



A Tradition of Stewardship
A Commitment to Service

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Napa County

Napa County Planning, Building
& Environmental Services

Conservation, Development, and Planning Department

1195 Third Street, Suite 210, Napa, California, 94559 phone (707) 253-4417

web www.countyofnapa.org/cdp/ email cdp@countyofnapa.org

Use Permit Application

To be completed by Planning staff...

Application Type: Major Modification

Date Submitted: 8-15-13 Resubmittal(s): _____ Date Complete: _____

Request: _____

*Application Fee Deposit: \$ 5,000.00 Receipt No. 97689 Received by: 8J Date: 8-15-13

**Total Fees will be based on actual time and materials*

To be completed by applicant...

Project Name: Brand Napa Valley (Formerly Feathered Horse Vineyards)

Assessor's Parcel No: 032-010-088 Existing Parcel Size: 42.26 ac.

Site Address/Location: 90 Long Ranch Road, St. Helena, CA 94574
No. Street City State Zip

Primary Contact: ☐ Owner ☐ Applicant ☒ Representative (attorney, engineer, consulting planner, etc.)

Property Owner: Jupiter Colony LLC, a Florida Limited Liability Company

Mailing Address: c/o Edward P. Fitts, 90 Long Ranch Road, St. Helena, CA 94574
No. Street City State Zip

Telephone No: (612) 322 - 8154 E-Mail: Ed.Fitts@gmail.com

Applicant (if other than property owner): Brand Napa Valley LLC, a California limited liability company

Mailing Address: c/o Edward P. Fitts, 90 Long Ranch Road, St. Helena, CA 94574
No. Street City State Zip

Telephone No: (612) 322 - 8154 E-Mail: Ed.Fitts@gmail.com

Representative (if applicable): Kelly J. Berryman, Attorney

Mailing Address: Berryman & Montalbano, PLC, PO Box 513, Calistoga, CA 94515
No. Street City State Zip

Telephone No: (707) 942 - 0750 E-Mail: Kelly@BerrymanMontalbano.com

Use Permit Information Sheet

Use

Narrative description of the proposed use (please attach additional sheets as necessary):

Applicant proposes to increase the scope of existing use permit as follows:

1. Modify allowed daily visitors to 18, with a maximum of 108 visitors per week.
2. Expand winery premises to include picnic area at top of property (see proposed site plan) as an outdoor tasting area. Transportation to the picnic area is exclusively provided by the winery's shuttle. Access to the picnic area requires passage through a locked electric gate. The code will remain private and not be provided to the public.
3. Use existing storage shed at picnic area for cased wine and glassware storage, wine tasting preparation, and employee/vendor staging for events. Sink to be removed from building permit plans and shed.
4. Expand marketing events (see Marketing Program, below).

What, if any, additional licenses or approvals will be required to allow the use?

District Napa County : Exception to Road Standards

Regional _____

State Alcohol Beverage Control (modify premises)

Federal _____

Improvements

Narrative description of the proposed on-site and off-site improvements (please attach additional sheets as necessary):

Driveway modification to standards approved by Public Works.

Improvements, cont.

Total on-site parking spaces: 15 existing 15 proposed

Loading areas: 1 existing 1 proposed

Fire Resistivity (check one; if not checked, Fire Marshal will assume Type V – non rated):

☐ Type I FR ☐ Type II 1 Hr ☐ Type II N (non-rated) ☐ Type III 1 Hr ☐ Type III N
☐ Type IV H.T. (Heavy Timber) ☐ Type V 1 Hr. ☒ Type V (non-rated)
(for reference, please see the latest version of the California Building Code)

Is the project located in an Urban/Wildland Interface area?



Yes



No

Total land area to be disturbed by project (include structures, roads, septic areas, landscaping, etc): less than one acres

Employment and Hours of Operation

Days of operation: Monday - Saturday existing Monday-Saturday proposed

Hours of operation: 8 am -5 pm existing 8 am - 5 pm proposed

Anticipated number of employee shifts: 4 FT; 4 PT existing 4 FT; 4 PT proposed

Anticipated shift hours: 8 am - 5 pm existing 8 am - 5 pm proposed

Maximum Number of on-site employees:

☒ 10 or fewer ☐ 11-24 ☐ 25 or greater (specify number) _____

Alternately, you may identify a specific number of on-site employees:

☐ other (specify number) _____

Certification and Indemnification

Applicant certifies that all the information contained in this application, including all information required in the Checklist of Required Application Materials and any supplemental submitted information including, but not limited to, the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of his/her knowledge. Applicant and property owner hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, *including the right of access to the property involved.*

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

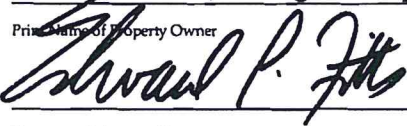
In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

