



COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING COMMISSION

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Conservation

LAURA ANDERSON
Commission Counsel

MICHELLE PRICE
Commission Clerk

DATE OF HEARING: March 2, 2005

AGENDA ITEM # 12

SUMMARY FOR: CONSERVATION, DEVELOPMENT & PLANNING COMMISSION

PROJECT: #03526-UP Marshall Vineyards and Cellars

LOCATION: Located on a 12.33-acre parcel on the south side of Chateau Lane approximately 430 feet from its intersection with Rapp Lane within an AW (Agricultural Watershed) zoning district. (APN# 052-170-020) 15 Chateau Lane, Napa.

PROJECT REQUEST: Approval of a Use Permit to establish a new 20,000-gallon per year winery with: (1) a 1,728 square foot existing structure, and 10,000 square feet of caves for a winery totaling 11,728 square feet; (2) custom crushing activities (crushing, fermentation, barrel aging and bottling) for one entity utilizing 25% (5,000 gallons per year) of the total approved winery production capacity; (3) three full-time and one part-time employees; (4) eight parking spaces; (5) tours and tasting by appointment only not to exceed 15 people per day and 40 people per week; and, (6) a marketing plan that includes: twelve promotional tours, tastings and meals per year for members of the wine trade with a maximum of twenty-five people at each event, and two Special Events per year for members of the wine trade with a maximum of eighty people at each event; and a new septic system for the winery.

OWNER: John and Vera Marshall

APPLICANT/REPRESENTATIVE: Brian Graham, Winemaker

ZONING: AW, Agricultural Watershed

GENERAL PLAN DESIGNATION: AWOS, Agricultural Watershed & Open Space

ACRES: 12.33

PROJECT HISTORY/BACKGROUND: The Marshalls purchased this property in 2001 and live onsite. Located on a gently sloping hillside at the intersection of Second Avenue and Rapp Lane, the Marshalls planted 4.5 acres of vineyard in 2003 pursuant to an approved Erosion Control Plan on what was once used as pasture for horses. The Marshall property is located in the Milliken SarcoTulocay (MST) groundwater deficient area. As the basin is in an overdraft state, new projects within the MST are required to show a "no net increase" in water usage. To accommodate the winery, the Marshalls plan to reduce irrigation on the vineyard and bring in water from outside the MST for irrigation, if necessary. The well on the property will be metered to insure compliance with the maximum allowed groundwater usage of 2.88-acre feet per year as stated in the Public Works memo.

STAFF RECOMMENDATION: Adoption of the Negative Declaration and APPROVAL of Use Permit #03526-UP with the attached Conditions of Approval.

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SUITE 210

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NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
CONSERVATION & DEVELOPMENT PLANNING COMMISSION
USE PERMIT #03318-UP

DEPARTMENT REPORT AND RECOMMENDATION

Meeting of March 2, 2005

APPLICANT/OWNER: John and Vera Marshall

PLANNER ASSIGNED: Nancy Johnson

FILED: 12/22/03

PROJECT DESCRIPTION: A Use Permit to establish a new winery as specified below.

PRODUCTION CAPACITY: 20,000 gallons per year, with 5,000 gallons available for one custom producer.

TOTAL SQ.FT. OF WINERY: 1,728 sq. feet of existing structure and the addition of 10,000 sq. ft. of caves for a total of 11,728 sq. ft.

OF MARKETING EVENTS/YEAR : Twelve promotional tours, tastings and meals with a maximum of 25 people at each event, two special events with a maximum of 80 people at each event. The events will occur between the hours of 12:00 pm to 4:00 pm or 5:00 am and 10:00 pm with a duration of four hours for daytime events and five hours for evening events which includes, clean-up.

OF EMPLOYEES (F/T AND/OR P/T): Three full-time and one part-time employees.

PARKING: Eight parking spaces.

LOCATION: Located on a 12.33-acre parcel on the south side of Chateau Lane approximately 430 feet from its intersection with Rapp Lane within an AW (Agricultural Watershed) zoning district. (APN# 052-170-020) 15 Chateau Lane, Napa.

FINDINGS:

BACKGROUND INFORMATION/ DETAILS OF REQUEST:

1. The applicant is requesting approval to establish a 20,000-gallon/year winery utilizing a \pm 1,728 sq. ft. existing structure and the addition of 10,000-sq.ft of caves. 25% of the proposed production capacity, or 5,000 gallons is to be made available for custom production for one custom client, who may be either an alternating proprietor or contract customer. No office facilities are proposed for the custom client. The property is currently planted with four and one half acres of vineyards and includes an existing agricultural building that will be converted to a maintenance and storage facility for the proposed winery. Access to the winery will be from an existing private road extending from terminus of Second Avenue.

2. ADJACENT LAND-USE/ZONING/ACREAGE

DIRECTION	LAND-USE	ZONING	ACREAGE
North	Agriculture	AW	11.37 acres
South	Residential/open space	AW	15.09 acres
East	Agriculture	AW	20.55 acres
West	Agriculture	AW	10.29 acres

3. The majority of winery operations will be located within the caves. The existing agricultural structure will be converted to a storage/maintenance facility for the proposed winery. The owner's residence is on the property on the top of the hill, above the winery. The topography of the area and location of the cave portals behind the existing building will screen the cave portals from the neighboring parcels.
4. Marketing events include: 12 promotional tours, tastings and meals with a maximum of 25 people at each event, two special events with a maximum of 80 people at each event. Tours and tasting and retail sales by appointment only are proposed at the winery facility not to exceed 15 people per day or 40 people per week. The request also includes custom crush activities for one client and 5,000 gallons of the requested production capacity with no additional marketing or employees for the custom crush client.
5. Details of the proposal are contained in the attached supplemental information sheet and accompanying materials.
6. Comments and recommendations from various County departments are attached.

ENVIRONMENTAL ANALYSIS:

7. An Initial Study has been prepared for the project, which identified no potential significant environmental impacts based on the information contained on the Napa County environmental resource maps and submitted information.

MANDATORY FINDINGS OF SIGNIFICANCE:

SEWER OR SEPTIC: A new septic system for the winery is approved. An adequate site has been located and tested by the Department of Environmental Management for a standard gravity septic system.

8. The proposal has been found to have no significant adverse effect on wildlife resources as defined in Section 711.2 of the Fish and Game Code. The project is not located within a stream setback area nor will it require any construction activity to take place within stream setback areas.
9. The project will not result in significant environmental effects, either individually or cumulatively. A Negative Declaration is recommended. See attached copy.

PLANNING AND ZONING ANALYSIS:

The following findings must be made in order to approve the use permit:

10. The Commission has the power to issue a Use Permit under the Zoning Regulations in effect as applied to property.

Analysis: The project is consistent with the AW, Agricultural Watershed zoning district regulations that apply to this property which permit winery operations with use permit approval. A winery (as defined in (Section 18.08.640) and uses in connection with a winery (Section 18.20.030 (H) & (I)) are permitted in an AW zoned district with an approved use permit. Provisions required under The Winery Definition Ordinance (ORD. 947, 1990) and Napa County Code (zoning regulations as amended) can be met.

11. The procedural requirements for a Use Permit set forth in Chapter 18.124 of the Napa County Code (zoning regulations) have been met.

Analysis: The use permit application has been filed and notice and public hearing requirements have been met. The hearing notice and intent to adopt a Negative Declaration were posted on February 10, 2005 and copies were forwarded to the appropriate persons on the mailing list. The written comment period was February 10, 2005 to March 2, 2005.

12. The grant of the Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Granting the Use Permit for the winery as proposed and conditioned will not affect the health, safety or welfare of the County. Various County departments have reviewed the project and commented regarding water, waste water disposal, access, and building permits and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the protection of the public health and safety.

13. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan.

Analysis: Compliance with the Zoning Ordinance

Provision	Required	Proposed
Height	<35 feet	14 feet (portal), 16' (structure)
Setbacks	Front>(600' or 300') Side->20' Rear>20'	Over 300 feet to the first portal, not visible from roadway complies with 18.104.230.
Parking	As required	8 spaces
Site Coverage	<15 acres or 25% of the parcel size	.30-acre
Lot Size	10 acre minimum	12.33 acres
Accessory winery uses	<40% of production facility	2,532 sq. ft.
Grape Source	>75%	Submitted & conditioned

Marketing	N/A	12 promotional tours, tastings and meals with a maximum of 25 people at each event, two special events with a maximum of 80 people at each event.
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Analysis: Compliance with the General Plan

- The goals established by the County General Plan are to plan for agriculture and related activities as the primary land use in Napa County and to concentrate urban uses in the County's existing cities and urban areas. The County will enact and enforce regulations that will retain agriculture as a major source of income and employment in Napa County. The Winery Definition Ordinance (WDO) was established to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. The proposal is consistent with the General Plan.
 - Agricultural policy 3.11 of the County General Plan recognizes wineries, and any use clearly accessory to the winery, as agriculture. The Land Use Standards of the General Plan, subsection 3(F)(8) and subsection 3(F)(7), list the processing of agricultural products as one of the general uses recognized by the AWOS land use designation. The proposed project provides for the continuation of agriculture as the predominant land use and is consistent with the General Plan.
 - The General Plan allows wineries in agriculturally designated areas.
14. That the proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under §13.15.070 or 13.15.080 of this code.

Analysis: The project is located in a recognized groundwater deficient area. In 1999, the Board of Supervisors enacted a Groundwater Conservation ordinance in an effort to limit all new and permitted users in the Milliken Sarco Tulocay (MST) area to a restrictive amount of groundwater until such a time as a recharge project can be implemented to reverse the declining water table. As this basin is in an overdraft state, new projects within the MST basin are required to show a "no net increase" in water usage for the proposed project. The Phase One water availability analysis submitted to the Public Works Department estimates water usage for the new winery to be .57 acre-feet per year, which, combined with the reduction in irrigation for the vineyard will maintain a groundwater use of 2.88 acre-feet per year, equivalent to the existing use. At no time shall water usage on the parcel exceed 2.88 acre-feet per year to maintain conformance with Napa County code. The applicant must install meters on all wells located on parcel 052-170-020 and will submit bi-yearly monitoring data to the Public Works Department.

