Napa County

1195 THIRD STREET
SUITE 310
NAPA, CA 94559

Agenda - Final

Wednesday, May 6, 2026
9:00 AM

Board of Supervisors Chambers
1195 Third Street, Third Floor
Napa, CA 94559

Planning Commission

District 1, Kara Brunzell (Chair)
District 2, Walter Brooks
District 3, Molly Moran Williams
District 4, Pete Richmond (Vice-Chair)
District 5, Megan Dameron

Brian D. Bordona, Director
Laura Anderson, County Counsel
Michael Parker, Planning Manager
Alexandria Quackenbush, Meeting Clerk
Angie Ramirez Vega, Meeting Clerk
Aime Ramos, Meeting Clerk

How to Watch or Listen to the Napa County Planning Commission Meetings

The Napa County Planning Commission will continue to meet pursuant to the annually adopted meeting calendar available at the following link:

https://www.napacounty.gov/DocumentCenter/View/40034/2026-Planning-Commission-Meeting-Calendar?bidId=

The Napa County Planning Commission meets as specified in its adopted annual calendar on the first and third Wednesdays of the month at 9:00 A.M. at 1195 Third Street, Suite 310, Napa, California 94559. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Planning Commission. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Planning Commission's office no less than 72 hours prior to the meeting date by contacting (707) 253-4417 or meetingclerk@countyofnapa.org.

The Napa County Planning Commission realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Remote Zoom participation for members of the public is provided for convenience only. In the event that the Zoom connection malfunctions for any reason, the Planning Commission reserves the right to conduct the meeting without remote access.

Please watch or listen to the Planning Commission meeting in one of the following ways:

1. Attend in-person at the Board of Supervisors Chambers, 1195 Third Street, Napa, Third Floor.
2. Watch online at https://napa.legistar.com/calendar.aspx (click the "In Progress" link in the "Video" column).
3. Watch on Zoom using the attendee link: https://countyofnapa.zoom.us/j/87621457786. Make sure the browser is up-to-date.
4. Listen on Zoom by calling 1-669-900-6833 (Meeting ID: 876-2145-7786).
5. Watch on your TV - Napa Valley TV Channel 28.

If you are unable to attend the meeting in person and wish to submit a general public comment or a comment on a specific agenda item, please do the following:

1. Email your comment to meetingclerk@countyofnapa.org. Emails will not be read aloud but will still become part of the public record and shared with the Planning Commission.
2. Use the Zoom attendee link: https://Countyofnapa.zoom.us/j/87621457786. Make sure the browser is up-to-date. When the Chair calls for the item on which you wish to speak, click "raise hand". Please limit your remarks to three minutes.

3. Call the Zoom phone number: 1-669-900-6833. (Meeting ID: 876-2145-7786). When the Chair calls for the item on which you wish to speak, press *9 to raise hand. Please limit your remarks to three minutes.

   Please note that phone numbers in their entirety will be visible online while speakers are speaking

For more information, please contact us via telephone at (707) 253-4417 or send an email to meetingclerk@countyofnapa.org

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE COMMISSION:

ON A MATTER ON THE AGENDA
Please proceed to the podium when the matter is called and, after receiving recognition from the Chair, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Commission, but is generally limited to three minutes.

ON A MATTER NOT ON THE AGENDA
Public comment is an opportunity for members of the public to speak on items that are not on the agenda but are within the subject matter jurisdiction of the Commission. Public comment is limited to three minutes per speaker, subject to the discretion of the Chair. Comments should be brief and focused, and speakers should be respectful of one another who may have different opinions. Please remember this meeting is being recorded and broadcast on live television. The County will not tolerate profanity, hate speech, abusive language, or threats. Also, while public input is appreciated, the Brown Act prohibits the Commission from taking any action on matters raised during public comment that are not on the agenda.

1. CALL TO ORDER; ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS AND RECOMMENDATIONS

The Commission invites public comments and recommendations concerning current issues and future prospects of a planning nature which are within the jurisdiction of the Planning Commission. Anyone who wishes to speak to the Commission on such a matter, if it is not on the agenda, may do so at this time.

4. APPROVAL OF MINUTES

A. The Clerk of the Commission requests approval of minutes from the regular meeting held on April 1, 2026. **26-1025**

Attachments: Minutes 4-1-26

5. AGENDA REVIEW

6. DISCLOSURES

7. PUBLIC HEARING ITEMS

A. JOHN BREMER ETAL TRUST / BREMER FAMILY WINERY / USE PERMIT MAJOR MODIFICATION NO. P22-00086-MOD & EXCEPTION TO THE NAPA COUNTY ROAD & STREET STANDARDS **26-989**

CEQA STATUS: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts with implementation of Mitigation Measures for Biological Resources. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

REQUEST: The proposal is to modify an existing winery Use Permit and to increase production, increase annual visitation, establish a marketing plan, increase the number employees, allow on-site consumption, construct an additional driveway connection to Deer Park Road, increase on-site parking, replace the existing wastewater treatment system, and modify the number of water storage tanks, on the vineyard property, for vineyard irrigation. The proposal also includes a request for an Exception to the Napa County Road and Street Standards to allow for an exception from requiring the installation of a left turn lane on Deer Park Road. The project site is comprised of two properties totaling approximately 46.09-acres, located at 975 Deer Park Road, slightly offset from the intersection of Deer Park Road and Sanitarium Road: the 26.65-acre winery property (APN 021-400-002) and the 20.44-acre vineyard property (APN 021-420-027).

STAFF RECOMMENDATION: Adopt the Mitigated Negative Declaration and approve the Use Permit Modification and Exception to the Road and Street Standards subject to the recommended conditions of approval.

STAFF CONTACT: Sean Trippi, Supervising Planner, (707) 299-1353 or sean.trippi@countyofnapa.org

APPLICANT AGENT CONTACT: Andrea A. Matarazzo, Pioneer Law Group, LLP; (916) 287-9500; andrea@pioneerlawgroup.net

Attachments: A. Recommended Findings
B. Recommended Conditions of Approval and Final Agency Approval Memos
C. Initial Study/Mitigated Negative Declaration
D. Previous Conditions of Approval
E. Use Permit Major Modification Application Packet
F. County Road and Street Standards Exception Request
G. Water Availability Analysis & HMMWC Letter
H. Wastewater Feasibility Study
I. Traffic Study
J. Graphics.pdf
K. Winery Comparison Analysis & Summary of Changes
L. Public Comments

8. ADMINISTRATIVE ITEMS

A. Receive a presentation on the Napa County Public Draft 2026 Water Availability Analysis (WAA) Guidance document and supplemental Technical Report. **26-1010**

9. DIRECTOR OR DIRECTOR'S DESIGNEE REPORT

- DISCUSSION OF ITEMS FOR THE MAY 20, 2026 REGULAR MEETING

- BOARD OF SUPERVISORS ACTIONS

- OTHER DEPARTMENT ACTIVITIES

- CODE COMPLIANCE REPORT

- ZONING ADMINISTRATOR ACTIONS

- OTHER PENDING PROJECTS' STATUS

10. COMMISSIONER COMMENTS/COMMITTEE REPORTS

11. ADJOURNMENT

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON APRIL 24, 2026 BY 3:00 P.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

AIME RAMOS(By e-signature)
Aime Ramos, Clerk of the Commission

Napa County

Board Agenda Letter

1195 THIRD STREET
SUITE 310
NAPA, CA 94559
www.napacounty.gov

Main: (707) 253-4580

Planning Commission | **Agenda Date:** 5/6/2026 | **File ID #:** 26-1025

TO: Napa County Planning Commission

FROM: Brian D. Bordona, Director, Napa County Planning Building & Environmental Services

REPORT BY: Angie Ramirez Vega, Clerk of the Commission

SUBJECT: Approval of Minutes

RECOMMENDATION

The Clerk of the Commission requests approval of minutes from the regular meeting held on April 1, 2026.

EXECUTIVE SUMMARY

The Clerk of the Commission requests approval of minutes from the regular meeting held on April 1, 2026.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Only Commission members who attended the April 1, 2026, meeting may vote on the minutes.

Meeting Minutes

Napa County Planning Commission

District 1, Kara Brunzell (Chair)	Brian D. Bordona, Director
District 2, Walter Brooks	Laura Anderson, County Counsel
District 3, Molly Moran Williams	Michael Parker, Planning Manager
District 4, Pete Richmond (Vice-Chair)	Aime Ramos, Meeting Clerk
District 5, Megan Dameron	Angie Ramirez Vega, Meeting Clerk

Wednesday, April 1, 2026	**9:00 AM**	**Board of Supervisors Chambers 1195 Third Street, Third Floor**

1. CALL TO ORDER / ROLL CALL

Commissioners Present: Kara Brunzell, Pete Richmond, Megan Dameron, Walter Brooks
Commissioners Absent: Molly Moran Williams

2. PLEDGE OF ALLEGIANCE

3. CITIZEN COMMENTS AND RECOMMENDATIONS

One (1) public comment was heard.

4. APPROVAL OF MINUTES

Motion by Commissioner Dameron to approve minutes for the March 18, 2026, regular meeting as presented, seconded by Commissioner Brooks
Vote: Carried 4-0-1
Yes: Dameron, Brooks, Richmond, Brunzell,
No: None
Absent: Moran Williams

5. AGENDA REVIEW

Charlene Gallina gave the agenda review.

6. DISCLOSURES

Yes: None
No: Richmond, Brooks, Dameron, Brunzell
Absent: Moran Williams

7. PUBLIC HEARING ITEMS

A. PONDEROSA NORMAN WEIR / HAGAFEN CELLARS WINERY / USE PERMIT MAJOR MODIFICATION #P19-00121-MOD

CEQA STATUS: Consideration and intention to find the project categorically exempt from the California Environmental Quality Act (CEQA). It has been determined that this type of project does not have a significant effect on the environment and is exempt from CEQA. The project will not impact an environmental resource of hazardous or critical concern, has no cumulative impact, there is no reasonable possibility that the activity may have a significant effect on the environment due to unusual circumstances, will not result in damage to scenic resources, is not located on a list of hazardous waste sites, or cause substantial adverse change in the significance of a historical resource. Based on the proposed project as described below, the project meets the criteria for eligibility as Categorically Exemption from CEQA under Classes 1 and 4. [See Class 1 ("Existing Facilities") and Class 4 ("Minor Alterations to Land"), which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15304]. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

REQUEST: This application was submitted to participate in the County's Code Compliance Program as described in Resolution No. 2018-164 adopted by the Napa County Board of Supervisors on December 4, 2018. The proposal is to grant a Use Permit Major Modification to an existing 50,000-gallon winery to remedy existing violations through recognition and approval of existing days of operation, existing days allowing retail sales, and levels of visitation. Approval and recognition of these activities will require improvements to the existing driveway. The proposal includes revisions to prior conditions of approval regarding annual reporting on multiple winery operations and noticing of all marketing events. The project is located on an approximately 12.28-acre parcel within the Agricultural Preserve (AP) zoning district with a General Plan land use designations of Agricultural Resource (AR) at 4160 Silverado Trail, Napa. Assessor's Parcel Number 039-130-002.

STAFF RECOMMENDATION: Find the Project Categorically Exempt from CEQA and approve Use Permit Modification P19-00121, as conditioned.

STAFF CONTACT: Emily Hedge, Planner III, (707) 259-8226 or emily.hedge@countyofnapa.org

APPLICANT CONTACT: Norman Weir, 4160 Silverado Trail, Napa, ernie@hagafen.com, (707) 252-4562

APLLICANT REPRESENTATIVE CONTACT: Beth Painter, 10 Canopy Lane, Napa, Beth@bpnapa.com, (707) 337-3385

CONTINUED FROM THE MARCH 18, 2026, PLANNING COMMISSION HEARING.

Chair Brunzell opened public comment.
One comment was received.
Chair Brunzell closed public comment.
Motion made by Commissioner Brooks to approve Hagafen Cellars Winery Use Permit Mod. P19-00121 and Find the project Categorically Exempt from CEQA, based on recommended Findings 1 through 3 of Attachment A; and Approve Use Permit Modification P19-00121 based on Recommended Findings 4 through 8 of Attachment A, and subject to the Revised Recommended Conditions of Approval in Attachment B, seconded by Commissioner Dameron
Vote: Carried 4-0-1
Yes: Dameron, Richmond, Brooks, Brunzell
No: None
Absent: Moran Williams

8. ADMINISTRATIVE ITEMS – NONE

9. DIRECTOR OR DIRECTOR'S DESIGNEE REPORT
DISCUSSION OF ITEMS FOR THE ***APRIL 15, 2026, REGULAR MEETING***
Michael Parker reported that the April 15, 2026, regular Planning Commission meeting will be cancelled. The Airport Land Use Commission meeting will continue to be held on April 15, 2026.
BOARD OF SUPERVISORS ACTIONS
Michael Parker reported on BOS project actions.
OTHER DEPARTMENT ACTIVITIES - None
CODE COMPLIANCE REPORT - None
ZONING ADMINISTRATOR ACTIONS
Michael Parker reported on ZA project actions.
OTHER PENDING PROJECT'S STATUS
Michael Parker reported on the release of the Napa County Draft 2026 Water Availability Analysis (WAA) Guidance document and the 60-day public comment period which opened March 27 – May 26, 2026, and upcoming public meetings.

10. COMMISSIONER COMMENTS / COMMITTEE REPORTS
None.

11. ADJOURNMENT
Meeting adjourned at 9:37 am

_____
AIME RAMOS, Meeting Clerk

Napa County

Board Agenda Letter

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Planning Commission | **Agenda Date:** 5/6/2026 | **File ID #:** 26-989

TO: Napa County Planning Commission

FROM: Brian D. Bordona; Director of Planning, Building, and Environmental Services

REPORT BY: Sean Trippi, Supervising Planner

SUBJECT: Bremer Family Winery Use Permit Modification; P22-00086-MOD

RECOMMENDATION

JOHN BREMER ETAL TRUST / BREMER FAMILY WINERY / USE PERMIT MAJOR MODIFICATION NO. P22-00086-MOD & EXCEPTION TO THE NAPA COUNTY ROAD & STREET STANDARDS

CEQA STATUS: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts with implementation of Mitigation Measures for Biological Resources. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

REQUEST: The proposal is to modify an existing winery Use Permit and to increase production, increase annual visitation, establish a marketing plan, increase the number employees, allow on-site consumption, construct an additional driveway connection to Deer Park Road, increase on-site parking, replace the existing wastewater treatment system, and modify the number of water storage tanks, on the vineyard property, for vineyard irrigation. The proposal also includes a request for an Exception to the Napa County Road and Street Standards to allow for an exception from requiring the installation of a left turn lane on Deer Park Road. The project site is comprised of two properties totaling approximately 46.09-acres, located at 975 Deer Park Road, slightly offset from the intersection of Deer Park Road and Sanitarium Road: the 26.65-acre winery property (APN 021-400-002) and the 20.44-acre vineyard property (APN 021-420-027).

STAFF RECOMMENDATION: Adopt the Mitigated Negative Declaration and approve the Use Permit Modification and Exception to the Road and Street Standards subject to the recommended conditions of approval.

STAFF CONTACT: Sean Trippi, Supervising Planner, (707) 299-1353 or sean.trippi@countyofnapa.org

APPLICANT AGENT CONTACT: Andrea A. Matarazzo, Pioneer Law Group, LLP; (916) 287-9500; andrea@pioneerlawgroup.net

EXECUTIVE SUMMARY

PROPOSED ACTIONS

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration based on Findings 1-7 in Attachment A;

2. Approve the Exception to the Road and Street Standards, based on recommended Findings 8 and 9 in Attachment A and subject to the recommended Conditions of Approval in Attachment B; and

3. Approve Use Permit Major Modification No. P22-00086-MOD, based on recommended Findings 10-14 in Attachment A and subject to the recommended Conditions of Approval in Attachment B.

DISCUSSION:

The site was originally developed in the late 1800's and early 1900's with a winery, a farmhouse and associated accessory structures. The first use permit for the winery was approved in 1979. There have been several modifications approved since (see Parcel History, below).

The applicant requests approval of a Use Permit Major Modification to an existing 15,000 gallon per year winery to allow the following:

1. Increase production from 15,000 gallons per year to 50,000 gallons per year.

2. Increase the annual number of visitors from 3,600 people to 12,500 people, with no change to the daily maximum of 70 visitors.

3. Establish marketing events as follows: two (2) annual events with 100 guests, three (3) annual events with 50 guests, and two (2) annual events with 25 guests.

Daily visitors on event days would be as below:

a. On 100 guest event days, 25 daily visitors.

b. On 50 guest event days, 20 daily visitors.

c. On 25 guest event days, 45 daily visitors.

d. During production in the barrel room, there will be no visitation or events in the barrel room.

4. Increase staff from four (4) full-time and two (2) part-time, to eight (8) full-time and two (2) part-time employees.

5. Allow on-site consumption pursuant to Business and Professions Code sections 23358, 23390 and

23396.5 in the two tasting rooms and previously approved outdoor tasting areas.

6. Construct a new one-way loop driveway connection to Deer Park Road consistent with the Napa County Road and Street Standards.

7. Nine (9) new parking stalls for a total of 20 spaces.

8. Replacement of the existing conventional commingled wastewater system with separate process and domestic wastewater treatment systems to utilize state-of-the-art environmental processes.

9. Install four water storage tanks for vineyard irrigation each with a capacity of 5,000 gallons in place of the number of water storage tanks previously approved under Erosion Control Plan P11-00317-ECPA.

The proposal also includes a request for an Exception to the Napa County Road and Street Standards to allow for an exception from the requirement to install a left turn lane on Deer Park Road. There are no other proposed modifications.

The application proposes operational changes and physical improvements to the existing winery facilities increasing daily visitation, establishing a marketing program, increasing the number of employees, providing additional parking, and access and infrastructure improvements. Staff has reviewed the proposal and found it to be consistent with the Zoning Ordinance and applicable General Plan policies. Staff has also prepared an Initial Study that evaluated the potential environmental impacts of the proposal as presented by the applicant and has determined that the applicant's proposal would not have any potentially significant environmental impacts. Staff believes that the necessary findings for the project can be made and recommends approval of the Use Permit Major Modification request as proposed, subject to the recommended conditions and adoption of the Mitigated Negative Declaration

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration the proposed project would have less than significant environmental impacts with implementation of Mitigation Measures for Biological Resources. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

PROJECT INFORMATION:

Owner: John Bremer ETAL TR, c/o Bremer Family Winery, 1660 Chicago Avenue, Ste M11, Riverside, CA 92507; phone (951) 768-9800; email: John@BremerFamilyWinery.com

Representative: Andrea A. Matarazzo, Pioneer Law Group, LLP; phone: (916) 287-9500; email:

andrea@pioneerlawgroup.net

General Plan Land Use Designation: Agriculture, Watershed and Open Space (AWOS)

Zoning District: Agricultural Watershed (AW)

Filed: March 22, 2022

Resubmittals/Additional Information Received: April 9, 2024; July 19, 2024; November 20, 2024; January 31, 2025; May 5, 2025; and November 26, 2025. Application deemed complete: May 15, 2025

Project Site Area: 46.09 acres

Existing Development: The project site is located on the east side of Deer Park slightly offset from the intersection of Deer Park Road and Sanitarium Road. In addition to the existing winery, wine caves, and associated infrastructure, the winery property includes residential uses and vineyards. The vineyard property includes vineyards, water storage tanks and associated infrastructure. Both properties include approved but not yet developed vineyard areas.

WINERY CHARACTERISTICS

Approved and Proposed Winery Characteristics

Winery Development Area Approved: 4,800 s.f.

Winery Development Area Proposed: No change

Winery Coverage Approved: 40,230 s.f. or 0.92 acres, ± 3.4% of the winery property.

Winery Coverage Proposed: 44,939 s.f. or 1.03 acres, ± 3.8% of the winery property

Maximum permitted 25% or approximately 15 acres permitted, whichever is less.

Production Capacity Approved: 15,000 gallons per year

Production Capacity Proposed: 50,000 gallons per year

Accessory/Production Ratio Approved: 3,693 s.f. accessory/22,519 s.f. production - approximately 16.4%.

Accessory/Production Ratio Proposed: 6,302 s.f. accessory/19,910 s.f. production - approximately 31.7% (only during marketing events)

Maximum permitted 40% accessory uses to production uses.

Number of Employees Approved: four full-time and two part-time

Number of Employees Proposed: eight full-time and two part-time

Visitation By-Appointment - Approved: 70/day, 490/week, 3,600/year

Visitation By-Appointment - Proposed: 70/day, 490/week, 12,500/year

Marketing Program - Approved: None

Marketing Program - Proposed: two (2) events per year with 100 guests per event, three (3) events per year with 50 guests per event, and two (2) events per year with 25 guests per event

On 100 guest event days, Visitation By-Appointment - 25/day

On 50 guest event days, Visitation By-Appointment - 20/day

On 100 guest event days, Visitation By-Appointment - 45/day

Days of Operation - Approved: Production - Monday-Friday

Visitation - Monday-Sunday

Days of Operation - Proposed: No change

Hours of Operation - Approved: Production 7:00 a.m. - 5:00 p.m.

Visitation , 10:00 a.m. - 5:00p.m.

Hours of Operation - Proposed: No change

Parking - Approved: 11

Parking - Proposed: 20

Setbacks

Required Property Line setbacks (side & rear): 20 feet

Existing Property Line setbacks: The existing winery structure exceeds 20 feet from side and rear property lines (approximately 200-feet to the nearest side property line)

Required Road setback: 300 feet from Deer Park Road

Existing Road setback - Winery Building: Approximately 390-feet from the centerline of Deer Park Road

Adjacent General Plan Designation / Zoning / Land Use:

Land uses within the immediate vicinity (i.e. within approximately 0.5 to 1.0 mile) of the subject property predominately consist of semirural residential, scattered agricultural uses (vineyards and wineries), and undeveloped woodlands and shrub-lands. There are a number of approved and/or producing wineries (Broman Cellars, Ink Grade Winery, Vineyard 22, Viader Wines, Woodbridge Winery, Vida Valiente, and Merus Wines) within about a mile of the project site. The St. Helena Hospital is located approximately a half a mile to the southwest of the property and Bell Canyon Reservoir is located approximately a half a mile to the northwest of the property.

Deer Park Road runs along the west side of the two properties and continues north to its apex then runs south before turning towards the east. The northern most portion of the vineyard property adjoins the Deer Park Road right-of-way.

North:

AWOS General Plan designation, AW zoning -

As noted above, the northern most portion of the vineyard property adjoins the Deer Park Road right-of-way. Across Deer Park Road are properties ranging from 1.0 to 22.6 acres and are developed with single-family homes, vineyards and an approved winery (Vineyard 22).

South:

AWOS General Plan designation, AW zoning -

Adjoining the project site to the south of the winery property is a 11.47-acre property developed with a single-family home, the Broman Cellars winery, and vineyards.

East:

AWOS General Plan designation, AW zoning -

To the east of the project site are four properties ranging in size from 3.95 to 43.77 acres. The two northerly most properties are developed with single-family homes, one property is undeveloped, and the fourth and largest property is developed with a single-family home and an accessory dwelling unit (i.e. ADU or second unit). The largest property is owned by the project applicant.

West:

AWOS General Plan designation, AW zoning (north of Sanitarium Road) & RR General Plan designation, RS:B5 zoning (south of Sanitarium Road) -

Deer Park Road borders the west side of the winery property and a portion of the vineyard property. Immediately west of the road adjoining the winery property are three properties ranging in size from 0.66 to 2.46 with three single-family homes and an ADU on the largest property. Across Deer Park Road from the vineyard property are two properties consisting of 1.1 and 2.14 acres. The smaller property is developed with a single-family home; the other property is undeveloped. A 2.52-acre property developed with a single-family home is bordered on its south and east property lines by the vineyard property and by Deer Park Road along its west property line. North of this property and west of the vineyard property is a 19.7- acre property with a single-family home. The northern boundary of this property adjoins Deer Park Road, south of the road's apex.

Nearby Wineries located within one (1) mile of the project - There are seven wineries within one mile of the project: Broman Cellars, Ink Grade Winery, Vineyard 22, Viader Vineyards, Woodbridge Winery, Vida Valiente, and Merus Wines.

Parcel History:

The site was originally developed in the late 1800's and early 1900's with a winery, a farmhouse and associated accessory structures, such as a barn and other agricultural buildings/sheds and site improvements such as but not limited to access improvements and landscaping.

August 15, 1979, Use Permit #U-697879 (known then as the Clark Winery and/or Deer Park Winery) to reactivate a 6,780 square foot winery on the subject site was approved by the Planning Commission. The approval included provisions for a minimum of five parking spaces and no public tours or tastings. The use permit application indicated that ultimate wine production of 14,400 gallons per year, one visitor per day, six per week, two full-time and one part-time employees, nine existing parking spaces, and hours of operation of 8:00 am to 5:00 pm, Monday through Friday. The plans showed an existing dwelling (farmhouse), a guest

house, a garage/shed (tractor shed), winery and barn (Ag storage barn).

August 21, 1979, the Board of Supervisors approved rezoning (#R-57879) the property from RD:B-5 (Residential Double with a Special Building Site Combining) and RD:A:B-5 (Residential Double with an Agricultural / Special Building Site Combining) to AW (Agricultural Watershed).

August 13, 1985, the Board of Supervisors denied an appeal and upheld the Planning Commission's decision to deny a Bed & Breakfast application (#BB-478485) to bring a one-bedroom detached bed and breakfast under use permit.

October 2002, the Bremer's purchase Deer Park Winery (APNs 021-400-002 and 021-420-027).

August 2005, a Notice of Violation is issued for construction and/or reconstruction of a deck on the dwelling/farmhouse, remodeling of a barn, and construction of stone wall without building permits (Code Enforcement Case #CE-2686). Building Permit #B05-01249 is issued September 2005, and Building Permit #B06-01434 is issued August 2006 to rectify these matters.

December 13, 2007, Minor Modification application #P07-00654-MM to modify Use Permit #U-697879 to allow an 11,685 square foot cave was approved by the Director. The approval letter referenced an annual production capacity of 15,000 gallons, as well as a 6,780 square foot winery and no public tours and tastings. Building Permit #B08-01030 was issued for the wine storage cave utilities. This building permit also included a freestanding bathroom.

February 26, 2008, application #P08-00088-VMM for a Very Minor Modification to Use Permit #U-697879 was approved by the Director to repair and expand 572 square feet of porch and deck. The building permit for these improvements (B08-00074) was issued in advance of the Very Minor Modification approval.

June 4, 2009, Very Minor Modification #P09-00178-VMM to increase the wine cave to 16,136 square feet was approved by the Director. Building permit #B09-01138 was issued for the west entrance cave portal and associated retaining walls based on #P09-00178-VMM approval.

In September and October 2016, Notices of Violation were issued under Code Enforcement Case #CE16-00251 for the following: construction and use matters: site grading; installation of a sink in the outdoor kitchen; alteration of the dwelling/Farmhouse including use as winery office; wine cave occupancy and use; increased parking; winery visitation and marketing events including food service; rental of winery for events, and use of other site improvements (primarily the bocce court and outdoor kitchen area) for events and tastings.

January 19, 2017, a Use Permit Major Modification application was submitted (#P17-00023), however this application was closed due to a civil complaint being filed by the County in August of 2017 against the Bremer's as result of the aforementioned violations.

August 2017, a Civil Complaint was filed by the County, and in February of 2019 a Settlement Agreement was entered into between the Bremer's and the County to rectify, in part, the aforementioned violations. The Settlement Agreement also set forth the following winery operational characteristics: visitation of 3,600 visitors per year with no more than 70 visitors per day; winery visitation between the hours of 8:00 am to 5:00 pm, Monday through Sunday; no marketing events; no food was to be served at the winery; and the winery cannot be rented for private events. In addition, the winery could not use the main floor of the Farmhouse or the surrounding deck for winery purposes; the winery cave cannot be used in a manner that is inconsistent with a Type II designation; and the bocce ball court, pizza oven, and tractor shed areas cannot be used for winery purposes. However, the Settlement Agreement did allow for subsequent modifications to the winery use permit (s) and stipulations of the Settlement Agreement.

March 2019 through July 2019, building permits were issued by the PBES Department to satisfy some of the Settlement Agreement terms and aforementioned violations. These permits include #B19-00307 for retaining walls, #B19-00339 for work done on the second floor of the winery building, #B19-00460 to install handrails at various locations, and #B19-00513 for the sink in the outdoor kitchen. It should be noted issuance of these building permits did not include areas within required stream setbacks (unless occurring within an existing structure) or authorize any uses, either residential or winery, that had not been previously entitled. Any modification(s) to existing use limitations as identified in the Settlement Agreement, or additional setback encroachments, would require a separate use permit application for an Exception to the Conservation Regulations (see below for a summary of the applications required by the Settlement Agreement.)

October 16, 2019, the Planning Commission approved an Exception to the Conservation Regulations in the form of a Use Permit (P19-00153-UP) legalizing six (6) existing improvements within the County stream setbacks; (a) an approximate 2,200 square foot agricultural storage building and associated water tank: (b) an approximate 800 square foot concrete pad and associated walls attached to the winery; (c) an approximate 150 square foot ground floor/story addition and second floor/story deck to the farmhouse/office building; (d) an approximate 100 square foot freestanding restroom; (e) approximately 1,210 lineal feet of rock walls; and, (f) two pedestrian bridges over a blue-line stream. No operational changes were approved with this permit.

The Planning Commission's October 16, 2019, decision was appealed to the Board of Supervisors (P19-00447). On March 17, 2020, the Board heard the appeal and adopted a motion of intent to deny the appeal and uphold the Planning Commission's approval of Use Permit #P19-00153, but only as to the approximately 1,210 lineal feet of low decorative rock walls and the two pedestrian bridges. On May 5, 2020, the Board of Supervisors took final action and adopted Resolution No. 2020-65 (Findings of Fact and Decision on Appeal), approving the decorative rock walls and two pedestrian bridges and remanding to the Planning Commission to further

consider items (a) through (d) identified above. The Board action also indicated that the physical improvements recognized by this action did not authorize the use of these areas for winery purposes.

July 15, 2020 the Planning Commission considered a request for an Exception to the Conservation Regulations in the form of a use permit (P20-00143-UP) to allow the following four structures or improvements to remain within stream setbacks: (a) an approximate 2,200 square foot agricultural storage building and associated water tank that replaced an approximate 320 square foot barn; (b) an approximate 800 square foot pad located off the east side of the winery building; (c) an approximate 150 square foot ground floor/story addition and second floor/story deck to the main dwelling (a.k.a. farmhouse/office building)(the "farmhouse addition") constructed and completed under Building Permit #B08-00074; and, (d) an approximate 100 square foot freestanding restroom constructed and completed under Building Permit #B08-01030. The Planning Commission granted the request for the approximate 800 square foot concrete pad and associated walls attached to the winery and the approximate 150 square foot ground floor/story addition and second floor/story deck to the farmhouse/office building. However, the Commission denied the request for the approximate 2,200 square foot agricultural storage building and associated water tank and the approximate 100 square foot freestanding restroom.

The Planning Commission's July 15, 2020, decision to deny the 2,200 square foot agricultural storage building and associated water tank and the approximate 100 square foot freestanding restroom was appealed to the Board of Supervisors (P20-00226). On December 8, 2020, the Board heard the appeal and adopted a motion of intent to uphold the grounds of the Appeal in its entirety, reverse the Planning Commission’s denial of the barn and the restroom, and approve the Exception to the Conservation Regulations in the form of Use Permit. On February 2, 2021, the Board of Supervisors took final action and adopted Resolution No. 2021-09 (Findings of Fact and Decision on Appeal), approving the barn and restroom.

October 2021, a Winery Administrative Permit #P21-00038-WADM was approved by the Director to allow the following: (a) the placement and use of a wine press, eleven wine tanks, and associated tank tie downs and catwalk (with no increase in production); (b) reconfiguration of open storage on the second level of the winery building to offices, tasting/visitation areas, employee lounge and restrooms; (c) a change in the occupancy of the existing wine cave to allow visitation (with no increase in visitation or marketing); (d) the use of two outdoor visitation and tasting areas (encompassing approximately 1,132 square feet) located off the south side of the winery building (with no increase in visitation or marketing); and, (e) the change in the number of parking spaces and the alignment of internal roads and driveways as shown in the subject/application site plans, with no increase in impervious area.

There have also been two Erosion Control Plans (P11-00317 & P16-00271) approved by the County for vineyard development on the winery (021-400-002), irrigation (021-420-027), and well (021-400-005) properties.

Code Compliance History:

There are no active winery code violations.

Discussion Points:

Setting - The project site is comprised of two properties totaling approximately 46.09-acres, located at 975 Deer Park Road, slightly offset from the intersection of Deer Park Road and Sanitarium Road: the 26.65-acre winery property (APN 021-400-002) and the 20.44-acre vineyard property (APN 021-420-027). In addition to the existing winery and wine caves, the winery property includes a main residence (the Farmhouse), a second dwelling unit, residential carport, an agricultural barn, water storage tanks, a standalone restroom building, parking areas and access drives, vineyards, and associated infrastructure. An unnamed blue line stream runs along the east side of the developed area, fed by several ephemeral drainage channels northeast of the developed area. The vineyard property, which lies north of the winery property, includes vineyards, an existing Howell Mountain Water System storage tank, an existing intermittent spring collection box established in approximately 1891, and associated transmission lines. In addition to existing vineyards, both properties include approved but not yet developed vineyards.

Winery Proposal - The request is to modify an existing winery to permit an increase in annual production capacity up to 50,000 gallons, increase annual visitation allowances, establish a marketing program, increase the number of employees, allow on-site consumption, provide additional parking and replace the existing wastewater treatment system.

Visitation and Marketing - The winery is currently allowed 3,600 visitors per year with no more than 70 visitors per day and 490 visitors per week. This request would not increase daily or weekly visitation but would increase annual visitation to 12,500. This would be an average of 240 visitors per week.

The applicant’s request also includes establishing a Marketing Plan that includes two annual events with a total of 100 guests per event, three annual events with 50 guests, and two annual events with 25 guests. The applicant also proposes to reduce daily visitation when events are held. During an event with 100 guests, daily visitation would be 25, during an event with 50 guests, daily visitation would be 20, and during an event with 25 guests, daily visitation would be 45.

On-Premises Consumption - The applicant is requesting on-premises consumption in the tasting rooms and two previously approved outdoor tasting areas, one adjoining the winery building and the other adjoining the standalone restroom.

Access / Left Turn Lane / VMT Analysis - The winery is accessed via an existing driveway off Deer Park Road.

The applicant proposes to construct an additional driveway connection to Deer Park Road, south of its current driveway, creating a one-way loop providing access to visitor parking and another one-way loop around the winery building. The two one-way loops intersect near the farmhouse building. An existing graveled area preceding the new visitor parking spaces will provide a turnout area.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips. Based on the County's winery trip generation assumptions, the proposed project would be expected to generate 16 new daily trips on a Friday during harvest (worst case scenario) with five (5) PM peak hour trips and four (4) net new trips on a Saturday with two (2) midday peak hour trips. Although the project did not meet the threshold requiring preparation of a traffic impact study or VMT analysis, a Traffic Study Report (TSR) was prepared by GHD, dated August 12, 2025, to address left-turn lane warrants at the request of the Department of Public Works. According to the TSR a left-turn lane would be required at the existing driveway. However, the project includes a request for an exception to the Napa County Road and Street Standards to waive the requirement to provide a left-turn lane (LTL).

The applicant has provided information dated November 26, 2025, indicating that granting the exception is necessary to preserve unique features of the natural environment that would be permanently lost by developing a LTL. Construction of a LTL would result in unavoidable adverse impacts to 21 protected trees of significant importance that are part of an oak woodland and are well over 6 inches in diameter at breast height. A LTL would also require substantial grading of two (2) steep, nearly vertical cut slopes immediately adjacent to the narrow roadway shoulder, which consist of natural rock features and are forested with many protected trees. Further, if Deer Park Road is widened to the east, then the Winery's 100-year stone wall and mailbox would have to be dismantled and reconstructed. The historic mailbox, just off the roadway shoulder is within the relevant construction area. The entire stone wall, part of the Winery's gate, would require relocation to maintain compliance with the County's 30-foot driveway setback requirement. According to the applicant, this historic stonework cannot be reproduced and must be protected. In addition, the applicant indicates that the vast majority (>95%) of the traffic accessing the site would be coming from the valley floor via Deer Park or Sanitarium Roads; very few trips would be coming from uphill (the Angwin area) and using the left turn lane. Construction of a LTL that almost no one will use is not advisable. For those cars that do need to make a left turn into the driveway, there is adequate sight distance to allow cars to see a turning vehicle and stop to avoid it. Additionally, the applicant has agreed to participate in the procurement and installation of two radar feedback signs which will be installed on either side of the project driveway to help mitigate driver's speed near the project. Because of the location of the driveway relative to the intersection formed by Deer Park and Sanitarium roads, the geometry of the LTL would be awkward at best and possibly be less safe than the current configuration.

Based on the information submitted by the applicant, the Director of Public Works determined that the LTL need not be installed for this project. The cumulative impacts as further supported by the very few trips that would benefit by the installation of the LTL leads to the reasonable conclusion that the lane need not be

installed.

As noted above, the proposed project would not exceed the 110-trip threshold and is therefore presumed to have a less than significant impact for VMT. Although not required, the TSR includes suggested and/or occurring measures to reduce the demand of vehicles travelling to and from the site. The TSR includes a Traffic Demand Management (TDM) Plan memorializing these measures. The TDM Plan includes: maximum daily visitation of 70 people per day including tours and tasting and marketing events of 25-50 guests; limiting tours and tastings to 25 people during days when marketing events host up to 100 guests; shuttle service for the 100 person events and groups of 15 or more people for tours and tastings; staggering employee work hours, and ride share programs.

Parking - The project proposes adding nine (9) parking spaces to the previously approved 11 parking spaces authorized by P21-00038 WADM for a total of 20 spaces. The parking is distributed throughout the site so there will not be a single, large parking lot maintaining the agricultural character of the site. The TIS determined that the proposed parking supply is adequate for the anticipated demand based on an increase to the number of employees and visitors.

Groundwater - A Tier 1 Water Availability Analysis (WAA) was prepared by RSA+, dated July 12, 2024, as directed by the County's Water Availability Guidelines (May 2015). The Tier 1 analysis considered existing uses onsite which include the existing residences, vineyards, landscaping, as well as winery operations. According to the WAA, the winery and residences use water from the Howell Mountain Mutual Water Company (HMMWC) for domestic and process water. There is an existing Howell Mountain Water System water storage tank on the vineyard property that provides water to the winery property. Domestic water use would increase from 0.70 af/yr to 1.38 af/yr, an increase of 0.68 af/yr. The HMMWC issued a letter indicating that they will continue to provide water service to the property.

Usage Type	**Existing Usage (acre-ft.)**	**Proposed Usage (acre-ft.)**
Vineyard		
Irrigation	2.73	2.34*
Landscaping	2.80	2.80
Total Well Use	**5.53**	**5.14**
Winery		
Process Water	0.23	0.77
Domestic Water	0.11	0.25
Residential	0.36	0.36
Total Domestic & Process Water Use (from Howell Mountain Mutual Water Company)	**0.70**	**1.38**

Totals (AF/YR)	**6.23**	**6.52**
Estimated Groundwater Recharge (AF/YR)	**23.75**	**23.75**

*0.35 af/yr of treated process wastewater will be used for irrigation. The estimate of vineyard irrigation included water use for approximately 4.07 acres of vineyards.

As noted above, water for the winery and residences is provided by the HMMWC, therefore a Tier 2 and Tier 3 analysis are not required

Wastewater System - A Wastewater Feasibility Report, dated July 12, 2024, was prepared by RSA+, detailing the existing system and proposed changes to accommodate the changes in production, employees, and hospitality. According to the study, an Engineered septic system is proposed to treat and disperse domestic wastewater from the winery and residences. An existing 1,500-gallon septic tank will be replaced in its same location with a traffic rated tank. Domestic wastewater will flow to this tank and then to a 1,500-gallon recirculation tank and from there to two treatment pods. The treated wastewater will flow to a 3,000-gallon holding tank prior to dispersal to a subsurface drip system. The subsurface drip field is sized to meet the Environmental Health Division's guidelines. Treatment of production wastewater will be treated using a BioFiltro system or equivalent prior to surface discharge for vineyard irrigation. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health.

Green House Gas Emissions - On April 20, 2022, the Bay Area Air Quality Management District (BAAQMD) adopted new recommended thresholds for determining the significance of individual projects' greenhouse gas impacts under CEQA. Under the new thresholds, proposed land use projects may be analyzed for consistency with a qualified greenhouse gas (GHG) reduction strategy in the event one has been adopted. To date, Napa County has not adopted a qualified GHG reduction strategy pursuant to CEQA Guidelines section 15183.5. Absent an adopted strategy, BAAQMD recommends that a land use project include specified minimum design elements to ensure that the project is contributing its "fair share" toward achieving the state's key climate goal of carbon neutrality by 2045. Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements.

The proposal does not include any additions to the existing winery building and caves. Future construction would be required to comply with the California Building Code, which is currently being updated to include regulations to assist in the reduction of air quality impacts associated with construction. On the GHG Voluntary Best Management Practices (BMP) Checklist submitted with the use permit application, dated February 26, 2021, the applicant identified three GHG reduction BMPs that the operators are currently implementing at the winery. These include the use of energy-conserving lighting (BMP-9); use of water efficient fixtures (BMP-14); and site design that is oriented and designed to optimize conditions for natural heating, cooling, and day-lighting of interior spaces, and to maximize winter sun exposure, which includes the existing cave. As a component of the vineyard operation, the applicant indicated that the operators implement BMPs that include use of 70-80 percent cover crop (BMP-31) and chipping and reuse of pruned biomass, rather than burning the

material on-site (BMP-32). The applicant did not indicate on the checklist their intent to introduce new GHG reduction programs into the winery's current operations. A condition of approval will be included to require continuous operation of the existing operations identified. See Attachment B - COA No. 6.20.b.

Production/Grape Sourcing - Initial wine production on the site was 15,000 gallons per year, approved prior to adoption of the WDO and is not subject to the 75% grape source requirement. Because the current request does not include an increase to the winery development area, the proposed production increase is not subject to the grape source requirement. Although the production increase is not subject to the grape source requirements, the applicant has approval of approximately 24.4 net acres spread across eight properties in the vicinity of the winery property.

Public Comments - Attached are the comments that have been received at the time of publication of this staff report. (Attachment L)

Decision Making Options:

As noted in the Executive Summary Section above, staff is recommending approval of the project with conditions of approval as described in Option 1 below. Decision making options also include a no project alternative and a reduced project alternative.

Option 1 - Applicant's Proposal

Disposition - This option would result in approval of the proposed modifications to the 15,000 gallon per year winery. Staff recommends this option as the request is consistent with the Zoning Ordinance and applicable General Plan policies. Potential environmental impacts were found to be less significant. Adequate water is available to implement the project.

Action Required - Follow the proposed action listed in Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at the time the motion is made. This option has been analyzed for its environmental impacts, which were found to be less than significant.

Option 2 - Reduced Project Alternative

Disposition - All potential environmental impacts have been found to be less than significant through a combination of project design and conditions of approval. However, this option provides the Planning Commission at their discretion, the ability to further reduce potential impacts by modifying the proposed scope

of the project via a reduced production, visitation and/or employees.

Action Required - Follow the proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to require a reduction in the requested production, visitation, and/or number of employees. If major revisions of the conditions of approval are required, the item will need to be continued to a future date.

Option 3 - Deny Proposed Project

Disposition - In the event the Commission determines that the project does not, or cannot meet the required findings for the granting of a Use Permit, Commissioners should identify what aspect or aspects of the project are in conflict with the required findings. State Law requires the Commission to adopt findings, based on the General Plan and County Code, setting forth why the proposed Use Permit modification is not being approved.

Action Required - Commission would take tentative motion to deny the project and remand the matter to staff for preparation of required findings to return to the Commission on a specific date.

Option 4 - Continuance Option

The Commission may continue an item to a future hearing date at its own discretion.

SUPPORTING DOCUMENTS

A. Recommended Findings

B. Recommended Conditions of Approval and Final Agency Approval Memos

C. Initial Study/Mitigated Negative Declaration

D. Previous Conditions of Approval

E. Use Permit Major Modification Application Packet

F. County Road and Street Standards Exception Request

G. Water Availability Analysis & HMMWC Letter

H. Wastewater Feasibility Study

I. Traffic Study

J . Graphics

K . Winery Comparison Analysis & Summary of Changes

L. Public Comments

“A”

Recommended Findings

PLANNING COMMISSION HEARING – MAY 6, 2026
RECOMMENDED FINDINGS

Bremer Family Winery – Use Permit Major Modification & Exception to the Napa County Road and Street Standards, Application No. P22-00086-MOD
975 Deer Park Road, St. Helena
APN's 021-400-002 (winery property) & 021-420-027 (vineyard property)

ENVIRONMENTAL:

The Planning Commission (Commission) has received and reviewed the proposed Mitigated Negative Declaration pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and finds that:

1. The Planning Commission has read and considered the Mitigated Negative Declaration prior to taking action on said Negative Declaration and the proposed project.

2. The Mitigated Negative Declaration is based on independent judgment exercised by the Planning Commission.

3. The Mitigated Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act (CEQA).

4. There is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment with implementation of Mitigation Measures on Biological Resources.

5. There is no evidence, in considering the record as a whole that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.

6. The site of this proposed project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5 and is not within the boundaries of any airport land use plan.

7. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Second Floor, Napa, California.

EXCEPTION TO THE ROAD AND STREET STANDARDS:

The Commission has reviewed the Road and Street Standards (RSS) Exception request in accordance and makes the following findings:

8. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of least six inches in diameter at breast height and found by the decision-maker to be of significant importance, but does not include human altered environmental features such as vineyards and ornamental or decorative landscaping, or artificial features such as, rock walls, fences or the like;

Analysis: Construction of a left turn lane (LTL) would result in removal of 21 protected trees of significant importance including four heritage oak trees that are part of an oak woodland and are well over 6 inches in diameter at breast height. A LTL would also require substantial grading of two (2) steep, nearly vertical cut slopes immediately adjacent to the narrow roadway shoulder, which consist of natural rock features and are forested with many protected trees. Further, if Deer Park Road is widened to the east, then the Winery's 100-year stone wall and mailbox would have to be dismantled and reconstructed.

9. Grant of the Road and Street Standards Exception will provide the same overall practical effect as the Standards do in providing defensible space, and does not adversely affect the life, safety, and welfare of the public or persons coming to the property

   Analysis: The Department of Public Works has reviewed project's Traffic Impact Study, the left turn lane warrant and the applicant's request for exception to the Napa County Roads and Street Standards and determined due to the relatively minor number of trips accessing the project southbound that the existing condition without the LTL provides the same overall practical effect as the RSS towards providing defensible space, preserving the natural environment and protecting the life, safety and welfare of the public. Further, for those cars that do need to make a left turn into the driveway, there is adequate sight distance to allow cars to see a turning vehicle and stop to avoid it. Additionally, the applicant has agreed to participate in the procurement and installation of two radar feedback signs which will be installed on either side of the project driveway to help mitigate driver's speed near the project. Because of the location of the driveway relative to the intersection formed by Deer Park and Sanitarium roads, the geometry of the LTL would be awkward at best and possibly be less safe than the current configuration.

PLANNING AND ZONING ANALYSIS:

USE PERMIT MAJOR MODIFICATION:

The Commission has reviewed the use permit major modification request in accordance with the requirements of the Napa County Code §18.124.070 and makes the following findings:

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

    Analysis: The project is consistent with the Agricultural Watershed (AW) zoning district regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.20.030) are permitted in the AW District with an approved use permit. The project, as conditioned, complies with the Napa County Winery Definition Ordinance (WDO) and all other requirements of the Zoning Code as applicable.

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

    Analysis: The Use Permit Major Modification application has been appropriately filed and notice and public hearing requirements have been met. The hearing notice and intent to adopt a Mitigated Negative Declaration were posted on April 2, 2026, and copies were forwarded to property owners within 1,000 feet of the subject parcel, as well as other interested parties. The public comment period ran from April 2, 2026 to May 4, 2026.

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

    Analysis: Granting the Use Permit Major Modification for the project, as proposed and conditioned, will not adversely affect the health, safety or welfare of the County. Various County divisions and departments have reviewed the project and commented regarding site access, wastewater disposal, parking, and fire protection. Conditions are recommended which will incorporate these comments into the project to ensure the protection of the public health, safety, and welfare.

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

    Analysis: Compliance with the Zoning Ordinance
    The project is consistent with the AW zoning district regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.20.030) are permitted in the AW District subject to an approved use permit. The proposed project will comply with the development standards of the AW District. The project, as conditioned, complies with the Napa County Winery Definition Ordinance (WDO) and all other requirements of the Zoning Code as applicable.

    Analysis: Compliance with the General Plan
    As proposed and as conditioned, the requested Use Permit is consistent with the overall goals and objectives of the General Plan (2008). The General Plan land use designation for the subject parcel is Agriculture, Watershed, and Open Space (AWOS).

    General Plan Agricultural Preservation and Land Use Goal AG/LU-1 guides the County to "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." General Plan Goal AG/LU-3 states that the County should "support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands." Goal AG/LU-3 and Policy AG/LU-2 recognize wineries as agricultural uses.

    The approved use of the property for fermenting and processing of grape juice into wine supports the economic viability of agriculture within the County, consistent with Goal AG/LU-3 and Policy AG/LU-4 ("The County will reserve agricultural lands for agricultural use including land used for grazing and watershed/open space…"). By allowing the expansion of the existing agricultural use, the requested Use Permit supports the economic viability of both the vineyard and agricultural product processing uses on the property, consistent with Economic Development Goal E-1 and Policy E-1.

    The "Right to Farm" is recognized throughout the General Plan and is specifically called out in Policy AG/LU-15 and in the County Code. "Right to Farm" provisions ensure that agriculture remains the primary land use in Napa County and is not threatened by potentially competing uses or neighbor complaints. Napa County's adopted General Plan reinforces the County's long-standing commitment to agricultural preservation, urban centered growth, and resource conservation.

Applicable Napa County General Plan goals and policies:

Goal AG/LU-1: Preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.

Goal AG/LU-3: Support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.

Policy AG/LU-2: "Agriculture" is defined as the raising of crops, trees, and livestock; the production and processing of agricultural products; and related marketing, sales and other accessory uses. Agriculture also includes farm management businesses and farm worker housing.

Policy AG/LU-4: The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space, except for those lands which are shown on the Land Use Map as planned for urban development.

Policy AG/LU-8: The County's minimum agricultural parcel sizes shall ensure that agricultural areas can be maintained as economic units.

Policy AG/LU-15: The County affirms and shall protect the right of agricultural operators in designated agricultural areas to commence and continue their agricultural practices (a "right to farm"), even though established urban uses in the general area may foster complaints against those agricultural practices. The "right to farm" shall encompass the processing of agricultural products and other activities inherent in the definition of agriculture provided in Policy AG/LU-2.

Goal CON-10: Conserve, enhance and manage water resources on a sustainable basis to attempt to ensure that sufficient amounts of water will be available for the uses allowed by this General Plan, for the natural environment, and for future generations.

Goal CON-11: Prioritize the use of available groundwater for agricultural and rural residential uses rather than for urbanized areas and ensure that land use decisions recognize the long-term availability and value of water resources in Napa County.

Policy CON-53: The County shall ensure that the intensity and timing of new development are consistent with the capacity of water supplies and protect groundwater and other water supplies by requiring all applicants for discretionary projects to demonstrate the availability of an adequate water supply prior to approval. Depending on the site location and the specific circumstances, adequate demonstration of availability may include evidence or calculation of groundwater availability via an appropriate hydrogeologic analysis or may be satisfied by compliance with County Code "fair-share" provisions or applicable State law. In some areas, evidence may be provided through coordination with applicable municipalities and public and private water purveyors to verify water supply sufficiency.

Policy CON-55: The County shall consider existing water uses during the review of new water uses associated with discretionary projects, and where hydrogeologic studies have shown that the new water uses will cause significant adverse well interference or substantial reductions in groundwater discharge to surface waters that would alter critical flows to sustain riparian habitat and fisheries or exacerbate conditions of overdraft, the County shall curtail those new or expanded water uses.

Policy CON-60.5 All aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems should be designed to reduce water demand, retain runoff, decrease flooding, and recharge groundwater.

Policy CON-72: The County shall seek to reduce the energy impacts from new buildings by applying Title 24 energy standards as required by law and providing information to the public and builders on available energy conservation techniques, products, and methods available to exceed those standards by 15 percent or more.

Policy CON-77: All new discretionary projects shall be evaluated to determine potential significant project-specific air quality impacts and shall be required to incorporate appropriate design, construction, and operational features to reduce emissions of criteria pollutants regulated by the state and federal governments below the applicable significance standard(s) or implement alternate and equally effective mitigation strategies consistent with BAAQMD's air quality improvement programs to reduce emissions. In addition to these policies, the County's land use policies discourage scattered development which contributes to continued dependence on the private automobile as the only means of convenient transportation. The County's land use policies also contribute to efforts to reduce air pollution.

Policy CON-81: The County shall require dust control measures to be applied to construction projects consistent with measures recommended for use by the BAAQMD [Bay Area Air Quality Management District].

Goal E-1: Maintain and enhance the economic viability of agriculture.

Policy E-1: The County's economic development will focus on ensuring the continued viability of agriculture in Napa County.

Policy SAF-20: All new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment as to:

1) Adequacy of water supply.
2) Site design for fire department access in and around structures.
3) Ability for a safe and efficient fire department response.
4) Traffic flow and ingress/egress for residents and emergency vehicles.
5) Site-specific built-in fire protection.
6) Potential impacts to emergency services and fire department response.

14. That the proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Sections 13.15.070 or 13.15.080 of the County Code.

    Analysis: The project is consistent with General Plan Conservation Policies CON-53 and CON-55, which require that applicants, who are seeking discretionary land use approvals, prove that adequate water supplies are available to serve the proposed use without causing significant negative impacts to shared groundwater resources. Water for the winery and residential uses is provided by the Howell Mountain Mutual Water Company (HMMWC) for domestic and process water. The HMMWC issued a letter indicating that they will continue to supply water to the property.

“B”

Recommended Conditions of Approval and Final Agency Approval Memos

PLANNING COMMISSION HEARING – MAY 6, 2026
RECOMMENDED CONDITIONS OF APPROVAL

Bremer Family Winery – Use Permit Major Modification & Exception to the Napa County Road and Street Standards, Application No. P22-00086-MOD
975 Deer Park Road, St. Helena
APN's 021-400-002 (winery property) & 021-420-027 (vineyard property)

This permit encompasses and shall be limited to the project commonly known as Bremer Family Winery, located at 975 Deer Park Road, St. Helena. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as "Reserved" and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

The permit encompasses and shall be limited to:

1.1 An exception to the Napa County Road and Streets Standards (RSS), as detailed in the request dated November 26, 2025, waiving the requirement to provide a left turn lane on Deer Park Road at the project ingress driveway.

1.1 Approval to modify an existing 15,000 gallon per year winery to allow the following:

a. increase annual wine production to 50,000 gallons;
b. increase daily tours and tastings by appointment only and marketing events as set forth in Conditions of Approval (COA) 4.1 through 4.3, below;
c. increase staff from four (4) full-time and two (2) part-time, to eight (8) full-time and two (2) part-time;
d. on-premises consumption of wines produced on site in the tasting areas (indoor and outdoor) in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5, as set forth in COA No. 4.4, below;
e. a new one-way loop driveway connection to Deer Park Road consistent with the Road and Street Standards;
f. nine (9) new parking spaces for a total of 20 spaces;

g. replacement of the existing conventional commingled wastewater system with separate process and domestic wastewater treatment systems to utilize state-of-the-art environmental processes; and,

h. install four (4) water storage tanks for vineyard irrigation, each with a capacity of 5,000 gallons in place of the , modifying the number of three (3) water storage tanks previously approved under Erosion Control Plan P11-00317-ECPA.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or change in winery use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 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 of approval 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 to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a $500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency 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 so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing may occur at a winery only where such activities are accessory and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility."

Tours and tastings (defined below) may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant.

Retail sales of wine shall be permitted as set forth in the County Code.

4.2 TOURS AND TASTINGS/VISITATION

Tours and tastings shall be by appointment only and shall be limited to the following:

a. Frequency: 7 days per week, Monday through Sunday
b. Maximum number of people per day: 70
c. Maximum number of people per week: 490
d. Maximum number of people per year: 12,500
e. Hours of visitation: 10:00 AM to 5:00 PM
f. Shuttle service shall be provided for groups of 15 or more people.

"Tours and tastings" mean tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times between 2:30 and 3:30 p.m. on weekdays or between 2:00 and 3:00 p.m. on Saturdays.

A logbook (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building and Environmental Services (PBES) Department upon request.

4.3 MARKETING

Marketing events shall be limited to the following:

a. Marketing Event
    1. Frequency: Two (2) times per year
    2. Maximum number of guests: 100
    3. Time of Day: between 10:00 a.m. and 10:00 p.m.
b. Marketing Event
    1. Frequency: Three(3) times per year
    2. Maximum number of guests: 50
    3. Time of Day: between 10:00 a.m. and 10:00 p.m.
c. Marketing Event
    1. Frequency: Two (2) times per year

2. Maximum number of guests: 25
3. Time of Day: between 10:00 a.m. and 10:00 p.m.

d. Daily visitors on event days shall be limited as follows:
   1. On 100 guest event days, 25 daily visitors.
   2. On 50 guest event days, 20 daily visitors.
   3. On 25 guest event days, 45 daily visitors.
   4. During production in the barrel room, there will be no visitation or events in the barrel room.

e. Food service shall be provided by offsite catering only

f. Shuttle service shall be provided for events with up to 100 guests.

"Marketing of wine" means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as “marketing of wine” if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery’s Use Permit. To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of cost recovery, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event’s non-wine-related content, and the intensity of the overall marketing plan (County Code).

All marketing event activity, excluding quiet clean-up, shall cease by 10:00 p.m. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

Auction Napa Valley (ANV) events need not be included in a participating winery’s marketing plan because they are covered by ANV’s Category 5 Temporary Permit. The winery may utilize any ANV event authorized in this permit for another charitable event of similar size.

4.4 ON-PREMISES CONSUMPTION

In accordance with State law and the PBES Director’s July 17, 2008, memo, “Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises,” on-premises consumption of wine produced on-site and purchased from the winery may occur solely in

the two tasting rooms and previously approved outdoor tasting areas. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person weekday and weekend daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan set forth in COA Nos. 4.2 and 4.3 above.

4.5 RESIDENCE OR NON-WINERY STRUCTURES

Unless specifically authorized by this permit or a previously approved permit, the existing main residence (the Farmhouse), a second dwelling unit, residential carport, an agricultural barn, shall not be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. If the residence is rented, it shall only be rented for periods of 30 days or more, pursuant to the County Code.

4.6 GRAPE SOURCE

At least 75% of the grapes used to make the winery's still wine or the still wine used by the winery to make sparkling wine shall be grown within Napa County provided that the winery's 15,000 gallons of production are not subject to the County's 75% grape source rule. However, if the winery expands beyond its winery development area, at least 75% of the grapes used to make the winery's still wine or sparkling wine that is produced as a result of the expansion shall be grown within Napa County. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the PBES Department upon request, but shall be considered proprietary information and not available to the public.

4.7 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (use permits and modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB), and California Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the event the required ABC and/or TTB permits and/or licenses are suspended or revoked, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are reinstated.

Visitation logbooks, visitor reports, custom crush client records, and any additional documentation determined by Staff to be necessary to evaluate compliance may be requested by the County for any code compliance. The permittee (and their successors) shall be required to participate fully in the winery code compliance review process.

4.8 RENTAL/LEASING

No winery facilities, or portions thereof, including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons producing and/or storing wine at the winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this Permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

4.9 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**

4.10 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

4.11 TRAFFIC

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (4:00 to 5:00 p.m. on weekdays and 1:00 to 2:00 p.m. on Saturdays and Sundays). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

4.12 PARKING

The location of visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads.

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use of occupancy of an existing building unless the building is made to comply with the requirements of the current CBC for a new building.

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES

Please contact the Fire Department with any questions regarding the following:

The permittee and/or designee shall obtain a tent permit from the Fire Department for any temporary structures utilized for authorized marketing events allowed per COA No. 4.3 above.

4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.

b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans

approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.

c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site-specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.

d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS

Temporary off-site signage, such as "A-Frame" signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

a. Engineering Services Division operational conditions as stated in their Memorandum dated June 23, 2025.

b. Environmental Health Division operational conditions as stated in their Memorandum dated November 8, 2024.

c. Department of Public Works operational conditions as stated in their Memorandum dated August 21, 2024 (updated March 9, 2026), and December 22, 2025.

d. Fire Department operational conditions as stated in their Inter-Office Memo dated July 1, 2025.

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

4.19 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

a. The permittee shall not implement any increases to production, employees, tours and tastings and marketing events, as described in COA Nos 1.1 and 4.2 and 4.3 herein, prior to completion of the improvements to the wastewater systems, driveway and parking improvements as detailed here and in County Division memorandums.

b. Greenhouse Gas Best Management Practices – Operational items checked on the attached Voluntary Best Management Practices Checklist for Development Projects, dated February 26, 2021, by the applicant, shall be implemented and evidence of implementation shall be provided to staff upon request.

4.21 PREVIOUS CONDITIONS

The permittee shall comply with the following previous conditions of approval for the winery use as consolidated into the attached document as Exhibit A. To the extent there is a conflict between a previous condition of approval identified in the attached document and these conditions, the more stringent condition shall control.

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued, or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

a. Engineering Services Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated June 23, 2025.

b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated November 8, 2024.

c. Department of Public Works plan review/construction/ preoccupancy conditions as stated in their Memorandum dated August 21, 2024 (updated March 9, 2026), and December 22, 2025.

d. Fire Department plan review/construction/ preoccupancy conditions as stated in their Inter-Office Memo dated July 1, 2025.

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

6.2 BUILDING DIVISION – GENERAL CONDITIONS

a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.

b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a "J" number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.

c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

a. 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 Planning Division review and approval. All lighting shall comply with the CBC.

b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. 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. Lighting utilized during harvest activities is exempt from this requirement.

6.4 LANDSCAPING – PLAN SUBMITTAL **[RESERVED]**

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site-specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

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

b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.8 ADDRESSING **[RESERVED]**

6.9 HISTORIC RESOURCES **[RESERVED]**

6.10 DEMOLITION ACTIVITIES **[RESERVED]**

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**

6.12 PERMIT PREREQUISITE MITIGATION MEASURES

Mitigation Measure BIO -1

a. Prior to commencement of any earthmoving activities, a floristic survey of the water

storage tank area shall be conducted by a qualified biologist or botanist, for any special-status plant species. Any special-status plants or populations found shall be mapped. To the fullest extent practicable, removal of special-status plants shall be avoided through adjustments to the location of the water storage tanks to avoid and provide special-status plants/populations and provide them with a minimum 10-foot buffer. In accordance with NCC Section 18.108.100, Vegetation preservation and replacement) any special-status plants/populations that cannot be avoided shall be replaced on-site at a ratio of 2:1 at locations within similar habitat. For such removal, a replacement plan shall be prepared by a qualified botanist, ecologist or the like for review and approval by the Director prior to installation of the water storage tanks. The replacement plan shall include i) a site plan showing the locations where replacement plants will be planted, ii) a plant pallet composed of the special-status plant species being removed including sizes and/or application rates: seed mixes shall not contain species known to be noxious weeds and any non-native grasses should be sterile varieties, iii) planting notes and details including any recommended plant protection measures, iv) invasive species removal and management specifications, v) an implementation schedule, vi) performance standards with a minimum success rate of 80%, and vii) a monitoring schedule for a period of at least five years to ensure success criteria are met.

b. In accordance with Napa County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) any special-status plants/populations inadvertently removed as part of development authorized under #P21-00206-ECPA shall be replaced on-site at a ratio of 2:1 at locations with similar habitat. For such removal a replacement plan shall be prepared by a qualified botanist or ecologist for review and approval by the Director prior to vineyard planting. At a minimum, the replacement plan shall include i) a site plan showing the locations where replacement plants will be planted, ii) a plant pallet composed the special-status plans specie(s) being removed including sizes and/or application rates, iii) planting notes and details including any recommended plant protection measures, iv) invasive species removal and management specifications, v) an implementation and monitoring schedule, and vi) performance standards with a minimum success rate of 80% to ensure the success of re-vegetation efforts. Any replaced special-status plants shall be monitored for a period of at least three years to success criteria are met.

c. Prior to any earthmoving activities, temporary fencing shall be Installed a minimum of 10 feet from the outer boundary of Holly-leaf Ceanothus plants/populations proposed for retention. The precise locations of the protection fencing shall be Inspected and approved by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated areas for the duration of erosion control plan installation, vineyard installation and/or installation of the water tanks. All fencing shall be maintained for the duration of vineyard and/or water tank construction.

Responsible Agencies: California Department of Fish and Wildlife & PBES

6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS **[RESERVED]**

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS

Please contact Engineering Services with any questions regarding the following.

a. GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

b. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.

2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.

3. Cover all haul trucks transporting soil, sand, or other loose material off-site.

4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

5. All vehicle speeds on unpaved roads shall be limited to 15 mph.

6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.

8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website http://www.arb.ca.gov/portable/portable.htm.

d. STORM WATER CONTROL
The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the California Regional Water Quality Control Board.

7.2 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 permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner 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 permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 CONSTRUCTION NOISE
Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions 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 daily between the hours of 8 am to 5 pm.

7.4 CONSTRUCTION MITIGATION MEASURES
The permittee shall comply with the following construction mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project,

a. The permittee shall comply with Mitigation Measure BIO-1 as listed in COA No. 6.12 above.

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

9.1 FINAL OCCUPANCY **[RESERVED]**

9.2 SIGNS
Detailed plans, including elevations, materials, color, and lighting for any winery identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. Administrative review and approval are not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this permit approval. All signs shall meet the design standards as set forth in the County Code. At least one legible sign shall be placed at the property entrance with the words “Tours and Tasting by Prior Appointment Only” to inform the public of same. Any off-site signs allowed shall be in conformance with the County Code.

9.3 GATES/ENTRY STRUCTURES
Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Fire Department to assure that the design allows 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 pursuant to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this permit approval.

9.4 LANDSCAPING
Landscaping shall be installed in accordance with the approved landscaping plan.

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**

9.6 DEMOLITION ACTIVITIES **[RESERVED]**

9.7 GRADING SPOILS
All spoils shall be removed in accordance with the approved grading permit and/or building permit.

9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**

Exhibit A

Paloma Vineyard
Use Permit Major Modification
Application No. P19-00386-MOD
4013 Spring Mountain Road, St. Helena
APN 022-150-008

PREVIOUS CONDITIONS

4.21 The permittee shall comply with the following previous conditions of approval for the facility as consolidated in this document. To the extent there is a conflict between a previous condition of approval identified in this document and the Recommended Conditions of Approval, the more stringent condition shall control.

A. USE PERMIT NO. 98368-UP (RICHARDS WINERY)

COA No. 1 The Use Permit shall be limited establishing an 10,000 gal/yr winery ~~in two phases consisting of a 1600 sq. ft. "cut and cover" barrel storage building and a 1693 sq. ft. winery building~~ with a 1720 sq. ft. crush pad~~, consistent with the attached application and related materials.~~ This winery operation is to be an Estate Bottled wine.

The Annual Production shall average not mor than 10,000 gallons pr year over any three years, and in any one year shall bot exceed12,000 gallons.

Any other expansions or changes in use, construction or design shall be subject to the approval of the Zoning Administrator or the County Planning Commission.

Wording struck through replaced by #99439-MOD Condition of Approval COA No. 1

COA No. 2 ~~Visitors to the winery for tours and tasting are limited to prior appointment only and a maximum of 2 persons per day~~. Retail sales of the wine produced will be permitted at this site. No other retail sales are permitted. ~~Hours of operation shall be limited to 7:30 AM to 4:30 PM.~~
Wording struck through replaced by P19-00386-MOD Condition of Approval 1.1(a)(b), 4.1 & 4.2

COA No. 3 Marketing activities are limited to a Harvest Party once a year for 50 persons plus two lunches per year for 25 persons. Outdoor facilities can be used for these approved marketing activities~~, but shall not be used for drop-in or by appointment visitors.~~ All marketing activity shall end by 11:00 PM.
Wording struck through replaced by P19-00386-MOD Condition of Approval 1.1(e) & 4.4

~~COA No. 4 The cut and cover building may be rotated to fit into the terrain and avoid trees only with Department review and approval prior to any building permit issuance and grading activity.~~
~~Replaced by #99439-MOD Condition of Approval COA No. 1~~

~~COA No. 5 The applicant shall comply with all applicable building codes, and requirements of various County Departments and agencies, including:~~
~~the Department of Public Works dated Feb. 26, 1999;~~
~~the Department of Environmental Management dated Mar. 18, 1999;~~
~~the Building Division dated Feb. 22, 1999;~~
~~the County Fire Dept. dated Mar. 3, 1999;~~

~~Note: The Commission modified the Public Works Department conditions regarding the road surfacing to read: the existing access road shall be maintained in a passable condition year round, based on findings of environmental sensitivity, winery size and the number of visitors.~~

COA No. 6 At least 75% of the grapes used to make the winery's still wine shall be grown within the County of Napa. ~~The applicant shall report to the Department every year by December 31 the source of grapes verifying that 75% of his approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.~~
~~Wording struck through replaced by P19-00386-MOD Condition of Approval 4.7~~

~~COA No. 7 Plans for any new outdoor signs shall be submitted to the Planning Department for administrative review and approval. If and when a winery identification sign is installed, a sign shall be placed at the property entrance reading "No Public Tours or Tasting." The only off-site signs allowed shall be in conformance with the County Code.~~
~~Replaced by P19-00386-MOD Condition of Approval 9.2~~

~~COA No. 8 During winery construction, all construction equipment mufflered to not cause off-site disturbance in compliance with the County Code Chapiter 8.16 regarding noise. All winery machinery or equipment not located inside a structure shall be within an acoustical enclosure to reduce noise off-site.~~
~~Replaced by P19-00386-MOD Condition of Approval 7.3~~

~~COA No. 9 No winery facilities, nor portions thereof, shall be rented, leased or used by entities other than the on-site winery itself, except as may be specifically authorized pursuant to the Temporary Events Ordinance, Sec. 5.36.010.~~
~~Replaced by P19-00386-MOD Condition of Approval 4.8~~

~~COA No. 10 A detailed landscaping plan which includes all outdoor lighting shall be submitted to the Department for review and approval indicating names and locations of plant materials along with the method of maintenance prior to~~

~~the issuance of the building permits for the first phase, and all plant material shall be planted prior to the completion of each phase as appropriate. Landscaping shall be permanently maintained in accordance with the approved landscaping plan. Exterior lighting shall be the minimum necessary for operational and security needs only. All light fixtures shall be kept as low as possible and shall be shielded and designed to deflect down and away from adjacent properties and roadways.~~
Replaced by P19-00386-MOD Condition of Approval 6.3 & 6.4

~~COA No. 11 All mechanical and electrical equipment and storage areas shall be screened from view.~~
Replaced by P19-00386-MOD Condition of Approval 6.6

~~COA No. 12 If any historic or prehistoric material is encountered during any grading or excavation activity, all work in the vicinity shall cease until a qualified archaeologist has examined the find and made a recommendation. Recommended mitigation measures, if any, shall be followed and a report shall be filed with the Department.~~
Replaced by P19-00386-MOD Condition of Approval 7.2

~~COA No. 13 All staff costs associated with monitoring compliance with these conditions, previous use permit conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.~~ ***Replaced by P19-00386-MOD Condition of Approval 3.0***

B. USE PERMIT MODIFICATION NO. 99285-MOD WAS RESCINDED BY USE PERMIT MODIFICATION NO. 99439-MOD. CONDITIONS BELOW ARE FROM 99439-MOD.

COA No. 1 This modification is a revision of the design and phasing of the winery project. It deletes the "cut and cover" barrel building approved by #98368-UP, adding a structure of the same size to the winery building, and adds 320 sq. ft. to the resulting 3283 sq. ft. winery building. The modification also establishes the winery in a single construction phase. Plans are as submitted through February 11, 2000.

COA No 2 The approved crush pad may be covered if required by another agency. Such written requirement shall be submitted to the Department prior to issuance of a building permit for the cover.

~~COA No. 3 The changes shall conform to the comments and requirements from the various County departments and other agencies, including the following:~~
~~(a) Department of Environmental Management memo dated 2/16/00;~~
~~(b) Building Division memo dated 1/21/00;~~
~~(c) County Fire Department memo dated 2/8/00.~~

~~COA No. 4 Landscaping, according to the plan submitted and approved by the Department on April 7, 2000, shall be completed prior to the use of the new facilities, and shall be permanently maintained in accordance with the approved landscape plan.~~
Replaced by P19-00386-MOD Condition of Approval 6.4

~~COA No. 5 An exterior lighting plan shall be submitted by the permittee and approved by the Department prior to issuance of a building permit. All exterior lighting shall be shielded and directed downward, kept as low to the ground as possible, and shall be the minimum necessary for security or operations.~~
Replaced by P19-00386-MOD Condition of Approval 6.3

COA No. 6 All conditions of the previous Use Permit not in conflict with these shall remain in force and effect.

~~COA No. 7 All staff costs associated with monitoring compliance with these conditions shall be borne by the property owner(s), other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended.~~
Replaced by P19-00386-MOD Condition of Approval 3.0

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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Brian D Bordona
Director

MEMORANDUM

To:	Sean Trippi, Planning	From:	Raulton Haye, Engineering
Date:	June 23, 2025	Re:	P22-00086 **Bremer Family Winery** **Condition of Approval & WAA Technical Adequacy** APN: 021-400-002, 021-420-027

The Engineering Division has reviewed the use permit application P22-00086 for the Use Permit Modification for the Bremer Winery located on assessor's parcel numbers 021-400-002 and 021-420-027. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

1. Should the existing outdoor/uncovered loading/unloading areas and/or processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, be modified, expanded and/or improved in the future, Napa County will require these area to be paved and performed undercover.
2. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

PREREQUISITES FOR ISSUANCE OF PERMITS

3. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.

4. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be

constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.

5. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.

6. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.

7. **Prior to issuance of a building permit** the owner shall prepare a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.

8. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES DURING PROJECT CONSTRUCTION

9. Required on-site pre-construction meeting with the Napa County PBES Engineering Division **prior to start of construction**.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

10. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit Modification. ** **If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

11. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

WAA

The Engineering Division has reviewed the Water Availability Analyses (WAA) dated July 12, 2024 (Tier 1) by RSA, for the Bremer Winery – Major Modification, P22-00086, located on Assessor parcel numbers 021-400-002 and 021-420-027 at 975 Deer Park Rd. The proposed plan requests an increase in production, visitation and staff for the existing winery.

The Engineering Division has evaluated the project based on information provided by the applicant, its location, and available geologic and hydrologic information and has determined the WAA to be complete and reasonable. Engineering concludes the WAA technically adequate as it relates to Napa County's water use criteria pursuant to Napa County's WAA Guidelines, Governor's Executive Order N-7-22/N-3-23, Napa Valley Subbasin Groundwater Sustainability Plan, and the Public Trust Doctrine.

Any changes in use or design may necessitate additional review and approval. If you have any questions regarding the above items please contact Raulton Haye from the Napa County PBES Department Engineering Division at (707) 253-4621 or via e-mail at raulton.haye@countyofnapa.org.

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Brian Bordona
Director

MEMORANDUM

To:	Sean Trippi, Supervising Planner	From:	Maureen S. Bown, Senior Environmental Health Specialist

Date:	November 8, 2024	Re:	Bremer Winery 975 Deer Park Rd., St Helena APN 021-400-002-000 Use Permit: P22-00086 Major Modification

This Division has reviewed an application requesting approval to increase production, visitation, marketing, and employees as depicted in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Prior to issuance of building or onsite wastewater permits:

1. The proposed parcel(s) must be connected to the Howell Mountain Mutual Water System.

2. Treated process wastewater will be reused/irrigated to crop/land application on a separate parcel from the winery it is to serve, therefore, an agreement to grant a sewage easement, or an approved sewage easement must be filed with this Division prior to issuance of septic system construction permits.

3. Plans for the proposed sanitary waste subsurface drip sewage treatment systems and separate process wastewater treatment system(s), as described in the Onsite Wastewater Disposal Feasibility Report, dated July 12, 2024, 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 approved until such plans are approved by this Division.

4. Permits to construct the sanitary wastewater treatment system and process wastewater treatment and reuse system must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.

5. General Waste Discharge Requirements for Winery Process Water were adopted by the State Water Quality Control Board in January 2021, as such the applicant shall enroll for coverage under the General Order at the time the process wastewater system is approved and constructed whichever occurs first.

6. Proposed food service will be catered, therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.

7. Adequate area must be provided for collection of recyclables. The applicant must work with 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. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal. The designated area shall remain available and be properly maintained for its intended use.

Prior to granting final occupancy:

8. An annual alternative sewage treatment system monitoring permit must be obtained for the sanitary wastewater subsurface drip onsite wastewater treatment system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.

9. 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.

Upon final occupancy and thereafter:

10. The applicant shall provide portable toilet facilities for guest use during events as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted pumping company.

11. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business shall be submitted to http://cers.calepa.ca.gov/ and approved by this Division.

12. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors, and odors.

13. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system, the plan submitted for review and approval must address bentonite disposal.

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Department of Public Works

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Napa, CA 94559-3092
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Main: (707) 253-4351
Fax: (707) 253-4627

Steven Lederer
Director

MEMORANDUM

To:	PBES Staff	From:	Anna Vickroy, P. E., T. E. TJKM Transportation Consultants
Date: **Updated:**	August 21, 2024 **March 9, 2026**	Re:	Bremer Family Winery, P22-00086 **Updated Conditions of Approval**

This memorandum on the Conditions of Approval (COA) is prepared at the request of Planning, Building, and Environmental Services (PBES) staff regarding the Use Permit/Major Modification Project Application for the Bremer Family Winery located at 975 Deer Park Road, (APN 021-400-002), in St. Helena, Napa County, CA.

To prepare this memorandum, the following documents were reviewed in addition to the documents in the prior submittal:

- Application Status letter dated May 3,2022 prepared by Napa County
- Updated Traffic Study prepared by GHD dated August 12, 2025
- Response to County's Second Review Application Status Letter dated July 15, 2024 prepared by Pioneer Law Group

After careful evaluation and review of the documents, we believe that the Updated Traffic Study dated July 12, 2024 provides sufficient information to develop conditions of approval for the project. However, the following corrections shall be made before finalizing the report:

> Page 19 Left-Turn Lane Requirements – The Napa County standards require the following parameters be implemented for the left-turn lane analysis. The number of driveway trips shall include both the inbound and outbound trips, even though the trips are separated into two nearby driveways. Additionally, please update the calculation for the daily visitors to match the value shown in the Trip Generation Worksheet of 70 visitors per day. Based on these parameters, a left-turn lane is required for the inbound driveway.

The Department of Public Works established the following conditions of approval related to the Use Permit Application Number P22-00086

1. **Left-Turn Lane Requirement**: At the inbound project driveway on Deer Park Road, a southbound left-turn lane shall be constructed. Improvement plans shall be prepared by a Registered Civil Engineer in accordance with the Napa County Road and Street Standards, for approval by the Department of Public Works, Road Commissioner. Additional right-of-way shall be dedicated to the public as necessary to encompass the improvements. Improvement plans and right-of-way dedication, if needed, shall be completed prior to issuance of any permits.

   Updated November 26, 2025: In connection with Application No. P22-00086, the applicant submitted a request for an exception to the County's left-turn lane warrant requirement established under Section 17 of the Napa County Road and Street Standards (RSS). This request was made pursuant to Section 3 of the Napa County RSS, which authorizes the County to grant exceptions to RSS standards in certain circumstances, such as those presented by the Bremer Family Winery

project. The applicant's request was supported by the information summarized in the request letter and the Left Turn Constraints Exhibit prepared by RSA+, attached hereto as Exhibits A and B.

Updated December 22, 2025: In response to the applicant's request for an exception to the Napa County Road and Street Standards, the Director of the Public Works Department determined, based on the evidence provided in the November 26, 2025 request letter, that installation of a left-turn lane is not required for this project. The determination was based on Items 1 through 6 identified in the November 26, 2025 letter. The cumulative impacts, together with the very limited number of trips that would benefit from the installation of a left-turn lane, support the reasonable conclusion that the lane is not necessary for this project.

2. **Project Driveway**: Driveway access to the public right-of-way must conform to the latest edition of the Napa County Road and Street Standards. All driveways shall have STOP sign and STOP pavement markings at the intersection with the public roadway. Additionally, standard signage shall be installed indicating ENTRANCE ONLY and EXIT ONLY at the appropriate driveways, visible to traffic on Deer Park Road.

3. **On Street Parking:** Parking within the public right-of-way will be prohibited at all times, including large marketing and temporary events.

4. **Bicycle Facilities**: The applicant/permittee shall provide bicycle parking adjacent to visitor and employee entrances. Bicycle parking should be provided per the County of Napa Municipal Code.

5. **Encroachment Permit Required**: An encroachment permit will be required for any improvements in the County's Right-of-Way, such as the new driveway access. For the application submittal process contact the Roads Division at 707-944-0196. The improvements shall be constructed in compliance with the Napa County Road & Street Standards. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. Completion of improvements and certification shall be completed prior to occupancy or establishment of use.

6. **Transportation Demand Management:** The applicant/permittee shall implement the following TDM measures:

    a. Financial incentives should be provided for employees to participate in carpools and vanpools.
    b. Bicycle racks and lockers should be provided for the Winery employees and guests.
    c. Employee work hours should be staggered to the extent possible in order to avoid congestion during the peak traffic hours.
    d. Remote location and work-at-home opportunities should be offered to the extent possible.
    e. Deliveries should be scheduled, to the extent possible, during times that avoid peak hour traffic.
    f. Utilize bus and/or van transportation for guests of large marketing events.

If you have any questions or concerns on this matter, please contact Ahsan Kazmi, P. E. at **ahsan.kazmi@countyofnapa.org** or call (707) 259-8370 if you have any questions.

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Steven E. Lederer
Director

December 22, 2025

Ms. Andrea Matarazzo
Representative for Bremer Family Winery
975 Deer Park Road

Subject: Left Turn Exception Request; Bremer Family Winery Use Permit Major Modification Request #P22-00086; APNs 021-400-002 and 021-420-027

Dear Ms. Matarazzo:

Thank you for your letter dated November 26, 2025, requesting an exception from the Napa County Road and Street Standards, which would otherwise require installation of a left turn lane at the entrance to the project driveway at 975 Deer Park Rd. The requirement is prompted by the property owner's request for a Use Permit Modification (#P22-00086) to increase the intensity of use of the site.

Basis for Request:

In support of your request, you offer that:

1. A code compliant left-turn lane (LTL) will require impact to 21 trees, including Oaks. While none of the trees individually appear particularly significant, the cumulative collection is worthy of consideration.
2. The LTL will require grading of relatively steep rock slopes, and damage or remove their related trees. These slopes are also an important part of the aesthetic of this area.
3. The vast majority (>95%) of the traffic accessing the site would be coming from the valley floor via Deer Park or Sanitarium Roads; very few trips would be coming from uphill (the Angwin area) and using the left turn lane. Construction of a LTL that almost no one will use is not advisable.
4. For those cars that do need to make a left turn into the driveway, there is adequate sight distance to allow cars to see a turning vehicle and stop to avoid it. Additionally, the applicant has agreed to participate in procurement and installation of 2 radar feedback signs which will be installed on either side of the project driveway to help mitigate driver's speed near the project. The applicant will provide up to $25,000 to procure the two signs, and the county will take full responsibility for installation and maintenance in perpetuity of the signs.
5. Construction would require relocation of a historic rock wall and mailbox.

6. Because of the location of the driveway relative to the intersection formed by Deer Park and Sanitarium roads, the geometry of the LTL would be awkward at best, and possibly be less safe than the current configuration

You also offer other information, which I find less determinative, as follows:

1. Construction of the LTL will require relocation of various utilities. This is common for many projects, and is not generally a reason for granting an exception.
2. Construction might require work outside of the existing right of way (ROW). While this could potentially be a factor, ROW issues can usually be worked out and are not in themselves an independent reason for granting a LTL.

Documents Reviewed

1. Exception Request Dated November 26, 2025
2. E-mail exchange with Andrea Matarazzo concluding on December 12, 2025, with 3 attachments:
    a. Updated Constraints Exhibit
    b. Historic Resources Survey -Ballentine
    c. Historic Resources Survey-Bremer

Discussion:

The standards for waiving a left turn requirement are difficult to meet. The County has one opportunity to ensure needed facilities are installed, even though the project will exist many decades into the future. As such the findings to waive the left turn requirement are challenging. Significant hardship needs to be showed, such as the presence of important environmental resources, steep slopes, geological features or heritage trees, etc. Neither minor earthmoving, reasonable cost, nor inconvenience is a factor to be considered.

Determination:

I tentatively find that based on the evidence provided that the left turn lane need not be installed for this project based on items 1 through 6 listed above. The cumulative impacts as further supported by the very few trips that would benefit by the installation of the left turn lane lead to the reasonable conclusion that the lane need not be installed.

This decision shall automatically become final upon the Planning Commission's final action on the underlying use permit, and this determination relies on the project's CEQA analysis. This decision may be appealed to the Board of Supervisors following the Planning Commission's decision on your project as a whole and based on the record before the Planning Commission. If you have any questions please feel free to contact me.

Sincerely,

Steven E. Lederer
Director of Public Works

Cc: Michael Parker, Deputy Planning Director
Sean Trippi, PBES Project Planner
Laura Anderson, Deputy County Counsel
Ahsan Kazmi, Public Works

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Napa County Fire Department
Fire Marshal's Office

951 California Blvd
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Jason W. Downs
Fire Marshal

Napa County Fire Department
Conditions of Approval

TO:	Planning Department	**DATE:**	7/1/2025
FROM:	Jason Downs, Fire Marshal	**PERMIT #**	P22-00086
SUBJECT:	Bremer Winery	**APN:**	021-400-002-000

The Napa County Fire Marshal's Office has reviewed the submittal package for the above-proposed project. The Fire Marshal approves the project as submitted with the following conditions of approval:

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes, and ordinances at the time of Building Permit issuance.

2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested, and finalized.

3. Where conditions listed in 2022 California Fire Code Section 105 are proposed, separate permits will be required before Building Permit issuance for:

    1. Automatic fire-extinguishing systems
    2. Fire alarm and detection systems and related equipment
    3. Fire pumps and related equipment
    4. Private Fire service mains and their appurtenances
    5. Gates and barricades across fire apparatus access roads
    6. Emergency responder radio coverage systems

4. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards

5. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.

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Napa County Fire Department
Fire Marshal's Office

951 California Blvd
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Jason W. Downs
Fire Marshal

Napa County Fire Department
Conditions of Approval

6. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.

7. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5, the Napa County Road & Street Standards, and CA Fire Safe Regulations for projects within SRA. All residential properties with an electric gate are required to install a Knox Key Switch (Model 3501 or 3502). Manual gates shall be secured with a Knox Padlock.

8. Roadways shall be a minimum of 20 feet in width with a 2-foot shoulder and 15-foot vertical clearance.

9. Turnouts shall be a minimum of 12 feet in width, 30 feet in length, and 25-foot taper on each end.

10. Turnarounds are required on driveways and dead-end roadways.

11. Grades for all roadways and driveways shall not exceed 16 percent. The roadway grade may exceed 16 percent, not to exceed 20 percent, provided the provisions outlined in the NCRSS are met.

12. Roadway radius shall not have an inside radius of less than 50 feet. An additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.

13. Commercial - Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with California Fire Code Appendix B and the Napa County Municipal Code.

14. Commercial - Approved pressurized hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested, and maintained per NFPA 24.

A Tradition of Stewardship
A Commitment to Service

Napa County Fire Department
Fire Marshal's Office

951 California Blvd
Napa, CA 94559
www.countyofnapa.org
Main: (707) 299-1464

Jason W. Downs
Fire Marshal

Napa County Fire Department
Conditions of Approval

15. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.

16. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24 for the installation of Underground Fire Protection Mains

17. An automatic fire sprinkler system shall be installed by provisions outlined in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.

18. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware, and exit illumination.

19. Emergency Responder Radio Coverage in New Buildings: All new buildings may be required to provide approved emergency responder radio coverage within the building. This requirement will be determined by the Fire Code Official based on the existing coverage levels of the jurisdiction's public safety communication systems at the exterior of the building. The purpose of this provision is to ensure that emergency responders have adequate radio signal strength throughout the building during emergency operations.

20. Provide and maintain a minimum 100-foot defensible space around all structures, in compliance with the Napa County Defensible Space Ordinance, the Napa County Fire Marshal's Defensible Space Guidelines, and California Public Resources Code Section 4291, as applicable. Defensible space shall be established prior to final project approval or occupancy and maintained in a fire-safe condition for the life of the project, subject to inspection by the Napa County Fire Marshal's Office.

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21. Provide and maintain a minimum 10-foot defensible space on both sides of all roadways, driveways, and access routes leading to the facility, measured from the edge of the roadway surface. This defensible space shall comply with the Napa County Defensible Space Ordinance and the Fire Marshal's Defensible Space Guidelines and shall be always maintained in a fire-safe condition, subject to inspection and verification by the Napa County Fire Marshal's Office.

Please note the conditions of approval noted above are based on the Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any further questions please contact the Napa County Fire Marshal's Office by email at Fire.Marshal@countyofnapa.org.

“C”

Initial Study/Mitigated Negative Declaration

COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STEET SUITE 210
NAPA, CA 94559
(707) 253-4417

Initial Study Checklist
(form updated January 2019)

This document presents minor corrections made to the proposed Initial Study/Mitigated Negative Declaration (IS/MND) by the Lead Agency (Napa County). New text is indicated in underline and text to be deleted is reflected by ~~strikethrough~~. Text changes are presented in the section and page order in which they appear in the proposed Initial Study Checklist. These corrections do not constitute substantial revisions pursuant to CEQA Guidelines Section 15073.5 (Recirculation of a Negative Declaration Prior to Adoption) because they do not involve new significant impacts or new mitigation measures.

1. **Project Title**: Bremer Family Winery Use Permit Major Modification #P22-00086-MOD & Exception to the Napa County Road and Street Standards

2. **Property Owner:** John Bremer ETAL TR, c/o Bremer Family Winery, 1660 Chicago Avenue, Ste M11, Riverside, CA 92507

3. **County Contact Person, Phone Number and email:** Sean Trippi, Supervising Planner; phone: (707) 299-1353 or email: sean.trippi@countyofnapa.org.

4. **Project Location and Assessor's Parcel Number (APN):**
The project is located on two adjoining properties totaling approximately 46.09 acres within the Agricultural Watershed (AW) zoning district. The Project Site is accessed via an existing driveway on the east side of Deer Park Road, slightly offset from the intersection of Deer Park Road and Sanitarium Road. Project address: 975 Deer Park Road, St. Helena, CA 94574. APN's: 021-400-002 (winery property), 021-420-027 (vineyard property - recycled water storage tanks, utility lines, and treated wastewater dispersal area).

5. **Applicant / Project sponsor's name and address:** Pioneer Law Group, LLP, Andrea Matarazzo, Partner, 1122 S Street, Sacramento, CA 95811

6. **General Plan description:** Agriculture, Watershed & Open Space (AWOS)

7. **Zoning:** Agricultural Watershed (AW)

8. **Background/Project History:**
The site was originally developed in the late 1800's and early 1900's with a winery, a farmhouse and associated accessory structures including but not limited to, a barn and other agricultural buildings/sheds site and access improvements, and landscaping.

   August 15, 1979, Use Permit #U-697879 (known then as the Clark Winery and/or Deer Park Winery) to reactivate a 6,780 square foot winery on the subject site was approved by the Planning Commission. The approval included a minimum of five parking spaces and no public tours or tastings. The use permit application indicated ultimate wine production of 14,400 gallons per year, one visitor per day, six per week, two full-time and one part-time employees, nine existing parking spaces, and hours of operation from 8:00 am to 5:00 pm, Monday through Friday. The plans showed an existing dwelling/farmhouse, a guest house, a garage/shed (tractor shed), winery and barn (Ag storage barn).

   August 21, 1979, the Board of Supervisors approved rezoning (#R-57879) the property from RD:B-5 (Residential Double with a Special Building Site Combining) and RD:A:B-5 (Residential Double with an Agricultural / Special Building Site Combining) to AW (Agricultural Watershed).

   August 13, 1985, the Board of Supervisors denied an appeal and upheld the Planning Commission's decision to deny a Bed & Breakfast application (BB-478485) to bring a one-bedroom detached bed and breakfast under use permit.

   October 2002, the Bremer's purchased the property known then as Deer Park Winery (APNs 021-400-002 and 021-420-027).

August 2005, a Notice of Violation was issued for construction and/or reconstruction of a deck on the dwelling/farmhouse, remodeling of a barn, and construction of stone wall without building permits (Code Enforcement Case #CE-2686). Building Permit #B05-01249 (issued September 2005) and Building Permit #B06-01434 (issued August 2006) rectified these matters.

December 13, 2007, Minor Modification application #P07-00654-MM to modify Use Permit #U-697879 to allow a 11,685 square foot cave for barrel storage was approved by the Director. The approval letter referenced an annual production capacity of 15,000 gallons, as well as a 6,780 square foot winery with no public tours and tastings. Building Permit #B08-01030 was issued for the wine storage cave utilities. This building permit also included a freestanding bathroom.

February 26, 2008, application #P08-00088-VMM for a Very Minor Modification to Use Permit #U-697879 was approved by the Director to repair and expand 572 square feet of porch and deck

June 4, 2009, Very Minor Modification #P09-00178-VMM to increase the wine cave from 11,685 square feet to 16,136 square feet was approved by the Director. Building permit #B09-01138 was issued for the west entrance cave portal and associated retaining walls based on #P09-00178-VMM approval.

In September and October 2016, Notices of Violation were issued under Code Enforcement Case #CE16-00251 for the following: construction and use matters: site grading; installation of a sink in the outdoor kitchen; alteration of the dwelling/Farmhouse including use as winery office; wine cave occupancy and use; increased parking; winery visitation and marketing events including food service; rental of winery for events, and use of other site improvements (primarily the bocce court and outdoor kitchen area) for events and tastings.

January 19, 2017, a Use Permit Major Modification application was submitted (#P17-00023), however this application was closed due to a civil complaint being filed by the County in August of 2017 against the Bremer's as result of the aforementioned violations.

August 2017, a Civil Complaint was filed by the County, and in February of 2019 a Settlement Agreement was entered into between the Bremer's and the County to rectify, in part, the aforementioned violations. The Settlement Agreement also set forth the following winery operational characteristics: visitation of 3,600 visitors per year with no more than 70 visitors per day; winery visitation between the hours of 8:00 am to 5:00 pm, Monday through Sunday; no marketing events; no food was to be served at the winery; and the winery cannot be rented for private events. In addition, the winery could not use the main floor of the Farmhouse or the surrounding deck for winery purposes; the winery cave cannot be used in a manner that is inconsistent with a Type II designation; and the bocce ball court, pizza oven, and tractor shed areas cannot be used for winery purposes. However, the Settlement Agreement did allow for subsequent future modifications to the winery use permit(s).

March 2019 through July 2019, building permits were issued by the PBES Department to satisfy some of the Settlement Agreement terms and aforementioned violations. These permits included #B19-00307 for retaining walls, #B19-00339 for work done on the second floor of the winery building, #B19-00460 to install handrails at various locations, and #B19-00513 for the sink in the outdoor kitchen. It should be noted issuance of these building permits did not include areas within required stream setbacks (unless occurring within an existing structure) or authorize any uses, either residential or winery, that had not been previously entitled. Any modification(s) to existing use limitations as identified in the Settlement Agreement, or additional setback encroachments, requires a separate use permit application for an Exception to the Conservation Regulations (see below for a summary of the applications required by the Settlement Agreement.)

