

May 27, 2014

John McDowell
ALUC Deputy Executive Officer
1195 Third Street, Suite 210
Napa, CA 94559

**SUBJECT: ALUC CONSISTENCY DETERMINATION
STANLY RANCH RECYCLED WATER STORAGE POND
CITY OF NAPA, APN: 047-240-017**

Dear John:

The City of Napa provided you with a copy of the above referenced application to construct a recycled water storage pond on the Stanly Ranch. Your letter of April 9, 2014 requests that we apply for a formal consistency determination. In addition, you recommended that the project be referred to Caltrans Aeronautics.

On behalf of both the applicant and the City of Napa, I am requesting this consistency determination from the Napa Airport Land Use Commission (ALUC) for this project. The purpose of the pond and the proposed design are included in the enclosed Project Statement and on the engineered drawings. Included in the project statement is information to address the potential concerns of aircraft hazard associated with this project. In addition to this, I would like to provide the following:

1. The size of the pond is approximately 3.1 acres in surface water area.
2. The embankment elevation under 25' in height.
3. The use is to store recycled water from the Napa Sanitation District for vineyard irrigation use.
4. There are no employees associated with this use.
5. An Avigation and Hazard Easement Deed was recorded on this parcel in 2004. (Doc. 2004-0006867, copy enclosed).
6. The pond is located approximately 7,425 and 10,435 feet from the closest point of the two airport runways.
7. There is no electronic equipment associated with this project that could interfere with aircraft signal transmission.
8. There is no smoke production, exterior lighting, reflective roof materials, storage or use of explosive or other hazardous materials, nor is there a need to use cranes during construction.

9. Design features incorporated into the pond will serve to reduce attraction of wildlife. These features include the following:
 - Steep side slopes that discourage nesting
 - No new landscaping beyond erosion control measures
 - No shading provided along the pond embankment
 - The entire perimeter of the pond will be fenced
 - The pond will include a synthetic lining that is extremely difficult for birds to land or nest on. The liner material is a slippery surface that can get quite warm in the summery months.
 - Bird deterrents such as flash tape will be installed and maintained around the entire pond.
10. Surrounding uses include vineyard. Bird netting and other protective measures will continue in the vineyards to discourage bird attraction.
11. One additional full size copy of the plot plan and elevation and additional reductions are enclosed for your use.
12. A check in the amount of \$3,264.57 is enclosed as required to process this request.

The pond is located within Zone D of the Napa County Airport Compatibility Plan. Section 17.34.040 of the City of Napa Municipal Code states that new ponds are uses that are “not normally acceptable” in Zone D due to concerns related to size, density of use, mobility, noise sensitivity or propensity to attract birds. The existing use at the pond site and in the area to the north is agriculture (vineyard). The area to the south is the Napa River and the Napa Sanitation District Wastewater ponds, both significant water bodies. As described in Table I in the Use Permit application, 500 acres of tidal marsh and the Napa River are located significantly closer to the nearest runway than the 3.1 acres of planned surface water storage. An aerial vicinity map is enclosed showing these water features and the distance from the pond to the nearest runways. Birds that may migrate to or live in these environments include migratory waterfowl and shore birds. The tidal marsh and river will continue to attract these birds. The addition of the storage pond will not attract more birds than would otherwise congregate at the site or in the immediate vicinity.

With respect to uses that are “not normally acceptable”, Table 3-2 of the Airport Land Use Compatibility Plan (Footnote 5) states that “these uses typically do not meet the density requirements and other development conditions listed. They should be allowed only if a major community objective is served by their location in this zone and if mitigation measures are incorporated that would minimize potential conflict.

The use in this location furthers the ability to distribute recycled water to the Los Carneros area. The Napa Sanitation District has a much better capacity to deliver recycled water to the entire Los Carneros area if users install and maintain storage facilities to minimize the potential for peak demand delivery to all users at the

same time. Maximizing the ability to distribute recycled water is a significant community benefit. The pond design uses steep slopes and minimal revegetation (erosion control measures only) to eliminate the creation of new areas for bird nesting. The pond will be constructed with a synthetic liner. The potential for creating a nesting environment on this synthetic material is extremely low due to the slippery nature of the fabric and the heat. No shade will be available along the edge of the water surface. The pumps associated with the water distribution will also detract from the potential for a nesting environment. The pond will not be stocked with any fish that could attract birds. These design measures will minimize the attraction of the pond to birds.

You requested that the project be referred to Caltrans Aeronautics. This referral was made and you were provided with their comments. In brief summary, they recommended that the California Airport Land Use Planning Handbook, Chapter Four, be used as a reference. Chapter Four, entitled "Developing Airport Land Use Compatibility Policies" provides guidance on how to develop effective land use compatibility criteria. This is guidance that was relied upon in developing the Napa County ALUCP that calls out ponds as "normally not acceptable". Therefore, consistency determinations should rely on these criteria as described above.

As requested in the application materials, please note that the ALUC's failure to act on the referral within sixty (60) days of the date of receipt of the referral shall result in the proposed action being deemed consistent by operation of law.



Beth Painter

Cc: Mark Couchman
Michael Allen

Enclosures

April 9, 2014 letter from Napa County ALUC
Avigation Easement, 2004-0006867
Exhibit, Distance to nearest Runway
Use Permit Application to City of Napa, 3-13-2014
Full size set of project plans
Filing fee, \$3,264.57



A Tradition of Stewardship
A Commitment to Service

RECEIVED

APR 10 2014

COMMUNITY DEVELOPMENT
DEPARTMENT

Napa County Airport Land Use Commission

1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

David Morrison
Executive Officer

April 9, 2014

Michael Allen, Associate Planner
City of Napa
Community Development Department
1600 First Street
Napa, CA 94559

RE: STANLY RANCH STORAGE POND PROJECT
Response to Inter-Departmental Review Referral

Dear Mr. Allen;

On behalf of the Napa County Airport Land Use Commission (ALUC), I would like to thank the City for providing our agency with opportunity to comment on the proposed Stanly Ranch Storage Pond project. The project is located within the Airport Influence Area for the Napa County Airport, and pursuant to the State Aeronautics Act (Public Utilities Code Section 21676), the project is subject to a Consistency Determination by the Napa County ALUC. As such, the ALUC requests that the City submit the project for a formal determination:

1. New Pond –For the ALUC to find such a use compatibility with air operations, the evidence in the record needs to indicate that the use has no potential to generate new hazards, primarily bird flights at elevations coinciding with traffic pattern
2. Caltrans Aeronautics Referral – Was the project referred to Caltrans Aeronautics for comment? If not, the ALUC recommends that the City solicit comments from Caltrans Aeronautics prior to presenting the project to the ALUC for formal a Consistency Determination.

Thank you again for the opportunity to comment. Please contact Shaveta Sharma, ALUC Staff if you have and questions or comments at (707) 299-1358, or by email at shaveta.sharma@countypfnapa.org

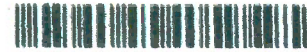
Sincerely,

Shaveta Sharma for

Robert Fiddaman
Chairman
Napa County Airport Land Use Commission

cc: Martin Pehl, Napa County Airport Manager
Colette Armao, Caltrans Aeronautics

FIRST AMERICAN TITLE COMPANY
OF NAPA



2004-0006867

Recorded
Official Records
County Of
NAPA
JOHN TUTEUR
Recorder

REC FEE .00

01:02PM 25-Feb-2004

EV
Page 1 of 12

RECORDING REQUESTED BY AND
PLEASE RETURN TO:

Clerk, Board of Supervisors
for the County of Napa
1195 Third Street, Room 310
Napa, California 94559

Exempt from recording fees,
Gov. Code § 27383

6

APN 47-230-005
47-230-024
47-240-010 thru
47-240-015
47-262-001

**AVIGATION AND HAZARD
EASEMENT DEED**

FOR GOOD AND SUFFICIENT CONSIDERATION, the receipt of which is hereby acknowledged, Stanly Ranch Vineyard LLC, a California Limited Liability Company, ("Grantor"), hereby grants to the COUNTY OF NAPA, a political subdivision of the State of California, and to the CITY OF NAPA, A California Municipal Corporation, (collectively, "Grantees," and individually "Grantee") and to Grantees' successors and assigns, a perpetual and assignable easement and right-of-way ("said easement") appurtenant to the Napa County Airport ("the airport") for the unobstructed passage of aircraft in the airspace within those imaginary approach, transition, horizontal and conical zones, as defined and described in Chapter 11.08 (as it may be amended from time to time) of the Napa County Code and depicted on those diagrams attached hereto as Exhibits "A", "B", and "C", and incorporated by reference herein. In the event of discrepancy between Chapter 11.08 and said Exhibits, the text of the former shall govern. For the purpose of this instrument, the term "aircraft" shall refer to any contrivance, by whomsoever owned or operated, which is designed or used for navigation in the air.