RECOMMENDATION:

ENVIRONMENTAL:

1. Find that the Planning Commission has read and considered the Negative Declaration prior to taking action on said Negative Declaration and the proposed project.
2. Find that the Negative Declaration is based on independent judgment by the Planning Commission.
3. Find that the Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act.
4. Find that there is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment.
5. Find that the Secretary of the Planning Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Conservation, Development & Planning Department, 1195 Third Street, Suite 210, Napa, California.
6. Find that considering the record as whole there is no evidence that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.
7. Adopt the Negative Declaration.

PLANNING:

8. **APPROVAL** of Use Permit 03526-UP based on findings 10-14 and subject to the attached conditions of approval.

CONDITIONS OF APPROVAL
Marshall Vineyards and Cellars
03526-UP

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

- Wine production of no more than 20,000 gallons per year
- Construction of 10,000 square foot of caves to for primary winery use (tanks, barrel storage, administrative and marketing functions) and conversion of existing 1,728 sq. ft. of agricultural building into winery storage and maintenance.
- Custom production activities (crushing, fermenting, barrel aging, and bottling) for a maximum of one custom producer utilizing a maximum of 5,000 gallons of the winery's proposed 20,000 gallon per year capacity. Custom production will not include case goods storage, retail wine sales, offices, wine tasting, or distribution/shipping. No employees, additional marketing or visitors are allowed for the custom client.
- Retail sales and tours and tasting by appointment only not to exceed 15 people per day and 40 people per week.
- Establish a Marketing plan as discussed below:
- A new standard gravity septic system

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, constructors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved Use Permit modification process.

2. **MARKETING:** Marketing events shall be limited as follows:

- a. Private promotional tasting with meals:
Frequency: 12 times per year
Number of persons: 25 maximum
Time of Day: 12 PM to 4 PM or 5 PM to 10 PM (including clean up)
- b. Two special events:
Frequency: 2 times per year
Number of persons: 80 maximum
Time of Day: 12 PM to 4 PM or 5 PM to 10 PM (including clean up)

"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis, and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated to such education and development. (Ord. 1104 § 11, 1996; Ord. 947 § 9 (part), 1990: prior code § 12071). All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 5:30 PM.

3. **TOURS AND TASTING:**

Tours and tastings are limited to a maximum of 15 persons/day with an average of 40 persons/week. "Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to members of the wine trade, persons invited by a winery who have pre-established business or personal relationships with the winery or its owners, and persons who have made unsolicited prior appointments for tours or tastings. (Ord. 947 § 9 (part), 1990: prior code § 12070). Tours and tasting shall complete by 4:00 PM. Retail sale of wines shall complete by 4:30 PM and shall be limited to those wines set forth in Napa County

CONDITIONS OF APPROVAL
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Code Sec. 18.16.030(G)(5)(c). A log book (or similar record) shall be maintained which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Department upon request.

4. GRAPE SOURCE:

At least 75% of the grapes used to make the winery's still wine shall be grown within the County of Napa. The applicant shall report to the Department on an annual basis by December 31 the source of grapes verifying that 75% of the approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.

5 SIGNS:

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning Department for administrative review and approval. All signs shall meet the design standards as set forth on Chapter 18.116 of the County Code. At least one sign placed and sized in a manner to inform the public must legibly include wording stating "Tours and Tasting by Prior Appointment Only".

6. GATES/ENTRY STRUCTURES:

Any gate installed at the winery entrance shall be reviewed by the Planning and Public Works Departments and the Napa County Fire Department to assure that it is designed to allow a large vehicles such as motorhomes to turn around if the gate is closed without backing into the public roadway and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required according to the County Code.

7. LIGHTING:

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

8. LANDSCAPING/PARKING:

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

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

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

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residences that can view the structures. Parking shall be limited to approved parking spaces only and shall not occur along access roads or in other locations except during harvest or approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.

9. OUTDOOR STORAGE/SCREENING/UTILITIES:

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

New utility lines required for this project that are visible from any designated scenic transportation route (see Chapter 7 of the General Plan and Section 18.106 of the Napa County Zoning Ordinance for designated roads) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

10. RENTAL/LEASING:

No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other than the on-site winery itself, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Section 5.36.010)

11. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

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

- Department of Environmental Management as stated in their letter of 01/16/2004
- Department of Public Works as stated in their letters of 12/03/2004 & 1/26/2004
- County Fire Department as stated in their letter of 01/16/2004
- Building Division as stated in their letter of 12/29/2003
- CALOSHA as stated in their letter of 01/13/2004

12. SPOILS:

All spoils generated by construction of the project facilities, including cave spoils, shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

13. WELLS:

The permittee is required (at the permittee's expense) to provide well monitoring data if the Director of Environmental Management determines that water usage at the winery is affecting, or would potentially affect groundwater supplies or nearby wells. Data requested could include, but may not be limited to, water extraction volumes and static well levels. If applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gage potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management⁹ conservation practices. In the event that changed

CONDITIONS OF APPROVAL
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circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the director of environmental management shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the director has provided notice and the opportunity for hearing in compliance with the county code section 13.15.070.G-K.

14. NOISE:

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Section 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road condition require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed winery buildings.

15. COLORS:

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

16. DUST CONTROL:

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

17. ARCHEOLOGICAL FINDING:

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The Department will be contacted for further guidance, which will likely include the requirement for the applicant to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

18. TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors will not occur during peak (4-6 PM) travel times to the maximum extent possible. Visitors and deliveries will be instructed to take routes which avoid passing in front of Mt. George Elementary School. All road improvements on private property required per the Department of Public Works shall be maintained in good working condition.

**CONDITIONS OF APPROVAL
Marshall Vineyards and Cellars
03526-UP**

19. ADDRESSING

All project site addresses shall be determined by the Director, and reviewed and approved by the U.S. Post Office, prior to issuance of any building permit. The Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

20. STORM WATER CONTROL

For any construction activity that results in disturbance of greater than one acre of total land area, permittee shall file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, 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. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

21. INDEMNIFICATION

An indemnification agreement, in the form attached hereto, shall be signed and returned to the County within twenty (20) days of the granting of this approval.

22. MONITORING COSTS:

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring (\$116.00/hour as of January, 2004). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

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



MEMORANDUM

January 16, 2004

RECEIVED

JAN 20 2004

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEP

TO: Napa County Planning Department, Charley Wilson, Director

FROM: Napa County Environmental Management Department,
Christine Secheli, R.E.H.S., Environmental Health Manager *CMS*

SUBJECT: Application for Marshall Vineyards & Cellars Winery
Located at 15 Chateau Lane, Napa
Assessor Parcel 52-170-20
File # 03526-UP

We have reviewed the above proposal and recommend approval of the application providing the following are included as conditions of approval:

1. Any hazardous waste produced on the site including any laboratory wastes, must be stored and disposed of in a manner consistent with Division 20, Chapter 6.5 of the California Health and Safety Code and with Title 22, Division 4, Chapter 30 of the California Code of Regulations.
2. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall obtain a permit and file an approved plan with the Department of Environmental Management within 30 days of said activities. If your business does not generate hazardous waste and/or store hazardous materials above threshold quantities, a Hazardous Materials Negative Declaration shall be filed.
3. A permit for the installation of the sanitary septic system must be secured from the Department of Environmental Management prior to issuance of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system. To secure this permit you will be required to submit a scaled plot plan showing the location of the proposed septic system relative to the proposed project and other structures, the required 100% expansion area as well as the proposed trench detail. If special design sewage disposal plans are required, such plans shall fulfill this requirement.
4. A permit for the winery wastewater septic system must be secured from the Department of Environmental Management prior to issuance of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system. To secure this permit you will be required to submit for review and approval, engineered plans complete with design criteria based upon local conditions.
5. The use of the drain field area shall be restricted to activities that will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities that must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc., over the system.

6. Plans for both proposed special designed sewage disposal systems shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be granted until such plans are approved by the Department of Environmental Management.
7. The applicant shall maintain regular monitoring of the above ground waste water system as required by the Department of Environmental Management and submit quarterly reports. An annual operating permit is required for the waste water system.
8. An annual sewage permit must be obtained for the engineered sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit must be fully complied with.
9. If any uncovered outdoor processing areas are proposed, the applicant must submit a proposal from their engineer that addresses proper diversion and direction of storm water and process wastewater from such areas. This proposal must include a detail on the diversion valve (or equivalent) must be provided to this department prior to issuance of sewage permits.
10. The proposed water system to serve this project is not currently required to be regulated as a small public water system by this Department under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy at this time. The applicant will be required to provide minimal information on the water system prior to issuance of a building permit, and may wish to retain the services of a consultant in this matter.
11. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
12. 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.
13. Adequate area must be provided for collection of recyclables. The applicant must contact 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.
14. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is either a special design sewage disposal system or a private sewage disposal system, the plan submitted for review and approval must address bentonite disposal.

cc: Brian Graham, 3245 Beard St., Napa, CA 94558

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



RECEIVED

JAN 26 2004

**NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.**

DATE: January 26, 2004
TO: Conservation Development and Planning Department
FROM: Jodee DiSalle, Assistant Engineer *JD*
SUBJECT: Marshall Vineyards and Cellars, Château Lane
APN 052-170-020, UP-03526

The application will allow the applicant to establish a winery with a production capacity of 20,000 gal/yr; three full time and one part time employees; construct an 8-space parking lot; an existing agricultural storage building will be used for winery activities in addition to a new cave. Parcel is located near the intersection of Second Ave and Rapp Lane.

EXISTING CONDITIONS:

1. Chateau Lane is a private road, an average of 12 feet wide, paved from its connection with Second Ave to the project site.
2. The traffic count for Second Ave was 743 just north of Coombsville Road, taken on 6/15/1999.

