

“D”

Applicant's Response Letter



October 2, 2025

Mr. Matthew Ringel
Planner III

Napa County Dept. of Planning, Building and Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559

RE: ARROW&BRANCH WINERY USE PERMIT MAJOR MOD. (P23-00057-MOD)

Dear Matt,

Please accept this letter as my client's response to the hearing of September 17, 2025, wherein a series of voluntary conditions of approval were proposed relative to four matters posed by the Commission in that hearing. Please note that there are no potentially significant impacts associated with any of these subjects (with the exception of noise and as subsequently clarified in the noise consultant's addendum), which means that there is no reason the CEQA Initial Study should be required to go through another public review period. These conditions are voluntary. They do not relate to any potentially significant impacts, nor do they involve any potential impact greater than that reported in the Initial Study.

The project will require a 10-day public noticing of the continued hearing.

The matters discussed in the September 17 hearing and for which the applicant is proposing voluntary performance are as follows.

- (1) **WATER USE REDUCTION:** Applicant agrees to a reduction of water use on the Arrow&Branch Winery property of up to 10 percent, compared to the existing water use estimate. This means that the baseline groundwater use of 3.97 ac-ft. per year will be reduced to approximately 3.57 ac-ft. per year. A reduction of 0.4 ac-ft. or over will accomplish this savings. In order to achieve this, one or more of the following measures can be employed.
 - (a) Increase the amount of recycled winery process wastewater used to offset vineyard irrigation demand. The current proposal includes recycling of at least 0.41 ac-ft. of treated process wastewater to be used in the vineyard irrigation. This represents about 42 percent of the total amount of winery process wastewater expected to be generated by the winery (0.968 ac-ft. per year). By increasing the percentage of winery process wastewater that is beneficially re-used to 84 percent, an additional 0.4 ac-ft. of vineyard

- irrigation demand can be offset, thereby providing the additional savings needed to meet up to 10 percent reduction in groundwater pumping volume.
- (b) Implement vineyard irrigation system audit and scheduling efficiency upgrades.
 - (c) Implement winery processing Best Management Practices (BMPs) to reduce water use, including one or more of the following.
 - i. High temp and high-pressure washing systems
 - ii. Squeegees to clean floors and limit hose wash-down water use
 - iii. Recycling of cleaning waters
- (2) RECYCLED PROCESS WASTEWATER TANK SPILL CONCERN: The winery can implement the following measures to minimize the potential for treated winery process wastewater that is stored in the tank from leaking and flowing into the creek.
- (a). Tank will be designed in compliance with California Building Code structural and seismic requirements.
 - (b). Install a high-level alarm on the tank at two-thirds capacity. Alarm is to notify winery personnel when tank is nearing capacity level, so they can implement an irrigation cycle to lower the tank water level, as needed to accommodate upcoming winery activities' water use.
 - (c) Prepare a daily visual inspection program whereby winery personnel will inspect the tank for leakage at least once each day during normal winery operating hours.
 - (d) Install a soil berm (6 inches to 9 inches tall) around the side of the tank nearest to the creek.

All of the above items can be verified during the County's review of the permits for the tank and process wastewater system upgrades, and during installation inspections

(3). NOISE MONITORING: In an effort to clarify and refine the types of music that might be part of certain of the winery marketing events, the noise consultant (Illingworth & Rodkin, Inc.) prepared an addendum to the previously prepared Noise Attenuation Analysis. In this addendum, Illingworth & Rodkin differentiated between two types of amplified music, that is, music intended as low-level background music (such as a singer and/or stringed acoustic instruments) and music that is more intended as performance (such as horns, drums, or larger groups of musicians). The results of this addendum found that background music would not incur a potentially significant impact, whether for a group of 30 or one of 125. However,

performance-type music would have the potential of exceeding the County's noise level threshold.

In an effort to further refine and confirm this, Illingworth & Rodkin, Inc. proposes a sound monitoring plan that would confirm the conclusions of their analysis. The methodology of this monitoring of an event and a diagram showing the closest residences to the winery and the location of noise monitoring locations is included as part of this submittal.

The monitoring of the event will be at the time such events are next legally held at the winery. The County will be notified well in advance of the monitoring exercise and results will be prepared and submitted in a sound study report submitted to the County. Illingworth & Rodkin, Inc. will monitor one of the 30-person events as described and monitoring locations reflect in the enclosed exhibit. Illingworth & Rodkin advises that they believe the noise measurements from the 30-person event can be accurately extrapolated for evaluation of the 125-person events, so long as the methodology is followed and so long as the music is "background" in nature, as opposed to "performance" level. If this extrapolation is not achieved for the 125-person event, then that larger event can be monitored according to the methodology, as described.