Edward P. Fitts, Manager of Jupiter Colony LLC

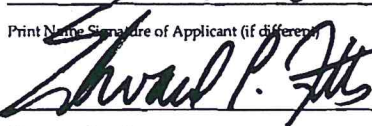
Edward P. Fitts, Manager of Brand Napa Valley LLC

Print Name of Property Owner

Print Name Signature of Applicant (if different)



8/8/13



8/8/13

Signature of Property Owner

Date

Signature of Applicant

Date

Supplemental Application for Winery Uses

Operations

Please indicate whether the activity or uses below are already legally **EXISTING**, whether they exist and are proposed to be **EXPANDED** as part of this application, whether they are **NEWLY PROPOSED** as part of this application, or whether they are neither existing nor proposed (**NONE**).

Retail Wine Sales	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Tours and Tasting- Open to the Public	<input type="checkbox"/> Existing			
Tours and Tasting- By Appointment	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Tours and Tastings	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input checked="" type="checkbox"/> None
Marketing Events*	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Marketing Events	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Will food be prepared...	<input type="checkbox"/> On-Site?	<input checked="" type="checkbox"/> Catered?		
Public display of art or wine-related items	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input checked="" type="checkbox"/> None

* For reference please see definition of "Marketing," at Napa County Code §18.08.370 - <http://library.municode.com/index.aspx?clientId=16513>

Production Capacity *

Please identify the winery's...

Existing production capacity: 10,000 gal/y Per permit No: P09-0039, P09-0540 Permit date: 2/2/2010 (orig)

Current maximum actual production: 8940 gal/y For what year? 2012

Proposed production capacity: 10,000 gal/y

* For this section, please see "Winery Production Process," at page 11.

Visitation and Hours of Operation

Please identify the winery's...

Maximum daily tours and tastings visitation:	<u>10</u> existing	<u>20</u> proposed
Average daily tours and tastings visitation ¹ :	<u>3</u> existing	<u>8</u> proposed
Visitation hours (e.g. M-Sa, 10am-4pm):	<u>M-Sat, 10am - 4pm</u> existing	<u>M-Sat, 10am-4pm</u> proposed
Non-harvest Production hours ² :	<u>M-Fri, 8am-5pm</u> existing	<u>M-Fri, 8am-5pm</u> proposed

¹ Average daily visitation is requested primarily for purposes of environmental review and will not, as a general rule, provide a basis for any condition of approval limiting allowed winery visitation.

² It is assumed that wineries will operate up to 24 hours per day during crush.

Grape Origin

All new wineries and any existing (pre-WDO) winery expanding beyond its winery development area must comply with the 75% rule and complete the attached "Initial Statement of Grape Source". See Napa County Code §18.104.250 (B) & (C).

Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, food service details, etc. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.)

Applicant requests approval to expand its existing marketing events from 6 per year with a maximum of 20 guests per event as follows:

1. Allow up to 6 marketing events per year with no more than 75 persons per event.
2. Allow up to 6 additional "special marketing events" per year with no more than 200 persons per event.
3. Participation in Auction Napa Valley.
4. For all marketing events held at the picnic area, Applicant shall provide portable restroom facilities and shuttle transportation to and from picnic area.
5. Applicant shall provide adequate portable restroom facilities for all special marketing events.
6. For any event for which attendance exceeds the available on-site parking, the applicant will arrange for off-site parking and/or shuttle service.

All food served at marketing events will be catered by outside vendors. See attached site plan showing picnic area and proposed parking for vendors and restroom facility location.

Food Service

Please describe the nature of any proposed food service including type of food, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Please differentiate between existing and proposed food service. (Attach additional sheets as necessary.)

Proposed food service for marketing events will not change from existing use permit conditions. Any food served will be catered by outside vendors. Winery does not have kitchen equipment or facilities. Eating facilities may include picnic tables at the picnic site, use of the winery tasting room, caves and outdoor areas.

Winery Coverage and Accessory/Production Ratio

Winery Development Area. Consistent with the definition at "a.," at page 11 and with the marked-up site plans included in your submittal, please indicate your proposed winery development area. If the facility already exists, please differentiate between existing and proposed.

Existing	<u>18,896</u> sq. ft.	<u>.43</u> acres
Proposed	<u>19,376</u> sq. ft.	<u>.44</u> acres

Winery Coverage. Consistent with the definition at "b.," at page 11 and with the marked-up site plans included in your submittal, please indicate your proposed winery coverage (maximum 25% of parcel or 15 acres, whichever is less).

<u>76,610</u> sq. ft.	<u>1.8</u> acres	<u>4.5</u> % of parcel
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Production Facility. Consistent with the definition at "c.," at page 11 and the marked-up floor plans included in your submittal, please indicate your proposed *production* square footage. If the facility already exists, please differentiate between existing and proposed.