RECOMMENDED CONDITIONS:

GROUNDWATER

1. We have reviewed the phase one, water availability analysis for the proposed project. The 12.33-acre parcel is located in the groundwater deficient MST area, with an extraction threshold of 0.3 AF/Acre, resulting in a total parcel threshold of 3.7 AF/Year. The estimated water demand of 3.45 AF/Year is below the established threshold for the property. Therefore, the projected water use for this project should not have a significant impact on static water levels of neighboring wells, however, as the parcel is within the groundwater deficient area, the following conditions shall apply:
2. The applicant shall install a meter, or series of meters, on the well(s) serving the parcel. The configuration of the installation shall conform to a drawing prepared by the applicant and reviewed and approved by the Public Works Director. The applicant shall both read the meter(s) and the static water level(s) in the well(s) at the beginning of each month and provide the data to the Public Works Director during the first week of April and October. The applicant shall convey to the Public Works Director, or his designated representative, the right to access and verify the operation and readings of the meters and well levels at any time. Winery and residence facilities shall be metered separately from vineyards.

3. After three seasons of reporting, the applicant may submit a written request to the Public Works Director to reduce the frequency of recording readings. The Public Works Director shall, based upon the results of interpreting existing data, determine if a reduction in the frequency of recording readings will still yield satisfactory data, and shall specify the frequency to be employed in the future. Additional reductions may be requested in successive years. Any changes in the frequency shall be handled administratively
4. The applicant shall agree to utilize recycled water for vineyard irrigation and landscaping when such water becomes available, provided that such water is of sufficient quality for the proposed use.

NEW DRIVEWAY:

5. Access drive shall be a minimum of 18 feet wide with 2 feet of shoulder from the nearest County maintained road to the project site. Structural section shall be a minimum 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent. (County Road and Street Standards, Page 9, Par. 12).

PARKING:

6. 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 of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent. (County Road and Street Standards, Page 27, Section 19).
7. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.

SITE IMPROVEMENTS:

8. The disposition of all cave spoils and associated grading shall be specified and shown on the improvement plans along with proposed erosion control measures.
9. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
10. The pre-development and the post-development flow for a 100-year event shall be provided with improvement plans. Improvement plans shall address the attenuation of peak flow due to the additional runoff resulting from this development
11. Any necessary storm drainage improvements shall conform to the latest "Napa County Road and Street Standards".
12. The applicant must obtain an encroachment permit for any work performed within the Napa County Right-of-Way.

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



DATE: December 3, 2004
TO: Conservation Development and Planning Department
FROM: Annamaria Martinez, Assistant Engineer *ANAMARIA*
SUBJECT: Marshall Vineyards and Cellars, Chateau Lane
APN 052-170-020, UP-03526

The application will allow the applicant to establish a winery with a production capacity of 20,000 gal/yr; three full time and one part time employees; construct an 8-space parking lot; an existing agricultural storage building will be used for winery activities in addition to a new cave. Parcel is located near the intersection of Second Ave and Rapp Lane.

EXISTING CONDITIONS:

1. Chateau Lane is a private road, an average of 12 feet wide, paved from its connection with Second Ave to the project site.
2. The traffic count for Second Ave was 743 just north of Coombsville Road, taken on 6/15/1999.

RECOMMENDED CONDITIONS:

GROUNDWATER

1. We have reviewed the revised phase one water availability analysis for the proposed project. The 12.33-acre parcel is located in the groundwater deficient MST area, with an extraction threshold of 0.3 AF/Acre, resulting in a total parcel threshold of 3.7 AF/Year. *The applicant has agreed to reduce groundwater use in the vineyard and import water from outside of the MST for irrigation should the vineyard operation require additional water than what is proposed in the phase one analysis (1.31 AF/Year).* The revised estimated water demand of 2.88 AF/Year (including vineyard irrigation (1.31 AF/Year), residential use (0.50 AF/Year) and winery use (0.57 AF/Year)) is below the established threshold and equal to the existing use for the property. Therefore, the projected water use for this project should not have a significant impact on static water levels of neighboring wells, however, as the parcel is within the groundwater deficient area, the following conditions shall apply:
2. The applicant shall install a meter, or series of meters, on the well(s) serving the parcel. The configuration of the installation shall conform to a drawing prepared by the applicant and reviewed and approved by the Public Works Director. The applicant shall both read the meter(s) and the static water level(s) in the well(s) at the beginning of each month and provide the data to the Public Works Director during the first week of April and October.

The applicant shall convey to the Public Works Director, or his designated representative, the right to access and verify the operation and readings of the meters and well levels at any time. Winery and residence facilities shall be metered separately from vineyards.

3. After three seasons of reporting, the applicant may submit a written request to the Public Works Director to reduce the frequency of recording readings. The Public Works Director shall, based upon the results of interpreting existing data, determine if a reduction in the frequency of recording readings will still yield satisfactory data, and shall specify the frequency to be employed in the future. Additional reductions may be requested in successive years. Any changes in the frequency shall be handled administratively
4. The applicant shall agree to utilize recycled water for vineyard irrigation and landscaping when such water becomes available, provided that such water is of sufficient quality for the proposed use.

Any changes in use may necessitate additional conditions for approval.

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

Attachment D

PHASE I WATER AVAILABILITY ANALYSIS

File #: _____ Owner: JOHN MARSHALL Parcel #: 052-170-020

This form is intended to help those who must prepare a Phase I Water Availability Analysis. **The Department will not accept an analysis that is not on this form.**

BACKGROUND: A Phase I Water Availability Analysis is done in order to determine what changes in water use will occur on a property as a result of the conversion. Staff uses this information to determine whether the project may have a detrimental effect on groundwater levels. If it may, additional information will be required. You will be advised if additional information is needed.

PERSONS QUALIFIED TO PREPARE: Any person that can provide the needed information

PROCEDURE:

STEP 1: Prepare and attach to this form an 8-1/2"x11" site plan of your parcel(s) with the locations of all structures, gardens, vineyards, etc in which well water will be used shown

STEP 2: Determine the allowable groundwater use allotment for your parcel(s).

Total size of parcel(s)		<u>12.33</u>	acre(s)	
Multiply by parcel location factor	x	<u>0.3</u>	acre-foot per acre per year (see back)	
Allowable groundwater allotment	=	<u>3.70</u>	acre-foot per year	

STEP 3: Determine the estimated water use for all vineyards on your parcel(s) currently and after the planned conversion; actual water usage figures may be substituted for the current usage estimate (please indicate if this is done). Estimate future use for both the vineyard establishment period and thereafter.

Current Usage:

Number of <u>planted</u> acres		<u>4.48</u>	acres	
Multiply by number of vines/acre	x	<u>2178</u>	vines per acre	
Multiply by gallons/vine/year	x	<u>63.0</u>	gallons of water per vine per year	
Divide by 325,821 gallons/af	=	<u>1.88</u>	af of water per yr used for vineyard irrigation	

Future Usage:

Number of <u>planted</u> acres		<u>4.48</u>	acres	
Multiply by number of vines/acre	x	<u>2178</u>	vines per acre	
Multiply by gallons/vine/year	x	<u>63.0</u>	gallons of water per vine per year (long-term)	
		<u>84.0</u>	gallons of water per vine per year (establish)	
Divide by 325,821 gallons/af	=	<u>1.88*</u>	af of water per yr used (vineyard long-term)	
		<u>2.51</u>	af of water per yr used (vineyard establish)	

STEP 4: Using the guidelines on the next page, actual water usage figures, and/or detailed water use projections, tabulate the existing and projected future water usage on the parcel(s) in acre-foot per year (af/yr) {1 af = 325,821 gallons}.

Existing Usage:

Residential	<u>0.5</u>	af/yr
Farm Labor Dwelling	<u>0</u>	af/yr
Winery	<u>0</u>	af/yr
Commercial	<u>0</u>	af/yr
Vineyard(long-term)	<u>1.88</u>	af/yr

Future Usage:

Residential	<u>0.5</u>	af/yr
Farm Labor Dwelling	<u>0</u>	af/yr
Winery	<u>0.53</u>	af/yr
Commercial	<u>0.04</u>	af/yr
Vineyard(long-term)	<u>1.31</u>	af/yr *

" (establish) _____ af/yr

Other Agriculture	<u>0</u>	af/yr
Landscaping	<u>0.5</u>	af/yr
Other Usage	<u>0</u>	af/yr
TOTAL	<u>2.88</u>	af/yr

" (establish) _____ af/yr

Other Agriculture	<u>0</u>	af/yr
Landscaping	<u>0.5</u>	af/yr
Other Usage	<u>0</u>	af/yr
TOTAL	<u>2.88</u>	af/yr

STEP 5: Attach all supporting information that may be significant to this analysis including but not limited to all water use calculations for the various uses listed

* EXISTING VINEYARDS WILL REMAIN IN PLACE. THERE WILL BE NO NEW VINEYARDS PLANTED
 * PLEASE SEE ATTACHMENT.

Parcel Location Factors

The allowable allotment of water is based on the location of your parcel. Valley floor areas include all locations on the floor of the Napa Valley and Carneros Basin except for groundwater deficient areas. Groundwater deficient areas are areas that have been determined by the Department of Public Works as having a history of problems with groundwater. All other areas are classified as Mountain Areas. Public Works can assist you in determining your classification.

Parcel Location Factors

Valley Floor	1.0 acre foot per acre per year
Mountain Areas	0.5 acre foot per acre per year
Groundwater Deficient Area (MST)	0.3 acre foot per acre per year

Guidelines For Estimating Water Usage:

Residential:

Single Family Residence	0.5 acre-foot per year
Farm Labor Dwelling	1.0 acre-foot per year (6 people)
Second Unit	0.4 acre-foot per year
Guest Cottage	0.1 acre-foot per year

Winery:

Process Water	2.15 acre-foot per 100,000 gal. of wine
Domestic and Landscaping	0.50 acre-foot per 100,000 gal. of wine

Commercial:

Office Space	0.01 acre-foot per employee per year
Warehouse	0.05 acre-foot per employee per year

Agricultural:

Vineyards	
Irrigation only	0.2 to 0.5 acre-foot per acre per year
Heat Protection	0.25 acre foot per acre per year
Frost Protection	0.25 acre foot per acre per year
Irrigated Pasture	4.0 acre-foot per acre per year
Orchards	4.0 acre-foot per acre per year
Livestock (sheep or cows)	0.01 acre-foot per acre per year

Landscaping:

Landscaping	1.5 acre-foot per acre per year
-------------	---------------------------------

AMENDMENT TO PHASE I WATER AVAILABILITY ANALYSIS

#03526-UP

APN 052-170-020-000

15 Chateau Lane

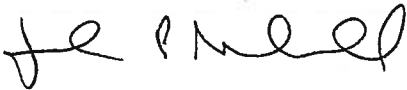
Napa, CA 94558

November 30, 2004

To whom it may concern:

In the event that we require additional water for the vineyard above 1.31 acre-feet per year, we will contract with an outside company to deliver suitable water from outside of the MST basin to be used for vineyard irrigation.

