

Index to Appeal filed by Circle Oaks Homes Association and Circle Oaks County Water District – September 1, 2016

EXH. NO.	Document Title	Author	Date	For Party	Issues addressed related to concerns of Circle Oaks Community	Page No.
	Draft EIR COMMENTS					
01	Walt Ranch Development Project Draft EIR	Rachel Mansfield-Howlett, Esq. of Provencher and Flatt, Attorneys (27 pages)	11/21/2014	Circle Oaks Homes Association; Circle Oaks County Water District	<p>Attorney draft EIR comments on expert reports submitted:</p> <ul style="list-style-type: none"> • Report prepared by Matt Hagemann, P.G., C.Hg., QSD, QSP • Report prepared by Greg Kamman, PG, CHG • Report by Eric Yee, Noise and Acoustics Consultant • COCWD re water district operations and infrastructure (Ron Tamarisk) 	001-027
2a	Draft EIR for Walt Ranch Erosion Control Plan Application No. P#11-00205-ECPA	Thomas N. Lippe, Esq., APC (21 pages)	11/21/2014	Living Rivers Council	<p>Attorney draft EIR comments on expert reports submitted on issues:</p> <ul style="list-style-type: none"> • Sedimentation • Erosion • Groundwater Resources • Storm runoff from vineyards 	02(a)-28 to 02(a)-48
2b	Napa Valley Hillside Vineyards: Cumulative Effects of Conversion of Upland Woodlands and Chaparral to Vineyards	Robert R. Curry, Ph.D., Registered Geologist, Hydrologist and Soil Scientist	12/24/2000	Watershed Systems	<ul style="list-style-type: none"> • Evaluation of Current Napa County Regulations • Soil Mapping standards applicable to Napa Valley Environs 	02(b)-49 To 02(b)-60
2c	Report on Napa River Watershed Sediment TMDL and Habitat Enhancement Plan	Robert R. Curry, Ph.D., Registered Geologist, Hydrologist and Soil Scientist	5/7/2008	Watershed Systems for Thomas Lippe	<ul style="list-style-type: none"> • Report on specific hydrologic and sediment issues associated with program implementation • Curriculum Vitae 	02 (c) -61 To 02(c) - 67
2d	Staff Report: Napa River Watershed Sediment TMDL and Habitat	Michael Napolitano, Sandia, Potter and Dyan Whyte	September 2009	California Regional Water Quality Control Board –	<ul style="list-style-type: none"> • Problem Statement • Source Analysis • Water Quality Standards and 	02(d) - 68 To 02(d) - 229

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	Enhancement Plan			San Francisco Bay Region	<ul style="list-style-type: none"> Numeric Targets for Sediment Linked Analysis and Allocations Implementation Plan Regulatory Analysis 	
2e	Water Availability Analysis – Policy Report			August 2007	<ul style="list-style-type: none"> Appendix A: Estimated Water Use for Specific Land Use Guidelines for Estimating Non-residential water usage Parcel Location Factors Appendix B: Average Rainfall/threshold factors/acceptable water use Appendix C: Guidance for MST Basin Permit Applications [Ag developments in MST Basin] Conservation, Development Planning Report on WAA (Feb 1991) with Staff Report 	02(e) - 230 To 02(e) - 248
2f	Water Resource Study for the Napa County Region	Napa County Flood Control and Water Conservation District		January 1991	<ul style="list-style-type: none"> Study Summary, Objective and Scope Description of Study Area Water Needs Water Quality Existing Water Supplies Balancing Water Needs and Supplies 	02(f) – 249 To 02(f) - 323
2g	Groundwater Permit Application; Water Availability Analysis (Phase 1 Study) -FORM	Planning, Building and Environmental Services		Undated	<ul style="list-style-type: none"> Water use for vineyards should be no lower than 0.2 AF—unless irrigation records are available that show otherwise. <p>** To determine your existing and proposed total water use in gallons, multiply the totals (in acre- feet) by</p>	02(g) – 324 To 02(g) - 329

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					325,821 gal/AF.	
2h	Ground-Water Hydrology of Lower Milliken-Sarco-Tulucay Creeks Area (Napa County, CA)	By Michael J. Johnson, in cooperation with Napa County Flood Control and Water Conservation District	August 1977	U. S. Geological Survey Water Resources Investigation 77-82	<ul style="list-style-type: none"> • Groundwater geology for Sonoma Volcanics and their water bearing properties • Superficial Deposits and their water bearing properties • Structural Features 	02(h) – 330 To 02(h) - 375
2i	Ground-Water Hydrology of Lower Milliken-Sarco-Tulucay Creeks Area (Napa County, CA) [2000-2002]	By Christopher D. Farrar and Loren F. Metzger	2003	U. S. Department of the Interior and Geological Survey Water Resources Investigation Report 03-4229	<ul style="list-style-type: none"> • Geology: Sonoma Volcanics Quaternary Alluvial Deposits • Ground-Water Hydrology Recharge Discharge Ground-water levels Ground-water movement Annual/Seasonal Fluctuations Groundwater level changes 1975-2001 • Surface water and Ground-water quality Methods of water sampling and analysis 	02(i) – 376 To 02(i) - 481
03	Draft EIR for Walt Ranch Erosion Control Plan Application No. P#11-00205-ECPA	Thomas N. Lippe, Esq., APC (7 pages)	11/21/2014	Living Rivers Council	Draft EIR fails as informational document re project impacts on: <ul style="list-style-type: none"> • Oak Woodlands • Cumulative Impacts (Biological resources) • Cumulative Impacts on past, present and reasonably foreseeable future projects 	003 – 482 To 003 - 488
04	Draft Environmental Impact for Walt Ranch Erosion Control Plan Application #P1100205 ECPA	Marc R. Wolfe, Esq. of Marc R. Wolfe and Associates, P.C. (13 pages)	11/21/2014	Sierra Club, Napa Group	Attorney comments on issues: <ul style="list-style-type: none"> • Draft EIR Analysis of Air Quality Impacts • Fails to Address Potential Health Effects to Nearby Sensitive Receptors (Emissions of Diesel 	004 – 489 To 004 - 501

