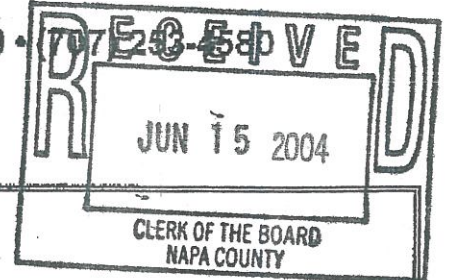


NAPA COUNTY
CLERK OF THE BOARD'S OFFICE
1195 Third Street, Room 310, Napa, California, 94559

RECEIVED

APPEALS
(Chapter 2.88 of Napa County Code)



JUN 30 2004

TO BE COMPLETED BY APPELLANT*
(Please type or print legibly)

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT

Appellant's Name: Dan Wojtkowiak

Telephone #: (707) 963-8239 Fax #: (707) 963-8239 E-Mail: eadan@earthlink.net

Mailing Address: 1547 Sage Canyon Road, St. Helena, CA 94574
No. Street City State Zip

Status of Appellant's Interest in Property: Property owner within 200 ft. of applicant's project applicant, adjacent property owner, other (describe) Property

Action Being Appealed: Planning Commission Decision approving permit modifications

Permittee Name: Michael and Lyndsey Harrison/Harrison Vineyards Winery

Permittee Address: 1527 Sage Canyon Road, St. Helena, CA 94574

Permit Number: 03383-MOD Date of Decision: June 2, 2004

Nature of Permit or Decision: Increase winery production from 7,200 gal. to 15,000 gal.

Reason for Appeal (Be Specific - If the basis of the appeal will be, in whole or in part, that there was a prejudicial abuse of discretion on the part of the approving authority, that there was a lack of a fair and impartial hearing, or that no facts were presented to the approving authority that support the decision, factual or legal basis for such grounds of appeal must be expressly stated or they are waived.) (attach additional sheet if necessary):

Please see Attachment "A" attached hereto and incorporated herein.

Project Site Address/Location: 1527 Sage Canyon Road, St. Helena, CA 94574
Street City State Zip

Assessor's Parcel No.: 32-510-004

[Signature] 6/14/04 Dan Wojtkowiak
Signature of Appellant Date PRINT NAME

TO BE COMPLETED BY CLERK OF THE BOARD

Total Fee: \$ 629.30 Receipt Nos. 846331 Received by: M. Poire Date: 6-15-04
8:15am '04

* The following information, in addition to the information required by this form also needs to be provided as attachments hereto pursuant to County Code Section 2.88.050 (F-H): Title Insurance Report, Assessor's Map Book Pages, and Appeals Fee

6/14/04

Attachment A to "Appeals" Form

Clerk of the Board's Office

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On June 2, 2004, the Napa County Planning Commission (Planning Commission) approved #03383-MOD, which is a modification of a use permit for the Harrison Vineyards Winery. The Harrison Vineyards Winery's current use permit allows production capacity of up to 7,500 gallons per year. The approved modification allows: (i) *an increase in such production to a maximum of 15,000 gallons per year*; (ii) conversion of existing space for winery storage and office; (iii) adding tours and tastings; (iv) adding a marketing plan; (v) adding wine retail sales; (vi) adding parking spaces; and (vi) constructing road improvements.

The basis for this Appeal is as follows. As stated in oral comments at the June 2, 2004 Planning Commission hearing, the water analysis set forth in the June 2, 2004 Staff Report is inaccurate, and the Phase I water study prepared for the project is inaccurate and misleading. The Planning Commission should not have relied on the water analysis in the Staff Report, or on the Phase I water study analysis, or on the Department of Public Works recommendations, in making its decision to approve the use permit modification.

The Staff Report states as follows under "Hydrology and Water Quality":

A Phase 1 water study was prepared for the project. There [are] two existing wells with a combined production of 20 gallons per minute on the property that supply the water used for wine processing and domestic purposes. The winery facility will use .25 acre-feet of water per year. The 1.5 ac.-ft. reservoir supplies water for the vineyard during peak irrigation. Water for the reservoir is supplied by a well on the site. The existing residence and farm labor residence on the property use approximately 1.0 acre-feet of water per year. The total amount of well water used on the parcel is 6.65 acre-feet per year. The location of the winery facility is not in a recognized groundwater deficient area. The Department of Public Works has determined that the estimated water demand is below the established 22.43 AF/YR threshold for the property, and no further studies are needed.