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,

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
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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 Commision 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

From: MeetingClerk
To: Hawkes, Trevor; Parker, Michael; Anderson, Laura
Cc: Quackenbush, Alexandria
Subject: FW: Silverado Expansion/ Continuance Requested
Date: Tuesday, October 14, 2025 8:11:18 AM
Attachments: image001.png

See emails below.

Kind Regards,

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From: Dameron, Megan <megan.dameron@countyofnapa.org>
Sent: Tuesday, October 14, 2025 6:28 AM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Subject: Fw: Silverado Expansion/ Continuance Requested

FYI

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From: Mike Hackett <mhackett54@gmail.com>
Sent: Monday, October 13, 2025 8:05:38 PM
To: Dameron, Megan <megan.dameron@countyofnapa.org>; Brunzell, Kara <kara.brunzell@countyofnapa.org>
Subject: Silverado Expansion/ Continuance Requested

As our researchers dug into this, they discovered after " peeling back the orange" that the application is flawed. There needed to be a CEQA analysis and more importantly a study on the Public Trust, which, as you know is evergreen. A well is involved and there's no denying it.

A cooperative agreement is totally viable should their attorney wish to engage. In the meantime, let's continue this so the facts can come out.

Respectfully,

Mike Hackett
Save Napa Valley Foundation
Sent from my iPhone

From:	MeetingClerk
To:	Hawkes, Trevor; Parker, Michael; Anderson, Laura
Cc:	Quackenbush, Alexandria
Subject:	FW: Silverado Resort Event Center
Date:	Tuesday, October 14, 2025 8:11:49 AM
Attachments:	image001.png

See emails below.

Kind Regards,

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From: Dameron, Megan <megan.dameron@countyofnapa.org>
Sent: Tuesday, October 14, 2025 6:28 AM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Subject: Fw: Silverado Resort Event Center

FYI

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From: ruralangwin <kelliegato@gmail.com>
Sent: Monday, October 13, 2025 5:51:37 PM
To: Dameron, Megan <megan.dameron@countyofnapa.org>; Brunzell, Kara <kara.brunzell@countyofnapa.org>
Subject: Silverado Resort Event Center

Hello Commissioner,

Please continue the decision on the Silverado Country Club item. The impacts on well interference with the creek and the need for a complete CEQA review of this project's ground

water use are mandatory.

The public trust comes first and you need the complete data from the CEQA review to make an informed decision. We all benefit when a robust evaluation of project impacts are considered.

Please continue this item until all environmental review is completed.

Respectfully,

Kellie Anderson
Angwin

WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

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October 14, 2025

County of Napa
Planning Commission

meetingclerk@countyofnapa.org

RE: Hearing – October 15, 2025
A. TODD SHALLAN / SILVERADO RESORT & SPA PROJECT / USE PERMIT MINOR MODIFICATION NO. P24-00141-MM ("Silverado" and/or "Application")

Water Audit California ("Water Audit") is an advocate for the public trust.

Water Audit comments as follows:

Introduction.

The time has run out to review and comment on this seemingly innocuous project, leaving the writer struggling to find the words to express the multiple levels of deception and evasion involved. For days Water Audit has waded through hundreds of documents to prove that there is no needle in this haystack. The kindest summary is that the application continues injury of a unique and critical Napa County resource. The motivation remains evasive, as it all seems so unnecessary. Maybe the best explanation is that players have to play.

It is important to draw a clear distinction between the potable water supplied to Silverado by the City of Napa, and the public trust water diverted or extracted and used by Silverado for irrigation. To the extent that the proposed project relies upon City water, we have no comment or objection. Our primary objection is to the undisclosed and unconsidered injury caused by groundwater extraction for landscape irrigation.

It is anticipated that the Applicant will attempt to focus the Planning Commission's ("Commission") attention solely on the allegedly "minor" modification that is the subject of this Application, but even if that characterization was accurate, (which it is not), consider this in the bigger picture: Silverado only exists because of water. Turn off the water, the greens will turn brown and the core reason for Silverado's existence is gone. The proposed Pavilion would be

pointless but for the golf course made possible by water. Groundwater is an integral component of every aspect of Silverado, including this Application.

In California all water is owned by the people, and individuals are permitted to use it (a usufructuary right) when it is deemed in the public benefit to permit the use. Groundwater extractions that are injurious to the public trust can be enjoined. Where the injury continues, the continuous accrual doctrine prevents vesting of the injury. This risk imposes on the governmental entity a continuing duty to inquire when there is evidence of injury associated with the proposed use.

The alternative to a reasonable investigation of public trust consequences is the risk of judicial action to impose injunctive relief. This represents a particular concern for water users, as courts have broad authority to issue injunctions stopping water diversions entirely until compliance is achieved. This enforcement mechanism can effectively shut down operations that depend on diverted water, creating substantial economic pressure for voluntary compliance with fish protection requirements. It is in everyone's best interests to resolve the issues we have identified, pay necessary attention to the public trust, and then to go on with the project.

Submitted with this comment letter is the following **Statement of Robert A. Leidy, PhD, Concerning Steelhead (*Oncorhynchus mykiss*) in Milliken Creek, Napa County.** Dr. Leidy was the lead ecologist in the wetlands program for the U.S. Environmental Protection Agency (San Francisco) for 34 years and is a Fellow of the California Academy of Sciences. He is a co-author of Leidy et al. (2005) published by the Center of Ecosystem Management and Restoration (CEMAR) the seminal historical survey of Bay Area steelhead supporting streams. He is cited in the Application. He writes in part:

> Milliken Creek, a major tributary to the lower Napa River, is well documented as supporting high-quality steelhead spawning and rearing. … "Reflecting this the City of Napa in 2016 acknowledged the Milliken Creek's significance in its environmental analysis of a fish passage improvement project focused on steelhead. Milliken Creek is designated as Critical Habitat for Central California coast steelhead, underscoring its significance as a steelhead stream (NMFS 2016). …
>
> In its recovery plan for Central California coast steelhead, NMFS (2016) recommends, in part (1) Monitoring in-stream flow and temperature in the Napa River and key tributaries, including Milliken Creek. This would help identify unsuitable salmonid conditions and their causes. (2) Assess effects of public reservoirs, impoundments, in-stream diversions, and groundwater extraction. (3) Use these findings to inform in-stream flow criteria that mitigate impacts. (4) Develop flow guidelines for these streams, including Milliken Creek.

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“Silverado” Defined.

We start with the difficulty of discussing both the physical and legal boundaries of the project, which as usual are inadequately defined in the Application. Neither APN nor mapping reveal the well that is at the heart of Silverado, not just of this project, but for the irrigation of the approximately 1,200 acres that constitute the Silverado Resort.

Parenthetically, two characteristics of this project in common with the earlier Sattui Application, submitted by a similar advocacy team, are the incomplete mapping and the inconsistency of submissions to the Water Board. Head’s up, applicants. Whenever we see those two factors, we know that you are hiding something. To use a poker player’s phrase “it’s your tell.” Our concerns herein were triggered by an arc indicating the presence of a well, but the complete omission of the well from the Application. All that follows came from that omission.

The Silverado Planned Development encompasses several parcels. In addition to the project APN 060-010-001, the development includes APN 061-161-042 and APN 061-162-030. All APNs contain artificial waterbodies, but none of the waterbodies have their source revealed. (EXHIBIT Q)

It is unclear from the Application if the waterbodies are detention or retention ponds, or water supply diverted or extracted into storage for operations. A 1948 photograph reveals no reservoirs anywhere on he development area. (en.wikipedia.org/wiki/File/Silverado_1948.jpg#/media/File/Silverado_1948.jpg.png) (EXHIBIT Y)

The Application does not identify by year or permit number any record of watercourse alteration permits, well permits, points of diversion licenses, or historic permits for any of the “existing” instream structures. Water Audit has been unable to locate the existing Conditions of Approval for Silverado or for The Grove.

With nearly 700 documents filed on the County Electronic Document Retrieval database that are associated with this these APNs, the Applicant has failed in its duty to show that this is a minor modification; in fact, this construction is part of a concealed pattern of injury to the public trust.

Water Availability.

The Water Availability Analysis provides no groundwater data, no Well Permits, no Well Completion Reports, no eWRIMS Points of Diversion Licenses, no well pumping data, no water meter readings, no Well Location map, no 8-hour well pumping test, and no off-site

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water sources. The Water Availability Analysis omits Tier 2 and Tier 3 Analysis for the well that provides irrigation water to Silverado.

The latter omissions are justified by the boldly stated, but false, assertion that this project does not rely upon groundwater. That is demonstrably false from the Application itself, but as discussed below, the fabrication conceals a long-ago subterfuge.

The applicant proposes to source landscaping water supply from existing "wells" (Exhibit D):

- The project is proposing a decrease in **landscape irrigation water which is sourced from groundwater wells**." (WAA page 3) (emphasis added)

- **The landscape water usage for the project will be served through the existing onsite wells.**" (WAA page 2) (emphasis added)

- **Existing water meter readings were not available for the Grove area for landscape irrigation values** (WAA page 3) (emphasis added)

The County Water Availability Analysis 2015 Adopted Guidelines require all water sources, ***onsite and offsite*** to be included in the analysis (https://www.napacounty.gov/DocumentCenter/View/1056/Water-Availability-Analysis-Adopted-Policy-May-12-2015-PDF) and in addition to other matters must contain:

> 2. **Site map of the project parcel and adjoining parcels. The map should include: Assessor's Parcel Number (APN), parcel size in acres, location of existing or proposed project well(s) and other water sources, general layout of structures on the subject parcel, location of agricultural development and general location within the county.** Approximate locations of existing non-project wells on other parcels within 500 feet of the existing or proposed project well(s) should also be identified based on the applicant's knowledge and available public information. All surface waters within 1500 feet of the existing or proposed project well(s) should also be identified, based on the applicant's knowledge and available public information. County staff can provide assistance to the applicant in obtaining adjacent well location, APNs and parcel size information.
>
> 3. A narrative on the nature of the proposed project, including all land uses on the subject parcel, projected future water uses in normal and dry years, **details of current and proposed operations related to water use, description of interconnecting plumbing between the various water sources** and any other pertinent information.
>
> **4. Tabulation of existing water use compared to projected water use for all land uses current and proposed on the parcel. Should the water use extend to other parcels, they should be included in the analysis**…" (WAA 2015 County Guidelines page 5) (emphasis added)

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The description of the existing structure is deceptively incomplete. Not found in the Application is any image of the building for which minor modifications are sought. A web search for The Grove at Silverado Resort provides some insight. There is no building to be replaced. (https://www.silveradoresort.com/gather/weddings/weddings-venues/the-grove/)

Another web page explains that the Grove can accommodate as many 1,400 guests under “Centuries old oaks with lush green foliage all around a romantic brick courtyard. Also [sic] with an expansive stage and dance area, The Grove is a blank canvas ready for any special event.” The Application indicates that it is used from 45 to 60 times a year. The only structure shown is fabric.

What is being proposed by the Application is a ten thousand square foot all weather events center. Many of the “centuries’ old” oaks will be cut, replaced by 15 gallon planter stock, and the volume of traffic at the minimum doubled, although the Application claims the right to utilization 365 days a year, up from 45-60 days.

The lands of Silverado are crossed by four watercourses, some ephemeral. Waters from artisanal springs on the property were reported to have been sold to the public for over one hundred years before development of the present golf course.

One of the watercourses, Milliken Creek, was recognized in the CEMAR and Koehler works as a habitat of a federal and state listed protected species of fish, steelhead trout, *Oncorhynchus mykiss*. The life cycle of steelhead requires from one to two years residency in their natal stream before migration to the ocean. Accordingly, it is critically important to sustain a population of steelhead that Milliken Creek remain properly wetted during the entire year.

The headwater of Milliken Creek is the dam which forms Milliken Reservoir. Water Audit is informed by the City of Napa and believes that, except for rare unanticipated occasion, that Milliken Dam has released bypass flows sufficient to keep the downstream reach sufficiently wetted. See above.

Silverado reports that it is not using surface water diversions.

At the outset of this section, Water Audit concedes that after review of approximately 700 documents in County files, we have not been able to find the conditions of approval that first were attached to this project, which appear to be identified as 37-64. The citation in the Application does not, by link or description, lead to that document.

This becomes critically important as extensive collateral documentation indicates that the drilling of wells on the Silverado property is expressly prohibited. (See Exhibits AG though AU)

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That leaves only three legal sources of water: the City of Napa, which we do not discuss, precipitation, (which is beyond human control or prediction), or allocation of surface water flows that could arise from riparian rights.

Surface water diversions are administered by the State.

The State eWRIMS Map records two Points of Diversion Statements on project parcel APN 060-010-001. (EXHIBIT R). It appears there are no eWRIMS Point of Diversion permits or licenses.

The California Integrated Water Quality System Public Summary Page identifies Lester Hardy as the owner's agent for both Statements. Hardy based the claim of the right to divert based on pre-1914 diversion; but even if true, the courts have consistently held that water rights do not exempt holders from reasonable environmental regulations. For the record it is noted that pre-development arial photographs show no development indicative of water diversion. The founding of an allocative claim is based on the assertion of prior development, which is debatable and at best hearsay.

One of the two Points of Diversion Statements (S020796) is inactive. (https://ciwqs.waterboards.ca.gov/ciwqs/ewrims/DocumentRetriever.jsp?appNum=S020796&wrType=Statement%20of%20Div%20and%20Use&docType=DOCS) (EXHIBIT U)

Statement S017298 is claimed, and irregularly reported active, but the record does not show permits or licenses. (https://ciwqs.waterboards.ca.gov/ciwqs/ewrims/DocumentRetriever.jsp?appNum=S017298&wrType=Statement%20of%20Div%20and%20Use&docType=DOCS) (EXHIBIT T)

Both Statements are identical, and Hardy declares capacity of diversion works to 250gpm, capacity of reservoir 14 acre-feet, with diversion from months May through September, and beneficial water use for 150 acres of turf for golf course. This is a highly exocentric pattern of extraction, as typically, as with Sattui, diversions are limited to November to April.

The S017298 Supplemental Statement of Water Diversion and Use span from 2010 to 2020. In addition to the gap years, the last five years have not been reported. The 2010 Supplemental was filed by Agent Nicholas Bonsignore and reports that no diversions occurred, and groundwater usage that is not measured. This is generally referred to as "faith based" accounting and reporting, frowned upon by those who seek tangible empirical evidence. It is a basic principle of Water Audit operations that "we manage what we measure," and its collateral, "figures don't lie, but liars figure."

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We recommend that the Commission inquire of that gentleman, should he appear at the hearing, how much water is used by Silverado each year, what is the source of that water, and what documents exist to support his testimony.

See (https://rms.waterboards.ca.gov/StatementPrint_2012.aspx?FORM_ID=148864) (EXHIBIT V):

Comments:

The **current owner acquired Silverado Resort in mid 2010 and has no records of how the previous owner operated the diversion facilities** in 2010 prior to the change in ownership. Silverado Resort has agreed to curtail diversions from Milliken Creek **pending the outcome of an investigation by the California Department of Fish & Wildlife, California Department of Justice, and Napa County District Attorney regarding a fish stranding incident in the fall of 2010.** Silverado Resort's agreement to temporarily curtail diversions is not an admission of any wrongdoing, and is not a forfeiture or waiver of any valid water rights it holds on Milliken Creek. Silverado Resort intends to resume diversions from Milliken Creek in the future in accordance with any legal directive or settlement agreement resulting from the aforementioned investigation." (2010 Supplemental page 1) (emphasis added)

> 11a. Addition Remarks
> This Supplemental Statement prepared by agent based on information provided by owner. Regarding Item 10, **Silverado Resort does not measure groundwater usage, but groundwater usage is believed to be well in excess of the 60 acre-feet** claimed in the initial Statement of Water Diversion Use 17298 filed by the previous owner in June 2010." (2010 Supplemental page 2) (emphasis added)

The 2012 Supplemental Comments are similar (https://rms.waterboards.ca.gov/StatementPrint_2012.aspx?FORM_ID=133389) (EXHIBIT W)

The last report filed is 2020. It inconsistent with prior submissions, it reports Groundwater Use at 5 acre-feet each month from January through December and no diversion of surface water. (https://rms.waterboards.ca.gov/StatementPrint_ 2020. aspx?FORM_ID=505020) (EXHIBIT X)

Additional Remarks:

This Supplemental Statement prepared by agent based on information provided by owner. Regarding Item 10, **Silverado Resort does not measure groundwater usage, but groundwater usage is believed to be well in excess of the 60 acre-feet** claimed in the initial Statement of Water Diversion Use 17298 filed by the previous owner in June 2010. **No water is being diverted. Prior to diversion of water, owner will have**

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> **installed appropriate measuring device.**" (2020 Supplemental page 2) (emphasis added)

The record indicates that the underlying use permit prohibits the use of wells.

In October 1973, Napa Environmental Quality Control Division reported to the Planning Commission on an application for a use permit for residential development identified as "Silverado."

> In view of the reported constant lowering of the water table in the Hardman McKinley Road area, this office recommends that one of the conditions of approval of this map be that no well be drilled on any of the approved lots. This condition should be made applicable to both domestic and irrigation wells.

In February 1975, the Division of Environmental Health wrote:

> Irrigation of lands in the Silverado PC area, using underground water from wells has in the past generated charges that such activities have lower water tables in the surrounding area. … It is our recommendation that if the subject project is approved, the following conditions be included: … No wells be drilled to serve water for irrigation, domestic or other uses in the project.

In September 1992 a well drilling permit was sought for "irrigation." It was rejected with the notation "Effective immediately, no well permits shall be issued within the Silverado County Club area."

In or about 2006, reports were made to the California Department of Fish and Game, now Fish and Wildlife, regarding fish stranded in a dried Milliken Creek. Investigations found numerous wells dotting the property, and that the cumulative extraction was causing Milliken Creek to dry. CDFG Lt. Don Richardson, introduced above, commenced an enforcement action, and as a result Silverado agreed to cap numerous unpermitted wells on the property.

A substantial drilling permit was obtained through subterfuge.

Through a process that is not clearly visible from the remaining record, in September 2011 a well construction application was filed for a Class 1A permit for a private use well in the MST Groundwater Basin.

The application was filed in a parcel in the center of Silverado as shown in numerous attached exhibits. It appears the Application was made on that parcel number to avoid the constraints on the record for other APN. Today the concealment is reversed: the present application makes no direct reference to the well property in its midst.

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Napa County Ordinances then required that Class IA permits be granted without further review when the well location conformed with the minimum distances to the property line, septic tank or sewage disposal system, public or private sewer line, public or private road, floodway, floodplain, or riparian zone, and where no conditions existed which may result in pollution or contamination of the ground water. There is no record of any consideration of the environmental consequences of the decision.

In September 2013 a well permit was issued, and a 698-foot-deep well was drilled. The static water level was shown as 152 feet, with a reported yield of 800 gpm. There is no indication of consideration of the potential of adverse groundwater surface water interface, and no explanation why the permit was issued notwithstanding the preexisting prohibition. The distance from the DWR recorded well to Milliken Creek is not shown in the application but is estimated at a few hundred feet. There is a second well, not shown in DWR or County records proximate to the proposed building site.

Ground water extractions that injury public trust flows are actionable.

Water Audit recently clarified the principle that the duty to protect the public trust is evergreen, as each day of injury restarts whatever violations that continue. (*Water Audit California v. Merced Irrigation District* (2025) 111 Cal. App. 5th 1147 *; 2025 Cal. App. LEXIS 370 **; 2025 LX 144933.)

Dewatering that reduces or eliminates streamflow critical to fish spawning or lifecycle stages has been found to cause adverse habitat modification implicating ESA protections. Courts criticize agencies' failure to condition water permits to maintain minimum flows or adequately evaluate cumulative impacts under CEQA. The ESA's "no jeopardy" and "no take" mandates directly address harms caused by operations like hatcheries diverting water or irrigation projects diminishing flows, which can block fish migration or destroy spawning habitat. Under California law, environmental impact reports must analyze feasible alternatives that avoid or reduce hydrologic impacts and inadequately supported CEQA findings regarding water diversion impacts have been overturned. Mitigation measures, including habitat conservation plans, must be properly funded, enforceable, and effective to satisfy legal standards.

Thus, stream dewatering that harms protected fish species implicates a constellation of ESA and California statutory and judicial requirements to conserve and mitigate impacts to endangered fish.

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Dewatering a stream that harms protected species of fish violates multiple provisions of California state law through overlapping legal frameworks. The primary violations occur under the California Fish and Game Code, which prohibits unauthorized stream alterations. (*Fish & G. Code § 1602*; and criminalizes the taking of endangered or threatened species *Fish & G. Code § 2080*.) Additionally, unauthorized water diversions constitute trespass under California *Water Code § 1052* and such activities may violate the constitutional prohibition against unreasonable use of water Const. Art. 10 *§ 2.* These violations carry both criminal penalties (misdemeanors) and substantial civil penalties. (*Fish & G. Code § 12000.)*

The statute provides that an entity shall not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake without proper notification and approval procedures. (*Fish & G. Code § 1602.*)

In *Siskiyou County Farm Bureau v. Department of Fish & Wildlife*, the Court of Appeal held that taking water out of its natural flow for agricultural purposes constitutes a diversion regardless of whether the streambed itself is altered. The court rejected the argument that the statute excluded activities that took water without disturbing the streambed, finding that such an interpretation did not account for the plain language of the statute (*Siskiyou County Farm Bureau v. Department of Fish & Wildlife*, (2015) 237 Cal.App.4th 411.) This broad interpretation means that virtually any water diversion affecting stream flow triggers the notification requirements.

The California Endangered Species Act (CESA) provides additional protection for threatened and endangered fish species through its prohibition on taking protected species. Fish and Game Code, section 2080 makes it unlawful to take, possess, purchase, or sell within this state, any species that is determined to be endangered or threatened. (*Fish & G. Code § 2080*.) The statute defines take broadly as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill. (*Fish & G. Code § 86*.)

The landmark case *Department of Fish & Game v. Anderson-Cottonwood Irrigation District* established that CESA's prohibition on taking applies to incidental harm from water operations, not just intentional hunting or fishing activities The Court of Appeal held that section 2080's proscription against 'taking' or 'possessing' endangered species is not limited to hunting or fishing but includes the killing of fish resulting from lawful irrigation activity The court reasoned that since section 86 expressly provides that take means kill, nothing in the definition suggests that the prohibited killing must result from hunting or fishing. The court further noted that CESA's intent is to protect fish, not punish fishermen, and found it inconceivable that a statutory scheme, the purpose of which is to protect natural resources, should be construed to allow the wholesale killing of endangered species simply because the mode of death does not

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involve hunting or fishing (*Department of Fish & Game v. Anderson-Cottonwood Irrigation Dist.*, (1992) 8 Cal.App.4th 1554.)

Unauthorized stream dewatering also violates California Water Code provisions governing water appropriation and use. Water Code, section 1052 declares that the diversion or use of water subject to this division other than as authorized in this division is a trespass. (*Water Code § 1052*.) This creates strict liability for unauthorized water diversions regardless of intent or knowledge of the violation.

The civil penalties under Water Code, section 1052 are substantial and escalate during drought conditions. For unauthorized diversions occurring during critically dry years or declared drought emergencies, violators face penalties of $2,500 for each acre-foot of water diverted in excess of their water rights. For other unauthorized diversions, the penalty is $500 for each day the unauthorized diversion occurs. (*Water Code § 1052*.) *Fish and G. Code §* 12025.2 specifically authorizes the California Department of Fish and Wildlife ("CDFW") to issue complaints for Water Code violations that harm fish and wildlife resources

Const. Article X, § 2 establishes that the waste or unreasonable use or unreasonable method of use of water be prevented and limits water rights to such water as shall be reasonably required for the beneficial use to be. *Water Code § 1243* explicitly recognizes that the use of water for recreation and preservation and enhancement of fish and wildlife resources is a beneficial use of water. Stream dewatering that eliminates flows necessary for fish survival may constitute unreasonable use in violation of constitutional requirements.

Violations of the Fish and Game Code provisions carry both criminal and civil penalties. *Fish and G. Code §* 12000 provides that violations of the code are generally misdemeanors Criminal penalties for Fish and Game Code violations can include substantial fines and imprisonment, with enhanced penalties for certain wildlife protection violations.

Civil penalties provide additional enforcement mechanisms. Civil penalties of up to $25,000 are available for violations of stream alteration notification requirements.

In *People v. Murrison*, the Court of Appeal upheld a $10,000 civil penalty against a landowner who placed rocks and gravel in a streambed to divert water without notifying the Department of Fish and Wildlife Note that the court emphasized that the violation was particularly egregious because the defendant continuously refused to notify CDFW of his unauthorized yearly diversions despite previous enforcement efforts. (*People v. Murrison*, (2002) 101 Cal.App.4th 349.)

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Water Code, section 1052 contains civil penalties for unauthorized water diversions, with penalties reaching $2,500 per acre-foot during drought periods or declared emergencies.

The *Endangered Species Act* ("ESA") prohibits actions that jeopardize the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitat. Federal agencies have a substantive duty under ESA § 7(a)(2) to ensure their actions do not violate these mandates, including dewatering streams that harm fish species, which are protected under both federal and California Endangered Species Act (CESA) frameworks. Such actions may constitute a "taking" under ESA § 9 if they injure or harass protected fish, with courts recognizing habitat destruction and flow alteration—as caused by diversions or dewatering—as forms of prohibited takings. The ESA's citizen-suit provision allows private plaintiffs to seek injunctive relief for activities reasonably certain to harm protected species, even without proving actual injury. Biological opinions and consultation processes are critical procedural components to assessing impacts on species and avoiding regulatory violations.

Related California law requires environmental impact reports under CEQA to evaluate alternatives and mitigate significant impacts on protected species and their habitats. California courts uphold permit issuance under *Fish & Game Code § 2081(b)(2)* only if the take is minimized and fully mitigated in proportion to impact, affirming agencies' discretion conditioned on scientific data and mitigation measures. Case law reflects judicial scrutiny of mitigation's adequacy and procedural rigor in habitat conservation planning

Other miscellanies for the record.

One of the more effective techniques used by deceptive applicants is to follow national leadership and to "flood the zone with s—t." We have run out of time to address everything, but it is hoped that we have provided enough material to inspire a measured second look. Of course, as we learned from the Bonny's and Sattui Applications, sometimes our efforts are unsuccessful, and the process moves up to judicial review. Given that possibility, we make record of the following. As courteous people we initially felt inclined to apologize for the roughness of this portion of our comment but then remembered that it is the County's inadequate process that has created this mess, for which Water Audit is not responsible, so no apology is offered. We are not going to hold up dinner waiting for the County's apology to us or the public. For the record, we submit the following and the accompanying composite exhibit:

The application omits Date Received, Received By, Receipt No., Deposit Amount, Flat Fee Due, Total, Check No. There is no Permit number or stamped received by staff initials or date. No Notice Adjoining Owners List. No Assessor Page. No Completed Business Activities Form. The revised County application form omits footer and page numbers creating difficulty in

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confirming all pages are included in the project application for public review. The Checklist of Required Materials is included, however it is arguably the wrong permit application form for the project.

Staff created the “Existing Conditions” image view perspective as a wide long-shot, and obscured the entire project parcel in light gray, without siting any existing structures. Staff altogether omits a “Proposed Conditions” image. There is no USGS top map quadrangle.

The Civil Plans do not site the landscape water supply “wells”. The Plans omit distances between “wells”, watercourse, septic, dispersal field, and two new buildings. The Utility Plans are bifurcated, matchlines between the Atrium Pavilion and the Bridal Lounge, obscuring the directional boring under the creek and a concealed well location at some place of the plan sheets. (EXHIBIT H)

There are no easements for well water service to the project parcel from off-site sources. There are no neighboring Assessor Parcel Numbers sited.

Sherwood Design Engineers describes the project as new construction with impervious areas inside the creek setback:

> “TWO (2) NEW EVENT SPACE BUILDINGS IN AN EXISTING EVENT SPACE AREA. THE PROJECT PROPOSES A REDUCTION IN IMPERVIOUS AREA WITHIN A CREEK SETBACK AND SITE INFRASTRUCTURE IMPROVEMENTS TO SUPPORT THE NEW STRUCTURES.”

The Revised Project Statement letter also misrepresents the proposed project (EXHIBIT C):

> “This application seeks approval for the replacement of the existing structures” (Statement Letter page 1)

Civil Plans do not evidence any “existing” structures. There are no photographs of “existing” structures, and no demolition plan for “existing” structures. If we may suggest, the emperor’s new clothes seem the appropriate dress code for inspecting the “existing” structures. At least we could all have a good laugh.

Applicant Representative Greenwood-Meinert July 21, 2025 Revised Project Statement letter misrepresents the sewer capacity claiming NapaSan can as provided meet the new increase of guests and visitors. However, NapaSan submitted a letter to staff appended to the Conditions of Approval stating the project *will increase projected sewer flows* at a greater intensity than what was evaluated in NapaSan’s 2021 Collection System Master Plan. The

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developer did agree to fund all costs for upstream sewer pipeline *where flows are projected to be greater than capacity*. (EXHIBIT G)

> "The new lounge building, intended for use for bridal parties will provide a new facility for bridal parties adjacent to the Grove." (Statement Letter page 2)

The applicant's civil plans do not site an "existing" pavilion or "existing" bridal lounge. The applicant landscape architect, Colorado based Design Workshop, offers two "Existing Site Conditions" sheets. Found in the hearing packet WAA, and not in the Graphics Attachment, is a March 8, 2024 "Existing Landscape Area Exhibit" sheet with no existing Pavilion and no Bridal Lounge (WAA page 6.) However, found in the Graphics Attachment is a May 1, 2024 "Existing Site Conditions L0.05" sheet with a labeled "Existing Pavilion" obscured with tiny grey speckles, sited where there had previously been a designated impermeable surface. No Bridal Lounge (GRAPHICS page 2.) (EXHIBIT AA)

There is no County Site Plan Approval application (https://www.napacounty.gov /DocumentCenter/View/3355/Site-Plan-Approval) The Site Plan Approval is governed by County Chapter 18.140 Site Plan Approval. The Site Plan application requires both existing and proposed improvements on a single site plan. Chapter 18.140.020 Application procedure B.3.a:

> "A fully dimensioned, scaled **site plan showing** the following: a. Boundary and **dimensions** of the property and setbacks **of all buildings and proposed improvements** from existing or proposed property lines," (Site Plan Approval Application form page 12) (emphasis added)

The County requires applicants to submit a Site Plan in conformance with its Sample Site Plan document (https://www.napacounty.gov/DocumentCenter/View/20486/Sample-Site-Plan)

> "Site Plan Requirements:
> A Site Plan gives a clear view of the existing development on the project property. It shows all existing property improvements and the proposed improvements you are applying for with your permit application. A property improvement includes dwellings, structures, tanks, generators, septic systems, wells, bridges, driveways, turnarounds, etc. A site plan can also show the location and size of sources of electrical, gas and utility trenching if those features are part of your project.
>
> **The Site Plan gives our divisions the information needed to ensure that a proposed structure/improvement or alteration or addition to a structure/improvement on your property will be safe, conform to setbacks (distance from property line, center of road, sanitary systems and water sources, etc.). It ensures that any natural elements of the property such as creeks and streams are safe from the negative effects of proposed construction.** It also assists Fire and Engineering with the details of access routes to your property in the event of an

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emergency. **Aerial photographs will not be accepted as Site Plans**" (Sample site plan page 1) (emphasis added)

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

Be sure to label all existing (E) and proposed (P) improvements, including area of addition, area of remodel, new structure, etc. Setbacks Provide the setbacks that we need to review your submittal for permit.

D. **Setbacks are the distance between existing and proposed property improvements. They are the distance of your project from property lines, septic systems, wells, tanks, structures, dwellings (and in case of generator exhaust, the distance from the nearest opening on the structure closest to the installation**). Indicate the distance from the center of road for all improvements." (Sample site plan page 1) (emphasis added)

"G. Existing and proposed water, wastewater, and stormwater treatment systems systems must be shown and include: • Wells on the property • Wells within 100 feet of the project property • Septic system tanks and sewer line location • Leach fields (existing and proposed) • 100% reserve area (existing and proposed). This is the area that will be used in the event of a septic system failure. • Storage tanks (Water, grey-water, waste storage) • Label distances between well(s), septic tank, leach field, and creek, streams, rivers or lakes, if applicable.

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

J. Easements Show any easements that exist. Indicate the location of all easements (water, sewer, roadways, open space, etc.)" (Sample Site Plan page 2)

There are no occupancy capacity maximums conditioned for either the Atrium Pavilion or Bridal Lounge buildings.

Absent demolition activities associated with the Pavilion and the Bridal Lounge structures, it would appear the structures never did exist, and therefore the minor modification for an "existing" facility fails, and the proposed "replacement" of buildings is disingenuous.

According to COA 9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, noise insulating measures include a solid roof,

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exterior doors, and windows. The structure currently standing on the Grove area has no solid roof, exterior doors, or windows. Defined by its building design term, a pavilion is an open-sided structure with a solid roof that provides unobstructed views and spacious coverage (https://okeefebuilt.com/blog/differences-pavilions-and-gazebos/) The COA is conditioning altogether new building structures.

The Conditions of Approval omit Public Works review, consideration and determination regarding groundwater resource management. There is no Groundwater Memorandum. There is no Groundwater Demand Management Program. There is no limitation on well extractions.

The Permit has not been conditioned relevant to well water, groundwater management, previous conditions, or grading spoils:

> "Where conditions are not applicable or relevant to this project, they shall be noted as "Reserved" and, therefore, have been removed." (COA preamble)
> "4.1 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**
> 4.13 PREVIOUS CONDITIONS **[RESERVED]**
> 9.7 GRADING SPOILS **[RESERVED]**" (emphasis in original)

Staff has determined that previous conditions are not relevant, thereby concealing the decades ago Use Permit 37-64 well drilling prohibitions on the development properties.

Not in the hearing packet but found on EDR is a 1993 Correspondence string "PBES-COR - 8_16_1993 - 060-010-001-000 - SILVERADO COUNTRY CLUB-ENVIRONMENTAL-UP-1993" then staff fervently supported the policy prohibition with decades of County determinations finding the Silverado Country Club planned development zone well water extractions to be the cause of the lowering water table in the surrounding areas. (See Exhibits AG to AU)

In a 1993 Inter-Office Memo from Trent Cave, Director of Environmental Management to Paul Battisti, County Supervisor with subject "Well Drilling in the Silverado area" prohibiting development of groundwater resources. (EXHIBIT L):

> "Based on our research, **the following developments have specific prohibitions in their development permits concerning the development of groundwater resources**:
> **Silverado Springs**
> Highlands
> Silverado Oaks
> Silverado Unit 5-B
> **The Grove (by Agreement with the neighbors)**
> Warren Simmons Parcel Map" (1993 Correspondence page 2)

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In response to a 1992 Permit to construct a water well, the County cites policy in support of its denial. (EXHIBIT K):

> "Silverado Country Club Area - Well Permits
> Effective immediately, **no well permits shall be issued within the Silverado Country Club area**. This includes most of the parcels in Assessor's Parcel Book #40 except for page 01 and Assessor's Parcels 40-051-11, 12, 15, 25, 27, 32, 33 and 39-220-19.
>
> **This area is within the planned development zone of the Silverado Country Club and is under a use permit requirement which requires no new wells, for any purpose, be constructed.**" (1993 Correspondence page 23) (emphasis added)

In 1975 an Environmental Health Memorandum from James E. Page concerning Preliminary Map and Use Permit U-307475: (EXHIBIT J):

> "**Irrigation of lands in the Silverado PC area, using underground water from wells** has in the past generated charges that such activities **have lowered water tables in the surrounding area**.
> It is our recommendation that if the subject use is approved, the **following conditions** be included:
>
> 3) **No wells be drilled to serve water for irrigation, domestic or other uses in the project**." (1993 Correspondence page 44) (emphasis added)

In 1973 Environmental Health Services Memorandum Conditions of Approval prohibiting well drilling. (EXHIBIT I):

> "**In view of the reported constant lowering of the water table** in the Hardman-Mckinley Road area, this office recommends that one of the conditions of approval of this map be that **no wells be drilled on any of the proposed lots**. **This condition should be made applicable to both domestic and irrigation wells.**" (1993 Correspondence page 50) (emphasis added)

In a 1972 and 1974 Board of Supervisors Records Re Silverado Oaks and Silverado Unit #5-B (EXHIBIT AB):

> "Silverado Oaks Unit approved "provided that no wells be drilled one property.
>
> Approval of Silverado Unit #5-B included "no wells & any existing wells and septic system on the property be abandoned." (Correspondence 1993 page 32)

Not in the hearing packet but found on EDR is a 1995 correspondence string of robust argument and final County determination that four wells must be destroyed on the Silverado Springs Resort parcels, a subdivision sited as a development area on the Silverado Country

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Development Plan, to protect groundwater resources. Environmental Health review of the then applicant's Well Status Report found deficiencies in overdraft omissions and pumping effect on nearby residents with wells, (EXHIBIT AC):

> "TO: Jeff Redding, Conservation, Development and Planning Department
> FROM: Tim Snellings, R.S. - Environmental Health
> SUBJECT: Environmental Health review of Silverado Springs Well Status Report APN 40-050-06
> DATE: April 5, 1988
>
> I have reviewed the Well Status Report for Silverado Springs prepared by KCA Engineers, Inc. In light of the USGS Groundwater Hydrology of the Lower Milliken-Sarco-Tulocay Creeks Area Investigation (77-82) of which this project is located within, the Well Status Report seems to be deficient in two Areas:
>
> > 1) On p. 38 of the USGS Report it is stated that "water-level declines of about 1.5 ft/yr in the Milliken and Sarco Creeks area (storage Unit 3) indicate recharge is not supplying the additional water needed to equal pumpage under the climatic conditions existing during the period 1965-75". The Well Status Report does not address this existing overdraft situation.
> >
> > 2) There are a number of residents with wells I the nearby vicinity to the Vichy Springs well which are not noted on the Well Status Report Map. What effect will the potential pumping of 14 acre feet of groundwater from this well have annually (12gpm x 60 min x 24 hrs x 274 days divided by 330,00 gal/ac ft = 14.3 acre feet (4.7 mil gallons() on nearby neighbors wells? (1995 Correspondence page 13)

That Memorandum has a hand-written arrow pointed at the 14.3 acre feet quotient reporting "this is the equivalent of approx. 40 single family residences at approx. 500gpd of water usage."

The KCA Engineers Well Status Report appended a comprehensive well location map siting three ponds, six wells, one abandoned well, one pond and two proposed Silverado Springs Ponds. The "Ponds" are not described or designated as either detention or retention stormwater ponds. (EXHIBIT AC)

> "Driving Range Well, Irrigation Well, Turkey Ranch Well Abandoned, Clubhouse Well, Picnic Area Well, South Course Well, Vichy Springs Well, Existing Silverado Pond, Two Proposed Silverado Springs Ponds. (1995 Correspondence page 24)

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Also in the 1995 Correspondence string is another memorandum (EXHIBIT AD):

> "TO: Conservation, Development & Planning Commission
> FROM: William L. Selleck, Environmental Analyst
> SUBJECT: Silverado Well Status Report
> DATE: April 6, 1988
>
> I have reviewed the Silverado Well Status Report … The Silverado Well Status Report does not provide support for the contention that renewed use of the Vichy Well will not adversely effect groundwater levels. On the contrary , it provides additional reason for concern. It confirms a continued long-term decline in groundwater levels in the Milliken/Sarco Creek Area of approximately 1.3 feet/year. This decline in groundwater levels indicates a groundwater over drafting situation. Recharge is not supplying enough water to equal pump age and natural outflow (I.e., demand s exceeding the safe yield of the groundwater basin). Any substantial additional pump age without an offsetting increase in groundwater recharge will therefore produce a significant adverse long-term effect on groundwater levels. **The additional pumpage suggested (nearly 20 AF/year) is certainly substantial. Moreover, the effectiveness of using the proposed ponds for recharging the groundwater system has not been demonstrated.**
>
> The submitted report fails to speak to the groundwater over drafting issue at all. Moreover, it doesn't specify the draw-down effect on wells on adjoining parcels produced by renewed pump age of the Vichy well.
>
> RECOMMENDATION
> **Retain proposed Condition of Approval #22 in its current form.**" (1995 Correspondence page 12) (emphasis added)

Not in hearing packet but found on Department of Water Resources Well Completion Report map, only one well is located within the Silverado Country Club Development properties on APN 060-140-003 (https://cadwr.app.box.com/v/ WellCompletionReports /file/465393559778) (EXHIBIT M)

There appear to be not less than two wells drilled after the policy prohibition, one being 698 feet deep, ten inches in diameter, and capable of pumping 800 CFM, a truly impressive volume of water. See following. We note that the proposed project allows for an increase in power supply to the well site, implying an increase in pump size and therefore extraction rates. Not in the hearing packet but found on EDR APN 061-162-030, a 1995 Silverado Springs Owners Association Application & Permit to construct a water well for irrigation. That well is not sited on the Department of Water Resources Well Completion Report map. (EXHIBIT AE)

The Staff Report states that there are six active code violations but fails to disclose their nature.

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Not in hearing packet but found on EDR APN 060-140-003, a 2011 Silverado Country Club & Resort Inc Well Completion Report E11-00089 (EXHIBIT N):

1600 Atlas Peak Road
698 ft deep,
800 GPM,
3-hour AIR-LIFT test

The application for E11-00089 applied date March 24, 2011, states APN 060-140-003 will be serving this project parcel APN 060-010-001. (EXHIBIT O) No easement is reported.

Five days later, on March 29, 2011, Silverado Country Club & Resort Inc applied for a well destruction on this project parcel APN 060-010-001 E11-00094. The destroyed well was a 14-inch steel casing 450 feet deep. (EXHIBIT P) Both applications were approved by then PBES Director Steve Lederer with no ground water permit required, no emergency exemption granted, and no supporting materials to support the exemption. (EXHIBIT AF)

There is no evidence that copies of the notice were forwarded to property owners within 1,000 feet of all project parcels, as proscribed in NCC § 18.124.130 and procedural requirements for noticing of public hearing described in NCC § 18.136.040.

Conclusion.

For the reason set forth above, Water Audit disagrees with the proposed Findings 1, 2, 8, 9, 11, 12, 13:

Water Audit California recommends Option 3 - Deny Proposed Project.

Disposition - In the event the Planning Commission determines that the project does not, or cannot, meet the required findings for the granting of the Minor Modification to Use Permit, the Commission should **articulate what aspects of the project conflict with the required findings.** State Law requires the Commission to adopt findings, based on the General Plan and County Code, setting forth why the proposed Minor Modification to Use Permit is not being approved.

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Action Required - The Commission should move to deny the project, or in the alternative, continue the hearing to allow the applicant to reconcile its existing operations with the law before reconsideration, a.k.a. the “Sattui punt.”

Respectfully submitted,

William McKinnon
General Counsel
Water Audit California

Attachments – Statement of Robert A. Leidy, PhD, Concerning Steelhead (*Oncorhynchus mykiss*) in Milliken Creek, Napa County, 13 October 2025; Exs. A-Z, AA-AU attached

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Statement of Robert A. Leidy, PhD, Concerning Steelhead (*Oncorhynchus mykiss*) in Milliken Creek, Napa County

.

13 October 2025

Importance of Milliken Creek to Steelhead. Milliken Creek, a major tributary to the lower Napa River, is well documented as supporting high-quality steelhead spawning and rearing (Stillwater and Dietrich 2002; Leidy et al., 2005, 2007; Becker et al. 2007; Koehler and Edwards, 2009; Napa RCD, 2012; County of Napa, 2016). For example, Leidy et al. (2005) review historical records over several decades of steelhead in the creek. Observations in 2006–2008 and 2016 recorded moderate to high numbers of juvenile steelhead and redds (Koehler and Edwards, 2009; County of Napa, 2016). Reflecting this, the City of Napa (2016) acknowledged the Milliken Creek's significance in its environmental analysis of a fish passage improvement project focused on steelhead. Milliken Creek is designated as Critical Habitat for Central California coast steelhead, underscoring its significance as a steelhead stream (NMFS 2016). In its 2024 5-Year Status Review, NMFS (2024) reaffirmed Milliken Creek's importance for steelhead recovery.

Impacts to Milliken Creek Steelhead. Extensive water diversions—including dams, groundwater pumping, channel alterations, and agricultural use—have significantly impaired Napa River hydrology (Stillwater and Dietrich 2002; NMFS 2016). NMFS (2016, 2024) also found that groundwater extraction greatly impairs hydrology in the watershed. This is especially true in summer, when lower flows occur. This flow reduction has decreased suitable rearing habitat and riffle quality in Napa River tributaries during the dry season. For example, a habitat modeling and instream flow study of Milliken Creek showed that water diversions at flows at or below 5 cubic feet per second can substantially reduce the extent and quality of juvenile steelhead habitat (Koehler and Blank 2010).

Recommendations for Milliken Creek Steelhead Recovery. In its recovery plan for Central California coast steelhead, NMFS (2016) recommends, in part (1) Monitoring in-stream flow and temperature in the Napa River and key tributaries, including Milliken Creek. This would help identify unsuitable salmonid conditions and their causes. (2) Assess effects of public reservoirs, impoundments, in-stream diversions, and groundwater extraction. (3) Use these findings to inform in-stream flow criteria that mitigate impacts. (4) Develop flow guidelines for these streams, including Milliken Creek.

NMFS (2016, 2024) has provided a thorough assessment of steelhead in the Napa River watershed and its tributaries, including Milliken Creek. Based on my experience with Bay Area and Napa River steelhead, I support NMFS's findings and recommendations. Their analysis is sound, uses recent data, and addresses local ecological factors affecting steelhead and their habitat, including Milliken Creek. I conclude, based on the referenced information, above, and my knowledge of steelhead in the watershed, that Milliken Creek offers high-quality habitat except when instream flows are greatly reduced during late-spring, summer, and early-fall seasons.

References

Becker, G., I. Reining, D. Asbury, and A. Gunther. 2007. San Francisco Estuary Watersheds Evaluation, Identifying Promising Locations for Steelhead Restoration in Tributaries of the San Francisco Estuary. July 2007. CEMAR (Center for Ecosystem Management and Restoration), Oakland, CA.

County of Napa. 2016. Milliken Creek Flood Reduction and Fish Passage Improvement Project. Initial Study/Mitigated Negative Declaration. Prepared by Environmental Science Associates for County of Napa, August 2016.

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Statement of Robert A. Leidy, PhD, Concerning Steelhead (*Oncorhynchus mykiss*) in Milliken Creek, Napa County

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13 October 2025

Importance of Milliken Creek to Steelhead. Milliken Creek, a major tributary to the lower Napa River, is well documented as supporting high-quality steelhead spawning and rearing (Stillwater and Dietrich 2002; Leidy et al., 2005, 2007; Becker et al. 2007; Koehler and Edwards, 2009; Napa RCD, 2012; County of Napa, 2016). For example, Leidy et al. (2005) review historical records over several decades of steelhead in the creek. Observations in 2006–2008 and 2016 recorded moderate to high numbers of juvenile steelhead and redds (Koehler and Edwards, 2009; County of Napa, 2016). Reflecting this, the City of Napa (2016) acknowledged the Milliken Creek's significance in its environmental analysis of a fish passage improvement project focused on steelhead. Milliken Creek is designated as Critical Habitat for Central California coast steelhead, underscoring its significance as a steelhead stream (NMFS 2016). In its 2024 5-Year Status Review, NMFS (2024) reaffirmed Milliken Creek's importance for steelhead recovery.

Impacts to Milliken Creek Steelhead. Extensive water diversions—including dams, groundwater pumping, channel alterations, and agricultural use—have significantly impaired Napa River hydrology (Stillwater and Dietrich 2002; NMFS 2016). NMFS (2016, 2024) also found that groundwater extraction greatly impairs hydrology in the watershed. This is especially true in summer, when lower flows occur. This flow reduction has decreased suitable rearing habitat and riffle quality in Napa River tributaries during the dry season. For example, a habitat modeling and instream flow study of Milliken Creek showed that water diversions at flows at or below 5 cubic feet per second can substantially reduce the extent and quality of juvenile steelhead habitat (Koehler and Blank 2010).

Recommendations for Milliken Creek Steelhead Recovery. In its recovery plan for Central California coast steelhead, NMFS (2016) recommends, in part (1) Monitoring in-stream flow and temperature in the Napa River and key tributaries, including Milliken Creek. This would help identify unsuitable salmonid conditions and their causes. (2) Assess effects of public reservoirs, impoundments, in-stream diversions, and groundwater extraction. (3) Use these findings to inform in-stream flow criteria that mitigate impacts. (4) Develop flow guidelines for these streams, including Milliken Creek.

NMFS (2016, 2024) has provided a thorough assessment of steelhead in the Napa River watershed and its tributaries, including Milliken Creek. Based on my experience with Bay Area and Napa River steelhead, I support NMFS's findings and recommendations. Their analysis is sound, uses recent data, and addresses local ecological factors affecting steelhead and their habitat, including Milliken Creek. I conclude, based on the referenced information, above, and my knowledge of steelhead in the watershed, that Milliken Creek offers high-quality habitat except when instream flows are greatly reduced during late-spring, summer, and early-fall seasons.

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EXHIBIT A

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File #:	25-1705 Version: 1		
Type:	Public Hearing	Status:	Agenda Ready
File created:	9/22/2025	In control:	Planning Commission
On agenda:	10/15/2025	Final action:	
Title:	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 have a significant effect on the environmental and is exempt from the California Environmental Quality Act (CEQA). [See Class 1 ("Existing Facilities") and Class 4 ("Minor Alterations to Land") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR ? 15301, ?15304(a), ?15304(b), and ?15304(f); as well as Napa County's Local Procedures for Implementing the California Quality Act, Appendix B, Class 1: Existing Facilities, Subsection 3]. The project site is not included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5. Request: Approval of a Use Permit Minor Modification to construct an event pavilion and an event lounge. An Exception to the Road and St...		
Sponsors:	Board of Supervisors		
Attachments:	1. A - Recommended Findings, 2. B - Recommended Conditions of Approval and Final Agency Memos, 3. C - CEQA Exemption Memo, 4. D - Minor Modification to Use Permit Application Packet, 5. E - Water Availability Analysis, Wastewater Feasibility Study & Stormwater Control Plan, 6. F - Habitat Assessment, 7. G - The Grove Event Noise Study, 8. H - Graphics, 9. I - Public Comments		

History (0) Text

TO: Napa County Planning Commission

FROM: Brian D. Bordona; Director of Planning, Building and Environmental Services

REPORT BY: Trevor Hawkes; Supervising Planner

SUBJECT: Silverado Resort & Spa Project; P24-00141-MM

RECOMMENDATION

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 have a significant effect on the environmental and is exempt from

the California Environmental Quality Act (CEQA). [See Class 1 (“Existing Facilities”) and Class 4 (“Minor Alterations to Land”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15304(a), §15304(b), and §15304(f); as well as Napa County’s Local Procedures for Implementing the California Quality Act, Appendix B, Class 1: Existing Facilities, Subsection 3]. The project site is not included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5.

Request: Approval of a Use Permit Minor Modification to construct an event pavilion and an event lounge. An Exception to the Road and Street Standards is also requested to permit a firetruck turnaround and emergency vehicle access road to be located greater than 50 feet from the event lounge.

Staff Recommendation: Find the project categorically exempt from CEQA and approve the Minor Modification to Use Permit as conditioned.

Staff Contact: Trevor Hawkes, Supervising Planner, 1195 Third St, Suite 210, Napa, CA 94559; (707) 253-4388; trevor.hawkes@countyofnapa.org

Applicant Contact: Todd Shallan, Vice President , 1600 Atlas Peak Rd, Napa, CA 94598; (707) 257-5430; todd.shallan@silveradoresort.com

Applicant Agent: Scott Greenwood-Meinert, 700 Main Street, Suite 301, Napa, CA, 94558; (415) 772-5741; sgreenwood-meinert@coblentzlaw.com

Other Representative Contact: Christina Nicholson, P.E., 1665 2nd Street, Napa, 94559; (707) 773-7829; cnicholson@sherwoodengineers.com

EXECUTIVE SUMMARY

PROPOSED ACTIONS:

That the Planning Commission:

1. Find the project categorically exempt based on the recommended Findings 1-4 in Attachment A;

2. Approve the Napa County Road and Street Standards Exception Request based on the recommended Findings 5-6 in Attachment A, and subject to the recommended Conditions of Approval in Attachment B.

3. Approve Use Permit Minor Modification Application No. P24-00141-MM, based on recommended Findings 7-14 in Attachment A, and subject to the recommended Conditions of Approval in Attachment B.

Discussion: The applicant requests approval of a Use Permit Minor Modification to construct an event pavilion (9,308 square feet) and an event lounge (1,750 square feet) for a total additional square footage of 11,358 square feet of resort use to the existing resort mansion (21,080 square feet), convention center (26,100 square feet), and hotel space (221,000 square feet). The proposal also involves landscaping elements that include event and activity lawns (19,062 square feet), landscaped planting beds (23,456 square feet), and a native grass area (41,224 square feet). An existing burger shack will be replaced with an upgraded and relocated facility that is an exterior facing portion of the northeast corner of the pavilion structure. An Exception to the Napa County Road and Street Standards is also requested to permit a firetruck turnaround and Emergency Vehicle Access (EVA) road to be located greater than 50 feet from the proposed 1,750 square-foot event lounge due to the natural location of a watercourse that serves as a tributary to Milliken Creek. The proposal includes the removal of eight valley oak trees with a replanting ratio of 4:1, resulting in the planting of 32 new valley oak trees on the parcel, at a minimum size of fifteen-gallon plantings. The project is located on an approximately 278.73-acre parcel within the PD (Planned Development) zoning district with an Urban Residential (UR) General Plan designation, located at 1600 Atlas Peak Rd, Napa, CA 94558. APN: 060-010-001-000.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act [See Class 1 ("Existing Facilities") and Class 4 ("Minor Alterations to Land"), which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15304(a), §15304(b), and §15304(f).

BACKGROUND AND DISCUSSION

Owner: Todd Shallan, Vice President, 1600 Atlas Peak Rd, Napa, CA 94558; (707) 257-5430

Applicant: Todd Shallan, Vice President, 1600 Atlas Peak Rd, Napa, CA 94558; (707) 257-5430

Zoning: PD (Planned Development)

General Plan Designation: UR (Urban Residential)

Filed: May 21, 2024

Complete: June 2, 2025

Property Area: 278.73 Acres

Existing Development: 268,180 square feet of resort space; 68,600 square feet of accessory space
Proposed Structural Development: 11,358 square feet of resort event space
Existing Resort Hours of Operation: Open 24 hours, 365 days a year
Adjacent General Plan Designation/Zoning/Land Use:
North: Urban Residential / Planned Development / Single and multifamily residential units, rural residences and open space

East: Urban Residential / Planned Development / Single-family residential units

South: Urban Residential / Planned Development / Single-family residential units

West: Urban Residential, Rural Residential, Agriculture, Watershed and Open Space / Planned Development, Residential Country & Agricultural Watershed / Winery & vineyards, rural residences

BACKGROUND:
On May 21, 2024, the applicant submitted a request for a Minor Modification to Use Permit P24-00141-MM to construct an event pavilion (9,308 square feet) and an event lounge (1,750 square feet) for a total addition of 11,358 square feet of resort use space to the existing resort mansion, convention center, and hotel space, for a combined total of 268,180 square feet, which does not include accessory structures or the resort spa located on an adjacent parcel. The proposal also includes landscaping elements that include event and activity lawns (19,062 square feet), landscaped planting beds (23,456 square feet), and a native grass area (41,224 square feet). An Exception to the Napa County Road and Street Standards is also requested to permit a firetruck turnaround and the emergency vehicle access road to be located greater than 50 feet from the proposed event lounge due to the natural location of a watercourse that serves as a tributary to Milliken Creek.

Under Napa County Code (NCC) §18.124.130, Minor Modifications to Non-Winery Use Permits can be approved for changes in location and/or size of approved structures or portions thereof, 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. The proposed increase of 11,358 square feet of resort space represents a 24.1 percent increase to the resort mansion and convention center alone, and when the 221,000 square feet of hotel space is included, it represents just a 4.24 percent increase.

NCC §18.124.130(B) states that the Zoning Administrator may approve minor noncontroversial modifications

after giving notice of intent to approve, and NCC §18.124.130(B)(2)(b) states that notices shall be mailed or delivered to all owners of real property, including businesses, corporations or other public or private entities, as shown on the latest equalized assessment roll within 1,000 feet of the real property. According to NCC §18.124.130(B)(3), if any member of the public requests a public hearing during the comment period, then the zoning administrator will provide a public notice in accordance with NCC §18.136.040 and conduct a public hearing. On July 30, 2025, a Notice of Intent was sent to all owners of real property within 1,000 feet of the project parcel, and in response the Planning Division received four requests for a public hearing. Pursuant to NCC §18.10.020, the Zoning Administrator has determined that the project (1) is of a size, importance, or unique nature such that it is judged not to be a routine matter and (2) is such that the public interest would be furthered by having a particular application heard and decided by the Planning Commission.

Staff has reviewed the proposed project and recommends that the Planning Commission find the project categorically exempt from CEQA and approve the Exception to the Road and Street Standards request and the Minor Modification to Use Permit request as currently drafted in the staff report packet, subject to the recommended Conditions of Approval in Attachment B. Findings in support of the Categorical Exemption, Exception to the Road and Street Standards and the Minor Modification to Use Permit have been prepared in Attachment A, and a Memorandum on the CEQA Categorical Exemption has been prepared in Attachment C.

Parcel History: The Silverado Resort and Spa, also known as the Silverado Resort and Country Club, is one of the oldest Master-Planned Development Projects in Napa County. With the original golf course dating back to the 1950s, the resort itself was established first through a 1964 rezone to the PC (Planned Community) zoning district (Rezone 36-64), followed by the approval of a master site plan and use permit (Use Permit 37-64). Numerous additional ministerial and discretionary permits have been approved throughout the years, including additional community subdivisions, remodeling permits for the clubhouse and pro shop, outdoor advertising permits, expansions to the clubhouse and conference center, building permits for accessory structures, watercourse alteration permits, parking expansions, and tournament entitlements.

Active Code Compliance Violations: The Silverado Resort and Spa has been issued and has addressed several code compliance cases over the years. There are currently six code enforcement cases under review: 1) CE24-00235 concerning repairs to existing balconies; 2) CE24-00168 concerning the protective netting at the driving range; 3) CE23-00217 concerning unpermitted work on a bridge; 4) CE23-00107 concerning unpermitted ticket sales; 5) CE22-00300 concerning an unpermitted outdoor pizza kitchen; and 6) CE19-00039 concerning an unpermitted HVAC system installment at one of the private residences on the property. On November 25, 2024, the Code Enforcement Division determined that the active code cases on the parcel are unrelated to this project and they recommended approval of the project. The remaining active code enforcement cases are under review and are being resolved with the property owner through the required Building Permit process.

DISCUSSION POINTS:

Setting

The project site is located within an area of the Silverado Resort and Spa commonly referred to as “The Grove.” The Grove is an area of land surrounded by the South Golf Course with a tributary of Milliken Creek running through it from north to south. The area is developed in a manner similar to an urban park, with professional landscaping, a large courtyard patio, foot and golf cart bridges, golf course restrooms, and a burger and hotdog stand, as well as a fenced off area for equipment storage. The area experiences heavy pedestrian and golf cart traffic on a daily basis throughout the year as guests of the resort often congregate in the courtyard patio area to eat and socialize. The site is also the location of several events throughout the year that primarily consist of weddings, dinners, and musical performances. The proposed pavilion and lounge will provide additional facilities and accommodation for hosting these events.