Existing	<u>11,453</u> sq. ft.	Proposed	<u>11,453</u> sq. ft.
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Accessory Use. Consistent with the definition at "d.," at page 11 and the marked-up floor plans included in your submittal, please indicate your proposed *accessory* square footage. If the facility already exists, please differentiate between existing and proposed. (maximum = 40% of the production facility)

Existing	<u>2708</u> sq. ft.	<u>24%</u> % of production facility
Proposed	<u>3188</u> sq. ft.	<u>28%</u> % of production facility

Caves and Crushpads

If new or expanded caves are proposed please indicate which of the following best describes the public accessibility of the cave space:

- ☐ None – no visitors/tours/events (Class I) ☐ Guided Tours Only (Class II) ☐ Public Access (Class III)
- ☐ Marketing Events and/or Temporary Events (Class III)

Please identify the winery's...

Cave area	Existing: <u>6489</u> sq. ft.	Proposed: <u>6489</u> sq. ft.
Covered crush pad area	Existing: <u>no change</u> sq. ft.	Proposed: <u>no change</u> sq. ft.
Uncovered crush pad area	Existing: <u>no change</u> sq. ft.	Proposed: <u>no change</u> sq. ft.

Winery Traffic Information / Trip Generation Sheet

Traffic during a Typical Weekday

Number of FT employees: <u>2</u>	x 3.05 one-way trips per employee	=	<u>6.1</u>	daily trips.
Number of PT employees: <u>1</u>	x 1.90 one-way trips per employee	=	<u>1.9</u>	daily trips.
Average number of weekday visitors: <u>8</u>	/ 2.6 visitors per vehicle x 2 one-way trips	=	<u>6.2</u>	daily trips.
Gallons of production: <u>10,000</u>	/ 1,000 x .009 truck trips daily ³ x 2 one-way trips	=	<u>.2</u>	daily trips.
Total		=	<u>14.4</u>	daily trips.
(No of FT employees) + (No of PT employees/2) + (sum of visitor and truck trips x .38)		=	<u>4.9</u>	PM peak trips.

Traffic during a Typical Saturday

Number of FT employees (on Saturdays): <u>1</u>	x 3.05 one-way trips per employee	=	<u>3.05</u>	daily trips.
Number of PT employees (on Saturdays): <u>0</u>	x 1.90 one-way trips per employee	=	<u>0</u>	daily trips.
Average number of Saturday visitors: <u>15</u>	/ 2. 8 visitors per vehicle x 2 one-way trips	=	<u>10.7</u>	daily trips.
Total		=	<u>13.8</u>	daily trips.
(No of FT employees) + (No of PT employees/2) + (visitor trips x .57)		=	<u>7.1</u>	PM peak trips.

Traffic during a Crush Saturday

Number of FT employees (during crush): <u>4</u>	x 3.05 one-way trips per employee	=	<u>12.2</u>	daily trips.
Number of PT employees (during crush): <u>4</u>	x 1.90 one-way trips per employee	=	<u>7.6</u>	daily trips.
Average number of Saturday visitors: <u>15</u>	/ 2. 8 visitors per vehicle x 2 one-way trips	=	<u>10.7</u>	daily trips.
Gallons of production: <u>10,000</u>	/ 1,000 x .009 truck trips daily x 2 one-way trips	=	<u>.2</u>	daily trips.
Avg. annual tons of grape on-haul: <u>20</u>	/ 144 truck trips daily ⁴ x 2 one-way trips	=	<u>.3</u>	daily trips.
Total		=	<u>31</u>	daily trips.

Largest Marketing Event- Additional Traffic

Number of event staff (largest event): <u>8</u>	x 2 one-way trips per staff person	=	<u>16</u>	trips.
Number of visitors (largest event): <u>200</u>	/ 2.8 visitors per vehicle x 2 one-way trips	=	<u>142.8</u>	trips.
Number of special event truck trips (largest event): <u>5</u>	x 2 one-way trips	=	<u>10</u>	trips.

³ Assumes 1.47 materials & supplies trips + 0.8 case goods trips per 1,000 gallons of production / 250 days per year (see *Traffic Information Sheet Addendum* for reference).

⁴ Assumes 4 tons per trip / 36 crush days per year (see *Traffic Information Sheet Addendum* for reference).

