

CONDITIONS OF APPROVAL

PARADUXX WINERY (Duckhorn Wine Company)

#00165-VAR and #00164-UP

APN: 031-170-019

- 1) The permit is limited to:
 - a) Establishment of a 156,000 gallon/year winery
 - b) New construction and modification of existing structures as delineated on the attached site plan, consistent with the application forms, project statement, supplemental winery information sheet and landscaping plan, to include:
 - i) The new construction of a 11,000 ft² fermentation and barrel building and a 5,000 ft² barrel building ($\pm 10\%$ for construction flexibility),
 - ii) The modification of existing barn to a 2,926 ft² barrel building, lab, storage and office,
 - iii) The modification of existing house to a 3,800 ft² office and hospitality facility, existing garage to a 714 ft² tasting and retail space and use of existing outdoor grill area for outdoor hospitality and food preparation,
 - c) Tours, tasting and retail sales by appointment only. All tours of the winery and/or tasting of wine are limited to the members of the wine trade, persons invited by the winery who have pre-established business or personal relationships with the winery or its owners, and persons who have made unsolicited prior appointments for tours or tastings (\$18.080.620),

Any expansion or changes in use, or project changes which are necessitated by the requirements of other departments or agencies are subject to further County approval.

- 2) Marketing activities are limited to the following private promotional tours, tastings and meals:
 - a) Only private tours for invited consumers and wine industry representatives will be permitted. Only two tours per day for groups of 10 to 15 persons each, averaging 15 to 25 total persons per day will be allowed,
 - b) Up to two special marketing events per week will be allowed to pair food with wine for 12 to 20 invited guests per each event,
 - c) Two annual wine auction related events are allowed for a maximum of 500 persons each,
 - d) For larger events or events not reflected above, the appropriate license and/or permit must be secured as required by local agencies and County Departments, including but not limited to temporary events (\$5.36.010).
 - e) All marketing events are limited to the hours between 10:00AM and 4:00PM or after 6:30pm to minimize the impact on local traffic.
 - f) Except as permitted by County Ordinance and this permit, no outside social activities, including picnicking, outside dinning, wine tasting, live music, outdoor festivals or other activity of a similar nature shall occur beyond that requested in

the applicant's Use Permit Application Supplemental Information Sheet For Winery Uses.

The winery will not be open to the public for tours and tastings. Marketing activities are limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a pre-arranged basis.

- 3) Normal hours of operation for the winery shall be limited to weekdays from 7:00AM to 6:00PM, except during harvest or other peak operational times such as bottling. Hospitality operations and activities are allowed to occur throughout the week as permitted under this permit and pursuant County regulations. Employees will be allowed flexible work hours to avoid peak travel time on Silverado Trail.
- 4) The permit holder shall comply with all applicable building codes and zoning standards, as well as the requirements of County Departments and other agencies, including but not limited to:
 - a) Napa County Environmental Management Department given in their letter dated October 18, 2000.
 - b) Napa County Building Division per their letter dated October 9, 2000.
 - c) Napa County Fire Department as stated in their letter dated October 19, 2000.
 - d) Napa County Public Works Department letter and attached comments dated October 23, 2000.
 - e) California Regional Water Quality Control Board, San Francisco Bay Region in their letter dated October 19, 2000.
- 5) The permit holder shall report the Department on an annual basis by December 31st the source of his/her grapes, verifying that 75% of the annual production resulted from Napa County grapes. The report shall include the grape tonnage and the Assessor's Parcel Number(s) where they were grown. Such report shall be proprietary information and not available to the public. A separate report, for the public record, shall include a statement certifying compliance with the source requirement and indicate the percentage of Napa County grapes utilized.
- 6) All facilities of the winery, including offices, shall be for the exclusive use of the on-site winery. No portion of the structure shall be rented or leased, nor shall the winery facility be used for events hosted by entities other than the winery itself, except those holding an approved temporary event license pursuant to Chapter 5.36 of the Napa County Code.
- 7) The permit holder shall submit three (3) copies of a detailed landscaping plan for Departmental review indicating the location (if any) outdoor plumbing and electrical improvements, fencing, off-street parking, entry and landscape features, existing, removed and planned plantings with botanical names, size and method of maintenance. The said plan is to be submitted and approved before issuance of any building permit for the winery. All elements delineated on the landscaping plan will

be completed prior to final occupancy. Landscaping shall be permanently maintained in accordance to the approved landscaping plan on file with the Department.