Noise

The applicants have submitted a Grove Event Noise Study completed by Salter Acoustical Consultants dated September 30, 2024 (See Attachment G). The study is based on two noise measurement locations, one attached to the courtyard perimeter fence, and another attached to a tree near the property line and closest residence to the proposed project. Three outdoor events were measured, including a dinner with 25 guests that took place on August 28, 2024, a wedding with 200 guests that took place on August 31, 2024, and another wedding with 100 guests that took place on September 1, 2024.

The dinner included an amplified violin and background music and reached a decibel level (dBA) of 57 dBA at the measurement location near the property line. The August 31st wedding included a 14-piece amplified band and reached 78 dBA at the property line, while the September 1st wedding included a DJ and reached 73 dBA at the property line. These existing noise levels approach or exceed the exterior noise levels in General Plan Policy CC-38 for urban single-family and duplex residential units for both daytime (7 a.m. to 10 p.m. - 60 dBA) and nighttime (10 p.m. to 7 a.m. - 50 dBA) levels. The Noise Study demonstrated that to maintain noise levels at or below the County's noise thresholds, amplified bands and DJs will need to be moved indoors to the new Pavilion Building, the new event space will be designed to have interior acoustic treatment to reduce overall noise levels, ceremonies with low-level speech reinforcement may continue to be held outdoors. There will be no change in event types, the maximum size of events, or duration compared to existing operations. With exterior doors and windows shut, and with standard exterior construction, a significant noise reduction of at least 35 dBA at the property line is expected. Furthermore, a 2002 condition of approval from a previous modification to use permit (Permit #02033 - Condition 7) states the following:

NOISE: There shall be no amplified sound system or amplified music utilized outside. Musical programs shall be limited to those permitted in conjunction with an event and approved by Temporary Event License (Napa County Code Chapter 5.36). All mechanical equipment such as ventilation systems, compressors for refrigeration and generators shall be located inside the facility or within acoustic enclosures. Construction activities shall comply with Section 8.16 of Napa County Code.

With this condition and the noise reducing features identified in the Grove Event Noise Study, the construction and use of the proposed structures will reduce excessive noise and ensure the parcel is meeting the noise standards described in the Napa County Code and the General Plan.

Tree Removal

As part of the project proposal, eight valley oak trees have been marked for removal to construct the proposed structures. This is a reduction from the removal of ten valley oak trees originally proposed. The diameter at breast height (DBH) of the eight trees to be removed range from 14 inches to 38 inches, with approximately 91 trees identified on the site plans that are within immediate proximity to the proposed structures and will be preserved. The project is located within the PD zoning district, and as such the Napa County Conservation Regulations, specifically those described in NCC §18.108.020(C) for vegetation removal mitigation requiring a 3:1 replanting ratio, do not apply to the project. Despite this, General Plan Policy CON-24, which requires the replacement of lost oak woodlands or the preservation of like habitat at a 2:1 ratio, does apply to the project. The project is proposing a 4:1 replacement ratio for the eight valley oak trees to be removed, with submitted plans for the replanting of 32 valley oak trees on the property (See Attachment H). The 32 trees will be planted across six designated areas on the parcel and will include a minimum size of 15-gallon oak plantings.

Road and Street Standards Exception

The Engineering Division received a request by Sherwood Design Engineers, dated January 23, 2025, for an exception to the design criteria as outlined in the latest edition of the Napa County Road and Street Standards (NCRSS) as part of the application for the Minor Modification to Use Permit. Emergency vehicle access to the project site is proposed via Westgate Drive, and the applicant is seeking an exception to allow the turnaround to be greater than 50 ft from the proposed lounge structure. All other portions of the proposed and existing driveway will be improved to minimum design standards for emergency vehicle access, per the NCRSS.

On February 27, 2025, the Engineering Division provided an evaluation and recommendations (See Attachment A), which concluded that the request included the necessary documentation to recommend approval of the RSS Exception. The project site is located entirely within the Local Responsibility Area (LRA) according to the Cal Fire's Fire Hazard Severity Zones Map. The property is also not designated as being in a Very High Fire Hazard Severity Zone. In accordance with Section 5 and Section 3 of the RSS, the Request has demonstrated that the project as proposed will provide measures which provide safe access for emergency apparatus, safe civilian evacuation, and the avoidance of delays in emergency response based on the demands of the property.

These determinations are based on existing site conditions and previous approvals. The Engineering Division supports the approval of the exception request as proposed with conditions that are in addition to all conditions previously placed on the project as part of the discretionary application. All roadway improvements shall be completed prior to execution of any new entitlement or final on all new development proposed. The private drive surface shall be periodically maintained by the property owner to assure sufficient structural section for

loading conditions equivalent to support apparatus weighing 75,000 pounds, and the design Traffic Index. The property owner shall also install clear directional signage at the entrance to the driveway and all internal roadways. The directional signage shall be consistent with California Department of Forestry and Fire Protection requirements, and roadway improvements shall be constructed and maintained to the approved condition prior to any new commercial use and/or occupancy. Further details on the County's RSS Exception requirements can be found in Attachment B.

Public Comments

At the time this staff report was completed, the Napa County Planning Division received 32 written public comments between June 21, 2024, and January 28, 2025. Of these 32 public comments, four of them were neutral requests for further information while two of them, including the last received, were in support of the project. The 26 emails that were in opposition to the project primarily came from neighboring residents and HOA representatives, and raised concerns over the removal of trees, the size of the structure, evacuation routes, traffic and parking, impacts on watercourses and flooding, the loss of community gathering space, and impacts on wildlife (See Attachment I).

On January 28, 2025, a Letter of Support was submitted from the Grove at Silverado Homeowners Association. The letter states that several concerns have been addressed through meetings with the Silverado Management Team, and that the HOA had entered into a private agreement with Silverado, with support from 31 homes immediately adjacent to the event center location. Support for moving outdoor events into an indoor facility to reduce noise levels was specifically expressed in the letter.

Decision Making Options:

As noted in the Executive Summary Section above, staff is recommending the Planning Commission approve the project as proposed, subject to the Findings and Conditions of Approval in Attachments A & B. Decision making options include the following:

Option 1 - Applicant's Proposal (Staff Recommendation)

Disposition - This action would result in the adoption of the Categorical Exemptions, approval of the Napa County Road and Street Standards Exception, and approval of a Minor Modification to Use Permit for the Silverado Resort and Spa to approve one 9,308 square-foot pavilion and one 1,750 square-foot lounge to be used for events. Staff recommends this option as the request is consistent with the Zoning Ordinance, applicable General Plan policies, and other County regulations as presented in the Recommended Findings (Attachment A).

Action Required - Follow the proposed action listed in the Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at time motion is made. This option has been analyzed for its environmental impacts, and the project was found to be categorically exempt from CEQA.

Option 2 - Modify the Applicant's Proposal

Disposition - This option would result in modification of the proposed project and use to address concerns of the Planning Commission and/or public comments if solicited.

Action Required - Follow proposed actions listed in the Executive Summary and recommend amended scope and applicable conditions of approval. The item may need to be continued to a future date if significant revisions to the recommended conditions of approval are desired.

Option 3 - Deny Proposed Project

Disposition - In the event the Planning Commission determines that the project does not, or cannot, meet the required findings for the granting of the Minor Modification to Use Permit, the Commission should articulate what aspects of the project are in conflict with the required findings. State Law requires the Commission to adopt findings, based on the General Plan and County Code, setting forth why the proposed Minor Modification to Use Permit is not being approved.

Action Required - The Commission would move to deny the project.

Attachments:

A. Recommended Findings
B. Recommended Conditions of Approval and Final Agency Memos

C. CEQA Exemption Memorandum
D. Minor Modification to Use Permit Application Packet
E. Water Availability Analysis, Wastewater Feasibility Study, & Stormwater Control Plan
F. Habitat Assessment
G. The Grove Event Noise Study
H. Graphics
I. Public Comments

EXHIBIT B

“C”

CEQA Exemption Memorandum

Silverado Resort & Spa Project
Minor Modification to Non-Winery Use Permit P24-00141-MM
Planning Commission Hearing – October 15, 2025

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Brian D. Bordona
Director

To:	Brian D. Bordona, PBES Director	From:	Andrew Amelung, Planner II
Date:	October 15, 2025	Re:	P24-00141-MM Silverado Resort & Spa Use Permit Minor Modification Categorical Exemption Determination 1600 Atlas Peak Rd, Napa APN: 060-010-001-000

Background:

The proposed project will allow the conversion an existing outdoor hospitality area consisting of a landscaped courtyard, storage shed, staging structure, and burger shack all known as The Grove to an indoor event pavilion (9,308 square feet) and an event lounge (1,750 square feet). The proposed construction will result in an additional 11,058 square feet of resort use to the existing resort mansion (21,080 square feet), convention center (26,100 square feet), and hotel space (221,000 square feet). The proposal also involves landscaping elements that include event and activity lawns (19,062 square feet), landscaped planting beds (23,456 square feet), and native grass area (41,224 square feet). An Exception to the Napa County Road and Street Standards (RSS) is also requested to permit a firetruck turnaround and Emergency Vehicle Access (EVA) road to be located approximately 260 feet from the proposed event lounge. The RSS require that the EVA be no greater than 50 feet from the proposed event lounge. The Exception to the RSS is requested to preserve the natural location of an unnamed blue line stream that serves as a tributary to Milliken Creek. The removal of eight valley oak trees is included in the project proposal, with a replanting ratio of 4:1 resulting in 32 new valley oaks of 15-gallon minimum size will be planted on the property.

Under Napa County Code (NCC) §18.124.130, minor modifications to use permits can be approved by the zoning administrator or the Planning Commission for changes in location and/or size of approved structures or portions thereof, 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. The proposed increase of 11,358 square feet of resort space represents a 24.1 percent increase to just the resort mansion and convention center, however when the 221,000 square feet of hotel space is included, it represents merely 4.24 percent increase in size. The Silverado Resort and Spa, also known as the Silverado Resort and Country Club, is one of the oldest Master-Planned Development Projects in Napa County. With the original golf

course dating back to the 1950s, the resort itself was established first through a 1964 rezone to the PC (Planned Community) zoning district, followed by the approval of a master site plan and use permit. Several additional ministerial and discretionary permits have been approved since then, including additional community subdivisions, remodel permits for the clubhouse and pro shop, outdoor advertising permits, expansions to the clubhouse and conference center, building permits for accessory structures, watercourse alteration permits, parking expansions, and tournament entitlements.

The Planned Development (PD) zoning district (formerly the PC zoning district) is intended to be applied in those areas of the county shown as "urban residential" to increase the opportunity for diversified uses by providing a means for integrating townhouse, row house, condominium and cluster housing in a desirable relationship to planned common use space, limited commercial, institutional, educational, cultural, recreational and other uses, while at the same time preserving the quality of urban environment fostered by the general plan.

Existing Conditions and Environment Setting:

The proposed project is located on an approximately 278.73-acre parcel within the PD zoning district with an Urban Residential (UR) General Plan designation located at 1600 Atlas Peak Rd, Napa, CA; APN: 060-010-001-000. The project site, as well as much of the surrounding area, has been heavily modified by decades of master-planned resort and residential development. The site is located within an area of the Silverado Resort and Spa commonly referred to as "The Grove." The Grove is an area of land surrounded by the South Golf Course with a tributary of Milliken Creek running through it from north to south. The area is developed in a manner similar to an urban park, with professional landscaping, a large courtyard patio, foot and golf cart bridges, golf course restrooms, and a burger and hotdog stand, as well as a fenced off area for equipment storage. The area experiences heavy pedestrian and golf cart traffic throughout the day as guests of the resort often congregate in the courtyard patio area to eat and socialize. The site is also the location of several events throughout the year that primarily consist of weddings, dinners, and musical performances. The proposed pavilion and lounge will provide additional facilities and accommodation for hosting these events throughout the year. The number of events, type of events and duration of events will not increase and will remain consistent with existing operations.

Primary access to the project site is from Atlas Peak Road, a designated a county collector road, with access to Hardman Avenue, a county arterial road approximately 0.12 miles to the north, as well as Highway 121 (Monticello Road), another county arterial road, approximately 0.84 miles to the south. Additional emergency vehicle access routes connect to the project site via Hillcrest Road, which also has access to Highway 121 located approximately 0.61 miles from the emergency access point. Highway 121 is a designated viewshed road, however the project site is not visible from any vantage points within the immediate vicinity.

Land uses within the immediate vicinity include planned development, urban residential, single and multifamily units developed within 24 distinct clusters that are part of the original master-planned community. In 1981, a Development Agreement was adopted by the Board of Supervisors that replaced an unbuilt shopping center and unbuilt condominiums with single family residences. The agreement identified cluster units that are subject to being rented on a daily, weekly, or other limited term basis, and to this day these are the only residential units within the County that are entitled to short-term rentals and transient occupancy. Other land uses within one mile of the proposed project include rural

residential units and agriculture, primarily vineyards, orchards and grazing land, in the AP, AW, and RC zoning districts to the west, rural residences and open space in the AW zoning districts to the north and east, and more densely populated residential units in the RC and RS zoning districts to the south.

The City of Napa is approximately 1.63 miles to the south, and the area immediately to the south and southwest of the project parcel is classified as a secondary sphere of influence study area (Monticello Area) in the 2014 City of Napa Sphere of Influence Review and Update. The parcel is currently served by City of Napa utilities, and the proposed project will continue to utilize City of Napa Water District and Napa Sanitation District services. The proposed project is located in the County of Napa garbage and recycling Zone 1, an area that is served as part of an exclusive franchise agreement with Napa County Recycling and Waste Services. The project is located within the Napa Valley Unified School District, with one elementary school located within one mile. The Napa County Airport is the closest airport located approximately 8.65 miles from the proposed project. There are two producing wineries within the immediate vicinity of the proposed project: William Hill Winery is located on an adjacent parcel to the northwest, and is currently producing up to 720,000 gallons of wine per year, with visitation entitlements of up to 13,000 visitors per year, while Del Dotto Winery is located just south of the proposal, and is currently producing up to 20,000 gallons per year, with visitation entitlements of up to 2,600 visitors per year.

There are two primary geologic units at the project site. To the west there is a quaternary surficial alluvium deposit from the Holocene and late Pleistocene epoch, while to the east there is a Sonoma volcanic sedimentary deposit from the Pliocene-Miocene epoch. This divide has resulted in two primary soil types: Yolo loam found in the alluvium deposit to the east and Hambright-Rock outcrop complex found in the volcanic sedimentary deposit to the west. Yolo loam generally occurs in areas between 0 to 10 percent slope, is well drained with moderate permeability and a high, water capacity and can be susceptible to erosion. It is often found in valleys and areas of prime farmland. Hambright-Rock outcrop complex generally occurs in areas between 2 to 30 percent slope, is well drained with a very low water capacity and moderate permeability, and it has medium to rapid runoff. This soil type is unique to this specific geographic area and can be found on hillsides generally used for grazing.

The project site is not in a dam levee inundation area, is not located near areas prone to landslides, and is approximately 0.69 miles to the east from Fault 62500, the nearest active fault. A major safety hazard associated with the project site is the existing floodplain. According to the National Flood Hazard Layer from FEMA, areas surrounding the project site, including portions of proposed landscape area, are within Flood Hazard Areas A and AE, meaning these areas are subject to inundation by the one percent chance or 100-year floodplain area and are considered high-risk flood zones.

The tributary of Milliken Creek that runs north to south through the Grove merges with Milliken Creek approximately 2,210 feet south-southwest of the project site. The tributary is intermittent with a relatively narrow riparian zone dominated by valley oaks and ash trees. The channel which is typically dry will experience high, fast water events associated with prolonged or heavy rainfall. The confluence of Milliken Creek and the Napa River is located approximately 2.22 miles downstream from its merger with the tributary.

According to Napa County GIS data, Milliken Creek is identified as a Key Riparian Corridor using a dataset that is comprised of rivers and streams selected from Steelhead trout critical habitat (NOAA

Fisheries, Southwest Regional Office), runs for Steelhead trout (Leidy, et al. 2005, Becker et al. 2007, Becker and Reining 2008, 2009) or Coho Salmon (Shannon and Christy 2010), or streams inhabited by either California roach or riffle sculpin (Leidy 2008). While Milliken Creek is identified as a Key Riparian Corridor, the tributary that runs through the project site is not.

The Napa County GIS Vegetation dataset identifies the area as containing riparian woodland and developed area vegetation types. This is based on mapping that was completed in 2016 by a University of California Davis group using a 2016 edition of one meter color aerial imagery taken by the National Agriculture Imagery Program (NAIP) as the base imagery. While aerial imagery can provide baseline information, actual site conditions vary significantly from what is visible on aerial images with what is observed during site assessments, and ground reviews are necessary to confirm the presence, extent, and condition of habitat types.

According to the California Natural Diversity Database (CNDDB), the project site is not part of an area identified as a habitat for rare species or natural community types, however there are two areas on the parcel identified for rare species. Occurrences of Napa bluecurls (trichostema ruygtii) have been identified approximately 0.35 miles to the west of the proposed project. The Napa bluecurl is a species of flowering plant in the mint family and was first described in 2006. It can be found along Atlas Peak Road near the resort entrance. Approximately 0.62 miles to the north, occurrences of narrow-anthered brodiaea (brodiaea leptandra) have been identified, which is a perennial herb that is native and endemic to California. Neither species were identified in the habitat assessment and are not believed to occur at the project site.

Zentner Planning and Ecology conducted a site review and habitat assessment of the project site on August 19, 2024. Regarding the mapped riparian woodland habitat classification, the assessment concluded that this "is a good example of when large-scale mapping based on aerial images can be inaccurate." The mapped riparian woodland vegetation community is shown as extending north, northwest of the project site into the center portion of the golf course. This center portion of the mapped area is devoid of any waterways and the understory and surroundings are developed golf course fairways and rough; it is not riparian habitat. In addition to this, the study concludes that the mapping fails to pick up numerous other pockets of relictual oak woodland habitat within and outside the resort and instead labels much of the parcel as it all as "Developed" which is the case for a majority of the project site. The assessment goes on to state the "project site and surrounding oak trees are, in fact, remnants of oak woodland and oak savannah habitat that once dominated this region."

Concerning the riparian classification, the assessment states that "(at) the project site, the presence of hydrophytic vegetation and other riparian indicators occur within the ephemeral channel's top of bank. A true riparian habitat, such as that which exists (on the parcel) at Milliken Creek, contains a diverse structure of vegetation with different levels of canopy. Instead of this, the ephemeral tributary onsite contains a scattering of primarily valley oaks within the top of bank, with little to no vegetation beneath, except non-native annual grassland." This non-native annual grassland is also part of the golf course rough.

The project is located within the PD zoning district, and as such the 3:1 replacement ratio described in Napa County Code §18.108.020 (Conservation Regulations) for the AW zoning district does not apply. Despite this, the project is proposing a 4:1 replacement ratio for the eight valley oak trees to be

removed, with submitted plans for the replanting of 32 valley oak trees on the property (See Attachment H). This is consistent with General Plan Policy CON-24, which requires the replacement of lost oak woodlands or preservation of like habitat at a minimum of 2:1 ratio when retention of existing vegetation is found to be infeasible. The 32 trees will be planted across six designated areas on the parcel and will include a minimum size of 15-gallon oak plantings. The eight valley oak trees to be removed represent a reduction from the original ten valley oak trees marked for removal, and an amended habitat assessment dated August 27, 2025 has been submitted to reflect the reduction in tree removal and increase in replanting ratio.

The applicants submitted a Grove Event Noise Study completed by Salter Acoustical Consultants dated September 30, 2024 (See Attachment G). The study is based on two noise measurement locations, one attached to the courtyard perimeter fence and another was attached to a tree near the property line and closest residence to the proposed project. Three outdoor events were measured that include a dinner with 25 guests that took place on August 28, 2024, a wedding with 200 guests that took place on August 31, 2024, and another wedding with 100 guests that took place on September 1, 2024. The dinner included an amplified violin and background music and reached a decibel level (dBA) of 57 dBA at the measurement location near the property line. The August 31st wedding included a 14-piece amplified band and reached 78 dBA at the property line, while the September 1st wedding included a DJ and reached 73 dBA at the property line. These existing noise levels approach or exceed the exterior noise levels described in General Plan Policy CC-38 for urban single-family and duplex residential units for both daytime (7 a.m. to 10 p.m. – 60 dBA) and nighttime (10 p.m. to 7 a.m. – 50 dBA) levels. The Noise Study demonstrated that with the amplified bands and DJs being moved indoors to the new Pavilion Building, the new event space will have interior acoustic treatment to reduce overall noise levels below the County's maximum daytime and nighttime noise thresholds. Ceremonies with without amplified noise that would exceed Napa County noise standards will still be held outdoors, and there will be no change in event types, maximum size, or duration compared to existing operations. With exterior doors and windows shut and the physical design features described below incorporated into the new Pavillion Building, a significant noise reduction of at least 35 dBA at the property line would prevent exceedances of the noise thresholds.

To further support this reduction in noise, the applicant provided a follow-up noise study that clarified the lounge structure will not be a source of noise exceeding General Plan standards, and the pavilion building design will incorporate the following physical features to reduce noise to acceptable levels: acoustic panels Type AP-1 with MechoShade blackout shades for exterior glazing, which will effectively reduce overall noise buildup within the space. The walls will be Type W1, which is an insulated single metal stud wall with one layer of gypsum board on the interior, with the exterior face being comprised of plywood, one-inch-thick sheathing, and polyash siding finish. Exterior glass swing doors will use a tested STC 33 system with 3/4-inch-thick glass with 3/8-inch airspace, kerfed gaskets, door sweeps, door shoes, and weather stripping, in addition to exterior glass bifold doors using a tested STC 41 system. All of these features, other exterior glazing improvements and closure of exterior doors and windows during all events will ensure the noise reduction of at least 35 dBA at the property line. The applicant's revised project description includes when doors and windows are shut during all events with amplified noise that could exceed Napa County noise standards, and that the amplified noise will be reduced to below that standard, as event sizes can range from small groups to over 600 people. These measures have also been included in the Condition of Approval.

CEQA Exemption Criteria and Analysis:
Article 19 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) establishes a list of classes of projects that are categorically exempt from the provisions of CEQA. This project qualifies as an exempt activity under two (2) sections of Article 19:

Class 1: Existing Facilities [California Code of Regulations (CCR) §15301(c)]
Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

Analysis: Napa County CEQA Guidelines for Class 1: Existing Facilities, Section 3, describes Very Minor and Minor Modifications of existing use permits in conformance with NCC §18.124.130(B) as qualifying as a Class 1 Categorical Exemption. The proposed project meets the requirements NCC §18.124.130(B) as the increase of 4.24 percent of aggregate resort square footage does not exceed the 25 percent threshold described in NCC §18.124.130(B). Furthermore, the key consideration for existing facilities is whether the project involves negligible or no expansion of use. Weddings and events are already allowed at the resort throughout the year with a number of options for venue locations, and while the proposed project will allow weddings at The Grove location to extend beyond May through October, it will not allow for any increase in the intensity of use for events as the resort currently has no limit on the number of events it can host throughout the year, and as such there will be a negligible expansion of use from their existing entitlement.

Class 4: Minor Alterations to Land [California Code of Regulations (CCR) §15304(a), (b), and (f)]
Consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Examples include but are not limited to:

(a) Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist.

(b) New gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire-resistant landscaping.

(f) Minor trenching and backfilling where the surface is restored.

Analysis: The project involves minor private alterations in the condition of land and vegetation. The project proposes the removal of ten valley oak trees that are healthy and mature, however they are not located in a designated scenic corridor and are not visible from a designated scenic road, and as such would not qualify as scenic trees. The primary development site, including the emergency vehicle access path, consists mostly of slopes between 0-5 percent, overall it does not exceed 10 percent, and will not occur in any waterway or wetland. The project is not located in a severe geologic hazard area or seismic

hazard zone. All new landscaping can be considered a replacement of the existing landscaped area and will be required to meet Napa County's Water Efficient Landscape Ordinance standards. Minor trenching for utility connections will include backfill and the surface will be restored.

Conclusion:

The project is categorically exempt from CEQA under §15301, §15304(a), (b), and (f), Under CEQA §15300.2, a project may only qualify as a Class 4 categorical exemption if the project does not present any significant effects due to unusual circumstances, cumulative impacts, scenic highways, hazardous waste sites, or historical resources. The proposed project is in the Planned Development zoning district and Urban Residential General Plan Designation, both of which support a project of this nature within Napa County. No cumulative impacts are expected as the master-planned resort has been designed for such capacity and use. The project site is not situated in a scenic corridor and is not visible from any Napa County viewshed roads. The project is not located on a hazardous waste site, and a statement has been prepared by the applicant demonstrates the removal of the existing "Burgerdog Shack" currently located at the project site does not constitute an impact to any historical resource. Therefore, the project does not present any exceptions to the Class 4 categorical exemption.

EXHIBIT C

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July 21, 2025

Brian Bordona
Director
Planning, Building & Environmental Services
Andrew Amelung
Planner II
1195 Third Street, 2nd Floor
Napa, CA 94559

Re: Silverado Resort & Spa Minor Use Permit Modification Revised Project Statement
PBES File No. P24000141; minor square footage corrections and Burger Shack

Dear Brian and Andrew:

On behalf of Silverado Resort & Spa you will find submitted with this revised project statement (original submitted in May 2024, augmented in January 2025) and on March 4th, which responds to comments provided in July from PBES, a response to comments memorandum prepared by Sherwood Design Engineers, the revised plans and two reports listed on pages 3-4. As already mentioned, Silverado Resort & Spa looks forward to working with PBES toward an efficient project approval and our entire support team, including Sherwood Design Engineers, are ready to respond to your questions or comments.

The Proposed Project

This application seeks approval for the modification of the outdoor hospitality facility commonly referred to as the “Grove”. The Grove presently consists of a significant landscaped courtyard area, with a storage shed, a staging structure, and a burger shack and a pavilion. The Grove has generally been in its improved/disturbed state, hosting events since the opening in 1967 of the South golf course, to which the Grove is adjacent. This application seeks approval for the replacement of the existing structures with and “atrium building of about 9,308 sf., with about 6,000 sf. of event space and a 1,000 square-foot catering kitchen, as well as a separate bridal lounge of approximately 1,750 sf. An improved event lawn would be a part of the Grove. The burger shack, which is about 50 years old, would be replaced with an upgraded and relocated facility that is an exterior facing portion of the northeast corner of the atrium building.

As with the existing Grove facilities, the proposed Grove would continue to be used by resort guests and Country Club members and continue to be served by existing resort employees. Accessibility, egress and building construction would all be pursuant to applicable, grading, building, and other codes. The proposed Grove is internal to the operations of the resort and will not introduce new uses. The proposal will allow the Resort to accommodate events at the Grove

on a year-round basis, in an indoor and air-conditioned building. Currently, the Grove is only available for guest use from mid-May to late-October, due to weather constraints.

The Grove usually hosts approximately 60-65 events each year, many of them with amplified sound. With the advent of a year- round facility, it is proposed that the Grove will be able to host an additional 45 – 50 events per year, primarily in the time period of late October to early May. It is anticipated that about 60% of these events will be new events, many of which will require overnight guest rooms as part of new bookings. Other events that are anticipated will be from existing groups that are staying in the resort, but will now be utilizing the new Grove instead of being transported to an off-site facility, either a restaurant or winery. So the new Grove, as proposed, will help the resort function better on a year-round basis, adding to the overnight guest room rentals in the resort's existing room rental pool.

It is important to note that Silverado Resort and Spa has been approved as a full service resort since its inception, which means it can operate every day as though it were booked full with guests and events for those guests. This means that the Grove as currently configured, or the new Grove if approved, could host an event 365 days a year.

The new lounge building, intended for use for bridal parties will provide a new facility for bridal parties adjacent to the Grove. Currently, bridal parties utilize a guest room and/or suite for the purpose of pre-wedding activities and are driven to the facility in a passenger golf cart.

The proposed Grove will not create any increase in the daily maximum number of employees, guests, or visitors already approved for Silverado. Thus the proposed Grove will not go beyond its existing approved pattern of use, with water as provided by the City of Napa or sewer as provided for by Napa Sanitation District. No increase in allowed uses are proposed and no new uses are proposed. The proposal does not result in any increase in density or intensity of use. Furthermore, no increase in traffic will result from this proposal, nor will additional parking be required. Please see the 1999 traffic study and parking study prepared by Silverado in conjunction with the County's approval of the Spa, which studied the resort at full capacity (with and without the Spa) at that time, which necessarily included events at the Grove. Those two 1999 studies found parking to be more than adequate at the resort and the County's approval of the Spa. Silverado has a traffic light installed at its entrance on Atlas Peak Road.

In terms of the square footage proposed for the new Grove, when set against the already approved and developed square footage of the buildings at Silverado (see below), the application qualifies as a minor modification under current County code section 18.124.130.

The proposed Grove will continue to operate as the existing Grove does, with events ending at 10 p.m. The proposed building's design speaks for itself, it will comply with the County's ordinances regarding lighting and as to noise when the doors and windows are closed. Silverado believes there will be minimal, if any, visual effects on neighboring residents.

The proposed Grove, as can be seen from the submitted landscaping plans, provides for the preservation of a number of oak trees and the mitigation at a 3 to 1 ratio for valley oak trees to be removed.

Silverado Background

Briefly, Silverado's original use permit for "commercial, apartments, townhouses, country club, resort, golf course, single family dwellings and related uses" was approved 1964 (File No. 37-64). But, the Vichy Springs Resort was developed on the property in 1953 as was an 18 hole golf course. Since 1964 a series of master plans and development agreements, with environmental impact reports, were approved by the County of Napa, with the last development agreement expiring in 1991. In 1999 the Spa was approved (with thorough analyses of Silverado's theoretical maximum traffic and parking based on existing approved capacities, plus the Spa) and in 2002 an expansion of the clubhouse, its restaurant and office buildings was approved.

Silverado includes 550 resort hotel rooms and condominiums (of which 340 are managed by the resort), the Miller Mansion (21,080 sf.), the Conference Center attached to the Miller Mansion (26,100 sf.), the Spa (17,485 sf.), and a number of other minor structures (about 4,000 sf.). The managed hotel rooms and condominiums total to about 221,000 sf., with the other structures adding to about 68,600 sf.

Silverado is one of Napa County's largest private employers with about 462 employees, with about 80 of those employees supporting the Grove, depending upon the size of the event being hosted there. Historically, a core component of Silverado's business is its hosting a large number of events each year, including weddings, conventions, a professional golf tournament and other events. The event business is a vital engine to Silverado and to Napa Valley as a whole. The Grove hosts a significant number of weddings and events every year, with 63 weddings planned for this year and 65 held last year. Other events at the Grove include conference lunches and dinners and other business or civic group lunches and dinners, including some events exceeding 600 guests.

An excellent indicator of Silverado's robust hospitality business and its benefits to the entire community is Silverado's 2023 transient occupancy tax contribution to the County of Napa was over $4,000,000.

CEQA

This application should meet the criteria for a CEQA Categorical exemption commonly referred to as the "common sense exemption" as set for in a CEQA Guidelines section 15061, which states: *If it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA*.

The Common Sense Exemption was adopted to the CEQA Guidelines to guard against the possibility that an obviously exempt type of project, but one not listed in the more specific guidelines for categorical exemptions "might be required needlessly to comply with the requirements of CEQA." *Myers v. Board of Supervisors* (1976) 58CA3d 413, 425. It is intended to be a "catch all". *Muzzy Ranch Co. v. Solano County Airport Land Use Comm'n* (2007) 41 C4th 372 ("Muzzy Ranch"). As established in this application missive, and support materials, there is a meaningful amount of evidence to support the County's decision that this project is subject to this Common Sense Exemption.

Revised Plans Included With Resubmittal

The revised plans show:

- A new sewer connection to Napa San facilities, no onsite septic system
- A new water connection per City of Napa comments
- A new EVA access plan to come across the south golf course to Hillcrest Ave., per comments from Napa Fire
- A Revised Water Availability Analysis responding to staff comments

New Submittals

Being submitted for the first time, in response to comments and concerns from staff, are a Response to Comments Memorandum by Sherwood Design Engineers, a Stormwater Control Plan Report, a Habitat Assessment prepared by Zentner Planning and Ecology, and a Noise Study prepared by Salter Acoustics. The Habitat Assessment focuses on the Grove area oak trees and riparian banks. The Noise Study focuses on existing event noise at the Grove juxtaposed with event noise for the Grove once the proposal's new event building is built, indicating a significant improvement in noise for nearby residents when that new event building is used.

To support the reduction in noise for the new Grove, the new event building design will incorporate a variety of physical features and characteristics to reduce noise to acceptable levels. Those features and characteristics are elaborated upon in the Noise Study. All of those features and closure of exterior doors and windows during events will ensure the noise reduction of at least 35 dBA at the property line when the doors and windows are closed during events. When doors and windows are shut during events with amplified noise that could exceed Napa County noise standards that the amplified noise will be reduced below that standard.

If you have questions or comments on the application materials provided, our team is ready to address those things promptly and professionally.

Cordially,

Scott Greenwood-Meinert

attachments

EXHIBIT D

2.0 WATER DEMAND

2.1 Existing Landscape Irrigation Demand

The existing landscape areas at the Grove include:

- 61,550 square feet (sf) of turf grass
- 16,150 sf of low to moderate water usage plants.

Existing water meter readings were not available for the Grove area for landscape irrigation values. The existing landscape water usage is estimated based on the Model Water Efficient Landscape Ordinance (MWELO) worksheet for estimating water usage based on plant type, irrigation efficiency, and climate. The plant types are based on observation of existing plant type as well as discussions with the landscape architect. The plant factors for the corresponding plant types are referenced from the Department of Water Resources 2000 publication of "Water Use Classification of Landscape Species (WUCOLS). The Estimated Total Water Usage (ETWU) for the existing landscape areas is calculated to be 6.42 acre-feet/year. Refer to the Existing Landscape Area Exhibit in Attachment 1 for the proposed landscape areas, plant types, and the corresponding plant factors. Refer to Attachment 2 of the MWELO water use calculations.

2.2 Proposed Landscape Irrigation Demand

The proposed landscape areas at the Grove include:

- 19,062 sf of turf grass
- 23,456 sf of low to moderate water usage plants
- 41,224 native grasses

The proposed irrigation demand is estimated based on the proposed landscape areas and the MWELO worksheet for estimating water usage. The proposed plant types and corresponding Plant Factors are included in Attachment 3. The ETWU for the existing landscape areas is calculated to be 3.62 acre-feet/year.

The MWELO criteria requires the ETWU for the project to be equal or less than the Maximum Applied Water Usage (MAWA) for the proposed development. The MAWA for the proposed landscape area is calculated to be 4.34 acre-feet/year. The calculated ETWU is less than the calculated MAWA which is compliant with the MWELO criteria for water efficiency.

Refer to the Proposed Landscape Area Exhibit in Attachment 1 for the location of proposed landscape areas, plant types, and the corresponding plant factors. Refer to Attachment 2 for the MWELO water use calculations.

3.0 CONCLUSION

Per Table 2A of the WAA Guidance Document the MST Groundwater Deficient Area screening criterion is 0.3 acre-feet per acre per year or "no net increase" over existing conditions. Domestic water is sourced from the City of Napa municipal water system and is not proposed to increase as part of this project. The project is proposing a decrease in landscape irrigation water which is sourced from groundwater wells. The project proposes a decrease in water usage from 6.42 acre-feet per year to 3.62 acre-feet per year by replacing turf grass with lower water use plantings.

The proposed decrease in water usage associated with the Minor Modification Permit Application are within the Tier 1 criteria set forward by the WAA guidance document.

EXHIBIT E

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2.0 EXISTING WASTEWATER SYSTEM

Sanitary wastewater generated from the Silverado Resort & Spa is predominately discharged to the Napa Sanitation District. The project is not proposing any modifications to the existing wastewater system nor an increase in wastewater flows to the Napa Sanitation District. The project is proposing to disperse wastewater generated from the Grove event buildings to a designated and proposed OWTS. The existing

[1] National Hydrography Dataset (NHD) Permanent Identifier 41663111

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restroom building located near the Grove area will remain and the existing septic system that serves the restroom will also remain in place.

3.0 PROPOSED ONSITE WASTEWATER TREATMENT SYSTEM

3.1 Wastewater Demand

Sanitary wastewater from the proposed project will be generated by employees and visitors using the event area. The Use Permit Minor Modification does not propose an increase in employees and visitors. The events are already occurring onsite and are proposed to occur in the proposed event buildings.

Based on discussions with the Silverado Resort & Spa, the Grove event area is anticipated to include the following uses on a peak day scenario:

Table 1 Large Event

No.	Description
470	Maximum Guests (at Pavilion)
65	Maximum Employees (at Pavilion)
30	Maximum Guests (at Lounge)
15	Maximum Employees (at Lounge)

The kitchen included at the Pavilion is designed to be a warmup kitchen. Meal preparation for the events will be catered or prepared at existing kitchen areas onsite and then transferred to the Grove Pavilion for warmup and storage. Employees working at the event space are assumed to use the restroom facilities at the buildings 75% of the time. Employees will have access to a formal breakroom at a different onsite location. Using Napa County PBES sizing requirements, the peak daily wastewater flow is calculated below:

Table 2 Wastewater Calculations

No.	Description	Generation Rate[1] (gal/cap/day)	Utilization Rate (%)	Daily SS Flow (gpd)
470	Maximum Guests (at Pavilion)	3	100%	1,410
65	Maximum Employees (at Pavilion)	15	75%	731
30	Maximum Guests (at Lounge)	3	100%	90
15	Maximum Employees (at Lounge)	15	75%	169
			Total =	2,400

EXHIBIT F

The Grove | Scenic Event Ven
silveradoresort.com/gath...
Relaunch to update

The Grove

Up to 1,400 guests

Centuries-old oak trees with lush green foliage all around a romantic brick courtyard. Also with an expansive stage and dance area, The Grove is a blank canvas ready for any special event.

360° VIRTUAL TOUR

EXHIBIT G

building, and other codes. The proposed Grove is internal to the operations of the resort and will not introduce new uses. The proposal will allow the Resort to accommodate events at the Grove

Coblentz
Patch Duffy
& Bass LLP

on a year-round basis, in an indoor and air-conditioned building. Currently, the Grove is only available for guest use from mid-May to late-October, due to weather constraints.

The Grove usually hosts approximately 60-65 events each year, many of them with amplified sound. With the advent of a year- round facility, it is proposed that the Grove will be able to host an additional 45 – 50 events per year, primarily in the time period of late October to early May. It is anticipated that about 60% of these events will be new events, many of which will require overnight guest rooms as part of new bookings. Other events that are anticipated will be from existing groups that are staying in the resort, but will now be utilizing the new Grove instead of being transported to an off-site facility, either a restaurant or winery. So the new Grove, as proposed, will help the resort function better on a year-round basis, adding to the overnight guest room rentals in the resort's existing room rental pool.

It is important to note that Silverado Resort and Spa has been approved as a full service resort since its inception, which means it can operate every day as though it were booked full with guests and events for those guests. This means that the Grove as currently configured, or the new Grove if approved, could host an event 365 days a year.

The new lounge building, intended for use for bridal parties will provide a new facility for bridal parties adjacent to the Grove. Currently, bridal parties utilize a guest room and/or suite for the purpose of pre-wedding activities and are driven to the facility in a passenger golf cart.

The proposed Grove will not create any increase in the daily maximum number of employees, guests, or visitors already approved for Silverado. Thus the proposed Grove will not go beyond its existing approved pattern of use, with water as provided by the City of Napa or sewer as provided for by Napa Sanitation District. No increase in allowed uses are proposed and no new uses are proposed. The proposal does not result in any increase in density or intensity of use. Furthermore, no increase in traffic will result from this proposal, nor will additional parking be required. Please

NapaSan

March 26, 2025

Planning, Building, & Environmental Services
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

SUBJECT: 24-00141 The Grove at Silverado Resort, REFRL-001587, Sherwood Engineers, 1600 Atlas Peak Road (Amelung)

The owner shall pay to NapaSan the prevailing fees and charges in effect as established by Resolutions and Ordinances before the issuance of a County Building Permit, and shall adhere to the rules and regulations as they apply to the application.

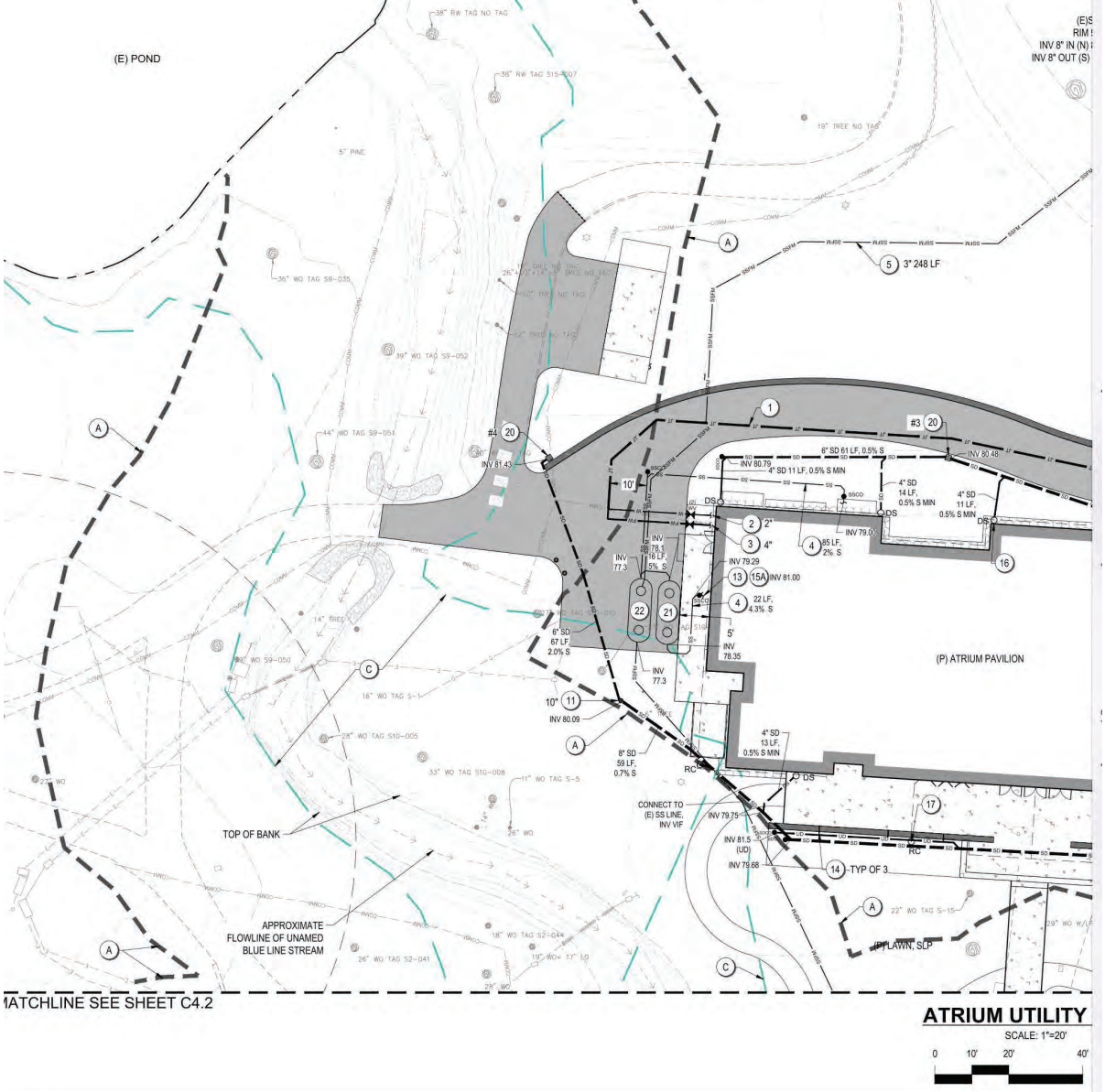
NapaSan has identified the following comments based on the current application. NapaSan reserves the right to modify the following conditions/comments based on changes to future applications or changes to the project site plan.

The proposed project shall be subject to the following conditions of approval:

1. A NapaSan permit is required for this project. A plan showing the required sanitary sewer improvements, conforming to NapaSan standards, shall be prepared by a registered civil engineer and submitted to NapaSan for approval prior to issuance of permits.

2. This project will increase projected sewer flows at a greater intensity than what was evaluated in NapaSan's 2021 Collection System Master Plan. The sewer system that serves the Silverado Resort was designed to serve a finite number of connections and is at buildout capacity. NapaSan will require the project to comply with the requirements of NapaSan Board Resolution 21-006 for wet weather flow mitigation. The requirements of Resolution 21-006 include:
   a. The developer shall enter into an agreement with NapaSan to fund all costs to design and construct an Inflow & Infiltration (I&I) reduction project located upstream of a sewer pipeline where flows are projected to be greater than capacity.
   b. The developer shall pay for NapaSan to install flow monitors in the collection system immediately upstream of the impacted pipeline during the wet weather seasons before and after the I&I project is constructed.

EXHIBIT H



ATRIUM UTILITY

SCALE: 1"=20'

0 10' 20' 40'

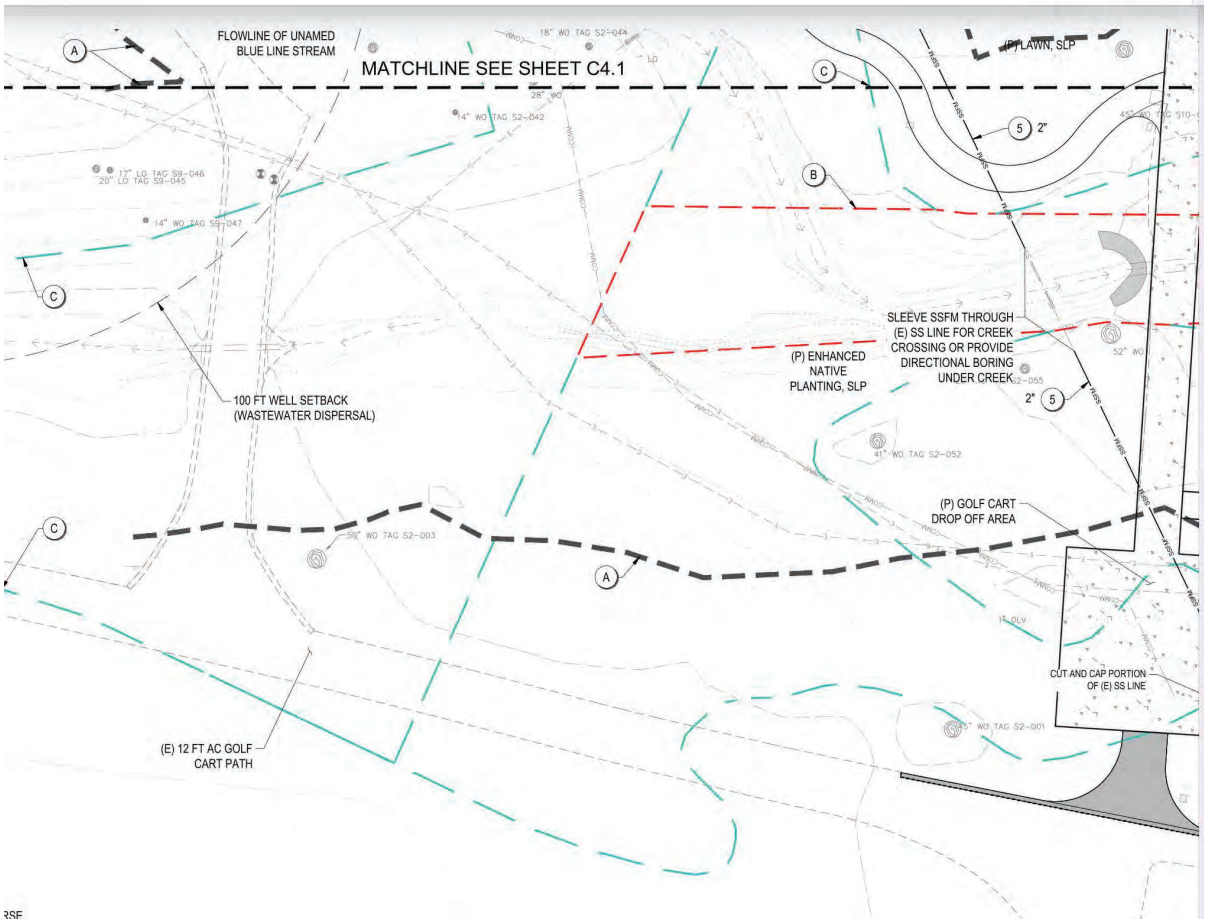


EXHIBIT I

Environmental Quality Control Division
DEPARTMENT OF PUBLIC HEALTH
1123 FIRST STREET 255-5966
NAPA, CA 94558

M E M O R A N D U M

TO: Napa County Conservation, Development & Planning Commission

FROM: Nat J. Passaglia, R. S.

SUBJECT: Application For Land Use Permit
Silverado Unit #5-B
File #L-3-5

DATE: October 30, 1973

We have reviewed the subject revised preliminary map and submit our findings relative to water supply and sewage disposal for the property:

1. We have received sufficient evidence from Mr. Carl Hieb of Sivlerado Community Services District, that an adequate supply of water for domestic use is available to serve the proposed subdivision.

2. We have received assurance from the Napa Sanitation District that it will provide service to the proposed subdivision subject to the conditions that prevail for such service.

In view of the reported constant lowering of the water table in the Hardman-McKinley Road area, this office recommends that one of the conditions of approval of this map be that no wells be drilled on any of the proposed lots. This condition should be made applicable to both domestic and irrigation wells.

NJP:ne

cc: AMFAC Silverado, 1600 Atlas Peak Road, Napa, CA

RECEIVED
OCT 30 1973
Napa County Conservation,
Development & Planning Commission

EXHIBIT J

DEPARTMENT OF PUBLIC HEALTH
division of environmental health
COUNTY OF NAPA
CARITHERS BUILDING
1123 First Street 255-5966
Napa, California 94558

RECEIVED
FEB 18 1975
Napa County Conservation,
Development & Planning Commission

MEMORANDUM

TO: Conservation, Development & Planning Commission

FROM: James E. Page, R.S. JePage

SUBJECT: Preliminary Map and Use Permit U-307475 of Amfac Silverado, to Construct 110 Unit Condominium Development on AP40-050-17 & 20

DATE: February 14, 1975

We have made an investigation of the proposal and submit the following findings:

Water is supplied in the area by the Silverado Community Services District. The District has assured us that they will provide water service to the project.

Irrigation of lands in the Silverado PC area, using underground water from wells has in the past generated charges that such activities have lowered water tables in the surrounding area. A ground water study is now in progress in the area.

Sewage collection is provided to the area by the Napa Sanitation District. The District has advised us that at the present time only 87 connections are available for use, due to the capacity of the Milliken trunk sewer line.

It is our recommendation that if the subject use is approved, the following conditions be included:

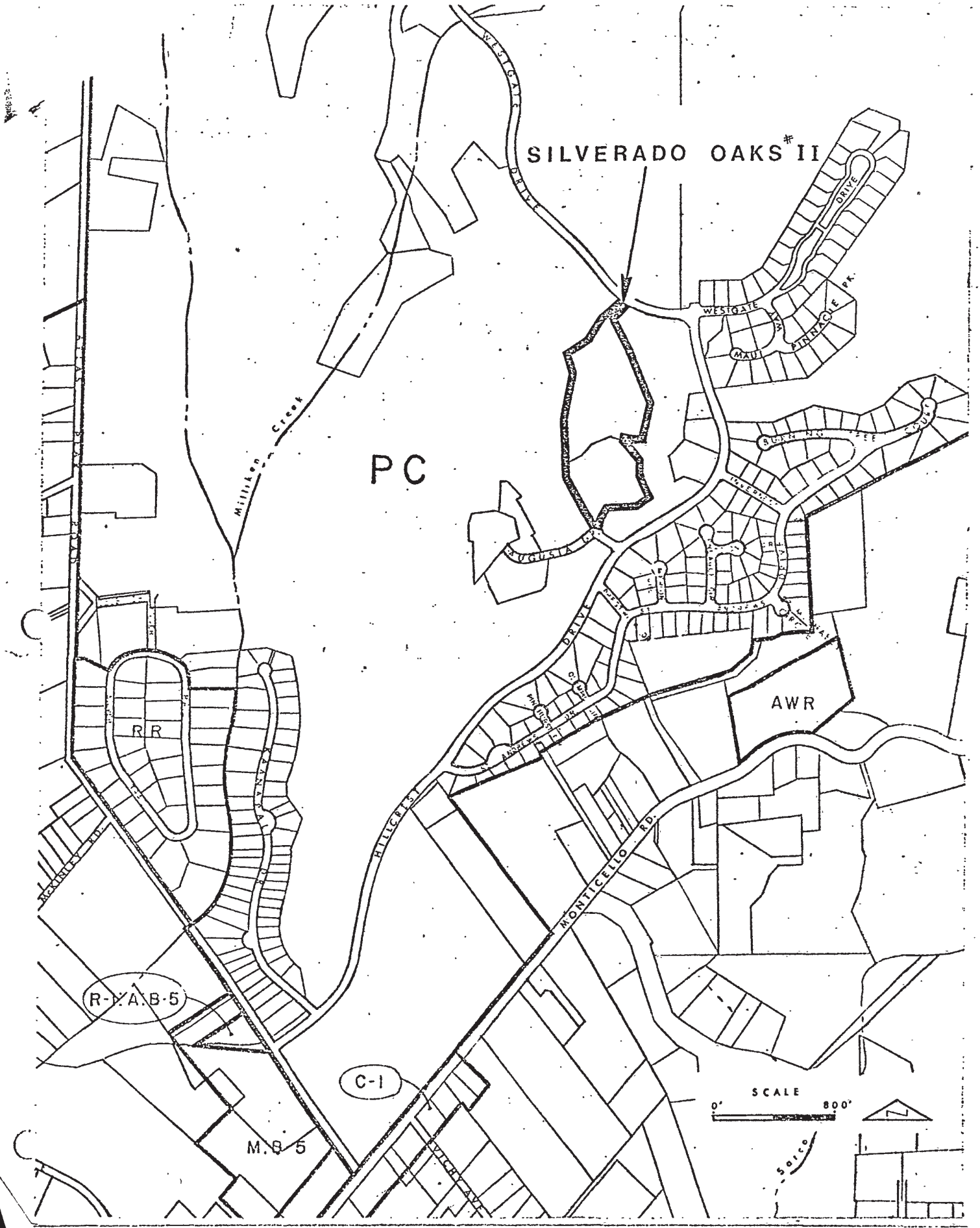
1) The project be scaled down to the number of available sewer services or,

2) An agreement be reached with the Napa Sanitation District to serve the entire 110 unit project.

3) No wells be drilled to serve water for irrigation, domestic or other uses in the project.

JEP/pje

cc: Amfac Silverado
1600 Atlas Peak Road
Napa, CA 94558



Informational Use Permit Map

EXHIBIT K

TE
CEIPT NO.

A.P.# 40-040-10 thru 20
RECORD #

NAPA COUNTY
DEPT. OF ENVIRONMENTAL MANAGEMENT
APPLICATION & PERMIT TO CONSTRUCT A WATER WELL

1E North Gate at Silverado Inc. (Owner) ADDRESS 1600 Atlas Peak Road, Napa, CA 94558 (Job Location)
PHONE # (707) 255-6450
1E McLean & Williams, Inc. (Well Driller) ADDRESS 878 El Centro Ave., Napa, CA 94558

PE OF New Class I PERMIT XXXXXX Test Hole Date Called In
RK New Class II PERMIT U.S.G.S. Map Received
Well Reconstruction Well Deepening Horizontal Well
Well Destruction High Hazard Low Hazard Hand Dug

OPOSED DOMESTIC IRRIGATION XXXXXXXX INDUSTRIAL MUNICIPAL
E TEST WELL HOT WATER (D.O.G. Clearance) OTHER

wage Disposal System (existing or proposed) Public Individual Private XXXXXX
stance from well to any part of nearest sewage disposal system feet.
ptic System Location Determined By:
ot plan of well location received County road setback ft. from centerline.

RKER'S COMPENSATION COVERAGE: (Check one of the following)
XXXX certificate of current Worker's Compensation Insurance coverage is presently on file with this office.
__ A certificate of current Worker's Compensation Insurance is being filed with this application.
__ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws in California.

****

TERMS OF PERMIT

Call at least 24 hours in advance to schedule an inspection.
Prior to receiving a Final Clearance on the well, a copy of the Department of Water Resources "Water Well Drillers Report" (DWR-188) must be returned to our Department.
d Wells to be Destroyed:
her Remarks:

RECEIVED
MAR 3 1993
NAPA CO. CONSERVATION DEVELOPMENT & PLANNING DEPT.

Signature of Applicant

9-18-92
Date

****

FOR OFFICE USE ONLY

	Date	By	Remarks
ty Clearance			
b. Works Clearance			
e-Inspection			
ass II Approval			
rmit Issued			
nst. Insp.			
ll Log Rec.			
nal Insp.			

Silverado Country Club Area - Well Permits

Effective immediately, no well permits shall be issued within the Silverado Country Club area. This includes most of the parcels in Assessor's Parcel Book #40 except for page 01 and Assessor's Parcels 40-051-11, 12, 15, 25, 27, 32, 33 and 39-220-19. /policy

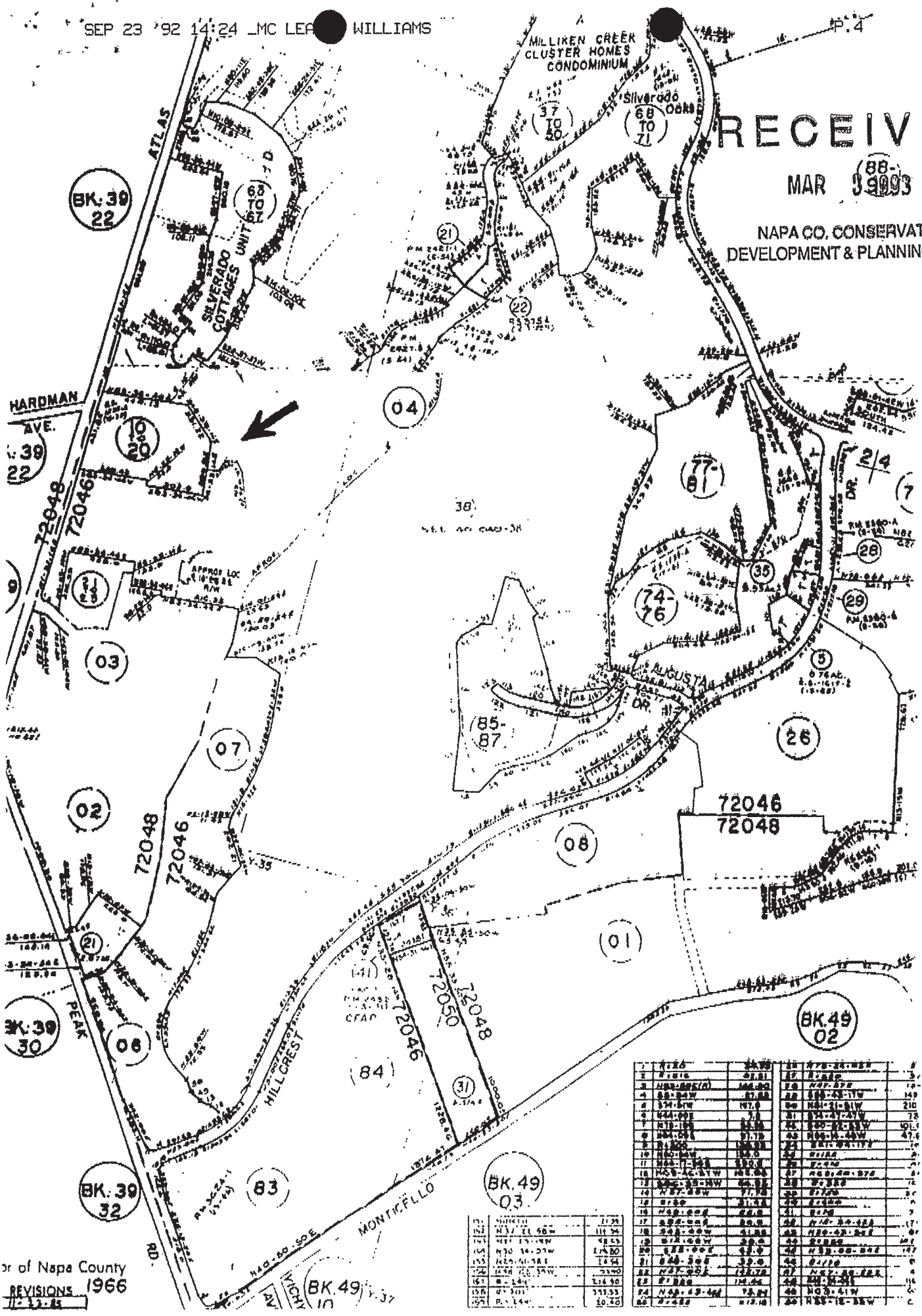
This area is within the planned development zone of the Silverado Country Club and is under a use permit requirement which requires no new wells, for any purpose, be constructed.

