



A Tradition of Stewardship
A Commitment to Service

Environmental Management

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Steven Lederer
Director

MEMORANDUM

To:	Napa County Planning Department, Sean Trippi	From:	Kim Withrow, Senior Environmental Health Specialist
Date:	February 24, 2012	Re:	Application for Use Permit - Amorim Cork, 2557 Napa Valley Corporate Dr, #A Assessor Parcel #057-250-005 File # P11-00469

We have reviewed the proposal to construct and operate an industrial building for the sales and distribution of cork stopper products. This Department has no objection to approval of the application with the following conditions of approval:

1. Any hazardous waste produced on site, including laboratory wastes, must be stored and disposed of in a manner consistent with Chapter 6.5, Division 20 of the California Health and Safety Code and with Title 22, Division 4.5 of the California Code of Regulations. Additionally, a Hazardous Waste Generator Permit must be obtained from this Department.
2. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit and file an approved Hazardous Materials Business Plan with this Department within 30 days of said activities. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.
3. All waste water lines of the proposed development must be connected to the Napa Sanitation District.
4. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
5. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

6. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.
7. The proposed development must be connected to the City of American Canyon water system.

cc: Harvey Shein, 6875 Enterprise Rd., Glen Ellen, CA 95442



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Department of Public Works

1195 Third Street, Suite 201
Napa, CA 94559-3092
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Donald G. Ridenhour, P.E.
Director

MEMORANDUM

To: Sean Trippi, Conservation Development and Planning Department	From: Jeannette Doss, Public Works <i>JD</i>
Date: January 26, 2012	Re: Amorim Cork America Devlin Road, Napa, CA P11-00469 APN 057-250-005

The Napa County Public Works Department received a referral for comment on a new use permit, generally requesting the following:

To construct a new office/warehouse building with the associated parking lot and site improvements for the sale and distribution of cork stopper products. New building will be a tilt up concrete building with slab on grade of approximately 48,133 sq ft.

After careful review of the Amorim Cork Use Permit submittal package the Public Works Department recommends approval of the project with the following conditions:

EXISTING CONDITIONS:

1. Napa County parcel 057-250-005 is located within the boundaries of the Airport Industrial Area Specific Plan. The parcel is bordered by State Route 29 to the west and Devlin Road to the east. The parcel is located approximately 0.2 miles north of Sheehy Court on Devlin Road in Napa.
2. The existing parcel is approximately 3.36 acres.
3. Site is currently undeveloped and exists as natural grasslands with visible surface drainage.
4. Project frontage exists along Devlin Road.

RECOMMENDED CONDITIONS:

GROUNDWATER

Groundwater comments are provided in a separate memo.

PARKING:

1. Any parking proposed by the applicant or required by the Planning Commission as a condition of this use permit must have a minimum structural section equivalent to support an H20 load designed by a licensed Civil or Geotechnical Engineer and shall not be less than two inches of asphalt concrete over 5 inches of Class II Aggregate. (County Road and Street Standards, Page 82).
2. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.

NEW PRIVATE ACCESS ROADS AND DRIVEWAYS:

3. All roadway construction associated with this application shall conform to the current Road and Street Standards of Napa County at the time of building permit submittal and accepted construction and inspection practices.
4. Access drives shall meet the requirements of a commercial drive and be a minimum of 18 feet wide with 2 feet of shoulder. Structural section shall be a minimum two inches of asphalt concrete surface over five inches of Class II Aggregate or equivalent. (County Road and Street Standards, Page 12, Section 13).
5. All driveway access to the public right of way must conform to the latest edition of the Napa County Road and Street Standards (Page 65, Detail P-4). Outbound driveway widths shall be a minimum of 25 feet to accommodate turning movements of large trucks.
6. The applicant must obtain an encroachment permit prior to any work performed within the Napa County Right-of-Way.

SITE IMPROVEMENTS:

7. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking, and drive aisles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office prior to the commencement of any on site land preparation or construction. Plans shall be submitted with the building and/or grading permit documents at the time of building and/or grading permit application. A plan check fee will apply.

8. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of stormwater runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
9. Grading and drainage improvements shall be constructed according to the latest "Napa County Road and Street Standards" and the California Building Code. Specifically, all cuts and fills slopes shall be setback to meet the latest CBC.
10. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County Public Works Department evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.
11. The applicant shall furnish an Adobe Acrobat PDF file with a complete set of all approved improvement plans to the County Engineer.
12. At the completion of construction, and prior to the final approval by the County, the applicant shall submit an Adobe Acrobat PDF file of the improvement plans reflecting all as built conditions and signed by the engineer of record.