Checklist of Voluntary Greenhouse Gas Emission Reduction Measures



A Tradition of Stewardship
A Commitment to Service

An addendum to the Entitlement Application and a supplement for Initial Studies as required by CEQA

PROJECT NAME	Brand Napa Valley	
PROJECT ADDRESS	90 Long Ranch Road, St. Helena, CA	
APPLICANT	Brand Napa Valley, LLC	
CONTACT INFO	ed.fitts@gmail.com	(707) 942-0750
	email	phone

	yes	no	I don't know
1 Have you designed to U.S.G.B.C.™ LEED™ or Build It Green™ standards? If yes, please include a copy of their required spreadsheets.		X	
2 Do you have an integrated design team? if yes, please list: _____		X	
3 SITE DESIGN			
3.1 Does your design encourage community gathering and is it pedestrian friendly?		X	
3.2 Are you building on existing disturbed areas?	X		
3.3 Landscape Design			
3.31 native plants?	X		
3.32 drought tolerant plants?	X		
3.33 Pierce Disease resistant planting?			X
3.34 Fire resistant planting?			X
3.35 Are you restoring open space and/or habitat?		X	
3.36 Are you harvesting rain water on site?		X	
3.37 planting large trees to act as carbon sinks?	X		
3.38 using permeable paving materials for drive access and walking surfaces?	X		
3.4 Does your parking lot include bicycle parking?		X	
3.5 Do you have on-site waste water disposal?	X		
3.6 Do have post-construction stormwater on site detention/filtration methods designed?	X		
3.7 Have you designed in harmony with existing natural features, such as preserving existing trees or rock outcroppings?	X		
3.8 Does the project minimize the amount of site disturbance, such as minimizing grading and/or using the existing topography in the overall site design (such as cave design)?	X		
3.9 Is the structure designed to take advantage of natural cooling and passive solar aspects?		X	
4 ENERGY PRODUCTION & EFFICIENCY			
4.1 Does your facility use energy produced on site? If yes, please explain the size, location, and percentage of off-set: _____		X	
4.2 Does the design include thermal mass within the walls and/or floors?		X	
4.3 Do you intend to commission the performance of the building after it is built to ensure it performs as designed?		X	
4.4 Will your plans for construction include: No new construction			
4.41 High density insulation above Title 24 standards?		X	
4.42 Zones for heating and cooling to provide for maximum efficiency?		X	
4.43 Energy Star™ or ultra energy efficient appliances?		X	
4.44 A "cool" (lightly colored or reflective) or a permeable/living roof?		X	
4.45 Timers/time-outs installed on lights (such as the bathrooms)?		X	
If yes, please explain: _____			
5 WATER CONSERVATION			
5.1 Does your landscape include high-efficiency irrigation?			X
5.2 Does your landscape use zero potable water irrigation?		X	
5.3 Is your project in the vicinity to connect to the Napa Sanitation reclaimed water?		X	
5.4 Will your facility use recycled water?		X	
5.41 If no, will you prepare for it by pre-installing dual pipes and/or purple lines?		X	
5.5 Will your plans for construction include:			
5.51 a meter to track your water usage?		X	
5.52 ultra water efficient fixtures and appliances?		X	
5.53 a continuous hot water distribution method, such as an on-demand pump?			X
5.54 a timer to insure that the systems are run only at night/early morning?			X

	yes	no	I don't know
6 MATERIAL RECYCLING			
6.1 Are you using reclaimed materials?		X	
If yes, what and where:			
6.2 Are you using recycled construction materials?	No new construction		
6.21 finish materials?		X	
6.22 aggregate/concrete road surfaces?			X
6.23 fly ash/slag in foundation?		X	
6.3 Will your contractor be required to recycle and reuse construction materials as part of your contract?		X	
6.4 Does your facility provide access to recycle-		X	
6.41 Kitchen recycling center?		X	
6.42 Recycling options at all trash cans?	X		
6.43 Do you compost green waste?		X	
6.44 Provide recycling options at special events?	X		
7 NATURAL RESOURCES			
7.1 Will you be using certified wood that is sustainably harvested in construction?		X	
7.2 Will you be using regional (within 500 miles) building materials?		X	
7.3 Will you be using rapidly renewable materials, such as bamboo?		X	
7.4 Will you apply optimal value engineering (studs & rafters at 24" on center framing)?		X	
7.5 Have you considered the life-cycle of the materials you chose?		X	
8 INDOOR AIR QUALITY			
8.1 Will you be using low or no emitting finish and construction materials indoors-		X	
8.11 Paint?		X	
8.12 Adhesives and Sealants?		X	
8.13 Flooring?		X	
8.14 Framing systems?		X	
8.15 Insulation?		X	
8.2 Does the design allow for maximum ventilation?	X		
8.3 Do you plan for a wood burning fireplace (US EPA Phase II certified)?		X	
8.4 Does your design include dayling, such as skylights?		X	
9 TRANSPORTATION DEMAND MANAGMENTMENT			
9.1 After your project is complete, will you offer your employees incentives to carpool, bike, or use transit?		X	
9.2 After your project is complete, will you allow your employees to telecommute or have alternative work schedules?			X
9.3 Does your project include design features that encourage alternatives modes of transportation, such as		X	
preferred parking for carpooling, ridesharing, electric vehicles?		X	
secured bicycle parking, safe bicycle access?		X	
loading zones for buses/large taxi services?	X		
9.4 How close is your facility to public transportation?	8.5 miles		
10 Are there any superior environmental/sustainable features of your project that should be noted?			
11 What other studies or reports have you done as part of preparing this application?			
1			
2			
3			
4			
12 If your project involves an addition or modification to an existing building, are you planning to improve energy conservation of existing space (such as insulation, new windows, HVAC, etc.)?			
If yes, please describe:			
13 Once your facility is in operation, will you:			
13.1 calculate your greenhouse gas emissions?		X	
13.2 implement a GHG reduction plan?			X
13.3 have a written plan to reduce your vehicle miles traveled of your operations and employee's commute?			X
14 Does your project provide for education of green/sustainable practices?			
If yes, please describe:			
15 Any comments, suggestions, or questions in regards to the County's efforts to reduce greenhouse gases?			