October 16, 2019, the Planning Commission approved an Exception to the Conservation Regulations in the form of a Use Permit (P19-00153-UP) legalizing six (6) existing improvements within the County stream setbacks: (a) an approximate 2,200 square foot agricultural storage building and associated water tank: (b) an approximate 800 square foot concrete pad and associated walls attached to the winery; (c) an approximate 150 square foot ground floor/story addition and second floor/story deck to the farmhouse/office building; (d) an approximate 100 square foot freestanding restroom; (e) approximately 1,210 lineal feet of rock walls; and, (f) two pedestrian bridges over a blue-line stream. No operational changes were approved with this permit.

The Planning Commission's October 16, 2019, decision was appealed to the Board of Supervisors. On March 17, 2020, the Board heard the appeal and adopted a motion of intent to deny the appeal and uphold the Planning Commission's approval of Use Permit #P19-00153, but only as to the approximately 1,210 lineal feet of low decorative rock walls and the two pedestrian bridges. On May 5, 2020, the Board of Supervisors took final action and adopted Resolution No. 2020-65 (Findings of Fact and Decision on Appeal), approving the decorative rock walls and two pedestrian bridges and remade to the Planning Commission to further consider items (a) through (d) identified above.

July 15, 2020 the Planning Commission considered a request for an Exception to the Conservation Regulations in the form of a use permit (P20-00143-UP) to allow the following four structures or improvements to remain within stream setbacks: (a) an approximate 2,200 square foot agricultural storage building and associated water tank that replaced an approximate 320 square foot barn; (b) an

approximate 800 square foot pad located off the east side of the winery building; (c) an approximate 150 square foot ground floor/story addition and second floor/story deck to the main dwelling (a.k.a. farmhouse/office building)(the "farmhouse addition") constructed and completed under Building Permit #B08-00074; and, (d) an approximate 100 square foot freestanding restroom constructed and completed under Building Permit #B08-01030. The Planning Commission granted the request for the approximate 800 square foot concrete pad and associated walls attached to the winery and the approximate 150 square foot ground floor/story addition and second floor/story deck to the farmhouse/office building. However, the Commission denied the request for the approximate 2,200 square foot agricultural storage building and associated water tank and the approximate 100 square foot freestanding restroom.

The Planning Commission's July 15, 2020, decision to deny the 2,200 square foot agricultural storage building and associated water tank and the approximate 100 square foot freestanding restroom was appealed by the applicant to the Board of Supervisors. On December 8, 2020, the Board heard the appeal and adopted a motion of intent to uphold the grounds of the Appeal in its entirety, reverse the Planning Commission's denial of the barn and the restroom, and approve the Exception to the Conservation Regulations in the form of a Use Permit. On February 2, 2021, the Board of Supervisors took final action and adopted Resolution No. 2021-09 (Findings of Fact and Decision on Appeal), approving the barn and restroom.

October 2021, a Winery Administrative Permit #P21-00038-WADM was approved by the Director to allow the following: (a) the placement and use of a wine press, eleven wine tanks, and associated tank tie downs and catwalk (with no increase in production); (b) reconfiguration of open storage on the second level of the winery building to offices, tasting/visitation areas, employee lounge and restrooms; (c) a change in the occupancy of the existing wine cave to allow visitation (with no increase in visitation or marketing); (d) the use of two outdoor visitation and tasting areas (encompassing approximately 1,132 square feet) located off the south side of the winery building (with no increase in visitation or marketing); and, (e) a change in the number of parking spaces and the alignment of internal roads and driveways as shown in the subject/application site plans, with no increase in impervious area.

An Erosion Control Plans (P11-00317) was approved April 10, 2011, and subsequently modified by Erosion Control Plan P16-00271, approved October 10, 2021, approving approximately 32.7 acres of vineyard development spread across six properties owned by the Bremer's including the winery (021-400-002) and vineyard properties (021-420-027). Approximately 9.97 of the approved 32.7 acres of vines have been planted on the Bremer's holdings. An additional 3.26 acres were planted prior to the requirement for approval of an Erosion Control Plan for vineyard development. Three water storage tanks for vineyard irrigation, each with a 10,000-gallon capacity, were entitled as part of the Bremer Winery Vineyard Conversion Erosion Control Plan (P11-00317-ECPA) on the vineyard property for irrigation but have not been installed. The proposed project would "replace" these three approved but not yet installed tanks with four smaller tanks in the same location.

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9. **Description of Project:** Approval of a major modification of the previous project approvals for an existing 15,000 gallons per year winery to allow the following:

   a. Increase wine production from 15,000 gallons per year to 50,000 gallons per year.
   b. Increase the annual number of visitors from 3,600 people to 12,500 people, with no change to the daily maximum of 70 visitors.
   c. Establish marketing events as follows: two (2) annual events with 100 guests, three (3) annual events with 50 guests, and two (2) annual events with 25 guests.
      Daily visitors on event days would be as below:
      i. On 100 guest event days, 25 daily visitors.
      ii. On 50 guest event days, 20 daily visitors.
      iii. On 25 guest event days, 45 daily visitors.
      iv. During production in the barrel room, there will be no visitation or events in the barrel room.
   d. Increase staff from four (4) full-time and two (2) part-time, to eight (8) full-time and two (2) part-time employees.
   e. Allow on-site consumption pursuant to Business and Professions Code sections 23358, 23390 and 23396.5 (AB 2004), the two tasting rooms and in previously approved outdoor tasting areas.
   f. A new one-way loop driveway connection to Deer Park Road consistent with Napa County Road and Street Standards.
   g. Nine (9) new parking stalls for a total of 20 spaces.
   h. Replacement of the existing conventional commingled wastewater system with separate process and domestic wastewater treatment systems to utilize state-of-the-art environmental processes.
   i. Install four water storage tanks for vineyard irrigation, each with a capacity of 5,000 gallons in place of the three previously approved but not yet installed 10,000-gallon tanks approved under Erosion Control Plan P11-00317-ECPA.

   The proposal also includes a request for an Exception to the Napa County Road and Street Standards to allow for an exception from requiring the installation of a left turn lane on Deer Park Road. There are no other proposed modifications.

10. **Describe the environmental setting and surrounding land uses.**
The project site is comprised of two adjoining properties totaling approximately 46.09-acres, located at 975 Deer Park Road, slightly offset from the intersection of Deer Park Road and Sanitarium Road: the 26.65-acre winery property (APN 021-400-002) and the 20.44-acre vineyard property (APN 021-420-027). In addition to the existing winery and wine caves, the winery property includes a main residence (the Farmhouse), a second dwelling unit, residential carport, an agricultural barn, water storage tanks, a standalone restroom building, parking areas and access drives, vineyards, and associated infrastructure. An unnamed blue line stream runs along the east side of the developed area, fed by several ephemeral drainage channels northeast of the developed area. The vineyard property, which lies north of the winery property, includes vineyards, an existing Howell Mountain Water System storage tank, an existing intermittent spring collection box established in approximately 1891, and associated transmission lines. In addition to existing vineyards, both properties include approved but not yet developed vineyards totaling approximately 6.4 acres (approximately 7.6 acres have been approved on the project site). As discussed above, approximately 32.7 acres have been approved under Erosion Control Plan P19-00271 with planted vineyards totaling approximately 9.9 acres across the Bremer's holdings.

Although no structures on the project were lost in the 2020 Glass Fire, approximately 29 acres of Oak Woodland (±19.2 acres) and Chaparral (±9.8 acres) were lost in the fire. The Oak Woodland generally runs along the east side of the unnamed blue line stream.

Land uses within the immediate vicinity (i.e. within approximately 0.5 to 1.0 mile) of the subject property predominately consist of semirural residential, scattered agricultural uses (vineyards and wineries), and undeveloped woodlands and shrub-lands. There are a number of approved and/or producing wineries (Broman Cellars, Ink Grade Winery, Vineyard 22, Viader Vineyards, Woodbridge Winery, Vida Valiente, and Merus Wines) within about a mile of the project site. The St. Helena Hospital is located approximately a half a mile to the southwest of the property and Bell Canyon Reservoir is located approximately a half a mile to the northwest of the property.

Deer Park Road runs along the west side of the two properties and continues north to its apex then runs south before turning towards the east. The northern most portion of the vineyard property adjoins the Deer Park Road right-of-way.

North – As noted above, the northern most portion of the vineyard property adjoins the Deer Park Road right-of-way. Across Deer Park Road are properties ranging from 1.0 to 22.6 acres and are developed with single-family homes, vineyards and an approved winery (Vineyard 22).

South – Adjoining the project site to the south of the winery property is a 11.47-acre property developed with a single-family home, the Broman Cellars winery, and vineyards.

East – To the east of the project site are four properties ranging in size from 3.95 to 43.77 acres. The two northerly most properties are developed with single-family homes, one property is undeveloped, and the fourth and largest property is developed with a single-family home and an accessory dwelling unit (i.e. ADU or second unit). The largest property is owned by the project applicant.

West – Deer Park Road borders the west side of the winery property and a portion of the vineyard property. Immediately west of the road adjoining the winery property are three properties ranging in size from 0.66 to 2.46 with three single-family homes and an ADU on the largest property. Across Deer Park Road from the vineyard property are two properties consisting of 1.1 and 2.14 acres. The smaller property is developed with a single-family home; the other property is undeveloped. A 2.52-acre property developed with a single-family home is bordered on its south and east property lines by the vineyard property and by Deer Park Road along its west property line. North of this property and west of the vineyard property is a 19.7- acre property with a single-family home. The northern boundary of this property adjoins Deer Park Road, south of the road's apex.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).
The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, in addition to meeting CalFire standards. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.

Responsible (R) and Trustee (T) Agencies
California Department of Fish and Wildlife

Other Agencies Contacted
None

12. **Tribal Cultural Resources.** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.

On January 16, 2025, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. Staff received a response from the Yocha Dehe Tribe on February 14, 2025; the Tribe did not request to consult or provide comments. Staff also received a request from the Middletown Rancheria Tribal Historic Preservation Department requesting additional information which was provided on May 12, 2025. No additional correspondence or requests have been received from Middletown Rancheria Tribal Historic Preservation Department.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted by the applicant and filed by the applicant in conjunction with Application No. P22-00086-MOD as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559:

- Water Availability Analysis for the Bremer Family Winery, dated: 7/12/2024
- Winery Wastewater Feasibility Report for the Bremer Family Winery, dated: 7/12/2024
- Updated Traffic Study Report for the Bremer Family Winery, dated ~~7/12/2024~~ 8/12/2025
- Request for an Exception to the Napa County Road and Street Standards dated November 26, 2025
- Napa County Geographic Information System (GIS) sensitivity maps/layers.
- Project description and plans for Permit No. P22-00086.

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Sean Trippi — April 2, 2026

Signature — Date

Name: Sean Trippi, Supervising Planner
Napa County Planning, Building and Environmental Services Department

I.	**AESTHETICS.** Except as provided in Public Resources Code Section 21099, would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion:

a-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, this area is defined by a mix of vineyard, winery, and residential uses. The project would not result in a substantial damage to scenic resources, including trees and rock outcroppings, or substantially degrade the visual character or quality of the site and its surroundings. The project site is currently developed with the winery, wine caves, agricultural structures, residential structures, vineyards, parking, access drives, and associated infrastructure. External changes to the site are limited to replacement of the underground wastewater treatment tanks, additional parking spaces, a new driveway connection to Deer Park Road, and water storage tanks for recycled winery process wastewater to be used for vineyard irrigation and associated water line on the vineyard property. As noted above, the water storage tanks were previously analyzed and approved as part of an erosion control plan. All new physical improvements are generally proposed on previously disturbed areas of the site. The proposed improvements would not be in an area which would damage any known scenic vista, or damage scenic resources, trees, rock outcroppings, or historic buildings.

d. The project primarily proposes operational changes including increasing the number of by-appointment tours and tastings, establishing marketing events, and increasing full-time/part-time employment. The proposed marketing events would result in an increase in the amount of time existing and new sources of light are functioning during evening and nighttime hours, however, this increase would be temporary in nature and would only occur during marketing events. Marketing activities are proposed to take place during the hours of 10:00 a.m. to 10:00 p.m. Pursuant to standard Napa County conditions of approval for wineries, any new outdoor lighting would be required to be shielded and directed downwards, with only low-level lighting allowed in parking areas. As subject to the standard conditions of approval below, the project would not have a significant impact resulting from new sources of lighting. Impacts are expected to be less than significant.

6.3 LIGHTING – PLAN SUBMITTAL

a. 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 Planning Division review and approval. All lighting shall comply with the CBC.

b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No floodlighting 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.

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.

Mitigation Measures: None are required.

II.	**AGRICULTURE AND FOREST RESOURCES.**[1] Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☒

Discussion:

a/b/e. The majority of the site, including the area comprising the existing winery development, is designated as "Other Land", while the vineyards are designated as "Prime Farmland/Farmland of Statewide Importance" by the Napa County Important Farmland Map of 2020 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency. Most of the proposed physical improvements are located within previously developed areas. Part of the proposed wastewater treatment improvements will require the removal of approximately 470 sq. ft. of vineyard. General Plan Agriculture Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. Therefore, the proposed project would not conflict with existing zoning for agricultural uses. There are no other changes included in this proposal that would result in the conversion of Farmland. As a result, the proposed project would not result in the conversion of special status farmland to a non-agricultural use. No impacts would occur.

c/d. According to the Napa County GIS Sensitivity Maps (based on the following layer – Vegetation) the project site contains mixed Oak Woodlands and shrub-lands. As mentioned above, the proposed improvements are not proposed within these areas except for the recycled water storage tanks and water line. These improvements are not within areas that would cause a conflict with existing zoning for, or cause rezoning of, forest land or timberland nor would it result in the loss or, or conversion of, forest land to a non-forest use in a

[1] "Forest land" is defined by the State as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." (Public Resources Code Section 12220(g)) The Napa County General Plan anticipates and does not preclude conversion of some "forest land" to agricultural use, and the program-level EIR for the 2008 General Plan Update analyzed the impacts of up to 12,500 acres of vineyard development between 2005 and 2030, with the assumption that some of this development would occur on "forest land." In that analysis specifically, and in the County's view generally, the conversion of forest land to agricultural use would constitute a potentially significant impact only if there were resulting significant impacts to sensitive species, biodiversity, wildlife movement, sensitive biotic communities listed by the California Department of Fish and Wildlife, water quality, or other environmental resources addressed in this checklist.

manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits. No impacts would occur.

Mitigation Measures: None are required.

III.	AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	☐	☐	☒	☐

Discussion:

On June 2, 2010, the Bay Area Air Quality Management District's (now known as the Bay Area Air District (BAAD)) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act. These Thresholds are designed to establish the level at which BAAD believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on BAAD's website and included in BAAD's updated CEQA Guidelines (updated May 2012). The Thresholds are advisory and may be followed by local agencies at their own discretion.

The Thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of the Thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

In view of the Supreme Court's opinion, local agencies may rely on Thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a decision about the project. However, the Thresholds are not mandatory, and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or BAAD to any specific course of regulatory action.

BAAD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion (Cal. Bldg. Indus. Ass'n vs. Bay Area Air Quality Mgmt. Dist., 62 Ca 4th 369). The May 2017 Guidelines update does not address outdated references, links, analytical methodologies, or other technical information that may be in the Guidelines or Thresholds Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

The request consists of various operational changes to the existing winery, including an increase of annual wine production, changes to winery staffing, an increase in its permitted number of visitors, establishing a marketing program, a new driveway, additional parking spaces, replacing the existing wastewater treatment system, and new storage tanks and associated waterlines for irrigation.

a/b. The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches

in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or $PM_{2.5}$, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but $PM_{2.5}$ occasionally does reach unhealthy concentrations. There are multiple reasons for $PM_{2.5}$ exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap $PM_{2.5}$ within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher $PM_{2.5}$ levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, In Your Community: Napa County, April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NO_x and ROG), carbon monoxide (CO), nitrogen dioxide (NO_2), and suspended particulate matter (PM_{10} and $PM_{2.5}$). Other criteria pollutants, such as lead and sulfur dioxide (SO_2), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

The BAAD has not officially recommended the use of its thresholds in CEQA analyses and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. BAAD also states that lead agencies need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they include in the administrative record of the CEQA document. One resource BAAD provides as a reference for determining appropriate thresholds is the *California Environmental Quality Act Air Quality Guidelines* developed by its staff in 2010 and as updated through May 2017. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

As mentioned above, in 2010, the BAAD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAD through May 2017. The existing size of the entire project is approximately 26,212 square feet, including the winery buildings and cave. The winery buildings include approximately 3,693 square feet dedicated to accessory, office and hospitality uses and approximately 22,519 square feet dedicated to production uses. Compared to the BAAD's screening criterion of 47,000 square feet (high quality restaurant) and 541,000 square feet (general light industry) for NOX (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. Please note: a high-quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses. The project falls below the screening criteria as noted above and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

c. In the short term, potential air quality impacts are most likely to result from construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other coatings, if applicable. If grading were to result in off or on-haul of soils, these potential construction impacts would be temporary in nature and subject to standard conditions of approval from the Engineering Division as part of the grading permit or building permit review process. The small area of disturbance, short duration of work and compliance with standard conditions would not cause a substantial increase in particulate matter and therefore, would result in a less than significant construction impact related to particulate matter

The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding

dust complaints. The BAAQMD's phone number shall also be visible.

2. *Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
3. *Cover all haul trucks transporting soil, sand, or other loose material off-site.*
4. *Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
5. *All vehicle speeds on unpaved roads shall be limited to 15 mph.*
6. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
7. *Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.*
8. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website http://www.arb.ca.gov/portable/portable.htm.*

Furthermore, while earthmoving and construction on the site would generate dust particulates in the short-term, the impact would be less than significant with dust control measures as specified in Napa County's standard condition of approval relating to dust:

7.1 SITE IMPROVEMENTS

b. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

With the small area of work, temporary duration of construction, and the project proponent's adherence to these relevant best management practices identified by the BAAD and the County's standard conditions of project approval, construction-related air quality impacts of the project are considered to be less than significant.

d. While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. The physical improvements and operational changes would not significantly increase odors associated with the winery. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None are required.

IV.	**BIOLOGICAL RESOURCES.** Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and	☐	☐	☒	☐

Wildlife or U.S. Fish and Wildlife Service?

c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion:

a/b. The winery property is currently developed with the existing winery, cave, paved parking areas and access drives, vineyards, a main residence and accessory dwelling unit, an agricultural barn, a water storage tank and other miscellaneous site improvements. An unnamed blue line stream runs along the east side of the developed area, fed by several ephemeral drainage channels northeast of the developed area. No improvements are proposed within these areas. Additional improvements proposed on the winery property include replacing the wastewater treatment system in place, providing nine parking spaces on an existing paved area, and a new driveway connection to Deer Park Road through a portion of the existing vineyard which will require removal of approximately 2,750 sq. ft. of vines. All proposed improvements are in previously developed and/or disturbed areas. As noted above, three 10,000-gallon capacity water storage tanks for vineyard irrigation, were entitled as part of the Bremer Winery Vineyard Conversion Erosion Control Plan (#P11-00317-ECPA) on the vineyard property. A waterline would run along the westerly property line of the site approximately 10-feet from an existing waterline from the Howell Mountain Water System tank on the vineyard property that provides water to the winery property. The three previously approved but not yet installed tanks would be "replaced" by four 5,000-gallon capacity water storage tanks for irrigation as shown on the plans and mentioned in the Wastewater Feasibility Study. The tanks would be in the same location as the previously approved 10,000-gallon tanks. The vineyard irrigation tanks would be fed from two existing wells on the well property (APN 021-400-005) as previously analyzed in the ECP. As part of the proposed project, the tanks would also be filled with treated winery process wastewater to be used for vineyard irrigation. No changes or improvements are proposed on the well property that were not previously approved in the ECP.

In review of Napa County Geographic Information System (GIS) California Natural Diversity Database (CNDDB) layers, the subject property is within an area of the County that is known to have the potential for Northern Spotted Owl (NSO) habitat and the potential Calistoga Ceanothus (Ceanothus divergens), Holly-Leaf Ceanothus (Ceanothus purpueus) and the Northern Spotted Owl (NSO).

Prior surveys conducted by Kjeldsen Biological Consulting and Theodore Wooster on the project site and surrounding properties for vineyard development under ownership by the Bremer's in 2011, including the winery and vineyard properties, identified several small populations of Holly-Leaf Ceanothus on the vineyard property, some near the previously approved water storage tanks. Calistoga Ceanothus was not found on the vineyard or winery properties. Because of the prior known occurrence of Holly-Leaf Ceanothus near the area proposed for the previously approved water storage tanks, Mitigation Measure BIO-1, which requires preconstruction surveys, is recommended to reduce impacts to a less than significant level.

Physical improvements are proposed in disturbed or developed areas and no special-status animal species or habitat was observed on the subject site during the surveys conducted by Kjeldsen Biological Consulting or Theodore Wooster for Erosion Control Plan #P11-00317. A Northern Spotted Owl (NSO) Assessment, dated December 8, 2022, was completed by Kjeldsen Biological Consulting associated with an application under the Viewshed Protection Program to rebuild a residence that was destroyed by the 2020 fires on a property owned by the Bremer's southeast of the winery property (APN 025-370-058). The report confirmed that there are no Northern Spotted Owls in the area. According to the report, the nearest recorded occurrence of the Northern Spotted Owl (NSO) is 1.34 miles east of the home site within an adjacent watershed. The home site is approximately 0.33 miles from the winery building. Kjeldsen's investigation concluded that construction of the home would not disturb any breeding activities or potentially injure or otherwise harm NSO through habitat modification, direct injury, noise disturbance, or any other means. Further, the general attributes of NSO habitat include dense, multi-layered canopy of several tree species of varying size and ages with open spaces among the lower branches to

allow flight under the canopy which are lacking on the project site. NSO habitat also tends to include abundant logs, snags/cavity trees with broken tops or platform-like substrates. The proposed locations for physical development are within the existing winery development area and existing vineyards except for the water storage tanks which will be installed in the same area as was previously evaluated. No trees or large bushes would be removed to install the water storage tanks. As noted above, the 2020 Glass fire impacted the vegetation on the project site which has not fully grown back. No direct or indirect impacts to NSO habitat would occur. Per County GIS there are no formal NSO sightings on or near the winery and vineyard properties.

c. According to the Napa County GIS Sensitivity Maps (based on the following layers – Wetlands and vernal pools and National Wetlands Inventory) there are no wetlands on the site. The project will not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

d. All proposed improvements would occur on, or adjacent to, previously disturbed areas of the property. Therefore, project activities would not interfere with the movement of any native resident or migratory fish or wildlife species or within their corridors or nursery sites. Impacts would be less than significant.

e. The project does not require tree removal and would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Impacts would be less than significant.

f. The site is not subject to any adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional, or state habitat conservation plans. No impacts would occur.

Mitigation Measures:

Mitigation Measure BIO-1:

a. Prior to commencement of any earthmoving activities, a floristic survey of the water storage tank area shall be conducted by a qualified biologist or botanist, for any special-status plant species. Any special-status plants or populations found shall be mapped. To the fullest extent practicable, removal of special-status plants shall be avoided through adjustments to the location of the water storage tanks to avoid and provide special-status plants/populations and provide them with a minimum 10-foot buffer. In accordance with NCC Section 18.108.100, Vegetation preservation and replacement) any special-status plants/populations that cannot be avoided shall be replaced on-site at a ratio of 2:1 at locations within similar habitat. For such removal, a replacement plan shall be prepared by a qualified botanist, ecologist or the like for review and approval by the Director prior to installation of the water storage tanks. The replacement plan shall include i) a site plan showing the locations where replacement plants will be planted, ii) a plant pallet composed of the special-status plant species being removed including sizes and/or application rates: seed mixes shall not contain species known to be noxious weeds and any non-native grasses should be sterile varieties, iii) planting notes and details including any recommended plant protection measures, iv) invasive species removal and management specifications, v) an implementation schedule, vi) performance standards with a minimum success rate of 80%, and vii) a monitoring schedule for a period of at least five years to ensure success criteria are met.

b. In accordance with Napa County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) any special-status plants/populations inadvertently removed as part of development authorized under #P21-00206-ECPA shall be replaced on-site at a ratio of 2:1 at locations with similar habitat. For such removal a replacement plan shall be prepared by a qualified botanist or ecologist for review and approval by the Director prior to vineyard planting. At a minimum, the replacement plan shall include i) a site plan showing the locations where replacement plants will be planted, ii) a plant pallet composed the special-status plans specie(s) being removed including sizes and/or application rates, iii) planting notes and details including any recommended plant protection measures, iv) invasive species removal and management specifications, v) an implementation and monitoring schedule, and vi) performance standards with a minimum success rate of 80% to ensure the success of re-vegetation efforts. Any replaced special-status plants shall be monitored for a period of at least three years to success criteria are met.

c. Prior to any earthmoving activities, temporary fencing shall be Installed a minimum of 10 feet from the outer boundary of Holly-leaf Ceanothus plants/populations proposed for retention. The precise locations of the protection fencing shall be Inspected and approved by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated areas for the duration of erosion control plan installation, vineyard installation and/or installation of the water tanks. All fencing shall be maintained for the duration of vineyard and/or water tank construction.

Responsible Agencies: California Department of Fish and Wildlife & PBES

V.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☒	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☒	☐
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

Discussion:

a/b. An Archaeological Survey Report, dated November 3, 2006, was prepared by Tom Origer & Associates (TOA) as part of the previously approved Erosion Control Plan (P11-00317-ECPA) for vineyard development that included both the winery and vineyard properties. The report was prepared to determine the presence or absence of potentially significant cultural resources within the development area. The evaluation included a check of the information on file with the Regional Office of the California Historical Resources Information System, to determine the presence or absence of previously recorded historic or prehistoric cultural resources; a check of appropriate historic references to determine the potential for historic era archaeological deposits; and, a surface reconnaissance of all accessible parts of the project areas to locate any visible signs of potentially significant historic or prehistoric cultural deposits. The overall literature search determined that the current project area has not been the subject of a previous cultural resource study and there are no previously recorded archaeological sites located within the project area. TOA contacted the Native American Heritage Commission (NAHC) to determine the presence or absence of listed Sacred Lands within the project area and all appropriate Native American organizations or individuals designated by the Native American Heritage Commission as interested parties for the project area.

As noted above, a surface examination was conducted to locate any visible signs of potentially significant historic or prehistoric cultural deposits. The investigation resulted in a negative finding, indicating that no artifacts or potentially significant cultural features were observed.

No significant or potentially significant prehistoric artifacts, archaeological deposits, or features have been identified within the project area. The soil observed did not indicate any subsurface deposits or evidence of prehistoric human occupation. Since no significant cultural resources were identified on the property, no further recommendations are warranted for cultural materials at this time. Further, TOA did not recommend any archaeological subsurface testing or monitoring during the proposed development. Due to the sensitive nature of cultural resources, the reports are confidential.

However, if resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with the following standard condition of approval. Impacts are anticipated to be less than significant.

7.2 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 permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner 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 permittee shall comply with the requirements of Public Resources Code Section 5097.98.

c. No human remains have been previously encountered on the property; no information has been encountered that would indicate that this project would encounter human remains. If human remains are encountered during project development, construction of the project is required to cease, and the requirements of Condition of Approval 7.2, listed above, would apply. No impacts would occur.

Mitigation Measures: None are required.

VI.	**ENERGY.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Discussion:

a. The project does not include construction of any new buildings. Any future building permits would be required to comply with Title 24 energy use requirements and would not result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant.

b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy or energy efficiency because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None are required.

VII.	**GEOLOGY AND SOILS.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	ii) Strong seismic ground shaking?	☐	☐	☒	☐
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv) Landslides?	☐	☐	☒	☐
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d)	Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with	☐	☐	☒	☐

ASTM (American Society of Testing and Materials) D 4829.

e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion:

a.

i.) There are no known faults that run beneath the project site on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing of a known fault. Impacts would be less than significant.

ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project would be required to comply with the latest standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level in relation to seismic ground shaking.

iii.) According to Napa County GIS Sensitivity Maps (based on the following layer – Liquefaction) the property is designated in an area with a Very Low to Low susceptibility for liquefaction. No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. There were no known issues with the construction of the existing buildings and cave. Compliance with the latest edition of the California Building Code for seismic stability would result in less than significant impacts.

iv.) The Napa County GIS Sensitivity Maps (Landslides line) indicate the presence of a small landslide deposit, identified as questionable, east of the creek on the winery property. No improvements are proposed east of the creek. The physical improvements are proposed in already developed areas or have been previously assessed. Impacts are expected to be less than significant.

b. The proposed improvements would occur within the previously disturbed and/or developed portions of the site. The water storage tanks were previously evaluated under an approved erosion control plan. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable. Impacts would be less than significant.

c/d. According to the Napa County GIS Sensitivity Maps (based on the following layers - Geology, Surficial deposits, and Soil Type), improvements south of the winery buildings on the winery property are composed of Cortina very stony loam (0 to 5% slopes) which are underlain by undifferentiated Late Pleistocene alluvium. The remainder of the winery property and the north property are composed of Rock outcrop-Kidd complex (50 to 75% slopes) underlain by undifferentiated Pre-Quaternary deposits and bedrock. The project site includes areas generally subject to very low to low tendencies to liquefy. Any proposed construction would be required to comply with all the latest building standards and codes at the time of construction. The project is not proposed on an unstable geologic unit or soil that would become unstable or would create direct or indirect risks to life or property. Compliance with the latest editions of the California Building Code for seismic stability would reduce any potential impacts to the maximum extent possible, resulting in less than significant impacts.

e. The project would not violate any water quality standards or waste discharge requirements. The Napa County Division of Environmental Health has reviewed this application and recommends approval based on the submitted wastewater feasibility report prepared by RSA+, dated July 12, 2024. Soils on the property have been determined to be adequate to support the on-site treatment and dispersal of wastewater generated by the project including the winery's process waste resulting from the increased wine production capacity as well as sanitary wastewater based on the proposed number of employees and visitors.

f. No paleontological resources or unique geological features have been identified on the property in the project area or were encountered on the property when the existing building and cave were constructed, and the vines were planted. The project as proposed would require minimal earth disturbing activities and construction is unlikely to uncover paleontological or unique geological features. Impacts would be less than significant.

Mitigation Measures: None are required.

VIII.	GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	☐	☐	☒	☐
b)	Conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion:

On April 20, 2022, the BAAD adopted updated thresholds of significance for climate impacts (CEQA Thresholds for Evaluating the Significance of Climate Impacts, BAAD April 2022).[2] The updated thresholds to evaluate GHG and climate impacts from land use projects are qualitative and geared toward building and transportation projects. Per the BAAD, all other projects should be analyzed against either an adopted local Greenhouse Gas Reduction Strategy (i.e., Climate Action Plan (CAP)) or other threshold determined on a case-by-case basis by the Lead Agency. If a project is consistent with the State's long-term climate goals of being carbon neutral by 2045, then a project would have a less-than-significant impact as endorsed by the California Supreme Court in Center for Biological Diversity v. Department of Fish & Wildlife (2015) 62 Cal. 4th 204). There is no proposed construction-related climate impact threshold at this time. Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

Napa County has been working to develop a Climate Action Plan (CAP) for several years. In 2012, a Draft CAP (March 2012) was recommended using the emissions checklist in the Draft CAP, on a trial basis, to determine potential greenhouse gas (GHG) emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County's GHG emissions, the proposed plan was intended to address compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the plan's objectives, the BOS requested that the CAP be revised to better address transportation-related greenhouse gas, to acknowledge and credit past accomplishments and voluntary efforts, and to allow more time for establishment of a cost-effective local offset program. The BOS also requested that best management practices be applied and considered when reviewing projects until a revised CAP is adopted to ensure that projects address the County's policy goal related to reducing GHG emissions. In addition, the BOS recommended utilizing the emissions checklist and associated carbon stock and sequestration factors in the Draft CAP to assess and disclose potential GHG emissions associated with project development and operation pursuant to CEQA.

In July 2015, the County re-commenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources), ii) address the concerns with the previous CAP effort as outlined above, iii) meet applicable State requirements, and iv) result in a functional and legally defensible CAP. On April 13, 2016, the County, as the part of the first phase of development and preparation of the CAP, released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016. This initial phase included: i) updating the unincorporated County's community-wide GHG emissions inventory to 2014, and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. On July 24, 2018, the County prepared a Notice of Preparation of a Draft Focused EIR for the Climate Action Plan. The review period was from July 24, 2018, through August 22, 2018. The Draft Focused EIR for the CAP was published May 9, 2019. Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services or online at https://www.countyofnapa.org/589/Planning-Building-Environmental-Services. The County's draft CAP was placed on hold, when the Climate Action Committee (CAC) began meeting on regional GHG reduction strategies in 2019. The County is currently preparing an updated CAP to provide a clear framework to determine what land use actions will be necessary to meet the State's adopted GHG reduction goals, including a quantitative and measurable strategy for achieving net zero emissions by 2045.

For the purposes of this assessment the carbon stock and sequestration factors identified within the 2012 Draft CAP are utilized to calculate and disclose potential GHG emissions associated with agricultural "construction" and development and with "ongoing" agricultural maintenance and operation, as further described below. The 2012 Draft CAP carbon stock and sequestration factors are utilized in this assessment because they provide the most generous estimate of potential emissions. As such, the County considers that the anticipated potential emissions resulting from the proposed project that are disclosed in this Initial Study reasonably reflect proposed conditions and therefore are considered appropriate and

[2] https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines

adequate for project impact assessment.

Regarding operational emissions, as part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions. The CEQA Guidelines and the OPR Technical Advisory concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less-than-significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT. Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

a-b. Overall increases in Greenhouse Gas (GHG) emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan. Consistent with these General Plan action items, Napa County participated in the development of a community-wide GHG emissions inventory and "emission reduction framework" for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009, and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

The County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). Pursuant to State CEQA Guidelines Section 15183, this assessment focuses on impacts that are "peculiar to the project," rather than the cumulative impacts previously assessed, because this Initial Study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared.

GHGs are atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide (CO2), methane, ozone, and the fluorocarbons, which contribute to climate change. CO2 is the principal GHG emitted by human activities, and its concentration in the atmosphere is most affected by human activity. It also serves as the reference gas to which to compare other GHGs. For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAD recommended thresholds do not include a construction-related climate impact threshold at this time. One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as Equipment Emissions). The physical improvements associated with this project includes improvements to the driveway and parking areas, consistent with Napa County Road and Street Standards, and wastewater treatment system. As discussed in Section III. Air Quality, construction emissions would have a temporary effect and BAAD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered less than significant. See Section III. Air Quality for additional information.

The BAAD proposed thresholds for land use projects are designed to address "Operational" GHG emissions which represent the vast majority of project GHG emissions. Operational emissions associated with a winery generally include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project compared to a "no project" scenario (hereinafter referred to as Operational Sequestration Emissions); and ii) ongoing emissions from the energy used to maintain and operate the winery, including vehicle trips associated with employee and visitor trips (hereinafter referred to as Operational Emissions).

As noted above, Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements.

Specifically for buildings, the project must not:

- Include natural gas appliances or natural gas plumbing (in both residential and nonresidential development); and
- Result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA section 21100(b)(3) and CEQA Guidelines section 15126.2(b).

The project does not propose improvements that would install natural gas appliances or natural gas plumbing. Additionally, at the time of any construction the project will be required to comply with the California Building Code, which is currently being updated to include regulations to assist in the reduction of air quality impacts associated with construction, such as prohibiting natural gas appliance and natural gas plumbing. Any new construction will be required to install energy efficient fixtures complying with CA Building Code Title 24 standards. See section VI. Energy for additional information on energy usage.

Specifically for transportation, the project must:

- Achieve compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2, and
- Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target reflecting the following recommendations:
    - Residential projects: 15 percent below the existing VMT per capita;
    - Office projects: 15 percent below the existing VMT per employee; or
    - Retail projects: no net increase in existing VMT.

As discussed above and in section XVII. Transportation, the County maintains TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers did not require completion of a VMT analysis because it would only generate X new trips; however, a project TIS, was prepared by GHD, dated ~~July 12, 2024~~ August 12, 2025, and included a recommendation to implement a Traffic Demand Management (TDM) Plan for reducing vehicle miles traveled. See section XVII. Transportation for additional detail.

On the GHG Voluntary Best Management Practices (BMP) Checklist submitted with the use permit application, dated February 26, 2021, the applicant identified three GHG reduction BMPs that the operators are currently implementing at the winery. These include the use of energy-conserving lighting (BMP-9); use of water efficient fixtures (BMP-14); and site design that is oriented and designed to optimize conditions for natural heating, cooling, and day-lighting of interior spaces, and to maximize winter sun exposure, which includes the existing cave. As a component of the vineyard operation, the applicant indicated that the operators implement BMPs that include use of 70-80 percent cover crop (BMP-31) and chipping and reuse of pruned biomass, rather than burning the material on-site (BMP-32). The applicant did not indicate on the checklist their intent to introduce new GHG reduction programs into the winery's current operations. A condition of approval will be included to require continuation d of the existing BMP operations identified. The increase in emissions expected as a result of the project would be relatively modest, and the project is in compliance with the County's efforts to reduce emissions as described above. For these reasons, project impacts related to GHG emissions are considered less than significant.

Mitigation Measures: None are required.

IX.	**HAZARDS AND HAZARDOUS MATERIALS.** Would the project	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐

c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires?	☐	☐	☒	☐

Discussion:

a. The proposed project would not involve the transport of hazardous materials other than those small amounts utilized in typical winery operations. Impacts would be less than significant.

b. Hazardous materials such as diesel and maintenance fluids would potentially be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of an existing winery that would not be expected to use any substantial quantities of hazardous materials. The operational changes are not anticipated to significantly increase the quantities. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environment. Impacts would be less than significant.

c. There are no schools located within one-quarter mile from the existing winery buildings. The nearest school is Foothills Adventist Elementary, a little under a mile south of the winery, and Pacific Union College Elementary, a little under two miles to the northeast. No impacts would occur.

d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.

e. No impact would occur as the project site is not located within an airport land use plan or within two miles of a public airport or public use airport.

f. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery, and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. The project would not result in closure or permanent obstruction of adjacent public rights-of-way. No component of the implementation of the EOP would otherwise be impaired by the proposed modifications to the use permit. The driveway relocation will meet County standards. The proposed winery would not obstruct an emergency response or evacuation plan. Impacts would be less than significant.

g. According to the Napa County Environmental resource maps (based on the following GIS layer – Fire Hazard Severity Zones) the project site is within an area designated as a very high fire risk. The proposed project would increase production, visitation for by appointment tours and tastings, marketing events, and employees which will increase the total number of employees, visitors, and guests who work at and visit the project site on a daily and annual basis. The proposed physical improvements are generally within the existing developed area of the site and would not result in a physical modification to the site that would alter factors that would likely exacerbate wildfire risks. A second driveway on Deer Park Road will generally improve access to the site and provide an additional evacuation route. Although the project results in a larger amount of people on site, the proposed physical improvements and operational changes do not increase the potential for significant loss, injury or death due to wild-land fires. See section XX. Wildfire for additional detail. Impacts of the project would be less than significant.

Mitigation Measures: None are required.

X.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				
	i) result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
	iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
	iv) impede or redirect flood flows?	☐	☐	☒	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Discussion:

The County requires all discretionary permit applications (such as use permits and erosion control plans for vineyard and other agricultural development) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

On June 7, 2022, the Napa County Board of Supervisors provided interim procedures to implement provisions of the Napa County Groundwater Sustainability Plan (GSP) for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use. The direction limits a parcel's groundwater allocation to 0.3- acre feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies.

To assess potential impacts resulting from project well(s) interference with neighboring wells within 500 feet and/or springs within 1,500 feet, the County's WAA guidance[3] requires applicants to perform a Tier 2 analysis where the proposed project would result in an increase in groundwater extraction from project well(s) compared to existing levels.

[3] The County's Water Availability Guidelines (adopted May 2015)

To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways, the County's WAA guidance requires applicants to perform a Tier 3 analysis for new or replacement wells, or discretionary projects that would result in an increase in groundwater demand on existing wells that are located within 1,500 feet of designated "Significant Streams."[4]

Public Trust: The public trust doctrine requires the state and its legal subdivisions to "consider," give "due regard," and "take the public trust into account" when considering actions that may adversely affect a navigable waterway. (Environmental Law Foundation v. State Water Resources Control Bd.; San Francisco Baykeeper, Inc. v. State Lands Com.) There is no "procedural matrix" governing how an agency should consider public trust uses. (Citizens for East Shore Parks v. State Lands Com.) Rather, the level of analysis "begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust." (Environmental Law Foundation, 26 Cal.App.5th at p. 403.). As demonstrated in the Environmental Law Foundation vs State Water Resources Control Board Third District Appellate Court Case, that arose in the context of a lawsuit over Siskiyou County's obligation in administering groundwater well permits and management program with respect to Scott River, a navigable waterway (considered a public trust resource), the court affirmed that the public trust doctrine is relevant to extractions of groundwater that adversely impact a navigable waterway and that Counties are obligated to consider the doctrine, irrespective of the enactment of the Sustainable Groundwater Management Act (SGMA).

On January 10, 2024, Napa County released the Interim Napa County Well Permit Standards and WAA Requirements - January 2024, providing guidance to comply with the Public Trust.

a. The project would not violate any water quality standards or waste discharge requirements. A Winery Wastewater Feasibility Report was prepared by RSA+, dated July 12, 2024, was submitted to evaluate the proposed project. The report concludes that the proposed systems will have adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the plans are required to be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. No information has been encountered that would indicate a substantial impact to water quality. Any earth disturbing activities will be subject to the County's Stormwater Ordinance which complies with State requirements, would include measures to prevent erosion, sediment, and waste materials from entering waterways both during and after any construction activities. By following the above-mentioned measures, the project would not have the potential to significantly impact water quality and discharge standards. Potential impacts would be less than significant.

b. A Water Availability Analysis (WAA) was prepared by RSA+, dated July 12, 2024. As directed by the County's WAA Guidance Document dated May 2015 and the Interim Standards, the report includes Tier 1 calculations for existing and proposed water use.

According to the WAA, the winery and residences are served by the Howell Mountain Mutual Water Company (HMMWC) for domestic and process water. There is an existing Howell Mountain Water System water storage tank on the vineyard property that provides water to the winery property. Domestic water use would increase from 0.70 af/yr to 1.38 af/yr, an increase of 0.68 af/yr. The HMMWC issued a letter indicating that they will continue to provide water service to the property.

Usage Type	Existing Usage (acre-ft.)	Proposed Usage (acre-ft.)
Vineyard		
Irrigation	2.73	2.34*
Landscaping	2.80	2.80
Total Well Use	**5.53**	**5.14**
Winery		
Process Water	0.23	0.77
Domestic Water	0.11	0.25
Residential	0.36	0.36
Total Domestic & Process Water Use (from Howell Mountain Mutual Water Company)	**0.70**	**1.38**
Totals (AF/YR)	**6.23**	**6.52**

*0.35 af/yr of treated process wastewater will be used for irrigation. The estimate of vineyard irrigation included water use for approximately 4.07 acres of vineyards.

[4] Refer to Figure 1: Significant Streams for Tier 3, located at www.countyofnapa.org/3074/Groundwater-Sustainability. The "Significant Streams" and "Significant_Streams_1500ft_buffer" GIS layers are published as publicly-available open data through the County's ArcGIS Online Account.

Tier 2: The latest Interim Napa County Well Permit Standards and WAA Requirements require an interference analysis for any proposed increase in groundwater use occurring from project wells within 500 feet of any offsite well or 1,500 feet from any off-site spring. A Tier 2 analysis is not required for discretionary projects that use an existing well provided there is no increase in groundwater use. As discussed above, the project receives water from the HMMWC, therefore a Tier 2 analysis is not required.

Tier 3: A Tier 3 analysis is the County's adopted method for complying with its duties under the public trust doctrine. As noted above, water for the winery and residences is provided by the HMMWC, therefore further analysis is not required

c. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a grading or building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.

d. The site lies outside the boundaries of the 100- and 500-year flood hazard boundaries. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. No impacts would occur.

e. In January 2022 the Groundwater Sustainability Agency (GSA) submitted a Groundwater Sustainability Plan (GSP) to the Department of Water Resources (DWR). As discussed above, although the operational changes would slightly increase overall water use, the project site receives water from the HMMWC. The project would not result in an impact to water use and would therefore comply with the GSP. Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. No impacts would occur.

Mitigation Measures: None are required.

XI.	**LAND USE AND PLANNING.** Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Discussion:

a. The proposed project would not change the existing agricultural land and residential uses of the project site, which are consistent with the wineries, single-family homes and vineyards developed on properties proximate to the site. The proposed project would not introduce a non-agricultural use, nor any new, non-winery related development to the project site. The proposed project would integrate with the project site's surroundings and would not physically divide an established community. The project would have no impact.

b. The project site is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." The property's General Plan land use designation is Agriculture, Watershed, and Open Space (AWOS), which allows "agriculture, processing of agricultural products, and single-family dwellings." More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa County General Plan. The proposed use of the property for the "fermenting and processing of grape juice into wine" (NCC §18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 ("The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/ open space…") and General

Plan Economic Development Policy E-1 (The County's economic development will focus on ensuring the continued viability of agriculture…). There are no applicable habitat conservation plans or natural community conservation plans applicable to the property. Impacts would be less than significant.

Mitigation Measures: None are required.

XII.	**MINERAL RESOURCES.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion:

a/b. Historically, the two most valuable mineral commodities in Napa County in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (Mines and Mineral Deposits, BDR Figure 2-2) indicates that there are no known mineral resources nor any locally important mineral resource recovery sites located on the project site. No impacts would occur.

Mitigation Measures: None are required.

XIII.	**NOISE.** Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion: The project site is bordered on the west by and along a portion of the northern extent by Deer Park Road which contributes to ambient noise levels. The closest offsite residence is located on the parcel that borders the project site to the north approximately 480 feet from the existing winery building. The residence sits approximately 20-25 feet higher than the winery. Additionally, there are a number of mature, large trees between the existing residence and the existing winery. No tree removal is included in this project.

a/b. The project would result in a temporary increase in noise levels during construction of the driveway and other site improvements. Impacts due to a temporary increase in ambient noise generated from construction activities, or from groundborne vibration, would remain below

a level of significance through compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The County Noise Ordinance limits construction activities to daylight hours (7:00 a.m. to 7:00 p.m.) using properly muffled vehicles. In addition to the County Noise Ordinance, the project applicant will be required to comply with project Conditions of Approval (outlined below) related to construction noise, which will limit activities further by requiring construction vehicles to be muffled and backup alarms adjusted to the lowest allowable levels. Due to the distance, natural terrain of the area, and ambient noise levels from Deer Park Road there is a low potential for impacts related to construction noise to result in substantial temporary or long-term construction noise impacts. Impacts would be less than significant.

7.3. CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions 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 daily between the hours of 8 am to 5 pm.

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in the Project Setting, above, land uses in the area are rural residential properties, wineries, and vineyards; of these land uses, residential land uses are considered the most sensitive to noise. Based on the standards in County Code section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.), the timeframe within which the winery currently has visitation and marketing events. Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use).

Noise from winery operations is generally limited and intermittent, meaning the sound level can vary during the day and over the course of the year, depending on the activities at the winery. The primary noise-generating activities are equipment associated with wineries including refrigeration equipment, bottling equipment, barrel washing, de-stemmers and press activities occurring during the harvest crush season, delivery trucks, and other vehicles. The Napa County General Plan EIR indicates the average, or equivalent, sound level (Leq) for winery activities is 51dBA in the morning and 41dBA in the afternoon. Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes. Typical winery production operations currently occur between 7:00 a.m. and 5:00 p.m. (excluding harvest), visitation (tours and tastings) occur between 10:00 a.m. and 5:00 p.m., with marketing events generally occurring between 10:00 a.m. and 10:00 p.m.

The proposed increases to production, annual visitation and marketing events were not accompanied by a request to change or extend the hours of operation of the winery, nor are new areas for outdoor activities proposed. Thus, while there might be a minor increase in noise generated by vehicles used for shipment of the increased volume of fruit and wine and by visitors and vehicles used by visitors, noise generated by the winery operations would continue to fall within the current hours of operation, excluding harvest, and in existing outdoor areas. Mobile bottling would continue to occur at the paved asphalt area south of the main winery building and east of the farmhouse, approximately 509 feet from the nearest offsite residence to the northwest. Mobile bottling, which is industry standard in Napa County, occurs approximately two times per year. It is accomplished by driving a mobile bottling truck into the suitable asphalt area and connecting a hose from the barrel room to the bottling truck. Except for the truck driver, all of the bottling work is done with the winery's employees. Bottling occurs during approved production days and hours (i.e., M-F, 7:00 a.m.- 5:00 p.m.). According to the applicant, bottling has occurred in this manner for over two decades. In addition, the winery has built an approved bottling section of the cave, which is designed to accommodate a bottling line, which would be installed if/when it is warranted by production needs. While there will be an overall increase in annual visitation, with the exception of the two annual marketing events for 100 guests, the maximum number of daily visitors (e.g., 70) will remain the same.

Under the proposed project, the largest event that would occur on the parcel would have an attendance of no more than 100 people, and all evening events would conclude by 10:00 p.m., with quiet clean-up conducted afterwards. The location of events are within areas previously approved for hospitality use. Continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Events and non-amplified music, excluding quiet clean-up, are required to finish by 10:00 p.m. Amplified music or sound systems would not be permitted for outdoor events as identified in standard Condition of Approval 4.10 below. Temporary events would be subject to County Code Chapter 5.36, which regulates proposed temporary events. The proposed project would not result in long-term significant permanent noise impacts.

4.10 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

c. The project site is not located within the boundaries of an airport land use compatibility plan nor the vicinity of a private airstrip. No impact would occur.

Mitigation Measures: None are required.

XIV.	**POPULATION AND HOUSING.** Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion:

a. Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environmental damage with the provision of a "decent home and satisfying living environment for every Californian." (See Public Resources Code §21000(g).) The 2008 General Plan sets forth the County's long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The policies and programs identified in the additional iterations of the General Plan Housing Element function, in combination with the County's housing impact mitigation fee, to ensure adequate cumulative volume and diversity of housing. Impacts on the local and regional population and housing balance would be less than significant.

The Association of Bay Area Governments' Plan Bay Area 2050 Growth Pattern figures indicate that the total households for Napa County are projected to increase some 10% by the year 2050, increasing from 50,000 to 56,000. Unincorporated Napa County, along with the cities of American Canyon, Napa, St. Helena, Calistoga and the town of Yountville all have existing compliant 6th Cycle Housing Elements certified by the State Department of Housing and Community Development. For the 6th Cycle, which runs from 2023 – 2031, Napa County jurisdictions have identified and have rezoned or are in the process of rezoning land to accommodate 3,844 dwelling units, more than half of the households projected by ABAG to develop in Napa County by 2050.

The requested use permit major modification would facilitate the continued operation of an existing winery on the project site, with expanded production and hospitality service. The addition of four (4) new employees is not anticipated to generate a substantial need for additional housing relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply that population growth does not rise to a level of environmental significance. In addition, any building permits would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs. Cumulative impacts on the local and regional population and housing balance would be less than significant.

The proposed project does not require installation of any new infrastructure, including that which might induce growth by extending services outside of the boundaries of the subject site or increasing the capacity of any existing roadway. Napa County collects fees from developers of nonresidential projects to help fund local affordable housing (see Napa County Code Section 18.107.060 – Nonresidential developments – Housing fee requirement). New visitors to the winery could increase demand for group transportation services to the winery, though the potential for employment changes of other businesses supporting the winery's requested operations is uncertain, unquantifiable, and speculative.

The policies and programs identified in the General Plan Housing Element function, in combination with the County's housing impact mitigation fee, ensure adequate cumulative volume and diversity of housing. With small staffing increases proposed and no off-site

expansion of utilities or facilities to serve other developments, the project would have a less than significant impact on population growth.

b. This application will not displace a substantial volume of existing housing or a substantial number of people and will not necessitate the construction of replacement housing elsewhere. No residential buildings on or off the property would be demolished as a result of the project. Thus, no residents would be displaced, and there would be no impact.

Mitigation Measures: None are required.

XV. **PUBLIC SERVICES.** Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Parks?	☐	☐	☒	☐
v) Other public facilities?	☐	☐	☒	☐

Discussion:

a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. Fire protection measures, such as winery access that meet Napa County Road and Street Standards (RSS) and defensible space will be required as part of the development. The Fire Department and Engineering Services Division have reviewed the application and recommend approval, as conditioned. There would be no foreseeable impact to fire or police emergency response times with compliance with these conditions of approval. The proposed project scope does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the cities north and south of the winery. No new parks or other public recreational amenities or facilities (such as police or fire stations) are proposed to be built with or as a result of the requested use permit major modification. School impact fees, which assist local school districts with capacity building measures, would be levied for any required building permits for the project, however as demonstrated in **Section XIV(a), Population and Housing**, the project is expected to create a minimal increase in the county's population and its need for housing such that local schools would not be strained by the proposed project and the increase in visitation, marketing events, and employment. The proposed project would have a minimal impact on public parks as no residences are proposed, and as previously noted the increase in regional population from the proposed project is expected to be minimal. Impacts to public services would be less than significant.

Mitigation Measures: None are required.

XVI.	**RECREATION.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion:

a. The requested use permit major modification does not include any residential component and is not likely to lead to the accompanying introduction of new residents to the site or area. The use permit major modification would increase the number of winery employees and the number of daily tours and tastings visitors to the property, some of whom might visit regional recreational facilities on the way to or from other wineries. However, given that the purpose of employees' and guests' trips are to and from the winery as the primary destination, such visits to area recreational facilities are anticipated to be infrequent and would not drastically accelerate the deterioration of the park amenities. This impact would be less than significant.

b. No new public recreational amenities are proposed to be built with, or as a result of, the requested use permit major modification. The proposed project would have no impact.

Mitigation Measures: None are required.

XVII.	**TRANSPORTATION.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c)	Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d)	Result in inadequate emergency access?	☐	☐	☒	☐
e)	Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	☐	☐	☒	☐

Discussion:

a./c./d. The winery is accessed via an existing driveway off Deer Park Road. The project proposes to construct an additional driveway connection to Deer Park Road, south of its current driveway, creating a one-way loop providing access to visitor parking and another one-way loop around the winery building. The two one-way loops intersect near the farmhouse building. An existing graveled area preceding the new visitor parking spaces will provide a turnout area.

While the study area lacks pedestrian facilities and transit service, there is not expected to be a demand, and therefore, the lack of facilities is considered acceptable. As proposed the project would not conflict with any plans, ordinances or policies addressing the circulation system. All designs will comply with Napa County Road & Street Standards (RSS) and standards for safe access into and throughout the site. The project would not substantially increase hazards due to design features or result in inadequate emergency access. CalFire and Engineering divisions have reviewed the proposed plans for access and circulation and found them to be in compliance with the RSS. Impacts would be less than significant.

b. As part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised *CEQA Guidelines* in December 2018, along with a *Technical Advisory on Evaluating Transportation Impacts in CEQA* to assist practitioners in implementing the *CEQA Guidelines* revisions.

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that "projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact." That policy is followed by an action item (CIR-7.1) directing the County to update its CEQA procedures to develop screening criteria for projects that "would not be considered to have a significant impact to VMT" and that could therefore be exempted from VMT reduction requirements.

The new *CEQA Guidelines* and the OPR Technical Advisory note that CEQA provides a categorical exemption (Section 15303) for additions to existing structures of up to 10,000 square feet, so long as the project is in an area that is not environmentally sensitive and where public infrastructure is available. OPR determined that "typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract 110-124 trips per 10,000 square feet". They concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. This project would fall into the category of a "project modifying an existing facility that would generate additional trips". The TIS Guidelines state that if the net cumulative result of all project modifications after January 1, 2022, would generate less than 110 net new daily passenger vehicle and truck trips the project is presumed to have a less than significant impact for VMT. Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

Based on the County's winery trip generation assumptions, the proposed project would be expected to generate 16 new daily trips on a Friday during harvest (worst case scenario) with five (5) PM peak hour trips and four (4) net new trips on a Saturday with two (2) midday peak hour trips. Although the project did not meet the threshold requiring preparation of a traffic impact study or VMT analysis, a Traffic Study Report (TSR) was prepared by GHD, dated ~~July 12, 2024~~ August 12, 2025, to address left-turn lane warrants at the request of the Department of Public Works. According to the TSR a left-turn lane would be required on Deer Park Road at the existing driveway. However, the project includes a request for an exception to the Napa County Road and Street Standards to waive the requirement to provide a left-turn lane (LTL).

The applicant has provided information dated November 16, 2025, indicating that granting the exception is necessary to preserve unique features of the natural environment that would be permanently lost by developing a left turn lane. Construction of a LTL would result in unavoidable adverse impacts to 21 protected trees of significant importance that are part of an oak woodland and are well over 6 inches in diameter at breast height. A LTL would also require substantial grading of two (2) steep, nearly vertical cut slopes immediately adjacent to the narrow roadway shoulder, which consist of natural rock features and are forested with many protected trees. Further, if Deer Park Road is widened to the east, then the winery's 100-year stone wall and mailbox would have to be dismantled and reconstructed. The historic mailbox, just off the roadway shoulder is within the relevant construction area. The entire stone wall and part of the winery's gate, would require relocation to maintain compliance with the County's 30-foot driveway setback requirement. According to the applicant, this historic stonework cannot be reproduced and must be protected. In addition, the applicant indicates that the vast majority

(>95%) of the traffic accessing the site would be coming from the valley floor via Deer Park or Sanitarium Roads; very few trips would be coming from uphill (the Angwin area) and using the left turn lane. Construction of a LTL that almost no one will use is not advisable. For those cars that do need to make a left turn into the driveway, there is adequate sight distance to allow cars to see a turning vehicle and stop to avoid it. Additionally, the applicant has agreed to participate in the procurement and installation of two radar feedback signs which will be installed on either side of the project driveway to help mitigate driver's speed near the project. Because of the location of the driveway relative to the intersection formed by Deer Park and Sanitarium roads, the geometry of the LTL would be awkward at best, and possibly be less safe than the current configuration

Based on the information submitted by the applicant, the Director of Public Works determined that the left turn lane need not be installed for this project. The cumulative impacts as further supported by the very few trips that would benefit by the installation of the left turn lane leads to the reasonable conclusion that the lane need not be installed.

Although not required, the TSR includes suggested and/or occurring measures to reduce the demand of vehicles travelling to and from the site. The TSR includes a Traffic Demand Management (TDM) Plan memorializing these measures. The TDM Plan includes: maximum daily visitation of 70 people per day including tours and tasting and marketing events of 25-50 guests; limiting tours and tastings to 25 people during days when marketing events host up to 100 guests; shuttle service for the 100 person events and groups of 15 or more persons for tours and tastings; staggering employee work hours, and ride share programs. The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

e. Developers of new or expanded land uses are required to provide adequate parking or demonstrate that adequate parking exists to meet their anticipated parking demand. Excess parking that could stimulate unnecessary vehicle trips or commercial activity exceeding the site's capacity is discouraged. The winery currently has 11 approved parking spaces and proposes adding nine (9) spaces for a total of 20 parking spaces. The TSR determined that the proposed parking supply is adequate for the anticipated demand based on increase to the number of employees and visitors. The proposed project would not be in conflict with General Plan Policy CIR-14.

Mitigation Measures: None are required.

XVIII. **TRIBAL CULTURAL RESOURCES.** Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	☐	☐	☐	☒
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Discussion:

a/b. On January 16, 2025, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. Staff received a response from the Yocha Dehe Tribe on February 14, 2025; the Tribe did not request to consult or provide comments. Staff also received a request from the Middletown Rancheria Tribal Historic Preservation Department requesting additional information which was provided on May 12, 2025. No additional correspondence or requests have been received from Middletown Rancheria Tribal Historic Preservation Department.

Mitigation Measures: None are required.

XIX.	UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion:

a. The project would not violate any water quality standards or waste discharge requirements. A Wastewater Feasibility Study, dated July 12, 2024, was prepared by RSA+, detailing the existing system and proposed changes to accommodate the changes in production, employees, and hospitality. The proposed wastewater improvements presented in this feasibility study will enhance the method of wastewater treatment that is currently used by the facility. According to the study, an Engineered septic system is proposed to treat and disperse domestic wastewater from the winery and residences. An existing 1,500-gallon septic tank will be replaced in its same location with a traffic rated tank. Domestic wastewater will flow to this tank and then to a 1,500-gallon recirculation tank and from there to two treatment pods. The treated wastewater will flow to a 3,000-gallon holding tank prior to dispersal to a subsurface drip system. The subsurface drip field is sized to meet the Environmental Health Division's guidelines. Production wastewater will be treated using a BioFiltro system or equivalent prior to surface discharge for vineyard irrigation. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Impacts would be less than significant.

   The project will receive water from the Howell Mountain Mutual Water Company (HMMWC) for domestic use by the winery and residences. The HMMWC issued a will-serve letter indicating that they will provide the additional 0.68 acre-feet of water use associated with the increases to production, employees and visitors.

   Stormwater drainage would be managed through the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. All on site civil improvements will be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division. The project does not require the construction of new or expanded electric power, natural gas, or telecommunications facilities. Impacts are expected to be less than significant.

b. As discussed in Section X. a Water Availability Analysis was prepared by RSA+, dated July 12, 2024, there is an overall slight increase in annual water consumption associated with the proposed project. The increased demand from 0.70 acre-feet to 1.38 acre-feet annually for winery process water and domestic water for the winery and residences will be provided by the HMMWC. The proposed project would not impact groundwater availability.

c. As discussed above and in Section X, Hydrology, the existing on-site domestic waste system can accommodate the proposed increases to employees and visitors. Winery process waste will be treated by a new onsite system, which has been sized to accommodate the proposed production capacity of 50,000 gallons. The Division of Environmental Health reviewed this report and concurred with its

findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. The project is not served by a wastewater treatment provider; therefore, no impact would occur.

d/e. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have more than sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measures: None are required.

XX.	**WILDFIRE.** If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
	b) Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
	c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
	d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Discussion:

a. There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The proposed new (second) driveway on Deer Park Road will be designed and improved to meet commercial standards as defined in the Napa County Road & Street Standards (RSS). Access onto and throughout the parcel includes design components to accommodate fire and emergency apparatus. The Fire Marshal's office has reviewed the plans, which demonstrate that the project would have adequate emergency access to the existing development.

b. According to the Napa County Environmental resource maps (based on the following GIS layer – Fire Hazard Severity Zones) the project site within an area designated as a high fire risk. Although the project results in a larger amount of people on site, the physical improvements and operational changes would not result in a physical modification to the slope of the site, change prevailing winds, or alter other factors that would likely exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

c. The Fire Marshal's office has reviewed the plans, which demonstrate that the project would have adequate emergency access to the existing development. The proposed second driveway off Deer Park Road will meet current standards. The project does not require installation or maintenance of infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Impacts will be less than significant.

d. The physical improvements are in an area of the site which is already graded and paved or planted in vines. The proposed project would not physically alter the site in a way which would expose people or structures to risks such as downstream or downslope flooding or landslides resulting from runoff, post-fire instability or drainage changes. Impacts would be less than significant.

Mitigation Measures: None are required.

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

Discussion:

a. The project consists mainly of changes to the operational aspects of the winery including increased wine production, employees and visitors. The winery property is currently developed with winery building and caves, residential use, an agricultural barn, parking and access drives, other miscellaneous structures, vineyards, and associated infrastructure. An unnamed blue line stream runs along the east side of the developed area, fed by several ephemeral drainage channels northeast of the developed area on the vineyard property. Physical improvements proposed on the winery property include replacing the wastewater treatment system in place, providing additional parking spaces on an existing paved area, and a new driveway connection to Deer Park Road through a portion of the existing vineyard. As discussed in Section IV. – Biological Resources, three water storage tanks for vineyard irrigation, each with a 10,000-gallon capacity, were entitled as part of the Bremer Winery Vineyard Conversion Erosion Control Plan (#P11-00317-ECPA) on the vineyard property which would be replaced by four water storage tanks with a storage capacity of 5,000 gallons each in the same location. Mitigation measure BIO-1 has been included to reduce potential impacts to Holly-Leaf Ceanothus plants. The physical improvements are proposed on already disturbed and/or developed areas of the site. No development is proposed within the blue line stream or ephemeral drainage channels. No tree removal is required as part of the project. Based on site conditions the proposed project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal.

   As identified in Section V. - Cultural Resources, Tom Origer & Associates (TOA) prepared an Archaeological Survey Report, dated November 3, 2006, as part of the previously approved Erosion Control Plan (P11-00317-ECPA) for vineyard development that included both the winery and vineyard properties . The report was prepared to determine the presence or absence of potentially significant cultural resources within the development area. According to the report, no significant or potentially significant prehistoric artifacts, archaeological deposits, or features were identified within the project area. The soil observed did not indicate any subsurface deposits or evidence of prehistoric human occupation. Since no significant cultural resources were identified on the property, no further recommendations were warranted for cultural materials. The proposed improvements would be in previously disturbed areas of the site, accidental upset of unidentified resources is unlikely. The project would not result in significant impacts or eliminate important examples of the major periods of California history or prehistory. Impacts would be less than significant.

b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to air quality, greenhouse gas emissions, hydrology, and traffic are discussed in the respective sections above and were determined to have a less than significant impact. As discussed in Section VIII. Green House Gas and Section XVII. Transportation, potential impacts to air pollution and GHG emissions are being addressed through meeting BAAQMD recommended design elements, with the addition of Greenhouse Gas

Voluntary Best Management Practices, and VMT reduction strategies. The applicant already implements the following greenhouse gas reduction methods at the winery the use of energy-conserving lighting, the use of water efficient fixtures, and site design that is oriented and designed to optimize conditions for natural heating, cooling, and day-lighting of interior spaces, and to maximize winter sun exposure, which includes the existing cave. As a component of the vineyard operation, the applicant indicated that the operators implement BMPs that include use of 70-80 percent cover crop (BMP-31) and chipping and reuse of pruned biomass, rather than burning the material on-site (BMP-32). Section X. Hydrology includes details of the Water Availability Analysis which indicates that water for the winery and residences on the winery property is provided by the Howell Mountain Mutual Water Company. Consequently, the project would not interfere with groundwater recharge or lowering of the local groundwater level. The Traffic Study Report (TSR) ~~Impact Study (TIS) Report~~ detailed in Section XVII, Transportation, concluded that the proposed project would not have significant impacts on the County roadway system. Although the project falls below the County threshold requiring a VMT analysis, the TSR ~~TIS~~ recommended the implementation of a Traffic Demand Management Plan to reduce VMTs associated with the project. Potential cumulative impacts would be less than significant.

c. All impacts identified in this mitigated negative declaration are less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human being either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None are required.

“D”

Previous Conditions of Approval

697879
021-400-002
P-UP-APVL
8/24/79

NAPA COUNTY

CONSERVATION—DEVELOPMENT AND PLANNING COMMISSION

W. Scott Snowden
CHAIRMAN

1121 FIRST STREET • NAPA, CALIFORNIA 94558
AREA CODE 707/253-4416

August 24, 1979

David S. Clark
2290 Boyson Lane
St. Helena, CA 94574

Dear Mr. Clark:
Your Use Permit Application Number ~~U-697879~~ to ~~reactivate a winery~~

~~on a 26.65 acre parcel~~

located ~~on east side of Deer Park Rd. within an RD:b5 Dist.~~ Assessor's Parcel # 021-400-02
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 15, 1979~~

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:jg

cc: Donald W. Jonas
Building Codes Administrator
County of Napa

Note: Approval of this application is subject to rezoning approval by the Board of Supervisors.

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

USE PERMITS

DEPARTMENT REPORT AND RECOMMENDATION

Meeting of August 15, 1979

Agenda Item: 11

APPLICATION DATA:

APPLICANT: David S. Clark Etal #U-697879 (Filed May 2, 1979)

REQUEST FOR: To reactivate a winery on a 26.65 acre parcel

LOCATION: On the east side of Deer Park Rd. at its intersection with Sanitarium Rd. within an RD:B-5 Dist (Recommended for AW) assessor's Parcel # 21-400-02

FINDINGS: [All checked (X) Items Apply to This Application]

SPECIAL INFORMATION:

☒ 1. Details of the proposal are contained in the attached supplemental information sheet.

☒ 2. Comments and recommendations from various County departments and other agencies are attached.

☒ 3. On aug. 1, 1979, the Commission recommended to the Board of Supervisors that the subject parcel along with an adjacent parcel owned by the applicant be rezoned from RD:B-5 and RD:A:B-5 to AW.

ENVIRONMENTAL ANALYSIS:

☐ 4. General Rule (Not Subject to CEQA).

☐ 5. Categorically Exempt pursuant to the California Enviornmental Quality Act (Class # _____).

☐ 6. Final Environmental Impact Report # _____ prepared by:

_____

(See Agenda Item # _____).

☒ 7. The project is not anticipated to result in significant environmental effects, either individually or cumulatively. There are no unique or rare biological or physical resources that will be adversely effected. A Negative Declaration is recommended.

10/12/78

Agenda Item: 11

Report and Recommendation

Meeting Date: August 15, 1979

Use Permit - #U-697879, David S. Clark

PLANNING AND ZONING ANALYSIS:

☒ 8. The procedural requirements for Use Permit outlined in the Zoning Ordinance have been satisfied in regard to this application.

☒ 9. The submitted proposal is in general compliance with Ordinance requirements.

☒ 10. Approval of this proposal would not result in detrimental effects to the public health, safety or general welfare.

☒ 11. The proposal is in conformance with the General Plan designation of Open Space - Agriculture, Watershed specified for the property.

☐ 12. The property is within the district boundary and/or the Sphere of Influence of the following districts:

American Canyon County Water District (See attached map).	☐ Within district	☐ Within Sphere
American Canyon Fire Protection District (See attached map).	☐ Within district	☐ Within Sphere
_____	☐ _____	☐ _____
_____		

☐ 13. This proposal should be denied pursuant to findings contained in the attached Exhibit _____.

☐ 14. _____

_____

_____

_____

RECOMMENDATION:

☐ Continue to meeting of _____.
☒ Action

ENVIRONMENTAL:

☐ None Required.
☒ Issue a Negative Declaration.
☐ Certify Final EIR as adequate.

PLANNING:

☐ DENIAL based on Finding #13.
☒ APPROVAL with Findings and subject to the attached Conditions of Approval.

10/12/78

CONDITIONS OF APPROVAL

#U-69779, David S. Clark Agenda Item: 11

Meeting Date: August 15, 1979

☒ 1. The permit be limited to: reactivation of a ± 6780 sq. ft. winery.

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 finalization of the Building Permit.

☒ 3. Provisions for a min. of 5 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 tasting be allowed

☒ 11. any esterior lightning be directed away from adjacent properties.

10/12/78

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
SUPPLEMENTAL INFORMATION SHEET
USE PERMIT APPLICATION

1. DESCRIPTION OF PROPOSED USE:

USE: WINERY AND VINEYARD

PRODUCT OR SERVICE PROVIDED: TABLE WINES AND GRAPES

FLOOR AREA: EXISTING STRUCTURES SEE SQ. FT. NEW CONSTRUCTION NONE SQ. FT.
ATTACHED SITE IMPROVEMENT PLOT.

2. NEW CONSTRUCTION:

TYPE OF CONSTRUCTION: NONE

FENCING: TYPE VARIOUS WIRE/WOOD LOCATION VARIOUS-DRIFT FENCE HEIGHT 3-4 FT.

MAX. HEIGHT (FT.): EXISTING STRUCTURES 15 FT. PROPOSED STRUCTURES N/A

3. AVERAGE OPERATION:

HOURS OF OPERATION 8:00 A.M. TO 5:00 P.M. DAYS OF OPERATION 5 M-F

NUMBER OF SHIFTS: 1 EMPLOYEES PER SHIFT: 2 FULL TIME 2 PART TIME 1

NUMBER OF DELIVERIES OR PICK-UPS: ONE OR LESS PER DAY

NUMBER OF VISITORS ANTICIPATED: ONE PER DAY SIX PER WEEK

ARE THERE SPECIAL OPERATIONS? PLEASE DESCRIBE ON ATTACHED PAGE

4. LANDSCAPING AND PARKING:

EXISTING LANDSCAPING: CITRUS, WALNUT, OLIVE, LIVE OAK, PINE, MANZANITE, CHAPARRAL

PROPOSED LANDSCAPING: PLANT FLOWERS & DECORATIVE SHRUBS AROUND DWELLING & WINERY

PARKING SPACES: EXISTING SPACES 9 EMPLOYEE 4 CUSTOMER 5
PROPOSED SPACES NONE EMPLOYEE — CUSTOMER —

5. UTILITIES:

WATER SUPPLY SOURCE: FRIESEN WATER CO. METHOD OF SEWAGE DISPOSAL: SEPTIC TANK

6. LICENSES OR APPROVALS REQUIRED:

DISTRICT _____ REGIONAL _____
STATE WINE GROWERS FEDERAL WINE GROWERS

7. WINERY OPERATION:

YES CRUSHING YES FERMENTATION YES STORAGE/AGING YES BOTTLING/PACKING
YES SHIPPING: VIA TRUCK: YES ADMINISTRATIVE: NO TOURS/PUBLIC TASTING
OTHER: _____

GALLONS OF WINE TO BE PRODUCED: ✓ INITIAL OR CURRENT PRODUCTION 7200 GALLONS/YEAR
✓ ULTIMATE PRODUCTION 14,400 GALLONS/YEAR

6/10/77

RECEIVED
JUL 12 1979

Napa County Conservation, Development & Planning Commission

NAPA COUNTY CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1121 FIRST STREET • NAPA, CALIFORNIA 94558
AREA CODE 707/253-4416

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Environmental Health

APPLICATION TITLE: Clark Winery APP# 21-010-47 and 21-400-02 FILE #: U-697879

RESPONSE REQUEST DATE: July 10, 1979 RESPONSE RETURN DATE: July 24, 2979

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.

General Questions

1. Do you have jurisdiction by law over this project [XX] Yes [ ] No
2. Do you recommend: [XX] Approval [ ] Denial [ ] No Recommendation
3. Recommended conditions-of-approval (use additional page if needed);
   That the applicant secure a discharge requirement, or waiver of same, from the Regional Water Quality Control Board.
   That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
   That a permit for the sewage disposal system be secured from the Division of Environmental Health.
4. Are you a responsible agency? [XX] Yes [ ] No. If yes, indicate required permits: Water supply and sewage disposal.
5. Indicate areas of environmental concern and availability of appropriate technical data: None
6. Do you recommend: [XX] Negative Declaration [ ] Environmental Impact Report
7. Have you previously reviewed an application on any portion of this project? [XX] Yes [ ] No
8. Name of contact person: Trent Cave Telephone: 253-4431

Response Prepared by:
Title: Land Use Specialist
Date: 7-11-79

February 8, 1978

RECEIVED
AUG 8 1979
Napa County Conservation, Development & Planning

NAPA COUNTY

DEPARTMENT OF PUBLIC WORKS

HARRY D. HAMILTON
Director of Public Works
County Surveyor — County Engineer
Road Commissioner

1127 FIRST STREET • NAPA, CALIFORNIA 94558
AREA CODE 707/ 253-4351

August 8, 1979

Napa County Conservation,
Development and Planning
Commission
1121 First Street
Napa, California 94558

RE: Deer Park Road
Clark, et al - Winery
CDPD File # U-697879

Commissioners:

This Department and the Napa County Flood Control and Water Conservation District have reviewed the referenced use permit application. The following items which are checked, as filled in, apply to this application. Our recommendations are based upon that data supplied to us with the use permit application.

☐ We find that the intended use will not generate a significant amount of traffic. Therefore, no roadway improvements are recommended.

☐ A strip of land ____ feet in width along _____ is to be irrevocably offered for dedication to Napa County for roadway and utility right of way purposes.

☑ Any rights of way found crossing the proposed parcels to serve parcels further removed from the public roadways are to be irrevocably offered to the County of Napa for roadway and utility rights of way purposes. These rights of way shall have a minimum width of 40 feet.

☑ Right of way widening to 30 feet from the centerline of Deer Park Road along the frontage of the subject parcels is to be granted in easement to Napa County for roadway and utility right of way purposes.

☑ A roadway which extends from the winery to the County road is to be constructed to the status of a dust free all weather surface, i.e., a minimum 11 foot paved roadway consisting of a double seal coat on a minimum of 5 inches Class II aggregate base, with a 4 foot graded shoulder.

☑ Paved turn-outs, consisting of a pavement widening to 16 feet, with a length of 60 feet, are required at strategic points, i.e., where terrain and/or road alignment warrant, with 500 feet being the maximum distance between turn-outs.

☑ A driveway connection is to be constructed to provide a pavement width of 16 feet from the public road back to 30 feet from the public road. This is to be improved to the status prescribed above.

☑ Any parking area required by the Commission is to be improved to the status of a dust free all weather surface, i.e., a minimum of 5 inches of Class II aggregate base and a double sealcoat.

☑ The Napa County Flood Control and Water Conservation District has no comments.

Very truly yours,

HARRY D. HAMILTON, P.E.
Director of Public Works

by
John W. Stewart, P.E.
Associate Civil Engineer

JWS/pjs

cc: Applicant

RECEIVED
JUL 20 1979
Napa County Conservation, Development & Planning Commission

NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1121 FIRST STREET • NAPA, CALIFORNIA 94559
AREA CODE 707/253-4416

PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS

TO: S.F. Bay Regional Water Quality Control Board

APPLICATION TITLE: CLARK WINERY FILE #: U-692879

RESPONSE REQUEST DATE: 10 July '79 RESPONSE RETURN DATE: 24 JULY 1979

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.

General Questions

1. Do you have jurisdiction by law over this project [✓] Yes [ ] No
2. Do you recommend: [ ] Approval [ ] Denial [✓] No Recommendation
3. Recommended conditions-of-approval (use additional page if needed);
   Adequate sewage disposal system
   Proposed project should not impair water quality
4. Are you a responsible agency? [ ] Yes [ ] No. If yes, indicate required permits: Napa Co. Health Dept. approval will suffice but waste discharge requirements will be adopted if recommended by Health Dept. or if flow increases.
5. Indicate areas of environmental concern and availability of appropriate technical data: Potential effects on groundwater
6. Do you recommend: [ ] Negative Declaration [ ] Environmental Impact Report
7. Have you previously reviewed an application on any portion of this project? [ ] Yes [✓] No
8. Name of contact person: Robert K Baker Telephone: (415) 464-0379

Response Prepared by: Robert K Baker
Title: Area Engineer
Date: 7/18/79

February 8, 1978

RECEIVED
JUL 18 1979
Napa County Conservation Development & Planning Commission

NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1121 FIRST STREET • NAPA, CALIFORNIA 94558
AREA CODE 707/253-4416

PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS

TO: Dept. of Alcoholic Beverage Control

APPLICATION TITLE: CLARK JOURNERY FILE #: U-697879

RESPONSE REQUEST DATE: 10 July '79 RESPONSE RETURN DATE: 24 JULY 1979

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.

General Questions

1. Do you have jurisdiction by law over this project [X] Yes [ ] No
2. Do you recommend: [ ] Approval [ ] Denial [X] No Recommendation
3. Recommended conditions-of-approval (use additional page if needed);

4. Are you a responsible agency? [X] Yes [ ] No. If yes, indicate required permits: Winegrower

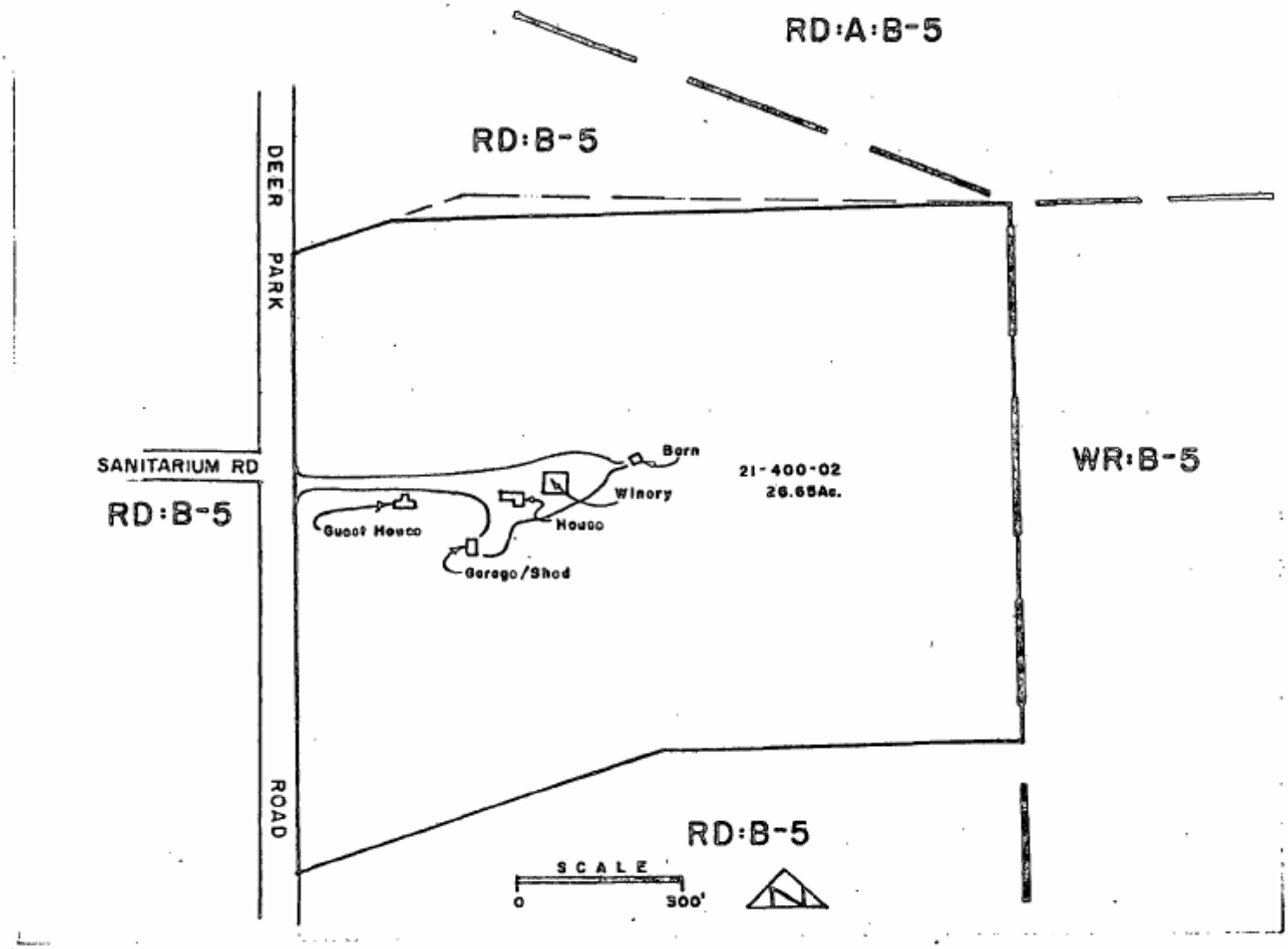
5. Indicate areas of environmental concern and availability of appropriate technical data:

6. Do you recommend: [ ] Negative Declaration [ ] Environmental Impact Report
7. Have you previously reviewed an application on any portion of this project? [ ] Yes [X] No
8. Name of contact person: Glen Davis Telephone: 707 545-0406

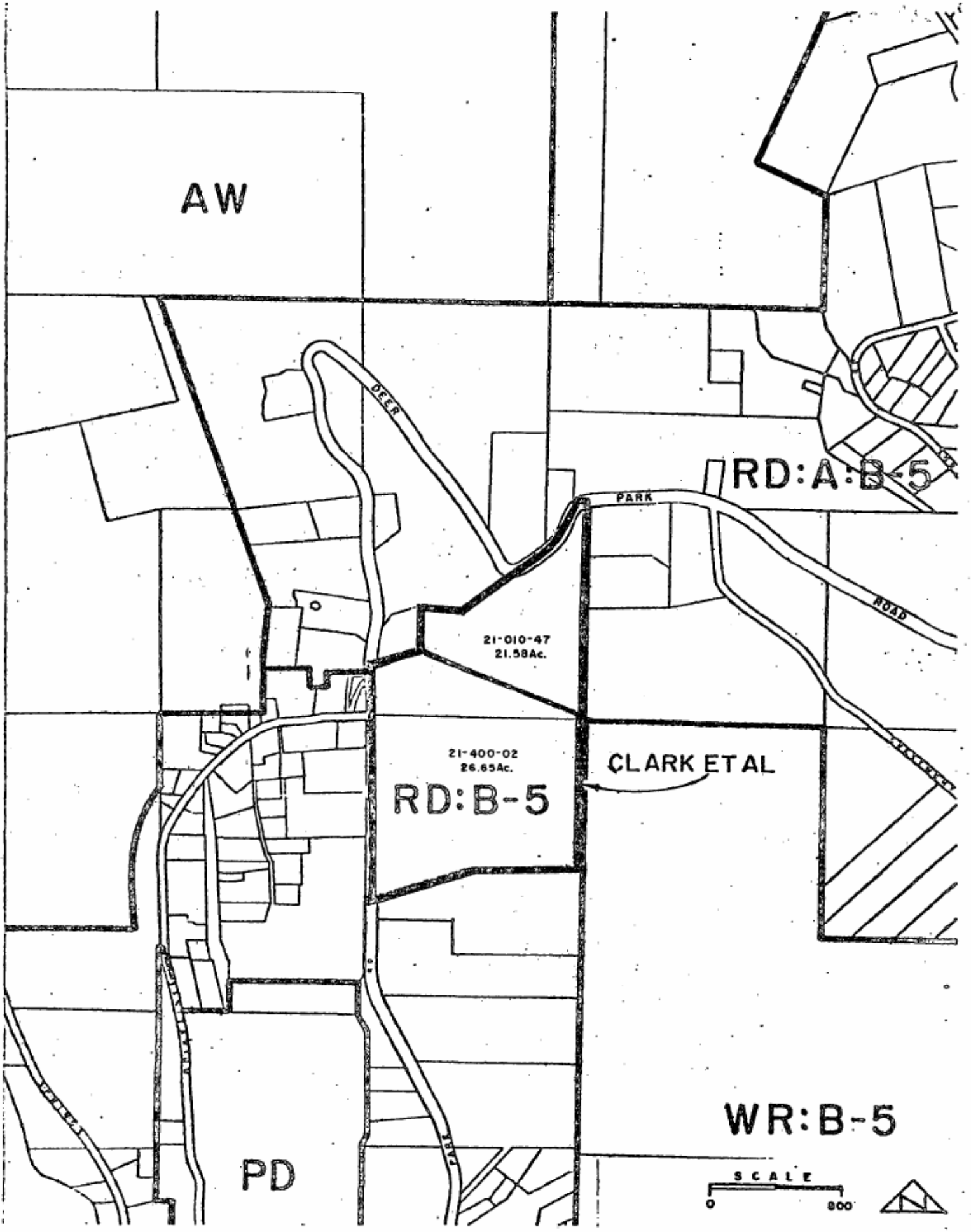
Response Prepared by: G Davis
Title: Sr Spec Investr
Date: 7/17/79

February 8, 1978

CLARK ET AL

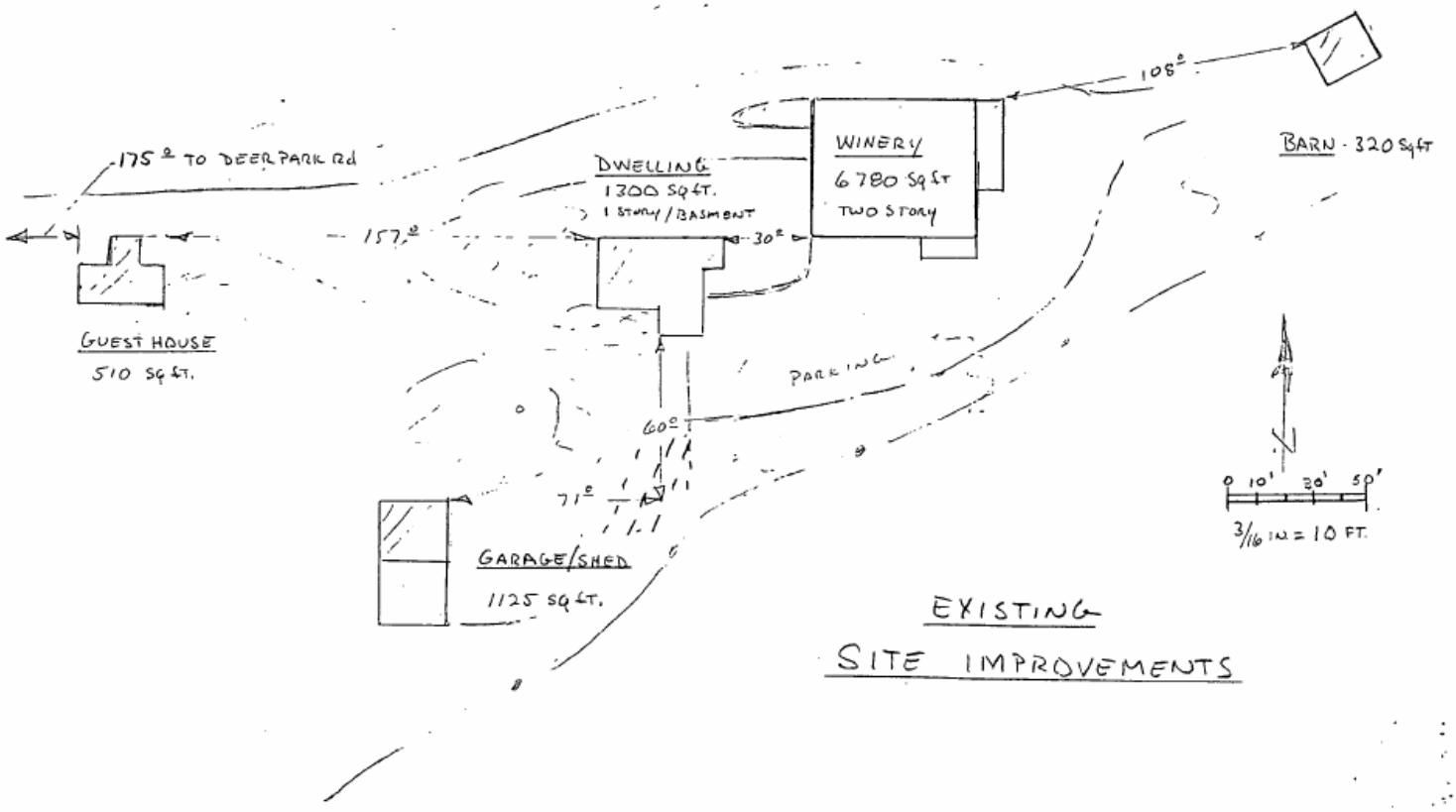


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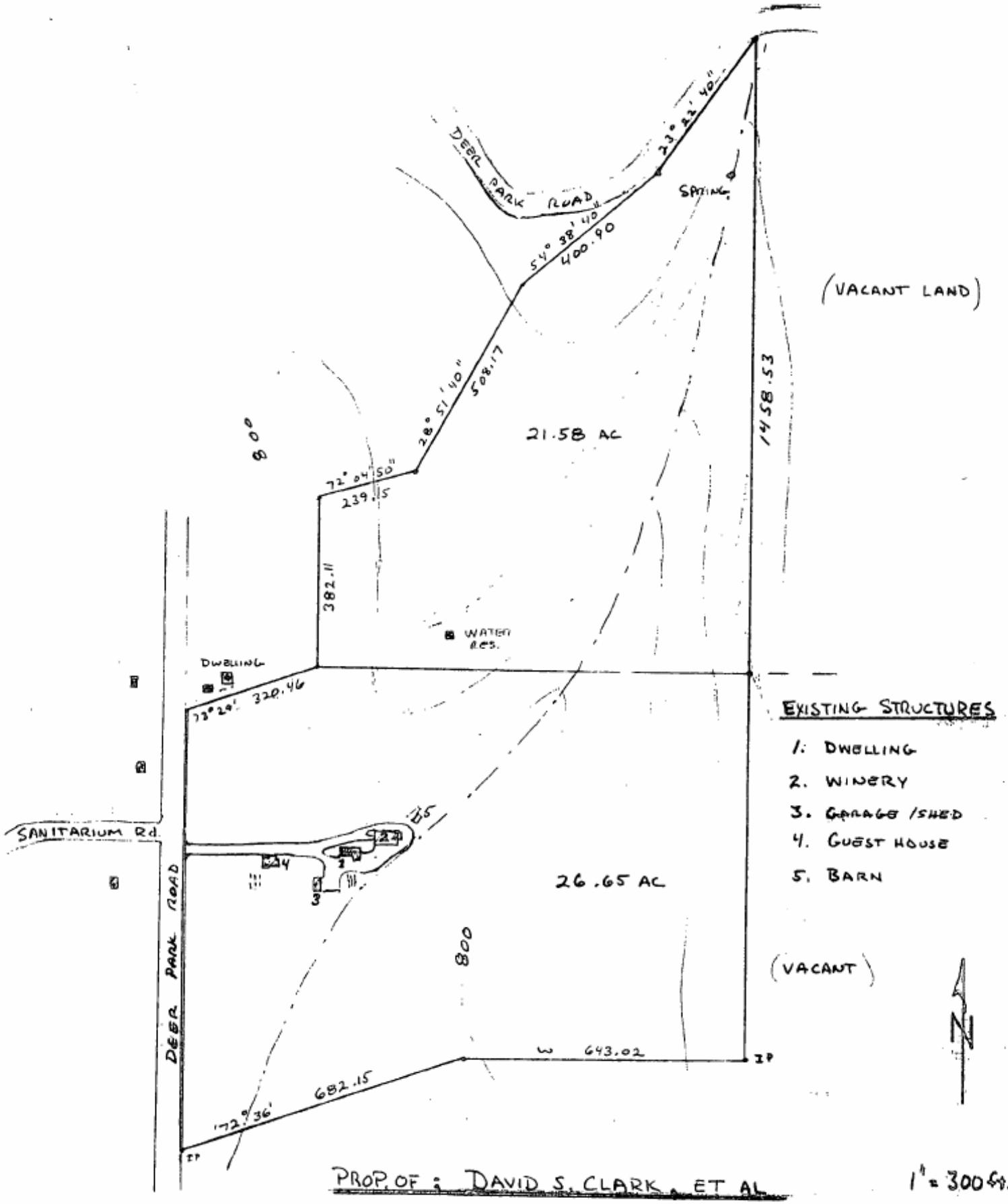

AW
DEER
RD:A:B-5
PARK
ROAD
21-010-47
21.58Ac.
21-400-02
26.65Ac.
RD:B-5
CLARK ET AL
WR:B-5
PD
SCALE
0
800

1-29-77

Attachment to Application For Land Use Permit; DAVID S CLARK etal



EXISTING
SITE IMPROVEMENTS


DEER PARK ROAD
SPRING
23° 22' 40"
54° 38' 40"
400.90
28° 51' 40"
508.17
72° 04' 50"
239.15
382.11
800
1458.53
(VACANT LAND)
21.58 AC
WATER RES.
DWELLING
73° 29'
320.46
SANITARIUM Rd.
DEER PARK ROAD
26.65 AC
800
(VACANT)
W 643.02
IP
172° 36'
682.15
IP
EXISTING STRUCTURES
1. DWELLING
2. WINERY
3. GARAGE /SHED
4. GUEST HOUSE
5. BARN
N
PROP. OF : DAVID S. CLARK, ET AL
1000 DEER PARK ROAD
DEER PARK, CALIF.
1" = 300 Ft.

COUNTY of NAPA
CONSERVATION, DEVELOPMENT AND PLANNING

HILLARY GITELMAN
Director

December 13, 2007

Bremer Family Winery
John and Laura Bremer
150 Pine Place
St. Helena, Ca 94574

Re: **Bremer Family Winery, MODIFICATION**
Minor Modification #P07-00654-MODMIN
Assessor's Parcel Number 021-400-002-000

Dear Mr. & Mrs. Bremer:

Please be advised that your request for a Minor Modification (file number P07-00654-MODMIN) to the Bremer Family Winery Use Permit U-697879 to construct an 11,685 square foot barrel storage cave has been **APPROVED** by the Director of Conservation, Development and Planning on December 13, 2007 based on the attached conditions of approval and applicable County regulations.