In its approval of the Stanly Ranch subdivision, the City of Napa required this Avigation Easement and Hazard Easement Deed to make the following statement: 1) The property more particularly described below is subject to routine overflight by aircraft at low altitudes and the airport has a right of overflight; 2) There is potential for increased traffic and increase jet operations consistent with the Napa County Airport Master Plan; 3) Noise complaints by owners can be items of disclosure upon resale of property and frequent complaints could negatively impact the property's resale value.

The aforesaid easement and right of way includes, but is not limited to:

1. For the use and benefit of the public, the easement and continuing right to fly or cause or permit the flight by any and all persons, or any aircraft, of any and all kinds now or

hereafter known, in, through, across, or about any portion of the airspace hereinabove described; and

2. The easement and right to cause or create, permit or allow to be caused or created within all space above the existing surface of the hereinabove described real property, such noise, vibrations, currents, fumes, dust, emission of fuel particles, other effects of air, illumination and fuel consumption as may be inherent in, or may arise or occur from or during the operation of aircraft of any and all kinds, now or hereafter known or used, for navigation of or flight in air; and

3. A continuing right of Grantee(s) to prevent the erection or growth upon the property and permit the removal of any building, structure or improvements of any kind, and trees or other objects extending into the prohibited airspace to the extent and with the exceptions described in Chapter 11.12 of Title 11 of the Napa County Code, together with the right of ingress to, egress from, and passage over the property for the purpose of exercising said rights.

4. A continuing right to mark and light, or cause or require to be marked or lighted, as obstructions to air navigation, any and all buildings, structures, or other improvements, and trees or other objects, which extend into or above the airspace, together with the right of ingress to, egress from, and passage over the property for the purpose of exercising said rights.

Said easement extends over all of the following real property ("the property") owned by Grantor, which is illustrated on Exhibit "D" attached hereto and incorporated by reference herein:

All that certain real property situated in the City of Napa, County of Napa, State of California, legally described on Exhibit "E."

Also known as Assessor's Parcel Numbers 47-230-005 & 024; 47-240-010, 011, 012, 013, 014 & 015; 47-262-01 on the Assessor's Maps in effect on the date of the execution of this Deed, a portion of which is attached as Exhibit "D".

In the event of discrepancy between the foregoing description of the property and the map set forth in Exhibit "D", the attached legal description shall govern.

For and on behalf of itself, its successors and assigns, the Grantor hereby covenants with the County of Napa and the City of Napa, for the direct benefit of the real property constituting the Napa County Airport hereinafter described, that:

1) During the life of said easement, they will not construct, install, erect, place or grow in or upon the hereinabove described real property, nor will they permit to allow, any building

structure, improvement, tree or other object which extends into or above the airspace, or which constitutes an obstruction to air navigation, or which obstructs or interferes with the use of the easement and rights of way herein granted, except to the extent permitted by Chapter 11.12 of Title 11 of the Napa County Code.

2) That within a reasonable time after written notice from Grantee(s) to Grantor which specifies with particularity the interfering use, it will discontinue or modify to the reasonable satisfaction of the County the use of the property in any manner that in the reasonable opinion of the County: creates electrical interference with radio communication between any installation upon the airport and aircraft operating in or around the airport; interferes with the ability of the operators of such aircraft to distinguish between airport lights and other lights; impairs visibility in the vicinity of the airport; or otherwise endangers the landing, take off, or maneuvering of aircraft in or around the airport.

3) That the easements and rights of way herein granted shall be deemed both appurtenant to and for the direct benefit of that real property which constitutes the Napa County Airport and shall further be deemed in gross, being conveyed to the Grantee(s) for the benefit of the Grantee and any and all members of the general public who may use said easement or right of way, in landing at, taking off from or operating such aircraft in or about the Napa County Airport, or in otherwise flying through the airspace.

4) That Grantor, its successors and assigns, hereby waive their right to legal action against Grantee(s), its successors and assigns, for monetary damages or other redress, for any loss or damage, arising out airport operations in the air or on the ground at the airport, including, but not limited to, future expansion of airport activities, future increases on the volume or type of aircraft activities, or changes in location of said operations. Said rights to legal action include but are not limited to those based on inverse condemnation, nuisance, negligence, loss of sleep, emotional distress, and trespass.

Grantor expressly reserves all rights and privileges in said property that may be exercised and enjoyed without interference with said easement and the foregoing covenants.

This grant of easement shall not operate to deprive the Grantor, his successors or assigns, of any rights which any of them may from time to time have against any carrier, private operator, the City of Napa or the County of Napa in relation to negligent or unlawful operation of aircraft or the airport.

This grant of easement and all rights, covenants, waivers, and reservations pertaining thereto or reserved therefrom shall run with the land and are binding upon Grantor and its heirs, executors, administrators, successors and assigns, and shall inure to the Grantees, its successors and assigns, for the use and benefit of the public until such time as the airport shall cease to be used for a public airport.

If any clause, sentence, or other portion of this Avigation and Hazard Easement Deed shall become illegal, null or void for any reason, or shall be held by any court of competent jurisdiction to be so, the remaining portions shall remain in force and effect.

DATED this 18th day of December, 2003.

Mark E. Couchman

Grantor, Stanly Ranch Vineyard LLC,
a California Limited Liability Company

By: Mark Couchman
Its President

“Grantor”

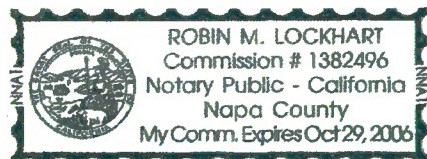
NOTARIZATIONS

STATE OF CALIFORNIA)
COUNTY OF NAPA) ss.

On 12-18-03, before me, Robin M. Lockhart,
personally appeared Mark E. Couchman, [] personally known
to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose
names(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~
executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)
acted, executed the instrument.

WITNESS my hand and official seal.

Robin M. Lockhart
Notary Public



CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by that certain AVIGATION AND HAZARD EASEMENT DEED dated December 18, 2003, from Stanley Ranch Vineyard, LLC a California Limited Liability Co., to the COUNTY OF NAPA, a political subdivision of the State of California, is hereby accepted by order of the Board of Supervisors of said County of Napa on January 6, 2004, and Grantee consents to recordation thereof by its duly authorized officer.

Dated January 6, 2004.

Mark Luce
MARK LUCE, CHAIR of the Board of Supervisors of the County of Napa, State of California

SEAL AFFIXED

ATTEST: Pamela Miller
PAMELA MILLER, Deputy Clerk of the Board

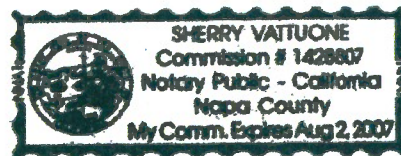
STATE OF CALIFORNIA)
COUNTY OF NAPA) ss.

On January 6, 2004, before me, Sherry Vattuone, personally appeared Mark Luce, personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Clerk of the Board of Supervisors
for the County of Napa

By: Sherry Vattuone, Deputy



APPROVED BY THE BOARD
OF SUPERVISORS:

Date: 1-6-04

APPROVED AS TO FORM: ROBERT
WESTMEYER, Napa County Counsel

By: Robert Westmeyer

Processed by: Sherry Vattuone
Deputy Clerk of the Board

APN 47-230-005, 47-230-024, 47-240-010 thru 47-240-015, and 47-262-001

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by that certain AVIGATION AND HAZARD EASEMENT DEED dated December 18, 2003, from Stinky Ranch Vineyards, LLC, a California Limited Liability Co., to the City of Napa, a municipal corporation of the State of California, is hereby accepted by order of the City Council of said City of Napa on February 17, 2004, and Grantee consents to recordation thereof by its duly authorized officer.

Dated: 2/19/04

By: [Signature]
ED HENDERSON, Mayor

Dated: 2/19/04

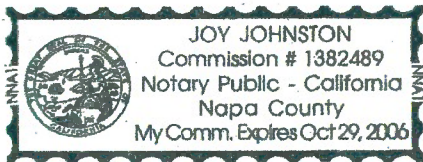
ATTEST:
[Signature]
PAM NIGLIAZZO, City Clerk

STATE OF CALIFORNIA)
CITY OF NAPA)SS)

SEAL AFFIXED

On 2-20-04, before me, Joy Johnston, a Notary Public in and for the State of California, personally appeared Ed Henderson, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/~~she/it~~ they executed the same in his/~~her/its~~ their authorized capacity, and that by his/~~her/its~~ their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.



[Signature]
SIGNATURE OF NOTARY

THIS DOCUMENT IS EXEMPT FROM
RECORDING FEES PURSUANT TO
SEC. 6103 OF THE GOV'T CODE

RESOLUTION R2004 28

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING THE FINAL MAP FOR STANLY RANCH VINEYARDS SUBDIVISION, 01 158; APPROVING THE TRAIL AGREEMENT AND PERFORMANCE AGREEMENT FOR THE SUBDIVISION; ACCEPTING THE AVIGATION EASEMENT DEED AND GRANTING A QUITCLAIM DEED

WHEREAS, the City Council acknowledges that on March 11, 2003, the City Council of the City of Napa adopted a Negative Declaration for the Stanly Ranch Vineyards Subdivision (Resolution R2003 68).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Napa, State of California, the following:

Section 1. That the Final Map entitled "Final Map of Stanly Ranch Vineyards Subdivision" is hereby approved and that the Mayor and City Clerk be and they are hereby authorized to execute the Final Map of said subdivision, Project No. 01 158, subject to the signing of the Subdivision Improvement Agreement, posting of subdivision bond, payment of inspection fees, approval of construction plans by the City Engineer.