- 8) Any outdoor winery production equipment or storage there of, shall be screened from view of public roads and adjacent parcels by means of a visual barrier consisting of fencing and/or dense landscaping. No open storage is to exceed the height of the screening.
- 9) A detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Departmental review and approval prior to the issuance of any building permit for the construction of the winery. All exterior lighting shall be shielded, directed downward and located as low to the ground as possible, and shall be the minimum necessary for security or operations. Security lighting shall be motion-sensor activated to the greatest extent possible. No floodlighting of the buildings is permitted.
- 10) Parking shall be limited to the twenty-two (22) spaces as delineated on the submitted Site Plan. No parking shall occur along access roads or in other locations except during harvest and allowed marketing events. In no case shall parking be allowed along Silverado Trail or impede emergency vehicle access.
- 11) If a gated entrance is planned, it shall include a turn around area to allow a large vehicle (i.e. motor home) to turn around if the gate is closed. Both the Department of Public Works and the Planning Department shall review and approve any plans prior to any entry construction. As appropriate, a use permit for a fence/entry structure shall be obtained before commencing any construction on a fence/entry structure as defined in Sections 18.104.270 and 18.104.275 of the County Code.
- 12) Beyond those signs allowed in Section 18.116.020 of the County Code, a Comprehensive Sign Plan must be submitted and approved by the Department prior to the installment of any winery identification sign (§18.116.035). The director shall allow signs as outlined in Section 18.116.030, upon issuance of a sign permit.
- 13) The construction and operation of the winery shall comply with the County Noise Ordinance as regulated in Chapter 8.16, including but not limited to:
 - a) Construction equipment muffling and hours of operation from 7:00AM to 7:00pm,
 - b) Any exterior winery machinery equipment shall be sufficiently enclosed or muffled and maintained so as not to create a noise disturbance,
 - c) Placement of any exterior on-site electrical generator must meet the approval of the Department, be acoustically shielded and positioned in such a manner as to reduce its noise effects on neighboring parcels.
- 14) The permit holder shall comply with all six (6) Mitigation Measures describe in the Project Revision Statement signed by the applicant.

- 15) All staff costs associated with monitoring compliance with these conditions and projects revisions shall be borne by the permit holder and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.

PROJECT REVISION STATEMENT

**Paraduxx Winery, Duckhorn Wine Company
Use Permit Request #00164-UP
Variance Request #00165-VAR**

I hereby revise my request to (description of changes required, mitigation measures, and any or all other requirements, amendments, etc., etc.), to include the measures specified below:

