

	RSA+	CONSULTING CIVIL ENGINEERS + SURVEYORS +	SERVING CALIFORNIA SINCE	1980	1515 FOURTH STREET NAPA, CALIFORNIA 94559 FAX 707 252.4966 OFFICE 707 252.3301
	HUGH LINN, PE, QSD, QSP PRINCIPAL + PRESIDENT <hr/> hLinn@RSAcivil.com		CHRISTOPHER TIBBITS, PE, LS PRINCIPAL + VICE PRESIDENT <hr/> cTibbits@RSAcivil.com		
707 252.3301 RSAcivil.com					

#4122064.0
February 26, 2024

EXHIBIT A-3

County of Napa
Planning Division
Attn: Donald Barella
1195 Third Street, Suite 210
Napa, Ca 94559

RE: **Application Completeness Determination – Acierno Vineyard
Agricultural Erosion Control Plan (ECPA) #P23-00348-ECPA
7070 Silverado Trail; APN 032-070-024-000**

Dear Mr. Barella;

Please find below RSA+'s response to County of Napa comments dated December 29, 2023:

Exhibit A – Application Completeness Determination – Information Request

Comment 1: ***Project Description:** Please confirm, clarify or refine the following so that an accurate and complete project description can be developed, and revise the plans, narrative or supporting documentation as necessary to provide internal consistency with the project description.*

- a. *Tree Removal: The ECPA Plans (RSA+, December 2023) indicate that 21 trees have been removed, however the Native Oak Replant Plan (Kjeldsen Biological, November 2023) indicates 19 trees have been removed. Also revise number of replacement trees as necessary consistent with replacement ratios.*
- b. *Vegetation Replanting/Replacement Areas: The ECPA Plans shows five (5) areas of vegetation replanting/replacement encompassing approximately 35,129 sq. ft. (±0.8-acres), however the Native Oak Replant Plan only shows one (1) area encompassing a reported 0.35-acres while Plate III (Proposed Planting Location) shows an area encompassing approximately 0.8-acres (i.e. Existing Vineyard Block F). Confirm if the entirety of Existing Vineyard Block F is to be removed and replanted with replacement vegetation or if only the shaded vineyard area on the ECPA Plans will be removed and revegetated: also, as shown it appears that a portion of existing vineyard located with required stream setbacks is proposed to be retained. It is recommended that all proposed replanting/replacement areas be shown on the plans rather than showing some and referencing to another replanting/replacement area in the plan notes to assist provided a clear project description.*
- c. *Modifications to ECPA #P22-00412 (Approved March 13, 2023: as modified August 21, 2023): The proposed ECPA Plan shows 'Cross Slope Diversion Swales' being install in exiting Vineyard Blocks A and B, whereas #P22-00412-ECPA as approved does not include diversions within these Vineyard Blocks. Any*

modification to the underlying plan will also need to be supported by updated soil loss and hydrologic modeling comparing the approved conditions to the proposed conditions. Also see Items #3.a and #3.d below.

- d. *Existing Vineyard Block E: Please provide confirmation that Vineyard Block E has been installed within the approved boundaries of #P22-00412-ECPA. It appears based on recent aerial imagery that recent earth-disturbing and vegetation removal activities may have extended beyond approved boundaries. Any expansion to this block will need to be included in this application.*

Response 1: Responses are as follows:

- a. **The Plans have been revised to be consistent between the Civil Plans and the Biology Report for a total of 15 trees. There are a total of 19 trees greater than 6" DBH within the footprint of the proposed vineyard blocks. However, four (4) of those trees were cleared by PG&E due to the fire hazards they posed to the existing PG&E lines running through the subject parcel. Email correspondence confirming that PG&E Contractors removed four (4) trees within Vineyard Block "I" has been attached for reference. Per our recent discussion, the trees cleared by PG&E are not included in the number of trees that are required to be replaced for this ECP Application.**
- b. **The vegetation replacement areas on the Plans and in the Biology Report have been revised to be consistent. There are a total of three (3) separate areas proposed for tree replacement, which provides the minimum area needed to replace the oak trees at the ratios outlined in the Biology Report. Refer to sheets C2.0 and C2.1 for additional information.**

Vineyard Block F is proposed to be fully removed and resolved as a part of this application. The area within the stream setback will be replanted with oak trees at the ratios described in the Biology Report and seeded with the Erosion Control Mix for Riparian and Environmentally Sensitive Areas (Mix 1.C) shown on the seeding specifications on Sheet C1.1. The remaining areas outside the setback will be seeded and mulched per the Standard Erosion Control Mix (Mix 1.A) per the seeding specifications on Sheet C1.1.

