



MEMO

TO: Leanne Link, Napa County CEO
David Morrison, County Planning Director
Brian Bordona, Principal Planner

FROM: Mike Parness, City Manager

CC: Jacques LaRochelle, Public Works Director
Phil Brun, Deputy Public Works Director, Operations
Joy Eldredge, Water General Manager
Erin Kebbas, Water Quality Manager
Michael Barrett, City Attorney
Eric Robinson, KMTG

DATE: August 15, 2016

SUBJECT: Update to Conditions of Approval for Water Quality Monitoring Program
Walt Ranch Vineyard Conversion Project
Agricultural Erosion Control Plan No. #P11-00205-ECPA

The City of Napa operates Milliken Reservoir as a water supply source for City and County residents. The reservoir is fed by Milliken Creek which serves as the drainage for a portion of the proposed Walt Ranch Vineyard Project. The City has previously documented its concerns regarding the importance of monitoring the impacts of the Project on water quality, and requiring the Project Permittee to implement appropriate corrective actions, in order to ensure that the quality of drinking water is not adversely impacted by the Project. As a result of productive discussions between City staff and representatives of the Permittee over the past several months, the City and the Permittee have agreed that the updated Water Quality Monitoring Program dated August 2016 (Attachment 1) represents a reasonable approach in addressing the City's concerns. Therefore, as described in this memo, the City requests that the County update the conditions of approval for the Project to require the developer to comply with the attached Program.

On April 4, 2016, the City of Napa (City) submitted a comment letter to the County Planning Director in response to the Environmental Impact Report (EIR) for the proposed Walt Ranch Vineyard Erosion Control Plan (Project). The letter requested that the County impose conditions of approval on the Project to monitor the water quality leaving the Project site to avoid or reduce water quality impacts in Milliken Creek and implement corrective actions to modify or increase best management practices (BMPs) to address observed impacts.

On August 1, 2016 the County Director of Planning, Building, & Environmental Services Department filed a notice of decision approving the Walt Ranch Erosion Control Plan including the following **Condition of Approval**:

"10. The Walt Ranch Water Quality Monitoring Program prepared by Analytical Environmental Services, dated July 2016 shall be implemented by the permittee and any subsequent property owners."

However, the July 2016 version of the Program was a draft version that had not addressed all of the concerns identified by the City. After the issuance of the notice of decision on August 1, 2016, City staff continued discussions with the Permittee to update and refine the processes for monitoring water quality for the site, and establishing criteria for implementing corrective actions and best management practices to address any discharges that exceed identified thresholds. On Wednesday, August 10, 2016, the City and the Permittee agreed to the final Program dated August 2016 (Attachment 1) and transmitted it to the County Director of Planning, Building, & Environmental Services Department on August 11, 2016.

The City understands that a Notice of Intent to Appeal was filed by the Napa Sierra Club on August 15, 2016, challenging the County's approval of the Walt Ranch Erosion Control Plan, and that appeal will be heard by the Napa County Board of Supervisors, pursuant to Napa County Code Chapter 2.88.

As a part of the appeal hearing for the Erosion Control Plan, the City of Napa requests that the County update Condition of Approval 10 to reflect the final Program as agreed to by the City and Permittee as follows:

"10. The Walt Ranch Water Quality Monitoring Program prepared by Analytical Environmental Services, dated **August** 2016 shall be implemented by the permittee and any subsequent property owners."

On August 10, 2016, the County Director of Planning, Building, & Environmental Services sent an email correspondence to City staff pledging to recommend to the Board of Supervisors that Condition of Approval No. 10 be corrected as a part of the appeal process for the Project (Attachment 2).

If the August 2016 Walt Ranch Water Quality Monitoring Program is imposed on the Project via a corrected version of Condition of Approval 10 as referenced above, then the City's concerns regarding the Project, as documented in the letter dated April 4, 2016, will be addressed.

Thank you for your attention to this matter.

Sincerely,



Mike Parness
Napa City Manager

Attachments:

- Attachment 1. Walt Ranch Water Quality Monitoring Program, August 2016
- Attachment 2. Email from David Morrison dated August 10, 2016

WALT RANCH

WATER QUALITY MONITORING PROGRAM

AUGUST 2016

PREPARED FOR:

Hall Brambletree Associates, Ltd.