Sincerely,

A handwritten signature in black ink, appearing to read "John P. Marshall". The signature is written in a cursive, flowing style.

John P. Marshall

OTHER RECOMMENDATIONS:

13. Improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office. A plan check fee in the amount of 3% of the estimated cost of the proposed construction will be paid to Napa County Public Works prior to approval of these plans.
14. 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 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.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Larry Bogner or Jodee DiSalle at 253-4351. For groundwater questions, please contact Anna Maria Martinez

cc: Brian Graham, 3245 Beard Street, Napa, CA 94558
John and Vera Marshall, 15 Chateau Lane, Napa, CA 94558


Graham MSJ wing field



INTER-OFFICE MEMO

RECEIVED
JAN 22 2004
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

TO: Charles Wilson, Director
Conservation, Development, and Planning Department

FROM: Gabrielle Maurino Avina, Fire Department 

DATE: January 16, 2004

SUBJECT: Marshal Vineyards and Cellar Use Permit Comments
Apn: 052-170-020 03526-UP

Site Address: 15 Chateau Lane, Napa

The Napa County Fire Marshal staff has reviewed the Use Permit application to establish a 20,000-gallon a year winery within 1728 square foot of above ground structure and 10,000 square feet of caves. Based on the use and occupancy of the cave as described in the use-permit application we have classified this cave to be a Type III wine cave. We recommend that the following items shall be incorporated as project conditions or mitigation measures if the commission approves the project.

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at the time of building permit issuance.
2. A Type III cave will be treated as a structure and will be subject to the requirements of the 2001 California Building Code (CBC), 2001 California Fire Code (CFC) for exiting requirements. Number of exits, allowable travel distance to an exit, exit signage, emergency lighting and exit hardware shall be consistent with the code requirements.
3. The minimum required fire flow for the protection of the proposed project is 200 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 6,000 gallons. This fire flow is based on the square footage of the caves and has been reduced by one half because the caves will require an automatic fire sprinkler system. The fire flow and storage volume in a sprinklered structure is in addition to the water demand for the sprinkler system.
4. An approved automatic fire sprinkler system will be required for the cave because the cave is classified as a Type III wine cave. The above ground structure will not require an automatic fire sprinkler system because it is not greater than 3,600 square feet although a sprinkler

system is highly recommended. The fire sprinkler system shall be installed and maintained in accordance to the *National Fire Protection Standard #13 (Installation of Sprinkler System, 1999 edition)*.

5. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard #20 (Installation of Stationary Pumps for Fire Protection 1999 edition)*. Fire pumps are required to be listed and tested by an approved testing agency and are required to be either diesel driven or electric. Electric fire pumps also require a secondary power source.
6. The private fire service mains shall be installed and maintained in accordance to the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 1999 edition)*.
7. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2001 edition, Appendix III B*.
8. The Type III wine cave will require a manual and automatic fire alarm system to be installed throughout the cave. The alarm system shall be installed and maintained in accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 1999 edition)*.
9. All post indicator valves, control valves, waterflow devices and fire pumps shall be monitored by an approved remote station or central alarm monitoring company. The digital alarm communicator system panel shall be installed and maintained in accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 1999 edition)*.
10. Fire apparatus access roads shall be provided to within 150' of all structures and to cave portals. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet at the building site and an unobstructed vertical clearance of not less than 15 feet.
11. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
12. The request for beneficial occupancy will not be considered until all fire and life safety issues have been installed, tested and finalized.
13. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.

14. The approved address numbers shall be placed by the applicant in such a position as to be plainly visible and legible from the street fronting the property and shall be placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 10" in height, contrasting in color with their background and shall be illuminated.
15. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.
16. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb.
17. A Knox box or a Knox Cabinet shall be installed at an approved location by the Napa County Fire Marshal's Office. Since the winery will require an alarm system the boxes will require "tamper" monitoring.
18. The Knox rapid entry system shall have one or all of the following items placed in the Knox box or Knox cabinet, dependant on requirements of this facility:
 1. A minimum of 2 master keys to the cave(s) for emergency access.
 2. Scaled site plan of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 3. Scaled floor plans of all caves showing doors, offices, etc.
 4. Napa County Hazardous Materials Business including all MSDS forms, etc.
19. When the Napa County Fire Department deems it necessary for Fire and Life Safety, the owner, agent or lessee shall put in writing the intended use of the cave areas; i.e.: storage, processing of wine at a winery and/or assembly use areas. This information is based off the use permit application. The application states marketing activities will include two events each year with over 50 people. The location of these events with this number of people shall be deemed assembly use occupancy.
20. The applicant shall provide the Fire Department the ability to communicate between emergency personnel inside the cave.
21. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.
22. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices.

23. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at **no** charge to the County (California Fire Code section 103.1.1) for the following circumstances:
 - a. Independent peer review of alternate methods proposals.

24. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and /or as described above.

BYRON J. CARNIGLIA
Fire Chief

By: *Gabrielle Maurino Avina*

Gabrielle Maurino Avina
Assistant Fire Marshal

cc: Applicant,CFM Files, Chron



CHARLES WILSON
Director

Now with us
COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

RECEIVED

DEC 30 2003

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

RECEIVED

DEC 29 2003

**PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS**

TO: Building Inspection

APPLICATION TITLE: Graham/Marshall
Marshall Vineyards & Cellars APN: 52-170-020

RESPONSE REQUEST DATE: 29 Dec 03 RESPONSE RETURN DATE: 16 Jan 04

FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

PLEASE RESPOND VIA E-MAIL TO: _____ @co.napa.ca.us

OR DIRECT FAX TO: _____ (707)299-_____

FOR QUESTIONS ON THIS REQUEST, PLEASE CONTACT: _____

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

This application (see enclosed project description and maps) is being sent to you for your review and comment .

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

1. Do you recommend: Do you have jurisdiction by law over this project? Yes No
2. Indicate areas of environmental concern and availability of appropriate technical data:
NONE
3. Do you recommend: Negative Declaration Environmental Impact Report
4. If the project is approved, recommend conditions of approval (use additional page if needed). SECURE PERMITS AS NECESSARY
5. Have you previously reviewed an application on any portion of this project? Yes No
6. Name of contact person: [Signature] Telephone #: 253-4417

Prepared by: ST. BREWEN
Title: BUDG. CODES ADMIN.
Date: 12-29-03



RECEIVED

COUNTY of NAPA

CHARLES WILSON
Director

JAN - 8 2004

Division of Occupational Safety and Health
SANTA ROSA DISTRICT

DEC 30 2003

RECEIVED CONSERVATION, DEVELOPMENT AND PLANNING

JAN 14 2004

PATRICK LYNCH
Assistant Director
JAN - 5 2004
DIR/DOSH MINING & TUNNELING

**PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS**

TO: CALISHA

APPLICATION TITLE: Graham/Marshall, Marshall Vineyards & Cellars APN: 52-170-020

RESPONSE REQUEST DATE: 29 Dec 03 RESPONSE RETURN DATE: 16 Jan 04

FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

PLEASE RESPOND VIA E-MAIL TO: _____ @co.napa.ca.us

OR DIRECT FAX TO: _____ (707)299-_____

FOR QUESTIONS ON THIS REQUEST, PLEASE CONTACT: _____

This application (see enclosed project description and maps) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

10,000 sq. ft wine cave

1. Do you recommend: Do you have jurisdiction by law over this project? Yes No
2. Indicate areas of environmental concern and availability of appropriate technical data:
Tunnel Safety Order 8422(a) of the T8CCR requires the owner of proposed wine cave apply for an Underground Classification from the Mining and Tunneling Unit of DOSH prior to bidding, and above all, prior to actual construction.
3. Do you recommend: Negative Declaration Environmental Impact Report
4. If the project is approved, recommend conditions of approval (use additional page if needed).
5. Have you previously reviewed an application on any portion of this project? Yes No
6. Name of contact person: Vic Lim, Jr. Telephone #: (916) 574-2540

Prepared by: [Signature]
Title: Senior Engineer
Date: 01/13/2004

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT
1195 THIRD ST., ROOM 210
NAPA, CA 94559
(707) 253-4416

Initial Study Checklist
(reference CEQA, Appendix G)

1. **Project title:** Marshall Vineyards and Cellars, 03526-UP (Use Permit)
2. **Property owner:** John and Vera Marshall
3. **Contact person and phone number:** Nancy Johnson, 707-253-4417
4. **Project location and APN:** Located on a 12.33-acre parcel on the south side of Chateau Lane approximately 430 feet from its intersection with Rapp Lane within an AW (Agricultural Watershed) zoning district. (APN# 052-170-020) 15 Chateau Lane, Napa.
5. **Project representative's name and address:** Brian Graham, Winemaker
3245 Beard St., Napa, CA 94558
6. **General Plan description:** AWOS, Agricultural Watershed and Open Space
7. **Zoning:** AW (Agricultural Watershed)
8. **Description of Project.**
Approval of a Use Permit to establish a new 20,000-gallon per year winery with:
 1. 1,728 square foot of existing structure, and 10,000 square foot of caves for a winery totaling 11,728 square feet;
 2. Custom crushing activities (crushing, fermentation, barrel aging and bottling) for one entity up to 5,000 gallons or 25% of the total winery production capacity per year.
 3. Three full-time and one part-time employees.
 4. Eight parking spaces.
 5. Tours and tasting by appointment only. For how many people perday and per week?
 6. A marketing plan that includes: Twelve promotional tours, tastings and meals per year with a maximum of twenty-five people at each event, and two special events per year with a maximum of eighty people at each event.
 7. A new septic system is proposed for use by the winery.
9. **Describe the environmental setting and surrounding land uses.**
The site is located in the gently rolling hills east of the city of Napa. The site contains the residence for the Marshall family and prior to vineyard planting, was pasture for horses. Surrounding uses include the Rapp Ranch Quarter Horse facility, grazing land for cattle and residential uses. The golf course for the Napa Valley County Club and other vineyard land can also be seen from the Marshall property. This parcel is in the Milliken-Sarco-Tulocay (MST) groundwater deficient basin. The applicant has agreed to reduce groundwater use in the vineyard and import water from outside of the MST for irrigation should the vineyard operation require additional water than what is proposed in the Phase One Water Analysis. The proposed project's anticipated groundwater use is equal to the existing groundwater use for the property.
10. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).
TTB/ABC (Alcohol & Beverage Control)
CalOSHA (Mining Division)

JURISDICTIONAL BACKGROUND: Public Plans and Policies

Based on an initial review, the following findings have been made for the purpose of the Initial Study and do not constitute a final finding by the County in regard to the question of consistency.