Section 2. That the Trail Agreement entitled "Agreement Regarding Grant of Easement for Public Trail, Access and Recreation Purposes" is hereby approved and that the Public Works Director be and he is hereby authorized to sign and record at the office of the County Recorder that certain said agreement for the "Stanly Ranch Vineyards Subdivision", Project No. 01 158.

Section 3. That the Performance Agreement entitled "Performance Agreement Declaration of Land Use Restrictions" is hereby approved and that the Public Works Director be and he is hereby authorized to sign and record at the office of the County Recorder that certain said agreement for the "Stanly Ranch Vineyards Subdivision", Project No. 01 158.

Section 4. That the Avigation Easement Deed entitled "Avigation and Hazard Easement Deed" is hereby accepted and that the Mayor and City Clerk be and they are hereby authorized to accept and record at the office of the County Recorder that certain said deed for the "Stanly Ranch Vineyards Subdivision", Project No. 01 158.

Section 5. That the Quitclaim Deed entitled "Quitclaim Deed" to Stanly Ranch Vineyards, LLC is hereby approved and that the Mayor be and is hereby authorized to sign and record at the office of the County Recorder that said deed for the "Stanly Ranch Vineyards Subdivision", Project No. 01 158.

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Napa at a regular meeting of said City Council held on the 17th of February, 2004, by the following roll call vote:

AYES: Block, Techel, Martin, Crawford and Henderson
NOES: None
ABSENT: None

ATTEST: *Alice Nason*
CITY CLERK OF THE CITY OF NAPA

SEAL AFFIXED

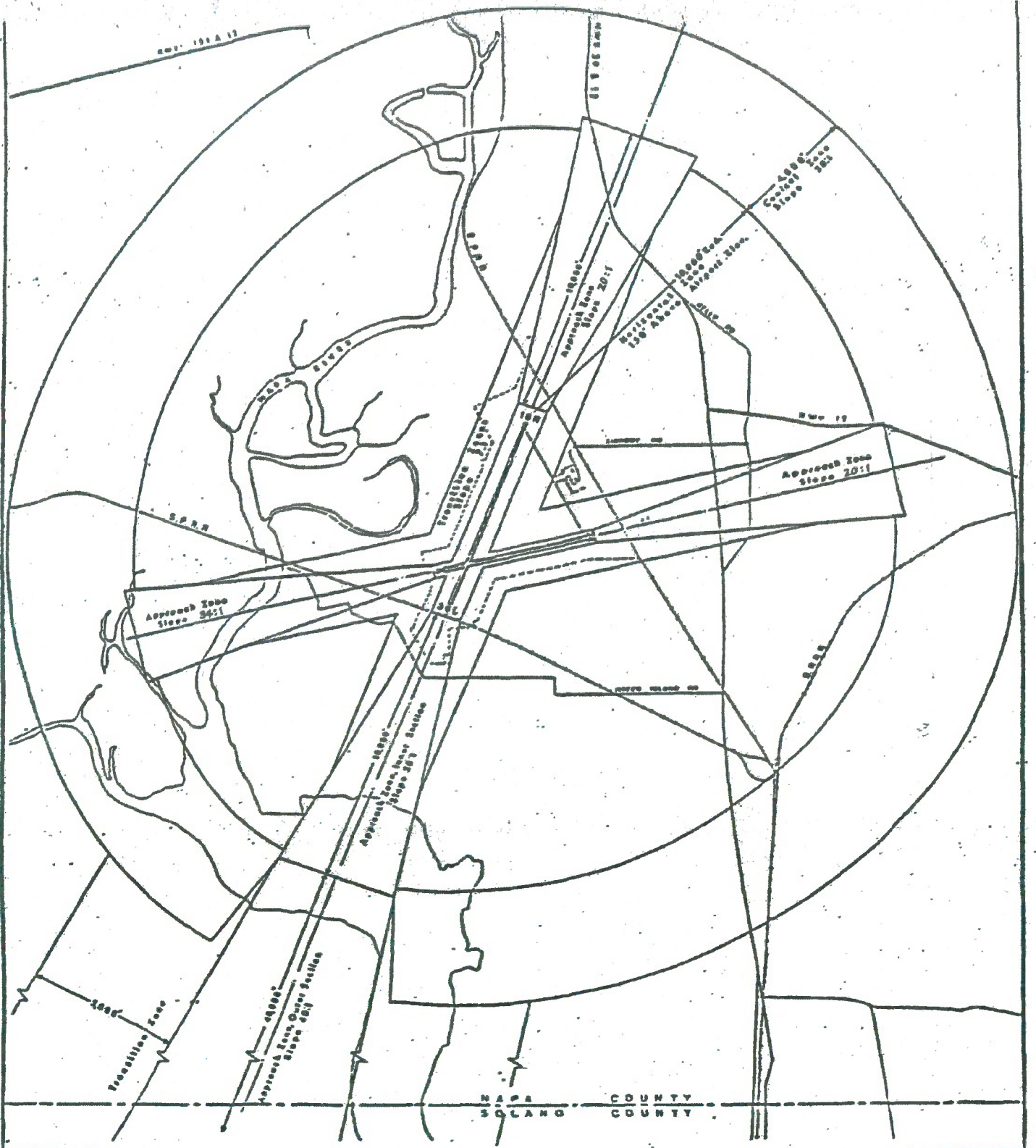


Exhibit 'A'

