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**Public Works Department
Revised Ground Water Management –
Wells Standard Condition**

4.9 GROUND WATER MANAGEMENT – WELLS

~~Please contact the Planning Division~~ THIS CONDITION IS IMPLEMENTED JOINTLY BY THE PUBLIC WORKS AND PBES DEPARTMENTS ~~with any questions regarding the following:~~

~~a. The permittee shall (at the permittee's expense) maintain data regarding monthly well monitoring and the total annual groundwater pumped. Such data shall include water extraction volumes and static well levels of the well. All monitoring shall commence within six months of the issuance of this Permit, or immediately upon commencement of the expansion authorized by this Permit, whichever occurs first, and shall be submitted not later than January 31st every calendar year thereafter and available upon the County's request at any other time.~~

~~Water usage shall be minimized by use of best available control technology and best water management conservation practices.~~

~~b. No new on-site or off-site water sources (other than those evaluated or approved as part of this Permit) proposed to be used for the winery, including but not limited to wells, imported water, new or existing ponds/reservoir(s) or other surface water impoundments, to serve the winery, shall be allowed without additional environmental review, if necessary, and may be subject to a modification to this permit. A new Water Availability Analysis shall be required prior to approval of any new water source(s) on the property.~~

~~c. Permittee shall limit groundwater use for the winery to _____ acre-ft. per year. Any exceedance of this amount in a calendar year is a material breach of this permit.~~

~~d. If water use for the winery from the well exceeds _____ acre-ft. per year in a calendar year by 10% or more (a significant exceedance), the permittee shall both immediately notify the County and cease any activity causing the exceedance, shall begin daily well monitoring, and shall promptly prepare a report to be submitted to the PBES Director regarding the reasons for the significant exceedance and the measures immediately taken and to be taken to bring the significant exceedance into compliance with this condition.~~

~~The PBES Director may set this Permit for a revocation or modification hearing before the Planning Commission within 60 calendar days of discovery of the significant exceedance for possible modification, revocation, or suspension.~~

~~e. If the water use for the winery from the well exceeds _____ acre-ft. in a calendar year by less than 10%, the permittee shall notify the County, and promptly provide a report of the following:~~

- ~~_____ water volume used;~~
- ~~_____ the reason for exceedance;~~

~~the plan the winery has for reducing water use so as not to exceed the allocation the following year; and
other information that may be affecting water use.~~

~~If after two calendar years of reporting the monitoring shows that the annual water allocation identified above continues to be exceeded by less than 10%, the PBES Director shall schedule the Permit for review by this Planning Commission and possible modification, revocation or suspension.~~

~~f. The permittee shall be required to include the well in the County's Groundwater Monitoring program upon the County's request.~~

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water withdrawn no less than monthly). Such data will be provided to the County, if the Director of Planning, Building, and Environmental Services (PBES Director) determines that substantial evidence¹ indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project.

IN ORDER TO SUPPORT THE COUNTY'S GROUNDWATER MONITORING PROGRAM, WELL MONITORING DATA AS DISCUSSED ABOVE WILL BE PROVIDED TO THE COUNTY IF THE DIRECTOR OF PUBLIC WORKS DETERMINES THAT SUCH DATA WILL BE USEFUL IN SUPPORTING THE COUNTY'S GROUNDWATER MONITORING PROGRAM. THE PROJECT WELL WILL ALSO MADE AVAILABLE FOR INCLUSION IN THE GROUNDWATER MONITORING NETWORK IF THE DIRECTOR OF PUBLIC WORKS DETERMINES THAT THE WELL COULD BE USEFUL IN SUPPORTING THE PROGRAM.

Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In the event that changed circumstances or significant new information provide substantial evidence¹ that the groundwater system referenced in the this use permit would significantly affect the groundwater basin, the PBES Director of Planning, Building, and Environmental Services shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the PBES Director has

¹ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

provided notice and the opportunity for hearing in compliance with the Napa County Code §Section 13.15.070 (G-K).