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## Previous Project Conditions



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A Commitment to Service

**Planning, Building & Environmental Services**

1195 Third Street, Suite 210  
Napa CA 94559  
www.countyofnapa.org  
(707) 253-4417

**David Morrison**  
Director

**TREASURY WINE ESTATES AMERICAS COMPANY**

**DBA ETUDE WINERY**

**PO BOX 4500**

**NAPA CA 94558**

**Permit Type: Planning / Development Approvals / Administrative Permit / NA**

**Permit: P14-00352**

**Application Date: 10/30/2014**

**APN: 047-230-033-000**

**Site Address: 1250 CUTTINGS WHARF RD, Napa**

Please be advised that the above referenced use permit request number has been administratively approved by the Napa County Conservation, Development and Planning Department based upon the following conditions. (see attached list of conditions).

**Approval Date: 11/19/2014**

The permit becomes effective unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. If an appeal is filed by others, you will be notified. This permit expires two (2) years from the date of approval, unless an extension request (including payment of applicable fees) is received by this Department 30 days prior to the expiration date.

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

Sincerely,  
David Morrison  
Director of Planning, Building, & Environmental Services

By:

*Terri Abraham*

Napa County Conservation, Development and Planning Department

Cc: John Tuteur, Napa County Assessor

## Conditions of Approval

Permit: P14-00352  
APN: 047-230-033-000

- All signs must comply with Section 18.116.036 of the Napa County Zoning Ordinance
- The permittee must secure all required building permits and shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies.
- No direct or internal illumination is permitted. Indirect illumination is allowed but subject to separate review and approval.
- All staff costs associated with monitoring compliance with these conditions, previous 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 current hourly consulting rate. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.



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Conservation, Development and Planning

1195 Third Street, Suite 210  
Napa, CA 94559  
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Main: (707) 253-4417  
Fax: (707) 253-4336

Hillary Gitelman  
Director

September 1, 2009

Ed Matovcik  
Etude Winery  
1250 Cuttings Wharf Road  
Napa Ca 94558

**RE: ETUDE WINERY TASTING ROOM RELOCATION**  
USE PERMIT MODIFICATION № P09-00256  
1250 CUTTINGS WARF ROAD; ASSESSOR'S PARCEL № 047-230-033-000

Dear Mr. Matovick,

Your application for Minor Modification № P09-00256 to modify Etude Winery permit 03132-UP, has been considered by the Zoning Administrator on August 10, 2009. The request includes the relocation of the tasting room to an existing building. Please be advised that your request has been **APPROVED** by the Zoning Administrator subject to the conditions of approval attached as Exhibit A, and as follows.

The Zoning Administrator has determined the project to be Categorically Exempt from the California Environmental Quality Act. [See Class 1(a) (Existing Facilities which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR § 15301 and Napa County CEQA Guidelines Appendix B, Class 3(a) New Construction or Conversion of Small Structures, This project would allow the relocation of the tasting room to an existing building on site.

This permit becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You have the right to appeal the conditions of approval and you will be notified should an appeal be filed by another.

**EXPIRATION DATE: September 1, 2011**

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

*Pursuant to Government Code §66020(d)(1), you are hereby further notified that the ninety day period in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has begun.*

**CONDITIONS OF APPROVAL  
ETUDE WINERY  
USE PERMIT MODIFICATION -FILE #P09-00256-MOD  
(APN 047-230-033-000)**

**1. SCOPE:**

- This permit shall be limited to allow the conversion and renovations of 1,453 sq. ft. of the existing 4,600 sq. ft. office and employee space, to an interim hospitality and tasting room;
- The current hospitality and tasting room shall be converted back to storage prior to final occupancy of the new hospitality and tasting room;
- Allow for outdoor wine tasting to occur on the 575 sq. ft. uncovered deck;
- Prior to final occupancy of the previously approved (but not yet built) 4,900 sq. ft. hospitality/tasting room, the interim hospitality/tasting room authorized by this permit shall be converted back to office and employee space;
- No change in production, marketing or visitation is authorized by this permit.

All project improvements shall be designed in substantial conformance with the plans submitted with this application, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which are necessitated by the requirements of other department or agencies, are subject to further County approval.

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

The applicant shall comply with applicable development standards, the zoning regulations and all other applicable building codes, zoning standards and requirements of various County departments and other agencies including the following:

- a) Department of Environmental Management memo dated May 12, 2009.
- b) Department of Public Works memo dated June 24, 2009.
- c) Napa County Fire Department's memo dated May 15, 2009.
- d) Napa County Building Department's memo dated June 24, 2009.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Departments and Agencies shall be determined by those Departments or Agencies. The inability to substantially comply with the requirements of other County Departments and Agencies may result in the need to modify the approved use permit.

**3. 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

detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for CDPD review and approval. All lighting shall comply with the Uniform Building Code (UBC).

4. **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 Chapter 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.

5. **PREVIOUS CONDITIONS/MITIGATION MEASURES:**

The permittee shall comply with all applicable conditions of approval and mitigation measures which were included in the previously approved use permits and use permit modifications. To the extent there is a conflict between this modification and any prior use permit or modification, this modification and these conditions of approval shall control.

6. **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. 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.

7. **TEMPORARY AND FINAL OCCUPANCY:**

All project improvements, including compliance with all applicable codes, conditions and requirements from all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities,

prior to completion of all project improvements. Marketing, Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions can be requested due to extenuating circumstances and are subject to review and approval by the County Building Official and the Director of Conservation, Development and Planning. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.



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**Environmental Management**

1195 Third Street, Suite 101  
Napa, CA 94559  
www.co.napa.ca.us

Main: (707) 253-4471  
Fax: (707) 253-4545

**Steven Lederer**  
Director

**MEMORANDUM**

**To:** Napa County Planning Department  
Hillary Gitelman, Planning Director

**From:** Napa County Environmental  
Management Department  
Kim Withrow, Senior Environmental  
Health Specialist

**Date:** July 20, 2009

**Re:** Use Permit Modification Application for  
Etude Winery VMM  
Located at 1250 Cuttings Wharf Road  
Assessor Parcel # 047-230-033  
File #P09-00256

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

1. We have no recommendations or conditions of approval to be included if the project is approved.

cc: Linda St. Clair, CDPD  
Ed Matovcik, Foster's Wine Estates, 610 Airpark Rd., Napa, CA 94558





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RECEIVED

JUN 30 2009

NAPA COUNTY  
DEPT OF PUBLIC WORKS

FILE # P09-256  
Conservation Development and Planning

1195 Third Street, Suite 210  
Napa, CA 94559  
www.co.napa.ca.us

Main: (707) 253-4417  
Fax: (707) 253-4336

Hillary Gitelman  
Director

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

TO: PUBLIC WORKS

APPLICATION TITLE: ETUDE WINERY VMM APN: 047.230.033

DESCRIPTION OF PROJECT: Remodel existing structure & allow 1,453 sq ft to be utilized as tasting room.

