



A Tradition of Stewardship  
A Commitment to Service

**Environmental Management**

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**Steven Lederer**  
Director

## MEMORANDUM

To:	Napa County Planning Department Hillary Gitelman, Planning Director	From:	Kim Withrow, Senior Environmental Health Specialist
Date:	March 24, 2009	Re:	Application for Use Permit Modification Located at 877 Rutherford Cross Road Assessor Parcel # 030-140-022 & 023 File #P08-00548

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

1. Plans for the proposed alternative sewage treatment system for treatment and disposal of process waste 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.
2. A permit for the proposed alternative sewage treatment system for the treatment and disposal of process waste 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. Prior to securing this permit plans must be approved by the Department of Environmental Management (see condition 2).
3. The use of the alternative sewage treatment system drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area include equipment storage, traffic, parking, pavement, livestock, etc., over the system.
4. An annual operating permit must be obtained for the alternative sewage treatment system prior to issuance of a final on the project. Monitoring of the

alternative sewage treatment system required by this permit must be fully complied with.

5. If any uncovered outdoor processing areas are proposed, the alternative sewage treatment system plans (see condition #1) must address proper diversion and direction of storm water and process wastewater. The plans must include a detail on the diversion valve and must clearly show that the valve and both the stormwater and the process wastewater lines are clearly labeled.
6. The water supply system must comply with the California Safe Drinking Water Act and Related Laws. The water system serving the winery must be upgraded to a transient/non-community water system, which will require plan review and approval prior to issuance of building permits. Please contact the Department of Environmental Management for requirements to change the type of water system. Prior to final on the project, the owner must apply for and obtain an annual operating permit for the water system from the Department of Environmental Management. All required monitoring and reporting must be complied with.
7. The existing alternative sewage treatment system is proposed to handle only sanitary waste with the approval of this Use Permit Modification. An alternative sewage treatment system will be installed to handle all process waste including the increased production allowed with the approval of this Use Permit Modification. No increase in visitation will be allowed until the new process waste sewage treatment system is installed and construction is finalized *and* the water supply permit amendment application has been approved, any necessary inspections are conducted and the permit to operate is upgraded.
8. 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.
9. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
10. 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.

11. 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.
12. All diatomaceous earth and/or bentonite must be dried and disposed of as solid waste or in another appropriate 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 diatomaceous earth/bentonite disposal.
13. If any soil contamination is encountered during site excavation stop work immediately and notify the Department of Environmental Management for information and requirements.

cc: K. Philippakis, Round Pond, c/o Farella, Braun & Martel, 899 Adams Street, St. Helena, CA 94574  
Trish Hornisher, CDPD  
Jennea Monasterio, NCDDEM