These parameters will apply to the twelve (12) marketing events per year with up to 30 persons attending each, and to the two (2) larger marketing events per year with up to 125 persons attending each.

(4). STREAM RESTORATION LANDSCAPING: The applicant proposes to provide a stream restoration treatment to the creek area that was previously disturbed and investigated as a potential violation of the Napa County Conservation Regulations. In this action, trees and other plant material was removed from the established creek setback, and weed killer was applied within the creek setback and on a portion of the adjacent private property to the north. This vegetation removal was performed by others and without the permission of Arrow&Branch Winery.

The enclosed annotated site plan shows the location and extent of this area and contains a summary of the type of restoration envisioned in this area. This is a voluntary action on the part of the winery applicant and will be done with the cooperation with and input from Napa County and California Fish & Wildlife, as provided for in the relevant codes.

Generally speaking and for guidance at this point in time, the landscape materials will consist of tree plantings (five-gallon containers), an assortment of groundcover (native grasses)), and other materials as directed by the effort as coordinated with California Fish & Wildlife.

The applicant and consulting team will coordinate this effort with the County and CA Fish & Wildlife and will perform according to the Code established for stream restoration landscaping. The concept plan is reflected in the attached annotated site plan. Final landscaping details will

be prepared concurrent with other construction drawings used in submittals for building permits for the project, as related to the use permit major mod.

Because this stream restoration is not incurred as the result of any impact or as a required condition of approval in the use permit major mod, it would meet the conditions for a Categorical Exemption from further CEQA analysis. These conditions are contained in the CEQA Statutory Exemption for Restoration Projects (SERP), CEQA Statutory Exemption for Restoration Projects (SERP).

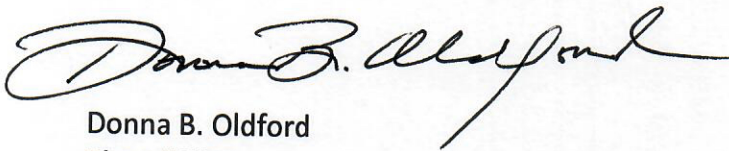
SUMMARY

The foregoing response contains instruction and conditions wording supportive of the four voluntary conditions offered by the application in the hearing of September 17, 2025. This reflects a review of the hearing before the Planning Commission and correspondence with the project planner subsequent to the hearing. These items include the following.

- (1) Water Use Reduction
- (2) Protection for Water Storage Tank next to creek setback
- (3) Noise monitoring for marketing events
- (4) Creek Restoration Landscaping

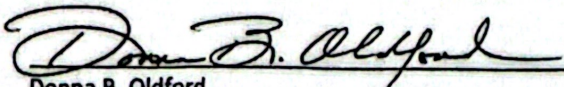
Thank you for your prompt review of these measures, as discussed and directed in the hearing of September 17, 2025. We look forward to being assigned a continued hearing date for the conditions language to be entered into the record and the use permit major mod. We are available to answer any questions that you might have in the review of this information.

Sincerely,



Donna B. Oldford
Plans4Wine

cc: Steve Contursi, Arrow&Branch Winery
Thomas Neptune, Attorney at Law
Mike Muelrath, Applied Civil Engineering
Fred Fvinth, Illingworth & Rodkin, Inc.
Tony Simmons, Nordby Construction