EXPIRATION DATE: December 13, 2009

Pursuant to Section 18.124.080 of the Napa County Code, this minor modification 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 minor modification permit. In addition, approval of this minor modification has no effect on the time limits in which to activate the original project use permit.

Please be advised that the Director of Conservation, Development and Planning has determined that this minor modification is **Categorically Exempt** from the provisions of CEQA, the California Environmental Quality Act. Pursuant to CEQA Section 15303, Class I, Existing Facilities and No Expansion of Use and Class 3, New Construction or Conversion of Small Structures, and Appendix B, Class 3, New Construction or Conversion of Small Structures of Napa County's Local Procedures for Implementing the California Environmental Quality Act, the project is not located in an environmentally sensitive area.

The modification is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be noticed.

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 90-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun.

Should you have any questions, please contact Linda St. Claire, Project Planner at (707)299-1348 or e-mail at *lstclair@co.napa.ca.us* .

Sincerely,

Hillary Gitelman
Director

Linda St. Claire

By: Linda St. Claire
Planner

CONDITIONS OF APPROVAL

Bremer Family Winery Modification

File # P07-00654-MODMIN
APN: #021-400-002-000

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

   - Construct an 11,685 square foot cave for wine barrel storage.
   - Removed cave spoils to be deposited at Winery site (5,690 cubic yards) and the nearby parcel (2,000 cubic yards) APN 025-370-058-000, in accordance with permit W07-00895.
   - Any expansion or changes in use shall be approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.
   - The structures shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors and employees to ensure compliance is achieved. Any expansion or changes in use shall be approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

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

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

   Department of Public Works as stated in their letter of December 13, 2007
   County Fire Department as stated in their letter of October 24, 2007
   Department of Environmental Management in their letter of December 04, 2007
   Napa County Building Department in their letter of October 14, 2007

   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. **INDEMNIFICATION**

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

4. **PREVIOUS CONDITIONS:**

   The permittee shall comply with all previous conditions of approval for Use Permit 697879-UP dated August 24, 1979,

   - 6,780 square foot winery
   - 15,000 gallon annual maximum production capacity

- no public tours or tastings

except as modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control and supersede earlier ones.

5. **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 ($136.27/hour as of July, 2007). 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.

HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

February 26, 2008

Bremer Family Winery
975 Deer Park Road
St Helena Ca 94574

Re: **BREMER FAMILY WINERY – PORCH AND DECK ADDITION**
Very Minor Modification #P08-00088-MODVMIN
Assessor's Parcel Number 021-400-002-000

Please be advised that your request for a Very Minor Modification (file number P08-00088-MODVMIN) to the Bremer Family Winery Use Permit (file number #U697879-UP) has been **APPROVED** by the Director of Conservation, Development and Planning on February 14, 2008 based on the attached conditions of approval and applicable County regulations.

EXPIRATION DATE: February 14, 2010

Pursuant to Section 18.124.080 of the Napa County Code, this very minor modification 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 very minor modification permit. In addition, approval of this minor modification has no effect on the time limits in which to activate the original project use permit.

Please be advised that the Director of Conservation, Development and Planning has determined that this very minor modification is **Categorically Exempt** from the provisions of CEQA, the California Environmental Quality Act. Pursuant to CEQA Section 15301, Class 3, New Construction, and Appendix B, Class 1, Existing Facilities of Napa County's Local Procedures for Implementing the California Environmental Quality Act, the project consists of a minor repair and addition to the existing porch and deck to a previously approved project involving no expansion in marketing or production activities and is not located in an environmentally sensitive area.

The modification is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be noticed.

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 90-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun.

Should you have any questions, please contact Suzanne Gardner-Gambill, Project Planner at (707)299-1334 or e-mail at sgambill@co.napa.ca.us.

Sincerely,

Hillary Gitelman
Director

By: Suzanne Gardner-Gambill
Planning Technician

cc: John Tuter, Assessor

CONDITIONS OF APPROVAL

Bremer Family Winery

Repair and Addition to the Porch and Deck attached to the Winery Building

File # P08-00088-MODVMIN

APN: #021-400-002

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

   - Repair and Expansion of 572 square feet of porch and deck to the exterior of the winery building with no change to marketing plan or production activities.

2. **PREVIOUS CONDITIONS:**

   The permittee shall comply with all previous conditions of approval for Use Permit #U-697879-UP and P07-00654, except as modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control and supersede earlier ones.

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

   The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies. 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.

4. **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 ($134.00/hour as of July, 2007). 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.

A Tradition of Stewardship
A Commitment to Service

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

June 4, 2009

John & Laura Bremer
Bremer Family Winery
150 Pine Place
St. Helena, CA 94574

RE: Very Minor Modification Request #P09-00178
(APN 021-400-002 / 975 Deer Park Road, St. Helena)

Dear John & Laura,

Please be advised that your request for a Very Minor Modification (file number P09-00178-MODVMIN) to the Bremer Family Winery as described in your submittal letter and at the location shown on the revised plans dated March 17, 2009, to revise their use permit to: **"Increase approved wine cave size from 11,685 square feet to 16,136 square feet."** has been **APPROVED** by the Director of Conservation, Development and Planning on June 4, 2009, based on the applicable County regulations and the following condition of approval.

EXPIRATION DATE: June 5, 2011

Pursuant to Section 18.124.080 of the Napa County Code, this minor modification 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 minor modification permit. In addition, approval of this minor modification has no effect on the time limits in which to activate the original project use permit.

Please be advised that the Director of Conservation, Development and Planning has determined that this minor modification is **Categorically Exempt** from the provisions of CEQA, the California Environmental Quality Act. Pursuant to CEQA Section 15304, Class 4, Minor Alterations to Land, and Appendix B, Class 1 Existing Facilities, paragraph 3. Minor Modifications of existing wineries as described in Sections 18.124.130 of the County Code, the project consists of a minor alteration to a previously approved project involving no expansion in production or marketing activities and is not located in an environmentally sensitive area.

The modification is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be noticed.

Should you have any questions, please contact Linda St. Claire, Project Planner at (707)299-1348 or e-mail at *lstclair@co.napa.ca.us*.

Sincerely,



Linda St. Claire
Planner

Cc: Chron

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is entered into as of this 6th day of ~~January~~ February, 2019, by and between Napa County, a political subdivision of the State of California ("County"), and John Alex Bremer and Laura Joyce Bremer, trustees of the Bremer Family 1995 Living Trust dated August 23, 1995 (the "Bremers"), and the Bremer Group, LLC (collectively, with the Bremers, "Defendants"). The County and Defendants will, from time to time hereinafter, be referred to individually as "Party" and collectively as "Parties."

RECITALS

A. The Bremers are the owners of the real property commonly known as 975 Deer Park Road in unincorporated Napa County, California, and bearing Napa County Assessor's Parcel Number 021-400-002 ("Property"). Defendants own and operate the Bremer Family Winery (the "Winery") on the Property.

B. In or around August 2016, the County discovered that Defendants were allegedly operating the Winery in a manner that the County believed exceeded the scope of Defendants' use permit. The Winery was permitted through Use Permit #U-697879 (the "Use Permit"), issued by the County to Defendants' predecessor in interest in 1979. After an investigation, the County determined that, in its view, violations of the County's Zoning Code, Building Code, and Conservation Regulations were present on the Property.

C. On or about January 19, 2017, in response to the County's demands, Defendants submitted an application to modify the Use Permit to address the violations and increase permitted visitation to 40,320 visitors per year.

D. On August 4, 2017, the County filed a Complaint in the Napa County Superior Court, Case Number 17CV000884, (the "Complaint") against Defendants instituting the present action (the "Action"). The Complaint requested an injunction against Defendants' alleged non-compliant activity, recovery of costs of abatement and attorneys' fees, and a civil penalty, pursuant to the Napa County Code.

E. The County alleged in its Complaint, inter alia, as follows (the "County's Contentions"):

1. Defendants expanded their permitted visitation level without a use permit, allowing, on average, up to approximately 650 visitors per month (7,800 per year);

2. Defendants exceeded their hours and days of operation, operating the Winery on weekends and after 5:00 pm;

3. Defendants violated the Zoning Code by conducting winery operations outside the scope of the 6,780 square foot winery building;

4. Defendants violated the Zoning Code and Building Code by using a dwelling on the Property (the "Farmhouse") for Winery purposes;

5. Defendants violated the Zoning Code and Building Code by allowing wine tastings and other events in the wine storage cave;

6. Defendants violated the Zoning Code by renting the Winery for private parties, receptions, or other events;

7. Defendants violated the Zoning Code by allowing food service for wine tastings and events;

8. Defendants violated the Building Code by constructing walls, stairs, catwalks, and other structures without building permits; and

9. Defendants violated the Napa County Conservation Regulations by constructing or maintaining structures within a creek setback.

F. Defendants contend, inter alia, as follows ("Defendants' Contentions"):

1. Defendants operated the Winery with a good faith belief that their use was consistent with, and within the scope of, the Use Permit;

2. Any potential violation was unintentional and not a willful violation;

3. The Use Permit does not contain any limitation on private visitation, marketing, food service, or hours of operation;

4. Winery operations, including private visitation and the use of the Farmhouse, were established by the prior owner of the Property prior to the enactment of the Winery Definition Ordinance ("WDO") in 1990, and therefore are allowed to continue without a modification to the Use Permit;

5. Any events occurring at the Winery were marketing events, not private rental of the Property, and any improper use of the cave was isolated and not intentional; and

6. Some walls and other structures do not require building permits, nor do they violate the conservation regulations.

G. Over the course of the Action, Defendants provided information and evidence to the County showing the nature and extent of Winery operations prior to the enactment of the WDO in 1990:

1. Visitation levels at the Winery, at the enactment of the WDO, were 5,200 visitors per year;

2. The Winery operated seven days a week;

3. The office on the bottom floor of the Farmhouse was used for Winery purposes;

4. The second floor of the main Winery building was used for storage or production of wine and not visitation; and

5. The Winery employed more than three employees.

H. The County declines to accept or allow today the pre-WDO visitation level at the Winery set forth in Paragraph G.1, above. The County has instead negotiated and Defendants have agreed to reduced visitation as set forth in Paragraph 3, below. The Parties have entered into this Settlement Agreement based on the unique facts, circumstances, and evidence presented regarding the Use Permit, the Winery, and the Property. This Settlement Agreement is made as a compromise and settlement of disputed issues. The Parties and their representatives expressly covenant that the County's determination does not establish a precedent for consideration of the scope of entitlements on any other properties.

I. In addition to the claims made in the Action, the County has asserted that Defendants are in violation of the requirements of Napa County Code chapter 18.108 by exceeding the scope of Erosion Control Plan P11-0317-ECPA (the "ECP") on a separate parcel with Assessor's Parcel Number 021-400-005 (the "Vineyard Parcel") including, but not limited to, property line setbacks. Defendants have asserted that they have constructed the vineyard and used their property in good faith compliance with applicable requirements, and that any potential violation was unintentional and not willful. The County's claims regarding the ECP and the Vineyard Parcel shall be referred to below as the "ECP Claims." In November 2016, the Vineyard Parcel became the subject of a Notice of Violation issued by the San Francisco Regional Water Quality Control Board (the "State Water Board"). The State Water Board required the submission of a Corrective Action Workplan (the "CAW") to correct the violations of the California Water Code. The corrections contemplated by the CAW would also require an amendment to the ECP to ensure compliance with Napa County's conservation regulations. As of the execution of this Stipulation, the State Water Board has not approved a final CAW for the Vineyard Parcel; however, the Parties wish to, and hereby do, resolve any outstanding dispute as between the Parties regarding the ECP Claims in this Stipulation.

J. This Settlement Agreement and the proposed Stipulated Judgment attached hereto settle and conclude all issues, claims and defenses between the Parties as raised in the Action, all claims and defenses between them for civil penalties, costs, fees, and attorneys' fees relating to the allegations set forth in the Complaint in the Action, the County's Contentions, Defendants' Contentions, and all issues, claims and defenses as between the Parties regarding the ECP Claims. The Parties acknowledge that entry of Judgment will not and cannot affect the State Water Board's jurisdiction or authority regarding the CAW or the Notice of Violation issued by the State Water Board.

K. The Parties, without admitting any liability whatsoever and desiring to avoid any further claims, litigation, or controversies arising from the disputes referenced above and the matters alleged in the Complaint, have agreed to be bound by the terms of this Settlement Agreement.

NOW, THEREFORE, based on the foregoing, and for good and valuable consideration, the adequacy of which is hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. The foregoing Recitals are incorporated herein by this reference.

2. Within fifteen (15) calendar days of full execution of this Settlement Agreement, the Parties shall execute and file the Proposed Stipulated Judgment (the "Judgment") attached hereto as Exhibit A, as well as a stipulation for entry of the Judgment if required by the Court. The Judgment shall fully and accurately reflect the terms of this Agreement. Each Party's trial counsel shall approve the Judgment as to form and facilitate compliance with this Paragraph.

Alleged Use Permit Violations

3. Immediately upon entry of Judgment pursuant to this Settlement Agreement, Defendants shall reduce and limit visitation at the Winery by members of the public to no more than 3,600 visitors per year. In addition to the annual limitation, Defendants shall also limit daily visitation to no more than 70 visitors on any given day. Defendants shall abide by these limits unless and until the County approves a Use Permit modification allowing greater levels of visitation. No hearing on a Use Permit modification pertaining to the Winery will occur prior to December 1, 2019. The limitation of December 1, 2019 does not apply to minor Use Permit modifications.

4. In addition to the visitation limits set forth above, immediately upon entry of Judgment pursuant to this Settlement Agreement, and unless and until authorized by a Use Permit modification that modifies one or more of the below restrictions, Defendants are hereby enjoined and ordered as follows:

a. Defendants shall limit winery visitation to between the hours of 8:00 am and 5:00 pm Monday through Sunday.

b. Defendants shall not use the main floor of the Farmhouse or the surrounding deck for winery purposes.

c. Defendants shall not hold marketing events, as those events are defined in Napa County Code section 18.08.370.

d. Defendants shall not rent the winery for private events.

e. Defendants shall not serve food at the winery.

f. Defendants shall not use the cave in a manner that is inconsistent with the Type II designation in their Use Permit, which prohibits Hosted Events, as defined in Napa County Code section 15.12.060(B).

g. Defendants shall not use the bocce ball court, pizza oven, and tractor shed areas for winery purposes.

5. No later than the tenth calendar day of each month following the month in which the Judgment pursuant to this Settlement Agreement is entered, until such time as a Use Permit modification is granted that obviates the need for such reporting, Defendants shall provide to the County a declaration signed under penalty of perjury by Defendants or by their representative(s) who are authorized to bind Defendants attesting to the fact that they have complied with the conditions of Paragraphs 3 and 4, *supra*, including that their visitation levels are not on pace to exceed the annual limit set forth in Paragraph 3, *supra*. Such declarations shall attach logs or appointment books documenting the actual number of visitors.

6. Defendants may submit an application for a Use Permit Modification prior to December 1, 2019, and the County will process and review the application in the ordinary course of the County's business. Defendants expressly understand that if they submit an application prior to one year from entry of the Judgment pursuant to this Settlement Agreement, any environmental review by the County, as required by the California Environmental Quality Act (CEQA), will use the lesser of the permitted activities in Paragraphs 3 and 4, *supra*, or actual activities as determined from the declarations submitted pursuant to Paragraph 5, *supra*, as the baseline against which any potential environmental impacts will be assessed. The County does not and cannot make any representation or promise that any applications for use permit modifications submitted pursuant to the Judgment entered pursuant to this Settlement Agreement will be approved in whole or in part.

Alleged Building Code Violations

7. Within sixty (60) calendar days after entry of Judgment pursuant to this Settlement Agreement, Defendants shall submit complete applications for building permits for all of the following:

a. To take all steps required by the County for a change in the permitted occupancy of the bottom floor of the Farmhouse to reflect winery occupancy.

b. To legalize or demolish the construction and installation of framing and electrical on the second floor of the winery building, provided the use of the second floor is limited to storage or an office.

c. To legalize or demolish the fermentation tanks and catwalks on the east side of the winery building.

d. To legalize or demolish the external stairs on the east side of the crush pad and on the west side of the winery building.

e. To legalize or demolish all handrails installed on the property, including those associated with the stairs identified in subparagraph 7(d), *supra*.

f. To legalize or demolish the plumbing to the outdoor sink.

g. To legalize or demolish any walls that are taller than four feet or that bear a surcharge.

8. Defendants shall diligently pursue all the permits required by Paragraph 7, *supra* by responding within fourteen (14) calendar days to any request by the County for corrections or modifications to the permit applications.

9. Upon issuance of any permit pursuant to Paragraph 7, *supra*, Defendants shall complete all authorized work and contact the County Planning, Building & Environmental Services for a final inspection within sixty (60) calendar days of permit issuance. If Defendants are unable to complete authorized work due to an occurrence beyond Defendants' reasonable control, including but not limited to an act of God or nature, Defendants shall immediately notify the County, and Defendants' 60-day deadline for performance hereunder shall be extended by the actual time of delay caused by such occurrence.

Alleged Conservation Regulation Violations and ECP Claims

10. Within sixty (60) calendar days after entry of Judgment pursuant to this Settlement Agreement, Defendants shall submit a complete application for an exception to the Conservation Regulations, as provided in Napa County Code section 18.108.040, to allow the walls and bridge structures within the creek setback. Defendants shall respond within fourteen

(14) days to any request by the County for corrections or modifications to the permit application. County staff shall reasonably recommend approval of the exception if it is consistent with the Napa County Code and will not result in any significant adverse environmental impact. Defendants shall complete any work authorized pursuant to this paragraph and shall contact County Planning, Building & Environmental Services for a final inspection within a reasonable time, using best efforts, of the approval.

11. Defendants shall work in good faith and with all deliberate speed to obtain a Final Corrective Action Workplan ("Final CAW") from the State Water Board by April 2019, so that corrective action may be undertaken in the spring and summer of 2019. Within sixty (60) calendar days after the State Water Board approves the Final CAW, Defendants shall submit a complete application for a modification to the ECP on the Vineyard Parcel, consistent with the Final CAW. Defendants shall respond to any request by the County for further information or documentation to support the application submitted pursuant to this Paragraph within fourteen (14) calendar days of receipt of any such request by the County. Defendants shall ensure that all work required to conform the Vineyard Parcel to the scope of any approved modification to the ECP is completed within one hundred eighty (180) calendar days from approval by the County.

Additional Terms

12. Defendants shall pay to the County, by checks made payable to "The County of Napa," $271,464 as a compromised amount to partially reimburse the County for its attorneys' fees and costs incurred in the Action. Defendants shall pay this amount as follows. Defendants shall pay $32,000 within thirty (30) calendar days after entry of Judgment pursuant to this Settlement Agreement. Defendants shall pay the remainder in two equal installments of $119,732, with the first before July 1, 2019, and the second before December 31, 2019. The County shall not object to Defendants' characterization of these payments as tax-deductible business or similar expenses but makes no representation regarding the supportability of such characterization.

13. Within sixty (60) calendar days after entry of Judgment pursuant to this Settlement Agreement, to secure performance of Defendants' obligations in this Settlement Agreement, Defendants shall individually and jointly execute a promissory note to the County in the amount of $320,658.00 secured by a deed of trust on the Property that Defendants shall promptly record. The form of promissory note to be executed by Defendants is attached hereto and incorporated herein by this reference as Exhibit B. The form of deed of trust to be executed and recorded by Defendants is attached hereto and incorporated herein by this reference as Exhibit C. The County's position shall be secured by no less than a second position security interest in the collateral. The sum of indebtedness cannot exceed 80% of the Property value. If on December 31, 2019, Defendants have complied with all the requirements of this Settlement Agreement, including Paragraphs 3, 4 and 5; have obtained all the permits and approvals

required by Paragraphs 7, 10 and 11 of this Settlement Agreement; and have completed all the work required by Paragraphs 9, 10 and 11 of this Settlement Agreement, then the promissory note shall be cancelled without any payment and the County shall execute any reasonable documents to clear title and reconvey the deed of trust on or shortly after December 31, 2019. If on December 31, 2019, Defendants have substantially complied with the requirements of this Settlement Agreement but have been unable to complete authorized work due to an occurrence beyond Defendants' reasonable control, including but not limited to an act of God or nature or unforeseen delay by the State Water Board, then the December 31, 2019 deadline for performance hereunder shall be extended by the actual time of delay caused by such occurrence, as determined in the County's sole discretion, and, upon performance, the promissory note shall be cancelled without any payment and the County shall execute any reasonable documents to clear title and reconvey the deed of trust. If on December 31, 2019, Defendants have not complied with the requirements of this Settlement Agreement and the delay in their compliance was not caused by an occurrence beyond Defendants' reasonable control, then the County shall enforce the secured promissory note.

14. Defendants shall make good faith efforts to educate their employees and contractors and ensure compliance with the Judgment entered into pursuant to this Settlement Agreement. Defendants shall ensure that the obligations and conditions in the Judgment are communicated to each existing or new agent, employee, officer, assign, servant, or representative, and shall specifically inform them of the limitations on daily and annual visitation set forth in Paragraph 3, and the limitations set forth in Paragraph 4. Defendants shall require all current and future employees to sign a notice acknowledging that they have received the executed Judgment and understand its contents.

15. The harm or injury to the County that would result from violation of any provisions of the Judgment pursuant to this Settlement Agreement is difficult to ascertain or generally not capable of calculation. Therefore, if Defendants violate any of the provisions set forth in the Judgment pursuant to the Settlement Agreement, the Parties agree to the following consequences:

a. The County may reset the restriction on a hearing on a Use Permit Modification pertaining to the Winery, set forth in Paragraph 3, *supra*, from December 1, 2019, to one year from the date that the County provides notice of the material violation of the Judgment pursuant to this Settlement Agreement;

b. In the event of a material violation, Defendants shall cease all operation of the Winery for a period of one (1) month from the date that the County provides notice of the material violation of the Judgment pursuant to this Settlement Agreement; and

c. The County shall enforce the secured promissory note pursuant to Paragraph 13.

d. For purposes of this paragraph, "material" violations shall include but not be limited to any violation of Paragraphs 3 and 4, *supra*, including the daily and annual visitation limits set forth in Paragraph 3.

16. Reasonable attorney's fees will be awarded to the prevailing Party in any action or on any motion filed to enforce or interpret this Agreement or the Judgment pursuant to this Settlement Agreement.

17. The County and its officers, agents, or employees, or persons duly authorized to act on its behalf, may enter the Property during normal business hours upon two (2) days' notice to Defendants, notifying them of the date and time of inspecting the Property for compliance with the Judgment pursuant to this Settlement Agreement. The Property shall not be locked and shall be accessible to the County at the date and time set forth in the notice. The Napa County Sheriff may send such deputies as staff deems appropriate to enforce this directive and to protect and supervise the County officers, agents, employees, and persons duly authorized to act on its behalf.

18. The Judgment pursuant to this Settlement Agreement shall be recorded against the Property. The Judgment pursuant to this Settlement Agreement, and the covenants and conditions contained therein, shall run with the land, apply to, be binding upon, and inure to the legatees, devisees, administrators, executors, legal representatives, assignees, successors in interest, buyers, and agents of the Parties hereto, and may not be altered, amended, modified, or otherwise changed except by a writing executed by County and Defendants.

19. Except as provided above, each Party shall bear its own attorneys' fees and costs incurred in the Action.

20. This Agreement contains the entire agreement between the Parties regarding the matters set forth herein and any amendment must be in writing and signed by the Parties.

21. The Parties hereby waive the right to appeal, to attempt to set aside or vacate, or otherwise to attack, directly or collaterally, the Judgment entered pursuant to this Settlement Agreement.

22. The Parties, and each of them, acknowledge that they have either been advised to seek, or been represented by, legal counsel throughout all of the negotiations which preceded the execution of this Agreement and the Judgment, and that they have executed this Agreement after seeking and receiving the advice of such counsel, or have voluntarily waived seeking such advice.

23. The Bremers, individually and on behalf of their family trust, agree to be bound as of the date of their signatures on this Agreement, and the Bremer Group, LLC, agrees to be bound as of the date of its authorized signatory's signature on this Agreement, by the provisions of the proposed Stipulated Judgment as though ordered by the Court, though the terms of the proposed Judgment cannot be enforced until on or after the date the Judgment is entered by the Court. The County shall serve by mail on all Defendants the Judgment entered pursuant to this Settlement Agreement when it is filed and each of the Parties waives any further notice or service of the final Judgment.

24. The filing of this Settlement Agreement and the proposed Judgment may be made by the ex parte appearance of the County without further notice to Defendants.

25. This Agreement may be executed by facsimile signatures and in counterparts, which when taken together shall constitute one and the same Agreement.

26. If any provision or part of any provision of this Agreement is for any reason held to be invalid, unenforceable or contrary to public policy, law, statute and/or ordinance, then the remainder of this Agreement shall not be affected thereby and shall remain valid and fully enforceable.

27. The Parties agree that any legal rule or maxim to the effect that ambiguities are to be resolved against the drafting Party shall not apply to any interpretation of this Agreement.

28. The Parties shall request that the Court retain jurisdiction to enforce the Judgment entered pursuant to this Settlement Agreement under Code of Civil Procedure section 664.6.

29. Nothing in this Agreement shall be construed as precluding the County from commencing future litigation or administrative enforcement actions against Defendants for any unrelated existing or future Code violations, impermissible activities, or occurrences that are not part of the County's Contentions that are the subject of this Agreement.

Date: 1-25-19

John Alex Bremer, Trustee of the Bremer Family 1995 Living Trust, dated August 23, 1995

Date: 01/25/19

Laura Joyce Bremer, Trustee of the Bremer Family 1995 Living Trust, dated August 23, 1995

Date: 1-25-19

BREMER GROUP, LLC

John Alex Bremer, Managing Member

Date: 2-6-19

NAPA COUNTY

David Morrison, Director of Planning,
Building & Environmental Services

APPROVED AS TO FORM:

Date: 1/25/19

David B. Gilbreth
Counsel for Defendants

Date: 2/6/19

NAPA COUNTY COUNSEL

Jeffrey M. Brax, County Counsel
Attorneys for Plaintiff

EXHIBIT A

JEFFREY M. BRAX, County Counsel (Bar No. 218601)
JEFFREY M. RICHARD, Chief Deputy (Bar No. 105286)
JASON M. DOOLEY, Deputy (Bar No. 258570)
SHANA A. BAGLEY, Deputy (Bar No. 169423)
NAPA COUNTY
1195 Third Street, Suite 301
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Telephone: 707 253 4521 / Facsimile: 707 259 8220
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ARTHUR F. COON (Bar No. 124206)
BASIL S. SHIBER (Bar No. 144260)
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bill.shiber@msrlegal.com

Attorneys for Plaintiff NAPA COUNTY

Exempt from Filing Fees Pursuant to Gov't Code § 6103

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF NAPA

NAPA COUNTY,

Plaintiff,

v.

JOHN ALEX BREMER AND LAURA JOYCE BREMER, TRUSTEES OF THE BREMER FAMILY 1995 LIVING TRUST DATED AUGUST 23, 1995; BREMER GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 17CV000884

[PROPOSED] JUDGMENT PURSUANT TO STIPULATION OF PARTIES

It appearing to the Court that all parties to the above-entitled action (the "Parties"), Plaintiff NAPA COUNTY ("County"), on the one hand, and Defendants JOHN ALEX BREMER AND LAURA JOYCE BREMER, Trustees of the Bremer Family 1995 Living Trust dated August 23, 1995 (the "Bremers"), BREMER GROUP, LLC, (collectively with the Bremers, the "Defendants"), on the other

hand, have, in a Settlement Agreement filed with the Court and comprising and containing the Parties' stipulation, stipulated and requested the Court in the above-entitled action to enter this Judgment Pursuant to Stipulation, the Court having considered the Parties' Stipulation and the pleadings on file in this action, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. The Court has jurisdiction over the subject matter hereof and of the Parties hereto.

2. The Court hereby incorporates by reference the terms of the Parties' Settlement Agreement for Entry of Judgment, a true and correct copy of which is attached hereto and incorporated herein by this reference as Exhibit "1" ("Settlement Agreement").

3. The Bremers have been, during all relevant time periods, the legal owners of that real property located in the unincorporated area of Napa County identified as 975 Deer Park Road, in unincorporated Napa County (bearing a St. Helena, California mailing address) and identified by Assessor Parcel Number 021-400-002 (the "Property"), and one or more of the Defendants own and operate the Bremer Family Winery (the "Winery") on the Property.

4. This action was filed by the County alleging various violations by Defendants of the County Code and the California Building Code in their operation of the Winery on the Property and in their construction and maintenance of certain structures or improvements on the Property.

5. The Parties, without admitting any liability whatsoever and desiring to avoid any further claims, litigation, or controversies arising from the disputes referenced above and the matters alleged in the complaint on file herein, have stipulated to the entry of this Judgment through the Settlement Agreement.

6. The injunctive portions of this Judgment are applicable to all Defendants, and also to each of their agents, servants, employees, representatives, partners, successors and assigns, and to all persons, employees, and other entities who are acting in concert or participating with Defendants, with actual or constructive notice of this Judgment.

Alleged Use Permit Violations

7. Immediately upon entry of this Judgment, Defendants shall reduce and limit visitation at the Winery by members of the public to 3,600 visitors per year. In addition to the annual limitation,

Defendants shall also limit daily visitation to no more than 70 visitors on any given day. Defendants shall abide by these limits unless and until the County approves a Use Permit modification allowing greater levels of visitation. No hearing on a Use Permit modification pertaining to the Winery will occur prior to December 1, 2019. The limitation of December 1, 2019 does not apply to minor Use Permit modifications.

8. In addition to the visitation limits set forth above, immediately upon entry of this Judgment, and unless and until authorized by a Use Permit modification that modifies one or more of the below restrictions, Defendants are hereby enjoined and ordered as follows:

a. Defendants shall limit winery visitation to between the hours of 8:00 am and 5:00 pm Monday through Sunday.

b. Defendants shall not use the main floor of the Farmhouse or the surrounding deck for winery purposes.

c. Defendants shall not hold marketing events, as those events are defined in Napa County Code section 18.08.370.

d. Defendants shall not rent the winery for private events.

e. Defendants shall not serve food at the winery.

f. Defendants shall not use the cave in a manner that is inconsistent with the Type II designation in their Use Permit, which prohibits Hosted Events, as defined in Napa County Code section 15.12.060(B).

g. Defendants shall not use the bocce ball court, pizza oven, and tractor shed areas for winery purposes.

9. No later than the tenth calendar day of each month following the month in which the Judgment is entered, until such time as a Use Permit modification is granted that obviates the need for such reporting, Defendants shall provide to the County a declaration signed under penalty of perjury by Defendants or by their representative(s) who are authorized to bind Defendants attesting to the fact that they have complied with the conditions of Paragraphs 7 and 8, *supra*, including that their visitation levels are not on pace to exceed the annual limit set forth in Paragraph 7, *supra*. Such declaration shall attach logs or appointment books documenting the actual number of visitors.

10. Defendants may submit an application for a Use Permit Modification prior to December 1, 2019, and the County will process and review the application in the ordinary course of the County's business. Defendants expressly understand that if they submit an application prior to one year from entry of this Judgment, any environmental review by the County, as required by the California Environmental Quality Act (CEQA), will use the lesser of the permitted activities in Paragraphs 7 and 8, *supra*, or actual activities as determined from the declarations submitted pursuant to Paragraph 9, *supra*, as the baseline against which any potential environmental impacts will be assessed. The County does not and cannot make any representation or promise that any applications for use permit modifications submitted pursuant to this Judgment will be approved in whole or in part.

Alleged Building Code Violations

11. Within sixty (60) calendar days after entry of this Judgment, Defendants shall submit complete applications for building permits for all of the following:

a. To take all steps required by the County for a change in the permitted occupancy of the bottom floor of the Farmhouse to reflect winery occupancy.

b. To legalize or demolish the construction and installation of framing and electrical on the second floor of the winery building, provided the use of the second floor is limited to storage or an office.

c. To legalize or demolish the fermentation tanks and catwalks on the east side of the winery building.

d. To legalize or demolish the external stairs on the east side of the crush pad and on the west side of the winery building.

e. To legalize or demolish all handrails installed on the property, including those associated with the stairs identified in subparagraph 11(d), *supra*.

f. To legalize or demolish the plumbing to the outdoor sink.

g. To legalize or demolish any walls that are taller than four feet or that bear a surcharge.

12. Defendants shall diligently pursue all the permits required by Paragraph 11, *supra* by responding within fourteen (14) days to any request by the County for corrections or modifications to the permit applications.

13. Upon issuance of any permit pursuant to Paragraph 11, *supra*, Defendants shall complete all authorized work and contact Planning, Building & Environmental Services for a final inspection within sixty (60) days of permit issuance. If Defendants are unable to complete authorized work due to an occurrence beyond Defendants' reasonable control, including but not limited to an act of God or nature, Defendants shall immediately notify the County, and Defendants' 60-day deadline for performance hereunder shall be extended by the actual time of delay caused by such occurrence.

Alleged Conservation Regulation Violations and ECP Claims

14. Within sixty (60) calendar days after entry of Judgment, Defendants shall submit a complete application for an exception to the Conservation Regulations, as provided in Napa County Code section 18.108.040, to allow the walls and bridge structures within the creek setback. Defendants shall respond within fourteen (14) calendar days to any request by the County for corrections or modifications to the permit application. County staff shall reasonably recommend approval of the exception if it is consistent with the Napa County Code and will not result in any significant adverse environmental impact. Defendants shall complete any work authorized pursuant to this paragraph and shall contact County Planning, Building & Environmental Services for a final inspection within a reasonable time, using best efforts, of the approval.

15. Defendants shall work in good faith and with all deliberate speed to obtain a Final Correction Action Workplan ("Final CAW") from the State Water Board by April 2019, so that corrective action may be undertaken in the spring and summer of 2019. Within sixty (60) calendar days after the State Water Board approves the Final CAW, Defendants shall submit a complete application for a modification to the ECP on the Vineyard Parcel, consistent with the Final CAW. Defendants shall respond to any request by the County for further information or documentation to support the application submitted pursuant to this Paragraph within fourteen (14) calendar days of receipt of any such request by the County. Defendants shall ensure that all work required to conform the Vineyard Parcel to the scope of any approved modification to the ECP is completed within one hundred eighty (180) calendar days from approval by the County.

Additional Terms

16. Defendants shall pay to the County, by checks made payable to "The County of Napa," $271,464 as a compromised amount to partially reimburse the County for its attorneys' fees and costs incurred in the Action. Defendants shall pay this amount as follows. Defendants shall pay $32,000 within thirty (30) calendar days after entry of this Judgment. Defendants shall pay the remainder in two equal installments of $119,732, with the first before July 1, 2019, and the second before December 31, 2019. The County shall not object to Defendants' characterization of these payments as tax-deductible business or similar expenses but makes no representation regarding the supportability of such characterization.

17. Within sixty (60) calendar days after entry of Judgment, to secure performance of Defendants' obligations in this Judgment, Defendants shall individually and jointly execute a promissory note to the County in the amount of $320,658.00 secured by a deed of trust on the Property that Defendants shall promptly record. The form of promissory note to be executed by Defendants is attached hereto and incorporated herein by this reference as Exhibit 2. The form of deed of trust to be executed and recorded by Defendants is attached hereto and incorporated herein by this reference as Exhibit 3. The County's position shall be secured by no less than a second position security interest in the collateral. The sum of indebtedness cannot exceed 80% of the Property value. If on December 31, 2019, Defendants have complied with all the requirements of this Judgment, including Paragraphs 7, 8 and 9; have obtained all the permits and approvals required by Paragraphs 11, 14 and 15 of this Judgment; and have completed all the work required by Paragraphs 13, 14 and 15 of this Judgment, then the promissory note shall be cancelled without any payment and the County shall execute any reasonable documents to clear title and reconvey the deed of trust on or shortly after December 31, 2019. If on December 31, 2019, Defendants have substantially complied with the requirements of this Judgment but have been unable to complete authorized work due to an occurrence beyond Defendants' reasonable control, including but not limited to an act of God or nature or unforeseen delay by the State Water Board, then the December 31, 2019 deadline for performance hereunder shall be extended by the actual time of delay caused by such occurrence, as determined in the County's sole discretion, and, upon performance, the promissory note shall be cancelled without any payment and the County shall execute any reasonable documents to clear title and reconvey the deed of trust. If on December 31, 2019,

Defendants have not complied with the requirements of this Judgment and the delay in their compliance was not caused by an occurrence beyond Defendants' reasonable control, then the County shall enforce the secured promissory note.

18. Defendants shall make good faith efforts to educate their employees and contractors and ensure compliance with this Judgment. Defendants shall ensure that the obligations and conditions in this Judgment are communicated to each existing or new agent, employee, officer, assign, servant, or representative, and shall specifically inform them of the limitations on daily and annual visitation set forth in paragraph 7, and the limitations set forth in paragraph 8. Defendants shall require all current and future employees to sign a notice acknowledging that they have received the executed Judgment and understand its contents.

19. The harm or injury to the County that would result from violation of any provisions of this Judgment is difficult to ascertain or generally not capable of calculation. Therefore, if Defendants violate any of the provisions set forth in this Judgment, the Parties agree to the following consequences:

a. The County may reset the restriction on a hearing on a Use Permit Modification pertaining to the Winery, set forth in Paragraph 7, *supra*, from December 1, 2019 to one year from the date that the County provides notice of the material violation of this Judgment;

b. In the event of a material violation, Defendants shall cease all operation of the Winery for a period of one (1) month from the date that the County provides notice of the material violation of this Judgment; and

c. The County shall enforce the secured promissory note pursuant to Paragraph 17.

d. For purposes of this paragraph, "material" violations shall include but not be limited to any violation of Paragraphs 7 and 8, including the daily and annual visitation limits set forth in Paragraph 7.

20. Reasonable attorneys' fees will be awarded to the prevailing Party in any action or on any motion filed to enforce or interpret this Judgment.

21. The Court retains jurisdiction to enforce the terms of this Judgment pursuant to Code of Civil Procedure section 664.6, which enforcement may be sought, if necessary, by any of the Parties by ex parte application for appropriate relief consistent with the terms of this Judgment.

22. The County and its officers, agents or employees, or persons duly authorized to act on its behalf, may enter the Property during normal business hours upon two (2) days' notice to Defendants, notifying them of the date and time of inspecting the Property for compliance with this Judgment. The Property shall not be locked and shall be accessible to the County at the date and time set forth in the notice. The Napa County Sheriff may send such deputies as staff deems appropriate to enforce this directive and to protect and supervise the County officers, agents, employees, and persons duly authorized to act on its behalf.

23. This Judgment shall be recorded against the Property. This Judgment, and the covenants and conditions contained herein, shall run with the land, apply to, be binding upon, and inure to the legatees, devisees, administrators, executors, legal representatives, assignees, successors in interest, buyers, and agents of the Parties hereto, and may not be altered, amended, modified, or otherwise changed except by a writing executed by County and Defendants.

24. Except as provided above, each Party shall bear its own attorneys' fees and costs incurred in this Action.

25. This Judgment shall take effect immediately upon entry thereof.

Date: _____

_____
Judge of the Superior Court

EXHIBIT B

Do not destroy this original note

PROMISSORY NOTE SECURED BY DEED OF TRUST

$320,658.00
Napa, California
_____ __, 2019

FOR VALUE RECEIVED, JOHN ALEX BREMER, AS TRUSTEE OF THE BREMER FAMILY 1995 LIVING TRUST, DATED AUGUST 23, 1995, LAURA JOYCE BREMER, AS TRUSTEE OF THE BREMER FAMILY 1995 LIVING TRUST, DATED AUGUST 23, 1995, and THE BREMER GROUP, LLC, (collectively "Promisors/Defendants") hereby promise to pay, on December 31, 2019 (the "Maturity Date"), to the order of NAPA COUNTY, a subdivision of the State of California ("Holder"), the principal sum of Three Hundred Twenty Thousand, Six Hundred, Fifty-Eight Dollars and No Cents ($320,658.00). Promissors/Defendants also agree to pay any and all interest and other sums owed under this Promissory Note (the "Note") as and to the extent specified below. All sums owed under this Note shall be paid in lawful money at the office of Napa County Counsel located 1195 Third Street, Suite 301, Napa, CA 94559, or such other place as Holder from time to time designates in writing. As specified in the Settlement Agreement (as defined below), the Maturity Date may be extended, but only if evidenced by a writing signed by both Promissors/Defendants and Holder.

1. SECURED BY DEED OF TRUST. Promissors/Defendants' obligations under this Note are secured by that Deed of Trust With Assignment of Rents of even date herewith, duly executed and acknowledged by Promissors/Defendants, as trustors, for the benefit of Holder, and with Placer Title Company, as the trustee thereunder (the "Deed of Trust"). The Deed of Trust is or will be recorded against certain real property located in Napa County, California, and more fully described therein.

2. SETTLEMENT AGREEMENT AND CONDITIONAL OBLIGATION. This Note is being signed and delivered pursuant to that certain Settlement Agreement, dated_____ ___, 2019, entered into by and between Holder and Promissors/Defendants (the "Settlement Agreement"). A true and correct copy of the Settlement Agreement is attached hereto and incorporated herein as Exhibit 1. As specified more fully in the Settlement Agreement, if the obligations of Promissors/Defendants thereunder have been fully performed on or before the Maturity Date (as the same may be extended as provided herein and in the Settlement Agreement), then this Note shall be deemed terminated and cancelled without any payment and Holder shall then take all steps necessary to clear title and cause the Deed of Trust to be reconveyed. In the event of any conflict between this Note and the Settlement Agreement, the Settlement Agreement shall control.

3. EVENT OF DEFAULT / DEFAULT. The failure of Promissors/Defendants to make any payment owed under this Note as and when the same becomes due and payable shall constitute a default by Promissors/Defendants hereunder, and shall entitle Holder to pursue and any and all remedies granted to it under applicable law, including, without limitation, as provided for in the Deed of Trust. No interest will be owed under this Note unless the Note is not paid in full by the Maturity Date (as the same may be extended as provided above and in the Settlement Agreement). From and after said Maturity Date, this Note shall bear interest on the unpaid principal amount hereof at a rate equal to the lesser of (x) seven percent (7%) per annum or (y) the highest rate allowed by law. All interest calculations under this Note shall be made on the basis of a three-hundred-sixty (360) day year and actual days elapsed. Daily interest shall consist of the product of the outstanding principal balance of this Note times the interest rate then in effect divided by 360, then multiplied by the number of days for which the daily interest calculation is made.

4. ATTORNEYS' FEES. In the event that suit be brought in connection with this Note, or an attorney be employed or expenses be incurred to compel payment of this Note or any portion of the indebtedness evidenced hereby, the non-prevailing party agrees to pay all such expenses and attorneys' fees incurred by the other party as a result thereof.

To form

5. SEVERABILITY. If any provision of this Note or any payments pursuant to the terms hereof shall be invalid or unenforceable to any extent, the remainder of this Note and any other payments hereunder shall not be affected thereby and shall be enforceable to the greatest extent permitted by law.

6. MODIFICATION. No waiver of any breach of or event of default or failure of condition under the terms of this Note, the Settlement Agreement, and/or the Deed of Trust, or any obligations secured thereby, shall be implied from any failure of Holder to take, or any delay by Holder in taking action with respect to any concurrent or subsequent breach of or event of default or from any previous waiver of any similar or unrelated breach of or event of default. A waiver by Holder of any term of this Note, the Settlement Agreement or the Deed of Trust must be made in writing executed by Holder, shall be limited to the express written terms of such waiver, and shall not be construed as a waiver or release of any subsequent breach or event of default.

7. JOINT AND SEVERAL OBLIGATIONS. If this Note is executed by more than one person or entity as Promissors/Defendants, the obligations of each such person or entity shall be joint and several. No such person shall be a mere accommodation maker, and each such person shall be primarily and directly liable hereunder.

8. HOLDER. The term "Holder", as used herein, shall mean and include Holder and any successor or assign of Holder, and any holder of this Note shall, upon becoming such holder, be included in the term "Holder" wherever the same appears in this Note.

9. GOVERNING LAW. This Note shall be governed by and construed under the laws of the State of California.

10. COMMERCIAL NOTE. Promissors/Defendants represent and warrant to Holder that the indebtedness evidenced by this Note was not incurred for personal, family or household purposes.

11. TIME. Time is of the essence of this Note and each provision hereof. Whenever in this Note the term "day" is used, it means a calendar day.

12. BINDING. This Note shall be binding upon and its successors and assigns, and shall inure to the benefit of Holder and its successors and assigns.

13. HEADINGS; GENDER. The headings of the paragraphs of this Note are inserted for convenience only and shall not be deemed to constitute a part hereof. All words and phrases shall be taken to include the singular or plural number, and the masculine, feminine or neuter gender, as may fit the case.

IN WITNESS WHEREOF, the undersigned has executed and delivered this Note as of the date and year first above written.

_____

JOHN ALEX BREMER, TRUSTEE OF THE BREMER FAMILY
1995 LIVING TRUST, DATED AUGUST 23, 1995

_____

LAURA JOYCE BREMER, TRUSTEE OF THE BREMER FAMILY
1995 LIVING TRUST, DATED AUGUST 23, 1995

THE BREMER GROUP, LLC

By: _____
John Alex Bremer, Managing Member

EXHIBIT C

RECORDING REQUESTED BY

Placer Title Company

When Recorded Mail To:

Napa County
C/O Napa County Counsel
Jeffrey M. Brax
1195 Third St., Ste 301
Napa, CA 94559

Order No. **P-311235-LB**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DEED OF TRUST WITH ASSIGNMENT OF RENTS
(With Acceleration Clause)

This DEED OF TRUST, made _____, **2019**, between

John Alex Bremer and Laura Joyce Bremer, Trustees of the Bremer Family 1995 Living Trust dated August 23, 1995, herein called TRUSTOR, whose address is 975 Deer Park Road, St. Helena, CA 94574.

Placer Title Company, a California corporation, herein called TRUSTEE, and **Napa County, a subdivision of the State of California,** whose address is 1195 Third Street, Napa CA 94559, herein called BENEFICIARY,

WITNESSETH: That Trustor grants to Trustee in Trust, with Power of Sale, that property described as:
The land described herein is situated in the State of California, County of Napa, unincorporated area, described as follows:

A portion of the Southeast quarter of the Southeast quarter of Section 12, and a portion of the Northeast quarter of the Northeast quarter of Section 13, all in Township 8 North, Range 6 West, M.D.B. & M., being in the Carne Humana Rancho, and more particularly described as follows:

BEGINNING at the northeast corner of said Section 13, and running thence along the East line thereof, South 0° 26' 15" West to an iron pipe marked "R.E. 8709", marking the northeast corner of the land described in the Deed to Melvin A. Nelson, et ux, et al, recorded in Book 624 at page 444 of Official Records of Napa County, said point being North 0° 26' 15" East 1702.52 feet from the southeast corner of said Section 13; running thence West 643.02 feet; thence South 72° 36' West 682.15 feet to an iron pipe on the easterly line of Deer Park County Road; thence northerly along said East line to its intersection with the southeast line of the land described in Deed to Otis J. Boyer, et ux, recorded in Book 509 at page 64 of Official Records of Napa County; thence along said southeast line, North 73° 29' East 320.46 feet; thence North 382.11 feet to an iron pipe at the northeast corner of said Boyer parcel; thence North 72° 04' 50" East 239.15 feet to an iron pipe; thence North 28° 51' 40" East 508.17 feet to a hub set by the County of Napa Engineer Station 47+88.93 of the survey of Deer Park Road dated January 19, 1961; thence North 54° 38' 40" East 400.90 feet; thence North 23° 22' 40" East 319.37 feet to an iron pipe on the east line of Section 12 of said Township and Range; thence along said East line southerly 1458.53 feet, more or less, to the point of commencement.

EXCEPTING THEREFROM all that portion contained in the Deed to the County of Napa, recorded May 7, 1980, in Book 1163 at page 225 of Official Records of Napa County.

APN: 021-400-002-000, 021-420-027-000

Together with the rents, issues and profits thereof, subject, however, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits.

To Form

For the Purpose of Securing (1) Payment of the sum of **Three Hundred Twenty Thousand Six Hundred Fifty Eight Dollars and No Cents ($320,658.00)** with interest thereon according to the terms of a promissory note or notes of even date herewith made by Trustor, payable to order of Beneficiary, and extensions or renewals thereof, and (2) the performance of each agreement of Trustor incorporated by reference or contained herein (3) Payment of additional sums and interest thereon which may hereafter be loaned to Trustor, or his successors or assigns, when evidenced by a promissory note or notes reciting that they are secured by this Deed of Trust.

ACCELERATION CLAUSE: If the trustors shall sell, convey or alienate said property or any part thereof or any interest therein, or shall be divested of their title in any manner or way, whether voluntarily or involuntarily; any indebtedness or obligation secured hereby, irrespective of the maturity date expressed in any note evidencing the same, at the option of the holder hereof and without demand or notice, shall immediately become due and payable.

The undersigned Trustor requests that a copy of any Notice of Default and any Notice of Sale hereunder be mailed to Trustor at the address hereinbefore set forth.

A. To protect the security of this Deed of Trust, Trustor agrees:

(1) To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumeration's herein not excluding the general.

(2) To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Trustor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

(3) To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee, and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear, and in any suit brought by Beneficiary to foreclose this Deed.

(4) To pay: at least ten days before delinquency all taxes and assessments affecting said property, including assessments on appurtenant water stock; when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs; fees and expenses of this Trust.

Should Trustor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Trustor and without releasing Trustor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, pay necessary expenses, employ counsel and pay his reasonable fees.

(5) To pay immediately and without demand all sums so expended by Beneficiary or Trustee, with interest from date of expenditure at the amount allowed by law in effect at the date hereof, and to pay for any statement provided for by law in effect at the date hereof regarding the obligation secured hereby any amount demanded by the Beneficiary not to exceed the maximum allowed by law at the time when said statement is demanded.

B. It is mutually agreed:

(1) That any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided or disposition of proceeds of fire or other insurance.

(2) That by accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

(3) That at any time or from time to time, without liability therefor and without notice, upon written request of beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may: reconvey any part of said property; consent to the making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof. That upon written request of Beneficiary stating all sums secured hereby have been paid, and surrender of this Deed and said Note to Trustee for cancellation and retention or other disposition as Trustee in its sole discretion may choose and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in such reconveyance of any matters or facts shall be conclusive proof of the truthfulness thereof. The Grantee in such reconveyance may be described as "the person or persons legally entitled thereto."

(4) That as additional security, Trustor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Trustor the right, prior to any default by Trustor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

(5) That upon default by Trustor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, Beneficiary may declare all sums secured hereby immediately due and payable by delivery to Trustee of written declaration of default and demand for sale and of written notice of default and of election to cause to be sold said property, which notice Trustee shall cause to be filed for record. Beneficiary also shall deposit with Trustee this Deed, said note and all documents evidencing expenditures secured hereby.

After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of sale having been given as then required by law, Trustee, without demand on Trustor, shall sell said property at the time and placed fixed by it in said notice of sale, either as a whole or in separate parcels, and in such order as it may determine, at public auction to the highest bidder for cash in lawful money of the United States, payable at time of sale. Trustee may postpone sale of all or any portion of said property by public announcement at such time and place of sale, and from time to time thereafter may postpone such sale by public announcement at the time fixed by the preceding postponement. Trustee shall deliver to such purchaser its deed conveying the property so sold, but without any covenant or warranty, express or implied. The recitals in such deed of any matters or facts shall be conclusive proof of the truthfulness thereof. Any person, including Trustor, Trustee, or Beneficiary as hereinafter defined, may purchase at such sale.

After deducting all costs, fees and expenses of Trustee and of this Trust, including cost of evidence of

title in connection with sale, Trustee shall apply the proceeds of sale to payment of: all sums expended under the terms hereof, not then repaid, with accrued interest at the amount allowed by law in effect at the date hereof; all other sums then secured hereby; and the remainder, if any, to the person or persons legally entitled thereto.

(6) Beneficiary, or any successor in ownership of any indebtedness secured hereby, may from time to time, by instrument in writing, substitute a successor or successors to any Trustee named herein or acting hereunder, which instrument, executed by the Beneficiary and duly acknowledged and recorded in the office of the recorder of the county or counties where said property is situated, shall be conclusive proof of proper substitution of such successor Trustee or Trustees, who shall, without conveyance from the Trustee predecessor, succeed to all its title, estate, rights, powers and duties. Said instrument must contain the name of the original Trustor, Trustee and Beneficiary hereunder, the book and page where this Deed is recorded and the name and address of the new Trustee.

(7) That this Deed applies to, inures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. The term Beneficiary shall mean the owner and holder, including pledgees, of the note secured hereby, whether or not named as Beneficiary herein. In this Deed, whenever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

(8) That Trustee accepts this Trust when this Deed, duly executed and acknowledged, is made a public record as provided by law. Trustee is not obligated to notify any party hereto of pending sale under any other Deed of Trust or of any action or proceeding in which Trustor, Beneficiary or Trustee shall be a party unless brought by Trustee.

[Remainder of Page Intentionally Left Blank]

Signature of Trustor(s)

_____

John Alex Bremer and Laura Joyce Bremer, Trustees of the Bremer Family 1995 Living Trust dated August 23, 1995

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF NAPA }ss

On _____, before me, _____, Notary Public, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
Notary Public

A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

October 22, 2019

John Bremer
Bremer Group LLC
975 Deer Park Road
St. Helena CA 94574

Re: Bremer Family Winery, Use Permit Exception to the Conservation Regulations #P19-00153
975 Deer Park Road, St. Helena, CA (APNs 021-402-002 and 021-420-027)

Dear Mr. Bremer,

Please be advised that Use Permit Exception to Conservation Regulations #P19-00153 was **APPROVED** by the Napa County Planning Commission (hereinafter, "Commission") on October 16, 2019, subject to the attached and adopted final conditions of approval (as revised by the Planning Commission), Napa County departmental comments, and all applicable Napa County regulations. In approving the above application, the Commission adopted Categorical Exemptions pursuant to the California Environmental Quality Act (CEQA).

This permit becomes effective immediately unless a timely appeal is filed with the Napa County Board of Supervisors consistent with 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 party. You are hereby further notified that the 90-day period, established by California Government Code Section 66020(d)(1), in which to protest the imposition of any fees, dedications, reservations, or other exactions that may have been adopted as conditions of approval, has commenced.

Pursuant to Napa County Code Section 18.124.080, the approved Use Permit and Use Permit Exception to the Conservation Regulations must be activated within two 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 of your permit.

USE PERMIT EXCEPTION TO THE CONSERVATION REGULATIONS EXPIRATION DATE: October 16, 2021

If you have any questions about this letter, please contact me by telephone at (707) 299-1338 or by email at donald.barrella@countyofnapa.org.

Sincerely,

Donald Barrella
Planner III

Enclosures: Adopted Conditions of Approval and Departmental Requirements

CC: David Morrison, Director, Planning Building and Environmental Services (via email)
Brian Bordona, Deputy Director, Planning Building and Environmental Services (via email)
Jeffery Brax, County Counsel (via email)
John Bremer, 10490 Dawson Canyon Road, Corona CA 92883
David B. Gilbreth, 1152 Hardman Avenue, Napa CA 94558

REVISED
PLANNING COMMISSION HEARING – OCTOBER 16, *2019*
CONDITIONS OF APPROVAL

Bremer Family Winery Site Improvements
Use Permit Exception to the Conservation Regulations
Application Number P19-00153-UP
975 Deer Park Road, St. Helena
(APNs 021-400-002 and 021-420-027

This permit encompasses and shall be limited to the project commonly known as *Bremer Family Winery Site Improvements Recognition and Retention*, located at 975 Deer Park Road, St. Helena. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as "Reserved" and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

The permit encompasses and shall be limited to:

1.1 The recognition and approval of, the following existing site improvements, or portions thereof, in their existing configuration, that encroach into the minimum required stream setbacks pursuant to Napa County Code (NCC) Section 18.108.025(B) ranging from 45 feet to 65 feet from the top of bank of an unnamed blue-line stream, as depicted in Bremer Family Winery Stream Setback Exhibit 2 (RSA+, June 26, 2019).

a. An approximate 2,200 square foot agricultural storage building and associated water tank;
b. An approximate 800 square foot concrete pad and associated walls attached to the winery;
c. An approximate 150 square foot ground floor/story addition and second floor/story deck to the farmhouse/office building;
d. An approximate 100 square foot freestanding restroom;
e. Approximately 1,210 lineal feet of rock walls; and
f. Two pedestrian bridges over a blue-line stream.

The recognition of existing site improvements located within required stream setbacks shall be those that are in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion of or change in use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 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 of approval 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 to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a $500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency 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 so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS **[RESERVED]**

4.2 TOURS AND TASTINGS/VISITATION **[RESERVED]**

4.3 MARKETING **[RESERVED]**

4.4 ON-PREMISES CONSUMPTION **[RESERVED]**

4.5 RESIDENCE OR NON-WINERY STRUCTURES **[RESERVED]**

4.6 GRAPE SOURCE **[RESERVED]**

4.7 COMPLIANCE REVIEW **[RESERVED]**

4.8 RENTAL/LEASING **[RESERVED]**

4.9 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**

4.10 AMPLIFIED MUSIC
There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

4.11 TRAFFIC **[RESERVED]**

4.12 PARKING **[RESERVED]**

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES **[RESERVED]**

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES **[RESERVED]**

4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

a. **[RESERVED]**.

b. **[RESERVED]**

c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.

d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS
Temporary off-site signage, such as "A-Frame" signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS
The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

a. Fire Department operational conditions as stated in their Inter-Office Memo dated May 30, 2019.

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

4.19 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

a. The owner/permittee shall annually provide the Planning Department the monitoring inspection reports required by the *Final Corrective Action Workplan (CAW) and Mitigation and Monitoring Plan* (Clearwater Hydrology, February 14, 2019) for the Bremer Family Winery Vineyard Cleanup and Abetment Order No. R2-2017-0025 issued by the California Regional Water Quality Control Board (CRWQCB), documenting the results of re-vegetation of off-channel planted areas (i.e. the Intermittent Channel Enhancement Plan: Section 6.1 and Plan Sheet 10 of the CAW). Inspection reports shall be submitted by September 1st of each year until the site is stable and revegetation targets have been met as determined by the CRWQCB. [Included by the Planning Commission at the October 16, 2019 hearing]

4.21 PREVIOUS CONDITIONS **[RESERVED]**

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS **[RESERVED]**

6.2 BUILDING DIVISION – GENERAL CONDITIONS

a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.

b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a "J" number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.

c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL **[RESERVED]**

6.4 LANDSCAPING – PLAN SUBMITTAL **[RESERVED]**

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

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

b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. The applicant must work with the franchised

garbage hauler for the service area in which they are located, in order to determine the area and the pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.8 ADDRESSING **[RESERVED]**

6.9 HISTORIC RESOURCES **[RESERVED]**

6.10 DEMOLITION ACTIVITIES **[RESERVED]**

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**

6.12 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**

6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

a. This Permit recognizes existing physical improvements located within stream setbacks. It does not authorize use of any of these areas or improvements for winery purposes. In the event the use of these improvements for winery related purposes have not been authorized by the existing Use Permit, use of these areas for winery related purposes shall be subject to the County's use permit modification process prior to use.

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS **[RESERVED]**

7.2 ARCHEOLOGICAL FINDING **[RESERVED]**

7.3 CONSTRUCTION NOISE **[RESERVED]**

7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

Napa County Fire Department
Fire Marshal's Office
Hall of Justice, 2nd Floor
1125 3rd Street
Napa, CA 94559

Office: (707) 299-1461

Garrett Veyna
Fire Marshal

A Tradition of Stewardship
A Commitment to Service

MEMORANDUM

TO:	Planning Department	**DATE:**	5/30/2019
FROM:	Adam Mone, Plans Examiner	**PERMIT #**	P19-00153
SUBJECT:	Bremer Family Winery	**APN:**	021-400-002-000

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. Provide 100 feet of defensible space around all structures.
2. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.

Please note that the comments noted above are based on a Fire Marshal's Office review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1466 or email at adam.mone@countyofnapa.org.

BEFORE THE BOARD OF SUPERVISORS

OF NAPA COUNTY

In the Matter of:

Consideration and possible action regarding an appeal filed by Michael Hackett to a decision by the Napa County Planning Commission on October 16, 2019 to approve a request from Bremer Group LLC/Bremer Family Winery for an exception to the Napa County Conservation Regulations in the form of a Use Permit (No. P19-00153-UP) to maintain, in their current configuration, the following existing improvements, or portions thereof, that encroach into the minimum required stream setbacks: (A) an approximate 2,200 square foot agricultural storage building and associated water tank that replaced an approximate 320 square foot barn; (B) an approximate 800 square foot pad located off the east side of the winery building; (C) an approximate 150 square foot ground floor/story addition and second floor/story deck to the main dwelling (a.k.a. farmhouse/office building); (D) an approximate 100 square foot freestanding restroom; (E) approximately 1,210 lineal feet of low decorative rock walls; and (F) two pedestrian bridges over a blue-line stream on an approximately 47.1-acre holding (Assessor's Parcel Nos. 021-400-002 and 021-420-027) at 975 Deer Park Road, St. Helena, California.	**RESOLUTION NO. 2020-65** **FINDINGS OF FACT AND DECISION ON APPEAL**

WHEREAS, on or about August 2017, as the result of a code compliance investigation, the County pursued litigation alleging that the Bremers were operating the Bremer Family Winery (the Bremer Winery or the Winery) in excess of their use permit, notably with regard to unpermitted visitation levels, days and hours of operation, and the location of winery operations; and

WHEREAS, the parties reached a settlement agreement and judgment was entered in February 2019 imposing restrictions on the Winery's visitation and operations. The settlement agreement required the Bremers to submit a complete application to the County for an Exception to the Conservation Regulations in the form of a use permit to legalize the existing decorative rock walls and pedestrian bridge structures; and

WHEREAS, on March 29, 2019, John Bremer on behalf of the Bremer Group, LLC (Applicant) submitted an application for an exception to the Conservation Regulations in the form of Use Permit No. P19-00153-UP (the Application) to maintain existing physical site improvements, or portions thereof, that encroach into the minimum required stream setbacks by recognition and approval of the following: (A) an approximate 2,200 square foot agricultural storage building and associated water tank that replaced an approximate 320 square foot barn; (B) an approximate 800 square foot pad located off the east side of the winery building; (C) an approximate 150 square foot ground floor/story addition and second floor/story deck to the main dwelling (a.k.a. farmhouse/office building) constructed and completed under Building Permit #B08-08-00074; (D) an approximate 100 square foot freestanding restroom constructed and completed under Building Permit #B08-0130; (E) approximately 1,210 lineal feet of low decorative rock walls; and (F) two pedestrian bridges over a blue-line stream (the Project). The existing structures described herein as (A) through (F) are shown on Exhibit "A" incorporated here by reference; and

WHEREAS, the settlement agreement explicitly provides that "The County does not and cannot make any representation or promise that any applications for use permit modifications submitted pursuant to the Judgment entered pursuant to this Settlement Agreement will be approved in whole or in part." The settlement agreement addressed the two Project structures described above as (E) and (F) but does not address and has no relevance to the Project structures described above as (A) through (D); and

WHEREAS, the Application was submitted in compliance with the settlement agreement and the County's Code Compliance Program (Resolution No. 2018-164). That resolution established procedures and policies regarding the processing of land use applications for properties that are the subject of County Code violations. The resolution established a deadline of March 29, 2019 for landowners to apply for permits to voluntarily remedy their violations; those that did not meet the deadline are now required to operate within their existing legal entitlements for at least one year from the date of the initial Notice of Violation before an application may be submitted;

WHEREAS, on May 14, 2019, Staff responded to Applicant's submittal with a comment letter describing additional project information and plan details that were needed to process the Application; and

WHEREAS, on May 24, 2019, a New Project Submittal Courtesy Notice (dated May 24, 2019) was mailed to all property owners within 1,000 feet of the subject property and emailed to those persons on the County's general California Environmental Quality Act (CEQA) document notification list; and

WHEREAS, on June 28, 2019, a resubmittal application with the additional requested information was provided. The Application was determined to be complete on July 28, 2019; and

WHEREAS, the Project site is located on an approximately 47.1-acre holding (Assessor's Parcel Nos. 021-400-002 and 021-420-027) at 975 Deer Park Road, St. Helena, California (the Property). The parcels are under common ownership, have a General Plan land use designation of Agriculture, Watershed and Open Space (AWOS) and are located in the Agricultural Watershed (AW) Zoning District; and

WHEREAS, after a preliminary review of the Project, the Planning, Building and Environmental Services (PBES) Department determined that because the Project consists of recognizing existing physical improvements and would not involve any construction or physical changes to the environment, that it qualified for various categorical exemptions under CEQA; and

WHEREAS, on September 5, 2019, the Public Notice for the Napa County Planning Commission (Planning Commission or Commission) hearing and Notice of Intent to adopt Categorical Exemptions was mailed to all property owners within 1,000 feet of the subject property as well as any other persons and agencies who had requested notice. (The County's noticing requirements exceed the State mandated minimum of noticing all owners within 300 feet). Notice was also provided to those persons on the County's general CEQA document notification list. The Notice was published in the Napa Valley Register on September 6, 2019; and

WHEREAS, on September 18, 2019, at a duly noticed public hearing, the Planning Commission opened the public hearing on the Project, heard and considered verbal and written testimony and continued the public hearing on the Project to October 16, 2019; and

WHEREAS, on October 16, 2019, at the continued public hearing and after considering additional public testimony and all evidence submitted, the Planning Commission closed the public hearing, deliberated, and voted (3:2 – AYES: Whitmer, Mazotti and Hansen; NOES: Cottrell and Gallagher) to approve Use Permit No. P19-00153-UP for an exception in the form of a use permit to allow and approve the requested existing structures labeled as (A) through (F) on Exhibit "A" located within required stream setbacks for the Bremer Winery subject to the recommended conditions of approval; and

WHEREAS, on October 28, 2019, subsequent to the Commission's decision and within the prescribed period, Michael Hackett (Appellant) submitted a timely Notice of Intent to Appeal the Planning Commission's decision to approve the Project and subsequently filed a timely Appeal Packet on November 12, 2019 (collectively the Appeal). The Appeal Packet specified the grounds on which the Appellant's Appeal is based, and are set forth with more particularity herein[1]; and

WHEREAS, in accordance with Napa County Code (NCC) Section 2.88.080(A), a hearing on the Appeal was scheduled before the Board of Supervisors (the Board) for February 4, 2020, a date at least fifteen but no more than ninety days from the date of submittal of the Appeal; and

[1] The complete Appeal Packet is on file with the Clerk of the Board of Supervisors.

WHEREAS, on February 4, 2020, at a duly noticed public hearing on the Appeal, at the Applicant's and Staff's request, the Board continued the hearing on the Appeal to March 17, 2020. No testimony was taken on February 4, 2020; and

WHEREAS, on March 17, 2020, at a duly noticed continued public hearing on the Appeal, the Board heard and considered all evidence and testimony regarding the Appeal. The Board closed the public hearing and adopted a motion of intent to: (1) reject each of the grounds of the Appeal and deny the Appeal in its entirety; and (2) uphold the Planning Commission's approval of the decorative rock walls and two pedestrian bridges as further described as existing structures (E) and (F) on Exhibit "A". The Board took further action and remanded the four remaining existing structures described as (A) through (D) on Exhibit "A" to the Planning Commission to reconsider, each on its own merits, with greater scrutiny, and without further reference to the settlement agreement since they are not included; and

WHEREAS, the Board further directed County Counsel to prepare a resolution containing Findings of Fact and Decision on Appeal in support of its proposed decision to approve the two existing structures described as (E) and (F) on Exhibit "A" and to present those findings to the Board for consideration at its meeting on May 5, 2020; and

WHEREAS, the Board's decision on March 17, 2020, to remand to the four remaining existing structures described as (A) through (D) to the Planning Commission to reconsider, each on its own merits, was considered a final Board action on that date as to those four structures. Therefore, this Findings of Fact and Decision on Appeal only applies to the structures described as (E) and (F) on Exhibit "A"; and

WHEREAS, on May 5, 2020, a proposed resolution containing the Findings of Fact and Decision on Appeal was presented to the Board for possible adoption; and

WHEREAS, this proposed resolution containing the Findings of Fact and Decision on Appeal having been presented to the Board for possible adoption at a regular meeting of the Board on May 5, 2020, and interested persons having been given an opportunity to address the Board regarding the proposed resolution;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors finds, determines, concludes and decides as follows:

Section 1. Recitals.

The Board hereby finds and determines that the foregoing recitals are true and correct.

Section 2. Conduct of Appeal.

A. NCC Section 2.88.090 (B) provides that if the hearing before the approving authority was recorded electronically or by a certified court reporter then upon request by the appellant or any interested party and upon a showing of good cause, the Board may permit

additional evidence to be presented which could have been presented at the time of the decision appealed from was made but was not presented. Here, the Planning Commission proceedings were recorded electronically and transcripts of the Planning Commission proceedings were provided to the Board.

B. Neither the Applicant nor Appellant made a "good cause" request that the Board hear the Project de novo. Likewise, since neither party submitted a timely "good cause" request to augment the Planning Commission record with new evidence, no new evidence was allowed or considered by the Board in connection with the Appeal.

Section 3. Findings of Fact and Conclusions of Law on Appeal.

The Board hereby makes the following findings of fact and conclusions of law in regards to each of the grounds for appeal as stated by Appellant in the Appeal[2]:

A. First Ground of Appeal.

Appellants' Position: Appellant asserts that the Board of Supervisors cannot hear the appeal due to a common law conflict of interest that has and will deprive the public and Appellant the right to procedural due process. Appellant alleges that prior to the Planning Commission action, which is the subject of this appeal, the Board of Supervisors entered into a private settlement agreement in a lawsuit brought by the County against the Applicant in which an application for the use permit ultimately granted by the Planning Commission was required. Appellant alleges the Planning Commission limited its consideration of Applicant's Application due to direction by the Board of Supervisors and misapplication of the settlement agreement. Appellant further asserts that the Board should recuse itself as the appellate body.

Findings and Decision: The Board finds and determines as follows:

No procedural due process violation occurred and there is no evidence that any member of the Board of Supervisors has a common law conflict of interest that warrants disqualification. The Planning Commission did not limit its consideration of Applicant's project, as evidenced by two Commissioners voting to deny the request. The settlement agreement merely required the Applicant to submit an application. It did not require that the Commission approve that application.

The constitutional principle of procedural due process requires reasonable notice and opportunity to be heard before governmental deprivation of a significant property interest. (*Horn v. County of Ventura* (1979) 24 Cal.3d 605, 612.) Because Appellant has not asserted that it has a significant property interest or a significant deprivation of its property interest, there is no basis upon which Appellant could assert or a court could find a viable procedural due process claim. Staff pointed out this issue in a letter to Appellant's counsel dated January 24, 2020. Neither Appellant nor Appellant's counsel provided any response.

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[2] This Resolution summarizes the grounds of appeal. For the complete text of the Appeal, please see the actual Appeal dated November 12, 2019.

A common law conflict of interest exists only in limited circumstances that do not exist here. (*See BreakZone Billiards v. City of Torrance* (2000) 81 Cal.App.4th 1205, 1233 ["We continue to be cautious in finding common law conflicts of interest. … We reject the application of the doctrine in this case, assuming, arguendo, it exists"].) A common law conflict of interest requires proof of "an unacceptable probability of actual bias" on the part of the Board. (*Id.* at p. 1236.) "A mere suggestion of bias is not sufficient to overcome the presumption of integrity and bias." (*Id.*) Bias is never implied, and Appellant's "unilateral perception of an appearance of bias cannot be a ground for disqualification." (*Id.* at p. 1237.) No evidence of a common law conflict of interest exists here. No Board member has demonstrated any actual bias against the Appellant, Applicant or any other party. No Board member has made any statements regarding the Application, and any such statements would not violate due process in any event. (*Fairfield v. Superior Court of Solano County* (1975) 14 Cal.3d 768, 772, 780-781.)

Appellant incorrectly alleges that the settlement agreement required approval of the Application. In fact, the settlement agreement has no relevance at all to four of the six improvements in the Application, and explicitly does not require approval of the other two. The settlement agreement does not mandate any outcome or require the Planning Commission or the Board to take any particular action on the Application. The agreement merely requires the Applicant to submit a complete application regarding the rock walls and bridge structures, which the Applicant has done.

No authority suggests that entry of a settlement agreement can constitute a common law conflict of interest or violation of procedural due process, and Appellant has cited to none. Staff pointed out these arguments in a letter to Appellant's counsel dated January 24, 2020, but neither Appellant nor Appellant's counsel provided any authority to the contrary.

Contrary to Appellant's allegations, the Planning Commission thoughtfully considered the Application, the health of the watercourse, and whether the existing structures in the setback should be removed. The Commission was fully apprised of its discretion to either grant, deny or modify the Application and the record is replete with evidence of that fact, including but not limited to the Staff Reports, comments from Staff, and even testimony from Applicant's counsel. Furthermore, nothing in the settlement agreement itself limited or mandated the Commission's discretion. Section 10 of the settlement agreement simply states: "… Defendants shall submit a complete application for an exception to the Conservation Regulations, as provided in Napa County Code Section 18.108.040, to allow the walls and bridge structures within the creek setback." Section 6 explicitly provides that "The County does not and cannot make any representation or promise that any applications for use permit modifications submitted pursuant to the Judgment entered pursuant to this Settlement Agreement will be approved in whole or in part."

The September 18, 2019 Staff Report provided an eight-page analysis of the Application and explicitly identified the options before the Planning Commission, including to deny the requested use permit or redesign it "to identify what site improvements should be removed and the underlying areas restored." (Planning Commission Meeting Staff Report September 18,

2019, pages 7-8.) The Staff Report belies any claim that the Planning Commission was directed to approve the Application.

The Planning Commission clearly understood it had the ability to approve, redesign, or deny the Application. Commissioner Hansen said that under the settlement agreement, the Planning Commission's options included "approve, redesign, or deny, or continue." (Certified Planning Commission Hearing Transcript, September 18, 2019, page 11:25.) The Project Planner confirmed that the Planning Commission could authorize the improvements to be retained, "or should you choose to have them remove some, we could look at that." (Certified Planning Commission Hearing Transcript, September 18, 2019, page 12:20-24.)

Deputy County Counsel reiterated the Commission's options, noting that "... the Planning Commission in its discretion reviews the project, reviews the findings and whether or not they can be made, and then we'll take action." (Certified Planning Commission Hearing Transcript, September 18, 2019, pages 26:25-28; 27:1-3.) Applicant's counsel even acknowledged the Commission's discretion: "You have to use your own judgment on this. If you believe there's damage to the watercourse, you shouldn't approve it." (Certified Planning Commission Hearing Transcript, September 18, 2019, page 34:20-21.)

The October 16th Staff Report again explained that the Planning Commission had multiple decision-making options, including denying the requested use permit or redesigning the project to identify which site improvements should be removed and underlying areas to be restored. (Planning Commission Meeting Staff Report, October 16, 2019, pages 5-6.) The Staff Report clearly states that although staff recommended approval, "that *recommendation is not binding on the Commission. The Planning Commission retains its discretion on this project*." (Planning Commission Meeting Staff Report, October 16, 2019, page 5 [emphasis added].)

The Planning Commission then exercised its discretion to approve the Project — with two Commissioners voting No. Appellant disproportionately relies on comments from those two Commissioners, but their No votes prove beyond any doubt that the Planning Commission was not limited or directed to approve the Application. Appellant's argument to the contrary ignores all of this record evidence and relies on a few selective comments that Appellant recites incorrectly or out of context. Appellant ignores the discussion surrounding these comments, which includes testimony that denial of the Application could result in non-compliant structures, a potential code compliance enforcement action, and a likely appeal to the Board, with the encroachments possibly being left in place for environmental reasons or possible removal and restoration. (Certified Planning Commission Hearing Transcript October 16, 2019, pages 41:4-28; 42:1-28.)

The Board did not direct the Planning Commission to limit its review or exercise its discretion in any particular way. No evidence exists to the contrary, and Appellant has pointed to none. Instead, multiple Commissioners asked if the Commission had authority to deny the Application, and what would happen if the Commission did so. Staff advised the Planning Commission that it had full authority to approve, deny, or condition the requested use permit. Staff explained that denial would result in non-compliant structures that would be subject to code enforcement and potential removal of the structures.

Counties have the fundamental power to control their own land use decisions, which derives from their inherent police power rather than any delegation of authority by the state. (*Big Creek Lumber Co. v. County of Santa Cruz* (2006) 38 Cal.4th 1139, 1151.) The County Code requires the Board to hear and decide on this appeal, and identifies no alternative source of decision. As a result, the Board's participation is legally required.

Conclusions:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to support the Planning Commission's decision. The Board denies the First Ground of Appeal and upholds the Planning Commission's approval of the rock walls and bridges described as structures (E) and (F) on Exhibit "A". As to the four remaining structures described as (A) through (D), the Board remanded these structures to the Planning Commission on March 17, 2020, to reconsider, each on its own merits, with greater scrutiny, and without further reference to the settlement agreement since they are not included.

B. Second Ground of Appeal.

Appellant's Position: Appellant asserts that the Planning Commission failed to consider the public trust as required by applicable law in granting the Application.

Findings and Decision: The Board finds and determines as follows:

It is unclear on what basis the Planning Commission is alleged to have failed to consider the public trust. Appellant's appeal contains this assertion but did not articulate how the public trust has been violated. The Planning Commission meeting transcripts are equally uninformative. Appellant testified, "I am here representing the public trust, not the Bremers." (Certified Planning Commission Hearing Transcript, October 16, 2019, page 20:25.) Appellant further stated, "There is no statute of limitations on the public trust. Every day, the public is going to be allowed on this property, but I cannot see it. They are using public trust space to sell wine." (Certified Planning Commission Hearing Transcript, October 16, 2019, page 22:5-8.)

The public trust doctrine dates back to ancient Roman and English common law, and has been part of California law since the State's admission to the Union in 1850. (*Environmental Law Foundation v. State Water Resources Control Board* (2018) 26 Cal.App.5th 844, 856; *World Business Academy v. California State Lands Commission* (2018) 24 Cal.App.5th 476, 508.) The public trust doctrine is borne out of the concept "that the public rights of commerce, navigation, fishery and recreation are so intrinsically important and vital to free citizens that their unfettered availability to all is essential in a democratic society." (*Zack's Inc. v. City of Sausalito* (2008) 165 Cal.App.4th 1163, 1175.) The doctrine is an affirmation of state power to use public property for public purposes, and the state's duty to protect the people's common heritage of streams, lakes, marshlands and tidelands. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419, 441.)

The doctrine requires the state and its legal subdivisions to "consider," give "due regard," and "take the public trust into account" when considering actions that may adversely impact a navigable waterway. (*Environmental Law Foundation v. State Water Resources Control Bd.*

(2018) 26 Cal.App.5th 844, 861, 868; *San Francisco Baykeeper, Inc. v. State Lands Com.* (2018) 29 Cal.App.5th 562, 569.) There is no "procedural matrix" governing how an agency should consider public trust uses. (*Citizens for East Shore Parks v. State Lands Com.* (2011) 202 Cal.App.4th 549, 576.) Rather, the level of analysis "begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust." (*Environmental Law Foundation*, 26 Cal.App.5th at p. 403.)

The courts have refused to impose factual evaluation requirements or procedural constraints on agencies considering the public trust. (*Citizens for East Shore Parks*, 202 Cal.App.4th at p. 577; *World Business Academy*, 24 Cal.App.5th at p. 509.) Evaluating project impacts within a regulatory scheme like CEQA is sufficient "consideration" for public trust purposes. (*Citizens for East Shore Parks*, 202 Cal.App.4th at pp. 576-577.)

The courts have upheld agency decisions when staff discussed public trust uses as part of the project evaluation. In *San Francisco Baykeeper*, for example, the court upheld leases to dredge sand in the San Francisco Bay where agency staff opined the dredging would not impair the public right to use the parcels for commerce, navigation, fishing, recreation, or other public trust uses. (29 Cal.App.5th at p. 573.) Likewise, the court in *World Business Academy* upheld a replacement lease for the Diablo Canyon nuclear power plant where the staff report "explicitly analyzed the public trust doctrine" and the commission considered the facts before it. (25 Cal.App.5th at p. 509.) In *Citizens for East Shore Parks*, the agency properly considered the public trust by engaging in the CEQA review process, which encompasses potential impacts to recreational and other public trust uses. (202 Cal.App.5th at p. 578.)

Here, too, the record contains substantial evidence that allowing the built improvements to remain in place would not adversely impact an unnamed blue-line stream that traverses the project site. The stream is not mapped as an environmentally sensitive resource for biotic vegetation groups, critical habitat, wetlands or vernal pools, or other resources. (Planning Commission Staff Report, September 18, 2019, page 6.) The record also contains professional biological evaluations that determined the stream would not be adversely impacted and that there are no anticipated threats to water quality as a result of the continued maintenance of the site improvements.

The stream and its ecological functions were evaluated by two biologists and a certified professional erosion and sediment control (CPESC) consultant. All three professionals opined that the stream is functioning normally and that the native vegetation present is typical for this part of the County. The CPESC consultant's report noted that "overall stream health and riparian function in the upper reach by the winery are in good condition." (Planning Commission Staff Report, September 18, 2019, Attachment E.) The Biological Report from FirstCarbon Solution found that, "The creek meanders through the property, uninterrupted, largely in its natural state and appears to be functioning as such. … It is our biological professional opinion that the walls and improvements built within the creek corridor have not significantly changed the natural state of the ephemeral creek and there is no impairment of the vital ecological function of the creek." (Planning Commission Staff Report, September 18, 2019, Attachment D.) These opinions were echoed in biologist Geoff Monk's testimony: "the channel is functioning very well, fine. All the flows are well below any structure that has been constructed. There's no constriction, there's no sedimentation issues. It's a very stable stream channel the way it is now." (Certified Planning Commission Hearing Transcript, October 16, 2019, page 17:21-24.)

Based on this substantial record evidence, the Planning Commission appropriately found that the Application would not impact a public trust resource. The record is clear that leaving the improvements in place would not harm the stream, but it further reveals concern that "doing any kinds of modifications to that, pulling back, removing things, would probably create greater instability, and certainly a sediment source that hasn't existed on the site for some time." (Certified Planning Commission Hearing Transcript, September 18, 2019, page 24:20-24.) For all the reasons stated herein, the Planning Commission properly considered the Application's impact on the stream and appropriately found no credible evidence that approval of the permit would harm the stream or a navigable waterway.

This substantial evidence and the limited nature of the project differentiate the Application from those circumstances in which courts have expressed public trust concerns. Those cases involve groundwater pumping that was partly responsible for decreased surface flows in a navigable waterway that allegedly injured local fish (*Environmental Law Foundation, supra*, 26 Cal.App.5th 844); an 1884 case in which a mining company impaired navigation by dumping sand and gravel into a non-navigable stream that flowed into the Sacramento River (*People v. Gold Run D. & M. Co.* (1884) 66 Cal. 138); and the City of Los Angeles' practice of diverting water from non-navigable streams flowing into Mono Lake resulting in lake levels dropping and the surface area diminishing by one-third (*National Audubon Society, supra*, 33 Cal.3d 419.) None of those situations is remotely similar to this Application. Unlike those cases, here the analysis begins and ends with multiple qualified professional opinions finding that allowing the improvements to remain in the stream setback would not harm the blue line stream.

Here, the County complied with CEQA and prepared a five-page memorandum documenting how the various existing improvements built within the stream setback were categorically exempt. To support the exemptions, the County relied on opinions by environmental professionals that the improvements have not significantly changed the natural state of the stream or impaired its ecological functions. No grading has or would occur in the bed of the stream. Because the Application would approve existing improvements and have no change in the use of the stream, the public trust doctrine does not require the County to conduct any additional analysis or consideration. The County and Planning Commission fulfilled their obligations under the public trust doctrine.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to support the Planning Commission's decision. The Board denies the Second Ground of Appeal and upholds the Planning Commission's approval of the rock walls and bridges described as structures (E) and (F) on Exhibit "A". As to the four remaining structures described as (A) through (D), the Board remanded these structures to the Planning Commission on March 17, 2020, to reconsider, each on its own merits, with greater scrutiny, and without further reference to the settlement agreement since they are not included.

C. Third Ground of Appeal.

Appellant's Position: Appellant asserts that the Planning Commission acted against the public interest by failing to conduct a fair and impartial hearing, thereby depriving the public,

including Appellant, of the right to procedural due process. Specifically, Appellant asserts that the Planning Commission acted at the direction of the Board of Supervisors to comply with the terms of a private settlement agreement without notice to or hearing on that direction or those terms at a public meeting as required by applicable law, including but not limited to the Ralph M. Brown Act, Government Code Section 54954, et seq.

Findings and Decision: The Board finds and determines as follows:

Appellant has also not alleged that it has a significant property interest subject to procedural due process. Please see Board findings, determination and conclusion as to Appeal Ground No. 1 above, incorporated here by reference.

The Planning Commission hearings on the Application were fair, impartial and afforded the public and the Appellant due process. Notice of the public hearing was mailed to all property owners within 1,000 feet of the subject property and published in the newspaper more than eleven days prior to the hearing. The Planning Commission meeting agendas were made available and posted to the County's website one week prior to the hearing dates. Appellant and the public had an opportunity to be heard on the Application as demonstrated by Appellant's and others' written and verbal testimony at the hearings. Because proper notice was given, Appellant and the public had ample opportunity to comment on the project and no due process violation occurred.

Furthermore, the Planning Commission did not act at the direction of the Board, and no direction was given by the Board to the Planning Commission regarding the settlement agreement or the Application. The only meetings that occurred were properly noticed before the Planning Commission in full compliance with the Brown Act's open and public meeting requirements.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to support the Planning Commission's decision. The Board denies the Third Ground of Appeal and upholds the Planning Commission's approval of the rock walls and bridges described as structures (E) and (F) on Exhibit "A". As to the four remaining structures described as (A) through (D), the Board remanded these structures to the Planning Commission on March 17, 2020, to reconsider, each on its own merits, with greater scrutiny, and without further reference to the settlement agreement since they are not included.

D. Fourth Ground of Appeal.

Appellant's Position: Appellant asserts that the Planning Commission acted at the direction of the Board to comply with the terms of the private settlement agreement, which was itself arrived at on the basis of a draft tentative ruling by the Napa County Superior Court, which was provided to the parties to the lawsuit but withheld from the public.

Findings and Decision: The Board finds and determines as follows:

The Planning Commission did not act at the direction of the Board. The Board did not direct the Planning Commission to limit its review or exercise its discretion in any particular

way. No evidence exists to the contrary, and Appellant has pointed to none. Please see Board findings, determinations and conclusions as to Appeal Ground No. 1 incorporated here by reference.

The superior court did not issue a "draft tentative ruling." Appellant appears to refer to a "case analysis" prepared by an early judge in the code enforcement litigation. (Appeal Packet, Exh. B, page 6:12.) That case analysis was preliminary and prepared by a judge who recused themselves from the case on October 9, 2018. The settlement agreement was executed approximately four months later, before an entirely different superior court judge. The "case analysis" was irrelevant, and remains irrelevant to this Appeal.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to support the Planning Commission's decision. The Board denies the Fourth Ground of Appeal and upholds the Planning Commission's approval of the rock walls and bridges described as structures (E) and (F) on Exhibit "A". As to the four remaining structures described as (A) through (D), the Board remanded these structures to the Planning Commission on March 17, 2020, to reconsider, each on its own merits, with greater scrutiny, and without further reference to the settlement agreement since they are not included.

E. Fifth Ground of Appeal.

Appellant's Position: Appellant asserts that the Planning Commission acted against the public interest by failing to conduct a fair and impartial hearing, thereby depriving the public, including Appellant, of the right to procedural due process. Specifically, Appellant asserts that the Planning Commission limited action on Applicant's Application to the terms of the private settlement agreement.

Findings and Decision: The Board finds and determines as follows:

Please see Board findings, determinations and conclusions as to Appeal Ground Nos. 1 through 3 incorporated here by reference.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to support the Planning Commission's decision. The Board denies the Fifth Ground of Appeal and upholds the Planning Commission's approval of the rock walls and bridges described as structures (E) and (F) on Exhibit "A". As to the four remaining structures described as (A) through (D), the Board remanded these structures to the Planning Commission on March 17, 2020, to reconsider, each on its own merits, with greater scrutiny, and without further reference to the settlement agreement since they are not included.

F. Sixth Ground of Appeal.

Appellant's Position: Appellant asserts that the Planning Commission failed to provide documents regarding the Application in a timely manner in accordance with the Brown Act so that the public could participate in a meaningful manner in the public hearing on the Application.

Findings and Decision: The Board finds and determines as follows:

Neither the Appellant nor any member of the public were deprived of participating in a meaningful manner at the public hearings before the Planning Commission. All documents related to the Commission's action on the use permit were made available to the public, including the Appellant, well in advance of the September 18th and October 16th Commission meetings.

The Brown Act requires that the meeting agenda be available to the public 72-hours in advance of a regular meeting and that the meeting agenda include "a brief general description of each item of business to be transacted or discussed at the meeting." (Government Code Sections 54954.2(a)(1) and 54954.2(b).) The Act further prohibits an appointed body such as a planning commission from taking action on matters that are not listed on the posted agenda.

On September 11, 2019, the Planning Commission Meeting Agenda and materials related to the hearing on the Bremer Winery Application were posted on the County's website. Consistent with the Brown Act, the Planning Commission Meeting Agendas for September 18th and October 16th both identified the item of business to be transacted or discussed at the meeting as "Approval of a request for an exception to the Napa County Conservation Regulations, Napa County Code (NCC) Chapter 18.108, in the form of a Use Permit, in order to maintain" various existing site improvements located within stream setbacks. In addition to the Staff Report, the publicly available agenda materials included recommended findings, conditions of approval, the Application and submittal documents, the CEQA determination memorandum, site plans, a biological report, the prior use permit on the property, and supporting graphics. All of these materials were posted on the County's website and available for the public and the Appellant to review on September 11, 2019, six days in advance of the September 18th meeting, and well beyond the 72-hours mandated by the Brown Act.

Appellant has not identified what specific documents were not made available to the public in a timely manner. To the extent that Appellant is asserting that the unrelated settlement agreement should have been provided to the Commission and the public, it was. The action item before the Commission related only to the Use Permit Exception request and the CEQA determination, not the settlement agreement. Nevertheless, the agreement was provided for informational and background purposes on September 17, 2019. After taking public comment and in response to a request for continuance, the Planning Commission continued the hearing to October 18, 2019, giving the public and the Appellant more than one month of additional time to review all documents related to the Application and the unrelated settlement agreement.

The settlement agreement required the Applicant to apply for the use permit exception to allow the walls and bridge structures within the creek setback. Per the County Code, applications for an exception to the Conservation Regulations in the form of a use permit are heard and considered by the Planning Commission (County Code Section 18.108.040). As further discussed in the Board's findings, determinations and conclusions as to Appeal Ground Nos. 1 through 3 incorporated here by reference, the Commission retained and exercised its independent judgment. Neither the settlement agreement nor the Board usurped the Commission of its discretion.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to support the Planning Commission's decision. The Board denies the Sixth Ground of Appeal and upholds the Planning Commission's approval of the rock walls and bridges described as structures (E) and (F) on Exhibit "A". As to the four remaining structures described as (A) through (D), the Board remanded these structures to the Planning Commission on March 17, 2020, to reconsider, each on its own merits, with greater scrutiny, and without further reference to the settlement agreement since they are not included.

Section 4. CEQA Determination.

The Board finds and determines that this type of project does not have a significant effect on the environment and is exempt from the CEQA. [See Section 15301, Class 1 Minor Alterations to Existing Facilities; and Section 15302, Class 2 Replacement or Reconstruction, which may be found in the guidelines for the implementation of the CEQA at 14 CCR Sections 15301 and 15302. This project has also been determined to be exempt pursuant to CCR Section 15061 in that the recognition, retention, and maintenance of existing site improvements has no possibility of causing a significant effect. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Section 5. Substantial Evidence.

Substantial evidence supporting each and every finding made herein is contained in the record of proceedings. All of the files and records that comprise the administrative record for the Project are incorporated herein by reference.

Section 6. Summary of Decision.

Based on the foregoing facts, findings, and determinations, the Board of Supervisors hereby:

A. Denies the Appeal in its entirety;

B. Adopts the following Categorical Exemptions pursuant to CEQA: Section 15301, Class 1 Minor Alterations to Existing Facilities and Section 15302, Class 2 Replacement or Reconstruction, which may be found in the guidelines for the implementation of the CEQA at 14 CCR Sections 15301 and 15302. The Board further finds this project exempt pursuant to CCR Section 15061 in that the recognition, retention, and maintenance of existing site improvements has no possibility of causing a significant effect;

C. Upholds the Planning Commission's approval as to only the decorative rock walls and two pedestrian bridges described as existing structures (E) and (F) on Exhibit "A"; and

D. Approves Use Permit No. P15-00307-MOD as to only the decorative rock walls and two pedestrian bridges subject to the Updated Conditions of Approval attached as Exhibit "B."

Section 7. Effective Date.

This resolution shall take effect in accordance with the provisions of NCC Section 2.88.090.

Section 8. Judicial Challenge.

Unless a shorter period applies, any judicial challenge to this decision is governed by California Code of Civil Procedure Section 1094.6.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Supervisors of the County of Napa, State of California, at a regular meeting of said Board held on the 5th day of May, 2020, by the following vote:

AYES:	SUPERVISORS	PEDROZA, WAGENKNECHT, GREGORY RAMOS and DILLON
NOES:	SUPERVISORS	NONE
ABSTAIN:	SUPERVISORS	NONE
ABSENT:	SUPERVISORS	NONE

NAPA COUNTY, a political subdivision of the State of California

By: _____
DIANE DILLON, Chair of the Board of Supervisors

APPROVED AS TO FORM Office of County Counsel	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS	ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors
By: *Laura J. Anderson (e-sign)* Deputy County Counsel Date: April 27, 2020	Date: May 5, 2020 Processed By: _____ Deputy Clerk of the Board	By: _____ Date: May 5, 2020

Attachment:

- Exhibit "A" – Map of Existing Site Improvements/Structure
- Exhibit "B" - Updated COA

provements subject to the Conservation Regulations that the ng Commission acted on, because they are located within stream ks and occurred after adoption of the Conservation Regulations :

pproximate 2,200 sq. ft. Ag Storage Barn and associated water tank that d an approximate 320 sq. ft. Barn;

pproximate 800 sq. ft. concrete pad located off the east side of the winery ;

pproximate 150 square foot ground floor/story addition and second floor/ ack to the Main Dwelling (a.k.a. farmhouse/office building) constructed/ ted in 2011 under Building Permit #B08-00074;

pproximate 100 sq. ft. freestanding restroom constructed/completed in nder Building Permit #B08-01030;

oximately 1,210 lineal feet of low decorative rock walls;

pedestrian bridges.

Exhibit "A"

SITE IMPROVEMENTS - Bremer Use Permit Exception - Exhibit "A"

~~REVISED~~ UPDATED
~~PLANNING COMMISSION HEARING – OCTOBER 16, 2019~~
BOARD OF SUPERVISORS – MAY 5, 2020
CONDITIONS OF APPROVAL

Bremer Family Winery Site Improvements
Use Permit Exception to the Conservation Regulations
Application Number P19-00153-UP
975 Deer Park Road, St. Helena
(APNs 021-400-002 and 021-420-027

This permit encompasses and shall be limited to the project commonly known as *Bremer Family Winery Site Improvements Recognition and Retention*, located at 975 Deer Park Road, St. Helena. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as "Reserved" and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

The permit encompasses and shall be limited to:

1.1 The recognition and approval of, the following two existing site improvements, or portions thereof, in their existing configuration, that encroach into the minimum required stream setbacks pursuant to Napa County Code (NCC) Section 18.108.025(B) ranging from 45 feet to 65 feet from the top of bank of an unnamed blue-line stream, as depicted in Bremer Family Winery Stream Setback Exhibit 2 (RSA+, June 26, 2019).