401 St. Helena Highway South

St. Helena, CA 94574

www.hallwines.com

City of Napa

PO Box 660

Napa, CA

www.CityofNapa.org/Water

PREPARED BY:

Analytical Environmental Services

1801 7th Street, Suite 100

Sacramento, CA 95811

www.analyticalcorp.com

TABLE OF CONTENTS

WALT RANCH

WATER QUALITY MONITORING PROGRAM

Table of Contents	i
WATER QUALITY MONITORING PROGRAM	ii
1.0 Introduction.....	1
1.1 Background and Purpose of the Water Quality Monitoring Program.....	1
1.2 Project Location	1
1.3 Project Site and Vicinity	2
1.4 Milliken Creek and Milliken Reservoir	2
2.0 Methodology	2
2.1 Timing of Sample Collection	2
2.2 Constituents of Concern	4
2.3 Sampling Locations.....	5
2.4 Sampling Procedures.....	5
2.5 Authorized Collectors	7
2.6 Sample Handling and Transport	8
2.7 Chain of Custody.....	8
3.0 Reporting Requirements	8
4.0 Establishment of Thresholds	8
5.0 Project Operations.....	10
6.0 References	11
Appendix A	
Sample Data Sheets	
Appendix B	
Chain of Custody Form	

FIGURES

Figure 1:Aerial Photograph	3
Figure 2:Monitoring Locations.....	6

Appendix

Appendix A:	Sample Data Sheets
Appendix B:	Chain of Custody Form

1.0 INTRODUCTION

Brambletree Associates, LTD (Brambletree) is the applicant for the Walt Ranch vineyard development project. Brambletree has requested that AES prepare a program to perform water quality monitoring for the Milliken Creek Watershed. This document sets forth that program.

1.1 BACKGROUND AND PURPOSE OF THE WATER QUALITY MONITORING PROGRAM

In July 2014, Napa County (County) released a Draft Environmental Impact Report (EIR) to analyze the environmental impacts of a proposed vineyard development project (Proposed Project) on the Walt Ranch property (AES, 2014). The Proposed Project proposed to develop 356 net acres of vineyards within an approximately 507-acre cleared area (project site) on the portions of the property suitable for the cultivation of high-quality wine grapes under erosion control plan (ECP) #P11-00205-ECPA. The Draft EIR was released on July 11, 2014 for a 133-day public comment period that ended on November 21, 2014. The EIR concluded that potential impacts to surface water quality would be reduced to less-than-significant levels via the implementation of an Integrated Pest Management (IPM) Plan and various best management practices (BMPs) required by the Draft EIR. The Final EIR was released by Napa County in March 2016. The City of Napa (City) submitted comments requesting that Brambletree monitor surface water quality in the Milliken Creek Watershed, including nutrients and take corrective actions.

On August 1, 2016, the County approved the Proposed Project. The project, as approved, consists of approximately 209 net acres of vineyard (\pm 316 gross acres) (Project).

The City and Brambletree have met and discussed the City's comments. Based on these discussions, Brambletree has requested that AES prepare this program as a means of accommodating the City's comments.

Under this program, baseline and operational water quality samples will be collected upstream and downstream of the Walt Ranch property, as well as from locations along the tributaries on the Walt Ranch property that feed Milliken Creek. As detailed below, those samples will be taken prior to Project construction (baseline samples) and during Project implementation (operational samples). This Water Quality Monitoring Program (Program) described herein shall be carried out by Brambletree, at its cost, and is intended to provide information concerning the existing nutrient concentrations, seasonal fluctuations of Milliken Creek, to determine the contribution of nutrients from Project implementation, and to take corrective actions.

1.2 PROJECT LOCATION

The 2,300-acre Walt Ranch (property) is located west of State Route 121 (Monticello Road) in the Capell Creek and Milliken Reservoir watersheds in south-central Napa County, California. Access to the project site is located at Circle Oaks Drive within Township 7 North, Range 3 West, Sections 19, 20, 29, 30, 31, 32, and un-sectioned areas of the U.S. Geological Survey (USGS) 7.5-minute "Capell Valley, California" topographic quadrangle.

1.3 PROJECT SITE AND VICINITY

The Project site is located in south-central Napa County in part of the hilly to steep mountains of the interior Northern California Coast Range. Foss Valley lies to the west of the project site, Wooden Valley lies to the southeast, and Capell Valley lies to the northeast. A number of northwesterly parallel mountain ridges and intervening valleys of varying widths characterize this area. The Circle Oaks subdivision is located to the southeast of the project site and rural residential uses occur to the southwest. An aerial photograph with Napa County parcel boundaries is shown in **Figure 1**.

The Project site is located in the Capell Creek and Milliken Reservoir watersheds. The Milliken Reservoir watershed is designated by Napa County as a Sensitive Domestic Water Supply Drainage, which is maintained with the goal of protecting the drinking water supply from sediment, turbidity, and other water quality impacts. Milliken Creek bisects the southwestern corner of the property and the Project site. This Program is intended to provide additional monitoring and protection of surface water quality for Milliken Creek and Reservoir.