\* IN CONJUNCTION WITH B09-00503. SEE DRAWINGS for details

RESPONSE REQUEST DATE: 30 JUNE 09 RESPONSE RETURN DATE: 14 July 09

PLEASE RESPOND VIA E-MAIL TO: LSTCLAIR @co.napa.ca.us  
OR FAX TO (707) 299- 4270

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.

1. Do you have any comments on this project?  Yes  No
2. Do you have jurisdiction by law over this project?  Yes  No
3. Attach your agencies comments, or list below:  Comments attached  Comments below.

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Name of contact person: ERICH KROLL Telephone #: 707-299-1755

Email: ERICH.KROLL  
Title: SUPERVISING ENGINEER  
Date: 07/10/09



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Workflow

Application : P09-00256

Application Type : Planning / PL Permits / Use Permit / Use Permit Very Minor Mod

Address: 1250 CUTTINGS WHARF ROAD, NAPA, CA

Owner Name: FOSTERS WINE ESTATES AMERICAS COMPANY

Owner Address: DBA ETUDE WINERY, PO BOX 4500, NAPA, CA 94558

Application Name : Etude

<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Application Acceptance</li> <li><input checked="" type="checkbox"/> County Council Review</li> <li><input checked="" type="checkbox"/> Environmental Review</li> <li><input checked="" type="checkbox"/> Public Works Review</li> <li><input checked="" type="checkbox"/> Fire Review</li> <li><input checked="" type="checkbox"/> ESI Review</li> <li><input checked="" type="checkbox"/> Planning Review</li> <li><input checked="" type="checkbox"/> Building Review</li> <li><input checked="" type="checkbox"/> Planning Approval</li> <li><input type="checkbox"/> Closure</li> </ul>	<p><b>History - Public Works Review</b></p> <p>Status: Approved      Status Date: 07/10/2009</p> <p>Action By: ERICH KROLL      Department: Public Works Department</p> <p>Start Time:</p> <p>End Time:</p> <p>Hours Spent: 1.00      Billable: Yes      Overtime: No</p> <p>Status Comment: </p> <p>emails from applicant; no earthwork proposed; County water usages does not distinguish between administration building and hospitality entitlement- so need to further review.</p>
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Workflow

Application : P09-00256

Application Type : Planning / PL Permits / Use Permit / Use Permit Very Minor Mod

Address : 1250 CUTTINGS WHARF ROAD, NAPA, CA

Owner Name : FOSTERS WINE ESTATES AMERICAS COMPANY

Owner Address : DBA ETUDE WINERY, PO BOX 4500, NAPA, CA 94558

Application Name : Etude

- Application Acceptance
- County Council Review
- Environmental Review
- Public Works Review
- Fire Review
- EM Review
- Planning Review
- Building Review
- Planning Approval
- Closure

History - Fire Review

Status: Approved Status Date: 07/08/2009

Action By: ALICIA AMARO Department: NCFD Department

Start Time:

End Time:

Hours Spent: 1.00 Billable: No Overtime: No

Status Comment:

This application for modification to remodel the first floor of it's Administration Building to accomodate a 1453 sf tasting room does not warrant additional fire protection conditions, as long as all construction and use of the facility complies with all applicable standards, regulations, codes and ordinances at the time of building permit issuance, including fire department access around the building.



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FILE #: P09-256  
Conservation Development and Planning

1195 Third Street, Suite 210  
Napa, CA 94559  
www.co.napa.ca.us

Main: (707) 253-4417  
Fax: (707) 253-4336

Hillary Gitelman  
Director

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

TO: BUILDING DIVISION

APPLICATION TITLE: ETUDE WINERY VMM APN: 047-230-033

DESCRIPTION OF PROJECT: Remodel existing structure & allow 1,453 sq ft to be utilized as tasting room.

\* IN CONJUNCTION WITH B09-00503. SEE DRAWINGS for details

RESPONSE REQUEST DATE: 30 JUNE 09 RESPONSE RETURN DATE: 14 July 09

PLEASE RESPOND VIA E-MAIL TO: LSTCLAIR/Suzie@co.napa.ca.us  
OR FAX TO (707) 299-4270

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.

1. Do you have any comments on this project?  Yes  No
2. Do you have jurisdiction by law over this project?  Yes  No
3. Attach your agencies comments, or list below:  Comments attached  Comments below.

See attached comment letter here  
attached in Accela

Name of contact person: Eric Barward Telephone #: 253-4417

Email: ebarward@co.napa.ca.us  
Title: Plans & Permit Supervisor  
Date: 7.17.09



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Conservation, Development and Planning

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Hillary Gitelman  
Director

7-17-09

## Building Inspection Department review comments for inclusion with:

Planning Department permit: P09-00256 Use Permit Very Minor Mod

Status of Building Department review of this Permit: Approved

At parcel: 047-230-033  
1250 Cuttings Wharf Road, Napa, CA

Owner: Foster's Wine Estates Americas

Description of permit: Move tasting room to adjacent structure.

### Comments:

All plans and documents for commercial projects are required by State Law to be prepared and coordinated under the direction of a California Licensed Architect, or other allowable properly CA-Licensed Design Professional in Responsible Charge (Business and Professions Code, Chapter 3, Division 3 & California Building Code, Appendix Chapter 1).

Prior to any future construction work, or change in occupancy, applicable building permits for the work must first be obtained; all work must comply with all applicable code requirements, including accessibility requirements of CBC Chapter 11B. Submit complete & appropriate plans, specifications, energy compliance and engineering, etc. when applying for permits.