Calistoga City & St. Helena City Well Permits

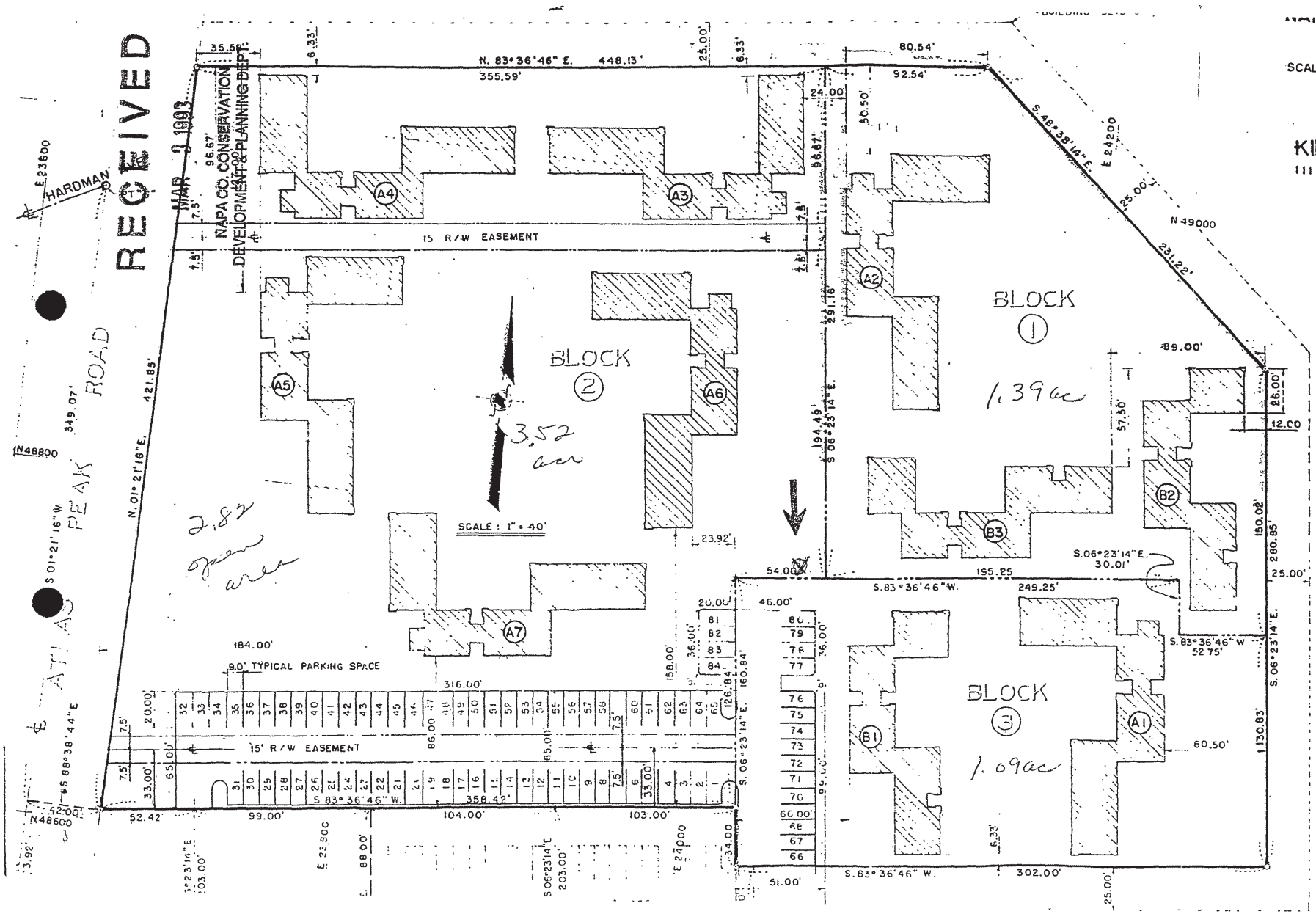
Effective immediately, prior to issuing a permit for any well, obtain clearance from the City Planning or Public Works Department. Written clearance must be obtained on the well permit. Leave a copy of the signed well permit with the City.

RECEIVED
MAR 3 1993
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

RECEIVED
MAR 88-3993
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.



or of Napa County
REVISIONS 1966



NAPA COUNTY,
A CONDO
SCALE : AS NOTED

KIRKER, CHAPMAN
111 NEW MONTGOMERY,

GENERA

1. The subdivision depic
visions of the California Co
Division Second of the Civil

2. "Unit" means a numb
boundary lines of each Unit
faces (exclusive of paint, pap
finishings) of its perimeter wa
ploces, ceilings, windows and
frames, and trim, and include
ing so described and the air

3. "Common Area" with
and all portions of the prop
and not located within any U
by way of limitations, all st
ing, refrigeration and air co
dations, pipes, ducts, flues,
other utility installations to
umns and girders, to the un
regardless of location withi

4. The serially numbere
easements for the exclusive
granted as appurtenances

5. Each parcel designa
patio or balcony area an e
of which will be granted as
which it directly adjoins.

6. The owner of each
erest in the Common Area.

7. All angles shown or
wise indicated.

8. Designations of Unit
shown on this sheet) and by
The numbering of units with
following sheets and is iden
some type.

9. Elevation Datum;

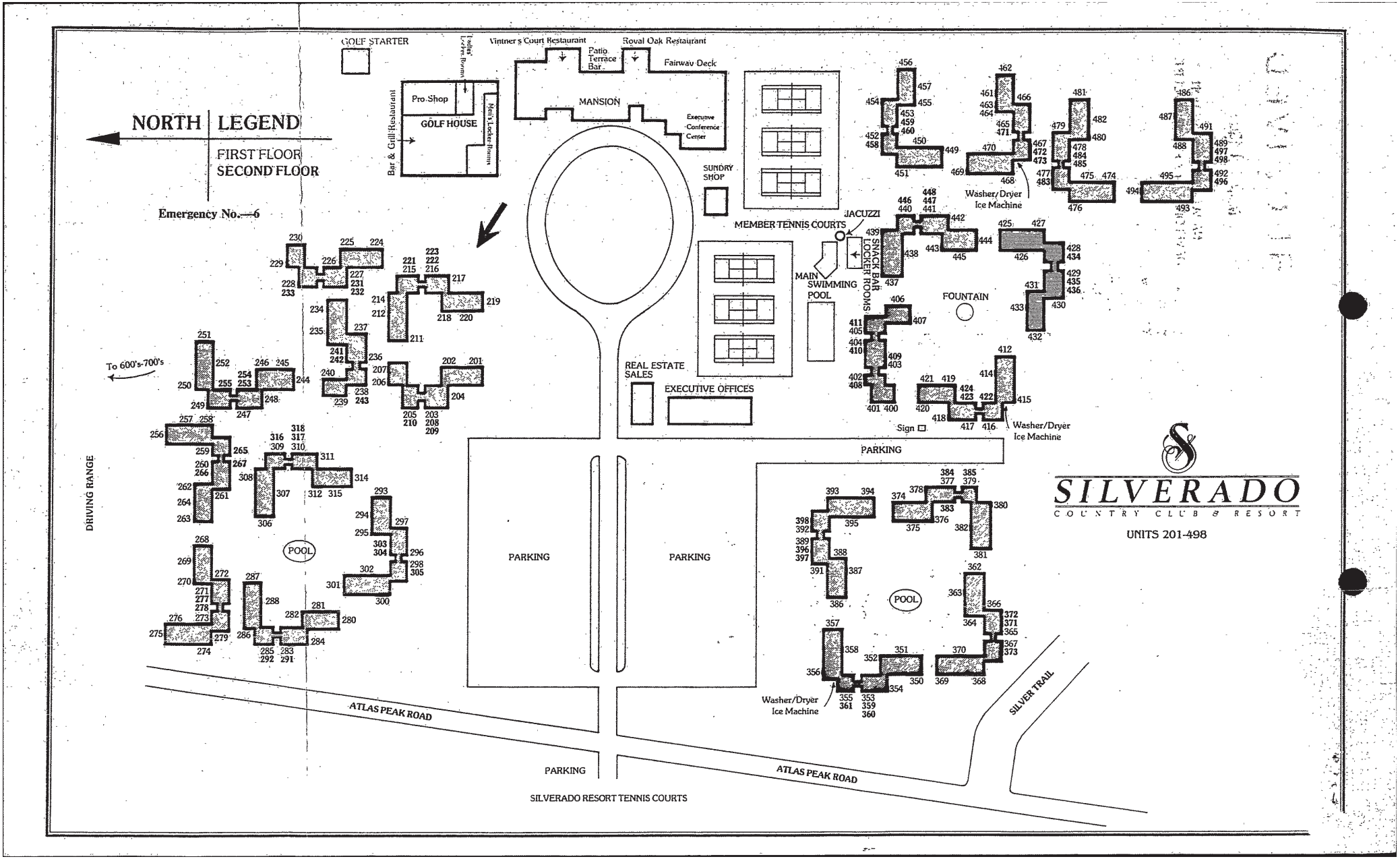

NORTH
LEGEND
FIRST FLOOR
SECOND FLOOR
Emergency No.—6
GOLF STARTER
Ladies' Locker Rooms
Vintner's Court Restaurant
Patio Terrace Bar
Royal Oak Restaurant
Fairway Deck
MANSION
Executive Conference Center
Pro Shop
GOLF HOUSE
Men's Locker Rooms
Bar & Grill Restaurant
SUNDRY SHOP
MEMBER TENNIS COURTS
JACUZZI
SNACK BAR
LOCKER ROOMS
MAIN SWIMMING POOL
FOUNTAIN
REAL ESTATE SALES
EXECUTIVE OFFICES
Washer/Dryer
Ice Machine
Sign
To 600's-700's
DRIVING RANGE
POOL
PARKING
PARKING
PARKING
PARKING
ATLAS PEAK ROAD
ATLAS PEAK ROAD
SILVER TRAIL
SILVERADO RESORT TENNIS COURTS
SILVERADO
COUNTRY CLUB & RESORT
UNITS 201-498

EXHIBIT L

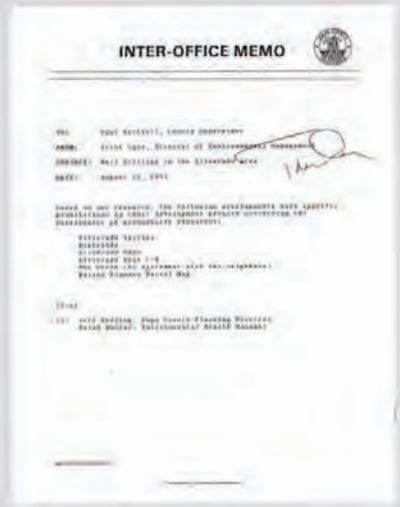
PBES-COR - 8_16_1993 - 060-010-001...

Environmental

Cover Sheet

APN	060 - 010 - 001 -000
Permit #	
Program:	UP
DocType	Ltr
Street #	1600
Street Name:	Atlas Peak Rd
Year	1993

1



INTER-OFFICE MEMO

2

COOLEY GODWARD

RECEIVED

MAR 3 1993

INTER-OFFICE MEMO

TO: Paul Battisti, County Supervisor

FROM: Trent Cave, Director of Environmental Management

SUBJECT: Well Drilling in the Silverado area

DATE: August 16, 1993

Based on our research, the following developments have specific prohibitions in their development permits concerning the development of groundwater resources:

Silverado Springs
Highlands
Silverado Oaks
Silverado Unit 5-B
The Grove (by Agreement with the neighbors)
Warren Simmons Parcel Map

TC:ml

cc: Jeff Redding, Napa County Planning Director
Ralph Hunter, Environmental Health Manager

mickie/trent/welldrill

This document is printed on recycled paper

EXHIBIT M

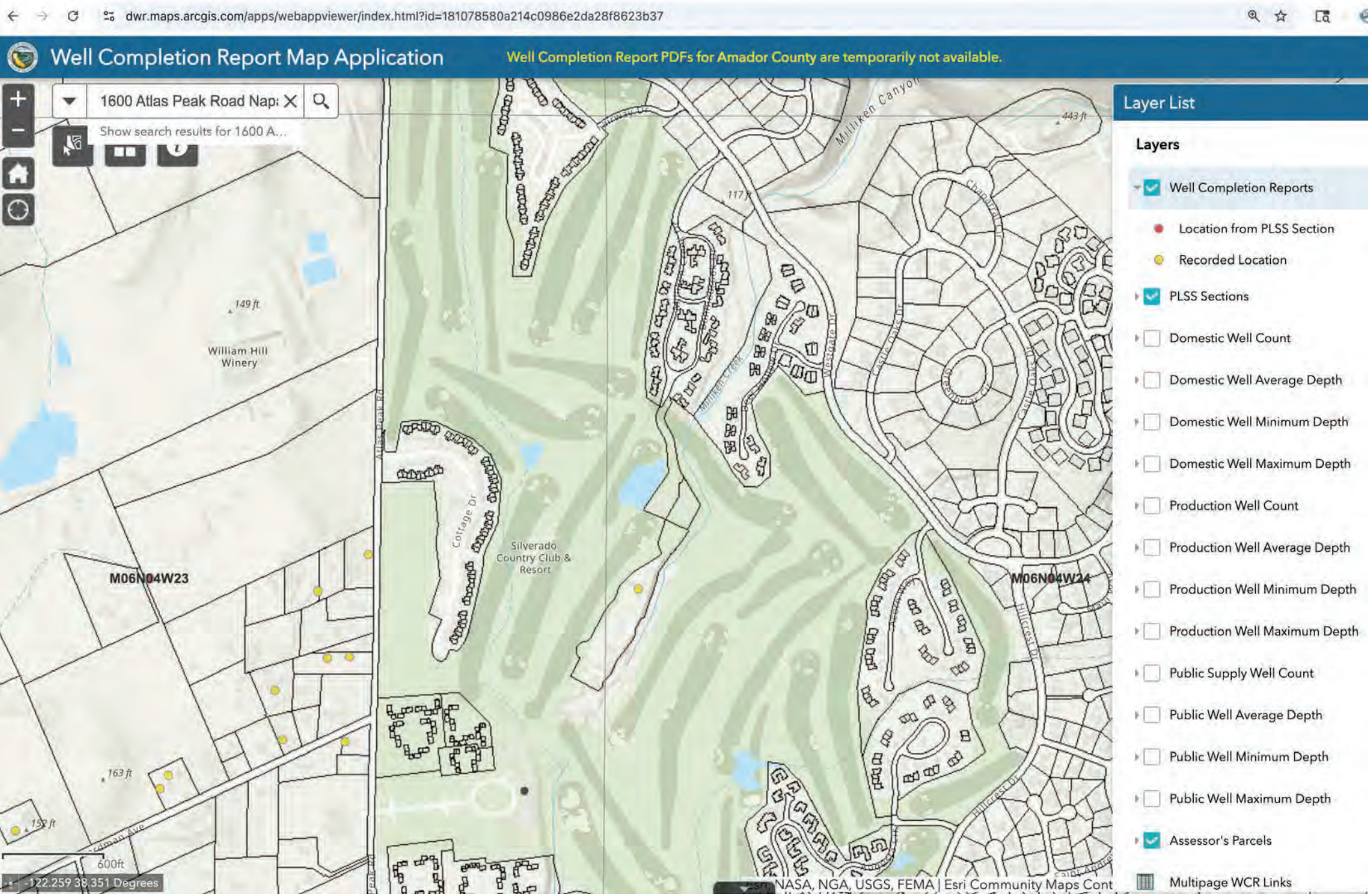

dwr.maps.arcgis.com/apps/webappviewer/index.html?id=181078580a214c0986e2da28f8623b37
Well Completion Report Map Application
Well Completion Report PDFs for Amador County are temporarily not available.
1600 Atlas Peak Road Nap
Show search results for 1600 A...
Layer List
Layers
Well Completion Reports
Location from PLSS Section
Recorded Location
PLSS Sections
Domestic Well Count
Domestic Well Average Depth
Domestic Well Minimum Depth
Domestic Well Maximum Depth
Production Well Count
Production Well Average Depth
Production Well Minimum Depth
Production Well Maximum Depth
Public Supply Well Count
Public Well Average Depth
Public Well Minimum Depth
Public Well Maximum Depth
Assessor's Parcels
Multipage WCR Links
William Hill Winery
Silverado Country Club & Resort
M06N04W23
M06N04W24
Cottage Dr
Atlas Peak Rd
Milliken Canyon
Hillcrest Dr
149 ft
163 ft
443 ft
117 ft
600ft
-122.259 38.351 Degrees
NASA, NGA, USGS, FEMA | Esri Community Maps Cont

EXHIBIT N

ORIGINAL
File with DWR

Page 1 of 1

STATE OF CALIFORNIA
WELL COMPLETION REPORT

Refer to Instruction Pamphlet

No. e0132010

DWR USE ONLY — DO NOT FILL IN
STATE WELL NO./ STATION NO.
LATITUDE LONGITUDE
APN/TRS/OTHER

Owner's Well No. 1-2011

Date Work Began 5/12/2011, Ended 6/16/2011

Local Permit Agency Napa County Environmental Mgmt

Permit No. E11-00089 Permit Date 3/29/2011

GEOLOGIC LOG

ORIENTATION (✓) ✓ VERTICAL — HORIZONTAL — ANGLE — (SPECIFY)

DRILLING METHOD ROTARY FLUID BENTONITE

DEPTH FROM SURFACE Ft.	to Ft.	DESCRIPTION *Describe material, grain, size, color, etc.*
0	38	SAND & GRAVEL
38	55	GREEN SANDY CLAY
55	76	SAND & GRAVEL
76	98	GRAVEL
98	210	GREEN, GRAY, BROWN, SANDY ASH
210	255	BROWN, GREEN SANDY ASH
255	298	HARD BLACK VOLCANICS
298	320	GREEN VOLCANICS
320	375	BLACK, GREEN VOLCANICS
375	410	MED. HARD BLACK VOLCANICS
410	436	HARD BLACK VOLCANIC ROCK
436	460	GREEN SANDY VOLCANIC ASH
460	490	MED. HARD BLACK VOLCANICS
490	510	TAN SANDY ASH
510	520	GREEN SANDY ASH & ROCK
520	575	MIXED VOLCANIC SANDS
575	585	RED VOLCANIC ROCK
585	590	HARD FRACTURED BLACK VOLCANICS
590	635	MED. HARD BLACK & RED VOLCANICS
635	645	HARD BLACK VOLCANIC ROCK
645	683	HARD FRACTURED BLACK & RED VOLCANICS
683	700	GREEN SANDY VOLCANIC ASH
		CONTINUED CASING LAYOUT
458	478	SCREEN PVC 10" SDR-17 .032 SLOT
478	498	BLANK PVC 10" SDR-17
498	578	SCREEN PVC 10" SDR-17 .032 SLOT
578	598	BLANK PVC 10" SDR-17
598	678	SCREEN PVC 10" SDR-17 .032 SLOT
678	698	BLANK PVC 10" SDR-17

TOTAL DEPTH OF BORING 700 (Feet)

TOTAL DEPTH OF COMPLETED WELL 698 (Feet)

RECEIVED
SEP 29 2011
DEPT. OF ENVIRONMENTAL MANAGEMENT

WELL OWNER

Name [redacted]

Mailing Address [redacted]

CITY [redacted] STATE [redacted] ZIP [redacted]

WELL LOCATION

Address 1600 Atlas Peak Road

City Napa CA

County Napa

APN Book 060 Page 140 Parcel 003

Township Range Section

Latitude DEG. MIN. SEC. Longitude DEG. MIN. SEC.

LOCATION SKETCH

Illustrate or Describe Distance of Well from Roads, Buildings, Fences, Rivers, etc. and attach a map. Use additional paper if necessary. PLEASE BE ACCURATE & COMPLETE.

ACTIVITY (✓)

✓ NEW WELL

MODIFICATION/REPAIR
— Deepen
— Other (Specify)

— DESTROY (Describe Procedures and Materials Under "GEOLOGIC LOG"

PLANNED USES (✓)

WATER SUPPLY
— Domestic — Public
✓ Irrigation — Industrial

MONITORING —
TEST WELL —
CATHODIC PROTECTION —
HEAT EXCHANGE —
DIRECT PUSH —
INJECTION —
VAPOR EXTRACTION —
SPARGING —
REMEDIATION —
OTHER (SPECIFY) —

WATER LEVEL & YIELD OF COMPLETED WELL

DEPTH TO FIRST WATER N/A (Ft.) BELOW SURFACE

DEPTH OF STATIC WATER LEVEL 152 (Ft.) & DATE MEASURED 6/16/2011

ESTIMATED YIELD 800 (GPM) & TEST TYPE AIR-LIFT

TEST LENGTH 3 (Hrs.) TOTAL DRAWDOWN N/A (Ft.)

May not be representative of a well's long-term yield.

CASING (S)

DEPTH FROM SURFACE Ft.	to Ft.	BORE-HOLE DIA. (Inches)	TYPE (✓) BLANK	SCREEN	CONDUCTOR	FILL PIPE	MATERIAL / GRADE	INTERNAL DIAMETER (Inches)	GAUGE OR WALL THICKNESS	SLOT SIZE IF ANY (Inches)
0	700	18								
0	238		✓				PVC F480	10	SDR-17	
238	318			✓			PVC F480	10	SDR-17	.032
318	338		✓				PVC F480	10	SDR-17	
338	438			✓			PVC F480	10	SDR-17	.032
438	458		✓				PVC F480	10	SDR-17	

ANNULAR MATERIAL

DEPTH FROM SURFACE Ft.	to Ft.	TYPE CEMENT (✓)	BENTONITE (✓)	FILL (✓)	FILTER PACK (TYPE/SIZE)
0	54	✓			CONCRETE
54	698			✓	#6 SAND

ATTACHMENTS (✓)

— Geologic Log
— Well Construction Diagram
— Geophysical Log(s)
— Soil/Water Chemical Analysis
— Other

ATTACH ADDITIONAL INFORMATION, IF IT EXISTS.

CERTIFICATION STATEMENT

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief.

NAME HUCKFELDT WELL DRILLING, INC.
(PERSON, FIRM, OR CORPORATION) (TYPED OR PRINTED)

2110 Penny Lane ADDRESS Napa CITY CA STATE 94559 ZIP

Signed [signature] WELL DRILLER/AUTHORIZED REPRESENTATIVE

06/28/11 DATE SIGNED

439-746 C-57 LICENSE NUMBER

DWR 188 REV. 11-97

IF ADDITIONAL SPACE IS NEEDED, USE NEXT CONSECUTIVELY NUMBERED FORM

EXHIBIT O

WELL CONSTRUCTION APPLICATION

PROPERTY OWNER INFORMATION

Name: Silverado Resort

Address: 1600 Atlas Peak Road Napa

APN: 060-140-003 ~~060-010-001~~

Phone #: 257-5402

WELL DRILLER INFORMATION

Company Name: Huckfeldt Well Drilling

Contact person: Don Huckfeldt

Address: 2110 Penny Lane Napa

Phone #: 707-255-7923

TYPE OF PERMIT (circle one): (Class 1A) Class 1B Class II Deepening
Reconstruction Other:_____

PROPOSED USE (circle one): (Private) Public

Well to serve this parcel only: Y (N) Well Located in MST Groundwater Basin: (Y) N
If no, list other APN(s): 060-010-001 Well Located in Floodplain: Y (N)

SETBACKS TO WELL:

Sewer Line: 70 feet
Septic Tank: _____ feet
Disposal Field: _____ feet

WELL SPECIFICATIONS:

Casing Diameter: 10 inches
Boring Diameter: 18 inches
Annular Seal: 3 inches
Minimum Seal Depth: 50 feet

Sealing Material: concrete
Sealing Method: pump

A MAP OF THE WELL LOCATION SHALL BE ATTACHED TO THIS APPLICATION. THE MAP SHALL INCLUDE THE DISTANCE FROM THE WELL TO PROPERTY LINES, SEWAGE DISPOSAL SYSTEMS, STRUCTURES, ETC AND SHALL INCLUDE ALL OTHER PERTINENT INFORMATION SPECIFIC TO THIS WELL.

EXHIBIT P

Environmental Management

1195 Third Street, Suite 101
Napa CA 94559
www.countyofnapa.org

Main: 707.253.4471

Steve Lederer
Director

A Tradition of Stewardship
A Commitment to Service

APPLICATION
THIS IS NOT A PERMIT

Application Type:	Environmental / EM Permits / Water Wells / Well Destruction		
Permit Number:	E11-00094	**Parcel Number:**	060-010-001-000
Situs Address:	1600 ATLAS PEAK RD, NAPA, CA 94558	**Applied Date:**	3/29/2011
Owner:	SILVERADO COUNTRY CLUB & RESORT INC	**Phone:**	(707) 257-5402
Applicant:	Don Huckfeldt	**Phone:**	(707) 257-5402

Worker's Compensation Coverage:

( ) A Certificate of current Worker's Compensation Insurance Coverage is on file with this office (or filed with this application)
( ) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws of California.

By executing this application, the undersigned agrees to comply with all conditions, inspections and comments of the issued permit and all federal, state and county code requirements applicable to this permit. Furthermore, I understand that the Department of Environmental Management in no way guarantees trouble-free operation of the system, and that future repair may be necessary.

Owner or Authorized Agent Signature: _____ Date: 3/29/11

A Tradition of Stewardship
A Commitment to Service

Environmental Management

1195 Third St., Suite 101
Napa, CA 94559
www.co.napa.ca.us

Steven Lederer
Director

WELL DESTRUCTION EVALUATION REPORT FORM

PROPERTY OWNER INFORMATION

Name: SILVERADO RESORT

Address: 1600 ATLAS PEAK ROAD

APN: 060-010-001

Phone #: 257-5402

WELL DRILLER INFORMATION

Company Name: HUMFELDT WELL DRILLING

Contact person: DON HUMFELDT

Address: 2100 PENNY LANE

Phone #: 255-7923

TYPE OF WELL TO BE DESTROYED:

(CASED WELL) HAND DUG WELL OTHER: _____

FOR CASED WELLS:

Casing material: ~~Steel~~ PVC other: _____
Total depth of well: 450 feet
Well Screen interval(s): _____
Sealed Depth: _____ feet. (For no seal – write "none", if you don't know, write in "unknown")
Casing Diameter: 14 inches.
Annulus diameter: _____ inches (For no annulus, write "none". If you don't know, write "unknown")
Well Pack Material: _____
Static water level: _____ feet.

FOR HAND DUG WELLS:

Total depth of well: _____ feet
Diameter of well: _____ feet
Well construction material (brick, stone, etc): _____

DESTRUCTION PROCEDURES:

Describe method to be used to perforate the casing: DYNAMITE

Type of filling material to be placed into the well: PEA GRAVEL
Fill material to be place to 50 feet below ground surface.

Sealing Material: Concrete (Neat Cement) Cement Grout
Bentonite Grout (high solids) Other: _____

Driller's Comments: REMOVE PUMP, CUT-OFF CASING 3' BELOW GRADE, BACKFILL WITH PEA GRAVEL TO 50', DYNAMITE RIP CASING 50', INSTALLED CONCRETE GROUT FROM 50' TO 3', TOP WITH NATIVE MATERIAL

A Tradition of Stewardship
A Commitment to Service

Environmental Management

1195 Third Street, Suite 101
Napa CA 94559
www.countyofnapa.org

Main: 707.253.4471

Steve Lederer
Director

RECEIPT

THIS IS NOT A PERMIT

Receipt Number:	84612	**Parcel No:**	060-010-001-000
Permit Number:	E11-00094	**Date:**	3/29/2011
Application Type:	Environmental / EM Permits / Water Wells / Well Destruction		
Site Address:	1600 ATLAS PEAK RD, NAPA, CA 94558		
Applicant:	Don Huckfeldt	**Phone:**	(707) 257-5402
Owner:	SILVERADO COUNTRY CLUB & RESORT INC	**Phone:**	(111) 111-1111

Deposit/Payment List:

Receipt No.	Payor	Method	Date	Reference No.	Comments	Cashier	Payment Amount
84612	Huckfeldt Well Drilling Inc.	Check	3/29/2011	2486		JSHACKFORD	$60.00

Fees:

Fee	Invoice Number	Account	Fee Amount	Payment	Balance Due
Water Wells Destruction*	83583	46081200-1000-40500	$59.00	$59.00	$0.00
General Plan Surcharge*	83583	46003700-1000-29200	$1.00	$1.00	$0.00
		Total:	**60.00**	**60.00**	**$0.00**

* Fees that represent the General Plan Surcharge of 1.7% are denoted with an asterisk (*).

EXHIBIT Q

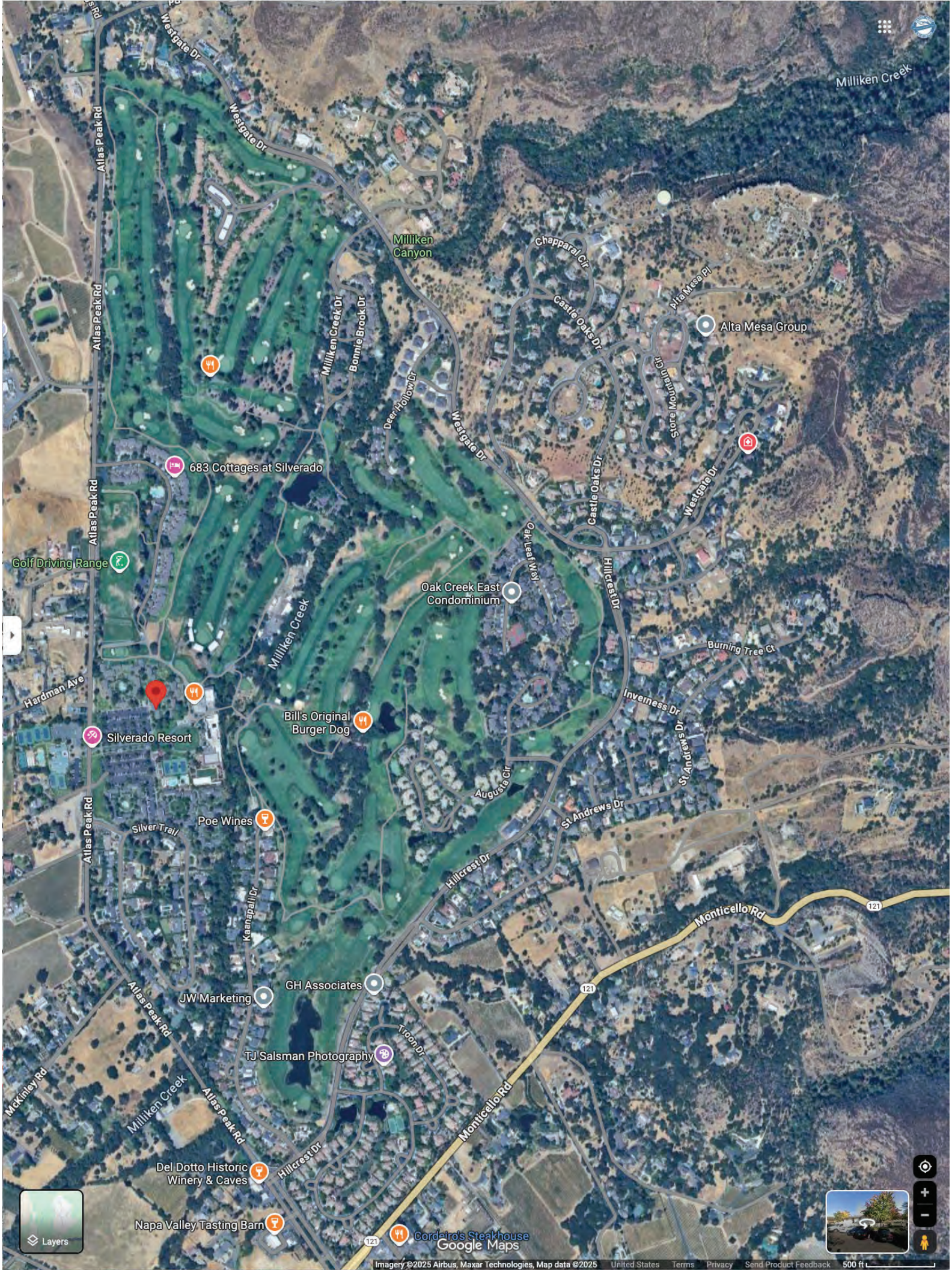

Milliken Creek
Westgate Dr
Atlas Peak Rd
Milliken Canyon
Chapparal Cir
Castle Oaks Dr
Alta Mesa Pl
Alta Mesa Group
Milliken Creek Dr
Bonnie Brook Dr
Deer Hollow Dr
Stone Mountain Ct
683 Cottages at Silverado
Golf Driving Range
Oak Leaf Way
Oak Creek East Condominium
Hillcrest Dr
Burning Tree Ct
Inverness Dr
St Andrews Dr
Hardman Ave
Bill's Original Burger Dog
Silverado Resort
Auguste Cir
Poe Wines
Silver Trail
Kaanapali Dr
Monticello Rd
121
GH Associates
JW Marketing
Troon Dr
TJ Salsman Photography
McKinley Rd
Del Dotto Historic Winery & Caves
Napa Valley Tasting Barn
Cordeiro's Steakhouse
Layers
Google Maps
Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025
United States
Terms
Privacy
Send Product Feedback
500 ft

EXHIBIT R

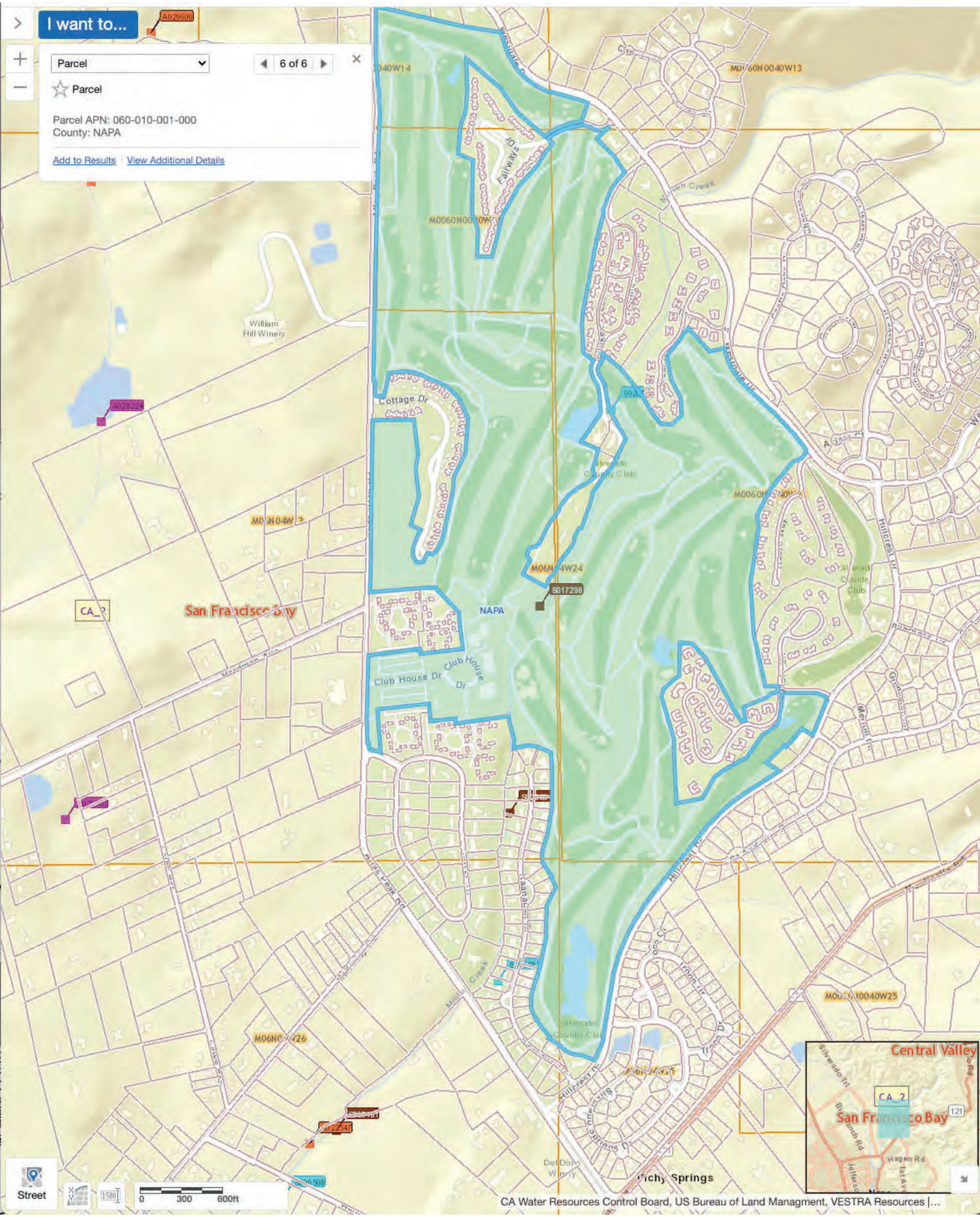

I want to...
Parcel
6 of 6
Parcel
Parcel APN: 060-010-001-000
County: NAPA
Add to Results
View Additional Details
William Hill Winery
Cottage Dr
Silverado Country Club
NAPA
San Francisco Bay
Club House Dr
Hillcrest Dr
Central Valley
Vichy Springs
Del Dotto Winery
Street
0 300 600ft
CA Water Resources Control Board, US Bureau of Land Managment, VESTRA Resources |...

EXHIBIT S

e-WRIMS Public Summary Page

[Return to Water Right Search] [Return to Water Right Search Results]

Application ID:	S017298 View Document	**Water Right Type:**	Statement of Div and Use
Permit ID:	None	**Water Rights Status:**	Claimed (07/01/2010)
License ID:	None	**Primary Owner:**	Silverado Country Club and Resort

Current Parties	Relationship	Effective Date	Last Modified Date
SILVERADO RESORT	Agent	09/14/2022	09/14/2022
Silverado Country Club and Resort	Primary Owner	07/01/2010	07/01/2010
Need to report a change of ownership or agent? Click Here			

Historical Parties

Record Summary	
Application Acceptance Date	05/09/2012
Permit Issuance Date	
License Issuance Date	
Face Value Amount	0.0

Name(s) of Sources of Water	County Location	Parcel Number	Diversion Site Name	Lat/Long Coordinates
MILLIKEN CREEK	Napa			38.3499 ; -122.2629

Map It

Beneficial Uses	Acres	Direct Diversion Season	Collection to Storage Season
Irrigation	150.0		

Electronic Reports

Year	Revision	Report Type	Date Received	View Report PDF
2020	1	Supplemental Statement of Water Diversion and Use	07/13/2021	• View
2019	1	Supplemental Statement of Water Diversion and Use	05/08/2020	• View
2018	1	Supplemental Statement of Water Diversion and Use	06/21/2019	• View
2017	1	Supplemental Statement of Water Diversion and Use	06/04/2018	• View
2016	1	Supplemental Statement of Water Diversion and Use	06/07/2017	• View
2015	1	Supplemental Statement of Water Diversion and Use	06/21/2016	• View
2014	1	Supplemental Statement of Water Diversion and Use	06/21/2016	• View
2013	1	Supplemental Statement of Water Diversion and Use	06/21/2016	• View
2012	1	Supplemental Statement of Water Diversion and Use	06/26/2013	• View
2011	1	Supplemental Statement of Water Diversion and Use	06/26/2013	• View
2010	1	Supplemental Statement of Water Diversion and Use	06/26/2013	• View

***For reports submitted prior to 2009, please contact our records room.**

Water Rights Associated with Primary Owner

Application ID	Water Right Type	Water Right Status
S020796	Statement of Div and Use	Inactive
S017298	Statement of Div and Use	Claimed

Associated Decisions/Orders

Decision/Order Number	Date	Description	View Document

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EXHIBIT T

POD ID# 56573
entered 5/9/12 VG

plotted 11/20/12 DCC

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
1001 I Street, 14th Floor, Sacramento, CA 95814
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5431 www.waterboards.ca.gov/waterrights

2012 JUL -1 PM 12:41

INITIAL STATEMENT OF WATER DIVERSION AND USE
NOTE: A Statement is not a Water Right

This Statement should be typewritten or legibly written in ink and submitted to the address above.
A separate statement must be filed for each point of diversion.

An (*) indicates a required section. Required sections must be completed for the Statement to be accepted.

***A.** Claimant/Agent Information

Claimant/Owner: Silverado Country Club and Resort	Agent: Lester F. Hardy
Attention: Bill Hamilton	
Mailing Address	Mailing Address
1600 Atlas Peak Road	1312 Oak Avenue (street address) P.O. Box 667 (mailing address)
Napa, CA 94558	St. Helena, CA 94574
Phone No. 707 257-0200	Phone No. 707 967-9610
Fax No.	Fax No. 707 967-9604
E-mail Address: bhamilton@xanterra.com	E-mail Address: lester@lfhardy.com

***B.** Water is diverted and used under the claim of: Riparian claim ☑ Pre 1914 claim ☐ Court Decree No Judgment, Case No. 4822 Napa Sup. Ct.
Note, if you have an application on file for a water right or have an existing license, please provide your application number _____
Other (explain): _____

***C.** Name of the body of water at the point of diversion
Milliken Creek
Tributary to Napa River

***D.** Point of diversion is located within the lands of the Rancho Yajome, Napa County, and if assigned, on Assessor's Parcel No. 060-010-001
being within the _____ 1/4 of _____ 1/4 of Section _____, of Township _____, Range _____, _____ B&M.
Provide the location of the point of diversion using the California Coordinate System (NAD 1983) or Latitude / Longitude measurements.
122°15'46.356"W 38°20'54.628"N or
Identify the point of diversion and outline the place of use on a United States Geological Survey (USGS) topographic map and submit the map with the Statement.

Name of the diversion works is _____ Related Water Right(s) _____

E. Do you own the land at the point of diversion? Yes ☐ No ☑ If No, please provide the name and address of the land owner at the point of diversion: Silverado Country Club and Resort, Inc., a Nevada corporation, 1600 Atlas Peak Road, Napa, CA 94558

***F.** Capacity of diversion works 250 gpm 0.557 cfs (cfs, gpm, or gpd) Capacity of storage tanks or reservoir 14 acre-feet (gallons or acre-feet)
Type of diversion facility: Gravity ☐ Creek Pump ☑ Well Pump ☐
Method of measurement: Weir ☐ Flume ☐ In line flow meter ☐ Electric Meter ☐ Estimate ☑

NOTE: #Monthly reports below are optional until January 1, 2012, at which time the information becomes mandatory.

#Provide the maximum rate of diversion achieved in each month in the table below as measured in: cfs ☐ gpm ☐ or gpd ☐

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec

Additional copies of this form and water right information can be obtained at www.waterboards.ca.gov/waterrights.

S017298

*#G. Provide the quantity of water diverted each month in the table below as measured in: Gallons ☐ Million gallons ☐ Acre-feet ☑

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
	0	0	0	0	2	8	20	20	10	0	0	0	

H. Annual water use in recent years: Maximum 65 acre-feet (gallons or acre-feet) Minimum 55 acre-feet (gallons or acre-feet)

State the year of first use at diversion site or storage facility 1878

*I. Beneficial water use is for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) 150 acres of turf for golf course; course serves an average of 95,000 persons each year.

*J. General description and location of the place of use shall be identified using a USGS topographic map, and if assigned, provide the public land description to the nearest 40 acre subdivision accompanied by the County Assessor's parcel map.

Approximately 150 acres generally east of Atlas Peak Road, west of Milliken Creek, and north of the clubhouse at the Silverado Country Club and Resort, as shown on the attached copy of the Napa Quadrangle

K. Please answer only those questions below that are applicable to your project.

1. Conservation of water
   a. Describe any water conservation efforts you have in place

2. Water quality and wastewater reclamation
   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree that unreasonably affects such water for other beneficial uses? YES ☐ NO ☐

3. Conjunctive use of surface water and groundwater
   a. Are you using groundwater in lieu of surface water? YES ☐ NO ☐

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

*DATE: June 30, 2010 at St. Helena, California

*SIGNATURE:

*PRINTED NAME: Lester F. Hardy
(first name) (middle initial) (last name)

COMPANY NAME: Law Offices of Lester F. Hardy

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed form the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission in December 1914, new appropriators have been required to obtain a permit or license from the State.

Statements of Water Diversion and Use must be filed by a riparian and/or pre-1914 appropriative water user. The filing of a statement 1) provides a record of water use, 2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and 3) assists the State in determining if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please visit the website http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/, or write to this office.

OVERSIZED MAP SEE FILE

EXHIBIT U

POD ID: 52998
4/27/11 KLG

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
1001 I Street, 14th Floor, Sacramento, CA 95814
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5431 www.waterboards.ca.gov/waterrights

INITIAL STATEMENT OF WATER DIVERSION AND USE
NOTE: A Statement is not a Water Right

This Statement should be typewritten or legibly written in ink and submitted to the address above.
A separate statement must be filed for each point of diversion.

An (*) Indicates a required section. Required sections must be completed for the Statement to be accepted.

*A. Claimant/Agent Information

Claimant/Owner: Silverado Country Club and Resort	Agent: Lester F. Hardy
Attention: Bill Hamilton	
Mailing Address	Mailing Address
1600 Atlas Peak Road	1312 Oak Avenue (street address) P.O. Box 667 (mailing address)
Napa, CA 94558	St. Helena, CA 94574
Phone No. 707 257-0200	Phone No. 707 967-9610
Fax No.	Fax No. 707 967-9604
E-mail Address: bhamilton@xanterra.com	E-mail Address: lester@lfhardy.com

*B. Water is diverted and used under the claim of: Riparian claim [✓] Pre 1914 claim [ ] Court Decree No Judgment, Case No. 4822 Napa Sup. Ct
Note, if you have an application on file for a water right or have an existing license, please provide your application number_____
Other (explain): _____

*C. Name of the body of water at the point of diversion
Milliken Creek
Tributary to Napa River

*D. Point of diversion is located within the lands of the Rancho Yajome, Napa County, and if assigned, on Assessor's Parcel No. 060-010-001
being within the ____ 1/4 of ____ 1/4 of Section _____, of Township _____, Range _____, _____ B&M.
Provide the location of the point of diversion using the California Coordinate System (NAD 1983) or Latitude / Longitude measurements.
_____ or
Identify the point of diversion and outline the place of use on a United States Geological Survey (USGS) topographic map and submit the map with the Statement.
Name of the diversion works is _____ Related Water Right(s) _____

E. Do you own the land at the point of diversion? Yes [ ] No [✓] If No, please provide the name and address of the land owner at the point of diversion: Silverado Country Club and Resort, Inc., a Nevada corporation, 1600 Atlas Peak Road, Napa, CA 94558

*F. Capacity of diversion works 250 gpm (cfs, gpm, or gpd) Capacity of storage tanks or reservoir 14 acre-feet (gallons or acre-feet)
Type of diversion facility: Gravity [ ] Creek Pump [✓] Well Pump [ ]
Method of measurement: Weir [ ] Flume [ ] In line flow meter [ ] Electric Meter [ ] Estimate [✓]

NOTE: #Monthly reports below are optional until January 1, 2012, at which time the information becomes mandatory.

#Provide the maximum rate of diversion achieved in each month in the table below as measured in: cfs [ ] gpm [ ] or gpd [ ]

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec

Additional copies of this form and water right information can be obtained at www.waterboards.ca.gov/waterrights.

[redacted] S020796

*#G. Provide the quantity of water diverted each month in the table below as measured in: Gallons ☐ Million gallons ☐ Acre-feet ☑

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
	0	0	0	0	2	8	20	20	10	0	0	0	

H. Annual water use in recent years: Maximum 65 acre-feet (gallons or acre-feet) Minimum 55 acre-feet (gallons or acre-feet)

State the year of first use at diversion site or storage facility 1878

*I. Beneficial water use is for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) 150 acres of turf for golf course, course serves an average of 95,000 persons each year.

*J. General description and location of the place of use shall be identified using a USGS topographic map, and if assigned, provide the public land description to the nearest 40 acre subdivision accompanied by the County Assessor's parcel map.

Approximately 158 acres generally east of Atlas Peak Road, west of Milliken Creek, and north of the clubhouse at the Silverado Country Club and Resort, as shown on the attached copy of the Napa Quadrangle

K. Please answer only those questions below that are applicable to your project.

1. Conservation of water
   a. Describe any water conservation efforts you have in place

2. Water quality and wastewater reclamation
   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree that unreasonably affects such water for other beneficial uses? YES ☐ NO ☐

3. Conjunctive use of surface water and groundwater
   a. Are you using groundwater in lieu of surface water? YES ☐ NO ☐

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

*DATE: June 30, 2010 at St. Helena, California

*SIGNATURE:

*PRINTED NAME: Lester F. Hardy
(first name) (middle initial) (last name)

COMPANY NAME: Law Offices of Lester F. Hardy

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Statements of Water Diversion and Use must be filed by a riparian and/or pre-1914 appropriative water user. The filing of a statement 1) provides a record of water use, 2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and 3) assists the State in determining if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please visit the website http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/, or write to this office.

Instructions for Completing the Initial Statement Form

Mandatory fields are indicated with an asterisk (*). All mandatory fields must be completed or the form will not be accepted. The following is a description of the information needed in each item:

*A. If you are filing as an individual and are the owner/claimant, please fill out the left hand portion of *A. The Owner/Claimant name and address are required. The phone number, fax number and e-mail address are required if available.

- If you are filing as an agent then both sides of box A must be completed.
- **Note: when an agent is listed, all mailings will be sent to the agent unless otherwise indicated.**

*B. Indicate the type of claim you are filing (riparian, pre-1914 appropriative, court decree or other).

*C. Indicate the name of body of water you are diverting water from and body of water it is a tributary to.

*D. List the County where the diversion occurs and, if available, the Assessor's Parcel Number. Fill in the other information as indicated.

- **Note: you must submit a single USGS topographic map showing both the point of diversion and the point of use (items *D and *J). Maps can be located at:**
  http://store.usgs.gov/b2c_usgs/b2c/start/(xcm=r3standardpitrex_prd)/.do

E. Only needed if the person completing the form is not the landowner.

*F. The maximum capacity of the diversion works is the maximum output available for a pump or other diversion source.

- If you store water and know the storage capacity indicate in gallons or acre-feet.
- If you do not know the storage capacity, you can use the following formula to estimate: Multiply the surface area (in acres) by the maximum depth of the reservoir (in feet) then multiple that number by .7.
- Complete the other areas that are listed.
- Provide a Monthly maximum rate of diversion in the table provided. If precise measurements are not available, provide an estimated average per month. **Note: Beginning January 1, 2012, the monthly maximum rate of diversion will become mandatory and precise measurements will be required.**

*G. Provide the quantity of water used for each month in the year you are reporting. The amount can be estimated if you do not have a measuring device. If you did not divert water in a particular month, enter "0".

H. Self explanatory. You can provide an estimate if you do not have the actual amounts available.

*I. Indicate the purpose of use for the diverted water (Crops, domestic consumption, stock watering, etc). Also indicate the number of acres irrigated, average number of persons served for domestic consumption, number of head watered etc.

*J. This is similar to item *D except it is where the water is used instead of the place of diversion.

- **Note: you must submit a single USGS topographic map showing both the point of diversion and the point of use (items *D and *J). Maps can be located at:**
  http://store.usgs.gov/b2c_usgs/b2c/start/(xcm=r3standardpitrex_prd)/.do

K. Complete item K if you are filing under pre-1914 appropriative water rights and are using conservation methods, using recycled or treated water, or using groundwater in lieu of surface water.

***DATE, *SIGNATURE, *PRINTED NAME, COMPANY NAME** All mandatory fields must be complete and the form must be legible and signed by the person completing the form. The Company Name is required if applicable.

PLACE OF USE CROSS-HATCHED
SURFACE STORAGE
POINT OF DIVERSION
NAPA QUADRANGLE
CALIFORNIA-NAPA CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
SE/4 SONOMA 15' QUADRANGLE
17'30"
1 920 000 FEET
122° 15'
Mile 21
Mile 20
SILVERADO TRAIL
NAPA ROAD
SODA CANYON ROAD
Soda Canyon School
Well
Silverado Country Club
HARDMAN AVE
RIVER ROAD
SILVERADO TRAIL
McKINLEY AVE
MONTICELLO ROAD
Vichy Springs
Millaken Creek
Windmill
Spring
Sarco
TRANCAS ROAD
HAGEN ROAD
BM 49
BM 32
BM 145
Hospital
WEST
2500 FEET
20'

EXHIBIT V

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2010

Primary Owner: Silverado Country Club and Resort
Statement Number: S017298
Date Submitted: 06/26/2013

1. Water is used under	Riparian Claim Pre-1914 Claim
2. Year of first use	1878

3-4. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used			
Month	**Rate of diversion**	**Amount directly diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January		0	0
February		0	0
March		0	0
April		0	0
May		0	0
June		0	0
July		0	0
August		0	0
September		0	0
October		0	0
November		0	0
December		0	0
Total		0	0
Comments	The current owner acquired Silverado Resort in mid 2010 and has no records of how the previous owner operated the diversion facilities in 2010 prior to the change in ownership. Silverado Resort has agreed to curtail diversions from Milliken Creek pending the outcome of an investigation by the California Department of Fish & Wildlife, California Department of Justice, and Napa County District Attorney regarding a fish stranding incident in the fall of 2010. Silverado Resort's agreement to temporarily curtail diversions is not an admission of any wrongdoing, and is not a forfeiture or waiver of any valid water rights it holds on Milliken Creek. Silverado Resort intends to resume diversions from Milliken Creek in the future in accordance with any legal directive or settlement agreement resulting from the aforementioned investigation.		

5. Water Diversion Measurement	
a.	Measurement
b.	Types of measuring devices used
c.	Additional technology used
	Description of additional technology used
d.	Who installed your measuring device(s)
e.	Make, model number, and last calibration date of your measuring device(s)
f.	Why direct measurement using a device listed in Section 1 is "not locally cost effective"
	Explanation of why use of devices and technologies listed in Section 1 are "not locally cost effective"
g.	Method(s) used as an alternative to direct measurement
	Explanation of method(s) used as an alternative to direct measurement

6. Purpose of Use

Other	See responses to Items 10 and 11.

7. Changes in Method of Diversion

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	Acre-Feet
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	Yes
b.	Amount of groundwater used	60 Acre-Feet
	I have data to support the above surface water use reductions due to the use of groundwater.	No

11a. Additional Remarks
This Supplemental Statement prepared by agent based on information provided by owner. Regarding Item 10, Silverado Resort does not measure groundwater usage, but groundwater usage is believed to be well in excess of the 60 acre-feet claimed in the initial Statement of Water Diversion Use 17298 filed by the previous owner in June 2010.

Attachments		
File Name	**Description**	**Size**
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Nicholas
Last Name	Bonsignore
Relation to Water Right	Agent
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

EXHIBIT W

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2012

Primary Owner: Silverado Country Club and Resort
Statement Number: S017298
Date Submitted: 06/26/2013

1. Water is used under	Riparian Claim Pre-1914 Claim
2. Year of first use	1878

3-4. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used			
Month	**Rate of diversion**	**Amount directly diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January		0	0
February		0	0
March		0	0
April		0	0
May		0	0
June		0	0
July		0	0
August		0	0
September		0	0
October		0	0
November		0	0
December		0	0
Total		0	0
Comments	Silverado Resort has agreed to curtail diversions from Milliken Creek pending the outcome of an investigation by the California Department of Fish & Wildlife, California Department of Justice, and Napa County District Attorney regarding a fish stranding incident in the fall of 2010. Silverado Resort's agreement to curtail diversions is not an admission of any wrongdoing, and is not a forfeiture or waiver of any valid water rights it holds on Milliken Creek. Silverado Resort intends to resume diversions from Milliken Creek in the future in accordance with any legal directive or settlement agreement resulting from the aforementioned investigation.		

5. Water Diversion Measurement		
a.	Measurement	Direct measurement using a device listed in Section 1 is "not locally cost effective" for water directly diverted and/or diverted to storage
b.	Types of measuring devices used	
c.	Additional technology used	
	Description of additional technology used	
d.	Who installed your measuring device(s)	
e.	Make, model number, and last calibration date of your measuring device(s)	
f.	Why direct measurement using a device listed in Section 1 is "not locally cost effective"	Other
	Explanation of why use of devices and technologies listed in Section 1 are "not locally cost effective"	See response to Item 4d. Because no diversions were made, there is no measuring device in place.

g.	Method(s) used as an alternative to direct measurement	Other
	Explanation of method(s) used as an alternative to direct measurement	See response to Item 4d. Because no diversions were made, no measurement was made.

6. Purpose of Use	
Other	See responses to Items 10 and 11.

7. Changes in Method of Diversion

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	Acre-Feet
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	Yes
b.	Amount of groundwater used	60 Acre-Feet
	I have data to support the above surface water use reductions due to the use of groundwater.	No

11a. Additional Remarks
This Supplemental Statement prepared by agent based on information provided by owner. Regarding Item 10, Silverado Resort does not measure groundwater usage, but groundwater usage is believed to be well in excess of the 60 acre-feet claimed in the initial Statement of Water Diversion Use 17298 filed by the previous owner in June 2010.