~~a. An approximate 2,200 square foot agricultural storage building and associated water tank;~~
~~b. An approximate 800 square foot concrete pad and associated walls attached to the winery;~~
~~c. An approximate 150 square foot ground floor/story addition and second floor/story deck to the farmhouse/office building;~~
~~d. An approximate 100 square foot freestanding restroom~~;
~~e.~~a. Approximately 1,210 lineal feet of rock walls; and

~~f.~~ b. Two pedestrian bridges over a blue-line stream.

The recognition of existing site improvements located within required stream setbacks shall be those that are in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion of or change in use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 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 of approval 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 to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a $500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency 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 so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS **[RESERVED]**

4.2 TOURS AND TASTINGS/VISITATION **[RESERVED]**

4.3 MARKETING **[RESERVED]**

4.4 ON-PREMISES CONSUMPTION **[RESERVED]**

4.5 RESIDENCE OR NON-WINERY STRUCTURES **[RESERVED]**

4.6 GRAPE SOURCE **[RESERVED]**

4.7 COMPLIANCE REVIEW **[RESERVED]**

4.8 RENTAL/LEASING **[RESERVED]**

4.9 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**

4.10 AMPLIFIED MUSIC **[RESERVED]**
~~There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.~~

4.11 TRAFFIC **[RESERVED]**

4.12 PARKING **[RESERVED]**

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES **[RESERVED]**

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES **[RESERVED]**

4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

a. **[RESERVED]**.

b. **[RESERVED]**

c. **[RESERVED]**

d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS
Temporary off-site signage, such as "A-Frame" signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS
The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

a. Fire Department operational conditions as stated in their Inter-Office Memo dated May 30, 2019.

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

4.19 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT **[RESERVED]**

4.21 PREVIOUS CONDITIONS **[RESERVED]**

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES
No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS **[RESERVED]**

6.2 BUILDING DIVISION – GENERAL CONDITIONS

a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.

b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a "J" number from the Bay Area Air

Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.

c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL **[RESERVED]**

6.4 LANDSCAPING – PLAN SUBMITTAL **[RESERVED]**

6.5 COLORS **[RESERVED]**

~~The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.~~

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES **[RESERVED]**

a. ~~Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels~~.

b. ~~New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.~~

c. ~~Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code~~.

6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.8 ADDRESSING **[RESERVED]**

6.9 HISTORIC RESOURCES **[RESERVED]**

6.10 DEMOLITION ACTIVITIES **[RESERVED]**

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**

6.12 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**

6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

a. This Permit recognizes two existing physical improvements located within stream setbacks. It does not authorize use of any of these areas or improvements for winery purposes. In the event the use of these improvements for winery related purposes have not been authorized by the existing Use Permit, use of these areas for winery related purposes shall be subject to the County's use permit modification process prior to use.

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS **[RESERVED]**

7.2 ARCHEOLOGICAL FINDING **[RESERVED]**

7.3 CONSTRUCTION NOISE **[RESERVED]**

7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

October 29, 2020

John Bremer
Bremer Group LLC
975 Deer Park Road
St. Helena CA 94574

Re: Bremer Family Winery, Use Permit Exception to the Conservation Regulations #P20-00143-UP
975 Deer Park Road, St. Helena, CA (APNs 021-40-002 and 021-420-027)

Dear Mr. Bremer,

Please be advised that Use Permit Exception to Conservation Regulations #P20-00143 for the following Site Improvements was **APPROVED** by the Napa County Planning Commission (hereinafter, "Commission") on July 15, 2020, subject to the attached adopted final conditions of approval (as revised by the Planning Commission's action), Napa County departmental comments, and all applicable Napa County regulations: the approximate 800 square foot pad attached to the winery (identified as site improvement B), and the approximate 150 square foot ground floor/story addition and second floor/story deck to the farmhouse/main-residence specific to Building Permit #B08-00079 (identified as Site Improvement C). In approving these Site Improvements specified in the above request record, the Commission adopted Categorical Exemptions pursuant to the California Environmental Quality Act (CEQA).

Also be advised the Planning Commission **DENIED** the following Site Improvements specified in the referenced request: the approximate 2,200 square foot agricultural storage building and associated water tank (identified as Site Improvement A), and an approximate 100 square foot freestanding restroom (identified as Site Improvement D).

This permit becomes effective immediately unless a timely appeal is filed with the Napa County Board of Supervisors consistent with Chapter 2.88 of the Napa County Code, including payment of applicable fees. As you are aware, Alicia Guerra of Buchalter filed an appeal on your behalf specific to the **DENIED** Site Improvements. The appeal hearing is scheduled to be heard on December 8, 2020.

Pursuant to Napa County Code Section 18.124.080, the approved Use Permit Exception to the Conservation Regulations must be activated within two 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 of your permit.

USE PERMIT EXCEPTION TO THE CONSERVATION REGULATIONS EXPIRATION DATE: October 16, 2021

If you have any questions about this letter, please contact me by telephone at (707) 299-1338 or by email at donald.barrella@countyofnapa.org.

Sincerely,



Donald Barrella
Planner III

Enclosures: Adopted Conditions of Approval and Departmental Requirements
Attachment A: Map of Approved Site Improvements

CC: David Morrison, Director, Planning Building and Environmental Services (via email)
Brian Bordona, Deputy Director, Planning Building and Environmental Services (via email)
Jeffery Brax, County Counsel (via email)
Laura Anderson, Deputy County Counsel (via e-mail)
Bremer Family Winery, 1660 Chicago Ave. Suite M11, Riverside CA 92507-2033
David B. Gilbreth, 1152 Hardman Avenue, Napa CA 94558 (via email)

PLANNING COMMISSION HEARING – July 15, 2020
FINAL CONDITIONS OF APPROVAL

Bremer Family Winery Site Improvements
Use Permit Exception to the Conservation Regulations
Application Number P20-00143-UP
975 Deer Park Road, St. Helena
APNs 021-400-002 and 021-420-027

This permit encompasses and shall be limited to the project commonly known as *Bremer Family Winery Site Improvements Recognition and Retention*, located at 975 Deer Park Road, St. Helena. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as "Reserved" and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

The permit encompasses and shall be limited to:

1.1 The recognition and approval of, the following existing site improvements, or portions thereof, in their existing configuration, that encroach into the minimum required stream setbacks pursuant to Napa County Code (NCC) Section 18.108.025(B) ranging from 45 feet to 65 feet from the top of bank of an unnamed blue-line stream, as depicted in Attachment D Site Improvement - Bremer Use Permit Exception.

b. An approximate 800 square foot concrete pad and associated walls attached to the winery [Identified as Site Improvement B in Attachment D];
c. An approximate 150 square foot ground floor/story addition and second floor/story deck to the farmhouse/office building [Identified as Site Improvement C in Attachment D;

The recognition of the two existing site improvements located within required stream setbacks shall be those that are in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion of or change in use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process. The approval of the two site improvements within the required stream setbacks in no way authorizes their use for winery related purposes. Any use of these structures for winery related purposes would first require County approval of a use permit modification to the existing use permit.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 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 of approval 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 to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a $500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency 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 so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS **[RESERVED]**

4.2 TOURS AND TASTINGS/VISITATION **[RESERVED]**

4.3 MARKETING **[RESERVED]**

4.4 ON-PREMISES CONSUMPTION **[RESERVED]**

4.5 RESIDENCE OR NON-WINERY STRUCTURES **[RESERVED]**

4.6 GRAPE SOURCE **[RESERVED]**

4.7 COMPLIANCE REVIEW **[RESERVED]**

4.8 RENTAL/LEASING **[RESERVED]**

4.9 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**

4.10 AMPLIFIED MUSIC **[RESERVED]**

4.11 TRAFFIC **[RESERVED]**

4.12 PARKING **[RESERVED]**

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES **[RESERVED]**

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES **[RESERVED]**

4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

a. **[RESERVED]**

b. **[RESERVED]**

c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.

d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS
Temporary off-site signage, such as “A-Frame” signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS
The attached project conditions of approval include all of the following County Divisions, Departments and Agencies’ requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

a. Fire Department operational conditions as stated in their Inter-Office Memo dated May 30, 2019.

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

4.19 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT **[RESERVED]**

4.21 PREVIOUS CONDITIONS **[RESERVED]**

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS **[RESERVED]**

6.2 BUILDING DIVISION – GENERAL CONDITIONS

a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.

b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a "J" number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.

c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL **[RESERVED]**

6.4 LANDSCAPING – PLAN SUBMITTAL **[RESERVED]**

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

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

b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.8 ADDRESSING **[RESERVED]**

6.9 HISTORIC RESOURCES **[RESERVED]**

6.10 DEMOLITION ACTIVITIES **[RESERVED]**

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**

6.12 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**

6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS **[RESERVED]**

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS **[RESERVED]**

7.2 ARCHEOLOGICAL FINDING **[RESERVED]**

7.3 CONSTRUCTION NOISE **[RESERVED]**

7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES **[RESERVED]**

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES **[RESERVED]**

Napa County Fire Department
Fire Marshal's Office
Hall of Justice, 2nd Floor
1125 3rd Street
Napa, CA 94559

Office: (707) 299-1461

Garrett Veyna
Fire Marshal

A Tradition of Stewardship
A Commitment to Service

MEMORANDUM

TO:	Planning Department	**DATE:**	5/30/2019
FROM:	Adam Mone, Plans Examiner	**PERMIT #**	P19-00153/P20-00143
SUBJECT:	Bremer Family Winery	**APN:**	021-400-002-000

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. Provide 100 feet of defensible space around all structures.
2. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.

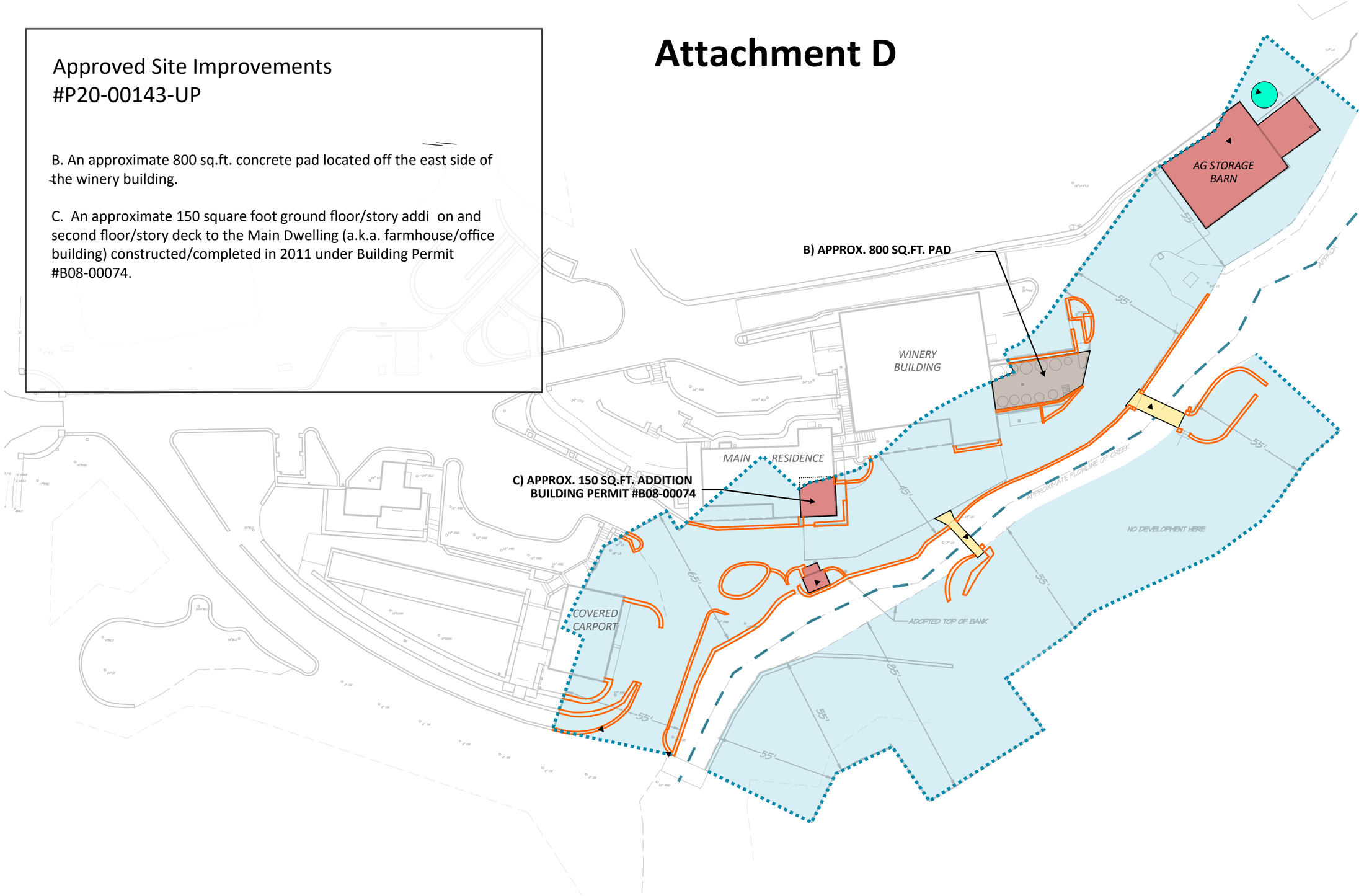
Please note that the comments noted above are based on a Fire Marshal's Office review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1466 or email at adam.mone@countyofnapa.org.

Attachment D

Approved Site Improvements
#P20-00143-UP

B. An approximate 800 sq.ft. concrete pad located off the east side of the winery building.

C. An approximate 150 square foot ground floor/story addi on and second floor/story deck to the Main Dwelling (a.k.a. farmhouse/office building) constructed/completed in 2011 under Building Permit #B08-00074.



SITE IMPROVEMENTS - Bremer Use Permit Exception #P20-00143-UP

BEFORE THE BOARD OF SUPERVISORS

OF NAPA COUNTY

In the Matter of:

An appeal filed by Alicia Guerra, Esq. for John Bremer (Applicant/Appellant) on behalf of the Bremer Group, LLC, to a decision by the Napa County Planning Commission on July 15, 2020 to deny a request from Bremer Group, LLC/Bremer Family Winery for an exception to the Napa County Conservation Regulations in the form of a Use Permit (No. P20-00143-UP) to maintain, in their current configuration, the following existing physical site improvements, or portions thereof, that encroach into the minimum required stream setbacks: (1) an approximate 2,200 square foot agricultural storage building ("barn") and associated water tank; and (2) an approximate 100 square foot freestanding restroom. The project is located on an approximately 47.1-acre holding (Assessor's Parcel Nos. 021-400-002 and 021-420-027) at 975 Deer Park Road, St. Helena, California.	**RESOLUTION NO. 2021-09** **FINDINGS OF FACT AND DECISION ON APPEAL**

WHEREAS, on March 29, 2019, Bremer Group, LLC/Bremer Family Winery (Bremer Winery or the Winery) submitted an exception to the Conservation Regulations in the form of Use Permit Application No. P19-00153 requesting approval to maintain six existing physical site improvements, or portions thereof, that encroach into the minimum required stream setbacks as follows: (A) an approximate 2,200 square foot barn and associated water tank that replaced an approximate 320 square foot barn; (B) an approximate 800 square foot pad located off the east side of the winery building; (C) an approximate 150 square foot ground floor/story addition and second floor/story deck to the main dwelling (a.k.a. farmhouse/office building); (D) an approximate 100 square foot freestanding restroom; (E) approximately 1,210 lineal feet of low decorative rock walls; and (F) two pedestrian bridges over a blue-line stream. The six improvements requested under Use Permit Application No. P19-000153 are hereafter referred to as the Original Application; and

WHEREAS, the project site is located on an approximately 47.1-acre holding (Assessor's Parcel Nos. 021-400-002 and 021-420-027) at 975 Deer Park Road, St. Helena, California with a General Plan land use designation of Agriculture, Watershed and Open Space; and

WHEREAS, the Planning Commission held two public hearings (September 18, 2019 and October 16, 2019) on the Original Application and ultimately approved the requested use

permit exception to the Conservation Regulations for all six improvements described above as (A) through (F); and

WHEREAS, on November 12, 2019, a timely appeal packet was submitted by Michael Hackett (the Hackett Appeal) to the Commission's decision to approve the Original Application (Use Permit No. P19-00153-UP); and

WHEREAS, on March 17, 2020, the Board heard and considered all evidence and testimony regarding the Hackett Appeal. The Board closed the public hearing and adopted a motion of intent to: (1) reject the Hackett Appeal in its entirety; and (2) uphold the Planning Commission's approval of the decorative rock walls and two pedestrian bridges as further described as existing structures (E) and (F) above. The Board took further action and remanded the following four remaining existing structures and site improvements: (A) an approximate 2,200 square foot barn and associated water tank that replaced an approximate 320 square foot barn; (B) an approximate 800 square foot pad located off the east side of the winery building; (C) an approximate 150 square foot ground floor/story addition and second floor/story deck to the main dwelling (a.k.a. farmhouse/office building); and (D) an approximate 100 square foot freestanding Americans with Disabilities Act (ADA) restroom to the Planning Commission to reconsider, each on its own merits, with greater scrutiny, and without further reference to the settlement agreement since they are not included therein. The four structures described as (A) through (D) that were remanded back to the Planning Commission are hereafter referred to as the Remanded Structures; and

WHEREAS, on or about May 22, 2020, Bremer Winery requested that the Remanded Structures be scheduled for a Planning Commission hearing. A new application was not required nor submitted because the Original Application included the Remanded Structures that were previously considered by the Commission. To avoid confusion and for housekeeping purposes, the Planning Department assigned a new permit number (P20-00143)(the Permit) to reflect the Remanded Structures; and

WHEREAS, on July 1, 2020, the Public Notice for the Planning Commission hearing on the Remanded Structures and Notice of Intent to Adopt Categorical Exemptions was mailed to all property owners within 1,000 feet of the subject property as well as any other persons who had requested notice. The Notice was published in the Napa Valley Register on July 1, 2020; and

WHEREAS, the Planning Commission held a public hearing on July 15, 2020 on the Remanded Structures and granted part of the use permit request and denied part of the request. The Commission approved the requested use permit exception and allowed an approximate 800 square foot pad (5:0) and an approximate 150 square foot ground floor/story addition and second floor/story deck to the main dwelling (a.k.a. farmhouse/office building)(3:2 –AYES: Whitmer, Mazotti, Dameron; NOES: Cottrell and Gallagher) to remain within required stream setbacks. The Commission denied the use permit exception for the freestanding ADA restroom (4:1-AYES: Whitmer, Gallagher, Cottrell, and Dameron; NOES: Mazotti) and an Agricultural Storage Building (i.e. barn) (4:1 AYES: Gallagher, Cottrell, Mazotti and Dameron; NOES: Whitmer) to remain in the stream setback; and

WHEREAS, on July 29, 2020, a timely Notice of Intent to Appeal was submitted by Alicia Guerra, Esq. for John Bremer on behalf of Bremer Group, LLC (Appellant) to the Planning Commission's decision to deny an exception to the Conservation Regulations in the form of a Use Permit No. P20-00143-UP for: (1) the freestanding ADA restroom; (2) the barn; and (3) the wine press, tanks and catwalks. On August 12, 2020, Appellant filed a timely appeal packet (the Appeal). Because the Planning Commission's decision only pertained to physical structures and not winery-related uses, on November 11, 2020 Appellant withdrew the wine press, tanks and catwalks from Appellant's grounds of appeal; and

WHEREAS, in accordance with Napa County Code (NCC) Section 2.88.080(A), a hearing on the Appeal was scheduled before the Board of Supervisors (the Board) for September 22 , 2020, a date at least 15 but no more than 90 days from the date of submittal of the Appeal; and

WHEREAS, on September 11, 2020, public notice of this appeal hearing was mailed and provided to all parties who received notice of the Planning Commission hearing and was published in the Napa Valley Register the same day; and

WHEREAS, on September 22, 2020, at a duly noticed public hearing on the Appeal, at the Applicant's and Staff's request, the Board continued the hearing on the Appeal to December 8, 2020. No testimony was taken on September 22, 2020; and

WHEREAS, on December 8, 2020, at a duly noticed continued public hearing on the Appeal, the Board heard and considered all evidence and testimony regarding the Appeal. The Board closed the public hearing and adopted a motion of intent to: (1) uphold the grounds of the Appeal; (2) reverse the Planning Commission's decision; and (3) approve the Exception to the Conservation Regulations in the form of Use Permit No. P20-00143 to allow the barn and ADA restroom to remain in the stream setback subject to conditions of approval. The Board further directed County Counsel to prepare a resolution containing Findings of Fact and Decision on Appeal in support of its proposed decision and to present those findings to the Board for consideration at its meeting on February 2, 2021; and

WHEREAS, on February 2, 2021, this proposed resolution containing the Findings of Fact and Decision on Appeal was presented to the Board for possible adoption; and

WHEREAS, this proposed resolution containing the Findings of Fact and Decision on Appeal having been presented to the Board for possible adoption at a regular meeting of the Board on February 2, 2021, and interested persons having been given an opportunity to address the Board regarding the proposed resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors finds, determines, concludes and decides as follows:

Section 1. Recitals.

The Board finds and determines that the foregoing recitals are true and correct.

Section 2. Conduct of Appeal.

A. NCC Section 2.88.090(B) provides that if the hearing before the approving authority was recorded electronically or by a certified court reporter then upon request by the Appellant upon a showing of good cause, the Board may permit additional evidence to be presented which could have been presented at the time of the decision appealed from was made but was not presented. Here, the Planning Commission proceedings were recorded electronically and a transcript of the Planning Commission proceeding was provided to the Board.

B. Appellant made a "good cause" request to supplement the record with new information. The Chair denied Appellant's request as set forth in the Chair's Good Cause Determination. Appellant then reserved the right to request that the full Board overrule the Chair's Good Cause Determination but later withdrew the request. No supplemental information or new evidence was allowed or considered by the Board in connection with the Appeal.

Section 3. Findings of Fact and Conclusions of Law on Appeal.

The Board makes the following findings of fact and conclusions of law in regard to each of the grounds for appeal as stated by Appellant in the Appeal[1]:

A. First Ground of Appeal.

Appellant's Position: Appellant asserts that the barn has existed at the Winery for nearly a decade and County Staff acknowledged the existing improvement did not pose a threat to the stream. Specifically, Appellant asserts that Appellant's predecessor obtained a building permit in 1979 to remodel the barn. Any construction by the Appellant on the barn was consistent with what the Appellant believed to be reasonable renovations to the existing structure on a pre-existing foundation. Now, the Appellant seeks to bring the barn back into compliance with County regulations. The Planning Commission Staff Report concluded that the barn was one of several site improvements that "are primarily a result of minor alterations, maintenance or replacement of historic site development and use, as shown in [the 1979 Use Permit] that has been done in a manner to complement preexisting development and thus "generally limited to the historic development envelope or areas immediately adjacent thereto." Appellant contends that the use permit exception for the barn (i.e., Ag Storage Barn) should be granted.

Findings and Decision: The Board finds and determines as follows:

The Board agrees with Appellant and the Staff recommendation to the Planning Commission that the use permit exception for the barn should be granted.

[1] This Resolution summarizes the grounds of appeal. For the complete text of the Appeal, please see the actual Appeal dated August 12, 2020.

While there is evidence in the record that Building Permit No. 25748 was issued in August 1979 to '*remodel a barn into a storage building*,' there is no other evidence, such as building plans or other supporting documentation, that this permit was specific to the subject barn or what the remodel consisted of, including how much of the 320 square foot structure was increased in size.

Appellant's representative acknowledged to the Planning Commission and to the Board at the Appeal hearing that the structure that is there today (i.e., Ag Storage Barn) was constructed in 2013 without building permits. As evident in historic aerial imagery, in May of 2012 there was an approximate 18'x40' (720 square foot) structure or similar improvement/installation located at the 'Barn' site at the northwest end of the winery site. Between June and September/October 2013, that structure was removed, an approximate 46'x37' (1,702 square foot) foundation and walls were constructed, and by May 2014, the current 'Ag Storage Barn' was completed. The replacement and expansion occurred within the historic development envelope and previously disturbed areas, and therefore did not result in any new disturbance or use closer to the stream than the original development envelope.

On April 9, 2019, Building Permit No. B19-00307 was issued for a retaining wall along the northern periphery of the winery site (located outside stream setbacks) that abuts the Ag Storage Barn to the north. County Staff and the Chief Building Official viewed this permit as specific to just the retaining wall and independent of the barn; however, the plans associated with Building Permit No. B19-000307 and photographs presented at the Appeal hearing show one entire wall of the barn and part of another wall of the barn are portions of the retaining wall. The Board also finds that that processing the retaining wall under a permissive building permit and the barn under a discretionary use permit (due to its location in the stream setback) likely created some confusion for Appellant regarding compliance.

A majority of the Board concurs with Staff's recommendation to the Planning Commission and the opinions of Appellant's biologists and erosion control specialist that the retention and maintenance of the existing site improvements would not have a deleterious effect on the stream. At the Appeal hearing, Appellant's representatives informed the Board that although the property is 47 acres, the barn is in close proximity to the Winery improvements to complement other structural elements and uses of the Winery. The Board agrees with Appellant that allowing the barn to remain in its existing location will not increase disturbance to the stream and the encroachment into the setback is the minimum necessary to implement the project as required by NCC Section 18.108.040(A)(5) and that the other criteria of NCC Section 18.108.040 applicable to this structure are satisfied.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision to deny the Project and approve Use Permit No. P20-00143 to allow the existing barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

B. Second Ground of Appeal.

Appellant's Position: Appellant asserts that the ADA restroom has existed at the Winery for nearly a decade and the Board acknowledged it did not pose a threat to the stream. Specifically, Appellant asserts that the County approved a building permit and performed a final inspection for the ADA restroom at its existing location. Appellant contends that the use permit exception for the ADA restroom should be granted.

Findings and Decision: The Board finds and determines as follows:

The Board concurs with Appellant. The ADA restroom was permitted through Building Permit #B08-01030 and received final approval by the Building Division on January 14, 2013. An Exception to the Conservation Regulations in the form of a use permit should have been required by Staff prior to the approval of the building permit; however, that requirement was not imposed by Staff in 2008 or when the restroom was constructed in 2012-13.

During the Planning Commission hearing, Commissioners questioned Staff as to why the use permit exception was not imposed in 2008 and inquired whether since then the Planning Department has implemented practices to prevent a similar mistake from happening again and ensure that building permit applications are more closely reviewed to determine if a structure triggers a use permit exception under the Conservation Regulations. In describing the preventative practices put in place, Staff informed the Commission that under the current application checklist, applicants and their contractors are responsible for showing all creeks on the site plan. As part of that discussion, Staff speculated that the Conservation Regulations exception for the restroom may not have been required because the stream was not readily shown or identifiable on the building permit site plan.

As a result of Staff's speculation, a majority of the Commission felt that Appellant's failure to disclose the stream on the building permit site plan was a contributing factor to the permit being issued without the requirement of a Conservation Regulations exception. Commissioners felt that because the stream was not disclosed on the building site plan, Staff may not have had sufficient information and that lack of disclosure undercuts the issuance of the building permit. The Staff Report provided to the Board for the Appeal hearing acknowledges that subsequent to the Planning Commission's decision, Staff learned that the site plans for Use Permit No. U-697879 (the Winery's original use permit) did show the creek, and show the area along the creek as winery parking and access. Because the restroom was proposed in an area that had been previously disturbed and used for winery operations, Staff in 2008 incorrectly assumed that subsequent work in previously disturbed areas that also contained winery use areas within stream setback was exempt from the Conservation Regulations and therefore intentionally did not require a use permit exception.

Staff knowingly issued the building permit in the stream setback based on a misinterpretation of the Conservation Regulations. Appellant obtained a building permit, showed the creek on the Winery's original use permit site plan and according to Staff and Appellant's biologists, more harm would result from removing the restroom than allowing it to

remain. A majority of the Board agrees with Appellant and with Staff's recommendation to the Commission that the ADA restroom should be approved.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision to deny the Project, find that the criteria of NCC Section 18.108.040 applicable to this structure are satisfied and approve Use Permit No. P20-00143 to allow the existing ADA restroom to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

C. Third Ground of Appeal.

Appellant's Position: Appellant asserts that the Board determined that the barn and the restroom pose no environmental threat to the creek, a key finding required for approval of a Conservation Regulation exception. In April 2013, Appellant received approval for Erosion Control Plan (P11-00317-ECPA)(the ECPA) and documented the existing conditions related to various improvements in the vicinity of the stream. In connection with the ECPA, several biologists and engineers opined that "the stream is functioning normally," that "overall stream health and riparian function . . . are in good condition," that the stream travels through the Winery "uninterrupted, largely in its natural state," and that there is "no impairment of the vital ecological function of the creek." As such, Appellant contends that the exception for the barn and the restroom should be approved.

Findings and Decision: The Board finds and determines as follows:

The Board agrees with Appellant and Staff that the evidence is uncontroverted that the stream is generally in good condition and that removing the restroom and barn would result in greater environmental harm than allowing the structures to remain in place.

At the Appeal hearing, Appellant's representative informed the Board that the restroom is ADA accessible and needs to be in a location that not only is readily accessible to visitors to the Winery but also in proximity to other visitor serving improvements on the site rather than elsewhere on the 47-acre site. The restroom also connects to an existing septic system, and the restroom needs to be in close proximity to that system to avoid further disturbance to the site. The barn is located within the Winery's historic development envelope and complements other Winery structures. Although the barn was replaced and enlarged without benefit of a permit the expansion was within the historic winery development and use envelope and did not result in a greater encroachment into the stream setback. See also Findings and Determination to the First Ground of Appeal incorporated here by reference.

The Board finds that allowing the ADA restroom and barn to remain in their existing locations will not increase disturbances to the stream and that the encroachments into the setback are the minimum necessary to implement the project as required by NCC Section 18.108.040(A)(5).

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Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision to deny the Project and approve Use Permit No. P20-00143 to allow the ADA restroom and barn to remain in their existing locations in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

D. Fourth Ground of Appeal.

Appellant's Position: Appellant contends that the Commission did not make any findings or explain why it denied the use permit exception despite considerable evidence supporting approval. Appellant further asserts that the decision was devoid of any analysis that supported why the Commission denied the use permit exception. When a reviewing body seeks to overrule and ignore the recommendation of its own department, "the reviewing agency should make supporting findings and explain the reasons why it totally ignores" that recommendation and set forth facts therein. (*Gabric v. City of Rancho Palos Verd*es (1977) 73 Cal.App.3d 183, 200.) A reviewing board must set forth findings when denying an action, regardless of whether a local ordinance requires that board to make findings. (*Topanga Assn. for a Scenic Comm. v. City of Los Angeles* (1974) 11 Cal.3d 506, 513-514.)

Findings and Decision: The Board finds and determines as follows:

The Commissioners reasonably and appropriately articulated on the record their reasons for denying the exception for the barn and restroom. However, the Napa County Board of Supervisors is the local government body charged by law with interpreting the County's land use policies and rendering the final determination on a project's consistency or lack thereof with those land use policies.[2] The Board is not bound by the Commission's determination that the project does not meet the required findings for issuance of a use permit exception per NCC Section 18.108.040(A).

A majority of the Board reasonably interpreted the applicable use permit findings in a manner similar to what Staff had recommended to the Planning Commission on two prior occasions. See also Findings and Determination to the First Ground of Appeal incorporated here by reference.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision to deny the Project and approve Use Permit No. P20-00143 to allow the existing ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

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[2] *San Franciscans Upholding the Downtown Plan v. City & County of San Francisco* (2002) 102 Cal.App.4th 656, 668.

E. Fifth Ground of Appeal.

Appellant's Position: The Conservation Regulations expressly allow for a project to receive a use permit exception upon making the appropriate findings. Appellant claims that to deny the exception in spite of thorough analyses and findings by County Staff, and without any findings to the contrary, would defy the County's own ordinances and suggest that the Planning Commission acted arbitrarily in rejecting the use permit exception.

Findings and Decision: The Board finds and determines as follows:

The record is devoid of any evidence suggesting the Planning Commission acted arbitrarily in denying the use permit exception. The Planning Commissioners thoroughly and fairly reviewed the exception request and clearly articulated the reasons that they were unable to make all the findings required to approve the Conservation Regulations exception. A majority of the Commission found that Appellant had not met its burden of demonstrating that disturbance to streams and watercourses has been minimized, and that the encroachment was the minimum necessary to implement the Project, and therefore denied the barn and restroom.

At the Appeal hearing, Appellant's representatives for the first time articulated why the ADA restroom and barn encroachments into the setback are the minimum necessary to implement the Project including the need for these structures to be close to the Winery, accessible to Winery visitors and to complement other Winery improvements rather than located outside of the stream setback elsewhere on the 47-acre site.

Each Code Compliance application is evaluated independently with respect to each application's unique facts and circumstances. Although the Commission denied the exception, it does not mean that Appellant was treated unfairly or unjustly. Likewise, the Board's review of the evidence and reversal of the Commission's decision also does not mean Appellant or any other party was treated unfairly.

See also Findings and Determination to the First, Second, Third and Fourth Grounds of Appeal incorporated here by reference.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision to deny the Project and approve Use Permit No. P20-00143 to allow the existing ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

F. Sixth Ground of Appeal.

Appellant's Position: Appellant asserts that Bremer Family Winery has complied in good faith with the February 2019 Settlement Agreement. The court-approved Settlement Agreement required Appellant to submit the pending use permit exception application consistent with the County's Code Compliance Program (Compliance Program). Appellant asserts that the Agreement intended to "settle and conclude all issues, claims and defenses between" the County

and the Appellant, including all structures built within the stream setbacks." Appellant contends this includes the barn and the restroom.

Findings and Decision: The Board finds and determines as follows:

Appellant is mistaken. The Settlement Agreement is irrelevant and unrelated to the structures that are the subject of this Appeal. The Agreement required Bremer to submit a complete application for an Exception to the Conservation Regulations in the form of a use permit (which Appellant has done) but it was to legalize the rock walls and bridge structures not the barn and the restroom. The Agreement has no bearing at all and does not address the barn and the restroom that Bremer seeks to legalize as part of this use permit application.

Section 10 of the Settlement Agreement specifically states: "... Defendants shall submit a complete application for an exception to the Conservation Regulations, as provided in Napa County Code Section 18.108.040, to allow the walls and bridge structures within the creek setback (*emphasis added*)." Section 6 explicitly provides that "The County does not and cannot make any representation or promise that any applications for use permit modifications submitted pursuant to the Judgment entered pursuant to this Settlement Agreement will be approved in whole or in part."

Although the barn and the restroom were not covered by the Settlement Agreement, the Board acknowledges Appellant's efforts to bring these structures into compliance by participating in the County's Compliance Program to remedy outstanding violations.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision to deny the Project and approve Use Permit No. P20-00143 and allow the ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

G. Seventh Ground of Appeal.

Appellant's Position: Appellant asserts that the Planning Commission ignored Bremer Family Winery's efforts to comply with the Conservation Regulations and County Code. On multiple occasions, County Planning Staff has concluded that the improvements both qualify for resolution under the County's Code Compliance Program and for exceptions to the Conservation Regulations. Staff has made the requisite findings, supported by the appropriate analysis. Appellant contends the Commission rejected these conclusions for reasons that had nothing to do with the findings required by the County Code Compliance Program and the Conservation Regulations. The Commission instead focused on whether Appellant furnished the County with the appropriate information in their application and whether County inspections were adequate for improvements that exist today. Neither the County Code Compliance Program nor the Settlement Agreement referred to the matters upon which the Planning Commission relied in rejecting the use permit exception for the barn and the restroom at issue. Appellant contends that scrutiny of matters other than the environmental considerations is irrelevant and improper when considering an exception to the Conservation Regulations.

Findings and Decision: The Board finds and determines as follows:

The Planning Commission denied the exception request for the barn and restroom because it was unable to find that those structures were appropriately located on the property. Specifically, a majority of the Planning Commission found that per NCC Section 18.108.040(A)(5), Appellant had failed to demonstrate that disturbance to streams and watercourses had been minimized, and the encroachment was the minimum necessary to implement the Project and therefore denied the barn and restroom. The Planning Commission also believed that Appellant's failure to disclose the stream on the building permit plans for the ADA restroom may have contributed to the permit being issued without an exception.

The Staff Report prepared for the Appeal hearing informed the Board that the building permit for the restroom was intentionally issued with knowledge of its proximity to the stream but based on a misinterpretation of the Conservation Regulations. At the Appeal hearing, the Board also heard and considered testimony from Appellant's representative regarding the restroom and barn in their existing location rather than elsewhere on the property. See also Findings and Determination to the First, Second, Third and Fourth Grounds of Appeal incorporated here by reference.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision to deny the Project and approve Use Permit No. P20-00143 to allow the existing ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

H. Eighth Ground of Appeal.

Appellant's Position: Appellant contends that the failure to provide Appellant with the same compliance benefits afforded to neighboring properties in the County, and as outlined in the Settlement Agreement, supports a conclusion that the Planning Commission has not complied with the Settlement Agreement in good faith.

Findings and Decision: The Board finds and determines as follows:

Appellant is wrong on both counts. The Settlement Agreement has no relevance to the barn and the restroom and Appellant has been afforded the same compliance benefits as other participants in the County's Compliance Program.

The Settlement Agreement was not specific to the improvements that are the subject of this Appeal (i.e. restroom and barn). The Agreement was specific to the walls and bridge structures within the creek setback. As such, the Agreement is irrelevant and unrelated to this Appeal. See also Findings and Determination to the Sixth Ground of Appeal incorporated here by reference.

Appellant has been afforded the same compliance benefits as other participants in the County's Code Compliance Program. Specifically, Appellant was afforded an opportunity to apply for a Conservation Regulations exception to legitimize the unpermitted restroom and barn rather than remove the unpermitted structures and/or face a code enforcement action. Appellant also received the benefit of the County applying the existing CEQA environmental baseline to the barn and restroom structures. Finally, Appellant has been able to continue to use the barn and restroom (constructed without benefit of a Use Permit Exception) while the exception request has been processed, considered and acted upon by the decision-makers for the past several years.

A majority of the Board recognizes that as part of the Settlement Agreement Appellant paid a compromised amount to partially reimburse the County for its attorneys' fees and costs. When Appellant learned that the barn is not covered by the Settlement Agreement, Appellant voluntarily submitted the pending use permit application under the County's Compliance Program in an effort to become fully compliant with County rules and regulations.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision and approve Use Permit No. P20-00143 to allow the ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A.

I. Ninth Ground of Appeal.

Appellant's Position: Testimony at the July 15, 2020 Planning Commission meeting asserted that the County had no knowledge of the location of the stream and the restroom. Appellant contends that the Planning Commission therefore concluded that the County could not properly enforce the stream setback ordinance. Appellant asserts that this statement is without merit, given the Winery's use permit site plan, communication with County Staff, and repeated visits by County Staff to the Winery for necessary inspections over more than a decade. At the very least, the County knew about and approved the ADA restroom, notwithstanding its proximity to the stream.

Findings and Decision: See Findings and Determination to the First, Second, Third, Fourth and Fifth Grounds of Appeal incorporated here by reference.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision to deny the Project and approve Use Permit No. P20-00143 to allow the existing ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

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J. Tenth Ground of Appeal.

Appellant's Position: Appellant asserts that the use permit that governs the use of the Winery and its attached site plan clearly depicts the stream. The Winery is still governed by the 1979 Use Permit which "reactivated" the historic winery and vineyard located on the site. That use permit additionally included a site plan, which mapped "Existing Site Improvements" on the property. According to Appellant, included among the structures are a dwelling, the Winery and adjacent concrete pads, as well as the barn and the stream is depicted running adjacent to the structures and site improvements. An additional parcel-scale map shows the aforementioned structures abutting a dotted and dashed line that is commonly used to signify or otherwise identify a stream, the map also identifies a "Spring" accompanying this dashed line. This is the only dashed line drawn through the property, a clear depiction of the watercourse running through the site.

Findings and Decision: The Board finds and determines as follows:

The Board agrees with Appellant that the site plans associated with Use Permit #U-697879 (the original Winery use permit) shows existing site improvements and the stream.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision and approve Use Permit No. P20-00143 to allow the existing ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

K. Eleventh Ground of Appeal.

Appellant's Position: Appellant contends that since the 1979 Use Permit still governs the use of the present-day Winery, the County is reasonably apprised of the stream's location in the context of the other structures. The ADA restroom was constructed in 2013 pursuant to Building Permit No. B08-01030. Appellant asserts that the County's reasonable review of improvement applications, at the very least, begins with a review of the site plan and the effective use permit for the property. This approach would allow the County to confirm the existence of the stream prior to an inspector having to set foot upon the property. Appellant contends that the County has conceded this error. Appellant never sought to conceal the true location of the improvements and was always forthright with each improvement's location. Appellant asserts that the County should have confirmed that a use permit exception was required before issuance of Building Permit No. B08-01030. It did not and Appellant proceeded in reliance on the 1979 Use Permit and the Building Permit as authorizing the ADA restroom improvements in its current location.

Findings and Decision: See Findings and Determination to the Second, Third, Fourth and Fifth Grounds of Appeal incorporated here by reference.

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Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision and approve Use Permit No. P20-00143 to allow the existing ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

L. Twelfth Ground of Appeal.

Appellant's Position: Appellant contends that County officials issued building permits, and inspected and approved the restroom, notwithstanding the location of the stream. Appellant never initially intended to construct the ADA restroom. The County only noted this requirement during an inspection of the wine cave. Appellant expressed its concern in a May 25, 2012 email to the County Deputy Planning Director John McDowell, explaining that the Winery is located "between two hillsides with a creek running along the side, that there are few options where the restroom may be located, and that [it] needs the County's assistance "as soon as is possible to explore where [they] can place this bathroom." Appellant asserts that Mr. McDowell referred Ms. Bremer to previous County Building Official Darrell Mayes to address the matter. Appellant claims that further consultation with these officials led Appellant to conclude that the current site of the ADA restroom complied with the County Code. Appellant did not obtain an Exception to the Conservations Regulations in the form of a use permit or a modification to the winery permit because Napa County did not require it." The County approved the building permit for the ADA Restroom in the proposed location.

Findings and Decision: See Findings and Determination to the First, Second, Third, Fourth and Fifth Grounds of Appeal incorporated here by reference.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision and approve Use Permit No. P20-00143 to allow the existing ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

M. Thirteenth Ground of Appeal.

Appellant's Position: Appellant contends that County inspections failed to identify any purported stream setback inconsistency between 2007 and 2012. The County inspected various permitted projects at the Winery, and the barn and the restroom at least 26 times and at no time did it raise a concern about the stream setback or require a use permit exception to the Conservation Regulations. The County did not issue its first Notice of Violation until 2016.

Findings and Decision: The Board incorporates the Findings and Determination to the First, Second, Third, Fourth and Fifth Grounds of Appeal here by reference.

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Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision and approve Use Permit No. P20-00143 and allow the ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

N. Fourteenth Ground of Appeal.

Appellant's Position: Appellant asserts that by denying the use permit exception for the barn and the bathroom, the Planning Commission chose to penalize Appellant for the errors of the County's own inspectors and officials.

Findings and Decision: The Board finds and determines as follows:

Appellant has provided no evidence that the Planning Commission denied the exception to penalize the Owner/Appellant because of County Staff errors.

The Staff Report provided to the Board acknowledges that a building permit for the ADA restroom was issued and received final approval in 2013 based on a misinterpretation of the Conservation Regulations. Because a permit had been issued, Staff recommended that the Planning Commission approve the restroom. The Board concurs with the Staff's recommendation to the Commission and agrees that since the building permit was issued and received final approval seven years ago, the restroom should remain in its existing location.

A majority of the Board further recognizes that as part of the Settlement Agreement Appellant paid a compromised amount to partially reimburse the County for its attorneys' fees and costs. When Appellant learned that the Settlement Agreement did not cover the barn, Appellant voluntarily submitted the use permit application under the Compliance Program to become fully compliant with County rules and regulations. The Board adopted the Compliance Program in 2018 to afford property owners an opportunity to come into compliance, remedy outstanding violations and change the historic culture in the County of property owners seeking forgiveness after the fact for violating County regulations rather than proactively obtaining permission first. Appellant's participation in the Compliance Program and the Board's approval of Use Permit No. P20-00143-UP will bring the property into compliance consistent with the Compliance Program goals.

The Board also incorporates the Findings and Determination to the First, Second, Third, Fourth and Fifth Grounds of Appeal here by reference.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Appeal in its entirety, reverse the Planning Commission's decision and approve Use Permit No. P20-00143 to allow the existing ADA restroom and barn to remain in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

Section 4. Use Permit and Use Permit Conservation Regulations Exception Findings.

The Board has reviewed the use permit major modification request in accordance with the requirements of the NCC Section 18.124.070 and the exception to the Conservation Regulations in accordance with NCC Section 18.108.040 (A) and makes the following findings:

1. The Board (on appeal) has the power to issue a Use Permit under the Zoning Regulations in effect as applied to the property.

   Analysis: Exceptions to the County's Conservation Regulations are subject to a Use Permit, and Use Permits are subject to review by the Commission (NCC Sections 18.108.040 and 18.124.010) or the Board on appeal. The project site is located in the Agricultural Watershed (AW) zoning district. The recognition and retention of two existing site improvements (an approximate 2,200 square foot barn and associated water tank and an approximate 100 square foot ADA restroom) are intended for winery and agricultural uses and are permitted in the AW District. The Project, as conditioned, complies with the requirements of the Zoning Code as applicable.

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

   Analysis: The application for a Conservation Regulation Use Permit Exception has been appropriately filed, and notice and public hearing requirements of NCC Section 18.136.040 and CEQA have been met. On July 1, 2020, notice of public hearing and intent to adopt a Categorical Exemption was published in the Napa Valley Register, posted with the Napa County Clerk, mailed via first class mail to owners of property within 1,000 feet of the subject parcel, and mailed via first class mail or electronic mail to the applicant, and posted on the County's website.

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

   Analysis: Granting the Conservation Regulation Use Permit Exception for the Project, as proposed and conditioned, will not adversely affect the health, safety or welfare of the County. The Project includes the recognition, retention and maintenance of two existing site improvements that serve the site's existing winery and agricultural uses: no new construction or grading would occur as part of the Permit. No new or expanded uses or development are proposed or considered in the Permit that would generate new vehicle trips on the road network in the vicinity of the site. Additionally, the Use Permit Exception is conditioned to ensure the protection of the public health, safety, and welfare.

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

Analysis: The proposed Use Permit Exception will recognize and allow two existing site improvements that encroach into the stream setback required pursuant to NCC Section 18.108.025, to be retained and maintained. The County's Conservation Regulations (NCC Section 18.108.040) identify the Use Permit as the appropriate mechanism for allowing exceptions to the standard stream setbacks. The project site is located in the AW zoning district which allows agricultural and winery uses. Recognizing, retaining and maintaining the ADA restroom for winery related uses and the barn for agricultural uses would not be inconsistent with the sites zoning designation and current use limitations. The proposed Exception would not result in tree removal, consistent with General Plan Goal CON-6 which encourages the preservation of woodlands for their environmental and open space value. The Exception will not impact or cause removal of any vegetation along or within the stream, significantly change the natural state of the stream, or impair the vital ecological functions of the creek. The Project is consistent with the General Plan.

EXCEPTION TO CONSERVATION REGULATIONS:

5. Roads, driveways, buildings and other man-made structures have been designed to complement the natural landform and to avoid excessive grading.

Analysis: The Permit is to recognize and maintain two existing site improvements, located within required stream setbacks, in their current configurations. No new construction or grading, or new use or use modifications are included or considered with the Permit. The barn was enlarged in a previously developed area further away from the stream and done in a manner to complement pre-existing development (such as through the use of natural stone and low walls) and the restroom was constructed in a previously developed area. The structures are generally limited to the historic development envelope or areas immediately adjacent thereto, in a manner that minimized grading necessary for the improvements and were designed to complement existing and natural features as evident in the field and Exhibits within the subject application (Attachment D of the Napa County Planning Commission July 15, 2020 Staff Report).

6. Primary and accessory structures employ architectural and design elements which in total serve to reduce the amount of grading and earthmoving activity required for the project including the following elements: a) multiple-floor levels which follow existing, natural slopes; b) foundation types such as poles, piles, or stepping levels which minimize cut and fill and the need for retaining walls; c) fence lines, walls, and other features which blend with the existing terrain rather than strike off at an angle against it.

Analysis: As above, the Permit is to recognize and maintain two existing site improvements located within required stream setbacks in their current configurations and use limitations. No new construction or grading, or new use or use modifications are included or considered with this Permit. Additionally because the two site improvements subject to the Permit are primarily a result of minor alterations, maintenance or replacement of past/historic site development, that have been done in a manner to complement the character of pre-existing development (such as through the use of natural

stone and low walls) and are generally limited to the past/historic development envelope or areas immediately adjacent thereto, that minimized grading, the site improvements were designed to complement and blend with existing and natural features and site development as evident in the field and Exhibits within the subject application (Attachment D of the Napa County Planning Commission July 15, 2020 Staff Report). Furthermore, these site improvements are approximately 400 feet or further from Deer Park Road and are oriented to the roadway in a manner that intervening vegetation and terrain partially screen the site.

7. The development project minimizes removal of existing vegetation, incorporates existing vegetation into the final design plan, and replacement vegetation of appropriate size, quality and quantity is included to mitigate adverse environmental effects.

   Analysis: The Permit is to recognize and maintain two existing site improvements located within required stream setbacks in their current configurations and use limitations: no new grading or vegetation removal is included or considered with this Permit and existing vegetation and site conditions will remain unchanged. Based on historic aerial image review and interpretation it does not appear that any significant vegetation has been removed within the stream setback area since the Bremer's have acquired the property in 2002.

8. Adequate fire safety measures have been incorporated into the design of the proposed development.

   Analysis: Because the Permit is limited to the recognition and maintenance of two existing site improvements located within required stream setbacks in their current configurations and use limitations, and no new construction or uses are being proposed or considered under the Permit, new or expanded fire safety measures are not necessitated. Additionally, the existing access is anticipated to provide adequate emergency ingress and egress to the site, and any future request to modify existing use limitations or introduce a new conditional use will necessitate compliance with the County Road and Street Standards.

9. Disturbance to streams and watercourses shall be minimized, and the encroachment if any, is the minimum necessary to implement the project.

   Analysis: The Permit is to recognize, retain and maintain existing site improvements located within required stream setbacks in their current configurations, many of which occurred as a result of maintenance or alteration of past/historic site development as shown in #U-697879. No new stream encroachments are proposed or considered under this Permit: improvements within the stream setback that are subject to the Permit are existing and will remain unchanged. No new construction or grading, new or modified uses, or disturbance of the stream are included or considered with the Permit. Furthermore, the existing walls and improvements built within the stream corridor have not significantly changed the natural state of the stream and that there is no impairment of the vital ecological functions of the creek (FirstCarbon Solutions Environmental Consulting, Biological Report, March 2019).

10. The Project does not adversely impact threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the County's environmental sensitivity maps.

    Analysis: No new construction, grading or site development, or modification or existing use limitations, is included in the Permit. The stream and its ecological functions were evaluated by two biologists and a certified professional erosion and sediment control (CPESC) consultant. All three professionals opined that the stream is functioning normally and that the native vegetation present is typical for this part of the County.

    Additional sources including the Napa County Geographic Information Sensitivity maps/layers Sensitive biotic vegetation groups, US Fish & Wildlife Critical Habitat, California Natural Diversity Database (CNDDB), Owl habitat CNDDB, and Wetlands and Vernal Pools; Kjeldsen Biological Consulting November 2011; and, Theodore Wooster, Consulting Biologist, March and December 2011 further substantiate the project site and unnamed blue line stream which traverses the site are not mapped as an environmentally sensitive resource.

11. An erosion control plan, or equivalent NPDES stormwater management plan, has been prepared in accordance with NCC Section 18.108.080 and has been approved by the Director or designee.

    Analysis: The site is currently covered by an Industrial Stormwater Pollution Prevention Plan pursuant to NCC Section 16.28.100: WDID# 2-28I027266 (Application ID#488948).

Section 5. CEQA Determination.

The Board finds and determines that this type of project does not have a significant effect on the environment and is exempt from the CEQA under Categorical Exemptions Class 1, 3 and 4. [See Section 15301, Class 1 Minor Alterations to Existing Facilities; Section 15303 Class 3 New Construction or Conversion of Small Structures; and Section 15304, Class 4 Minor Alterations to Land, which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR Sections 15301,15303 and 15304.] This Project has also been determined to be exempt pursuant to CCR Section 15061 in that the recognition, retention, and maintenance of existing site improvements has no possibility of causing a significant effect. This Project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Section 6. Substantial Evidence.

Substantial evidence supporting every finding made herein is contained in the record of proceedings. All of the files and records that comprise the administrative record for the Project are incorporated herein by reference.

Section 7. Summary of Decision.

Based on the foregoing facts, findings, and determinations, the Board of Supervisors hereby:

A. Upholds the Appeal in its entirety;

B. Adopts the following Categorical Exemptions pursuant to CEQA: Section 15301, Class 1 Minor Alterations to Existing Facilities; Section 15303, Class 3 New Construction or Conversion of Small Structures; and Section 15304, Class 4 Minor Alterations to Land, which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR Sections 15301, 15303 and 15304. The Board further finds this Project exempt pursuant to CCR Section 15061 in that the recognition, retention, and maintenance of existing site improvements has no possibility of causing a significant effect; and

C. Approves the Project and the exception in the form of Use Permit No. P20-00143 to allow the ADA restroom and barn to remain in their existing locations in the stream setback subject to the Conditions of Approval attached as Exhibit "A."

Section 8. Effective Date.

This resolution shall take effect in accordance with the provisions of NCC Section 2.88.090.

Section 9. Judicial Challenge.

Unless a shorter period applies, any judicial challenge to this decision is governed by California Code of Civil Procedure Section 1094.6.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED

[REMAINDER OF THIS SPACE INTENTIONALLY LEFT BLANK]

by the Board of Supervisors of the County of Napa, State of California, at a regular meeting of said Board held on the 2nd day of February, 2021, by the following vote:

AYES:	SUPERVISORS	RAMOS, GREGORY and PEDROZA
NOES:	SUPERVISORS	WAGENKNECHT and DILLON
ABSENT:	SUPERVISORS	NONE
ABSTAIN:	SUPERVISORS	NONE

NAPA COUNTY, a political subdivision of the State of California

By: _____
ALFREDO PEDROZA, Chair of the Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: *Laura J. Anderson (e-sign)* Deputy County Counsel Date: January 26, 2021	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: February 2, 2021 Processed By: Deputy Clerk of the Board	ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors By: _____, Deputy

Attachment:

Exhibit "A" – Conditions of Approval

BOS/APPEALS-PC/BREMER/BREMER RESO FF REVISED.DOC

EXHIBIT "A"

BOARD OF SUPERVISORS APPEAL HEARING –JANUARY 26, 2021
FINAL CONDITIONS OF APPROVAL

Bremer Family Winery Site Improvements
Use Permit Exception to the Conservation Regulations
Permit Number P20-00143-UP
975 Deer Park Road, St. Helena APNs 021-400-002 and 021-420-027

This permit encompasses and shall be limited to the project commonly known as *Bremer Family Winery Site Improvements Recognition and Retention*, located at 975 Deer Park Road, St. Helena. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as "Reserved" and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

The permit encompasses and shall be limited to:

1.1 The recognition and approval of, the following existing site improvements, or portions thereof, in their existing configuration, that encroach into the minimum required stream setbacks pursuant to Napa County Code (NCC) Section 18.108.025(B) ranging from 45 feet to 65 feet from the top of bank of an unnamed blue-line stream, as depicted in Attachment A Site Improvement - Bremer Use Permit Exception P20-00226-UP.

a. An approximate 2,200 gross square foot agricultural storage building ("barn") and associated water tank [Identified as Site Improvement A in Attachment A; and
b. An approximate 100 square foot freestanding ADA restroom [Identified as Site Improvement D in Attachment A;

The recognition of the two existing site improvements located within required stream setbacks shall be those that are in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion of or change in use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process. The approval of the two site improvements within the required stream setbacks in no way authorizes their use for winery related purposes. Any use of these structures for winery related purposes would first require County approval of a use permit modification to the existing use permit.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 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 of approval 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 to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a $500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency 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 so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS **[RESERVED]**

4.2 TOURS AND TASTINGS/VISITATION **[RESERVED]**

4.3 MARKETING **[RESERVED]**

4.4 ON-PREMISES CONSUMPTION **[RESERVED]**

4.5 RESIDENCE OR NON-WINERY STRUCTURES **[RESERVED]**

4.6 GRAPE SOURCE **[RESERVED]**

4.7 COMPLIANCE REVIEW **[RESERVED]**

4.8 RENTAL/LEASING **[RESERVED]**

4.9 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**

4.10 AMPLIFIED MUSIC **[RESERVED]**

4.11 TRAFFIC **[RESERVED]**

4.12 PARKING **[RESERVED]**

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES
Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use of occupancy of an existing building unless the building is made to comply with the requirements of the current CBC for a new building.

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES **[RESERVED]**

4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

a. [RESERVED]

b. [RESERVED]

c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.

d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS
Temporary off-site signage, such as "A-Frame" signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

a. Fire Department operational conditions as stated in their Inter-Office Memo dated May 30, 2019.

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

4.19 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT **[RESERVED]**

4.21 PREVIOUS CONDITIONS **[RESERVED]**

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES
No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS **[RESERVED]**

6.2 BUILDING DIVISION – GENERAL CONDITIONS

a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.

b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a "J" number from the Bay Area Air

Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.

c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL **[RESERVED]**

6.4 LANDSCAPING – PLAN SUBMITTAL **[RESERVED]**

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

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

b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.8 ADDRESSING **[RESERVED]**

6.9 HISTORIC RESOURCES **[RESERVED]**

6.10 DEMOLITION ACTIVITIES **[RESERVED]**

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**

6.12 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**

6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS **[RESERVED]**

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS **[RESERVED]**

7.2 ARCHEOLOGICAL FINDING **[RESERVED]**

7.3 CONSTRUCTION NOISE **[RESERVED]**

7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES **[RESERVED]**

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES **[RESERVED]**

Napa County Fire Department
Fire Marshal's Office
Hall of Justice, 2nd Floor
1125 3rd Street
Napa, CA 94559

Office: (707) 299-1461

Garrett Veyna
Fire Marshal

A Tradition of Stewardship
A Commitment to Service

MEMORANDUM

TO:	Planning Department	**DATE:**	5/30/2019
FROM:	Adam Mone, Plans Examiner	**PERMIT #**	P19-00153/P20-00143
SUBJECT:	Bremer Family Winery	**APN:**	021-400-002-000

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. Provide 100 feet of defensible space around all structures.
2. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.

Please note that the comments noted above are based on a Fire Marshal's Office review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1466 or email at adam.mone@countyofnapa.org.

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyof napa.org

David Morrison
Director

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October 20, 2021

John Bremer
Bremer Group LLC
1660 Chicago Avenue, Suite M11
Riverside CA 92507-2033

Re: **Bremer Family Winery, Winery Administrative Permit No. P21-00038-WADM**
975 Deer Park Road, St. Helena, CA (APNs 021-400-002 and 021-420-027)

Dear Mr. Bremer,

The application for a Winery Administrative Permit (P21-00038-WADM) to the Bremer Family Winery (formally David S. Clark Etal.) (No. U697879, No. P07-00654-MOD, No. P09-00178-VMM, and Settlement Agreement Napa County Superior Court Judgement dated February 6, 2019: Case No. 17CV000884) has been considered by the Planning, Building, & Environmental Services Director on October 20, 2021.

The request includes all of the following changes:

1. The placement and use of a wine press, eleven wine tanks, and associated tank tie downs and catwalk (with no increase in production).
2. Reconfiguration of open storage on the second level of the winery building to offices, tasting/visitation areas, employee lounge and restrooms.
3. A change in the occupancy of the existing wine cave to allow visitation (with no increase in visitation or marketing).
4. The use of two outdoor visitation and tasting areas (encompassing approximately 1,132 square feet) located off the south side of the winery building (with no increase in visitation or marketing).
5. The change in the number of parking spaces and the alignment of internal roads and driveways as shown in the subject/application site plans, with no increase in impervious area.

These changes are depicted in the Statement of Request and on the Site and Floor plans datedOctober 3, 2021, prepared by Hugh Linn (RPE #52509) of RSA+.

It has been determined that this project can be considered under the Use Permit Administrative Permit procedures adopted for wineries, specifically Napa County Code Sections 18.126.065 (A), (H), (K), (Q) and (R). Therefore, please be advised that this request has been **APPROVED.**

All previous Use Permit or Modification conditions, or Settlement Agreement terms, not in conflict with this modification will still apply. A building or grading permit may be required to implement this approval. No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated

with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

Please be reminded that improvements made pursuant to this WADM which are subject to building permits, will require an Occupancy Separation Plan and Accessibility Plan be included with the building permit application. These plans will need to address issues of accessibility to the second level of the winery, and the lower outdoor tasting areas. Additionally for the cave occupancy change the plans will need to show that travel distances and path of travel meet applicable code requirements. Building permit issuance will also be subject to the Napa County Road and Street Standards (RSS) as applicable.

Additionally, please note that General Waste Discharge Requirements for Winery Process Water have been adopted by the State Water Quality Control Board (General Order). The General Order is available for review on the state's website, *Winery Order California State Water Resources Control Board*. The permittee will be required to comply with the General Order, information regarding compliance will be provided as soon as it is available. It is advised the permittee start measuring the amount of process water generated from wine making activities. They may consult with their wastewater engineer to determine the best way to gather this data.

This Winery Administrative Permit has been deemed ministerially exempt from the requirements of CEQA, pursuant to Sections 15022 and 15268 of the State CEQA Guidelines and Appendix A, 32 of the Napa County's Local Procedures for implementing the California Environmental Quality Act.

This modification is effective immediately and is not subject to the appeal process pursuant to Chapter 2.88 of the Napa County Code.

Pursuant to Napa County Code §18.124.080, and authorization of this modification is not subject to an expiration provided that the Use Permit for the winery use has been activated or has been deemed used.

Should you have any questions, please contact Donald Barrella at 707-299-1338 or e-mail at donald.barrella@countyofnapa.org .

Sincerely,

David Morrison
Director

By: Donald Barrella, Planner III

CC: David Morrison, Director, Planning Building and Environmental Services (via email)
Brian Bordona, Deputy Director, Planning Building and Environmental Services (via email)
Jeffery Brax, County Counsel (via email)
David B. Gilbreth, 1152 Hardman Avenue, Napa CA 94558

“E”

Use Permit Major Modification Application Packet

Bremer Family Winery (P22-00086)
Planning Commission Hearing – May 6, 2026

NAPA COUNTY

Planning, Building and Environmental Services

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USE PERMIT/MAJOR MODIFICATION APPLICATION
WINERY USES

Before you file an application…

Before you submit your application materials, and generally as early in the process as possible, applicants should schedule a Pre-Application meeting with a member of the Planning Department staff as well as staff from other applicable Divisions in PBES.

Pre-Application meetings are an opportunity to meet with staff from all Divisions and receive valuable feedback on your project. In particular, staff can identify the type of application and related permits that may be necessary, permit processing steps and timelines, and pertinent information and technical studies that will be required to submit a complete application.

To schedule a Pre-Application meeting, please visit the Planning Division website at: https://www.countyofnapa.org/1709/Planning-Division and follow the steps provided to use our Online Permit Center system.

Contents

✔ General Application Form

✔ Use Permit/Major Modification Checklist of Required Application Materials

✔ **Signed** Indemnification Form

✔ **Signed** Hourly Fee Agreement

✔ Supplemental Application for Winery Uses

✔ Voluntary Best Management Practices Checklist for Development Projects

✔ Form Adjoining Property Owner List Requirements

BREMER FAMILY WINERY
PROJECT STATEMENT

The Bremer Winery is applying for a Use Permit Modification to:

(1) Increase production from 15,000 gallons per year to 50,000 gallons per year;

(2) Increase the annual number of visitors from 3,600 persons to 12,500 persons, with no change to the daily maximum of 70 visitors;

(3) Increase marketing events to two (2) annual events with 100 guests, three (3) annual events with 50 guests, and two (2) annual events with 25 guests. Daily visitors on event days as below:

   i. On 100 guest event days, 25 daily visitors.

   ii. On 50 guest event days, 20 daily visitors.

   iii. On 25 guest event days, 45 daily visitors.

   iv. During production in the barrel room, there will be no visitation or events in the barrel room.

(4) Increase staff from four (4) full-time and two (2) part-time, to eight (8) full-time and two (2) part time employees.

(5) Allow on-site consumption pursuant to AB 2004

(6) i. To improve safety, an additional driveway connection and 9 new parking stalls

   ii. To utilize state-of-the-art environmental processes, replace existing conventional commingled wastewater system with separate and domestic wastewater treatment systems.

There are no other proposed modifications or construction.

Clear Form

Planning, Building, & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559
Main: (707) 253-4417
Fax: (707) 253-4336

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A Commitment to Service

PLANNING APPLICATION FORM

Applicant Information

Applicant Contact

Name: John and Laura Bremer
Mailing Address: 975 Deer Park Road
City: St. Helena State: CA Zip: 94574
Phone:
E-Mail Address:

Property Owner Contact

Name: Same as Applicant
Mailing Address:
City: State: Zip:
Phone:
E-Mail Address:

Agent Contact

Name: David B. Gilbreth/Attorney
Mailing Address: 1152 Hardman Ave
City: Napa State: CA Zip: 94558
Phone: (707) 337-6412
E-Mail Address: dbgilbreth@gmail.com

Other Representative Contact

☐ Engineer ☐ Architect ☑ Agent
Name: Andrea Matarazzo, Attorney
Mailing Address: 1122 S Street
City: Sacramento State: CA Zip: 95811
Phone: (916) 287-9500
E-Mail Address: andrea@pioneerlawgroup.net

Property Information

Project Name: Bremer Family Winery
Project Address: 975 Deer Park Road, St. Helena, CA 94574
Assessor's Parcel Number(s): 021-400-002 & 021-420-027 (one legal parcel)
Size of site (acreage and/or square footage): 47.09 acres
General Plan Designation: Agriculture, Watershed & Open Space Zoning: N/A

Application Type[1]

File No(s)_____

Administrative	Planning Commission/ALUC/BOS	Zoning Administrator
Erosion Control Plan: ☐ Track I ☐Track II ☐ Admin Viewshed ☐ Fence Entry Structure Permit ☐ Land Division/Mergers ☐ Site Plan Approval/Modification ☐ Winery Administrative Permit ☐ Other Very Minor Modification ☐ Addressing ☐ Signs **Temporary Event:** ☐ 51-400 ☐ 401+ ☐ Late Application Submittal ☐ Application Entitled to Fee Waiver ☐ Other:_____	**Major Modification:** ☑ Winery ☐ Other **Use Permit:** ☐ Winery ☐ Other ☐ Viewshed ☐ AG Preserve Contract ☐ Development Agreement ☐ Airport Land Use Consistency Determination ☐ General, Specific or Airport Land Use Plan Amendment ☐ Variance ☐ Zoning Map/Text Amendment ☐ Road Exception ☐ Con. Reg. Exception ☐ Other:_____	☐ Certificate of Legal Non Conformity ☐ Other Minor Modification ☐ Road Exception ☐ Small Winery Exemption ☐ Winery Minor Modification ☐ Variance ☐ Viewshed ☐ Other: _____ **Misc. Services** ☐ Use Determination ☐ Status Determination ☐ Other:_____

[1]: **Include corresponding submittal requirements for each application type.**

Detailed Project Description (required): A typed, detailed project description is required that describes the proposed development or use(s); the existing site conditions/uses; the number, size, type and nature of any proposed residential dwelling units or total amount of new non-residential square-footage by type of use. Please refer to specific Supplemental Application submittal handouts for details to describe the project and required special studies.

Conditions of Application

1. All materials (plans, studies, documents, etc.) and representations submitted in conjunction with this form shall be considered a part of this application and publicly available for review and use, including reproduction.
2. The owner shall inform the Planning Division in writing of any changes.
3. Agent authorization: The property owner authorizes the listed agent(s) and/or other representative(s) to appear before staff, the Director, the Zoning Administrator, and Planning Commission to represent the owner's interests and to file applications, plans and other information on the owner's behalf.
4. Certification and Indemnification Form: Refer to attached form for notifications and required signature.
5. Fees: The applicant agrees to pay the County any and all processing fees imposed by the Board of Supervisor's current Fee Resolution including the establishment of an hourly fee application agreement and initial deposit. Applicant understands that fees include, but not limited to: Planning, Engineering, Public Works, and County Counsel staff time billed at an hourly rate; required Consultant service billed rates; production or reproduction of materials and exhibits; public notice advertisements; and postage. In the event the property owner is different than the applicant, the property owner must sign to indicate consent to the filing and agreement to pay fees in the event of the applicant's failure to pay said fees. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
6. This form, together with the corresponding application forms for specific permits, will become the Permit Document.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge. All property owners holding a title interest must sign the application form. If there are more than two property owners, list their names, mailing addresses, phone numbers and signatures on a separate sheet of paper.

If you wish notice of meetings/correspondence to be sent to parties other than those listed on Page 1, please list them on a separate piece of paper.

3-7-2022

Property Owner's Signature and Date

Property Owner's Signature and Date

Applicant/Agent Statement

I am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

Applicant's Signature and Date

	Application Fees	
Date Received: 3/22/2022	Deposit Amount	$ 10,000
Received by:	Flat Fee Due	$ —
Receipt No.	Total	$ 10,000
File No. P22-00086	Check No	—

Certification and Indemnification

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

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

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

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

John Bremer

Print Name of Property Owner

Print Name Signature of Applicant (If different)

Signature of Property Owner

3-7-2022

Date

Signature of Applicant

Date

Hourly Fee Agreement

PROJECT File: P22-00086; request for Bremer Family Winery Major Modification _____. I, John Bremer, the undersigned, hereby authorize the County of Napa to process the above referenced permit request in accordance with the Napa County Code. I am providing $ 10,000 as a deposit to pay for County staff review, coordination and processing costs related to my permit request based on actual staff time expended and other direct costs. **In making this deposit, I acknowledge and understand that the deposit may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates adopted by the Board of Supervisors in the most current Napa County fee schedule. I also understand and agree that I am responsible for paying these costs even if the application is withdrawn or not approved.**

I understand and agree to the following terms and conditions of this Hourly Fee Agreement:

1. Time spent by Napa County staff in processing my application and any direct costs will be billed against the available deposit. "Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or correspondence to inquiries from the applicant, the applicant's representatives, neighbors and/or interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence, or responding to any legal challenges related to the application during the processing of your application. "Staff" includes any employee of the Planning, Building and Environmental Services Department (PBES), the Office of the County Counsel, or other County staff necessary for complete processing of the application. "Direct costs" include any consultant costs for the peer review of materials submitted with the application, preparation of California Environmental Quality Act (CEQA) documents, expanded technical studies, project management, and/or other outside professional assistance required by the County and agreed to by the applicant. The cost to manage consultant contracts by staff will also be billed against the available deposit.

2. Staff will review the application for completeness and provide me with a good faith estimate of the full cost of processing the permit. Any requested additional deposit shall be submitted to PBES to allow continued processing of the project.

3. I understand that the County desires to avoid incurring permit processing costs without having sufficient funds on deposit. If staff determines that inadequate funds are on deposit for continued processing, staff shall notify me in writing and request an additional deposit amount estimated necessary to complete processing of my application. I agree to submit sufficient funds as requested by staff to process the project through the hearing process within 30 days of the request.

4. I understand that if the amount on deposit falls below zero, staff will notify me and stop work on the application until sufficient additional funds are provided

5. If the final cost is less than the amount remaining on deposit, the unused portion of the deposit will be refunded to me. If the final cost is more than the available deposit, I agree to pay the amount due within 30 days of billing.

6. If I fail to pay any invoices or requests for additional deposits within 30 days, the County may either stop processing my permit application, or after conducting a hearing, may deny my permit application. If I fail to pay any amount due after my application is approved, I understand that my permit may not be exercised, or may be subject to revocation. I further agree that no building, grading, sewage, or other project related permits will be issued if my account is in arrears.

7. I may file a written request for a further explanation or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.

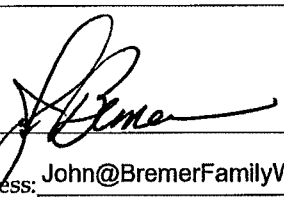
Name of Applicant responsible for payment of all County processing fees (Please Print):

John and Laura Bremer

Mailing Address of the Applicant responsible for paying processing fees:

975 Deer Park Road

St. Helena, CA 94574

Signature:* 

Email Address: John@BremerFamilyWinery.com

Date: 3-7-2022

Phone Number: (951)768-9800

*ATTENTION - The applicant will be held responsible for all charges.

Definitions

The below are paraphrased from County Code, please see referenced code sections for full text.

a. Winery Development Area – All aggregate paved or impervious or semi-permeable ground surface areas of the production facility which includes all storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved parking areas for the exclusive use of winery employees. *See Napa County Code §18.104.210*

b. Winery Coverage – The total square foot area of all winery building footprints, all aggregate paved or impervious ground surface areas of the production facility which includes all outside work, tank and storage areas (except caves); all paved areas including parking and loading areas, walkways, and access driveways to public or private roads or rights-of-way; and all above-ground wastewater and run-off treatment systems. *See Napa County Code §18.104.220*

c. Production Facility – (For the purpose to calculate the maximum allowable accessory use) The total square footage of all winery crushing, fermenting, bottling, bulk and bottle storage, shipping, receiving, laboratory, equipment storage and maintenance facilities, and employee-designated restrooms but does not include wastewater treatment or disposal areas which cannot be used for agricultural purposes. *See Napa County Code §18.104.200*

d. Accessory Use - The total square footage of area within winery structures used for accessory uses related to a winery that are not defined as "production facility" which would include offices, lobbies/waiting rooms, conference/meeting rooms, non-production access hallways, kitchens, tasting rooms (private and public areas), retail space areas, libraries, non-employee designated restrooms, art display areas, or any area within winery structures not directly related to wine production. *See Napa County Code §18.104.200*

Planning, Building & Environmental Services

Winery Production Process

A Tradition of Stewardship
A Commitment to Service

The Napa County Code contains various references to winery production and refers to production capacity as "the wine bottled or received" at a winery and refers to "bottling and storage of bottled wine and shipping and receiving of bulk and bottled wine "(Code Section 18.16.030(G)(4)).[1]

This handout was developed by the County planning staff with the assistance of a number of local industry representatives to assist property owners and other interested parties in interpreting Napa County Code references to winery production. It does not create a new definition or regulation.

A winery's total annual production equals either (1) the sum of all wine created through fermentation in a given year, plus the net total of all fermented bulk wine received and shipped in the same year, including all bottled wine received on the premises during the same year; or (2) the amount of wine bottled on the premises in the same given year, *whichever is greater.*

Using the diagram on the right, this means the greater of A+(B-C), or D. If B-C is a negative number, total production is equal to either A or D, whichever is greater.

This interpretation holds true for all physical winery facilities regardless of the number of business entities (e.g. Alternating Proprietors/Custom Crush) they accommodate or the date that their production capacity was established or recognized. However, wineries occupying multiple facilities are governed by the specific terms of their use permit or Certificate of Legal Non-conformity (CLN), which may vary.

Quantities represented by items A through D on the diagram can be determined by reviewing a winery's annual submittals to the federal Alcohol and Tobacco Tax and Trade Bureau (TTB). The County may periodically request a copy of these submittal (s) as a way to monitor compliance with previously adopted conditions/requirements. The County recognizes that annual variations can occur due to the grape harvest and the timing of finishing/bottling, and will generally review and average three consecutive years of data.

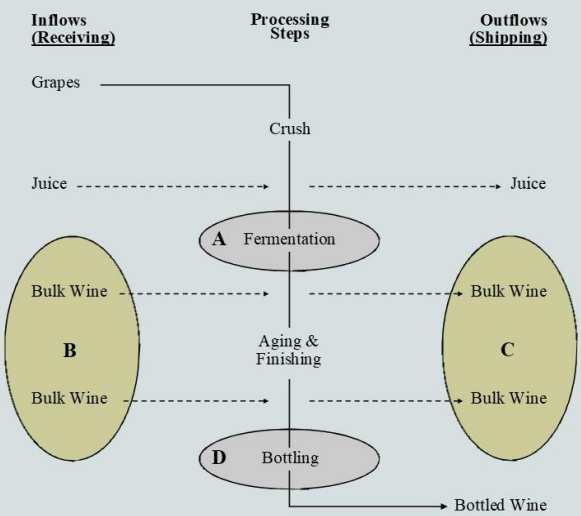


Figure 1. Winery Production Process

[1] The complexity of these statements can be attributed to the authors' desire to avoid "double counting" bulk wine that is both received and bottled at a winery, and the fact that multiple vintages are present within a winery at any given time.

February 2019

WINERY OPERATIONS

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

Retail Wine Sales	☑ Existing	☐ Expanded	☐ Newly Proposed	☐ None
Tours and Tasting- Open to the Public	☐ Existing			
Tours and Tasting- By Appointment	☐ Existing	☑ Expanded	☐ Newly Proposed	☐ None
Food at Tours and Tastings	☑ Existing	☐ Expanded	☐ Newly Proposed	☐ None
Marketing Events*	☐ Existing	☑ Expanded	☐ Newly Proposed	☐ None
Food at Marketing Events	☐ Existing	☑ Expanded	☐ Newly Proposed	☐ None
Will food be prepared…	☐ On-Site?	☑ Catered?		
Public display of art or wine-related items	☐ Existing	☐ Expanded	☐ Newly Proposed	☐ None
Wine Sales/Consumption – AB 2004	☑ Existing		☐ Proposed	☐ None

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

Production Capacity *

Please identify the winery's…

Existing permitted production capacity: 15,000** gal/y Per permit : 2019 Settlement Agreement Permit date: 2019 Settlement Agreement

Current maximum actual production: 14,496 gal/y For what year? _____

Average 3 year production: 14,007 gal/y

Proposed production capacity: 50,000 gal/y

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

Visitation and Operations

Please identify the winery's…

Maximum daily tours/tastings visitation:	70* existing	70* proposed
Maximum weekly tours/tastings visitation:	490* existing	490* proposed
Visitation hours (e.g. M-Sa, 10am-4pm):	M-Su, 10am-5pm existing	M-Su, 10am-5pm proposed
Production days and hours[1]:	M-F, 7am-5pm existing	M-F, 7am-5pm proposed

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

*Settlement Agreement 70 maximum/day. 3,600 maximum/yr, Expressly Modifiable by Use Permit Modification. Proposed Modification Yearly Maximum 12,500 visitors.
**Settlement Agreement Production Capacity 15,000 gal/yr. Expressly Modifiable by Use Permit Modification, Proposed Modification Production Capacity 50,000 gal/yr.

Grape Origin

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

No Change.

Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, hours, location/facilities to be used, food service details, etc. Provide a site plan showing where the marketing event activities will occur, including overflow/off-site parking. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.)

Requested marketing program is two (2) annual events with 100 guests, three (3) annual events with 50 guests, and two (2) annual events with 25 guests.

The Winery requests marketing event hours from 10:00am to 10:00pm, with quiet cleanup until 11:00pm.

On-Site Consumption

If requesting On-Site Consumption, please provide a site plan showing where such activities will occur.

None.

Food Service

Please describe the nature of any proposed food service including type of food, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Please differentiate between existing and proposed food service and existing type of commercial kitchen (low, medium or high risk) and/or food preparation areas authorized by the County Environmental Health Division. (Attach additional sheets as necessary.)

No Change.

Winery Coverage and Accessory/Production Ratio

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

Existing 4,800 sq. ft. 0.1 acres

Proposed 4,800 sq. ft. 0.1 acres

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

44,939 sq. ft. 1.03 acres 2 % of parcel

Production Facility. Consistent with the definition at "c.," and the marked-up floor plans included in your submittal, please indicate your proposed *production* square footage. If the facility already exists, please differentiate between existing and proposed.

Existing 22,519 sq. ft. Proposed No Change sq. ft.

Accessory Use. Consistent with the definition at "d.," and the marked-up floor plans included in your submittal, please indicate your proposed *accessory* square footage. If the facility already exists, please differentiate between existing and proposed. (maximum = 40% of the production facility)

Existing 3,693 sq. ft. 16.4 % of production facility

Proposed No Change sq. ft. No Change % of production facility

Caves and Crush pads

If new or expanded caves are proposed, please indicate which of the following best describes the public accessibility of the proposed and existing cave space: Please denote on cave floor plans the location of existing and proposed cave type/activities and identify location of on-site cave spoils on a site plan.

Existing Cave:

☐ None – no visitors/tours/events (**Class I**) ☒ Guided Tours Only (**Class II**) ☐ Public Access (**Class III**)

☐ Marketing Events and/or Temporary Events (**Class III**)

Expanded or New Cave:

☐ None – no visitors/tours/events (**Class I**) ☐ Guided Tours Only (**Class II**) ☐ Public Access (**Class III**)

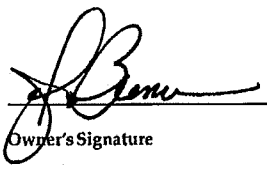
☐ Marketing Events and/or Temporary Events (**Class III**)

Please identify the winery's…

Cave area (total)	Existing: 16,839 sq. ft.		Proposed: 16,839 sq. ft.	
Cave area (Production)	Existing: 15,826 sq. ft.		Proposed: 15,826 sq. ft.	
Cave area (Accessory)	Existing: 1,013 sq. ft.		Proposed: 1,013 sq. ft.	
Covered crush pad area	Existing: sq. ft.		Proposed: sq. ft.	
Uncovered crush pad area	Existing: 2,430 sq. ft.		Proposed: 2,430 sq. ft.	
Cave Spoils total:			Proposed: cy.	
Cave Spoils Use:	☐ Onsite	☐ Offsite		

Initial Statement of Grape Source

Pursuant to Napa County Zoning Ordinance Sections 12419(b) and (c), I hereby certify that the current application for establishment or expansion of a winery pursuant to the Napa County Winery Definition Ordinance will employ sources of grapes in accordance with the requirements of Section 12419(b) and/or (c) of that Ordinance.



Owner's Signature

3-7-2022

Date

Letters of commitment from grape suppliers and supporting documents may be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal of additional information regarding individual grape sources. Proprietary information will not be disclosed to the public.

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A Commitment to Service

WINERY TRIP GENERATION WORKSHEET

Planning, Building & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559-3082
(707) 253-4417

Clear Form

PROJECT DESCRIPTION

Winery Name: Bremer Family Winery **Date Prepared:** 2/22/22

Existing Entitled Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	4	4
	Weekend	2	2
Number of Part Time Employees*	Weekday	2	0
	Weekend	2	0
Maximum Daily Visitation	Weekday	70	70
	Weekend	70	70
Annual Gallons of Production		15,000	15,000
Annual Tons of Grape Haul		93.8	N/A
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	0	0.0
	Weekend	0	0

Proposed Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	8	8
	Weekend	2	2
Number of Part Time Employees*	Weekday	2	0
	Weekend	2	0
Maximum Daily Visitation	Weekday	70	70
	Weekend	70	70
Annual Gallons of Production		50,000	50,000
Annual Tons of Grape Haul		312.5	N/A
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	0	0
	Weekend	0	0

*Number of full time and part time employees should represent the max number of employees that will be working on any given day (including all vendors and contractors employed for the largest event that occurs two or more times per month on average).

Bremer Family Winery
TRIP GENERATION

Existing Winery					**Harvest**	**Non-Harvest**
Maximum Daily Weekday Traffic (Friday)						
	Harvest	*Non-Harvest*				
FT Employees	4	4	3.05 one way trips/employee	FT Employee Daily Trips	12.2	12.2
PT Employees	2	0	1.9 one way trips/employee	PT Employee Daily Trips	3.8	0.0
Max Visitors	70	70	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	53.8	53.8
Max Event	0	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	15,000		0.000018 truck trips	Production Daily Trips	0.3	0.3
Tons of Grape Haul#	93.8		0.013889 truck trips	Grape Haul Daily Trips	1.3	0.0
				Total Weekday Daily Trips	72	67
				Total Weekday Peak Hour Trips*	27	25
Maximum Daily Weekend Traffic (Saturday)						
	Harvest	*Non-Harvest*				
FT Employees	2	2	3.05 one way trips/employee	FT Employee Daily Trips	6.1	6.1
PT Employees	2	0	1.9 one way trips/employee	PT Employee Daily Trips	3.8	0.0
Max Visitors	70	70	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	50.0	50.0
Max Event	0	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	15,000		0.000018 truck trips	Production Daily Trips	0.3	0.3
Tons of Grape Haul#	93.8		0.013889 truck trips	Grape Haul Daily Trips	1.3	0.0
				Total Weekend Daily Trips	62	57
				Total Weekend Peak Hour Trips*	33	31
Maximum Annual Traffic						
				Total Annual Trips**	23,800	

Proposed Winery					**Harvest**	**Non-Harvest**
Maximum Daily Weekday Traffic (Friday)						
	Harvest	*Non-Harvest*				
FT Employees	8	8	3.05 one way trips/employee	FT Employee Daily Trips	24.4	24.4
PT Employees	2	0	1.9 one way trips/employee	PT Employee Daily Trips	3.8	0.0
Max Visitors	70	70	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	53.8	53.8
Max Event	0	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	50,000		0.000018 truck trips	Production Daily Trips	0.9	0.9
Tons of Grape Haul#	312.5		0.013889 truck trips	Grape Haul Daily Trips	4.3	0.0
				Total Weekday Daily Trips	88	80
				Total Weekday Peak Hour Trips*	32	29
Maximum Daily Weekend Traffic (Saturday)						
	Harvest	*Non-Harvest*				
FT Employees	2	2	3.05 one way trips/employee	FT Employee Daily Trips	6.1	6.1
PT Employees	2	0	1.9 one way trips/employee	PT Employee Daily Trips	3.8	0.0
Max Visitors	70	70	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	50.0	50.0
Max Event	0	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	50,000		0.000018 truck trips	Production Daily Trips	0.9	0.9
Tons of Grape Haul#	312.5		0.013889 truck trips	Grape Haul Daily Trips	4.3	0.0
				Total Weekend Daily Trips	66	57
				Total Weekend Peak Hour Trips*	35	32
Maximum Annual Traffic						
				Total Annual Trips**	27,446	

Net New Trips		**Harvest**	**Non-Harvest**
Maximum Weekday Traffic (Friday)			
If total net new daily trips is greater than 40, a TIS is required	**Net New Weekday Daily Trips**	16	13
	Net New Weekday Peak Hour Trips*	5	4
Maximum Weekend Traffic (Saturday)			
If total net new daily trips is greater than 40, a TIS is required	**Net New Weekend Daily Trips**	4	0
	Net New Weekend Peak Hour Trips*	2	1
Maximum Annual Traffic			
A Traffic Impact Study is NOT Required	**Net New Annual Trips****	3,646	

#Trips associated with Grape Haul represent harvest season only.

*Weekday peak hour trips are calculated as 38% of daily trips associated with visitors and production plus one trip per employee. Weekend peak hour trips are calculated as 57% of daily trips associated with visitors and production plus one trip per employee.

**Annual trips represent a conservative calculation that assumes 11 weeks of harvest, all weekdays are Fridays, all weekends are Saturdays, and assumes that the largest event that occurs two or more times per month on average occurs every day.

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

A Tradition of Stewardship
A Commitment to Service

Project name & APN: Bremer Family Winery 021-400-002
Project number if known:
Contact person: David Gilbreth
Contact email & phone number: (707) 337-6412
Today's date: February 26, 2021

Voluntary Best Management Practices Checklist for Development Projects

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

Practices with Measurable GHG Reduction Potential

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

Already Doing	Plan To Do	ID #	BMP Name
☐	☐	BMP-1	**Generation of on-site renewable energy**

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

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

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

Already Doing	Plan To Do		
☐	☐	**BMP-3**	**Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)**

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

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

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

Number of total vehicles _____

Typical annual fuel consumption or VMT _____

Number of alternative fuel vehicles _____

Type of fuel/vehicle(s) _____

Potential annual fuel or VMT savings _____

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

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

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

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

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

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

Estimated annual VMT _____

Potential annual VMT saved _____

% Change _____

Already Doing	Plan To Do		
☐	☐	**BMP-7**	**Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 1**

See description below under BMP-5.

☐	☐	**BMP-8**	**Solar hot water heating**

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

☑	☐	**BMP-9**	**Energy conserving lighting**

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

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

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

☐	☐	**BMP-11**	**Bicycle Incentives**

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

☐	☐	**BMP-12**	**Bicycle route improvements**

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

Already Doing	Plan To Do		
☐	☐	**BMP-13**	**Connection to recycled water**

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

☑	☐	**BMP-14**	**Install Water Efficient fixtures**

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

☐	☐	**BMP-15**	**Low-impact development (LID)**

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

☐	☐	**BMP-16**	**Water efficient landscape**

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

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

☐	☐	**BMP-17**	**Recycle 75% of all waste**

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

Already Doing	Plan To Do		
☐	☐	**BMP-18**	**Compost 75% food and garden material**

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

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

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

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

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

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

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

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

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

Already Doing	Plan To Do		
☑	☐	**BMP-23**	**Site Design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave.** *The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building burned into the ground saves energy because the ground is a consistent temperature and it reduces the amount of heating and cooling required. On the same concept, a building that is oriented to have southern exposure for winter warmth and shading for summer cooling with an east-west cross breeze will naturally heat, cool, and ventilate the structure without using energy. Please check this box if your design includes a cave or exceptional site design that takes into consideration the natural topography and sitting. Be prepared to explain your approach and estimated energy savings.* Wine Cave is in use
☐	☐	**BMP-24**	**Limit the amount of grading and tree removal** *Limiting the amount of earth disturbance reduces the amount of CO2 released from the soil and mechanical equipment. This BMP is for a project design that either proposes a project within an already disturbed area proposing development that follows the natural contours of the land, and that doesn't require substantial grading or tree removal.*
☐	☐	**BMP-25**	**Will this project be designed and built so that it could qualify for LEED?** **BMP-25 (a)** ☐ **LEED™ Silver** (check box BMP-25 and this one) **BMP-25 (b)** ☐ **LEED™ Gold** (check box BMP-25, BMP-25 (a), and this box) **BMP-25 (c)** ☐ **LEED™ Platinum** (check all 4 boxes)

Practices with Un-Measured GHG Reduction Potential

☐	☐	**BMP-26**	**Are you, or do you intend to become a Certified Green Business or certified as a"Napa Green Winery"?** *As part of the Bay Area Green Business Program, the Napa County Green Business Program is a free, voluntary program that allows businesses to demonstrate the care for the environment by going above and beyond business as usual and implementing environmentally friendly business practices. For more information check out the Napa County Green Business and Winery Program at www.countyofnapa.org.*
☐	☐	**BMP-27**	**Are you, or do you intend to become a Certified "Napa Green Land"?** *Napa Green Land, fish friendly farming, is a voluntary, comprehensive, "best practices" program for vineyards. Napa Valley vintners and growers develop farm-specific plans tailored to protect and enhance the ecological quality of the region, or create production facility programs that reduce energy and water use, waste and pollution. By selecting this measure either you are certified or you are in the process of certification.*

Already Doing	Plan To Do		
☐	☐	**BMP-28**	**Use of recycled materials** *There are a lot of materials in the market that are made from recycled content. By ticking this box, you are committing to use post-consumer products in your construction and your ongoing operations.*
☐	☐	**BMP-29**	**Local food production** *There are many intrinsic benefits of locally grown food, for instance reducing the transportation emissions, employing full time farm workers, and improving local access to fresh fruits and vegetables.*
☐	☐	**BMP-30**	**Education to staff and visitors on sustainable practices** *This BMP can be performed in many ways. One way is to simply put up signs reminding employees to do simple things such as keeping the thermostat at a consistent temperature or turning the lights off after you leave a room. If the project proposes alternative energy or sustainable winegrowing, this BMP could include explaining those business practices to staff and visitors.*
☑	☐	**BMP-31**	**Use 70-80% cover crop** *Cover crops reduce erosion and the amount of tilling which is required, which releases carbon into the environment.*
☑	☐	**BMP-32**	**Retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site** *By selecting this BMP, you agree not to burn the material pruned on site.*
☐	☐	**BMP-33**	**Are you participating in any of the above BMPS at a 'Parent' or outside location?**
☐	☐	**BMP-34**	**Are you doing anything that deserves acknowledgement that isn't listed above?** Fish Friendly Certified

Comments and Suggestions on this form?

Sources:

1. Napa County Bicycle Plan, NCTPA, December 2011

2. California Air Pollution Control Officers Associate (CAPCOA). January 2008. CEQA and Climate Change

3. Napa County General Plan, June 2008.

4. California Office of the Attorney General. 2010. Addressing Climate Change at at the Project Level available at http: //ag.ca.gove/global warming/pdf/GW_mitigation_measures.pdf

5. U.S. Green Building Council (2009). LEED 2009 for New Construction and Major Renovations Rating System. Washington, DC: United States Green Building Council, Inc.

6. California Energy Commission (2008). Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings. Sacramento, CA: California Energy Commission.

7. U.S. Department of Energy (2010). Cool roof fact sheet.

8. http://www1.eere.energy.gov/buildings/ssl/ledlightingfacts.html

9. Compact Fluorescent Light Bulbs". Energy Star. Retrieved 2013-05-01.

10. http://energy.gov/energysaver/articles/solar-water-heaters. Retrieved 2013-05-02.

11. http://energy.gov/energysaver/articles/solar-water-heater. Retrieved 2013-05-09

12. http://www.bchydro.com/powersmart/residential/guides_tips/green-your-home/cooling_guide/shade_trees.html

13.http://www.napagreen.org/about. Retrieved 2013-05-09

14. http://www.countyofnapa.org/pages/departmentcontent.aspx?id=4294971612

15. http://www.napasan.com/Pages/ContentMenu.aspx?id=109

16. http://water.epa.gov/polwaste/green/index.cfm

Adjoining Property Owner List Requirements

All applications shall include a list of the current owners of all the properties whose outer perimeters are within **1,000 feet** of the property boundary of the project site. The list shall include the property owner's names, their addresses, and the assessor's parcel numbers of the property owned. The list may be expanded to include other affected property owners at the discretion of the Planning Director as well as individuals having a request for notice on file with the Commission Clerk.

Preparation, verification and submission of this list of property owners is the responsibility of the applicant. Lists of the property owners appearing on County tax rolls in the form required are available from all local title insurance companies. Each such list must be certified by a title insurance company as reflecting the most recent County tax roll information. While the mailing list is not necessarily required at initial project submittal, the project cannot be noticed for hearing without it.

Instructions to the Title Company

Please prepare the property owners' list as follows:

1. Type the property owners' names, parcel numbers and mailing addresses on an 8½" by 11" sheet of Avery #5160 Laser Labels so that this information can be readily used in mailing by the Planning, Building & Environmental Services Department.

2. Submit a full page copy of the assessors' parcel book page(s) and a copy of the latest equalized assessment roll used to compile the property owners' list. Please indicate the location of all parcels listed, by check mark or colored parcel number circled on the pages.

If you have any questions, please contact the Planning, Building & Environmental Services Department at (707) 253-4417.

Checklist of Required Application Materials

Please make sure that the following documents are complete and legible. Consistent with the State Permit Streamlining Act and Departmental policy, the Planning, Building and Environmental Services (PBES) Department will make an application completeness determination within thirty days of application submittal and the payment of all required initial fees.

☑ **General Application Form:** The attached General Application Form must be completed in full and signed by the property owner or their authorized agent. Corporations, partnership, and the like have special signature requirements as noted on the Form.

☑ **Application Fee:**

Use Permit/Major Modification (All Uses): Total Fees are based on actual time and materials and flat fees. A deposit in the amount of **$10,000. Check made payable to County of Napa.**

Small Winery Exemption (Winery Uses): Total fees are based on actual time and materials and flat fees. A deposit in the amount of $5,000. Check made payable to County of Napa.