- c. **A field modification for ECPA #P22-00412 (Approved March 13, 2023, as modified August 21, 2023) is being prepared and will be submitted to Napa County for review following this application submittal. However, based on the analysis included with this application for the Time of Concentration (and Time of Travel), the addition of the cross-slope diversion swales will not impact peak stormwater runoff rates for the Replant Blocks (and would ultimately reduce the peak stormwater runoff rates due to the increase in the Time of Travel). Additionally, these cross-slope diversions create shorter slope lengths for the USLE Calculations and therefore reduce the calculated sediment losses within the Replant Blocks.**
- d. **Vineyard Block E was replanted within the footprint of the original ECP approval (98544-ECPA), which is larger than what existed in the field.**

However, replanting of Block E to the footprint of the original approval was discussed and approved by representatives of the Napa County Engineering and Planning Divisions prior to replanting.

Comment 2: ***Vegetation Canopy Cover Retention and Removal Calculations:** Provide Vegetation Removal and Retention Calculations pursuant to NCC Section 18.108.020(C), which are based on June 16, 2016 conditions. The Calculations will need to differentiate oak woodland canopy acreage located on: slopes of 30% or less and outside of stream setbacks; on slopes between 30% and 50% and outside of stream setbacks; and, on slopes over 50% and within stream setbacks.*

Response 2: **The Plans have been revised to differentiate oak woodland canopy acreage based on the criteria above. There is no oak woodland canopy removal proposed on slopes greater than 30% or within stream setbacks. Please refer to sheet C2.1 for additional information.**

Comment 3: ***ECPA Plans and/or Narrative:** Please provide revised plans and/or narrative that includes, shows, or clarifies the following (also see Item #1):*

- a. *Project Area: Clarify the full extent of the project including extent of existing vineyard removal with acreages, and vegetation replacement/replanting areas. Also include any modifications to Existing Vineyard Block E as noted in Item #1.d.*
- b. *Fencing: Revise the plan to remove existing fencing from the stream setback area such that the fencing encloses only the proposed vineyard block, and clearly show all existing and propose wildlife exclusion fencing. Fencing should use a design that has 6-inch square gaps at the base instead of the typical 3" by 6" rectangular openings to allow small mammals to move through the fence. The fence should be topped with smooth wire, not barbed wire.*
- c. *Restoration Areas: Clearly show all proposed Vegetation Replacement/Replanting areas.*
- d. *Project Description: Provide a narrative description of the full extent of the proposed project including but not limited to extent of replacement/replanting areas, and any modifications to the underlying ECPA (#P22-00412-ECPA).*
- e. *Outfall Located in Stream Setback: Relocate the proposed outfall located at the southern tip of proposed Vineyard Block H to a location outside of required stream setbacks.*

Response 3: **Responses are as follows:**

- a. **A line item for Vineyard Block "F" has been included on sheet C2.2 to show acreage of vineyard to be removed. Vineyard Block E was replanted within the footprint of the original ECP approval (98544-ECPA), which is larger than what existed in the field. However, this was discussed and approved by representatives of the Napa County Engineering and Planning Divisions prior to replanting this block.**

- b. The Plans have been revised to show fencing removal within the stream setback areas and such that fencing encloses only the proposed vineyard blocks.
- c. The Restoration Areas have been clarified and are shown on Sheets C2.0 and C2.1. Areas to be replanted at the appropriate ratios per the Biologist's report
- d. The project narrative has been revised to discuss Vineyard Blocks G, H, and I, the removal of Vineyard Block F, and replanting/revegetation areas. Refer to the attached revised applications for additional information.
- e. The rock outfall in the stream setback has been relocated outside the stream setback and within the proposed vineyard avenue. Refer to Sheet C2.0 for additional information.

Comment 4: *Restoration Plan: Please provide an update or addendum to the Native Oak Replant Plan (Kjeldsen Biological, November 2023) that shows all vegetation Replanting/Replacements Areas consistent with the ECPA Plan (see Item #1.b), and that includes a groundcover component composed of native plant species consistent with native species present/found in the area, seed application rates, planting notes and details, invasive species removal and management specifications and goals, an implementation and monitoring schedule, and performance standards with a minimum success rate of 80% to ensure the success of re-vegetation efforts.*

Response 4: The Vineyard Erosion Control Plans and Biology Report have been revised to be consistent with proposed replanting/replacement areas. Groundcover components composed of native plant species, seed application rates, planting notes and details, invasive species removal, and management specifications and goals, an implementation and monitoring schedule, and performance standards are also included with the revised Biology Report and Oak Planting Plan.