OTHER RECOMMENDATIONS:

13. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of the nearest County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.
14. Prior to the issuance of applicable building or grading permits the applicant must obtain any appropriate regulatory permits from the Regional Water Quality Control Board, Army Corp. of Engineers and Fish & Game.
15. The Applicant must comply with all associated requirements and exhibits relating to water conditions to be imposed on all parcels as described in Napa County Agreement No. 7070, between the County of Napa and the City of American Canyon. This agreement and all its parts shall be effective as of July 3rd, 2008. (See Attached Exhibits E,F,G,H)

AIRPORT SPECIFIC CONDITIONS

16. Applicant will pay the applicable Napa County Airport Industrial Area Traffic Mitigation Fees prior to receiving any building permits for this project. For any requested building permit, the proportionate share of the fee will be based on the traffic generation represented by the building permit request. For example, if the applicant requests a permit for a building that would

generate 10 percent of estimated project traffic, the fee required by the county would be 10 percent of the project's grand total traffic mitigation fee. The applicant should contact the Public Works office to obtain information regarding the determination of this fee.

17. All Public Works related improvements shall conform to the latest Napa County Road and Street Standards and the latest Napa County AIASP.
18. Private driveways along collectors should be separated a minimum distance of 200 feet from an intersection. The Napa County AIASP on page 120, "b. Direct Access Limitations" states that "Private driveways along collectors should be separated by a minimum distance of 200 feet and should not be permitted within 200 feet of an intersection".

CONSTRUCTION STORMWATER REQUIREMENTS

19. Any Project that requires a building or grading permit shall complete a Napa County Construction Site Runoff Control Requirements Appendix A - Project Applicability Checklist and shall submit this form to the Napa County Public Works Department for review.
20. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance 1240 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
21. Any construction activity that equals or exceeds one acre of total disturbed area shall prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the regulations of California Regional Water Quality Control Board (SRWQCB) and shall file a Notice of Intent (NOI) prior to commencement of any construction activity. The completed SWPPP shall be submitted to the Napa County Department of Public Works for review.
22. All hazardous materials stored and used on-site during construction that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified.
23. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
24. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS

25. Project must conform and incorporate all appropriate Site Design, Source Control and Treatment Control Best Management Practices as required by the Napa County manual for *Post-Construction Runoff Management Requirements* which is available at the Public Works office.
26. Post-development runoff volume shall not exceed pre-development runoff volume for the 2-year, 24-hour storm event. Post-development runoff volume shall be determined by the same method used to determine pre-development conditions. If post-development runoff volume exceeds pre-development runoff volume after the site design BMPs are incorporated into the project's overall design, a structural BMP (e.g. bio-retention unit) may be used to capture and infiltrate the excess volume.
27. Loading/unloading dock and processing areas must be covered or designed to preclude stormwater run-on and runoff. All direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
28. Vehicle/equipment washing areas shall be covered, paved, designed to prevent run-on and runoff from the washing area, and plumbed to drain to the sanitary sewer or closed-loop system. The applicant shall contact the local permitting authority and/or sanitary district with jurisdiction for specific connection and discharge requirements.
29. Parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any discharge of concentrated surface waters is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board prior to the issuance of applicable construction permits.
30. In design of retention facilities, the maximum percolation rate shall be two inches per hour.
31. For on-site common retention basins, the side slopes shall not exceed 3:1.
32. Provide concrete stamping, or equivalent, of all stormwater conveyance system inlets and catch basins within the project area with prohibitive language (e.g., "No Dumping – Drains to Napa River"). Signage shall identify the receiving water the drain discharges to and include a message in Spanish.
33. Trash storage areas shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, and screened or walled to prevent off-site transport of trash. Trash storage areas must contain a roof or awning to minimize direct precipitation or contain attached lids on all trash containers that exclude rain.

34. Prior to final occupancy the property owner must legally record an *"implementation and maintenance agreement"* approved by the Public Works department to ensure all post-construction structures on the property remain functional and operational for the indefinite duration of the project.

35. Each year the entity responsible for maintenance is required to complete an annual report that includes copies of completed inspection and maintenance checklists to document that maintenance activities were conducted during the previous year. The annual report shall be retained for a period of at least five years and made available upon request by the County.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Jeannette Doss at 253-4351.

Attachments: Exhibits E, F, G, and H of Napa County Agreement No. 7070

EXHIBIT E

Water Conditions To Be Imposed On All Parcels (City Customers and Outside Customers) For Which New Water Service is Requested

The City of American Canyon ("City") may impose the conditions listed below on new water services for Outside Customers by including these conditions in the "will-serve" letters that the City provides to such Outside Customers, but only if the City also imposes the same conditions on all new water services for parcels with similar uses within the City's limits. The County shall include these same conditions in all new land use development permits for parcels within the Airport Industrial Area Specific Plan area.