Minor Modification (Winery Uses): Total fees are based upon flat rates with exception to Engineering Services which are based on actual time and materials over 3 hours for Roads & Street Standards evaluation. All County Counsel fees are based on actual time and materials. Check made payable to County of Napa.

Administrative Permit (Winery Uses): Total Fees are based on actual time and materials and flat fees. A deposit in the amount of $1,500. Check made payable to County of Napa.

Minor Modification (Non-Residential & Residential Uses): Total fees are based upon flat rates. All County Counsel fees are based on actual time and materials. Check made payable to County of Napa.

Very Minor Modification (Non-Residential & Residential Uses): Total fees are based upon flat rates. All County Counsel fees are based on actual time and materials. Check made payable to County of Napa.

☑ **Read and Sign the Hourly Fee Agreement**

☑ **Detailed Project Description:** The Project Description should address all of the applicable items listed below:

1. Existing site conditions and uses.
2. Proposed type of development and size, proposed uses/business, development phases, changes or alterations to the property or building including new/modified improvements and off-site improvements.
3. Days of the week and hours of operation.
4. Maximum number of employees per shift and hours of shifts.
5. Are there additional licenses and/or approvals from outside agencies needed from a Special District, Regional, State, Federal?
6. What is your water supply? How/where is liquid/solid waste disposed?

☑ **To-Scale Site Development Plans (ALL plans must be to an identified architect's or engineer's scale and shall be legible):**

Submit **three (3)** 24" X 36" and **one** 11" x 17" copies of plans consistent with information contained in the ***Building Division – Design Information - Sample Site Plan Handout:*** https://www.countyofnapa.org/1890/Building-Documents .

☑ **To-Scale Floor Plans (ALL plans must be to an identified architect's or engineer's scale, shall show the existing and proposed conditions of the building and shall be legible):**

Submit **three (3)** 24" X 36" and **one** 11" x 17" copies of plans with the following information and details:

1. Dimensions and area of all rooms, hallways and covered or partially enclosed outdoor areas.
2. Use of each area within each structure/building.
3. Location of emergency exists.

☐ N/A **To-Scale Building Elevations (ALL plans must be to an identified architect's or engineer's scale, shall show the existing and proposed conditions of the building and shall be legible):**

Submit **three (3)** 24" X 36" and **one** 11" x 17" copies of plans with the following information and details:

1. All relevant dimensions.
2. Exterior materials.
3. Exterior colors.
4. Existing grade.
5. Finished grade.
6. Finished floor level.
7. Building height consistent with Figure 209-1 of the 1997 UBC Handbook.

Technical Information and Reports

The following technical information and studies are generally required unless waived by County Planning Staff at or following a Pre-Application Review Meeting. Please see County Planning Staff for a list of pre-qualified consultants.

1. FOR WINERY PROJECTS: Additional submittal information is necessary and should be included with the submittal packet consistent with the Winery Use Permit Supplemental Submittal Requirements.
2. Traffic Study consistent with Traffic Impact Study Preparation Requirements Please fill out the enclosed current Trip Generation Sheet for existing and proposed project to determine the need for the preparation of a Traffic Impact Study.
3. Archeological/Cultural Resources Study (consistent with *Guidelines for Preparing Cultural Resource Surveys* and State of California requirements)
4. Historic Resources Study (consistent with State Office of Historic Preservation requirements)
5. Biological Study – Includes Special Status Survey (consistent with *Guidelines for Preparing Biological Resources Reconnaissance Surveys* and *Guidelines for Preparing Special-Status Plant Studies*)
6. Water Availability/Groundwater Study (consistent with the *WAA Guidance Document* adopted by the Board 5/12/2015). Please refer to the following link: https://www.countyofnapa.org/876/Water-Availability-Analysis .
7. For projects located within Sensitive Domestic Water Supply Drainages and/or within the Agricultural Watershed (AW) zoning district, please provide vegetation coverage removal and retention information/analysis based on 1993 Vegetation totals and parcel configuration, including a map or figure that includes the following information:

   Tree canopy coverage:

   Tree canopy cover (1993): _____acres

   Tree canopy cover to be removed: 0.0 acres _____%

   Tree canopy cover to be retained: _____acres _____%

   Understory (i.e. brush, shrubs, grasses):

   Understory cover (1993): _____acres

   Understory to be removed: 0.0 acres _____%

   Understory to be retained: _____acres _____%

   This information may be provided as part of the Biological Report if one is required for your project. Guidance on how to prepare vegetation removal and retention calculations can be found in the County's Water Quality & Tree Protection Ordinance Implementation Guide, located on our website: https://www.countyofnapa.org/DocumentCenter/View/12882/WQTPO-implementation-guide?bidId=
8. Special Studies (The following may be required on a project-specific basis at the discretion of the PBES Director.)

N/A

- [x] Noise Study (demonstrating consistency with Napa County Code Chapter 8.16).
- [ ] Aviation Compatibility Study (consistent with Airport Land Use Compatibility Plan requirements)
- [ ] Visual Impacts Study (Photographic simulations)
- [ ] Geological/Geotechnical Hazard Report – Alquist Priolo Act
- [ ] Hydraulic Analysis (flood impact) if within Floodplain and/or Floodway
- [ ] Stormwater Control Plan (consistent with Napa County BASMAA Post Construction Manual)
- [ ] Other: _____
- [ ] Other: _____

Additional Information Required by the Environmental Health Department:

1. Soil Evaluation Report if an on-site septic system is proposed.
2. Septic Feasibility Report for any new or upgraded septic systems or any expansion of use relying on an existing septic system.
3. Water System Feasibility Report if the water supply system will serve 25 or more people inclusive of employees, visitors, and residents or if kitchen is proposed. See enclosed handout provided by Environmental Services.
4. Water and/or Sewage Disposal Easement if an off-site spring, well, reservoir, storage tank, or individual sewage disposal system is proposed.
5. Completed Business Activities form, enclosed.
6. Solid Waste & Recycling Storage area location and size included on overall site plan. See guidelines at www.countyofnapa.org/DEM/.
7. Cave setback plan if a cave is proposed. See handout provided by Environmental Services.

Please click on Other Information tab at https://www.countyofnapa.org/1904/Environmental-Health-Division for forms and handouts related to use permit application submittal.

☑ **Additional Information Required by the Engineering Services:**

2020 Napa County Road & Street Standards
https://www.countyofnapa.org/DocumentCenter/View/3787/Napa-County-Road-and-Street-Standards---2020-PDF

N/A Project Guidance for Stormwater Compliance
https://www.countyofnapa.org/DocumentCenter/View/3778/Project-Guidance-for-Stormwater-Quality-Compliance-PDF

BASMAA Post-Construction Stormwater Management Manual
https://www.countyofnapa.org/DocumentCenter/View/3780/Bay-Area--Stormwater-Management-Agencies-Association-BASMAA-Post-Construction-Manual-PDF

Napa Countywide Stormwater Pollution Prevention Program (NCSPPP) Erosion and Sediment Control Plan Guidance
https://www.countyofnapa.org/DocumentCenter/View/3780/Bay-Area--Stormwater-Management-Agencies-Association-BASMAA-Post-Construction-Manual-PDF

▣ *Please Note*
While this checklist includes all information generally required to process a Use Permit/Major Modification or other Use Permit related application, it is primarily focused on winery uses. Additional information may be required at the discretion of the Deputy Planning Director, and in particular in those cases where non-winery commercial uses (such as restaurants) or residential use related projects are proposed. **The Planning Division will make every effort to identify any additional required information at or directly following the Pre-application Review Meeting.**

▣ **Plans and Studies provided electronically via file share (coordinated at intake).**

“F”

County Road & Street Standards Exception Request

November 26, 2025

Via Electronic Mail and Napa County File Sharing

Brian Bordona, Director
Napa County Planning, Building & Environmental Services
1195 Third Street, Suite 201
Napa, CA 94559

Steven Lederer, Director
Napa County Public Works
1195 Third Street, Suite 101
Napa, CA 94559

Re: P22-00086; Application for Use Permit Major Modification
Bremer Family Winery
Request for Exception to the Napa County Road and Street Standards, 975 Deer Park Road, St. Helena [APNs 021-400-002 & 021-420-027]
Our File No. 05296-002

Dear Mr. Bordona and Mr. Lederer:

This office represents the Bremer Family Winery ("Winery") and submits this letter on its behalf. In connection with application No. P22-00086, the Winery respectfully requests an exception to the County's left-turn lane warrant requirement established by Section 17 of the Napa County Road and Street Standards ("RSS"). This request is made pursuant to Section 3 of the Napa County RSS, which authorizes the County to grant exceptions to RSS standards in cases like this. The Winery's request is supported by the information summarized in this letter, the Left Turn Constraints Exhibit prepared by RSA+ (attached hereto as **Exhibit A**), the Supplemental Traffic Analysis prepared by GDH (attached hereto as **Exhibit B**), the Tree Survey and Habitat Assessment Letter Report (the "Biological Analysis") prepared by Monk & Associates Inc. (attached hereto as **Exhibit C**). As demonstrated by these analyses, an exception is necessary, consistent with Section 3 of the Napa County RSS, and should be granted for the following reasons:

1. **Environmental Protection.** Granting the exception is necessary to preserve unique features of the natural environment that would be permanently lost by developing a left turn lane. Specifically:

   a. **Heritage Oak Trees and Protected Trees of Significant Importance.** Development of a left turn lane would result in unavoidable adverse impacts to 21 protected trees of significant importance that are part of an oak woodland and are well over 6 inches in diameter at breast height ("DBH"). (**Exhibit C**, pp. 1, 3, 5-6.)

      i. Of these, **17 protected trees, including four (4) heritage oak trees, would be slated for removal.** (**Exhibit C,** pp. 1, 5-6.) These heritage oak trees include Coast Live Oak trees that are 38.6" and 35" DBH, respectively.

      ii. Additionally, a total of four (4) protected trees of significant importance, including one (1) heritage oak tree, would be at substantial risk of irreversible damage through severe limbing and/or root system impacts. (*Ibid.*)

      iii. **As determined by expert biologists, these trees are unique features of the natural environment that should be protected** due to their size, substantial habitat benefits, and their location at the edge of a contiguous oak woodland. (**Exhibit C**, pp. 1-6.) The trees, some of which survived the Glass Fire in 2020, further provide erosion control, visual screening, and aesthetic value by creating a forested corridor. These established trees are virtually irreplaceable and should be preserved. (See *ibid*.)

   b. **Preservation of Steep Slopes Composed of Solid Rock.** Development of a left turn lane would require substantial grading of two (2) steep, nearly vertical cut slopes immediately adjacent to the narrow roadway shoulder, which consist of natural rock features and are forested with many protected trees. (Napa County RSS, Section 3(d)(i); **Exhibit A**, Attachment One; **Exhibit C**, p. 3.) As illustrated in **Exhibit A**, up to 20 feet of cut would be required on Cut Slope No. 1, and up to 10 feet of cut would be required on Cut Slope No. 2,

respectively.[1] The substantial construction that would be required to install a left-turn lane should not occur here.

2. **Physical Site Limitations.** The exception is necessary to accommodate site limitations including:

   a. On the western side of Deer Park Road, existing roadway conditions, which include a minimal 1-foot shoulder bordered by forested cut slopes composed of solid rock, limit the ability to develop a left-turn lane without causing substantial environmental damage.

   b. On the western side of Deer Park Road, an active Howell Mountain Mutual Water Company ("HMMWC") water main runs along the cut slopes. (See **Exhibit C**, p. 3.) This water main is located within the anticipated construction area. Relocating the water line is not feasible. This exception request is necessary to protect this essential infrastructure.

   c. On the eastern side of Deer Park Road, roadway widening necessary to accommodate a left-turn lane would require relocation of significant public utility facilities, including a major junction power pole. Relocating these facilities would disrupt the provision of essential telecommunications services. (*Id.* at § 3(d)(ii).)

3. **Historic Sites and Legal Constraints.** The exception is necessary to preserve historic resources and due to legal constraints. Specifically:

   a. Widening to the west would occur beyond an existing fence and onto private property. In addition to encroaching upon this private property and destroying the landowner's fence, this widening would damage two (2) large Coast Live Oaks on this parcel, including removal of a 30" DBH heritage oak and irreversible damage of a 17" DBH oak that

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[1] / As illustrated in **Exhibit A**, this road widening would be accomplished through multiple 2:1 cuts, which requires two times the land area for widening compared to a flat surface. When widening a road on a slope, the slope above (cut) or below (fill) must be reshaped to remain stable. For example, where Deer Park Road would be widened by approximately 10 feet at Cut Slope No. 1 to accommodate a left turn lane, a total of 20 feet of cut would be required.

nearly qualifies as a heritage oak (i.e., 18" DBH). (**Exhibit A**; **Exhibit C**, p. 5.)

b. If Deer Park Road is widened to the east, then the Winery's 100-year stone wall and mailbox would have to be dismantled and reconstructed. The historic mailbox, just off the roadway shoulder is within the relevant construction area. The entire stone wall, part of the Winery's gate, would require relocation to maintain compliance with the County's 30-foot driveway setback requirement. (*Id.* at Section 3(d)(iii).) This historic stonework cannot be reproduced and must be protected.

c. On the western side of Deer Park Road, development of a left-turn lane would require the roadway to be widened by up to 4 feet at a private driveway. This, in turn, would require the driveway to be modified to ensure compliance with Napa County RSS Detail P-2. These modifications would likely adversely impact the driveway's drainage, slope, and historic stone walls. It is reasonably foreseeable that some of this work may require encroachment outside the public right of way. (Napa County RSS, Section 3(d)(iii).)

4. **No Impact on Public Safety.** Due to its relatively isolated location in the scarcely populated Angwin area, there are virtually no left turns currently occurring or expected with the proposed use permit modifications. Unless winery guests live in the vicinity of White Cottage Road and/or the Angwin area, 100 percent (100%) of guest visitation originates through the Napa Valley via Deer Park Road (i.e., right turns) and Sanitarium Road (i.e., across Deer Park Road into the Winery after stop sign). Considering these facts and the relatively low volumes on Deer Park Road, the existing condition without a left-turn lane has essentially the same effect on safety as would be experienced with a turn lane. (**Exhibit B**.) As such, the exception will have no impact on public safety. (Napa County RSS, Section 3(e).)

In sum, this exception request is based on clear, demonstrable and unavoidable environmental impacts and physical site limitations that meet the standards set forth in the Napa County RSS, Section 3, and the Winery respectfully requests

that it be granted. This is precisely the type of situation in which the County's authority to grant limited and well-supported exceptions is intended to apply.

I. Background: The Updated Traffic Study Concludes that the Winery's Application Triggers the County's Left-Turn Lane, Despite the Lack of Left Turns into the Winery.

The Updated Traffic Study Report for the Proposed Bremer Family Use Modification Project, prepared by GDH, dated August 12, 2025 ("Traffic Study") analyzed traffic flows at the Winery and on the proximate roadway system. Based on strict application of the Napa County RSS, the Traffic Study found the operational adjustments requested in the Winery's application trigger the "warrant" for a southbound left turn lane at the inbound project driveway on Deer Park Road. (Traffic Study, pp. 19-20.) While the RSS does not account for the direction of traffic, the Traffic Study analyzed southbound left-turn volumes on Deer Park Road at the Winery's driveway and found:

> Based on weekday Friday PM peak period (4:00-6:00 p.m.) and Saturday mid-day peak hour (1:00-3:00 p.m.) counts conducted at the Sanitarium Road-Bremer Family Winery Driveway/Deer Park Road; **one (1) southbound left-turn movement was observed at the Bremer Family Winery driveway from Deer Park Road. Based on discussions with the project applicant, all guest visitation originates from the Napa Valley area via Deer Park Road.** Visitors and guests to the winery do not typically originate from areas to the north via Deer Park Road (White Cottage Road, Angwin, & Howell Mountain Road). The vast majority of guests use Deer Park Road to/from the south and/or Sanitarium Road to/from the west to access the proposed project site. Consequently, there would **be virtually no demand for a southbound left-turn lane on Deer Park Road at the Bremer Family Winery north driveway.**

(Traffic Study, p. 20 [emphasis added].)

GHD further confirmed the lack of any practical need for a left-turn lane into the Winery in the Supplemental Traffic Analysis attached hereto as **Exhibit B**. This supplemental analysis, based upon the Winery's actual traffic counts and

conditions, demonstrates that a left-turn lane would not be required under the widely accepted Caltrans and American Association of State Highway Engineers ("AASHTO") methodologies, which account for the actual volume of left-turn movements and traffic speeds. (**Exhibit B**, pp. 2-4.)[2]

These conclusions are consistent with the prior traffic analyses prepared for the Winery. For example, the *Focused Traffic Analysis; Bremer Family Winery Use Modification Project* dated June 1, 2018 (R2303TIA003) ("June 2018 Traffic Study"), found "there were zero (0) southbound left-turn movements observed at the Bremer Family Winery driveway from Deer Park Road" during the peak period. (June 2018 Traffic Study, p. 23.) The June 2018 Traffic Study further concluded: "Currently, existing count volume data conducted on both a weekday and weekend peak period on Deer Park Road at the project driveway indicate that there are no southbound left-turn movements into the site from Deer Park Road. By comparing the advancing and opposing Deer Park Road volumes with the percentage of left turning vehicles into the project driveway, the volumes are well below the Caltrans and AASHTO minimum volume thresholds at which a left turn lane would be warranted." (*Id.* at p. 22.)

II. The Exception Request is Consistent with Napa County RSS, Section 3, the County's Conservation Regulations, and the General Plan.

The following discussion outlines the relevant regulatory framework through which the County must evaluate this exception request. These authorities include the Napa County RSS, Section 3, the County's Conservation Regulations, and the County's General Plan. As demonstrated below, these interconnected laws and planning documents establish a strong policy in favor of protecting the County's natural resources and avoiding construction in environmentally sensitive areas, which are among the primary purposes of this request.

A. Napa County RSS, Section 3 Is Intended To Apply to Well-Documented Exception Requests Such as This.

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[2] / The Caltrans methodology was developed in 1985. The AASHTO methodology, developed in 2018, provides more recent and comprehensive industry-standard approach. (**Exhibit B**, pp. 2-3.)

Section 3(d) of the Napa County RSS provides for exceptions to established standards when one or more of the following findings can be made and the findings in subsection (e) can also be made:

i. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of least six inches in diameter at breast height and found by the decision-maker to be of significant importance, but does not include human altered environmental features such as vineyards and ornamental or decorative landscaping, or artificial features such as, rock walls, fences or the like;

ii. The exception is necessary to accommodate physical site limitations such as grade differentials; and/or

iii. The exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.

Section 3(e) of the Napa County RSS states:

The Zoning Administrator, Planning Commission, or other approving body shall not grant an exception unless it finds that grant of the exception, as conditioned by the Zoning Administrator, the Planning Commission, or other approving body provides the same overall practical effect as these Standards towards providing defensible space, and consideration towards life, safety and public welfare. Monetary hardship alone shall not be considered as a basis for an exception.

Here, all grounds set forth in Section 3(d) are satisfied, each of which gives the County an independent basis to grant the exception request.[3] Section 3(e) is also satisfied because approving the Winery's application without a left-turn lane would have no impact on public safety due to the lack of left turns into the Winery.

[3] / As provided in Napa County RSS Section 3, an exception may be granted if one of the identified grounds is satisfied.

Note that the County does not have a fixed definition of "heritage oak tree." The County recognizes that its "remaining oak woodlands continue to serve as a reminder of our cultural and historical heritage." (Voluntary Oak Woodland Management Plan (2010), p. 8.) Given the various threats to the County's oak woodland communities, including a lack of regeneration, low acorn production due to a lack of cross pollination, fire damage, habitat conversion, and climate change, the County's primary intent is to protect all oak trees to maintain in-tact ecosystems. (*Id.* at pp. 30-36; Napa County General Plan, p. CON-30.) As such, whether a tree is a "heritage oak" that requires preservation under Napa County RSS, Section 3(d)(i) is a fact-specific inquiry.

In determining whether the affected oak trees are heritage trees, the County is encouraged to consider the definition of a "Heritage Tree" adopted by the City of San Mateo, which includes: "Any oak (Quercus spp.) tree with a trunk that has a diameter of ten inches or more (31.4 inches in circumference), measured at 54 inches above natural grade." (City of San Mateo Municipal Code, § 13.40.030(k).) This definition is particularly relevant because live oak species are the most prevalent in both the County and San Mateo. (See Voluntary Oak Woodland Management Plan (2010), pp. 14-15, B-1-B-2, C-2.) The Marin County Code Municipal Code contains similar definitions of "Protected Tree" and "Heritage Tree," with all oaks with a DBH of at least 6 inches "protected trees" and with a DBH of at least 18 inches "heritage trees." (Marin County Municipal Code, Art. VIII, Ch. 22.130.)

Based upon these definitions and the least protective interpretation, the Biological Analysis conservatively determined that installation of a left-turn lane would impact a total of 21 protected trees and require four (4) heritage oak trees to be cut down, with irreversible damage to an additional heritage oak. (**Exhibit C**, pp. 2-6.)

B. The Exception Request is Consistent with and In Furtherance of the County's General Plan and Conservation Regulations.

The exceptions to the Napa County RSS are part of a broader framework of Napa County General Plan ("General Plan") policies and ordinances. This exception request is consistent with and in furtherance of these foundational policies and requirements.

1. The General Plan Contains Strong Protections for Oak Trees Located on Steep Slopes.

"According to the California Oak Foundation, Napa County, with approximately 167,450 acres of oak woodlands comprising 33 percent of the county, has the highest density of oak woodlands in the state." (General Plan, p. CON-4.) "These oak woodlands are one of the defining features of Napa County's scenery, and provide numerous recreational and ecological benefits." (Napa County Voluntary Oak Woodland Management Plan (2010), p. 6.) To protect oak woodland habitat, General Plan Policy CON-24 sets forth several measures, including:

(1) To retain, to the maximum extent feasible, existing oak woodland communities and other significant vegetation as part of the County's discretionary approvals.

(2) To avoid the removal of oak species limited in distribution (e.g., valley oaks) to the maximum extent feasible.

(3) To require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization and soil protection.

(General Plan, p. CON-30.)

Pursuant to General Plan Action Item CON NR-7, the County adopted the Voluntary Oak Woodland Management Plan to provide a conservation framework for the preservation of the County's oak woodland resources. (*Id.* at CON-35.) The Voluntary Oak Woodland Management Plan is intended to protect the long-term health and viability of the County's oak resources by promoting objectives, including:

1. Encourage the long-term stewardship and vitality of existing oak woodlands to maintain or improve oak woodland resource values;

2. **Encourage land use, transportation, and infrastructure planning that is consistent with oak woodlands conservation efforts**; and

3. Maximize the total amount of oak woodland canopy cover to achieve erosion, flood, habitat, and air quality protection benefits, while

> recognizing the importance of including a variety of canopy cover levels within conserved and restored woodlands to provide habitat diversity.

(Voluntary Oak Woodland Management Plan (2010), p. 7 [emphasis added].)

This exception request is consistent with and promotes these objectives. Regarding transportation planning and oak woodland conservation, the Voluntary Oak Woodland Management Plan specifically recognizes infrastructure development (e.g., roadway expansion) as one of the three primary land use threats that drive habitat conversion:

> Local and regional growth in tourism, jobs, and housing increases demand for new infrastructure, **including highway and road expansion**, as well as electrical, water and wastewater services. The end result of this demand is often the expansion of infrastructure projects which can temporarily or permanently impact existing oak woodlands. On a more regional level, large roadway expansion projects will likely continue to threaten California‘s oak woodland resources.

(Voluntary Oak Woodland Management Plan (2010), p. 35 [emphasis added].)

As a solution to prevent needless loss of oak woodlands and other significant trees, Napa County RSS, Section 3(d)(i) allows exceptions to the Napa County RSS to “preserve unique features of the natural environment,” including “heritage oak trees, or other trees at least six inches in diameter at breast height.” In this case, there is no appreciable demand for a left-turn lane into the Winery due to lack of virtually any left turns into the Winery. However, strict application of the County’s left-turn lane warrant would result in substantial environmental damage. (**Exhibit A; Exhibit C**.) This is precisely the type of situation that Napa County RSS, Section 3 is intended to prevent and that the General Plan urges the County to avoid to promote long-term environmental protection.

2. This Exception Request is Consistent with and in Furtherance of the County's Conservation Regulations, Which Contain Strong Protections in Favor of Preserving the County's Natural Resources and Avoiding Construction in Environmentally Sensitive Areas.

Also closely related to Napa RSS, Section 3(d), are the County's Conservation Regulations, set forth in Chapter 18.108 of the Napa County Code ("County Code"). These regulations "apply to all zoning districts within Napa County and to all uses that may involve earthmoving activity." (County Code, § 18.108.020(A).) The definition of "[e]arthmoving or earth-disturbing activity" include any activity that involves vegetation clearing, grading, excavation, compaction of the soil, or the creation of fills and embankments to prepare a site for the construction of roads," all of which would be required to install a left-turn lane into the Winery. (*Id.* at § 18.108.030.)[4]

The purpose of the Conservation Regulations is to "preserve the natural resources" of the County, with an emphasis on protecting resources such as forests and wildlife habitat. (*Id.* at § 18.108.010(A).) The Conservation Regulations are intended to accomplish specific purposes, including the following:

1. Minimize cut, fill, earthmoving, grading operations and other such man-made effects in the natural terrain;

2. Minimize soil erosion caused by human modifications to the natural terrain;

3. Encourage development which minimizes impacts on existing land forms, avoids steep slopes, and preserves existing vegetation and unique geologic features; and

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[4] / "Grading" is further defined as "any stripping, cutting, filling, contouring, recontouring or stockpiling of earth or land, including the land in its cut or fill condition." (*Id.* at § 18.108.030.) As demonstrated below in in **Exhibit A**, road widening activities necessary to install a left-turn lane would grade substantial portions of two cut slopes immediately adjacent to the existing roadway shoulder on the western side of Deer Park Road.

4. Reduce the loss of vegetation by increasing protections for vegetation canopy cover, requiring minimum mitigation requirements and prioritizing areas eligible for mitigation.

(*Id.* at § 18.180.010(B).)

The Winery and relevant segments of Deer Park Road are located in the Agriculture Watershed and Open Space ("AW" or "AWOS") zoning district, which is subject to heightened environmental restrictions. In the AW district, "a minimum of seventy percent vegetation canopy cover as configured on the parcel existing on June 16, 2016 shall be maintained as part of any use involving earth-disturbing activity." (*Id.* at § 18.108.020(C).)[5] County Code section 18.108.020(D) also sets forth detailed mitigation requirements regarding "the removal of any vegetation canopy cover" in the AW zoning district, with a preference to replace or preserve vegetation on-site. While intended to protect oak woodlands on privately owned lands, these requirements underscore the County's preference to avoid unnecessary vegetation removal – a basis for this exception request.[6]

The Conservation Regulations also restrict earthmoving activities in erosion hazard areas, which are defined as portions of land "having slopes over

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[5] / "Vegetation canopy cover" includes "oak woodland . . . based on the current Manual of California Vegetation (MCV) and as described in the Napa County Baseline Data Report (2005 or as amended)." (County Code, § 18.108.030.) The Biological Analysis determined that the "trees on the west side of Deer Park Road are clearly considered to be part of an 'oak woodland' . . . [b]ased on the California Oak Woodlands Conservation Act of 2004 and the Manual for California Vegetation's minimum canopy requirements." (**Exhibit C**, p. 6.) The Napa County General Plan EIR also identifies the relevant portion of Deer Park as within the oak woodland biotic community. (General Plan Draft EIR (2007), Figure 4.5-1.)

[6] / As illustrated in **Exhibit A**, the road widening activities required to construct a left-turn lane into the Winery would primarily not occur on privately owned parcels. However, under "Option 1," road widening activities would occur beyond an existing fence and onto private property at Cut Slope 1 and remove one (1) heritage oak tree and irreversibly damage another large Coast Live Oak (17" DBH) on the other side of the fence. (**Exhibit C**, p. 5.)

five percent." (County Code, § 18.108.030.) Here, the two cut slopes that would be graded to accommodate a left-turn lane are essentially vertical and have slopes well over five percent. (**Exhibit A**, Attachment One, pp. 3-11.) "Whenever *a project within an erosion hazard area*" requires grading permits or other discretionary permits, the permit shall be subject to various conditions, including:

> 1. Existing vegetation shall be preserved to the maximum extent consistent with the project. Vegetation shall not be removed if it is identified as being necessary for erosion control in the approved erosion control plan . . . .
>
> 2. **Existing trees six inches in diameter or larger, measured at diameter breast height, (DBH), or tree stands of trees six inches in diameter (DBH)** or larger located on a site for which either an administrative or discretionary permit is required shall not be removed until the required permits have been approved by the decision-making body and tree removal has been specifically authorized.
>
> 3. Wherever removal of vegetation is necessitated or authorized, the director or designee may require the planting of replacement vegetation of an equivalent kind, quality and quantity.
>
> 4. All graded areas for nonagricultural activities shall be replanted with permanent vegetation.

(County Code, § 18.108.100 [emphasis added].)

As stated above, section 18.108.100 is triggered "[w[henever *a project*" is located "*within* an erosion hazard area" requires grading, erosion control, or similar permits. (Italics added.) This regulatory scope demonstrates that section 18.108.100 is primarily intended to apply to projects on privately owned lands that would impact vegetation within erosion hazard areas – not to the County's conditions of approval that require public roadway improvements under Napa County RSS. The conditions provided in section 18.108.100 that require "replacement vegetation of an equivalent kind, quality and quantity" pursuant to a "revegetation plan" reflect the high degree of control over property associated with legal possession. (*Id.* at § 18.108.100(D), (F).) Due to material differences in control and infrastructure (e.g., irrigation), public roadsides cannot be

revegetated in the same manner as private property – especially when it comes to native oak species that take decades to become established.

Here, installation of a left-turn lane is *not* a component of the Winery's use permit modification project. Unless this exception request is granted, construction of a left-turn lane would be required by the County as a condition of approval based on the County's left-turn lane warrant. In this case, the County's proposed conditions of approval would result in adverse environmental impacts to vegetated erosion hazard areas along the public roadside. Exceptions to the Napa County RSS exist precisely to prevent this type of unintended and environmentally harmful situation. The connection between Napa County RSS and the Conservation Regulations is clear. For example, County Code section 18.108.100 requires protection existing vegetation to the maximum extent, with additional protections for "[e]xisting trees six inches in diameter or larger, measured at diameter breast height, (DHB)." (County Code, § 18.108.100(A), (B).) Under Napa County RSS, Section 3(d)(i) an exception may be granted to preserve unique features of the natural environment, including heritage oak trees or other trees of at least 6 inches DBH.[7]

III. Under Existing Conditions, There Are Numerous Constraints That Justify the Exception Request.

Deer Park Road is a "two-lane rural collector street." (Traffic Study, p. 4.) The Winery is located on the eastern side of Deer Park Road, which consists of one 12-foot northbound lane. The Winery's entrance is approximately 25 feet south of (i.e., offset from) the intersection with Sanitarium Road; vehicles on Sanitarium Road must veer to the right to enter the Winery. (**Exhibit A**, Option 1, Sheet 1.) As such, while the Winery is safely accessible from Sanitarium Road,

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[7] / As discussed above, these protections for oak and other native trees are consistent with those provided by neighboring and similar jurisdictions. In Sonoma County, a permit is required to remove "[p]rotected trees greater than six inches (6") diameter at breast height (d.b.h.)," with all native oak and pine trees deemed "protected trees." (Sonoma County Municipal Code, §§ 26-04-020 26-88-015(A)(5)(a)(1).) In the City of Napa, valley oaks, live oaks, and black oaks 12 inches DBH or greater are deemed protected native trees. (City of Napa Municipal Code, § 12.45.020.) As documented in **Exhibit C**, installation of a left-turn lane would require numerous oaks 12 inches DBH or greater to be cut down and should be preserved.

the intersection between Sanitarium and Deer Park Road is narrow with irregular (i.e., not perpendicular) intersection geometrics. (*Ibid.*; **Exhibit B**, pp. 3-4; 2018 Traffic Study, p. 23.) 75 percent of trips into the Winery occur to/from the south on Deer Park Road (i.e., right turns into the Winery). (**Exhibit B**, p. 2.) The remaining 25 percent of trips into the Winery occur to/from the west on Sanitarium Road. (*Ibid.*) Left turns into the Winery are so infrequent that there is no appreciable volume of such trips: "Unless winery guests actually live in the vicinity of White Cottage Road and/or the Angwin area, 100% of guest visitation originates through the Napa Valley via Deer Park Road and Sanitarium Road." (*Ibid.*)

Under existing conditions, Deer Park Road has a narrow 1-foot shoulder on both sides of the road in the vicinity of the Winery. On the Winery's side, protected oak trees, substantial utilities, and the Winery's historic stone mailbox are all immediately adjacent to the roadway. (**Exhibit A**, Option 2.) The Winery's gate, which largely consists of a historic stone wall, is approximately 32 feet from the end of pavement on Deer Park Road.[8] In sum, under existing conditions the relevant portions of Deer Park Road are narrow, with no room for expansion at the intersection with Sanitarium Road without substantially altering the existing area and causing multiple adverse and significant environmental impacts.

On the opposite (i.e., western) side of Deer Park Road, there are currently two southbound lanes north of (i.e., before) the intersection with Sanitarium Road and the Winery's entrance: (1) a 11-foot southbound lane for through traffic on Deer Park Road; and (2) a 12-foot right-turn lane from Deer Park Road to Sanitarium Road. (*Ibid.*) In terms of roadway alignment, this southbound right-turn lane stands out on its own. If this lane were extended southbound along Deer Park Road – *which would be required to install a left-turn lane* – then it

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[8] / Under Napa County RSS, D-11, the Winery's gated entrance must be set back at least 30' from the end of pavement of Deer Park Road. In other words, if Deer Park Road were widened by more than 2', then the Winery's gate and its historic stone wall would have to be relocated accordingly. As demonstrated in **Exhibit A**, Option 2, widening to the east on Deer Park Road would require widening by approximately 6' feet in front of the Winery's entrance, which would require the Winery's gate and stone wall to be placed 4' behind their current location. This would require dismantling all of the Winery's historic stone wall, which was constructed in the 1920s.

would occupy portions of the existing roadside, which include two (2) rocky cut slopes with 17 protected trees that would be cut down or irreversibly damaged. (*Ibid.*; **Exhibit C**, pp. 5-6.) On the western side, the paved shoulder immediately abuts the cut slopes and their sensitive environmental resources. (**Exhibit A**.) In terms of utilities, an active HMMWC water line runs along these cut slopes and is located in the subject construction area.

IV. Developing a Left-Turn Lane Would Require Substantial Road Widening and Construction.

As illustrated in **Exhibit A**, a left-turn lane from Deer Park Road into the Winery could be installed under two scenarios: (1) widening to the west ("Option 1"); or (2) widening to the east and west ("Option 2"). Implementation of either option would require substantial road widening that would result in adverse impacts. There are not any feasible alternatives that would substantially lessen or avoid these impacts.[9]

Option 1 represents an approach to utilize the existing lane configuration on Deer Park Road to the greatest extent feasible by constructing an entirely new lane to the west. Specifically:

1. A new 11-foot lane would be constructed upon the western shoulder of Deer Park Road, which would become the right-turn lane onto Sanitarium Road;
2. The existing 12-foot right-turn lane from Deer Park Road to Sanitarium Road would become the southbound lane for through traffic on Deer Park Road; and
3. The existing 11-foot southbound lane on Deer Park Road would become the left-turn lane into the Winery.

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[9] / Due to the existing roadway alignment, a substantial amount of widening to the west would be required to install a new left-turn lane. (**Exhibit A**.) As illustrated in **Exhibit A**, any alternative widening scenarios would result in similar if not more significant impacts. For example, as illustrated by "Option 2," increasing widening to the east would cut down additional trees on the eastern roadside, complicate relocation of the impacted utilities, and would result in inadequate setbacks between the Winery's property and the roadway.

As illustrated in **Exhibit A**, Option 1, the existing northbound lane on Deer Park Road would remain in its current condition, with all construction impacts occurring west of the yellow dividing line between the northbound and southbound lanes. This construction would require substantial widening both before and after the intersection of Deer Park Road and Sanitarium Road. To repurpose the existing right-turn lane as the southbound lane for through traffic, this lane must be extended to continue past the intersection with Sanitarium Road. (**Exhibit A**, Option 1.) Immediately south of the intersection with Sanitarium Road, *the southbound lane* (*cf.* total widening) on Deer Park Road would initially be widened by up to 9 feet from the existing paved shoulder, gradually tapering down to the existing southbound lane after 500 feet. (**Exhibit A**, Option 1, Sheets 1 and 2.)

The influence of topography: However, substantially more widening would be required due to the presence of nearly vertical cut slopes immediately adjacent to the existing 1-foot shoulder on the existing southbound lane south of the intersection with Sanitarium Road. **(Exhibit A**.) Specifically, to safely widen the road to include this steep topography, four (4) separate 2:1 cuts would be required to stabilize these slopes. (**Exhibit A**, Option 1; see footnote 1, *supra*, regarding the effect of widening steep slopes and the 2:1 cuts that would be required.) **Extending laterally from the existing roadway shoulder, the greatest of these 2:1 cuts would require approximately 10-foot of cut into the existing cut slope, which would require 20 feet of grading**. (*Ibid.*) As discussed below, in addition to other significant impacts, this substantial construction would require numerous protected trees of significant importance, including heritage oak trees, to be cut down.

Option 2 would achieve the same lane configuration as Option 1 but would involve widening to the east and west. (**Exhibit A**.) With respect to widening to the west, Option 2 would result in substantially similar impacts as Option 1. As in Option 1, widening the existing cut slopes would require four (4) separate 2:1 cuts, the largest of which would require 10 feet of lateral cut and 20 feet of lateral grading. (**Exhibit A**.) As discussed below, on the western side of Deer Park Road, Options 1 and 2 would result in substantially similar impacts. For example, the same heritage oak trees and other protected trees of significant importance would be cut down. (**Exhibit A**; **Exhibit C**, pp. 4-6.) Regarding widening to the east, Option 2 would cause further environmental impacts and be subject to material constraints. As such, Option 2 generally would result in more adverse impacts and be subject to more constraints compared to Option 1.

V. Construction of a Left-Turn Lane Would Have Multiple and Far-Reaching Adverse Impacts That Should Be Avoided.

The significant and adverse impacts associated with installation of a left-turn lane are summarized in detail at pages 2 through 4 of this letter. The following discussion demonstrates precisely why these unavoidable impacts would occur and why each ground set forth in Napa County RSS, Section 3(d) is met.

A. Under Option 1, Widening to the West Would Cut Down Numerous Heritage Oaks and Protected Trees, Grade Natural Rock Formations, Threaten A Major Water Line, and Impact Third Party Property Rights, All of Which Should Be Avoided.

Construction of a left-turn lane from Deer Park Road into the Winery under Option 1 (widening to the west) would result in the following impacts and be affected by the following constraints. These significant environmental impacts should be avoided by granting this exception request.

1. Widening to the West Would Result in Significant and Unavoidable Environmental Impacts That Should Be Avoided and Would Be Subject to Material Environmental Constraints That Should Be Accommodated.

Widening to the west would result in significant adverse environmental impacts on two nearly vertical cut slopes. Without limitation, the substantial construction required to develop a left-turn lane would remove or irreversibly damage a total of 18 protected trees that are part of a contiguous oak woodland and should be preserved. (**Exhibit C**, pp. 1-6.)

a. Impacts to Cut Slope No. 1: Ten (10) Protected Trees of Significant Importance, Including Four (4) Heritage Coast Live Oak Trees Would Be Removed and Steep, Natural Rock Formations Would be Graded.

Just south of the intersection with Sanitarium Drive, a rocky cut slope comprised of solid, natural geologic formations is immediately adjacent to the

roadway shoulder ("Cut Slope No. 1"). (**Exhibit A**, Option 1; *id.* at Attachment One, pp. 3, 5-7.) As illustrated in **Exhibit A**, construction of a left-turn lane under Option 1 would require virtually all of Cut Slope No. 1 would be graded. (*Ibid.*) **Roadway construction and grading of Cut Slope No. 1 would remove 10 protected trees of significant importance with a DBH well over 6 inches, including three heritage Coast Live Oaks, with diameters of 18.5", 24.2", 35", and 38.6**", respectively. (**Exhibit C**, pp. 4-6.) An additional 17" DBH Coast Live Oak would be irreversibly damaged due to severe limbing and/or root system impacts. (*Id.* at pp. 5-6.) In total, 11 protected trees of significant importance would be impacted. As documented in the Biological Analysis, these trees are "clearly considered to be part of an 'oak woodland'" and have substantial habitat benefits. (*Id.* at pp. 1-6.) These native trees, primarily oaks, which took decades to become established, also provide visual screening to the property abutting Cut Slope No.1, and aesthetic value by forming a corridor of trees along Deer Park Road. They also stabilize the cut slope. Each of these trees is significant and should be preserved by granting this exception request. (Napa County RSS, Section 3(d)(i).)

Beyond the oak woodland it supports, Cut Slope No. 1 itself requires protection. Its solid, natural rock formations, characteristic of the Howell Mountain area are not only steep slopes but are unique geological features that should not be graded. (Napa County RSS, Section 3(d)(i).) Additionally, these steep, solid rock formations are "physical site limitations such as grade differentials" that should be accommodated through this exception request. (Napa County RSS, Section 3(d)(ii).)

b. Impacts to Cut Slope No. 2: Four (4) Protected Trees of Significant Importance Would Be Removed or Irreversibly Damaged and Steep, Natural Rock Formations Would be Graded.

Further down Deer Park Road, immediately south of an existing private driveway (which would also be impacted as discussed below), is a second nearly vertical cut slope that, like Cut Slope No. 1, is also forested and composed of solid rock formations ("Cut Slope No. 2). (**Exhibit A**, Option 1, Sheet 2; *id.* at Attachment One, pp. 11-12.) Cut Slope No. 2 is also located immediately adjacent to the existing 1-foot shoulder and would be impacted by virtually any widening to the west. As illustrated in **Exhibit A**, a 2:1 cut that would extend up

to 10 lateral feet from the existing shoulder would be required to accommodate a left-turn lane. This construction would cut down two (2) protected Coast Live Oak trees, that measure 15.2" and 14.9" DBH, respectively. (**Exhibit C**, p. 5.) Two additional Coast Live Oak measuring 14" and 6" DBH, respectively, would be irreversibly damaged due to serve limbing and/or root system impacts. (*Ibid.*) As documented in the Biological Analysis, each of these four (4) protected trees that would be impacted are of significant importance due to their location on the edge of an oak woodland and their substantial habitat benefits. (*Id.* at pp. 1-6.) The natural rock formations of Cut Slope No. 2 are also unique geologic features of the natural environment and should be preserved and accommodated. (Napa County RSS, Section 3(d)(i)-(ii).) Therefore, the County should grant this exception request to preserve these "unique features of the natural environment" that cannot be replaced and are significant to the quality of the area's environment. (Napa County RSS, Section 3(d)(i).)

2. Widening to the West Would Be Subject to Material Physical Site Limitations and Legal Constraints, Which Should Be Accommodated Through this Exception Request.

As discussed above, the narrow roadway shoulder, its location immediately adjacent to solid rock formations and protected trees, and the existing roadway geometry are all physical site limitations that materially constrain the ability to construct a left-turn lane. Due to the protected nature of these natural resources, this exception request is necessary to accommodate these physical site limitations and preserve these features. However, there are additional physical site limitations and constraints that must be recognized. First, an active HMMWC water line runs along the top of the cut slopes. (**Exhibit A**; **Exhibit C**, p. 3.) On Cut Slope No. 1, this water line would be within the construction area. (**Exhibit A**, Option 1.) This construction activity would unreasonably jeopardize HMMWC's essential water facilities and require their relocation. Major construction activities should occur here. This exception request is necessary to protect HMMWC's public water supply and public health.

Second, construction of a left-turn lane would adversely impact private property under Option 1. First, the construction area on Cut Slope No. 1 would extend several feet beyond an existing fence onto private property where (**Exhibit A**, Option 1.) Protected trees on this private property would also be impacted, including removal of a heritage Coast Live Oak measuring 35" DBH, removal of a Blue Oak measuring 10" DBH, and irreversible damage to a Coast

Live Oak measuring 17" DBH (44" DBH cumulatively). (**Exhibit C**, p. 5.) Additionally, construction of a left-turn lane would require the roadway to be widened at a private driveway to which neither the Winery nor the County have property rights. Specifically, the roadway would be widened by approximately 4 feet at the northern side of the driveway and 2 feet at the southern side of the driveway, respectively. In addition to permanently taking a portion of this private driveway, we understand that the Winery generally lacks access to construct a left-turn lane and would require several easements outside of the public right of way. (Napa County RSS, Section 3(d)(iii).)

B. Under Option 2, Widening to the East and West Would Generally Result in the Same Impacts as Under Option 1 and Also Impact the East Side of Deer Park Road by Cutting Down Additional Protected Trees, Relocating Major Public Utilities, and Adversely Impacting Historic Sites.

Under Option 2, roadway widening along Deer Park Road would occur to the east and west on both sides of the intersection with Sanitarium Drive. North of the Winery's entrance, a left-turn lane into the Winery would be accommodated by: (1) widening the existing right-turn lane onto Sanitarium Drive by 6.5 feet to the west; and (2) widening the existing northbound lane by 6 feet to the east. (**Exhibit A**, Option 2.) This construction would result in the following adverse environmental impacts and would be subject to the following constraints, which should be accommodated by granting this exception request. (Napa County RSS, § 3(d)(i)-(iii).)

1. As An Alternative to Widening to the West, Widening to the East and West of Deer Park Road Would Only Result in Additional Significant Adverse Environmental Impacts.

a. The Environmental Impacts Associated with Widening to the West Are Substantially Similar to Those That Would Occur Under Option 1.

As discussed above, due to steep topography of the cut slopes on the western side of the road, the impacts associated with widening to the west under Option 1 and Option 2 are substantially similar. As documented in the Biological Analysis, all of the protected trees that would be removed or irreversibly

damaged under Option 1 would be affected by the same impacts under Option 2. (**Exhibit C**, pp. 4-6.) Substantially similar portions of Cut Slope No. 1 and Cut Slope No. 2 would also be graded under the two options. For the reasons provided above, these are all "unique features of the natural environment" that warrant preservation under Napa County RSS, Section 3(d)(i)-(ii) and alone provide a sufficient basis upon which to grant this exception request.

b. Widening to the East Would also Cut Down Several Protected Oak Trees and Grade a Steep Fill Slope.

Along the existing northbound lane, there are multiple protected oak trees well over 6 inches DBH on both sides of the intersection between Deer Park Road and Sanitarium Road. (**Exhibit A**, Option 2, Sheets 1 and 2; *id.* at Attachment One, pp. 15-18.) North of the intersection and the Winery's entrance, there are two established Blue Oak trees, measuring 14.1" and 17" DBH, respectively, that would be cut down. (**Exhibit C**, p. 5.) These native trees are unique features of the natural environment because they are the only trees on this stretch of the roadway, have taken decades to become established, and they provide environmental benefits such as habitat, aesthetic value, and erosion control. (**Exhibit A**, Option 2, Sheet 1; *id.* at Attachment One, pp. 15-18.) South of the Winery's entrance, three (4) protected trees of significant importance would be impacted, including irreversible damage to a heritage Coast Live Oak and removal of two (2) additional established oaks. (**Exhibit C**, p. 5.) The trees south of the Winery's entrance stabilize a fill slope (which would be graded) and contribute to the vegetative corridor and tree canopy on the western side of Deer Park Road. All of these trees should be protected. (Napa County RSS, Section 3(d)(i).)

2. The Construction Required to Widen Deer Park Road to the East and West Would Be Subject to Material Physical Site Limitations and Legal Constraints.

Under Option 2, the physical and limitations associated with widening to the west are substantially similar as those identified above regarding implementation of Option 1. The only difference is that under Option 2, construction on Cut Slope No. 1 would not extend beyond the existing fence line onto private property. However, protected oak trees on such private property would be subject to irreversible impacts under Option 2.

Regarding the eastern side of Deer Park Road, there are additional material constraints that provide a further basis upon which to grant the Winery's exception request. (Napa County RSS, § 3(d)(ii)-(iii).) These constraints associated with widening to the east and the related impacts of such widening are set forth below.

a. Major Public Utility Facilities Would Be Adversely Impacted.

i. Widening to the East Would Require Relocation of Electricity and Telecommunications Facilities.

The Winery is located at a junction of local electricity and telecommunications facilities. (**Exhibit A**, Option 2; *id.* at Attachment One, pp. 15, 19-21.) At the northern side of the Winery's driveway along the east side of Deer Park Road are a distribution joint pole and two joint poles with telecommunications. The junction power pole serves properties on Deer Park Road and Sanitarium Road. As illustrated at **Exhibit A**, Attachment One at p. 20, the distribution joint pole is approximately 60 feet tall and conveys power and telecommunications services through approximately 20 individual wires. The distribution joint pole and an adjacent joint pole are located 11 feet from the existing roadway shoulder. To accommodate a left-turn lane, Deer Park Road would be widened by 6 feet from the existing shoulder. The required grading would alter the existing grade, impacting the distribution joint pole and the joint pole. Consequently, widening to the east would require relocation of the distribution joint pole and supporting guy lines (i.e., wires with yellow sheath supporting pole). These facilities would be relocated to the other (i.e., south) side of the Winery's driveway, which would require highly complicated construction and is likely not feasible. Specifically, to remain operational, the relocated lines would need to connect to the existing pole line on Sanitarium Road and stay linear with the existing pole line along Deer Park Road. Relocation of these facilities would be complex due to the pole being at the intersection of two lines. Moving the pole in any direction would require significant coordination with PG&E and other utility service providers. The potential to impact other poles on both lines would be high and would result in substantial service disruptions given its complicated and irregular nature. In sum, the distribution joint pole is a material constraint that is necessary to accommodate under Napa County RSS, Section 3(ii) by granting this request.

ii. Widening to the East Would Require Relocation of a Fire Hydrant.

A fire hydrant and its protective bollards are located north of the Winery's gate within the construction area under Option 2. (**Exhibit A**, Option 2; *id.* at Attachment One, p. 22) Widening to the east would require relocation of this infrastructure.

3. Widening to the East Would Adversely Impact Historic Sites and Be Subject to Legal Constraints.

According to the Winery's records, the Winery's existing stone gate and mailbox were built by rock mason John Ballentin between 1922 and 1933.[10] The Winery's historic rock wall is part of the Winery's gated entrance. (**Exhibit A**, Attachment One, pp. 23-25.) The Winery's historic stone mailbox is located 9.5 feet from the existing roadway shoulder at the southern edge of the Winery's driveway. If Deer Park Road were widened to the east to accommodate a left-turn lane, then both of these historic sites would be dismantled and relocated. This would result in a loss of their historic qualities. (*Id.* at Section 3(d)(ii)-(iii).)

The historic stone mailbox is located in the within the construction area under Option 2 and would require relocation. (**Exhibit A**, Attachment One, p. 24.) Additionally, as illustrated in **Exhibit A**, widening to the east at the Winery's driveway would require its gated entrance to set back four (4) feet from its current location. Otherwise, gated entrance will not be setback at least 30 feet from the end of pavement of Deer Park Road as required by Napa County RSS, D-11. Relocating the Winery's gated entrance and associated historic stone wall would require dismantling all of the Winery's historic stone wall. These historic resources, which have lasted for 100 years, should be preserved in their original state. (Napa County RSS, Section 3(d)(iii).)

---

[10] / The Winery is replete with history. The existing stone Winery building was built in 1891 by John and Jacob Sutter and was the original Sutter Home Winery & Distillery. The Winery's farmhouse, which currently serves as offices, was built in 1922 – around the same time as the historic rock wall connected to and supporting the Winery's front gate.

V. Due to the Lack of Left Turns Into the Winery, Maintaining the Existing Condition Without a Left-Turn Lane Is Equally Protective of Public Safety.

The Traffic Study, Supplemental Traffic Analysis (**Exhibit B**), and the 2018 Traffic Study prepared by GDH demonstrate that the findings required by Napa County RSS Section 3(e) also can be made. Consideration was given to whether the addition of project trips to the Winery's driveway could exacerbate any existing safety issues if a left-turn lane were not provided. On this issue, the Traffic Study, based on peak period traffic counts, found that there are no appreciable southbound left-turn volumes on Deer Park Road at the Winery's driveway. (Traffic Study, p. 20; see also 2018 Traffic Study, pp. 22-23.) "Consequently, there would be virtually no demand for a southbound left-turn lane on Deer Park Road at the Bremer Family Winery north driveway." (Traffic Study, p. 20.) Without any demand for a left-turn lane into the Winery, installing such a lane would not have any practical benefits related to public safety. (Napa County RSS, § 3(e).)

The Supplemental Traffic Analysis further analyzes whether a left-turn lane would be required under widely accepted Caltrans and American Association of State Highway Engineers ("AASHTO") methodologies, which account for the actual volume of left-turn movements and traffic speeds to determine whether a left-turn lane is required for public safety. (**Exhibit B**, pp. 2-4.) The Supplemental Traffic Analysis concludes that a left-turn lane would not be required under the Caltrans or AAASHTO warrant analyses. (*Ibid.*; see also 2018 Traffic Study, pp. 21-22.) Consideration of the actual volume of left-turn movements and overall travel speeds "shows that due to the lack of left-turn movements into the Winery, the existing condition without a left-turn has essentially the same effect on safety as would be experienced with a turn lane." (*Id.* at p. 3.) As such, the requirements of Napa RSS, Section 3(e) are satisfied.

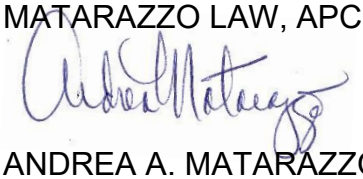
The Supplemental Traffic Study also found that "installation of a of southbound left-turn lane on Deer Park Road at the Bremer Family Winery North Driveway may result in adverse safety impacts by interfering with outbound turning movements from Sanitarium Road given existing intersection geometrics" (**Exhibit B**, p. 3.) This is because "[c]onverting the shoulder and substantial portions of the frontage along Deer Park Road would further constrain the tight intersection at Sanitarium Road." (*Ibid.*; see also 2018 Traffic Study, p. 23 [installation of a "southbound left-turn pocket would create major vehicle/safety

conflicts with outbound motorists from Sanitarium Road wishing to turn left (north) onto Deer Park Road"].) Thus, with no appreciable demand for a left-turn lane, installation of a left-turn lane would likely have an overall negative impact on public safety by further constraining outbound turning movements from Sanitarium Road. (*Ibid.*)

We greatly appreciate your time and consideration of this exception, which is necessary based on the information provided above, as well as sensible given the lack of traffic entering via a left turn. Should you require additional information in support of the Winery's request or if we may be of further assistance in your review, please do not hesitate to contact me.

Very truly yours,

MATARAZZO LAW, APC



ANDREA A. MATARAZZO

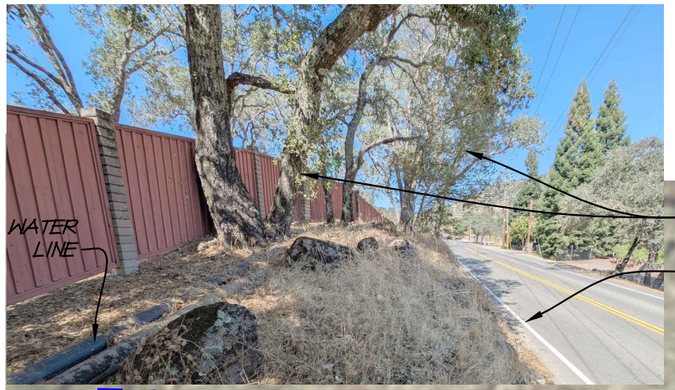
AAM:jis
Enclosures

cc: Sean Trippi, Supervising Planner
Laura Anderson, Deputy County Counsel

EXHIBIT A

BREMER FAMILY WINERY - OPTION 1
WIDENING TO WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA





FENCE AND TREES AT TOP OF (E) CUT SLOPE

(E) SHOULDER WIDTH

(E) WATER MAIN ABOVE GROUND AT TOP OF SLOPE

FENCE

20'-0"

2:1 CUT

APPROX 10' OF CUT

2:1 CUT

10'-0"

APPROX 5' OF CUT

1' SHOULDER

12'

8'

SEE SHEET 2 FOR CONTINUATION

STOP

Cut slope shown is schematic and approximate. Actual extent of cut would depend on cut slope steepness approved by Geotechnical Engineer and County of Napa Public Works

11'

12'

11'

1' SHOULDER

HISTORIC STONE MAIL BOX

COUNTY OF NAPA P-2 ENTRANCE

35.4' EXISTING, 30' REQUIRED GATE SETBACK

UP

FH

WATER VALVE W/ RISERS

TRANSFORMER

HISTORICAL STONE WALL AND GATE

20'

35'

90'



REGISTERED PROFESSIONAL ENGINEER
BRUCE WILLIAM FENTON
No. 77839
Exp. 6/30/27
CIVIL ENGINEER
STATE OF CALIFORNIA

GRAPHIC SCALE

20' 20'

(IN FEET)
1 INCH = 20 FT

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BREMER FAMILY WINERY - OPTION 1
WIDENING TO WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA

(E) WATER MAIN ABOVE GROUND AT TOP OF SLOPE

(E) TREES

(E) TREES

2:1 CUT

10'-0"

approx 5' high slope

CONFORM

(E) DRIVEWAY

JP

2:1 CUT

10'-0"

APPROX 5' OF CUT

(E) DECELERATION LANE

SEE SHEET 1 FOR CONTINUATION

JP

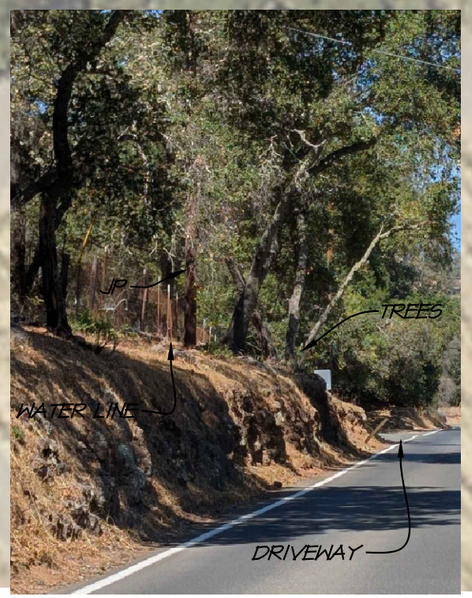
(E) TREES

Cut slope shown is schematic and approximate. Actual extent of cut would depend on cut slope steepness approved by Geotechnical Engineer and County of Napa Public Works

(E) 12" CULVERT PIPE

JP

(E) DRAINAGE DITCH





REGISTERED PROFESSIONAL ENGINEER
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STATE OF CALIFORNIA

GRAPHIC SCALE

20' 20'

(IN FEET)

1 INCH = 20 FT

SHEET 2 OF 2

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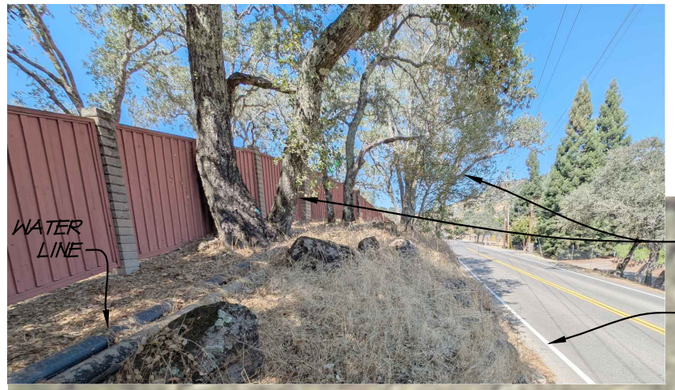
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BREMER FAMILY WINERY - OPTION 2
WIDENING TO EAST AND WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA





FENCE

20'-0"

2:1 CUT

SEE SHEET 2 FOR CONTINUATION

APPROX 10' OF CUT

1' SHOULDER

2:1 CUT

10'-0"

APPROX 5' OF CUT

STOP

1' SHOULDER

12'

8'

12'

HISTORIC STONE MAIL BOX

11'

COUNTY OF NAPA P-2 ENTRANCE

30' REQUIRED GATE SETBACK

JP

JP

JP

FH

1' SHOULDER

11'

12'

11'

12'

2:1 FILL

1' SHOULDER

WATER VALVE W/ RISERS

TRANSFORMER

HISTORICAL STONE WALL AND GATE

20'

35'

90'

Cut and fill slope shown is schematic and approximate. Actual extent of cut and fill would depend on slope steepness approved by Geotechnical Engineer and County of Napa Public Works



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GRAPHIC SCALE

20' 20'

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BREMER FAMILY WINERY - OPTION 2
WIDENING TO EAST AND WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA

(E) WATER MAIN ABOVE GROUND AT TOP OF SLOPE

JP

(E) TREES

2:1 CUT

10'-0"

(E) TREES

approx 5' high slope

CONFORM

(E) DRIVEWAY

JP

2:1 CUT

10'-0"

APPROX 5' OF CUT

(E) DECELERATION LANE

SEE SHEET 1 FOR CONTINUATION

JP

(E) TREES

2:1 FILL

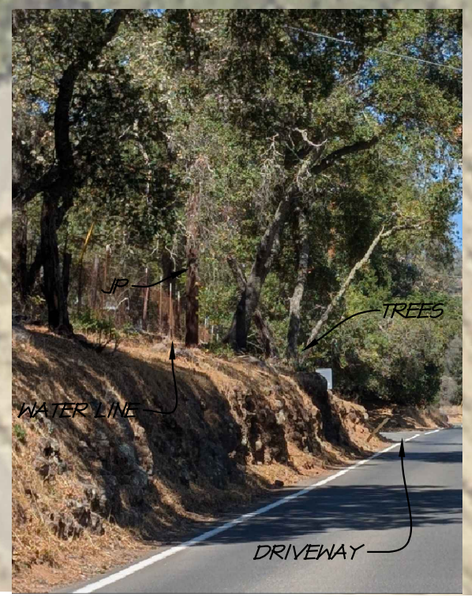
Cut and fill slope shown is schematic and approximate. Actual extent of cut and fill would depend on slope steepness approved by Geotechnical Engineer and County of Napa Public Works

(E) 12" CULVERT PIPE

JP

2:1 FILL

(E) DRAINAGE DITCH





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Exp. 6-30-27
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STATE OF CALIFORNIA

GRAPHIC SCALE

20' 20'

(IN FEET)
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SHEET 2 OF 2

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Attachment 1

EVIDENTIARY SOURCES

- This ATTACHMENT ONE is based on photographic evidence taken by the Winery in September 2025.
- Consistent with personal knowledge of Winery's consultants based on their site visits.
- Illustrative of existing roadway conditions and constraints.



A Left Turn Lane Would:

Impacts to West Side of Deer Park Road

- Cut down or irreversibly damage 15 protected trees
  - 4 heritage oaks
- Destroy two (2) rocky cut slopes
- Threaten major water line
- Take neighboring private property

Impacts to East Side of Deer Park Road

- Cut down or irreversibly damage 6 protected trees
  - 1 heritage oak
- Relocate and disrupt essential telecommunication facilities
- Require destruction of historic stone gate and mailbox

Constraints on West Side of Deer Park Road

SUMMARY:

- Virtually No Shoulder
- Grading of Two (2) Rocky Cut Slopes
- Removal/Irreversible Damage of 15 Protected Trees
- Endangerment of Critical Water Line



Environmental Constraints: Protected Trees and Steep Slopes

- Along the western side of Deer Park Road south of the intersection with Sanitarium Road, installation of a left-turn lane would, require substantial road widening and grading on two nearly vertical cut slopes.
- This widening would cut down numerous protected trees and destroy steep slopes comprised of natural rock features



CUT SLOPE #1 Protected Trees on Cut Slope Would be Destroyed

- Cut Slope #1 is located just south of intersection of Deer Park Road and Sanitarium Road
- Directly in alignment of existing right turn lane onto Sanitarium (see arrow in background)
- Adding a third lane to accommodate a left turn lane would require 10 feet of cut and up to 20 feet of lateral grading, which would result in significant adverse impacts



CUT SLOPE #1 Protected Trees Would Be Cut Down



- The cut slope and all trees featured would be lost to install a left-turn lane into the Winery
- Four (4) heritage oak trees would be removed or irreversibly damaged

CUT SLOPE #1 CONT'D

Minimal 1-Foot Shoulder Abuts Rocky Cut Slope



CUT SLOPE #1 CONT'D

Natural Rock Formation & Trees Should Be Preserved

To install a left-turn lane, the construction area would extend to (or beyond) the private fence featured (right)



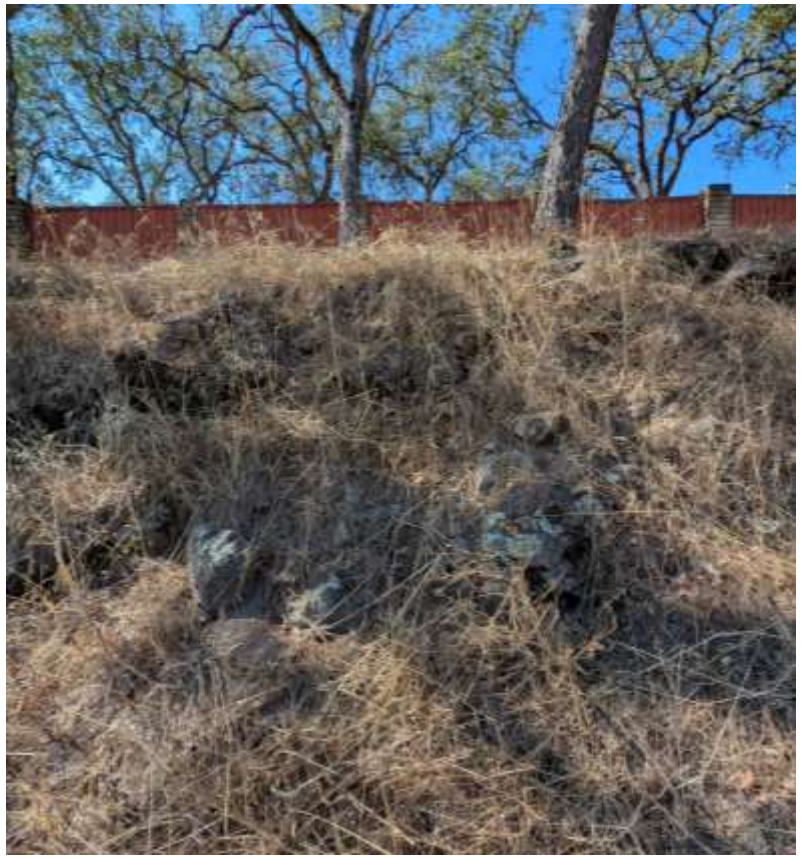


Heritage Oak Tree at Edge of Cut Slope #1

- Expert biologists determined that the numerous oak trees on Cut Slope No. 1 are part of an oak woodland and provide substantial habitat benefits
- These oak trees are large and of significant importance
- Three (3) heritage oaks, ranging up to 38.6” DBH would be cut down, with a fourth (4th) 35” DBH heritage oak irreversibly damaged
- These trees are virtually irreplaceable and must be preserved

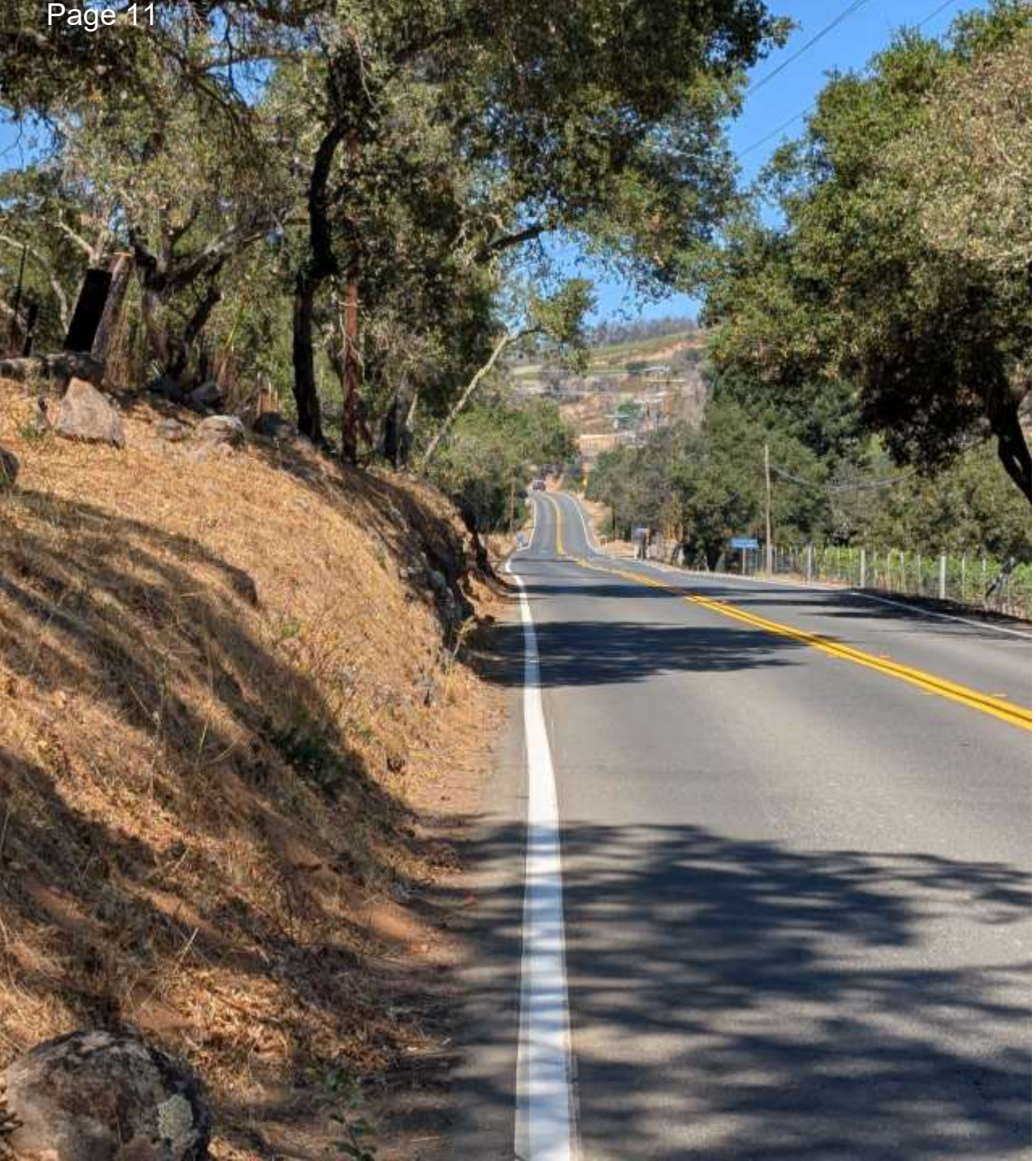






CUT SLOPE #1 CONT'D
Mature Trees and Cut Slope Provide Visual Screening and Aesthetic Value

and should be preserved

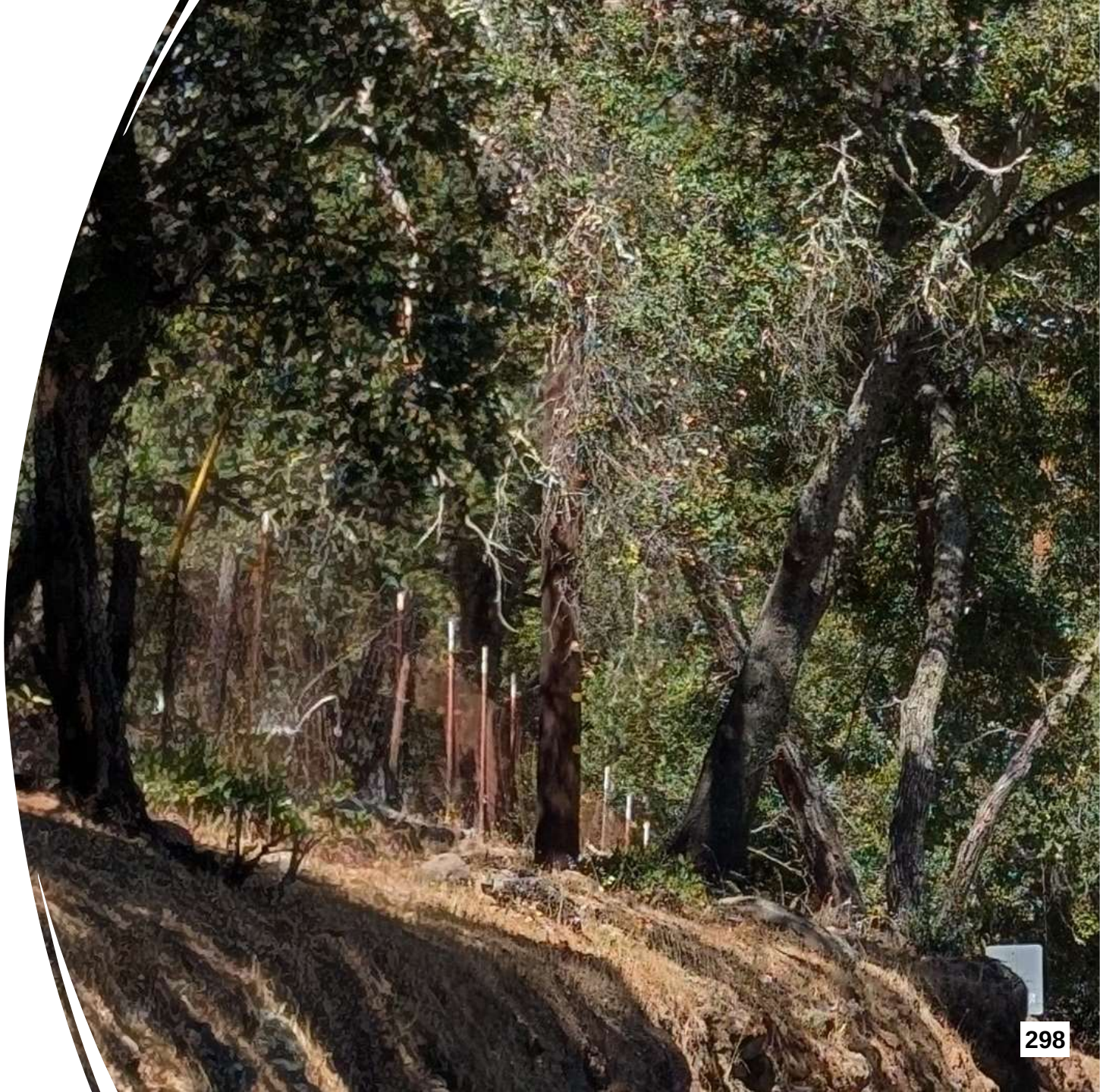


CUT SLOPE #2

- Cut Slope #2 located just south of private driveway depicted in Constraints Exhibit
- Five (5) feet of cut and 10 feet of grading would be required at northern part of Cut Slope No. 2
- Would cut down two (2) protected trees, and irreversibly damage (2) protected trees

CUT SLOPE #2 CONT'D Protected Oaks Would Be Cut Down

- Protected oak trees at edge of Cut Slope #2 would be removed (see cluster of trees closest to power pole)
- Part of oak woodland and must be protected



Physical Constraints on Western Side of Deer Park Road

- See parallel water lines (one is active)
- As noted, construction would go back to this fence



Destruction and Destabilization of Cut Slope Would Jeopardize HMMWC Water Lines

- An active Howell Mountain Mutual Water Company ("HMMWC") water line sits atop Cut Slopes #1 and #2
- The water line is in the construction area on Cut Slope #1
- Roadway construction here would threaten and disrupt HMMWC's public water supply
- Heavy construction activity that would be required to widen Deer Park Road should not occur here





Constraints on East Side of Deer Park Road

- Major utility facilities
- Protected oak trees
- Historic stone wall from 1920s

Environmental Constraints on East Side of Deer Park Road: Protected Native Trees

Widening to East Would Cut Down Two (2) Protected Oaks North of Winery's Gate



NORTH

SOUTH

Widening to East Would Cut Down or Irreversibly Damage Four (4) Protected Trees South of the Winery's Gate, Including a 35" DBH Heritage Coast Live Oak



These Protected Trees Are Well Over 6-Inches DBH and Require Protection.







NOTE: All protected trees that would be removed or irreversibly damaged were mapped and measured by expert biologists

Multiple Protected Trees of Significant Importance





- As confirmed by expert biologists, these trees are all well over 6” in diameter.
- These trees should be preserved.

Physical Site Limitations on East Side of Deer Park Road: Major Public Utility Facilities

The Winery is at a junction of local electricity and telecommunications facilities.

Multiple power poles would require relocation.



Road Widening to the East Would Impact Distribution Joint Pole



Road Widening to the East Would Impact Major Distribution Joint Pole and Provision of Essential Services

- Widening to the east would require relocation of distribution joint pole, guy lines on power pole, and joint pole with telecommunications
- Material constraint that would impact provision of essential telecommunication services.





Fire Hydrant and its Bollards Would Require Relocation





Fire hydrant located in construction area for road widening to the east.



Historic Stone Gate and Mailbox Would Be Impacted





Stone Gate and Mailbox from 1920s

- Road widening to east would require these historic resources to be dismantled
- These historic resources, which have lasted for 100 years, should be preserved in their original state



Historic stone gate adjacent to impacted power poles

- Square pillars of gate would be located within the 30’ setback required by Napa County RSS

CONCLUSION

- **The Winery's exception request should be granted because:**
  - **Over 21 protected trees would be cut down or irreversibly damaged, including five (5) heritage oak trees, four (4) of which would be cut down.**
  - **Cut slopes with natural rock features would be substantially destroyed**
  - **Major utilities, including a HMMWC water line and a distribution joint pole would be impacted**
  - **The roadway is limited by its narrow shoulder and numerous environmental, physical, and historic constraints in the roadside area required for construction**
  - **The existing condition is safe: Virtually zero left turns into the Winery**

EXHIBIT B

Memorandum

September 19, 2025

To	**John Bremer**, Owner/Applicant Bremer Family Winery	**Contact No.**	925 262-1903
Copy to	**Bruce Fenton**, PE, MBA, RSA **Byung Lee**, Senior Project Manager, PE, TE, GHD **Andrea Matarazzo**, Matarazzo Law, APC	**Email**	peter.galloway@ghd.com
From	**Peter Galloway** Senior Transportation Planner	**Project No.**	12593445
Project Name	Bremer Family Winery Use Modification (P22-00086)		
Subject	Left-Turn Lane Exception Request; Supplemental Analyses and Text/Discussion		

Preface:

The following left-turn lane warrant documentation and supplemental analysis is provided in support of the design exception request submitted for the proposed Bremer Family Winery Use Modification project. The left-turn lane information provided below is based on Napa County and Caltrans/AASHTO volume methodology. These analyses show that as there are virtually no left turns currently occurring or expected with the proposed permit modifications, the existing condition without a left-turn lane has essentially the same effect on safety as would be experienced with a turn lane. (Napa County Road and Street Standards, Section 3(e).) Previous left-turn lane analyses for other winery projects have also been reviewed and used for discussion purposes. The following sections outline the current report findings, left-turn lane warrant methodologies, and unique project characteristics that may preclude installation of a left-turn lane. Please use this information in support of the overall exception request.

Background:

With regard to the Bremer Family Winery Use Modification project, an exception request is being submitted for Napa County associated with the conditions of approval (COA) to install a southbound left-turn lane at the project's primary driveway on Deer Park Road opposite Sanitarium Road.[1] The *Updated Traffic Study Report (TSR) Proposed Bremer Family Winery Use Modification Project*, dated August 12, 2025, evaluated the left-turn lane requirement based on County volume requirements and found that a left-turn lane would be required. However, the vast majority of proposed project trips would be to/from the Valley via Deer Park Road and/or Sanitarium Road and represent right-turn or through movements into the project driveway, not left-turn movements.

[1] Anna Vickroy, PE, TE, TJKM Consultants, Bremer Family Winery P22-00086) Conditions of Approval, Memorandum to PBES Staff, August 21, 2024.

This Technical Memorandum is provided under our agreement with the Bremer Family Winery. It is provided to foster discussion in relation to technical matters associated with the project.

Napa County Methodology

The Napa County left-turn lane warrant is based on the requirements found in the *Napa County Road and Street Standards* (April 2023) as follows:

> Left-Turn Lane Warrants: Use Permits or modifications thereof shall trigger the application of the following warrants to determine the necessity for a left-turn lane for the proposed use.
>
> (a) Application of the Left-Turn Lane Warrant Graph based on road average daily traffic (ADT) and the projected ADT of the proposed use. The chart is a representation of probable conflict between turning traffic and advancing traffic. Private Road or Driveway ADT is the total average daily traffic utilizing the facility. A left-turn lane will not be considered for uses generating an ADT of 10 or less.
>
> (b) If the corner sight distance in advancing direction, measured from the driveway, is less than required per Caltrans design standards (usually the posted speed limit multiplied by 11, read in feet) a left-turn lane shall be installed.
>
> (c) If traffic conditions or turning movements pose a considerable threat to public safety, as determined by the Director of Public Works, a left-turn lane shall be installed.

The left-turn lane warrant evaluated for the project driveway was based on subtask (a) or average daily traffic (ADT) volumes generated at the proposed project driveway verses ADT volumes on Deer Park Road. Based on these Napa County ADT warrant graph criteria, a project would meet the left-turn lane warrant when the volumes fall above the plotted graph line on the chart. In the case of the proposed project, focused project ADT generated at the primary driveway would equal 108 daily trips with 3,295 daily trips on Deer Park Road and fall above the minimum ADT volumes for installation of a left-turn lane. However, virtually all proposed project trips are right-turn movements (westbound) from Deer Park Road or eastbound movements from Sanitarium Road. As noted in the updated TIS, project trips were distributed 75% to/from the south on Deer Park Road (i.e., right turn into the Winery) and 25% to/from the west on Sanitarium Road (i.e., straight into the Winery after stop sign at the intersection of Sanitarium and Deer Park Road). No project traffic volumes were assigned to/from the north on Deer Park Road, which is the only circumstance in which a left turn into the Winery could occur. Discussions with the project applicant indicate few if any visitation trips have been recorded coming to/from the north on Deer Park Road.[2] Unless winery guests actually live in the vicinity of White Cottage Road and/or the Angwin area, 100% of guest visitation originates through the Napa Valley via Deer Park Road and Sanitarium Road. The lack of left turns into the Winery is confirmed by actual traffic count data at the project driveway based on recent count date (Year 2023) and historical date (Year 2017) that indicate no project-generated traffic to/from the north.

Caltrans/AASHTO Methodology:

Looking at other accepted left-turn warrant methodologies, there are two other sources that employ actual left-turn movements in evaluating the need for installation of a left-turn lane and these include the following references:

- **Caltrans:** *Guidelines for Reconstruction of Intersections* (1985);
- **American Association of State Highway Engineers (AASHTO)**, *Policy on the Geometric Design of Highways and Streets* (2018)

The Caltrans reference utilizes the long-established "Hamerlink" left-turn lane graphs that employ the advancing roadway volumes and left-turn lane percentage verses the opposing roadway volumes. More recent AASHTO volume graphs employ a similar methodology with corresponding speed increments for the roadway segment. Both methodologies evaluate the "peak hour" intersection turning movement volume at the subject

[2] Mr. John Bremer, Bremer Family Winery, personal communications, Guest visitation patterns, August 15, 2017 and July 1, 2025.

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intersection including the actual left-turn volume turning into the minor street or driveway and are categorized as “volume warrants for left-turn lanes at unsignalized grade intersections.” These detailed left-turn lane warrants are typically used on two-lane roadway and highway segments where left-turn movements can impede through-traffic and/or create safety issues related to rear-end collisions. Dependent on the overall volume of left-turn movements (as a percentage of the through-movements), a left-turn lane could be warranted at an unsignalized intersection based on the amount of opposing traffic volumes.

The AASHTO left-turn lane warrant methodology, unlike the Napa County Left-Turn Lane warrant methodology, accounts for the volume of left-turn movements at the intersection and overall travel speeds on the roadway. The County left-turn warrant does not consider the amount of left-turn demand nor the vehicle speeds on the roadway, which are crucial factors in determining whether a left-turn lane is necessary to mitigate roadway safety issues. Consideration of these factors shows that due to the lack of left-turn movements into the Winery, the existing condition without a left-turn lane has essentially the same effect on safety as would be experienced with a turn lane. In fact, installation of southbound left-turn lane on Deer Park Road at the Bremer Family Winery North Driveway may result in adverse safety impacts by interfering with outbound turning movements from Sanitarium Road given existing intersection geometrics. As illustrated in the Constraints Exhibit prepared by RSA+ attached as **Exhibit A** to the Winery’s exception request, construction of a left-turn lane into the project driveway would require substantial roadway widening to the west and/or east to resolve roadway alignment issues. Converting the shoulder and substantial portions of the frontage along Deer Park Road would further constrain the tight intersection at Sanitarium Road.

AASHTO Warrant Analysis

Using Existing plus Proposed project AM and PM peak hour intersection volumes, the left-turn lane warrant for the Bremer Family Winery Driveway/Sanitarium Road/Deer Park Road intersection was evaluated using the AASHTO methodology for installation of a left-turn lane. The left-turn lane warrant calculations assume at least 1 southbound left-turn movement at the project driveway. Under Existing plus Project conditions, the installation of a separate southbound left-turn lane at the Bremer Family Winery Driveway/Sanitarium Road/Deer Park Road intersection would not be warranted under AASHTO guidelines during either the Friday weekday PM peak or Saturday midday peak hours with 50 mph vehicle speeds on Deer Park Road. In addition, an opposing volume of 800 northbound peak hour vehicles would be required to meet the left-turn lane warrant.[3] Currently, opposing peak hour volumes on Deer Park Road at the Bremer Family Winery Driveway are currently 367 (weekday) and 225 (weekend)(see ASSHTO Warrant sheets-attached).[4]

Alternative Left-turn Lane Analyses with Average Daily Project Trip Generation and Two Driveways

Existing plus Project volumes were compared with the Napa County guidelines for installing a southbound left-turn lane on Deer Park Road at the Bremer Family Winery north and south driveways.[5] Napa County left-turn lane warrants are based on the combination of total proposed project *average* daily trips at the driveway and overall *average* daily volumes on Deer Park Road as stated in the *Napa County Road and Street Standards*.

The proposed project would increase overall yearly visitation from 3,600 guests to 12,500 guests per year. Based on 12,500 visitors; visitation would average 34 guests per day over the course of the year. The average daily visitor total of 34 guests reflects the Winery’s true activities and acknowledges that it will rarely host the maximum daily total of 70 visitors given the changing seasons, location, and overall marketing of the Winery. Napa County daily trip generation ratios for full-time/part-time employees, daily visitors, and production/grape haul for the weekday (Friday—worst case) conditions have been used to calculate all winery-related activities. In addition to proposed Winery activities, there are two (2) on-site residences that would be served by the same

[3] AASHTO Guide for Left-Turn Lanes on Two-Lane Highways is based on peak hour intersection volumes. The left-turn movements are categorized as a percentage (5, 10, 20, or 30 percent) of the overall “advancing” or southbound volumes on Deer Park Road. The “opposing” volumes are the northbound volumes on Deer Park Road.
[4] American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, Guide for Left-Turn Lanes on Two-Lane Highways, 7th Edition, 2018.
[5] Napa County Road and Street Standards, PBES, Chapter 17, Traffic Control Devices, Left-Turn Lane Graph, 2023.

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project driveways at Deer Park Road. These residences include an existing farmhouse and a 1-bedroom second dwelling unit. Based on accepted Institute of Transportation Engineers (ITE) daily trip rates for single-family homes and Napa County guidelines, each residence would generate 10 daily trips. Total average daily trip generation for proposed project uses and on-site residences has been calculated in **Table 1**.

Table 1 Average Daily Project Trip Generation

Project Use Components	Friday	Daily Trip Generation Ratio (Napa County)	Component Daily Trips	Total Weekday Daily Trips
Daily Full-Time Employees	8	3.05 one-way trips/employee	FT employee daily trips:	24.4
Daily Part-Time Employees	2	1.90 one-way trips/employee	PT employee daily trips:	3.80
Daily Visitors[1]	34	2.8 visitors/vehicle x 2 one-way trips	Visitor daily trips:	26.2
Maximum Event	0	2.6 visitors/vehicle x 2 one-way trips	Event daily trips:	0
Gallons of Production	50000	0.000018 truck trips	Production daily trips:	0.90
Tons of Grape Haul	312.5	0.013889 truck trips	Grape haul daily trips:	4.30
Residences	2	10 trips/residence	Residential daily trips:	20.0
			Total Weekday Trips	**79.6**

Source: Napa County, PB&ES, Winery Trip Generation Sheet, Daily trip generation ratios, 2022.
1. Daily visitors based on proposed yearly visitation of 12,500 guests or 34 average visitors per day (12,500/365).

As shown in **Table 1**, the proposed project would be expected to generate 79.6 (or 80) daily trips during the weekday Friday period. The average daily trip total of 80 would equate to 40 daily trips (each) at the Deer Park Road north and south driveways. If two driveways are used under the County's warrant requirements, then combined with 3,295 ADT on Deer Park Road (Existing plus Project Conditions), a southbound left-turn lane would not be warranted on Deer Park Road at the north Sanitarium Road/Bremer Family Winery driveway nor at the proposed south Bremer Family Winery driveway based on County ADT warrant requirements (Left-Turn Lane Warrant Graph--attached).

Summary/Conclusions

Based on accepted AASHTO guidelines for the installation of a left-turn that accounts for the lack of actual left-turn movements at the Winery's driveway as well as roadway segment speeds; a left-turn lane would not be warranted at the Bremer Family Winery Driveway/Sanitarium Road/Deer Park Road intersection. There is only one (1) left-turn movement projected southbound on Deer Park Road into the project site during the peak hour. As noted, all project trip generation would originate from the Napa Valley south of the project site via Deer Park Road and/or Sanitarium Road. There would be little or no demand for a southbound left-turn lane at the Bremer Family Winery North Driveway/Sanitarium Road/Deer Park Road intersection. In addition, installation of southbound left-turn lane on Deer Park Road at the Bremer Family Winery North Driveway may interfere with outbound turning movements from Sanitarium Road given existing intersection geometrics that create vehicle turning movement conflicts.

For informational purposes, using the Napa County left-turn lane warrant and the "average" daily project trip generation with two project driveways; installation of a left-turn lane would not be required at either the Bremer Family Winery North Driveway/Sanitarium Road/Deer Park Road intersection or Bremer Family Winery South Driveway/Deer Park Road intersection. This latter left-turn lane analysis assumes two project driveways (inbound north driveway & outbound south driveway) as shown in the proposed project site plan. It is noted that the proposed project's average daily trip generation total of 80 trips would never enter/exit one project driveway. There would be 40 daily trips inbound at the Bremer Family Winery North Driveway and 40 daily trips outbound at the Bremer Family Winery South Driveway (see Napa County Warrant Sheet—attached).

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Bremer Family Winery: Main Driveway / Deer Park Road

Existing + Project, Weekday Friday PM Peak Hour

FRIDAY PM PEAK HOUR

Table 9-23 Guide for Left-Turn Lanes on Two-Lane Highways (*10*)

Metric					U.S. Customary				
Opposing Volume (veh/h)	Advancing Volume (veh/h)				Opposing Volume (veh/h)	Advancing Volume (veh/h)			
	5% Left Turns	10% Left Turns	20% Left Turns	30% Left Turns		5% Left Turns	10% Left Turns	20% Left Turns	30% Left Turns
60-km/h Operating Speed					**40-mph Operating Speed**				
800	330	240	180	160	800	330	240	180	160
600	410	305	225	200	600	410	305	225	200
400	510	380	275	245	400	510	380	275	245
200	640	470	350	305	200	640	470	350	305
100	720	515	390	340	100	720	515	390	340
80-km/h Operating Speed					**50-mph Operating Speed**				
800	280	210	165	135	800	280	210	165	135
600	350	260	195	170	600	350	260	195	170
400	430	320	240	210	400	430	320	240	210
200	550	400	300	270	200	550	400	300	270
100	615	445	335	295	100	615	445	335	295
100-km/h Operating Speed					**60-mph Operating Speed**				
800	230	170	125	115	800	230	170	125	115
600	290	210	160	140	600	290	210	160	140
400	365	270	200	175	400	365	270	200	175
200	450	330	250	215	200	450	330	250	215
100	505	370	275	240	100	505	370	275	240

367 opposing volume

271 advancing volume
1 left turn / 271 = 1%

Left-turn Lane Warranted?: NO
Advancing volume of 271 with 1% left turns, and opposing volume of 367,
is below minimum threshold of 800 opposing vehicles.

Source: American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 7th edition, 2018.

Bremer Family Winery: Main Driveway / Deer Park Road

Existing + Project, Weekend Saturday Mid-Day Peak Hour

SATURDAY MID-DAY PEAK HOUR

Table 9-23 Guide for Left-Turn Lanes on Two-Lane Highways (*10*)

Metric					U.S. Customary				
Opposing Volume (veh/h)	Advancing Volume (veh/h)				Opposing Volume (veh/h)	Advancing Volume (veh/h)			
	5% Left Turns	10% Left Turns	20% Left Turns	30% Left Turns		5% Left Turns	10% Left Turns	20% Left Turns	30% Left Turns
60-km/h Operating Speed					**40-mph Operating Speed**				
800	330	240	180	160	800	330	240	180	160
600	410	305	225	200	600	410	305	225	200
400	510	380	275	245	400	510	380	275	245
200	640	470	350	305	200	640	470	350	305
100	720	515	390	340	100	720	515	390	340
80-km/h Operating Speed					**50-mph Operating Speed**				
800	280	210	165	135	800	280	210	165	135
600	350	260	195	170	600	350	260	195	170
400	430	320	240	210	400	430	320	240	210
200	550	400	300	270	200	550	400	300	270
100	615	445	335	295	100	615	445	335	295
100-km/h Operating Speed					**60-mph Operating Speed**				
800	230	170	125	115	800	230	170	125	115
600	290	210	160	140	600	290	210	160	140
400	365	270	200	175	400	365	270	200	175
200	450	330	250	215	200	450	330	250	215
100	505	370	275	240	100	505	370	275	240

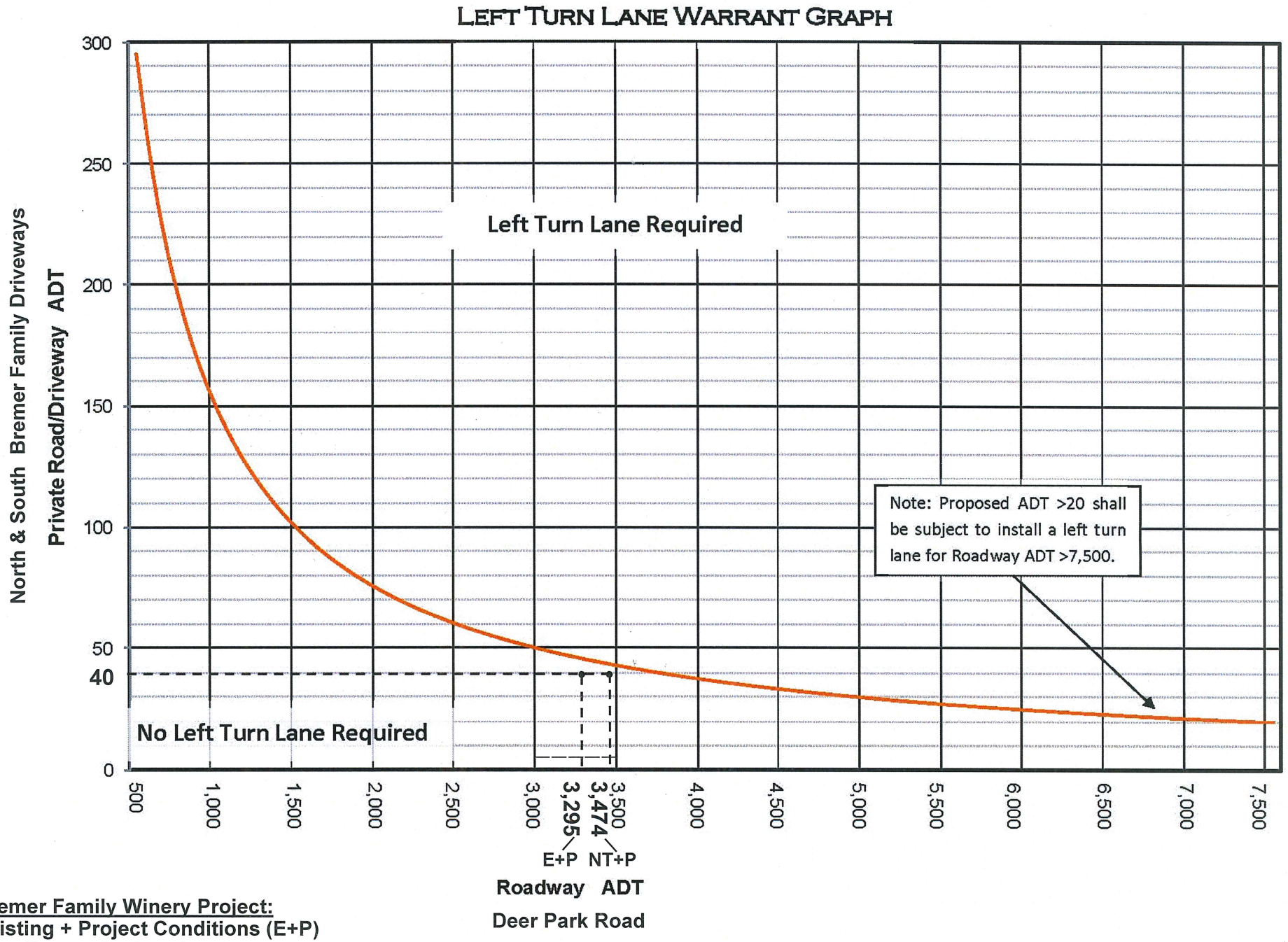
225 opposing volume

212 advancing volume
1 left turn / 212 = 1%

Left-turn Lane Warranted?: NO
Advancing volume of 212 with 1% left turns, and opposing volume of 225,
is below minimum threshold of 800 opposing vehicles.