NAPA COUNTY AIRPORT SAFETY ZONE

August, 1995

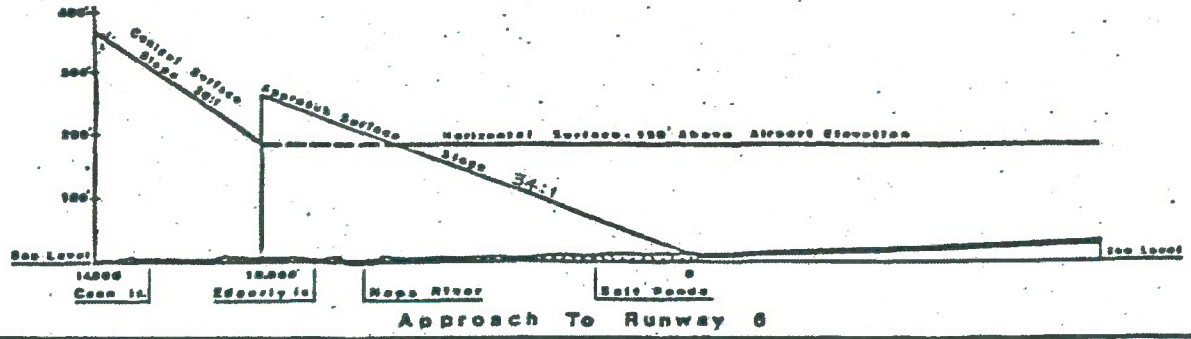
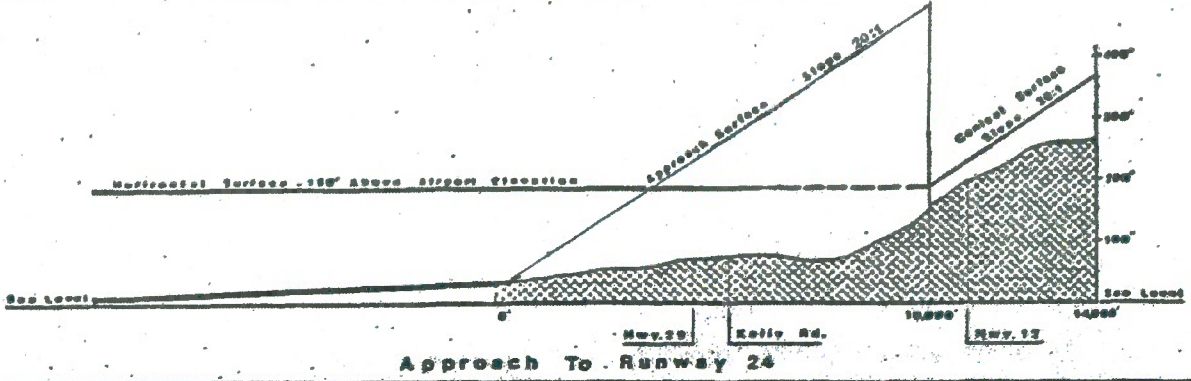
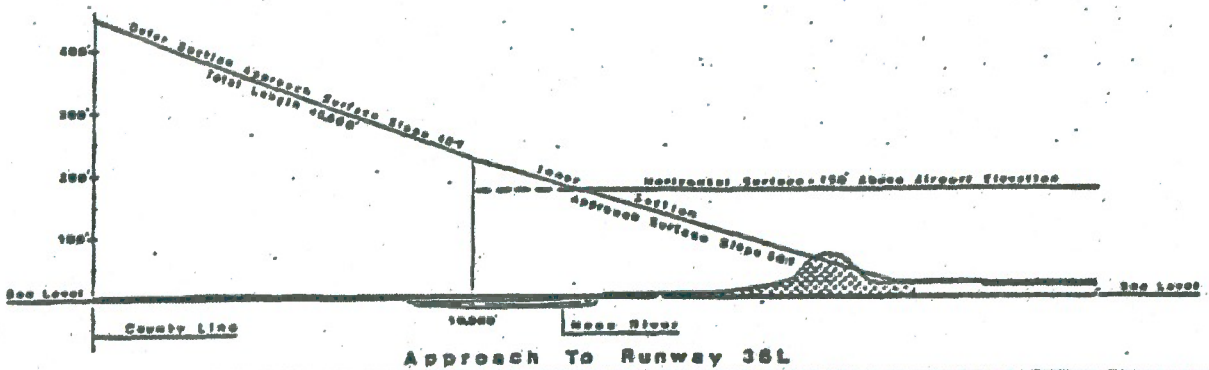
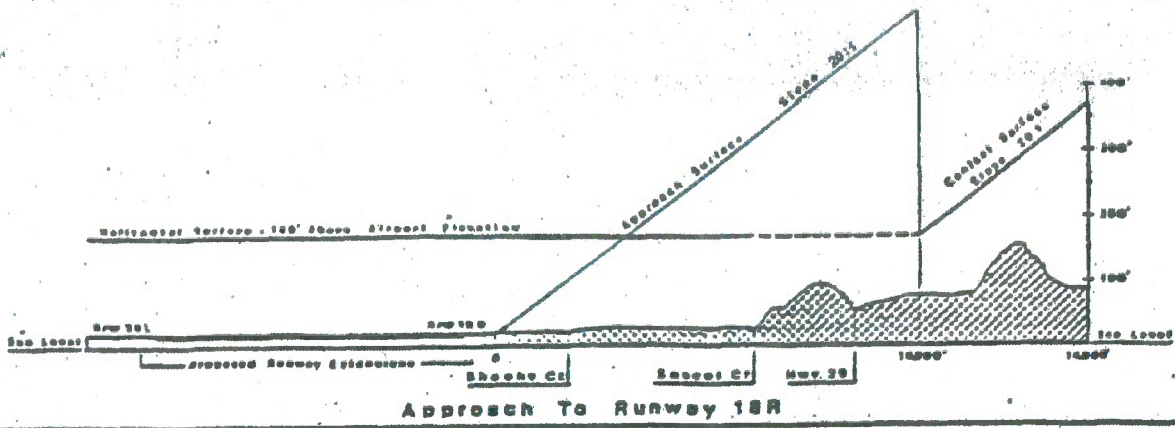
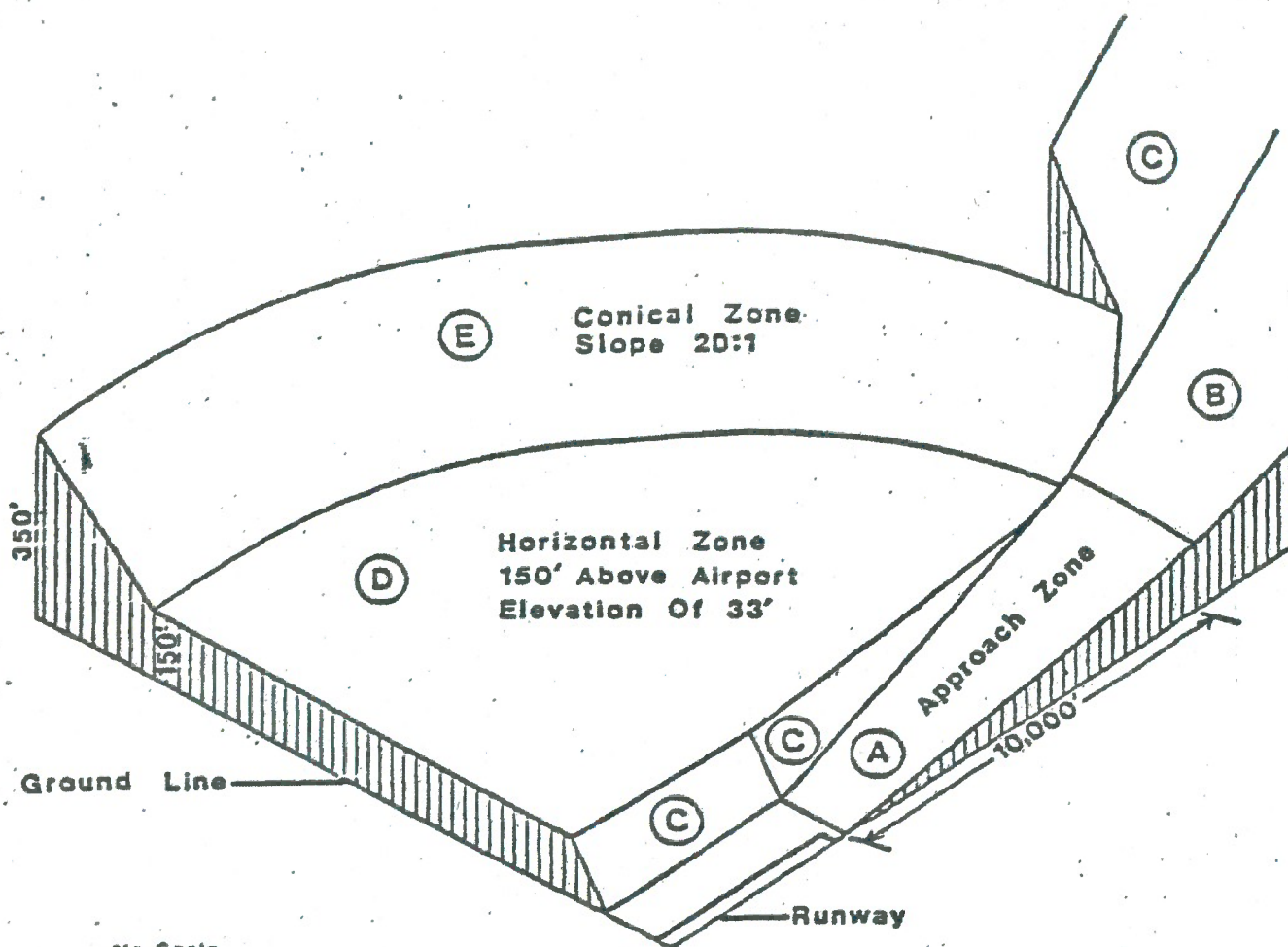


Exhibit "B"

APPROACH ZONE CROSS SECTIONS

August, 1995



No Scale

- A - PRECISION INSTRUMENT APPROACH ZONE - SLOPE 50:1.
NON-PRECISION INSTRUMENT APPROACH ZONE - SLOPE 34:1.
- B - OUTER SECTION EXTENDS 40,000' AND FLARES TO 16,000' IN WIDTH - THIS APPLIES ONLY TO RUNWAY 36 L TO THE SOUTH - SLOPE 40:1.
- C - TRANSITION ZONES - SLOPE 7:1 - EXTENDS 5,000' FROM EDGE OF OUTER SECTION.
- D - HORIZONTAL ZONE EXTENDS 10,000' FROM END OF RUNWAYS.
- E - CONICAL ZONE EXTENDS 4,000' FROM EDGE OF HORIZONTAL ZONE.

Exhibit "C"