Form filled out by: Kelly Berryman

Please feel free to include additional sheets of paper as necessary.

Step #3:

Using the guidelines in Attachment A, tabulate the existing and projected future water usage on the parcel(s) in acre-feet per year (af/yr). Transfer the information from the guidelines to the table below.

EXISTING USE: Per original Use Permit		PROPOSED USE:	
Residential	<u>0.6</u> af/yr	Residential	<u>0.6</u> af/yr
Farm Labor Dwelling	_____ af/yr	Farm Labor Dwelling	_____ af/yr
Winery	<u>0.26</u> af/yr	Winery	<u>0.28</u> af/yr
Commercial	_____ af/yr	Commercial	_____ f/yr
Vineyard*	<u>3.0</u> af/yr	Vineyard*	<u>3.0</u> af/yr
Other Agriculture	_____ af/yr	Other Agriculture	_____ af/yr
Landscaping	_____ af/yr	Landscaping	_____ af/yr
Other Usage (List Separately):		Other Usage (List Separately):	
_____	_____ af/yr	_____	_____ af/yr
_____	_____ af/yr	_____	_____ af/yr
_____	_____ af/yr	_____	_____ af/yr

TOTAL: 3.86 af/yr
1,257,669 gallons"

TOTAL: 3.88 af/yr
 TOTAL: 1,264,185 gallons"

Is the proposed use less than the existing usage? ☐ Yes ☒ No ☐ Equal

Step #4:

Provide any other information that may be significant to this analysis. For example, any calculations supporting your estimates, well test information including draw down over time, historical water data, visual observations of water levels, well drilling information, changes in neighboring land uses, the usage if other water sources such as city water or reservoirs, the timing of the development, etc. Use additional sheets if necessary.

This property has approximately 10 acres of vineyards. The property is served by a private water system, supplied by wells on neighboring properties.

Conclusion: Congratulations! Just sign the form and you are done! Public works staff will now compare your projected future water usage with a threshold of use as determined for your parcel(s) size, location, topography, rainfall, soil types, historical water data for your area, and other hydrogeologic information. They will use the above information to evaluate if your proposed project will have a detrimental effect on groundwater levels and/or neighboring well levels. Should that evaluation result in a determination that your project may adversely impact neighboring water levels, a phase two water analysis may be required. You will be advised of such a decision.

Signature: _____

KHorton

Date: 12/19/13

Phone: _____

Kristi Horton, PE
 Civil Engineer for project

DECLARATION
(Transient-Noncommunity)

I, Edward P. Fitts, declare that I understand the definition of a public
(name of owner or legally authorized representative)
water system, as defined in the California Health and Safety Code (CH&SC), Division 104, Part
12, Chapter 4 (California Safe Drinking Water Act), Article 1, Section 116275(h), to mean that a
public water system is "a system for the provision of water for human consumption through
pipes or other constructed conveyances that has 15 or more service connections or regularly
serves at least 25 individuals daily at least 60 days out of the year."

Furthermore, I declare that I understand that Section 116275(e) defines human consumption as
"the use of water for drinking, bathing or showering, hand washing, oral hygiene, or cooking,
including, but not limited to, preparing food and washing dishes".

Furthermore, I declare that I understand that Section 116725 of the CH&SC states that "Any
person who knowingly makes any false statement or representation in any application, record,
report, or other document submitted, maintained, or used for purposes or compliance with this
chapter (California Safe Drinking Water Act (AB 2995)), may be liable for a civil penalty not to
exceed five thousand (\$5,000) for each separate violation or, for continuing violations, for each
day that violation continues." In addition, Section 116730 of the CH&SC states that violators
may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than
\$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year,
or by both the fine and imprisonment.