1.4 MILLIKEN CREEK AND MILLIKEN RESERVOIR

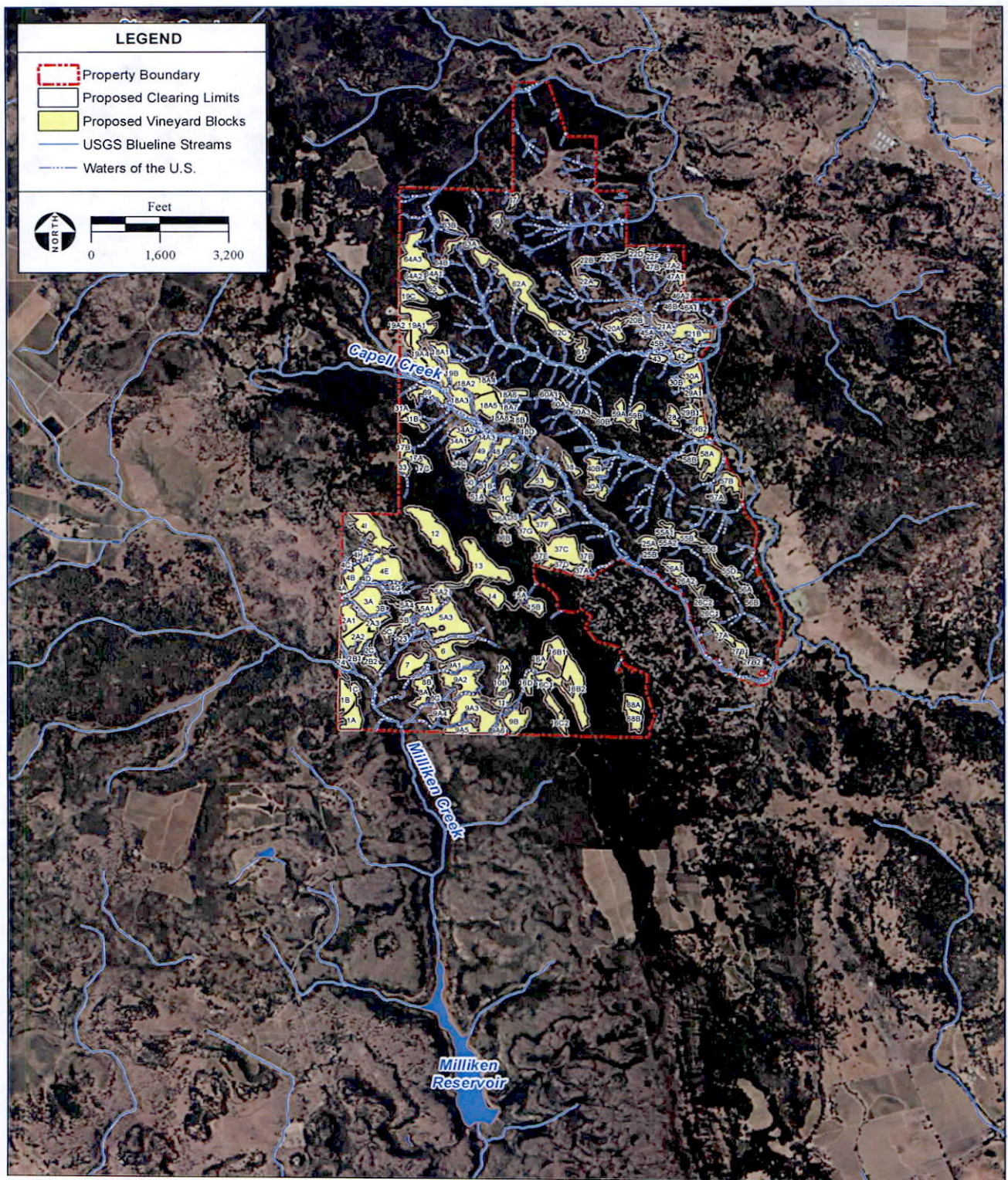
The southwestern portion of the Project site is drained by Milliken Creek and an unnamed annual tributary to Milliken Creek. Milliken Creek is the major drainage through the Foss Valley floor, originating at the northern end of the valley and running south, crossing beneath Atlas Peak Road, before entering the project site. Milliken Creek flows south into the City's Milliken Reservoir, northeast of the City of Napa, which is a municipal water source for the City. Waters from Milliken Creek drain into Napa River thence south into San Pablo Bay thence to San Francisco Bay and the Pacific Ocean. Although Milliken Creek is a perennial stream downstream of the reservoir due to reservoir releases for treatment operations and to support fisheries, the approximately 0.5-mile stretch of Milliken Creek on the subject property is an intermittent stream that flows during the winter, spring and most summer months in response to precipitation events and natural springs.

Water quality in the Milliken Reservoir is the highest in the City of Napa's Water Division supply. The Milliken Water Treatment Plant employs direct filtration only and does not have the capability to remove nutrients (i.e., fertilizers,) pesticides, excess sediment or heavy metals. Milliken Reservoir is located approximately 1.25 miles downstream from the subject property.