1. **Aesthetics** – A subdued building color will be used that blends all the structures into the natural environment. Appropriate and effectively scaled vegetative screening will be planted and maintained along the southern edge of the project site. The intent of these measures is to mitigate to less than significant levels the visual impact of the project on northbound traffic along Silverado Trail. All outdoor lighting will be focused downward and shielded from neighboring properties. The intensity of all outdoor lighting will be controlled to lowest levels possible.
2. **Biological Resources** – The riparian habitat along the southern bank of Rector Creek located on the property adjacent to the project site will be preserved or enhanced and will be included as part of the approved landscaping plan for the project. Any runoff from the project area will be controlled to avoid any possible contamination of Rector Creek.
3. **Cultural Resources** – The owner will preserve any cultural resource that may exist within the project site. A professional site survey by a qualified archeologist has been conducted and submitted to supplement the Use Permit application. No archaeological sites were identified in the survey (Tom Origer & Associates 6/25/01). However, nearby areas are known to be culturally sensitive. If cultural resources are discovered during excavation, the owner shall agree to halt all grading and earthmoving activity on site until the discovery can be identified and catalogued by a professional archeologist.
4. **Hydrology and Water Quality** – To properly manage site runoff and avoid any possibility of contamination of Rector Creek the project will develop and implement a Storm Water Pollution Prevention Plan (SWPPP) under the direction and approval of the California Regional Water Quality Control Board.
5. **Noise** – The temporary noise generated during the construction of the project will be mitigated by only conducting construction activity during daylight hours, use of muffled vehicles as required by state law and adjusting backup alarms to their lowest allowable levels consistent with the safety requirements of OSHA. Annual harvesting and crushing activities are expected to take place beyond normal winery operational hours of 7:00AM to 6:00PM and will likely generate a degree of noise beyond that normally associated with normal farming practices. Noise levels from harvesting and crushing activities must not exceed the limits as regulated in the County Code (Chapter 8.16). All other outdoor activities will be conducted so as to minimize any noise impact upon neighboring properties.
6. **Traffic** – Marketing events will be scheduled from 10:00AM to 4:00PM or after 6:30PM to avoid peak hour traffic periods.

I understand and explicitly agree that with regards to all California Environmental Quality Act, Permit Streamlining Act, and Subdivision Map Act processing deadlines, this revised application will be treated as a new project, filed on the date this project revision statement is received by the Napa County Conservation, Development and Planning Department. For purposes of Section 66474.2 of the Subdivision Map Act, the date of application completeness shall remain the date this project was originally found complete.

Duckhorn Wine Company by

Signature of Owner(s)

Print Name

Interest

Project Name: Paraduxx Winery (Duckhorn Wine Company)

DUCKHORN/PARADUXX WINERY

#03249-MOD

APN: 31-170-019

1. **SCOPE:** The approval allows modification of Use Permit #00164-UP and is limited to the following:
 - Relocation of Production/Barrel Building (5,000 sq. ft.) and Fermentation/Barrel Building as delineated on site plan (Sheet A1.2);
 - Reduction of the square footage of the Hospitality facility from 4,514 sq. ft. to 3,939 sq. ft.;
 - Construction of 11, 267 sq. ft. of additional concrete areas as follows:
 - ~ 1,798 sq. ft. generator/production pad
 - ~ 1,074 sq. ft. water tank pad
 - ~ 6,200 sq. ft. production adjacent to Production/Barrel Building (5,000 sq. ft.)
 - ~ 810 sq. ft. production pad adjacent to Barn (2,926 sq. ft.)
 - ~ 1,385 sq. ft. of additional driveway
 - Modification of winery access road as delineated on site plan.
 - Relocation of the approved 22 employee/visitor parking spaces as delineated on site plan (Sheet A1.2);
 - Establish a Phasing Plan and timeline as discussed below:
 - Phase 1:** (Completion by January, 2005)
Site Preparation
Production/Barrel Building
 - Phase 2:** (Completion by July, 2005)
Fermentation/Barrel Building
Renovation of existing Barn/Shipping Building
 - Phase 3:** (Completion by January, 2006)
Hospitality Building
Renovation of Outdoor BBQ/Hospitality
 - The above project shall be consistent with the approved application materials. Any other changes will require review and approval of a use permit modification by the County.
2. **REFERRALS:** The permittee shall comply with all building codes, zoning standards and requirements of County Departments and agencies at the time of use of this use permit, including but not limited to comments by:
 - a. Napa County Environmental Management Department, dated August 13, 2003;
 - b. Napa County Fire Department, dated July 17, 2003;
 - c. Napa County Building Inspection Division, dated July 16, 2003;
 - d. Napa County Public Works Department dated August 14, 2003.
3. **OUTDOOR STORAGE/SCREENING:** All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

CONDITIONS OF APPROVAL

Paraduxx Winery

P04-0202 MOD

APN: 31-170-019

1. SCOPE: The permit shall be limited to:

- Construction of two 2,100 square foot barrel storage buildings (single-story), 178 square foot pump house, and additional
- Relocation of the Hospitality and Fermentation buildings as proposed in submitted site plan dated 4-20-2004.
- Removal of the existing barn (2,926 square feet) and latilla (1,273 sq. ft.)
- Changes to existing driveway as proposed in submitted site plan dated 4-20-2004.