Attachments		
File Name	**Description**	**Size**
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Nicholas
Last Name	Bonsignore
Relation to Water Right	Agent
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

EXHIBIT X

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2020

Primary Owner: Silverado Country Club and Resort
Statement Number: S017298
Date Submitted: 07/13/2021

1. Water is used under	Riparian Claim Pre-1914 Claim
2. Year diversion commenced	1878

2. Purpose of Use
No Use

3. Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

4. Amount of Water Diverted and Used			
Month	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
October	0	0	0
November	0	0	0
December	0	0	0
Total	0	0	0
Type of Diversion	No Diversion		
Comments	Silverado Resort agreed to allow Napa County to remove an antiquated dam on Milliken Creek as a result of a settlement and agreement with Napa County and the Napa County District Attorney. Accordingly, Silverado Resort agreed to curtail diversions as a result of the dam removal until such time as a new diversion mechanism and storage facility are approved by the respective local and state agencies. The settlement and corresponding curtailment of diversion are expressly not a forfeiture or waiver of any valid water rights Silverado Resort holds on Milliken Creek. Silverado Resort intends to resume diversions from Milliken Creek in the future in accordance with the settlement agreement after such time as the diversion mechanism and storage facility have been designed, accepted and approved by the respective agencies.		

5. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	No
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement Attachments			
Measurement ID Number	**File Name**	**Description**	**Size**
No attachments			

Measurement Data Files			
Measurement ID Number	**File Name**	**Description**	**Size**
No data files			

6. Maximum Rate of Diversion	
Month	**Rate of Diversion**
January	
February	
March	
April	
May	
June	
July	
August	
September	
October	
November	
December	

7. Water Transfers	
8a. Water transfered	No
8b. Quantity transfered (Acre-Feet)	
8c. Dates which transfer occurred	/ to /
8d. Transfer approved by	

Water Supply Contracts	
8e. Water supply contract	No
8f. Contract with	
8g. Other provider	
8h. Contract number	
8i. Source from which contract water was diverted	
8j. Point of diversion same as identified water right	
8k. Amount (Acre-Feet) authorized to divert under this contract	
8l. Amount (Acre-Feet) authorized to be diverted in 2020	
8m. Amount (Acre-Feet) projected for 2021	
8n. Exchange or settlement of prior rights	
8o. All monthly reported diversion claimed under the prior rights	
8p. Amount (Acre-Feet) of reported diversion solely under contract	

Credits Claimed			
	Conservation	**Reclaimed Water Use**	**Conjunctive Groundwater Use**
Claimed? (Yes/No)			Yes
January			5
February			5
March			5

April			5
May			5
June			5
July			5
August			5
September			5
October			5
November			5
December			5

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks
This Supplemental Statement prepared by agent based on information provided by owner. Regarding Item 10, Silverado Resort does not measure groundwater usage, but groundwater usage is believed to be well in excess of the 60 acre-feet claimed in the initial Statement of Water Diversion Use 17298 filed by the previous owner in June 2010. No water is being diverted. Prior to diversion of water, owner will have installed appropriate measuring device.

Attachments		
File Name	**Description**	**Size**
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Vincent
Last Name	Maples
Relation to Water Right	Agent
The information in the report is true to the best of his/her knowledge and belief	Yes

Contact Information of the Person Submitting the Form	
First Name	Vincent
Last Name	Maples
Relation to Water Right	Agent

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Vincent Maples
Date of Signature	07/13/2021

EXHIBIT Y

en.wikipedia.org/wiki/File:Silverado_1948.jpg#/media/File:Silverado_1948.jpg

USGS aerial photograph of the parcel of land later to be developed with the Silverado Country Club in Napa Valley, California.

More details

USGS aerial photo

Public Domain

File: Silverado 1948.jpg

Uploaded: 19 May 2010

EXHIBIT Z

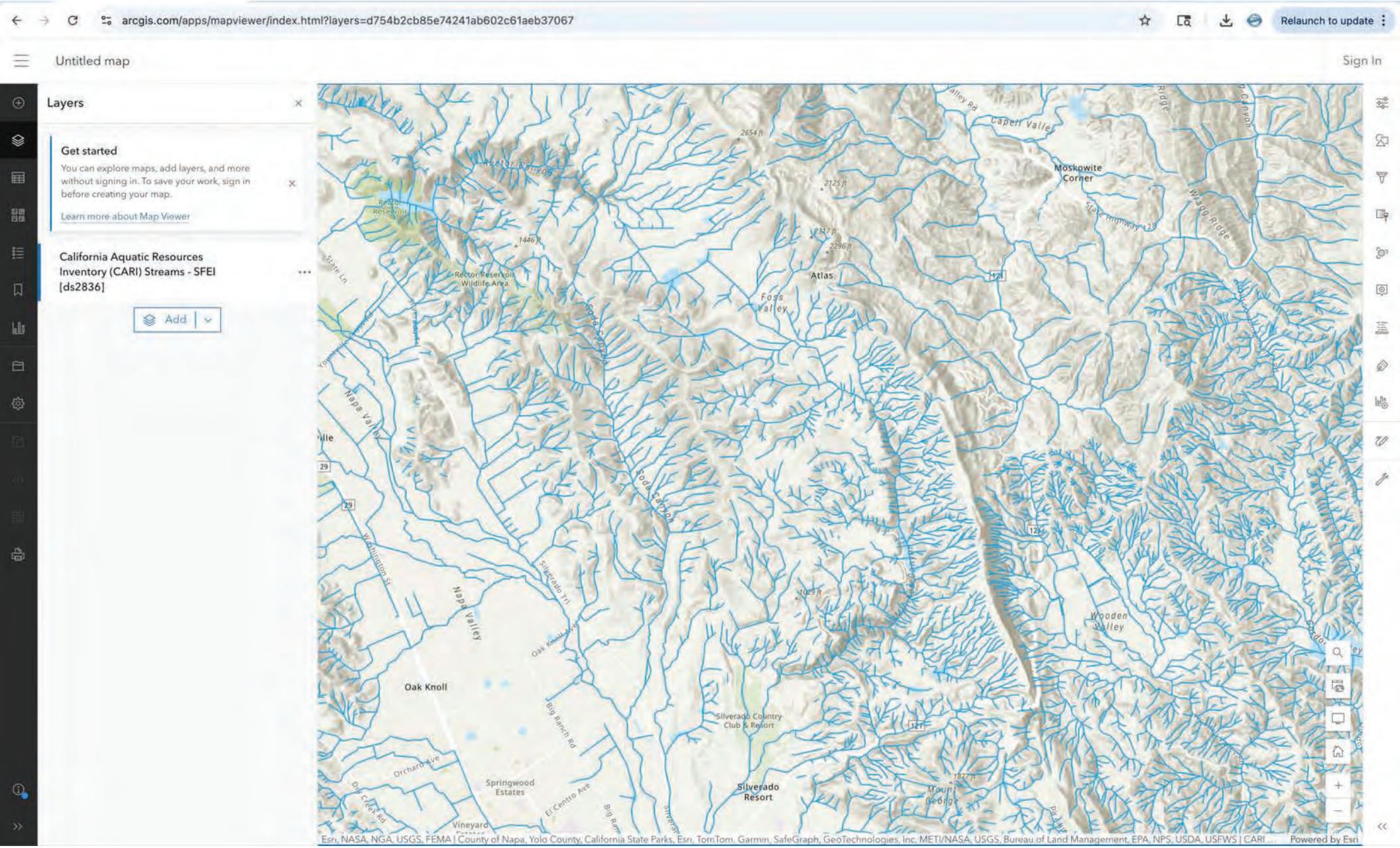
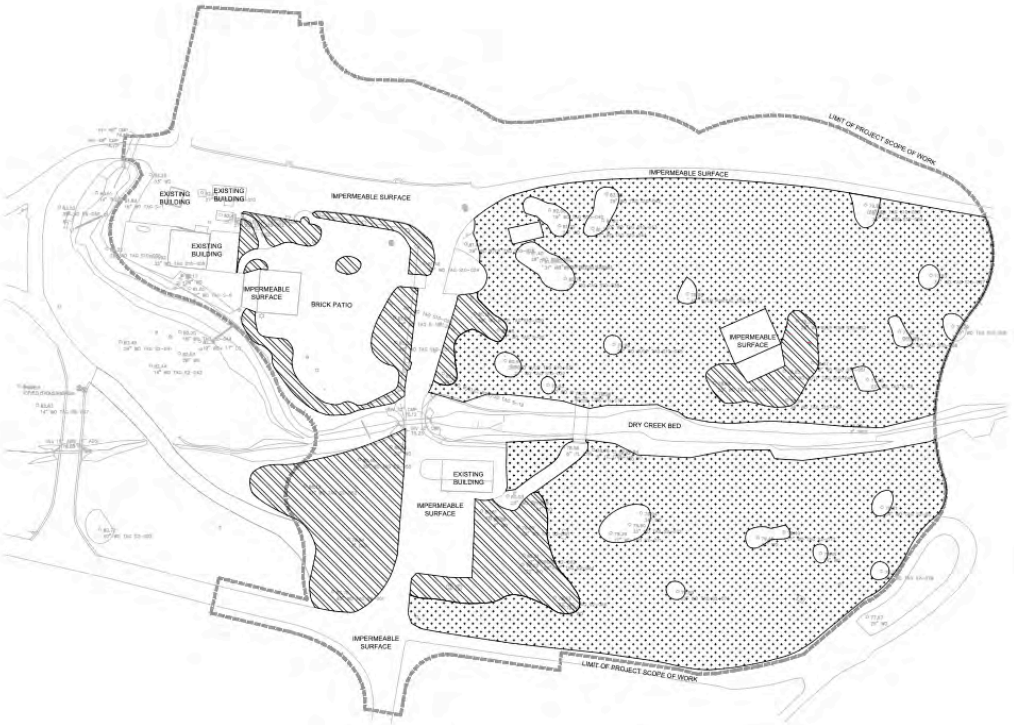

arcgis.com/apps/mapviewer/index.html?layers=d754b2cb85e74241ab602c61aeb37067
Relaunch to update
Untitled map
Sign In
Layers
Get started
You can explore maps, add layers, and more without signing in. To save your work, sign in before creating your map.
Learn more about Map Viewer
California Aquatic Resources Inventory (CARI) Streams - SFEI [ds2836]
Add
Rector Reservoir
Rector Reservoir Wildlife Area
Atlas
Foss Valley
Moskowite Corner
Capell Valley
Wragg Ridge
Napa Valley
Oak Knoll
Springwood Estates
Vineyard
Silverado Country Club & Resort
Silverado Resort
Wooden Valley
Esri, NASA, NGA, USGS, FEMA | County of Napa, Yolo County, California State Parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, USFWS | CARI ...
Powered by Esri

EXHIBIT AA

Landscape Design Informaiton

Planter Areas[1]	Area (sf)	PF	CF	SLA	IE	
A	61,550	0.8	0.62	0	0.71	*Irrigated Turf*
B	0	0.4	0.62	0	0.71	*Medium-High Water Shrubs*
C	16,150	0.3	0.62	0	0.71	*Low-Moderate Water Planting*
D	0	0.2	0.62	0	0.71	*Native Grass/Seed Mix*
Total	77,700	sf				
	0.24	acres				



NORTH 0 15 30 60
ORIGINAL SCALE: 1"=30'

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Landscape Architecture • Land Planning
Urban Design • Tourism Planning
Aspen • Austin • Chicago • Denver
Houston • Lake Tahoe • Los Angeles • Raleigh
1390 Lawrence Street
Suite 100
Denver, Colorado 80204
(303) 623-5186
WWW.DESIGNWORKSHOP.COM

NOT FOR CONSTRUCTION

SILVERADO RESORT & SPA . THE GROVE

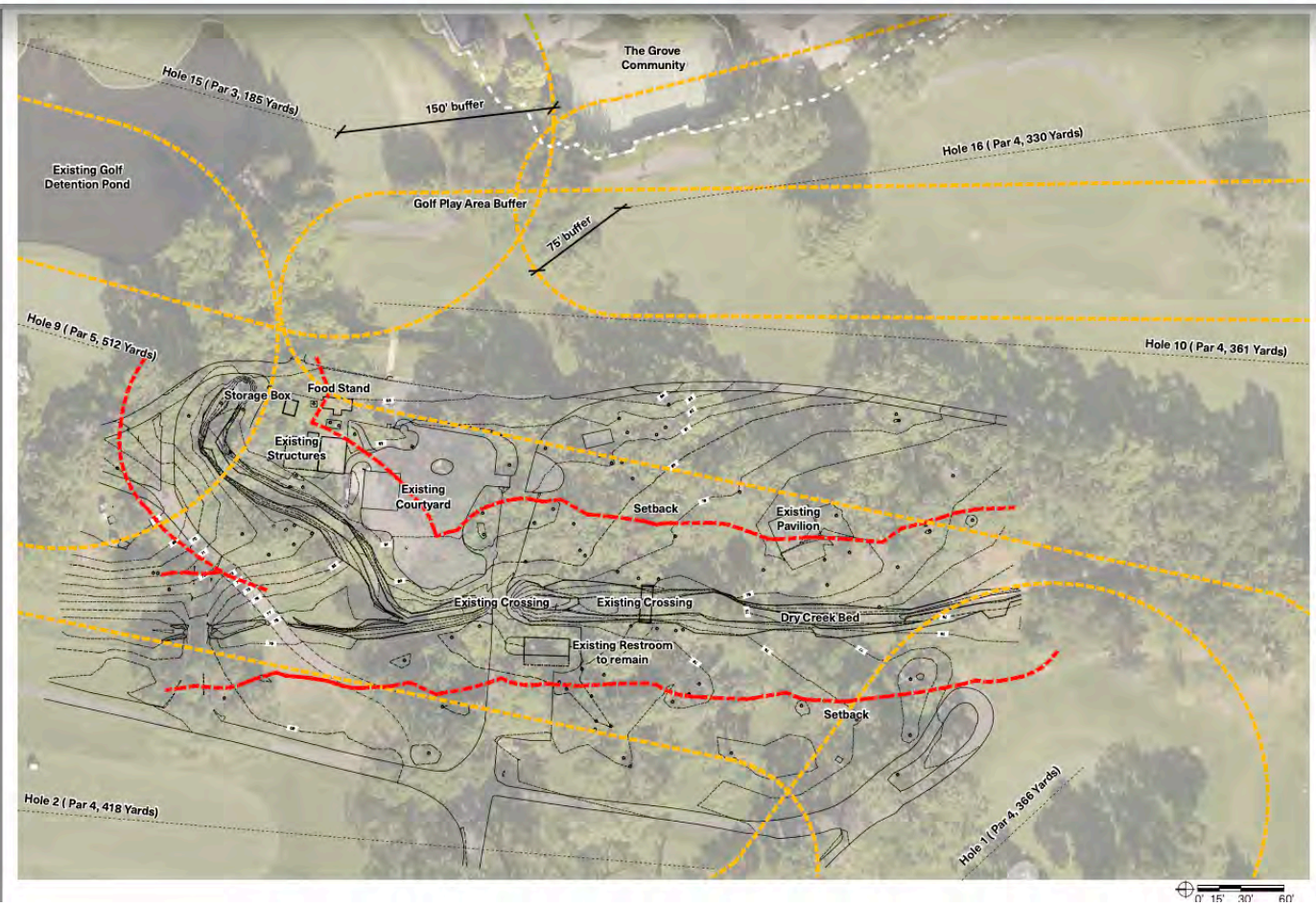
ISSUE
NAPA COUNTY WELO

RELEASE DATE
03/08/24

REVISIONS

PROJECT NO.	7174
MADE BY	KC/ML
REVIEWED BY	SB

EXISTING LANDSCAPE AREA EXHIBIT



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DARLA DE CALLAWAY
973
02/01/13
Original Date of Licensure
STATE OF COLORADO
LICENSED LANDSCAPE ARCHITECT

SILVERADO RESORT & SPA . THE GROVE

ISSUE
90% CD PERMIT SET

RELEASE DATE
05/01/24

REVISIONS

PROJECT NO.	7174
MADE BY	KC/ML
REVIEWED BY	SB

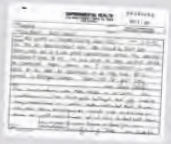
EXISTING SITE CONDITIONS

L0.05

EXHIBIT AB

EDR 060-010-001 1993...

28



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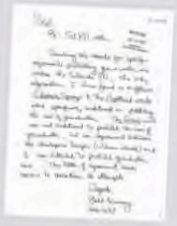

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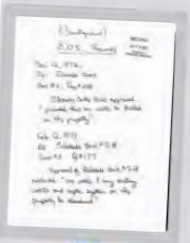

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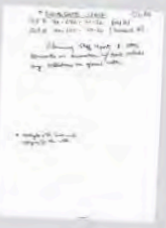

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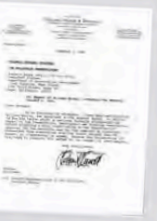
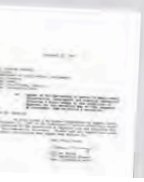


34



(Background)

B.O.S. Records

RECEIVED
JUN 16 1993
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

Dec 12, 1972

Re: Silverado Oaks

Book #3, Page #248

Silverado Oaks Unit approved . . . "prouded that no wells be drilled on the property".

Feb. 12, 1974

Re: Silverado Unit #S-B

Book #3 Pg #177

Approval of Silverado Unit #S-B included "no wells & any existing wells and septic system on the property be abandoned".

EXHIBIT AC

NAPA COUNTY

DEPARTMENT OF
ENVIRONMENTAL HEALTH

TRENT CAVE, R.S.
Director of Environmental Health

1195 THIRD STREET, ROOM 205 • NAPA, CALIFORNIA 94559-
AREA CODE 707/253-4471

MEMORANDUM

TO: Jeff Redding, Conservation, Development and Planning Department

FROM: Tim Snellings, R.S. - Environmental Health

SUBJECT: Environmental Health review of
Silverado Springs Well Status Report
APN 40-050-06

DATE: April 5, 1988

I have reviewed the Well Status Report for Silverado Springs prepared by KCA Engineers, Inc. In light of the USGS Groundwater Hydrology of the Lower Milliken-Sarco-Tulocay Creeks Area Investigation (77-82) of which this project is located within, the Well Status Report seems to be deficient in two areas:

1) On p. 38 of the USGS Report it is stated that "water-level declines of about 1.5 ft/yr in the Milliken and Sarco Creeks area (storage Unit 3) indicate recharge is not supplying the additional water needed to equal pumpage under the climatic conditions existing during the period 1965-75". The Well Status Report does not address this existing overdraft situation.

2) There are a number of residents with wells in the nearby vicinity to the Vichy Springs well which are not noted on the Well Status Report Map. What effect will the potential pumping of 14 acre feet of groundwater from this well have annually (12gpm x 60 min x 24 hrs x 274 days ÷ 330,00 gal/ac ft = 14,3 acre feet (4.7 mil gallons)) on nearby neighbors wells?

If you have any questions, please call me 7:30 to 8:30 AM, Monday through Thursday.

THIS IS the EQUIVIENT OF APPROX
40 SINGLE FAMILY RESIDENCES AT APPROX 500 gpd/ac
WATER USAGE.

TS:ml

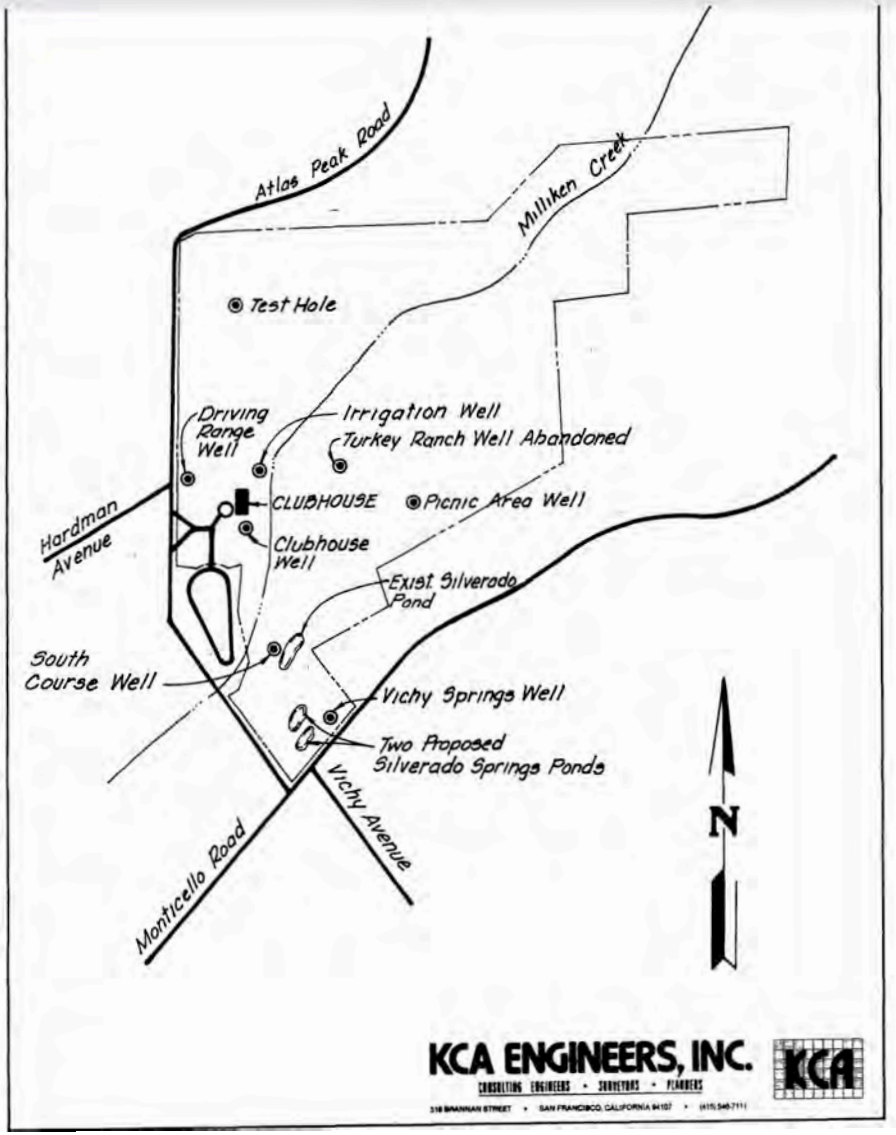


EXHIBIT AD

NAPA COUNTY

CONSERVATION — DEVELOPMENT
AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4376

MEMORANDUM

TO: Conservation, Development & Planning Commission

FROM: William L. Selleck, Environmental Analyst WLS

SUBJECT: Silverado Well Status Report

DATE: April 6, 1988

I have reviewed the Silverado Well Status Report submitted Friday, April 1, 1988, along with the Millken-Sarco-Tulocay Creek Area Groundwater Hydrology Report released by the U.S. Geological Survey in August of 1977. The Silverado Well Status Report does not provide support for the contention that renewed use of the Vichy Well will not adversely effect groundwater levels. On the contrary, it provides additional reason for concern. It confirms a continued long-term decline in groundwater levels in the Milliken/Sarco Creek Area of approximately 1.3 feet/year. This decline in groundwater levels indicates a groundwater overdrafting situation. Recharge is not supplying enough water to equal pumpage and natural outflow (i.e., demand is exceeding the safe yield of the groundwater basin). Any substantial additional pumpage without an offsetting increase in groundwater recharge will therefore produce a significant adverse long-term effect on groundwater levels. The additional pumpage suggested (nearly 20 AF/year) is certainly substantial. Moreover, the effectiveness of using the proposed ponds for recharging the groundwater system has not been demonstrated.

The submitted report fails to speak to the groundwater overdrafting issue at all. Moreover, it doesn't specify the draw-down effect on wells on adjoining parcels produced by renewed pumpage of the Vichy well.

RECOMMENDATION

Retain proposed Condition of Approval #22 in its current form.

jm.7

EXHIBIT AE

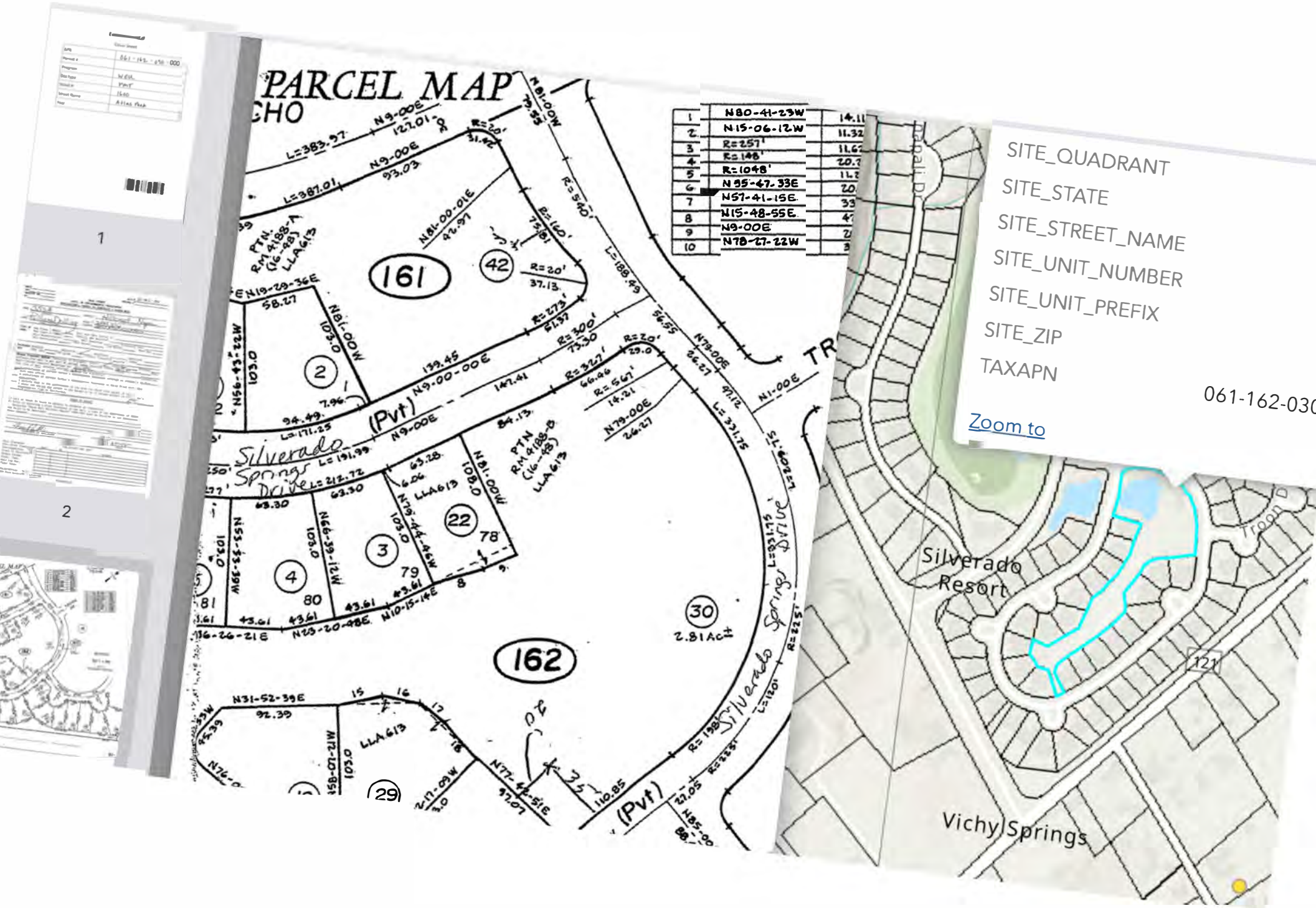

PARCEL MAP
CHO
161
162
42
2
3
4
22
30
29
Silverado Springs Drive
(Pvt)
PTN R.M.41/88-A (16-48) LLA613
PTN R.M.41/88-B (16-48) LLA613
LLA613
2.81Ac±
N80-41-23W
N15-06-12W
R=257'
R=148'
R=1048'
N55-47-33E
N57-41-15E
N15-48-55E
N9-00E
N78-27-22W
SITE_QUADRANT
SITE_STATE
SITE_STREET_NAME
SITE_UNIT_NUMBER
SITE_UNIT_PREFIX
SITE_ZIP
TAXAPN
061-162-030
Zoom to
Silverado Resort
Vichy Springs
Troon D
121
1
2

EXHIBIT AF

1

2

3

4

Environmental Management
1195 Third Street, Suite 101
Napa CA 94559
www.countyofnapa.org

Main: 707.253.4471

Steve Lederer
Director

A Tradition of Stewardship
A Commitment to Service

WELL PERMIT

Application Type:	Environmental / EM Permits / Water Wells / Class I	**Applied Date:**	3/24/2011
Permit Number:	E11-00089	**Issued Date:**	3/29/2011
Parcel Number:	060-140-003-000	**Expiration Date:**	3/28/2013
Site Address:	1600 Atlas Peak RD, Napa, CA 94558		
Owner:	SILVERADO COUNTRY CLUB & RESORT INC	**Phone:**	() -
Address:	1600 ATLAS PEAK RD, NAPA CA 94558-1425		
Applicant:	Don Huckfeldt	**Phone:**	(707) 255-7923
Business Name:			
Project Type:	Environmental / EM Permits / Water Wells / Class I		
Proposed Use:			
Use:	Private	**Name of Public Water System:**	
Well To Service This Parcel Only?:	No		
Water Supply:			
All Setbacks Required By Code?:	Greater Than 100	**Hazmat Site Within 1500 feet?:**	No
Ground Water Permit Required?:	No	**Hazmat Site Number and Name:**	
Emergency Exemption Granted?:	Yes	**Well Located in Flood Zone?:**	No
Reason For Emergency Exemption:	NA		
Specifications:			
Casing Diameter:	10 In.	**Method of Seal Placement:**	pump
Boring Diameter:	18 In.	**Minimum Seal Depth:**	50 Ft.
Annular Seal:	4 In.	**Material:**	concrete

TO PERMITEE:

Any work performed or operations conducted under the auspices of this permit constitutes acceptance of all conditions, inspections and comments contained in the this permit, and the incorporation of all requirements as set forth in the permit application.

Staff Signature: _____ Date: 3/29/11

1

2

Environmental Management
1195 Third Street, Suite 101
Napa CA 94559
www.countyofnapa.org

Main: 707.253.4471

Steve Lederer
Director

A Tradition of Stewardship
A Commitment to Service

WELL PERMIT

Application Type:	Environmental / EM Permits / Water Wells / Well Destruction	**Applied Date:**	3/29/2011
Permit Number:	E11-00094	**Issued Date:**	3/29/2011
Parcel Number:	060-010-001-000	**Expiration Date:**	
Site Address:	1600 ATLAS PEAK RD, NAPA, CA 94558		
Owner:	SILVERADO COUNTRY CLUB & RESORT INC	**Phone:**	(111) 111-1111
Address:	C/O ACCTNG DEPT, 6312 S FIDDLERS GREEN CIR #600 N, GREENWOOD VILLAGE CO 80111-4943		
Applicant:	Don Huckfeldt	**Phone:**	(707) 257-5402
Business Name:			
Project Type:	Environmental / EM Permits / Water Wells / Well Destruction		
Proposed Use:			
Use:		**Name of Public Water System:**	
Well To Service This Parcel Only?:			
Water Supply:			
All Setbacks Required By Code?:		**Hazmat Site Within 1500 feet?:**	
Ground Water Permit Required?:	No	**Hazmat Site Number and Name:**	
Emergency Exemption Granted?:	Yes	**Well Located in Flood Zone?:**	
Reason For Emergency Exemption:	NA		
Specifications:			
Casing Diameter:	14 In.	**Method of Seal Placement:**	
Boring Diameter:	In.	**Minimum Seal Depth:**	50 Ft.
Annular Seal:	In.	**Material:**	neat cement

TO PERMITEE:

Any work performed or operations conducted under the auspices of this permit constitutes acceptance of all conditions, inspections and comments contained in the this permit, and the incorporation of all requirements as set forth in the permit application.

Staff Signature: _____ Date: 3/29/11

EXHIBIT AG

Planning

Cover Sheet

APN	060-320-002-000
Permit #	37-64
Program	USE
DocType	COR
Street #	
Street Name	
Year	

Spring G.
Use Permit.

Royston
Hanamoto
Beck &
Abey

Memorandum

RECEIVED
MAY 4 1972
Napa County Conservation,
Development & Planning Commission

To: James Hickey ✓
Lee Lehman
Ian Mac Leod
Warren Wertheimer

Fr: Robert Royston

Re: Napa Tennis Club & Residential Development

A meeting has been scheduled for May 10, 1972 at 2:30 P. M. with Mr. Hickey, Planning Director, at the County Planning Office, Napa County.

Mr. Hickey's office will arrange for representatives of the Department of Health, Department of Engineering and Roads, and Fire Marshal to be present at the meeting.

Sincerely,

ROYSTON, HANAMOTO, BECK & ABEY

Robert Royston tm
Robert Royston
tm

Copy sent to
J. Page
K. Johnson
A. Todd
May 3, 1972

	Principals:	Associates:	
Landscape Architects:	Robert Royston ASLA	Patricia Carlisle ASLA	50 Green Street
Land Planning	Asa Hanamoto ASLA	Louis G. Alley, Architect	San Francisco
Urban Design	Eldon Beck ASLA	Harold N. Kobayashi ASLA	California 94111
Park Planning	Kazuo Abey ASLA	Juan Carlos Calderon	(415) 397-0594

CITY OF NAPA

Napa, California

MEMORANDUM

RECEIVED
FEB 28 1964
Napa Co. Planning Commission

TO: Eric Borgwardt, Acting Plng. Director
Napa County Planning Commission
1436 Polk Street
Napa, California

DATE: February 27, 1964

FROM: Daniel M. Pass, City Planner

RE: REQUEST OF MR. CHESTER H. SPIERING TO REZONE AN APPROXIMATELY 553-ACRE PARCEL OF LAND, LOCATED ON THE EASTERLY SIDE OF ATLAS PEAK ROAD, OPPOSITE HARDMAN AVENUE, FROM RR-A AND R-1:A TO PC, AND TO ESTABLISH A RESIDENTIAL-COMMERCIAL COMPLEX THEREON BY USE-PERMIT.

COMMENTS:

1) The subject lands are situated within the Atlas Peak neighborhood, which is master-planned for low-density-residential use.

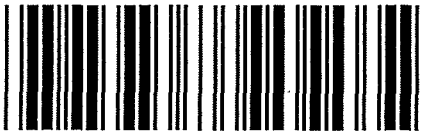
2) The proposed rezoning and use-permit requests of Mr. Spiering present an effective implementation of the plan. If approved, his project would create a very desirable, well-designed environment.

EXHIBIT AH

Planning

Cover Sheet

APN	060-320-002-000
Permit #	37-64
Program	USE
DocType	MISC
Street #	
Street Name	
Year	



APPLICATION FOR LAND USE PERMIT

Napa County Planning Commission
1436 POLK STREET
NAPA, CALIFORNIA

Silverado Land — Name of Owner
37-64 — File No.
C. H. Spiering — Applicant

Date filed: Feb. 18, 64

Sheet No. 1

Date of Hearing: 3/2/64

OFFICE FILL IN

RR:A + R-1:A
ZONING DISTRICT: ASSESSOR'S MAP BOOK: PAGE NO.:

REQUEST: to establish the following general uses within a PC zone: commercial, apartments, townhouse, country club, resort, golf course +, single family dwellings, + related uses.

APPLICANT FILL IN

APPLICANT'S NAME: Chester H. Spiering PHONE: 255-3611 643-8414

ADDRESS: 1044 Lorraine Drive, Napa, Calif.

STATUS OF APPLICANT'S INTEREST IN PROPERTY: Agreement to purchase

OWNER'S NAME: Silverado Land Company

ADDRESS: 1600 Atlas Peak Road, Napa PHONE: 224-2801

DESCRIPTION OF PROPERTY: fronting approximately 6,000 feet on the north side of Atlas Peak Road, from Old Soda Springs Road east to 1,000 feet east of Hardiman Avenue, containing 553 acres

EXPLAIN FULLY HARDSHIP INVOLVED, OR REASON FOR SPECIAL USE:

To allow an orderly development of the properties of Silverado Land Company in accordance with the plans attached.

The above statements are certified by the undersigned to be correct.

Chester H. Spiering
Signature of Applicant

OFFICE USE

NOTE: Please submit herewith a check or money order in the amount of Ten Dollars ($10.00) payable to County of Napa; also a detailed plot plan showing the location of existing and proposed structures on your property and on the adjacent properties.

$15.00

$10.00 11284
Receipt No.

By H. Eric Brainard
PLANNING DEPARTMENT

XXXXXXXXXX

PC

Application No. 37-64

Chester H. Spiering

1044 Lorraine Drive, Napa

XXXXXXXX XXXXXX

to establish the following general uses within a PC zone: commercial, apartments, townhouses, country club, resort, golf course, single family dwellings and related uses; fronting approximately 6,000 feet on the north side of Atlas Peak Road, between Old Soda Springs Road east to 1,000 feet east of Hardiman Avenue, containing 553 acres.

April 1, 1964

H. Eric Borgwardt
XXXXXXXXXXXXXXXX
Acting

EXHIBIT AI

Planning

Cover Sheet

APN	060-320-002-000
Permit #	37-64
Program	USE
DocType	NOT
Street #	
Street Name	
Year	

NOTICE OF REQUEST
FOR USE PERMIT

Notice is hereby given by the Planning Commission of the County of Napa that on Monday evening, the 2nd day of March, 1964, at the hour of 8:00 o'clock P.M. in the Chambers of the Board of Supervisors in the Court House, in the City of Napa, County of Napa, State of California, a public hearing will be conducted by said Planning Commission at which time and place all interested persons may attend and be heard upon the proposal of Chester H. Spiering to establish the following general uses within a PC zone: commercial, apartments, townhouses, country club, resort, golf course, single family dwellings and related uses, fronting approximately 6,000 feet on the north side of Atlas Peak Road, between Old Soda Springs Road east to 1,000 feet east of Hardiman Avenue, containing 553 acres.

DATED: February 18, 1964
BY ORDER OF THE PLANNING COMMISSION OF THE COUNTY OF NAPA.

H. ERIC BORGWARDT
Acting Director

AFFIDAVIT OF PUBLICATION IN

NAPA COUNTY RECORD

(Published every Wednesday)

In The

Superior Court

Of The

STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF NAPA

NOTICE OF REQUEST

FOR USE PERMIT

Chester H. Spiering

STATE OF CALIFORNIA
COUNTY OF NAPA } ss.

John A. Nemes, being first duly sworn, deposes and says: That at all times hereinafter mentioned he was a citizen of the United States, over the age of eighteen years and a resident of said county and was at all said times the printer and publisher of the NAPA COUNTY RECORD, a newspaper of general circulation, printed and published weekly in the City of Napa, County of Napa, State of California; that the NAPA COUNTY RECORD is and was at all times herein mentioned, a newspaper of general circulation as that term is defined by Section 6000 of the Government Code; its status as such newspaper of general circulation having been established by Court Decree No. 16026 of the Superior Court of the State of California, in and for the County of Napa, Department No. 1 thereof; and as provided by said Section 6000 is published for the dissemination of local and telegraphic news and intelligence of a general character, having a bona fide subscription list of paying subscribers, and is not devoted to the interests, or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for the entertainment and instruction of such classes, professions, trades, callings, races or denominations; that at all said times said newspaper had been established, printed and published in the said City of Napa, in said County and State at regular intervals for more than one year preceding the first publication of this notice herein mentioned; that said notice was set in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil, describing and expressing in general terms the purpose and character of the notice intended to be given; that the Notice of which the annexed is a printed copy, was published and printed in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

Feb. 19, 1964

John A Nemes

Subscribed and sworn to before me this 19th day of February, 1964

Thelma M. Nemes

Notary Public in and for the County of Napa, State of California.

My commission expires March 6 1966

THELMA M. NEMES
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
NAPA COUNTY

RECEIVED

FEB 20 1964

Napa Co. Planning Commission

LEGAL NOTICE

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H. ERIC BORGWARDT
Acting Director

Feb. 19, 1964

No. _____

Superior Court

IN AND FOR THE

COUNTY OF NAPA

STATE OF CALIFORNIA

DEPARTMENT NO. _____

IN THE MATTER OF

_____

_____

_____

Affidavit of Publication

Filed _____, 19____

_____
Clerk

By _____
Deputy Clerk

NOTICE OF HEARING
Proposed Zoning Change

LEGAL NOTICE

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DATED: February 18, 1964.
BY ORDER OF THE PLANNING COMMISSION OF THE COUNTY OF NAPA
H. ERIC BORGWARDT
Acting Director

Feb. 19, 1964

POSTED
P C
2-20-64

COUNTY OF NAPA

EXHIBIT AJ

Planning

Cover Sheet

APN	060-320-002-000
Permit #	37-64
Program	USE
DocType	NOT
Street #	
Street Name	
Year	

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NOTARY PUBLIC - CALIFORNIA
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Napa Co. Planning Commission

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Acting Director

Feb. 19, 1964

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DEPARTMENT NO. _____

IN THE MATTER OF

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H. ERIC BORGWARDT
Acting Director

Feb. 19, 1964

POSTED
P C
2-20-64

COUNTY OF NAPA

EXHIBIT AK

Planning

Cover Sheet

APN	060-320-002-000
Permit #	37-64
Program	USE
DocType	PLNS
Street #	
Street Name	
Year	

SCHOOL
H
HOSPITAL
R
120
140
80
100

looking northerly at expansion site. Piers extend down slopes and into water.

looking southwesterly at site.

looking South at expansion site. Note slope involved.

Age of oak Tree
24" diameter

Dean Donaldson Ag. Ext.
T.R.B.

- 50 yrs to several hundred.... depends on species & location.
- bore small hole - extract core and count rings. Only way, or cut it down & count rings.

Photos taken 3-5-91

looking SE toward Millikan Ck. outflow culvert on left. downed trees being cut up.

looking north - east.
Possible alternate site?

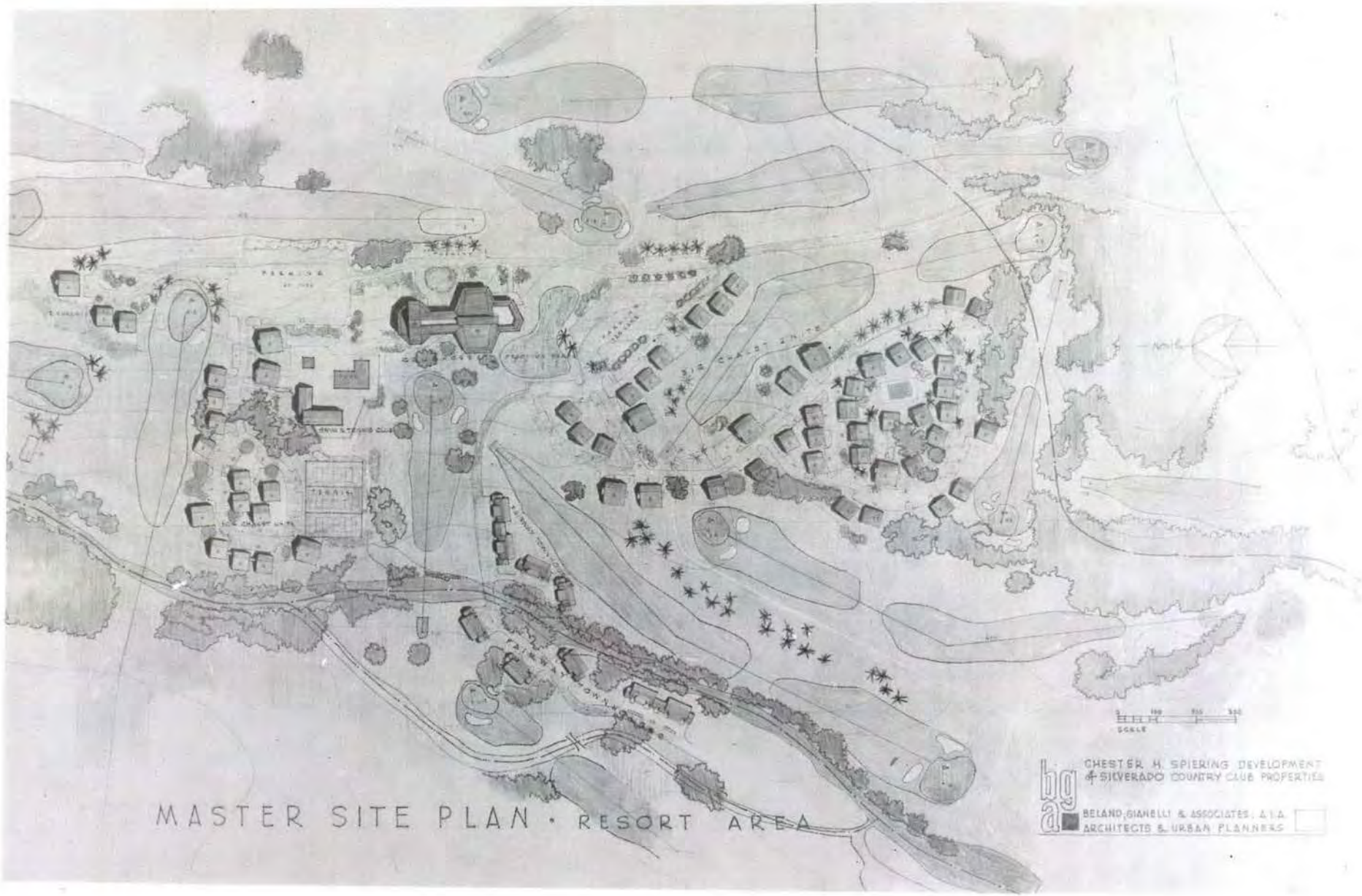
looking east

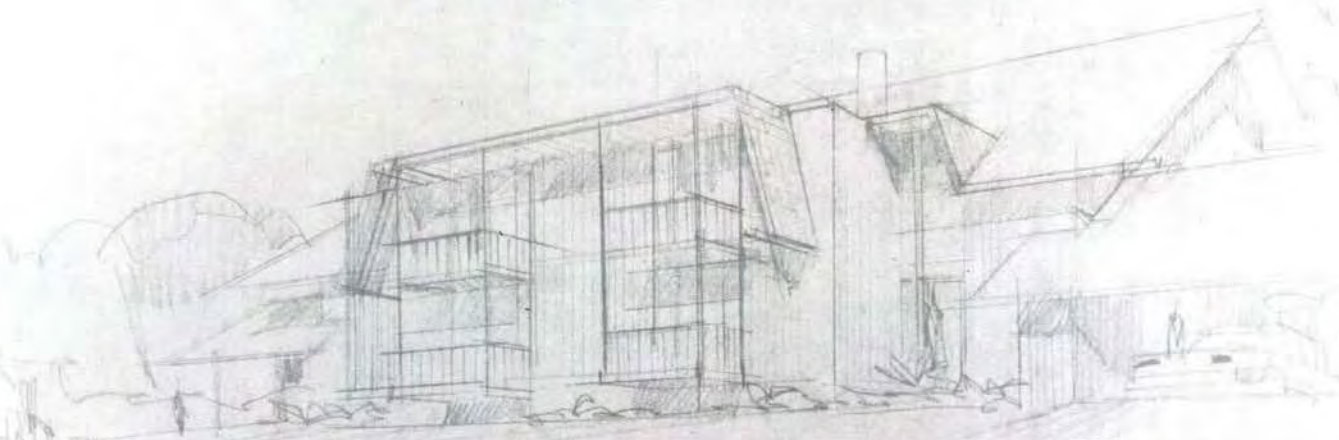
looking South towards Main clubhouse and proposed expansion site.

Photos taken 3-5-91

looking east - loading area for Main clubhouse.

looking north - expansion site.

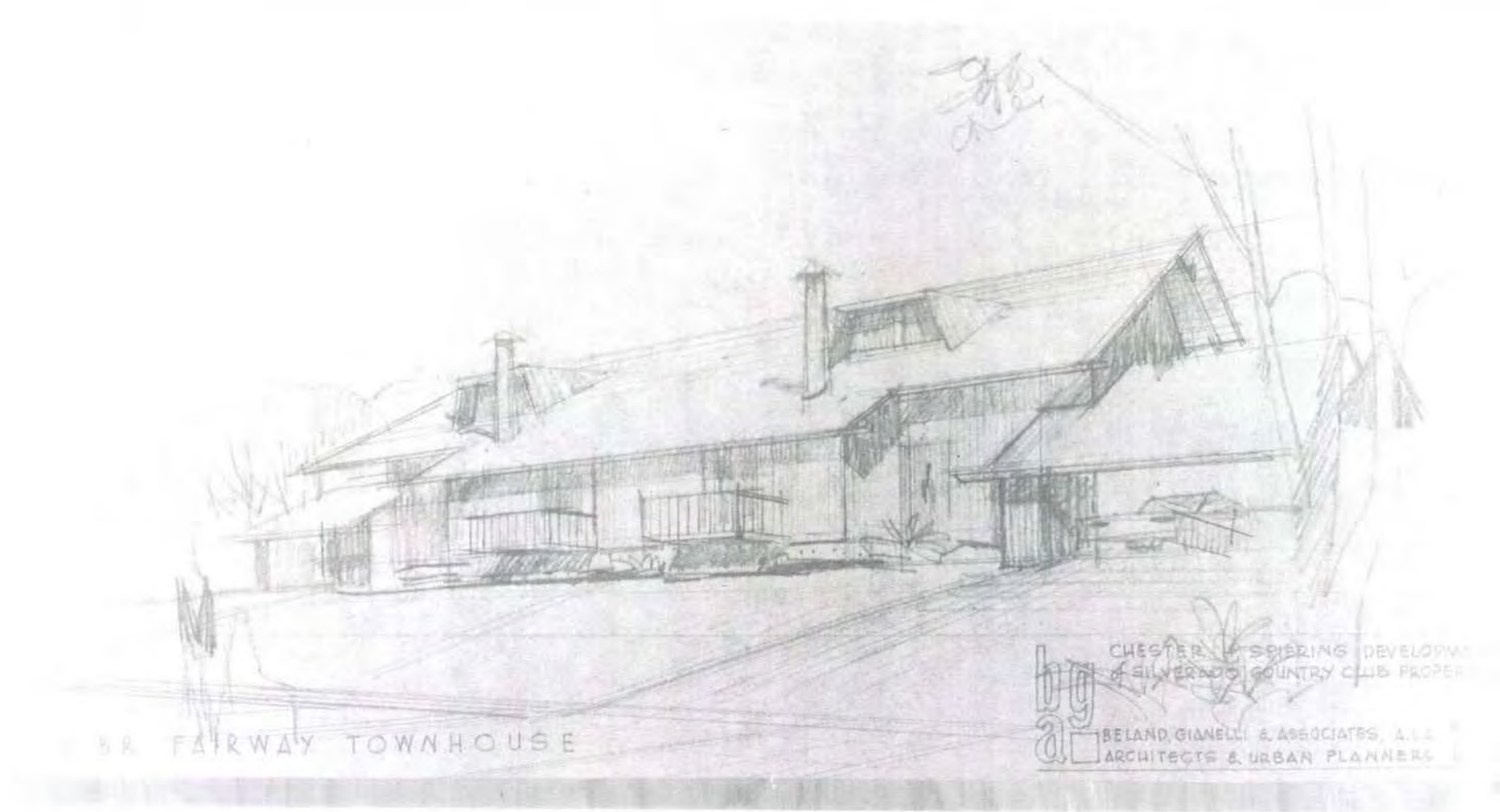

MASTER SITE PLAN · RESORT AREA
CHESTER H. SPIERING DEVELOPMENT
& SILVERADO COUNTRY CLUB PROPERTIES
BELAND, GIANELLI & ASSOCIATES, A.I.A.
ARCHITECTS & URBAN PLANNERS



3 BR. FAIRWAY TOWNHOUSE

CHESTER H. SPIERING DEVELOPMENT
of SILVERADO COUNTRY CLUB PROPERTIES

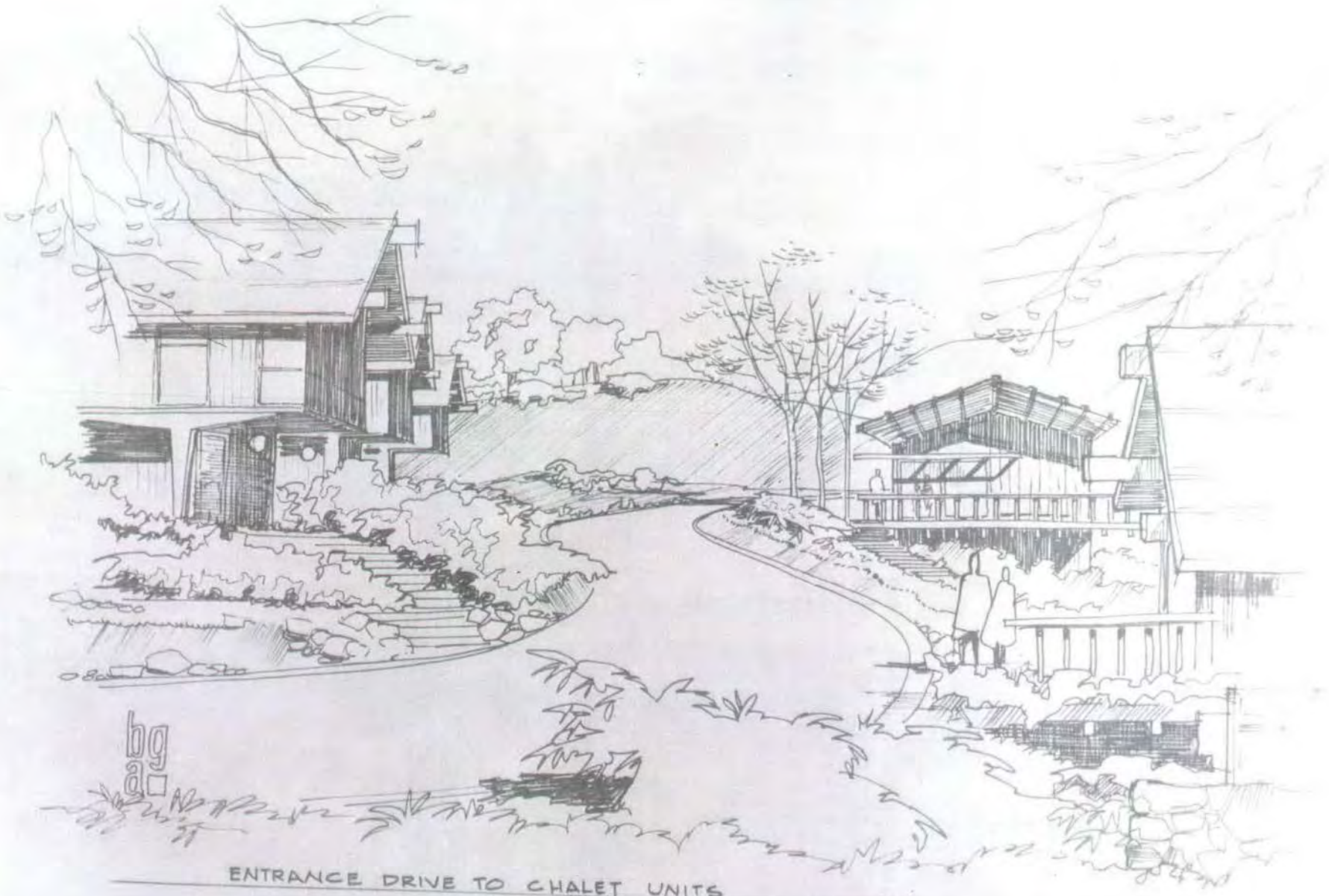
bga BELAND, GIANELLI & ASSOCIATES, A.I.A.
ARCHITECTS & URBAN PLANNERS


FAIRWAY TOWNHOUSE
CHESTER A. SPIERING DEVELOPM
of SILVERADO COUNTRY CLUB PROPER
BELAND, GIANELLI & ASSOCIATES, A.I.A.
ARCHITECTS & URBAN PLANNERS

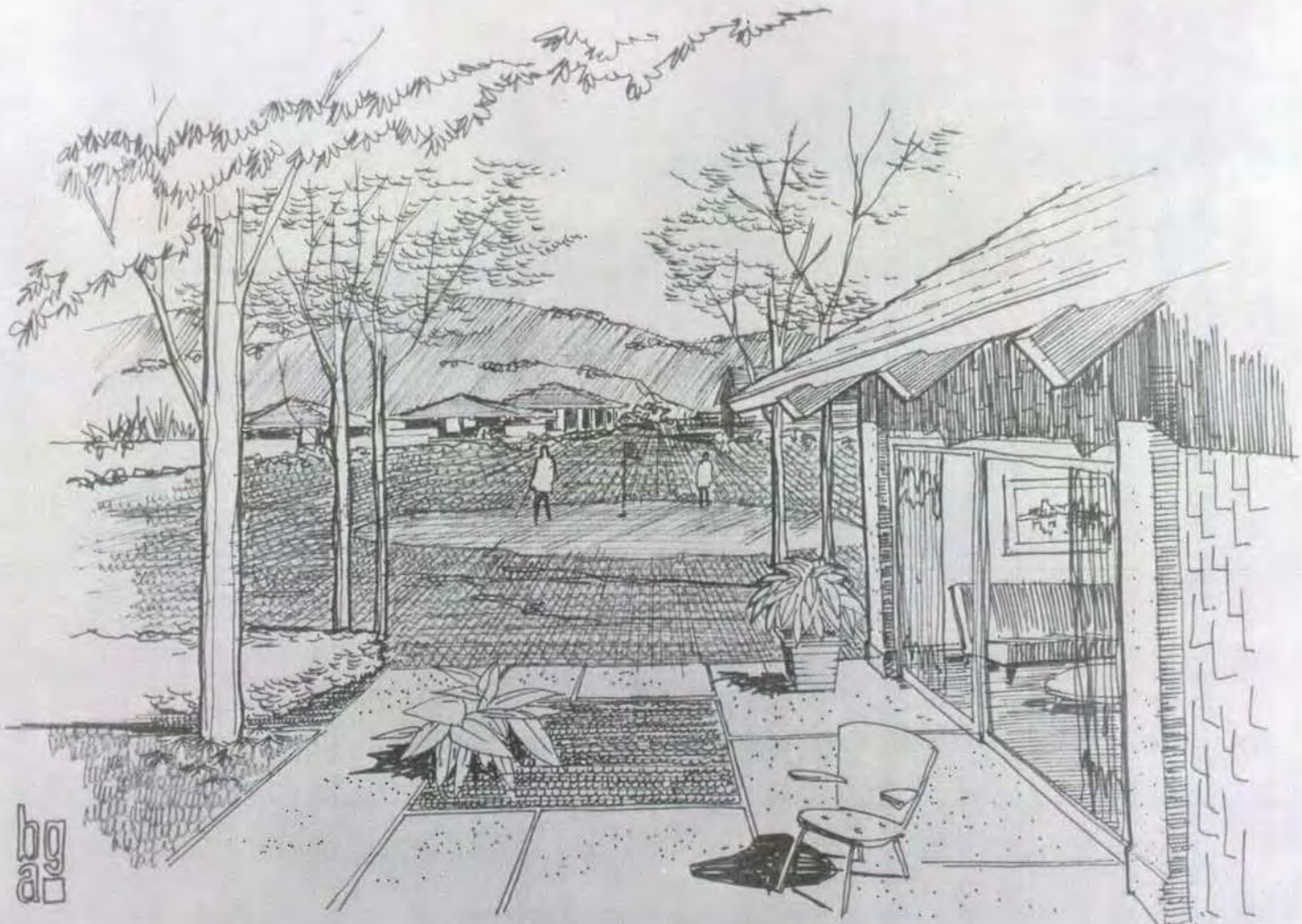
Retirement Units

Silverado Country Club Napa Cal.
Chester H. Spiering Development

Lillis & Smith aia aia
architects ...