2.0 METHODOLOGY

2.1 TIMING OF SAMPLE COLLECTION

Baseline water quality monitoring shall occur for a minimum of one year prior to the planting of vines on the portion of the Walt Ranch property in Milliken Creek watershed and will continue until the portion of Walt Ranch located within the Milliken Creek watershed is ready for planting. Such monitoring shall also be performed during pre-planting preparation activities (such as access roadway development and clearing activities). All monitoring shall be performed in the Milliken Reservoir watershed portion of the property. Baseline monitoring shall begin in the winter prior to commencement of vineyard development (currently anticipated to be no sooner than the spring of 2017). Baseline monitoring shall continue through



SOURCE: PPI Engineering, 2013; USGS DOQQ
Aerial Photograph, 6/2014; AES, 12/11/2015

Walt Ranch Water Quality Monitoring Program / 207543 ■

Figure 1
Aerial Photograph

completion of vineyard construction within the Milliken Creek watershed and terminate upon the commencement of planting operations. Operational water quality monitoring will then be conducted within one year of 33 percent, 66 percent, and 100 percent of the approved vines having been planted within the Milliken Creek watershed. For each such operational milestone, water quality monitoring will be conducted for a two year continual cycle with a minimum of four years of monitoring if milestones are implemented simultaneously. For both baseline and operations water quality sampling, manual samples shall be taken at least three times during the winter period (October 1-April 30) with at least one sample being taken for each of the following events/periods:

- Within 48 hours after the first significant rain event (defined as 0.25 or more inches of rainfall within 24 hours) of the wet season (October 1 to April 30);
- Within the period January 1 through January 31; and
- Within the period May 1 through May 30.
- Conditional: Within the period May 30 through September 30, one additional sample shall be taken if a significant rain event occurs.

Because Milliken Creek is intermittent on the property, sampling for significant rain events should be timed to follow within 1 to 2 days after rain events over 0.25 inches to capture runoff. Samples shall be taken as soon as reasonably possible after the start of a significant rain event.

If unexpected site discharge is observed in otherwise dry/non discharge period (May – October), immediate monitoring of such discharge must commence.

2.2 CONSTITUENTS OF CONCERN

As requested by the City of Napa Public Works Department, Water Division, samples collected in the field shall be analyzed in a certified laboratory or by direct read field instrument that is properly maintained and calibrated for the following constituents:

- Temperature
- Dissolved Oxygen
- pH
- Phosphate
- Ammonia
- Sulfate
- Turbidity*
- Non – Organic Pesticides**

*Turbidity may be measured in the field if the proper turbidimeter is available and maintained and calibrated as per the manufacturer recommendation. Otherwise, a sample shall be collected and measured in the laboratory with the other constituents listed above.

** If Non-organic Pesticides are applied in the Milliken Watershed, then sampling of a readily-identifiable constituent representative of all pesticide application must be analyzed.

Measurements should be taken in the field with a YSI Multi-Parameter Meter (or equivalent) to measure dissolved oxygen (DO), pH, and temperature. For temperature and DO concentration, measurements must be taken directly (in situ) within the water body immediately upon collection. Other properties such as pH and turbidity may be measured either in situ or from a sample withdrawn from the source. All samples will be analyzed by the laboratory using method detection limits and proper preservation and hold times consistent with environmental sampling for comparison with raw drinking water supply water quality monitoring.

2.3 SAMPLING LOCATIONS

At each sampling visit, samples should be taken at 9 locations on the property as shown preliminarily in **Confidential Figure 2**. The 9 locations will be where tributaries to Milliken Creek and Milliken Creek enter the property (two locations), where tributaries to Milliken Creek and Milliken Creek leave the property (three locations), and four locations in tributaries/drainages on the property near the proposed development of vineyard blocks. Two sampling locations on the property will be located on the western boundary, two will be located on the southern boundary approximately 400 feet from the west side, and one will be located on the southern boundary approximately 1,500 feet from the west side. Prior to commencement of baseline monitoring, the proposed sampling sites will be confirmed for safe accessibility and the actual sample areas will be identified via global positioning system (GPS) data points. This monitoring program and **Figure 2** will be updated accordingly. Should any changes be required to the sampling sites at the planting milestones for the operational water quality sampling, the new sample sites will be confirmed and the actual sample areas will be identified via global positioning system (GPS) data points. This monitoring program and **Figure 2** will be updated accordingly.

2.4 SAMPLING PROCEDURES

Equipment

- Nitrile (or equivalent) gloves
- Sample labels
- Sample containers
- YSI Multi-Parameter Meter (or equivalent)
- Data sheets/ Chain of Custody (COC) Forms
- Cooler for samples
- Ice or cold packs for coolers

Set-Up

1. Prepare sample labels.
2. Handle sample bottles using nitrile gloves.
3. Ensure preservative is not lost prior, during, and after sample.