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					<ul style="list-style-type: none"> Particulates) during Construction • Approach to Mitigation for Loss of Sensitive Habitat Areas Legally Flawed • Deficient as to Analysis/Proposed Mitigation of Project’s Climate Impact Changes • Approach to Cumulative Impact Analysis is Legally Flawed • Project Improperly Ignores Potential Growth Inducing Impacts 	
05	Comments on Walt Ranch Project, Napa County California	Matt Hagemann, P.G., C.Hg., QSD, QSP SWAPE Technical Consultants, Data Analysis and Litigation Support for the Environment with Professional Resume (16 pages)	11/20/2014	Circle Oaks Homes Association; Circle Oaks County Water District	<p>Expert Comments on draft EIR and Project impacts upon:</p> <ul style="list-style-type: none"> • Groundwater Supply • Insufficient consideration of drought impact upon aquifer • Groundwater Use Inconsistent with other vineyard projects • Water Quality • Inadequate analysis of construction impacts/erosion potential • Water Contamination 	005 – 502 To 005 - 517
06	Walt Ranch EIR, Napa County, CA Peer Review (CSA Project: 14-0636)	Eric Yee, Principal Consultant of Charles M. Salter and Associates, Inc. (4 pages)	11/17/2014	Circle Oaks Homes Association	<p>Expert comments on draft EIR:</p> <ul style="list-style-type: none"> • Report does not Accurately Represent Existing Noise Levels • Report Does not Adequately Address all of the Significance Criteria Established by CEQA • The Report Over Estimates the Noise Reduction Provided by Noise Barriers • The Report does Not Establish a Minimum Safe Distance for 	006 – 518 To 006 - 521

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					Blasting	
07	Review of Draft EIR, Walt Ranch Project, Napa, CA	Greg Kamman, PG, CHG and Principal Hydrologist of Kamman Hydrology & Engineering, Inc. with Resume (15 pages)	11/20/2104	Living Rivers Council	Comments upon draft EIR and Project impacts on: <ul style="list-style-type: none"> • MST Groundwater Deficient Basin • Project Estimate of Groundwater Storage is Unsubstantiated • Misleading Conclusion Regarding Available Groundwater Storage • Project Over-estimates Groundwater recharge-No Assessment of cumulative impacts • Insufficient site specific and cumulative impacts assessment of groundwater withdrawals • Invalid Mitigation Measure Association with potential impacts from Groundwater Pumping • Incomplete Hydrology Assessments of Potential Impacts to Ecosystem and water Supply • Inaccurate Quantification for Project Storm Water Runoff Estimates • Incomplete Erosion Potential Analysis; Potential Surface Erosion vs. Channel Erosion • Presentation of Cumulative Erosion Potential Impacts Obscure Potential On-site Impacts • Suitability of Project Erosion Control Measures • Project Potential to Active Dormant Landslides • Invalid Analysis of On-Site and 	007 – 522 to 007 - 536

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					Cumulative Impacts	
08	Walt Ranch (#P11-00205 ECPA)	Joy Eldredge, P.E., Water General Manager, City of Napa (5 pages)	11/21/2014	City of Napa	<p>Comments on dEIR and adverse impacts of Project:</p> <ul style="list-style-type: none"> • May increase overall delivery of sediment or other pollutants • Impact 4.-4 proposes well monitoring of water extracted for one year only • Volcanic aquifer system, climatic variations make it impossible to predict with certainty the long term impacts associated with groundwater extraction at the project site; GWMMP does not provide objective standards triggering action to prevent over-drafting and/or significant impacts to offsite wells • Threat to watershed by wildfire caused by vineyard activities resulting in organic loading not adequately addressed 	008 – 537 To 008 - 541
09	Comments on Draft EIR for proposed Walt Ranch Vineyard Development Project	Aruna Prabhala, Chelsea Tu, and Nicholas Whilpps, Counsels for Center for Biological Diversity; and Marc Pandone, Chair, Executive Committee, Napa Sierra Club (50 pages with references)	11/21/2014	Center for Biological Diversity and the Napa Group Sierra Club	<p>Attorney comments on dEIR and Project’s impacts:</p> <ul style="list-style-type: none"> • Establishes an Improper “Baseline in its Transportation and Traffic Impacts Section (pg. 31) • Analysis of Surface Water Resources is Flawed (pg. 35) • Fails to Adequately address Project Impacts regarding runoff and sedimentation (pg. 35) 	009 – 542 To 009 - 591

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					<ul style="list-style-type: none"> • Provides Conflict and inadequate information regarding runoff and sedimentation impacts (pg 36) • Provides Insufficient Mitigation Measures to Alleviate runoff and sedimentation impacts • Provides an inadequate impact analysis and mitigation regarding nutrients and other pollutant impacts due to the project (pg. 38) • Analysis of groundwater resources is Incomplete and in violation of CEQA mandates (pg. 39) • Fails to adequately analyze the cumulative impacts of the project on groundwater resources • Fails to adequately analyze impacts on other groundwater basins (pg. 40) • Mitigation measures for Project impacts on groundwater resources are inadequate (pg. 41) • Air Quality Analysis in the DEIR is inadequate (pg. 45) 	
10	Comments on DEIR, Walt Ranch ECPA #O11-00205-ECPA	Nancy Tamarisk, Vice Chair, Napa Sierra Club (26 pages)	11/21/2014	Sierra Club – Napa Group	<p>Comments on draft EIR and <u>Project impacts on:</u></p> <ul style="list-style-type: none"> • Rock Crushing <ul style="list-style-type: none"> ○ Air Quality ○ Noise 	010 – 592 To 010 - 617