The Building Department can approve the Use Permit Very Minor Mod. However there are issues regarding compliance with the California Building Standards Code that can be foreseen based on the plans included for this review. These and any other issues will be dealt with during processing and review of building permit B09-00503. Please be aware of the following concerns for that permit:

- 1) The conversion of the office space to a tasting room changes the occupant load of the building. It must be demonstrated that the existing restroom facilities are adequate in number of plumbing fixtures to serve the increase in occupant load. See 2007 CA Plumbing Code 412, Tables 4-1 and A. The Architect must clearly indicate total occupant loads in the building per load factors in Table A; the load factor for the tasting room is 30 SF per occupant for example. Any occupancy outdoor areas must be included such as a tasting patio; it is to be assumed that all areas are fully occupied simultaneously when determining design occupant loads. The new tasting room and any outdoor tasting area must be served by plumbing fixtures as required in Table 4-1 for Restaurants, pubs, and lounges. By examining Table 4-1, especially footnote 14, it is apparent that the new tasting room must be served by at least 2

toilets for women and 1 toilet & 1 urinal for men. The existing restrooms in this building are shown with only a total of 2 toilets. If restrooms in adjacent buildings are to be used to make up the difference, then the Architect must demonstrate what the design occupant load for fixtures are for the group of buildings and that the required minimums are provided in total at the existing restrooms in those buildings. Please be aware that occupant loads the plumbing fixtures are per the CPC and are not equivalent to exiting loads calculated for the CBC.

- 2) The new tasting room must be full accessible as required by applicable parts of the CA Building Code chapters 10 and 11B. In particular the tasting counter must meet the requirements of CBC 1104B.5 item 5; at least a 60" minimum length must be provided that does not exceed 34" in height. This counter space must be integrated with the general counter and is not allowed to include movable portions such as an employee walk-through. If seating is going to be provided at the tasting counter then the 60" minimum accessible portion must also be provided with knee clearances per requirements of CBC 1122B.

As stated above, these and all other California Building Standards Codes will be addressed under the building permit application B09-00503.

**Eric Banvard**  
Plans & Permit Supervisor  
Conservation Development & Planning  
Napa County, CA 94559  
ebanvard@co.napa.co.us

CC: Phillips Group, MH Architects, file



# NAPA COUNTY

## CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson, Director

1195 Third Street, Room 210 • Napa, California 94558  
Telephone 707/253-4416 FAX 707/253-4336

September 18, 2003

Richard Mendelson  
DP&F  
809 Coombs Street  
Napa, CA 94559

**Re: APN 047-230-033; Approval of Use Permit #03228-MOD**

Dear Mr. Mendelson:

Please be advised that Use Permit Modification request #03228-Mod for Etude Winery/Beringer Blass Wine Estates was **APPROVED** by the Napa County Planning Commission on September 17, 2003 based on the attached conditions.

The permit becomes effective ten (10) working days from the approval date unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by anyone, you will be notified.

**EXPIRATION DATE: September 17, 2005**

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

Should you have any questions, please contact me at (707) 253-4417.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lederer", with a horizontal line extending to the right.

Steve Lederer  
Deputy Planning Director  
Napa County Conservation, Development and Planning Department

cc: Douglas Roberts, Beringer, 610 Airpark Road, Napa, CA 94558  
John Tuteur, Assessor  
Gary Brewen, Building Codes Administrator  
Larry Bogner, Public Works  
Christine Secheli, Environmental Management  
Gabrielle Avina, Napa County Fire Department

**CONDITIONS OF APPROVAL**  
**Etude, Beringer Blass Winery**  
**03328-MOD**

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

- Increase wine production from 76,000 to 150,000 gallons per year (no custom crush requested or approved)
- Addition of 14 fermentation tanks inside an existing building
- Increase full time employees to 19 and decrease part time employees to five
- Establish a Marketing plan as discussed below

The winery shall be designed and operated 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. All previous conditions, except as modified herein, remain in full effect.

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

- a. Private tours and tasting for wine trade personnel:  
Frequency: 3 times per day  
Number of persons: 15 maximum (average of 3)  
Time of Day: 11:00 AM to 10:00 PM
- b. Private promotional events:  
Frequency: 2 times per month  
Number of persons: 50 maximum (average of 20)  
Time of Day: 11:00 AM to 10:00 PM
- c. New release events:  
Frequency: 4 times per year  
Number of persons: 250 maximum (average 100)  
Time of Day: 11:00 AM to 10:00 PM
- d. Three annual events with up to 300 persons/event, and Wine Auction Hospitality events not to exceed 200 persons/year

"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 that 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 tasting and retail sales, open to the public (as a pre WDO winery) for a maximum of 200 persons/day and 740 persons/week.



**CONDITIONS OF APPROVAL**  
**Etude, Beringer Blass Winery**  
**03328-MOD**

**4. 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 Section 18.116 of the County Code.

**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.

**8. LANDSCAPING/PARKING:**

Two (2) copies of a detailed landscaping and parking plan shall be submitted for review and approval prior to commencing visitation activities. 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 permanently maintained in accordance with the landscaping plan.

Parking shall be limited to 50 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. 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)

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

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

**CONDITIONS OF APPROVAL**  
**Etude, Beringer Blass Winery**  
**03328-MOD**

Department of Environmental Management as stated in their letter of July 17, 2003  
Department of Public Works as stated in their letter of July 10, 2003

**13. WELLS:**

The permittee may be required (at the permittee's expense) to provide well monitoring data if it is judged that water usage at the winery is, 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 management conservation practices. In the event that changed 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 the increased production authorized in this permit modification, 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:**

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 music utilized outside of approved, enclosed winery buildings.

**15. 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**

Scheduled vehicle trips to and from the site for the 13 new full time employees, and for deliveries associated with this production increase will not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property required per the Department of Public Works shall be maintained in good working condition.

**19. STORM WATER CONTROL**

**CONDITIONS OF APPROVAL**  
**Etude, Beringer Blass Winery**  
**03328-MOD**

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.

**20. MONITORING COSTS:**

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

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



# MEMORANDUM

RECEIVED

July 17, 2003

JUL 21 2003

**TO:** Napa County Planning Department, Charley Wilson, Director

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

NAPA CO. CONSERVATION  
& DEVELOPMENT & PLANNING DEPT.