In-Field Sampling

To collect laboratory samples:

1. Label the bottle with the sample ID, sampled by, date, time, location, preservative, and analysis.
2. Remove cap from the bottle just before sampling. Avoid touching the inside of the bottle or cap. If the inside of the bottle or cap is accidentally touched, discard the bottle or cap and replace with one that is sterile.
3. Sample downstream sites first to avoid inadvertent contamination from bottom disturbance or other factors.
4. Disturb as little of the bottom stream sediment as possible. Do not collect water that has sediment from bottom disturbance. Stand facing upstream and collect water sample on the upstream side, in front of sampler's body.
5. Hold the bottle or a sample grab bottle near its base and plunge it (opening downward) below the water surface. Turn the bottle underwater into the current and away from sampler.
6. If a sample grab bottle is used, transfer the sample into the appropriate sample bottle, being careful not to touch the inside of the bottle or cap.
7. Leave approximately a 1-inch air space in each bottle (unless directed otherwise on a sample-by-sample basis). Recap the bottle carefully, remembering not to touch the inside.
8. Store all sample containers in a cooler on ice until drop off at the laboratory. Store the COC and field sheets on the cooler or with the cooler at all times.

For in-field measurements (DO, pH, temperature, and/or turbidity):

1. Sample downstream sites first to avoid inadvertent contamination from bottom disturbance or other factors.
2. Disturb as little of the bottom stream sediment as possible. Do not collect water that has sediment from bottom disturbance. Stand facing upstream and measure water sample on the upstream side, in front of your body.
3. Take measurements at multiple locations across the stream width and at multiple water depths. No less than 5 measurements per monitoring point is recommended (if less are taken, an explanation shall be provided). Individual measurements should be taken at a number of equally spaced intervals across the cross-section, and at a number of water depths at each interval. This should be repeated at the upstream and downstream monitoring points.
4. The final in-field measurement value is the mean of the sample values.

For in-field measurements of DO, pH, and temperature (and/or turbidity), several measurements shall be taken in the field to encompass variability in water quality parameters across stream depth and the channel cross-section. Any observations that may affect the results of the samples will be noted on the data sheets. One data sheet will be used for each of the sample sites. A sample data sheet is provided in **Appendix A**.

2.5 AUTHORIZED COLLECTORS

Monitoring samples should be taken by a qualified environmental scientist, hydrologist, or toxicologist hired by Brambletree. Those entering the site must obtain advance written permission from Brambletree.

Brambletree will provide the permission necessary to carry out the sampling called for by the Water Quality Monitoring Program. Samples should be analyzed in a laboratory certified by the National Environmental Laboratory Accreditation Program (NELAP), such as Caltest Analytical Laboratory or the City of Napa Water Division. If the samples are to be analyzed by the City of Napa, then 24-hour notice is recommended with a 6-hour minimum. Notice should be made to: Water Quality Manager, Barwick Jamieson Treatment Plant (707) 253-0822. For at least the first winter following vineyard operation, samples should continue to be taken by the qualified environmental scientist, hydrologist, or toxicologist with access to a calibrated YSI (or equivalent) multi-parameter testing meter.

2.6 SAMPLE HANDLING AND TRANSPORT

Samples will be handled with nitrile gloves at all times to prevent cross contamination. Samples will be labeled with distinct sample numbers, location identification, collection time and date. Labels will also contain the sampler's information (sampler, company name, address, and contact information), analysis, preservative, project location, and Chain-of-Custody (COC) number. Samples will be stored on ice in a cooler until the laboratory accepts custody of the samples. Samples will be hand delivered to the laboratory the same day as the sampling event.

2.7 CHAIN OF CUSTODY

Samples will be handled following strict COC protocols. The COC document contains the sample identification number, sampling technician, date, time and location of sample collection, analyses requested, preservatives used in the samples, turn-around-times, and contact information for the laboratory reports. The COC document provides the ownership information of the samples handled during transportation from the sampling site to the laboratory. An example of a COC form from a local laboratory is provided as **Appendix B**. The laboratory COC is carbon-copied in replicate to provide one copy for the lab, the lab file, the original, and the field personnel. The field personnel delivering the samples to the laboratory will assume COC responsibility. This person will sign the COC over to the laboratory for custody transfer when samples are delivered.

3.0 REPORTING REQUIREMENTS

Within ten (10) days following the receipt of the laboratory test results following each sampling event, a complete copy shall be submitted to the City of Napa Water Division. A technical memorandum will be included with the sample results to present the sample logs and any observations that may be integral in assessing the data such as weather conditions, visual observation of water quality (such as clarity), or any other observations pertinent to understanding conditions on Walt Ranch and within the stretch of Milliken Creek that traverses through Walt Ranch.

4.0 ESTABLISHMENT OF THRESHOLDS

As described in Section 2.1, water samples will be collected prior to commencement of construction. Because construction is expected to commence in spring 2017, it is anticipated that samples will be collected in Winter 2016/2017. The City of Napa and Brambletree shall meet after this baseline sampling

is performed to establish thresholds of each constituent, based on this baseline data. These thresholds will incorporate the variability in the sample values due to the following variables; sample site, sample timing, sampling error, Milliken Reservoir samples, and annual variability observed in the Milliken Reservoir historic data.