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					<ul style="list-style-type: none"> • Sediment Production Analysis • Peak Run off Analysis • Impacts of Land Slippage on Circle Oaks • Seismicity • Access from Circle Oaks Drive • Oak Woodland Mitigation and Tree Disposal 	
11	Circle Oaks Drive	Mark Billings, CPII, Certified Public Infrastructure Inspector (2 pages)	11/21/2014	Certified Infrastructure Inspector and resident of Circle Oaks	<p>Expert comments on draft EIR and Project concerning:</p> <ul style="list-style-type: none"> • Poor condition of Circle Oaks Drive and lack of maintenance • Significant impact by increased vineyard traffic and usage by construction related equipment • Recommendation of use of pavement management program “Street Saver” to track/document condition of roads and for recommendations as to maintenance and repairs • Last maintenance treatment applied to C O roads was only one applied in last 13 years; Road is over 50 years old • Traffic volume and over-loads from construction will significantly impact “frail conduit” (roads) 	011 – 618 To 011- 619

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12a	Comment Letter by David Heitzman	David Heitzman (7 pages)	11/21/2014	Resident of Circle Oaks	<ul style="list-style-type: none"> • Comments and photographs documenting condition of Circle Oaks Drive, previous landslide mitigation to Circle Oaks Drive and Traffic Volume Study (2008) • Potential future development into individual residential parcels • Noise Levels and Sources • Impacts on Circle Oaks Water Supply • Cumulative Impact for access from Atlas Peak Road • Protection of public water supply • Zoning changes to General Plan 	012(a) – 620 To 012(a) - 626
12b	Circle Oaks (2008) Traffic Study	County of Napa Public Works (1 page)	2/8/2008	County of Napa	Traffic Volume (Average Daily traffic) and Peak Volume values	012(b) – 627
13	Walt Ranch ECPA Draft EIR Comments	Chris Malan, Manager, Living Rivers Council (7 pages with attachments)	11/21/2014	Living Rivers Council	<ul style="list-style-type: none"> • MST Groundwater aquifer in detrimental over-draft • Milliken Creek is one of only a few tributaries supplying fresh water to Napa River; DEIR fails to describe setting and recharge area of MST • Walt Urbanization of vineyard conversion and additional 35 residential parcels increasing future ground water demands 	013 - 628 To 013 – 733

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					<ul style="list-style-type: none"> • Significant cumulative environmental impacts are not identified in DEIR • Walt Ranch Access from Atlas Peak Road not included within DEIR • Napa River is listed as a 303(d) impaired waterway on list of Clean Water Action based upon pollutants (e.g. sediment, nutrients and pathogens) 	
14a	Conservation Elements of Napa County General Plan	Stephen Gort, General Manager of Circle Oaks Homes Association (1 page email)	11/21/2014	For Circle Oaks Homes Association	<p>Comments regarding Napa County General Plan requires these conservation elements prior to approval of a discretionary plan (pg. 3-29)</p> <ul style="list-style-type: none"> • County shall protect groundwater and other water supplies and require discretionary projects to demonstrate adequate water supply prior to approval • County shall maintain or enhance infiltration and recharge of groundwater aquifers • Napa County Sensitive Domestic Water Supply Drainages are governed pursuant to section 18.108.027 – Napa Co Conservation Regulations 	014(a) - 734

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14b	Comments on DEIR regarding Circle Oaks Roads	Stephen Gort, General Manager, Circle Oaks Homes Association (1 page email)	11/21/2014	For Circle Oaks Homes Association	<ul style="list-style-type: none"> • Page 4.7-6 of DEIR describes Circle Oaks Roads incapable of withstanding substantial or continuous traffic • The DEIR defines construction traffic as 60 worker and 15 material trips one way per day, claiming it represents a 4% increase in overall traffic • The addition of construction traffic is a 100% increase in HEAVY traffic within Circle Oaks • Normal vineyard operations are defined as 160 worker trips and 8 grape trucks, one-way per day. • The addition of vineyard related traffic is a 100% increase in HEAVY traffic within Circle Oaks 	014(b) – 735
15	Circle Oaks County Water District Statement from Board of Directors at Public Hearing	Ron Tamarisk, Director, Circle Oaks County Water District (2 pages)	11/21/2014	For Board of Directors, Circle Oaks County Water District	<ul style="list-style-type: none"> • COCWD sole supplier of water to 500 residential customers for 50 years • No reasonable attempt to contact COCWD by Halls • DEIR inadequate in that it fails to disclose type and degree of water impacts on Project’s neighboring water users • COCWD water supply described incorrectly in DEIR • Groundwater quality 	015 – 736 To 015 - 737

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					<p>(concerns about pesticides, etc. contaminating wells)</p> <ul style="list-style-type: none"> • Concerns about infrastructure 	
16	Written comments submitted in Response to the dEIR	Peter Krammer (2 pages)	11/13/2014	Circle Oaks resident	<ul style="list-style-type: none"> • Describing ambient sound in Circle Oaks pre-Walt • Traffic noise monitoring using a decibel meter • Construction noise for 4 years, causing exponential change in noise levels in community • Current prevailing background noise is 33 dBA, not 62 dBA which represents a 6X increase in perceived loudness 	016 – 738 To 016 - 739
17	Draft EIR for Walt Ranch Erosion Control Plan Application P#11-00205-ECPA	Bill Garrison (2 pages)	11/12/2014	Circle Oaks Resident	<ul style="list-style-type: none"> • Circle Oaks water customers pay an average of \$160/month for services • Also paying for \$3.7 million upgrade to water treatment plant • Concerns that Walt will impact water supply; hauling water is not an acceptable option 	017 – 740 To 017 - 741
18	Walt Ranch Development Project Draft EIR	Ron Tamarisk (3 pages)	11/21/2014	Circle Oaks resident	<ul style="list-style-type: none"> • Draft EIR fails to address effects of surface water run-off on the waste-water system • Concerns about infiltrates of pesticides, chemicals and nitrates entering COCWD waste water system • Concerns about pedestrian safety 	018 – 742 To 018 - 744