The above project shall be consistent with the approved application materials. Any other changes will require review and approval of a use permit modification by the County.

2. LIGHTING:

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of a building permit for construction, two (2) revised copies of a separate detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Department review and approval.

3. LANDSCAPING/PARKING:

Prior to issuance of any building permit for construction, two (2) revised copies of a detailed landscaping plan, including parking details. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Any trees that are removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction.

4. OUTDOOR STORAGE/SCREENING/UTILITIES:

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

5. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

Department of Public Works as stated in their letter of May 24, 2004

CONDITIONS OF APPROVAL

Paraduxx Winery

P04-0202 MOD

APN: 31-170-019

6. COLORS:

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding vegetation and shall be reviewed and approved by the Department prior to the issuance of any building permits. Highly reflective surfaces shall be prohibited.

7. DUST CONTROL:

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Construction activities shall not occur during windy periods.

8. MONITORING COSTS:

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Generally costs associated with planning review for building plan clearance and certification of occupancy are not to be charged per this condition. However, costs associated with conditions and mitigation measures that require monitoring outside of those two processes, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time, or in accordance with the hourly consulting rate established by the Department at the time of the monitoring (\$88.00/hour as of December, 2002). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.

9. PREVIOUS CONDITIONS:

The permittee shall comply with all applicable conditions and measures which were included in the previously approved use permit **#00164-UP** and **#03249-MOD**. (Any conditions that are in conflict with the requirements of this permit shall be null and void).

CONDITIONS OF APPROVAL

Paraduxx Winery

P04-0279 MOD

APN: 31-170-019

1. **SCOPE:** The permit shall be limited to:

- Construction of an 18,527 sq. ft two-story barrel building (ground level area of $\pm 7,888$ sq. ft and upper floor area of $\pm 10,639$ sq. ft.) with an attached 5,507 sq. ft covered work area.
- Revision of the approved phasing plan as follows:
Phase III – Fermentation Building/Barrel Cellars
Phase IV – Barrel Building (Phase II)

The above project shall be consistent with the approved application materials. Any other changes will require review and approval of a use permit modification by the County.

2. **LIGHTING:**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of a building permit for construction, two (2) revised copies of a separate detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Department review and approval.

3. **LANDSCAPING/PARKING:**

Prior to issuance of any building permit for construction, two (2) revised copies of a detailed landscaping plan, including parking details. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Any trees that are removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction.

4. **OUTDOOR STORAGE/SCREENING/UTILITIES:**

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

5. **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:**

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

CONDITIONS OF APPROVAL

Paraduxx Winery

P04-0279 MOD

APN: 31-170-019

Department of Public Works as stated in their letter of May 24, 2004

County Fire Department as stated in their letter of July 20, 2004

Building Division as stated in their letter of June 21, 2004

Department of Environmental Management as stated in their letter of June 29, 2004

6. COLORS:

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding vegetation and shall be reviewed and approved by the Department prior to the issuance of any building permits. Highly reflective surfaces shall be prohibited.

7. DUST CONTROL:

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Construction activities shall not occur during windy periods.

8. MONITORING COSTS:

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Generally costs associated with planning review for building plan clearance and certification of occupancy are not to be charged per this condition. However, costs associated with conditions and mitigation measures that require monitoring outside of those two processes, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time, or in accordance with the hourly consulting rate established by the Department at the time of the monitoring (\$88.00/hour as of December, 2002). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.