Donna B. Oldford
Plans4Wine

Michael R. Muelrath

Michael Muelrath
Applied Civil Engineering

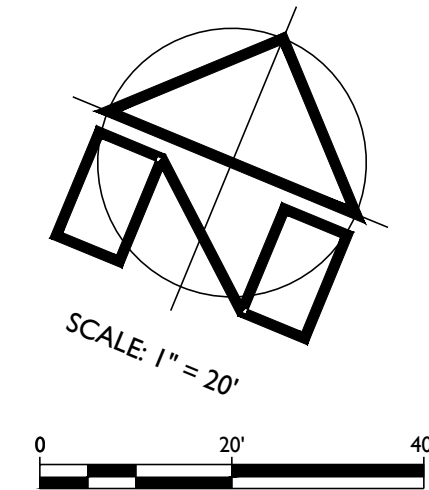
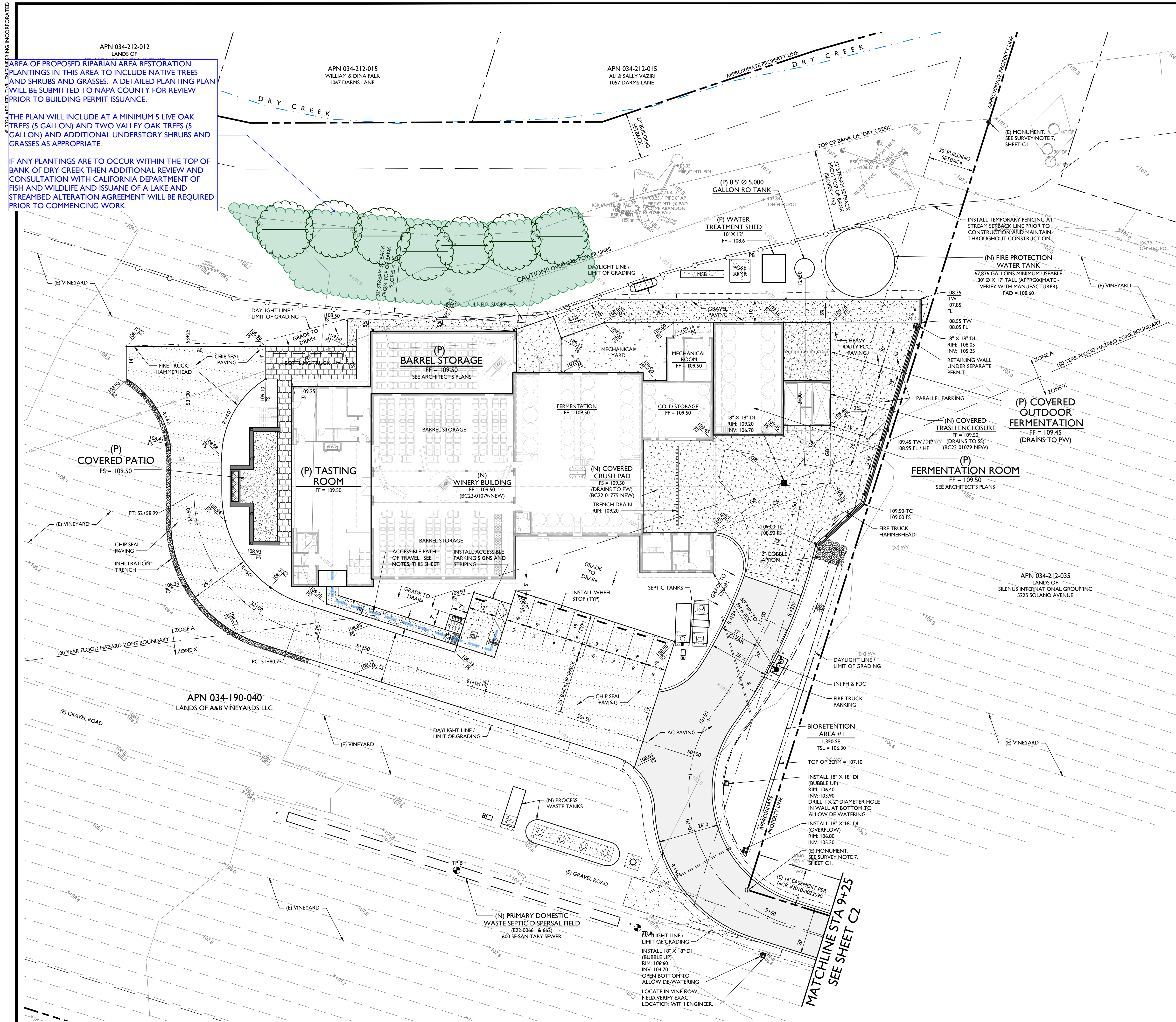

Steve Contursi
Applicant and Property Owner, Arrow&Branch Winery

Attachments: Annotated Site Plan (with landscape restoration area shown)
Noise Analysis Report Addendum and Monitoring Diagram

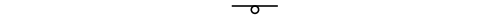
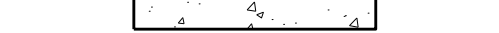
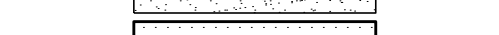
AREA OF PROPOSED RIPARIAN AREA RESTORATION. PLANTINGS IN THIS AREA TO INCLUDE NATIVE TREES AND SHRUBS AND GRASSES. A DETAILED PLANTING PLAN WILL BE SUBMITTED TO NAPA COUNTY FOR REVIEW PRIOR TO BUILDING PERMIT ISSUANCE.

THE PLAN WILL INCLUDE AT A MINIMUM 5 LIVE OAK TREES (5 GALLON) AND TWO VALLEY OAK TREES (5 GALLON) AND ADDITIONAL UNDERSTORY SHRUBS AND GRASSES AS APPROPRIATE.

IF ANY PLANTINGS ARE TO OCCUR WITHIN THE TOP OF BANK OF DRY CREEK THEN ADDITIONAL REVIEW AND CONSULTATION WITH CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE AND ISSUANCE OF A LAKE AND STREAMBED ALTERATION AGREEMENT WILL BE REQUIRED PRIOR TO COMMENCING WORK.