Source: American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 7th edition, 2018.

Bremer Family Driveways
Existing plus Project & Near-Term plus Project Conditions



Bremer Family Winery Project:
Existing + Project Conditions (E+P)
Near Term + Project Conditions (NT+P)

Source: Napa County Road & Street Standards, 2023

EXHIBIT C

MONK & ASSOCIATES INC
1136 Saranap Avenue Suite Q | Walnut Creek, CA 94595 | (925) 947-4867 | www.monkassociates.com

November 25, 2025

Matarazzo Law, APC
1215 K Street, Suite 1210
Sacramento, CA 95814

Attention: Andrea A. Matarazzo

RE: Tree Survey and Habitat Assessment Letter Report
Roadside Assessment Project Along Deer Park Road
St. Helena, County of Napa, California

Dear Ms. Matarazzo:

1. INTRODUCTION

This analysis has been prepared to document the results of Monk & Associates, Inc. (M&A) tree survey and habitat assessment conducted within the study area along Deer Park Road, located in St. Helena, Napa County (County), California (hereinafter referred to as the study area). On behalf of the Bremer Family Winery (Winery), Matarazzo Law, APC requested that M&A conduct a habitat assessment and tree survey which entailed the mapping of all trees with a cumulative diameter at breast height (DBH)[1] of six inches or greater and an assessment of the habitat within and adjacent to the study area.[2] As part of this report, the current study area site conditions and the methods and results of M&A's habitat assessment and tree survey are discussed below.

2. BACKGROUND AND PURPOSE

The Traffic Study prepared for the Winery's use permit modification application determined that a southbound left-turn lane would be warranted on Deer Park Road at the Winery's north driveway based on Section 17 of the Napa County Road and Street Standards (Napa County RSS). As such, the County indicated that installation of a left-turn lane would be required as a condition of approval.

The purpose of this analysis is to determine whether environmental constraints justify an exception to the County's left-turn lane warrant requirement pursuant to Section 3(d) of the Napa County RSS, which authorizes exceptions to "*preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of least six inches in diameter at breast height and found by the decision-maker to be of significant importance*." Specifically, M&A evaluated whether installation of a left-turn lane in the study area would result in significant and

[1] "Breast height" is defined as 4.5 feet or 54" above ground level.

[2] Note that under the California Oak Woodlands Conservation Act, protected "oaks" are defined as being five inches or greater.

unavoidable adverse environmental impacts to heritage oak trees and other protected trees of significant importance.

3. SUMMARY CONCLUSION

As discussed below, M&A determined that the study area is part of an oak woodland and mapped 32 trees within the study area. Of these trees, M&A determined:

- **A total of 17 protected trees of significant importance, including 4 heritage oak trees, would be slated for removal.**
    - **These heritage oak trees that would be removed include Coast Live Oak trees with diameters of 38.6" and 35".**
- **A total of 4 protected trees of significant importance, including 1 heritage oak tree, would be at substantial risk of irreversible damage through severe limbing and/or root system impacts.**

Based upon these findings, there is clear and convincing evidence that the Winery's proposed exception request would preserve unique features of the natural environment, including heritage oak trees and other protected trees of significant importance. It is therefore M&A's expert opinion that the requirements of Napa County RSS Section 3(d) are satisfied. Provided that all other requirements are satisfied, M&A respectfully recommends the County to grant the Winery's exception request and to preserve the unique biological resources identified below.

4. REGULATORY SETTING

4.1 Definitions of Protected and Heritage Trees

As Napa County has no definition of its own for what constitutes a "heritage tree" or a "protected tree," this biological review was conducted using definitions from the City of San Mateo and Marin County Municipal Codes as outlined in the Applicant's *Request for Exception to Napa County RSS, 975 Deer Park Road* letter and summarized below

According to the City of San Mateo, a "Heritage Tree" would include:

1) Any oak (*Quercus* spp.) tree with a trunk that has a diameter of ten inches or more measured at 54" above natural grade.
2) Any other tree with a trunk diameter of fifteen inches (47.1 inches in circumference) or more, measured at 54 inches above natural grade.
3) Multi-stem trees. Trees with more than one stem (arising at or below 54 inches) shall be measured at the smallest diameter point below the main union of all stems unless the union occurs below grade, in which case each stem shall be measured as a stand-alone tree. For oak trees, if one stem is ten inches or more in diameter, the tree will constitute one Heritage Tree. For all other species, if one stem is fifteen inches or more in diameter, the tree will constitute one Heritage Tree.

According to Marin County, a "Protected Tree" and "Heritage Tree," respectively, would include:

1) All oaks (*Quercus* spp.) with a DBH of 6 inches or greater.

2) All oaks (*Quercus* spp.) with a DBH of 18 inches or greater.
3) A California bay (*Umbellularia californica*) with a DBH of 10 inches or greater
4) A California bay with a DBH of 30 inches or greater.

Based on these definitions and the least protective interpretation[3], this analysis will use the following metrics for its assessment of trees within the study area and whether they qualify for exemption:

1) A "protected tree" to be an oak with a DBH of 6 inches or greater or any tree with a DBH of 15 inches or greater and
2) A "heritage tree" to be an oak with a DBH of 18 inches or greater or California bay with a DBH of 30 inches or greater.

4.1.1 Oak Woodlands and Napa County Protections

The Napa County General Plan provides strong protections for oak woodlands and to protect oak woodland habitat as outlined in the *Request for Exception to Napa County RSS, 975 Deer Park Road*. CON-24 of the General Plan sets forth the following measures:

(1) To retain, to the maximum extent feasible, existing oak woodland communities and other significant vegetation as part of the County's discretionary approvals.
(2) To avoid the removal of oak species limited in distribution (e.g., valley oaks) to the maximum extent feasible.
(3) To require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization and soil protection.

Further, pursuant to the Napa County General Plan Action Item CON NR-7, the County adopted the Voluntary Oak Woodland Management Plan to provide a conservation framework for the preservation of the County's oak woodland resources. Objectives promoted in the Voluntary Oak Woodland Management Plan include the following.

1) Encourage the long-term stewardship and vitality of existing oak woodlands to maintain or improve oak woodland resource values;
2) Encourage land use, transportation, and infrastructure planning that is consistent with oak woodlands conservation efforts; and
3) Maximize the total amount of oak woodland canopy cover to achieve erosion, flood, habitat, and air quality protection benefits, while recognizing the importance of including a variety of canopy cover levels within conserved and restored woodlands to provide habitat diversity.

4.1.2 California Oak Woodlands Conservation Act

[3] The least protective interpretation is meant to conservatively evaluate whether a tree within the study area would meet the definition of a heritage tree. As such, if anything, this analysis underestimates the number of heritage trees. In light of the evidence, the County could reasonably conclude that additional protected trees identified qualify as heritage trees.

The California Oak Woodlands Conservation Act, approved and filed with the Secretary of State on September 24, 2004, provides funding for the conservation and protection of California's oak woodlands (Public Resources Code, Section 21083.4). The Act states:

a) For purposes of this section, ''oak'' means a native tree species in the genus Quercus, not designated as Group A or Group B commercial species pursuant to regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4526, and that is 5 inches or more in diameter at breast height.

b) As part of the determination made pursuant to Section 21080.1, a county shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. If a county determines that there may be a significant effect to oak woodlands, the county shall require one or more of the following oak woodlands mitigation alternatives to mitigate the significant effect of the conversion of oak woodlands:

    1) Conserve oak woodlands, through the use of conservation easements.
        a. Plant an appropriate number of trees, including maintaining plantings and replacing dead or diseased trees.
        b. The requirement to maintain trees pursuant to this paragraph terminates seven years after the trees are planted.
        c. Mitigation pursuant to this paragraph shall not fulfill more than one-half of the mitigation requirement for the project.
        d. The requirements imposed pursuant to this paragraph also may be used to restore former oak woodlands.
        e. Contribute funds to the Oak Woodlands Conservation Fund as established under subdivision (a) of Section 1363 of the Fish and Game Code , for the purpose of purchasing oak woodlands conservation easements, as specified under paragraph (1) of subdivision (d) of that section and the guidelines and criteria of the Wildlife Conservation Board. A project applicant that contributes funds under this paragraph shall not receive a grant from the Oak Woodlands Conservation Fund as part of the mitigation for the project.

There are a number of exemptions from Public Resources Code Section 2108.4 including projects undertaken pursuant to an approved Natural Community Conservation Plan that includes oaks as a covered species or conserves oak habitat, affordable housing projects for lower income households, conversion of oak woodlands on agricultural land that includes land used to process plant or animal products for commercial processes or projects undertaken pursuant to Section 21080.5 of the Public Resources Code (i.e., the CEQA process). **However, the subject roadwork along Deer Park Road does not qualify for any of these exemptions.**

Further, it is important to note that the California Oak Woodlands Protection Act protects both individual oaks and oak woodland provided that that the oaks within the study area meet the definition of an "oak" as outlined at the beginning of this section (i.e., a native oak with a DBH of 5 inches or greater).

4.1.3 DEFINITIONS OF OAK WOODLAND

Given the strong protections that Napa County has on oak woodlands in combination with the 2004 California Oak Woodlands Conservation Act, it is incumbent upon M&A to demonstrate whether any portion of the study area would qualify as oak woodland. As discussed below, the evidence supports such a finding.

The definitions that will be used to make this determination are as follows:

1) According to the California Oak Woodlands Conservation Act of 2001[4], "Oak Woodlands" are defined as an oak stand with a greater than 10% canopy cover or that may have historically supported greater than 10% canopy cover.

2) Meets the threshold outlined by the Manual for California Vegetation, Version 2[5] to be considered one of the Forests and Woodlands alliances. This requires the following:
    a) *Trees evenly distributed and conspicuous throughout stand. In areas where vegetation cover is greater than about 20 percent, tree canopy may be as low as 10 percent over denser layers of shrub and herbaceous species. In areas where vegetation is less than 20 percent total cover, trees may cover somewhat less than 10 percent (as low as about 8 percent) but are evenly distributed across the stand.*

5. STUDY AREA LOCATION AND DESCRIPTION

The study area is located along Deer Park Road at the intersection with Sanitarium Road, north of St. Helena, in Napa County, California (Figures 1-3). The study area is restricted to the road rights-of-way east and west of the road. The west side is mostly level with steep, nearly vertical cut-slope down to the existing road and the east side slopes gently to moderately downward to the east from the roadside. It is important to note that the western portion of the study area is the bottom of moderately to steeply sloped private property to the west with the trees adjacent to the roadside likely providing significant stabilization for the existing western cut slope along the roadway. The study area is bounded to the west by rural private residences to the west, the existing Deer Park Road and its right-of-way to the north and south and Bremer Family Winery to the east (Figure 3).

The west side of the study area is comprised primarily of oak woodland that is contiguous with approximately 1.32-acre of oak woodland to the west on private property (Figures 2 and 3). The east side of the study area is comprised of ruderal vegetation with a few scattered oak trees that are likely remnants from a historic oak woodland that characterizes the undeveloped portions of the surrounding area. On the west side, there are two 12" waterlines on the ground surface running parallel to each other above the cut slope, one that is metal with a break in it and no longer appears to be connected to surrounding infrastructure and the other that is PVC, in good condition, and clearly connects to existing infrastructure.

[4] California Oak Woodlands Conservation Act (COWCA) (Assembly Bill 242), enacted in 2001. Cited in and included as Appendix A of the Voluntary Oak Woodland Management Plan, adopted by Napa County.

[5] Sawyer, J.O., T. Keeler-Wolf, and J.M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society, Sacramento, CA. 1300 pp.

6. METHODS

M&A biologists, Ms. Christy Owens and Ms. Kayla Bean, conducted a site reconnaissance survey and a tree survey within the study area on October 27, 2025. M&A mapped all trees with a DBH of 5 inches or greater[6]. This entailed walking the study area, assessing the habitat and identifying all trees to species, measuring DBH, and mapping them. For trees that were located on private property but whose canopies were overhanging the study area, an offset for the point taken was noted in the comment section of that individual point. The private property to the west was visually surveyed from the fence line using binoculars but not traversed. All trees were mapped with a hand-held Trimble global positioning system (GPS) with submeter accuracy.

7. STUDY AREA VEGETATION

A complete list of plant species observed within the study area is presented in Table 1. Nomenclature used for plant names follows The Jepson Manual Second Edition (Baldwin 2012) and changes made to this manual as published on the Jepson Interchange Project website (http://ucjeps.berkeley.edu/interchange/index.html). Two vegetation communities occur within the study area, excluding the paved roadway which bisects it. Below we discuss the plant communities found on the project site in further detail.

7.1 Ruderal Herbaceous Vegetation

The eastern portion of the study area is largely composed of ruderal herbaceous vegetation with scattered coast live oak and blue oaks, remnants of the existing oak woodland in the immediate area, at the northmost and southernmost extents. This ruderal herbaceous habitat is dominated by non-native grasses such as soft chess (*Bromus hordeaceus*), ripgut brome (*B. diandrus*), Italian ryegrass (*Festuca perennis*) and wild oats (*Avena barbata*) as well as non-native forbs including cutleaf geranium (*Geranium dissectum*), Queen Anne's lace (*Daucus carota*), Italian thistle (*Carduus pycnocephalus* ssp. *pycnocephalus*), short-podded mustard (*Hirschfeldia incana*), and filaree species (*Erodium botrys* and *E. moschatum*). Very few native species were observed due to the time of year, restricted primarily to California poppy (*Eschscholzia californica*) and fiddleneck (*Amsinckia* sp.)

7.1 Oak Woodland

Oak woodlands are a characteristic vegetational cover in the foothills and valleys of California.[7] This plant community occurs at elevations from 196 to 2296 feet where summers are warm and dry and winters are mild.[8] Oak woodlands are a transitional plant community between the grasslands of the hot dry valleys and the montane forests of moist, cool uplands. This habitat has an overstory tree canopy dominated by oaks (*Quercus* spp.) and an understory dominated by grasses and forbs.

[6] Please note that if a tree had multiple trunks, number of trunks and DBH of each trunk was recorded. As such, if a tree listed in Table 1 below has more than one DBH measurement, then each measurement refers to an individual trunk that is part of the same tree.

[7] Waddell, K.L.; Barrett, T.M. 2005. Oak woodlands and other hardwood forests of California, 1990s. PNW-RB-245. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 94 p

[8] Barbour, Michael G., Keeler-Wolf, Todd and Schoenherr, Allan A. 2007. Terrestrial Vegetation of California, 3rd edition. University of California Press. Berkeley and Los Angeles, CA.

Oak woodland makes up the west side of the study area and extends upslope onto private property to the west, covering the north and east facing slopes and grading into the non-native annual grassland. This community is characterized by a 50% to 75% closed canopy, dominated by coast live oak (*Q. agrifolia*) and black oak (*Q. kelloggii*) interspersed with predominantly blue oak (*Q. douglasii*) as well as California bay-laurel (*Umbellularia californica*). Black oak (*Q. kelloggi*) occurs just west and upslope on private property within the same contiguous oak woodland. There is virtually no shrub layer to speak of with only a few scattered toyon (*Heteromeles arbutifolia*) bushes within this habitat. The understory is dominated by a similar suite of non-native grass and forb species as those observed in the ruderal herbaceous vegetation on the east side of Deer Park Road except for the dominance of cutleaf geranium and Bermuda buttercup. In summary, as illustrated in Figure 3, Exhibit A, the numerous protected trees that would be cut down or severely damaged to accommodate a left-turn lane are of significant importance because they form a substantial part of a continuous and approximately 1.32-acre of oak woodland. Based upon the study area's location adjacent to residences and agricultural lands, an intact oak woodland of this size is considered a unique feature of the environment.

8. WILDLIFE

A complete list of wildlife species observed within the study area is provided in Table 2 and those special-status wildlife species known to occur within 3 miles of the study area are shown on Figure 4. The presence of these species within the study area and those known to occur within 3 miles of the study area, which could reasonably be expected to utilize the subject trees for habitat, further illustrates the significant importance of these trees. Nomenclature for wildlife follows CDFW's Complete list of amphibian, reptile, bird, and mammal species in California (2016) and any changes made to species nomenclature as published in scientific journals since the publication of CDFW's list. The habitat and occurrence of wildlife is addressed in a single section herein due to the linear and restricted nature of the study area such that it is difficult to assess which species are occurring primarily in ruderal habitat and which are occurring primarily in woodland habitat.

Consistent with M&A's observations of various wildlife species in the study area (e.g., Acorn Woodpecker, Oak Titmouse, California Scrub Jay, etc.) and those special-status species that known to occur within 3 miles of the study area, [i.e., pallid bat (*Antrozous pallidus*) and fringed myotis (*Myotis thysanodes*)], oak trees are known to provide habitat for a variety of wildlife species. Hundreds of vertebrate species and thousands of invertebrate species are associated with California's oak habitats.[9] Oak acorns, leaves, wood, and sap are sustenance for a myriad of insects, birds including raptors, and mammals. Typically, ruderal communities provide habitat for those animal species adapted to living alongside humans; however, since this ruderal community is next to an oak woodland community, this ruderal community provides greater habitat value to wildlife, specifically avian species, than other ruderal communities which are often found along fully developed areas or disced fields. Bird species observed using both the oak woodland and the ruderal herbaceous vegetation within and adjacent to the study area on the October 27, 2025 survey date included birds such as Oak Titmouse (*Baeolophus inornatus*), Acorn Woodpecker (*Melanerpes formicivorus*), Dark-Eyed Junco (*Junco hymelis*), yellow-

[9] Pavlik, B.M., P.C. Muick, S. Johnson, and M. Popper. 1991. Oaks of California. Cachuma Press and California Oak Foundation publishers. 184 pages. Describes the history and ecology of California oaks.

rumped warbler (*Setophagia coronata*), Lesser Goldfinch (*Spinus psaltria*), House Finch (*Haemorhous mexicanus*) as well as raptors such as Cooper's Hawk (*Astur cooperii*). Please note that this only represents a snapshot of the wildlife that occurs in the study area due to the time of year and bird migration patterns. No stick nests, indicative of past raptor nesting, were observed within or adjacent to the study area. However, raptors such as the Cooper's Hawk could reasonably foreseeably nest in the oak woodland canopy and isolated oak individuals on the east side, as these established trees provide adequate nesting locations. The oaks supported a large population of Acorn Woodpeckers in the area, actively vocalizing on the date of survey. Along the oak woodland edges, where the habitat transitions into ruderal grassland near the paved roadway, other terrestrial wildlife species such as Botta's pocket gopher (*Thomomys bottae*) were observed. As the subject oak trees form a substantial part of the oak woodland edge, where a high concentration of wildlife, potentially including special-status species, is expected to occur, these trees may be fairly categorized as unique features of the natural environment due to their substantial habitat benefits.

9. RESULTS

M&A mapped 32 trees within the study area. The species of each tree and its diameter at breast height (DBH) was recorded. The locations of all mapped trees are shown on Exhibit A. Please note that one dead tree (a snag) was mapped as part of this survey although not identified to species. This is included because snags (i.e., standing dead trees) can provide important wildlife habitat. During M&A's tree survey, a total of 5 native species were identified. Tree impacts were assessed in accordance with the Bremer Family Winery Option 1-Widening to the West and Option 2-Widening to the East and West Left Turn Constraints Exhibits, prepared by RSA Consulting Civil Engineers and Surveyors on November 21, 2025, included as Attachment A. Table 1 below provides a summary of the tree species identified, numbers of each species present, their locations and whether they will be impacted.

Table 1. Summary of Tree Species along Deer Park Road

Tree No.	Species	DBH	Location	Proposed Impact	Heritage Tree	Protected Tree	Comments
1	Gray Pine (*Pinus sabiniana*)	18”	Cut Slope No. 1	Removal	N	Y	
2	Blue Oak (*Quercus douglasii*)	9.7”	Cut Slope No. 1	Removal	N	Y	
3	Coast Live Oak (*Quercus agrifolia*)	3”	Cut Slope No. 1	Removal	N	N	
4	Blue Oak (*Quercus douglasii*)	10.3", 8.8"[10]	Cut Slope No. 1	Removal	N	Y	
5	Blue Oak (*Quercus douglasii*)	15.5”	Cut Slope No. 1	Removal	N	Y	
6	Gray Pine (*Pinus sabiniana*)	15.7”	Cut Slope No. 1	Removal	N	Y	
7	Dead	13.2”	Cut Slope No. 1	N/A	N/A	N/A	
8	California Bay Laurel *(Umbellularia californica*)	2”, 3”, 1”, 1”	Cut Slope No. 1	Removal	N	N	
9	**Coast Live Oak (*Quercus agrifolia*)**	**24.2", 16.5"**	**Cut Slope No. 1**	**Removal**	**Y**	**Y**	
10	**Coast Live Oak (*Quercus agrifolia*)**	**15.3", 18.5"**	**Cut Slope No. 1**	**Removal**	**Y**	**Y**	
11	**Coast Live Oak (*Quercus agrifolia*)**	**38.6"**	**Cut Slope No. 1**	**Removal**	**Y**	**Y**	
12	Coast Live Oak (*Quercus agrifolia*)	14.9", 7.7", 12.8"	Cut Slope No. 2	Removal	N	Y	
13	Coast Live Oak (*Quercus agrifolia*)	15.2"	Cut Slope No. 2	Removal	N	Y	
14	Coast Live Oak (*Quercus agrifolia*)	6"	Cut Slope No. 2	Limbing and/or impacts to root system.	N	Y	
15	Coast Live Oak (*Quercus agrifolia*)	14"	Cut Slope No. 2	Limbing and/or impacts to root system.	N	Y	On other side of fence
16	Coast Live Oak (*Quercus agrifolia*)	8.5"	Cut Slope No. 2	None. Outside the impact area.	N	Y	
17	Coast Live Oak (*Quercus agrifolia*)	30"	Cut Slope No. 2	None. Outside the impact area.	Y	Y	On other side of fence.
18	Blue Oak (*Quercus douglasii*)	24"	Cut Slope No. 2	None. Outside the impact area.	Y	Y	On other side of fence
19	California Bay Laurel (*Umbellularia californica*)	5”, 6”, 4”, 4”	Cut Slope No. 2	None. Outside the impact area.	N	N	On other side of fence, overhanging
20	Coast Live Oak (*Quercus agrifolia*)	14" 10", 17", 3"	Cut Slope No. 1	Limbing and/or impacts to root system	N	Y	On other side of fence, overhanging

[10] As discussed in footnote 5 above, if a tree had more than one trunk, each individual trunk was measured and recorded.

21	**Coast Live Oak (*Quercus agrifolia*)**	**35"**	**Cut Slope No. 1**	**Removal**	**Y**	**Y**	On other side of fence, overhanging
22	Blue Oak (*Quercus douglasii*)	10", 4"	Cut Slope No. 1	Removal	N	Y	On other side of fence, overhanging
23	Blue Oak (*Quercus douglasii*)	14.1"	East side north of Winery's driveway	Removal under Option 2 only.	N	Y	
24	Blue Oak (*Quercus douglasii*)	17"	East side north of Winery's driveway	Removal under Option 2 only.	N	Y	
25	Stone fruit *Prunus sp.*	13.8"	East side south of Winery's driveway	Removal under Option 2 only.	N	Y	Not a native tree species.
26	Coast Live Oak (*Quercus agrifolia*)	14.1", 16.2"	East side south of Winery's driveway	Removal under Option 2 only.	N	Y	
27	Blue Oak (*Quercus douglasii*)	14.8"	East side south of Winery's driveway	Removal under Option 2 only.	N	Y	
28	Coast Live Oak (*Quercus agrifolia*)	2", 2"	East side south of Winery's driveway	Removal	N	N	6 ft tall.
29	**Coast Live Oak (*Quercus agrifolia*)**	**15.2", 16.8", 17.8"**	**East side south of Winery's driveway**	**Limbing and/or impacts to root system**	**Y**	**Y**	
30	Coast Live Oak (*Quercus agrifolia*)	34.6"	East side south of Winery's driveway	None. Outside impact area.	Y	Y	
31	Blue Oak (*Quercus douglasii*)	12.6"	East side south of Winery's driveway	None. Outside impact area.	N	Y	
32	Coast Live Oak (*Quercus agrifolia*)	19.4"	East side south of Winery's driveway	None. Outside impact area.	Y	Y	

Of the trees mapped, 9 would be considered "heritage trees" and 27 would be considered "protected trees" under the definitions established in sections above. Of these, **up to 17 protected trees are slated for removal and 4 are at substantial risk of irreversible damage through severe limbing and/or root system impacts should the roadwork move forward.** Severe limbing and/or root system impacts are defined to be those in excess of the International Society of Arboriculture (ISA) recommendations:

1) For limbing which entails:
    a. removal of 15% to 20% or more of a tree's foliage in one year and/or
    b. removal of 30% or more of the main branch structure, and
2) For any excavation impacts within the critical root zone or "CRZ" (i.e., typically, as measured at dripline) since 85% of the mass of a tree's root system is located within the CRZ and that most of a tree's roots are within the top 18 inches of soil.

It should be noted that it is not unusual for the root system of a mature tree to extend half again as far as the dripline (1.5x the diameter of the tree canopy.) This is why it is standard practice in most county/city tree ordinances to implement protection measures for preserved trees that include fencing preserved trees at their dripline, the "critical root zone" or "CRZ". Further, roots that are 4 inches wide are structural roots and will compromise the stability of the tree. **Furthermore, of these 21 protected trees that would be impacted, 5 would be considered heritage trees (4 would be removed and 1 is at risk of damage by severe limbing/root system impacts.)** The trees indicated in Table 1 as proposed for impact even though they are not slated for removal is due to the perceived potential for damaging a tree based upon dripline impacts. While difficult to quantify in terms of impacts and thus not attempted herein, it is nonetheless important to also mention that trees growing close together, rely upon neighboring trees for wind protection such that when the adjacent trees are removed, this leaves the remaining trees more vulnerable to wind throw and structural damage/death.

The trees on the west side[11] of Deer Park Road are clearly considered to be part of an "oak woodland" as this area is contiguous with an approximately 1.32-acre oak woodland on privately parcels to the west. The oak woodland in this area and within the study area is dominated by coast live oak with a 50% to 75% closed canopy. Based on the California Oak Woodlands Conservation Act of 2004 and the Manual for California Vegetation's minimum canopy requirements, the trees on the west side of the study area far exceed these thresholds to be considered part an "oak woodland." Further, the oak woodland to the west meets all membership rules under the Manual for California Vegetation (MCV) for the *Quercus agrifolia* Forest & Woodland Alliance (Coast live oak woodland and forest). **Lastly, of the trees mapped within the study area and slated for impact by the proposed roadwork, 19 would be considered "oaks" pursuant to the California Oak Woodlands Conservation Act and warrant protection (14 would be removed and 5 may be significantly affected by limbing/root system impacts)**[12] These environmental qualities demonstrate that the subject trees comprise a unique feature of the natural environment, an oak woodland, that should be preserved to the extent feasible.

CONCLUSIONS

M&A conducted a tree survey and habitat assessment of the study area along Deer Park Road on October 27, 2025 and inventoried a total of 32 existing trees, a number of which that occur within/immediately adjacent to the proposed roadwork footprint, would be considered "protected

[11] Includes Cut Slope 1 and Cut Slope 2.

[12] 24 trees within the study area overall would be considered "oaks" pursuant to the Oak Woodlands Conservation Act.

trees" (21 trees), "heritage trees" (5 trees)[13] under County ordinances and/or "oaks" (19 trees)[14] pursuant to the California Oak Woodlands Conservation Act warranting protection. Further, the areas adjacent to the study area were visually surveyed from the project boundary to determine if any trees could be considered part of an oak woodland and thus, merit protection pursuant to the Napa County General Plan, the County's Voluntary Oak Woodland Management Plan and the California Oak Woodlands Conservation Act.

Based upon the trees on the west side clearly being part of a contiguous stand of oak woodland and the number of protected and heritage trees as well as oaks regulated pursuant to the Oak Woodlands Conservation Act which would be impacted, the proposed roadwork appears to warrant an exception pursuant to Section 3 of the Napa County RSS to "*preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of least six inches in diameter at breast height and found by the decision-maker to be of significant importance.*"

This concludes M&A's tree inventory and habitat assessment report. Should you have any questions or wish to discuss any other aspect of this analysis, please do not hesitate to contact me at (925) 947-4867 ext. 206 or christy@monkassociates.com.

Sincerely,

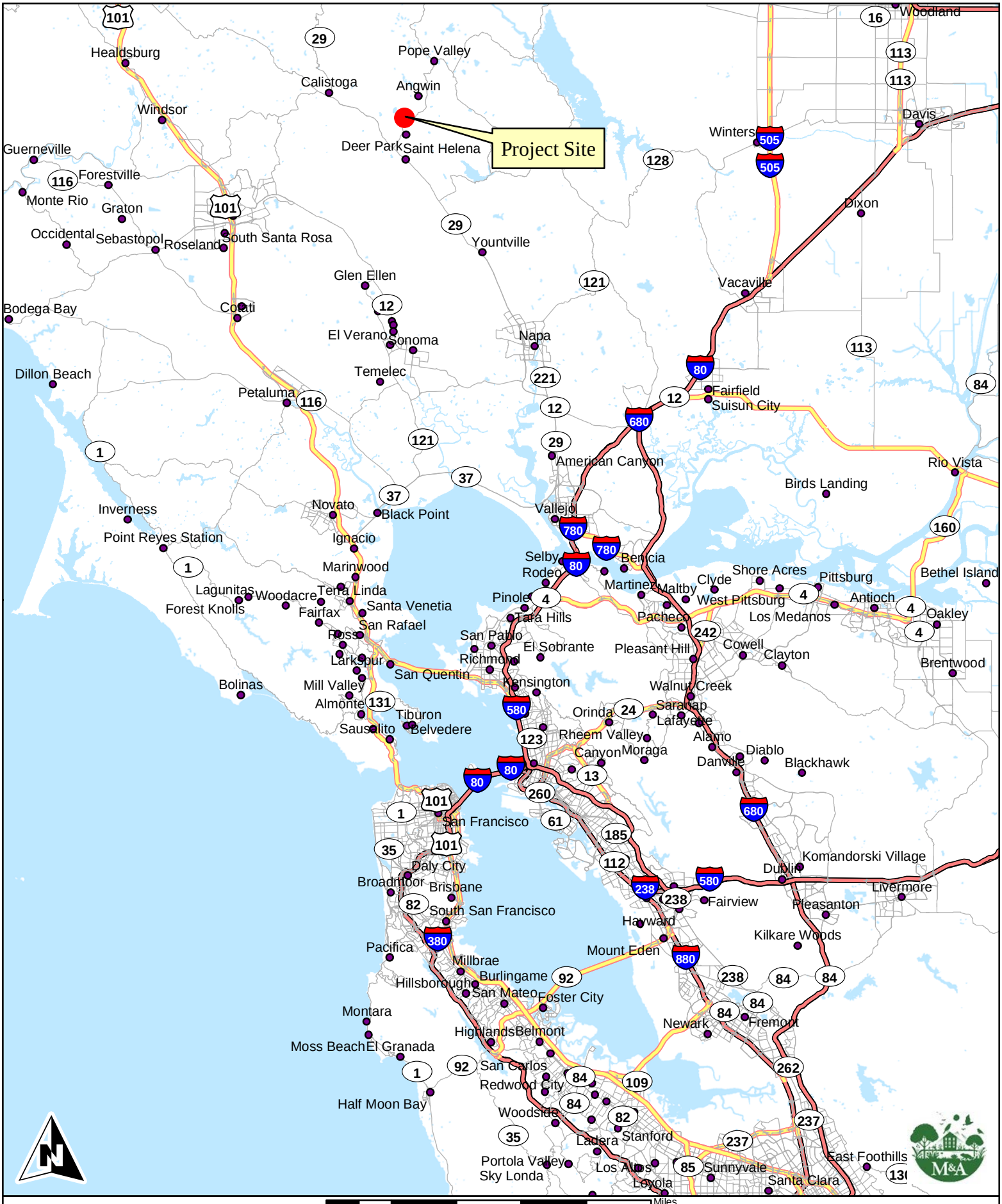
Christy Owens

Christy Owens
Associate Biologist

Attachments: Figure 1-4
Exhibit A
Table 1
Table 2
Attachment A.

[13] A subset of the 21 protected trees.

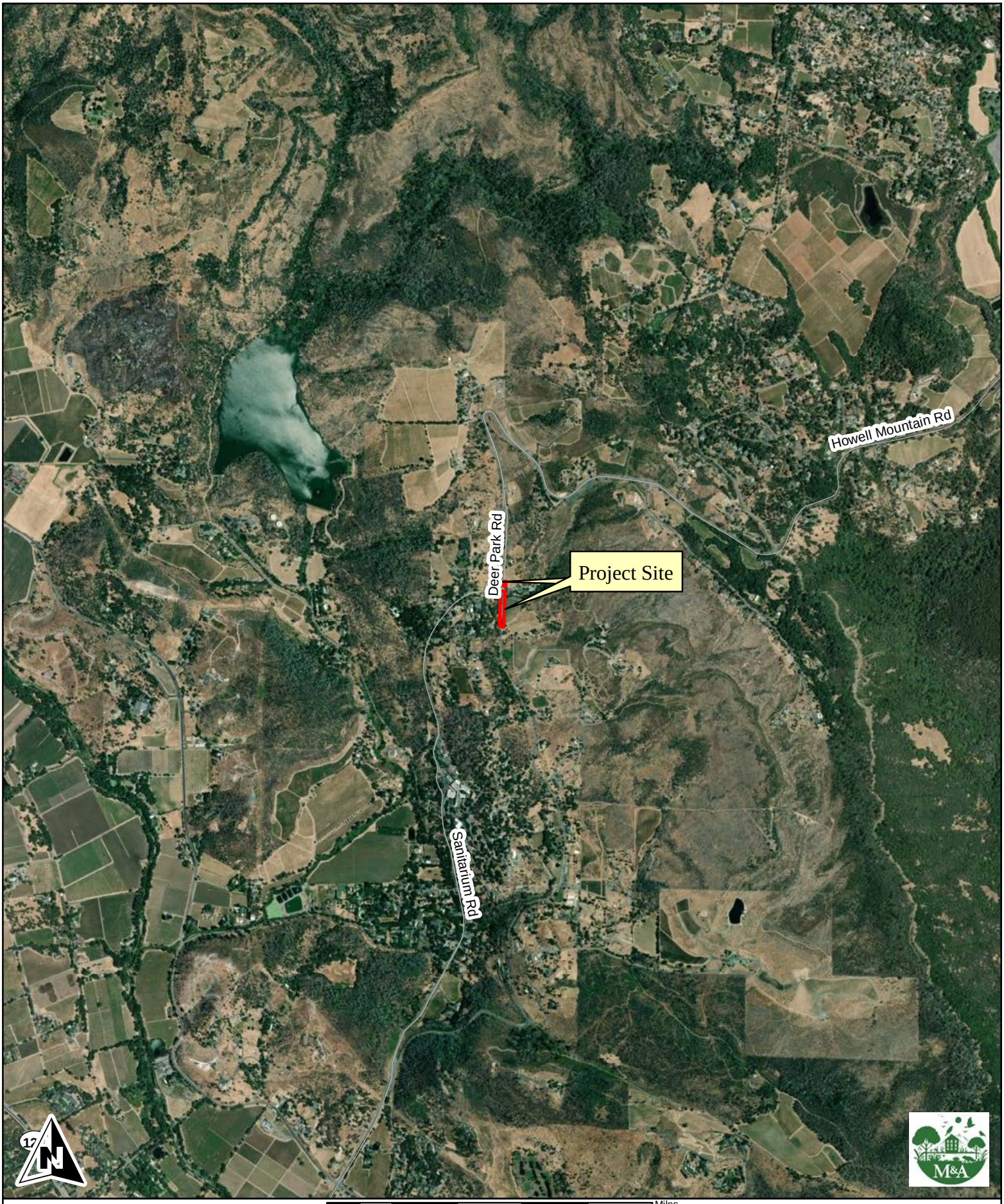
[14] A subset of the 21 protected trees.



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Figure 1. Roadside Assessment Along Deer Park Road
Regional Map
St. Helena, County of Napa, California

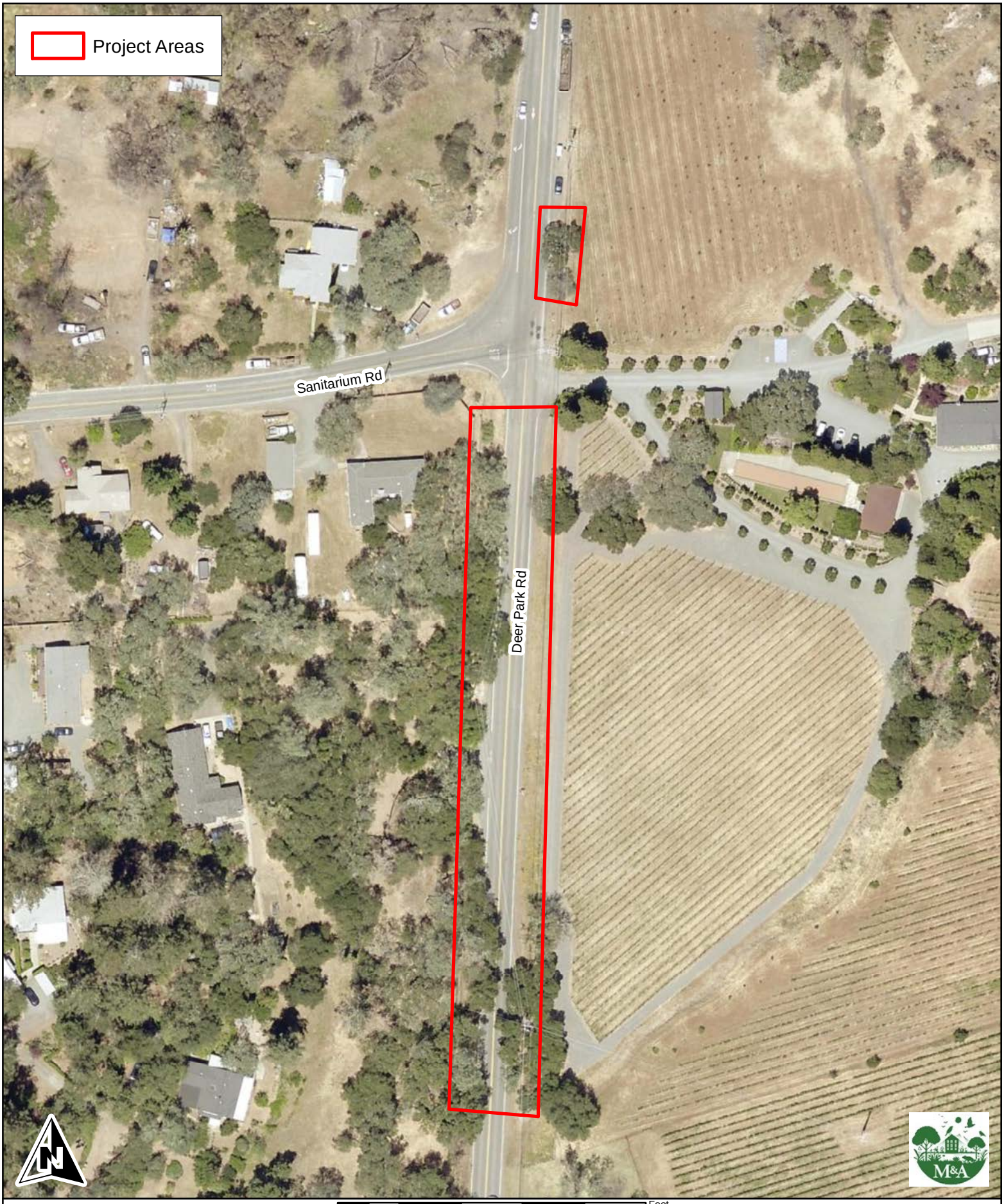
County: Napa
Map Preparation Date: October 31,



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(925) 947-4867

Figure 2. Roadside Assessment Along Deer Park Road
Location Map
St. Helena, County of Napa, California

38.551076 -122.472222
Section 13: T08N R06W
7.5-Minute Saint Helena quadrangles
Aerial Photograph Source: ESRI
Map Preparation Date: October 31,



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Environmental Consultants
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Figure 3. Aerial Photograph of
Roadside Assessment Along Deer Park Road
St. Helena, County of Napa, California

Aerial Photograph Source: ESRI
Map Preparation Date: October 31,



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Exhibit A. Tree Survey
Roadside Assessment Along Deer Park Road
St. Helena, County of Napa, California

Aerial Photograph Source: ESRI
Map Preparation Date: October 27,

Table 1

Plant Species Observed Within the Study Area

Angiosperms - Dicots

Apiaceae

**Daucus carota*	Queen Anne's lace

Apocynaceae

**Nerium oleander*	Oleander

Asteraceae

**Carduus pycnocephalus subsp. pycnocephalus*	Italian thistle
**Lactuca serriola*	Prickly lettuce

Boraginaceae

Amsinckia sp.	Fiddleneck

Brassicaceae

**Hirschfeldia incana*	Short-podded mustard

Euphorbiaceae

Euphorbia sp.	Euphorbia

Fabaceae

**Trifolium hirtum*	Rose clover

Geraniaceae

**Erodium botrys*	Broad-leaf filaree
**Erodium moschatum*	White-stem filaree
**Geranium dissectum*	Cut-leaf geranium
**Geranium sp.*	Cranesbill

Lauraceae

Umbellularia californica	California bay

Oxalidaceae

**Oxalis pes-caprae*	Bermuda buttercup

Papaveraceae

Eschscholzia californica	California poppy

Plantaginaceae

**Plantago lanceolata*	English plantain

Rosaceae

Heteromeles arbutifolia	Toyon

Angiosperms -Monocots

Araceae

**Zantedeschia aethiopica*	Calla lily

Poaceae

**Avena barbata*	Slender wild oat
**Briza maxima*	Rattlesnake grass
**Bromus hordeaceus*	Soft chess

* Indicates a non-native species

Table 1

Plant Species Observed Within the Study Area

**Festuca perennis*	perennial ryegrass
**Stipa miliacea var. miliacea*	Smilo grass

* Indicates a non-native species

Table 2
Wildlife Species Observed within the Study Area

Reptiles	
Western fence lizard	*Sceloporus occidentalis*
Birds	
Turkey Vulture	*Streptopelia decaocto*
Cooper's Hawk	*Astur cooperii*
Anna's Hummingbird	*Calypte anna*
Acorn Woodpecker	*Melanerpes formicivorus*
California Scrub Jay	*Aphelocoma californica*
Common Raven	*Corvus corax*
Oak Titmouse	*Baeolophus inornatus*
Northern Mockingbird	*Mimus polyglottos*
Yellow-rumped Warbler	*Setophaga coronata*
Dark-eyed Junco	*Junco hyemalis*
House Finch	*Haemorhous mexicanus*
Lesser Goldfinch	*Spinus psaltria*
Mammals	
Botta's pocket gopher	*Thomomys bottae*

BREMER FAMILY WINERY - OPTION 1
WIDENING TO WEST
LEFT TURN CONSTRAINTS EXHIBIT

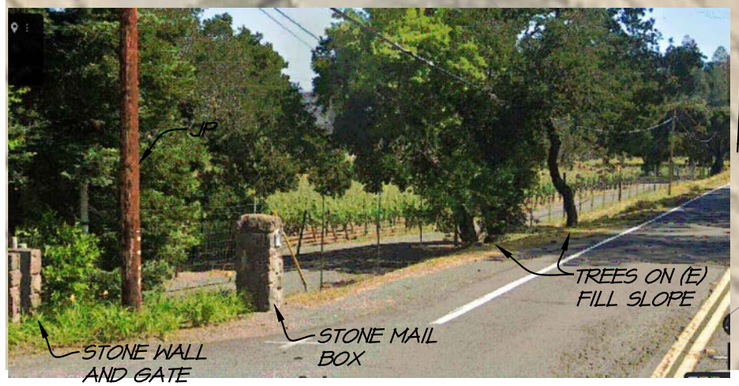
NAPA COUNTY CALIFORNIA





FENCE AND TREES AT TOP OF (E) CUT SLOPE
(E) SHOULDER WIDTH
(E) WATER MAIN ABOVE GROUND AT TOP OF SLOPE
FENCE
20'-0"
2:1 CUT
APPROX 10' OF CUT
1' SHOULDER
12'
8'
SEE SHEET 2 FOR CONTINUATION
2:1 CUT
10'-0"
APPROX 5' OF CUT
STOP
HISTORIC STONE MAIL BOX
COUNTY OF NAPA P-2 ENTRANCE
35.4' EXISTING, 30' REQUIRED GATE SETBACK
UP
FH
WATER VALVE W/ RISERS
TRANSFORMER
HISTORICAL STONE WALL AND GATE
20'
35'
90'
1' SHOULDER
11'
12'
11'
12'
1' SHOULDER

Cut slope shown is schematic and approximate. Actual extent of cut would depend on cut slope steepness approved by Geotechnical Engineer and County of Napa Public Works



REGISTERED PROFESSIONAL ENGINEER
BRUCE WILLIAM FENTON
No. 77869
Exp. 6/30/27
CIVIL ENGINEER
STATE OF CALIFORNIA

GRAPHIC SCALE
20' 20'
(IN FEET)
1 INCH = 20 FT

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BREMER FAMILY WINERY - OPTION 1
WIDENING TO WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA

(E) WATER MAIN ABOVE GROUND AT TOP OF SLOPE

(E) TREES

(E) TREES

2:1 CUT

10'-0"

approx 5' high slope

CONFORM

JP

(E) DRIVEWAY

JP

2:1 CUT

10'-0"

APPROX 5' OF CUT

(E) DECELERATION LANE

SEE SHEET 1 FOR CONTINUATION

JP

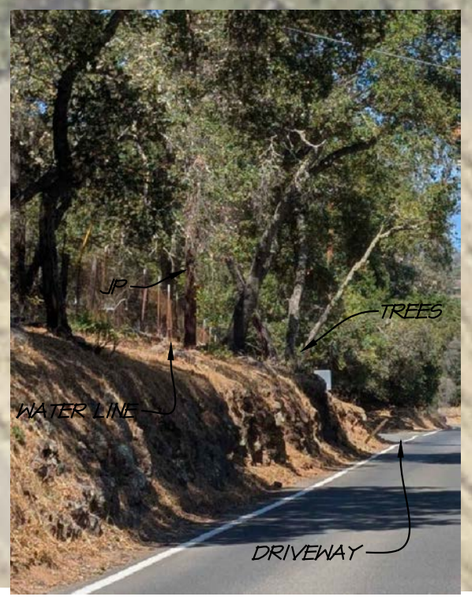
(E) TREES

Cut slope shown is schematic and approximate. Actual extent of cut would depend on cut slope steepness approved by Geotechnical Engineer and County of Napa Public Works

(E) 12" CULVERT PIPE

JP

(E) DRAINAGE DITCH





REGISTERED PROFESSIONAL ENGINEER
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Exp. 6-30-[illegible]
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STATE OF CALIFORNIA

GRAPHIC SCALE

20' 20'

(IN FEET)

1 INCH = 20 FT

SHEET 2 OF 2

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BREMER FAMILY WINERY - OPTION 2
WIDENING TO EAST AND WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA





FENCE

20'-0"

2:1 CUT

SEE SHEET 2 FOR CONTINUATION

APPROX 10' OF CUT

1' SHOULDER

2:1 CUT

10'-0"

APPROX 5' OF CUT

STOP

1' SHOULDER

12'

8'

12'

HISTORIC STONE MAIL BOX

COUNTY OF NAPA P-2 ENTRANCE

JP

30' REQUIRED GATE SETBACK

2:1 FILL

1' SHOULDER

JP

JP

FH

1' SHOULDER

11'

12'

11'

12'

WATER VALVE W/ RISERS

TRANSFORMER

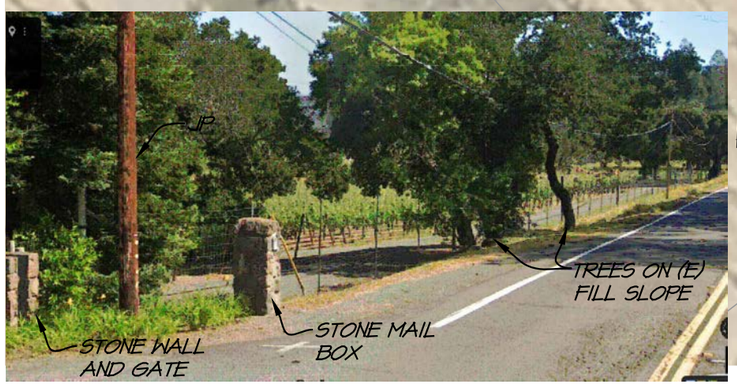
HISTORICAL STONE WALL AND GATE

20'

35'

90'

Cut and fill slope shown is schematic and approximate. Actual extent of cut and fill would depend on slope steepness approved by Geotechnical Engineer and County of Napa Public Works



REGISTERED PROFESSIONAL ENGINEER
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Exp. 6-30-27
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STATE OF CALIFORNIA

GRAPHIC SCALE

20' 20'

(IN FEET)
1 INCH = 20 FT

RSA+
1515 FOURTH STREET
NAPA, CALIF. 94559
OFFICE|707|252.3301
+ www.RSAcivil.com +

RSA+| CONSULTING CIVIL ENGINEERS + SURVEYORS + est. 1980

NOVEMBER 21, 2025 4119005.0 Exh UP-LTL- Constrnts

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BREMER FAMILY WINERY - OPTION 2
WIDENING TO EAST AND WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA

(E) WATER MAIN ABOVE GROUND AT TOP OF SLOPE

JP

(E) TREES

2:1 CUT

10'-0"

(E) TREES

approx 5' high slope

CONFORM

(E) DRIVEWAY

JP

2:1 CUT

10'-0"

APPROX 5' OF CUT

(E) DECELERATION LANE

SEE SHEET 1 FOR CONTINUATION

JP

(E) TREES

2:1 FILL

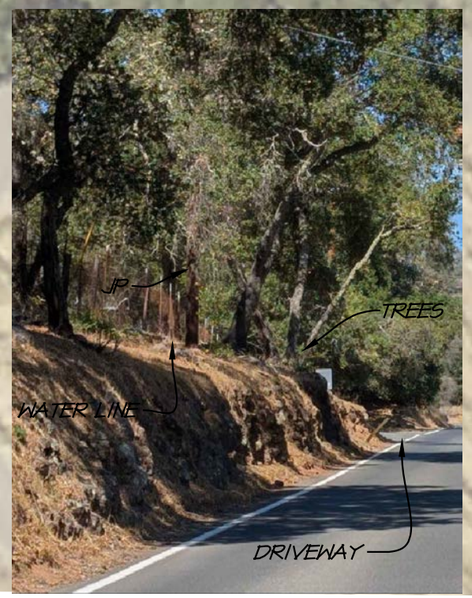
Cut and fill slope shown is schematic and approximate. Actual extent of cut and fill would depend on slope steepness approved by Geotechnical Engineer and County of Napa Public Works

(E) 12" CULVERT PIPE

JP

2:1 FILL

(E) DRAINAGE DITCH





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BRUCE WILLIAM FENTON
No. 77855
Exp. 6-30-27
CIVIL ENGINEER
STATE OF CALIFORNIA

GRAPHIC SCALE

20' 20'

(IN FEET)
1 INCH = 20 FT

SHEET 2 OF 2

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NOVEMBER 21, 2025 4119005.0 Exh UP-LTL- Constrnts

R:\2019\4119005.0_Bremer_Winery_Use_Permit_Modification\DESIGN (DESIGN 3D)\Exhibits\Exh UP-LTL- Constraints-2.dwg 11/21/2025

From:	Andrea Matarazzo
To:	Lederer, Steven; Bordona, Brian
Cc:	Trippi, Sean; Anderson, Laura; Christian Smit; Jean Seaton; Kazmi, Syed Ahsan
Subject:	RE: P22-0006 Bremer Family Winery Major Modification, 975 Deer Park Road, St. Helena -- RSS Exception Request
Date:	Friday, December 12, 2025 3:07:39 PM
Attachments:	image001.png P22-00086 Bremer Family Winery RSS Exception Request Updated Constraints Exhibit.pdf P22-00086 Historic Resources_Story - Ballentine Vineyards.pdf P22-00086 Historic Resources_Bremer Family Winery - The Napa Wine Project.pdf

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[External Email - Use Caution]

Good afternoon, Steve.

We appreciate your questions and prompt review. Regarding the site visit, are you available during any of the following times next week?

- Wednesday 12/17: until 11am
- Thursday 12/18: all day

In response to your questions:

1. Construction would extend beyond the County ROW

    - Attached please find the updated Constraints Exhibit, which shows the approximate 60' County ROW. Under both Options 1 and 2, construction would extend outside the County ROW.
    - Under Option 1, construction would extend beyond the County ROW on the west side of Deer Park Road (i.e., along Cut Slope No. 1).
    - Under Option 2, construction would extend beyond the County ROW to both the east and the west.

2. Evidence Regarding Historic Stone Wall and Mailbox

    - Please see pages 55-57 of the PDF submitted on November 26, 2026 , which include pictures of the stone gate and mailbox.
    - For further documentation regarding the construction of the existing stone gate and mailbox between 1922 and 1933 by John Ballentine as discussed on page 24 of our letter, please see the following articles (attached):
        - The Napa Wine Project, *Bremer Family Winery*, https://www.napawineproject.com/bremer-family-winery/ ["But the Leuenberger's original winery in Deer Park was sold and went through several owners including John Ballentine (same family who operates Ballentine

Vineyards) who purchased the site in 1922 and reopened operations after the repeal of Prohibition in 1933"].

- Ballentine Vineyards, *History: 1910-1914, John J. Ballentine*, https://www.ballentinevineyards.com/story/ ["In 1922, John purchased the old Sutter Home Winery . . . on Howell Mountain. . . . He renamed it Ballentine's Deer Park Winery. . . .John was among the first to apply for a winery bond when prohibition was repealed in 1933. . . . During this time, John Ballentine was the first to suggest to Robert Mondavi that their family should consider reviving Charles Krug's pioneer stone winery," similar to how Mr. Ballentine revived the historic stone Sutter Home Winery].

3. Infeasibility of Relocating Distribution Joint Pole

- This impact statement is based on the complexity of moving the distribution joint pole. It should also be noted that the cost of installing a duplicate system and then reenergizing/reconnecting would be very expensive in this instance, particularly for power. While "[m]onetary hardship alone shall not be considered as a basis for an exception," these monetary impacts are directly related to the material physical site limitations that should be accommodated. (Napa County RSS, Section 3(d), (e).)
- See PDF at pages 23 and 52.

4. Infeasibility of Relocating HMMWC Pipe Line

- The water line is on top of a cut slope that would be graded. (Pages 28, 30, 45-46 of PDF submittal.) Therefore, routing the water line underground of its current location is not an option. However, even if it were, it would not be feasible to do so because routing the pipe under solid rock formations for approximately 200 feet cannot realistically be accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.
- If a left-turn lane were constructed, it would not be feasible to move the water line into the travel lane. We understand that due to the substantial grading required, the pipe would have to be placed at least 3.5 feet underground, which would be expensive, require coordination with HMMWC, and result in further roadway disturbance and disruptions and is therefore infeasible due to economic, environmental, social, and technological factors.
- It is not feasible to put the water line on the other side of the road. This would require the water line to be routed below Deer Park Road twice to reconnect with the existing water line. Due to economic, environmental, social (e.g., roadway disruptions), and technological factors, this extensive construction would not be feasible.

Thank you again for your careful consideration and review. Please let me know if you have any further

questions.
Andrea

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From: Lederer, Steven <Steven.Lederer@countyofnapa.org>
Sent: Friday, December 5, 2025 4:13 PM
To: Andrea Matarazzo <Andrea@matarazzolaw.net>; Bordona, Brian <Brian.Bordona@countyofnapa.org>
Cc: Trippi, Sean <Sean.Trippi@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Christian Smit <Christian@matarazzolaw.net>; Jean Seaton <Jean@matarazzolaw.net>; Kazmi, Syed Ahsan <SyedAhsan.Kazmi@countyofnapa.org>
Subject: RE: P22-0006 Bremer Family Winery Major Modification, 975 Deer Park Road, St. Helena -- RSS Exception Request

Andrea,
Thank you for a thorough and well-organized submittal. It touches most of the bases, but I do have a few questions, and then I would suggest we meet on site to wrap up the evaluation.

1. The request indicates that construction of the left turn lane (LTL) would require entry onto private property. The more relevant question is whether construction would extend outside the county ROW. Can your civil please update the drawings for options 1 and 2 to show the ROW lines?
2. The proposal states the rock walls and mailbox structure are 100 years old and are therefore historic but does not provide any supporting evidence as to these statements. To be clear, I am not asking for a full-blown historical study, just some evidence (pictures, references in a book, or something similar), that supports the above statement of age/historical significance.

3. The request states that moving the utility poles would disrupt telecommunications service in the area. Can you provide supporting evidence for this claim? In my experience utility poles are often moved and rarely is service disrupted.
4. The request states that moving the HMMWC pipe line is not "feasible". Why is that so?

If these answers are already in your request and I missed it, my apologies. Just point me in the right direction.

My schedule is not ridiculously full between now and 12/23, so if we can get expeditious answers to these questions, and then can find a good day to meet, I should be able to provide a response within 2 weeks of the site visit.

Steve

From: Andrea Matarazzo <Andrea@matarazzolaw.net>
Sent: Wednesday, November 26, 2025 2:33 PM
To: Bordona, Brian <Brian.Bordona@countyofnapa.org>; Lederer, Steven <Steven.Lederer@countyofnapa.org>
Cc: Trippi, Sean <Sean.Trippi@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Christian Smit <Christian@matarazzolaw.net>; Jean Seaton <Jean@matarazzolaw.net>
Subject: P22-0006 Bremer Family Winery Major Modification, 975 Deer Park Road, St. Helena -- RSS Exception Request

[External Email - Use Caution]

Good afternoon!

As set forth in the attached letter and supporting exhibits, in connection with application No. P22-00086, the Bremer Family Winery
respectfully requests an exception to the County's left-turn lane warrant requirement established by Section 17 of the Napa County Road and Street
Standards.

We appreciate your time and consideration. Please let me know if you have any questions or require additional information in support of the Winery's request.

Thank you, and have a wonderful Thanksgiving.
Andrea

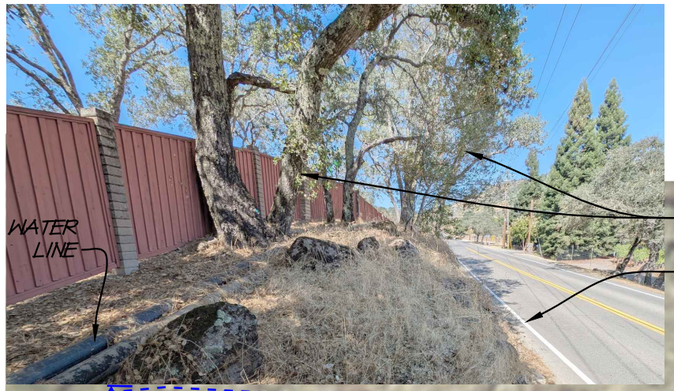
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BREMER FAMILY WINERY - OPTION 1
WIDENING TO WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA





FENCE AND TREES AT TOP OF (E) CUT SLOPE

(E) SHOULDER WIDTH

APPROX LOCATION OF (E) WATER MAIN ABOVE GROUND AT TOP OF SLOPE

FENCE

20'-0"

2:1 CUT

APPROX 10' OF CUT

1' SHOULDER

12'

8'

12'

1' SHOULDER

60' RIGHT OF WAY

2:1 CUT

10'-0"

APPROX 5' OF CUT

STOP

Cut slope shown is schematic and approximate. Actual extent of cut would depend on cut slope steepness approved by Geotechnical Engineer and County of Napa Public Works

11'

12'

11'

12'

1' SHOULDER

1' SHOULDER

SEE SHEET 2 FOR CONTINUATION

HISTORIC STONE MAIL BOX

COUNTY OF NAPA P-2 ENTRANCE

35.3' EXISTING, 30' REQUIRED GATE SETBACK

UP

UP

UP

FH

WATER VALVE W/ RISERS

TRANSFORMER

HISTORICAL STONE WALL AND GATE

20'

35'

90'

Boundary is not from a Boundary Survey. Boundary information including Right of Way is only approximate and is based on record information and Assessors Map.



REGISTERED PROFESSIONAL ENGINEER
BRUCE WILLIAM FENTON
No. 77159
CIVIL ENGINEER
STATE OF CALIFORNIA

GRAPHIC SCALE

20' 20'

(IN FEET)
1 INCH = 20 FT

SHEET 1 OF 2

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BREMER FAMILY WINERY - OPTION 1
WIDENING TO WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA

Boundary is not from a Boundary Survey. Boundary information including Right of Way is only approximate and is based on record information and Assessors Map.

APPROX LOCATION OF (E) WATER MAIN ABOVE GROUND AT TOP OF SLOPE

(E) TREES

(E) TREES

JP

2:1 CUT

10'-0"

approx 5' high slope

60' RIGHT OF WAY

CONFORM

(E) DRIVEWAY

JP

2:1 CUT

10'-0"

APPROX 5' OF CUT

(E) DECELERATION LANE

SEE SHEET 1 FOR CONTINUATION

JP

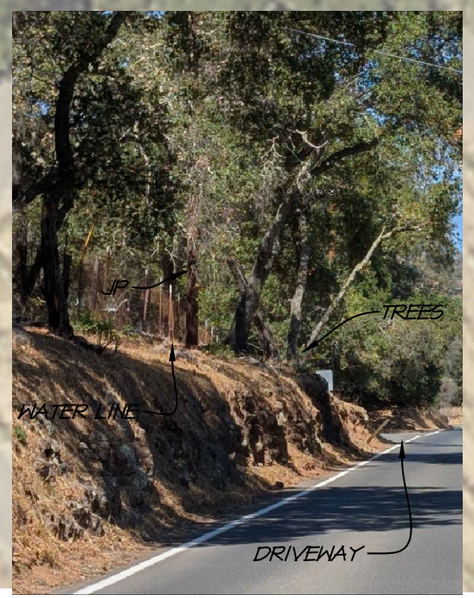
(E) TREES

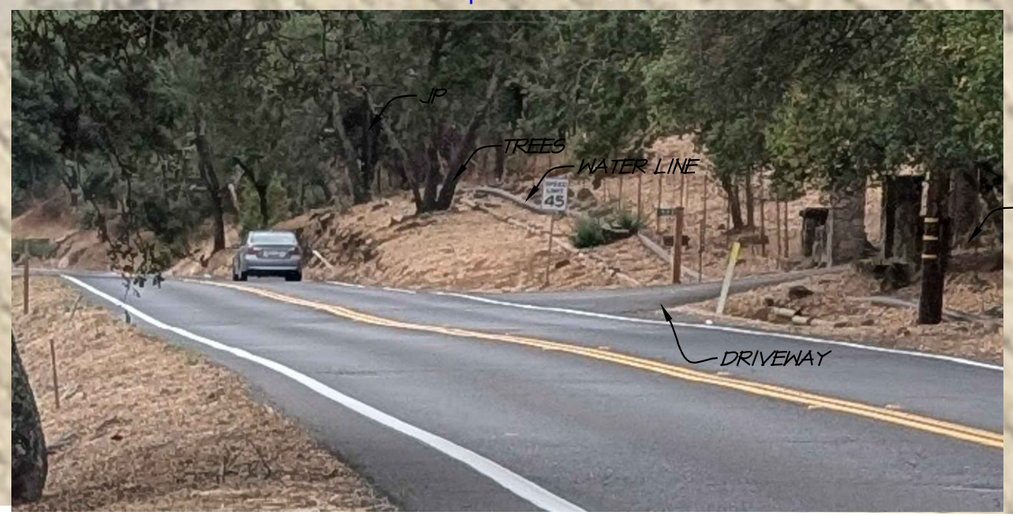
(E) 12" CULVERT PIPE

JP

(E) DRAINAGE DITCH

Cut slope shown is schematic and approximate. Actual extent of cut would depend on cut slope steepness approved by Geotechnical Engineer and County of Napa Public Works





REGISTERED PROFESSIONAL ENGINEER
BRUCE WILLIAM FENTON
No. 77859
Exp. 6-30-27
CIVIL ENGINEER
STATE OF CALIFORNIA

GRAPHIC SCALE

20' 20'

(IN FEET)
1 INCH = 20 FT

SHEET 2 OF 2

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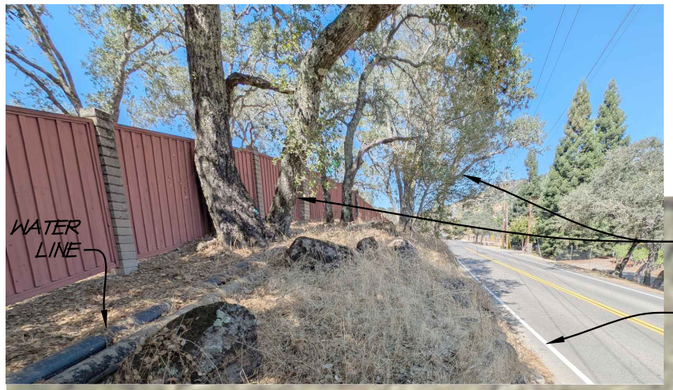
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BREMER FAMILY WINERY - OPTION 2
WIDENING TO EAST AND WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA





FENCE AND TREES AT TOP OF (E) CUT SLOPE

(E) SHOULDER WIDTH

APPROX LOCATION OF (E) WATER MAIN ABOVE GROUND AT TOP OF SLOPE

FENCE

20'-0"

2:1 CUT

SEE SHEET 2 FOR CONTINUATION

APPROX 10' OF CUT

1' SHOULDER

2:1 CUT

10'-0"

APPROX 5' OF CUT

STOP

1' SHOULDER

12'

8'

12'

60' RIGHT OF WAY

HISTORIC STONE MAIL BOX

COUNTY OF NAPA P-2 ENTRANCE

11'

12'

11'

12'

2:1 FILL

1' SHOULDER

JP

30' REQUIRED GATE SETBACK

JP

JP

FH

1' SHOULDER

WATER VALVE W/ RISERS

TRANSFORMER

HISTORICAL STONE WALL AND GATE

20'

35'

90'

Cut and fill slope shown is schematic and approximate. Actual extent of cut and fill would depend on slope steepness approved by Geotechnical Engineer and County of Napa Public Works

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REGISTERED PROFESSIONAL ENGINEER
BRUCE WILLIAM FENTON
No. 77859
Exp. 3-31-27
CIVIL ENGINEER
STATE OF CALIFORNIA

GRAPHIC SCALE

20' 20'

(IN FEET)
1 INCH = 20 FT

SHEET 1 OF 2

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BREMER FAMILY WINERY - OPTION 2
WIDENING TO EAST AND WEST
LEFT TURN CONSTRAINTS EXHIBIT

NAPA COUNTY CALIFORNIA

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2:1 CUT

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approx 5' high slope

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60' RIGHT OF WAY

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2:1 CUT

10'-0"

APPROX 5' OF CUT

(E) DECELERATION LANE

SEE SHEET 1 FOR CONTINUATION

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2:1 FILL

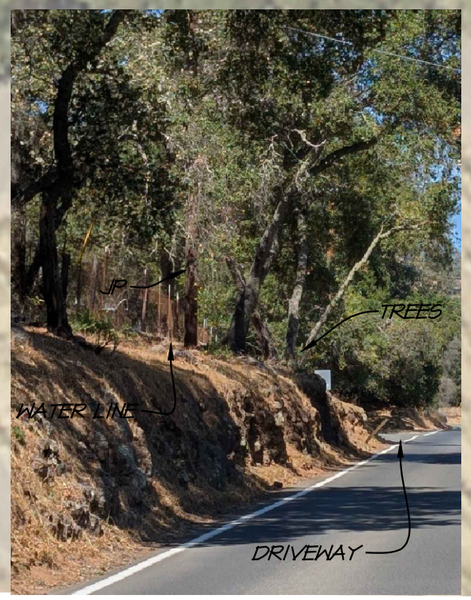
(E) TREES

(E) 12" CULVERT PIPE

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JP

(E) DRAINAGE DITCH





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REGISTERED PROFESSIONAL ENGINEER
BRUCE WILLIAM FENTON
No. 71859
Exp. 6-30-27
CIVIL ENGINEER
STATE OF CALIFORNIA

GRAPHIC SCALE

20' 20'

(IN FEET)
1 INCH = 20 FT

SHEET 2 OF 2

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The Ballentine Legacy

Family History Team

Where Our Story Begins

Founded in 1905 and deeply rooted in Napa Valley, Ballentine Vineyards is more than a winery; it's a celebration of a century-old heritage. As a multigenerational, family-owned and operated winery, we pride ourselves on being an enduring symbol of quality, sustainability, and authenticity in Napa Valley.

1883-1895 1905-1912 **1910-1924** 1923 - 1935 1926-1950



John J. Ballentine

First Generation

John J. Ballentine, Frank Ballentine's paternal grandfather, was an immigrant from O in Northern Ireland's Tyrone County who came to America at 26 years old by way c Columbia steamship from Glasgow to New York. He headed West and settled in S Francisco. John worked as an auto mechanic and chauffeur when he married his f wife, Marie Carrere, a French dressmaker, in 1914. They had two children, Lorraine (and Robert (1918), whom they raised in St. Helena and remained in the Bay Area fo rest of their lives. In 1922, John purchased the old Sutter Home Winery from Mass and Adelina Ferrero on Howell Mountain. For $7,150.00 in gold coins, the Ballentir acquired 160 acres of land, winemaking equipment, a mule, a horse, two cows, a d and a half chickens, and hay in the barn. He renamed it Ballentine's Deer Park Win after his family's cattle ranch and dairy farm in Ireland. In 1923, his beloved wife M passed away.

The Fourth Generation

Frank Ballentine

The son of Van and Betty Ballentine, Frank Ballentine has seamlessly blended his passion for wine with business acumen, crafting his own major at UC Davis, crowning his academic achievements with an MBA at Fresno State, and continually augments his expertise through executive management programs at Stanford and Harvard. After college, Frank was a winemaker in the San Joaquin Valley and Fresno. Transitioning from winemaking to food manufacturing and distribution, Frank held senior roles at Odwalla during its meteoric growth and currently serves as the President and CEO of GreenLeaf for 25 years, a prominent purveyor of high-quality produce and specialty products. In all of these pursuits, Frank has ceaselessly sought best practices to elevate his family business.

In 2012, Frank joined forces with his aging parents to oversee the Ballentine Vineyards. Here, he rekindled his love for the land and the intricate science of vineyard management with his wife Linda and children Ryan and Audrey by his side. Collaborating closely with Winemaker Bruce Devlin, a shared vision emerged.



"Walking through the vineyards right before harvest is my favorite time. You can begin to see if your hard work is paying off with the promise of some great wines."

~ Frank Ballentine, fourth generation

For the past decade, Frank and Bruce have embarked on a continuous journey of experimentation with our 100+-year-old vineyards, unlocking their perpetual potential to craft new, exceptional wines annually. Our commitment to sustainability reflects not only a responsibility to the land but also a dedication to embracing the evolving dynamics of the wine industry. As we move forward, we honor our past to shape a future that mirrors the enduring legacy of the Ballentine family, spanning nearly 120 years in Napa Valley.

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The Official Wine Club of the Napa Wine Project!

Your personal membership to the finest Napa Valley artisan wineries.

LEARN MORE

Bremer Family Winery

Review by Dave — 2 Comments

Quick Info

Bremer Family Winery
975 Deer Park Road, St. Helena, CA 94574
Phone: 963-5411

www.bremerfamilywinery.com

Hours: 10-5pm daily

Open to Public: No

Appointments: Yes

Regular Tours: No







Bremer Family Winery is a historic winery located on Deer Park Road just minutes from the Silverado Trail and Napa Valley on the slopes of Howell Mountain near the small community of Deer Park. This was the 200th Napa winery that we visited as part of our research for Napa Wine Project; we have since completed more than 1,100 visits, tastings and extensive written reviews of Napa Valley based wineries/producers. The winery building dates from 1891 and is located adjacent to the original stone cellar. The cellar was built into the side of the hill in order to keep aging wines cool and it remains very pleasant even on hot summer days.

For such an "unassuming winery" this property has a rich and often confusing historical background due to names and ownership transitions. In regard to wine growing, the story begins with John and Jacob Sutter; by 1884 John Sutter (no relation to the namesake of Sutter's Fort) owned 20 acres of land on what is now in the Howell Mountain sub appellation. Just like today's contemporary wine scene, heirs often get into the wine business. Such was the case with his daughter Caroline (often referred to as Lina) and her husband Emile Leuenberger. In 1891 they purchased land near what is now the tiny community of Deer Park and much later the site of today's Bremer Family Winery.

The Leuenberger's soon built a winery here and called it Sutter Home, named in honor of Caroline's father. Five years after building this winery, they also founded Sutter Home Winery and Distillery in San Francisco and is where they blended and bottled wines made from grapes from their Napa Valley property.

The April 1906 San Francisco earthquake & subsequent fire destroyed their business. Moving their blending and bottling operations to Napa Valley later that same year, they purchased the old Thomann Winery and Distillery just south of St. Helena. Already well established with the name Sutter Home, they immediately renamed their St. Helena property to Sutter Home and prominently painted the name of the winery across the roof of the winery building. It was the Trinchero family who acquired their St. Helena property in the late 1940s and kept the name Sutter Home which they continue to operate today.

But the Leuenberger's original winery in Deer Park was sold and went through several owners including John Ballentine (same family who operates Ballentine Vineyards) who purchased the site in 1922 and reopened operations after the repeal of Prohibition in 1933. He made wines here under the name Deer Park Winery until the 1950s; the Ballentine family eventually sold the property in the late 1970s. Proprietor Bill Ballentine of William Cole Vineyards in St. Helena told us he remembers part of his childhood was spent roaming this property.

After several more owners, winemaking resumed in 1979 headed by winemaker David Clark who began using the property again.





Bremer Family Winery is owned by proprietors John and Laura Bremer; they purchased the site in 2002 and changed the name of the winery at that time. John and Laura used to visit Napa Valley quite often over a span of about 25 years. One day, Laura remarked, "I want to do whatever it takes to never leave this valley" which became the impetus for starting this winery. John used to be involved in mining operations in Southern California including for US Mine Corp and several cement companies, was president of Recy Inc., a sludge composting facility in Corona, CA and was also CEO of Riverside, CA based GroWest Nursery on Growest Ave, now home to Moon Valley Nursery. In Napa, the Bremers were also founding partners of Fumé Bistro & Bar.

The cellar was originally built for smaller production levels in the late 1800s; from 2008 through 2012 the Bremer's drilled a wine cave. The cave encompasses 17,000 square feet which is more than ample space for their extended aging programs and for the most part eliminates the need to stack barrels. Their current production typically ranges between 3,000 and 4,000 cases each year. In 2020, the year of terrible fires, they only produced about 1,000 cases.

While situated below the minimum 1,400-foot elevation of nearby Howell Mountain this site at about 900 feet is just as rocky as a number of Howell Mountain vineyards we have visited. An example of the type of rock can be seen in a side tunnel in the cave which is not covered in gunnite. Thick volcanic compressed ash called tufa runs from the bottom of this section of the cave to the top and during particularly rainy winters, water flows out of this rock into the cave.

In 2020 an application was submitted to the TTB (the branch of the U.S. government that oversees the alcohol industry) to create a new sub appellation within Napa Valley called Crystal Springs. Approved on October 16, 2024, Bremer Family Winery is located within this appellation.

This estate property at the time of their purchase was 47 acres; today 9 acres are planted to vine (Cabernet Sauvignon, Cabernet Franc, Zinfandel and Merlot). The Bremer's also own several vineyards on Howell Mountain including off of Las Posadas Road which is a very historical part of Howell Mountain within La Jota Ranch. Total land under their ownership are 110 acres.

On hot days stepping inside the cellar, one will be amazed at how much colder it is inside, as the entrance to their cave is from within the old cellar. Several tasting tables are setup inside the cellar or if weather permits, visitors can taste outside at one of the tables under one of their stately oak trees next to the small and scenic seasonally running creek. This is a long way from some of the noisy, crowded tasting rooms in downtown Napa on Fridays and Saturdays in particular. Visits are personable, casual and unscripted. This picturesque property features a bocce ball court and beautifully landscaped grounds.

Towards the end of a tasting, visitors are accompanied into the cave passing by a number of old wine making pieces of equipment lining the wall at the cave entrance. These devices were used at one point for filtering, bottling and other niche uses. And still filled bottles labeled Deer Park Winery are also on display here as an homage to the former owners.

Bob Boland (who we first met with) has been Bremer Family Winery's winemaker since they purchased the property; after more than two decades, he is now among some of Napa Valley's longest tenured winemakers at one property. The first vintage bottled under Bremer Family Winery was from 2000 crafted from wines already in barrel prior to the Bremer purchase.

Select Wines

All of the Bremer Family wines are very much hand crafted; winemaker Bolan used to make wine for at least one other small Howell Mountain producer; today his primary focus is on Bremer Family Winery along with his own small Pinot Noir brand, cleverly named: Bob Bolan Wines.





Their wine making philosophy is one of patience. Their Chardonnay often sees close to 2 years in barrel. Red wines made here are typically aged up to 30 months in barrel with an additional 3 years in the bottle before being released; this is significantly longer than most wineries. These are balanced and approachable bottlings upon release. One wine made available to their wine club was 9 years old at the time of its release, a classic example of the sometimes used phrase, "no wine before its time". Blending decisions often take several months. Bremer Family makes 8 to 12 different types of wines each year.

Whites

The 2020 Bremer Family Winery Chardonnay was aged in 100% oak barrels for 18 months of which 1/3 was in new French oak. It went through full malolactic fermentation but is not a 'buttery' bottling. This wine is medium to deep gold in color; the bouquet is sweetly fruited and offers attractive aromatics of butterscotch, honeycomb, pineapple, apricot, a subtle toasted oak note, dried straw and some tropical florals including jasmine. This highly flavorful bottling features a perceived sweetness of fruit on the palate including notes of apricot, yellow peach and pineapple. There is also pear, white nectarine and some tropical notes including mango, papaya and guava. The palate offers a lightly creamy but not viscous texture which is complemented nicely with a bright acidity. This wine finishes with a lingering note of Golden delicious apple.

The 2012 Bremer Family Chardonnay shows intense tropical aromas including of honeysuckle as well as ripe melon and a graphite/minerality nuance. This is followed by a palate which is creamy with a noticeable velvety softness. The finish is clean, lively and rich. This wine is well-layered and drinks beautifully by itself.

Reds

The 2013 Bremer Family Napa Valley Zinfandel (tasted 10 years post vintage) is medium garnet in color; the bouquet offers a diversity of aromas including most which have become tertiary. It reveals scents of of black licorice, old leather, mushroom, bramble, tobacco spice, cooked blackberry, raspberry, lightly toasted bread, dried berries and deeper in the aromatic layering, notes of mocha and espresso. This wine shows flavors of red plum, cherry, dried cranberries, currants and raspberries. It offers plenty of brightness on the finish, mostly red fruited along with fine-grained rounded tannins and light drying but persistent character. The long and somewhat savory finish continues to produce flavor for quite some time and is accompanied by a note of crushed black pepper. This wine still a few years of life ahead of it, but we would drink it sooner than later. And it would pair well with pepperoni pizza or red meat on the BBQ.

Some of their older Cabernet Sauvignons in particular develop well after aging for a few years; these bottlings feature smooth and velvety mouth feels with a pleasing balance between texture, flavor, and acidity. The 2016 Bremer Family Napa Valley Cabernet Sauvignon is a blend of 93% Cabernet Sauvignon, 6% Cabernet Franc and 1% Petit Verdot. This wine shows very nicely at the time of our tasting 7 years post vintage and was their current release. This bottling is deep ruby; the bouquet offers a ripe sweetly fruited bouquet with notes of chocolate, Graham Cracker and mocha along with aromas of dark plum, blackberry, boysenberry and dark cherry. These aromatics are somewhat mirrored on the palate with a perception of ripe fruits along with licorice, chocolate and a savory and slightly dusty finish including flavors of tobacco spices. The tannins are lightly textured and are well-integrated. This wine drinks wonderfully by itself.

The 2015 Bremer Family Claret is a blend of 54% Cabernet Franc, 40% Cabernet Sauvignon and 6% Merlot. This wine is deep ruby in color; the bouquet is immediately spicy with notes of sweet tobacco







and dried herbs along with ripe Santa Rosa plum and chocolate. The focus here is clearly on the fruit with the barrel aging providing subtle complementary characteristics both on the bouquet and the palate. This is a balanced and easy drinking red wine that offers flavors of plum, blackberry and dark cherry. The lightly grainy tannins are felt more on the front of the palate than the finish. This wine lingers slightly savory accompanied by bright red fruits.

Not many Napa Valley based wineries make port, but Bremer produced for at least one vintage, a white port-style wine (Muscat grapes) and during certain years, a very limited red port-style wine, primarily made from Cabernet Sauvignon grapes. The 2010 Bremer Family Port (tasted 13 years post vintage) is medium garnet in color; the intense bouquet offers a rich union of dessert and baking spices including toffee, caramel, brown sugar, rum raisin, molasses, Bailey's Irish coffee, clove, cardamom, mocha and brown chocolate. But there is plenty of fruit here still including ripe blackberry, boysenberry and a dark cherry liqueur. Smelling this olfactory orgasm reminded us of walking into winemaker Dick Peterson's Christmas tree barn next to his Christmas tree farm on Darms Lane in Yountville many years ago and sampling cider and holiday cookies. Sometimes aromatics can trigger strong feelings of nostalgia. Equally as intense on the palate, this wine delivers flavors of blackberry, boysenberry jam, dark slightly overripe cherries, black chocolate, brown sugar, cardamom and cloves. This wine's sweetness is tempered somewhat with its bright acidity. It was fortified mid fermentation with Germain Robin brandy. This is 'sailboat wine' or cold winter evenings cuddled on a couch around a wood-burning fire kind of wine.

The 2009 Bremer Family Merlot shows sweet aromatics with notes of baking spice including cinnamon, mocha and toffee. The sweetness of aromas continues onto the palate with a sweetness of fruit (no residual sugar) and flavors of ripe blackberry and plum. This is not a light Merlot; it delivers a complexity and richness of flavor. The finish features moderately gripping tannins.

Bremer Family also produced *Austintatious* for a few years, a wine named after John and Laura's son Austin (a unique red varietal blend).

—-

Bremer Family maintains a fairly extensive library collection of bottlings for sale with vintages available up to 20 years old including a number of large format wines. To have a library collection available like this is a a rarity among Napa Valley based wineries. Other than a very limited placement at Carpe Diem Restaurant in Napa the wines are sold direct to consumer through visits, their website and their wine club. For more information, to schedule a visit to the winery (children and pet friendly) or to join their wine club, visit: www.bremerfamilywinery.com

Property

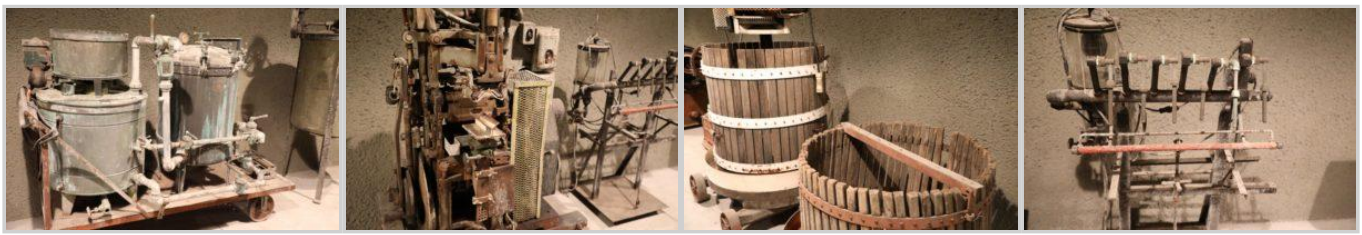


Cave/Winery





Old Winemaking



“G”

Water Availability Analysis & HMMWC Water Service Letter

Bremer Family Winery (P22-00086)
Planning Commission Hearing – May 6, 2026

WATER AVAILABILITY ANALYSIS

BREMER FAMILY WINERY
975 DEER PARK ROAD
ST. HELENA, CA

APN 021-400-002 AND 021-420-027



Property Owner:

John and Laura Bremer
975 Deer Park Road
St. Helena, CA 94574

Project # 4119005.0
July 12, 2024

I. Executive Summary

The Bremer Winery is applying for a Use Permit Modification to:

(1) Increase production from 15,000 gallons per year to 50,000 gallons per year;

(2) Increase the annual number of visitors from 3,600 persons to 12,500 persons, with no change to the daily maximum of 70 visitors;

(3) Increase marketing events to two (2) annual events with 100 guests, three (3) annual events with 50 guests, and two (2) annual events with 25 guests. Daily visitors on event days as below:

   i. On 100 guest event days, 25 daily visitors.

   ii. On 50 guest event days, 20 daily visitors.

   iii. On 25 guest event days, 45 daily visitors.

   iv. During production in the barrel room, there will be no visitation or events in the barrel room.

(4) Increase staff from four (4) full-time and two (2) part-time, to eight (8) full-time and two (2) part time employees.

(5) Allow on-site consumption pursuant to AB 2004

(6) i. To improve safety, an additional driveway connection and 9 new parking stalls

   ii. To utilize state-of-the-art environmental processes, replace existing conventional commingled wastewater system with separate and domestic wastewater treatment systems.

There are no other proposed modifications or construction.

This report demonstrates that the existing water system is clearly capable of providing the required water per year.

Below is a summary of the existing and proposed water use. Detailed calculations can be found on the next page.

Usage Type	Existing Usage [af/yr]	Proposed Usage [af/yr]
Vineyard		
Irrigation – Well	2.73	2.34*
Landscaping	2.80	2.80
Total Well Use	**5.53**	**5.14**
Winery		
Process Water	0.23	0.77
Domestic Water	0.11	0.25
Residential	0.36	0.36
Total Domestic and Process Water Use (From Howell Mountain Mutual Water Company)	**0.70**	**1.38**
Totals (Acre-ft per Year)	**6.23**	**6.52**
Estimated Water Recharge Rate (Acre-ft per Year)	**23.75**	**23.75**

*0.35 af/yr of treated process wastewater will be used for vineyard irrigation

The winery uses water from Howell Mountain Mutual Water Company for process and domestic water. The residences also use water from Howell Mountain Mutual Water Company. Well water is used for vineyard and landscape irrigation. The well is located on APN 021-400-005. There is an existing water supply line from this parcel per an Erosion Control Plan (Trenching Plan) approved by County of Napa on April 10, 2013, in addition to Department of Public Works Encroachment Permit #10273. The Erosion Control Plan Permit number is P11-00317.

The proposed modifications for the Bremer Family Winery project will result in a reduction in the annual use of groundwater from the well of 0.39 af/yr (5.53 af/yr to 5.14 ac/yr). The annual usage of water from Howell Mountain Mutual Water Company will increase by 0.68 af/yr (0.70 af/yr to 1.38 af/yr).

Total water usage will increase slightly by 0.29 af/yr (6.23 af/yr to 6.52 af/yr). Total Water Use of 6.52 af/yr is significantly less than the estimated groundwater recharge rate for the parcel of 23.75 af/yr.

II. Groundwater Use Calculation

Existing Residential Water Demand				
Farm House Residence – (80 gallons/bedroom x	3	bedrooms) =	0.27	af/yr
Second Dwelling Unit – (80 gallons/bedroom x	1	bedrooms) =	0.09	af/yr
Existing Vineyard Irrigation and Landscaping Water Demand				
Vineyard – Irrigation from well – (0.67 af/ac-yr x	4.07	acres vineyard) =	2.73	af/yr
Landscape – Irrigation from well – (2.95 af/ac-yr x	0.95	acres landscape) =	2.80	af/yr
Existing Winery Process Water Demand				
Process Water – (5-gal water / 1 gallon wine x	15,000	gal wine/year) =	0.23	af/yr
Existing Winery Domestic Water Demand				
FT Employees – (15 gal/person/day x 260 days/yr x	4	employees/day)	0.05	af/yr
PT Employees – (15 gal/person/day x 260 days/yr x	2	employees/day)	0.02	af/yr
Average Visitors – (3 gal/person/day x 52 weeks/yr x	3,600	visitors/year) =	0.03	af/yr
Marketing Events – (25 visitors @ 10 gal/guest x	6	days/yr) =	0.00	af/yr
		Total =	0.11	af/yr
Total Existing Water Demand		**Total =**	**6.23**	**af/yr**
Proposed Residential Water Demand				
Farm House Residence – (80 gallons/bedroom x	3	bedrooms) =	0.27	af/yr
Second Dwelling Unit – (80 gallons/bedroom x	1	bedrooms) =	0.09	af/yr
Proposed Vineyard Irrigation and Landscaping Water Demand				
Vineyard – Irrigation from well – (0.67 af/ac-yr x	4.01	acres vineyard)	2.69	af/yr
Vineyard – Irrigation from treated PWW			-0.35	af/yr
Landscape – (no change from existing) =			2.80	af/yr
Proposed Winery Process Water Demand				
Process Water – (5-gal water / 1 gallon wine x	50,000	gal wine/year) =	0.77	af/yr
Proposed Winery Domestic Water Demand				
FT Employees – (15 gal/person/day x 260 days/yr x	8	employees/day)	0.10	af/yr
PT Employees – (15 gal/person/day x 260 days/yr x	2	employees/day)	0.02	af/yr
Average Visitors – (3 gal/person/day x 52 weeks/yr x	12,500	visitors/year) =	0.12	af/yr
Marketing Events – (100 visitors @ 10 gal/guest x	2	days/yr) =	0.01	af/yr
Marketing Events – (50 visitors @ 10 gal/guest x	3	days/yr) =	0.00	af/yr
Marketing Events – (25 visitors @ 10 gal/guest x	2	days/yr) =	0.00	af/yr
		Total =	0.25	af/yr
Total Proposed Water Demand		**Total =**	**6.52**	**af/yr**

ANNUAL GROUNDWATER RECHARGE RATE

BREMER FAMILY WINERY
975 DEER PARK ROAD
ST. HELENA, CA

APN 021-400-002 AND 021-420-027



Prepared for:

John and Laura Bremer
975 Deer Park Road
St. Helena, CA 94574

Project # 4119005.0
July 12, 2024

1515 Fourth Street, Napa, CA 94559 www.rsacivil.com 707.252.3301.v 707.252.4966.f

INTRODUCTION

The Bremer Winery is applying for a Use Permit Modification to:

(1) Increase production from 15,000 gallons per year to 50,000 gallons per year;

(2) Increase the annual number of visitors from 3,600 persons to 12,500 persons, with no change to the daily maximum of 70 visitors;

(3) Increase marketing events to two (2) annual events with 100 guests, three (3) annual events with 50 guests, and two (2) annual events with 25 guests. Daily visitors on event days as below:

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(4) Increase staff from four (4) full-time and two (2) part-time, to eight (8) full-time and two (2) part time employees.

(5) Allow on-site consumption pursuant to AB 2004

(6) i. To improve safety, an additional driveway connection and 9 new parking stalls

   ii. To utilize state-of-the-art environmental processes, replace existing conventional commingled wastewater system with separate and domestic wastewater treatment systems.

There are no other proposed modifications or construction.

This report determines the annual groundwater recharge rate for the Bremer Family Winery property. The existing winery is located on APN: 021-400-002 and 021-420-027 (legally one parcel). This parcel has an area of ± 44.58 acres. The parcel has slopes ranging from 1-30%.

For the analysis, the parcel has been divided into four (4) areas, impervious, vineyard, grassland, and coastal oak tree areas.

METHODOLOGY

The groundwater recharge rate has been determined by examining the annual rainfall, runoff and species-specific evapotranspiration during winter months. The 10-year average rainfall PRISM data DEM provided by Napa County was used to determine the annual rainfall amount and site runoff volumes. It was determined that the average annual rainfall amounts to 32.68 inches (32.68”) per year.

The runoff volumes were determined by calculating the site-specific runoff coefficient. The runoff coefficients were calculated using aerial images to view the terrain and the county topography to estimate the slopes in each area.

The evapotranspiration losses were calculated using the Water Use Classifications of Landscape Species (WUCOLS) methodology for the vineyard, grassland, and coastal oak tree areas. Only evapotranspiration from the winter was considered, as it is assumed that evapotranspiration in summer will be from irrigation water.

The groundwater recharge rate was calculated as the difference of the total annual rainfall and losses from the stormwater runoff and evapotranspiration. Refer to attached calculations.

Average Recharge Rate = Average Rainfall - Runoff – Evapotranspiration

CONCLUSION

The Bremer Family Winery property has an annual rainfall of 32.68 inches (32.68”) per year, equating to 121.41 acre-feet per year for the parcel.

Total evapotranspiration volume that occurs through the vineyard, grassland, and oak tree areas is 20.64 acre-feet per year. The stormwater runoff from the parcel totals 77.02 acre-feet per year. The total average evapotranspiration and runoff is 97.66 acre-feet per year. This equates to a groundwater recharge rate of 23.75 acre-feet per year, or 0.53 acre-feet per acre per year.