ISOMETRIC VIEW OF AIRPORT SAFETY ZONES

August, 1995



CUTTINGS WHARF ROAD

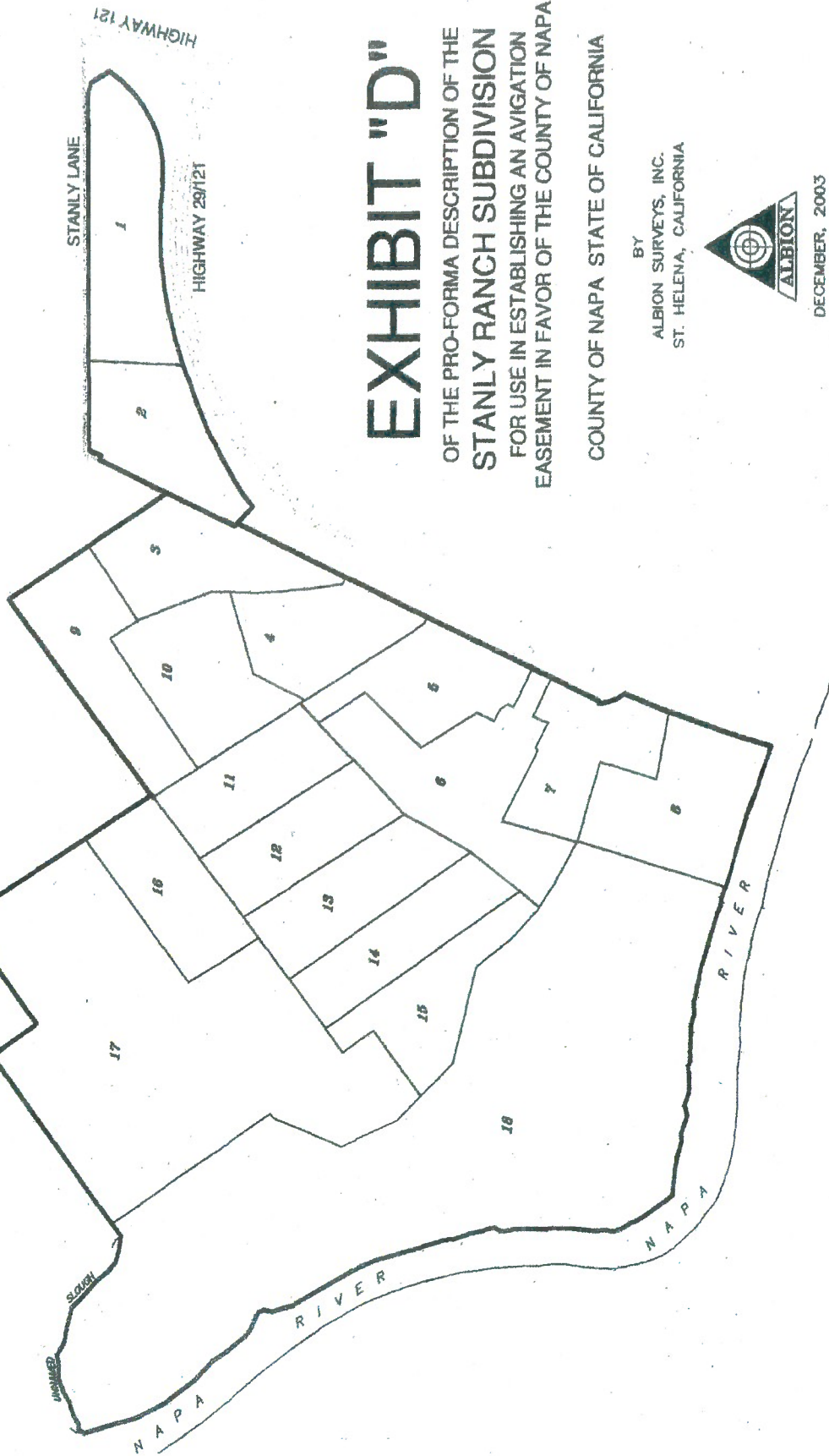


EXHIBIT "D"

OF THE PRO-FORMA DESCRIPTION OF THE
STANLEY RANCH SUBDIVISION
FOR USE IN ESTABLISHING AN AVIGATION
EASEMENT IN FAVOR OF THE COUNTY OF NAPA

COUNTY OF NAPA STATE OF CALIFORNIA

BY
ALBION SURVEYS, INC.
ST. HELENA, CALIFORNIA



DECEMBER, 2003

END OF DOCUMENT

ALBION SURVEYS, INC.

CONSULTING LAND SURVEYORS

1336 Oak Ave., Suite C, St. Helena, CA 94574

(707) 963-1217 ♦ FAX (707) 963-1829

E-Mail: Rbell@Albionsurveys.com

EXHIBIT "E"

Pro-forma Description of the
Stanly Ranch Vineyards Subdivision
for use in establishing an Avigation Easement in favor of the
County of Napa

Real property situated in the City of Napa, County of Napa, State of California, being all of the lands shown within the exterior boundary lines on the Map No. 5539 entitled "Final Map of the Stanly Ranch Vineyards Subdivision" filed 2/25/04, 2004 in Book 24 of Maps at Page 238 in the Office of the Recorder of the County of Napa, State of California.

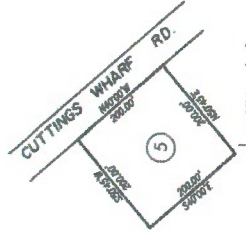
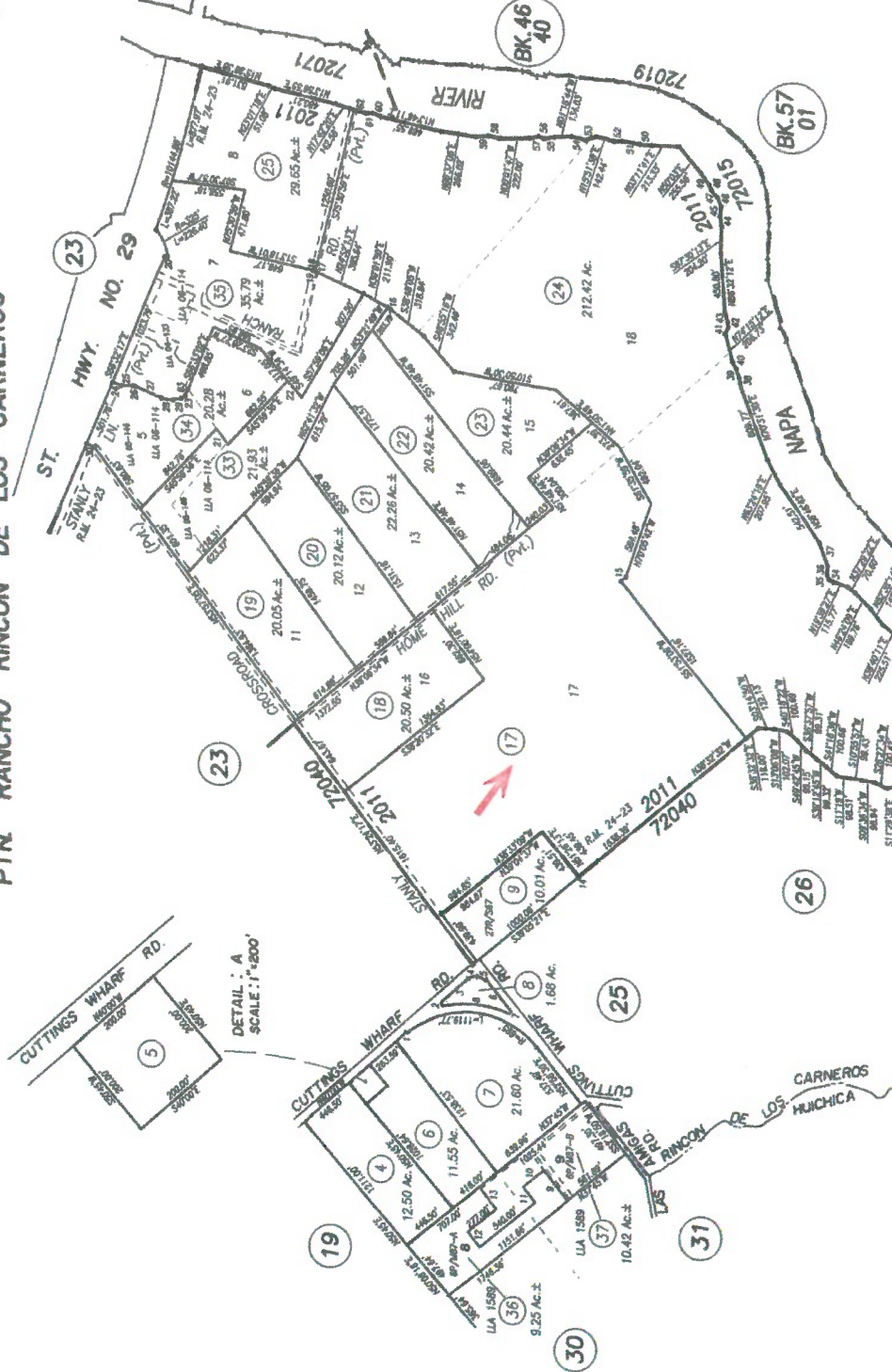
Tax Area Code
2011
72040