**SUBJECT:** Use Permit Application for Beringer Blass Winery  
Located at 1250 Cuttings Wharf Road, Napa, CA 94559  
Assessor Parcel 47-230-33  
File # 03228-MOD

We have reviewed the proposal and recommend approval of the application provided 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. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Negative Declaration Response form shall be submitted and approved by the Hazardous Materials Section of the Napa County Department of Environmental Management.
3. The applicant shall secure a discharge requirement from the Regional Water Quality Control Board for the proposed sanitary waste water pond system.
4. A permit for the proposed modifications to the process and sanitary waste water pond improvements must be secured from the Department of Environmental Management. 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.
5. Plans for the proposed private sewage disposal system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. These plans are subject to approval by the Department of Environmental Management prior to issuance of any permits. Plans for the sanitary waste water pond system must be received and approved by both this department and the San Francisco Regional Water Quality Control Board.
6. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

7. During the construction, demolition, or renovation period of the project the applicant must use a 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.
8. 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.
9. All diatomaceous earth/bentonite must be disposed of in an approved manner.
10. 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.
11. The applicant must submit a letter from their engineer which addresses proper diversion of storm water and process waste water from any uncovered outdoor crush or processing area that is a part of the project. This letter and a detail on the diversion valve (or equivalent) must be provided to this department prior to issuance of sewage permits.

cc: Beringer Blass Winery, 610 Airpark Rd., Napa, CA 94558-0005

PUBLIC WORKS DEPARTMENT  
INTER-OFFICE MEMO



July 10, 2003

**TO:** Conservation Development and Planning Department  
**FROM:** Annamaria Martinez, Assistant Engineer  
**SUBJECT:** Etude Winery, Cuttings Wharf Road  
APN# 047-230-033, File #03228-MOD

This application will allow the applicant to increase winery production from 76,000 to 150,000 gallons per year. The parcel is located in the Carneros Region, on Cuttings Wharf Road.

**RECOMMENDED CONDITIONS:**

**GROUNDWATER**

1. We have reviewed the phase one, water availability analysis for the proposed project. The 29.81 acre parcel is located in the "valley floor" area, with an extraction threshold of 1.0 AF/Acre, resulting in a total parcel volume of 29.81 AF/Year. The estimated water demand of 8.95 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. No further analysis is necessary.

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.



# NAPA COUNTY

## CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson  
Director

1195 Third Street, Room 210 • Napa, CA 94559-3092  
Telephone 707/253-4416 FAX 707/253-4336

June 2, 2003

Mr. Richard Mendelson  
DP&F  
809 Coombs Street  
Napa, CA 94559

Re: Request for Use Permit Modification (#03132-MOD) to make various minor facilities changes to the Beringer Blass Winery (formerly known as RMS) (APN 047-230-033)

Dear Richard:

Please be advised that your request to modify your previously approved Use Permit, as detailed in your revised modification received by this Department on May 30, 2003, has been administratively **APPROVED**.

The permit becomes effective unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. If an appeal is filed by others, you will be notified.

This approval applies only to the modifications you proposed in your May 30 revised proposal and must be constructed in substantial conformance with the drawings attached to that proposal, and the comment letters provided by the Napa County Fire Department (5/12/03), the Building Inspection Division (5/12/03), Napa County Environmental Management Department (5/22/03), and the California Regional Water Quality Control Board (5/22/03).

All conditions required by the original Use Permit, except as modified herein, remain in full effect.

Should you have any questions, please contact me at [slederer@co.napa.ca.us](mailto:slederer@co.napa.ca.us) or at (707) 253-4416.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Lederer".

Steven E. Lederer  
Deputy Planning Director

cc: file  
John Tuteur, Assessor  
Beringer Blass Wine Estates, 610 Airpark Road, Napa, CA 94559

RECEIVED

MAY 30 2003

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

**PROJECT STATEMENT  
MINOR MODIFICATION  
ETUDE WINE COMPANY**

**APPLICANT:**

Beringer Blass Wine Estates  
610 Airpark Road  
Napa, CA 94559  
707/259-4545

**REPRESENTATIVE:**

Richard Mendelson  
809 Coombs Street  
Napa, CA 94559  
707/252-7122

**APN:** 047-230-33

**ACREAGE:** 29.81 acres

**GENERAL PLAN &  
ZONING DESIGNATION** Agricultural Resource/Agricultural Preserve

**LOCATION:** 1250 Cuttings Wharf Road, Napa

**PROJECT SUMMARY:**

The conversion of the existing distillery into a winery was previously approved. In order to process wine rather than brandy, several modifications to the facility are necessary prior to the 2003 crush. The applicant is requesting a Use Permit minor modification to allow the following:

1. Construction of a 1,372 sq. ft. chiller/mechanical equipment enclosure on the east side of the existing barrel building to replace the existing 400 sq. ft. open mechanical pad (labeled "Existing Chillers" on the approved plot plan). This building will be used for fermentation and barrel storage.
2. Construction of a 420 sq. ft. chemical storage area/dumpster enclosure on the north side of the existing barrel building.
3. Installation of a new septic tank sump, pump and disinfection system, and a new process wastewater screen on an existing concrete pad.
4. Installation of an 8,440 sq. ft. concrete crush pad/receiving area on the north side of the existing barrel building, with lights to be used during crush and for security (with motion sensor switches).
5. Installation of a 20 foot wide road from the existing road to the crush pad/receiving area and paved access to the new mechanical area.
6. Conversion of the existing 2,400 sq ft. hospitality room and the associated outdoor courtyard to offices and employee space. The back 1,920 sq. ft. of that same building, presently devoted to packaging and shipping, will be used on an interim basis to store



brandy, followed by a conversion to offices. Brandy also may be stored in the basement of the Still House building until the brandy stock that was acquired with the purchase of the distillery is depleted. That brandy will be sold at the winery, but no new brandy will be distilled there. The hospitality area will be relocated to the front portion of the Still House building and will consist of 1,060 sq. ft. of public area; 575 sq. ft. of storage, restrooms, preparation area and foyer; and an outside deck of 575 sq. ft.

7. The back portion of the first floor of the Still House building will be used for barrel storage. The basement of that building will continue to be used for barrel storage, and the second floor will remain an office area.
8. Relocation of 12 parking spaces where the crush pad is proposed to a location on the road adjacent to the existing barrel building.