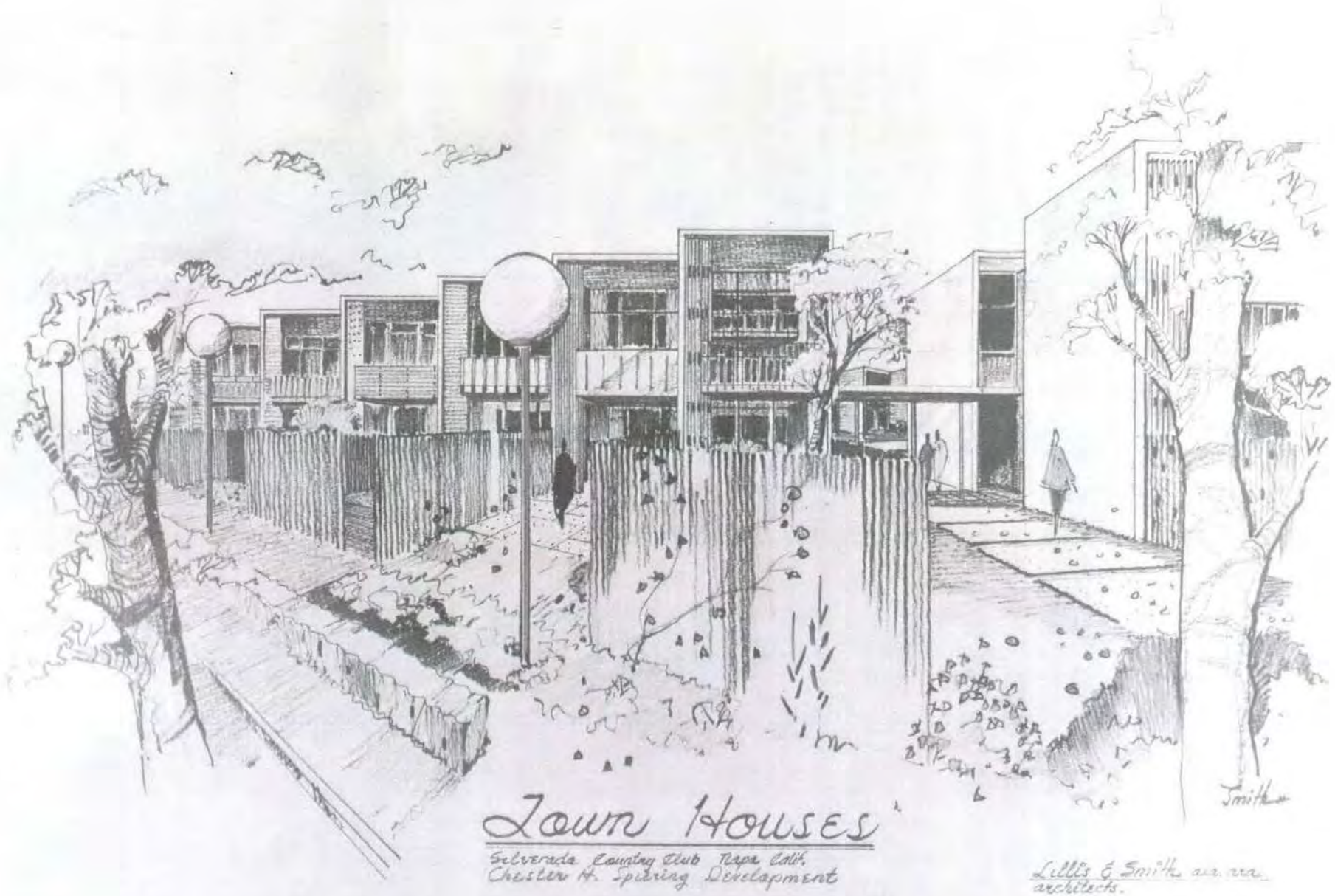
ENTRANCE DRIVE TO CHALET UNITS



VIEW FROM CHÂLET UNIT

HARDMAN RD.
ATLAS PEAK ROAD
PARKING
CLUB HOUSE
CLUB HOUSE EXPANSION
RETIREMENT UNIT
SALES OFFICE
REC. HALL
POOL
HARMONY LANE
SILVERADO
COUNTRY CLUB
SITE DEVELOPMENT

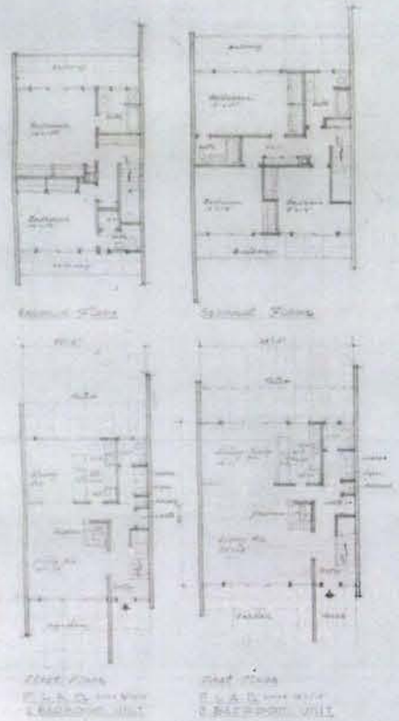
Shopping Center
Burbdale County Mall
Chester A. Downing Company
Kitts & Smith are the architects

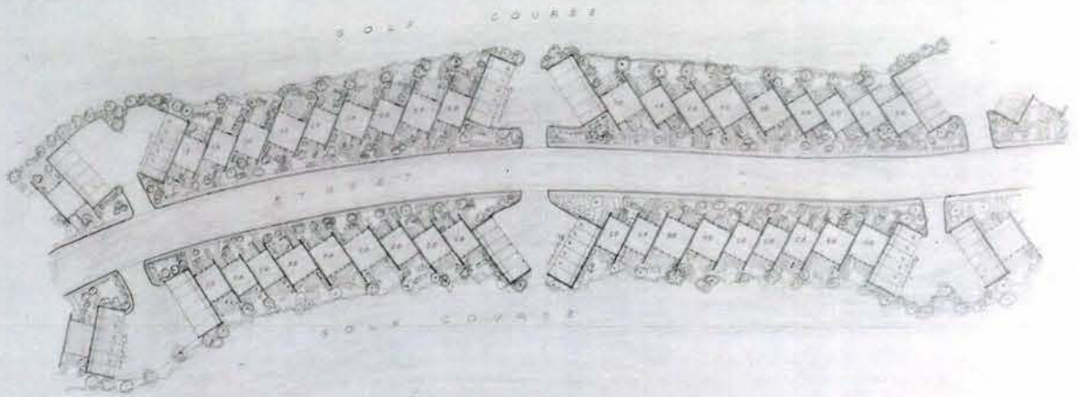


Town Houses

Silverado Country Club Napa Calif.
Chester H. Spiering Development

Lillis & Smith aia raa
architects.





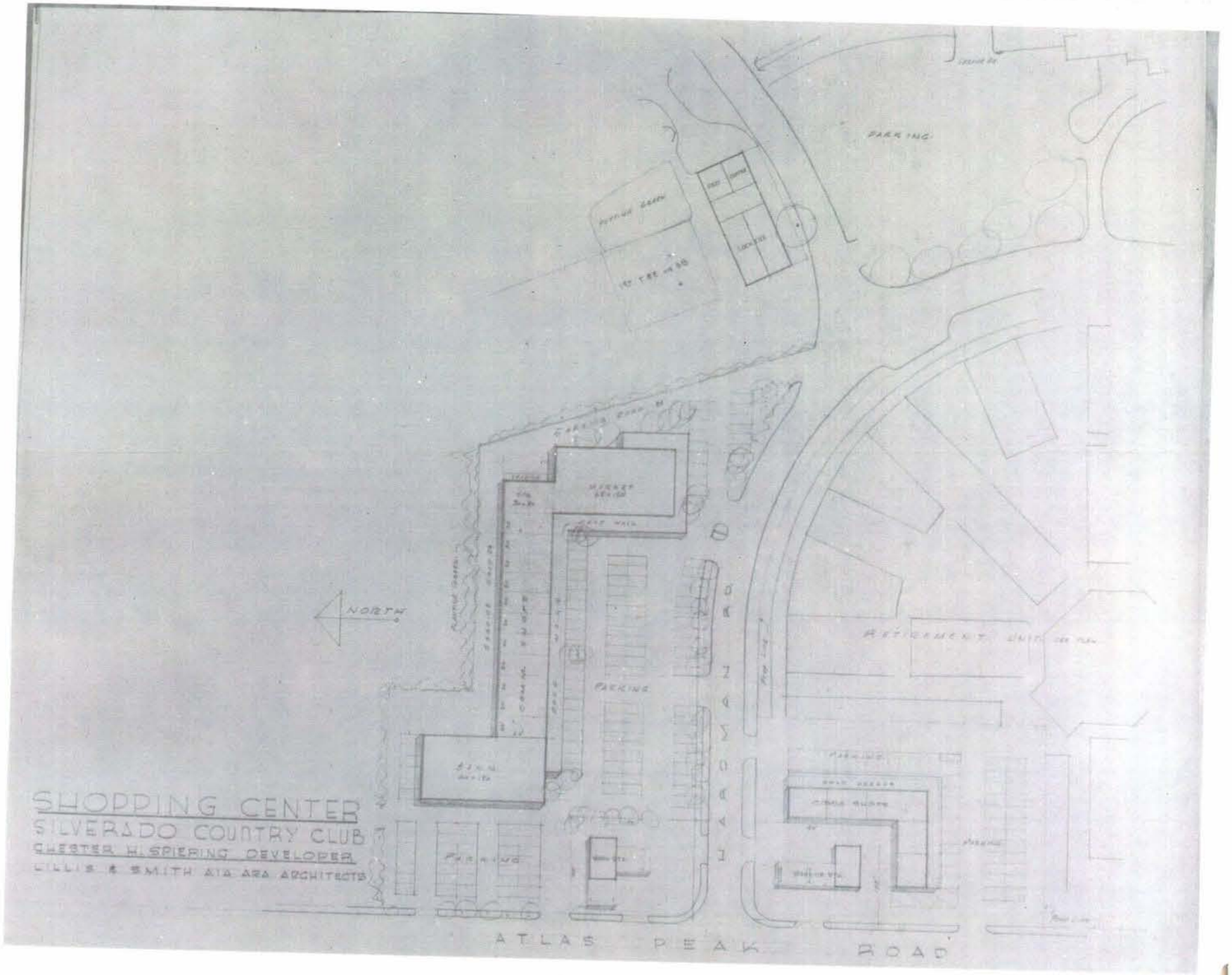
TYPICAL SITE DEVELOPMENT

TOWN HOUSE PLANNING

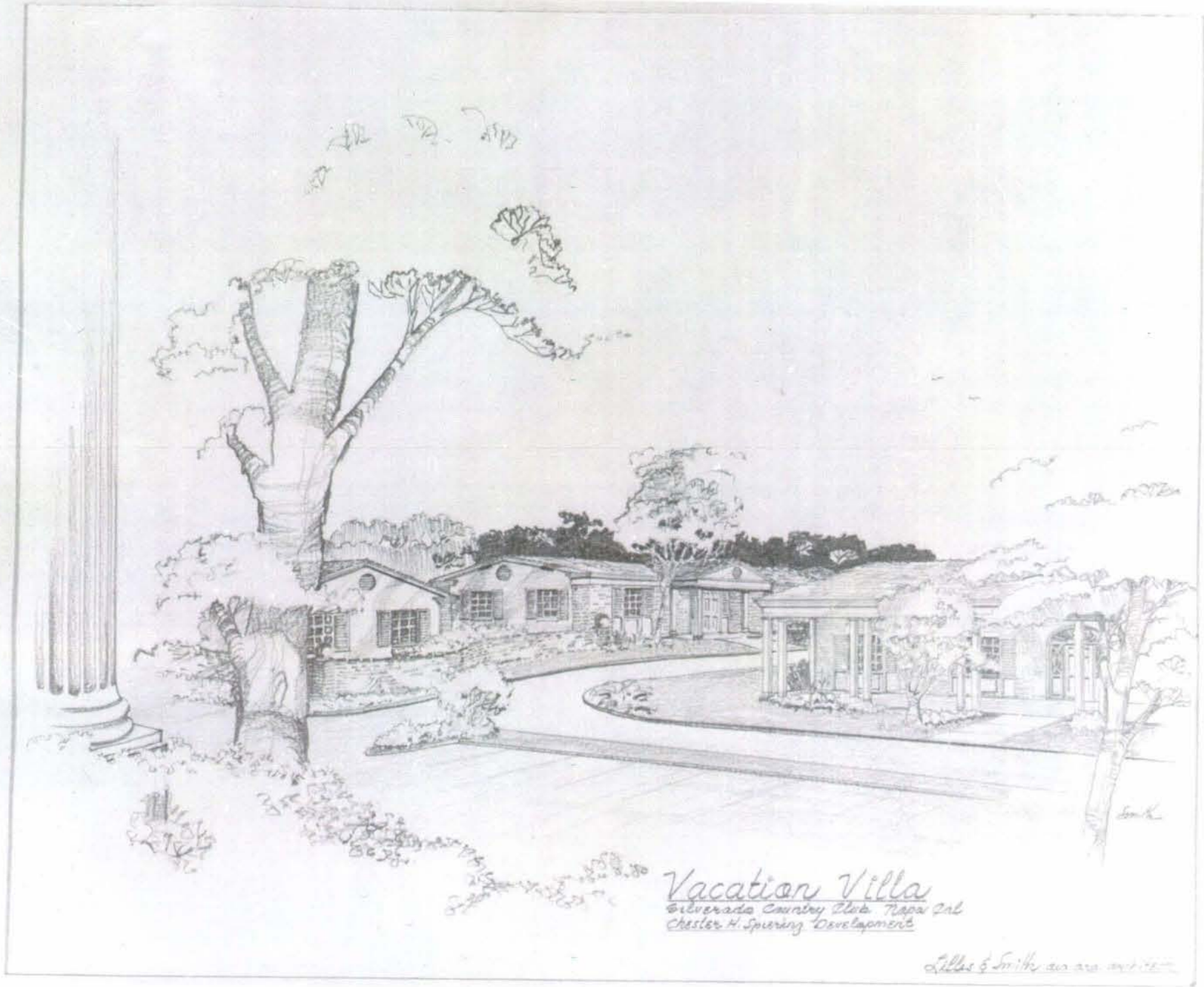
SILVERADO COUNTRY CLUB · NAPA CALIF.

CHESTER H. ETHERINGE DEVELOPER

LILLIS & SMITH ARCHITECTS A.I.A.

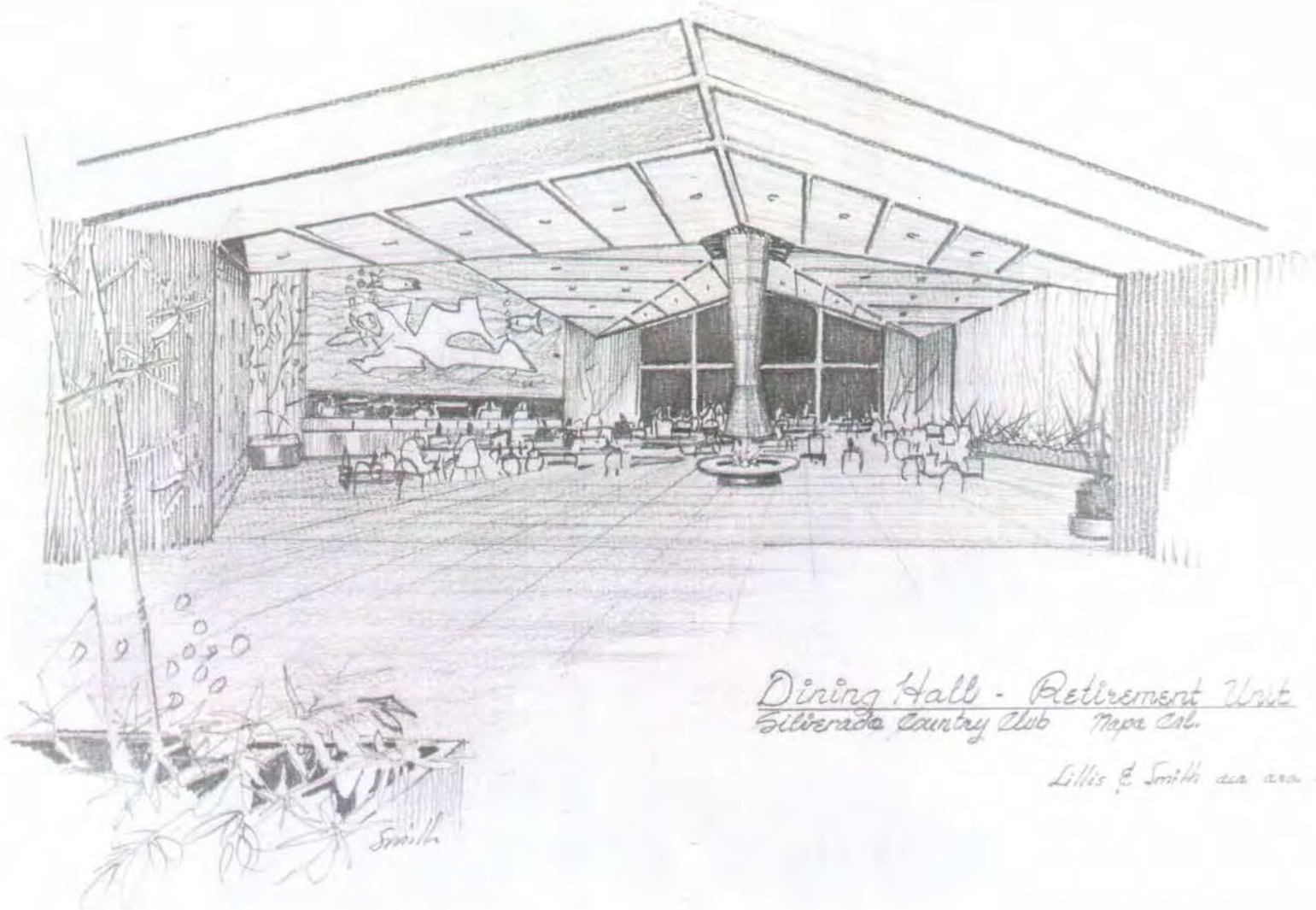


SHOPPING CENTER
SILVERADO COUNTRY CLUB
CHESTER HISPIERING DEVELOPER
LILLIS & SMITH AIA ARA ARCHITECTS



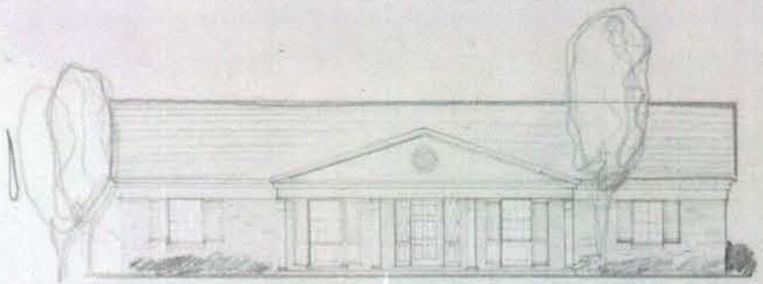
Vacation Villa
Silverado Country Club Napa Cal
Chesler H. Spiering Development

Lillis & Smith

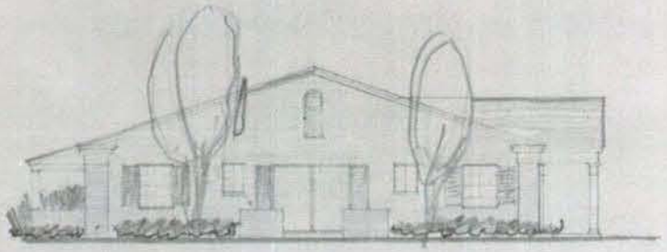


Dining Hall - Retirement Unit
Silverado Country Club Napa Cal.

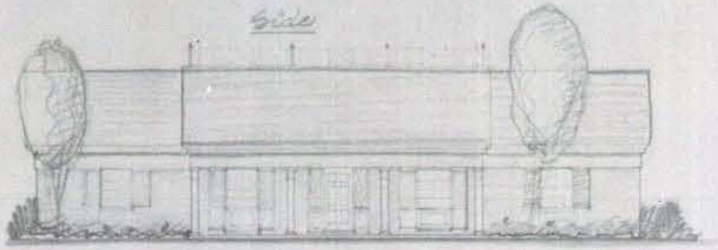
Lillis & Smith AIA Architects



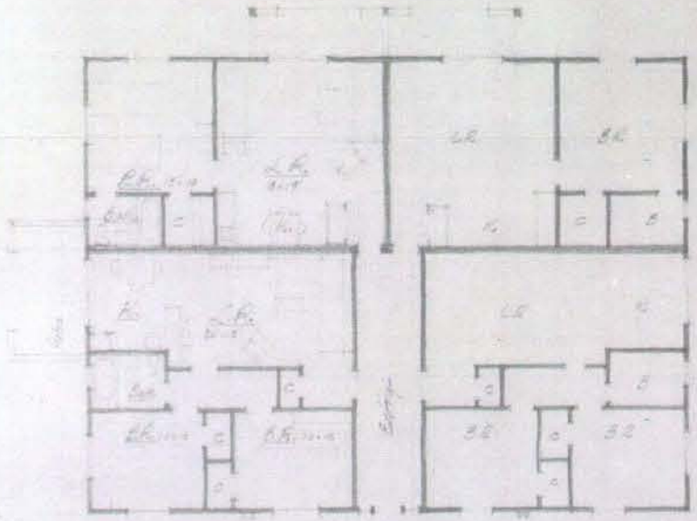
Front



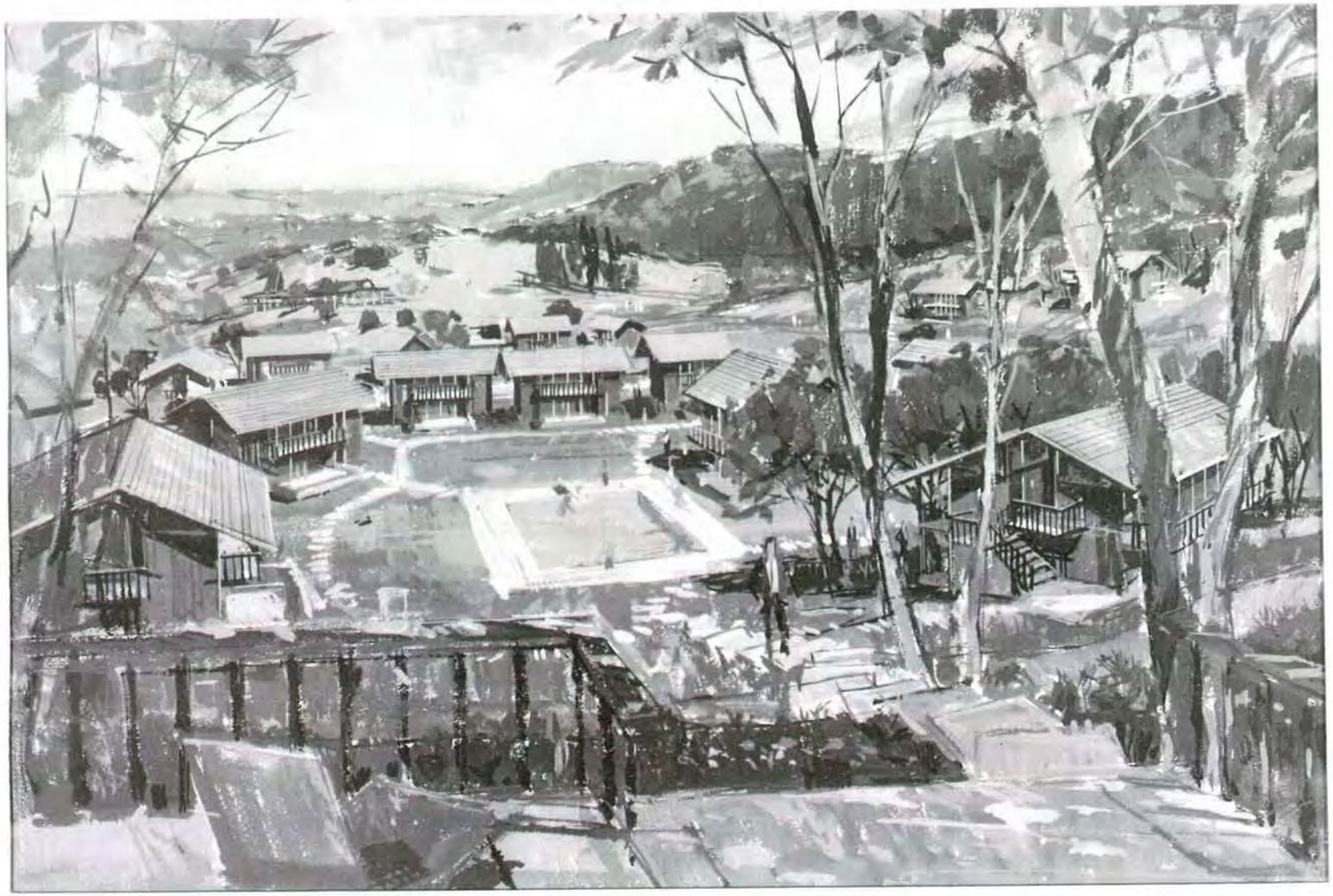
Side



Alt. Front



Vacation Villas : Unit Plan
Cluster 4. Sperling Development of:
Silverado Country Club Napa Cal.

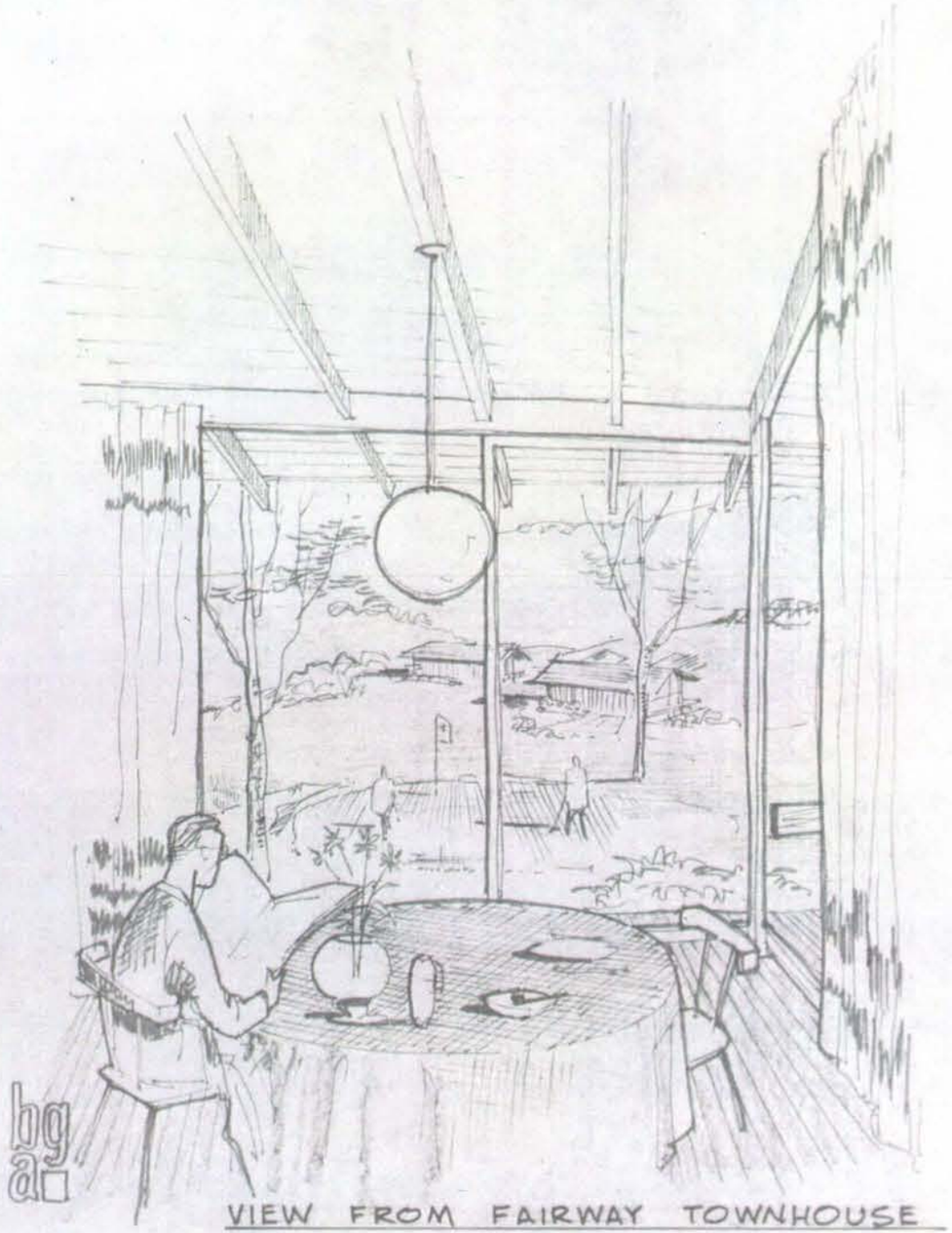


VIEW FROM CHALET TERRACE

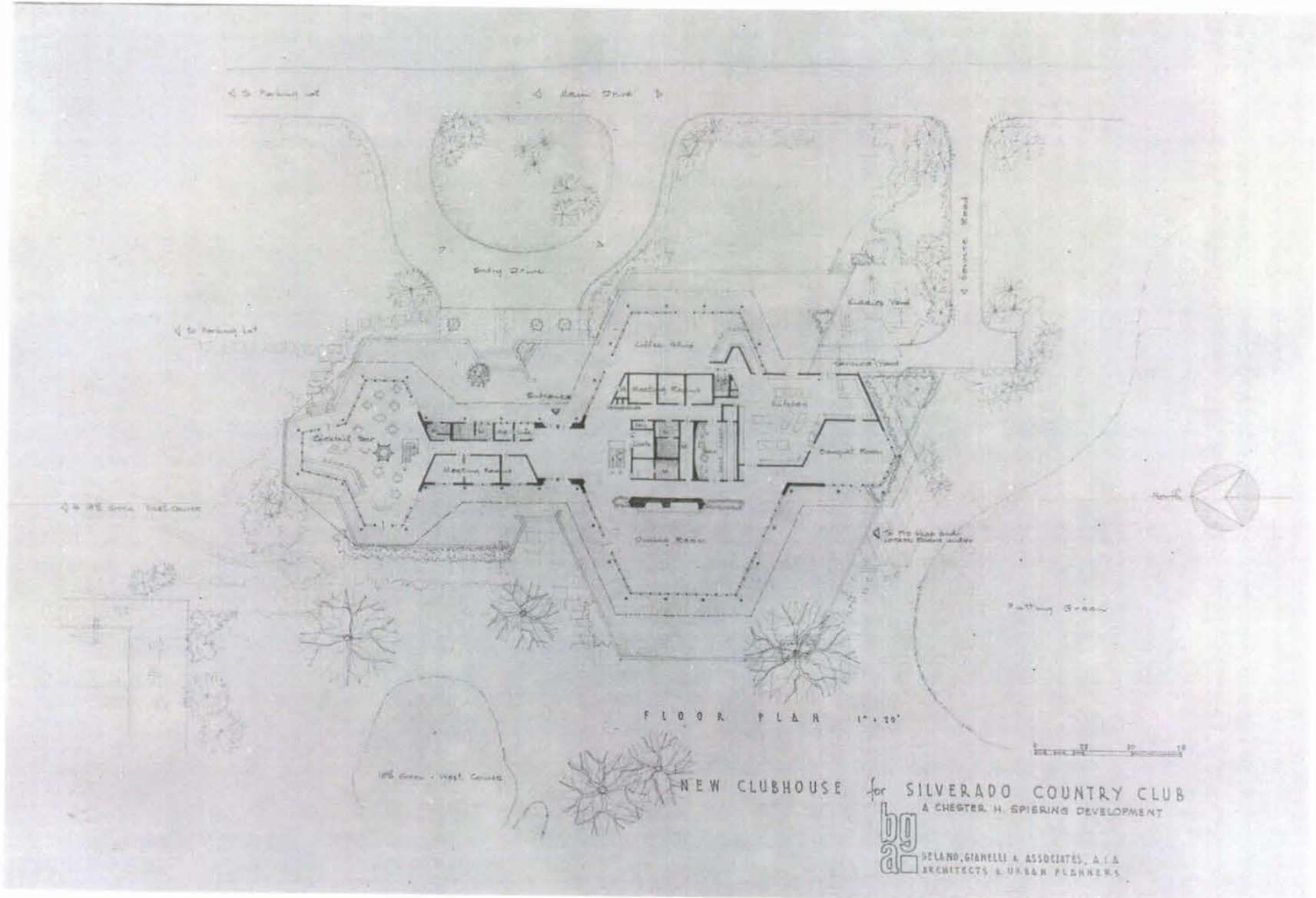
CHESTER H. SPIERING DEVELOPMENT of
SILVERADO COUNTRY CLUB PROPERTIES

BELAND, GIANELLI & ASSOCIATES, A.I.A
ARCHITECTS & URBAN PLANNERS

NEW CLUBHOUSE



VIEW FROM FAIRWAY TOWNHOUSE



NEW CLUBHOUSE for SILVERADO COUNTRY CLUB

A CHESTER H. SPIERING DEVELOPMENT

abg
DELANO, GIANELLI & ASSOCIATES, A.I.A.
ARCHITECTS & URBAN PLANNERS

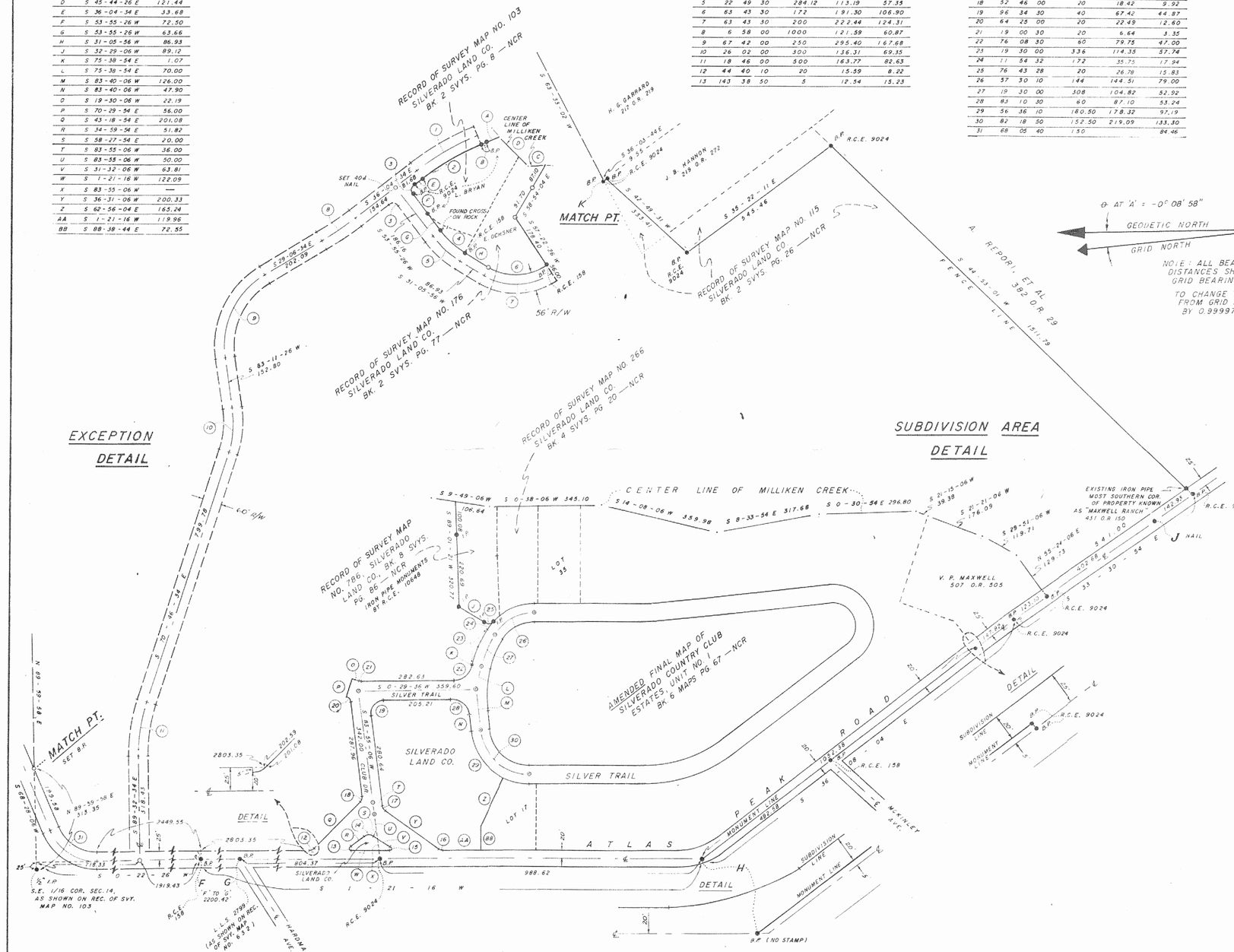
EXHIBIT AL

COURSE & DISTANCE TABLE		
LET.	COURSE	DIST.
A	S 20-46-34 E	43.45
B	S 20-46-34 E	17.20
C	S 2-35-34 E	53.77
D	S 45-44-26 E	121.44
E	S 36-04-34 E	33.68
F	S 53-55-26 W	72.50
G	S 53-55-26 W	63.66
H	S 31-05-56 W	86.93
J	S 32-29-06 W	89.12
K	S 75-38-54 E	1.07
L	S 75-38-54 E	70.00
M	S 83-40-06 W	126.00
N	S 83-40-06 W	47.90
O	S 18-30-06 W	22.19
P	S 70-29-54 E	56.00
Q	S 43-18-54 E	201.08
R	S 34-59-54 E	51.82
S	S 58-27-54 E	20.00
T	S 83-55-06 W	36.00
U	S 83-55-06 W	50.00
V	S 31-32-06 W	63.81
W	S 1-21-16 W	122.09
X	S 83-55-06 W	—
Y	S 36-31-06 W	200.33
Z	S 62-56-04 E	165.24
AA	S 1-21-16 W	119.96
BB	S 88-38-44 E	72.55

NOTE: TO CONVERT TO RECORD BEARINGS FOR RECORD OF SURVEY MAPS NOS. 103, 176, 266, 786 AND FOR S.C.C.E., UNIT NO.1, SUBDIVISION —— ROTATE GIVEN C.C.S. GRID BEARINGS 0° 10' 06" TO THE LEFT (COUNTERCLOCKWISE).

CURVE DATA					
NO.	Δ	R	L	ST
1	15° 18' 00"	800	213.63	107.45
2	15 18 00	770	205.62	103.42
3	90 00 00	20	31.42	20.00
4	22 49 30	256.12	102.03	51.70
5	22 49 30	284.12	113.19	57.35
6	63 43 30	172	191.30	106.90
7	63 43 30	200	222.44	124.31
8	6 58 00	1000	121.59	60.87
9	67 42 00	250	295.40	167.68
10	26 02 00	300	136.31	69.35
11	18 46 00	500	163.77	82.63
12	44 40 10	20	15.59	8.22
13	143 38 50	5	12.54	15.23

CURVE DATA				
NO	Δ	R	L	ST
14	66° 32' 00"	28	32.51	18.37
15	149 49 10	5	13.07	18.54
16	35 09 50	20	12.28	6.34
17	47 24 00	20	16.55	8.78
18	52 46 00	20	18.42	9.92
19	96 34 30	40	67.42	44.87
20	64 25 00	20	22.49	12.60
21	19 00 30	20	6.64	3.35
22	76 08 30	60	79.75	47.00
23	19 30 00	336	114.35	57.74
24	11 54 32	172	35.75	17.94
25	76 43 28	20	26.78	15.83
26	57 30 10	144	144.51	79.00
27	19 30 00	308	104.82	52.92
28	83 10 30	60	87.10	53.24
29	56 36 10	180.50	178.32	97.19
30	82 18 50	152.50	219.09	133.30
31	68 05 40	150		84.46



NOTE: ALL BEARINGS AND DISTANCES SHOWN ARE GRID BEARINGS AND DISTANCES. TO CHANGE TO GROUND DISTANCE FROM GRID DISTANCE DIVIDE BY 0.999974.

This map correctly represents a survey made by me or under my direction in conformance with the requirements of Chapter 15 of Division 3 of the Business and Professions Code at the request of Silverado Land Co. in May-June, 1964

(Signed and sealed) _____
R.C.E. 12408

This map has been examined for conformance with the requirements of Chapter 15 of Division 3 of the Business and Professions Code this 4TH day of JUNE, 1964.

C.H. BAILES
County Surveyor

_____
Deputy County Surveyor

$7.00 paid

Filed for record this 9 day of June, 1964, at 3:20 P.M. in Book 6 of Surveys at page 89 at the request of C. Shippy

_____
County Recorder

_____
Deputy County Recorder

LEGEND (SEE SHEET 1)

(1) DENOTES CURVE NO. (SEE CURVE DATA)

(B) LETTER DESIGNATION FOR COURSE & DISTANCE TABLE

H DENOTES CO-ORDINATED REF. PT. (SEE TABLE SHEET 1)

PURPOSE OF SURVEY: TO DEFINE THE EXTERIOR BOUNDARIES OF THE LANDS OF SILVERADO LAND CO. IT IS NOT INTENDED TO DEFINE OR LOCATE EXISTING EASEMENTS.

MAP NO. 1216

RECORD OF SURVEY MAP OF LANDS of SILVERADO LAND CO.
431 O.R. 150 LESS EXCEPTIONS & ADDITION SHOWN
PORTIONS OF YAJOME RANCHO & SEC. 13, 14, 23, 24 - T 6 N, R 4 W, SEC. 18 - T6N, R3W M.D.B. & M.

TOTAL AREA: 1033.5 ACRES

BASIS OF BEARINGS: CALIFORNIA CO-ORDINATE SYSTEM, ZONE II

FARNUM KERR ASSOCIATES — SHEET 2 OF 2
SCALE: 1" = 200' — DATE: JUNE 2, 1964

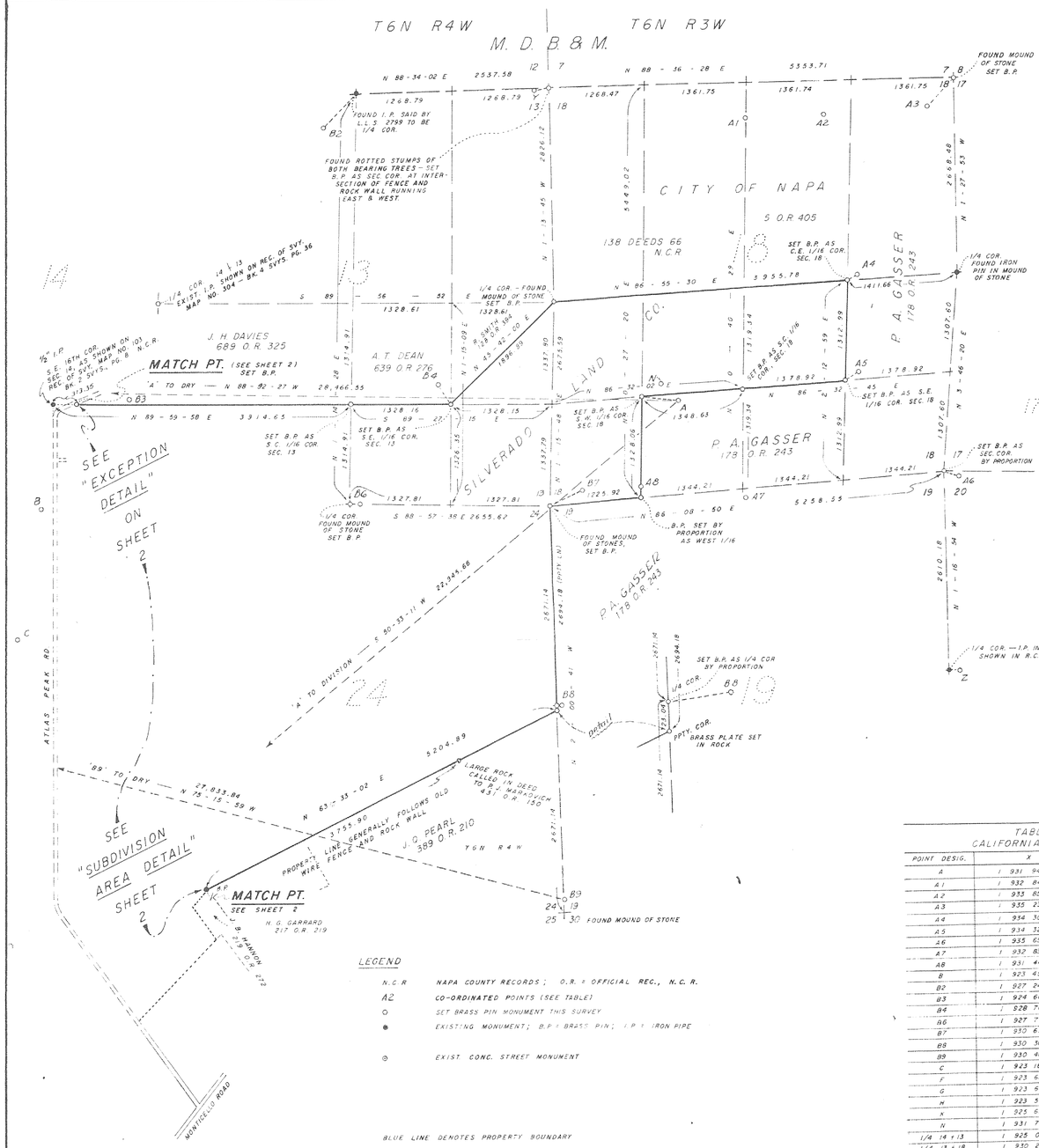


TABLE OF TIES TO PROPERTY CORNERS

PT.	TO	COR.	BEARING	DIST.
B9	"	SEC. COR. 24|19 25|30	S 00 - 52 - 30 E	174.87
B8	"	1/4 SEC. COR. 24|19	S 78 34 57 W	54.99
B7	"	SEC. COR. 13|18 24|19	S 65 34 54 W	477.93
B6	"	1/4 COR. 13 24	N 85 56 41 W	147.93
B4	"	S.E. 1/16 COR. SEC. 13	S 30 26 32 E	304.48
B2	"	1/4 COR. 12 13	N 43 43 27 E	626.80
Y	"	SEC. COR. 12|7 13|18	N 80 19 58 E	194.52
A8	"	W. 1/16 COR. 18 19	S 00 43 01 E	144.76
A	"	S.W. 1/16 COR. SEC. 18	N 83 36 56 W	496.81
A5	"	S.E. 1/16 COR. SEC. 18	S 54 23 08 W	184.91
A4	"	C.E. 1/16 COR. SEC. 18	S 50 46 59 W	102.29
Z	"	1/4 COR. 19|20	N 89 43 59 W	147.52
A6	"	SEC. COR. 18|17 19|20	N 73 16 35 W	199.24
A3	"	SEC. COR. 7|8 18|17	N 41 36 11 E	512.77

TABLE OF CO-ORDINATED POINTS
CALIFORNIA CO-ORDINATE SYSTEM, ZONE II

POINT DESIG.	X	Y	MONUMENT DESCRIPTION
A	1 931 947 . 91	253 796 . 11	2 1/2" BRASS PLATE IN ROCK
A1	1 932 840 . 49	257 508 . 32	2" BRASS PIN
A2	1 933 851 . 70	257 560 . 11	"
A3	1 935 230 . 52	257 678 . 01	"
A4	1 934 306 . 78	255 382 . 67	"
A5	1 934 327 . 07	254 113 . 66	3/4" STEEL ROD IN STONE MOUND
A6	1 935 657 . 95	252 726 . 97	2" BRASS PIN
A7	1 932 837 . 79	252 500 . 40	"
A8	1 931 441 . 82	252 658 . 08	"
B	1 923 493 . 99	252 407 . 15	"
B2	1 927 248 . 82	257 414 . 34	"
B3	1 924 668 . 62	253 845 . 27	"
B4	1 928 767 . 61	254 245 . 60	"
B6	1 927 712 . 86	252 468 . 67	"
B7	1 930 633 . 66	252 628 . 54	"
B8	1 930 568 . 13	249 772 . 35	HUB
B9	1 930 405 . 32	247 266 . 82	2" BRASS PIN
C	1 923 180 . 30	250 702 . 09	"
F	1 923 686 . 99	251 155 . 89	"
G	1 923 654 . 97	248 956 . 08	" L.S. 2799
H	1 923 592 . 59	247 163 . 60	"
K	1 925 654 . 96	247 420 . 14	" R.C.E. 9024
N	1 931 719 . 54	253 996 . 85	"
1/4 14 | 13	1 925 049 . 37	255 110 . 67	IRON PIPE
1/4 13 | 18	1 930 279 . 47	255 105 . 90	2" BRASS PIN IN STONE MOUND
1/4 18 | 17	1 935 639 . 19	255 393 . 83	3/4" STEEL ROD IN STONE MOUND
Y	1 930 027 . 10	257 898 . 71	PIPE IN STONE MOUND
Z	1 935 673 . 05	250 174 . 08	3/4" STEEL PIN
7|16 20|21	1 940 846 . 58	252 761 . 32	3/4" PIPE IN STONE MOUND
A	1 924 585 . 88	245 753 . 02	NAIL
DIVISION	1 914 228 . 94	239 207 . 32	U.S.C. & G.S. 2ND ORDER MONUMENT
DRY	1 903 486 . 86	254 345 . 43	" " " "

LEGEND

N.C.R.	NAPA COUNTY RECORDS; O.R. = OFFICIAL REC., N.C.R.
A2	CO-ORDINATED POINTS (SEE TABLE)
○	SET BRASS PIN MONUMENT THIS SURVEY
●	EXISTING MONUMENT; B.P. = BRASS PIN; I.P. = IRON PIPE
◎	EXIST. CONC. STREET MONUMENT

BLUE LINE DENOTES PROPERTY BOUNDARY

NOTE: ALL BEARINGS AND DISTANCES SHOWN ARE GRID BEARINGS AND DISTANCES
TO CHANGE TO GROUND DISTANCE FROM GRID DISTANCE DIVIDE BY 0.999974

NOTE ON MONUMENT MARKINGS: POINTS A THROUGH C, (EXCEPT A5 AND B8) AND N ARE MARKED AS SHOWN
(SEE TABLE) ← POINT DESIGNATION
POINTS F, G, H, J AND K ARE EXIST. MONUMENTS OF PREVIOUS SURVEYS.

PURPOSE OF SURVEY: TO DEFINE THE EXTERIOR BOUNDARIES OF THE LANDS OF SILVERADO LAND CO. IT IS NOT INTENDED TO DEFINE OR LOCATE EXISTING EASEMENTS.

This map correctly represents a survey made by me or under my direction in conformance with the requirements of Chapter 15 of Division 3 of the Business and Professions Code at the request of Silverado Land Co. in May-June, 1964

(Signed and sealed) _____
R.C.E. 12408

This map has been examined for conformance with the requirements of Chapter 15 of Division 3 of the Business and Professions Code this 4TH day of June, 1964.

C. H. BRILES
County Surveyor

_____
Deputy County Surveyor

$7.00 paid

Filed for record this 9 day of June, 1964, at 3:70 P.m. in Book 6 of Surveys at page 88 at the request of _____

_____
County Recorder

_____
Deputy County Recorder

MAP NO. 1216

RECORD OF SURVEY MAP OF LANDS of SILVERADO LAND CO.

431 O.R. 150 LESS EXCEPTIONS & ADDITION SHOWN
PORTIONS OF YAJOME RANCHO &
SEC. 13, 14, 23, 24 - T6N, R4W,
SEC. 18 - T6N, R3W M.D.B.&M.

TOTAL AREA: 1033.5 ACRES

BASIS OF BEARINGS:
CALIFORNIA CO-ORDINATE SYSTEM, ZONE II

FARNUM KERR ASSOCIATES — SHEET 1 OF 2
SCALE: 1" = 1000' — DATE: JUNE 2, 1964

GREEN 18TH

CREEK

EDGE OF BANK

HARMONY LANE

NEW DINING

CLUB HOUSE EXPANSION

EXIST.

C

CLUB HOUSE

PARKING

PARKING

LAWN

LAWN

VACATION VILLA

2 UNIT HOMES

196 UNITS

F

PUTTING GREEN

CREEK

PARKING

REMOVED

EXIST. OFFICE MOVE HERE

TEMP. 18TH TEE

TEE OFF 1ST (Golf)

RENTAL OFFICE

PRESS ROOM

NEW POOL

EXIST. CABANA

E

BRICK FENCE

TO SUBDIVISION

GUEST PARKING

HARDMAN RD.

LR

GARDEN

LR

LR

DR

K

LR

SERVICE

BOILER

RETIREMENT UNIT

± 144 UNITS TOTAL

G

PARKING

SERVICE

COMM. SHOPS

PARKING

SERVICE STAT.

PARKING

COMM. DEVELOPMENT

ATLAS PEAK ROAD

BRICK FENCE

TENNIS

DIVING

POOL

SMALL FRY

RECREATIONAL AREA

K

TENNIS ETC.

NORTH

Scale: 1"=40-0"

CHESTER H. SPIERING

SILVERADO COUNTRY CLUB SITE DEVELOPMENT

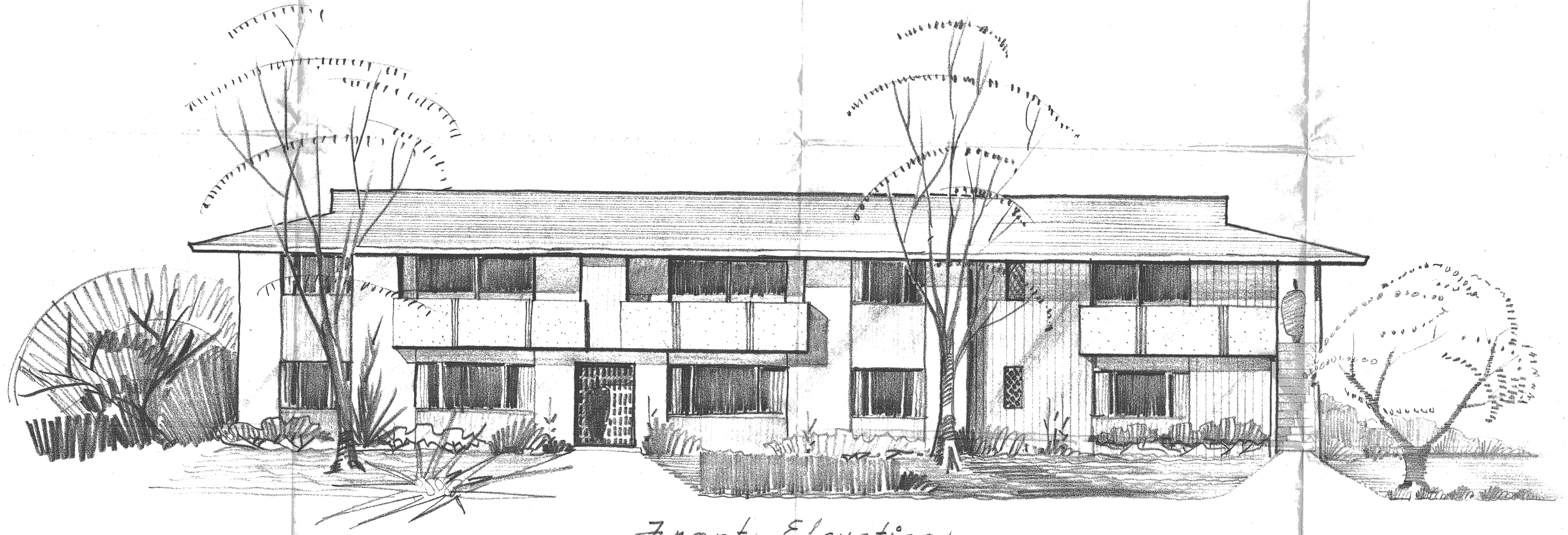
NAPA CALIF.

LILLIS & SMITH AIA ARA ARCH.

31-Jed

AND-350-005

C-E-F-G-K.



Front Elevation ...

Silverado Terrace
Chester H. Spiering Developer
Silverado Country Club
Lillis & Smith, Architects

H

CHESTER H. SPIERING DEVELOPMENT

SILVERADO COUNTRY CLUB

SITE DEVELOPMENT

NAPA CAL

SCALE : 1" = 40'-0"

LILLIS & SMITH A.I.A. A.R.A.