ATTACHMENT 1

Groundwater Recharge Rate

Bremer Family Winery

Groundwater Recharge Rate

Parcel 021-400-002 and 021-420-027

Site Description	Hydrologic Soil Group	Area (ft^2)	Area (ac)	Total Annual Rainfall (in/yr)	Total Rainfall (ft^3/yr)
Impervious Area	A	81,620	1.87	32.68	222,278
Vineyard Area	A	187,040	4.29	32.68	509,372
Grass and Shrubs	A	669,840	15.38	32.68	1,824,198
Coastal Oak Trees	*	1,003,500	23.04	32.68	2,732,865
Total			**44.58**	**32.68**	**5,288,713**

* = undefined soil group

Evapotranspiration (ET_0)										
Site	January (Et_o) (in)	February (Et_o) (in)	March (Et_o) (in)	October (Et_o) (in)	November (Et_o) (in)	December (Et_o) (in)	Total ET_o (in)	Landscape Coefficient (k_c)	Landscape Evapotrans. (Et_c) (in) = Total Et_o x k_c	Total Landscape Evapotranspiration (ft^3/yr)
Impervious Area	0	0	0	0	0	0	0	0	0.00	0
Vineyard Area	1.03	1.53	2.93	3.53	1.64	1.17	11.83	0.08	0.95	14,751
Grass and Shrubs	1.03	1.53	2.93	3.53	1.64	1.17	11.83	0.68	8.04	449,038
Coastal Oak Trees	1.03	1.53	2.93	3.53	1.64	1.17	11.83	0.44	5.21	435,285
Total										**899,074**

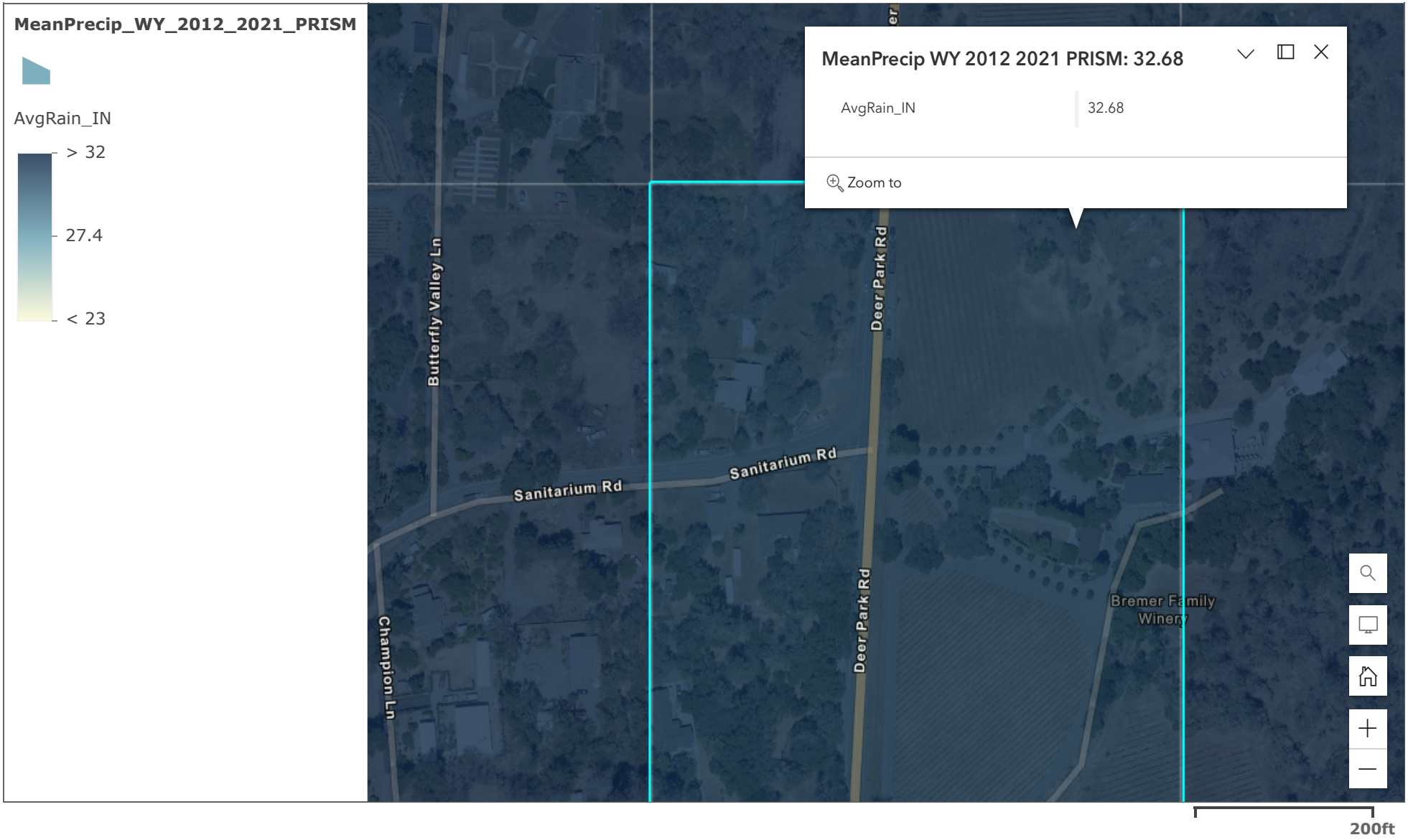
Runoff		
Site	Run-Off Coefficient (C)	Total Runoff (ft^3/yr)
Impervious Area	0.90	200,051
Vineyard Area	0.54	275,061
Grass and Shrubs	0.50	912,099
Coastal Oak Trees	0.72	1,967,663
Total		**3,354,873**

Groundwater Recharge Rate						
Site	Total Rainfall (ft^3/yr)	Total Crop Evapotranspiration (ft^3/yr)	Total Runoff (ft^3/yr)	Total Stormwater loss on site (ft^3/yr)	Groundwater Recharge Rate (ft^3/yr)	Groundwater Recharge Rate (ac-ft/ac/yr)
Impervious Area	222,278	0	200,051	200,051	22,228	0.27
Vineyard Area	509,372	14,751	275,061	289,812	219,560	1.17
Grass and Shrubs	1,824,198	449,038	912,099	1,361,137	463,060	0.69
Coastal Oak Trees	2,732,865	435,285	1,967,663	2,402,948	329,917	0.33
Total	**5,288,713**	**899,074**	**3,354,873**	**4,253,948**	**1,034,766**	**0.53**

ATTACHMENT 2

Napa County 10 Year PRISM Map

My Map

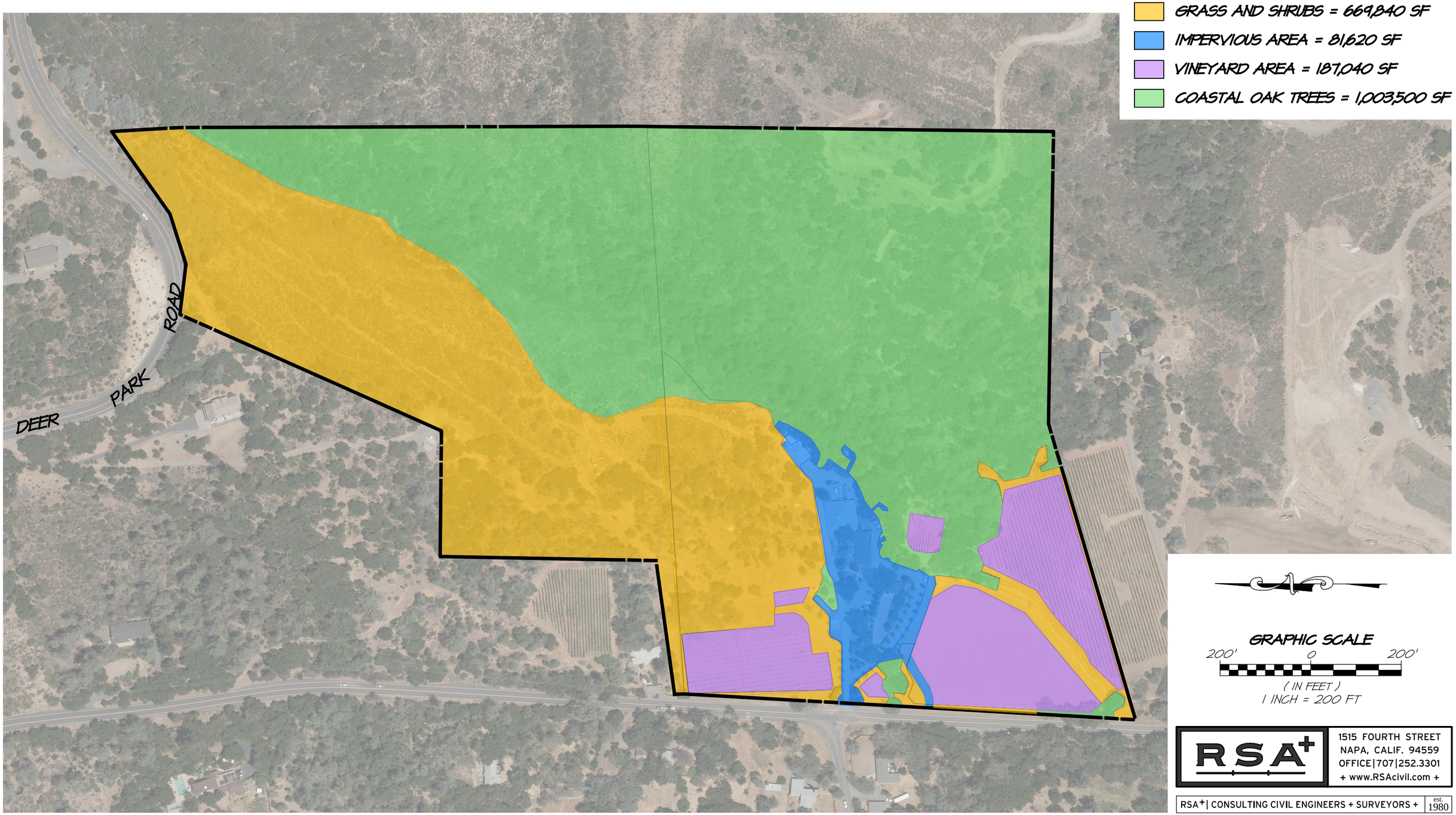


Esri Community Maps Contributors, County of Napa, Sonoma County, California State Parks, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA | https://prism.oregonstate.edu/recent/ (data modified by LSCE and Napa Co. PBES)

ATTACHMENT 3

Exhibit: Groundwater Recharge

BREMER FAMILY WINERY
GROUNDWATER RECHARGE EXHIBIT
NAPA COUNTY CALIFORNIA



LEGEND

- GRASS AND SHRUBS = 669,840 SF
- IMPERVIOUS AREA = 81,620 SF
- VINEYARD AREA = 187,040 SF
- COASTAL OAK TREES = 1,003,500 SF

GRAPHIC SCALE

200' 0 200'

(IN FEET)
1 INCH = 200 FT

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JULY 12, 2024 4119005.0 Exh-GW Recharge.dwg

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ATTACHMENT 4

Hydrological Soil Group

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Napa County, California

Bremer Family Winery



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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Soil Information for All Uses.....5
Soil Properties and Qualities.....5
Soil Qualities and Features.....5
Hydrologic Soil Group (Bremer Family Winery).....5

Soil Information for All Uses

Soil Properties and Qualities

The Soil Properties and Qualities section includes various soil properties and qualities displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each property or quality.

Soil Qualities and Features

Soil qualities are behavior and performance attributes that are not directly measured, but are inferred from observations of dynamic conditions and from soil properties. Example soil qualities include natural drainage, and frost action. Soil features are attributes that are not directly part of the soil. Example soil features include slope and depth to restrictive layer. These features can greatly impact the use and management of the soil.

Hydrologic Soil Group (Bremer Family Winery)

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

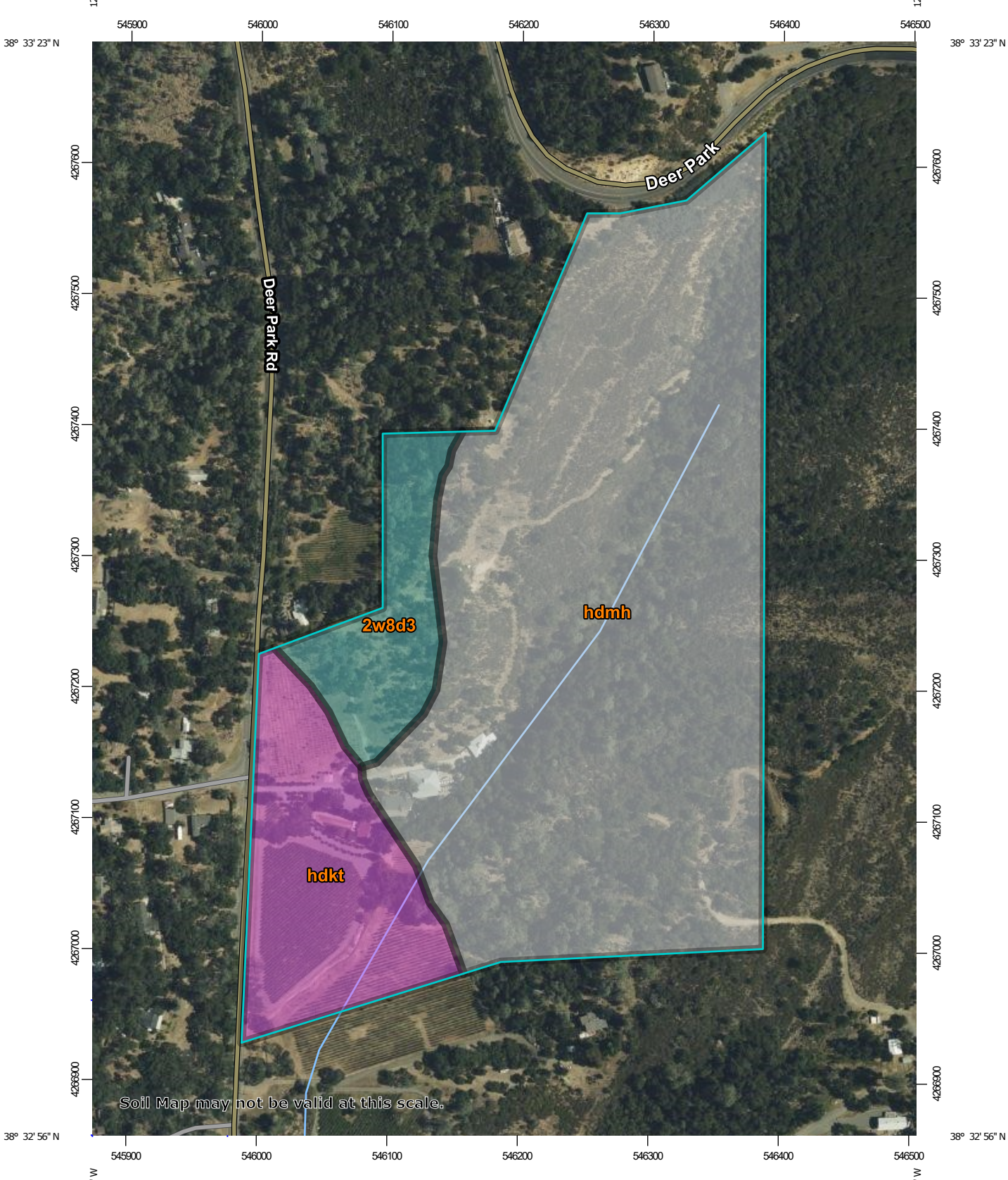
Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.



Map Scale: 1:4,070 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 150 300 600 900

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Napa County, California
Survey Area Data: Version 13, May 29, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 2, 2019—Jul 5, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Table—Hydrologic Soil Group (Bremer Family Winery)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
2w8d3	Boomer gravelly loam, volcanic bedrock, 14 to 60 percent slopes, MLRA 15	C	3.8	8.5%
hdkt	Cortina very stony loam, 0 to 5 percent slopes	A	7.2	16.1%
hdmh	Rock outcrop-Kidd complex, 50 to 75 percent slopes		33.6	75.4%
Totals for Area of Interest			**44.5**	**100.0%**

Rating Options—Hydrologic Soil Group (Bremer Family Winery)

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

ATTACHMENT 5

Coastal Oak ETo with Weighted Average

TABLE 1. Crop coefficients used in daily modeling of soil water processes in vineyards, oak trees and grasslands

Vineyards		Oak trees		Grasslands	
Period	K_c	Period	K_c	Period	K_c
3/1–4/15	0.10	3/1–3/31	0.5	3/1–3/15	0.90
4/16–4/30	0.20	4/1–10/1	0.6	3/16–4/30	0.95
5/1–5/15	0.25	10/2–11/25	0.5	5/1–5/15	0.25
5/16–5/31	0.30	11/26–2/28	0.4	5/16–6/15*	0.10
6/1–6/15	0.35			6/16*–10/13	0.00
6/16–6/30	0.40			10/14–10/31	0.25
7/1–9/30	0.50			11/1–2/28	0.75
10/1–10/15	0.30				
10/16–10/31	0.20				
11/1–11/15	0.15				
11/16–11/30	0.05				
12/1–2/28	0.01				

Sources: Allen et al. 1998 (grasses and trees); Caprile 2007 (vineyards).

* Variable date depending on available soil moisture.

Oak Trees - weighted average for October to March

Time Period	# of Days	K_C	Days * K^C	
3/1-3/31	31	0.5	15.5	
10/01	1	0.6	0.6	Weighted Kc=
10/2-11/25	55	0.5	27	80.7/182 = 0.44
11/26-2/28	95	0.4	37.6	
Totals=	182		80.7	

Vineyard - weighted average for October to March

Time Period	# of Days	K_C	Days * K^C	
3/1-4/15	31	0.1	3.1	
10/1-10/15	15	0.3	4.5	
10/16-10/31	16	0.2	3.2	
11/1-11/15	15	0.15	2.25	Weighted Kc=
11/16-11/30	15	0.05	0.75	14.7/182 = 0.08
12/1-2/28	90	0.01	0.9	
Total=	182		14.7	

Grasslands - weighted average for October to March

Time Period	# of Days	K_C	Days * K^C	
3/1-3/15	15	0.9	13.5	
3/16-3/31	16	0.95	15.2	Weighted Kc=
10/1-10/13	13	0.00	0.00	123.2/182 = 0.68
10/14-10/31	18	0.25	4.5	
11/1-2/28	120	0.75	90	
Totals=	182		123.2	

ATTACHMENT 6

Runoff Factor

Grass & Shrubs

WATERSHED TYPES AND FACTORS

RUN-OFF PRODUCING CHARACTERISTICS OF WATERSHEDS SHOWING FACTORS FOR EACH CHARACTERISTIC FOR VARIOUS WATERSHED TYPES				
WATERSHED TYPES AND FACTORS				
Run-off Producing Features	**Extreme**	**High**	**Normal**	**Low**
Relief	**0.28 – 0.38** Steep, rugged terrain, with average slopes above 30%	0.20 **0.20 – 0.28** Rolling, with average slopes of 10 to 30%	**0.14 – 0.20** Rolling, with average slopes of 5 to 10%	**0.08 – 0.14** Relatively flat land, with average slopes of 0 to 5%
Soil Infiltration	**0.12 – 0.16** No effective soil cover either rock or thin soil mantle of negligible infiltration capacity.	0.12 **0.08 – 0.12** Slow to take up water; clay or shallow loam soils of low infiltration capacity imperfectly or poorly drained.	**0.06 – 0.08** Normal; well drained light and medium textured soils sandy loams, silt, and silt loams.	**0.04 – 0.06** Slow to take up water; clay or shallow loam soils of low infiltration capacity imperfectly or poorly drained.
Vegetation Cover	**0.12 – 0.16** No effective plant cover; bare or very sparse cover.	**0.08 – 0.12** Poor to fair; clean cultivation crops or poor natural cover; less than 20% of drainage area under good cover.	**0.06 – 0.08** Fair to good; about 50% of area in good grassland or woodland; not more than 50% of area in cultivated crops.	0.06 **0.04 – 0.06** Good to excellent; about 90% of drainage area in good grassland, woodland, or equivalent crop.
Surface	0.12 **0.10 – 0.12** Negligible; surface depressions, few and shallow; drainage ways steep and small; no marshes.	**0.08 – 0.10** Low well-defined system of small drainage ways; no ponds or marsh.	**0.06 – 0.08** Normal; considerable surface depression storage; lakes, ponds, and marshes.	**0.04 – 0.06** High; surface storage high; drainage system not sharply defined; large floodplain storage or large number of ponds or marshes.

THE RUNOFF FACTOR IS DETERMINED BY THE SUM OF THE FACTORS FOR RELIEF INFILTRATION, COVER, AND SURFACE. NOT APPLICABLE TO BUILT UP AREAS.

FIGURE 3

Sum = 0.20 + 0.12 + 0.06 + 0.12 = 0.50

Coastal Oak Trees

WATERSHED TYPES AND FACTORS

RUN-OFF PRODUCING CHARACTERISTICS OF WATERSHEDS SHOWING FACTORS FOR EACH CHARACTERISTIC FOR VARIOUS WATERSHED TYPES				
WATERSHED TYPES AND FACTORS				
Run-off Producing Features	**Extreme**	**High**	**Normal**	**Low**
Relief	0.38 **0.28 – 0.38** Steep, rugged terrain, with average slopes above 30%	**0.20 – 0.28** Rolling, with average slopes of 10 to 30%	**0.14 – 0.20** Rolling, with average slopes of 5 to 10%	**0.08 – 0.14** Relatively flat land, with average slopes of 0 to 5%
Soil Infiltration	0.16 **0.12 – 0.16** No effective soil cover either rock or thin soil mantle of negligible infiltration capacity.	**0.08 – 0.12** Slow to take up water; clay or shallow loam soils of low infiltration capacity imperfectly or poorly drained.	**0.06 – 0.08** Normal; well drained light and medium textured soils sandy loams, silt, and silt loams.	**0.04 – 0.06** Slow to take up water; clay or shallow loam soils of low infiltration capacity imperfectly or poorly drained.
Vegetation Cover	**0.12 – 0.16** No effective plant cover; bare or very sparse cover.	**0.08 – 0.12** Poor to fair; clean cultivation crops or poor natural cover; less than 20% of drainage area under good cover.	**0.06 – 0.08** Fair to good; about 50% of area in good grassland or woodland; not more than 50% of area in cultivated crops.	0.06 **0.04 – 0.06** Good to excellent; about 90% of drainage area in good grassland, woodland, or equivalent crop.
Surface	0.12 **0.10 – 0.12** Negligible; surface depressions, few and shallow; drainage ways steep and small; no marshes.	**0.08 – 0.10** Low well-defined system of small drainage ways; no ponds or marsh.	**0.06 – 0.08** Normal; considerable surface depression storage; lakes, ponds, and marshes.	**0.04 – 0.06** High; surface storage high; drainage system not sharply defined; large floodplain storage or large number of ponds or marshes.

THE RUNOFF FACTOR IS DETERMINED BY THE SUM OF THE FACTORS FOR RELIEF INFILTRATION, COVER, AND SURFACE. NOT APPLICABLE TO BUILT UP AREAS.

FIGURE 3

Sum = 0.38 + 0.16 + 0.06 + 0.12 = 0.72

Vineyard Area

WATERSHED TYPES AND FACTORS

RUN-OFF PRODUCING CHARACTERISTICS OF WATERSHEDS SHOWING FACTORS FOR EACH CHARACTERISTIC FOR VARIOUS WATERSHED TYPES				
WATERSHED TYPES AND FACTORS				
Run-off Producing Features	**Extreme**	**High**	**Normal**	**Low**
Relief	**0.28 – 0.38** Steep, rugged terrain, with average slopes above 30%	**0.20 – 0.28** Rolling, with average slopes of 10 to 30%	**0.14 – 0.20** Rolling, with average slopes of 5 to 10%	0.14 **0.08 – 0.14** Relatively flat land, with average slopes of 0 to 5%
Soil Infiltration	0.16 **0.12 – 0.16** No effective soil cover either rock or thin soil mantle of negligible infiltration capacity.	**0.08 – 0.12** Slow to take up water; clay or shallow loam soils of low infiltration capacity imperfectly or poorly drained.	**0.06 – 0.08** Normal; well drained light and medium textured soils sandy loams, silt, and silt loams.	**0.04 – 0.06** Slow to take up water; clay or shallow loam soils of low infiltration capacity imperfectly or poorly drained.
Vegetation Cover	**0.12 – 0.16** No effective plant cover; bare or very sparse cover.	0.12 **0.08 – 0.12** Poor to fair; clean cultivation crops or poor natural cover; less than 20% of drainage area under good cover.	**0.06 – 0.08** Fair to good; about 50% of area in good grassland or woodland; not more than 50% of area in cultivated crops.	**0.04 – 0.06** Good to excellent; about 90% of drainage area in good grassland, woodland, or equivalent crop.
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THE RUNOFF FACTOR IS DETERMINED BY THE SUM OF THE FACTORS FOR RELIEF INFILTRATION, COVER, AND SURFACE. NOT APPLICABLE TO BUILT UP AREAS.

FIGURE 3

Sum = 0.14 + 0.16 + 0.12 + 0.12 = 0.54

Howell Mountain Mutual Water Co.

www.hmmwco.com

AGREEMENT FOR WATER SERVICE

This Agreement is by and between Howell Mountain Mutual Water Company, Inc., a California non-profit mutual benefit corporation ("Seller"), and

BREMER FAMILY WINERY ("User").
User name (Please complete the back of this form)

Seller shall sell and deliver to User, and User shall purchase all of the water which User may need at the location described as

975 DEER PARK RD, SAINT HELENA, CA 94574
Location Address

and by this reference made part hereof. Seller shall not, however, be obligated to sell or deliver water to User which is substantially disproportionate to User's prior water usage. Water service shall be provided upon the following terms:

1. Payment.

A. User shall pay Seller for service hereunder at the rates and upon the terms and conditions set forth in HMMWC's "Water Rate Plan and Company Policies for Users."

B. The initial billing period shall start when HMMWC begins providing water service to the customer.

C. Bills for service should be mailed to Howell Mountain Mutual Water Company, Inc., PO Box 9, Angwin CA 94508, or PUC Bookstore located in the Angwin Plaza in Angwin, County of Napa, State of California. Such payment shall be due on the 1st day of each month for the service furnished during the preceding monthly billing period.

If User shall fail to make any such payment within thirty (30) days after such payment is due, Seller may discontinuance service to User upon giving fifteen (15) days' written notice to User of its intention to do so; provided, however, that such discontinuance of service shall not relieve User of any of its obligations under this Agreement; and Seller may have a lien placed on the property to which the water is delivered and notice of such lien may be recorded by Seller's manager with the County Recorder.

D. User agrees that if, at any time, the rate under which Seller supplies water services is modified, Seller may make a corresponding modification in the rate for service hereunder.

2. Continuity of Service; Liability Limitation.
Seller shall use reasonable diligence to provide a constant and uninterrupted supply of water hereunder. If the supply of water shall fail or be interrupted or become defective through act of God, governmental authority, action of the elements, accident, strikes, required maintenance work or any other cause beyond the reasonable control of Seller, Seller shall not be liable therefore or for damages caused thereby. In any event, the extent of Seller's liability for any interruption in the supply of water to User shall be limited to not more than $10,000 or actual damages incurred by User, which ever is less, regardless of the cause or extent of User's damage.

3. Right of Access.
Duly authorized representatives of Seller shall be permitted to enter User's premises for access to Seller's water lines and meter at all reasonable times in order to carry out the provisions hereof.

4. Term.
This Agreement shall become effective on the date of execution hereof by each party hereto and shall remain in effect until terminated by either party giving to the other thirty (30) day's notice in writing.

5. Attorney's Fees.
Should a dispute arise between the parties with respect to this Agreement or the rights and duties provided for herein, the prevailing party in such dispute shall be entitled to recover its attorneys' fees and costs incurred in connections therewith.

6. Succession.
This Agreement shall be binding upon and inure to the benefit of the successors, legal representatives and assigns of the respective parties.

USER

Signature: X _____ **Dated:** 7.19.17
User/Customer

Name: JOHN BREWER

Cell Phone: —

WORK ~~Home~~ **Phone:** (707) 963-5411 (WINERY)

Mailing Address: 10490 DAWSON CANYON RD.
CORONA, CA 92883 (951) 638-1000 x324 MAIN OFFICE

Accepted By: _____
Howell Mountain Mutual Water Company
Shannon Damonte

Howell Mountain Mutual Water Company

July 18, 2017

Ms. Emily Hedge, Planner II
Planning, Building & Environmental Services County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

Dear Ms. Hedge:

This letter is to confirm that Howell Mountain Mutual Water Company, Inc. has been providing water service to Bremer Group, LLC at 975 Deer Park Road, Deer Park CA 94576, since 2004. We intend to continue to provide service to this customer at this property. Please contact me at (707)965-2205 if you have any questions or concerns.

Thank you,

Shannon Damonte
Office Manager

Phone (707) 965-2205 P.O. Box 9, Angwin CA 94508 Fax (707) 965-2655

“H”

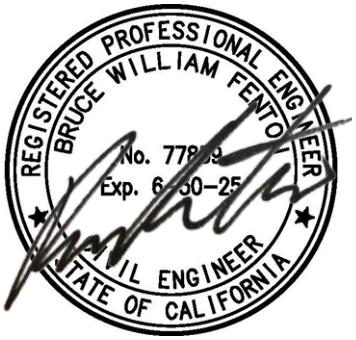
Wastewater Feasibility Study

Bremer Family Winery (P22-00086)
Planning Commission Hearing – May 6, 2026

WINERY WASTEWATER FEASIBILITY REPORT

BREMER FAMILY WINERY
975 DEER PARK ROAD
ST. HELENA, CA

APN 021-400-002 and 021-420-027



Prepared for:

John and Laura Bremer
975 Deer Park Road
St. Helena, CA 94574

Project # 4119005.0
July 12, 2024

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I. INTRODUCTION 1
II. EXISTING WASTEWATER SYSTEM 1
III. WINERY PROCESS WASTEWATER CHARACTERISTICS 2
IV. WINERY DOMESTIC WASTEWATER CHARACTERISTICS 3
V. PROPOSED WINERY PROCESS WASTEWATER TREATMENT AND DISPOSAL SYSTEM 3
VI. SITE EVALUATION 5
VII. PROPOSED DOMESTIC WASTEWATER TREATMENT AND DISPOSAL SYSTEM 5
VIII. CONCLUSIONS 5

APPENDICES

A. Vicinity Map, USGS Map, Soils Map
B. Existing Wastewater System and Site Evaluation
C. Irrigation Water Balance, BOD Loading Limit Calculation and Irrigation Exhibit
D. BioFiltro System Information

I. INTRODUCTION

The Bremer Winery is applying for a Use Permit Modification to:

(1) Increase production from 15,000 gallons per year to 50,000 gallons per year;

(2) Increase the annual number of visitors from 3,600 persons to 12,500 persons, with no change to the daily maximum of 70 visitors;

(3) Increase marketing events to two (2) annual events with 100 guests, three (3) annual events with 50 guests, and two (2) annual events with 25 guests. Daily visitors on event days as below:

   i. On 100 guest event days, 25 daily visitors.

   ii. On 50 guest event days, 20 daily visitors.

   iii. On 25 guest event days, 45 daily visitors.

   iv. During production in the barrel room, there will be no visitation or events in the barrel room.

(4) Increase staff from four (4) full-time and two (2) part-time, to eight (8) full-time and two (2) part time employees.

(5) Allow on-site consumption pursuant to AB 2004

(6) i. To improve safety, an additional driveway connection and 9 new parking stalls

   ii. To utilize state-of-the-art environmental processes, replace existing conventional commingled wastewater system with separate and domestic wastewater treatment systems.

There are no other proposed modifications or construction.

This report demonstrates the feasibility of proposed winery process wastewater and domestic wastewater systems. Please refer to Appendix A for a Vicinity Map, USGS Map, and Soils Map.

II. EXISTING WASTEWATER SYSTEM

The existing wastewater system consists of two (2) 1,500-gallon tanks, and one (1) 1,200-gallon tank. Two tanks (1,500 gallon and 1,200 gallon) provide primary treatment for Process Wastewater and one tank (1,500 gallon) is the septic tank for domestic wastewater. From tanks wastewater gravity flows to the existing dispersal field. See Appendix B - Existing Wastewater System sizing by Drew Aspegren, and Permit E08-00452 documentation.

III. WINERY PROCESS WASTEWATER CHARACTERISTICS

The following is a summary of the winery wastewater characteristics:

Wine Production: 50,000 gallons of wine per year
2.38 gallons of wine per case
21,010 cases/year

Wastewater Production: 5 gallons of wastewater/gallon of wine
250,000 gallons/year

Peak Daily Waste Water Flow: Crush Period = 45 days
Annual wine production x 2.0 / 45
2,220 gallons/day

Average Daily Flow: 250,000/365 = 685 gallons/day

Monthly Wastewater Flows:

Table 1

Sep	14%	35,000	Gal/Month
Oct	14%	35,000	Gal/Month
Nov	11%	27,500	Gal/Month
Dec	8%	20,000	Gal/Month
Jan	4%	10,000	Gal/Month
Feb	6%	15,000	Gal/Month
Mar	6%	15,000	Gal/Month
Apr	5%	12,500	Gal/Month
May	6%	15,000	Gal/Month
Jun	7%	17,500	Gal/Month
Jul	9%	22,500	Gal/Month
Aug	10%	25,000	Gal/Month
Totals	100%	250,000	Gal/Year

IV. WINERY DOMESTIC WASTEWATER CHARACTERISTICS

The projected flows for domestic wastewater based on Napa County Environmental Health guidelines are shown below.

Use	Source	Number	Projected Flow (gpd)	Total Flow Typical Day (gpd)	Total Flow Small Event - 25 Guests Day - 45 visitors (gpd)	Total Flow Medium Event Day - 50 Guests - 20 visitors (gpd)	Total Flow Large Event Day - 100 guests - 25 visitors (gpd)
Winery	Total Employees	10	15	150	150	150	150
	Visitors	70	3	210	135	60	75
	Small Marketing Event	25	10	0	250	0	0
	Medium Marketing Event	50	10	0	0	500	0
	Large Marketing Event	100	10	0	0	0	1000
	Winery Subtotal			**360**	**535**	**710**	**1225**
Residence	Small Marketing Event	3	120	360	360	360	360
	Second Dwelling Unit	1	120	120	120	120	120
	Residence Subtotal			**480**	**480**	**480**	**480**
	Total Peak Flow			**840**	**1015**	**1190**	**1705**

An engineered domestic wastewater system is proposed and will be designed to treat flows up to 1,190 gallons per day which occur on Medium Event Days. On Large event days portable toilets will be used.

V. PROPOSED WINERY PROCESS WASTEWATER TREATMENT AND DISPOSAL SYSTEM

Bremer Family Winery proposes to separately treat and disperse winery process wastewater onsite with a BioFiltro system or equivalent. Treatment will meet the requirements of the State Water Resources Control Board General Waste Discharge Requirements for Winery Process Water with particular focus on Biological Oxygen Demand (BOD), Total Suspended Solids (TSS) and Total Nitrogen (TN).

It is likely that treatment will meet previously required County of Napa requirements of 160 mg/L for BOD and 80 mg/L for TSS. A conservative approach for calculating BOD loading was adopted by using the peak monthly generation (35,000 gallons from Table 1) of process wastewater generated in one month. Based on calculations in Appendix C, this treatment level will meet BOD loading limits given in Clause 35D of the State Water Resources Control Board General Waste Discharge Requirements for Winery Process Water.

Winery process wastewater will be treated prior to surface discharge. A treatment train including primary/pump tank, BioFiltro Control Module, and BioFiltro wiggle rooms are proposed. This treatment train may be modified for more optimal treatment process prior to submitting construction plans to Napa County for permitting. The following sections describe the treatment process in more detail.

Settling Tanks

The existing process wastewater tanks (1,500-gallon and 1,200-gallon) will be replaced in the same locations with traffic rated tanks. These tanks will be used as settling tanks and will provide approximately 1 day of settling.

Equalization Tank

Flow from the settling tank will drain to a 5,000-gallon equalization tank. This tank will serve to buffer peak flows and strengths from overwhelming the system and impairing treatment, as well as house the pump to convey flow to the BioFiltro treatment system.

Control Unit

The control unit will consist of a solid separator, an equalization tank, and a pH adjustment system. The influent into the control unit, will first flow through a solid separator before flowing into an equalization tank that will serve to buffer peak flows, monitor, and adjust pH to prevent surges from overwhelming the system and impairing treatment. Control unit design will be provided by BioFiltro.

Treatment System

The treatment system will be composed of two (2) BioFiltro Wiggle Room or equivalent. Each Wiggle Room contains media shavings, worms and a starter pack of microbes. The flow will be conveyed to the Wiggle Room via the initial pump/holding tank. After the first pass, the partially treated water will flow to a sump to be pumped into a second pass Wiggle Room. After the second pass, the water will flow to a sump to be pumped to irrigation storage tanks. BioFiltro Information can be found in Appendix D.

Holding Tank and Dispersal Field

To provide a preliminary estimate of the amount of storage tanks required, we have prepared a monthly water balance, as shown in Appendix C. Monthly wastewater production is based on a percentage of the total annual wastewater production. The amount of water allowed to be applied is estimated by the typical vine and cover crop water demand. The irrigation will be applied to areas of vineyards outside of setback requirements. An area of 0.87 acres of vineyard and 0.83 acres of cover crop has been used to calculate the storage capacity required. Based on the monthly analysis, six thousand seven hundred and seventy-five (6,775) gallons of storage are required. To buffer peak flows and allow for wet weather periods without irrigation, four (4) 5,000-gallon tanks will be installed to store treated process wastewater prior to it being used for irrigation.

During the summer months all of the treated wastewater will be used for irrigation. During the wet winter months, a limited discharge will be consistent with vineyard water demand, no discharge will occur within 24-hours of a forecasted rain event and also for 24-hours after a rain event. These irrigation scheduling constraints necessitate installing a tank to store excess water that cannot be discharged during the periods of rain. All stored water will then be used for irrigation during dry periods.

VI. SITE EVALUATION

RSA+ conducted a site evaluation on the parcel on August 29, 2023. Appendix B contains a copy of the Site Evaluation Report.

The site evaluation was conducted by Donal O'Briain of RSA+ and observed by Benjamin Hutter of Napa County Environmental Management.

VII. PROPOSED DOMESTIC WASTEWATER TREATMENT AND DISPOSAL SYSTEM

An Engineered septic system is proposed to treat and disperse domestic wastewater from the Winery, farmhouse and second dwelling unit.

The existing septic tank (1,500-gallons) will be replaced in the same location with a traffic rated tank. This tank will provide approximately 2 days of storage for a typical day.

Domestic wastewater will flow to the replaced 1,500-gallon septic tank where it will be pumped to a 1,500-gallon recirculation tank. Pumps in the recirculation tank will circulate wastewater to two AX-20 treatment pods. Treated wastewater will flow to a 3,000-gallon holding tank prior to dispersal to a Geoflow subsurface drip system.

The subsurface drip field is sized to meet Napa County Environmental Management guidelines. The distribution field will be placed where the most limiting soil type was sandy loam with a moderated subangular-blocky structure. The allowable application rate for this soil type is 0.9 gallons/square foot/day for pretreated effluent. Peak daily domestic wastewater flow is 1,190 gallons/day.

$$Winery\ Dispersal\ Field\ Area\ (primary) = \frac{1{,}190\ gpd}{0.9\ gpd/sf} = 1{,}322\ square\ feet$$

In addition to the primary dispersal area of 1,322 square feet, a 200% reserve area is required for the winery. The reserve area will be located in an area where the soil application rate is also 0.9 gallons/square foot/day.

$$Winery\ Dispersal\ Field\ Area\ (reserve) = 200\% \times \frac{1{,}190\ gpd}{0.9\ gpd/sf} = 2{,}644\ square\ feet$$

The total combined area required for the reserve field for the domestic winery wastewater is 3,966 square feet. These areas are shown on the sheet UP2.4 of the Use Permit Plans.

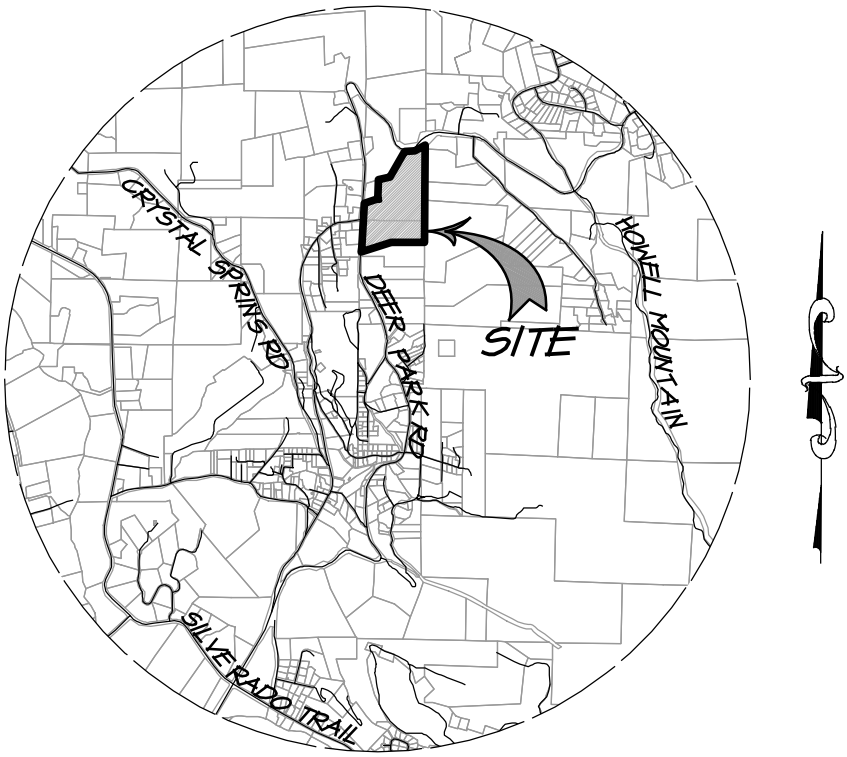
VIII. CONCLUSIONS

This report demonstrates that with the proposed production and visitors, the proposed winery process wastewater system can treat and disperse the projected flows of winery process wastewater. Similarly, the proposed sanitary wastewater can treat and disperse domestic wastewater generated on site.

Appendix A

Vicinity Map, USGS Map, Soils Map

BREMER FAMILY WINERY
VICINITY MAP
NAPA COUNTY CALIFORNIA



VICINITY MAP

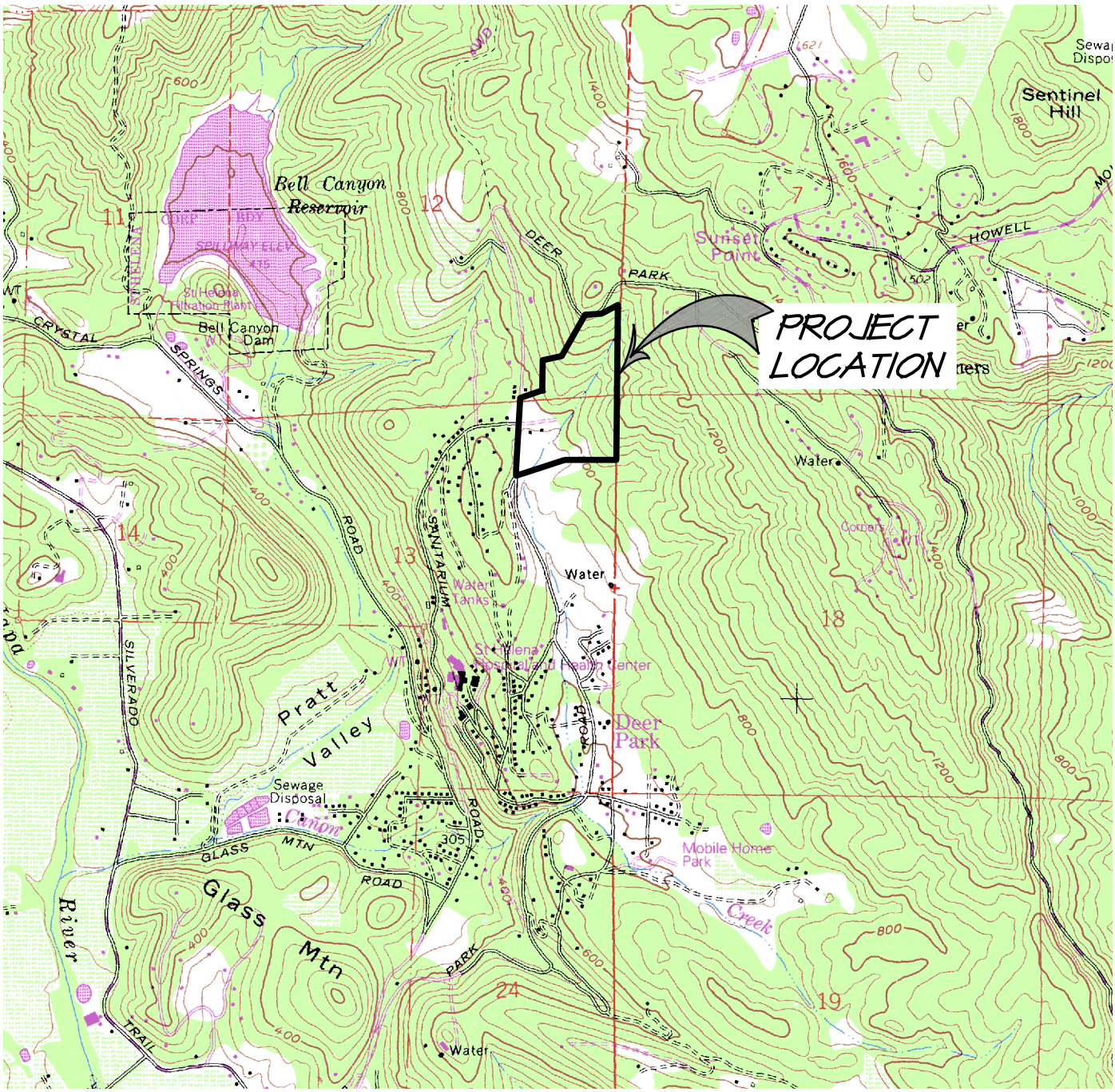
SCALE: 1" = 4000'

RSA+
1515 FOURTH STREET
NAPA, CALIF. 94559
OFFICE|707|252.3301
+ www.RSAcivil.com +

RSA+| CONSULTING CIVIL ENGINEERS + SURVEYORS + est. 1980

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BREMER FAMILY WINERY
USGS QUAD MAP
NAPA COUNTY CALIFORNIA



GRAPHIC SCALE

2000 0 2000 4000

(IN FEET)
1 inch = 2000 FT

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United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Napa County, California

Bremer Family Winery



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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Soil Information for All Uses

Soil Properties and Qualities

The Soil Properties and Qualities section includes various soil properties and qualities displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each property or quality.

Soil Qualities and Features

Soil qualities are behavior and performance attributes that are not directly measured, but are inferred from observations of dynamic conditions and from soil properties. Example soil qualities include natural drainage, and frost action. Soil features are attributes that are not directly part of the soil. Example soil features include slope and depth to restrictive layer. These features can greatly impact the use and management of the soil.

Hydrologic Soil Group (Bremer Family Winery)

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

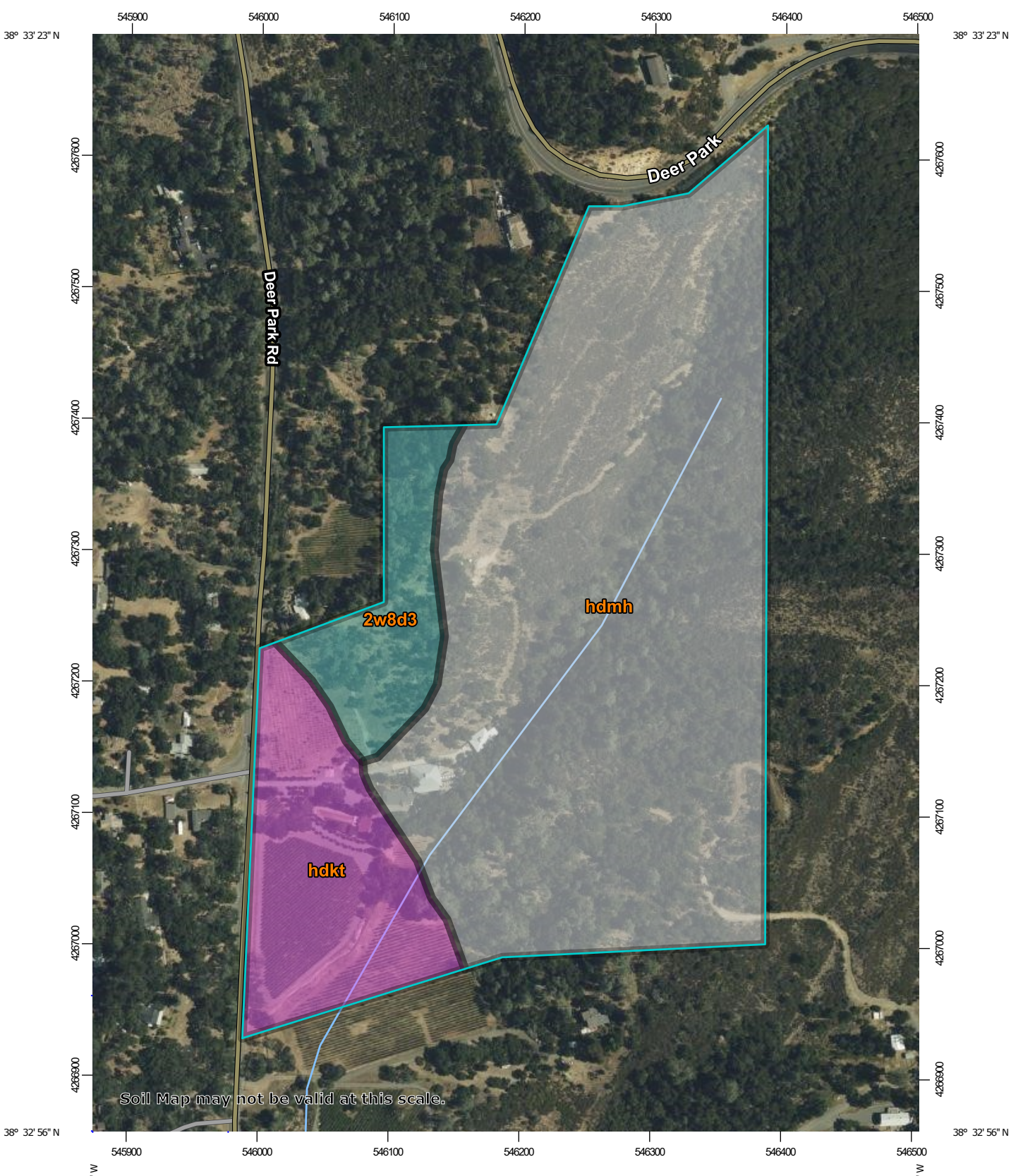
Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.



Map Scale: 1:4,070 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 150 300 600 900

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Napa County, California
Survey Area Data: Version 13, May 29, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 2, 2019—Jul 5, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Table—Hydrologic Soil Group (Bremer Family Winery)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
2w8d3	Boomer gravelly loam, volcanic bedrock, 14 to 60 percent slopes, MLRA 15	C	3.8	8.5%
hdkt	Cortina very stony loam, 0 to 5 percent slopes	A	7.2	16.1%
hdmh	Rock outcrop-Kidd complex, 50 to 75 percent slopes		33.6	75.4%
Totals for Area of Interest			**44.5**	**100.0%**

Rating Options—Hydrologic Soil Group (Bremer Family Winery)

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Appendix B

Existing Wastewater System and Site Evaluation

NAPA VALLEY VINEYARD ENGINEERING, INC.
176 MAIN STREET, SUITE B
ST. HELENA, NAPA VALLEY, CALIFORNIA 94574
(707) 963-4927 FAX (707) 963-1297 NapaVVE@aol.com

DREW L. ASPEGREN, P.E.
CIVIL ENGINEER

August 5, 2008

Mr. Sheldon Sapoznik
NAPA COUNTY DEPT OF ENVIRONMENTAL MANAGEMENT
1195 Third St.
Napa, CA. 94559-3092

Re: Bremer Family Winery
APN 021-400-002, 975 Deer Park Road
Proposed Leachfield

Dear Mr. Sapoznik:

Bremer Family Winery proposes to replace its leachfield. It is further proposed that the new leachfield be capable of supporting a 50,000 gallon winery. This is a voluntary over sizing of the system; Bremer Family Winery understands that this, in no way allows increased wine production above the 14,400 gallon currently permitted. Under current regulation, on a peak day, a 50,000 gallon winery would generate the following wastewater:

Description	Peak Day (gal/day)	
50 K gallon winery	1,667	$\left(\frac{50\text{ K gal}}{\text{yr}}\right)\left(\frac{1.5\text{ gal }H_2O}{\text{gal / wine}}\right)\left(\frac{\text{yr}}{45\text{ days}}\right)$
Max 10 workers	150	@ 15/gal/person/day
Large event (50 people)	150	@ 3 gal/person
Residence, 1 bedroom	150	
Total	2,117	

RECEIVED
AUG 12 2008
DEPT. OF
ENVIRONMENTAL MANAGEMENT

Bremer Family Winery proposes to use a chamber system (Infiltrator Systems, Inc. Equalizer 36). The leachfield area has been evaluated and has been rated at 0.33 gpd/sf of sidewall), so the following calculations are appropriate:

$$\left(\frac{2{,}117\ \text{gpd}}{}\right)\left(\frac{\text{SF sidewall}}{0.33\ \text{gpd}}\right) = 6{,}415\ \text{SF required}$$

$$\left(\frac{6{,}415\ \text{SF}}{}\right)\left(\frac{\text{LF}}{3\ \text{SF}}\right) = 2{,}138\ \text{LF chamber required}$$

Enclosed is the site evaluation by Sterk Engineering, and a site plan showing the existing septic tanks, the proposed leachfield, and a reserve area.

Sincerely,
NAPA VALLEY VINEYARD ENGINEERING, INC.

Drew L. Aspegren, P.E.
Civil Engineer #31418

DLA:jw
encl.

cc: Laura Bremer

BREMER FAMILY WINERY

POTENTIAL SEPTIC SYSTEM

NVVE 10-14-08

WINERY
HOUSE
SHOP
HOUSE
DECK
DRIVEWAY
VINEYARD (E)
VINEYARD (E)
VINEYARD (E)
SEPTIC TANKS (E)
1 @ 1200 GALLONS
2 @ 1500 GALLONS
100' MSB
RESERVE AREA
TP #4
TP #2
TP #1
TP #3
6' O.C. (TYP)
DISTRIBUTION BOX AND CONNECTION (2)
DENSE TREES
DENSE TREES
DENSE TREES
DEER PARK ROAD
490
480
470
460
470
480
D1
D1
S
S
R
R
R

A Tradition of Stewardship
A Commitment to Service

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

SEWAGE PERMIT

Application Type:	EM Permits-Sewage System-New Install Conventional		
Permit Number:	E08-00452	**Applied Date:**	08/12/2008
Parcel Number:	021-400-002-000	**Issued Date:**	10/24/2008
		Expiration Date:	10/24/2010

Site Address:	975 DEER PARK ST HELENA		
Owner:	BREMER JOHN ALEX ETAL TR	**Phone:**	
Address:	, , CA,		
Applicant:	LAURA BREMER	**Phone:**	
Business Name:	BREMER FAMILY WINERY		

Type of Project: New Install Conventional

Commercial UP#: U-697879

	Bedrooms				
	Existing	**Proposed**	**GPD**		**GPD**
Residence				**Sanitary Waste**	45
Second Dwelling	1		150	**Process Waste**	720
Guest House					

Water Supply: Well

Distance from closest water source to any part of sewage system: >100

Specifications

Designer:	Napa Valley Vyd Eng.	**Drainline:**	2140	**Sump Type:**	
Engineered Plan Date:		**Trench Depth (in):**	24	**A/V Alarm:**	
Conventional Plan Date:	10/24/2008	**Rock Under Pipe (in):**		**Remote Alarm:**	
Septic Tank:	existing	**Chamber Manu:**	Infiltrator	**Elec Self Cert:**	
Sewer Line:	existing	**Model Number:**	EQ 36		
Length (ft):		**DOC Backfill (in):**	12		
		DOC Fill (in):			

TO PERMITTEE:

Any work performed or operations conducted under the auspices of this permit constitutes acceptance of all conditions, inspections and comments contained in this permit, and the incorporation of all requirements as set forth in the permit application.

Staff Signature: _____ Date: 10/24/08

A Tradition of Stewardship
A Commitment to Service

Environmental Management

1195 Third Street, Suite 101
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Steven Lederer
Director

Sewage Permit
CONDITIONS/INSPECTIONS/COMMENTS

Application Type: New Install Conventional

Permit Number:	E08-00452	**Applied Date:**	08/12/2008
Parcel Number:	021-400-002-000	**Issued Date:**	10/24/2008
Applicant:	LAURA BREMER		
Owner:	BREMER JOHN ALEX ETAL TR		

Conditions:

Code	Condition
HIST	CODE VIOLATION#1 REDWOOD DECK, DECK PERMIT # B05-01249 (RESOLVED) 12/05/2005 GMB #2 BARN BLOCK & STONE WALL 8 TO 10 FEET TALL
EM-11	The applicant shall comply with the Department of Public Works "Conditions of Approval-National Polution Discharge Elimination System Requirements", a copy of which was provided at the time of permit issuance. Failure to comply with the NPDES requirements will result in a stop-work order.
EM-5	✓ An as-built drawing must be submitted prior to final.
Septic setback	✓ All parts of the septic system shall be located outside the 30 foot county road setback.
Distribution Box	N/A Distribution boxes must be set on concrete pad and distribution of effluent to be serial distribution.

Inspections: Inspected By: Date: 10/24/2008

Inspection		
Leach Lines	PZ 6/24/09	All but 4 Lines Remain to Be Installed. Also Crossovers Remain PZ 7/6/09
Initial Layout and Site Prep	PZ 6/18/09	- Changes - Taking out D-Boxes & using crossovers
Environmental Management Final	PZ 7/9/09	
~~D-Box~~	Lines changed - Not Needed PZ	

Comments:

Date	Comment
10/24/2008	Voluntary upgrade to existing septic system. This permit does not guarantee any increase in wastewater flow and/or wine production.
	Call 253-4135 at least 24 hours in advance during normal business hours to schedule inspection requests. Inspections are taken on a first-come-first-served basis so if you need a specific date and time be sure to call well in advance
	Environmental Management"s inspection must be obtained prior to covering any portion of the system.
10/24/2008	Any deviation from these permit specifications without prior approval from the Department of Environmental Management will be cause for stopping work until the changes are fully justified and approved.
	If a claim is to be submitted for a refund, per County Code, a 25% processing fee will be retained. Such claims must be made within one year of the date on the receipt.

STEVEN LEDERER
Director of Environmental Management

COUNTY of NAPA
ENVIRONMENTAL MANAGEMENT
1195Third Street, Suite 101, Napa CA 94559
Phone: 707/253-4471 Fax: 707/253-4545
www.co.napa.ca.us

APPLICATION
THIS IS NOT A PERMIT

Application Type:	EM Permits-Sewage System-New Install Conventional		
Permit Number:	E08-00452	**Parcel Number:**	021-400-002-000
Situs Address:	975 DEER PARK ST HELENA	**Applied Date:**	08/12/2008
Owner:	BREMER JOHN ALEX ETAL TR	**Phone:**	
Applicant:	LAURA BREMER	**Phone:**	

Worker's Compensation Coverage:
( ) A Certificate of current Worker's Comp Insurance Coverage is on file with this office (or filed with this application)
(X) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws of California.

By executing this application, the undersigned agrees to comply with all conditions, inspections and comments of the issued permit and all federal, state and county code requirements applicable to this permit. Furthermore, I understand that the Department of Environmental Management in no way guarantees trouble-free operation of the system, and that future repair may be necessary.

Owner or Authorized Agent Signature: _____ Date: 8/12/08

Napa County Department of Environmental Management

SITE EVALUATION REPORT

Please attach an 8.5" x 11" plot map showing the locations of all test pits triangulated from permanent landmarks or known property corners. The map must be drawn to scale and include a North arrow, surrounding geographic and topographic features, direction and % slope, distance to drainages, water bodies, potential areas for flooding, unstable landforms, existing or proposed roads, structures, utilities, domestic water supplies, wells, ponds, existing wastewater treatment systems and facilities.

Permit #: E23-00391
APN: 021-400-002
(County Use Only) Reviewed by: Date:

PLEASE PRINT OR TYPE ALL INFORMATION

Property Owner John Bremer	☐ New Construction ☐ Addition ☒ Remodel ☐ Relocation ☐ Other:
Property Owner Mailing Address 975 Deer Park Road	☒ Residential - # of Bedrooms: 4 Design Flow : 480 gpd.
City State Zip St. Helena, CA 94574	☒ Commercial – Type: Sanitary Waste: 710 gpd Process Waste: gpd
Site Address/Location 975 Deer Park Road St. Helena, CA 94574	☐ Other: Sanitary Waste: gpd Process Waste: gpd

Evaluation Conducted By:

Company Name RSA+	Evaluator's Name Donal O'Briain	Signature (Civil Engineer, R.E.H.S., Geologist, Soil Scientist)
Mailing Address: 1515 Fourth Street		Telephone Number 707-252-3301
City State Zip Napa CA 94559		Date Evaluation Conducted August 29th, 2023

Primary Area	**Expansion Area**
Acceptable Soil Depth: 42 in Test pit #'s: 1, 2	Acceptable Soil Depth: 24 Test pit #'s: 3, 4, 6
Soil Application Rate (gal. /sq. ft. /day): 0.9 gpd/sf	Soil Application Rate (gal. /sq. ft. /day): 0.9 gpd/sf
System Type(s) Recommended: Subsurface Drip	System Type(s) Recommended: Subsurface Drip
Slope: 8 % Distance to nearest water source: <100	Slope: 2% Distance to nearest water source: >100ft
Hydrometer test performed? No ☐ Yes ☒ (attach results)	Hydrometer test performed? No ☐ Yes ☒ (attach results)
Bulk Density test performed? No ☒ Yes ☐ (attach results)	Bulk Density test performed? No ☒ Yes ☐ (attach results)
Percolation test performed? No ☒ Yes ☐ (attach results)	Percolation test performed? No ☒ Yes ☐ (attach results)
Groundwater Monitoring Performed? No ☒ Yes ☐ (attach results)	Groundwater Monitoring Performed? No ☒ Yes ☐ (attach results)

Site constraints/Recommendations:
Primary soil in test pits 1 and 2 was suitable to 42 inches. Test pit #5 was not suitable. 5 test pits suitable for subsurface drip with pretreatment.

Test Pit # 1

X = Limiting Horizon	Horizon Depth (Inches)	Boundary	%Rock	Texture	Structure (Grade / Shape)	Consistence			Pores (QTY / Size)	Roots (QTY / Size)	Mottling (QTY / Size/ Contrast)
						Side Wall	Ped	Wet			
	0-24	C	20	SL	MSB	SH	FRB	SP	CM	FT	-
	24-42		30	SL	MSB	H	FRB	SP	FF	FF	-

Notes: Sidewall was harder below 24" horizon. Test pit suitable to 42". Bottom of excavation was limiting condition.

Test Pit # 2

X = Limiting Horizon	Horizon Depth (Inches)	Boundary	%Rock	Texture	Structure (Grade / Shape)	Consistence			Pores (QTY / Size)	Roots (QTY / Size)	Mottling (QTY / Size/ Contrast)
						Side Wall	Ped	Wet			
	0-24	C	20	SL	MSB	SH	FRB	SP	CM	FT	-
	24-42	-	30	SL	MSB	SH	FRB	SP	FF	FF	-

Notes: Change in color from grey in upper horizon to brown in lower horizon. Pit suitable to 42". Bottom of excavation was limiting condition.

Test Pit # 3

X = Limiting Horizon	Horizon Depth (Inches)	Boundary	%Rock	Texture	Structure (Grade / Shape)	Consistence			Pores (QTY / Size)	Roots (QTY / Size)	Mottling (QTY / Size/ Contrast)
						Side Wall	Ped	Wet			
	0-24	C	20	SL	MSB	SH	FRB	SP	CM	FF	
X	24-42	-	30	SL	MSB	VH	FRB	SP	FF	FF	

Notes: Tufa soil at 24" was limiting condition. Test pit suitable to 24".

Test Pit # 4

X = Limiting Horizon	Horizon Depth (Inches)	Boundary	%Rock	Texture	Structure (Grade / Shape)	Consistence			Pores (QTY / Size)	Roots (QTY / Size)	Mottling (QTY / Size/ Contrast)
						Side Wall	Ped	Wet			
	0-30	C	30	SL	MSB	SH	FRB	SP	CM	FF	
X	30-50	-	30	SL	MSB	VH	FRB	SP	FF	FF	

Notes: Tufa pockets at 30" were limiting condition. Pit suitable to 30".

Test Pit # 5

X = Limiting Horizon	Horizon Depth (Inches)	Boundary	%Rock	Texture	Structure (Grade / Shape)	Consistence			Pores (QTY / Size)	Roots (QTY / Size)	Mottling (QTY / Size/ Contrast)
						Side Wall	Ped	Wet			
	0-14	C	30	SL	MSB	SH	FRB	SP	CM	FF	
X	14-28	C	30	SL	MSB	VH	FRB	SP	FF	FF	
	28-40	C	30	SL	MSB	VH	FRB	SP	FF	FF	

Notes: Tufa layer at 14" was limiting condition. Pit not suitable.

Test Pit # 6

X = Limiting Horizon	Horizon Depth (Inches)	Boundary	%Rock	Texture	Structure (Grade / Shape)	Consistence			Pores (QTY / Size)	Roots (QTY / Size)	Mottling (QTY / Size/ Contrast)
						Side Wall	Ped	Wet			
	0-36	-	30	SL	MSB	SH	FRB	SP	CM	FF	

Notes: Pit suitable to bottom of excavation at 36".

RGH CONSULTANTS
Experience is the difference

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Santa Rosa, CA 95401
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F: 707-544-1082

Napa Office
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P: 707-252-8105
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Middletown Office
P.O. Box 652
Middletown, CA 95461
P: 707-987-4602
F: 707-987-4603

Bouyoucos Hydrometer

Client:	**RSA+**	**Sampled:**	**8/11/2023**
Project:	**Bremer**	**Received:**	**8/15/2023**
Project #:	**9187.27**	**Reported:**	**8/22/2023**
Client Project #:	**Not Stated**		

Sample Number	TP-2	TP-5						
Depth	Not Stated	Not Stated						
A. Oven Dry Wt.	50.0	50.0						
B. Starting Time (hr:min)	1:06	1:08						
C. Temp. @ 40 sec. (F)	70.6	70.4						
D. Hydro Reading @ 40 sec.	28.0	27.5						
E. Composite Correction	-4.2	-4.2						
F. True Density @ 40 sec. (D-E)	23.8	23.3						
G. Temp. @ 2 hrs. (F)	69.7	69.7						
H. Hydro Reading @ 2 hrs.	9.0	11.0						
I. Composite Correction	-4.4	-4.4						
J. True Density @ 2 hrs. (H-I)	4.6	6.6						
K. % Sand=100-((F/A) x 100)	**52.4**	**53.4**						
L. % Clay= ((J/A) x 100)	**9.2**	**13.2**						
M. % Silt= 100-(K+L)	**38.4**	**33.4**						
N. % Retained #10=	**22.9**	**28.5**						
Dry Wt. Before Wash + Tare	830.0	1009.7						
Dry Wt. After Wash + Tare	431.6	512.7						
Dry Wt. Passing #10	398.4	497.0						
Tare Weight	313.1	314.3						
Dry Wt. Before Wash	516.9	695.4						
% Passing #10	77.1	71.5						
% Retained #10	22.9	28.5						

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Experience is the difference

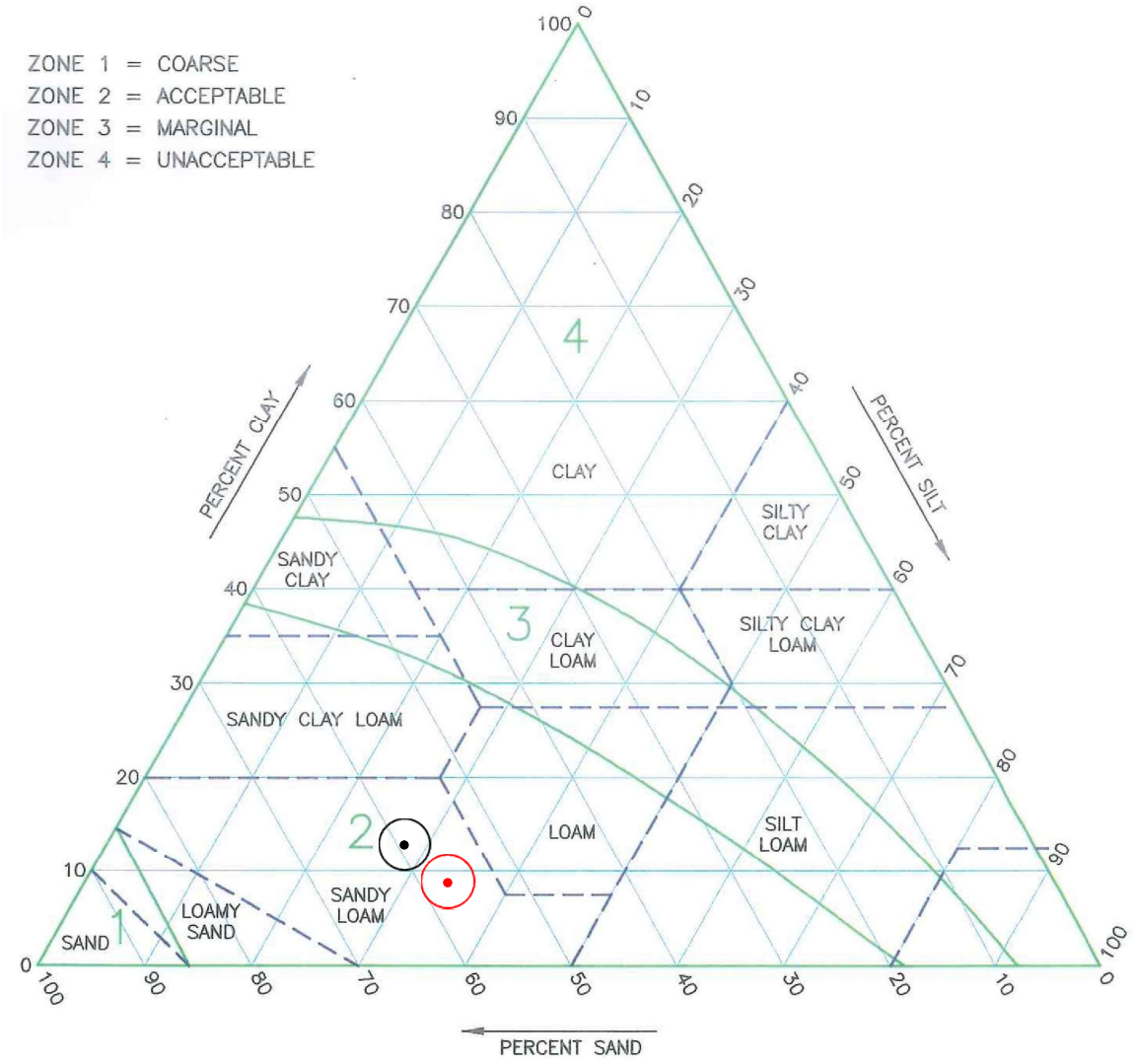
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Bouyoucos Hydrometer

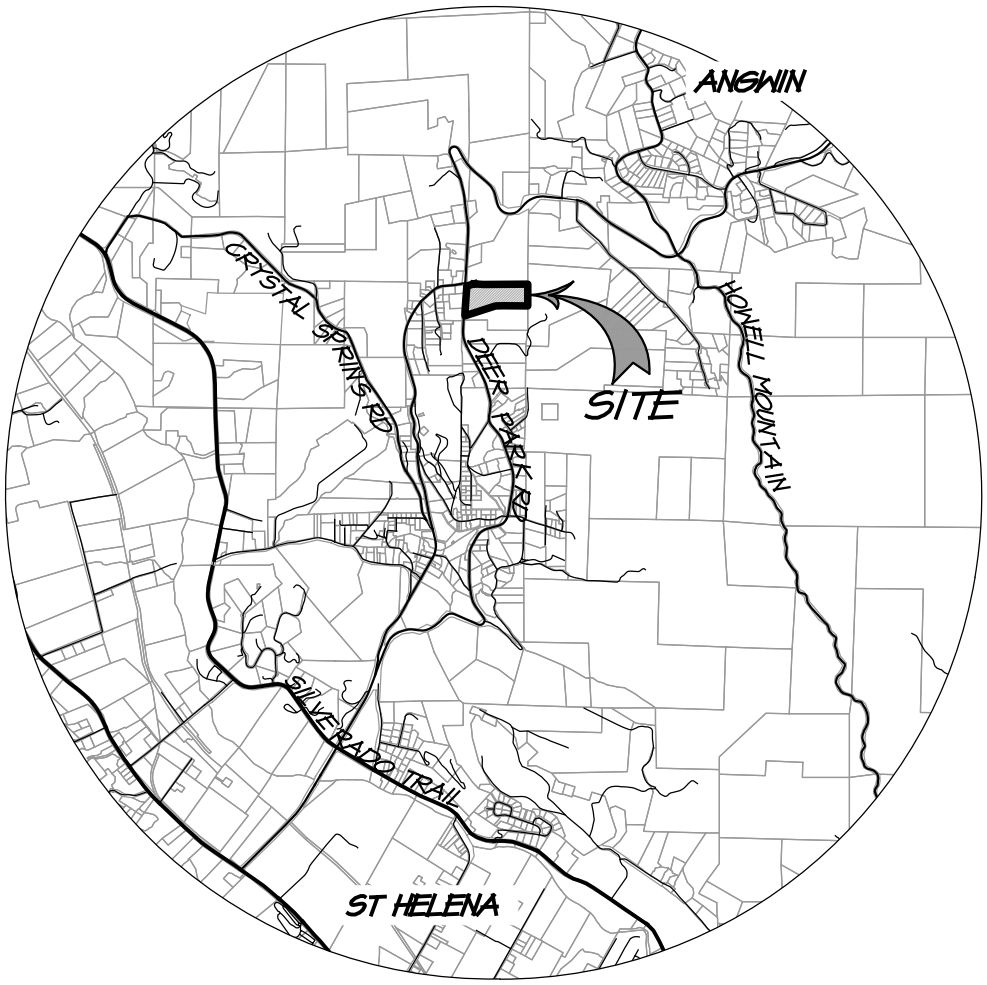
Client:	**RSA+**	**Sampled:**	**8/11/2023**
Project:	**Bremer**	**Received:**	**8/15/2023**
Project #:	**9187.27**	**Reported:**	**8/22/2023**
Client Project #:	**Not Stated**		



Legend

TP-2 @ Not Stated	TP-5 @ Not Stated

BREMER FAMILY WINERY
VICINITY MAP
ST HELENA CALIFORNIA



LOCATION MAP
SCALE: 1" = 4,000'

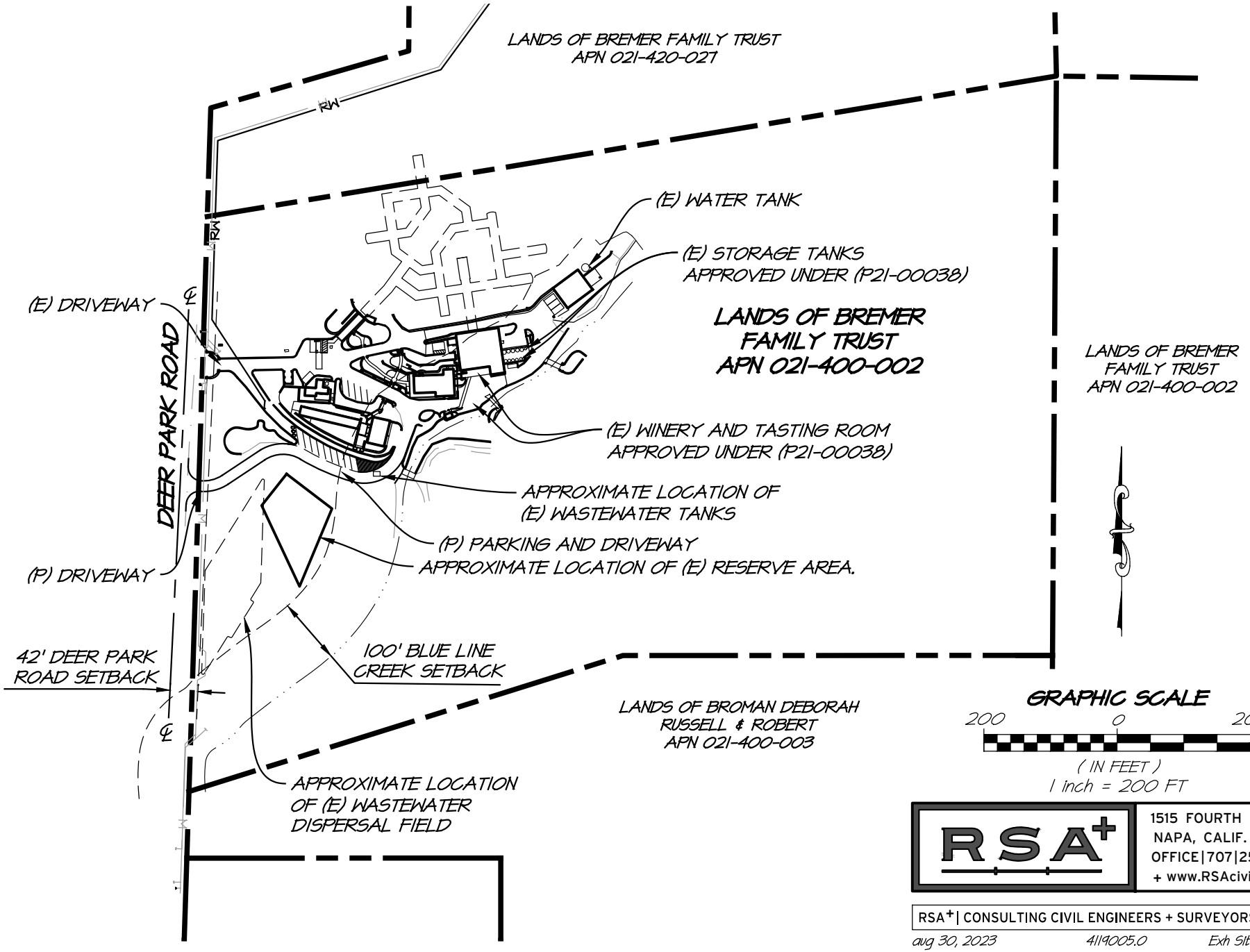
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BREMER FAMILY WINERY
SITE MAP
ST HELENA CALIFORNIA



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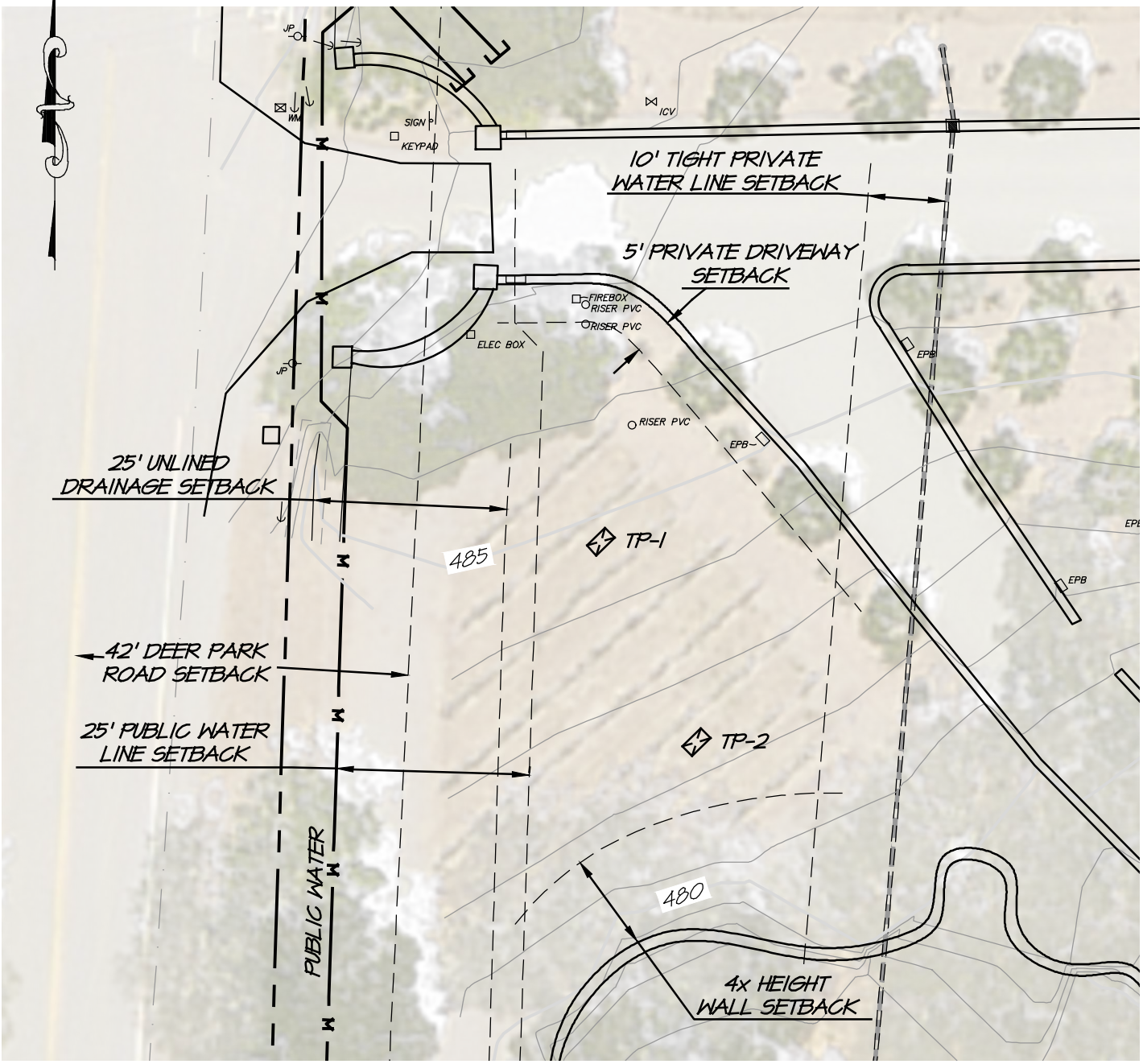
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BREMER FAMILY WINERY

TEST PIT MAP 1

ST HELENA CALIFORNIA



GRAPHIC SCALE

20' 0 20'

(IN FEET)

1 INCH = 20 FT

LEGEND

TP-1 TEST PIT

TP-4 TEST PIT NOT GOOD

ADDRESS: 975 DEER PARK RD
ST HELENA, CA 94574

SITE EVALUATION DATE: AUG 29, 2023

APN: 021-400-002

ENVIRONMENTAL HEALTH INSPECTOR: BENJAMIN HUTTER

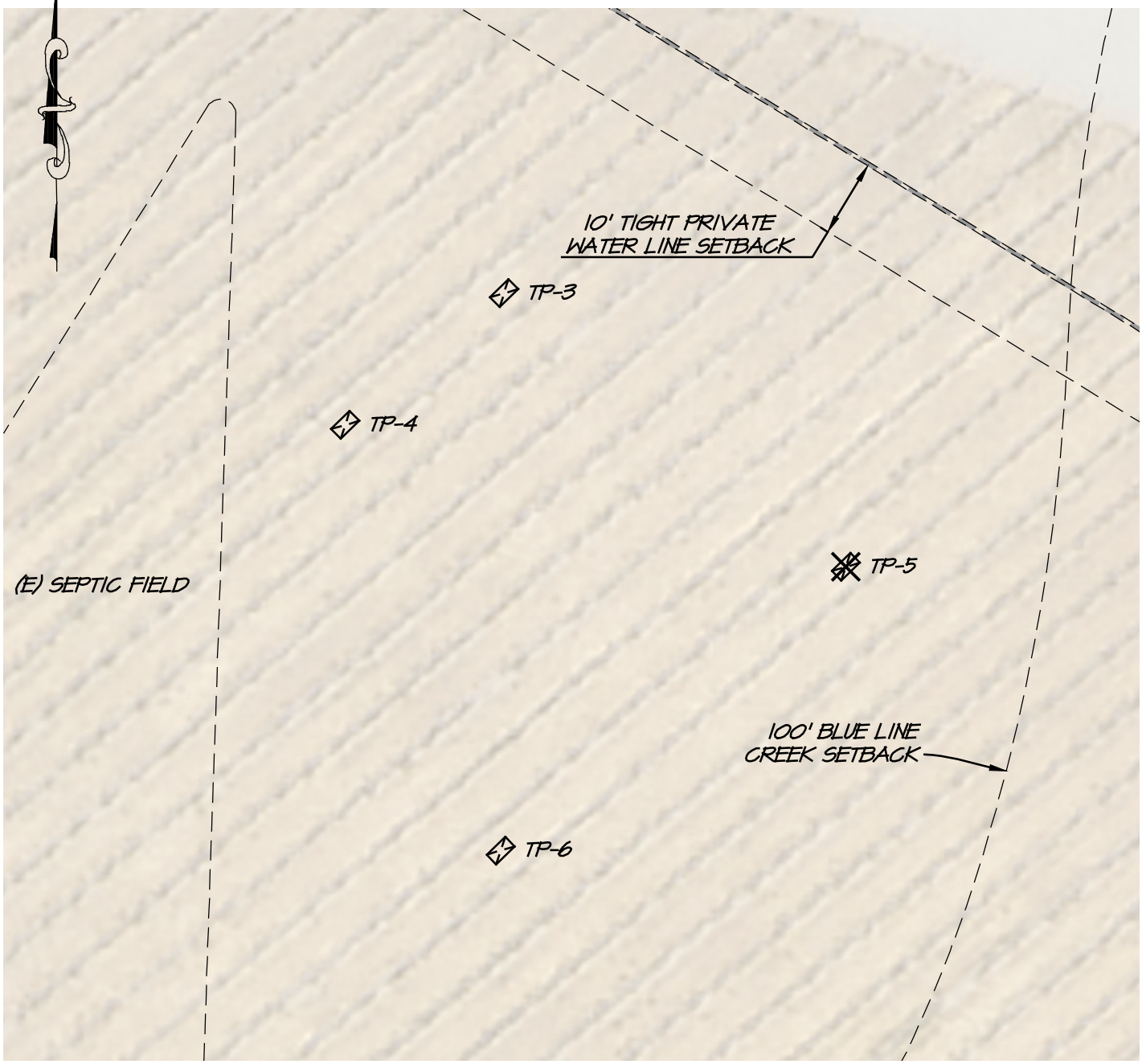
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BREMER FAMILY WINERY
TEST PIT MAP 2
ST HELENA CALIFORNIA



GRAPHIC SCALE
20' 0 20'
(IN FEET)
1 INCH = 20 FT

LEGEND

TP-1 TEST PIT

TP-5 TEST PIT NOT GOOD

ADDRESS: 975 DEER PARK ROAD
ST HELENA, CA 94574
SITE EVALUATION DATE: AUG 29, 2023
APN: 021-400-002
ENVIRONMENTAL HEALTH INSPECTOR: BENJAMIN HUTTER

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NAPA, CALIF. 94559
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Aug 30, 2023 4119005.0 Pit Map 2.dwg

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Appendix C

Irrigation Water Balance, BOD Loading Limit Calculation and Irrigation Exhibit

Reclaimed Process Wastewater
Water Balance for Irrigation and Storage

Project Description		Annual Process Waste Flow Volume		
Project Number:	4119005.0	Wine Production:	50,000	gal/year
Project Name:	Bremer Family Winery			
Prepared By:	BWF	Annual Process Waste per Gallon Wine:	5	gal/year
Date:	May 12, 2023	Total Annual Process Waste Generated:	250,000	gal/year

Vineyard Irrigation Parameters		Landscape Irrigation Parameters		
Acres of irrigated vineyard:	0.87 acres	Crop type / name:	Cover Crop	
Row spacing:	6.0 feet	Total irrigated acres of crop:	0.83 acres	
Vine spacing:	4.0 feet			
Total number of vines:	1,579 vines			
Water use per vine per month (peak):	26 gal			
Total peak monthly irrigation demand:	41,055 gal			

Monthly Process Wastewater Generation

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Monthly process wastewater generated as % of annual total:	4%	6%	6%	5%	6%	7%	9%	10%	14%	14%	11%	8%
Monthly process wastewater generated [gallons]:	10,000	15,000	15,000	12,500	15,000	17,500	22,500	25,000	35,000	35,000	27,500	20,000

Monthly Vineyard Irrigation Water Use

(Based on per-vine water use)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Beginning of month reclaimed water in storage [gallons] (This number brought forward from end of previous month)	6,775	0	0	0	0	0	0	0	0	0	0	4,114
Vineyard irrigation as % of peak month irrigation demand:	0%	0%	0%	0%	100%	100%	100%	100%	100%	0%	0%	0%
Irrigation per month per vine (gallons):	0.0	0.0	0.0	0.0	26.0	26.0	26.0	26.0	26.0	0.0	0.0	0.0
Total vineyard irrigation demand [gallons]:	0	0	0	0	41,055	41,055	41,055	41,055	41,055	0	0	0
Will vineyard be irrigated with reclaimed water this month?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Process wastewater generated this month, reclaimed for vineyard irrigation [gallons]	0	0	0	0	15,000	17,500	22,500	25,000	35,000	0	0	0
Remaining vineyard irrigation demand after using this month's process water [gallons]	0	0	0	0	26,055	23,555	18,555	16,055	6,055	0	0	0
Drawdown from storage for remaining vineyard irrigation [gallons]	0	0	0	0	0	0	0	0	0	0	0	0
Well water required to satisfy remaining vineyard irrigation demand	0	0	0	0	26,055	23,555	18,555	16,055	6,055	0	0	0
Net storage after vineyard irrigation drawdown [gallons]	6,775	0	0	0	0	0	0	0	0	0	0	4,114
This month's process wastewater, remaining after vineyard irrigation, available for landscape irrigation[gallons]	10,000	15,000	15,000	12,500	0	0	0	0	0	35,000	27,500	20,000

Water balance continues on next page for cover crop irrigation.

Monthly Landscape Irrigation Water Use

(Based on evapotranspiration crop demand and irrigated area)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
This month's process wastewater, remaining after vineyard irrigation, available for landscape irrigation[gallons] *(From sheet 1)*	10,000	15,000	15,000	12,500	0	0	0	0	0	35,000	27,500	20,000
Reference ET (ETo) (in/month) (see note 1)	1.32	1.8	3.32	4.78	6.11	6.84	7.07	6.3	4.9	3.45	1.74	1.29
Crop Coefficient (k_c) (see note 2)	0.60	0.60	0.60	0.60	0.60	0.60	0.60	0.60	0.60	0.60	0.60	0.60
Crop water demand per acre [inches]	0.79	1.08	1.99	2.87	3.67	4.10	4.24	3.78	2.94	2.07	1.04	0.77
Crop water demand per acre [gallons]	21,505	29,325	54,088	77,873	99,541	111,433	115,180	102,636	79,828	56,205	28,347	21,016
Total crop water demand for irrigated area [gallons]	17,741	24,193	44,622	64,245	82,121	91,933	95,024	84,675	65,858	46,370	23,386	17,338
Will landscape be irrigated with reclaimed water this month?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Process wastewater remaining after vineyard irrigation, reclaimed for landscape irrigation [gallons]	10,000	15,000	15,000	12,500	0	0	0	0	0	35,000	23,386	17,338
Landscape irrigation water required from storage or other source [gallons]	7,741	9,193	29,622	51,745	82,121	91,933	95,024	84,675	65,858	11,370	0	0
Drawdown from storage for landscape irrigation [gallons]	6,775	0	0	0	0	0	0	0	0	0	0	0
Process wastewater generated this month, unused for irrigation, to be reclaimed and stored [gallons]	0	0	0	0	0	0	0	0	0	0	4,114	2,662
Net end-of-month reclaimed water storage after all irrigation [gallons]	0	0	0	0	0	0	0	0	0	0	4,114	6,775

End of Water Balance

Peak Monthly Storage = 6,775 gallons

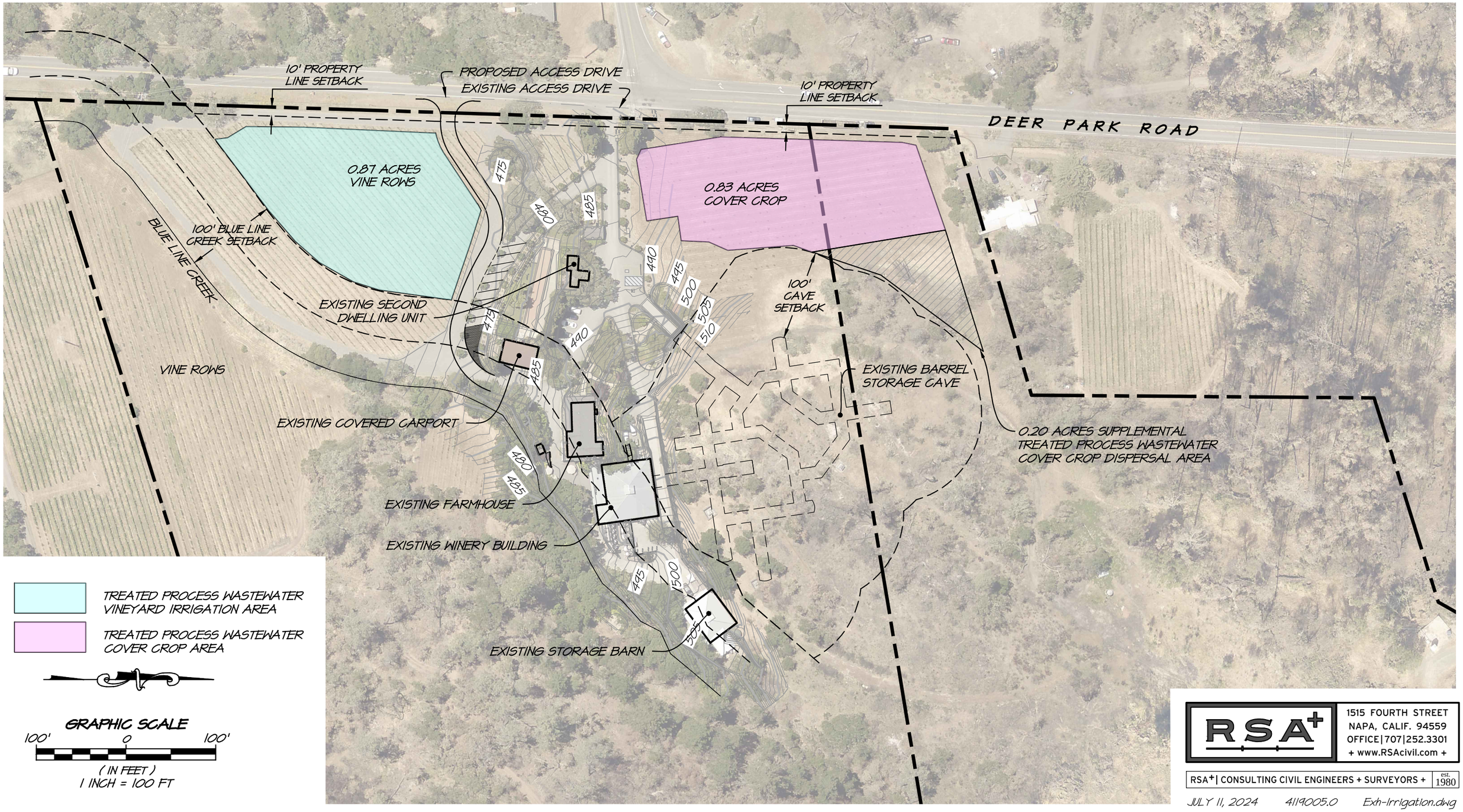
Notes:

1. Reference ETo from California Irrigation Management Information System
2. Crop Coefficient from Table 1 of "Estimating Irrigation Water Needs of Landscape Plantings in California", University of California Cooperative Extension, August 2000.