The existing permits for this facility allow the future construction of a 24,000 square foot barrel aging building, a 10,000 square foot bottling and packaging building, a 4,000 square foot administration and hospitality building, a 2,000 square foot maintenance building, a 2,000 square foot caretaker house and a new  $\pm$  37,000 square foot parking lot. Some of these buildings may be constructed, if and when needed, in the future. All of this area, with the exception of the caretaker residence, visitor parking lot and wastewater ponds, constitute the winery development area. The approved, unbuilt winery buildings total 40,000 square feet.

The existing facility is approved for a production capacity of 76,000 gallons, and as a pre-Winery Definition Ordinance (WDO) facility, this production is not subject to the 75% Napa grape source requirement. Pre-WDO wineries are allowed to expand production capacity within their existing or approved development area without being subject to the 75% grape source rule (Napa County Code Section 18.104.250(C)). This minor modification will result in a 9,832 sq. ft. increase in the existing developed footprint. The applicant proposes to eliminate an equivalent development area by reducing the size of the approved, but as yet unbuilt, 24,000 sq. ft. barrel building to no more than 14,168 sq.ft., thereby resulting in no net increase in the approved development area. Therefore, this modification should not result in a requirement that the pending use permit modification request for an increase in production capacity be subject to the 75% grape source rule. It is recognized that the design of the proposed smaller building would be subject to the review and approval of the Planning Department.

This minor modification is independent of the major modification currently being processed requesting an increase in production capacity (#03019-MOD). These modifications are necessary for the winery conversion regardless of the capacity increase.

34

# INTER-OFFICE MEMO



RECEIVED

MAY 20 2003

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

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

FROM: Barbara Easter, Fire Department

DATE: May 12, 2003

SUBJECT: Etude Winery/ Beringer Blass Estate Modification Comments  
Apr: 047-230-033 03132-MOD

**Site Address: 1250 Cutting Wharf**

The Napa County Fire Marshal staff has reviewed the above modification to construct 1, 372 square feet chiller/mechanical equipment enclosure and 420 square foot chemical storage area/ Dumpster enclosure. Install an 8,440 square foot crush pad with lighting and use a portion of the existing hospitality room as office space. 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.
2. Fire apparatus access roads shall be provided to within 150 feet of all structures. 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.
3. 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.
4. The request for beneficial occupancy will not be consider until all fire and life safety issues have been installed, tested and final.
5. An approved access walkway shall be provided to all exterior doors and openings required by either the California Fire Code or the California Building Code. A concrete sidewalk or other approved hard surface will meet the intent of the access

walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.

6. 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.
7. The approved address numbers shall be placed on each building 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.
8. 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.
9. 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.
10. 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 12,000 gallons. This flow is based on the premise that the structure will be of Type V-N rated construction. Any change in any of the conditions may increase the required fire flow. The fire flow and storage volume in a sprinkler building is in addition to the water demand for the sprinkler system.
11. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintain in accordance to the *National Fire Protection Standard #20 (Installation of Stationary Pumps for Fire Protection 1999 edition)*.
12. The private fire service mains shall be installed and maintain in accordance to the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 1999 edition)*.

13. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2001 edition*.
14. An approved automatic fire sprinkler system shall be provided for the proposed project where the total fire area is **3,600** square feet or greater, as require by the Napa County Fire Code. The fire sprinkler system shall be installed and maintain in accordance to the *National Fire Protection Standard #13 (Installation of Sprinkler System, 1999 edition)*.
15. All post indicator valves, control valves, waterflow devices shall be monitored by an approved remote station or central alarm monitoring company. Digital alarm communicator system panel shall be installed and maintained accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 1999 edition)*.
16. A Knox box or a Knox Cabinet shall be installed at approved location by the Napa County Fire Marshal's Office. If the building/suites are protected by a fire or burglar alarm system, the boxes will require "tamper" monitoring.
17. 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 building(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 buildings showing doors, offices, etc.
  4. Napa County Hazardous Materials Business including all MSDS forms, etc.
18. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.
19. 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.
20. 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.

21. 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.
22. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established deposit basis plus project consultation time at the hourly rate of \$59 per hour (Napa County Resolution 92-65).

If there are any questions please feel free to contact Barbara Easter at (707) 967-1429 Monday thru Thursday.

BYRON J. CARNIGLIA  
Fire Chief

By: *Barbara Easter*

Barbara Easter  
County Fire Inspector

BJC/be/be  
cc: Applicant,CFM Files, Chron



# NAPA COUNTY

## CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson  
Director

1195 Third Street, Room 210 • Napa, California 94559-3092  
Telephone 707/253-4416 FAX 707/253-4336

RECEIVED  
MAY 12 2003

### PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Building Inspection Division

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

APPLICATION TITLE: Etude Winery  
(Beringer Bliss Wine Estates Company)

FILE #: 03132-MOD

RESPONSE REQUEST DATE: 05/07/03

(047-230-033)  
RESPONSE RETURN DATE: 05/22/03

FINAL REQUEST DATE: \_\_\_\_\_

FINAL RESPONSE DATE: \_\_\_\_\_

PLEASE RESPOND VIA E-MAIL TO: \_\_\_\_\_ @co.napa.ca.us  
OR DIRECT FAX TO: \_\_\_\_\_

FOR QUESTIONS ON THIS REQUEST PLEASE CONTACT: \_\_\_\_\_ (707) 299-\_\_\_\_\_

This application (see enclosed project description and/or 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 have jurisdiction by law over this project  Yes  No  
If yes, indicate required permits: BUILDING; PLUMBING; MECHANICAL; ELECTRICAL

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):  
1. APPLY FOR AND SECURE PERMITS AS NOTED IN ITEM No. 1 ABOVE

5. Have you previously reviewed an application on any portion of this project?  Yes  No

6. Name of contact person: [Signature] Telephone: 253-4411  
Response Prepared by: GARY W. BREWEN  
Title: BUILDING CODES ADMIN.  
Date: 5-12-03



# MEMORANDUM

RECEIVED

MAY 28 2003

May 22, 2003

NAPA COUNTY  
DEPT. OF PUBLIC WORKS

**TO:** Napa County Planning Department, Charley Wilson, Director

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

**SUBJECT:** Use Permit Modification Application for Etude Winery  
Located at 1250 Cuttings Wharf Road  
Assessor Parcel 47-230-33  
File # 03132-MOD

RECEIVED

MAY 28 2003

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

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

1. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Negative Declaration Response form shall be submitted and approved by the Hazardous Materials Section of the Napa County Department of Environmental Management.
2. A permit for the modification/alteration to the sewage disposal systems must be secured from the Department of Environmental Management prior to issuance of a building permit. 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.
3. Plans for the proposed special designed sewage disposal system and/or private sewage disposal system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. These plans are subject to approval by the Department of Environmental Management prior to issuance of any permits.
4. 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.
5. The applicant must submit a letter from their engineer which addresses proper diversion of storm water and process waste water from any uncovered outdoor crush or processing area that is a part of the project. This letter and a detail on the diversion valve (or equivalent) must be provided to this department prior to issuance of sewage permits.