ARCHITECTS

NORTH

SERVICE ROAD

COMM. SHOPS

MARKET

COVD. WALK

PARKING

BANK

STATION

TO TOWN HOUSES

PARKING

LAWN

LAWN

SWIMMING POOL

COFFEE SHOP

POOL

SIDE FENCE

TENNIS

PARKING

VILLA DRIVE

84 UNITS VACATION VILLA

RENTAL OFFICE

EXISTING CABANA

BRICK FENCE

SILVERADO TRAIL TO SUBDIVISION

GUEST PARKING

WALK

GARDEN

PATIO AREA

RETIREMENT UNIT

192 UNITS TOTAL 24

DINING HALL

SERVICE

BOILER

GARDEN

COVD. WALK

COMM. SHOPS

PARKING

STATION

VACATION VILLA

84 UNITS

GARDEN

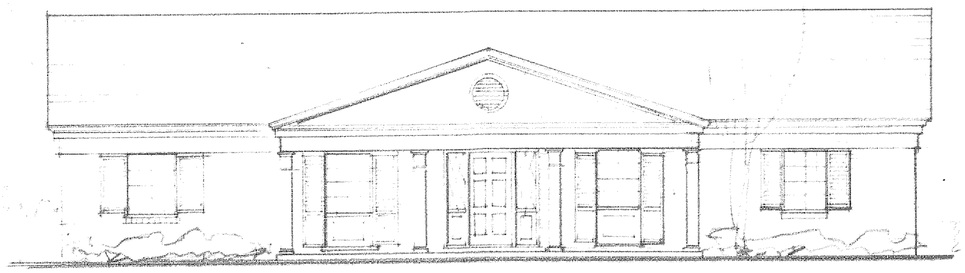
ATLAS PEAK ROAD

CHESTER H SPIERING DEVELOPMENT
of SILVERADO COUNTRY CLUB PROPERTIES

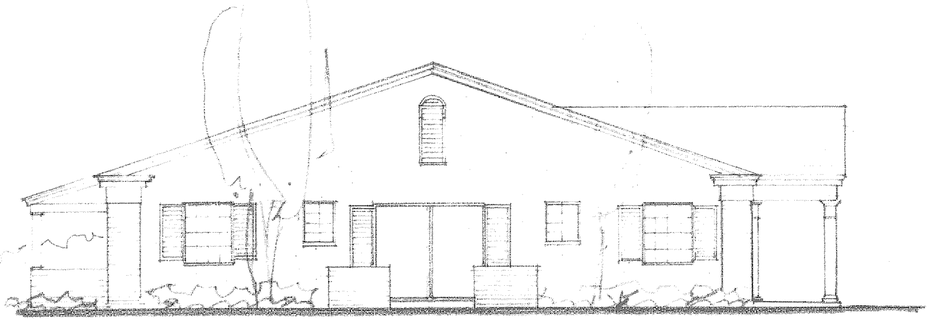
BELAND, GIANELLI & ASSOCIATES A.I.A
ARCHITECTS & URBAN PLANNERS

VISTA APARTMENTS

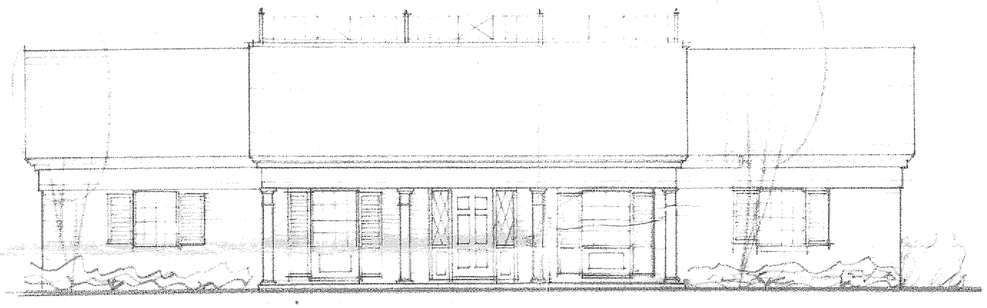
2 II 64



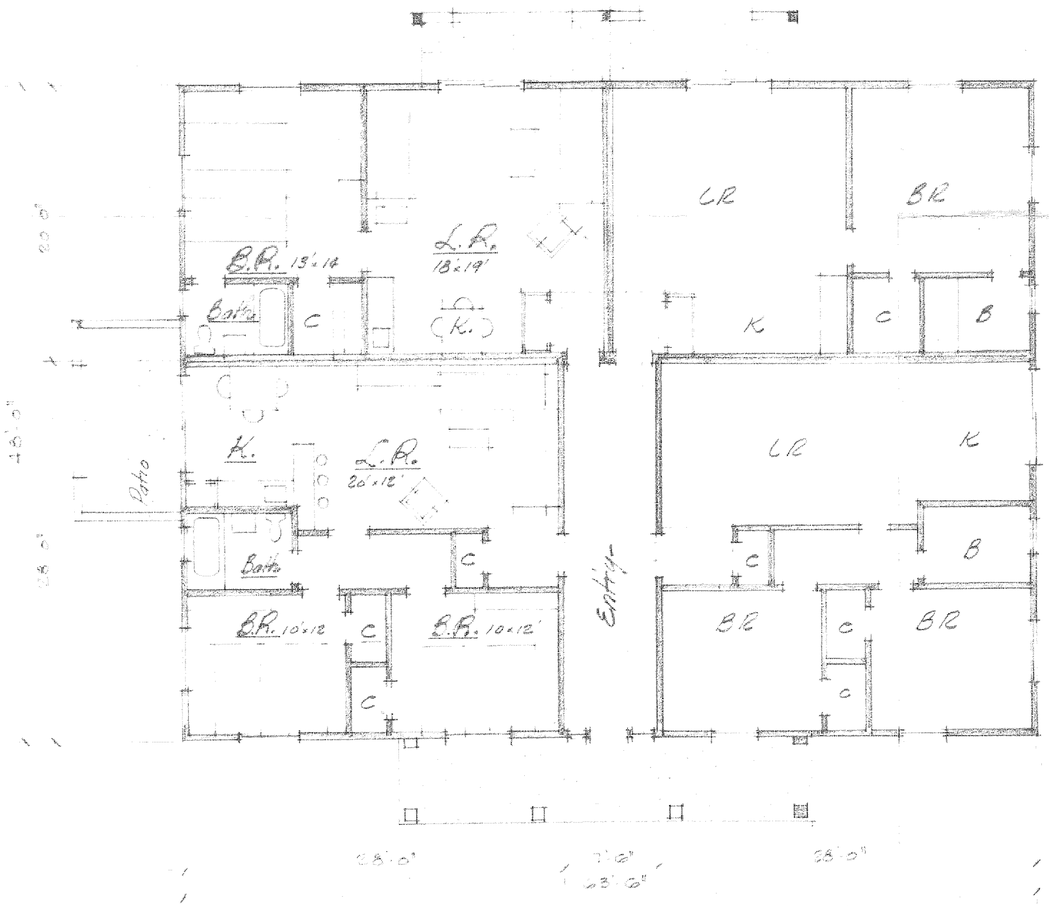
Front



Side



Alt. Front



Floor Plan — 2 - TWO B.R. & 2 ONE B.R.

Scale: 1/8" = 1'-0" area = 3040 SF

Vacation Villa : Unit Plan

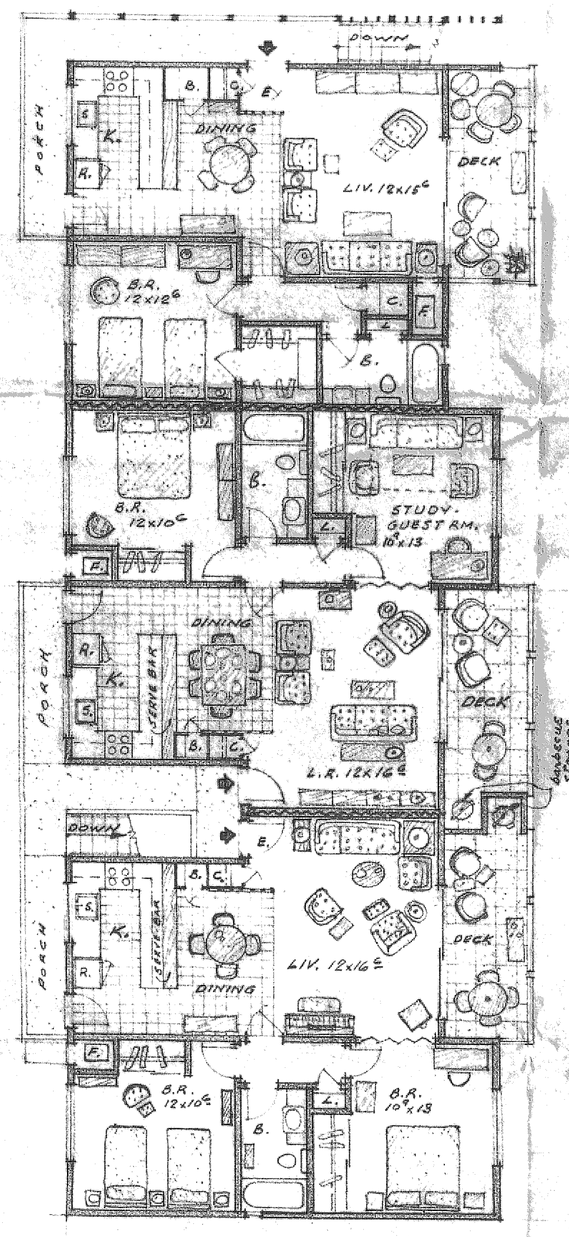
Chester H. Spiering Development of:

Silverado Country Club Napa, Cal.

Lillis & Smith aia ara

architects

F

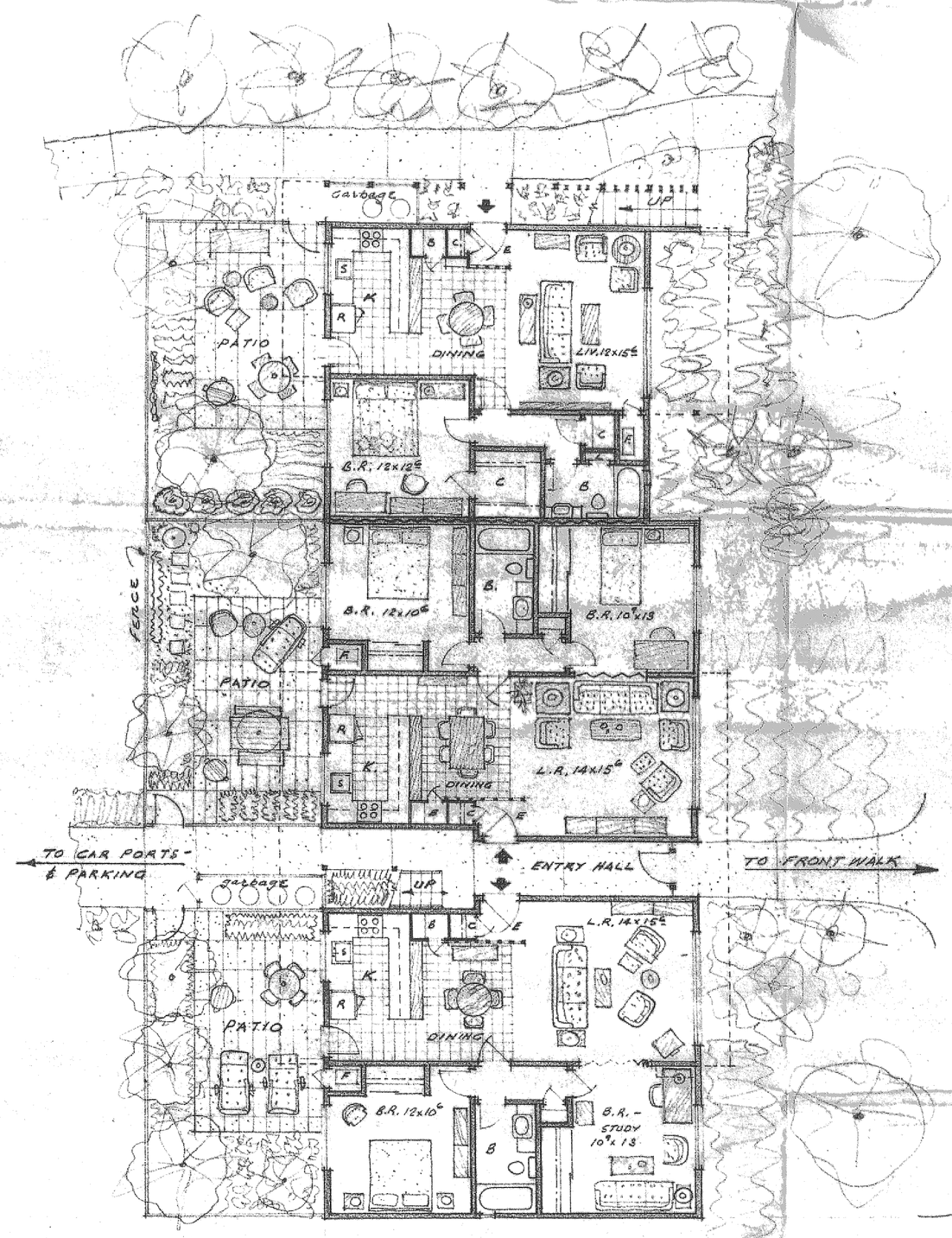


SECOND FLOOR PLAN

SCALE 1/8" = 1'-0"

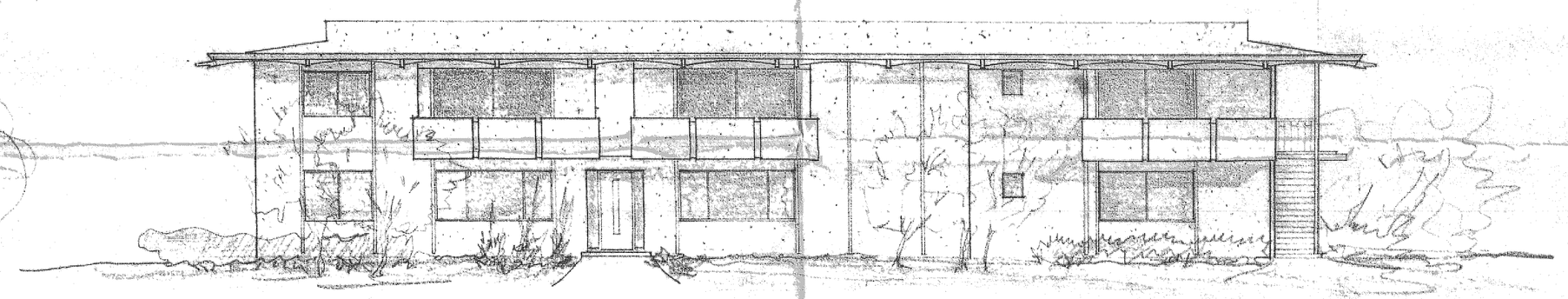
ABBREVIATIONS

B. = BATH
B.C. = BROOM CLOSET
C. = COAT CLOSET
B.R. = BEDROOM
L.R. = LIVING ROOM
K. = KITCHEN
E. = ENTRY
L. = LINEN CLOSET
F. = FURNACE
R. = REFRIGERATOR
S. = SINK



FIRST FLOOR PLAN

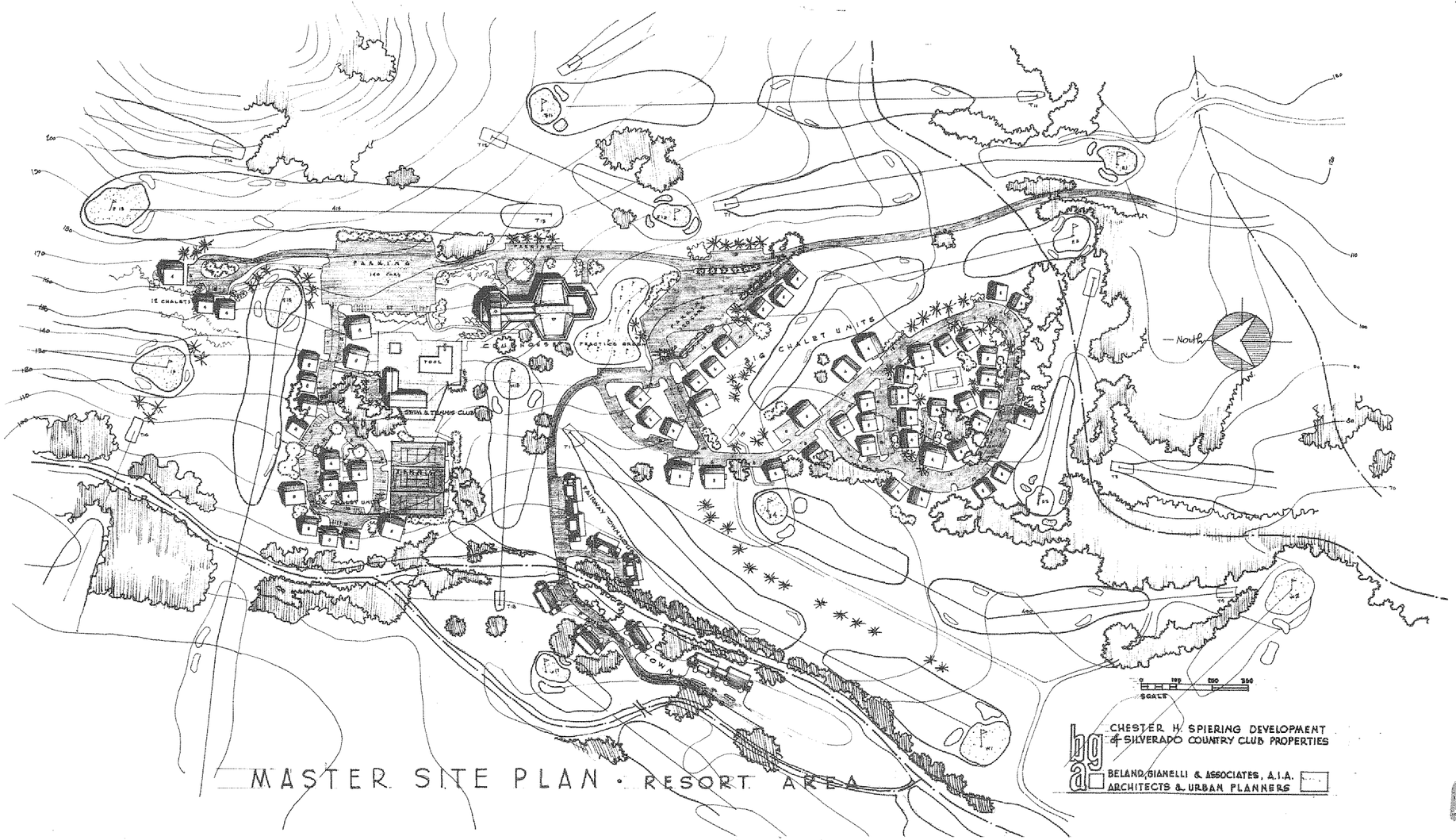
SCALE 1/8" = 1'-0"



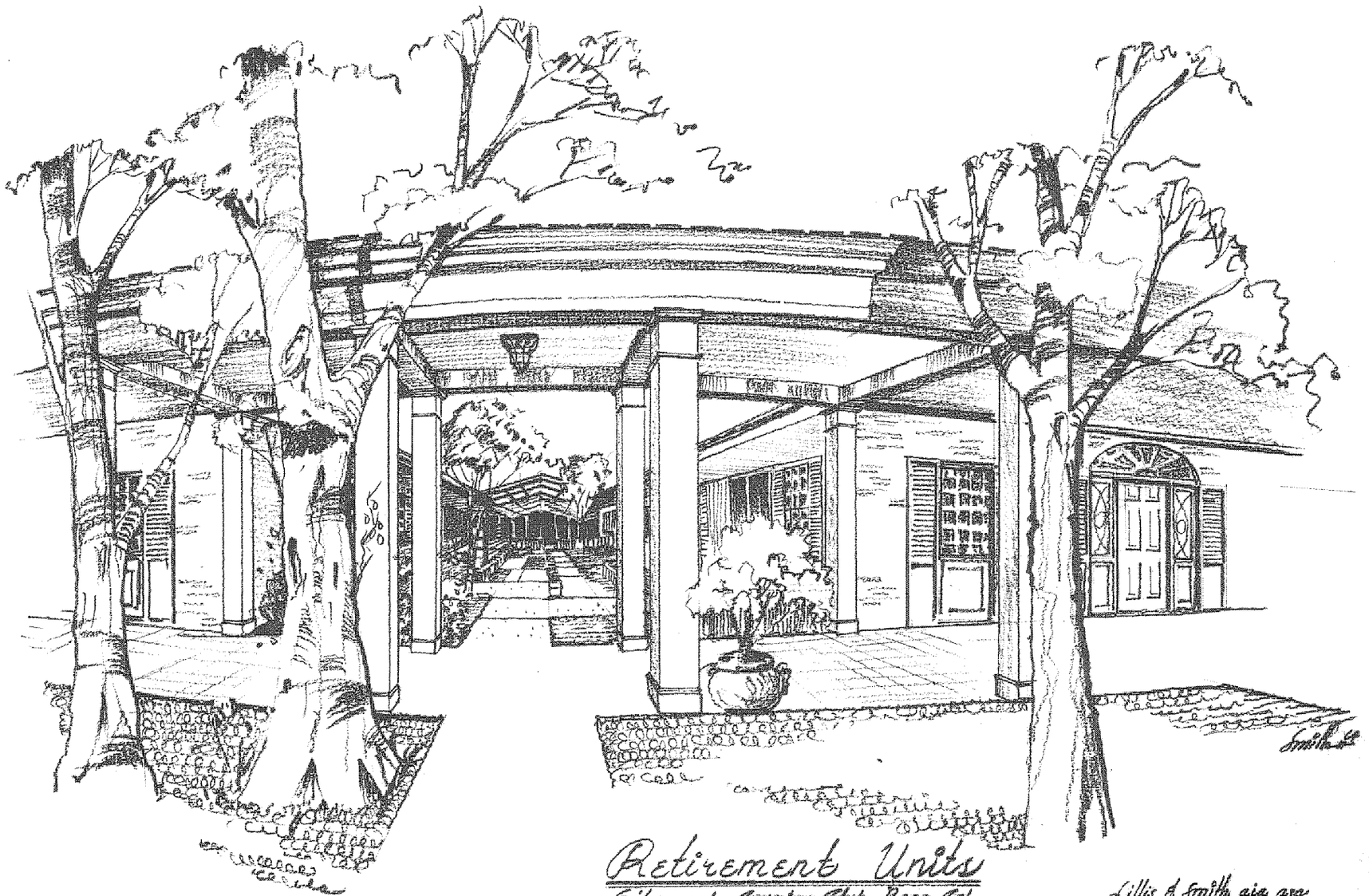
SILVERADO TERRACE SILVERADO COUNTRY CLUB

APARTMENT UNITS FOR
CHESTER H. SPIERING, DEVELOPER

LILLIS AND SMITH ARCHITECTS A.I.A.
FEBRUARY 15, 1963



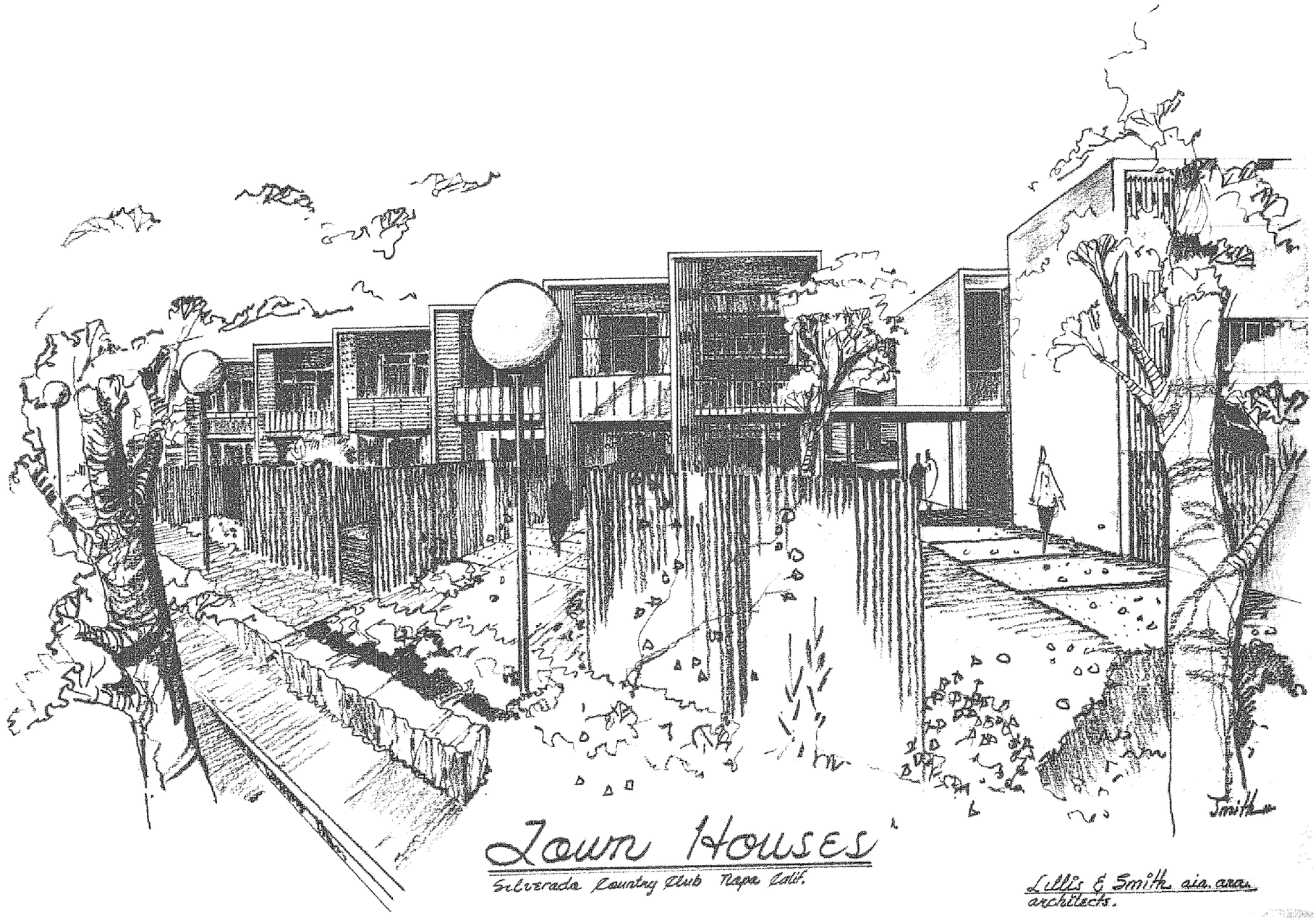
MASTER SITE PLAN · RESORT AREA



Retirement Units

Silverado Country Club Napa Cal.

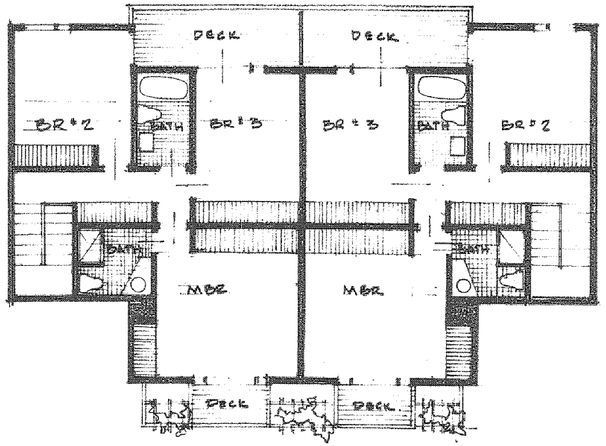
Lillis & Smith aia aia
architects



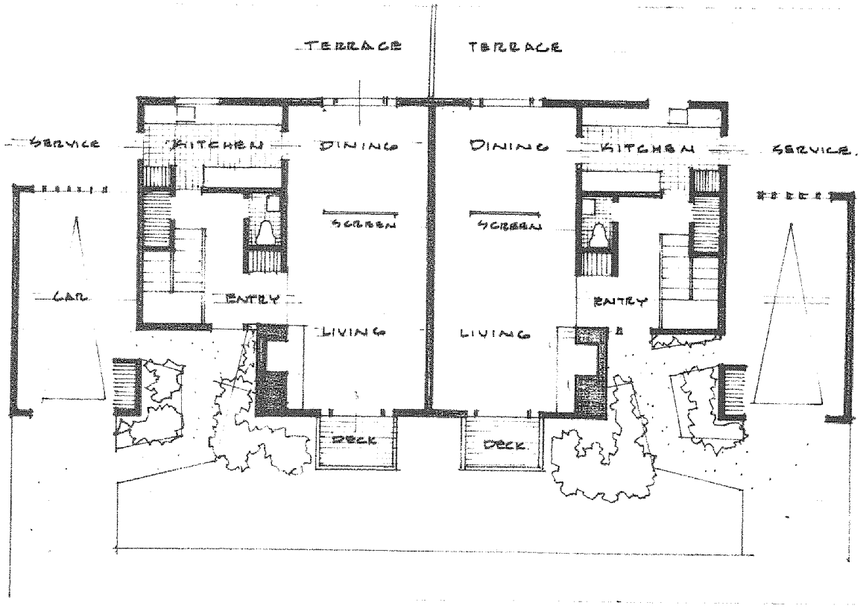
Town Houses

Silverado Country Club Napa Calif.

Lillis & Smith aia. aras.
architects.



UPPER FLOOR



LOWER FLOOR

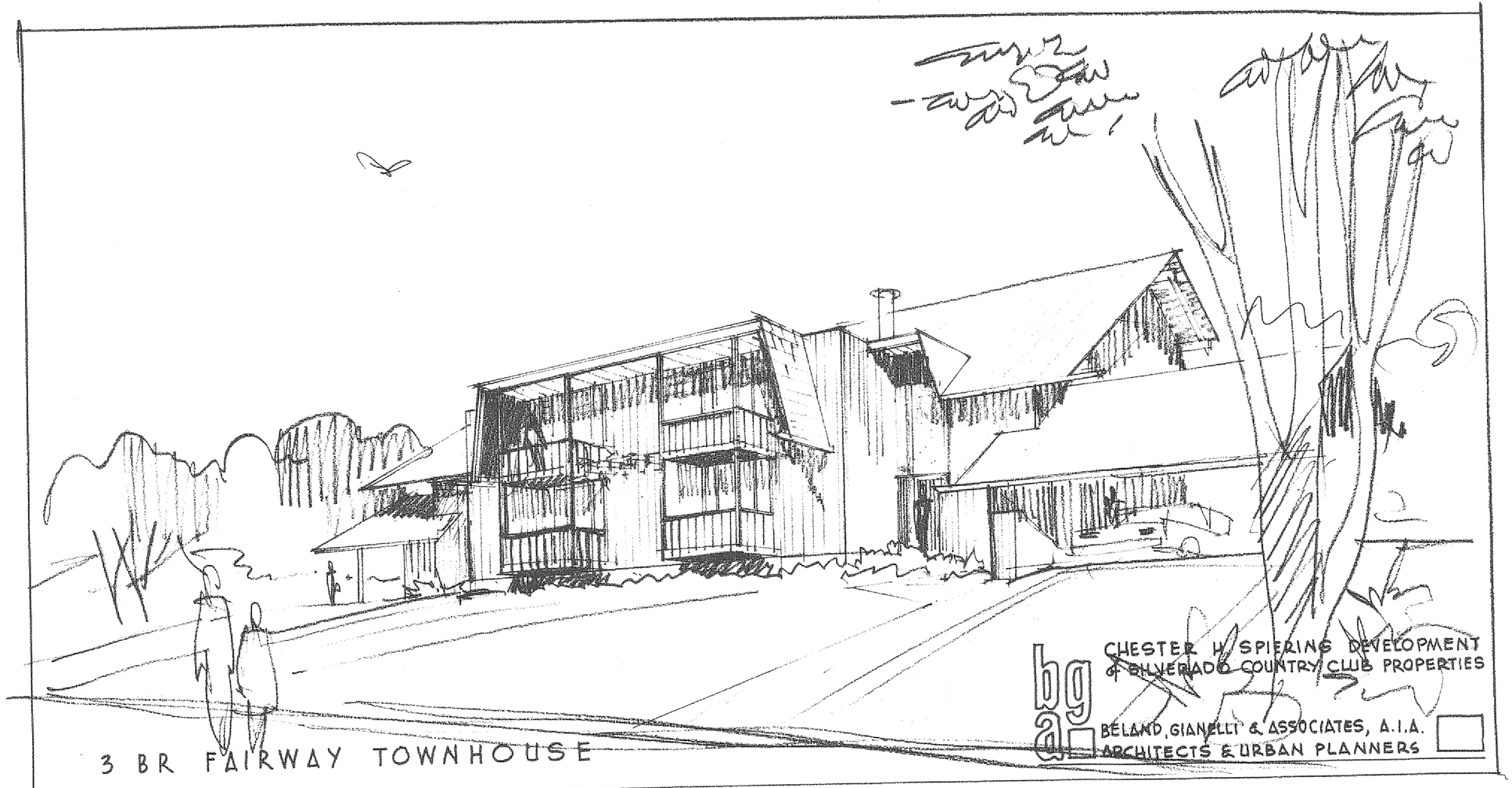
THREE BEDROOM TOWN HOUSE

0 5 10 15 20

CHESTER H. SPIERING DEVELOPMENT
& SILVERADO COUNTRY CLUB PROPERTIES

BELAND, GIANELLI & ASSOCIATES, A.I.A
ARCHITECTS & URBAN PLANNERS.

M



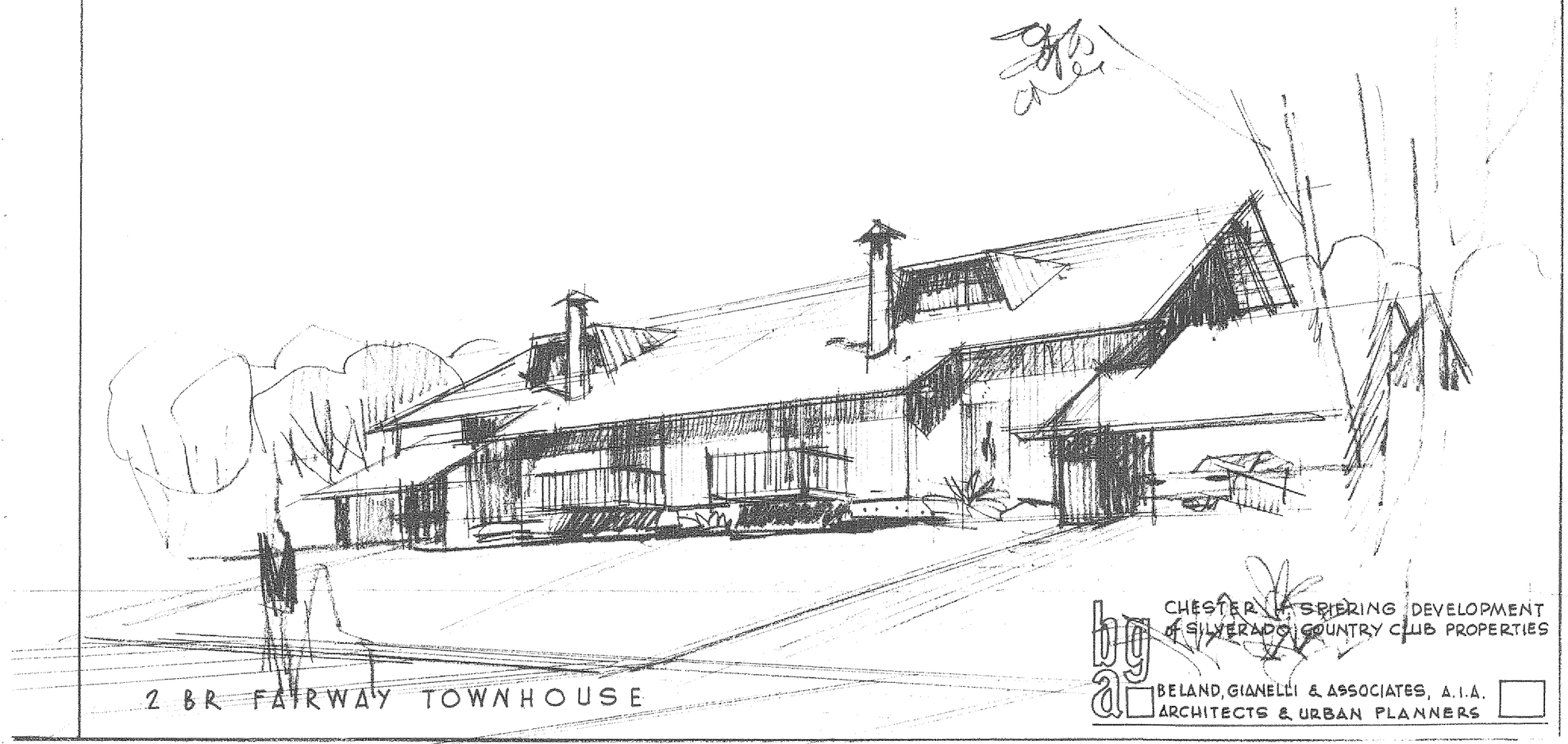
3 BR FAIRWAY TOWNHOUSE

CHESTER H. SPIERING DEVELOPMENT
& SILVERADO COUNTRY CLUB PROPERTIES

bg a

BELAND, GIANELLI & ASSOCIATES, A.I.A.
ARCHITECTS & URBAN PLANNERS

M

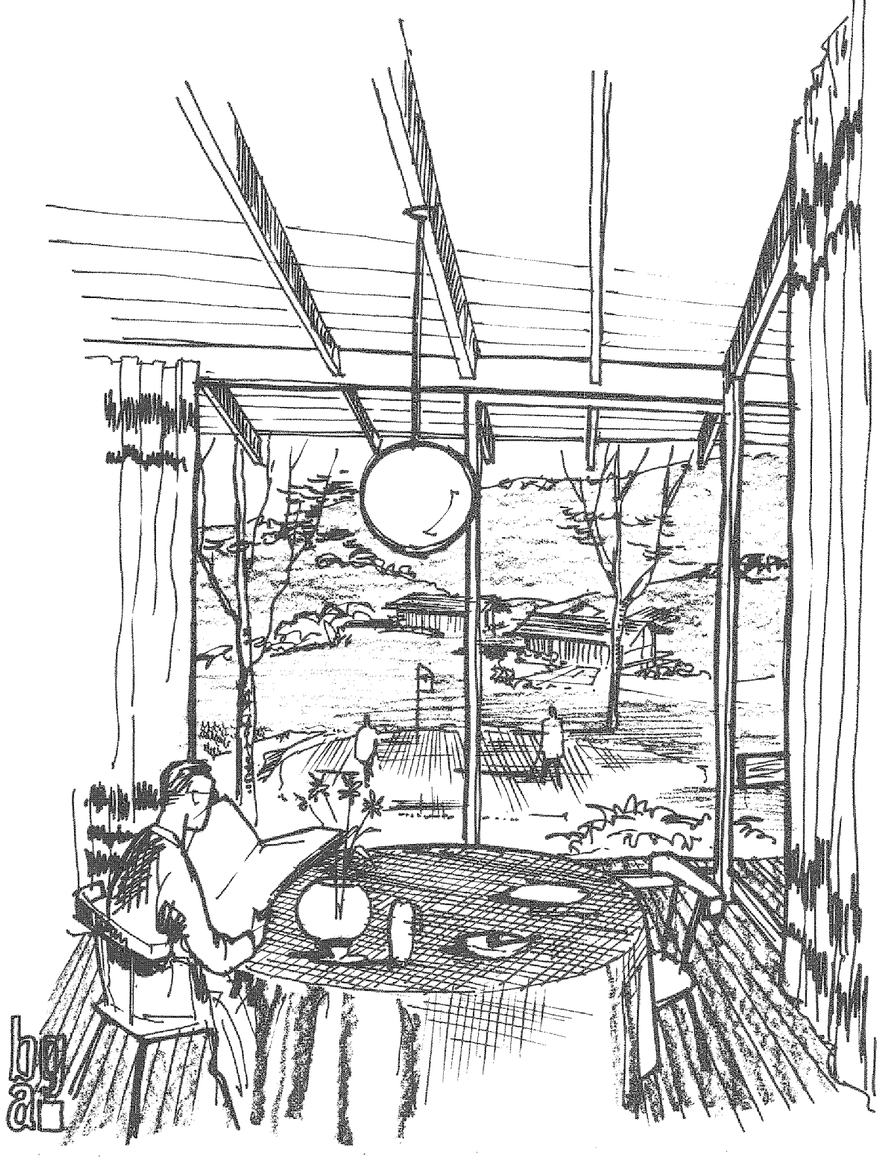


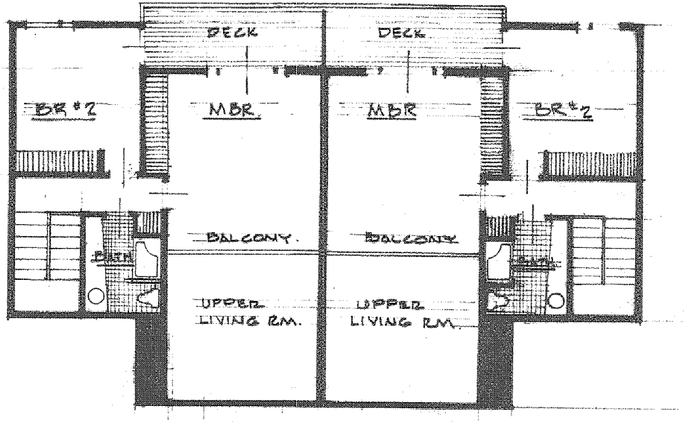
2 BR FAIRWAY TOWNHOUSE

CHESTER H. SPIERING DEVELOPMENT
of SILVERADO COUNTRY CLUB PROPERTIES

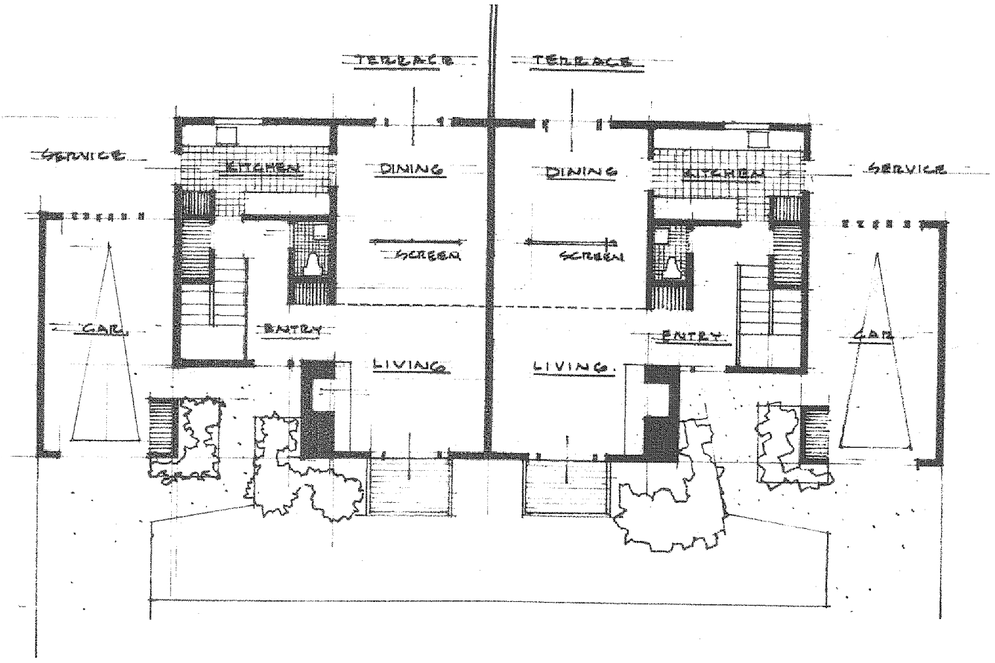
bga BELAND, GIANELLI & ASSOCIATES, A.I.A.
ARCHITECTS & URBAN PLANNERS

M





UPPER FLOOR



LOWER FLOOR

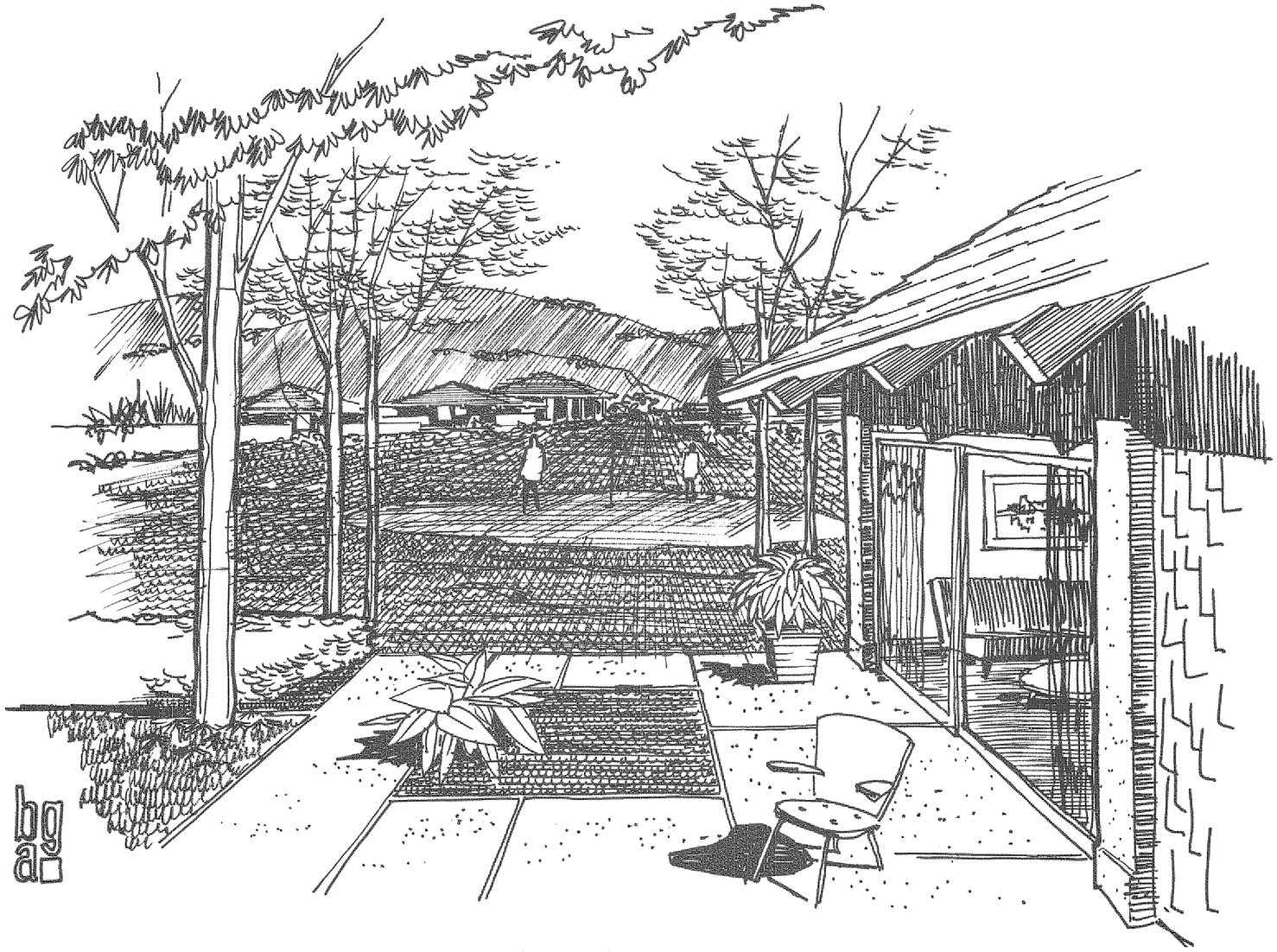
TWO BEDROOM TOWN HOUSE

0 5 10 15 20

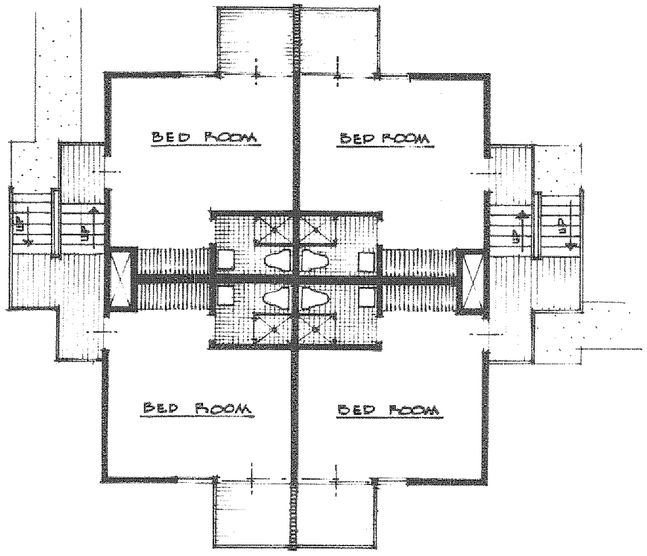
CHESTER H. SPIERING DEVELOPMENT
of SILVERADO COUNTRY CLUB PROPERTIES

BELAND, GIANELLI & ASSOCIATES, A.I.A
ARCHITECTS & URBAN PLANNERS

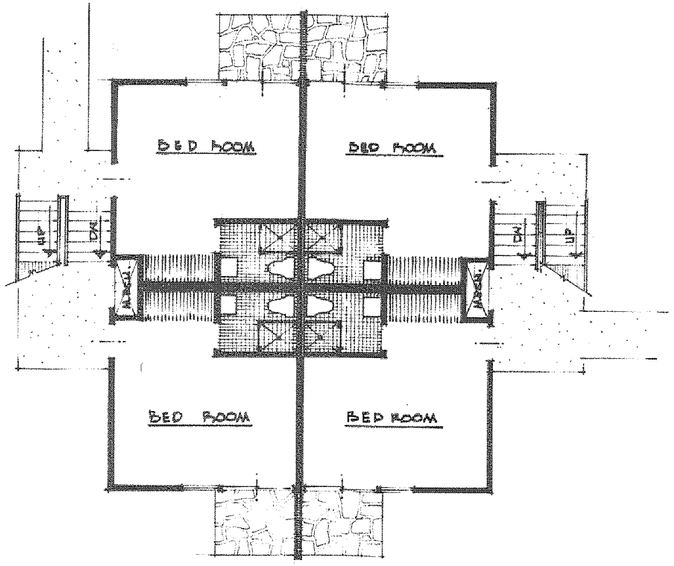
M



bg
a



UPPER FLOOR



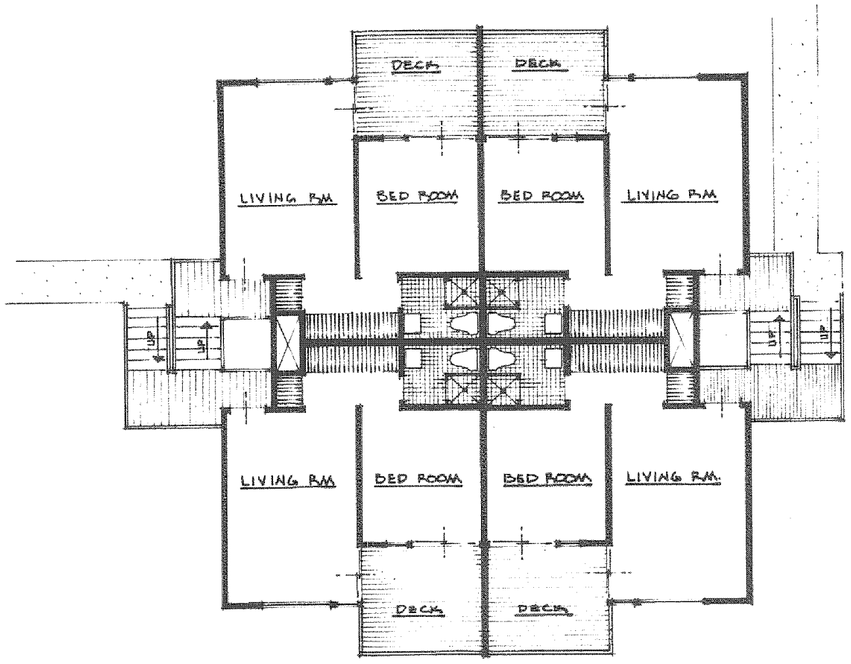
LOWER FLOOR

0 5 10 15 20 25

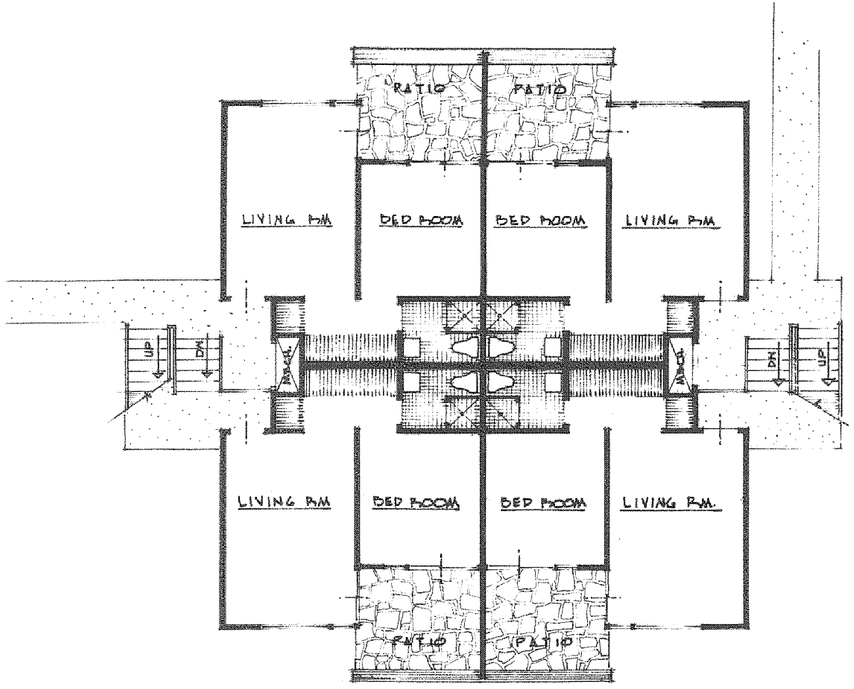
ONE ROOM CHALET

CHESTER H. SPIERING DEVELOPMENT
of SILVERADO COUNTRY CLUB PROPERTIES

bga BELAND, GIANELLI & ASSOCIATES, A.I.A.
ARCHITECTS & URBAN PLANNERS



UPPER FLOOR



LOWER FLOOR

0 5 10 15 20 25

TWO ROOM CHALET

bga

CHESTER H. SPIERING DEVELOPMENT
of SILVERADO COUNTRY CLUB PROPERTIES

BELAND, GIANELLI & ASSOCIATES, A.I.A.
ARCHITECTS & URBAN PLANNERS

EXHIBIT AM

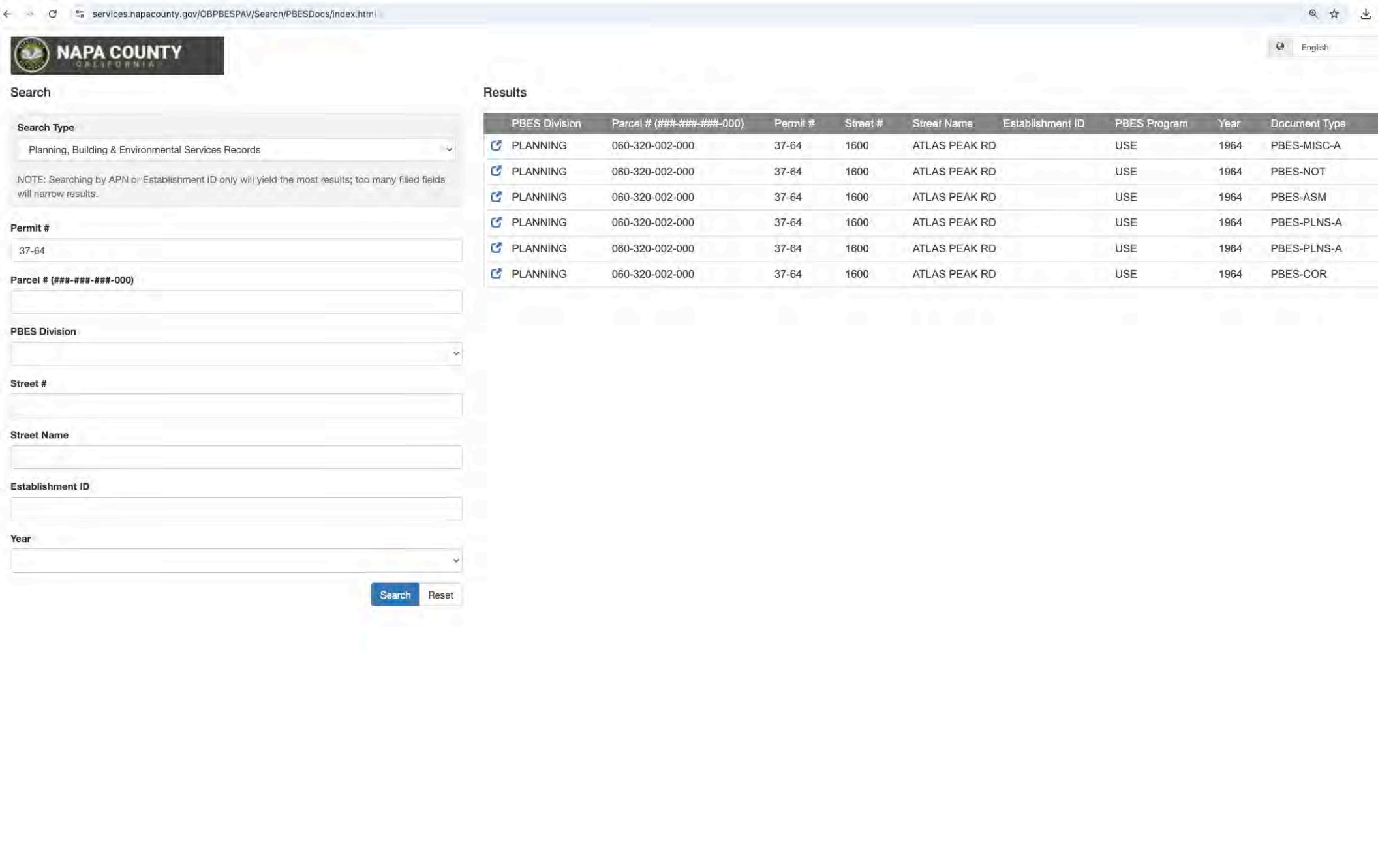

services.napacounty.gov/OBPBESPAV/Search/PBESDocs/index.html
NAPA COUNTY
CALIFORNIA
English
Search
Search Type
Planning, Building & Environmental Services Records
NOTE: Searching by APN or Establishment ID only will yield the most results; too many filled fields will narrow results.
Permit #
37-64
Parcel # (###-###-###-000)
PBES Division
Street #
Street Name
Establishment ID
Year
Search
Reset
Results
PBES Division
Parcel # (### ### ### 000)
Permit #
Street #
Street Name
Establishment ID
PBES Program
Year
Document Type
PLANNING 060-320-002-000 37-64 1600 ATLAS PEAK RD USE 1964 PBES-MISC-A
PLANNING 060-320-002-000 37-64 1600 ATLAS PEAK RD USE 1964 PBES-NOT
PLANNING 060-320-002-000 37-64 1600 ATLAS PEAK RD USE 1964 PBES-ASM
PLANNING 060-320-002-000 37-64 1600 ATLAS PEAK RD USE 1964 PBES-PLNS-A
PLANNING 060-320-002-000 37-64 1600 ATLAS PEAK RD USE 1964 PBES-PLNS-A
PLANNING 060-320-002-000 37-64 1600 ATLAS PEAK RD USE 1964 PBES-COR

EXHIBIT AN

English

Search

Search Type

Planning, Building & Environmental Services Records

NOTE: Searching by APN or Establishment ID only will yield the most results; too many filled fields will narrow results.

Permit #

37-64

Parcel # (###-###-###-000)

PBES Division

Street #

Street Name

Establishment ID

Year

Search Reset

Results

	PBES Division	Parcel # (###-###-###-000)	Permit #	Street #	Street Nam
	PLANNING	060-320-002-000	37-64	1600	ATLAS PEA

	PBES Division	Parcel # (###-###-###-000)	Permit #	Street #	Street Nam
	PLANNING	060-320-002-000	37-64	1600	ATLAS PEA
	PLANNING	060-320-002-000	37-64	1600	ATLAS PEA
	PLANNING	060-320-002-000	37-64	1600	ATLAS PEA
	PLANNING	060-320-002-000	37-64	1600	ATLAS PEA
	PLANNING	060-320-002-000	37-64	1600	ATLAS PEA

EXHIBIT AO

APN & Unit #s pertaining to Application #s 32354 & 32355:

060-320-001-000	Unit #474
060-320-002-000	Unit #476
060-320-003-000	Unit #477
060-320-004-000	Unit #478
060-320-005-000	Unit #480
060-320-006-000	Unit #481
060-320-007-000	Unit #483
060-320-008-000	Unit #484

60-320-1 thru 8

NAPA COUNTY

CONSERVATION—DEVELOPMENT AND PLANNING DEPARTMENT
BUILDING DIVISION

JAMES H. HICKEY — DIRECTOR

BILL L. HALL
BUILDING CODES ADMINISTRATOR

CONSTRUCTION APPLICATION AND PERMIT

DEPARTMENT USE ONLY

PERMIT NO. 32354
PARCEL NO. 40-330-1 thru 8
DATE ISSUED Aug 10 , 19 83

Building Address Silver Trail (449-498)
Owner Silverado Condominiums Unit C Phone
Mailing Address

	CONTRACTORS	LIC. NO.	PHONE
General	Mastercraft Tile & Roofing		
Address	1-20th St. Richmond		
Electrical			
Plumbing			
Mechanical			
Architect Designer			
Address			
Engineer			
Address			

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class _____ Lic. Number 248609
Date 8/10/83 Contractor [illegible]

OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason:

( ) I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale.

