**NOTICE OF EXEMPTION**

NAPA COUNTY PLANNING, BUILDING & ENVIRONMENTAL SERVICES
1195 THIRD STREET, SUITE 210 NAPA CA 94559

**To:** ☐ Office of Planning and Research
PO Box 0334
1400 Tenth Street, Room 121
Sacramento, CA 95814

☒ Napa County Clerk
900 Coombs St
Napa, CA 94559

**PROJECT TITLE:** ARJOU RESERVOIR DAM AND SPILLWAY REPAIR PROJECT

**PROJECT NUMBER:** ENG24-00008

**PROJECT LOCATION - SPECIFIC:** 2155 PICKETT ROAD, CALISTOGA.

**PROJECT LOCATION – CITY (NEAREST):** CALISTOGA **PROJECT LOCATION - COUNTY:** NAPA

**PROJECT DESCRIPTION:** The Araujo Reservoir 1 dam requires several improvements to bring the facility into compliance with Division of Safety of Dams (DSOD) requirements. The improvements generally includes the following: (i) measures to enhance the stability of the dam and (ii) construction or improvement of the spillway structures, and (iii) installation or modifications to the emergency outlet conduit facilities. The repair plans include the excavation and removal of the downstream portion of the existing dam embankment; establishment of a seepage barrier (cutoff trench) within the embankment to limit subsequent seepage; installation of internal drainage features to collect and convey seepage through and away from the dam; and reconstruction of the dam embankment with additional height to provide adequate freeboard. Borrow material for the added embankment volume is proposed to be developed from borrow sites adjacent to the dam. The existing spillway structure will be removed and replaced with a new concrete drop inlet type spillway structure with adequate capacity to pass the design stormflow. Below/downstream of the dam embankment, the spillway discharge conduit will be connected to the existing spillway pipe that conveys and discharges stormflows from the reservoir to the primary stream channel below the dam. The control section of the spillway will be constructed to the original spillway elevation (pre-DSOD-required emergency repairs) to restore the original storage capacity of the reservoir. The existing outlet will be removed and replaced with a new outlet conduit that will meet DSOD requirements.

The US Army Corp of Engineers has reviewed and determined that the project is exempt from aquatic resource permits under the Clean Water Act (CWA) Section 404(f) as agricultural work. The Regional Water Quality Control Board determined that the project is exempt under CWA 404(f) as well. A Storm Water Pollution Prevention Plan (SWPP) will be developed and submitted to the State Water Resources Control Board (SWRCB) to obtain coverage under the SWRCB General Permit for Discharges of Storm Water Runoff Associated with Construction Activity A Lake and Streambed Alteration permit is under review by CDFW. An application is also currently under review by the DSOD for Approval for the Construction of a Dam and Reservoir. The project will need to obtain all necessary permits and comply with all measures and conditions noted or required by the aforementioned agencies prior to and during project implementation.

**NAME OF PUBLIC AGENCY APPROVING PROJECT:**, County of Napa, PBES, 1195 Third Street Suite 210, Napa, 94558

**LEAD AGENCY CONTACT PERSON:** Dana Morrison, Supervising Planner (PBES) **PHONE:** (707) 253-4437

**NAME OF PERSON OR AGENCY CARRYING OUT PROJECT:** David Lounsbury, Wagner and Bonisignore
**ADDRESS:** 2151 River Plaza Drive, Suite 100 **PHONE:** (916) 997-6078

**EXEMPT STATUS (CHECK ONE):** (Also, see Appendix B of the *Napa Co Local Procedures for Implementing the CEQA)*

☐ Ministerial [Sec. 21080(b)(1); 15268];
☐ Declared Emergency [Sec. 21080(b)(3); 15269(a)];
☐ Emergency Project [Sec. 21080(b)(4); 15268(b)(c)];
☒ Categorical Exemption. State type and section number: **Class (Type):** Existing Facilities Class 1 **Section #:** 15301 and **Class (Type):** Replacement and Reconstruction Class 2 **Section #:** 15302
☐ Statutory Exemptions. State code number:
☐ General Rule: [Sec.15061(b)(3)]

**REASONS WHY PROJECT IS EXEMPT:** The project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on this review it has been determined that this project belongs to the following classes of

categorically exempt projects, which are recognized as having no potential to have a significant effect on the environment, and therefore is exempt from further environmental review (*State CEQA Guidelines, 2015*):

-Section 15301, Existing Facilities, Class 1(d and m): The repair, maintenance, and minor alteration of an existing facility and mechanical equipment, involving negligible or no expansion of existing or former use including rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, and repairs and alterations to existing dams and appurtenant structures under the supervision of the Department of Water Resources. The project is proposing to repair an existing dam and spillway under the direction of DSOD.

-Section 15302, Replacement and Reconstruction, Class 2(c): The replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced, having substantially the same purpose and capacity as the structure replaced, including the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

The project site is not listed on any hazardous waste sites enumerated under Government Code Section 65962.5.