1. **City Capacity Fees and Conditions of Approval for Water Service.** Capacity Fees charged for parcels within the City's Water Service Area shall be established by the City and will be periodically reviewed and updated. Capacity Fees (also known as Connection Fees) will be uniform throughout the Water Service Area, regardless of whether the parcel to which the fee applies is inside or outside the City's Limits. The Capacity Fee and any conditions on new water service will be determined based on the Water Supply Report, which shall contain the analysis described in Part II.C. of Exhibit "F" of this Agreement, and which will be consistent with the City's Zero Water Footprint Policy, adopted by the City on October 23, 2007.

2. **Cost of Water Service.** The cost of new water service shall be imposed through the capacity fees in the City's Ordinance 2007-09 or through new capacity fees approved by the County and enacted in a new City ordinance. However, if the Water Supply Report finds, consistent with the City's Zero Water Footprint Policy (see Exhibit F), that the City will have to obtain additional water supplies to meet "dry year" shortfalls, then the cost of water to meet such "dry year" shortfalls will be the sole responsibility of the Applicant. In determining whether or not such "dry year" shortfalls will occur, the City shall include in the base supplies available to the City during "dry years" the new water supplies that have been or will be included in the calculations used to set the City's Capacity Fees and water rates. The City will conclude that "dry year" shortfalls will occur only if such base supplies will not be adequate to meet anticipated "dry year" demands. The City may not impose any costs on the Applicant under this section to reimburse the City for any capital or operating costs that have been or will be included in the calculations used to set the City's Capacity Fees or water rates. The City may impose the additional costs described in the preceding sentence on Outside Customers only if the City also imposes such additional costs uniformly on City Customers.

3. **Maximum Allowable Water Use.** Water received from the City for use on parcels within the Airport Industrial Area Specific Plan area and on parcels with similar uses within the City's limits shall be limited to an average of 650 gallons of water per day per acre (measured monthly), and Applicants for new or increased City water service for all such parcels shall be required to demonstrate to the City while the City is preparing the Water Supply Report for the Applicant the maximum extent to which the Applicant can further reduce its water consumption by applying the following best management practices:

- **No Flow or Low Flow Fixtures.** These Applicants shall be required to install no flow or low flow water fixtures, and to implement other reasonable water conservation measures that are described in the City's Water Conservation Guidelines adopted in the City's Resolution No. 2008-08 or in new City water conservation guidelines approved by the County and adopted in a new City ordinance or resolution.
- **Drought Tolerant Landscape & Irrigation with Recycled Water.** These Applicants shall be required to use only drought tolerant landscaping, and they may only irrigate landscaped areas with recycled water, when it is available.
- **Purple Pipe.** These Applicants shall be required to dual plumb their buildings and install "purple pipe" in all landscape areas in anticipation of the availability of recycled water and shall use the recycled water when available.
- These Applicants shall follow the water conservation methods that are described in the Water Conservation Guidelines adopted in the City's Resolution No. 2008-08 or in new City water conservation guidelines approved by the County and adopted in a new City ordinance or resolution.

The City may apply the provisions of this Paragraph 3 to Applicants for new or increased City water service for parcels within the Airport Industrial Area Specific Plan area only if the City also uniformly applies these provisions to all Applicants for new or increased City water service for parcels with similar uses within the City's limits.

4. **Water Offsets.** Applicants for City water service for parcels within the Airport Industrial Area Specific Plan area and for parcels with similar uses within the City's limits that wish to use more than an average of 650 gallons of water per day per acre (measured monthly) shall offset the proposed water use over 650 gallons per day per acre (measured monthly) through the use of one or more options that are made available by the City to the Applicants. These options include, but are not limited to, retrofitting of existing residences with low flow fixtures, purchase of otherwise developable land as permanent open space, or acquisition of other water supply resources as provided for by a water supply analysis that follows the Zero Water Footprint Methodology described in Exhibit F. The City shall make all such options available uniformly to Applicant for City water service for parcels within the Airport Industrial Area Specific Plan area and for parcels with similar uses within the City's limits, and that seek such offsets.

5. **Drought Restrictions.** To the extent permitted by law, the City may curtail or ration the use of water provided by the City below the limit of 650 gallons per day per acre (measured monthly) in dry years through the imposition of drought restrictions that are uniformly applied throughout the City's Water Service Area.