( ) I, as owner of the property, am exclusively contracting with licensed contractors to construct the project.

( ) I am exempt under Sec. _____ of the Business and Professional Code for this reason:

___ Sec. 7048 Minor Work Under $100 ___ Sec. 7053-Employee Working for Wage Only.

Date _____ Owner _____

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued.

Lender's Name _____
Lender's Address _____

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes. I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, costs and expenses which may in any way accrue said County in consequence of the granting of this permit.

Signature of Applicant Gerald T. Finn Date 8/10/83

NOTE: When properly validated, this form constitutes a building permit. This permit expires and becomes null and void should work not be commenced within 180 days from validation date or should authorized construction be suspended or abandoned for a period of 180 days after work is commenced. A request for an extension of time must be requested, in writing, from the Building Codes Administrator within the first 180 days of the Permit Issue date.

ISSUE CLEARANCE

	Date
Public Works	
Planning	
Fire Marshal	
Environmental Health/Sanitation	

VARIANCE ☐ NO ☐ YES No.
USE PERMIT ☐ NO ☐ YES No.

DESCRIPTION OF WORK

NEW ☐ ADD. ☐ REPAIR ☒ CONVERT ☐

Size Sq. Ft. | No. of Stories
Zoning PD | Building Height
Proposed Use Reroof #1 heavy shake cedar

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Worker's Compensation Insurance, or a certified copy thereof.

Expiration Date 11-1-83
Policy No. WCP6058712 Company Great American

( ) Certified copy is hereby furnished.

( ) Certified copy is filed with the county building inspection department or county _____ department.

Date: 8/10/83 Applicant: [illegible]

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

(This section need not be completed if the permit is for one hundred dollars ($100) or less).

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Date _____ Applicant _____

NOTICE TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

B ✓ E P M G D Others

PROCEDURE	BY	DATE
Plans not Required		
Plans Received		
Site Checked		
Plans Checked		
Application Approved		

Validated By DL
Date 8-10-83

FEES

Valuation $ 11,000

	AMOUNT	
Building Permit	86	50
Plan Check		
Plumbing Permit		
Electrical Permit		
Mechanical Permit		
Grading Permit		
Certification Permit		
Strong Motion Tax		77
Plan Retention		
Investigation Fees		
Late Fees		
TOTAL	87	27

INSPECTION	DATE	INSPECTOR
Temp. Power Pole		
WOOD FRAME		
Setback Forms		
Block Grout - Foundation		
1st Pour		
2nd Pour		
UFER Ground ☐ YES ☐ NO		
Under Floor Plumbing		
Under Floor Mechanical		
Under Floor Framing		
ABOVE APPROVALS BEFORE SUBFLOORING		
SLAB FLOOR		
Rough Plumbing		
Setback - Footing - Forms		
ABOVE APPROVALS BEFORE POURING CONCRETE		
FIREPLACE		
Footing		
Hearth		
Damper - Throat		
Plate Ties - Steel - Grout		
FRAME		
Roof Nailing		
Roofing or Reroof	12-20-83	D. Gordon
Rough Electrical		
Second Rough Plumbing		
Second Rough Mechanical		
Structural Framing & Egress Exits		
Handicap Access		
Tub - Shower (Traps & Overflows)		
Insulation ☐ Walls ☐ Ceilings ☐ Floor		
Wallboard Nailing		
Exterior Lath Nailing		
Wood Siding - Brick - Etc.		
STUCCO		
First (Scratch)		
Second (Brown)		
Finish		
SOLAR SYSTEM		
Framing - Plumbing - Electrical		
Calif. Energy Commission Requirements		
SWIMMING POOL		
Steel - Bonding		
Plumbing		
Electrical		
Pre-Deck		
Equipment		

INSPECTION	DATE	INSPECTION
PRE-FINAL INSPECTION		
Building		
Gas Pressure Test		
Electrical Systems Check		
FINAL INSPECTION		
Building		
Electrical		
Plumbing		
Mechanical		
Environmental Health Clearance		
Public Works Clearance		
Gas Line Tagged		
Electrical Meter Tagged		
Handicap		
Insulation Certificate		
Solar		
Occupancy Certificate Issued		

INSPECTOR'S NOTES
9-16-83: 1) No shakes to be over 14" wide. 2) Maintain 3/8" spaces between shakes and not over 5/8". M. EINARSSON.
9-21-83: Feel 30# - ME inarsson

INSPECTION	DATE	INSPECTOR
Temp. Power Pole		
WOOD FRAME		
Setback Forms		
Block Grout - Foundation		
1st Pour		
2nd Pour		
UFER Ground ☐ YES ☐ NO		
Under Floor Plumbing		
Under Floor Mechanical		
Under Floor Framing		
ABOVE APPROVALS BEFORE SUBFLOORING		
SLAB FLOOR		
Rough Plumbing		
Setback - Footing - Forms		
ABOVE APPROVALS BEFORE POURING CONCRETE		
FIREPLACE		
Footing		
Hearth		
Damper - Throat		
Plate Ties - Steel - Grout		
FRAME		
Roof Nailing		
Roofing ~~or Berger~~	12-20-83	D Gordano
Rough Electrical		
Second Rough Plumbing		
Second Rough Mechanical		
Structural Framing & Egress Exits		
Handicap Access		
Tub - Shower (Traps & Overflows)		
Insulation ☐ Walls ☐ Ceilings ☐ Floor		
Wallboard Nailing		
Exterior Lath Nailing		
Wood Siding - Brick - Etc.		
STUCCO		
First (Scratch)		
Second (Brown)		
Finish		
SOLAR SYSTEM		
Framing - Plumbing - Electrical		
Calif. Energy Commission Requirements		
SWIMMING POOL		
Steel - Bonding		
Plumbing		
Electrical		
Pre-Deck		
Equipment		

INSPECTION	DATE	INSPECTION
PRE-FINAL INSPECTION		
Building	12-20-83	David Gordon
Gas Pressure Test		
Electrical Systems Check		
FINAL INSPECTION		
Building		
Electrical		
Plumbing		
Mechanical		
Environmental Health Clearance		
Public Works Clearance		
Gas Line Tagged		
Electrical Meter Tagged		
Handicap		
Insulation Certificate		
Solar		
Occupancy Certificate Issued		

INSPECTOR'S NOTES

9-16-83 ~~MEET~~ MAINTAIN 3/8" & NOT OVER 5/8" BETWEEN SHAKES & NO SHAKES LESS THAN 4 & MORE THAN 14" BLDG.
9-21-83 30# FELT BLDG.

60-320-1 thru 8

NAPA COUNTY

CONSERVATION—DEVELOPMENT AND PLANNING DEPARTMENT
BUILDING DIVISION

JAMES H. HICKEY — DIRECTOR

BILL L. HALL
BUILDING CODES ADMINISTRATOR

CONSTRUCTION APPLICATION AND PERMIT

DEPARTMENT USE ONLY

PERMIT NO. 32355
PARCEL NO. 40-320-1 thru 8
DATE ISSUED Aug 10 , 19 83

B ✓ E P M G D Others

Building Address Silver Trail 449-498

Owner Silverado Condominiums - Unit C Phone

Mailing Address

CONTRACTORS	LIC. NO.	PHONE
General Mastercraft Tile & Roofing		
Address 1 - 20th St. Richmond		
Electrical		
Plumbing		
Mechanical		
Architect Designer		
Address		
Engineer		
Address		

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class _____ Lic. Number 248609

Date 8/10/83 Contractor [signature]

OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason:

( ) I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale.

( ) I, as owner of the property, am exclusively contracting with licensed contractors to construct the project.

( ) I am exempt under Sec. _____ of the Business and Professional Code for this reason:

___ Sec. 7048 Minor Work Under $100 ___ Sec. 7053-Employee Working for Wage Only.

Date _____ Owner _____

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued.

Lender's Name

Lender's Address

ISSUE CLEARANCE

	Date
Public Works	
Planning	
Fire Marshal	
Environmental Health/Sanitation	

VARIANCE ☐ NO ☐ YES No.

USE PERMIT ☐ NO ☐ YES No.

DESCRIPTION OF WORK

NEW ☐ ADD. ☐ REPAIR ☒ CONVERT ☐

Size Sq. Ft. | No. of Stories

Zoning PD | Building Height

Proposed Use Reroof #1 heavy shake cedar

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Worker's Compensation Insurance, or a certified copy thereof.

Expiration Date 11-1-83

Policy No. WCP6058712 Company Great America

( ) Certified copy is hereby furnished.

( ) Certified copy is filed with the county building inspection department or county _____ department.

Date: 8/10/83 Applicant: [signature]

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

(This section need not be completed if the permit is for one hundred dollars ($100) or less).

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Date _____ Applicant _____

NOTICE TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes. I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, costs and expenses which may in any way accrue said County in consequence of the granting of this permit.

Signature of Applicant [signature] Date 8/10/83

NOTE: When properly validated, this form constitutes a building permit. This permit expires and becomes null and void should work not be commenced within 180 days from validation date or should authorized construction be suspended or abandoned for a period of 180 days after work is commenced. A request for an extension of time must be requested, in writing, from the Building Codes Administrator within the first 180 days of the Permit Issue date.

PROCEDURE	BY	DATE
Plans not Required		
Plans Received		
Site Checked		
Plans Checked		
Application Approved		

Validated By DS

Date 8-10-83

FEES

Valuation $ 11,000

	AMOUNT	
Building Permit	86	50
Plan Check		
Plumbing Permit		
Electrical Permit		
Mechanical Permit		
Grading Permit		
Certification Permit		
Strong Motion Tax		77
Plan Retention		
Investigation Fees		
Late Fees		
TOTAL	87	27

INSPECTION	DATE	INSPECTOR
Temp. Power Pole		
WOOD FRAME		
Setback Forms		
Block Grout - Foundation		
1st Pour		
2nd Pour		
UFER Ground ☐ YES ☐ NO		
Under Floor Plumbing		
Under Floor Mechanical		
Under Floor Framing		
ABOVE APPROVALS BEFORE SUBFLOORING		
SLAB FLOOR		
Rough Plumbing		
Setback - Footing - Forms		
ABOVE APPROVALS BEFORE POURING CONCRETE		
FIREPLACE		
Footing		
Hearth		
Damper - Throat		
Plate Ties - Steel - Grout		
FRAME		
Roof Nailing		
Roofing or Reroof	12-21-83	D. Gordon
Rough Electrical		
Second Rough Plumbing		
Second Rough Mechanical		
Structural Framing & Egress Exits		
Handicap Access		
Tub - Shower (Traps & Overflows)		
Insulation ☐ Walls ☐ Ceilings ☐ Floor		
Wallboard Nailing		
Exterior Lath Nailing		
Wood Siding - Brick - Etc.		
STUCCO		
First (Scratch)		
Second (Brown)		
Finish		
SOLAR SYSTEM		
Framing - Plumbing - Electrical		
Calif. Energy Commission Requirements		
SWIMMING POOL		
Steel - Bonding		
Plumbing		
Electrical		
Pre-Deck		
Equipment		

INSPECTION	DATE	INSPECTION
PRE-FINAL INSPECTION		
Building		
Gas Pressure Test		
Electrical Systems Check		
FINAL INSPECTION		
Building		
Electrical		
Plumbing		
Mechanical		
Environmental Health Clearance		
Public Works Clearance		
Gas Line Tagged		
Electrical Meter Tagged		
Handicap		
Insulation Certificate		
Solar		
Occupancy Certificate Issued		

INSPECTOR'S NOTES

NAPA COUNTY

CONSERVATION—DEVELOPMENT AND PLANNING DEPARTMENT
BUILDING DIVISION

JAMES H. HICKEY — DIRECTOR

BILL L. HALL
BUILDING CODES ADMINISTRATOR

CONSTRUCTION APPLICATION AND PERMIT

DEPARTMENT USE ONLY

PERMIT NO. _____

PARCEL NO. 60-320-1 thru 8

DATE ISSUED _____, 19

B | E | P | M | G | D | Others

PROCEDURE	BY	DATE
Plans not Required		
Plans Received		
Site Checked		
Plans Checked		
Application Approved		

Validated By _____

Date _____

Building Address _____

Owner _____ Phone _____

Mailing Address _____

CONTRACTORS	LIC. NO.	PHONE
General		
Address		
Electrical		
Plumbing		
Mechanical		
Architect Designer		
Address		
Engineer		
Address		

ISSUE CLEARANCE

Public Works — Date

Planning — Date

Fire Marshal — Date

Environmental Health/Sanitation — Date

VARIANCE ☐ NO ☐ YES No.

USE PERMIT ☐ NO ☐ YES No.

DESCRIPTION OF WORK

NEW ☐ ADD. ☐ REPAIR ☐ CONVERT ☐

Size Sq. Ft. — No. of Stories

Zoning — Building Height

Proposed Use

FEES

Valuation $

	AMOUNT	
Building Permit		
Plan Check		
Plumbing Permit		
Electrical Permit		
Mechanical Permit		
Grading Permit		
Certification Permit		
Strong Motion Tax		
Plan Retention		
Investigation Fees		
Late Fees		
TOTAL		

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class _____ Lic. Number _____

Date _____ Contractor _____

OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason:

( ) I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale.

( ) I, as owner of the property, am exclusively contracting with licensed contractors to construct the project.

( ) I am exempt under Sec. _____ of the Business and Professional Code for this reason:

___ Sec. 7048 Minor Work Under $100 ___ Sec. 7053-Employee Working for Wage Only.

Date _____ Owner _____

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued.

Lender's Name _____

Lender's Address _____

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Worker's Compensation Insurance, or a certified copy thereof.

Expiration Date _____

Policy No. _____ Company _____

( ) Certified copy is hereby furnished.

( ) Certified copy is filed with the county building inspection department or county _____ department.

Date _____ Applicant: _____

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

(This section need not be completed if the permit is for one hundred dollars ($100) or less).

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Date _____ Applicant _____

NOTICE TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes. I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, costs and expenses which may in any way accrue said County in consequence of the granting of this permit.

Signature of Applicant _____ *Date* _____

NOTE: When properly validated, this form constitutes a building permit. This permit expires and becomes null and void should work not be commenced within 180 days from validation date or should authorized construction be suspended or abandoned for a period of 180 days after work is commenced. A request for an extension of time must be requested, in writing, from the Building Codes Administrator within the first 180 days of the Permit Issue date.

INSPECTION	DATE	INSPECTOR
Temp. Power Pole		
WOOD FRAME		
Setback Forms		
Block Grout - Foundation		
1st Pour		
2nd Pour		
UFER Ground ☐ YES ☐ NO		
Under Floor Plumbing		
Under Floor Mechanical		
Under Floor Framing		
ABOVE APPROVALS BEFORE SUBFLOORING		
SLAB FLOOR		
Rough Plumbing		
Setback - Footing - Forms		
ABOVE APPROVALS BEFORE POURING CONCRETE		
FIREPLACE		
Footing		
Hearth		
Damper - Throat		
Plate Ties - Steel - Grout		
FRAME		
Roof Nailing		
Roofing or ~~Reroof~~	12-20-83	Daniel Gordon
Rough Electrical		
Second Rough Plumbing		
Second Rough Mechanical		
Structural Framing & Egress Exits		
Handicap Access		
Tub - Shower (Traps & Overflows)		
Insulation ☐ Walls ☐ Ceilings ☐ Floor		
Wallboard Nailing		
Exterior Lath Nailing		
Wood Siding - Brick - Etc.		
STUCCO		
First (Scratch)		
Second (Brown)		
Finish		
SOLAR SYSTEM		
Framing - Plumbing - Electrical		
Calif. Energy Commission Requirements		
SWIMMING POOL		
Steel - Bonding		
Plumbing		
Electrical		
Pre-Deck		
Equipment		

INSPECTION	DATE	INSPECTION
PRE-FINAL INSPECTION		
Building Re Roof	12-20-83	D Gordon
Gas Pressure Test		
Electrical Systems Check		
FINAL INSPECTION		
Building		
Electrical		
Plumbing		
Mechanical		
Environmental Health Clearance		
Public Works Clearance		
Gas Line Tagged		
Electrical Meter Tagged		
Handicap		
Insulation Certificate		
Solar		
Occupancy Certificate Issued		

INSPECTOR'S NOTES

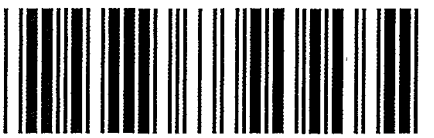
12-20-83 ~~6~~ 4" Hand Split Foam one side 2" Expanded D. Gordon

EXHIBIT AP

Building

Cover Sheet

APN	060-320-002-000
Permit #	B14-01279
Program	
DocType	ASM
Street #	
Street Name	
Year	



060-320-002

RESIDENTIAL BUILDING PERMIT APPLICATION

Planning, Building & Environmental Services

A Tradition of Stewardship
A Commitment to Service

1195 Third Street
Second Floor
Napa, California 94559
707-253-4417 FAX **707-253-4336**
www.countyofnapa.org/building

FOR OFFICE USE ONLY	Code Enf Auth	Permit # 514-1279	Bin
Notes			
☐ New ☐ Addition ☐ Alteration ☐ Replace ☐ Demo ☐ Move ☐ QP			

(Please Print Clearly)

PROPERTY/WORK DESCRIPTION

Is this application the result of a Code Violation? ☐ YES ☐ NO

Street Address: 476 Silverado Country Club
Suite/Unit #: City: Napa Zip: 94558
Cross Street: Atlas Peak
APN# ☐☐☐ ☐☐☐ ☐☐☐ New Sq. Ft:
Construction Cost: $55,600

Work Description:
new electrical, new smoke detectors, new shower, new vanity, new windows & slides, new closet package new HVAC

PROPERTY OWNER

Is this permit being pulled as Owner/Builder? ☐ YES ☐ NO

Owner Name: Jack Bellevue / Mary Ann
Mailing Address: 1881 Atlas Peak Rd City: Napa State: CA Zip: 94558
Phone: 707-337-3700 Fax: Email:

CONTRACTOR

Company Name: Stagner Construction License #: 715812 Class: B Expires:
Mailing Address: 3045 Big Ranch Rd City: Napa State: CA Zip: 94558
Email: chelsea@stagnerconstruction.com Contact Person: Chelsea Phone: 707-226-2765

PRIMARY CONTACT

All communication from our office regarding your permit will be made to this person.

Primary Contact Name: Mike Stagner
Firm: Stagner Construction Inc License #: 715812
Address: 3045 Big Ranch Rd City: Napa State: CA Zip: 94558
Phone: 707-226-2765 Fax: 707-226-7490 Email: chelsea@stagnerconstruction.com
I Represent : ☐ Owner ☑ Contractor Authorized Agent: (Y) N (Please provide a signed Authorized Agent Form)

514-1279

B-APP 20120612

YOU MUST COMPLETE BOTH SIDES

OWNER BUILDER DECLARATION

(Sec. 7031.5). Business and Professions Code. Any city or county which requires a permit to construct, alter, improve, demolish or repair any structure prior to it's issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions' Code) or that he or she is exempt there from and basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars ($500).

☐ **I, AS OWNER OF THE PROPERTY, OR MY EMPLOYEES WITH WAGES AS THEIR SOLE COMPENSATION, WILL DO THE WORK, AND THE STRUCTURE IS NOT INTENDED OR OFFERED FOR SALE.** (Sec. 7044 Business and Professions Code: The Contractors' State License Law does not apply to an owner of the property, who builds or improves thereon, and who does such work himself or herself or through his or her employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the builder will have the burden of proving that he or she did not build or improve for the purpose of sale.)

☐ **I, AS OWNER OF THE PROPERTY, AM EXCLUSIVELY CONTRACTING WITH LICENSED CONTRACTORS TO CONSTRUCT THE PROJECT** (Sec. 7004, Business and Professions Code. The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a Contractor's State License Law.

☐ **I AM EXEMPT** under section _____ for this reason: _____

I HEREBY ATTEST UNDER PENALTY OF PERJURY that I am exempt from the Contractors' State License Law for the above marked reason.:

Signature: ☒ _____ Date: _____

WORKER'S COMPENSATION

☐ **I HAVE AND WILL MAINTAIN A CERTIFICATE OF WORKERS' COMPENSATION INSURANCE,** as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation carrier and policy No. are:

Carrier: BBSI

Policy:

Exp. Date:

☐ **I HAVE AND WILL MAINTAIN A CERTIFICATE OF CONSENT TO SELF-INSURE FOR WORKERS' COMPENSATION,** as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☐ **I CERTIFY THAT IN THE PERFORMANCE OF THE WORK FOR WHICH THE PERMIT IS ISSUED,** I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the worker's compensation provisions of Section 3700 of the Labor Code, I shall herewith comply with those provisions. **WARNING:** Failure to secure workers' compensation coverage is unlawful, and subjects an employer to criminal penalties and civil fines up to one hundred thousand dollars ($100,000), in addition to the cost of compensation, damages as provided for in Section 3706 of the Labor Code, interest and attorney's fees.

I HEREBY AFFIRM UNDER PENALTY OF PERJURY to the above marked declarations:

Signature: ☒ Michael Stayne Date: 8-19-14

DISCLOSURE STATEMENT

I certify that I have read this application and state that the information here in is correct, I agree to comply with all local ordinances and state laws relating to building construction and I make this statement under penalty of law. Furthermore I hereby authorize representatives of the county to enter upon the above-mentioned property for inspection purposes.

NOTICE: This permit will expire by limitation if work is not started in one year or if work is abandoned for more than 180 days. A request for an extension of time must be submitted in writing to the Chief Building Official within one year of issuance or 180 days from last inspection. This application will expire by limitation 180 days from the date of submission.

I (We) agree to save, indemnify and keep harmless the County of Napa against judgments, cost, and expenses which may in any way accrue against said County in consequence of the granting of this permit.

Signature: ☒ Michael Stayne Date: 8-19-14

☐ Owner ☒ Contractor ☐ Authorized Agent (Must attach letter)

EXHIBIT AQ

APN & Unit #s pertaining to Application #s 31933 & 31934:

060-320-001-000	Unit #474
060-320-002-000	Unit #476
060-320-003-000	Unit #477
060-320-004-000	Unit #478
060-320-005-000	Unit #480
060-320-006-000	Unit #481
060-320-007-000	Unit #483
060-320-008-000	Unit #484

60-320-1 thru 8

NAPA COUNTY

CONSERVATION—DEVELOPMENT AND PLANNING DEPARTMENT
BUILDING DIVISION

JAMES H. HICKEY — DIRECTOR

BILL L. HALL
BUILDING CODES ADMINISTRATOR

CONSTRUCTION APPLICATION AND PERMIT

DEPARTMENT USE ONLY

PERMIT NO. 31933

PARCEL NO. ~~40-330-1-8~~

DATE ISSUED May 25, 19 83

Building Address: Silver Trail

Owner: SILVERADO CONDOMINIUMS - Unit # Phone:

Mailing Address:

	CONTRACTORS	LIC. NO.	PHONE
General	Mastercraft Tile & Roofing Co. Inc.		
Address	1 20th St. - Richmond, CA 94801		
Electrical			
Plumbing			
Mechanical			
Architect Designer			
Address			
Engineer			
Address			

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class _____ Lic. Number 248609

Date 5/25/83 Contractor [signature]

OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason:

( ) I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale.

( ) I, as owner of the property, am exclusively contracting with licensed contractors to construct the project.

( ) I am exempt under Sec. _____ of the Business and Professional Code for this reason:

___ Sec. 7048 Minor Work Under $100 ___ Sec. 7053-Employee Working for Wage Only.

Date _____ Owner _____

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued.

Lender's Name _____

Lender's Address _____

ISSUE CLEARANCE

Public Works	Date
Planning	Date
Fire Marshal	Date
Environmental Health/Sanitation	Date
VARIANCE ☐ NO ☐ YES No.	
USE PERMIT ☐ NO ☐ YES No.	

DESCRIPTION OF WORK

NEW ☐ ADD. ☐ REPAIR ☐ CONVERT ☐

Size Sq. Ft.	No. of Stories
Zoning	Building Height

Proposed Use: Re-roof (condo decks only)

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Worker's Compensation Insurance, or a certified copy thereof.

Expiration Date _____

Policy No. _____ Company _____

( ) Certified copy is hereby furnished.

( ) Certified copy is filed with the county building inspection department or county _____ department.

Date: 5/25/83 Applicant: [signature]

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

(This section need not be completed if the permit is for one hundred dollars ($100) or less).

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Date _____ Applicant _____

NOTICE TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes. I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, costs and expenses which may in any way accrue said County in consequence of the granting of this permit.

Signature of Applicant [signature] Date 5/25/83

NOTE: When properly validated, this form constitutes a building permit. This permit expires and becomes null and void should work not be commenced within 180 days from validation date or should authorized construction be suspended or abandoned for a period of 180 days after work is commenced. A request for an extension of time must be requested, in writing, from the Building Codes Administrator within the first 180 days of the Permit Issue date.

B | E | P | M | G | D | Others

PROCEDURE	BY	DATE
Plans not Required		
Plans Received		
Site Checked		
Plans Checked		
Application Approved		

Validated By [signature]

Date 5-25-83

FEES

Valuation $ 1,100

	AMOUNT	
Building Permit	20	00
Plan Check		
Plumbing Permit		
Electrical Permit		
Mechanical Permit		
Grading Permit		
Certification Permit		
Strong Motion Tax		50
Plan Retention		
Investigation Fees		
Late Fees		
TOTAL	20	50

INSPECTION	DATE	INSPECTOR
Temp. Power Pole		
WOOD FRAME		
Setback Forms		
Block Grout - Foundation		
1st Pour		
2nd Pour		
UFER Ground ☐ YES ☐ NO		
Under Floor Plumbing		
Under Floor Mechanical		
Under Floor Framing		
ABOVE APPROVALS BEFORE SUBFLOORING		
SLAB FLOOR		
Rough Plumbing		
Setback - Footing - Forms		
ABOVE APPROVALS BEFORE POURING CONCRETE		
FIREPLACE		
Footing		
Hearth		
Damper - Throat		
Plate Ties - Steel - Grout		
FRAME		
Roof Nailing		
Roofing or Reroof	12-20-83	D. Gordon
Rough Electrical		
Second Rough Plumbing		
Second Rough Mechanical		
Structural Framing & Egress Exits		
Handicap Access		
Tub - Shower (Traps & Overflows)		
Insulation ☐ Walls ☐ Ceilings ☐ Floor		
Wallboard Nailing		
Exterior Lath Nailing		
Wood Siding - Brick - Etc.		
STUCCO		
First (Scratch)		
Second (Brown)		
Finish		
SOLAR SYSTEM		
Framing - Plumbing - Electrical		
Calif. Energy Commission Requirements		
SWIMMING POOL		
Steel - Bonding		
Plumbing		
Electrical		
Pre-Deck		
Equipment		

INSPECTION	DATE	INSPECTION
PRE-FINAL INSPECTION		
Building		
Gas Pressure Test		
Electrical Systems Check		
FINAL INSPECTION		
Building		
Electrical		
Plumbing		
Mechanical		
Environmental Health Clearance		
Public Works Clearance		
Gas Line Tagged		
Electrical Meter Tagged		
Handicap		
Insulation Certificate		
Solar		
Occupancy Certificate Issued		

INSPECTOR'S NOTES

INSPECTION	DATE	INSPECTOR
Temp. Power Pole		
WOOD FRAME		
Setback Forms		
Block Grout - Foundation		
1st Pour		
2nd Pour		
UFER Ground ☐ YES ☐ NO		
Under Floor Plumbing		
Under Floor Mechanical		
Under Floor Framing		
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SLAB FLOOR		
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FRAME		
Roof Nailing		
Roofing or Reroof	12-20-83	D. Gordon
Rough Electrical		
Second Rough Plumbing		
Second Rough Mechanical		
Structural Framing & Egress Exits		
Handicap Access		
Tub - Shower (Traps & Overflows)		
Insulation ☐ Walls ☐ Ceilings ☐ Floor		
Wallboard Nailing		
Exterior Lath Nailing		
Wood Siding - Brick - Etc.		
STUCCO		
First (Scratch)		
Second (Brown)		
Finish		
SOLAR SYSTEM		
Framing - Plumbing - Electrical		
Calif. Energy Commission Requirements		
SWIMMING POOL		
Steel - Bonding		
Plumbing		
Electrical		
Pre-Deck		
Equipment		

INSPECTION	DATE	INSPECTION
PRE-FINAL INSPECTION		
Building		
Gas Pressure Test		
Electrical Systems Check		
FINAL INSPECTION		
Building Re Roof	12-20-83	David Gordon
Electrical		
Plumbing		
Mechanical		
Environmental Health Clearance		
Public Works Clearance		
Gas Line Tagged		
Electrical Meter Tagged		
Handicap		
Insulation Certificate		
Solar		
Occupancy Certificate Issued		

INSPECTOR'S NOTES

12-20-83 24" hand split Cedar over ~~Cedar~~ 9" ex pooden. D. Gordon

60-320-1 thru 8

NAPA COUNTY

CONSERVATION—DEVELOPMENT AND PLANNING DEPARTMENT
BUILDING DIVISION

JAMES H. HICKEY — DIRECTOR

BILL L. HALL
BUILDING CODES ADMINISTRATOR

CONSTRUCTION APPLICATION AND PERMIT

DEPARTMENT USE ONLY

PERMIT NO. 31934
PARCEL NO. ~~40-320-1-8~~
DATE ISSUED May 25, 19 83

Building Address Silver Trail

Owner SILVERADO CONDOMINIUMS - Unit # Phone

Mailing Address

CONTRACTORS	LIC. NO.	PHONE
General Mastercraft Tile & Roofing Co. Inc.		
Address 1 20th Street - Richmond, CA 94801		
Electrical		
Plumbing		
Mechanical		
Architect Designer		
Address		
Engineer		
Address		

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class _____ Lic. Number 248609
Date 5/25/83 Contractor [signature]

OWNER-BUILDER DECLARATION

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( ) I, as owner of the property, am exclusively contracting with licensed contractors to construct the project.

( ) I am exempt under Sec. _____ of the Business and Professional Code for this reason:

___ Sec. 7048 Minor Work Under $100 ___ Sec. 7053-Employee Working for Wage Only.

Date _____ Owner _____

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued.

Lender's Name

Lender's Address

ISSUE CLEARANCE

Public Works	Date
Planning	Date
Fire Marshal	Date
Environmental Health/Sanitation	Date
VARIANCE ☐ NO ☐ YES No.	
USE PERMIT ☐ NO ☐ YES No.	

DESCRIPTION OF WORK

NEW ☐ ADD. ☐ REPAIR ☐ CONVERT ☐

Size Sq. Ft.	No. of Stories
Zoning	Building Height

Proposed Use: Re-roof (condo decks only)

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Worker's Compensation Insurance, or a certified copy thereof.

Expiration Date

Policy No. _____ Company _____

( ) Certified copy is hereby furnished.

( ) Certified copy is filed with the county building inspection department or county _____ department.

Date: 5/25/83 Applicant: [signature]

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

(This section need not be completed if the permit is for one hundred dollars ($100) or less).

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Date _____ Applicant _____

NOTICE TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes. I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, costs and expenses which may in any way accrue said County in consequence of the granting of this permit.

Signature of Applicant [signature] Date 5/25/83

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B	E	P	M	G	D	Others

PROCEDURE	BY	DATE
Plans not Required		
Plans Received		
Site Checked		
Plans Checked		
Application Approved		

Validated By [signature]

Date 5-25-83

FEES

Valuation $ 1,100

	AMOUNT	
Building Permit	20	00
Plan Check		
Plumbing Permit		
Electrical Permit		
Mechanical Permit		
Grading Permit		
Certification Permit		
Strong Motion Tax		50
Plan Retention		
Investigation Fees		
Late Fees		
TOTAL	20	50

INSPECTION	DATE	INSPECTOR
Temp. Power Pole		
WOOD FRAME		
Setback Forms		
Block Grout - Foundation		
1st Pour		
2nd Pour		
UFER Ground ☐ YES ☐ NO		
Under Floor Plumbing		
Under Floor Mechanical		
Under Floor Framing		
ABOVE APPROVALS BEFORE SUBFLOORING		
SLAB FLOOR		
Rough Plumbing		
Setback - Footing - Forms		
ABOVE APPROVALS BEFORE POURING CONCRETE		
FIREPLACE		
Footing		
Hearth		
Damper - Throat		
Plate Ties - Steel - Grout		
FRAME		
Roof Nailing		
Roofing or Reroof	12-20-83	D. Gordon
Rough Electrical		
Second Rough Plumbing		
Second Rough Mechanical		
Structural Framing & Egress Exits		
Handicap Access		
Tub - Shower (Traps & Overflows)		
Insulation ☐ Walls ☐ Ceilings ☐ Floor		
Wallboard Nailing		
Exterior Lath Nailing		
Wood Siding - Brick - Etc.		
STUCCO		
First (Scratch)		
Second (Brown)		
Finish		
SOLAR SYSTEM		
Framing - Plumbing - Electrical		
Calif. Energy Commission Requirements		
SWIMMING POOL		
Steel - Bonding		
Plumbing		
Electrical		
Pre-Deck		
Equipment		

INSPECTION	DATE	INSPECTION
PRE-FINAL INSPECTION		
Building		
Gas Pressure Test		
Electrical Systems Check		
FINAL INSPECTION		
Building		
Electrical		
Plumbing		
Mechanical		
Environmental Health Clearance		
Public Works Clearance		
Gas Line Tagged		
Electrical Meter Tagged		
Handicap		
Insulation Certificate		
Solar		
Occupancy Certificate Issued		

INSPECTOR'S NOTES

INSPECTION	DATE	INSPECTOR
Temp. Power Pole		
WOOD FRAME		
Setback Forms		
Block Grout - Foundation		
1st Pour		
2nd Pour		
UFER Ground ☐ YES ☐ NO		
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Under Floor Mechanical		
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FRAME		
Roof Nailing		
Roofing or Reroof	12-20-83	D Gordon
Rough Electrical		
Second Rough Plumbing		
Second Rough Mechanical		
Structural Framing & Egress Exits		
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Tub - Shower (Traps & Overflows)		
Insulation ☐ Walls ☐ Ceilings ☐ Floor		
Wallboard Nailing		
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Wood Siding - Brick - Etc.		
STUCCO		
First (Scratch)		
Second (Brown)		
Finish		
SOLAR SYSTEM		
Framing - Plumbing - Electrical		
Calif. Energy Commission Requirements		
SWIMMING POOL		
Steel - Bonding		
Plumbing		
Electrical		
Pre-Deck		
Equipment		

INSPECTION	DATE	INSPECTION
PRE-FINAL INSPECTION		
Building		
Gas Pressure Test		
Electrical Systems Check		
FINAL INSPECTION		
Building Re Roof	12-20-83	D Gordon
Electrical		
Plumbing		
Mechanical		
Environmental Health Clearance		
Public Works Clearance		
Gas Line Tagged		
Electrical Meter Tagged		
Handicap		
Insulation Certificate		
Solar		
Occupancy Certificate Issued		

INSPECTOR'S NOTES

12-20-83 Re-Roof, 24 inch Board Splits, Square End Sides 9" exposure
D Gordon

EXHIBIT AR

County of Napa
Building Division

RESIDENTIAL BUILDING PERMIT APPLICATION

A Tradition of Stewardship
A Commitment to Service

1195 Third Street
Second Floor
Napa, California 94559
707-253-4417 FAX **707-253-4545**
www.countyofnapa.org/building

FOR OFFICE USE ONLY	Code Enf Auth	Permit # BR20-00550-RRF	Bin
Notes			

☐ New ☐ Addition ☒ Alteration ☐ Demo ☒ Replace ☐ Move

PROPERTY/WORK DESCRIPTION

(Please Print Clearly)

Is this application the result of a Code Violation? ☐ YES ☑ NO

Street Address: 1600 Atlas Peak Rd.

Suite/Unit #: 476 City: Napa Zip: 94558

Cross Street:

APN# 060-320-002

Valuation (Construction Cost)*: $ 10,482.00

Existing Sq. Ft.
New Sq. Ft.
Conditioned Sq. Ft.
Unconditioned Sq. Ft.

Work Description:

Tear off one layer wood shaek. Install new 1/2' CDX sheathing. Install underlyment and CertainTeed Presidential T/L Solaris shingle.

*If the valuation is deemed to be less than industry standards and/or the valuation calculator, staff will make the necessary adjustments.

PROPERTY OWNER

Is this permit being pulled as Owner/Builder? ☐ YES ☑ NO

Owner Name: Mary Ann and Jack Bellevue

Mailing Address: 1600 Atlas Peak Rd. #476 City: Napa State: CA Zip: 94558

Phone: 707-483-7293 Fax: Email: mmorganbcmngr@aol.com

CONTRACTOR

Company Name: JAJ Roofing Inc. dba Citadel Roo License #: 647149 Class: C-39 Expires: 7/31/2021

Mailing Address: 4980 Allison Parkway City: Vacaville State: CA Zip: 95688

Email: reroof@citadelrs.com Contact Person: Kevin Balbi Phone: 707-446-5500

PRIMARY CONTACT

All communication from our office regarding your permit will be made to this person.

Primary Contact Name: Kevin Balbi

Firm: JAJ Roofing Inc. dba Ciktadel Roofing & Solar License #: 647149

Address: 4980 Allison Parkway City: Vacaville State: CA Zip: 95688

Phone: 707-446-5500 Fax: 707-446-5501 Email: kbalbi@citadelrs.com

I Represent : ☐ Owner ☑ Contractor Authorized Agent: ☑ Y ☐ N (Please provide a signed Authorized Agent Form)

10/24/2019

YOU MUST COMPLETE BOTH SIDES

OWNER BUILDER DECLARATION

(Sec. 7031.5). Business and Professions Code. Any city or county which requires a permit to construct, alter, improve, demolish or repair any structure prior to it's issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions' Code) or that he or she is exempt there from and basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars ($500).

☐ **I, AS OWNER OF THE PROPERTY, OR MY EMPLOYEES WITH WAGES AS THEIR SOLE COMPENSATION, WILL DO THE WORK, AND THE STRUCTURE IS NOT INTENDED OR OFFERED FOR SALE.** (Sec. 7044 Business and Professions Code: The Contractors' State License Law does not apply to an owner of the property, who builds or improves thereon, and who does such work himself or herself or through his or her employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the builder will have the burden of proving that he or she did not build or improve for the purpose of sale.)

☐ **I, AS OWNER OF THE PROPERTY, AM EXCLUSIVELY CONTRACTING WITH LICENSED CONTRACTORS TO CONSTRUCT THE PROJECT** (Sec. 7004, Business and Professions Code. The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a Contractor's State License Law.

☐ **I AM EXEMPT** under section _____ for this reason: _____

I HEREBY ATTEST UNDER PENALTY OF PERJURY that I am exempt from the Contractors' State License Law for the above marked reason :

Signature: ☒ _____ Date: _____

WORKER'S COMPENSATION

☑ **I HAVE AND WILL MAINTAIN A CERTIFICATE OF WORKERS' COMPENSATION INSURANCE**, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation carrier and policy No. are:

Carrier: Old Republic General Ir

Policy: A1CW09641804

Exp. Date: 06/01/2020

☐ **I HAVE AND WILL MAINTAIN A CERTIFICATE OF CONSENT TO SELF-INSURE FOR WORK-ERS' COMPENSATION**, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☐ **I CERTIFY THAT IN THE PERFORMANCE OF THE WORK FOR WHICH THE PERMIT IS ISSUED,** I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the worker's compensation provisions of Section 3700 of the Labor Code, I shall herewith comply with those provisions. **WARNING:** Failure to secure workers' compensation coverage is unlawful, and subjects an employer to criminal penalties and civil fines up to one hundred thousand dollars ($100,000), in addition to the cost of compensation, damages as provided for in Section 3706 of the Labor Code, interest and attorney's fees.

I HEREBY AFFIRM UNDER PENALTY OF PERJURY to the above marked declarations:

Signature: ☒ R. Bull Date: April 14, 2020

DISCLOSURE STATEMENT

I certify that I have read this application and state that the information here in is correct, I agree to comply with all local ordinances and state laws relating to building construction and I make this statement under penalty of law. Furthermore I hereby authorize representatives of the county to enter upon the above-mentioned property for inspection purposes.

NOTICE: This permit will expire by limitation and become null and void if work authorized by such permit is not commenced within one calendar year or if work is suspended or abandoned at any time after work is commenced for a period of 180 days from last inspection. A request for an extension of time must be submitted in writing to the Chief Building Official within one year of issuance or 180 days from last inspection. This application will expire by limitation if no permit is issued within one year following the date of application.

I (We) agree to save, indemnify and keep harmless the County of Napa against judgments, cost, and expenses which may in any way accrue against said County in consequence of the granting of this permit.

Signature: ☒ R. Bull Date: April 14, 2020

☐ Owner ☑ Contractor ☑ Authorized Agent (Must attach letter or Authorized Agent Form)

EXHIBIT AS

services.napacounty.gov/OBPBESPAV/Search/PBESDocs/index.html

NAPA COUNTY
CALIFORNIA

English

Search

Search Type

Planning, Building & Environmental Services Records

NOTE: Searching by APN or Establishment ID only will yield the most results; too many filled fields will narrow results.

Permit #

Parcel # (###-###-###-000)

060-320-002-000

PBES Division

Street #

Street Name

Establishment ID

Year

Search Reset

Results

PBES Division	Parcel # (###-###-###-000)	Permit #	Street #	Street Name	Establishment ID	PBES Program	Year	Document Type
PLANNING	060-320-002-000	37-64	1600	ATLAS PEAK RD		USE	1964	PBES-MISC-A
PLANNING	060-320-002-000	37-64	1600	ATLAS PEAK RD		USE	1964	PBES-NOT
PLANNING	060-320-002-000	37-64	1600	ATLAS PEAK RD		USE	1964	PBES-ASM
PLANNING	060-320-002-000	37-64	1600	ATLAS PEAK RD		USE	1964	PBES-PLNS-A
PLANNING	060-320-002-000	37-64	1600	ATLAS PEAK RD		USE	1964	PBES-PLNS-A
PLANNING	060-320-002-000	37-64	1600	ATLAS PEAK RD		USE	1964	PBES-COR
	060-320-002-000							PBES-ASM
	060-320-002-000							PBES-ASM
BUILDING	060-320-002-000	B14-01279				BLD	2014	PBES-ASM
BUILDING	060-320-002-000	BR20-00550-RRF	1600	ATLAS PEAK RD	0	BLD	2020	PBES-ASM

EXHIBIT AT

English

Search

Search Type

Planning, Building & Environmental Services Records

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Permit #

Parcel # (###-###-###-000)

060-320-002-000

PBES Division

Street #

Street Name

Establishment ID

Year

Search Reset

Results

	PBES Division	Parcel # (###-###-###-000)	Permit #	Street #	Street
	PLANNING	060-320-002-000	37-64	1600	ATLAS

	PBES Division	Parcel # (###-###-###-000)	Permit #	Street #	Street
	PLANNING	060-320-002-000	37-64	1600	ATLAS
	PLANNING	060-320-002-000	37-64	1600	ATLAS
	PLANNING	060-320-002-000	37-64	1600	ATLAS
	PLANNING	060-320-002-000	37-64	1600	ATLAS
	PLANNING	060-320-002-000	37-64	1600	ATLAS
		060-320-002-000			
		060-320-002-000			
	BUILDING	060-320-002-000	B14-01279		
	BUILDING	060-320-002-000	BR20-00550-RRF	1600	ATLAS

EXHIBIT AU

Environmental

Cover Sheet

APN	060 - 010 - 001 - 000
Permit #	
Program	up
DocType	COR
Street #	1600
Street Name	Atlas peak Rd
Year	1993

INTER-OFFICE MEMO

TO: Paul Battisti, County Supervisor

FROM: Trent Cave, Director of Environmental Management

SUBJECT: Well Drilling in the Silverado area

DATE: August 16, 1993

Based on our research, the following developments have specific prohibitions in their development permits concerning the development of groundwater resources:

Silverado Springs
Highlands
Silverado Oaks
Silverado Unit 5-B
The Grove (by Agreement with the neighbors)
Warren Simmons Parcel Map

TC:ml

cc: Jeff Redding, Napa County Planning Director
Ralph Hunter, Environmental Health Manager

nickie/trent/welldrill

This document is printed on recycled paper

COOLEY GODWARD

COOLEY GODWARD CASTRO HUDDLESON & TATUM

ATTORNEYS AT LAW

One Maritime Plaza
20th Floor
San Francisco
CA 94111-3580
FAX 951-3699
415 693-2000

Palo Alto, CA
415 494-7622
Menlo Park, CA
415 494-7622
San Diego, CA
619 550-6000

JOSEPH P. RUSSONIELLO
(415) 693-2014

March 3, 1993

VIA HAND DELIVERY

RECEIVED

MAR 3 1993

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

County of Napa
Conservation, Development and Planning Department
1195 Third Street
Room 210
Napa, California 94559

Re: Denial of Application & Permit to Construct a Water Well
Northgate Cottages at Silverado, Inc.
A.P. #40-040-10 thru 20
Denial dated: February 22, 1993

Dear Sir or Madam:

Northgate Cottages at Silverado, Inc., by and through Joseph P. Russoniello, (hereinafter Appellant) files the following Notice of Appeal and completed Appeal package pursuant to Napa County Ordinance §§ 11696 and 13505.

Enclosed in Appellant's completed package please find copies of the following:

(1) Application & Permit to Construct a Water Well, dated September 18, 1992;

(2) Request for issuance of formal denial, dated December 16, 1993;

(3) Formal denial, dated February 22, 1993;

(4) County of Napa Conservation, Development and Planning Department, Appeals application form plus attachments.

(5) Title Insurance Company Certified Adjoining Property Owners Names/Address/Parcel Number Lists;

(6) Assessor's pages used in compiling adjoining property owners lists;

(7) A check in the amount of $50.00 made payable to Napa County (no public hearing was associated with the decision being appealed).

Should the enclosed information not be sufficient to constitute a complete Appeal Application, please contact me immediately so that we may supplement the materials.

Very truly yours,

COOLEY GODWARD CASTRO
HUDDLESON & TATUM

Joseph P. Russoniello

JPR:as

Enclosures

cc: Jim and Rose Mary Reimer

20568970

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
1195 Third Street, Room 210
Napa, CA 94559 (707) 253-4416

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MAR 3 1993
NAPA CO. CONSERVATION DEVELOPMENT & PLANNING DEPT.

APPEALS

(Chapter XIII of Napa County Code)

TO BE COMPLETED BY APPELLANT

Appellant's Name: Joseph P. Russoniello Telephone: (415) 693-2014

Address: c/o Cooley Godward Castro Huddleson & Tatum One Maritime Plaza San Francisco CA 94111-3580
No. Street City State ZIP

Status of Appellant to Project: Property Owner
project applicant, adjacent property owner, other (describe)

Action Being Appealed: Denial of Well Permit Permit No: 40-040-10 thru 20

Permit Request: New Class I Permit

Reason for Appeal (Be Specific): Please see attached.
(attach additional sheet if necessary)

ATTACH A COMPLETE LIST OF THE NAMES AND ADDRESSES OF ALL PERSONS HAVING AN INTEREST IN THE MATTER, INCLUDING A TITLE INSURANCE COMPANY CERTIFIED ADJOINING PROPERTY OWNERS NAME/ADDRESS/PARCEL NUMBER LIST.

Signature of Appellant

3/2/93
Date

FOR OFFICE USE ONLY

File No: _____

Project Applicant's Name: _____

Assessor's Parcel No's: _____

Project Description: _____

Action Record

Action By: _____
(ZA, CDPD, or Other)

Action: _____
(Approved/Denied)

Date: _____

Received by: _____
Conservation, Development and Planning Department

Date Submitted: _____
Date Filed: _____

Fee: _____
Receipt #: _____

RECEIVED
MAR 3 1993
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Item 1

Appellant:

Joseph P. Russoniello, Esq.
Cooley Godward Castro Huddleson & Tatum
One Maritime Plaza
Suite 2000
San Francisco, CA 94111
(415) 693-2014 telephone
(415) 951-3699 fax

Status: Property Owner and "Interested person" as defined pursuant to Napa County Ordinance § 13501(g).

Item 2 (Please See Attached Exhibit A)

Applicant:

O.D. Williams
McLean & Williams, Inc.
878 El Centro Avenue
Napa, California 94558
(707) 255-6450

Permit: New Class I Permit Application

Item 3 (Please See Attached Exhibit A)

Permit Activity:

Application & Permit to Construct a Water Well
Northgate Cottages at Silverado, Inc.
A.P. #40-040-10 thru 20
Dated: September 18, 1992

Item 4 (Please See Attached Exhibit B)

Basis of Appeal:

Denial of Application & Permit to Construct a Water Well
Northgate Cottages at Silverado, Inc.
A.P. #40-040-10 thru 20
Dated: February 22, 1993

Item 5

Factual Background

On September 18, 1992, Mr. O.D. Williams of McLean & Williams, Inc. applied for a New Class I Permit to drill an irrigation well at the Northgate Cottages located at 1600 Atlas Peak Road, Napa, California.

At the time of the initial application, a Department of Environmental Management ("Department") representative gave Mr. Williams a single sheet of paper which purported to provide information on the Silverado Country Club Area - Well Permits.
Subsequently, on October 8, 1992, Jim and Rose Mary Reimer of Reimerand Property Management, in their capacity as representatives of Northgate Cottages met with Will Selleck and Kevin Eberle of the Napa County Planning Department and Mike Praul of the Napa County Public Works Department. The Napa County representatives told the Reimers that the restriction quoted below represented a "policy decision" under the original use permit for the property. Notably, however, Napa County representatives have not actually seen the restriction in writing, and have only been able to locate restrictions placed in effect after Northgate became an entity. After the meeting with the Napa County officials, no formal rejection of the well permit was forthcoming.

On December 16, 1992 the Appellant sought a formal response to the Well Permit Application. A denial was issued by the Department of Environmental Health on February 22, 1993. The sole ground stated for the denial was as follows:

> The Northgate Cottages are part of the Silverado Country Club Development and the Napa County Board of Supervisors has restricted the use and construction of water wells in the development of Silverado.

No supporting documentation was provided.

Item 6

Grounds for Appeal

Because the Applicant complied with all Napa County Ordinances governing the issuance of well permits, see Napa County Ordinance §§ 5230, et seq. (well permits), there appear to be no grounds upon which to issue a denial.

However, on September 18, 1992, the Applicant was given an undated document of unidentified origin entitled Silverado Country Club Area -- Well Permits which provided in pertinent part:

> Effective immediately, no well permits shall be issued within the Silverado County Club area. This includes most of the parcels in Assessor's Parcel Book, #40 except for page 01 and Assessor's Parcels 40-051-11, 12, 15, 25, 27, 32, 33 and 39-220-19.
>
> This area is within the planned development zone of the Silverado Country Club and is under a use permit requirement which requires no new wells, for any purpose, be constructed.

The denial dated February 22, 1993, is unsupported by documentation of any kind including, but not limited to, copies of the Napa County Ordinances, zoning regulations, and/or contracts upon which the restriction is based and/or which specifically apply the restriction to the Northgate Cottages.

Thus, it is entirely unclear that the Northgate Cottages property is subject to the above-stated restriction. The Department has particularly failed to explain or support the denial, and inter alia, has failed to resolve the following:

- No supporting documentation was provided so as to determine the operative date of the phrase "effective immediately;"

- No supporting document is provided so as to describe with particularity what developments actually "constitute the Silverado Country Club area;"

- The phrase "this includes **most** of the parcels. . . " is vague and ambiguous, and without documentation specifically outlining the parcels affected, it is impossible to determine that the Northgate Cottages are impacted;

- No specifications were provided to document what constitutes "the planned development zone of the Silverado Country Club," when such zoning became effective, or whether it applied to Northgate Cottages;

- The policy statement asserts that Silverado Country Club is "under a use permit requirement" but none was cited in support of the denial.

Because no facts were presented to the approving officer or body that support the decision, Appellant specifically invokes Napa County Code § 13505(f), although in so doing does not waive any other basis for its appeal.

Item 7 (Please See Attached Title Insurance Lists)

Item 8 (Please See Attached Assessor's Pages)

Item 9 (Please See Attached Fee)

TE
:
CEIPT NO.

A.P.# 40-040-10 thru 20
RECORD #

NAPA COUNTY
DEPT. OF ENVIRONMENTAL MANAGEMENT
APPLICATION & PERMIT TO CONSTRUCT A WATER WELL

1E North Gate at Silverado Inc. (Owner) ADDRESS 1600 Atlas Peak Road, Napa, CA 94558 (Job Location)
PHONE # (707) 255-6450
1E McLean & Williams, Inc. (Well Driller) ADDRESS 878 El Centro Ave., Napa, CA 94558

PE OF New Class I PERMIT XXXXXX Test Hole Date Called In
RK New Class II PERMIT U.S.G.S. Map Received
Well Reconstruction Well Deepening Horizontal Well
Well Destruction High Hazard Low Hazard Hand Dug

OPOSED DOMESTIC IRRIGATION XXXXXXXX INDUSTRIAL MUNICIPAL
E TEST WELL HOT WATER (D.O.G. Clearance) OTHER

wage Disposal System (existing or proposed) Public Individual Private XXXXXX
stance from well to any part of nearest sewage disposal system feet.
ptic System Location Determined By:
ot plan of well location received County road setback ft. from centerline.

RKER'S COMPENSATION COVERAGE: (Check one of the following)
XXXX certificate of current Worker's Compensation Insurance coverage is presently on file with this office.
__ A certificate of current Worker's Compensation Insurance is being filed with this application.
__ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws in California.

****

TERMS OF PERMIT

Call at least 24 hours in advance to schedule an inspection.
Prior to receiving a Final Clearance on the well, a copy of the Department of Water Resources "Water Well Drillers Report" (DWR-188) must be returned to our Department.
d Wells to be Destroyed:
her Remarks:

RECEIVED
MAR 3 1993
NAPA CO. CONSERVATION DEVELOPMENT & PLANNING DEPT.

Signature of Applicant

9-18-92
Date

****

FOR OFFICE USE ONLY

	Date	By	Remarks
.ty Clearance			
ıb. Works Clearance			
e-Inspection			
.ass II Approval			
rmit Issued			
nst. Insp.			
ll Log Rec.			
nal Insp.			

Silverado Country Club Area - Well Permits

Effective immediately, no well permits shall be issued within the Silverado Country Club area. This includes most of the parcels in Assessor's Parcel Book #40 except for page 01 and Assessor's Parcels 40-051-11, 12, 15, 25, 27, 32, 33 and 39-220-19. /policy

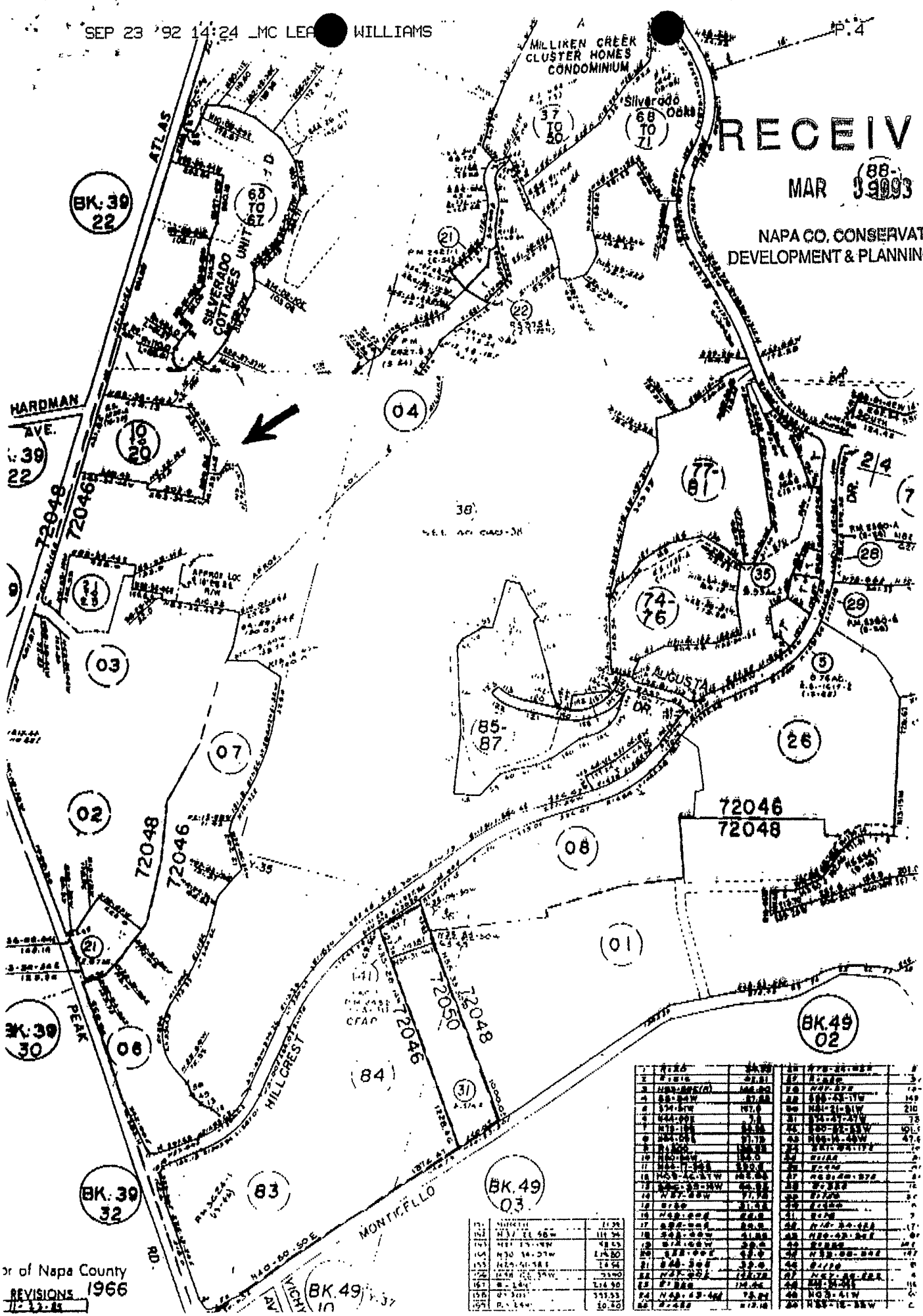
This area is within the planned development zone of the Silverado Country Club and is under a use permit requirement which requires no new wells, for any purpose, be constructed.