In recognition of the above, declaring that I understand the definition of a transient-
noncommunity public water system and the penalty for giving false information, I declare that
my facility, 90 Long Ranch Road, St. Helena, California

(name of system)

_____, does not meet the definition of a transient-noncommunity
water system because it does not serve more than 24 people for 60 days or more out of the
year.

Date

9/30/13

Signature

Edward P. Fitts

I (We) declare under penalty of perjury that the statements on this form are correct to my (our) knowledge
and that I (we) are acting under authority and direction of the responsible legal entity under whose name
this declaration is made.



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services - Hillary Gitelman, Director
1195 Third Street, Napa, CA 94559 - (707) 253-4417 - www.countyofnapa.org

Project name & APN: Brand Napa Valley (032-010-068)

Project number if known:

Contact person: Kelly Berryman

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Today's date: August 9, 2013 Phone: (707) 942-0750

Voluntary Best Management Practices Checklist for Development Projects

Napa County General Plan Policy CON-65 (e) and Policy CON-67 (d) requires the consideration of Greenhouse Gas (GHG) emissions in the review of discretionary projects and to promote and encourage "green building" design. The below Best Management Practices (BMPs) reduce GHG emissions through energy and water conservation, waste reduction, efficient transportation, and land conservation. The voluntary checklist included here should be consulted early in the project and be considered for inclusion in new development. It is not intended, and likely not possible for all projects to adhere to all of the BMPs. Rather, these BMPs provide a portfolio of options from which a project could choose, taking into consideration cost, co-benefits, schedule, and project specific requirements. Please check the box for all BMPs that your project proposes to include and include a separate narrative if your project has special circumstances.

Practices with Measurable GHG Reduction Potential

The following measures reduce GHG emissions and if needed can be calculated. They are placed in descending order based on the amount of emission reduction potential.

Already Plan
Doing To Do

ID # BMP Name

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BMP-1 Generation of on-site renewable energy

If a project team designs with alternative energy in mind at the conceptual stage it can be integrated into the design. For instance, the roof can be oriented, sized, and engineered to accommodate photovoltaic (PV) panels. If you intend to do this BMP, please indicate the location of the proposed PV panels on the building elevations or the location of the ground mounted PV array on the site plan. Please indicate the total annual energy demand and the total annual kilowatt hours produced or purchased and the potential percentage reduction of electrical consumption. Please contact staff or refer to the handout to calculate how much electrical energy your project may need.

Crushpad cantilever roof engineered to support photovoltaic panels. Mechanical room located, designed, and built to accommodate PV equipment, solar thermal water heater, and other system requirements.

Applicant intends to install PV system within next 12-24 months. PV array with an output of approximately 35kW engineered.

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BMP-2 Preservation of developable open space in a conservation easement

Please indicate the amount and location of developable land (i.e.: under 30% slope and not in creek setbacks or environmentally sensitive areas for vineyards) conserved in a permanent easement to prohibit future development.

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Doing To Do

☒ ☒ **BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)**

Napa County is famous for its land stewardship and preservation. Restoring areas within the creek setback reduces erosion potential while planting areas that are currently hardscape (such as doing a bio-retention swale rather than underground storm drains) reduces storm water and helps the groundwater recharge. Planting trees can also increase the annual uptake of CO₂e and add the County's carbon stock.

Use of retention pond as part of existing landscape plan for drainage and collection of water. May incorporate retained water and gray water into irrigation system in the future.

☐ ☐ **BMP-4 Alternative fuel and electrical vehicles in fleet**

The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.

Number of total vehicles

Typical annual fuel consumption or VMT

Number of alternative fuel vehicles

Type of fuel/vehicle(s)

Potential annual fuel or VMT savings

☐ ☐ **BMP-5 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2**

The California Building Code update effective January 1, 2011 has new mandatory green building measures for all new construction and has been labeled CALGREEN. CALGREEN provides two voluntary higher levels labeled CALGREEN Tier I and CALGREEN Tier II. Each tier adds a further set of green building measures that go above and beyond the mandatory measures of the Code. In both tiers, buildings will use less energy than the current Title 24 California Energy Code. Tier I buildings achieve at least a 15% improvement and Tier 2 buildings are to achieve a 30% improvement. Both tiers require additional non-energy prerequisites, as well as a certain number of elective measures in each green building category (energy efficiency, water efficiency, resource conservation, indoor air quality and community).

☐ ☐ **BMP-6 Vehicle Miles Traveled (VMT) reduction plan**

Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.

Tick box(es) for what your Transportation Demand Management Plan will/does include:

- ☐ employee incentives
- ☐ employee carpool or vanpool
- ☐ priority parking for efficient transportation (hybrid vehicles, carpools, etc.)
- ☐ bike riding incentives
- ☐ bus transportation for large marketing events
- ☐ Other:

Estimated annual VMT

Potential annual VMT saved

% Change

Already Plan
Doing To Do

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BMP-7 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 1

See description below under BMP-5.