Is the project consistent with:	YES	NO	N/A
a) Regional and Subregional Plans and Policies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) LAFCOM Plans and Policies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The County General Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Appropriate City General Plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Adopted Environmental Plans and Goals of the Community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Pertinent Zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Responsible (R) and Trustee (T) Agencies

Other Agencies Contacted
CalOSHA (Mining Division)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

MITIGATION MEASURES:

- None Required
- Identified By This Study - Unadopted (see attached Draft Project Revision Statement)
- Included By Applicant As Part of Project (see attached Project Revision Statement)
- Recommended For Inclusion As Part of Public Project (see attached Recommended Mitigation Measure List)

BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

AGENCY STAFF PARTICIPATING IN THE INITIAL STUDY:

Resource Evaluation: Nancy Johnson

Date: February 7, 2005

Site Review: Nancy Johnson

Date: February 7, 2005

PRELIMINARY DETERMINATION:

- No reasonable possibility of environmental effect has been identified, and a Negative Declaration should be prepared.
- A Negative Declaration cannot be prepared unless all identified impacts are reduced to a level of insignificance or avoided.

DATE: February 7, 2005

BY: Nancy Johnson

FINAL DETERMINATION. (by Napa County)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Nancy Johnson
Printed Name

Napa County Conservation, Development & Planning
For

PROPOSED
NEGATIVE DECLARATION

The Conservation, Development and Planning Director of Napa County has tentatively determined that the following project would not have a significant effect on the environment. Documentation supporting this determination is on file for public inspection at the Napa County Conservation, Development and Planning Department Office, 1195 Third St., Room 210, Napa, California 94559. For further information call (707) 253-4416.

Owner: John and Vera Marshall

APN: 052-170-020

Action: Use Permit- 03526-UP

PROJECT DESCRIPTION:

Approval of a Use Permit to establish a new 20,000-gallon per year winery with:

1. 1,728 square foot of existing structure, and 10,000 square foot of caves for a winery totaling 11,728 square feet;
2. Custom crushing activities (crushing, fermentation, barrel aging and bottling) for one entity up to 5,000 gallons or 25% of the total winery production capacity per year.
3. Three full-time and one part-time employees.
4. Eight parking spaces.
5. Tours and tasting by appointment only for up to 15 people per day and not to exceed 40 people per week.
6. A marketing plan that includes: Twelve promotional tours, tastings and meals per year with a maximum of twenty-five people at each event, and two special events per year with a maximum of eighty people at each event.
7. A new septic system is proposed for use by the winery.

WRITTEN COMMENT PERIOD: 2/10/2005-3/2/2005

DATE: 02/07/2005

BY THE ORDER OF

Hillary Gitelman
Director
Napa County Conservation, Development and Planning Department

ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-d. The project consists of converting an existing barn into a storage and maintenance facility for the winery and the construction of 10,000 square foot of caves. While the barn sits midway up the hill, the main cave portal will be located behind the existing structure and not visible from the roadway or surrounding properties. As such, there is a less than significant impact on the visual character of the site. The project is not visible from any scenic highway. All lighting proposed for this project will be consistent with Napa County requirements that state: All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. This minimally required lighting will have a less than significant impact.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES. In determining impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a-c. No vineyards will be removed as part of this project. The site is not currently under a Williamson Act contract and is consistent with the Agricultural Watershed zoning classification. The project does not encourage the conversion of farmland to non-agricultural uses in the future. Approximately 4.5 acres of vineyard development currently exists on the property. The project further supports the utilization of the agricultural resources in Napa County. The proposed facilities and associated earthwork would not result in any impacts to agricultural resources.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a-c The project site is located at the southeastern part of Napa County, which forms one of the climatological subregions (Napa County Subregion) within the San Francisco Bay Area Air Basin, and is consequently subject to the requirements of the Bay Area Air Quality Management District (BAAQMD). The project would not be in conflict with or obstruct implementation of the Ozone Maintenance Plan, Carbon Monoxide Maintenance Plan or the Bay Area 1991 Clean Air Plan, under the Federal Clean Air Act. BAAQMD regard emissions of PM-10 and other pollutants from construction activity to be less than significant if dust and particulate control measures are implemented, which are included in this project. The BAAQMD has determined that land uses that generate fewer than 2,000 trips per day do not generally require detailed air quality analysis, since this land use would not generally be expected to have potentially significant air quality impacts (specifically, they would not be expected to generate over 80 pounds per day of Reactive organic gases (ROG)). The site is 12.33 acres with a single family residence and approximately 4.5 acres of vineyards. The addition of the cave will not cause an impact to the existing air quality.
- d-e The BAAQMD defines public exposure to offensive odors as a potentially significant impact. Wineries occasionally produce odors, but there are no sensitive receptors within 1,000 feet and this impact is deemed less than significant. Remaining grading and earthmoving activities for the winery operation will be minor and temporary, and may cause a short-term, localized degradation of air quality from dust and heavy equipment air emissions. As part of the Use Permit Conditions of Approval, water and/or dust palliatives are required to be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. These potential temporary changes in air quality are expected to be inconsequential to the local air quality and therefore have a less than significant impact.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

- a. No known candidate, sensitive, or special status species have been identified as occurring within the project boundaries. The project is located in a previously disturbed area thus minimizing the impact the development would have on existing open space. It is expected that the project would not have a significant impact on candidate, sensitive, or special status species.
- b. Napa County Environmental Sensitivity maps (Vegetation and spotted owl layers) do not indicate the presence of any riparian habitat, or threatened or endangered species on this parcel, or any of the surrounding parcels.
- c. There are no known federally protected wetlands on the project site.
- d. There are no known wildlife corridors or native wildlife nursery sites identified on the property. The existing barn and proposed winery caves would not have a significant impact on the movement of native resident and migratory fish and wildlife species.
- e. The dominant vegetation within the project area consists of grasslands, landscaping and vineyards. No trees need be removed. This impact is considered less than significant.
- f. There are no Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans applicable to the subject project site

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

- a. There are no historically sensitive sites or structures located within or in the general vicinity of the project site.
- b. No archaeological resources have been identified on or near the project site according to the Napa County Environmental Resource maps Arch sites, surveys and sensitivity layers.
- c. The subject site does not contain any known paleontological resources or unique geologic features and therefore is not anticipated to result in any significant adverse impacts to such resources.
- d. The presence of any formal cemeteries is not known to occur within the project area and therefore the proposed project is not anticipated to result in any adverse impacts on any such resources.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a. (i-iv) The property is not within a known earthquake fault zone. The potential to expose people and/or structures to the risk of fault rupture would be less than significant as a result of the proposed project. There is a high potential for strong ground shaking throughout the entire San Francisco Bay and Napa County areas. All construction will be in adherence with current standards for earthquake resistant construction and therefore would reduce the impact to a less than significant level.
- b. Based upon the Soil Survey of Napa County, CA prepared by the United States Department of Agriculture (USDA) the soils are composed of Sobrante Loam, 5 to 30 percent slopes. The Sobrante Loam are well drained soils with medium runoff. The hazards of erosion are moderate. All cave spoils will be used to improve the quality of the vineyard access roads and parking area where the slope is < 5%, and will be deposited under direction of the Department of Public Works. With these controls in place, impacts are expected to be less than significant.
- c. The site is located in an area designated as having a low risk from liquefaction. The area of the caves is a relatively flat area that has been previously graded, although access to the caves is up a moderately sloping roadway. Use of normal geotechnical engineering and construction practices will result in a less than significant impact.
- d. The Sobrante Loam soils are not considered expansive and would not create substantial risks to life or property.
- e. A new septic system has been proposed. The Department of Environmental management has reviewed the submitted feasibility study (available in the Department file for this project) and determined adequate space and soil conditions exist for a standard gravity septic system.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands are adjacent to urbanized areas or where residences are intermixed with wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in winery operations. A business plan will be filed with the Department of Environmental Management should the amount of these materials reach reportable levels.
- b. The project would not result in the release of hazardous materials into the environment.
- c. There are no schools located within one-quarter mile from the proposed project site.
- d. The proposed site is not on any known list of hazardous materials sites.
- e. The project site is not located within two miles of any public airport.
- f. The project site is not located within the vicinity of a private airport. Therefore, the proposed project would not result in a safety hazard.
- g. The proposed project will not impair the implementation of or physically interfere with an adopted emergency response plan or evacuation plan.
- h. The project is located in a rural area, but one that has been well developed on large lots and is therefore isolated from dense wild land vegetation. It would not therefore increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

- a. A septic system has been proposed as a part of this project. An analysis by the Department of Environmental Management has concluded that adequate soils are present to accommodate the waste requirement of the winery proposal.
- b. Based on the information contained in the Phase 1 Water Analysis provided by the applicant, the projected water distribution for the parcel is as follows:

	Vineyard (existing use)	1.88 acre-feet per year
	Residence (existing use)	.5 acre-feet per year
	Landscaping (existing use)	.5 acre-feet per year
	Total	2.88 acre-feet per year
Proposed	Residence (existing)	.5 acre-feet per year
	Vineyard (long term, decreased irrigation)	1.31 acre-feet per year
	Winery (proposed)	.53 acre-feet per year
	Commercial (proposed)	.04 acre-feet per year
	Landscaping (existing)	.5 acre-feet per year
	Total	2.88 acre-feet per year

The total parcel threshold is 3.7 acre-feet per year for a 12.33-acre parcel based on a 0.3 acre-foot per year parcel location factor as established by Napa County Public Works Department. This project is located in a recognized groundwater deficient area. In 1999, the Board of Supervisors enacted a Groundwater Conservation ordinance in an effort to limit all new and permitted users in the Milliken-Sarco-Tulocay (MST) area to a restrictive amount of groundwater until such a time as a recharge project can be implemented to reverse the declining water table. As this basin is in an overdraft state, new projects within the MST basin are required to show a "no net increase" in water usage for the proposed project. The applicant proposes to limit irrigation on the vineyard and, if necessary, bring in water from outside the MST basin for vineyard irrigation should they need water beyond the estimated 1.31-acre-feet. At no time shall the water usage exceed 2.88 acre-feet per year to maintain conformance with Napa County code. The applicant shall install a series of meters on all wells located on the parcel and shall submit monitoring data to the Public Works Department in April and October of each year to insure water usage does not exceed 2.88-acre feet per year.

- c-d. The topography of the site can be described as hilly and there are no streams on or near the site. Construction of the caves should not substantially alter the drainage pattern as the new construction will be located in a previously disturbed area, the site of the barn and parking area.
- e-f. There is no existing stormwater drainage system in the area of the proposed project. The project is not expected to have an impact in regards to items e and f
- g-h. According to the Napa County GIS Floodplain Management layer, no portion of the site is within a floodplain.
- i-j. The property is located off 2nd Avenue. This area is not in danger of inundation by seiche, tsunami or mudflow.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a-c. As proposed, the project is consistent with the Napa County General Plan. The project consists of 10,000 sq. ft. of caves and use of an existing 1,728 square foot barn to be located on a parcel exceeding 12 acres. Other commercial uses exist in the immediate vicinity, including a horse boarding facility and the golf course of the Napa Valley Country Club. The cave portals will be only minimally visible from any of the surrounding properties. No habitat conservation or natural community conservation plans are applicable to this parcel.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a. The project does not contain any known mineral resources per the Surficial Deposits layer of the Napa County GIS system.
 b. The project site is not designated as a locally important mineral resources recovery site.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

- a-d. The project is located in a rural setting. A majority of the winery activity will take place within the caves. The existing barn will be converted to a storage and maintenance facility. The nearest residence not owned by the applicant is 750 feet away from the project site. The existence of large parcels and other commercial activity in this area minimizes the potential for excessive noise disturbance to neighboring parcels. This impact is therefore considered less than significant. The anticipated level of noise to occur following the completion of construction of the facility would be minimal and typical of an agricultural setting within a sparsely populated rural setting. The periodic marketing events with larger numbers of visitors are limited in number, occur within specific time frames, and prohibit amplified music and sound. The activities must comply with the county noise regulations, reducing noise impact concerns to a level of insignificance. Cave construction could create moderate amounts of short-term construction noise. However, this noise is expected to be of a short duration, and will occur only during the day.
- e. The project site is not located within an airport land use plan or within two miles of a public airport.
- f. The project site is not located within the vicinity of a private airstrip.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII.	POPULATION AND HOUSING. Would the project:				
	a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

- a. Due to the small number of employees involved, the project would not induce substantial population growth.
- b. The project will not displace any housing.
- c. The project will not displace any people.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII.	PUBLIC SERVICES. Would the project result in:				
	a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

- a. All public services as designated in the Napa County General Plan for this project are in place. There will be no impact on response time as a result of the project nor would the project create a need for any new or expanded facilities.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV.	RECREATION. Would the project:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a-b. The project would have no impact on the use of existing recreational facilities, nor does the project include recreational facilities that may have a significant adverse effect on the environment.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

- a-c. The project will not increase traffic by a substantial quantity. The proposed winery will utilize grapes grown onsite, while also importing approximately 81 tons or 8 truck loads of grapes, which averages 2 trips per week during the 4 weeks of the crush season. The use permit application proposes the use of the winery for one custom producer utilizing 5,000 gallons of the total permitted production capacity. Grapes for this producer will be brought in from vineyards located elsewhere in the valley. The combination of employee trips, deliveries and visitors is anticipated to average 10 trips per day, which is comparable to a single family residence with the busiest days, generally associated with crush, totaling a possible 20 trips. At the busiest level of traffic, this will not reduce the level of service on the public road. The Public Works Department shows a traffic count for Second Avenue, just north of Coombsville Road to be 743 trips/day.
- d. This project does not propose any design features that would be considered hazardous or incompatible.
- e-f. The numbers of parking spaces provided are considered adequate to accommodate everyday winery tours and tasting and employees. The applicant is required to comply with all parking provisions for Napa County, prohibiting any parking in the public rights of ways. Any temporary overflow parking can be easily accommodated on improved surfaces on the property (i.e. Access driveways), however, obstruction of the access driveways with overflow parking shall not be permitted.
- g. The proposed project does not conflict with any known policies or plans supporting alternative transportation.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of a new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of a new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

a-g. The proposed project would not result in a significant adverse impact on utilities and service systems. No new public facilities are required. All wastewater disposal systems will be developed on-site in compliance with State and County regulations. Adequate landfill facilities area available for solid waste disposal and closure of the public landfill facilities is not currently expected. Therefore no significant adverse impacts to utilities and public services expected.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion:

- a. The project proposes to construct 10,000 sq. ft. of caves and conversion of an existing 1,728 sq. ft. barn for a maintenance and storage facility. No additional buildings are proposed. The construction of the caves is unlikely to degrade any habitat for fish or wildlife species.
- b. The project as proposed will not have a cumulative effect on the environment. Neither this project or any project nearby will result in reducing the Level of Service of nearby roadways, and groundwater usage is not increased by this project.
- c. The project would not result in any environmental effects that will cause substantial adverse effect on human beings.



Legend

-  Parcels
-  American Canyon
-  Calistoga
-  County
-  Napa
-  St Helena
-  Yountville
-  Water Bodies
-  County Boundary



County of Napa



Conservation, Development
& Planning

Planning General

Horizontal Datum: NAD 83,
CA State Plane Coordinates,
Zone II, feet

Disclaimer: This map was prepared for
informational purpose only. No liability
is assumed for the accuracy of the
data delineated hereon.

0 0.005 0.01 0.02 0.03 0.04 Miles
- 43 -

Created Date: 12/2002

Revised Date: 02/01/2005



**NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING COMMISSION**
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4416

APPLICATION FOR USE PERMIT

FOR OFFICE USE ONLY

ZONING DISTRICT: AW Date Submitted: 12-22-13

REQUEST: To establish a 20,000 gallon per year winery with one custom producer; utilizing an existing structure; constructing a 10,000 sq ft cave; outdoor crush pad; tours/tastings & retail wine sales by appointment only; establishing a Marketing Plan; and constructing a package treatment system located on a 12.33 acre parcel on Chateau Lane west of Second Avenue. (Assessor's Parcel #52-170-020)

Date Complete: _____
Date Published: _____

ZA CDPC BS APPEAL

Hearing _____
Action _____

TO BE COMPLETED BY APPLICANT
(Please type or print legibly)

Applicant's Name: Brian Graham

Telephone #: (707) 287-2721 Fax #: (707) 258-9333 E-Mail: brian@marshallcellars.com

Mailing Address: 3245 Beard Street Napa CA 94558
No. Street City State Zip

Status of Applicant's Interest in Property: Winemaker

Property Owner's Name: John and Vera Marshall

Telephone #: (707) 257-6335 Fax #: (707) 257-9051 E-Mail: john@marshallcellars.com

Mailing Address: P.O. Box 6438 Napa CA 94581
No. Street City State Zip

Site Address/Location: 15 Chateau Lane Napa CA 94558
No. Street City State Zip

Assessor's Parcel #: 052-170-020 Existing Parcel Size: 12.33 acres

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, plot plan, floor plan, building elevations, water supply/waste disposal system plot plan and toxic materials list, is complete and accurate to the best of my knowledge. I 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.

Brian Graham 12/20/03 John Marshall 12/20/03
Signature of Applicant Date Signature of Property Owner Date

Brian Graham John Marshall
Print Name Print Name

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

Total Fee: \$2350.00 Receipt No: R03-004228 Received by: Barbara Abate Date: 12-22-13
R03-004107 (#11000) 12-10-13



**NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING COMMISSION**
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4416

APPLICATION FOR USE PERMIT

FOR OFFICE USE ONLY

ZONING DISTRICT: AW Date Submitted: 12-22-13
 REQUEST: _____ Date Complete: _____
 _____ Date Published: _____

 _____ ZA CDPC BS APPEAL
 _____ Hearing _____
 _____ Action _____

TO BE COMPLETED BY APPLICANT
(Please type or print legibly)

Applicant's Name: Brian Graham
 Telephone #: (707) 287-2721 Fax #: (707) 258-9333 E-Mail: brian@marshallcellars.com
 Mailing Address: 3245 Beard Street Napa CA 94558
No. Street City State Zip
 Status of Applicant's Interest in Property: Winemaker
 Property Owner's Name: John and Vera Marshall
 Telephone #: (707) 257-6335 Fax #: (707) 257-9051 E-Mail: john@marshallcellars.com
 Mailing Address: P.O. Box 6438 Napa CA 94581
No. Street City State Zip
 Site Address/Location: 15 Chateau Lane Napa CA 94558
No. Street City State Zip
 Assessor's Parcel #: 052-170-020 Existing Parcel Size: 12.33 acres

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, plot plan, floor plan, building elevations, water supply/waste disposal system plot plan and toxic materials list, is complete and accurate to the best of my knowledge. I 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.

