

“G”

CDFW

Correspondence

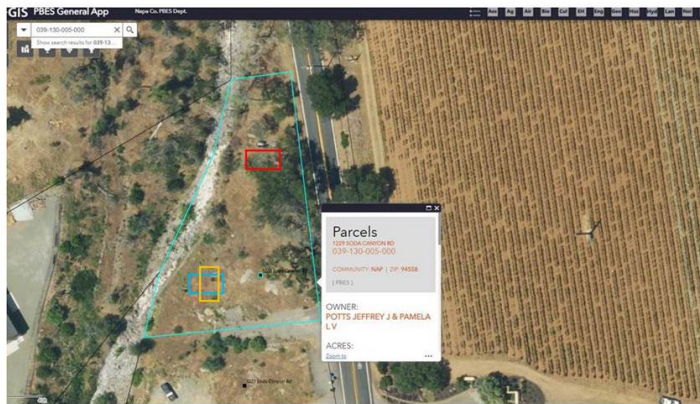
From: [Magnuson\\_Nicholas@Wildlife](mailto:Magnuson_Nicholas@Wildlife)  
To: [Morrison\\_Dana](mailto:Morrison_Dana)  
Cc: [Day\\_Melanie@Wildlife](mailto:Day_Melanie@Wildlife)  
Subject: RE: CDFW Comments on Proposed Conservation Regulations Use Permit Exception Napa County  
Date: Friday, April 11, 2025 1:11:48 PM  
Attachments: [image005.png](#)  
[image009.png](#)  
[image011.png](#)  
[image017.png](#)  
[image020.png](#)  
[image031.png](#)  
[image032.png](#)  
[image035.png](#)  
[image039.png](#)  
[image040.png](#)  
[image051.png](#)  
[image052.png](#)  
[image056.png](#)  
[image010.png](#)  
[image013.png](#)

[External Email - Use Caution]

Hi Dana,

Looking at the image I copied below, it looks like the reoriented pool location would be outside the stream and riparian corridor. However, A) it's a close call and B) the new location shown below doesn't appear to include pool infrastructure or accessory structures, so I'll reiterate the obvious: the project should still pay extra attention to avoid any indirect or direct impacts to the stream resulting from the pool's construction and operation.

Thanks,  
Nick

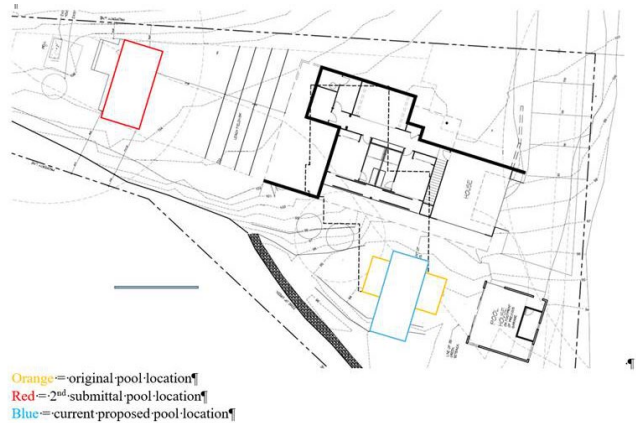


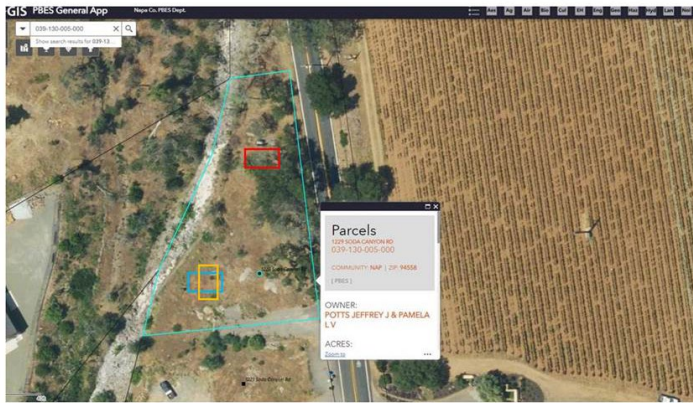
**Nicholas Magnuson**  
Environmental Scientist  
California Department of Fish and Wildlife  
Bay Delta Region (R3)  
(707) 815-4166