EXHIBIT F

Zero Water Footprint and Water Supply Report Methodology

I. PURPOSE

To implement the Zero Water Footprint Policy adopted by the City Council on October 23, 2007. In this policy, "Zero Water Footprint" is defined as:

"No loss in reliability or increase in water rates for existing water service customers due to requested increased demand for water within the City's Water Service Area."

II. PROCEDURES

- A) **Initial Request.** Applicants for all projects requiring additional water supplies from the City of American Canyon, either inside City limits or in the City's Water Service Area but outside of City limits, shall complete a water supply worksheet estimating average and peak use for indoor and outdoor uses and provide the completed worksheet to the City's Engineering Division.
- B) **Evaluation of Water Footprint.** The Engineering Division shall evaluate the water footprint of the project, using the water supply worksheet provided by the Applicant, to determine whether a Water Supply Report is required. A Water Supply Report will not be required if the project meets the adopted Zero Water Footprint definition. This can be accomplished by projects with no additional water demand or by projects which offset increased water demand by off-site conservation measures.
- C) **Water Supply Report.** A Water Supply Report shall be prepared for all projects that do not meet the adopted Zero Water Footprint definition. The Water Supply Report shall be prepared by the City of American Canyon at the cost of the project applicant. The Water Supply Report shall be substantially in the form of the report approved in the City's Resolution No. 2008-02, or in a new form approved by the County and approved by the City in a new resolution and shall include the following analysis:
 - 1) Water service request
 - a) Description of project
 - b) Water service request
 - (i) Average Daily Demand
 - (ii) Peak Day Demand
 - c) Conservation Measures Included in Project
 - 2) Consistency
 - a) Urban Water Management Plan
 - b) Recycled Water Facilities Plan
 - c) Water Conservation Implementation Guidelines
 - 3) Water footprint
 - a) Zero Water Footprint Definition
 - b) Project's impact on reliability
 - c) Project's impact on rates

- d) Project's water footprint
- 4) Project's contribution
 - a) Capacity fee
 - b) Reimbursable improvements
- 5) Capital program status
 - a) Summary
 - b) System planning status
 - c) Water supply
 - (i) Water supply implementation status
 - (ii) Water supply alternatives
 - d) Water treatment
 - (i) Water treatment implementation status
 - (ii) Water treatment alternatives
 - e) Water storage, transmission, and distribution status
 - f) Water capital program financial status
- 6) Vineyards analysis
 - a) Vineyards decision
 - b) Facts with respect to solutions to water supply problems
 - c) Water supply over the life of the project
 - d) Impacts of likely future water sources
 - e) Possible replacement sources and their impacts
- 7) Recommended mitigations
 - a) Long term water mitigations
 - b) Short term water mitigations
- 8) Opportunities to reduce project's water footprint
 - a) On-site conservation opportunities
 - b) Off-site conservation opportunities

D) Applicant Review of Water Supply Report. The Water Supply Report, once approved by the City, will be furnished to the project applicant. If the applicant elects to revise the project to reduce the water footprint, the Water Supply Report may be revised at the applicant's cost.

E) Water Will Serve Letter. Water will-serve letters are required for projects outside of the Napa Valley Gateway project limits that are requesting increased water services from the City. The Napa Valley Gateway project is subject to the terms and conditions of a will-serve letter for the entire project agreed upon between the City of American Canyon and Charles Slutzkin of Napa Valley Gateway Limited in a will-serve letter agreement dated December 13, 2002. So long as the terms and conditions of that will-serve letter agreement are complied with, developments of parcels within the Napa Valley Gateway project limits will not require any Water Supply Report or additional will-serve letters.

EXHIBIT G

Appeal Procedure: Zero Water Footprint Methodology

1. **Grounds for Appeal- Conditions of Approval.** If the water service application is for a parcel outside the City's limits, then the City shall, within 30 days of receipt of such application, provide to the Applicant and the County any conditions of approval that the City proposes to impose on the parcel at least 90 days before imposing the conditions of approval.

Conditions of approval that result from the Water Supply Report and that the City proposes to include in a water service will-serve letter that will be issued by the City for a parcel outside of the City's limits may be appealed by an Applicant under the process described in Section 3 below.