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					<ul style="list-style-type: none"> • Lack of monitoring and enforcement for mitigations within draft EIR 	
19a	Walt Ranch Vineyard Conversion Project #P11-00205	Sue Wagner (16 pages)	11/21/2014	Circle Oaks Resident	<ul style="list-style-type: none"> • Failure to consider alternative access; significant impacts to community roads • Impacts from increased traffic, noise and safety of pedestrians • Impacts to roads and infrastructure not designed for commercial traffic • Noise levels associated with construction and vineyard operations are unacceptable • Lack of monitoring or complaint system regarding construction workers and vineyard personal activities to comply with mitigation measures • Vibration/Blasting and Soil Instability 	019(a) – 745 To 19(a) – 760
19b	Final Subdivision Public Report	Department of Real Estate	11/28/1977	In the matter of the application of Robert H. Taylor for Subdivision Public Report on Circle Oaks Unit #1, Napa County, CA	<p>Report for the Circle Oaks Subdivision:</p> <ul style="list-style-type: none"> • Report covers 134 lots of original subdivision • Original subdivision contained 331 lots • Soil conditions classified as to each lot • Lots classified as IIC are not suitable for residential structures 	019(b) – 761 To 019(b) – 765

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19c	Report to the County of Napa	Crosby and Associates	August 1969	Soil and Geologic Investigation for Circle Oaks Unit 1, Napa County CA	<ul style="list-style-type: none"> • Letter to Engineering and Road Department concerning Type III lots • Listing of lots, typed by stability classification 	19(c) – 766 To 019 (c) – 775
19d	Modified Topographical Map of community of Circle Oaks identifying street routes and previous road failures	Enhanced by Sue Wagner	11/21/2014	Circle Oaks community road structure and routes potentially to be used by Walt Ranch	<ul style="list-style-type: none"> • Identifies location of extensive road failure on Circle Oaks Drive (previously repaired by County of Napa) • Identifies location of extensive road failure on Country Club Lane (previously repaired by County of Napa) • Identifies location of Capell Creek in relation to subdivision 	19(d) - 776
20	DEIR Walt Ranch Erosion Control Plan Application (P#11-00205-ECPA)	Jeff Roberts (3 pages)	11/20/2014	Circle Oaks Resident	<ul style="list-style-type: none"> • Existing noise levels are not properly measured • Only one nearest noise receptor is documented when 178 families will be impacted • EIR fails to evaluate completely the impacts of noise from the Project • Lack of information about consequences of blasting and vibration; no complaint process established • Rock crushing equipment to be used on site for road construction is not set forth or evaluated within the DEIR 	020 – 777 to 020 - 779
21	Walt Ranch Draft Environmental Impact	John Harrington (7 pages)	11/6/2014	Resident of Atlas Peak (Napa)	<ul style="list-style-type: none"> • Hall Brambletree/Hall's investment in political 	021 – 780 To

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	Report (DEIR)			County)	<p>campaigns in Napa Valley</p> <ul style="list-style-type: none"> • DEIR does not adequately address impacts on water quality and quantity • Impact from severe drought not considered in DEIR • Impossible to predict amount of groundwater in Sonoma Volcanics • Seismic activity and changes in water availability • No definition of when ground water is significantly impacted to require County to take action • No mitigation to provide water to residents with wells affected by over-draught of aquifer by Walt Ranch • Napa County is a mono-culture of grapes and wine without any planning for long term viability 	021 - 786
22	DEIR Comments	Bob McLeish (3 pages)	Undated (submitted prior to 11/21/2014)	27 year resident of Circle Oaks	<ul style="list-style-type: none"> • Draft EIR does not correctly state the daily traffic in Circle Oaks • 225' dirt Road at end of Circle Oaks Drive will not support transportation of heavy equipment or increased traffic volume placing Circle Oaks infrastructure at risk • Draft EIR should require alternate access for all Walt 	022 – 787 To 022 - 789

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					Ranch traffic to reduce risk of failure of residential infrastructure	
23	Walt Ranch Erosion Control Plan Application (P#11-00205-ECPA)	Daniel Mufson, Ph.D.	11/19/2014	Resident of Atlas Peak area, Napa County	<ul style="list-style-type: none"> • Questions ownership of property • Erroneous use of Napa State Hospital rainfall records • Fails to address true volume of water to be pumped annually • Project threatens water supply for all who depend on watersheds from Project to recharge MST & Capell aquifers • Cumulative effects of Circle S not properly considered • Water pumping tests are inaccurate assessment of abundance of water (well recovery time too slow) • Project does not comply with County’s Conservation elements of Master Plan • Scant data and improper assumptions used to conclude adequacy of water supply • Project violates General Plan Safety Elements by failure to address geologic hazards and landslide risk to Circle Oaks 	023 – 799 To 023 - 806

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	Final EIR COMMENTS					
24	Walt Ranch Development Project Final EIR (P#11-00205-ECPA)	Rachel Mansfield-Howlett, Provencher and Flatt, Attorneys at Law (14 pages)	4/4/2016	Attorney representing Circle Oaks Homes Association	<p>Attorney comments on FEIR <u>and Project mitigations</u>:</p> <ul style="list-style-type: none"> • Road Conditions and Project Access Way (third party examination of Circle Oaks Drive; surety bond) • Failure to address alternative access option as reasonable alternative to avoid serious impacts • Impacts to Circle Oak’s Wells (deferred analysis of mitigation without requiring specific performance standards) • Community’s wells are vulnerable to depletion due to lack of appropriate mitigation measures • Noise Impacts were inadequately responded to in the EIR • Exhibits Attached 	024 – 807 To 024 - 820
25	Walt Ranch Development Project Final EIR (P#11-00205-ECPA)	Rachel Mansfield-Howlett, Provencher and Flatt, Attorneys at Law (9 pages)	4/4/2016	Attorney representing Circle Oaks County Water District	<p>Attorney comments on FEIR <u>and Project mitigations</u></p> <ul style="list-style-type: none"> • Road Conditions and Project Access Way (third party examination of Circle Oaks Drive; surety bond) • Failure to address alternative access option as reasonable 	025 – 821 To 025 - 829