From: Morrison, Dana <[dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)>  
Sent: Friday, March 28, 2025 1:54 PM  
To: Day, Melanie@Wildlife <[Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov)>  
Cc: Magnuson, Nicholas@Wildlife <[Nicholas.Magnuson@Wildlife.ca.gov](mailto:Nicholas.Magnuson@Wildlife.ca.gov)>  
Subject: RE: CDFW Comments on Proposed Conservation Regulations Use Permit Exception Napa County

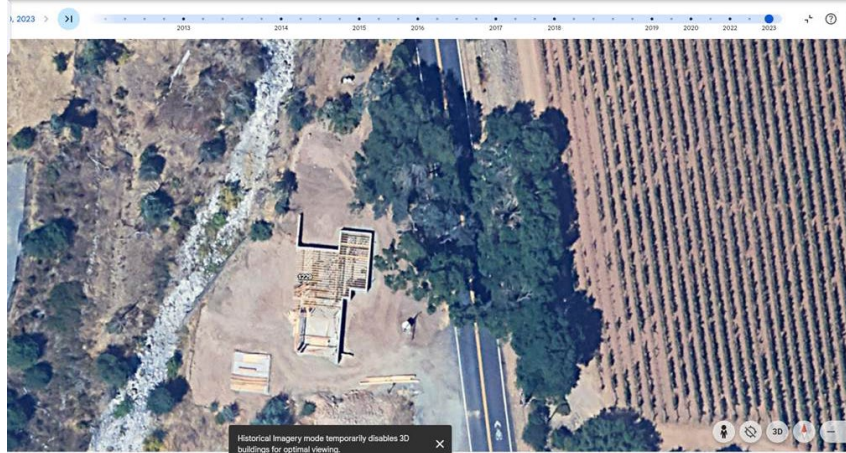
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Hey Melanie and Nicholas,  
This project has resurfaced with a slight reorientation of the pool. The most recent location that you reviewed back in March of 2024 did not work for our EH team. The applicant has worked with EH to resolve the matter and this has resulted in them putting the back in the originally proposed location but changing the orientation which encroaches further into our require stream setbacks but is still located outside of the stream bank and the riparian corridor. The reorientation was needed to meet septic tank setback requirements. See images below showing the three orientations (blue is the newest) on the site plan and on an aerial image; there is also an aerial image from 2023 showing the site conditions with replacement house (lost in fire) and garage. A site plan for the newest (blue pool orientation) is also attached. We are hoping to utilize a Cat Ex for this project and just want to ensure that this newest orientation is not encroaching into the riparian corridor (a sensitive resource).  
We appreciate your input! Please do not hesitate to reach out if you have any questions.





Site conditions as of 2023



**Dana Morrison** (she | her | hers)  
Supervising Planner - Conservation  
Planning, Building, & Environmental Services  
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210  
Napa, CA 94559  
[www.countyofnapa.org](http://www.countyofnapa.org)

**From:** Day, Melanie@Wildlife <[Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov)>  
**Sent:** Friday, March 29, 2024 9:44 AM  
**To:** Morrison, Dana <[dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)>  
**Cc:** Magnuson, Nicholas@Wildlife <[Nicholas.Magnuson@Wildlife.ca.gov](mailto:Nicholas.Magnuson@Wildlife.ca.gov)>  
**Subject:** RE: CDFW Comments on Proposed Conservation Regulations Use Permit Exception Napa County

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Hey Dana,

Thanks for checking in. It appears that the new location is out outside of the stream and riparian corridor. They will need to make sure that the stream and any potentially deleterious runoff from the project site into the stream is fully avoided.