The City of Napa (at their own expense) will simultaneously be performing monitoring of these same parameters in Milliken Creek in locations representative of natural watershed settings and locations representative of similar land use. This data will be available to provide additional background information with respect to seasonal variation in the data.

Seasonal Variations.

Seasonal variations are expected. The data may prove to be inconsistent throughout the early and late storms of the wet season. If so, accommodations for variations within the wet season will be made in the development of Thresholds. Early season runoff may show higher values of the tested parameters as the first storms soak the ground, dissolve naturally occurring nutrients, and mobilize them in the runoff flowing into the creek and reservoir.

Additional Data for Threshold development.

The City's Water Division has ten years of existing data in the reservoir at the downstream/outlet and in Milliken Creek where it flows into the head of Milliken Reservoir to help guide the development of Thresholds. A summary of that data is presented in **Table 1**.

Table 1

<u>Milliken Reservoir Water Quality</u>	<u>Feb – Oct 2007- 2016</u>	
	<u>Average</u>	<u>Observed High</u>
Specific conductance (conductivity)	94 uS/cm	178 uS/cm
Phosphate (as o-PO ₄)	0.016 ppm	0.035 ppm
Nitrates (NO ₃ as N)	0.021 ppm	0.040 ppm
Sulfate (as SO ₄)	≤2.6 ppm	32 ppm (July 2007)
Turbidity (@ 5 ft)	1.98 NTU	6.3 NTU (July 2014) 5.4 NTU (Feb 2014)

In addition, in 2016 the City of Napa took two samples in Milliken Creek for mid-to-late wet season. One sample was taken upstream from the Walt Ranch Monitoring sites, and the other was downstream. This data, presented in **Table 2** below, is of interest, however seasonal differences in the constituents are expected which will cause deviations from the numbers below. In fact, there is variability in some constituents in the reported data.

Table 2

<u>Milliken Creek 2016 Water Samples</u>	<u>March 9*, & April 5, 2016 highest observed results (after consecutive 1-inch storms)</u>	
	<u>Upstream</u>	<u>Downstream</u>
Specific conductance (conductivity)	100 uS/cm	91 uS/cm
Phosphate*(as o-PO ₄)	0.02 ppm	0.02 ppm

Nitrates (NO ₃ as N)	0.27 ppm	0.13 ppm
Ammonia (NH ₃ as N)	0.02 ppm	0.02 ppm
Sulfate (as SO ₄)	20.6 ppm	3.6 ppm
Turbidity*	11.2 NTU	7.3 NTU

The City of Napa and Brambletree will work to develop the following Table based on the observed baseline data collected from the baseline sampling:

Table 3

<u>Water Quality</u>	<u>Observed 2016/2017</u>	<u>Thresholds</u>
Specific conductance (conductivity)	xx uS/cm	xx
Phosphate (as o-PO ₄)	xx ppm	xx
Nitrates (NO ₃ as N)	xx ppm	xx
Ammonia (NH ₃ as N)	xx ppm	xx
Sulfate (as SO ₄)	xx ppm	xx
Turbidity	xx NTU	xx

Variability - Tolerances for normal fluctuations of natural elements expected due to frequency and intensity of rainfall will be acknowledged and taken into consideration in the development of these thresholds. Variability from seasonal effects, site to site variability, existing creek data, as well as ten years of Milliken Reservoir data will be used to assist in the development of the Threshold values for each constituent.

5.0 PROJECT OPERATIONS

Once the project construction begins, water sampling will take place as described in Section 2.1. Sample test results from the post-project monitoring shall be compared to the Thresholds.

If sample test results exceed the preceding Threshold parameters, the BMPs will be inspected and improved. The site will be assessed for cause(s) of constituents for which samples exceed the applicable Threshold. Effectiveness of the BMPs will be assessed by the subsequent scheduled monitoring events. Project operations will be assessed and adapted to reduce the impacts the following year. Monitoring will be extended until consecutive annual sets of monitoring data show levels equivalent to or below the Threshold levels.

Pesticide Applications.

If non-organic Pesticides are applied in the Milliken Creek Watershed, then one sample above and below the Walt Ranch will be taken and analyzed for pesticides following the first rain event in the following winter. The sampling will be representative of a readily-identifiable constituent of the pesticide applications.

Corrective Actions

If any Threshold is exceeded, Brambletree shall examine the BMPs it is implementing to control discharge of waste from the Project site. They shall try to identify the actual or suspected cause of the Threshold exceedance, and shall either modify relevant BMPs or add one or more new BMPs in order to

eliminate the cause of the exceedance(s). Brambletree shall make every effort to complete the BMP review within 72 hours of notification of the Threshold exceedance.