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					<p>alternative to avoid serious impacts</p> <ul style="list-style-type: none"> • Impacts to Circle Oak’s Wells (deferred analysis of mitigation without requiring specific performance standards) • Community’s wells are vulnerable to depletion due to lack of appropriate mitigation measures • Exhibits attached 	
26	Walt Ranch Erosion Control Plan Application (P#11-00205-ECPA) and Final Environmental Impact Report	Thomas N. Lippe, Esq., of Law Offices of Thomas N. Lippe, APC (5 pages)	4/4/2016	Attorney representing Living Rivers Council	<p>Attorney comments on FEIR and <u>Project mitigations</u></p> <ul style="list-style-type: none"> • Mischaracterizes rate of groundwater recharge • Mischaracterizes hydraulic connection and groundwater flow between the project and MST aquifer • Fails to include reliable surveys of threatened and sensitive wildlife, including CRLF, FYLF, WPT and Townsends’ Big Eared Bat • Fails to address significance of pumping more groundwater than is recharged • Fails to analyze significance of channel erosion and sediment production caused by increases in peak runoff/caused by engineered drainage structures 	026 – 830 To 026 - 834

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					<ul style="list-style-type: none"> • Fails to analyze significance of herbicide/pesticide drift • Project unlawfully defers development of mitigation measures until after Project approval • MMRP is incomplete • Project’s cumulative impacts from Circle S Ranch Vineyard conversion are incorporated by reference 	
27	Written Comment Sheet presented at Public Hearing on P#11-00205-ECPA	Thomas N. Lippe, Esq., of Law Offices of Thomas N. Lippe, APC (1 page)	4/4/2016	Living Rivers Council	<p>Attorney comments on FEIR and Project mitigations:</p> <ul style="list-style-type: none"> • The processes set forth in Mitigation measure 4.6-4 and Appendix R are not public • Deferring process(es) to post approval deprives public in ability to participate in ground water availability and the causes of shortages and the appropriate County response • Public process should be established for post approval implementation of mitigation measures 	027 - 835
28	Napa Sierra Club Final EIR Comments (Walt Ranch ECPA #P11-00205-ECPA)	Nancy Tamarisk, Chair of Napa Sierra Club (64 pages with attachments)	4/4/2016	Chair, Sierra Club, Napa Group	<ul style="list-style-type: none"> • EIR is flawed and should not be certified • No plan for disposal of cut trees • Water usage calculations are incorrect and should be recalculated; ground water demand and effects need to be reassessed 	028- - 836 To 028 - 899

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					<ul style="list-style-type: none"> • Groundwater recharge rates under conditions of climate change are inaccurate • Circle Oaks Drive as Access Road to Walt Ranch • Environmental concerns regarding revisions to existing Circle Oaks Drive access to Walt Ranch not addressed • Safety/pedestrian concerns not addressed • Lack of mitigation for carbon sequestration of cut trees • Land and Soil instability and correlation to recent failure of SR121 	
29	Comments on FEIR for proposed Walt Ranch Vineyard Development Project	April Rose Summer, Aruna Prabhala, Jenny Loda, and Nicholas Whipps, Counsels for Center for Biological Diversity; and Marc Pandone, Chair, Executive Committee, Napa Sierra Club (50 pages with references)	4/1/2016	Attorneys for Center for Biodiversity and Napa Group Sierra Club	<p>Attorney comments on FEIR <u>and Project mitigations:</u></p> <ul style="list-style-type: none"> • Air quality and pesticide drift hazards not addressed • Incomplete/unstable project design • Need to issue an Amended EIR 	029 – 900 To 029 – 1,267
30	Circle Oaks Drive (update to Comment Letter i111)	Mark Billings, CPII (Certified Public Infrastructure Inspector)	4/3/2016	City of American Canyon, Public Works, Circle Oaks Resident	<p>Expert comments in reply to <u>DEIR comments:</u></p> <ul style="list-style-type: none"> • Inadequate mitigation for Circle Oaks Drive • EIR Response did not address “road failure” • Circle Oaks Drive in “state of failure” 	030 – 1,268

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					<ul style="list-style-type: none"> • EIR did not address continued use for transport of grape harvest 	
31a	Update to Comment Letter i114	David Heitzman	4/3/2016	Circle Oaks Resident	<ul style="list-style-type: none"> • EIR did not address failure of Circle Oaks Drive; no baseline analysis of road condition has been established • Increased vineyard related and construction traffic • Current condition report of Circle Oaks Drive road failure • Reasonable alternative not addressed to re-route construction and heavy equipment thru alternative access to Walt • Circle Oaks community situated on ancient landslide; concerns about effects on ground water recharging 	031(a) – 1,269 To 031(a) – 1,288
31b	Landslide Mitigation Report (254 Circle Oaks Drive), Napa County, California	Report Prepared by Matriscope Engineering Laboratories, Inc. (95 pages)	10/2/2006	Frank Lucindo, Asst. Engr., Napa County Department of Public Works	Report includes data review, field investigation, laboratory testing, and engineering analysis. Includes: Site geologic characterization report and recommendations for repair of landslide	031(b) – 1,289 To 031(b) – 1,383
31c	Photograph of landslide mitigation at 254 Circle Oaks Drive		October 2006		REF: Landslide mitigation work performed in Circle Oaks in October 2006 (See also Landslide Mitigation Report (See Exhibit 31b)	031(c) – 1,384