Melanie

**From:** Morrison, Dana <[dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)>  
**Sent:** Tuesday, March 26, 2024 10:09 AM  
**To:** Day, Melanie@Wildlife <[Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov)>  
**Subject:** RE: CDFW Comments on Proposed Conservation Regulations Use Permit Exception Napa County

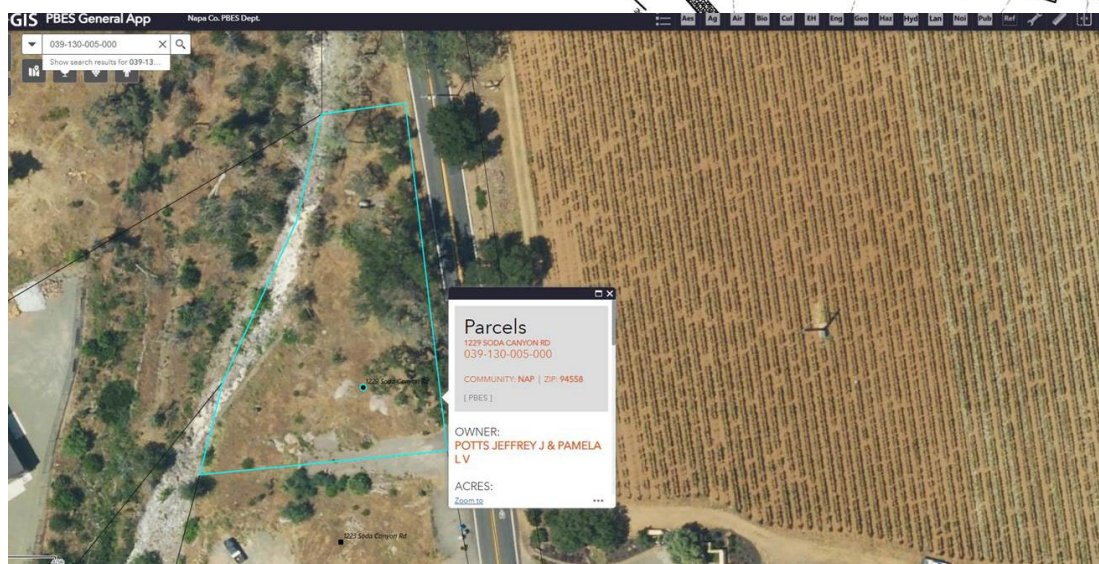
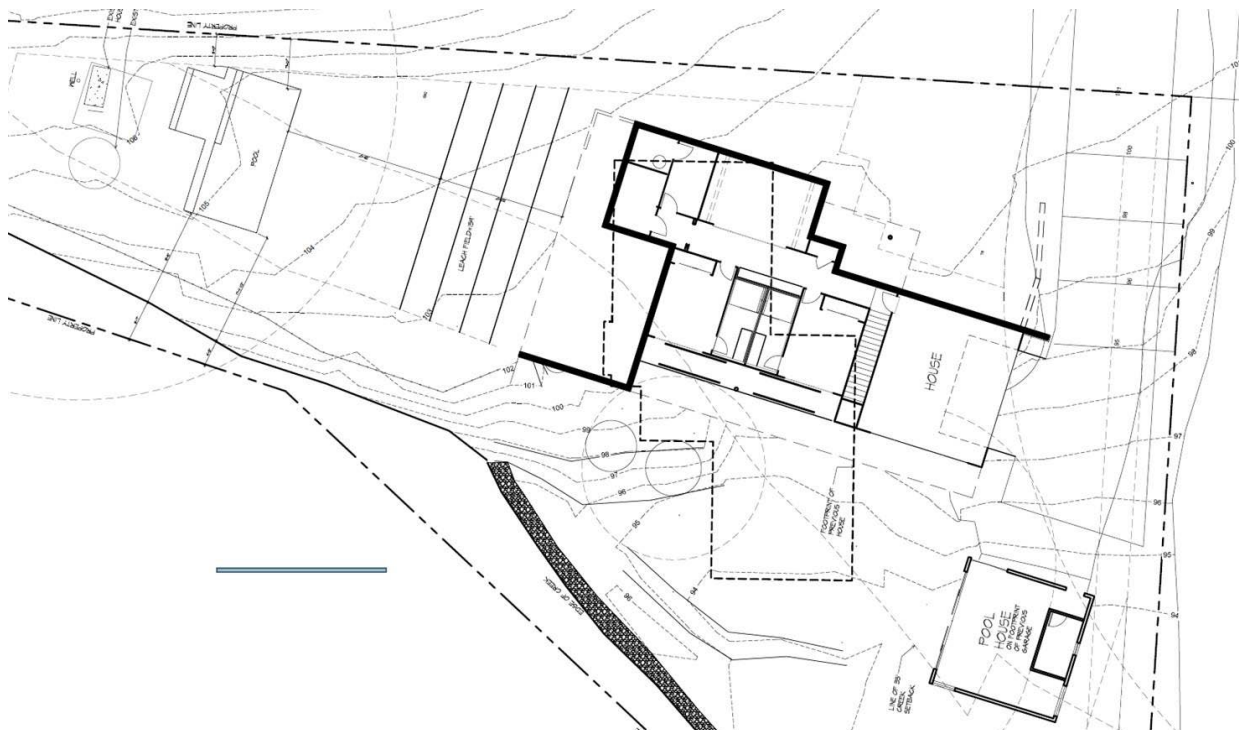
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Hey Melanie,