Brian Graham 12/20/03
Signature of Applicant Date
Brian Graham
Print Name

John Marshall 12/20/03
Signature of Property Owner Date
John Marshall
Print Name

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

Total Fee: \$2350.00 Receipt No. R03-004228 Received by: Barbara Abate Date: 12-22-13
R03-004007 (\$110.00) 12-10-03

IV. TYPICAL OPERATION

	<u>Existing</u>	<u>Proposed</u>
A. Days of Operation:	n/a	7
B. Expected Hours of Operation:	n/a	7am-6pm
C. Anticipated Number of Shifts:	n/a	1
D. Expected Number of Full-Time Employees/Shift:	n/a	3
E. Expected Number of Part-Time Employees/Shift:	n/a	1
F. Anticipated Number of Visitors		
• busiest day:	n/a	15
• average/week:	n/a	40
G. Anticipated Number of Deliveries/Pickups		
• busiest day:	n/a	4
• average/week:	n/a	5

V. SUPPLEMENTAL INFORMATION FOR SELECTED USES

A. Commercial Meeting Facilities Food Serving Facilities		
• restaurant/deli seating capacity:	n/a	
• bar seating capacity:	n/a	
• public meeting room seating capacity:	n/a	
• assembly capacity:	n/a	
B. Residential Care Facilities (6 or more residents) Day Care Centers	<u>Existing</u>	<u>Proposed</u>
• type of care:	n/a	n/a
• total number of guests/children:	n/a	n/a
• total number of bedrooms:	n/a	n/a
• distance to nearest existing/approved facility/center:	n/a	n/a

RECEIVED

DEC 22 2003

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

USE PERMIT PROJECT STATEMENT
Marshall Vineyards and Cellars
APN: 052-170-020

APPLICANT:

Brian Graham (winemaker)
3245 Beard Street
Napa, CA 94558

OWNERS:

John and Vera Marshall
P.O. Box 6438
Napa, CA 94581

APPLICANT/OWNER REPRESENTATIVE:

Beth Painter
Balanced Planning
1434 Third Street, Suite 3D
Napa, CA 94559

APN: 052-170-020

ACREAGE: 12.33 acres

LOCATION: 15 Chateau Lane, Napa, CA

GENERAL PLAN MAP DESIGNATION: AWOS, Ag. Watershed and Open Space

ZONING DESIGNATION: AW, Agricultural Watershed

GENERAL PROJECT DESCRIPTION:

John and Vera Marshall, the owners and full-time residents of 15 Chateau Lane (APN 052-170-020), are requesting this Use Permit to allow for the construction of a new winery facility at this location, near the intersection of Second Avenue and Rapp Lane. The Marshalls plan to run Marshall Vineyards and Cellars, a small family owned and operated business, from this new facility. The winery will have a maximum production of 20,000 gallons per year.

The proposed location for the winery is on an area of the parcel currently containing an agricultural storage building. This building will be used by the winery for storage and maintenance. A cave for tanks, barrel storage, administrative, and marketing functions will be developed in the hill directly behind this building.

The Marshalls purchased this 12.33 acre parcel in 2001. In 2003, the Marshalls planted 4.5 acres to red varieties with the intent to produce an estate-blend. The vineyard is located on gently sloping ground generally to the east and south-east of the winery site. The vineyard is hand-farmed and vineyard practices embrace the philosophies and techniques of sustainable agriculture.

The business plan for the new winery will be to allocate the majority of the production to Marshall Vineyards and Cellars, with a small percentage allocated to custom production by a single custom crush client. Staffing for the winery will include the owners as two full time employees and a winemaker.

An 18 foot wide access road can be provided from Chateau Lane to the winery building. No Variance is requested for this application because the portals for the cave will be obscured from Chateau Lane by topography and the existing agricultural building.

Winery Building: Architectural Description

The existing agricultural building will be converted to a winery building. It is a simple single story structure of approximately 1,725 square feet with a maximum height of 16 feet. The new cave will be approximately 10,000 square feet. The portals for the cave will be designed for minimal offsite visibility and will have a maximum height of 14 feet. The interior of the cave will contain offices, a conference room, a laboratory, an employee kitchen/lunchroom, and restrooms in addition to tank and barrel storage.

Crush Pad Area

Surfaced area will be installed to provide a crush pad adjacent to the west side of the existing winery building. The crush pad will be situated between the winery building and the cave portals.

Additional Uncovered Work Areas and Paved Areas

Additional area will be either paved or surfaced with crush rock to provide space for both employee and visitor parking.

Site Plan and Landscaping

Existing vineyard provides compatible landscaping. In addition to the vineyard, the winery building will be landscaped with fencing and shrubbery.

Wastewater Treatment and Disposal

An analysis prepared by Riechers Spence and Associates has been included. A standard gravity septic system can be installed to accommodate sanitary wastewater. A *Techqua* reclamation system can be installed to accommodate winery process wastewater.

Water Analysis

A Phase 1 water analysis has been prepared by Riechers Spence and Associates. The conclusion of the analysis is that there is adequate water available and that the winery will not adversely impact water availability in the area. The amount of water used is within the thresholds of acceptable use established by the County. The project is located within the MST Basin and a Groundwater Permit will be obtained before securing building permits.

Fire Protection

The project site is readily accessible from Second Avenue. The on-site access road and turnaround areas meet or exceed county and fire department standards. Water for fire protection will be available from on-site water tanks.

Traffic

Traffic characteristics have been included with the application materials for this project.

Additionally, in recognition of local conditions, the Marshalls are adopting mitigating procedures for deliveries and visitors to the new facility. Specifically, visitors and deliveries will be instructed to take routes which avoid passing in front of Mt. George Elementary School.

USE PERMIT APPLICATION
SUPPLEMENTAL INFORMATION SHEET
FOR WINERY USES

1. **Operations.** (In the blank in front of each operation, place an "E" for Existing, a "P" for Proposed, an "X" for Expanding, or an "N" for None.)

- | | |
|--|---|
| <ul style="list-style-type: none"> a. <u>P</u> crushing b. <u>P</u> fermentation c. <u>P</u> barrel ageing d. <u>P</u> bottling e. <u>P</u> case goods storage f. <u> </u> caves: <ul style="list-style-type: none"> <u>P</u> storage <u>P</u> other: office, labs g. <u>P</u> underground waste disposal h. <u>P</u> above-ground waste disposal i. <u>P</u> administration office j. <u>P</u> laboratories k. <u>N</u> day care | <ul style="list-style-type: none"> l. <u> </u> tours/tastings: <ul style="list-style-type: none"> <u>N</u> public drop-in <u>P</u> public by appointment <u>P</u> wine trade m. <u> </u> retail wine sales <ul style="list-style-type: none"> <u>N</u> public drop-in <u>P</u> public by appointment n. <u>N</u> public display of art or wine-related items <ul style="list-style-type: none"> o. <u>N</u> picnic areas p. <u>N</u> food preparation q. <u>P</u> custom production |
|--|---|

2. **Marketing Activities.** (Describe the nature of any marketing or educational events not listed above including the type of events, whether public or private, frequency of events, average attendance, etc. Differentiate between existing and proposed activities. Attach additional sheets if necessary): _____

_____ See attached description of marketing events _____

3. **Napa Valley Wine Auction Activities.** (Describe the size and type of event that you may conduct as part of the annual Wine Auction): _____

_____ See attached description of marketing events _____

4. **Food Service.** (Describe the nature of any food service including type of food, whether public or private, whether profit or non-profit, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Differentiate between existing and proposed food service. Attach additional sheets if necessary): _____

_____ The kitchen is for employee use only. Any food associated with events _____
_____ shall be provided by a caterer. _____

5. **Production Capacity.**
 - a. existing capacity: n/a date authorized: n/a
 - b. current maximum actual production (year): n/a ()
 - c. proposed capacity: 20,000 gallons

6. **Grape Origin.** (Fill out a "Initial Statement of Grape Source" form if establishing a new winery or expanding an existing winery development area and include with application form.)

7. **Winery Development Area.** (see a below - for existing winery facilities)
Will the project involve construction of additional facilities beyond the winery development area? no

8. **Total Winery Coverage.** (see b below – maximum 25% of parcel or 15 acres, whichever is less)
 - a. square feet/acres: 0.30 acres
 - b. percent of total parcel: 2.4%

9. **Production Facility.** (see c below – include the square footage of all floors for each structure)
 - a. square feet: 9636 sq. ft.

10. **Accessory Use.** (see d below – maximum permitted 40% of the production facility)
 - a. square feet: 804 sq. ft.
 - b. percent of production facility: 8.3%

Marketing Definition: (paraphrased from County Code)

Marketing of Wine – Any activity conducted at the winery shall be limited to members of the wine trade, persons, who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis and may include food service without charge except to the extent of cost recovery when provided in association with such education and development but shall not include cultural and social events unrelated to such education and development.

Coverage and Use Definitions: (paraphrased from County Code)

- a. **Winery Development Area** – All aggregate paved or impervious or semi-permeable ground surface areas of the production facility which includes all storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved parking areas for the exclusive use of winery employees.

- b. **Winery Coverage** – The total square foot area of all winery building footprints, all aggregate paved or impervious ground surface areas of the production facility which includes all outside work, tank and storage areas (except caves); all paved areas including parking and loading areas, walkways, and access driveways to public or private roads or rights-of-way; and all above-ground wastewater and run-off treatment systems.

- c. **Production Facility** – (For the purpose to calculate the maximum allowable accessory use) The total square footage of all winery crushing, fermenting, bottling, bulk and bottle storage, shipping, receiving, laboratory, equipment storage and maintenance facilities, and employee-designated restrooms but does not include wastewater treatment or disposal areas which cannot be used for agricultural purposes.

- d. **Accessory Use** - The total square footage of area within winery structures used for accessory uses related to a winery that are not defined as "production facility" which would include offices, lobbies/waiting rooms, conference/meeting rooms, non-production access hallways, kitchens, tasting rooms (private and public areas), retail space areas, libraries, non-employee designated restrooms, art display areas, or any area within winery structures not directly related to wine production.