COUNTY ASSESSOR'S PARCEL MAP
PTN RANCHO RINCON DE LOS CARNEROS



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2	28.57	28.57
3	318.97	318.97
4	88.82	88.82
5	529.29	529.29
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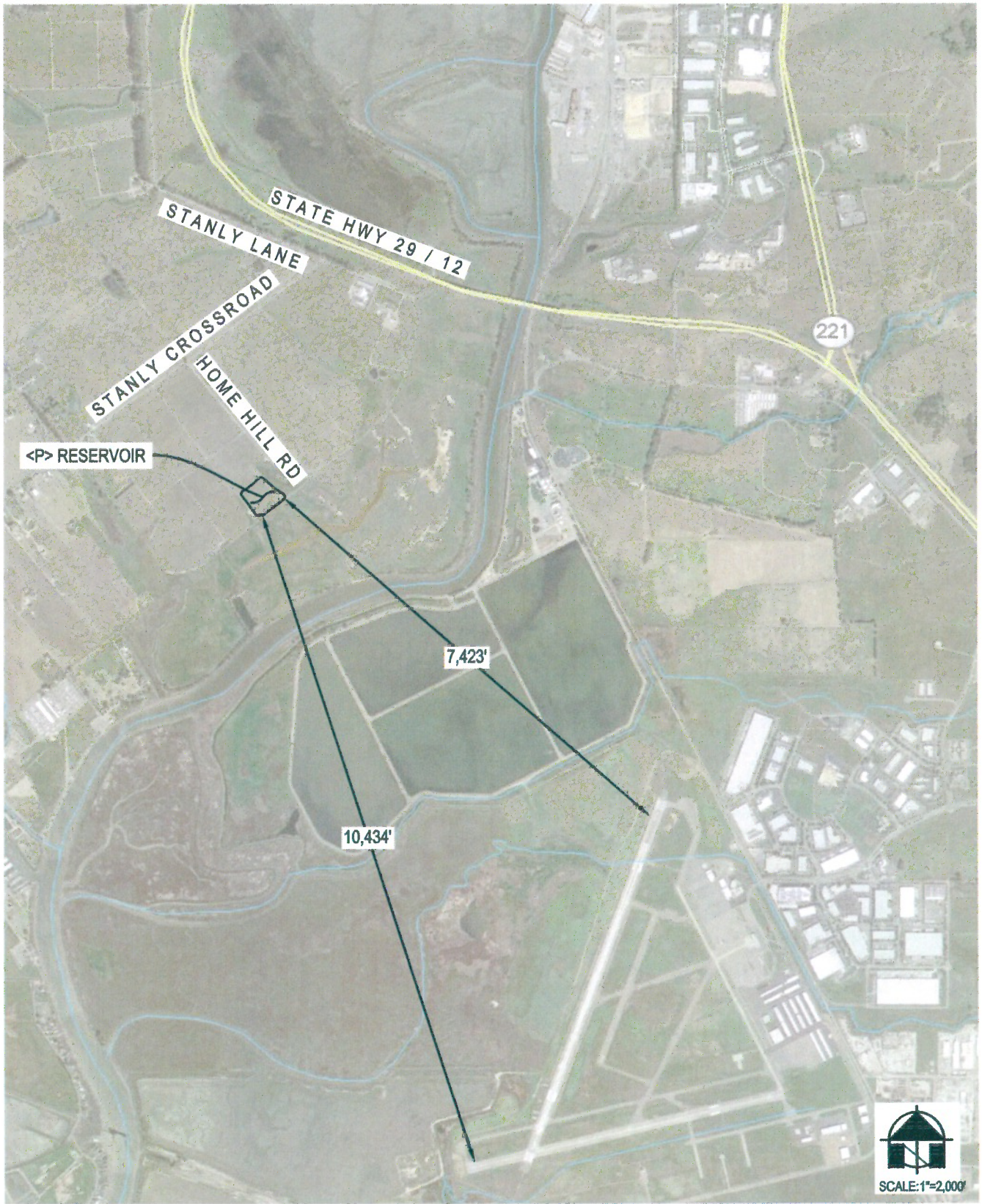
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240-29 & 30 UA	3-30-05
240-31 & 32 UA	6-20-05
240-33, 34, 35 UA	6-20-05
240-36 & 37 UA	7-17-08
REVISION	DATE



DETAIL: A
SCALE: 1"=200'

Assessor of Nepe County 1975
NOTE: This Map Was Prepared For Assessment Purposes Only, No Liability is Assumed For The Accuracy Of The Data Delineated Hereon.

RANCHO RINCON DE LOS CARNEROS, R.M. BK. 1, PG. 65
STANLEY RANCH VINEYARDS SUBD., R.M. BK. 24, PG's 23-32



**STANLY RANCH RESERVOIR
VICINITY MAP**

DELTA CONSULTING & ENGINEERING OF ST. HELENA 1104 ADAMS STREET, SUITE 203 - ST. HELENA, CALIFORNIA 94574 707-963-8436 • 707-963-8528 FAX			
DATE:	05-21-14	JOB #	J-110.01
SCALE:	1"=2,000'	APN:	047-240-017

SHEET
1
OF
1

Community Development Department
1600 First St., P.O. Box 660
Napa, CA 94559-0660

Public Works Department
Engineering Division
Phone: (707) 257-9520

Facsimile: (707) 257-9522

Planning Division
Phone: (707) 257-9530

Building Division
Phone: (707) 257-9540
Inspections: (707) 257-1063

Napa Fire Department
Fire Prevention Division
Phone: (707) 257-9590



CITY of NAPA

RECEIVED

MAR 13 2014

USE PERMIT APPLICATION

PLEASE TYPE OR PRINT:

COMMUNITY DEVELOPMENT
DEPARTMENT

PROJECT NAME Stanly Ranch Vineyards Recycled Water Storage Pond

PROJECT ADDRESS 301 Home Hill Road, Napa

APN(S) 047-240-017; SIZE OF PROPERTY 120.5 acres

GENERAL PLAN LAND USE, DENSITY/FAR RA-210/20 ac ZONING Agricultural Resource, AR, :AC, :FP

PROJECT REPRESENTATIVE CONTACT INFORMATION

Instructions: Please provide information for each of the categories listed below. An "Applicant" is any person, firm, partnership, association, joint venture, corporation or any entity, combination of entities or consortium who seeks approval of a City permit or other Project entitlement for the use of property. The Applicant shall be the primary billing contact for all processing and development fees associated with the application. The Applicant may additionally identify an "Authorized Agent." An Authorized Agent is any person, firm, partnership, association, joint venture, corporation or any entity, combination of entities or consortium authorized by the Applicant to represent and act on behalf of the Applicant. If identified in this application, the Authorized Agent shall receive all written correspondence from the City regarding the application and any hearings or proceedings scheduled before the Planning Commission, City Council or other appointive City Boards and Commissions, but shall not be responsible for the payment of development or processing fees. The Applicant shall receive all billing invoices for the project, and under the "Conditions" set forth below, shall be liable for the payment of all development and processing fees associated with the application.

The "Owner" of property means a person, persons or corporation holding fee title to the real property within the City as shown on the most recent assessor's roll in the County of Napa upon which the Project is proposed. Owner and Applicant may be the same person or legal entity, or may be different. For example, in the case of a person or entity holding an option on the land, or other contractual relationship with the property owner, the fee owner(s) of the property would be the Owner, and the person or entity seeking the approvals or permits and holding an option to purchase the property would be the Applicant. If Applicant and Owner are the same person or entity, please enter "Same as Applicant" in the area provided for Owner information. In the event that Applicant and Owner are different, all Owners must sign on the following page to authorize the Applicant to file an Application for the permit or Project entitlement on his or her property.

APPLICANT INFORMATION

APPLICANT Stanly Ranch Vineyards, LLC AUTHORIZED AGENT Beth Painter

PHONE (707) 299-8514 FAX _____ PHONE (707) 287-9089 FAX _____

EMAIL RSCHAEFERS@WGIMGLOBAL.COM EMAIL BETH@BPNAPA.COM

MAIL ADDRESS 855 Bordeaux Way, #100 MAIL ADDRESS 1455 First Street, #217

CITY Napa STATE CA ZIP 94558 CITY Napa STATE CA ZIP 94559

OWNER (if different from Applicant)

(If there is more than one property owner, each property owner shall provide identifying information and sign the application. Use additional pages if necessary)

PHONE _____ FAX _____ EMAIL _____

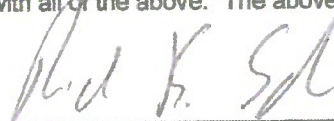
MAIL ADDRESS _____ CITY _____ STATE _____ ZIP _____

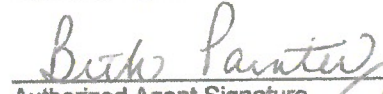
All forms and handouts are available on www.cityofnapa.org

CONDITIONS OF APPLICATION

1. All materials and representations submitted in conjunction with this form shall be considered a part of this application.
2. The Applicant shall inform the Planning Division in writing of any changes.
3. **INDEMNIFICATION:** The Applicant(s) agree(s) to defend, indemnify and hold the City, its agents, officers, and employees harmless from any claim, action or proceeding to attack, set aside, void or annul an approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense.
4. **FEES.** The Applicant(s) hereby agree(s) that he/they shall be jointly and severally liable for the payment of any and all processing fees imposed by the Napa Municipal Code Chapter 15.92, "Development Project Processing Fees", and Policy Resolution 16. The applicant(s) hereby represent(s) and warrant(s) that he/they understand that fees include, but are not limited to: staff time billed at an hourly rate; production or reproduction of materials and exhibits; and postage. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
5. I hereby authorize employees of the City of Napa to enter upon the subject property, as necessary, to inspect the premises and process this application.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge.

 DATE 3-13-14
Applicant Signature

 DATE 3-13-14
Authorized Agent Signature

 DATE 3/13/14
Property Owner(s) Signature

DATE _____
Property Owner(s) Signature
(for multiple owners)

ALL PROPERTY OWNERS HOLDING A TITLE INTEREST MUST SIGN THE APPLICATION FORM. IF THERE ARE MORE THAN TWO, LIST NAME, ADDRESS, PHONE NUMBER AND SIGNATURE ON A SEPARATE SHEET.