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32	Comments on Final EIR for Walt Ranch and Need for Conditions to Protect municipal Water Supplies within Milliken Reservoir	Joy Eldredge, Water General Manager of City of Napa	4/4/2016	City of Napa Municipal Water Department	<p>EIR fails to:</p> <ul style="list-style-type: none"> • Acknowledge SWRCB Anti-degradation policy that prohibits Ag storm water runoff or irrigation drainage from causing degradation of receiving waters • Characterize water quality impacts as significant or potentially significant with respect to nutrients • Prescribe mitigations requiring water quality monitoring for nutrients and turbidity • Prescribe a BMP modification triggered by monitoring results • Prescribe as a condition of approval, that project will be revoked for failure to implement mitigation measures • Approve no project alternative for vineyard development in Milliken watershed as best alternative 	032 – 1,385 to 032 – 1,412
33	Walt Ranch Erosion Control Plan	Jack MacDonald, General Manager of Circle Oaks County Water District	7/22/2014	Circle Oaks County Water District	<p>Former General Manager’s concerns about Circle Oaks <u>water supply</u>:</p> <ul style="list-style-type: none"> • Circle Oaks community could be affected by the numerous Project wells and reservoirs • Hall Well #4 is located 1,800 feet from Circle Oak’s (16) 	033 – 1,413

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					<p>horizontal wells which supply one third of community water supply;</p> <ul style="list-style-type: none"> • Hall Well #4 is 3,400 feet from CO's main vertical well which supplies 2/3 of community water supply 	
34	Regarding FEIR #201202046 (ECPA #P11-00205 Walt Ranch Project)	Chris Malan, Manager of Living Rivers Council (19 pages)	4/4/2016	Living Rivers Council	<ul style="list-style-type: none"> • Cumulative impacts on Napa River watershed, not discussed in Walt FEIR • MST in decline • Groundwater impacts are not accurately assessed • Significant cumulative erosion created by deep ripping and grading of soil for installation of ECP infrastructure • Deforestation of native trees • County must work in collaboration with City of Napa to study impacts and protect future water supplies 	034 – 1,414 to 034 – 1,416
35	Review of Final EIR: Walt Ranch Erosion Control Plan (P11-00205-ECPA)	Greg Kamman, PG, CHG and Principal Hydrologist of Kamman Hydrology & Engineering, Inc. with Resume (15 pages)	4/2/2016	Living Rivers Council	<p>Expert's comments on Review of FEIR:</p> <ul style="list-style-type: none"> • Unmitigated impacts to Ground-Water and Milliken Reservoir Watershed • Estimate of Groundwater Recharge as Percentage of Rainfall • Hydrologic Connections to the MST Study Area • Hydrology: Surface Water Impacts (Response 15 in FEIR) 	035 – 1,417 to 035 – 1,429

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					<ul style="list-style-type: none"> • Erosion and Sedimentation Response 	
36	Update to Comment Letter i122	Sue Wagner	4/4/2016	Circle Oaks Resident	<ul style="list-style-type: none"> • Mitigation 4.7-4 refers only to Circle Oaks Drive and does not reference any other surface roads within the community to be used by Walt Project • No restrictions within DEIR re use of Juniper Drive; • Response to Comments inadequate related to mitigations • Mitigation 4.7-4 does not specify limits and restrictions as to when third party consultants recommendations will be implemented • Road maintenance within Circle Oaks is an extremely low priority for Napa County • Circle Oaks Roads poorly designed; not safe for commercial use • Noise levels from construction activities are unacceptable and create a significant impact which cannot be mitigated • Blasting and Vibration; long term effect on unstable hillsides 	036 – 1,430 To 036 – 1,450
37	Walt Ranch EIR, Napa County, CA (CSA Project: 14-0636)	Eric A. Yee, Principal Consultant, of Charles M. Salter Associates, Inc.	3/29/2016	For Circle Oaks Homes Association	<ul style="list-style-type: none"> • Expert comments in response to <u>Final EIR</u>: • Report does not address traffic 	037 – 1,451 To 037 – 1,454

		(4 pages)			<p>noise impacts (mitigation measure 4.8-1)</p> <ul style="list-style-type: none"> --Noise Exceeds Federal and State Standards --Noise during peak AM and PM hours exceeds 10 dBA --Add'l truck traffic with increase day-night average to 13 dBA. --Truck noise not exempt under agriculture operations exemption <ul style="list-style-type: none"> • Report does not address noise from additional truck traffic for transportation of grapes • Report does not address noise from alternative methods of rock demolition and removal <ul style="list-style-type: none"> --Project to use noisier equipment than less noisy options --Rock crushing equipment will generate noise exceeding 90 dBA at 50' • Noise barriers are impractical as mitigation • Better mitigations are prescribed • Project related excavation and bedrock removal will expose residents to excessive groundborne vibration or groundborne noise levels • Report over-estimates value of 	
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					<ul style="list-style-type: none"> mitigation from sound walls • Recommendation of continuous noise monitoring program to measure and prove the noises do not exceed State and Federal guidelines 	
38	The People of Circle Oaks have a simple question for the County: What if these Experts are Wrong?	Kathleen Maxim, President, of Circle Oaks Homes Association (2 pages)	3/23/2016	Circle Oaks Homes Association	<ul style="list-style-type: none"> • Concerns about sharing water supply with Walt Ranch • Access thru Circle Oaks is not suitable for heavy vehicles • Circle Oaks' infrastructure is threatened if the roads fail • Access points along SR 121 are available to Walt Ranch • Over 24,000 trees are to be removed during the dry season with plans to burn the debris at an increased fire risk to Circle Oaks 	038 – 1,455 To 038 – 1,456
39	Walt Ranch Development Project Final EIR	Ron Tamarisk (7 pages)	4/4/2016	Circle Oaks resident	<ul style="list-style-type: none"> • Failure to consider alternate access by Project • Safety and stability concerns regarding Circle Oaks Roads • Failure of SR 121 • Seismic risk not adequately reviewed 	039 – 1,457 To 039 – 1,463
40	Update to previous Comment Letter submitted to dEIR	David Heitzman (31 pages)	4/3/2016	Circle Oaks Resident	<ul style="list-style-type: none"> • Vineyard water consumption under-estimated per UC Davis Study 	040 - 1,464 To 040 – 1,494
41	Walt Ranch Erosion Control Plan Application P11-00205ECPA	Greg Gale (3 pages)	4/4/2016	Atlas Peak Road resident, County of Napa	<ul style="list-style-type: none"> • Responses in DEIR and FEIR appendices are contradictory regarding groundwater 	041 – 1,495 To 041 – 1,497