Comment 5: *Water Availability Analysis (WAA): Please provide an addendum or update to the WAA (RSA⁺, December 2023) that includes or clarifies the following:*

- a. *Confirmation of the recharge rate percentage. The Executive Summary identifies a 13.4% recharge rate while the Recharge Rate as Percentage of Precipitating indicates a 14.1% recharge rate. Revise calculations thought out as necessary.*
- b. *Anticipated water use associated with proposed vegetation replanting/replacement.*
- c. *Provide the information that was utilized to determine the proposed project is not subject to a Tier II analysis. Based on records associated with 7088 Silverado Trail (APN 031-200-007: Lands of Smith ETAL) there is likely a well on this property that is within 500-feet of the project well. This documentation is necessary to adequately demonstrate the project is not subject to Tier II analysis.*

Response 5: Responses are as follows:

- a. **The Executive Summary has been revised to show the correct Recharge Rate as Percentage of Precipitation of 14.1%.**
- b. **The anticipated water use associated with the proposed vegetation replanting/replacement for the next three (3) years has been calculated to be approximately 0.006 af/yr for irrigation of oak trees and is included in the revised Water Availability Analysis. No irrigation is proposed for areas to receive seed and straw mulch for vegetation replacement.**
- c. **Based on coordination by Napa County with the local Municipal Water suppliers, it has been determined that APNs 031-200-006 and -007 are served by a Municipal Water Supply (the Town of Yountville). Therefore, this project is not subject to a Tier II analysis.**

*Comment 6: **Notification Information/Listing:** A listing of the current owners of all the properties located within 1,000 feet of the project site/holding will be necessary to circulate the Initial Study document for public review and comment, as well as for the public hearing, should the Owner decide to pursue a Use Permit Exception to the Conservation Regulations. The notification information shall include the property owner's names, their addresses, and the assessor's parcel numbers of the property owned. Also see the enclosed Adjoining Property Owner List Requirements instruction sheet. You will be advised when the notification information will need to be provided.*

Response 6: Noted.

MEMORANDUM

General Comments

Comment 1: Vineyard Block F was installed without an Erosion Control Plan and the plan to address this block has been withdrawn, how is this area being resolved?

Response 1: Vineyard Block F is proposed to be fully removed and resolved as a part of this application. The area within the stream setback will be replanted with oak trees at the ratios described in the Biology Report and seeded with the Erosion Control Mix for Riparian and Environmentally Sensitive Areas (Mix 1.C) shown on the seeding specifications on Sheet C1.1. The remaining areas outside the setback will be seeded and mulched per the Standard Erosion Control Mix (Mix 1.A) per the seeding specifications on Sheet C1.1.

Comment 2: Hydrology – Since the parcel is being modeled as 1 subbasin and the flow path follows the stream, the installation of new diversions and drainage infrastructure is not being analyzed. Please revise the hydrology report to analyze the impacts of new diversions and drainage infrastructure. Additionally, the plan includes adding diversions in previously approved blocks that did not contain any drainage infrastructure, this may require a modification to the underlying ECP.

Response 2: As discussed in the field on February 9, 2024 our office has analyzed the flow paths to determine whether the diversion swales would impact the time of travel in this subarea. Our office analyzed two paths of travel in the subarea (which includes Vineyard Blocks A, B, C, G, H, and I). In both cases the Time of Travel (and the Time of Concentration for this sub area) increased with the inclusion of the diversion swales and storm drain. An increase in the Time of Concentration (and the Time of Travel) decreases the peak stormwater runoff. Therefore, the inclusion of cross-slope diversion swales would not increase peak stormwater runoff.

Comment 3: Relocate rock outfall from stream setback.

Response 3: The rock outfall in the stream setback has been relocated outside the stream setback and within the proposed vineyard avenue. Refer to Sheet C2.0 for additional information.

Comment 4: Tier 2 – A site evaluation from 2017 (OE17-00031) for APN: 031-200-007 (7088 Silverado Trail) mentions that the site is constrained by an existing well. Although the exact location of the well is unknown, it's a reasonable assumption that the well falls within the 500' radius as the radius encapsulates almost the entire parcel. The Tier 2 analysis also needs to discuss any potential springs within 1500'.

Response 4: Additional research performed by representatives from both Napa County and RSA⁺ have revealed that APNs 031-200-006 & -007 are served by the Town of Yountville Municipal Water Supply. Our office has revised the Well Exhibit (which is now called the Spring and Well Exhibit) to include this information and we have modified the exhibit to show a 1,500-foot radius to determine if any potential springs fall within the setback that would require a Tier 2 Analysis for the project. Based on current Napa County records, no Springs were located in the 1,500' setback at this time.

Please do not hesitate to contact me should you have any questions regarding the above.

Respectfully,



Nicholas A Warnock, PE
Lead Engineer

NW/bs