

“F”

February 20, 2024 Letter From Applicant

HolmanTeague

real estate law • land use law • business law

February 20, 2024

Matt Ringel
Napa County PBES
1195 Third Street, Suite 210
Napa, CA 94559

Delivery via email to: Matthew.Ringel@countyofnapa.org

RE: Vida Valiente Winery P20-00079

Matt:

I am working with Hayes Drumwright on this winery use permit application. The purpose of this letter is to provide supplemental information on the project's Water Availability Analysis and to request that this application be placed on the Planning Commission's agenda at its next available meeting.

Enclosed please find a Second Addendum Memorandum dated February 20, 2024 to the Water Availability Analysis prepared by consulting groundwater geologists Richard C. Slade and Associates (RCS). As reflected in the Second Addendum, RCS recalculated groundwater recharge on the project site using the 10-year rainfall dataset published by the County (for water years 2011-12 to 2020-21) that is currently required for WAAs; the original 2021 RCS WAA used a 30-year average based on the PRISM dataset. Using the narrower ten year data set results in a lower estimate of groundwater recharge of 4.5 acre feet/year, but the project's water demand (3.0 acre feet/year) still is well below this lower recharge amount.

The Second Addendum clarifies and amplifies the mitigated negative declaration's finding that the Vida Valiente project will not have a significant impact. The addition of new information that clarifies, amplifies, or makes insignificant modifications to a negative declaration does not require recirculation. (CEQA Guidelines §15073.5(c)(4)) New information requires recirculation only when it constitutes a "substantial revision" to a negative declaration. Substantial revisions are expressly defined by CEQA as either: (a) identifying a new avoidable significant impact for which new mitigation or project revisions are required; or (b) a lead agency finding that finding that new mitigations or project revisions are needed because those originally included in the negative declaration are not effective. (CEQA Guidelines §15073.5(b)) The Second Addendum does not identify a new potentially significant impact or constitute a lead agency finding that the project as mitigated no longer reduced impacts to a less than significant level. Because the inclusion of the Second Addendum in the Vida Valiente record does not meet the definition of a substantial revision under CEQA, recirculation is not required.

At the December 6, 2023 hearing, the Applicant requested a continuance to a date uncertain. The Applicant now requests the continuation of this project's hearing by the Planning Commission's agenda at its next available meeting.

Please feel free to contact me with any questions. Thank you.

Respectfully,



Rob Anglin

cc: Brian Bordona
Michael Parker