If another permit is also required, materials supporting the added application must also be submitted.

Project Statement and Use Review Criteria

Stanly Ranch Vineyards Storage Pond

APN 047-240-017

Project Description

The subject parcel was created in 2003 with the 18 parcel subdivision of the Stanly Ranch. The majority of the 120 acre parcel is planted in vineyard. In 2011 the Stanly Ranch was annexed into the Napa Sanitation District (NSD). The main purpose of the annexation was to establish public sewer and recycled water services for the Stanly Ranch resort and to establish recycled water service for agricultural irrigation to the rest of Stanly Ranch and the Los Carneros Water District.

NSD provided Terms and Conditions for this annexation (enclosed). The pipeline has been installed from NSD to the Stanly Ranch using a Horizontal Direction Drill under the Napa River. Stanly Ranch Vineyards is prepared to utilize the recycled water for vineyard irrigation. Condition #19 requires that Stanly Ranch install a recycled water storage facility capable of storing 50 acre feet of water. After careful analysis of the irrigation demand and suitable locations, the proposed pond location was determined to be the most suitable location for this size facility. Delta Engineering prepared a conceptual site plan showing the pond location and design (enclosed). Final grading permits will be obtained prior to construction.

General Plan and Zoning

The site is located within the Resource Area of the General Plan and in the AR (Agricultural Resource) Zoning District. Agriculture is a conditionally permitted use (approval for vineyard obtained in 2003). A water storage pond is a customary accessory use to vineyard and agriculture and is permitted as an accessory use on the same site.

Environmental Data

Biological Assessments:

The majority of the site is established vineyard. Wetland is located on two sides of the pond site. A jurisdictional delineation of this location was conducted in 2009 and shows that the pond will not impact the wetland area. The site conditions were reconfirmed in 2013 and the Corps of Engineers has provided an updated jurisdictional delineation (enclosed).

Geotechnical Assessment:

A Geotechnical Study was completed by RGH (enclosed) to determine suitability of the site and provide construction recommendations. The recommendations in the report will be incorporated into the final grading plan.

Use Review Criteria for Airport Compatibility

The pond is located within Zone D of the Napa County Airport Compatibility Plan. Section 17.34.040 of the City of Napa Municipal Code states that new ponds are uses that are not

normally acceptable in Zone D due to concerns related to size, density of use, mobility, noise sensitivity or propensity to attract birds.

The following information is provided to address the potential concerns of this project within Zone D:

1. *Density. Density of use averaged over the entire site (excluding streets) should not exceed 100 persons per acre in structures, or 150 persons in and out of structures.*

There are no habitable structures associated with this project.

2. *Clustering. Clustering of development within the density parameters is encouraged to protect and provide open land/safety areas for emergency landing (such as requiring building envelopes, contiguous parking and landscape areas, and larger setbacks from certain geographic features such as creeks, roads, etc.).*

The project only involves construction of a single pond, therefore clustering is not an applicable parameter. Note that an "Open Clear Zone" was provided on the Final Map (24RM32, Page 10) for emergency landing purposes.

3. *Noise. Appropriate noise reduction measures have been incorporated for noise sensitive uses (such as schools or libraries) consistent with ALUCP and city General Plan standards, whichever is more restrictive.*

There are no noise issues associated with the proposed pond.

4. *Propensity to attract birds*

The issue of potential bird attraction to small water features on the Stanly Ranch was fully addressed in the St. Regis Resort project. A copy of the analysis provided with this project is enclosed. The existing conditions described in this analysis are still accurate. The proposed pond is to store recycled water and will not have any surrounding landscape that may attract birds. The report also states that there are numerous small agricultural ponds scattered in the vineyard areas to the northwest of the airport and that agricultural ponds typically do not contain the food resources required by large flocks of migratory birds. Similar to the St. Regis pond, this pond is located outside of the traffic patterns at the Napa Airport and is not considered a hazardous wildlife attractant.

General Design Requirements will be adhered to as outline in Napa City Code Section 17.34.040 (E)

Summary

The proposed pond shall meet the NSD condition of approval for annexation and will allow for efficient delivery of recycled water for irrigation purposes on the Stanly Ranch. All recommendations from the Geotechnical report will be incorporated into the final design. A grading permit will be required from the City of Napa prior to construction of the pond. Review by the ALUC will be completed as necessary.

Enclosures:

NSD Terms and Conditions of Annexation for Stanly Ranch

Use Permit Plans for Pond Design:

Aerial Photograph of property

Site photographs

Conceptual Pond design

Geotechnical Report, RGH, January 16, 2014

2014 Preliminary Jurisdictional Determination

Napa Airport Hazardous Wildlife Attractants Analysis

PROJECT STATEMENT

The project consists of the construction of a reservoir for the purpose of water storage and flood control. The reservoir is located on the Stanley Ranch property in Napa, California. The project is being undertaken by Delta Consulting & Engineering, Inc. as the engineering consultant for the project. The project is subject to the approval of the Napa County Board of Supervisors and the Napa County Public Works Department.

DATE	BY	REVISION
01/15/2024	DELTA	ISSUED FOR PERMITTING

GENERAL NOTES

1. The project is subject to the approval of the Napa County Board of Supervisors and the Napa County Public Works Department.
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PHOTO - WEST VIEW



PHOTO - RESERVOIR LOCATION



PHOTO - EAST VIEW

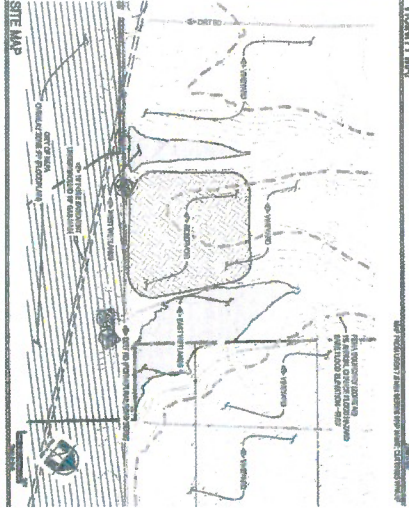
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SYMBOL LEGEND

SYMBOL	DESCRIPTION
(Symbol)	RESERVOIR
(Symbol)	ROAD
(Symbol)	PROPERTY LINE
(Symbol)	UTILITY LINE
(Symbol)	BOUNDARY

USE PERMIT PLANS FOR:
STANLEY RANCH RESERVOIR
 301 HOME HILL ROAD
 NAPA, CA, 94559



PROJECT INFORMATION

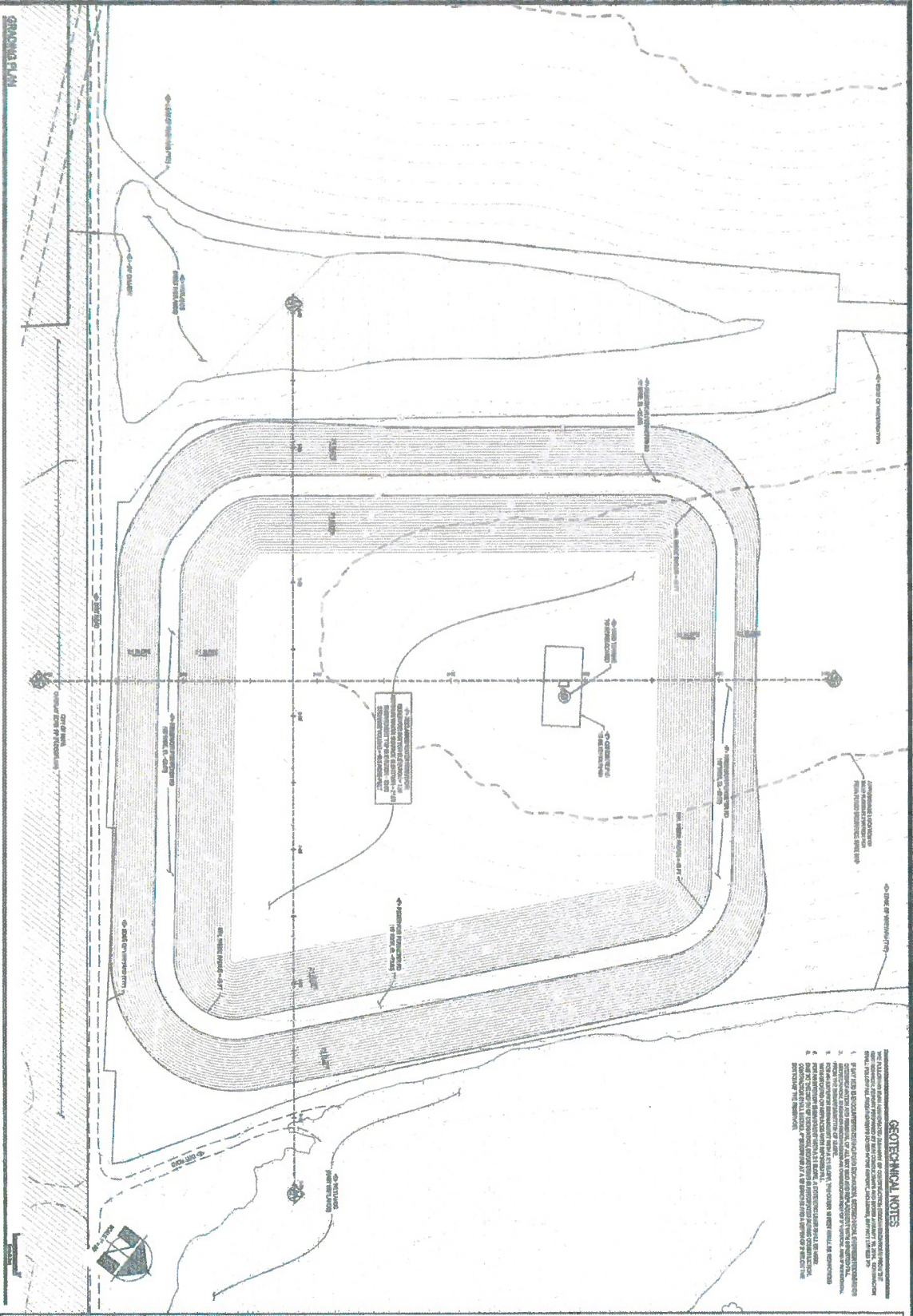
OWNER	STANLEY RANCH HOLDINGS, LLC
DESIGNER	DELTA CONSULTING & ENGINEERING, INC.
DATE	01/15/2024
PROJECT NO.	24-001
PROJECT NAME	STANLEY RANCH RESERVOIR