**LEAD AGENCY CONTACT PERSON:** Dana Morrison, Supervising Planner (PBES) **PHONE:** (707) 253-4437

Signature: _____ Date: 6/27/2025 Title: Supervising Planner

☒ Signed by Lead Agency
☐ Signed by Applicant

A Tradition of Stewardship
A Commitment to Service

**Planning, Building & Environmental Services**

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

**Brian D. Bordona**
Director

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| To: | Jeannette Doss, Assistant Engineer<br>Engineering Division | From: | Dana Morrison, Supervising Planner<br>Conservation Division |
| Date: | June 20, 2025 | Re: | Grading Permit #ENG24-00008<br>Arjou Reservoir and Spillway Dam Repair |

Planning staff from the Engineering and Conservation Division have reviewed the subject Grading Permit Application filed on February 9, 2024, for the proposed grading and earthmoving involved with the reconstruction of an existing water storage reservoir dam and spillway to bring it up to current Division of Safety of Dam (DSOD) safety standards associated with Water Rights. The dam has approved water diversion and storage rights under License 3577 (Application 12975) and Permit 20631 (Application 29494).

The project parcel is identified as APN 020-340-030 (2155 Pickett Road, Calistoga) located in the Agricultural Preserve (AP) Zoning District within the Simmons Canyon Creek sub-watershed. The property is approximately162.23 acres and is improved with vineyards, a winery, various accessory structures and three reservoirs.

Project Description:
The Araujo Reservoir 1 dam requires several improvements to bring the facility into compliance with DSOD requirements. The improvements generally include (i) measures to enhance the stability of the dam and (ii) construction or improvement of the spillway structures, and (iii) installation or modifications to the emergency outlet conduit facilities. The repair plans include the excavation and removal of the downstream portion of the existing dam embankment; establishment of a seepage barrier (cutoff trench) within the embankment to limit subsequent seepage; installation of internal drainage features to collect and convey seepage through and away from the dam; and reconstruction of the dam embankment with additional height to provide adequate freeboard. Borrow material for the added embankment volume is proposed to be developed from borrow sites adjacent to the dam. The existing spillway structure will be removed and replaced with a new concrete drop inlet type spillway structure with adequate capacity to pass the design stormflow. Below/downstream of the dam embankment, the spillway discharge conduit will be connected to the existing spillway pipe that conveys and discharges stormflows from the reservoir to the primary stream channel below the dam. The control section of the spillway will be constructed to the original spillway elevation (pre-DSOD-required emergency repairs) to restore the original storage capacity of the reservoir. The existing outlet will be removed and replaced with a new outlet conduit that will meet DSOD requirements.

The US Army Corp of Engineers has reviewed and determined that the project is exempt from aquatic resource permits under the Clean Water Act (CWA) Section 404(f) as agricultural work. The Regional Water Quality Control Board determined that the project is exempt under CWA 404(f) as well. A Storm Water Pollution Prevention Plan (SWPP) will be developed and submitted to the State Water Resources Control Board (SWRCB) to obtain coverage under the SWRCB General Permit for Discharges of Storm Water Runoff Associated with Construction Activity A Lake and Streambed Alteration permit is under review by CDFW. An application is also currently under review by the DSOD for Approval for the Construction of a Dam and Reservoir. The project will need to obtain all necessary permits and comply with all measures and conditions noted or required by the aforementioned agencies prior to and during project implementation.

CEQA Determination:
The project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on this review it has been determined that this project belongs to the following classes of categorically exempt projects, which are recognized as having no potential to have a significant effect on the environment, and therefore is exempt from further environmental review (*State CEQA Guidelines, 2015*):

> Section 15301, Existing Facilities, Class 1(d and m): The repair, maintenance, and minor alteration of an existing facility and mechanical equipment, involving negligible or no expansion of existing or former use including rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, and repairs and alterations to existing dams and appurtenant structures under the supervision of the Department of Water Resources.
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> Section 15302, Replacement and Reconstruction, Class 2(c): The replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced, having substantially the same purpose and capacity as the structure replaced, including the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

The project would be exempt from the Conservation Regulations (Chapter 18.108) pursuant to Section 18.108.050(J), that exempts land clearing, earthmoving and/or grading pursuant to a permit issued by a state or federal agency where adequate erosion control measures as determined by Napa County have been incorporated as part of the project.

Further the project would also be exempt from stream setbacks pursuant to Section 18.108.025(E)(4) (Uses Permitted Within Required Stream Setbacks), that allows the maintenance of those water resources that are necessary for agricultural and domestic purposes.

**Project approval is contingent upon the following conditions:**

1. Prior to commencement of work, the owner/permittee shall acquire any, and all other required Local, State and Federal permits necessary to implement this project.
2. Discovery of historical, archaeological, paleontological resources, or human remains during construction, grading, or other earth moving activities:
   i. In accordance with CEQA Subsection 15064.5(f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable solids, glass, metal, ceramics,

wood or similar debris, be discovered during grading, trenching or other on-site excavation(s), earth work within 100-feet of these materials shall be stopped until a professional archaeologist certified by the Registry of Professional Archaeologists (RPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), as determined necessary.

ii. If human remains are encountered the Napa County Coroner shall be informed to determine if an investigation of the cause of death is required and/or if the remains are of Native American origin. Pursuant to Public Resources Code Section 5097.98, if such remains are of Native American origin the nearest tribal relatives as determined by the State Native American Heritage Commission will be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity.

iii. In the event that a discovery of a breas, true, and/or trace fossils are discovered during ground disturbing activities, all work within 100 feet of the fined shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agencies to determine procedures that should be followed before ground disturbing activities are allowed to resume at the location of the find.

iv. All persons working on-site shall be bound by contract and instructed in the field to adhere to these provisions and restrictions.

If you have any questions or need additional information, please contact Dana Morrison at (707) 253-4437 or by e-mail at dana.morrison@countyofnapa.org.