WINERY CALCULATION WORKSHEET

1. WINERY COVERAGE

All paved or impervious ground surface areas of the production facility:		
Footprint of all winery structures		1728 sq. ft. (excluding caves)
Outside work areas		3000 sq. ft.
Tank areas		0 (In cave)
Storage areas (excluding caves)		0 (In cave)
All paved areas:		
Parking areas		All paved areas: 8240 sq. ft.
Loading areas		
Walkways		
Access driveways to the public or private rd		
Above-ground wastewater and run-off treatment systems:		
Wastewater pond or SDSD		550 sq. ft.
Spray disposal field		0
Parcel size:	12.33 acres	Percent of winery coverage of parcel size:
Total winery coverage:	0.30 acres	2.4 %

2. PRODUCTION FACILITY

Total square footage within structures and caves utilized for the following:		
Crushing		1104 sq. ft.
Fermenting		3504 sq. ft.
Bottling		0 (mobile bottling line)
Bulk & bottle storage		2940 sq. ft.
Shipping		0
Receiving		0
Laboratory		192 sq. ft.
Equipment storage & maintenance facilities (excludes fire protection facilities)		1728 sq. ft.
Employee-designated restrooms		168 sq. ft.
Total square footage of production facility: 9636 sq. ft.		

3. ACCESSORY USE

Total square footage within structures and caves utilized for the following:		
Office space		192 sq. ft.
Lobbies/waiting rooms		0
Conference/meeting rooms		0
Non-production access hallways		0
Kitchens		192 sq. ft.
Tasting rooms (private & public areas)		192 sq. ft.
Retail space areas		0
Libraries		228 sq. ft.
Visitor restrooms		0
Art display areas		0
Any other areas within the winery structure not directly related to production		0
Total square footage of accessory use space: 804 sq. ft.		
Percent of accessory use to production use: 8.3 %		

**USE PERMIT APPLICATION
SUPPLEMENTAL INFORMATION SHEET
FOR CUSTOM PRODUCTION ACTIVITIES AT A WINERY**

A Use Permit Modification is necessary for any winery to conduct operations on behalf of any other entities than the winery itself, including employees on their own account, individual partners and officers, corporate parents and contractors. Accessory uses such as offices and marketing can only be permitted if they are associated with wine produced at the winery.

1. PRODUCTION ACTIVITIES

- 20,000 gal What is the total permitted annual production capacity of the winery?
- 5,000 gal How much of the annual capacity is proposed to be devoted to activities by other entities (i.e., "custom production")?
- 1 How many other entities ("custom production")?

Please describe below any environmental modifications in winery operations that can be attributed to the custom operations:

- Hours when the winery would not otherwise be open? none _____
- Traffic not otherwise destined to/coming from the winery? none _____
- Increases in noise (e.g., bottling at times when the winery would not be operating the bottling line)? none _____
- Other? none _____

Please check all the custom production activities that are proposed at the winery.

- a. Crushing
- b. Fermentation
- c. Barrel Ageing
- d. Bottling

1. ACCESSORY ACTIVITIES

Please check all the accessory winery activities that are proposed to be accommodated at the winery and complete the applicable information.

- a. Case goods storage _____ area devoted to custom wine storage
- b. Retail wine sales up to 25% percentage of wine sales by other entities
- c. Administrative office ____/____ number of offices for others/number of employees of "custom" operations
- d. Wine tasting
- e. Distribution/shipping _____ number of trucks serving winery operations (total)
- f. Other (specify) _____

2. MARKETING ACTIVITIES

Please check the types, and describe the specific locations and frequencies, of marketing activities for the custom production that will be carried out at the winery.

- a. Promotional and educational activities/advertising: _____
 2 promotional events per year, 15-25 persons (average 20), 12pm-4pm or 5pm-10pm _____
- b. Telemarketing/mail order: _____
- c. Receptions, tours, other invitational events: _____
- d. Luncheons, dinners, other food service with wine: _____
- e. Other (specify): _____

MARKETING PLAN
Marshall Vineyards and Cellars
APN: 052-170-020

The following includes all marketing activities to be conducted by Marshall Vineyards and Cellars, located at 15 Chateau Lane, APN# 052-170-020. These marketing activities are in addition to the anticipated activity associated with appointments made for tasting as described in the winery Use Permit application.

Private promotional tastings and meals

These private promotional events are targeted towards members of the wine trade for promotional sales events.

Frequency:	12 times per year
Number of persons:	15 to 25, average 20
Time of day:	12:00 pm to 4:00 pm, or 5:00pm to 10:00 pm*

Special events

These events may include Wine Auction, Open House, or other special events.

Frequency:	2 times per year
Number of persons:	40 to 80, average 60
Time of day:	12:00 pm to 4:00 pm, or 5:00pm to 10:00 pm*

* Both promotional tasting and special events assume approximately 4-5 hours per event, with either an afternoon or evening schedule.

WATER SUPPLY/WASTE DISPOSAL INFORMATION SHEET

I. WATER SUPPLY

	<u>Domestic</u>	<u>Emergency</u>
A. Proposed source of Water (eg., spring, well, mutual water company, city, district, etc.):	<u>well</u>	<u>well</u>
B. Name of Proposed Water Supplier (if water company, city, district): annexation needed?	<u>n/a</u> Yes ___ No <u>x</u>	<u>n/a</u> Yes ___ No <u>x</u>
C. Current Water Use (in gallons/day): Current water source:	<u>2571 gpd</u> <u>well</u>	_____ _____
D. Anticipated Future Water Demand (in gallons/day):	<u>3080 gpd</u>	_____
E. Water Availability (in gallons/minute):	<u>20 gpm</u>	_____
F. Capacity of Water Storage System (gallons):	<u>21,000 g</u>	<u>10,500 g</u> (to be verified)
G. Nature of Storage Facility (eg., tank, reservoir, swimming pool, etc.):	<u>Tank</u>	<u>Tank</u>
F. Completed Phase I Analysis Sheet (Attached):		

II. LIQUID WASTE

	<u>Domestic</u> (sewage)	<u>Other</u> (please specify)
A. Disposal Method (e.g., on-site septic system on-site ponds, community system, district, etc.):	<u>on-site septic system</u>	Techqua (process waste)
B. Name of Disposal Agency (if sewage district, city, community system): annexation needed?	<u>n/a</u> Yes ___ No <u>x</u>	<u>n/a</u> Yes ___ No <u>x</u>
C. Current Waste Flows (peak flow in gallons/day):	<u>n/a</u>	<u>n/a</u>
D. Anticipated Future Waste Flows (peak flows in gallons/day):	<u>305 gpd</u>	<u>1000gpd</u>
E. Future Waste Disposal Capacity (in gallons/day):	<u>SEE WASTE DISPOSAL FEASIBILITY REPORT</u>	

III. SOLID WASTE DISPOSAL

A. Operational Wastes (on-site, landfill, garbage co., etc.): on-site / garbage service

B. Grading Spoils (on-site, landfill, construction, etc.): on-site and off-site construction

IV. HAZARDOUS/TOXIC MATERIALS (Please fill out attached hazardous materials information sheet, attached)

A. Disposal Method (on-site, landfill, garbage co., waste hauler, etc.): SEE HAZARDOUS MATERIALS ATTACHMENT

B. Name of Disposal Agency (if landfill, garbage co., private hauler, etc.): SEE HAZARDOUS MATERIALS ATTACHMENT



**Napa County Department of Environmental Management
CUPA-Related Business Activities Form**

Business Name: MARSHALL VINEYARDS AND CELLARS, LLC

Business Address: 15 CHATEAU LANE, NAPA, CA 94558

Contact: JOHN MARSHALL

Phone #: 707-257-8202

A. HAZARDOUS MATERIALS

Have on site (for any purpose) hazardous materials at or above 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gases (include liquids in AST's and UST's or handle radiological materials in quantities for which an emergency plan is required pursuant to 10 CFR Parts 30, 40 or 70?

YES NO

B. UNDERGROUND STORAGE TANKS (UST's)

1. Own or operate underground storage tanks?

YES NO

2. Intend to upgrade existing or install new UST's?

YES NO

C. ABOVE GROUND STORAGE TANKS (AST's)

Own or operate AST's above these thresholds:

- Any tank capacity with a capacity greater than 660 gallons, or
- The total capacity for the facility is greater than 1,320 gallons?

YES NO

D. HAZARDOUS WASTE

1. Generate hazardous waste?

YES NO

2. Recycle more than 220 lbs/month of excluded or exempted recyclable materials (per H&SC §25143.2)?

YES NO

3. Treat hazardous waste on site?

YES NO

4. Treatment subject to financial assurance requirements (for Permit by Rule and Conditional Authorization)?

YES NO

5. Consolidate hazardous waste generated at a remote site?

YES NO

E. OTHER

1. Does the business activity include car/fleet washing, mobile detailing, auto-body related activities?

YES NO

2. Does the business handle Extremely Hazardous Substances in amounts that would qualify for the Risk Management Program? Some examples and their thresholds common to Napa County include: Ammonia - 500 lbs, Sulfur Dioxide - 500 lbs, Chlorine - 500 lbs.

YES NO

HAZARDOUS MATERIALS ATTACHMENT
Marshall Vineyards and Cellars
APN: 052-170-020

Modern winery operations require the use of materials which, though non-flammable and non-toxic, are nonetheless classified as hazardous materials (Class 2.2) due to storage in compressed or liquefied gas form.

Marshall Vineyards and Cellars plans to use Argon and Nitrogen during various operations at its winery facility. Argon and Nitrogen are inert, non-flammable, and non-toxic. Both are delivered and removed in pressurized canisters by an approved carrier such as Complete Welders' Supply in Napa. The quantities which are expected to be used are as follows:

1. Argon, compressed gas. (366 c.f. cylinder)
2. Argon, liquefied gas, (6800 c.f. dewar) (*note: during bottling only (i.e..approximately one week per year)*)
3. Nitrogen, compressed gas. (255 c.f. cylinder)

Marshall Vineyards and Cellars will not generate any hazardous waste.