APPROVED FOR PERMITTING:

DATE: 01/15/2024

BY: [Signature]

	STANLEY RANCH RESERVOIR 301 HOME HILL RD NAPA, CA 94559 APN: 047-349-017 PROJECT: 24-001	USE PERMIT PLANS COVER SHEET		
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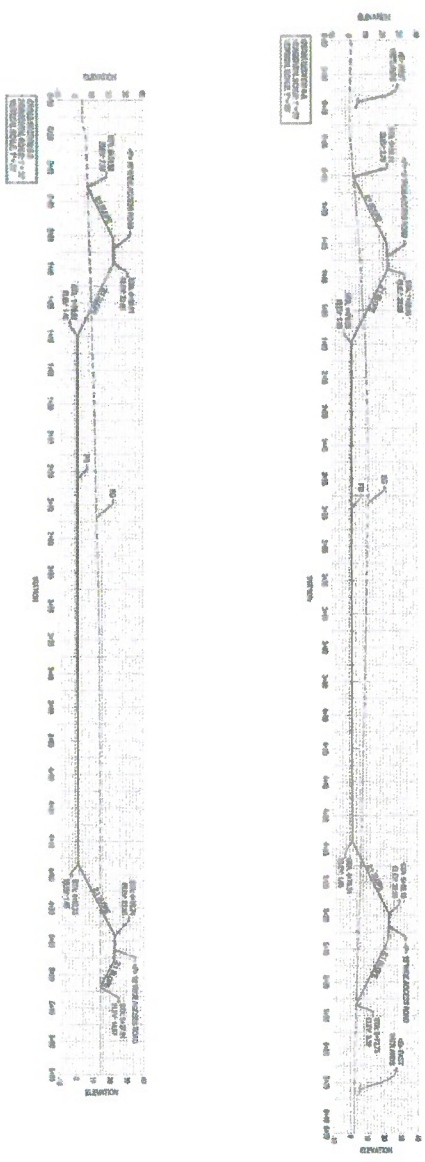


GEOTECHNICAL NOTES

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<p>C2.0</p>		<p>STANLY RANCH RESERVOIR 301 HOME HILL RD NAPA, CA 94659 APN: 047-340-017 PROJECT: 14181</p>	<p>USE PERMIT PLANS GRADING PLAN</p>	<p>DELTA CONSULTING & ENGINEERING OF CALIFORNIA 1104 AVENUE 22ND, SUITE 200, DELTA, CALIFORNIA 94515 TEL: 707-431-8888 • FAX: 707-431-8888</p>	<p><small>THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF DELTA CONSULTING & ENGINEERING OF CALIFORNIA. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF DELTA CONSULTING & ENGINEERING OF CALIFORNIA IS STRICTLY PROHIBITED. DELTA CONSULTING & ENGINEERING OF CALIFORNIA ACCEPTS NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THESE PLANS AND SPECIFICATIONS.</small></p>
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CROSS SECTIONS



EROSION CONTROL NOTES

1. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION OF THE SOIL SURFACE AND TO STABILIZE THE SOIL SURFACE AS SOON AS POSSIBLE AFTER CONSTRUCTION.
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10. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION OF THE SOIL SURFACE AND TO STABILIZE THE SOIL SURFACE AS SOON AS POSSIBLE AFTER CONSTRUCTION.

SMPPP GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND STRUCTURES THROUGHOUT THE CONSTRUCTION PERIOD.
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20. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND STRUCTURES THROUGHOUT THE CONSTRUCTION PERIOD.

STANLEY RANCH RESERVOIR
301 HOME HILL RD
MAYFA, CA 94069
APN: 047-240-017
PROJECT: 111819

**USE PERMIT PLANS
CROSS SECTIONS**

DELTA CONSULTANTS & ENGINEERS
OF CALIFORNIA

11 DELTA BLVD, SUITE 200, MORGAN HILL, CA 95037
950-962-8888 • 950-962-8889 FAX

Napa Airport Hazardous Wildlife Attractants Analysis of Proposed St. Regis Napa Valley Pond

St. Regis Napa Valley proposes the construction of a pond largely surrounded by the proposed St. Regis Napa Valley development. The proposed pond is located within Zone E of the Napa Airport Land Use Compatibility Plan (ALUCP). Land uses that are not normally acceptable in Zone E include new ponds greater than one-half acre in size. The purpose of this restriction is to prevent the creation of an airport hazardous wildlife attractant. WRA has completed an analysis of existing attractants in the vicinity of the Napa Airport. This letter summarizes the methods and results of the analysis.

Existing Conditions

Table 1 provides a list of existing aquatic features and their distances from the nearest Napa Airport runway.

Table 1. Aquatic features (potential hazardous wildlife attractants) in the vicinity of the Napa Airport.

Feature	Distance and direction from nearest runway	Associated Wildlife Hazards
Tidal marsh, approximately 500 acres	1,200 feet WNW of 18R-36L	Migratory waterfowl and shorebirds
Former salt evaporator ponds, approximately 230 acres	1,900 feet NW of 18R-36L	Migratory waterfowl and shorebirds, gulls
Napa River	Roughly parallels 18R-36L approximately 1.5 miles to the west	Migratory waterfowl and gulls
Tidal marsh and former salt evaporator ponds, approximately 9000 acres	Approximately 1.9 miles SW of 18R-36L	Migratory waterfowl and shorebirds, gulls
Tidal marsh restoration area along Napa River, approximately 500 acres	Approximately 1.7 miles north of 18R-36L	Migratory waterfowl and shorebirds, gulls
Agricultural pond	Approximately 1.8 miles WNW of 18R-36L	Very small numbers of resident waterfowl
Agricultural pond	Approximately 2.1 miles WNW of 18R-36L	Very small numbers of resident waterfowl
Agricultural pond	Approximately 2.1 miles NW of 18R-36L	Very small numbers of resident waterfowl
Agricultural pond	Approximately 2.5 miles NW of 18R-36L	Very small numbers of resident waterfowl
Slough, approximately 2,300 linear feet	Approximately 1.3 miles NW of 18R-36L	Migratory waterfowl

Proposed Pond

The proposed St. Regis Napa Valley pond will be located approximately 2 miles NNW of runway 18R-36L. It will be surrounded by development associated with the proposed St. Regis Napa Valley development. The development and associated maintenance of the pond will likely discourage use by migratory waterfowl; however, very small numbers of resident Mallard (*Anas platyrhynchos*) and Canada Goose (*Branta canadensis*) may eventually occur.

Discussion

The Napa Airport is located near large tidal wetland and open water areas that seasonally attract and support large numbers of migratory waterfowl, shorebirds, waterbirds (grebes and cormorants), and gulls. A review of aerial photography determined that there are numerous small agricultural ponds scattered in the vineyard areas northwest of the airport. Agricultural ponds typically do not contain the food resources required by large flocks of migratory birds. Similar to other agricultural ponds, the proposed St. Regis Napa Valley pond would probably attract small numbers of resident waterfowl and waterbirds because of surrounding proposed development and probable pond management.

The proposed pond is not located within the traffic pattern of any of the Napa Airport runways. Approaching and departing aircraft are unlikely to overfly the proposed pond due to its distance from the airport. In contrast, tidal marsh and open water habitats west of runway 18R-36L are within the left traffic pattern of runway 36L.

Conclusion

The proposed pond at St. Regis Napa Valley is not considered a hazardous wildlife attractant because it will not attract large numbers of birds, and it is located outside of the traffic patterns at the Napa Airport.