

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,



A Tradition of Stewardship
A Commitment to Service

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
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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?

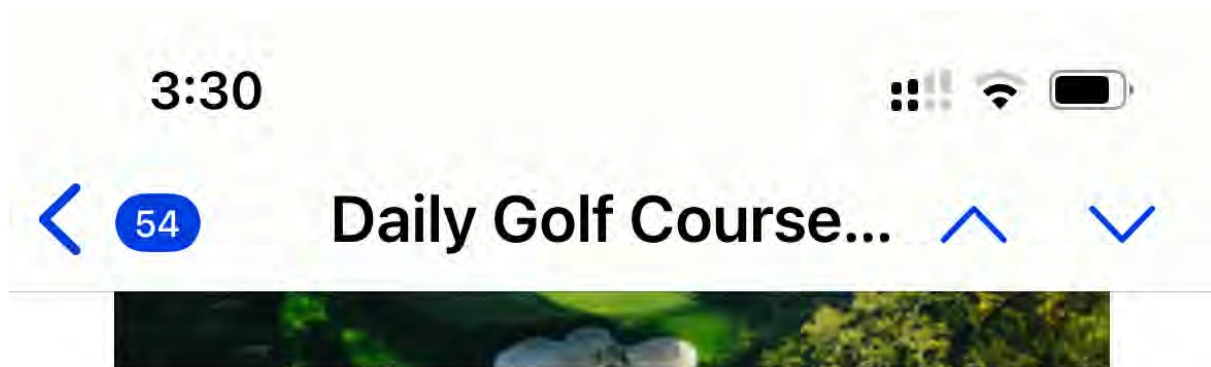
Note the closure of the cart paths due to flooding. This is evidence of my previous concerns about this area.

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

Boards & Commissions | Napa x Napa County - Meeting of Pl... x Planning Commission on 2025-10-15 9:00 AM 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

EXHIBIT
K



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



1



2



3



4



5



6



7



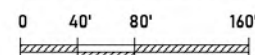
2872 Ygnacio Valley Road #403, Walnut Creek, CA 94598 F: 510.812.6101

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\JG\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



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[Go to Previous Versions of this Section](#) ▼

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) ○

Next >

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.)

Next >

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JUSTIA

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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) ○

◀ Previous

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.)

◀ Previous

EXHIBIT Q

Disclaimer: These codes may not be the most recent version. California may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained on this site or the information linked to on the state site. Please check official sources.

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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_Stands/Mature_-_Historic_Tree_Stands_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_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 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/)). 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_Stands/Mature_-_Historic_Tree_Stands_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_Stand/Mature_-_Historic_Tree_Stand_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_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, 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_Stand/Mature_-_Historic_Tree_Stand_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_Stands/Mature_-_Historic_Tree_Stands_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_Stands/Mature_-_Historic_Tree_Stands_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_Stands/Mature_-_Historic_Tree_Stands_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_Stands/Mature_-_Historic_Tree_Stands_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_Stands/Mature_-_Historic_Tree_Stands_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_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, 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_Stands/Mature_-_Historic_Tree_Stands_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](#)

[\[Urban Interface WUI/Mature Trees at the WUI Interface -\]\(#\)](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/](#)). 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_Stand/Mature_-_Historic_Tree_Stand_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_Stand/Mature_-_Historic_Tree_Stand_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