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					<p>pumping and neighboring wells</p> <ul style="list-style-type: none"> • FEIR includes 82 new pages in the GWMMP which was not circulated for full review • Not enough testing and correlation to rainfall recharge to aquifer • MM 4.6-4 improperly defers mitigation • GHG analysis and mitigation does not comply with CEQA • FEIR defers mitigation under CEQA and does not comply with General Plan 	
42	Walt Ranch Development Project Final EIR	Jeff Roberts (1 page)	4/4/2016	Circle Oaks resident	<ul style="list-style-type: none"> • Unwise/unsafe to allow construction and vineyard worker traffic to use Circle Oaks Roads • 150 construction related worker trips per day unacceptable 	042 – 1,498
43	Walt Ranch Vineyards Agricultural Erosion Plan #P11-00204-ECPA	Laurence Carr (3 pages)	4/3/2016	Circle Oaks resident	<ul style="list-style-type: none"> • Hall-Brambletree not using organic farming methods; concerns about pesticides in water supply • Gross miscalculation of water usage by vineyard • Future development of Walt Ranch into residential vineyard parcels • Drought conditions remain persistent; climate change is affecting ability of aquifer to 	043 – 1,499 To 043 – 1,501

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					<p>recharge</p> <ul style="list-style-type: none"> • Napa County needs to be steward of land and protect hillsides and watersheds 	
44	Comment on Walt Ranch Vineyard Conversion	Chris Benz (1 page)	4/4/2016	City of Napa resident	<ul style="list-style-type: none"> • Climate change is making water management more difficult • Landslides due to heavy precipitation are of concern • Walt Ranch and Circle Oaks located on cretaceous period landslide and has ground instability • SR 121 recently failed during a period of heavy rains 	044 – 1,502
45	Walt Ranch Vineyard Development Project Final EIR	Lynna Roberts (1 page)	4/3/2016	Circle Oaks resident	<ul style="list-style-type: none"> • Heavy equipment for construction and later heavy gondolas will travel roads traversed by pedestrians with no sidewalks • Road failure will impede emergency response vehicles to Circle Oaks community • Walt Ranch should be required to use their own access which is a safer and more responsible alternative 	045 – 1,503
46	Comments on Walt Ranch Vineyard Conversion	Tim Mulligan, Biology Professor, Napa Valley College (1 page)	4/5/2016	Circle Oaks resident	<ul style="list-style-type: none"> • Needless destruction of continuous oak biomes is not environmentally responsible • Need buffer zone between Circle Oaks and proposed vineyards to prevent overspray from pesticides, 	046 – 1,504

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					<p>herbicides and sulfur from impacting local residents</p> <ul style="list-style-type: none"> • This Project will cause lasting environmental effects that cannot be undone 	
47	Comments on FEIR Walt Ranch Vineyard Conversion Project	Robert McLeish (2 pages)	Undated (submitted on 3/23/2016)	Circle Oaks resident	<ul style="list-style-type: none"> • Average rainfall incorrectly assumed at 35 inches per year • 168 vehicle trips per day is a significant impact on Circle Oaks Roads • Unfavorable experiences with Hall employees who do not obey speed limit in community • No sidewalks creates safety challenge for pedestrians; he walks community every day • Alternate access to Walt Ranch is only solution..cheaper and safer than endangering Circle Oaks residents • Mitigation for infrastructure (inspection and monitoring) DOES NOT ADDRESS LOSS OF SERVICE • Commercial vehicles on the dirt road at end of Circle Oaks Drive constitutes an excessive burden on an easement • 25 trees have been marked for removal near existing Walt Ranch entrance at end of 	047 – 1,505 To 047 -1,506

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					Circle Oaks Drive which are situated in a wetland not addressed in the FEIR	
48	Response to Walt Ranch FEIR	Peter and Annette Krammer (6 pages)	3/31/2016	Residents of Circle Oaks	<ul style="list-style-type: none"> • Challenging County’s definition of “right to farm” • Hall’s Alexander Valley Vineyard McMansion conversion • Vineyard related traffic and safety concerns • Circle Oaks Roads in poor condition • Mandate an alternative access to Walt Ranch • Environmental concerns regarding herbicides, pesticides, fungicides seeping into CO water supplies; concerns about pesticide drift • Concerns about noise, vibration and blasting • Construction and Traffic Noise caused by vineyard operations 	048 – 1,507 to 048 – 1,512
49	Appeal of Approval of Agricultural Erosion Control Plan No. P11-00205-ECPA and certification of Final Environmental Impact Report under the California Environmental Quality	Thomas N. Lippe, Esq., APC (21 pages)	08/29/2016	Living Rivers Council	<p>Attorney comments on basis for Appeal:</p> <ul style="list-style-type: none"> • List of specific factual and legal determinations being appealed; • EIR fails as to sediment impacts on Special Status Fish species • EIR fails as to impacts upon wetlands, amphibians and reptiles • EIR fails to analyze impacts upon groundwater 	049 – 1,513 To 049 – 1,521