6. The applicant shall secure a discharge requirement or waiver of same, from the Regional Water Quality Control Board for the proposed waste water system.

cc: Beringer Blass Wine Estates, 610 Airpark Rd., Napa, CA 94559  
Mr. Richard Mendelson, 809 Coombs St., Napa, CA 94559





Winston H. Hickox  
Secretary for  
Environmental Protection

**California Regional Water Quality Control Board  
San Francisco Bay Region**



Gray Davis  
Governor

1515 Clay Street, Suite 1400, Oakland, California 94612  
Phone (510) 622-2300 || Fax (510) 622-2460  
Internet Address: <http://www.swrcb.ca.gov>

Date: May 22, 2003  
File No.: 2139.3095 (BDA)

Mr. Douglas Roberts, Vice President  
Beringer Blass Wine Estates dba "Etude Wines"  
610 Airpark Road  
Napa, CA 94558

**SUBJECT: Etude Wine Company, 1250 Cuttings Wharf Road, Napa County -  
Acceptance of Report of Waste Discharge for Proposed Wastewater Systems**

Dear Mr. Roberts:

This letter is in response to the Report of Waste Discharge (ROWD) submitted to our office in application for revised Waste Discharge Requirements (WDRs) for the subject wastewater system. The ROWD was prepared and submitted by Summit Engineering Inc. (SEI) on behalf of the discharge facility, Etude Wine Company and the facility owner, Beringer Blass Wine Estates dba "Etude Wines". For purposes of WDRs, Etude Wine Company and Beringer Blass Wine Estates will be collectively referred to as the discharger.

We have reviewed the information submitted and find the ROWD to be complete. We find the proposed wastewater system modifications to be acceptable, and intend to prepare revised WDRs for the proposed wastewater system. We understand that the discharger is pursuing permits from Napa County in order to begin construction of proposed modifications in the near future. We have no objections to this, as discussed below.

Report of Waste Discharge

The following information has been submitted as the ROWD for the project:

- (1) A letter report, dated March 5, 2003, from SEI to the Regional Board, Re: *Etude Wine Co., Wastewater Treatment Systems, Napa County, CA, Report of Waste Discharge (ROWD), Project No. 2003005*, with the following enclosures:
  - A. *ROWD Application form (Form 200)*, signed by Douglas W. Roberts, Vice President, March 10, 2003, with: a vicinity map (1 page, 8-1/2"x 11"), a site plan drawing (1 page, 11"x 17"), and a flow diagram, *Wastewater Management Systems Schematic* (1 page);
  - B. *Etude Wine Company Wastewater Management System Description* (9 pages, detailed narrative description of proposed wastewater management system);
  - C. *Etude Wine Company, Design Criteria and Typical Winery Wastewater Characteristics* (7 pages, descriptions of both winery process wastewater and sanitary wastewater flows and system component capacities and calculations); and
  - D. *Etude Wine Company, Process Wastewater Pond Water Balance Modeled at Ultimate Production Capacity and Sanitary Wastewater Pond Water Balance* (6 pages process wastewater information, 7 pages sanitary wastewater information).

- (2) A set of six design drawings, all prepared by SEI, dated 2-28-03, labeled *Etude Wine Company, 1250 Cuttings Wharf Road, Napa County, California, APN 047-230-033*, with the following sheet labels: Sheet No. Title

G1	Title Sheet
G2	General Information
C1	Overall Site Plan
C2	Cooling Tray Modifications
C3	Sanitary Wastewater System Repairs
C4	Details.

### Proposed Wastewater System

The proposal is to construct modifications and improvements to the existing wastewater system, in order to accommodate new facility uses. The facility was previously a brandy distillery, and the wastewater system consists of a series of ponds used for management of combined process and sanitary wastewater. The new facility use is a winery with wine production and visitors. The proposal includes repair of the existing ponds, separation of process wastewater and sanitary wastewater streams, reconstruction of existing equipment and installation of new equipment to provide separate treatment and disposal processes for each wastewater stream. One pond will be used as a facultative aerated pond for process wastewater, with reuse of treated water by drip irrigation. Sanitary wastewater will be treated by septic tank with effluent filter, a recirculating packed bed filter unit, disinfection, discharge to a separate pond and disposal by evaporation.

The proposed wastewater system is designed to accommodate process wastewater and sanitary wastewater associated with winery production capacity of 150,000 gallons of wine per year, employees, visitors and special events. Design process wastewater flow is 900,000 gallons per year. Design sanitary wastewater flow is 167,000 gallons per year. Design criteria for the pond systems include reconstruction to provide permeability of less than  $1 \times 10^{-6}$  cm/sec, and storage and disposal capacity sufficient to maintain two foot of freeboard while accommodating 10-year precipitation. The proposed wastewater system, design criteria and supporting calculations are in conformance with wastewater management practices acceptable to the Regional Board.

### Waste Discharge Requirements

The existing wastewater system is regulated under Regional Board Order No. 91-148, *Waste Discharge Requirements for RMS Vineyards, dba Carneros Alambic Distillery, Cuttings Wharf Road, Napa County*. The facility was purchased by the current owner in 2002. The existing WDRs will need to be revised to address the new facility use, new owner, new names and modified wastewater systems. Regional Board staff intend to prepare draft revised WDRs, based on the ROWD information submitted. The draft WDRs will be distributed to the discharger and concerned parties at least thirty days prior to Regional Board consideration. Please note that the Regional Board is currently understaffed for existing workloads, and therefore we cannot commit to a specific timeframe for completion of draft WDRs or consideration of such for adoption by the Regional Board.