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BMP-8 Solar hot water heating

Solar water heating systems include storage tanks and solar collectors. There are two types of solar water heating systems: active, which have circulating pumps and controls, and passive, which don't. Both of them would still require additional heating to bring them to the temperature necessary for domestic purposes. They are commonly used to heat swimming pools.

Solar thermal water tanks contemplated in connection with PV panels.

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BMP-9 Energy conserving lighting

Lighting is approximately 25% of typical electrical consumption. This BMP recommends installing or replacing existing light bulbs with energy-efficient compact fluorescent (CF) bulbs or Light Emitting Diode (LED) for your most-used lights. Although they cost more initially, they save money in the long run by using only 1/4 the energy of an ordinary incandescent bulb and lasting 8-12 times longer. Typical payback from the initial purchase is about 18 months.

Both LED and CF bulbs used throughout winery.

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BMP-10 Energy Star Roof/Living Roof/Cool Roof

Most roofs are dark-colored. In the heat of the full sun, the surface of a black roof can reach temperatures of 158 to 194 °F. Cool roofs, on the other hand, offer both immediate and long-term benefits including reduced building heat-gain and savings of up to 15% the annual air-conditioning energy use of a single-story building. A cool roof and a green roof are different in that the green roof provides living material to act as a both heat sink and thermal mass on the roof which provides both winter warming and summer cooling. A green (living) roof also reduces storm water runoff.

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BMP-11 Bicycle Incentives

Napa County Zoning Ordinance requires 1 bicycle rack per 20 parking spaces (§18.110.040). Incentives that go beyond this requirement can include on-site lockers for employees, showers, and for visitor's items such as directional signs and information on biking in Napa. Be creative!

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BMP-12 Bicycle route improvements

Refer to the Napa County Bicycle Plan (NCPTA, December 2011) and note on the site plan the nearest bike routes. Please note proximity, access, and connection to existing and proposed bike lanes (Class I: Completely separated right-of-way; Class II: Striped bike lane; Class III: Signed Bike Routes). Indicate bike accessibility to project and any proposed improvements as part of the project on the site plan or describe below.

Already Plan
Doing To Do

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BMP-13 Connection to recycled water

Recycled water has been further treated and disinfected to provide a non-potable (non-drinking water) water supply. Using recycled water for irrigation in place of potable or groundwater helps conserve water resources.

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BMP-14 Install Water Efficient fixtures

WaterSense, a partnership program by the U.S. Environmental Protection Agency administers the review of products and services that have earned the WaterSense label. Products have been certified to be at least 20 percent more efficient without sacrificing performance. By checking this box you intend to install water efficient fixtures or fixtures that conserve water by 20%.

Water efficient fixtures installed throughout winery facility during construction in 2012.

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BMP-15 Low-impact development (LID)

LID is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Please indicate on the site or landscape plan how your project is designed in this way.

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BMP-16 Water efficient landscape

If your project is a residential development proposing in excess of 5,000 sq. ft. or a commercial development proposing in excess of 2,500 sq. ft. The project will be required to comply with the Water Efficient Landscape Ordinance (WELO).

Please check the box if you will be complying with WELO or If your project is smaller than the minimum requirement and you are still proposing drought tolerant, zeroscape, native plantings, zoned irrigation or other water efficient landscape.

Original installation of winery landscaping in compliance with WELO.

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BMP-17 Recycle 75% of all waste

Did you know that the County of Napa will provide recycling collectors for the interior of your business at no additional charge? With single stream recycling it is really easy and convenient to meet this goal. To qualify for this BMP, your business will have to be aggressive, proactive and purchase with this goal in mind.

Already Plan
Doing To Do

☐ ☐ **BMP-18 Compost 75% food and garden material**

The Napa County food composting program is for any business large or small that generates food scraps and compostable, including restaurants, hotels, wineries, assisted living facilities, grocery stores, schools, manufacturers, cafeterias, coffee shops, etc. All food scraps (including meat & dairy) as well as soiled paper and other compostable - see <http://www.naparecycling.com/foodcomposting> for more details.

☐ ☐ **BMP-19 Implement a sustainable purchasing and shipping programs**

Environmentally Preferable Purchasing (EPP) or Sustainable Purchasing refers to the procurement of products and services that have a reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. By selecting this BMP, you agree to have an EPP on file for your employees to abide by.