Calistoga City & St. Helena City Well Permits

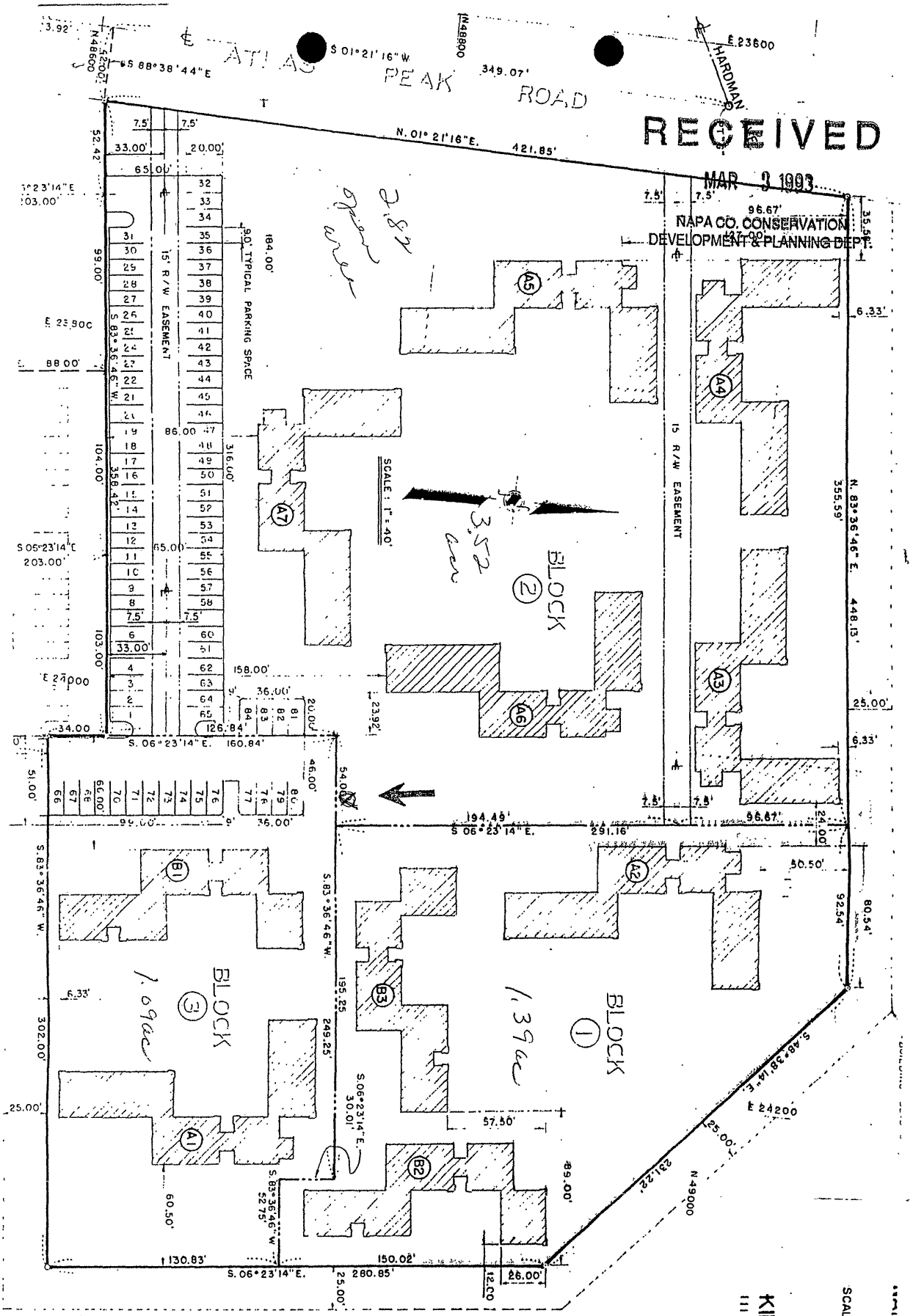
Effective immediately, prior to issuing a permit for any well, obtain clearance from the City Planning or Public Works Department. Written clearance must be obtained on the well permit. Leave a copy of the signed well permit with the City.

RECEIVED
MAR 3 1993
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

RECEIVED
MAR 88-3993
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.



or of Napa County
REVISIONS 1966



A CONDO

SCALE: AS NOTED

KIRKER, CHAPMAN

111 NEW MONTGOMERY,

GENERA

1. The subdivision depic
visions of the California Co
Division Second of the Civil

2. "Unit" means a numb
boundary lines of each Unit
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finishings) of its perimeter wa
places, ceilings, windows and
frames, and trim, and include
ing so described and the air

3. "Common Area" with
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dations, pipes, ducts, flues,
other utility installations to
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regardless of location within

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granted as appurtenances t

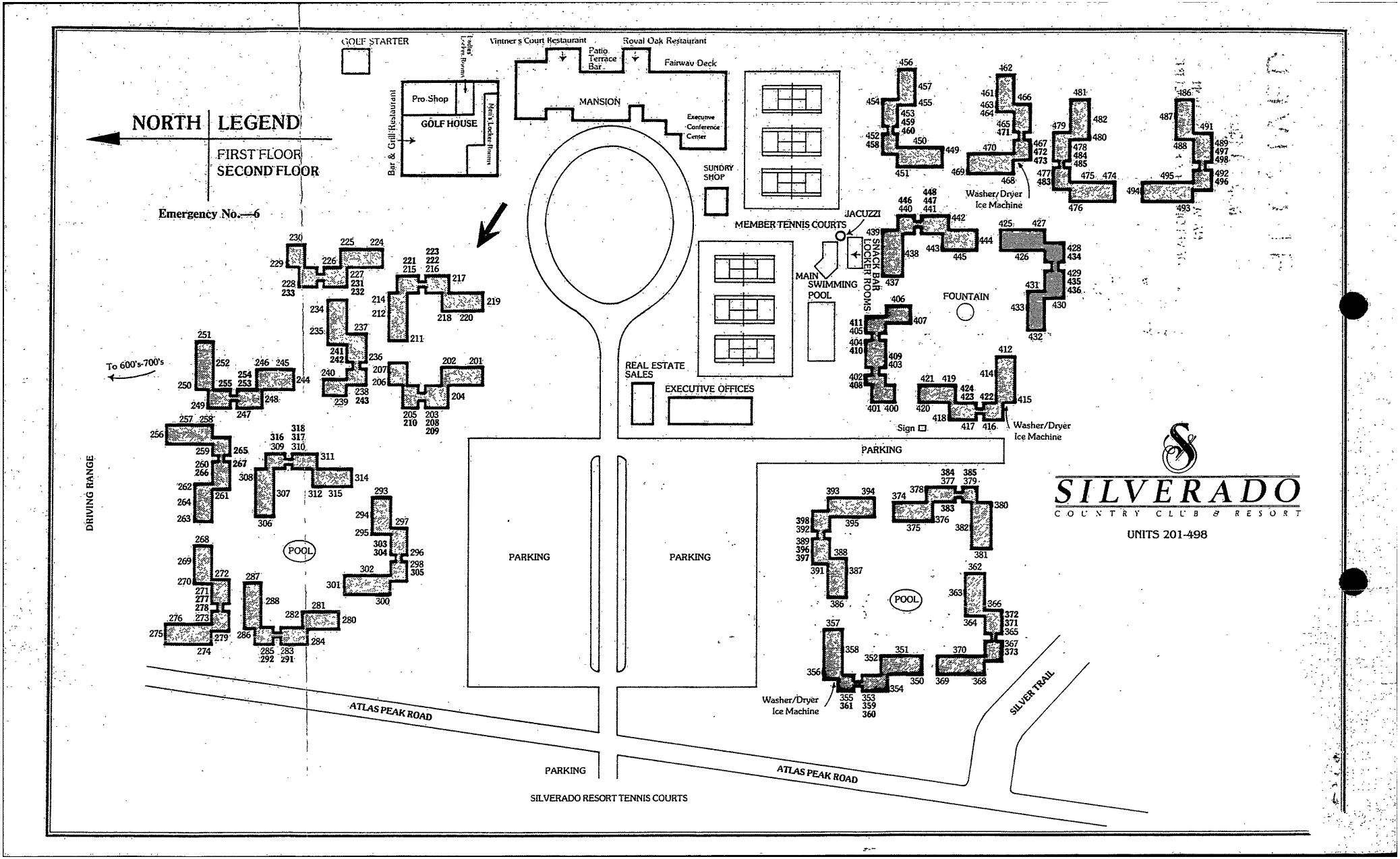
5. Each parcel designa
patio or balcony area an e
of which will be granted as
which it directly adjoins.

6. The owner of each
erest in the Common Area.

7. All angles shown or
wise indicated.

8. Designations of Unit
shown on this sheet) and by
The numbering of units with
following sheets and is iden
some type.

9. Elevation Datum;


NORTH
LEGEND
FIRST FLOOR
SECOND FLOOR
Emergency No.—6
GOLF STARTER
Ladies' Locker Rooms
Vintner's Court Restaurant
Patio Terrace Bar
Royal Oak Restaurant
Fairway Deck
Pro Shop
GOLF HOUSE
Men's Locker Rooms
Bar & Grill Restaurant
MANSION
Executive Conference Center
SUNDRY SHOP
MEMBER TENNIS COURTS
JACUZZI
SNACK BAR
LOCKER ROOMS
MAIN SWIMMING POOL
FOUNTAIN
REAL ESTATE SALES
EXECUTIVE OFFICES
Washer/Dryer
Ice Machine
Sign
To 600's-700's
DRIVING RANGE
POOL
PARKING
PARKING
PARKING
PARKING
ATLAS PEAK ROAD
ATLAS PEAK ROAD
SILVER TRAIL
SILVERADO RESORT TENNIS COURTS
SILVERADO
COUNTRY CLUB & RESORT
UNITS 201-498

NAPA COUNTY

DEPARTMENT OF
ENVIRONMENTAL HEALTH

TRENT CAVE, R.S.
Director of Environmental Health

1195 THIRD STREET, ROOM 205 • NAPA, CALIFORNIA 94559-3082
AREA CODE 707/253-4471 ATSS 528-4471

February 22, 1993

O.D. Williams
McLean and Williams, Inc.
878 El Centro Ave.
Napa, CA 94559

Subject: Northgate Cottages at Silverado, Inc.

Dear Mr. Williams,

It is my understanding that on September 18, 1992 you made an application to construct a water well at the subject property.

The Northgate Cottages are part of the Silverado Country Club Development and the Napa County Board of Supervisors has restricted the use and construction of water wells in the development of Silverado.

Your application cannot be processed and therefore is denied.

Sincerely,

TRENT CAVE, Director
Environmental Management

TC:pj

cc: Paul Battisti
Joseph P. Russoniello

usr/pamela/trent/northgte

NAPA COUNTY
DIVISION OF ENVIRONMENTAL HEALTH

ADMINISTRATIVE ORDER: INDIVIDUAL WATER 81-2

Subject: Well Permits in Silverado Country Club Area
Date Issued: August 6, 1981
Date Expires: Until Cancelled

ORDER

Effective immediately no well permits shall be issued within the Silverado Country Club area. This includes most of the parcels in Assessor's Parcel Book #40 except for page 01 and Assessor's Parcels 40-050-11,12,15,25, 27,32,33 and 39-220-19.

This area is within the planned development zone of the Silverado Country Club and is under a use permit requirement which requires no new wells, for any purpose, be constructed.

Issued By _____
Trent Cave, R. S.
Director, Environmental Health

RH:TC:ew

Cooley Godward Castro Huddleson & Tatum

Attorneys at Law

Northern California

One Maritime Plaza
20th Floor
San Francisco
CA 94111-3580
(415) 981-5252
Telex: 380815
COOLEY SFO
FAX: (415) 951-3699

Palo Alto CA
(415) 494-7622

Menlo Park CA
(415) 494-7622

Southern California

San Diego CA
(619) 453-1515

RECEIVED
JAN 28 1993
DEPT. OF
ENVIRONMENTAL MANAGEMENT

January 27, 1993

Mr. Trent Cave
Director
Napa County Department of
Environmental Management
1196 Third Street, Room 206
Napa, California 94558

Re: Northgate Cottages at Silverado, Inc.
Application & Permit to Construct a Water Well
A.P. # 40-040-10 thru 20

Dear Mr. Cave:

On December 16, 1992, I wrote to you requesting that your department issue a formal decision on the above-referenced Application & Permit to Construct a Water Well. A copy of that letter is enclosed for your information. To date, we have received no response to our request.

Should a denial be forthcoming, my client is anxious to initiate the appeal process on this matter. We are precluded from doing so, however, until a formal rejection is issued from your office. To that end, because more than six weeks have now passed, please issue an immediate response to our request.

Should you have any questions or concerns, please do not hesitate to contact me or my associate Connie Norton at (415) 981-5252. Thank you for your immediate attention to this matter.

Very truly yours,

COOLEY GODWARD CASTRO
HUDDLESON & TATUM

Joseph P. Russoniello

JPR/am

Enclosure
cc: Jim and Rose Mary Reimer

bcc: Constance E. Norton, Esq.

20556828

Cooley Godward Castro Huddleson & Tatum

Attorneys at Law

Northern California

One Maritime Plaza
20th Floor
San Francisco
CA 94111-3580
(415) 981-5252
Telex: 380815
COOLEY SFO
FAX: (415) 951-3699

Palo Alto CA
(415) 494-7622

Menlo Park CA
(415) 494-7622

Southern California

San Diego CA
(619) 453-1515

December 16, 1992

Mr. Trent Cave
Director
Napa County Department of
Environmental Management
1196 Third Street, Room 206
Napa, CA 94558

Re: Northgate Cottages at Silverado, Inc.
Application & Permit to Construct A Water Well
A.P. # 40-040-10 thru 20

Dear Mr. Cave:

Please consider this letter as a request that the Department of Environmental Management ("Department") issue a formal decision on the above-referenced Application & Permit to Construct a Water Well ("Application").

Factual Background

On September 18, 1992, Mr. O.D. Williams of McLean & Williams, Inc. applied for a New Class I Permit to drill an irrigation well at the Northgate Cottages located at 1600 Atlas Peak Road, Napa, California. A copy of the application and accompanying information is enclosed for your information.

Mr. Williams brought the completed application and plot plan of the Northgate property with him to the Department counter. He was also prepared to pay the fee, which in his experience is not requested until the time the permit issues. After a short reference of the files, a Department representative handed Mr. Williams a single sheet of paper which purports to provide information on the Silverado Country Club Area -- Well Permits. The document provided in pertinent part:

> This area is within the planned development zone of the Silverado Country Club and is under a use permit requirement which requires no new wells, for any purpose, be constructed.

Apparently, based on this language the Department representative said his hands were tied. However, no formal rejection for the instant Application has been forthcoming from the Department.

Formal Action Requested

It appears that Mr. Williams complied with all Napa County Ordinances governing the issuance of well permits. See Napa County Ordinance §§ 5230, et seq. (well permits). Thus, there appear to be no grounds upon which to issue a rejection. Furthermore, it is entirely unclear that the Northgate Cottages property is subject to the above-stated restriction.

If, indeed, Northgate Cottages' Application is subject to rejection by the Department, please issue a formal rejection which expressly states the grounds upon which the rejection is based. Further, please provide documentation including, but not limited to, copies of the Napa County Ordinances, zoning regulations, and/or contracts upon which the restriction is based which specifically apply to the Northgate Cottages.

Thank you for your prompt attention to this matter.

Very truly yours,

COOLEY GODWARD CASTRO
HUDDLESON & TATUM

Joseph P. Russoniello

JPR/wp

Enclosures

cc: Jim and Rose Mary Reimer

20541301

bcc: Constance E. Norton

A.P.# 40-040-10 thru 20
RECORD #

SLIP NO.

NAPA COUNTY
DEPT. OF ENVIRONMENTAL MANAGEMENT
APPLICATION & PERMIT TO CONSTRUCT A WATER WELL

E North Gate at Silverado Inc. (Owner) ADDRESS 1600 Atlas Peak Road, Napa, CA 94558 (Job Location)
PHONE # (707) 255-6450
E McLean & Williams, Inc. (Well Driller) ADDRESS 878 El Centro Ave., Napa, CA 94558

E OF New Class I PERMIT XXXXXX Test Hole Date Called In
K New Class II PERMIT U.S.G.S. Map Received
Well Reconstruction Well Deepening Horizontal Well
Well Destruction High Hazard Low Hazard Hand Dug

POSED DOMESTIC IRRIGATION XXXXXXXX INDUSTRIAL MUNICIPAL
TEST WELL HOT WATER (D.O.G. Clearance) OTHER

age Disposal System (existing or proposed) Public Individual Private XXXXXX
tance from well to any part of nearest sewage disposal system feet.
tic System Location Determined By:
t plan of well location received County road setback ft. from centerline.

KER'S COMPENSATION COVERAGE: (Check one of the following)
XXX certificate of current Worker's Compensation Insurance coverage is presently on file with this office.
_ A certificate of current Worker's Compensation Insurance is being filed with this application.
_ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws in California.

****

TERMS OF PERMIT

Call at least 24 hours in advance to schedule an inspection.
Prior to receiving a Final Clearance on the well, a copy of the Department of Water Resources "Water Well Drillers Report" (DWR-188) must be returned to our Department.
Wells to be Destroyed:
ier Remarks:

Signature of Applicant

9-18-92
Date

****

FOR OFFICE USE ONLY

	Date	By	Remarks
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o. Works Clearance			
e-Inspection			
ass II Approval			
mit Issued			
ist. Insp.			
ll Log Rec.			
nal Insp.			

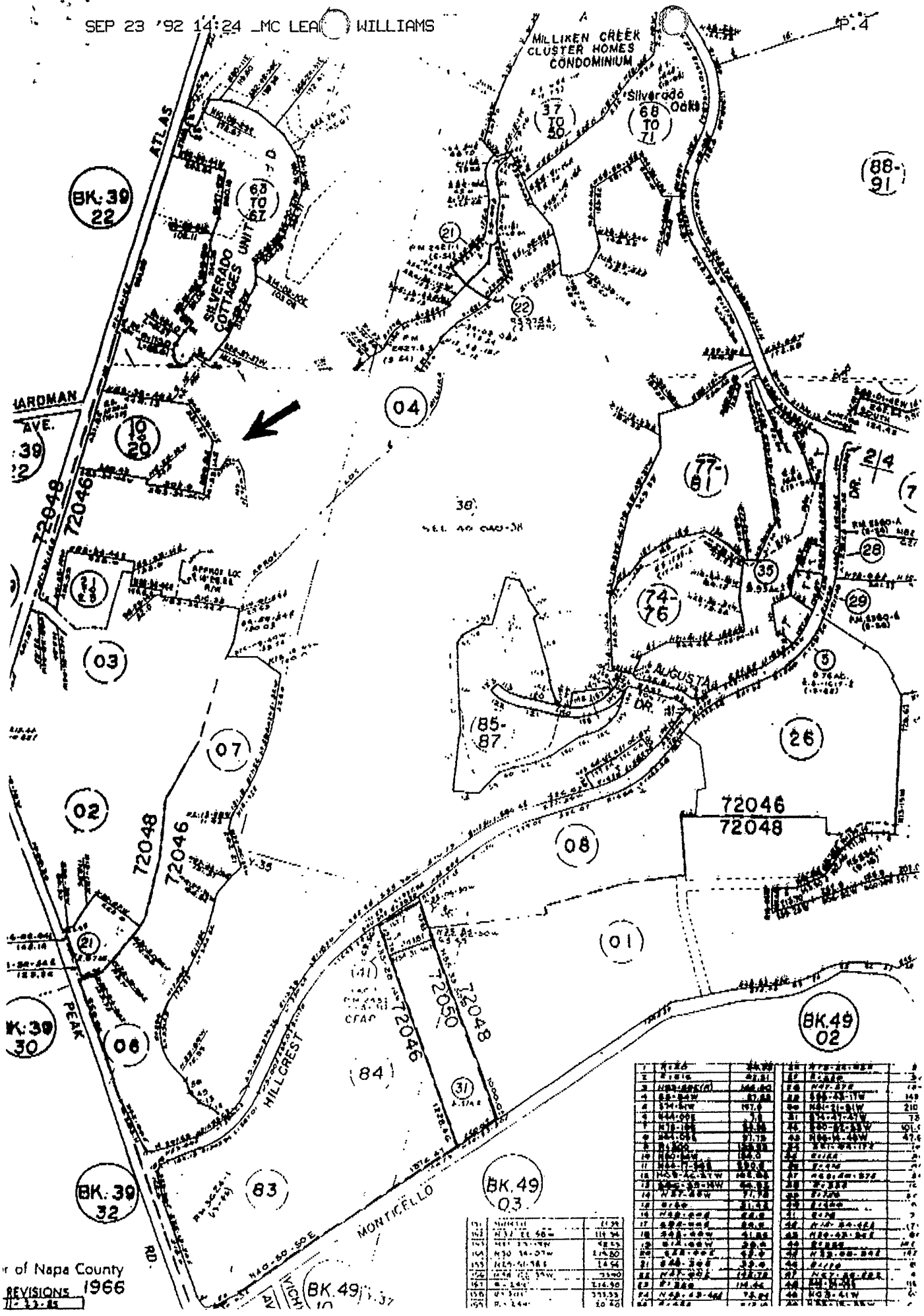
Silverado Country Club Area - Well Permits

Effective immediately, no well permits shall be issued within the Silverado Country Club area. This includes most of the parcels in Assessor's Parcel Book #40 except for page 01 and Assessor's Parcels 40-051-11, 12, 15, 25, 27, 32, 33 and 39-220-19. /policy

This area is within the planned development zone of the Silverado Country Club and is under a use permit requirement which requires no new wells, for any purpose, be constructed.

Calistoga City & St. Helena City Well Permits

Effective immediately, prior to issuing a permit for any well, obtain clearance from the City Planning or Public Works Department. Written clearance must be obtained on the well permit. Leave a copy of the signed well permit with the City.



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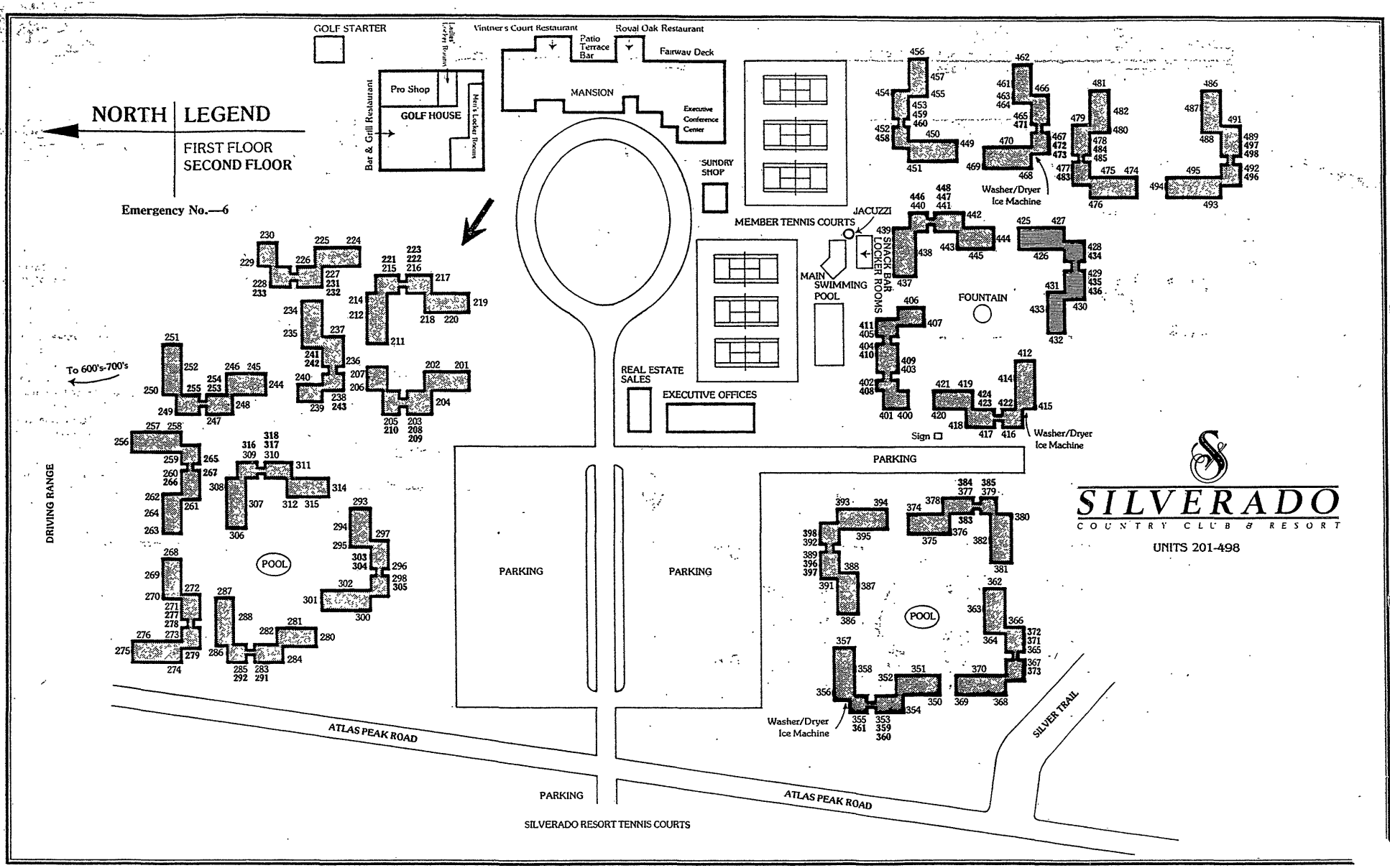
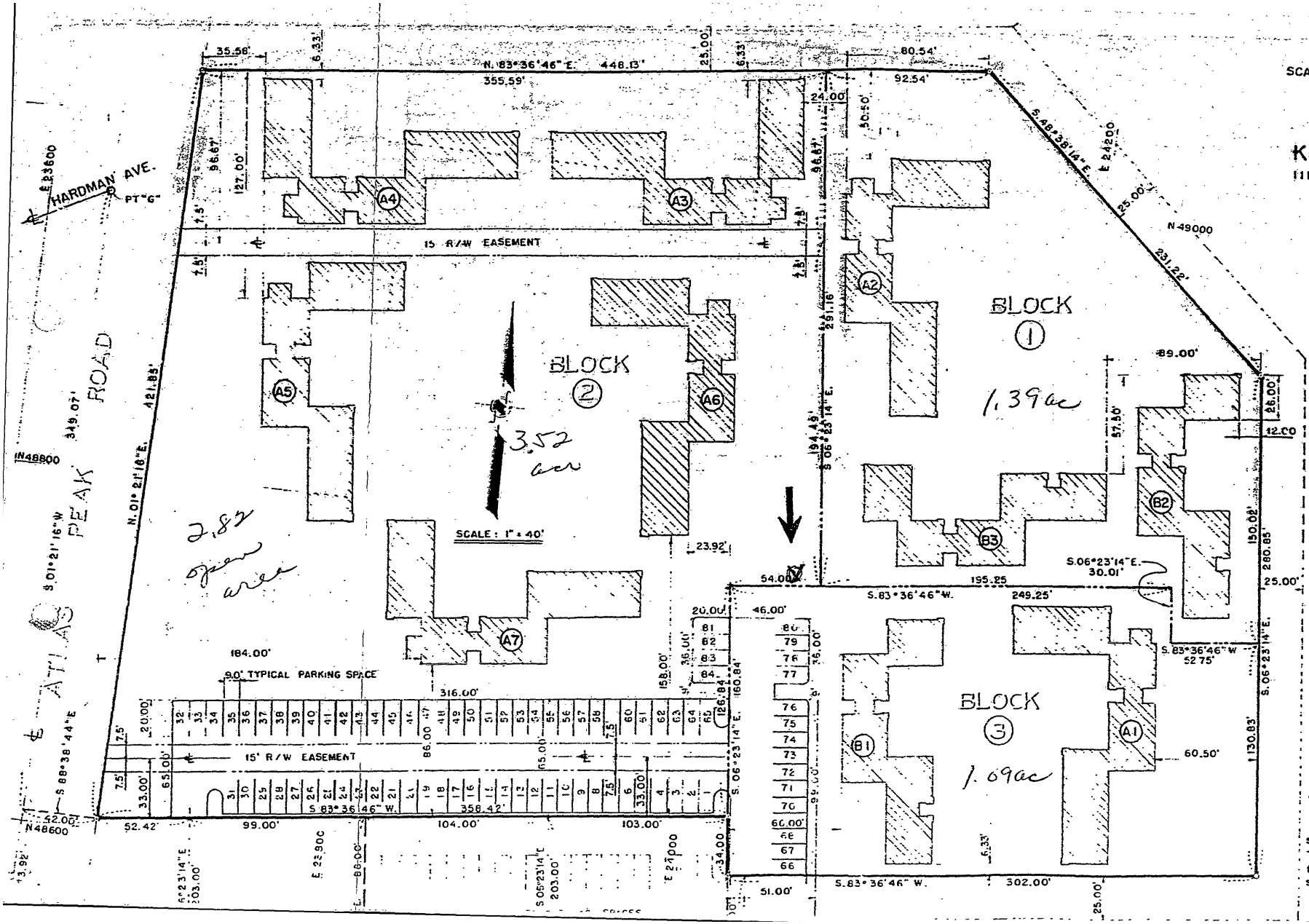

NORTH
LEGEND
FIRST FLOOR
SECOND FLOOR
Emergency No.—6
GOLF STARTER
Ladies' Locker Rooms
Vintner's Court Restaurant
Royal Oak Restaurant
Patio Terrace Bar
Fairway Deck
MANSION
Executive Conference Center
Pro Shop
GOLF HOUSE
Bar & Grill Restaurant
Men's Locker Rooms
SUNDRY SHOP
MEMBER TENNIS COURTS
JACUZZI
MAIN SWIMMING POOL
SNACK BAR LOCKER ROOMS
FOUNTAIN
REAL ESTATE SALES
EXECUTIVE OFFICES
Sign
Washer/Dryer
Ice Machine
To 600's-700's
DRIVING RANGE
POOL
PARKING
PARKING
PARKING
PARKING
ATLAS PEAK ROAD
ATLAS PEAK ROAD
SILVER TRAIL
SILVERADO RESORT TENNIS COURTS
SILVERADO
COUNTRY CLUB & RESORT
UNITS 201-498



A CONDO

SCALE : AS NOTED

KIRKER, CHAPMAN

111 NEW MONTGOMERY,

GENERA

1. The subdivision depic visions of the California Co Division Second of the Civil

2. "Unit" means a numt boundary lines of each Unit faces (exclusive of paint, pap finishings) of its perimeter wa places, ceilings, windows and frames, and trim, and includ ing so described and the air

3. "Common Area" with and all portions of the prop and not located within any Un by way of limitations, all st ing, refrigeration and air co dations, pipes, ducts, flues, other utility installations to umns and girders, to the un regardless of location within

4. The serially numbere easements for the exclusive granted as appurtenances c

5. Each parcel designa patio or balcony area an e of which will be granted as which it directly adjains.

6. The owner of each erest in the Common Area.

7. All angles shown ar wise indicated.

8. Designations of Units shown on this sheet) and by The numbering of units with following sheets and is iden same type.

9. Elevation Datum

Cooley Godward Castro Huddleson & Tatum

Attorneys at Law

Northern California

One Maritime Plaza
20th Floor
San Francisco
CA 94111-3580
(415) 981-5252
Telex: 380815
COOLEY SFO
FAX: (415) 951-3699

Palo Alto CA
(415) 494-7622

Menlo Park CA
(415) 494-7622

Southern California

San Diego CA
(619) 453-1515

RECEIVED
DEC 17 1992
DEPT. OF
ENVIRONMENTAL MANAGEMENT

December 16, 1992

Mr. Trent Cave
Director
Napa County Department of
Environmental Management
1196 Third Street, Room 206
Napa, CA 94558

Re: Northgate Cottages at Silverado, Inc.
Application & Permit to Construct A Water Well
A.P. # 40-040-10 thru 20

Dear Mr. Cave:

Please consider this letter as a request that the Department of Environmental Management ("Department") issue a formal decision on the above-referenced Application & Permit to Construct a Water Well ("Application").

Factual Background

On September 18, 1992, Mr. O.D. Williams of McLean & Williams, Inc. applied for a New Class I Permit to drill an irrigation well at the Northgate Cottages located at 16500 Atlas Peak Road, Napa, California. A copy of the application and accompanying information is enclosed for your information.

Mr. Williams brought the completed application and plot plan of the Northgate property with him to the Department counter. He was also prepared to pay the fee, which in his experience is not requested until the time the permit issues. After a short reference of the files, a Department representative handed Mr. Williams a single sheet of paper which purports to provide information on the Silverado Country Club Area -- Well Permits. The document provided in pertinent part:

> This area is within the planned development zone of the Silverado Country Club and is under a use permit requirement which requires no new wells, for any purpose, be constructed.

Apparently, based on this language the Department representative said his hands were tied. However, no formal rejection for the instant Application has been forthcoming from the Department.

Formal Action Requested

It appears that Mr. Williams complied with all Napa County Ordinances governing the issuance of well permits. See Napa County Ordinance §§ 5230, et seq. (well permits). Thus, there appear to be no grounds upon which to issue a rejection. Furthermore, it is entirely unclear that the Northgate Cottages property is subject to the above-stated restriction.

If, indeed, Northgate Cottages' Application is subject to rejection by the Department, please issue a formal rejection which expressly states the grounds upon which the rejection is based. Further, please provide documentation including, but not limited to, copies of the Napa County Ordinances, zoning regulations, and/or contracts upon which the restriction is based which specifically apply to the Northgate Cottages.

Thank you for your prompt attention to this matter.

Very truly yours,

COOLEY GODWARD CASTRO
HUDDLESON & TATUM

Joseph P. Russoniello

JPR/wp

Enclosures

cc: Jim and Rose Mary Reimer

20541301

ENVIRONMENTAL HEALTH

1195 THIRD STREET • NAPA, CA 94558
(707) 253-4471

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DEC 21 1992

TO Planning LOCATION NAPA CO. CONSERVATION DEVELOPMENT & PLANNING DEPT.

FROM Env. Mgmt. Chris Secheli LOCATION

SUBJECT Well permits in Silverado Country Club (SCC) DATE 12-21-92

MESSAGE

In 1981 an administrative order was issued by Trent Cave stating that due to a use permit requirement within the planned development zone of SCC, no new wells for any purpose, could be constructed. Please inform me if this condition is still valid as we have an application in at this time for a permit in Northgate Cottages. Thank you for your time.

SIGNED Chris Secheli

REPLY

Per conversation with Mike Miller on 12-22-92, the conditions on the Northgate Cottages did not include any restrictions on wells. Mike indicated that it was only the later developments which had conditions on them re: well restrictions. We'll have to deal with these on a case by case basis, at least for now.

FOLLOW-UP DATE

REMOVE PART 2 - FORWARD PARTS 1 & 3
PART 3 WILL BE RETURNED WITH REPLY

SIGNED Sylvia S. Toth DATE 12-28-92

082 Speediply® MCP® Patented

RECEIVED
DEC 28 1992
DEPT. OF
ENVIRONMENTAL MANAGEMENT

6-14-93

Ralph,

Re: Sil P.D. water

RECEIVED
JUN 16 1993
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

Searching the records for specific agreements prohibiting ground water use within the Silverado P.D., the only information I have found is as follows; Silverado Springs & The Highland units were specifically conditioned as prohibiting the use of groundwater. The Grove unit was not conditioned to prohibit the use of groundwater, but an agreement between the developers lawyer (Wilson Wendt) and I was intended to prohibit groundwater use. This letter of agreement needs review to ascertain it's strength.

Regards,
Bill Murray
226-1633

(Background)

B.O.S. Records

RECEIVED
JUN 16 1993
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

Dec 12, 1972
Re: Silverado Oaks
Book #3, Page #248

Silverado Oaks Unit approved...
"provided that no wells be drilled on the property".

Feb. 12, 1974
Re: Silverado Unit #5-B
Book #3 Pg #177

Approval of Silverado Unit #5-B included "no wells & any existing wells and septic system on the property be abandoned".

Sil. P.D

* North GATE UNIT

AP # 40-040-10-20 (old #)

AP # 40-100-10-20 (current #)

Planning Staff report & other documents in association w/ don't include any restrictions on ground water.

* Northgate is the Condo unit applying for the well

LAW OFFICES
MILLER, STARR & REGALIA
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

151 UNION STREET
ICE HOUSE TWO
SUITE 300
SAN FRANCISCO, CALIFORNIA 94111
TELEPHONE (415) 982-3838

101 YGNACIO VALLEY ROAD
SUITE 401
WALNUT CREEK, CALIFORNIA 94596
FACSIMILE (415) 933-4126
TELEPHONE (415) 935-9400

ONE KAISER PLAZA
ORDWAY BUILDING, SUITE 1600
OAKLAND, CALIFORNIA 94612
FACSIMILE (415) 465-1202
TELEPHONE (415) 465-3800

WILSON F. WENDT

January 3, 1990

FEDERAL EXPRESS ORIGINAL

VIA FACSIMILE TRANSMISSION

Barbara Abate (FAX #: 707-253-4176)
Assistant Planner
Department of Conservation Development
and Planning, Napa County
1195 Third Street, Room 210
Napa, California 94559

Re: **Appeal of William Murray - Schedule for Hearing January 9, 1990**

Dear Barbara:

As we discussed by telephone, I have been authorized by William Murray, the appellant in the subject appeal, to deliver to you his letter which is enclosed herewith withdrawing his appeal to the Conservation, Development and Planning Commissions, action effecting a minor modification to the conditions of approval for the tentative map for the compound at Silverado. I understand from discussions with the County Counsel that Mr. Murray, by withdrawing his appeal, removes the jurisdiction of the Board to consider this matter at its January 9, 1990 meeting.

Very truly yours,

MILLER, STARR & REGALIA

Wilson F. Wendt

WFW:mmh
Enclosure

cc: Robert Westmeyer (FAX #: 707-253-4176)
William Murray

December 21, 1989

Mr. Jeffrey Redding
Director
Department of Conservation, Development
and Planning
Napa County
1195 Third Street, Room 210
Napa, California 94559

Re: **Appeal of William Murray to Action of Napa County Conservation, Development and Planning Commission Effecting a Minor Change to the Conditions of Approval for the Tentative Map of "The Compound at Silverado" (APN 40-050-34 & 40-040-78)**

Dear Mr. Redding:

By this letter I am hereby withdrawing my appeal filed on November 30, 1989 to the Commission's action effecting a minor modification to the conditions of approval for the tentative map for The Compound at Silverado. Please take all appropriate steps necessary to withdraw that appeal and dismiss it.

Very truly yours,

William Murray

William Murray
1253 Hedgeside Avenue
Napa, California 94558

LAW OFFICES
MILLER, STARR & REGALIA
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

151 UNION STREET
ICE HOUSE TWO
SUITE 300
SAN FRANCISCO, CALIFORNIA 94111
TELEPHONE (415) 982-3838

101 YGNACIO VALLEY ROAD
SUITE 401
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FACSIMILE (415) 933-4126
TELEPHONE (415) 935-9400

ONE KAISER PLAZA
ORDWAY BUILDING, SUITE 1600
OAKLAND, CALIFORNIA 94612
FACSIMILE (415) 465-1202
TELEPHONE (415) 465-3800

WILSON F. WENDT

January 3, 1990

Mr. William Murray
1253 Hedgeside Avenue
Napa, California 94558

Re: **Withdrawal of Appeal to Modification of Conditions for the Grove (Formerly the Compound) at Silverado**

Dear Bill:

This letter will confirm our understanding reached today in which you authorized me to deliver to Jeffrey Redding your letter dated December 21, 1989 withdrawing your appeal of the Conservation, Development and Planning Commissions approval of a minor change to the conditions to the tentative map for the compound at Silverado and asking that the appeal be dismissed. As I explained to you, the Anden Group was not in a position to record the Declaration of Restrictions because of problems with their lenders who hold deeds of trust on the property. Anden Group did agree and your agreement to release the letter dismissing the appeal was conditioned upon the following:

1. The Anden Group is to execute and to deliver to me in recordable form the Declaration. The Declaration is not to be recorded but held by me in my files.

2. The Anden Group shall instruct their attorney who has prepared the Declaration of Covenants, Conditions and Restrictions ("CC&Rs") to amend the CC&Rs for the condominium project to insert a prohibition against the installation of water wells. As I explained to you, the CC&Rs will be recorded at some time in the future after review and approval by the State of California, Department of Real Estate. The Anden Group has agreed that when those CC&Rs are recorded, they will contain the described prohibition.

3. The Anden Group shall notify the Department of Conservation, Development and Planning of Napa County that such a modification shall be made to the CC&Rs and

shall indicate that when recorded the CC&Rs shall contain the prohibition.

Based upon this understanding, you have authorized and I have released to the County the letter dismissing the appeal. I appreciate sincerely your efforts in this matter and your willingness to be flexible in working out this solution which differs from our original understanding. I look forward to seeing you in the near future.

Very truly yours,

MILLER, STARR & REGALIA

Wilson F. Wendt

WFW:mmh

c:Murray4.ltr

Book 4
Pg 177

2-19-74 Silverado PC. Dist

Unit 5-B ~~Prel~~ Final Subd. Map approved

20 Acres into 48 lots

Intersection of Hillcrest & Westgate

Provided there be no new wells & any existing wells or septic systems on the property be abandoned and sealed by methods called for in the County well and sewage ordinances

Book 4
Pg 380
10-8-74

P.M. of Warren Simmons Approved w Condition.
That No new wells be drilled on the property & that Parcel "B" be connected to Silverado Community Services District and the present well be disconnected.

		Book	Page
2-10-70	AMFAC - S.Ivorado C.C. - U.P. granted	2	124
4-7-70	" Prel. Subd. MAP Approved	2	156
1-6-70	S.Ivorado Condo Appeal	2	117
11-10-70	" Unit #G16 Approved	2	283
1-5-71	" " " Final MAP Approved	2	305
1-27-71	S.Ivorado Properties rcp - to Construct Waste System	2	363
2-8-72	S.Ivorado Units #1&2 F.M. Revision Approved	3	20
2-15-72	" Condo Unit D	3	25
Not found in Minutes.	S.Ivorado Comm Serv. Dist. Irrigation system	3	105
Not found	2-26-72 S.I. OAKS Subd. App.	3	262 259
1-22-73	" Unit #5-B Subd. MAP App.	4	159
* 2-19-74	S.I. Unit 5-B Final MAP Approved	4	177
2-19-74	Subd. Agreement W AMFAC Corp Approved	4	177
9-17-74	S.I. C.C. - Hamster's Tent MAP	4	363 364
10-8-74	Warren Simmons Tent P.M. Approved	4	380
8-20-74	AMFAC S.I. Corp P.M. Improvements Compl.	4	337
1-8-74	AMFAC S.I. Corp Construct. Improv. ext.	4	146
8-14-73	" " " P.M. Agreement	4	45
~~1-8-74~~	~~" " " Construct Improv.~~	~~4~~	~~146~~

U-97980

Burris

Dec. 20 1978 U-157778

Minutes of CDP

G. Rodeno Said "There will Not be a well drilled on this Property ~~at all~~ or any of the developments for the S.Ivorado Complex"

AMFAC Revised Plan

File Open 40-030-03

12-10 NOON
Look INTO &
CALL BACK.

NAPA COUNTY
DIVISION OF ENVIRONMENTAL HEALTH

ADMINISTRATIVE ORDER: INDIVIDUAL WATER 81-2

Subject: Well Permits in Silverado Country Club Area
Date Issued: August 6, 1981
Date Expires: Until Cancelled

ORDER

Effective immediately no well permits shall be issued within the Silverado Country Club area. This includes most of the parcels in Assessor's Parcel Book #40 except for page 01 and Assessor's Parcels 40-050-11,12,15,25, 27,32,33 and 39-220-19.

This area is within the planned development zone of the Silverado Country Club and is under a use permit requirement which requires no new wells, for any purpose, be constructed.

Issued By Trent Cave
Trent Cave, R. S.
Director, Environmental Health

call Trent Mon. AM.

RH:TC:ew

CALL:

(1) WALTER J. COSGRAVE (COSGRAVE)
829 Augusta Circle
Silverado - one of our owners.
255-2970 Ext 5829

(2) Richard Midcraft (? F MIDEKAGT)
Manager
-226-9755 wrong number

Ralph 12-10

Silverado

Oak Creek East Condo

E.1d. — Master Plan Condition.

Domestic use ~~still~~ questionable — small water district.
Irrigation only. Seperate system.
" could be by wells already?. Golf
Course system.

Trent 12-14

Even Simmons affected by condition — must be on overall development -PD-
Their file probably as thick as ours — common knowledge often difficult to document.
Good to go back to original document though to be sure language is the way you remember it.

SILVERADO OAKS II

AGENDA ITEM: 2 -

1. On September 3, 1975, the Commission found the Final EIR to be adequate and continued action on the Use Permit pending resolution of road standards between Public Works and the State Division of Forestry.

FINDINGS:

2. The proposed condominium complex is a phase in the development of the 1,200 acre Silverado County Club. This phase would include 48 three-bedroom units; 62 two-bedroom units (all buildings would not exceed two stories); 110 covered parking spaces and 170 uncovered parking spaces. Each unit would be approximately 1,000 - 1,250 square feet and sell for an estimated $55,000 - $65,000. The proposed development would also include three swimming pools, 2 tennis courts, and a community center.
3. The subject property consists of 21.25 acres of Oak woodlands adjacent to the golf course. Approximately 70 Oak trees would be removed to accommodate a project density of 5.6 dwelling units per acre.
4. It is anticipated that 3-10 units would be occupied on a permanent basis. The remaining units would be second homes, 20-36% of which would be occupied at any one time. Based on the above permanent occupancy factor, the project is expected to generate 3 - 4 school age children.
5. Currently, the Silverado Country Club consists of 678 subdivision lots and condominium units, including ten lots created by parcel map. This represents approximately 48.7% of the 1,393 units which are planned for the Country Club PC District.
6. The applicant has submitted a Preliminary Subdivision Map in conjunction with this Use Permit application.
7. The Silverado Country Club receives water service from the Silverado Community Services District by contract with the City of Napa. The District has assured Environmental Health that water service will be provided to this project, if approved. The project is located in an area under study for ground water conditions. Past projects of a similar nature have not been allowed to obtain water from wells for irrigation, domestic, or other uses.
8. The Silverado Country Club PC District is within the Napa Sanitation District. The Napa Sanitation District indicates that the existing truck line is limited to 800 connections. The Silverado County Club has utilized a total of 683 sewage connections. 117 connections remain to cover this proposal. Future development, including lot divisions, would require installation of a second sewer trunk line.
9. The density of the proposed project exceeds that of the adopted Silverado Planned Community Master Land Use Plan which designates the site for development of a golf club facility and 60 cluster units. To compensate for an increase in

17. The Final EIR (Page I - Project Description) indicates the size of the subject property as 19.6 acres. The consultant was notified by the Department that the acreage shown in the County Assessor's books is 21.25 acres. The latter figure was used in the contract with the consultant who apparently failed to correct the text.

RECOMMENDATION #1: Certify the Final EIR for this project as adequate.

RECOMMENDATION #2: Approve the Use Permit (#U-307475) subject to the following conditions:

1. The permit be limited to 110 condominium units as shown on the submitted plans.
2. Resolution of the question of fire protection funding between the State Division of Forestry, County of Napa and AmFac-Silverado prior to construction of the units.
3. The applicant submit to the Department a revised General Land Use Plan for the entire 1,200 acre Silverado Planned Community reflecting all changes and developments which have occured since adoption of the original Master Land Use Plan in 1966 within 60 days.
4. Submission of a landscaping plan to the Department for review and approval with particular attention given to mitigating the removal of 70 Oak trees.
5. No wells be drilled in connection with this project.
6. The use of earthtone colors be employed to blend with the surrounding area.
7. The site be kept in a clean and orderly condition at all times.
8. Compliance with all applicable building codes, zoning standards and requirements of various County Departments and agencies.

Improvement Summary:

1. Public Works requires:
   a. Separate facilities for all pedestrian generators including improved pedestrian ways to northerly tennis court area. Pathways to be continuous and not interrupted by overflow parking or landscaping.
   b. Clarifications on subsequent plans as to what portions of pathways are intended for golf carts. Typical pathway should handle both two-way cart traffic and pedestrians where appropriate.
   c. Submission of a report indicating anticipated traffic flow and recommended traffic index to be utilized for structural design of roadways.

DEPARTMENT OF PUBLIC HEALTH
Division of Environmental Health
COUNTY OF NAPA
CARITHERS BUILDING
1123 First Street 255-5966
Napa, California 94558

RECEIVED
FEB 18 1975
Napa County Conservation,
Development & Planning Commission

MEMORANDUM

TO: Conservation, Development & Planning Commission

FROM: James E. Page, R.S. JePage

SUBJECT: Preliminary Map and Use Permit U-307475 of Amfac Silverado, to Construct 110 Unit Condominium Development on AP40-050-17 & 20

DATE: February 14, 1975

We have made an investigation of the proposal and submit the following findings:

Water is supplied in the area by the Silverado Community Services District. The District has assured us that they will provide water service to the project.

Irrigation of lands in the Silverado PC area, using underground water from wells has in the past generated charges that such activities have lowered water tables in the surrounding area. A ground water study is now in progress in the area.

Sewage collection is provided to the area by the Napa Sanitation District. The District has advised us that at the present time only 87 connections are available for use, due to the capacity of the Milliken trunk sewer line.

It is our recommendation that if the subject use is approved, the following conditions be included:

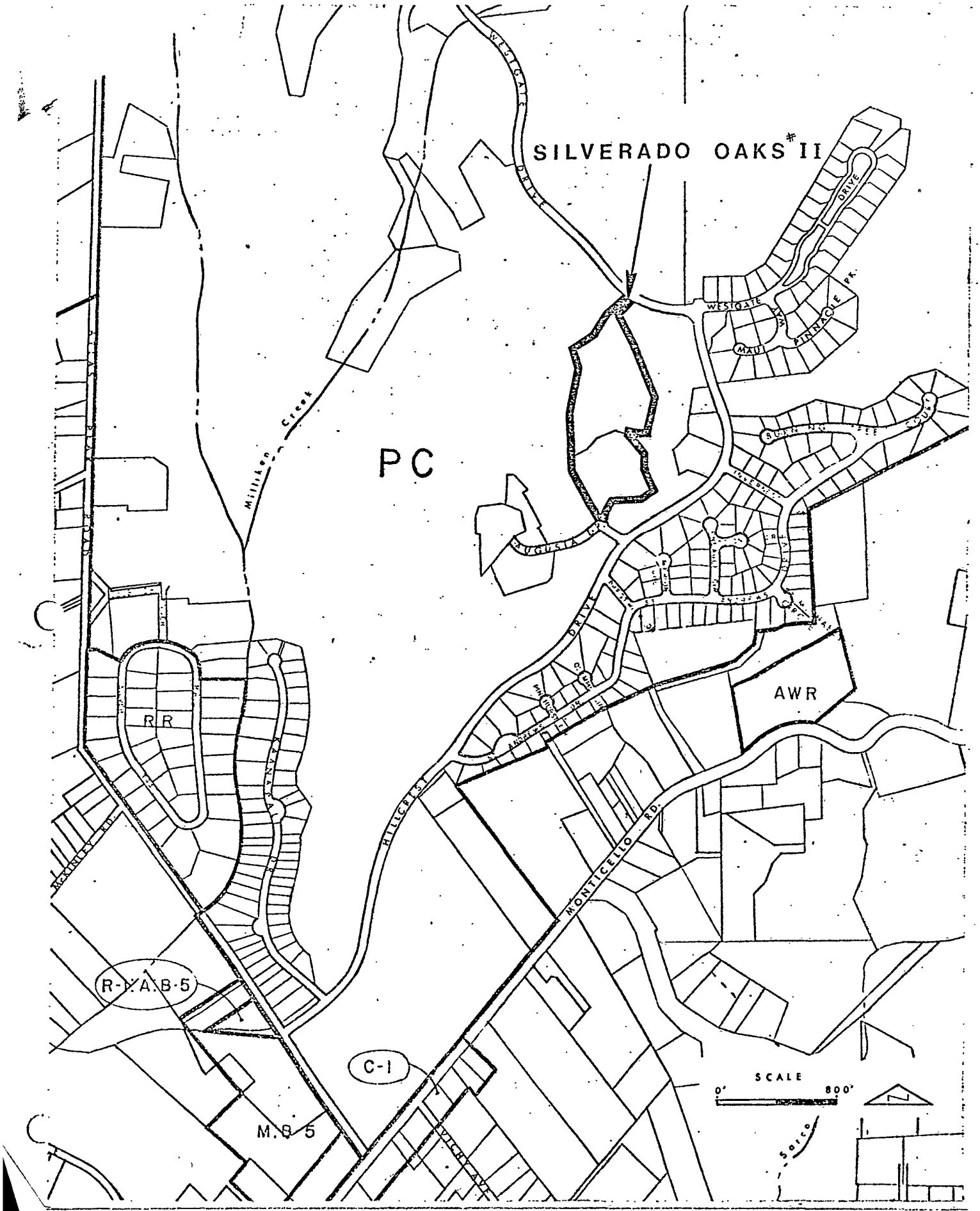
1) The project be scaled down to the number of available sewer services or,

2) An agreement be reached with the Napa Sanitation District to serve the entire 110 unit project.

3) No wells be drilled to serve water for irrigation, domestic or other uses in the project.

JEP/pje

cc: Amfac Silverado
1600 Atlas Peak Road
Napa, CA 94558



Informational Use Permit Map

POOR

QUALITY

ORIGINAL (S)

160 cluster units on 30 acres. To date 44 units have been constructed within area F-14 at Creekside, which, when added to the number of units in the proposed development would amount to 82 units, substantially within the allowable density of the Master Development Plan.

3. The proposed development would be accommodated on approximately 10.5 acres producing a density of 3.6 units per acre.
4. Each structure is designed to enclose two condominium units with a common party wall separating the two units.
5. Provisions for each unit to have a two-car, one golf cart, garage is in compliance with Ordinance requirements.
6. The architectural appearance of the structures incorporates natural wood siding and rustic wood shake roofs in response to the wooded site.
7. A swimming pool with cabana and golf putting green are proposed at the center of the project.
8. The overall site plan recognizes the natural setting of Millikan Creek as a buffer area from existing development and seeks to preserve established vegetation and riparian habitats. The developers indicate that additional landscaping will be designed as an extension of the natural surroundings, not to replace it.
9. Provisions for adequate setbacks are incorporated in the plan.
10. In general, this proposal is in conformance with the objectives of Ordinance #263, the PC District classification.

RECOMMENDATION: APPROVAL WITH CONDITIONS

Conditions of Approval are:

1. Submission of a detailed landscaping plan to the Department prior to issuance of any building permits. Said plan to show the location, type and size of:
   a. All existing trees to be removed, if any.
   b. The location, type and size of all new plant materials and the date of installation.
2. The use of earth tone colors be employed.
3. Off-street parking areas be surfaced with a dust-free, all weather surface to be approved by the County Engineer.
4. Compliance with all applicable building codes, setback and height requirements, and recommendations from the Division of Environmental Quality Control, the Engineering Department, Flood Control & Water Conservation District and the State Division of Forestry.

Page 5
Minutes, Development and Planning Commission
Minutes of the September 19, 1972 Meeting

Mr. Johanson of the Engineering Department advised that the developer was working with the Department to resolve this problem. Mr. Kelly said that in designing the new units, the architect had attempted to preserve as many trees and as much natural vegetation as possible. Engineering requirements, he said, might conflict with the architect's objective and it was realized that any deviation from the prescribed requirements would require the approval of the Board of Supervisors. However, every effort would be made to meet the Engineering Department standards. No opponents were present.

MOTION BY BLAUFUSS, SECONDED BY MCFARLAND

That the Use Permit Request of Anfac-Silverado be approved subject to the recommendations of the Department.

Under question, Chairman Vanderschoot suggested that the motion be amended to include the condition that in view of the low water table in this area, no wells be dug on the property in connection with the project. The Commission concurred. Commissioners Blaufuss and McFarland agreed to amend the motion as follows:

> That the Use Permit Request of Anfac-Silverado be approved subject to the recommendations of the Department adding as Condition #9 that no wells be drilled on the subject property in connection with the proposed project.

This motion carried on the following roll call vote:

AYES: Blaufuss, Ingalls, McFarland, Pallesa and Vanderschoot
NOES: None
ABSENT: None

Findings and recommendations on which approval of this request were based are as follows:

FINDINGS:

1. The proposed development comprises a total of 58 condominium units to be constructed as 29 split level duplex units.
2. The proposed project is in general conformity to the Master Development Plan for Silverado and in specific compliance with area F-14 of the Plan which indicated the location of

that the Preliminary Parcel Map of A. Sch[illegible] be recommended for approval on the basis of a variance to the minimum prescribed lot area approved by the Board on June 13, 1972.

The recommended conditions of approval are that Penny Lane be improved to a Type II-C Collector with street pavement to 20 feet from street centerline; concrete curb, gutter, and sidewalk; and any necessary drainage improvements along the frontage of Parcels "A" and "B".

The Division of Environmental Quality Control indicates that the proposed parcels can be served by the Napa Sanitation District sewers, and that satisfactory assurance of water availability has been received from a licensed well driller.

This motion carried on the following roll call vote:

AYES: Blaufuss, Ingalls, McFarland, Petsas and Vanderschoot
NOES: None
ABSENT: None

NICK PETSAS REZONING & USE PERMIT REQUEST

To rezone a 97-acre parcel of land from (WR) Watershed-Recreation to (PC) Planned Community for the purpose of developing a 103-unit mobilehome park. This property is located on the north side of Pope Canyon Road approximately 1,500 feet west of Knoxville Road. (Assessor's Parcel #19-080-02)

The Secretary reported that the applicant had requested by telephone a continuance of his request for a period of 30 days. With no objections from the audience and with the concurrence of the Commission, Chairman Vanderschoot order the proposal continued to October 18, 1972.

AMFAC-SILVERADO CORPORATION USE PERMIT

To construct 58 condominium units on a 12.4 acre parcel in compliance with an approved master plan. The location is west of Westgate Drive adjacent to the Milliken Creek Condominiums in a PC District. (Assessor's Parcel #40-040-13)

Findings and a recommendation of conditional approval were presented. Architectural renderings of the proposed condominiums were displayed with the Secretary indicating the location of the project in relation to the overall Silverado Development. During public hearing, David Kelly, Attorney representing Amfac volunteered to answer any questions in regard to the project. Commissioner McFarland questioned what steps were being taken to meet the Engineering Department's requirement for additional parking to serve the proposal.

Environmental Quality Control Division
DEPARTMENT OF PUBLIC HEALTH
1123 FIRST STREET 255-5966
NAPA, CA 94558

M E M O R A N D U M

TO: Napa County Conservation, Development & Planning Commission

FROM: Nat J. Passaglia, R. S.

SUBJECT: Application For Land Use Permit
Silverado Unit #5-B
File #L-3-5

DATE: October 30, 1973

We have reviewed the subject revised preliminary map and submit our findings relative to water supply and sewage disposal for the property:

1. We have received sufficient evidence from Mr. Carl Hieb of Sivlerado Community Services District, that an adequate supply of water for domestic use is available to serve the proposed subdivision.

2. We have received assurance from the Napa Sanitation District that it will provide service to the proposed subdivision subject to the conditions that prevail for such service.

In view of the reported constant lowering of the water table in the Hardman-McKinley Road area, this office recommends that one of the conditions of approval of this map be that no wells be drilled on any of the proposed lots. This condition should be made applicable to both domestic and irrigation wells.

NJP:ne

cc: AMFAC Silverado, 1600 Atlas Peak Road, Napa, CA

RECEIVED
OCT 30 1973
Napa County Conservation,
Development & Planning Commission