The applicant had to relocate the proposed pool (as there were concerns from our Environmental Health that the originally proposed location was the only viable spot for a reserve area). I just wanted to confirm that this new location does not raise as concerns, compared to the original.





Dana E. Morrison (she/her/hers)  
 Supervising Planner, Conservation  
 County of Napa Planning, Building & Environmental Services  
 Engineering and Conservation Division  
 1195 Third Street, 2<sup>nd</sup> Floor  
 Napa, CA 94559  
 707.253.4417 main  
 707.253.4437 direct  
 707.299.4491 fax  
[dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)  
<http://www.countyofnapa.org/>



A Tradition of Stewardship  
 A Commitment to Service

From: Morrison, Dana  
 Sent: Thursday, January 4, 2024 9:25 AM  
 To: Day, Melanie <[Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov)>  
 Subject: RE: CDFW Comments on Proposed Conservation Regulations Use Permit Exception Napa County

Thank you for confirming Melanie, I appreciate you taking the time.  
 Cheers,

Dana E. Morrison <sup>(she|her|hers)</sup>  
Supervising Planner, Conservation  
County of Napa Planning, Building & Environmental Services  
Engineering and Conservation Division  
1195 Third Street, 2<sup>nd</sup> Floor  
Napa, CA 94559  
707.253.4417 main  
707.253.4437 direct  
707.299.4491 fax  
[dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)  
<http://www.countyofnapa.org/>



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**From:** Day, Melanie@Wildlife <[Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov)>  
**Sent:** Thursday, January 4, 2024 9:24 AM  
**To:** Morrison, Dana <[dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)>  
**Subject:** RE: CDFW Comments on Proposed Conservation Regulations Use Permit Exception Napa County

[External Email - Use Caution]

Thanks, it looks like it's just outside the riparian zone.