California Environmental Quality Act

The ROWD identifies that Napa County Conservation, Development and Planning is the lead agency for purposes of compliance with the California Environmental Quality Act (CEQA), and that a Negative Declaration is expected to be completed for the project. Completed documentation in accordance with CEQA will be needed in order to prepare draft WDRs for the project. Please submit copies of documents completed in satisfaction of CEQA for the project, upon completion of such documents.

County Permitting

The ROWD identifies that the discharger seeks to begin wine production for the 2003 harvest, and to construct the proposed wastewater system modifications before the harvest begins. It is our understanding, based on discussions with the dischargers' consultant, SEI, that the discharger is currently pursuing applicable permits from Napa County for this construction work. It is our understanding that construction will be in accordance with the information given in the ROWD. We have no objections to Napa County proceeding with issuance of applicable permits for this project, or to construction of the proposed modifications of the wastewater system as described in the ROWD. Requirements identified in permits issued by Napa County for the project which pertain to the wastewater system will be incorporated as necessary in the WDRs. Please submit copies of permits issued by Napa County for the project, upon completion of such documents.

If you have any questions about these matters, please contact me at:  
Phone: (510) 622 - 2305; Fax: (510) 622 - 2460; or e-mail: bda@rb2.swrcb.ca.gov.

Sincerely,



Blair Allen,  
Water Resources Control Engineer  
North Bay Watershed Management Division

cc: Mr. Tony Soter  
Etude Wine Company  
P. O. Box 3382, Napa, CA 94558

Ms. Christine M. Sechelli, Environmental Health Manager  
Napa County Department of Environmental Management  
1195 Third Street, Room 101, Napa, CA 94559

Mr. Chet Adarnick, P.E., Vice-President  
Summit Engineering, Inc.  
1400 N. Dutton Ave., # 24, Santa Rosa, CA 95401



# NAPA COUNTY

## CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson  
Director

1195 Third Street, Room 210 • Napa, CA 94559-3092  
Telephone 707/253-4416 FAX 707/253-4336

June 25, 2002

Mr. Richard Mendelson  
809 Coombs Street  
Napa, CA 94559

Re: Use Permit Modification #02214-MOD  
Carneros Alambic Distillery, RMS Vineyards, Inc., Request for Minor Modification of Use Permit (#U-638687 & #U-118283)  
(APN 047-230-033) 1250 Cuttings Wharf Rd, Napa, CA 94559

Dear Richard:

Please be advised that your request to modify the subject Use Permit for Carneros Alambic Distillery has been administratively **APPROVED**. The CEQA status of this action is categorically exempt, General Rule (No reasonable possibility of environmental impact).

The permit becomes effective ten (10) working days from the approval date unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. If an appeal is filed by others, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, this approval must be activated within one year and ten calendar days from the approval date, or it shall automatically expire and become void. An extension of time in which to activate the approval may be granted for a maximum of 12 months, upon application at least 30 days prior to expiration, and payment of fees in effect at the time of application. This letter is your only notice regarding expiration and procedures for extension of this permit.

This approval applies only as follows:

- Recognition of the right to produce Wine instead of Brandy, at the authorized production level of 76,000 gallons per year and to store, sell, and bottle that wine at retail
- Recognition that, as a pre-WDO winery, the facility continues to be exempt from the County's 75% grape source requirement
- Recognition that, as a pre-WDO winery, public tours and tasting are authorized at the facility

In addition, modifications shall be done in accordance with the attached comments from Environmental Management and the Napa County Fire Marshall. All previous Conditions of approval, except as modified herein, remain in full effect. Should you have any questions, please contact me at [slederer@co.napa.ca.us](mailto:slederer@co.napa.ca.us) or at (707) 253-4416.

Sincerely,

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

Steven E. Lederer  
Deputy Planning Director

cc: file  
John Tuteur, Assessor (w/o)  
Gary Brewen, Building Codes Administrator (w)  
Christine Secheli, Environmental Management (w)  
Barbara Easter, County Fire Department (w)



# MEMORANDUM

June 20, 2002

**TO:** Napa County Planning Department, Charlie Wilson, Director

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

**SUBJECT:** Use Permit Application for Carneros Alambic (RMS Vineyards Inc.)  
Located at 1380 Yount Mill Road  
Assessor Parcel 47-230-33  
File # 02214-MOD

RECEIVED

JUN 21 2002

NAPA CO. CONSERVATIO  
DEVELOPMENT & PLANNING DE

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

1. The applicant must contact the Regional Water Quality Control Board for a revised discharge permit prior to initiation of use as a winery.
2. 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.
3. The applicant must submit a letter from their engineer which addresses proper diversion of storm water and process waste water from any uncovered outdoor crush or processing area that is a part of the project. This letter and a detail on the diversion valve (or equivalent) must be provided prior to this department prior to issuance of sewage permits.

cc: Mr. Richard Mendelson, Dickenson, Peatman & Fogarty, 809 Coombs St., Napa, CA 94559

CS:pj

# INTER-OFFICE MEMO



CEIV

JUN 12 2002

NAPA CO. CONSERVA  
DEVELOPMENT & PLANNIN

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

FROM: Barbara Easter, Fire Department

DATE: June 5, 2002

SUBJECT: Carneros Alambic Modification Comments  
Apn: 047-230-033 02214-Mod

The Napa County Fire Marshal staff has reviewed the Carneros Alambic modification to change from a 76,000 gallon a year bandy making to 76,000 gallons a year of wine making. We recommend that the following items be incorporated as project conditions or mitigation measures if the commission approves the project.

There are no current fire department requirements. However, if any time in the future there are any changes to the current facility additional fire department requirement maybe required at that time.

If you have any question please feel free to contact Barbara Easter at (707) 963-3601 ext. 129 (Monday thru Thrusday).