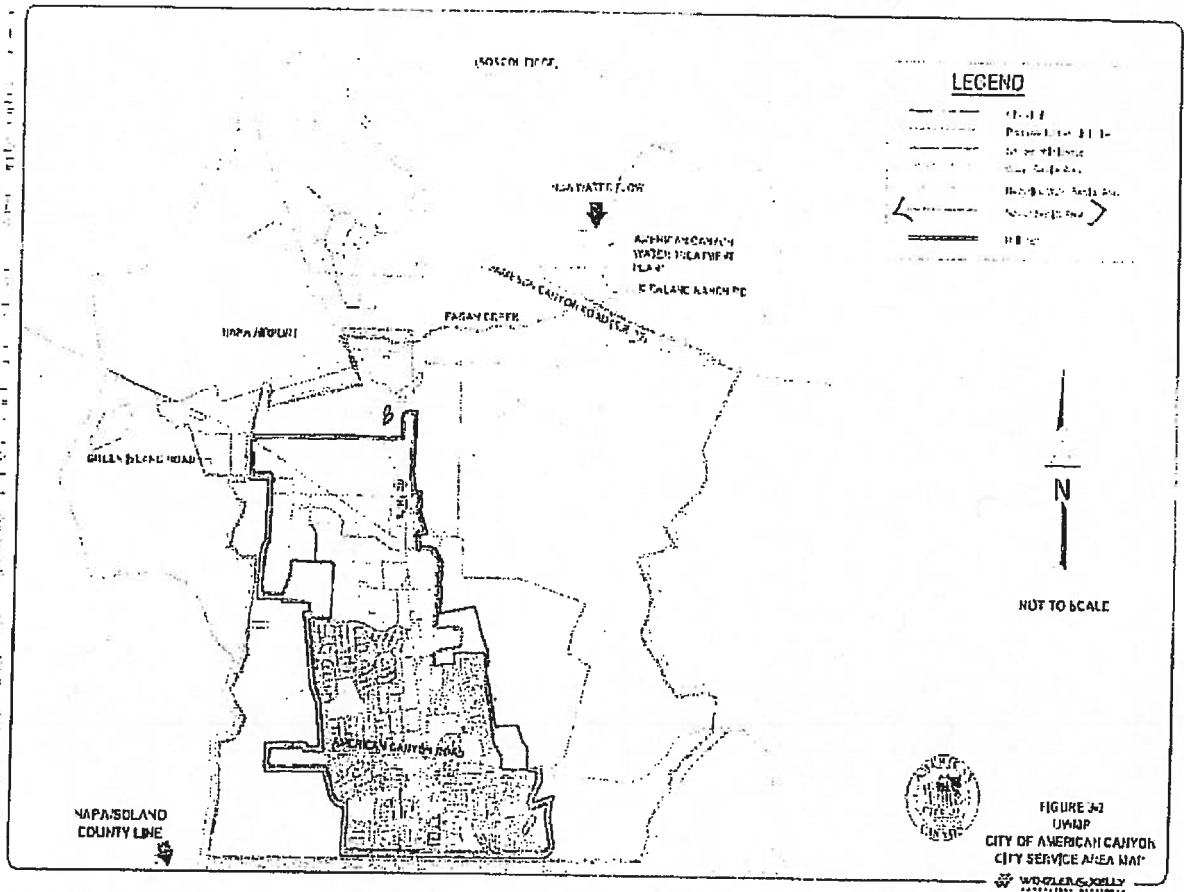
2. **Exceptions:** An appeal may not challenge water rates imposed by the City that are consistent with *Hansen v. City of San Buenaventura* (1986) 42 Cal.3d 1172, and the City's Ordinance 2007-13. An appeal also may not challenge Capacity Fees that are set pursuant to the City's Ordinance 2007-09, or new capacity fees approved by the County and enacted in a new City ordinance.

3. **Appeal Process and Appeal Panel.** An appeal of water service conditions of approval that the City proposes for a parcel outside the City's limits may be filed within ninety (90) days after the proposed conditions are forwarded to the Applicant and the County for inclusion in a development permit. The appeal will be heard by the panel described in the following paragraph, and this panel will determine whether any of the conditions under appeal is inconsistent with any provision of this Agreement.

The Appeal Panel will be made up of one member selected by the County Executive Officer, one member selected by the City Manager and one member selected by the two appointed members. If the two appointed members cannot agree on the third member, the name of each candidate shall be placed in a hat to be drawn for selection. The decision of the Appeal Panel will be final, but subject to judicial review pursuant to Code of Civil Procedure section 1094.5. The reasonable cost of the Appeal Panel shall be borne by the Applicant.

EXHIBIT H

City's Water Service Area





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A Commitment to Service

Napa County Fire Department
Fire Marshal's Office
1199 Big Tree Road
St. Helena, CA 94574

Office: (707) 967-1419
Fax: (707) 967-1474

Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Sean Trippi
Conservation, Development and Planning Department

FROM: Brian Hampton
Fire Department

DATE: December 29, 2011

SUBJECT: P11-00469 APN# 057-250-005

SITE ADDRESS: Devlin Road Napa, CA

The Napa County Fire Marshal's Office has reviewed the Use Permit application to construct a new 48,133 square foot building for sales and distribution of cork stopper products. We would request the following comments and/or corrections be incorporated as project conditions should the Planning Commission approve the project.