Melanie

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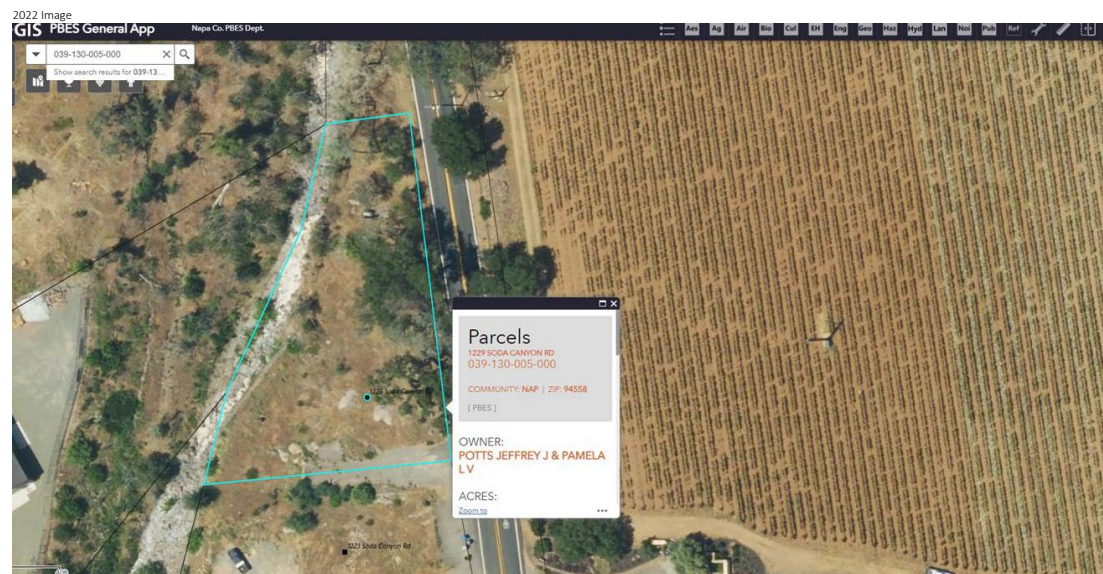
**From:** Morrison, Dana <[dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)>  
**Sent:** Wednesday, January 3, 2024 8:46 AM  
**To:** Day, Melanie@Wildlife <[Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov)>  
**Subject:** RE: CDFW Comments on Proposed Conservation Regulations Use Permit Exception Napa County

You don't often get email from [dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org). [Learn why this is important](#)

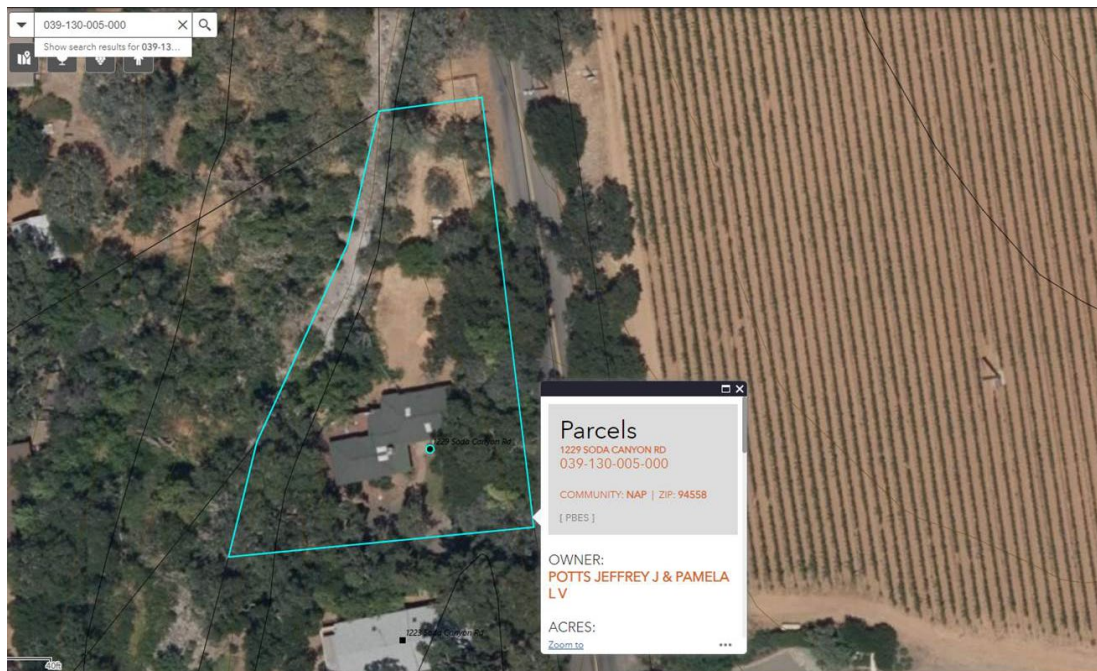
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Thank you Melanie,