☐ ☐ **BMP-20 Planting of shade trees within 40 feet of the south side of the building elevation**

Well-placed trees can help keep your building cool in summer. If you choose a deciduous tree after the leaves drop in autumn, sunlight will warm your building through south and west-facing windows during the colder months. Well-designed landscaping can reduce cooling costs by 20%. Trees deliver more than energy and cost savings; they are important carbon sinks. Select varieties that require minimal care and water, and can withstand local weather extremes. Fruit or nut trees that produce in your area are great choices, providing you with local food as well as shade. Please use the site or landscape plan to indicate where trees are proposed and which species you are using.

☐ ☐ **BMP-21 Electrical Vehicle Charging Station(s)**

As plug-in hybrid electric vehicles (EV) and battery electric vehicle ownership is expanding, there is a growing need for widely distributed accessible charging stations. Please indicate on the site plan where the station will be.

☐ ☐ **BMP-22 Public Transit Accessibility**

Refer to <http://www.ridethevine.com/vine> and indicate on the site plan the closest bus stop/route. Please indicate if the site is accessed by transit or by a local shuttle. Provide an explanation of any incentives for visitors and employees to use public transit. Incentives can include bus passes, informational hand outs, construction of a bus shelter, transportation from bus stop, etc.

Already Plan
Doing To Do

☒ ☐ **BMP-23**

Site Design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave.

The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building burned into the ground saves energy because the ground is a consistent temperature and it reduces the amount of heating and cooling required. On the same concept, a building that is oriented to have southern exposure for winter warmth and shading for summer cooling with an east-west cross breeze will naturally heat, cool, and ventilate the structure without using energy. Please check this box if your design includes a cave or exceptional site design that takes into consideration the natural topography and sitting. Be prepared to explain your approach and estimated energy savings.

Cave has constant year-round temps of 58°F. This saves 33,062 kw hours of electricity and 389 therms of propane per year compared to a building (with R-28 walls and an R-28 roof) of the same square footage. Applicant also installed a night cooling system.

☐ ☒ **BMP-24 Limit the amount of grading and tree removal**

Limiting the amount of earth disturbance reduces the amount of CO2 released from the soil and mechanical equipment. This BMP is for a project design that either proposes a project within an already disturbed area proposing development that follows the natural contours of the land, and that doesn't require substantial grading or tree removal.

Road modification requested to avoid disturbing existing mature trees. Use permit modification requires no disturbance to undeveloped areas. We are requesting to utilize existing site conditions for marketing purposes.

☐ ☐ **BMP-25 Will this project be designed and built so that it could qualify for LEED?**

BMP-25 (a)	<input type="checkbox"/>	LEED™ Silver (check box BMP-25 and this one)
BMP-25 (b)	<input type="checkbox"/>	LEED™ Gold (check box BMP-25, BMP-25 (a), and this box)
BMP-25 (c)	<input type="checkbox"/>	LEED™ Platinum (check all 4 boxes)

Practices with Un-Measured GHG Reduction Potential

☐ ☐ **BMP-26 Are you, or do you intend to become a Certified Green Business or certified as a "Napa Green Winery"?**

As part of the Bay Area Green Business Program, the Napa County Green Business Program is a free, voluntary program that allows businesses to demonstrate the care for the environment by going above and beyond business as usual and implementing environmentally friendly business practices. For more information check out the Napa County Green Business and Winery Program at www.countyofnapa.org.

☐ ☐ **BMP-27 Are you, or do you intend to become a Certified "Napa Green Land"?**

Napa Green Land, fish friendly farming, is a voluntary, comprehensive, "best practices" program for vineyards. Napa Valley vintners and growers develop farm-specific plans tailored to protect and enhance the ecological quality of the region, or create production facility programs that reduce energy and water use, waste and pollution. By selecting this measure either you are certified or you are in the process of certification.

Already Plan
Doing To Do



BMP-28 Use of recycled materials

There are a lot of materials in the market that are made from recycled content. By ticking this box, you are committing to use post-consumer products in your construction and your ongoing operations.

Using post-consumer products when possible in ongoing operations.



BMP-29 Local food production

There are many intrinsic benefits of locally grown food, for instance reducing the transportation emissions, employing full time farm workers, and improving local access to fresh fruits and vegetables.



BMP-30 Education to staff and visitors on sustainable practices

This BMP can be performed in many ways. One way is to simply put up signs reminding employees to do simple things such as keeping the thermostat at a consistent temperature or turning the lights off after you leave a room. If the project proposes alternative energy or sustainable winegrowing, this BMP could include explaining those business practices to staff and visitors.



BMP-31 Use 70-80% cover crop

Cover crops reduce erosion and the amount of tilling which is required, which releases carbon into the environment.



BMP-32 Retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site

By selecting this BMP, you agree not to burn the material pruned on site.



BMP-33 Are you participating in any of the above BMPS at a 'Parent' or outside location?



BMP-34 Are you doing anything that deserves acknowledgement that isn't listed above?

Comments and Suggestions on this form?