- 1. All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**
2. Install steamer fire hydrants within 250 feet of any exterior portion of the building as measured along approved vehicular access roads. Civil drawings shall be submitted to the Napa County Fire Marshal's Office for plan review and approval.
3. Your required fire flow for this project is 4,750 gpm for a 4 hour duration at 20 psi residual pressure. The fire flow shall be reduced in half as the building will be required to have an automatic fire sprinkler system installed.
4. Install blue dot reflectors 12 inches off centerline on hydrant side.
5. Provide emergency vehicle access roads to within 150 feet of any exterior portion of the building.
6. Driveways and roadways shall be installed per the Napa County Public Works Road and Street Standards.

7. Install a KNOX CABINET at the right hand side of the driveway entrance. Contact the Napa County Fire Marshal's Office for an application and further information.
8. Install currently serviced and tagged 2A10BC fire extinguishers' within 75 feet of travel distance from any portion of the facility. Fire extinguishers' shall be mounted 3 1/2 feet to 5 feet to the top of the extinguisher and shall be readily visible and available.
9. All buildings exceeding 3,600 square feet shall be provided with an automatic fire sprinkler system in accordance with NFPA 13 2010 edition with water flow monitoring to a Central Receiving Station. Plans shall be submitted to the Napa County Fire Marshal's Office for plan review and approval.
10. Install smoke and heat vents per the California Fire Code 2010 edition.
11. Install draft curtains per the California Fire Code 2010 edition.
12. Install illuminated exit signs throughout the facility per the California Building Code 2010 edition.
13. Install emergency back-up lighting throughout the facility per the California Building Code 2010 edition.
14. Approved access walkways shall be provided to all exterior doors and openings required by the California Fire Code 2010 edition.
15. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red and 4 inch white letters stenciled on top of the curb every 30 feet to read: NO PARKING FIRE LANE-CVC 22500.1.
16. All exit doors shall be operable without the use of a key or any special knowledge or effort.
17. The request for beneficial occupancy will not be considered until all fire and life safety issues have been installed, tested, and finalized.
18. A complete set of building drawings and civil drawings shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to building permit issuance.
19. Plans detailing compliance with all fire and life safety condition of approval shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to building permit issuance.
20. The numerical address shall be posted on the street side of the building visible from both directions of travel a minimum of 4-inches in height on a contrasting background. Numbers shall be reflective and/or illuminated.

21. All gated entrances shall be equipped with a KNOX RAPID ENTRY SYSTEM.
Electronic gates shall be equipped with a KNO key switch and manual gates shall be equipped with a KNOX padlock.
22. Technical assistance in the form of a Fire Protection Engineer or consulted reporting directly to the Napa County Fire Marshal's Office shall be provided at no cost per the 2010 edition of the California Fire Code.

CITY OF AMERICAN CANYON



January 19, 2012

Pedro Fernandes
Amorim Cork American, Inc.
2557 Napa Valley Corporate Drive #A
Napa, CA 94558

SUBJECT: Water Service "Will Serve" Letter
Napa County APN 057-250-005
Amorim Cork Facility

Dear Mr. Fernandes:

The City of American Canyon ("City") has received a request from Harvey Shein ("Applicant") representing Amorim Cork America, Inc. ("Owner") for a "Will-Serve Letter" for improvements and use as described below related to the proposed improvement of real property located on Devlin Road, Napa County Assessor's Parcel Number 057-250-005 ("the Property"). The Applicant is seeking a permit to construct a building for the sales and distribution of cork stopper products. The request is subject to both City and State legal requirements as detailed below.

The City's understanding of the use of the property is based on the representations of the Applicant in a communication from Mr. Shein dated January 2, 2012. The proposed project will construct an industrial building on Devlin Road for the sales and distribution of cork stopper products. The attached table outlines the anticipated water usage at the proposed development.

The use and water use are as follows:

Warehouse/Office:	48,133 square feet
Total lot acreage:	3.36acres

Annual Average Daily Water Demand in gallons per day:

Irrigation:	600 gpd
Domestic:	300 gpd
Industrial:	250 gpd
Combined average daily water usage:	1,150 gpd

Maximum Daily Water Demand in gallons per day:

Irrigation:	820 gpd
Domestic:	1,000 gpd
Industrial:	360 gpd
Combined peak daily water usage:	2,180 gpd



According to the applicant's engineer, the domestic water demand is estimated to be 342 gallons per acre per day.