9. PREVIOUS CONDITIONS:

The permittee shall comply with all applicable conditions and measures which were included in the previously approved use permit #00164-UP, #03249-MOD, and #P04-0202. (Any conditions that are in conflict with the requirements of this permit shall be null and void).

**CONDITIONS OF APPROVAL
PARADUXX WINERY
USE PERMIT MODIFICATION P04-0472
APN: 31-170-019**

1. SCOPE: The permit shall be limited to

- Relocating entry at Silverado Trail, removal of existing asphalt and widening loop road as delineated on plans dated September 29, 2004.

The project shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. Any changes to approved plans shall be by the Use Permit modification process.

2. MONITORING COSTS:

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Generally costs associated with planning review for building plan clearance and certification of occupancy are not to be charged per this condition. However, costs associated with conditions and mitigation measures that require monitoring outside of those two processes, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time, or in accordance with the hourly consulting rate established by the Department at the time of the monitoring (\$116.00/hour as of January, 2004). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.

3. DUST CONTROL:

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Construction activities shall not occur during windy periods.

4. SPOILS:

All spoils generated by construction of the project shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy. **No equipment or spoils shall be stored within the required 40 foot stream setback to Rector Creek.**

5. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

Department of Public Works as stated in their letter of November 8, 2004

**CONDITIONS OF APPROVAL
PARADUXX WINERY
USE PERMIT MODIFICATION P04-0472
APN: 31-170-019**

6. **PREVIOUS CONDITIONS:** The permittee shall comply with all applicable conditions and measures which were included in the previously approved Use Permit #00164-UP and subsequent modifications to this Use Permit (Any conditions that are in conflict with the requirements of this permit shall be null and void).



HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

January 24, 2007

Mr. Alex Ryan
General Manager
Duckhorn Wine Company
1000 Lodi Lane
St. Helena, CA 94574

Re: Paraduxx Winery, APN 031-170-019; P06-01523 Very Minor Modification.

Dear Mr. Ryan:

Please be advised that this Use Permit Modification to permit the improvements to an existing, approved covered BBQ area at the Paraduxx Winery has been APPROVED by the Director of the Conservation, Development and Planning Department on January 22, 2007.

This approval is based on the information provided in the December 20, 2006 application and Napa County Code section 18.124.130(C). Further, this modification qualifies for a Class 1 Categorical Exemption per the Napa County Local Procedures for Implementing the California Environmental Quality Act.

Modifications shall be consistent with the application, and consist of the following:

1. Improvements are limited to the existing outdoor, covered, barbeque area which will upgrade the structure to an enclosed outdoor accessory barbeque space with oven, stove, dishwasher, sink, under counter refrigerator, and similar features.
2. Improvements shall meet conditions stipulated by the Department of Environmental Management dated January 8, 2007.
3. Improvements shall meet conditions stipulated by the Napa County Fire Marshal dated January 23, 2007.
4. The applicant shall apply for and obtain all appropriate Department of Environmental Management, Building Department, and Fire Marshal permits and approvals prior to use of the improvements described herein.
5. This modification does not change winery square footage, visitors, or marketing plans previously filed with the Conservation, Development and Planning Department.
6. All previous Use Permit conditions not in conflict with this modification still apply.

The permit becomes effective immediately unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by anyone,

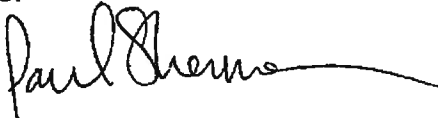
you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, the use permit modification must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit.

Should you have any questions, please contact Paul Sherman at (707) 299-1377.

Sincerely,

Hillary Gitleman
Director

A handwritten signature in black ink, appearing to read "Paul Sherman", with a long horizontal flourish extending to the right.

By: Paul Sherman
Planner II

Cc: Donna B. Oldford, Planning Consultant
David Giudici, Napa County Code Enforcement Supervisor