BYRON J. CARNIGLIA  
Fire Chief

By: *Barbara Easter*

Barbara Easter  
County Fire Inspector

BJC/be/be  
cc: Applicant, CFM Files, Chron



# NAPA COUNTY

## CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY  
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092  
AREA CODE 707/253-4416

August 6, 1987

Assessor's Parcel # 47-230-33

RMS Vineyards  
1250 Cuttings Wharf Rd.  
Napa, Ca. 94559

Please be advised that Use Permit Application Number U-638687 to  
allow public tours; relocation of caretaker's house, construction of an  
administration center, maintenance shed, parking area and expansion of approved  
structures  
located on a 29.8 acre parcel on the east side of Cuttings Wharf Rd. south of Middle Rd.  
has been approved by the Napa County Conservation, Development and Planning  
Commission based upon the following conditions:

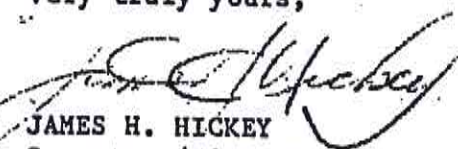
(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: August 5, 1987

The use permit becomes effective ten (10) working days from the approval date unless an appeal is filed with the Napa County Board of Supervisors pursuant to Title XIII of the Napa County Code. In the event an appeal is made to the Board, you will be notified.

Pursuant to Section 12806 of the Napa County Code, the use permit must be activated within one (1) year and ten (10) calendar days from the approval date or the use permit shall automatically expire and become void. A one-year extension of time in which to activate the use permit may be granted by the County provided that such extension request is made thirty (30) days prior to the expiration date. A request for an extension of time is subject to payment of a \$190.00 filing fee.

Very truly yours,

  
JAMES H. HICKEY  
Secretary/Director

NOTE: Commission modified Condition #8  
to read:  
Except as permitted by County  
Ordinance, retail sales shall be  
limited to grape wine brandy produced  
and bottled by the winery.

JHH:ml:1

cc: Bill L. Hall, Building Codes Administrator  
Assessor's Office

CONDITIONS OF APPROVAL  
RMS Vineyards

Meeting Date: August 5, 1987  
Use Permit #: U-638687

1. The permit be limited to public tours (no tastings); relocation of the caretaker's house; construction of an administrative center, maintenance shed, parking area and expansion of approved structures as shown on the attached Master Site and Roof Plan dated April 20, 1987.

Any expansion or changes in use to be by separate Use Permit submitted for Commission consideration.

2. Submission of a detailed landscaping, fencing and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces. Said plan to be submitted prior to issuance of the Building Permit. Landscaping, fencing and parking to be completed prior to finalization of Building Permit. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
3. Provisions for a minimum of 15 off-street parking spaces on a dust free all weather surface approved by Public Works.
4. Plans for any outdoor signs be submitted to the Department for review and approval with regard to design, area, height and placement.
5. Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.
6. Compliance with Mitigan Measures #1 thru #12 contained in the attached Negative Declaration.
7. Except as permitted by County ordinance, no outside social activities including picnicking, outside dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature.
8. Retail sales shall be limited to grape wine brandy produced and bottled by the winery.
9. Use Permit #U-118283 for the original winery shall become null and void upon issuance of a Building Permit for this Use Permit (#U-638687).





# NAPA COUNTY

## CONSERVATION—DEVELOPMENT AND PLANNING COMMISSION

JAMES H. HICKEY  
Secretary-Director

1195 THIRD STREET • NAPA, CALIFORNIA 94558  
AREA CODE 707/253-4416

November 18, 1982

Mr. Jack Davles  
R & S VINEYARDS  
Schramsberg Road  
Calistoga, CA 94515

Dear Mr. Davles:

Your Use Permit Application Number U-118283 to establish a 76,000  
gallons/year grape wine brandy production facility with no public tours or  
tasting and to construct a single-family farm labor dwelling

located on the east side of Cuttings Wharf Road south of Middle Road  
has been approved by the Napa County Conservation, Development and Planning  
Commission based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

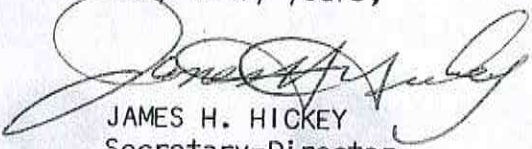
APPROVAL DATE: November 17, 1982

Your Use Permit becomes effective ten (10) working days from the approval date, provided all conditions of approval are met or assurances made to guarantee compliance. The ten (10) day waiting period is required to provide sufficient time for anyone wishing to appeal the action of the Commission in approving your Use Permit. In the event an appeal is made to the Board of Supervisors, you will be notified.

Should this Use Permit not be used within one (1) year after the date of approval, it shall be null and void without further action by the Commission or Department.

If you intend to request any time extension for your approved Use Permit, please note that any such request must be submitted to the Conservation, Development and Planning Department at least 30 days prior to the expiration of the present permit.

Very truly yours,

  
JAMES H. HICKEY  
Secretary-Director

JHH:pm

cc: Bill L. Hall  
Building Codes Administrator  
County of Napa

CONDITIONS OF APPROVAL

Agenda Item: #7

Meeting Date: November 17, 1982

Use Permit: U-118283

- 1. The permit be limited to: construction of a 76,000 gal/year Brandy making facility and construction of a single family farm labor dwelling.  
Any expansion or changes in use to be by separate Use Permit submitted for Commission consideration.
- 2. Submission of a detailed landscaping, fencing and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces. Said plan to be submitted prior to issuance of the Building Permit. Landscaping, fencing and parking to be completed prior to finalization of Building Permit.
- 3. Provisions for 15 off-street parking spaces on a dust free, all weather surface approved by Public Works.
- 4. Plans for any outdoor signs be submitted to the Department for review and approval with regard to design, area, height and placement.
- 5. The applicant enter into an agreement with the County not to oppose annexation to an appropriate service district when deemed necessary by the County. The agreement to be reviewed by Environmental Health and approved by County Counsel.
- 6. Annexation of the property to the following districts:
  - American Canyon County Water District
  - American Canyon Fire Protection District
  - \_\_\_\_\_
- 7. All open storage of \_\_\_\_\_ be screened from view of \_\_\_\_\_ and adjacent properties by a visual barrier. No open storage to exceed height of screening.
- 8. The permit be limited to a \_\_\_\_\_ year period.
- 9. Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.
- 10. No public tours or tastings. No signs of an invitational type shall be installed, erected, or placed on the property. The applicant shall install a sign at the entrance of the brandy production facility reading "NO PUBLIC TOURS OR TASTING". Said sign shall be maintained in a readable condition.
- 11. The farm labor dwelling shall be limited to one single family and shall be limited to the agricultural personnel for the brandy production facility to be constructed on the property.
- 12. Mitigation measures contained in Attachment #1 of the Negative Declaration