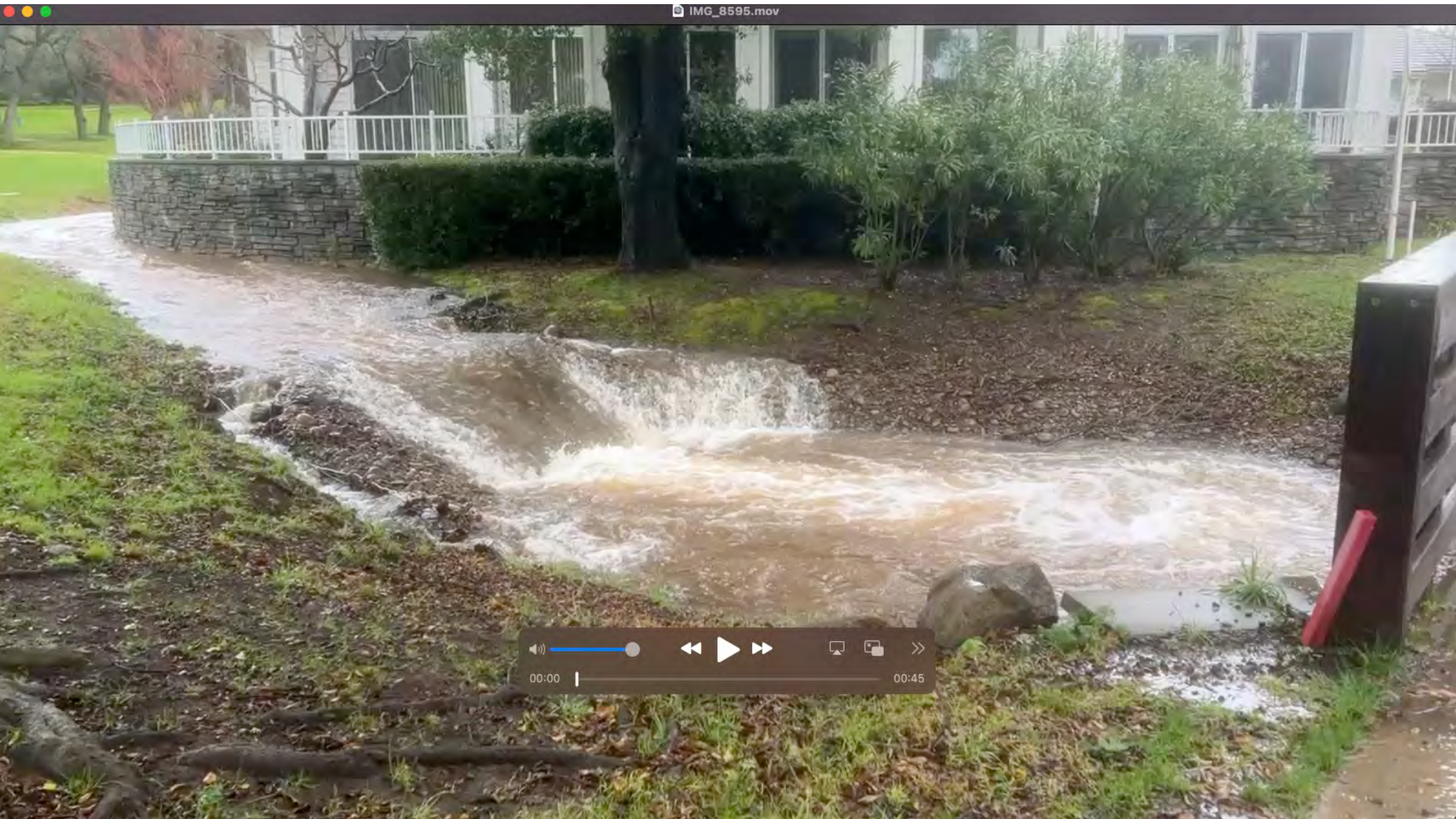


EXHIBIT AA



EXHIBIT AB

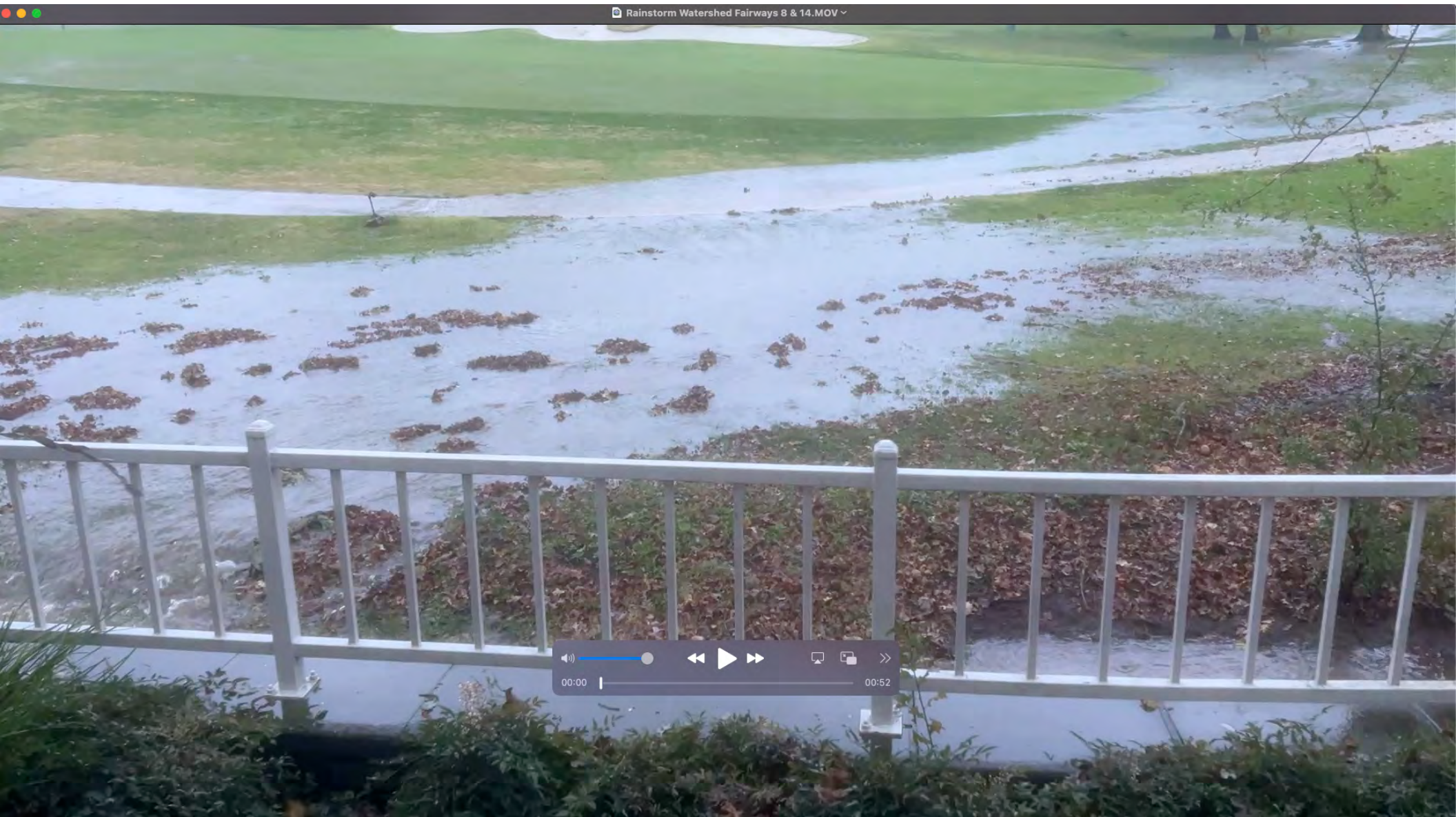


EXHIBIT AC



EXHIBIT AD



EXHIBIT AE



EXHIBIT AF



EXHIBIT AG



EXHIBIT AH



EXHIBIT AI



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
Email: meetingclerk@countyofnapa.org
1195 Third Street, Suite 210
Napa, CA 94559
www.napacounty.gov

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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 Commision 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