Brambletree shall provide the City Water Division with a Corrective Action Memorandum describing its BMP review and modification(s) within 30 days after receiving a sample test result exceeding a Threshold for a constituent parameter.

If analytical data from the proposed Project sampling data is below the threshold levels the sampling requirement may be concluded upon two years after each development stage (as described in Section 2.1) of the Project, with a minimum of four years of monitoring should development stages be implemented simultaneously.

If future monitoring performed by the City indicates runoff from Project operations is causing an exceedance of a Threshold, then the monitoring and reporting requirements by Brambletree shall resume for an additional two-year period.

If unexpected site discharge due to draining of a pond, production of agricultural tailwater or site run-off caused for any reason other than natural rainfall is observed in otherwise dry/non-discharge period (typically May – October), immediate monitoring of such discharge must commence.

6.0 REFERENCES

AES, 2014. Draft Environmental Impact Report, Walt Ranch Erosion Control Plan Application #P11-00205-ECPA. Prepared by AES. July 2014.

City of Napa, 2014. Comment Letter to Walt Ranch Draft EIR. November 21, 2014. From Joy Eldredge, P.E. City of Napa Public Works Department, Water Division. To Kelli Cahill, Napa County Planning, Building, and Environmental Services Department.

State Water Resources Control Board (SWRCB), 2006. CCR Title 22, Division 4. Environmental Health. Chapter 15: Domestic Water Quality and Monitoring Regulations. Adopted May 2, 2006. Available online at:
http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Documents/Recentlyadoptedregulations/R-21-03-finalregtext.pdf.

SWRCB, 2014. Maximum Contaminant Levels and Regulatory Dates for Drinking Water: USEPA vs California. State Water Resources Control Board, Division of Drinking water. Last updated July 2014. Available online at:
http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Documents/DWdocuments/MLsEPAvsDWP-2014-07-01.pdf

SWRCB, 2015. Water Quality Control Plan (Basin Plan) for the San Francisco Bay Basin. Last updated March 2015. Available online at:
http://www.waterboards.ca.gov/sanfranciscobay/basin_planning.shtml.

USEPA, 2016a. Table of Regulated Drinking Water Contaminants. Last updated February 16, 2016.
Available online at: <http://www.epa.gov/your-drinking-water/table-regulated-drinking-water-contaminants>.

USEPA, 2016b. Secondary Drinking Water Standards: Guidance for Nuisance Chemicals. Last updated January 6, 2016. Available online at: <https://www.epa.gov/dwstandardsregulations/secondary-drinking-water-standards-guidance-nuisance-chemicals>.

Wilde, F.D., 2008. Guidelines for Field-Measured Water-Quality Properties. U.S. Geological Survey TWRI Book 9: October 2008.

APPENDIX A

SAMPLE DATA SHEETS

Project Name: Walt Ranch Vineyard Development Project– Milliken Creek Water Quality Monitoring

Project Location Milliken Creek Date: / / Time: : AM / PM

Sampling Crew: _____

Water Depth: _____ Last Precipitation Event: ____ / ____ / ____

Weather Conditions: _____

In-Field Sample Measurements

Monitoring Location (US/DS)	Sample Number	Time	Temp (°C)	DO (mg/l)	pH (units)	Turbidity (NTU)
Average						
Average						

Constituents Sampled

☐ Specific Conductance

☐ Phosphates

☐ Ammonia
☐ Sulfate

☐ Turbidity

Other: _____

Sample Delivered to: _____

Sample I.D./C.O.C. # _____

Comments: _____

APPENDIX B

CHAIN OF CUSTODY FORM

From: [Morrison, David](#)
To: [Brun, Philip](#)
Subject: Walt Ranch
Date: Wednesday, August 10, 2016 10:02:52 AM

Phil,

In our conversation yesterday, you indicated that the City's goals were to: (1) revise Condition of Approval No. 10 in the Final Decision to refer to "August, 2016" instead of "July, 2016;" and (2) ensure that the revision was made either through an errata or a rescission and re-issuance of the decision.

Unfortunately, the County cannot issue an errata to reference the Final Plan. The Final Plan would have been submitted after the Final Decision had been issued, which would open the door to other interested parties also wanting to amend the administrative record by introducing new information not in evidence at the time of the decision. This could seriously impair both the appeal proceedings and affect our successful defense in case the matter is litigated.

Similarly, the County is unable to rescind the decision and issue a new decision including the revised condition of approval. This action would reset the appeal period, allowing appellants more time in which to prepare their arguments, and would also unnecessarily delay the applicant in reaching conclusion of the project. It would also open the door for other parties to follow suit and submit new information in hopes of getting the Final Decision to be rescinded yet again. This approach could lead to constant lobbying and dispute over the Final Decision, which could instead be dealt with more efficiently and effectively through the appeal process.