LEGEND:

- | | |
|---|--|
|  | APPROXIMATE PROPERTY BOUNDARY
(SUBJECT PARCEL) |
|  | APPROXIMATE PROPERTY BOUNDARY
(ADJACENT PARCEL) |
|  | EXISTING EASEMENT OR SETBACK |
|  | EXISTING EDGE OF DIRT / GRAVEL ROAD |
|  | EXISTING OVERHEAD POWER LINE |
|  | EXISTING BLUE LINE STREAM |
|  | EXISTING GRADE BREAK / TOP OF BANK |
|  | EXISTING TOE OF BANK |
|  | EXISTING VINE ROW |
|  | EXISTING VINEYARD BOUNDARY |
|  | PROPOSED EDGE OF PAVEMENT AND SHOULDER |
|  | PROPOSED DAYLIGHT / LIMIT OF GRADING |
|  | PROPOSED TOP OF BANK / GRADE BREAK |
|  | PROPOSED RETAINING WALL |
|  | PROPOSED BUILDING |
|  | PROPOSED SINGLE POLE SIGN |
|  | PROPOSED WHEEL STOP |
|  | PROPOSED ACCESSIBLE PARKING |
|  | PROPOSED DRAIN INLET |
|  | PROPOSED ENERGY DISSIPATOR |
|  | PROPOSED HEAVY DUTY PCC PAVING |
|  | PROPOSED LIGHT DUTY PCC PAVING |
|  | PROPOSED GRAVEL PAVING |
|  | PROPOSED CHIP SEAL PAVING |
|  | PROPOSED ASPHALT CONCRETE PAVING |
|  | PROPOSED DECOMPOSED GRANITE PAVING |
|  | PROPOSED ROCK |
|  | PROPOSED PAVERS SET IN CONCRETE |

ACCESSIBLE ROUTE OF TRAVEL NOTE:

ALL ACCESSIBLE ROUTES OF TRAVEL SHALL COMPLY WITH THE REQUIREMENTS OF CBC 11B. THE REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:

- A. RUNNING SLOPE OF WALKING SURFACES SHALL NOT EXCEED 5% (1:20)
- B. RUNNING SLOPE OF RAMPS SHALL NOT EXCEED 8.33% (1:12)
- C. CROSS SLOPE OF WALKS AND RAMPS NOT TO EXCEED 2.083% (1:48)
- D. LANDING AND LEVEL AREA SLOPES NOT TO EXCEED 2.083% (1:48)
- E. VERTICAL CHANGES IN LEVEL SHALL NOT EXCEED 1/4 INCH. ALL LEVEL CHANGES BETWEEN 1/4 INCH AND 1/2 SHALL BE BEVELED WITH A SLOPE NO STEEPER THAN 1:2 (V:H). ANY LEVEL CHANGES GREATER THAN 1/2 INCH SHALL BE RAMPED AND COMPLY WITH CBC 11B-405.
- F. OPENINGS IN DRAINS AND GRATING SHALL NOT EXCEED 1/2 INCH IN PREDOMINANT DIRECTION OF TRAVEL

GRADING QUANTITIES*

CUT	600 ± CY
FILL	900 ± CY
NET**	300 ± CY (FILL)

* THIS ESTIMATE IS PROVIDED AS A TOOL FOR THE REVIEWING AGENCIES TO EVALUATE THE ENVIRONMENTAL IMPACTS OF THE PROJECT. IT IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES. CONTRACTOR IS TO PERFORM THEIR OWN EARTHWORK CALCULATIONS AND SHALL NOT USE THE ESTIMATES PRESENTED ABOVE. THIS ESTIMATE IS BASED ON IN PLACE VOLUMES AND DOES NOT INCLUDE FLUFF, SHRINKAGE, PAVING, AGGREGATES OR SELECT FILL VOLUMES.

A&B VINEYARDS LLC

A&B VINETARDS LLC

USE PERMIT MODIFICATION CONCEPTUAL SITE IMPROVEMENT PLANS
BUILDING AREA CONCEPTUAL SITE IMPROVEMENT PLAN

PREPARED UNDER THE
DIRECTION OF:



OWN BY:
PowerCAD LLC

KED BY:
MRM

AUGUST 9, 2024

DATE: 8/10/2023	BY: YMS
PERMIT SUBMITTAL	

5/10/2023 YM

PERMIT
RESUBMITTAL

9/6/2023 YMS

RESUBMITTAL

8/9/2024
PERMIT

RESUBMITTAL

NUMBER:
20-139

9CONC-GRAD.DWC

INAL SIZE:

24" X 36"

NUMBER:

6

©

OF

8
