

March 26, 2026

Neha Hoskins
Clerk of the Board
1195 Third Street, Suite 310
Napa, CA 94559

Delivery via email to ClerkoftheBoard@countyofnapa.org; LauraAnderson@countyofnapa.org

RE: Appeal of #P23-00057-MOD

Dear Ms. Hoskins:

The parties to the above referenced appeal, Arrow & Branch Winery, LLC and Water Audit California, have reached a mutually agreeable settlement of Water Audit's appeal. Pursuant to that settlement agreement, the parties jointly request that the Board modify the Planning Commission's approval by adding the additional conditions of approval as detailed in the attached Exhibit A to this letter. The Parties note that performance of the changed Conditions requires that the County provide a publicly accessible data depository for the well reporting data specified.

If the Board accepts the foregoing proposals, Water Audit hereby stipulates to withdraw its appeal and not object to the Planning Commission's approval.

Should the Board either: (a) decline to impose the added conditions of approval; (b) require changes or recirculation of the project's mitigated negative declaration; or (c) remand to the Planning Commission, the parties reserve the right to elect to proceed to a hearing of the pending appeal on its merits at a later date.

The parties wish to resolve this appeal promptly and to avoid further use of valuable County resources on this appeal. The undersigned are available to answer any questions County staff may have. The Parties respectfully request that this matter be scheduled for the Board's next earliest available hearing.

Thank you for your attention to this matter.

Respectfully,



Brien McMahon, Esq.
Counsel for Arrow & Branch Winery, LLC



William McKinnon
Counsel for Water Audit California

cc: Brian Bordona (via email)
Laura Anderson (via email)

EXHIBIT A

Jointly Requested Additional Conditions of Approval

ARROW & BRANCH WINERY LLC, (“Arrow & Branch”) and WATER AUDIT CALIFORNIA (“Water Audit”) jointly request the following Additional Condition of Approval:

4.9 GROUNDWATER MANAGEMENT – WELLS

This condition is implemented jointly by the Public Works and PBES Departments:

The permittee shall be required (at the permittee’s expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

To support the County’s groundwater monitoring program, well monitoring data as discussed above will be provided to The project well will be made available for inclusion in the groundwater monitoring network.

In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director or other designated party shall be authorized to recommend additional reasonable conditions on the permittee as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.”

MMRP for the Project Biological Resources (BIO) Mitigation Measures (MM) BIO-5 Description shall be altered as follows:

“Responsible agency: CDFW

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Lake or Streambed Alteration (LSA) Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.”

MMRP for the Project Biological Resources (BIO) Mitigation Measures (MM) BIO-5 Description: Remove the "to the maximum extent practicable" language. Add the following requirement to MM BIO-5.

“If impacts to the bed, bank, channel, or riparian area of the stream cannot be completely avoided, the Project shall notify CDFW for Project impacts to the stream.

More information for the notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the SAA, if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Restoration to mitigate impacts to the stream shall include a qualified biologist preparing and implementing a restoration plan including, but not limited to success criteria, a minimum of five years of monitoring and maintenance, and achieving success criteria, unless otherwise approved in writing by CDFW.

Timing: Prior to Ground Disturbance

Responsible Party: Project Applicant