
1 8/30/2019 RESPONSE TO COMMENTS	SMI
2 5/15/2021 PROJECT REVISIONS	SMI
3 8/1/25 UPDATED SPOILS DISPERSAL AREAS	SMI

JOB NUMBER:	10-130
FILE:	10-130CONC_SPOILS-B.DWG
ORIGINAL SIZE:	24" X 36"
SHEET NUMBER:	C10