Here is an aerial image of the parcel in 2022 and 2016 with the *approximate* location of the pool called out. I know that the Napa River has a pretty wide designated riparian zone, I am not sure what the applicable riparian zone for Soda Creek is.







Please let me know if there is anything else I can provide or if you would like to discuss further. Currently we are proposing to Cat Ex project, but want to ensure the an LSA was included as a condition of approval (if required),  
Regards,

Dana E. Morrison [\(she|her|hers\)](#)

Supervising Planner, Conservation  
County of Napa Planning, Building & Environmental Services  
Engineering and Conservation Division  
1195 Third Street, 2<sup>nd</sup> Floor  
Napa, CA 94559  
707.253-4417 main  
707.253.4437 direct  
707.299.4491 fax  
[dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)  
<http://www.countyofnapa.org/>



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**From:** Day, Melanie@Wildlife <[Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov)>  
**Sent:** Tuesday, January 2, 2024 5:20 PM  
**To:** Morrison, Dana <[dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)>  
**Subject:** RE: CDFW Comments on Proposed Conservation Regulations Use Permit Exception Napa County

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Hi Dana,

Thanks for reaching out! If the project is not affecting the bed, bank, channel, or riparian zone of the creek then an LSA notification is not required. I can't tell based on the attachments if the project is within the riparian zone, an aerial based image would help.

Melanie

**Melanie Day**  
Senior Environmental Scientist (Supervisory)  
California Department of Fish and Wildlife, Bay Delta Region  
Environmental Review and Permitting  
Solano, Napa, Sonoma, and Marin Counties  
[Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov) | (707) 210-4415

---

**From:** Morrison, Dana <[dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)>  
**Sent:** Thursday, December 28, 2023 1:13 PM  
**To:** Day, Melanie@Wildlife <[Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov)>  
**Subject:** CDFW Comments on Proposed Conservation Regulations Use Permit Exception Napa County

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Good afternoon Melanie,  
My apologies if you are not the correct person to reach out to, please feel free to forward to the appropriate person(s).

I wanted to reach and get confirmation that no CDFW permits will be required for a proposed project I am working on.

It is a request from a resident seeking to building a new pool within the County's required 35' setback from Soda Creek. The parcel was impacted by the 2017 fires and all structures were lost. The application has approved building plans for reconstructing the main residence and a former garage (now proposed to be converted to a pool house); the garage/pool house will be constructed in the former footprint of the original structure while the residence has been sited further away from stream. The applicant has applied for an Exception to the Conservation Regulations to allow for the construction of the new pool which will be, predominantly located, within what was the footprint of the former residence. The pool would be setback 21 1/2 feet from the top of bank of Soda Creek (there is an existing retaining wall that has been on the parcel since the original house was built in the 1950's), and no work is proposed within the streambed itself. A copy of the site plan is attached.

If you have any question about the proposed project, or would like to discuss, please do not hesitate to reach out.  
Regards,

Dana E. Morrison (she|her|hers)

Supervising Planner, Conservation  
County of Napa Planning, Building & Environmental Services  
Engineering and Conservation Division  
1195 Third Street, 2<sup>nd</sup> Floor  
Napa, CA 94559  
707.253-4417 main  
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