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	Act for the Walt Ranch Vineyard Conversion Project				<ul style="list-style-type: none"> • EIR fails re: project impacts on Oak Woodlands • EIR fails to as to assessment of cumulative impacts • EIR fails to provide adequate environmental setting • EIR fails to recognize significance of impacts by ignoring them entirely • EIR unlawfully defers development of mitigation measures • EIR fails to provide legally adequate responses to comments • EIR contains inadequate Assessment and Mitigation of groundwater drawdown impacts • New Information regarding Increased Runoff • New Information regarding Landslide Risk • New Information and De Novo Review 	
50	Landslide Hazard Assessment Walt Ranch Erosion Control Plan (P11-00205-ECPA) Walt Ranch Project, Napa, CA	Greg Kamman, PG, CHG and Principal Hydrologist of Kamman Hydrology & Engineering, Inc. with Resume (72 pages including exhibits)	8/26/2016	Living Rivers Council	<p>Expert’s comments on Responses by Analytical Environmental Services <u>Responses to FEIR Comments:</u></p> <ul style="list-style-type: none"> • Nothing stated by AES (July 2016)_changes Opinion of Kamman as stated in previous reports • Runoff Curve Number Adjustments by Ripping Soil • Effect of vineyard drainage 	050 – 1,522 To 050 – 1,593

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					<p>elements on Storm runoff rates</p> <ul style="list-style-type: none"> • Project effects on landslide potential • Stream flow and sediment yield monitoring • Conclusions • References (attached exhibits) 	
51	<p>Request for Driller’s Logs</p> <p>REF: Draft EIR for Walt Ranch Erosion Control Plan Application P#11-00205-ECPA</p>	<p>Thomas N. Lippe, Esq., of Law Offices of Thomas N. Lippe, APC</p>	10/23/2014	For Living Rivers Council	<p>Attorney’s letter to County of Napa Seeking information:</p> <ul style="list-style-type: none"> • Request for Well Driller’s logs for Walt Ranch Wells (WR-1 through Wr-5); • Request for Well Driller’s logs for Circle S Ranch (Wells CS-1 through CS-4) • Request for Well Driller’s logs for Gale Well • Request for clear legible pages of Appendix A of draft Erosion Control Plan (pps. 1-15, 91-105) 	051-1,594
52	<p>Request for Boring Logs for Wells Discussed in Hydrology Report for Walt Ranch Project</p>	<p>Greg Kamman, Kamman Hydrology and Engineering</p>	10/23/2014	For Living Rivers Council	<ul style="list-style-type: none"> • Review of 2014 RCS Hydrology study • Selection of sites for wells may not include those pre-screened which resulted in poor water availability • Sonoma Volcanics vary in density and understanding the geology/hydrogeology conditions at each site drilled requires review of Driller’s logs 	052 – 1,595 To 1,596

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53	<p>Second Request for Driller’s Logs to County of Napa and Hall Brambletree</p> <p>REF: Draft EIR for Walt Ranch Erosion Control Plan Application P#11-00205-ECPA</p>	Thomas N. Lippe, Esq., of Law Offices of Thomas N. Lippe, APC	11/10/2014	For Living Rivers Council	<ul style="list-style-type: none"> • Previously requested Driller’s Logs on 10/23/2014 and County advised it cannot legally disclose logs without consent of owner • Formal request for Hall-Brambletree to provide consent • Request for contact information for Hall Brambletree (info at Secretary of State’s office does not provide adequate contact information) 	053 – 1,597 To 1,598
54	Transcript of DEIR Public Comments on November 12, 2014	http://www.countyofnapa.org/WorkArea/DownloadAsset.aspx?id=4294982660	11/12/2014	County of Napa Walt Ranch PBES Website	Website link only, no documents submitted	
55	<p><u>Walt Ranch Draft EIR</u></p> <p>Walt Ranch Erosion Control Plan Application No. P11-00205-ECPA</p>	www.countyofnapa.org/WorkArea/DownloadAsset.aspx?id=4294982038	July 2014	County of Napa Walt Ranch PBES Website	Website link only, no documents submitted	
56	<p>Walt Ranch Final EIR <u>Volume 1 –March 2016</u></p> <p>Walt Ranch Erosion Control Plan Application No. P11-00205-ECPA</p>	www.countyofnapa.org/WorkArea/DownloadAsset.aspx?id=4294985736	March 2016	County of Napa Walt Ranch PBES Website	Website link only, no documents submitted	
57	<p>Walt Ranch Final EIR <u>Volume 2 – March 2016</u></p> <p>Walt Ranch Erosion Control Plan Application No. P11-00205-ECPA</p>	www.countyofnapa.org/WorkArea/DownloadAsset.aspx?id=4294985737	March 2016	County of Napa Walt Ranch PBES Website	Website link only, no documents submitted	

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58	FEIR Public Comments submitted in writing to County of Napa	http://www.countyofnapa.org/WorkArea/DownloadAsset.aspx?id=4294986018	4/1/2016	County of Napa Walt Ranch PBES Website	Website link only, no documents submitted	
59	FEIR Public Comments submitted in writing to County of Napa	http://www.countyofnapa.org/WorkArea/DownloadAsset.aspx?id=4294986018	3/28/2016	County of Napa Walt Ranch PBES Website	Website link only, no documents submitted	
60	FEIR Public Comments submitted in writing to County of Napa	http://www.countyofnapa.org/WorkArea/DownloadAsset.aspx?id=4294986018	3/23/2016	County of Napa Walt Ranch PBES Website	Website link only, no documents submitted	
61	FEIR Public Comments submitted in writing to County of Napa	www.countyofnapa.org/WorkArea/DownloadAsset.aspx?id=4294986018	4/4/2016	County of Napa Walt Ranch PBES Website	Update with website link And/or submit via PDF (Note: need to renumber #55)	