City Review

The City reviews proposed developments to ensure that Will Serve Letters are issued based on assumed water and sewer demands for specified allowed densities of development, taking into account the overall demand for water and the overall demand for effluent discharge within the City's system.

The City will provide the level of water service shown in the table above, subject to the occurrence or satisfaction of the following conditions and/or the continued existence of the following described conditions:

1. Applicant shall be subject to the City's rules and regulations in force at the time application for service for the authorized and described development is made, including all fees and charges, unless otherwise agreed in writing.
2. Applicant shall construct all facilities required to serve the development property which shall be determined by the City based on the authorized and described development. Applicant shall bear 100% of the costs of the facilities required to serve the development property, subject to review and approval of the City's Public Works Department. Applicant shall also be responsible for paying its proportionate fair-share allocation of any additional regional facilities required to serve the development property, including, but not limited to, participation in a mutual beneficial assessment district to be initiated by others.
3. Applicant shall submit to the City cost estimates for the construction of all on- and off-site public water facilities required for the authorized and described development. If the City finds the costs reasonable, the Applicant shall pay to the City an amount equal to Applicant's proportionate fair share of 5% of the agreed-upon construction costs to cover plan check and inspection services by the City. This fee is fixed and non-refundable. This Will Serve Letter is conditional upon the City's agreeing in writing to the estimated costs.
4. The Applicant shall waive all present and future protest(s) to a 40% surcharge on water rates for outside-the-City users or such other surcharge on water rates for outside-the City uses as may be formulated by the City (e.g., drought conditions).
5. Because the City faces a cutback of up to 96% in its allocation from the State Water Project during extremely dry years, as documented by the City's Urban Water Management Plan, it is seeking additional water supply in the form of transfers of rights. The cost of this water supply is not known, nor is it included in the current City rates. The City is considering a drought surcharge on all customers, existing and new, in order to finance a drought reserve. The Applicant agrees to waive any protest to such a drought surcharge during its formulation and implementation and review under the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* ("CEQA").
6. The City Council of the City of American Canyon adopted a Zero Water Footprint (ZWF) policy on October 23, 2007, which requires development to offset all (100%) of the water demand for a project. The proposed project does not have a Zero Water Footprint because

it is requesting a water demand greater than existing demand. Therefore, this project is subject to a water demand surcharge.

7. Financial Obligation for Water Service
 - a. Monthly water service charge will be \$4.81/100 cubic feet. (This fee is subject to change to coincide with current City of Vallejo water rates). The estimated monthly water service charge (based on 1,150 gpd average daily water demand) is \$222 per month.
 - b. The water capacity fee for the subject use will be \$39,959.40 (maximum day demand X \$18.33).
8. There are no mitigation fees associated with this project because the project is located in the Napa Valley Gateway Development.
9. City records as of the date of this letter indicate that 155,879 gpd of water are being used by existing projects or have been allocated to permitted development projects within Napa Valley Gateway Development (NVGD). Adding this projects demand (1,150 gpd) allocates a total 157,029 gpd to NVGD. This number is less than the cap of 191,100 gpd agreed upon between the City of American Canyon and Mr. Charles Slutzkin of NVGD on December 13, 2002.
10. The City reserves the right to audit the site's water demand as deemed necessary in order to verify that the applicant's water use is in accordance with this Will Serve Letter.

This Will Serve Letter supersedes all prior purported Will Serve Letters and service commitments to the development of the Property with any use. This Will Serve Letter will remain valid for a period of two years from its date and is only valid for the authorized development. The City reserves the right to further condition extension of water service if development different from that presently proposed and authorized is pursued or if events out the City's control impact the City's ability to furnish water.

Except to the extent set forth, this letter does not create a liability or responsibility to the Applicant or to any third party on behalf of the City. The City does not make a determination as to land use entitlements required for the proposed project, and the issuance of this Will Serve Letter shall not be construed to be an expression of the City of a position regarding the use or intensity of use of the property or that the City has complied with applicable law in assessing the proposed project under CEQA.

This Will Serve Letter only becomes effective upon acceptance of the conditions set forth in this letter by execution of the acceptance provision set forth below and the transmittal of the executed acceptance to the City Public Works Department.

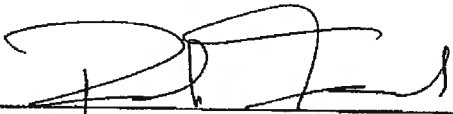
Sincerely yours,



Michael W. Throne, P.E.
Public Works Director

cc: Dana Shigley, City Manager
William D. Ross, City Attorney
Greg Baer, Community Development Department
Barry Whitley, Finance Director
Susan Presto, Finance Manager
Utility Billing Department
Charles Slutzkin, Napa Valley Gateway
Harvey Shein

ACCEPTANCE
of
Will-Serve Conditions
for
Amorim Building
APN 057-250-005

I,  , accept the conditions set forth in this communication.