You also asked several questions during our conversation last Friday. Here are my responses:

1. How would the Final Water Quality Monitoring Plan be included in the administrative record, since the decision has already been issued?

I suggest that the applicant send the Final Plan to both you and me in PDF format as soon as possible. I would acknowledge and receive the revised document. The revised document would then be the basis whereby I would recommend to the Board of Supervisor as a part of the response to any appeal(s) filed that Condition of Approval No. 10 be corrected to reflect the final agreement.

2. How much latitude does the Board of Supervisors have to revise the condition of approval when the hearing is based solely on the grounds filed in the appeal (not a de novo hearing)?

The Board of Supervisors has the right to affirm, reverse, remand or modify the decision being appealed regardless of the standard of review (de novo or based on the records).

3. If the City does not file an appeal, what assurances do they have that the County will make the changes as requested as a part of one of the other appeals?

The Final Plan will be part of the packet presented to the Board of Supervisors for consideration during the appeal. As stated above, I will recommend that the condition be amended to reference the Final plan. This is consistent with the County's actions over the past several months whereby we have been receptive and responsive to the City's concerns.

In summary, I must stand by the Final Decision, as it was approved without any further changes. This is not intended to minimize the voluntary efforts of the applicant and City to resolve their concerns, which I fully support. As a measure of that support, I pledge to recommend to the Board of Supervisors that Condition of Approval No. 10 be corrected as a part of the appeal process.

Although I am unable to accommodate the City's desire to have the correction resolved now, I don't believe that an appeal is needed. After all, the City still retains primary enforcement power through the Memorandum of Understanding. The inclusion of the Condition of Approval in the Erosion Control Plan is recognition by the County of the importance of this issue to the City and applicant, but does not provide any additional enforcement authority beyond what the City already enjoys. More importantly, as a part of the County's ongoing efforts to address the City's concerns, staff strongly recommends making the necessary correction as a part of the appeal process.

I am available to discuss these issues and to answer any questions you may have regarding the above information.

Respectfully,

David

CONFIDENTIALITY NOTICE: This email message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If you are not the intended recipient of the message, please contact the sender immediately and delete this message and any attachments. Thank you.

Austin E. Hilla
6100 Silverado Trail Napa, CA 94558
Telephone (707) 944-1313 Email: austin@dos-colinas.com

RECEIVED

APR 11 2016


COUNTY OF NAPA
BOARD OF SUPERVISORS

April 8, 2016

Dear Board of Supervisors,

As a long time resident of the Napa Valley, I wholeheartedly support the Walt Ranch vineyard proposal.

Sincerely,

A handwritten signature in black ink that reads "Austin E. Hilla". The signature is written in a cursive, flowing style.

Austin E. Hilla

RECEIVED

NOV 07 2016

NAPA COUNTY
EXECUTIVE OFFICE

11/5/2016

Dear Napa County Board of Supervisors,

The following are the reasons I feel the Walt Ranch project should be denied.

I am very familiar with the area that this project will impact. We owned a lot in Circle Oaks when it was first developed and I was the president of the homeowners association for a year or so. This was during the period when several of the roads had to be abandoned and many others had to be upgraded.

All with taxpayer money, because the board of supervisors had approved the road construction and ignored their own engineers advice about the lack of soil stability in that area.

I hope the current board of supervisors has the wisdom to heed the warnings and avoid the expense the county will be faced with, if heavy equipment is allowed on the road in Circle Oaks to access the vineyards.

Then, there is the narrow, curvy route 121, which over the years has been under constant repair. It has been upgraded, but a section several hundred yards long has collapsed and is only one lane wide. A major rain storm at this point could very well isolate all the residents north of this collapsed section.

The Walt Ranch project will subject this road to a great increase in travel from the many workers and heavy equipment that will be pounding this road daily. All of these workers will have to drive long distances as this project is a substantial distance from both Napa and Fairfield, the closest residential areas.

As the vineyard would sit above highway 121 all of the additional water runoff will have to cross that already unstable highway. This may be a good time for the board of supervisors to consider the long term costs of road repair that the county will be faced with.

Then there are the 4 or 5 deep wells that will be drilled to pump 68 million gallons a year. All of these to be very close to the Circle Oaks residential development. It does not take a genius to see where this will lead. It may not be 6 months or a year, but eventually this will impact the water used by these residents.

I am not legally trained but it would seem to me that if the county allows this to happen, after being warned of this eventuality, the Circle Oaks residents would have a strong legal case.

Who can estimate the true cost of the loss of the 24,000 trees that will be destroyed. The impact on the watershed and wildlife will be devastating.

I encourage the Board of Supervisors to take a close look at this project and consider the long term costs to the county, the devastating negative impacts it will have on the environment and the residents of Circle Oaks, and deny this project, "the best environmental option."



Gard Leighton
1166 Loma Vista Dr., Napa, CA