Pedro Fernandes
(Owner)

Date:

01/20/12



Dedicated to Preserving the Napa River for Generations to Come

July 21, 2011

Conservation, Development and Planning Department
County of Napa
1195 Third Street, Room 210
Napa, CA 94559

SUBJECT: APN 057-250-005

To Whom It May Concern:

The Napa Sanitation District has received a request to provide a "Will Serve" letter for a proposed 45,000 SF warehouse on the subject parcel. The subject parcel is currently within the District's Sphere of Influence and within the District's boundaries.

The owner/developer will be required to install the sanitary sewer and reclaimed water improvements as specified in the District's Conditions of Approval for the project. Additionally, the owner will be required to pay the appropriate connection and inspection fees, and shall be subject to all applicable rules and regulations of the District.

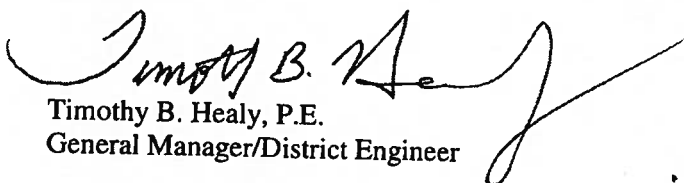
It should be noted that this area is within the District's Reclaimed Water Benefit Zone. The development will be required to install the necessary facilities to utilize reclaimed water for landscape irrigation.

The project has requested service to approximately 1.7 acres of landscaping, with a total recycled water demand of approximately 5 acre-feet per year.

This "Will Serve" letter for sanitary sewer and recycled water service is valid for a period of three (3) years from the date of this letter. If the proposed development has not obtained its required Connection Permits from the District at the end of this time, this "Will Serve" letter shall become void.

If you have any questions regarding this matter, please contact Andrew Damron at (707) 258-6000 ext 507.

Sincerely,


Timothy B. Healy, P.E.
General Manager/District Engineer



Dedicated to Preserving the Napa River for Generations to Come

January 06, 2012

Conservation, Development, and Planning
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

PL11-00469 Amorin Cork, Pedro Fernandes, (Trippi)

The Napa Sanitation District has reviewed the above-named application. The following are the conditions of approval for the project.

The owner shall pay to the District the prevailing fees and charges in effect as established by Resolutions and Ordinances before the issuance of a County Building Permit, and shall adhere to the rules and regulations as they apply to the application.

The District has identified the following comments based on the current application. The District reserves the right to modify the following conditions/comments based on changes to future applications or changes to the project site plan. The proposed project shall be subject to the following conditions of approval:

The proposed project shall be subject to the following conditions of approval:

- 1 A plan showing the required sanitary sewer and recycled water improvements shall be prepared by a registered civil engineer conforming to NSD standards, and shall be submitted to the District for approval.
- 2 The irrigation system shall be designed to convert to recycled water for landscape irrigation if recycled water were to become available in the future.
- 3 No floor drains are allowed in the building except in the restroom areas.
- 4 The owner shall have the existing sanitary sewer lateral going to Devlin Road exposed at the property line to allow NSD to perform a video inspection of the line. If the lateral passes video inspection as determined by the District, then the lateral may be reused. If it fails inspection, the owner will be required to hire a Class A licensed contractor to install a new lateral at the owner's expense.
- 5 The proposed development would be subject to the following fees, based on the rates in effect at the time they are paid:

Plan Check Fees (presently \$40.00 per lot)

Inspection Fees (presently \$35.00 per each 4" street lateral and \$35.00 per each 4" onsite lateral)

Capacity Charges (presently a minimum of \$6,000.00 per each commercial unit / tenant space, located within the proposed building. The capacity charge may be higher depending on the number of fixture units installed within each commercial unit / tenant space. The owner shall contact the District for additional information.)

On September 15, 2010, the District's Board of Directors increased capacity charges. The capacity charge for a single-family dwelling or commercial unit / tenant space will increase to \$7,000 on July 1, 2012, and to \$8,300 on July 1, 2013. Projects with plans that have been deemed complete by the engineering staff shall pay the capacity charge in effect at the time the plans were deemed complete. This program expires on December 31, 2016. Contact District Staff for additional information regarding capacity charges.

Please include this information as a part of your consideration of the application.

Sincerely,

Timothy B. Healy, P.E.
General Manager / District Engineer

by: Andrew Damron, PE
Associate Engineer