Bremer Family Winery - BOD Loading Calculation		
Input Criteria		
Land Application Area	0.83	Acres
Post Treatment BOD (County of Napa)	160	mg/L
* Loading Limit (Target)	100	lbs/acre/day
Peak Process Wastewater month, Sept.	35000	Gallons/month
Calculations		
Process Wastewater Generation per week (4 weeks / month)	8750	Gallons/week
Process Wastewater Generation per week (1 gallon / 3.78541 Liters)	33122	Liters/week
BOD Generation per week (160 mg/L Post Treatment Loading)	5299574	mg/week
BOD Generation per week (453,592 mg/lb)	12	lbs/week
BOD loading per acre	14	lbs/acre/day **
Conclusion		
BOD Loading per acre less than loading limit	14 < 100	lbs/acre/day **
* State Water Board General Waste Discharge Requirements For Winery Process Water, Section 35-D		
** Assumes irrigation once per week with a 7-day irrigation cycle		

BREMER FAMILY WINERY
TREATED PROCESS WASTEWATER VINEYARD IRRIGATION AREAS

NAPA COUNTY CALIFORNIA



TREATED PROCESS WASTEWATER VINEYARD IRRIGATION AREA

TREATED PROCESS WASTEWATER COVER CROP AREA

GRAPHIC SCALE

100' 0 100'

(IN FEET)

1 INCH = 100 FT

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JULY 11, 2024 4119005.0 Exh-Irrigation.dwg

Appendix D

BioFiltro System Information

BIOFILTRO
worm powered wastewater solutions



2 BIDA® Modular System Quote

Prepared for:
Bremer Family Winery, 975 Deer Park Rd, St Helena, CA 94574

Prepared by:
Sarah Haupt at BioFiltro, 1949 5th Street, Suite 101, Davis, CA 95616

The proposal is valid for 30 days

1. INTRODUCTION

1.1 Background Information

Bruce Fenton of RSA+ has solicited a proposal for the process water treatment at Bremer Family Winery located in St Helena, CA. The existing winery is increasing its use permit from 15,000 to 50,000 gallons of wine production. As there is no existing water quality or flow data, RSA+ estimates that the winery should have a peak harvest discharge of 2,200 gallons per day (GPD).

Annual Wine Production in Gallons	Absolute Peak Daily Discharge (GPD)
50,000	2,200

1.2 Project Description

BioFiltro proposes one (1) Control Unit and two (2) M2 Wiggle Rooms to treat a maximum discharge of 1,500 GPD of winery process wastewater. Each M2 Wiggle Room consists of two stories of BIDA technology for a total of four BIDA beds. The first three BIDA beds shall be designed and plumbed to receive the first pass of process water, and the fourth BIDA bed will function as a second pass to deliver higher effluent quality.

1.3 Influent Parameters

Influent parameters for BioFiltro's system require pH to range between 6.0 - 9.0. As there is currently no existing pH adjustment system at the winery, BioFiltro includes one in this proposal. No existing water quality data was provided. BioFiltro assumes typical winery process water levels and influent temperatures of 30 degrees Celsius or less. BioFiltro has targeted the following design parameters:

Constituent	Influent	Effluent	Unit
Estimated Process Water Flows	2,200	2,200	GPD
BioFiltro Design Flow*	1,500	1,500	GPD
pH	3-9	6-9	S.U.
Maximum BOD5	6,000	<160	mg/l
Maximum TSS	1,000	<80	mg/l

With this design, the BioFiltro system shall deliver high water quality effluent that can be reused for dripline irrigation with a reduced risk of fouling the lines due to nutrient build-up.

*Bruce Fenton of RSA+ is designing additional upstream process water capacity for volumes in excess of BioFiltro's treatment capacity and to allow for lees settling. Such storage/settling tanks upstream of BioFiltro's control unit are beyond BioFiltro's scope of work.

1.4 Overall Treatment Method/Technology

The BioFiltro BIDA® System could be classified as a trickling filter, where the filtering media is made of wood chips and shavings. Wastewater is spray irrigated over the media, and organic constituents in water are retained and

digested by the microbiological community that grows in the media (biofilm). Additionally, the media is inhabited by worms (*eisenia andrei*) as an improvement to biological treatment by providing natural aeration, proliferating the biofilm, mixing, and further reducing biological solids.

2. PACKAGE OFFERING

2.1 Package Offering

Units	Item	Dimensions
2	Wiggle Room – Two-Story Worm Bed	20’ L x 8’ W x 11’ 6” H
	Includes all system media (wood shavings, geotextiles, irrigation system, drainage cells	
	Includes starter of worms and microbes	
1	Control Module (which shall contain the following equipment)	10’ L x 8’ W x 8’ H
1	Rosedale LCO Bag Filter	
1	pH Adjustment System	
1	1,000 Gallon Storage Tank	
1	Mazzei Venturi Injector	
2	3/4 HP Pumps	
1	Lot of pH, Temperature, pressure, and ultrasonic level influent and effluent sensors and probes	
1	Pressure Relief Valve	
1	Programmable Logic Controller	
1	Flow Meter	
1	Overhead Light and Ventilation Fan	
	Additional Equipment Provided	
2	¾ HP Sump Pumps for Double Pass	

2.2 Installation Requirements Not Included in Scope of Work

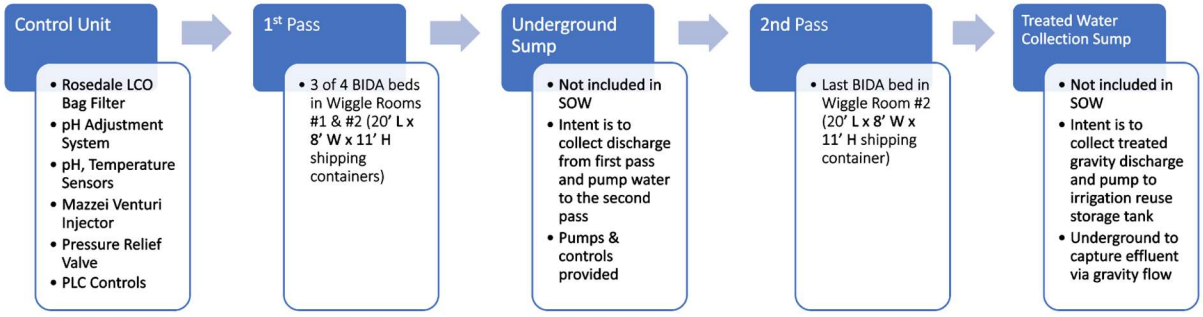
BioFiltro will provide a General Arrangement drawing and piping and instrumentation diagram to facilitate the planning and layout of the project site, but all permit and construction drawings for site infrastructure will be by others.

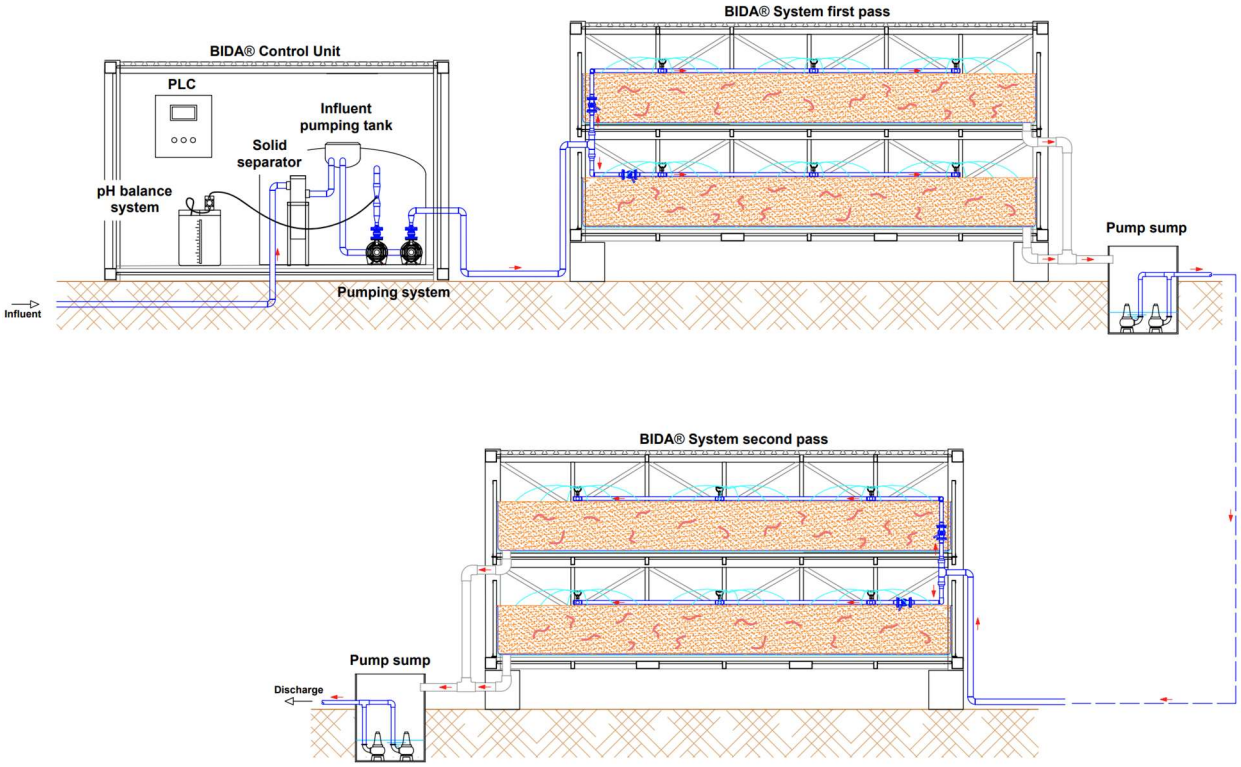
It is assumed that the client provides the following items:

- Availability at the project site of 240V three phase with 40 amps or 480 V three phase with 20 Amps available capacity (15 kVA total estimated) and any underground conduit.
- Site preparation of a 4" gravel or concrete pad with 90% compaction and concrete footings, if required, for the M2 Wiggle Rooms or as otherwise directed by a Geotechnical Engineer.
- Any underground sumps, storage, and piping which may be needed to deliver wastewater under pressure into the Control Unit, from the first pass to the second pass, and/or collect treated water from the M2 module and pump to irrigation reuse/storage. BioFiltro can provide recommendations on the capacity and routing of these utilities, but stamped drawings, if required, will be done by others.
- That the site is plumbed with access to influent and effluent piping.
- Access to 1 ½" pipe with fresh water for general maintenance items.

2.3 Anticipated Process Flow

This quotation assumes that the influent shall consist solely of winery process water. The scope of this proposal assumes that water arrives pressurized (minimum 20 PSI) into the Control Unit, where it shall first pass through a solid separator consisting of a bag filter before it flows into the 1,000-gallon equalization tank. While in this tank, probes shall monitor the water for temperature and pH. Should the pH of the process water be below 6, the probe shall trigger the need for the pH adjustment system to dose adjustment chemicals. A Mazzei Venturi injector will provide aeration during recirculation pumping within the tank. Once every half hour, or when otherwise triggered by the ultrasonic level sensor, a timer shall trigger the pump station, which shall consist of two 3/4 HP pumps, to irrigate the module. From here, the standard operating procedure will be to have 100% of the daily volume be pumped to the first Wiggle Room, where it shall percolate down through a layer of wood shavings, which shall be rich in microbes and earthworm activity, geotextiles, and drain out along the lined floor down into a sump basin. Here, the second pass pump sump shall deliver all the water to the second Wiggle Room, where it shall pass through another layer of wood shavings, microbes, earthworms, and geotextiles before gravity feeding into a treated water pump sump, which will send water to the winery's preferred irrigation storage location.





2.4 Operational Considerations

The winery should expect the system to consume approximately 0.0014 kWh/gallon treated for double pass operation and 0.0007 kWh/gallon treated for single pass operation.

Consumption of pH adjustment chemicals will depend on processes upstream in the winery, but with BioFiltro's on-demand pH adjustment system design, the overall usage should range between $80 – 400 per year. While BioFiltro technicians shall alert the winery when chemicals are needed, only the winery shall be responsible for sourcing and replenishing the chemical.

The Sustainable Choice

Thank you for considering BioFiltro for your wastewater treatment needs. We are a carbon-neutral company with a mission to provide climate-smart regenerative solutions that enable companies and communities to treat water, build soil health, and offset their carbon footprint. In doing so, we use business as a force for good to cultivate a harmonious relationship between people, the planet, and profit.

By harnessing the natural digestive power of worms, BioFiltro is a non-combustion technology that demands up to 85% less energy than traditional wastewater systems while still delivering the same, if not better, water quality. By improving water quality, BioFiltro enables its customers to reduce their environmental footprint and land application area, thereby freeing up land for more beneficial uses.

BioFiltro is also a nature-based solution that does not generate sludge, a byproduct of wastewater treatment often hauled to landfills. Instead, BioFiltro generates vermicompost, a beneficial soil amendment rich in nutrients and microbial activity that can be used to improve water retention, root structure, and soil diversity and health. BioFiltro is currently participating in the California Department of Food and Agriculture's Healthy Soils Program to see if the application and use of our vermicompost on croplands helps sequester carbon. In 2021, BioFiltro generated more than 45,000 cubic yards of vermicompost in the United States, enough to amend ~450,000 acres.

BioFiltro's systems have also been validated and verified to prevent the formation of greenhouse gases from forming. In one case study, one of our dairy systems prevents the formation of 42,000 metric tons of CO2 equivalent yearly. Carbon credit generation varies and depends on upstream practices, existing wastewater treatment infrastructure, and pre-existing water quality.



BIOFILTRO
worm powered wastewater solutions

A Can of Worms for Climate Smart Winemaking



Control Unit



Wiggle Room

By pairing our Control Unit with the Wiggle Room, BioFiltro delivers the ultimate can of worms. Our pre-packaged system includes a solid separator, pH adjustment system, flow meter, equalization tank, pumps, PLC & HMI and a two-story BIDA® System, our patented worm powered wastewater treatment process. Units are built in the US and clients are able to choose the the color(s) of the unit(s).

Discharge from the winery enters the Control Unit through its included solid separator before arriving to the equalization tank. Here, probes and sensors monitor water quality before it is dispersed evenly across the two floors of the Wiggle Room(s) where it percolates down through layers of wood media where worms and microbes capture and digest contaminants. Once treated, water gravity feeds out of the system through exit pipes and is ready for reuse in irrigation in as little as four hours.

Blend our earthy tones with your sustainability forward wines and choose worms for not only the cost-effective but also climate smart wastewater solution for your winery.



Circular and Regenerative

- ✓ Energy Efficient
- ✓ Modular and Scalable
- ✓ Minimal Odors & Noise
- ✓ Nature Based Technology
- ✓ Worm Castings Byproduct
- ✓ Sludge Free
- ✓ Automated

MADE IN USA

BIOFILTRO
worm powered wastewater solutions

Take Control of Your Wastewater

Each Control Unit comes with a control panel that is built in house and listed under UL508A; an HMI, and Intelligence of Worms (IoW); BioFiltro's very own control system and monitoring software. Accessible from both mobile and desktop devices, IoW provides verified users with historians and the ability to monitor the system, equipment, and water levels in real time. IoW can push alerts and troubleshooting guidance to assigned operators to facilitate. Through IoW, the system's operations are automated and remotely accessible.





Technical Specifications	
Treatment Capacity	≤1,200 GPD for average winery (~10,000 cases), per Wiggle Room*
Nutrient Removal	Up to 99% removal of BOD5, TSS, TKN, Ammonia, and Phosphorus
Treatment Time	Continuous process 4-hour treatment time when operating in parallel 8-hour treatment time when operating in series
Treatment Media	~50 cubic yards of wood media per Wiggle Room ~1/2-2" Douglas Fir shavings or equivalent with minimal sawdust
Operating Dimensions & Weight	Wiggle Room 20' L x 8'W x 11'H & ≤ 22,000 lbs Control Unit 8'L x 8'W x 9'H & ≤ 12,500 lbs At least three sides of the Wiggle Room need to be accessible
Client Site Prep Requirements	90% compaction & gravel or concrete pad Concrete footings ≤50A, 240 or 480 V, 3PH
Electrical Demand	0.0007 kWh/gallon treated when operating in parallel 0.0014 kWh/gallon treated when operating in series
Optional Equipment	Solar Panels for off-grid operations Climate control equipment and insulation

1949 5th Street, Suite 101, Davis, CA 95616
Tel: 530 564 4260 | info@biofiltro.com
www.biofiltro.com

*Can vary by influent/effluent characteristics

Revised January 2023

“I”

Traffic Study

Updated Traffic Study Report

Proposed Bremer Family Winery Use Modification Project

Final Report Submittal

August 12, 2025

Prepared for:
The County of Napa
Planning, Building, and Environmental Services (PBES)
Department of Public Works (Engineering)
1195 Third St. Suite 101
Napa, CA 94559-3092

At the Request of:
Bremer Family Winery
1905 Deer Park Rd.
St. Helena, CA 94574

Concord GHD [380]
2300 Clayton Road, Suite 920
Concord, CA 94520, United States
T| 1-925-849-1000

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Executive Summary

The proposed Bremer Family Winery Use Modification project consists of moderate increases in production, employment, and marketing to allow the Winery to respond to changing economic conditions. However, there would be no increases in daily or weekly visitation under currently permitted conditions. The Winery is located at 975 Deer Park Road in St. Helena, Napa County--- (**see Figure 6.1--Project Vicinity Map**). Production using primarily on-site grapes is proposed to increase from 15,000 to 50,000 gallons per year. The Winery remains staffed by family members, but employment would increase by four (4) full-time employees (only) during both the harvest/crush season and non-harvest/crush periods. Visitation at the Winery would remain unchanged from current permitted levels. Visitation currently equates to 70 guests per day and 490 guests per week. Finally, requested marketing activities would include seven annual events with a maximum attendance of 100 guests (twice per year). A VMT/TDM reduction plan is proposed even with minimal increases in proposed Use Modification traffic. Based on input from Napa County Traffic Engineering staff, one intersection along Deer Park Road was analyzed for existing, near-term, and cumulative conditions with and without the proposed project. This included the Deer Park Road/Sanitarium Road/Bremer Family Winery driveway intersection. In addition, the arterial segment of Deer Park Road north and south of Sanitarium Road was evaluated for peak hour weekday operating conditions.

Based on analyses of Existing, Near-Term, and Cumulative traffic conditions with and without the project; the following findings and recommendations are presented:

1. Existing (No Project) Conditions

The study intersection of Deer Park Road/Sanitarium Road/Bremer Family Winery driveway is currently operating at LOS B during both the weekday (Friday) PM peak hour and weekend (Saturday) midday peak hour for the stop-sign controlled eastbound movements from Sanitarium Road onto Deer Park Road. Based on collision history analysis, the intersection also experiences an accident rate slightly higher than the State average for similar facilities based on the number of “rear-end” and “broadside” accidents. The Deer Park Road/Sanitarium Road/Bremer Family Winery driveway intersection does not qualify for the peak hour signal warrant under Existing Conditions

Arterial operation is acceptable on the Deer Park Road segments north and south of Sanitarium Road at LOS A during both the weekday PM peak and weekend midday peak hours.

2. Near-Term (No Project) Conditions

Under Near-Term (No Project) conditions, approved project traffic was added to existing traffic volumes to account for increased growth within the project study area. Specifically, one winery project was identified from the County’s “Current Project List” located northeast of the project site in the Angwin Area. This included the “Aloft Winery”.” The Aloft Winery project is expected to generate 15 weekday PM peak hour trips and 19 weekend (Saturday) peak hour trips. With approved project trips added to existing volumes, the Deer Park Road/Sanitarium Road/Bremer Family Winery driveway intersection would be operating.at LOS B during both the weekday and weekend peak hours.

Based on increases in traffic volumes from Near-Term (approved) traffic growth on Deer Park Road, the north-south arterial segments on Deer Park Road would be operating at LOS A (276 vehicles southbound).

3. Cumulative (No Project) Conditions

With Cumulative Year 2030 (No Project) conditions, cumulative volume projections for Deer Park Road and Sanitarium Road were reviewed from the Solano - Napa Activity Based Model (SNABM). Using the growth in volumes between 2015 and 2040 in Napa County, overall growth would increase by 64% over a 25-year period or 2.56% per year.[1] Cumulative Year 2030 (No Project) conditions represent an approximate 7-year period or 17.92% increase in existing volumes to allow for both local and regional growth.

With Cumulative Year 2030 (No Project) traffic growth added to existing volumes, the Deer Park Road/Sanitarium Road/Bremer Family Winery driveway intersection would be operating.at LOS C during the weekday (Friday) PM peak hour and LOS B during the weekend (Saturday) midday peak hour.

[1] Solano Transportation Authority (STA) | Napa Valley Transportation Authority (NVTA, Solano Napa Activity – Based Model (SNABM), Model Documentation, Table 28, August 27, 2020.

Based on increases in traffic volumes from Cumulative Year 2030 (No Project) traffic growth on Deer Park Road, the north-south arterial segments on Deer Park Road would be operating at LOS A (316 vehicles southbound).

Proposed Project Impacts

4. Trip Generation

Proposed project daily and peak hour trip generation was conservatively based on Napa County Trip Generation ratios for winery production, employment, and visitation (see **Appendix D**). Based on the most recent County ratios, the project is estimated to generate 16 net new daily trips with 5 weekday PM peak hour trips and 4 net new weekend daily trips with 2 Saturday midday peak hour trips.

5. Intersection/Arterial Impacts

With proposed project traffic, intersection operation at the Deer Park Road/Sanitarium Road/Bremer Family Winery driveway would remain unchanged from "No Project" levels under Existing, Near-Term, and Cumulative Year 2030 conditions. The intersection would continue to operate at LOS B during both the weekday and weekend peak hours under Existing Plus Project and Near-Term Plus Project conditions. Under Cumulative Year 2030 Plus Project conditions, the Deer Park Road/Sanitarium Road/Bremer Family Winery driveway would operate at LOS C during the weekday PM peak hour and LOS B during the weekend midday peak hour.

The Deer Park Road/Sanitarium Road/Bremer Family Winery driveway intersection would not qualify for the peak hour signal warrant under any "with project" scenarios including Existing, Near-Term, and Cumulative Year 2030 conditions.

Arterial LOS would remain unchanged from "No Project" levels under Existing, Near-Term, and Cumulative Year 2030 conditions. The north-south Deer Park Road segments would continue to operate at LOS A.

Site Access/Design Parameters

6. Driveway Access

With proposed Use Modifications, driveway access for the Bremer Family Winery would be modified to allow improved circulation to/from Deer Park Road as well as from on-site areas. Specifically, a new driveway is proposed to be constructed approximately 185-feet south of the existing Bremer Family Winery driveway that would connect to the on-site internal drive. The new driveway would extend from the south on-site parking area west to Deer Park Road. The installation of a second driveway would serve to provide three purposes:

1. Disperse project-generated daily and peak hour vehicle trips;
2. Remove conflicting turning movements from the primary Bremer Family Winery driveway at its intersection with Deer Park Road-Sanitarium Road;
3. Provide more uniform traffic flow within the project site with clear inbound/outbound direction.

With the new south Bremer Family Winery driveway, all vehicle flow to the project site would be inbound from the primary (existing) project driveway opposite Sanitarium Road and out via the new driveway. This vehicle flow would serve to remove all outbound trips (westbound) from project site at the Deer Park Road/Sanitarium Road/Bremer Family Winery intersection. All outbound project trips would use the new south Bremer Family Winery driveway to access Deer Park Road in a north or south direction. To enforce directional turning movements and provide wayfinding for the inbound and outbound Winery driveways at Deer Park Road, the following measures are recommended for motorists approaching the project driveways from Deer Park Road:

- An "**Entrance Only**" sign should be placed at the main Bremer Family Winery driveway opposite Sanitarium Road;
- An "**Exit Only**" sign should be placed at the planned South Bremer Family Winery driveway.

It is noted that similar applications have been used in Napa Valley where one-way loop roads/driveways exist. A prime example would the existing limited access driveways serving the Oakville Grocery where similar signage exists.

7. Vehicle Site Distance

Radar speed surveys of Deer Park Road were conducted for the roadway in the project area.[2] The "critical" vehicle speed (the speed at which 85% of all surveyed vehicles travel at or below) along Deer Park Road was measured at 52 mph at the project driveway. The posted speed limit in the project driveway area is 45 mph. Caltrans' design standards indicate that these vehicle speeds require a stopping sight distance of 450-460 feet both north and south of the driveway measured along the travel lanes of Deer Park Road.[3] Based on field measurements, sight distance from the Bremer Family Winery driveway to the north on Deer Park Road is approximately 490 feet. Sight distance from the existing driveway to the south is in excess of 650 feet. Therefore, the sight distance recommendations would be met for the speed limit and measured vehicle speeds.

Extending to the proposed south Bremer Family Winery driveway at Deer Park Road; the driveway would be located approximately 185-feet south of the existing primary Winery driveway opposite Sanitarium Road. Given a measured sight-distance in excess of 650-feet from the existing Winery driveway would allow for 465-feet of vehicle sight-distance from the new south Winery driveway which would be adequate based on Caltrans requirements.

8. Left-Turn Lane Warrant

Existing plus Project volumes were compared with the Napa County guidelines for installing a southbound left-turn lane on Deer Park Road at the Bremer Family Winery north driveway.[4] (The warrant graph for "worst case" weekday Friday PM conditions is provided in the **Appendix F**). Napa County left-turn lane warrant is based on the combination of total proposed project daily trips at the driveway and overall daily volumes on Deer Park Road. Based on a peak weekday visitation of 70 guests, the proposed project would be expected to generate 107.2 (or 108) daily trips during the weekday Friday period when combined with proposed employment and production uses. At the County's direction, all 108 daily project trips have been focused at the Bremer Family Winery north driveway. Combined with 3,323 ADT on Deer Park Road (Existing plus Project Conditions), a southbound left-turn lane would be warranted on Deer Park Road at the Sanitarium Road/Bremer Family Winery north driveway based on County ADT warrant requirements.

9. Internal Circulation

With the proposed project site plan, the existing Bremer Family Winery project driveway from Deer Park Road would be improved from existing conditions to County standards for emergency vehicle access (see Project Site Plan---Figure 6.1). The main project driveway would extend east from Deer Park Road approximately 500 feet and provide access to winery production and storage areas (to the east). As noted, all vehicle traffic traveling to the Winery would be inbound from the existing Bremer Family Winery driveway (opposite Sanitarium Road). Approximately 200-feet east of Deer Park Road, the internal driveway would split; the eastward internal leg would extend another 300 -feet to Winery production areas before looping around to re-join the southeast leg of the driveway. The southeast leg would extend past Winery parking areas (to the Farmhouse) before turning southwest back towards Deer Park Road. This internal loop road allows vehicles to circulate through the site to access parking areas located off the driveway and in the southeast portion of the site adjacent to vineyard areas. The vehicle circulation area in front of the main winery tasting buildings would allow access for emergency vehicles (fire trucks) and parking areas south these winery facilities. The internal southwest segment of the loop road would provide access to new guest parking areas before extending west to Deer Park Road approximately 185-feet south of Sanitarium Road.

Vehicle Miles Traveled

Based on Napa County VMT guidelines, the following criteria would screen the proposed Bremer Family Winery Use Modification project from further VMT analysis (see Section 8—Vehicle Miles Traveled). However, a TDM plan is suggested consistent with County policies and guidelines.

Given the largely rural nature of Napa County, a reasonable screening approach is to apply a combination of the concepts and guidelines expressed in both the OPR Technical Advisory and the Napa County TIS Guidelines. Development projects proposed in Napa County can use the following structure to determine what level of VMT analysis will be required:

A Project modifying an existing facility that would generate additional trips where the net cumulative result of all project modifications after January 1, 2022 would generate less than 110 net new daily passenger vehicle and truck trips

[2] Omni Means Engineers & Planners, Radar vehicle speed surveys, Deer Park Road, February 10, 2017.
[3] Caltrans, Highway Design Manual, Table 405.1A, Corner (Stopping) Sight Distance, July 1, 2020.
[4] Napa County, Adopted Road and Street Standards, revised April 18, 2023.

a. Project is not required to prepare a TIS

b. Project is presumed to have a less-than-significant environmental impact for VMT

c. Applicant is encouraged to describe the measures they are taking and/or plan to take that would reduce the Project's trip generation and/or VMT

Based on the above Napa County VMT analysis and criteria, the proposed project is calculated to generate 16 net new daily trips on a weekday (maximum) and satisfies all requirements to be screened out and not require VMT analysis.

Transportation Demand Management

TDM Plan

The following measures are suggested and/or occurring to further reduce the demand of vehicles to/from the site. Given the nature of the proposed Use Modification with small increases in employment and no increases in daily guest visitation, large TDM measures are not practical given the location overall size of the Winery operations. However, specific TDM measures are described in some detail below.

Tours and Tastings/Marketing Events:

- When smaller marketing events are being held at the Winery (25-50 guests), the combination of tours/tastings and marketing event shall not exceed 70 daily visitors.
- When large marketing events occur twice per year (100 guests), 25 tours/tasting visitors shall be allowed on those days. However, all marketing event guests will be transported to/from the Winery via hire car (buses and/or vans) on that day. In addition, tours and tastings shall be scheduled during the morning and early afternoon hours (10:00 a.m. – 3:00 p.m.) to avoid any conflicts with the larger marketing event that are held in the later afternoon and evening hours (see Marketing Event Operations).
- To the maximum extent feasible, scheduling of tours and tastings shall not occur during peak travel times between 4:00-6:00 p.m. (weekdays) and 1:00-3:00 p.m. (weekends).

Shuttles, Hire Car, Limousines

- To the maximum extent possible, shuttle and other high occupancy vehicles shall transport guests to marketing events or tours and tastings for groups of 15 or more persons, with all vehicles parking on-site in designated areas.

Employee/Guest Incentives:

Employees:

The project applicant indicates that all current vineyard workers currently carpool to the project site. In addition, the applicant lives within one-mile of the Winery reducing overall VMT trip lengths. The Winery applicant currently ***provides low-cost housing*** for employees both on-property and within close proximity to the Winery.

Marketing Event Operations:

The project applicant indicates that when the Winery hosts large marketing events (two events year @ 100 guests), a majority of the guests stay at local hotels in the Napa Valley.[5] The Winery then uses hire vehicles (buses and/or vans) to transport the guests safely to/from the Winery for the dinner/event. Depending on the number of vans/buses, the vehicles will stay at the Winery during the event and then transport the guests back to the hotels upon completion. The large marketing events typically occur between 7:00 p.m. and 11:00 p.m. outside of the peak traffic flows. In addition to guest transportation, the associated catering generates four (4) truck trips; one truck arrives the day prior to the event for set-up then the day after the event for tear-down. Five (5) employees (event only) drive to the gathering. With these large 100-guest event TDM measures, it is estimated that overall trip generation is reduced to approximately 25-35 vehicle trips accounting for guest, catering, and employee activities.

In addition to the employee TDM measures currently embedded in Winery operations, the following is suggested:

- Staggered employee work hours: The winery will make efforts to have employees who do not live on-site arrive and/or depart the premises outside of the peak commute periods. For example, wine production employees would be encouraged to arrive prior to 7:00 a.m. and to depart before 3:00 p.m. (before 12:00

[5] John Bremer, Applicant/Owner, Bremer Family Winery, Large event transportation demand management (TDM) measures, Personal communication, April 8, 2023.

p.m. on the weekends). The exception would be during the crush/harvest season. Employees working in the visitor-serving capacities would be encouraged to arrive after 9:00 a.m. and depart after 6:00 p.m. (after 4:00 p.m. on weekends);

- Ride Share/Car Free Operations: The winery will make efforts to encourage ride shares and "car free" tourism as described in the program of the Napa Valley Destination Council and Napa Valley Transportation Agency.

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1. Introduction

The following report provides a focused traffic impact analysis (TIA), vehicle miles traveled (VMT), and transportation demand management (TDM) plan for the proposed Bremer Family Winery Use Permit Modification project located at 975 Deer Park Road in St. Helena (see **Figure 1.1**—Project Vicinity Map). Recent comments on the initial project work-scope were provided by Napa County Planning, Building, and Environmental Services (PBES), Department of Public Works.[6] As a result of Napa County comments, the analysis has been refined to reflect their concerns and direction associated with potential transportation impacts from proposed project Use Modifications.

Based on the most recent detailed project description, the use permit modification will involve moderate increases in wine production and employment with no increase in the maximum number of *daily* and *weekly* visitation. However, the Winery's marketing plan would be modified to hold seven (7) annual events consistent with current Winery activities. Proposed project access to/from Deer Park Road would be modified to allow for alternative vehicle access to aide in dispersing overall driveway volumes associated with Winery activities. One of the key tasks of the TIA was to evaluate the overall operation of the primary project driveway opposite Sanitarium Road. With proposed project circulation improvements, it is anticipated vehicle conflicts would be reduced at this intersection improving overall delays and safety.

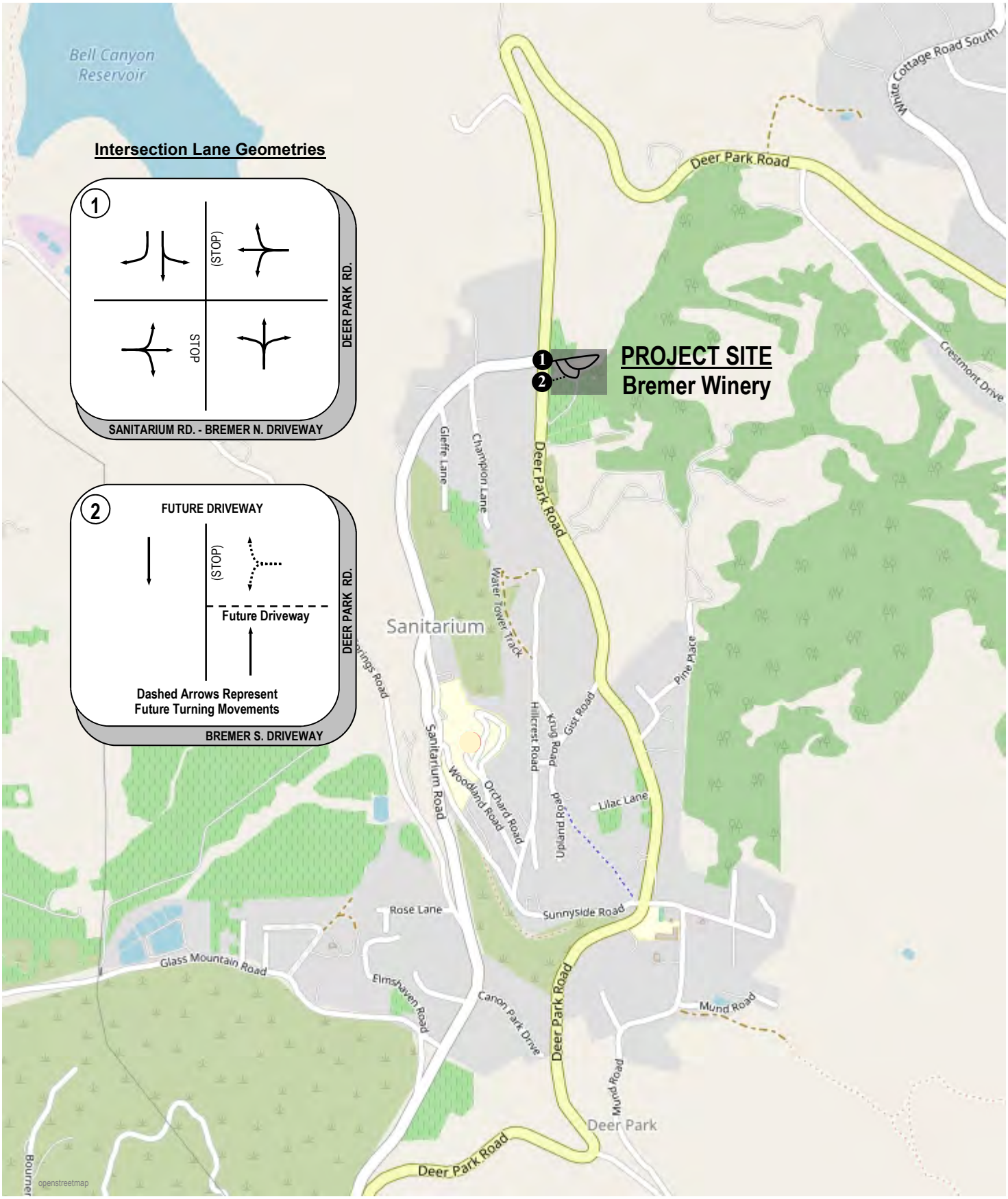
Based on Updated Napa County transportation guidelines, potential project impacts would represent the increase from current use permit activities and proposed project use modification changes. The resulting net increase in proposed project daily trip generation will guide how overall impacts are assessed and aide County staff for the proposed project's environmental review.

Using recent Napa County transportation guidelines that include TIA/VMT/TDM policies (Napa County 2022), GHD has analyzed existing, near-term (approved), and cumulative conditions with and without the proposed project. In addition, a vehicle collision analysis has been conducted focusing on Deer Park Road and Sanitarium Road at primary access intersection(s) and the along adjacent roadway segments. Project site access, circulation, and vehicle sight distance have been evaluated using County standards. Previous data and analyses conducted as part of the *Focused Traffic Analysis for the Proposed Bremer Family Winery Use Modification Project* (*Omni-Means, 2018*) has been incorporated into the draft document (to the extent possible). Consistent with County guidelines, proposed project vehicle miles traveled (VMT) was identified with recommended transportation demand management (TDM) measures.

The following key transportation components associated with project activities and transportation operations were evaluated:

- Existing Conditions (Year 2023) with/without Project: Weekday PM peak hour and weekend (Saturday) mid-day peak hour operations at the Deer Park Road/Sanitarium Road/Bremer Family Winery Driveway intersection and Deer Park Road segments;
- Near-Term (2025) with/without Project. Operating conditions reflecting other approved/pending projects in the study area encompassing Napa County and the City of St. Helena;
- Net increase in proposed project trip generation from current CEQA basis conditions to proposed project use modification conditions including production, visitation, employment, and marketing events based on accepted Napa County trip generation ratios;
- Estimated increase in project vehicle miles travelled (VMT) using recommended vehicle trips length from the Napa County transportation guidelines;
- Project site access at the winery's Deer Park Road driveway and proposed southerly driveway and circulation of vehicles within the winery areas;
- Cumulative year 2030 with/without project using growth projections along Deer Park Road based on the Napa County General Plan Update EIR;

[6] Napa County PBES, Bremer Family Winery, P22-00086 Traffic Impact Study Scope of Services, Memorandum, Sayed Fakhry, PE, TE, TJKM Transportation Consultants, October 24, 2022.



GHD

PROJECT VICINITY MAP

FIGURE 1.1

N

- Transportation Demand Management (TDM) plans to reduce overall vehicle trip lengths and trip generation tailored to specific Winery activities related to visitation and employment as well as other recommended County strategies.

Executive Summary/Mitigation: Based on the findings of the operational analysis for the proposed Bremer Family Winery Use Modification project, mitigation measures are recommended to provide acceptable operations during the design peak hour conditions. Mitigations may include, but are not limited to, signalization, lane geometry changes/additions, travel lane requirements, signage and striping, additional gate service lanes, transportation demand measures, and turn restrictions/wayfinding.

The following scenarios were evaluated for transportation analyses of the Northwest Field Gate:

- Existing Conditions (Year 2022)
- Existing plus Project Conditions
- Near-Term (Year 2025) No-Project Conditions
- Near-Term (Year 2025) plus Project Conditions
- Cumulative Year 2030 No-Project Conditions
- Cumulative Year 2030 plus Project Conditions

1.1 Project Description

Using the proposed project's most recent County use permit (major modification) application for winery uses, the activities anticipated to increase over existing levels include the following:

- The annual number of visitors would increase from 3,600 persons per year to 12,500 persons per year;
- There would be no change to the maximum daily and weekly number of visitors. Maximum daily visitation would remain unchanged at 70 persons per day and 490 persons per week;
- Winery production would increase by 35,000 gallons from 15,000 gallons per year to 50,000 gallons per year;
- There would be just seven (7) marketing events per year as follows:
    - Two (2) annual events with up to 100 guests
    - Three (3) annual events with up to 50 guests
    - Two (2) annual events with up to 25 guests;
- Employment would increase by four employees from four (4) full-time employees to eight (8) full-time employees. Part-time employment would remain unchanged at two (2) employees.

In addition to the increases listed above associated with proposed Winery activities, overall circulation and access at the Winery would be modified to allow more direct flow through the winery grounds and a dispersal of project trips. Specifically, a secondary driveway (new) would be installed approximately 185-feet south of the existing main Bremer Family Winery driveway on Deer Park Road (see Section 7---Site Access/Design Parameters).

2. Transportation Network

2.1 Project Setting

This section outlines both the roadway, intersection, pedestrian/bicycle network that provides both direct and indirect access to the Bremer Family Winery, and collision history at the primary study intersection/roadway. The Winery is located at 975 Deer Park Road immediately east of the Deer Park Road/Sanitarium Road intersection. Silverado Trail and State Route 29 (SR 29) can be accessed 1-2 miles west via Deer Park Road. A brief description of each roadway follows:

2.1.1 Roadways:

Deer Park Road extends between Silverado Trail and Howell Mountain Road in the project study area in a northeast-southwest direction. A two-lane rural collector street with short radius curves (in places) due to elevation changes and topography, Deer Park Road provides access to the Deer Park and Sanitarium areas as well as Angwin further east of the project site. In the immediate project vicinity, the Deer Park roadway segment is straight with a speed limit of 45 mph.

Sanitarium Road parallels Deer Park Road to the west and has both a southerly and northerly connection to the roadway. Located approximately 0.40 miles north of Silverado Trail at Deer Park Road, Sanitarium Road extends for approximately 1.6 miles before re-connecting with Deer Park Road. At its northern intersection with Deer Park Road, Sanitarium Road extends in an east-west direction and form the west leg of the intersection (off-set from the Bremer Family Winery driveway by about 25 feet). Sanitarium Road is a two-lane road that provides access to institutional (medical), residential, and agricultural areas with a speed limit of 35 mph.

Silverado Trail is located approximately 1.2 miles southwest of the proposed project site and is one of the two primary north-south routes providing access through the Napa Valley. A two-lane rural throughway, Silverado Trail provides access to agricultural, winery, and commercial areas on the east side of the Napa Valley. Extending from the City of Napa north through St. Helena, Silverado Trail eventually extends to Calistoga with a 50-mph speed limit in the study area.

State Route 29 (SR-29) is the primary north-south route through the Napa Valley extending from the City of Vallejo north to the City of Calistoga. The highway varies from four travel lanes (between Vallejo and Yountville) narrowing to two travel lanes north of Yountville. This two-lane roadway configuration continues for the remainder of the highway. In the project study area at Deer Park Road SR-29 has two travel lanes and wide shoulder areas with a 45-mph speed limit.

2.1.2 Intersections

To update existing peak hour traffic operating conditions, new peak period multi-model counts were conducted at the Bremer Family Winery driveway at Deer Park Road intersection in January 2022[7]. Based on Napa County guidelines, vehicle counts were conducted during the Friday PM commute period and a Saturday peak afternoon period at the following intersection:

- Deer Park Road/Sanitarium Road/Bremer Family Winery Driveway

The County requires two Friday intersection counts (4:00-6:00 p.m.) and two Saturday afternoon (1:00-3:00 p.m.) counts that are then averaged to provide a representative sampling of traffic flow volumes. The resultant “peak hour” of traffic flow on Deer Park Road occurs during 4:00-5:00 p.m. (Friday) and 1:00-2:00 p.m. (Saturday). Traffic count data has been included in **Appendix A.** Peak period counts were conducted during the non-harvest/crush season (late January) and do not fully reflect peak traffic conditions on Deer Park Road. Therefore, Napa County guidelines indicate existing count volumes will be increased by 15% to represent harvest season conditions.[8] Existing (adjusted) AM and PM peak hour intersection volumes are shown in **Figure 2.1**.

[7] All Traffic Data Systems, Peak period intersection counts at the Deer Park Road/Sanitarium Road/Bremer Family Winery Driveway, Fridays (January 13 & 20, 2023) & Saturdays (January 14 & 21, 2023).
[8] Napa County PBES, Napa County Traffic Impact Study (TIS) Guidelines, February 2022.

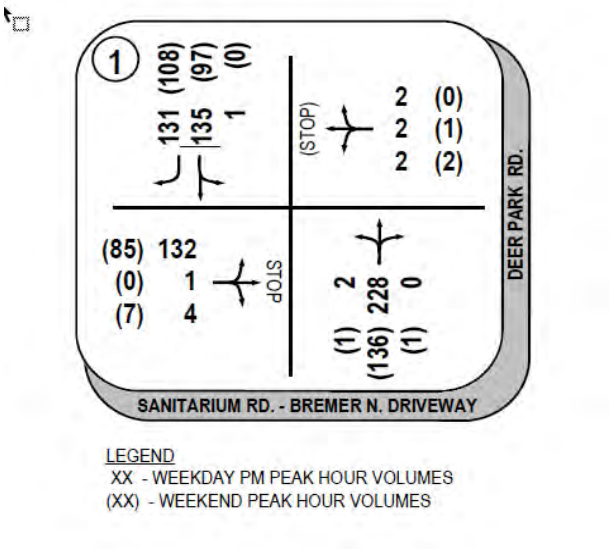


Figure 2.1 Existing Weekday PM and Weekend Midday Peak Hour Intersection Volumes

2.1.3 Intersection Field Observations

The primary Bremer Family Winery project driveway is slightly off-set from Sanitarium Road by approximately 15-20 feet on the east side of Deer Park Road However, the close proximity of the driveway to Sanitarium Road mimics the operation of a four-way intersection at this location. Both Sanitarium Road and the Bremer Family Winery driveway are minor street, stop-sign controlled approaches at Deer Park Road. The project entrance driveway is gated approximately 25 feet from the main roadway and has a travel width of about 16 feet. After passing through the gated entrance, the driveway extends east to provide access to parking, winery and residential areas. Napa County standards require a minimum driveway width of 20-feet. However, consistent with Napa County Roads and Street standards, a large wide gravel parking area (turn-out) extends along the north side of the driveway to provide for turnouts and for two-way traffic. In addition, a circular internal drive provides both motorists and delivery trucks opportunity to access the winery grounds without conflict for ingress/egress.

2.1.4 Average Daily Traffic (ADT) Volumes

In addition to intersection count volumes, ADT (24-hour) two-way roadway segment volumes were collected on Deer Park Road south of Sanitarium Road. Again, existing ADT volumes were increased by 15% to account for harvest season conditions. As recorded, the Deer Park Roadway segment is currently carrying 3,215 daily vehicles.

2.1.5 Pedestrians/Bicycles

Based on the rural nature of Deer Park Road and Sanitarium Road and their distance from the Valley floor, observed pedestrian and bicycle facilities in the project study area were limited in nature. Based on field observations during data collection, there are no pedestrian/bicycle facilities on either roadway in the project study area. Deer Park Road and Sanitarium Road have no shoulders, curb or gutter, or sidewalks in the project vicinity. Pedestrian and bicycle counts conducted at the Deer Park Road/Sanitarium Road/Bremer Family Winery driveway intersection indicate very light use by non-motorized multi-modal uses. Specifically, 1 bicyclist and zero pedestrians on Deer Park Road were counted during the AM peak period with no bicyclists or pedestrians recorded during the PM peak period as shown in **Table 2.1**.

Table 2.1 Pedestrian and Bicycle Volumes, Friday PM and Saturday Midday Peak Hours

#	Intersection	Control Type	PM Peak Hour	MD Peak Hour
			Pedestrian/Bicyclists	Pedestrian/Bicyclists
1	Deer Park Rd./Sanitarium Rd./BFW Driveway	TWSC	1	0

Source: GHD, PM and Midday peak hour pedestrian/bicycle count data, Deer Park Road-Sanitarium Road, January 20,21, 2023.

2.1.6 Transit

Transit service in the regional area is currently provided by The Vine and is operated by the Napa Valley Transportation Authority (NVTA). The Vine operates both fixed-route and "flex route" service that provides access encompassing the City of Napa and other major towns along Highway 29 including Yountville, St. Helena, and Calistoga. . Currently, there is no direct transit service in the project vicinity along Deer Park Road. However, The Vine does operate flexible service routes and para-transit routes in St. Helena with "on-demand" door-to-door services within ¾ of a mile of St. Helena. However, no direct or on-demand transit service currently extends to the project study area.

2.2 Collision Analysis

A collision analysis was conducted for the study area to determine any trends or patterns that may indicate a safety issue at adjacent intersections and roadways in the study area. Collision rates are calculated based on records provided by the California Highway Patrol as published in their State-wide Integrated Traffic Records System (SWITRS) database. The most current five (5) year period from January 1, 2017, through December 31, 2021, was analyzed. Collision characteristics and rates for the primary existing Deer Park Road/Sanitarium Road/Bremer Family Winery driveway intersection is shown in **Table 2.2**.

There were no fatal or severe injury collisions recorded for the study location in the past five years. In addition, the calculated collision rate for the study location was compared to the average collision rate for similar facilities state-wide, as indicated in the *2019 Collision Data on California State Highways* (Caltrans). As presented in **Table 2.2**, the Deer Park Road/Sanitarium Road/Bremer Family Winery driveway intersection is experiencing a collision rate higher than the 2019 California Average for similar facilities. The majority of collisions (5) were either "rear-end" or "broadside." These types of collisions are consistent with minor-street, stop-sign control intersections and the relatively high vehicle speed limit on Deer Park Road. It is noted that vehicle sight distance is adequate along Deer Park Road from the minor streets (see Section 7—Site Access/Design Parameters).

Table 2.2 Study Intersection Collision Analysis

Intersection ID	Intersection	By Severity					By Type							By Year					Bicycle Involved Collisions	Pedestrian Involved Collisions	**Total Collisions** (2017-2021)	**24-Hr Entering Volume**	**Collision Rate** (Per Million Entering Vehicles)	**CA Average Collision Rate** (Per Million Entering Vehicles)
		Fatal	Severe Injury	Injury (Other Visible)	Injury (Complaint of Pain)	Property Damage Only	Head-On	Sideswipe	Rear End	Broadside	Hit Object	Vehicle/Pedestrian	Other	2017	2018	2019	2020	2021						
1	Deer Park Rd / Sanitarium Rd - Bremer Driveway	0	0	1	4	2	0	0	3	2	1	1	0	2	1	1	1	2	0	1	7	5390	**0.71**	0.36

In addition to intersection collision analysis, roadway segment collision analysis was also evaluated for Deer Park Road 1,000 feet north and south of Sanitarium Road. As shown in **Table 2.3,** the roadway segment experienced two (2) collisions over the past five years with a calculated collision rate below the State average. Both recorded collisions involved property damage only.

Table 2.3 Roadway Segment Collision Analysis

Segment ID	Roadway Segment	Fatal	Severe Injury	Injury (Other Visible)	Injury (Complaint of Pain)	Property Damage Only	Head-On	Sideswipe	Rear End	Broadside	Hit Object	Vehicle/Pedestrian	Other	2017	2018	2019	2020	2021	Bicycle Involved Collisions	Pedestrian Involved Collisions	**Total Collisions** (2017-2021)	**24-Hr Entering Volume**	**Collision Rate** (Per Million Vehicle Miles)	**CA Average Collision Rate** (Per Million Vehicle Miles)
1	Deer Park Rd: 1,000' N & S of Sanitarium Rd	0	0	0	0	2	0	1	1	0	0	0	0	1	0	0	0	1	0	0	2	3217	**0.90**	1.29

2.3 Analysis Methodologies

Operational design standards are established using information in the Napa County Traffic Impact Study (TIS) Guidelines (Napa County, 2022), Napa Valley General Plan Circulation Element (Napa County, 2019) and the Highway Capacity Manual (HCM), Sixth Edition (TRB, 2016) for intersection capacities.

2.3.1 Intersection LOS Methodologies

Level of Service (LOS) was calculated for all intersection control types using the methods documented in the HCM, Sixth Edition (TRB, 2016). Level of service is a qualitative measure of traffic operating conditions, whereby a letter grade “A” through “F” is assigned to an intersection or roadway segment representing progressively worsening traffic conditions.

For two-way stop-controlled (TWSC) and/or “T-type” intersections such as the Deer Park Road/Sanitarium Road/Bremer Family Winery driveway, the intersection delay and LOS are represented by the stop-sign controlled approach (worst case) and is expressed in seconds of vehicle delay with a corresponding LOS range.

All unsignalized intersection operations analyses are conducted using procedures and methodologies contained in the HCM (TRB, 2016). These methodologies are applied using the Synchro/SimTraffic simulation software (Version 11).

2.3.2 Operational Design Standards

Operational design standards for acceptable intersection operations are based on the Napa County Traffic Impact Study (TIS) Guidelines. Should intersection operations be forecasted to perform below acceptable LOS and standards, measures are recommended to improve operations to acceptable LOS and standards as follows:

Intersections:

- The operational analyses of unsignalized intersections are considered substandard if project-related traffic would cause the worst approach (i.e., greatest delay) at an intersection to operate at LOS E or worse during one or more peak hours.

All study intersections were analyzed at a threshold of LOS D. Refer to **Table 2.4** for the intersection Level-of-Service descriptions and LOS criteria for signalized and unsignalized intersections based on Transportation Research Board (TRB, 2016).

Bicycle Facilities:

- The operational analysis of bicycle facilities is considered substandard if the project would result in potentially hazardous conditions for bicyclists or otherwise would substantially interfere with bicycle accessibility to the project site and adjoining areas.

Pedestrian Facilities

- The operational analyses of pedestrian facilities are considered substandard if the project would result in substantial overcrowding on sidewalks, would create potentially hazardous conditions for pedestrians or otherwise would substantially interfere with pedestrian accessibility to the project site and adjoining areas.

Table 2.4 Intersection Level-of-Service (LOS) Delay Criteria

Level of Service	Type of Flow	Delay	Maneuverability	Stopped Delay/Vehicle		
				Signalized	Unsignalized	All-Way
A	Stable Flow	Very slight delay. Progression is very favorable, with most vehicles arriving during the green phase not stopping at all.	Turning movements are easily made and nearly all drivers find freedom of operation.	<10.0	<10.0	<10.0
B	Stable Flow	10.0Good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher levels of average delay.	Vehicle platoons are formed. Many drivers begin to feel somewhat restricted within groups of vehicles.	>10.0 and <20.0	>10.0 and <15.0	>10.0 and <15.0
C	Stable Flow	Higher delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant, although many still pass through the intersection without stopping.	Back-ups may develop behind turning vehicles. Most drivers feel somewhat restricted	>20.0 and <35.0	>15.0 and <25.0	>15.0 and <25.0
D	Approaching Unstable Flow	The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volume-to-capacity ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable	Maneuverability is severely limited during short periods due to temporary back-ups.	>35.0 and <55.0	>25.0 and <35.0	>25.0 and <35.0
E	Unstable Flow	Generally considered to be the limit of acceptable delay. Indicative of poor progression, long cycle lengths, and high volume-to-capacity ratios. Individual cycle failures are frequent occurrences.	There are typically long queues of vehicles waiting upstream of the intersection.	>55.0 and <80.0	>35.0 and <50.0	>35.0 and <50.0
F	Forced Flow	Generally considered to be unacceptable to most drivers. Often occurs with over saturation. May also occur at high volume-to-capacity ratios. There are many individual cycle failures. Poor progression and long cycle lengths may also be major contributing factors.	Jammed conditions. Back-ups from other locations restrict or prevent movement. Volumes may vary widely, depending principally on the downstream back-up conditions.	>80.0	>50.0	>50.0

2.3.3 Technical Parameters for Intersection Operations

The following technical parameters were developed for this study:

- A Peak Hour Factor (PHF) will be calculated based on the traffic counts conducted for this study for each analysis location and the HCM (TRB, 2016). Intersection PHF's are used for existing and design year conditions. A default PHF of 0.93 is used for Design Year conditions and/or calculated PHF (whichever is more conservative).
- Peak hour truck percentages were calculated based on Heavy Vehicle counts conducted as part of the Deer Park Road intersection data collection and/or 5% based on County direction (GHD, 2022).
- Speeds on Deer Park Road (used for intersection analysis) are based on the current posted speed limit.

- Deer Park Road mainline lane width of 11' will be used in the analysis.
- The intersection saturation flow rate is assumed to be 1,900 passenger cars per hour per lane based on the HCM (TRB, 2016).

All parameters not listed above should be assumed as default or calculated values based on the HCM (TRB, 2016).

2.4 Existing Intersection Operations

2.4.1 Intersection Level-of-Service

Existing weekday AM and PM peak hour study intersection operation were quantified using existing traffic volumes and existing lane geometry and control. Table 2.3 presents intersection operations for Existing Conditions. Detailed Synchro calculation sheets are included in **Appendix B**.

As presented in **Table 2.5**, the two-way-stop-controlled (TWSC) intersection of Deer Park Road/Sanitarium Road/Bremer Family Winery Driveway is currently operating at acceptable LOS D or better during the PM peak hour and Saturday Midday peak hour.

Table 2.5 Existing Intersection Level-of-Service (LOS), Weekday PM Peak & Weekend Midday Peak Hour

ID	Intersection	Peak Hour	Target LOS	Existing		
				Control	Delay	LOS
1	Deer Park Rd./Sanitarium Rd./Bremer Family Winery Driveway	PM	D	TWSC	14.2	B
		MD	D		11.2	B
BOLD Indicate LOS of E or worse 1 Intersection LOS based on Synchro-Simtraffic (Version 11.0); 2 Delay reported from HCM 6 (TRB, 2016) methodology, TWSC = Two-Way-Stop-Control, PM = Friday Weekday Peak, MD = Saturday Midday Peak						

2.4.2 Signal Warrant Evaluation

Based on the California Manual on Uniform Traffic Control Devices (CAMUTCD) peak hour signal warrant criteria, the unsignalized Deer Park Road/Sanitarium Road study intersection was evaluated for signalization.[9] The peak hour warrant(s) is one of several standards to help determine if installation of a traffic signal is appropriate. Qualifying for signalization using the peak hour warrants does not necessarily mean a signal should be installed. The decision to install a traffic signal should be based on further studies utilizing additional warrants as presented in the CAMUTCD. At this time, the project study intersection does not qualify for signalization under the peak hour warrant (the warrant graphs are provided in the **Appendix C**).

[9] California Manual on Uniform Traffic Control Devices (CAMUTCD), Chapter 4C, Peak hour signal warrant (#3), 2014 Edition (Revised March 27, 2020).

3. Near-Term (No Project) Conditions

3.1.1 Methodology

Both near-term conditions (approved, no project) and cumulative volume projections for Deer Park Road and Sanitarium Road were reviewed from the Solano - Napa Activity Based Model (SNABM). Using the growth in volumes between 2015 and 2040 in Napa County, overall growth would increase by 64% over a 25-year period or 2.56% per year.[10] Near-Term (No Project) conditions represent an approximate 2-year period (Year 2025) to allow for completion of approved projects.

In addition to the SNABM traffic growth projections, local approved/pending projects in the immediate study area have been included in overall traffic growth based on Napa County TIS Guidelines. Based on direction from Napa County Planning staff, there is oneongoing development project that could affect traffic volumes along Deer Park Road and Sanitarium Road that include the following:

- **Aloft Winery (P16-00429)**—430 Cold Springs Road, Angwin. Approximately 3.3 miles northeast of the project site, new winery with an annual production of 50,000 gallons, 6 full-time employees and 2 part-time employees, average of 20 visitors per day, with an average marketing event of 125 guests;

3.1.2 Near-Term (Approved Project) Trip Generation

Based on Napa County's Winery Trip Generation Worksheet for use modifications, the approved project's daily and peak hour vehicle trips have been calculated as follows:

Aloft Winery.	Weekday: 139 daily trips, 15 PM peak hour trips
	Weekend: 131 daily trips, 19 Midday peak hour trips

Approved project trip generation sheets are included in **Appendix D.**

The approved project site is located northeast of the proposed project site in the Angwin area. Excluding local traffic associated with employment, deliveries, and visitation; the majority of traffic flow would be to/from the southwest via Deer Park Road and Sanitarium Road. Peak hour approved project trips were assigned to the roadways based on existing traffic flows at the Deer Park Road/Sanitarium Road intersection.

Near-term (No Project) volumes for the weekday (Friday) PM peak hour and weekend (Saturday) midday peak hour are shown in **Figure 3.1**

3.1.3 Near-Term (No Project) Roadway/Intersection Operations

With Near-Term (No Project) volumes, roadway segment volumes on Deer Park Road would increase to 276 vehicles (southbound directional) reflecting operations of LOS A.

Intersection LOS at the Deer Park Road/Sanitarium Road/Bremer Winery Driveway has been calculated and shown in **Table 3.1.** As calculated, vehicle delays would remain unchanged from Existing (No Project) conditions remaining at LOS B during both the weekday PM and weekend midday peak hour conditions.

[10] Solano Transportation Authority (STA) | Napa Valley Transportation Authority (NVTA, Solano Napa Activity – Based Model (SNABM), Model Documentation, Table 28, August 27, 2020.

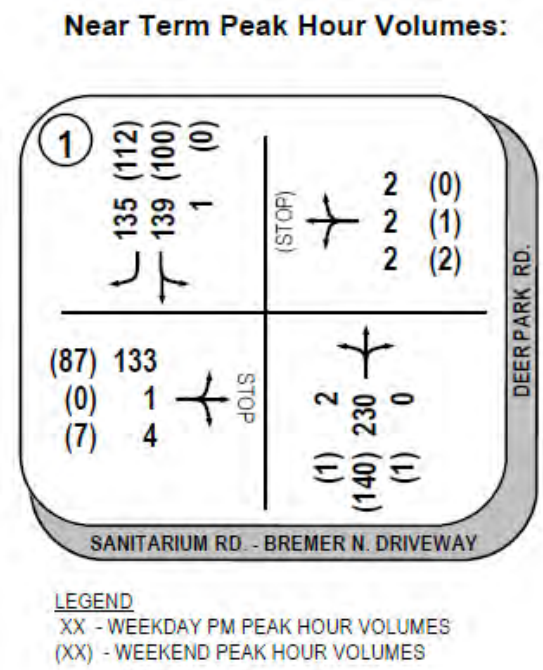


Figure 3.1 Near-Term (No Project) Weekday PM & Weekend Midday Peak Hour Intersection Volumes

Table 3.1 Near-Term (No Project) Intersection Level-of-Service (LOS), Weekday PM Peak & Weekend Midday Peak Hour

ID	Intersection	Peak Hour	Target LOS	Existing			Near-Term (NP)		
				Control	Delay	LOS	Control	Delay	LOS
1	Deer Park Rd./Sanitarium Rd./Bremer Family Winery Driveway	PM	D	TWSC	14.2	B	TWSC	14.4	B
		MD	D		11.2	B		11.3	B
BOLD Indicate LOS of E or worse 1 Intersection LOS based on Synchro-Simtraffic (Version 11.0); 2 Delay reported from HCM 6 (TRB, 2016) methodology, TWSC = Two-Way-Stop-Control, PM = Friday Weekday Peak, MD = Saturday Midday Peak									

3.1.4 Signal Warrant Evaluation

With Near-Term (No Project) volumes, the unsignalized Deer Park Road/Sanitarium Road study intersection was evaluated for signalization.[11] At this time, the project study intersection does not qualify for signalization under the peak hour warrant (the warrant graphs are provided in the **Appendix C**).

4. Cumulative Year 2030 (No Project) Conditions

4.1.1 Methodology

Cumulative Year 2030 (No Project) volume projections for Deer Park Road and Sanitarium Road were reviewed from the Solano - Napa Activity Based Model (SNABM). Using the growth in volumes between 2015 and 2040 in

[11] California Manual on Uniform Traffic Control Devices (CAMUTCD), Chapter 4C, Peak hour signal warrant (#3), 2014 Edition (Revised March 27, 2020).

Napa County, overall growth would increase by 64% over a 25-year period or 2.56% per year.[12] Existing traffic volumes were increased by 17.92% to account for an approximate 7-year growth period (Year 2030) consistent with the Napa County General Plans

Cumulative Year 2030 (No Project) volumes for the weekday (Friday) PM peak hour and weekend (Saturday) midday peak hour are shown in **Figure 4.1**

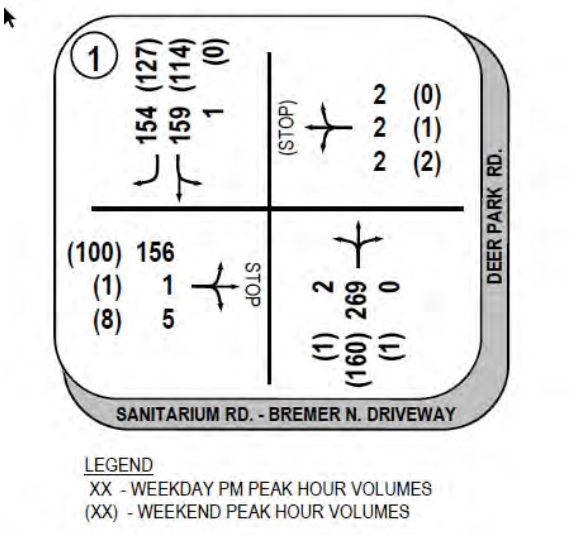


Figure 4.1 Cumulative Year 2030 (No Project) Weekday PM & Weekend Midday Peak Hour Intersection Volumes

4.1.2 Cumulative Year 2030 (No Project) Roadway/Intersection Operations

With Cumulative Year 2030 (No Project) volumes, arterial LOS would remain unchanged on Deer Park Road reflecting operations of LOS A.

Intersection LOS at the Deer Park Road/Sanitarium Road/Bremer Winery Driveway has been calculated and shown in **Table 4.1.** As calculated, vehicle delays would increase slightly changing from LOS B to LOS C during the weekday PM peak hour. Weekend (Saturday) midday peak hour conditions would remain at LOS B.

Table 4.1 Cumulative Year 2030 (No Project) Intersection LOS, Weekday PM Peak & Weekend Midday Peak Hour

ID	Intersection	Peak Hour	Target LOS	Existing			Near-Term (NP)			Cumulative Yr. 2030 (No Project)		
				Control	Delay	LOS	Control	Delay	LOS	Control	Delay	LOS
1	Deer Park Rd./Sanitarium Rd./Bremer Family Winery Driveway	PM	D	TWSC	14.2	B	TWSC	14.5	B	TWSC	16.8	C
		MD	D		11.2	B		11.4	B		11.9	B
2	Deer Park Rd./Bremer Family South Driveway	PM	D									
		MD	D									

BOLD Indicate LOS of E or worse

1 Intersection LOS based on Synchro-Simtraffic (Version 11.0);

2 Delay reported from HCM 6 (TRB, 2016) methodology, TWSC = Two-Way-Stop-Control, PM = Friday Weekday Peak, MD = Saturday Midday Peak

4.1.3 Signal Warrant Evaluation

With Cumulative Year 2030 (No Project) volumes, the unsignalized Deer Park Road/Sanitarium Road study intersection was evaluated for signalization.[13] At this time, the project study intersection does not qualify for signalization under the peak hour warrant (the warrant graphs are provided in the **Appendix C**).

[12] Solano Transportation Authority (STA) | Napa Valley Transportation Authority (NVTA, Solano Napa Activity – Based Model (SNABM), Model Documentation, Table 28, August 27, 2020.

[13] California Manual on Uniform Traffic Control Devices (CAMUTCD), Chapter 4C, Peak hour signal warrant (#3), 2014 Edition (Revised March 27, 2020).

5. Napa County Significance Criteria

The County of Napa's significance criteria has been based on the Napa County Traffic Impact Study (TIS) Guidelines (*Napa County, 2022*). Some of the key significance criteria applicable to proposed project development would be as follows as described in Table 5 of the TIS Guidelines:

On-Site Circulation

- Site design for circulation, access, and/or parking areas fail to meet County Road and Street Standards or industry standard design guidelines;
- A project fails to provide adequate or safe accessibility for service and delivery trucks on-site (including access to truck loading areas) or for passenger drop-off and pick-up areas.

Off-Site Traffic Operations

- Per Attachment B, a roadway segment or intersection operates acceptably according to Policy CIR-38 under a no project scenario, and the addition of project traffic causes overall traffic operations on the facility to operate unacceptably;
- A roadway segment or intersection operates unacceptably according to Policy CIR-38 under a no project scenario and the project adds a certain amount of traffic;
- Project-generated Vehicle Miles Traveled (VMT) exceeds the standards described in the General Plan Policy CIR-7.

Intersection Traffic Control

- The addition of project traffic causes an all-way-stop-controlled or side-street stop-controlled intersection to meet Caltrans signal warrant criteria. All such intersections will first be evaluated with roundabout intersection control. The project team should also consider potential right-of-way constraints at intersections where roundabouts are being considered.

Expanding on significance criteria for roadway segments and intersections, the following Level-of-Service (LOS) criteria would apply:

Unsignalized Intersections:

- LOS D or better deteriorates to LOS E or F with Project Trips; or
- LOS E or F, and Project trips increases the total entering volume by one percent or more. For side-street stop-controlled intersections, based on the delay for each stop-controlled approach that operates at LOS E or F

Arterial

- LOS D or better deteriorates to LOS E or F with Project Trips; or
- LOS E or F, and Project trips increases the total segment volume by one percent or more.

Cumulative

- Project contributes five percent or more to total growth in volume entering at failing intersections;
- Project contributes five percent or more to total growth in volume on a failing arterial road segment.

Vehicle Miles Traveled (VMT)

The County identifies "screening" criteria for small winery projects that generate less than 110 net new daily trips as follows:

A Project modifying an existing facility that would generate additional trips where the net cumulative result of all project modifications after January 1, 2022 would generate less than 110net new daily passenger vehicle and truck trips

- Project is not required to prepare a TIS
- Project is presumed to have a less-than-significant environmental impact for VMT

- Applicant is encouraged to describe the measures they are taking and/or plan to take that would reduce the Project's trip generation and/or VMT

Based on initial project modification estimates, it is likely the proposed project's use modification would qualify for the County's reasonable VMT screening approach (see Section 8--VMT)

6. Project Impacts

6.1 Project Description/Purpose

Based on the most recent detailed project description for the Bremer Family Winery, the use permit modification will involve moderate increases in wine production and employment with no increase in the maximum number of daily and weekly visitation. In addition, the Winery's marketing plan would be modified to hold seven (7) annual events consistent with current Winery activities. Proposed project access to/from Deer Park Road would be modified to allow for alternative vehicle access driveway to aide in dispersing overall driveway volumes associated with Winery activities. Specific project components can be described as follows:

Production: Annual production increase from 15,000 gallons/year to 50,000 gallon/year;

Employment: Existing: 4 full-time, 2 part-time, Future: 8 full-time, 2 part-time;

Visitation: Annual visitation increase from 3,600 persons to 12,500 persons. No increase in maximum or weekly visitation of 70 persons per day or 490 person per week (7 days/week)

Marketing: Annual marketing activity would total seven (7) events: two (2) events with 100 guests, three (3) events with 50 guests, and two (2) events with 25 guests.

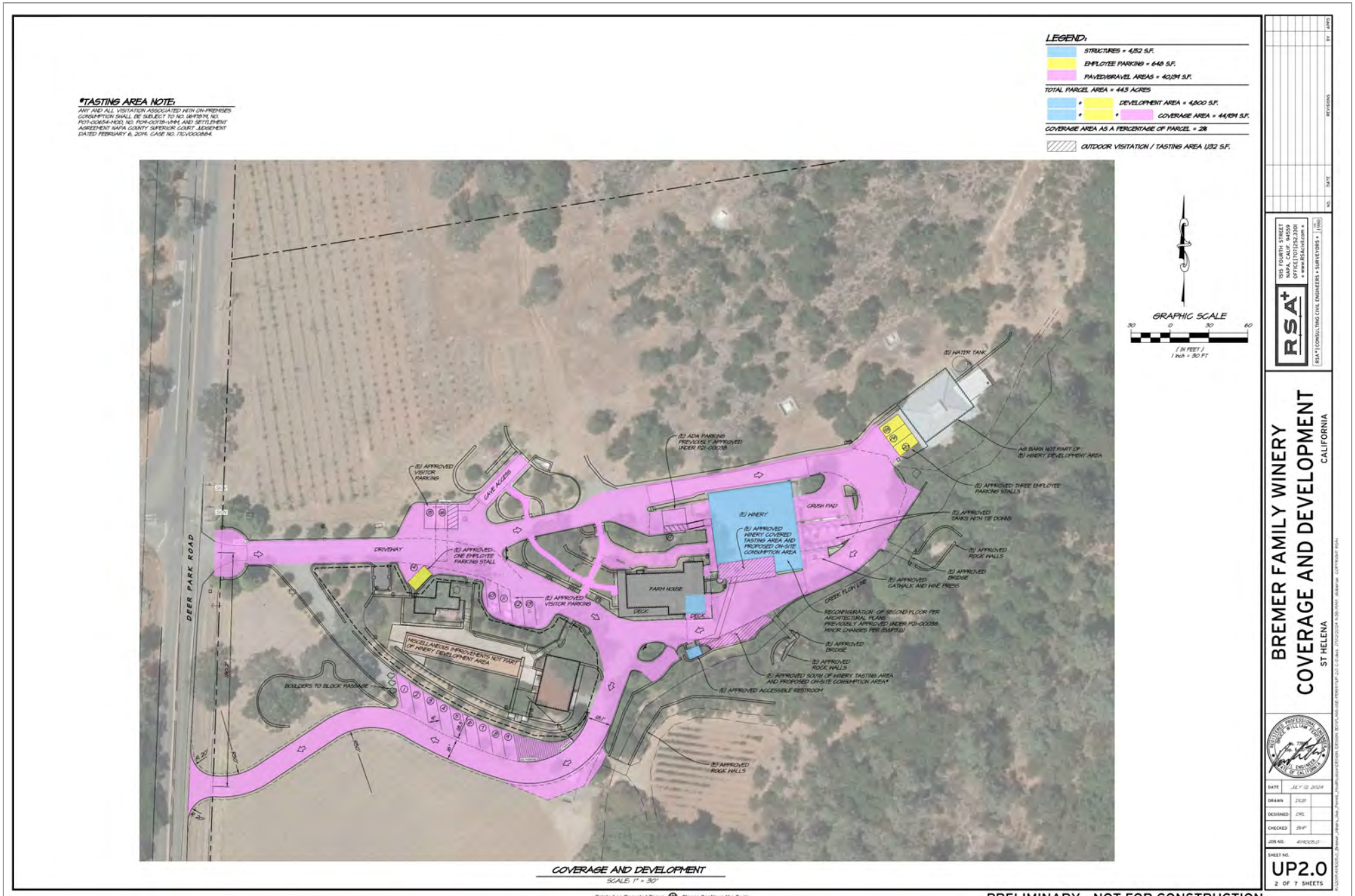
Daily operations for the proposed Bremer Family Winery project would involve an all on-site winery operation with a maximum annual production of 50,000 gallons. All fruit would be processed on-site during the year with the majority occurring during the harvest/crush season. A maximum of 70 daily visitors is expected during the Monday-Sunday period. Maximum weekly visitation for tours and tastings would not exceed 490 guests per week and would be monitored by winery staff (as they currently do now). Visitor hours would be limited between 10:00 a.m.–5:00 p.m. and would be by appointment only. Employment would increase by four (4) full-time employees. There would be no increases in part-time employment. Finally, marketing events would be limited in nature with only seven (7) annual events. The largest of these events would be held twice per year with 100 guests. In addition, the Winery participates in other off-site industry and County-wide events including the Napa Valley Auction, Napa Valley Film Festival, and other such events. Specific Bremer Family Winery marketing events would be held outside of normal peak weekday and weekend travel periods starting at 11:00 a.m. and extending through 10:00 p.m. to encourage off-peak ingress/egress.

To provide facility upgrades, a conceptual design has been developed for coverage and development purposes as shown in **Figure 6.1**.- **Project Site Plan**. As shown, a new project driveway would be provided on Deer Park Road approximately 185-feet south of the main Bremer Family Winery driveway (opposite Sanitarium Road). To improve vehicle access and safety at the main Bremer Family Winery driveway, all vehicle flow would be inbound to the Winery from Deer Park Road and Sanitarium Road. All outbound Winery traffic would use the new south driveway to access out onto Deer Park Road. Please refer to Section 7 (Site Access/Design Parameters).

6.2 Project Trip Generation

Based on proposed Use Modifications associated with Bremer Family Winery activities, the total net increase in weekday and weekend daily and peak hour traffic volumes have been calculated and are shown in **Table 6.1.** Daily and peak hour trip generation has been based on the most recent Napa County PBES Winery Trip Generation Worksheets (see **Appendix E**). County daily and peak hour trip ratios account for production, visitation, employment, and marketing components associated with proposed use modification activities.

Project trip generation has been based on the approximate 6-11 week harvest season (worst case), the proposed project is expected to generate an average of 16 weekday (Friday) daily trips with 5 PM peak hour trips. During the weekend (Saturday), the project would generate 4 daily trips with 2 midday peak hour trips. On an annual basis, the project is estimated to generate 3,646 net new trips per year. It is noted that a discussion of proposed project vehicle miles traveled (VMT) as a result of use modification activities is provided in Section 8—VMT.



PROJECT SITE PLAN

FIGURE 6.1

Table 6.1 Bremer Family Winery Daily and Peak Hour Trip Generation

Net New Trips	Harvest	Non-Harvest
Maximum Weekday Traffic (Friday)		
Net New Weekday Daily Trips	16	13
Net New Weekday Peak Hour Trips	5	4
Maximum Weekend Traffic (Saturday)		
Net New Weekend Daily Trips	4	0
Net New Weekend Peak Hour Trips	2	1
Maximum Annual Traffic		
Net New Annual Trips	3,646	

Source: Napa County Planning, Building, Environmental Services (PBES), Use Permit/Major Modification Application, Winery Trip Generation Worksheets, Weekday and Weekend Daily and Peak Hour Trip Generation, March 2021 (Appendix C).

6.3 Project Trip Assignment

Based on observed turning percentages at the Deer Park Road/Sanitarium Road/Bremer Family Winery driveway intersection during both the weekday PM peak hour and Saturday mid-day peak hours; project trips were distributed 75% to/from the south on Deer Park Road and 25% to/from the west on Sanitarium Road. It is noted that no project traffic volumes were assigned to/from the north on Deer Park Road. Discussions with the project applicant indicate few if any visitation trips have been recorded coming to/from the north on Deer Park Road.[14] Unless winery guests actually live in the vicinity of White Cottage Road and/or the Angwin area, 100% of guest visitation originates through the Napa Valley via Deer Park Road and Sanitarium Road and this is confirmed by actual traffic count data at the project driveway based on recent count date (Year 2023) and historical date (Year 2017) that indicate no project-generated traffic to/from the north

Existing plus Project Friday PM peak hour and Saturday midday peak hour trips have been shown in **Figure 6.2**

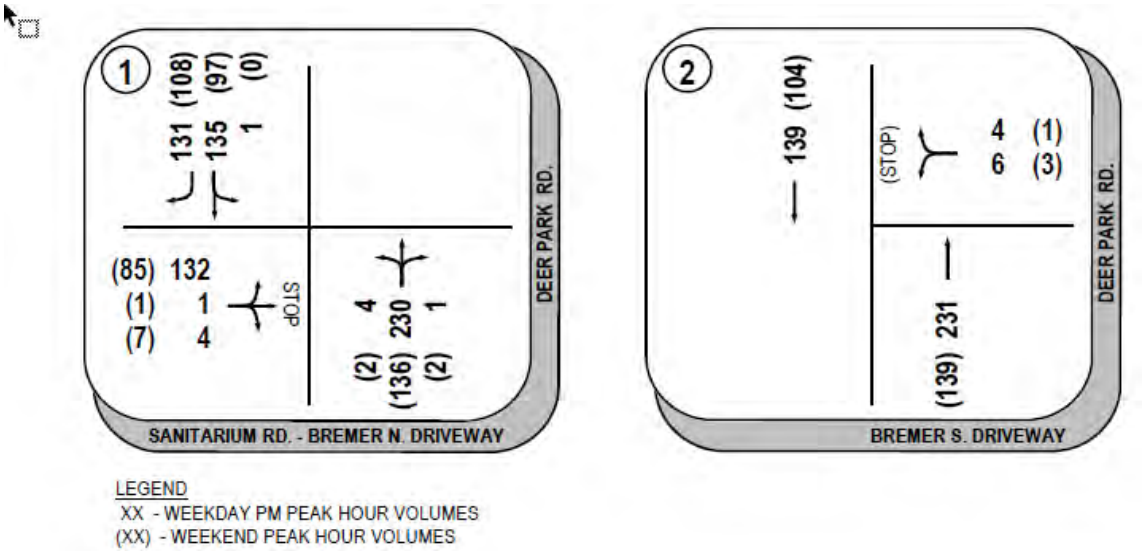


Figure 6.2 Existing plus Project Friday PM & Saturday Midday Peak Hour Intersection Volumes

[14] Mr. John Bremer, Bremer Family Winery, personal communication, Guest visitation patterns, August 15, 2017.

6.4 Project Effects on Roadway/Intersection LOS

6.4.1 Existing Plus Project Conditions

Upon project completion, the fully operational winery would be expected to generate approximately 12 additional daily trips south of the site on Deer Park Road and 4 daily trips west of the site on Sanitarium Road. This would represent a net increase of less than 1% to the daily volumes on Deer Park Road. The combined existing plus project arterial directional volume of 278 on Deer Park Road would continue to operate equivalent to LOS A.

During the peak winery activity periods, the winery would generate 5 PM peak hour weekday trips with 4 trips using Deer Park Road to/from the south and 1 trips using Sanitarium Road. During the Saturday mid-day peak hour the project would generate 2 midday peak hour trips with via Deer Park Road to/from the south and Sanitarium Road to the west. Weekday Friday PM peak hour and weekend Saturday mid-day peak hour intersection levels of service were evaluated with proposed project traffic and are shown in **Summary Table 6.2.**

As shown in Table 4, the proposed Bremer Family Use Modification project would continue to allow intersection operation of LOS B or better during both the Friday PM peak and Saturday midday peak hours.

Table 6.2 Summary Table: Existing, Near-Term, and Cumulative Year 2030 "Plus Project" Intersection LOS

ID	Intersection	Peak Hour	Target LOS	Existing Plus Project			Near-Term Plus Project			Cumulative Yr. 2030 Plus Project		
				Control	Delay	LOS	Control	Delay	LOS	Control	Delay	LOS
1	Deer Park Rd./Sanitarium Rd./Bremer Family Winery Driveway	PM	D	TWSC	14.3	B	TWSC	14.4	B	TWSC	16.8	C
		MD	D		11.1	B		11.2	B		11.8	B
2	Deer Park Road / Bremer Family Winery South Driveway	PM	D	TWSC	10.5	B	TWSC	10.5	B	TWSC	11	B
		MD	D		9.8	A		9.8	A		10.1	B

BOLD Indicate LOS of E or worse

1 Intersection LOS based on Synchro-Simtraffic (Version 11.0);

2 Delay reported from HCM 6 (TRB, 2016) methodology, TWSC = Two-Way-Stop-Control, PM = Friday Weekday Peak, MD = Saturday Midday Peak

6.4.2 Near-Term Plus Project Conditions

Near-Term Plus Project weekday Friday PM peak hour and weekend Saturday midday peak hour volumes are shown in **Figure 6.3**

With Near-Term plus Project conditions, roadway ADT and LOS would continue to operate at acceptable levels. Upon project completion, the fully operational winery would be expected to generate approximately 12 additional daily trips south of the site on Deer Park Road and 4 daily trips west of the site on Sanitarium Road. The combined Near-Term plus Project arterial directional volume of 276 on Deer Park Road would continue to operate equivalent to LOS A.

As shown in **Summary Table 6.2**, the proposed Bremer Family Use Modification project would continue to allow intersection operation of LOS B or better during both the Friday PM peak and Saturday midday peak hours with Near-Term Plus Project volumes.

6.4.3 Cumulative Year 2030 Plus Project Conditions

Cumulative Year 2030 Plus Project weekday Friday PM peak hour and weekend Saturday midday peak hour volumes are shown in **Figure 6.4**

With Cumulative Year 2030 Plus Project conditions, roadway arterial LOS would continue to operate at acceptable levels. Arterial (southbound directional) volumes on Deer Park Road would increase to 338 vehicles with an LOS of A.

As shown in **Summary Table 6.2**, the proposed Bremer Family Use Modification project would continue to allow intersection operation of LOS C or better during both the Friday PM peak and Saturday midday peak hours with Cumulative Year 2030 Plus Project volumes.

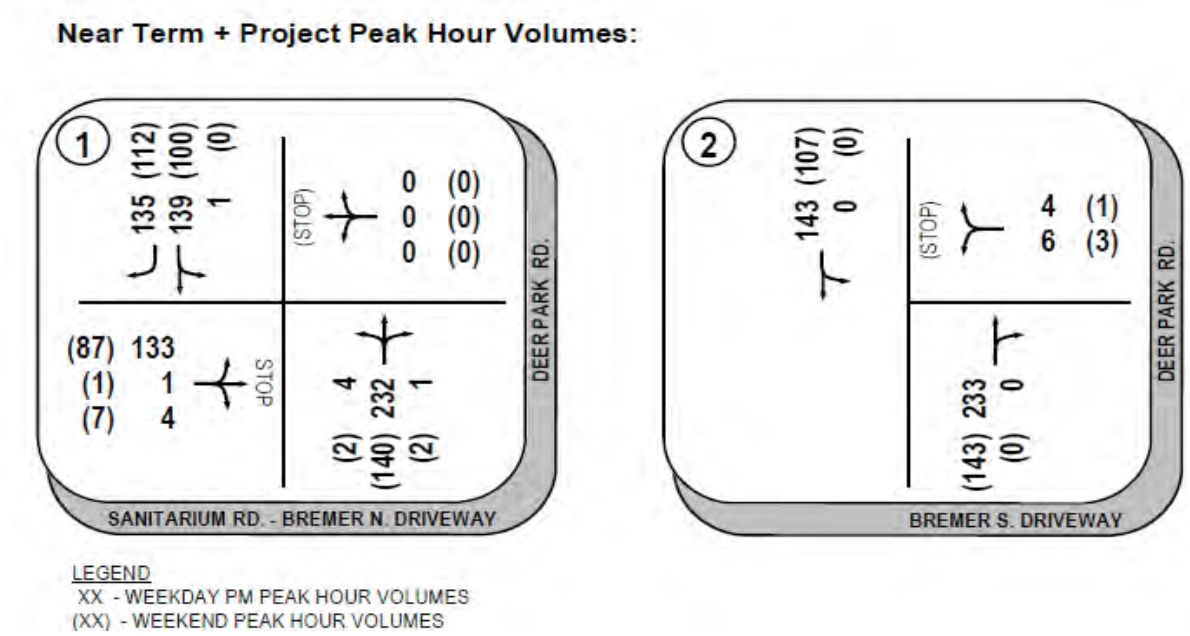


Figure 6.3 Near-Term Plus Project Friday PM & Saturday Midday Peak Hour Intersection Volumes

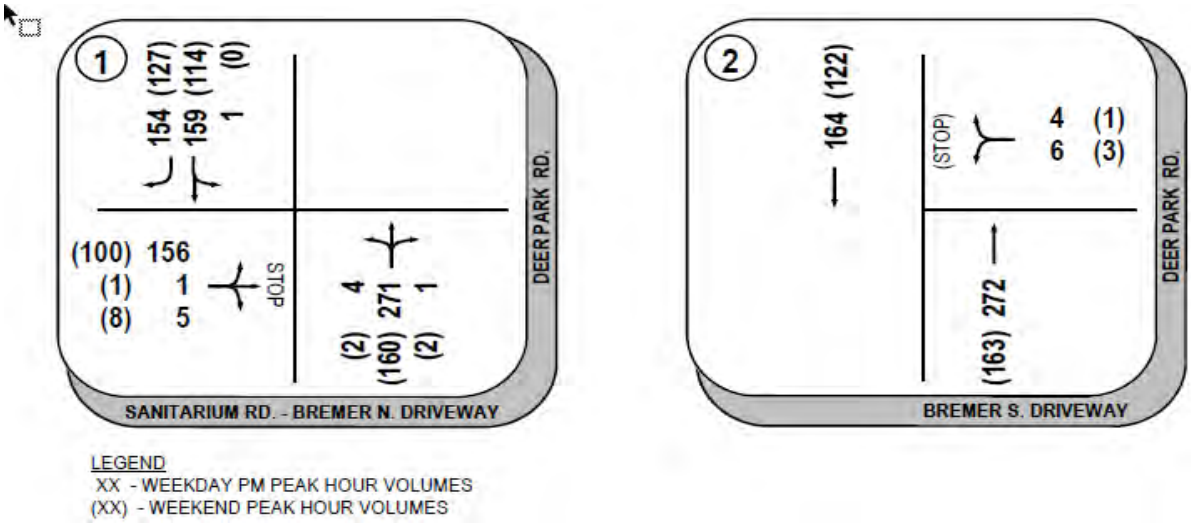


Figure 6.4 Cumulative Year 2030 Plus Project Friday PM & Saturday Midday Peak Hour Intersection Volumes

6.4.4 Signal Warrant Evaluation

Under all "with project" scenarios that in Existing, Near-Term, and Cumulative Year 2030 volumes, the unsignalized Deer Park Road/Sanitarium Road study intersection would not qualify for signalization using the peak hour warrant criteria.[15] In addition, the new south Bremer Family Winery driveway at Deer Park Road would not qualify with proposed project volumes. (the warrant graphs are provided in the **Appendix C**).

7. Site Access/Design Parameters

7.1 Driveway Access

With proposed Use Modifications, driveway access for the Bremer Family Winery would be modified to allow improved circulation to/from Deer Park Road as well as from on-site areas. Specifically, a new driveway is proposed to be constructed approximately 185-feet south of the existing Bremer Family Winery driveway that

[15] California Manual on Uniform Traffic Control Devices (CAMUTCD), Chapter 4C, Peak hour signal warrant (#3), 2014 Edition (Revised March 27, 2020).

would connect to the on-site internal drive. As shown in **Figure 6.1** (Project Site Plan), the new driveway would extend from the south on-site parking area west to Deer Park Road. The installation of a second driveway would serve to provide three purposes:

1. Disperse project-generated daily and peak hour vehicle trips;
2. Remove conflicting turning movements from the primary Bremer Family Winery driveway at its intersection with Deer Park Road-Sanitarium Road;
3. Provide more uniform traffic flow within the project site with clear inbound/outbound direction.

With the new south Bremer Family Winery driveway, all vehicle flow to the project site would be inbound from the primary (existing) project driveway opposite Sanitarium Road and out via the new driveway. This vehicle flow would serve to remove all outbound trips (westbound) from project site at the Deer Park Road/Sanitarium Road/Bremer Family Winery intersection. All outbound project trips would use the new south Bremer Family Winery driveway to access Deer Park Road in a north or south direction. In order to enforce directional turning movements and provide wayfinding for the inbound and outbound Winery driveways at Deer Park Road, the following measures are recommended for motorists approaching the project driveways from Deer Park Road:

- An "**Entrance Only**" sign should be placed at the main Bremer Family Winery driveway opposite Sanitarium Road;
- An "**Exit Only**" sign should be placed at the planned South Bremer Family Winery driveway.

It is noted that similar applications have been used in Napa Valley where one-way loop roads/driveways exist. A prime example would the existing limited access driveways serving the Oakville Grocery where similar signage exists.

7.1.1 Vehicle Sight Distance

Vehicle sight distance for the existing Bremer Family Winery driveway was evaluated as part of prior draft transportation analysis for the proposed project (*Omni-Means/GHD, June 2018*). The required vehicle visibility or "corner sight distance" is a function of travel speeds on Deer Park Road. Caltrans design standards indicate that for appropriate corner sight distance, "a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the crossroad and the driver of an approaching vehicle in the right lane of the main highway". Caltrans design guidelines also indicate that the minimum corner sight distance "shall be equal to the stopping sight distance" where possible.

Radar speed surveys of Deer Park Road were conducted for the roadway in the project area.[16] The "critical" vehicle speed (the speed at which 85% of all surveyed vehicles travel at or below) along Deer Park Road was measured at 52 mph at the project driveway. The posted speed limit in the project driveway area is 45 mph. Caltrans' design standards indicate that these vehicle speeds require a stopping sight distance of 450-460 feet both north and south of the driveway measured along the travel lanes of Deer Park Road.[17] Based on field measurements, sight distance from the Bremer Family Winery driveway to the north on Deer Park Road is approximately 490 feet. Sight distance from the existing driveway to the south is in excess of 650 feet. Therefore, the sight distance recommendations would be met for the speed limit and measured vehicle speeds.

Extending to the proposed south Bremer Family Winery driveway at Deer Park Road; the driveway would be located approximately 185-feet south of the existing primary Winery driveway opposite Sanitarium Road. Given a measured sight-distance in excess of 650-feet from the existing Winery driveway would allow for 465-feet of vehicle sight-distance from the new south Winery driveway which would be adequate based on Caltrans requirements.

7.1.2 Left-Turn Lane Requirements

Existing plus Project volumes were compared with the Napa County guidelines for installing a southbound left-turn lane on Deer Park Road at the Bremer Family Winery driveways.[18] Napa County left-turn lane warrants are based on the combination of total proposed project *average* daily trips at the driveway and overall *average* daily volumes on Deer Park Road.

[16] Omni Means Engineers & Planners, Radar vehicle speed surveys, Deer Park Road, February 10, 2017.
[17] Caltrans, Highway Design Manual, Table 405.1A, Corner (Stopping) Sight Distance, July 1, 2020.
[18] Napa County Road and Street Standards, PBES, Chapter 17, Traffic Control Devices, Left-Turn Lane Graph, 2023.

As noted in the Project Description, the project would increase overall yearly visitation from 3,600 guests to 12,500 guests per year. Based on 12,500 visitors; visitation would average 34 guests per day over the course of the year. The average daily visitor total of 34 guests reflects the Winery's true activities and acknowledges that it will rarely host the maximum daily total of 70 visitors given the changing seasons, location, and overall marketing of the Winery. However, based on recent Napa County Engineering direction, the project's maximum projection of 70 daily visitors has been used to evaluate the proposed project's left-turn lane warrant requirement.[19] In addition, all daily inbound/outbound project trip generation has been focused at one project access driveway rather than the planned two access driveways.

Napa County daily trip generation ratios for full-time/part-time employees, daily visitors, and production/grape haul for the weekday (Friday—worst case) conditions have been used to calculate all winery-related activities. In addition to proposed Winery activities, there are two (2) on-site residences that would be served by the same project driveways at Deer Park Road. These residences include an existing farmhouse and a 1-bedroom second dwelling unit. Based on accepted Institute of Transportation Engineers (ITE) daily trip rates for single-family homes and Napa County guidelines, each residence would generate 10 daily trips. Total average daily trip generation for proposed project uses and on-site residences has been calculated in **Table 7.1**.

Table 7.1 Average Daily Project Trip Generation

Project Use Components	Friday	Daily Trip Generation Ratio (Napa County)	Component Daily Trips	Total Weekday Daily Trips
Daily Full-Time Employees	8	3.05 one-way trips/employee	FT employee daily trips:	24.4
Daily Part-Time Employees	2	1.90 one-way trips/employee	PT employee daily trips:	3.80
Maximum Visitors[1]	70	2.6 visitors/vehicle x 2 one-way trips	Visitor daily trips:	53.8
Maximum Event	0	2.6 visitors/vehicle x 2 one-way trips	Event daily trips:	0
Gallons of Production	50000	0.000018 truck trips	Production daily trips:	0.90
Tons of Grape Haul	312.5	0.013889 truck trips	Grape haul daily trips:	4.30
Residences	2	10 trips/residence	Residential daily trips:	20.0
			Total Weekday Trips	**107.2**

Source: Napa County, PB&ES, Winery Trip Generation Sheet, Daily trip generation ratios, 2022.
1. Maxim daily visitors based on proposed Winery visitation of 70 guests per day (Friday) and 2.6 guests per vehicle x 2 one-way trips = 53.8.

As shown in **Table 7.1**, the proposed project would be expected to generate 107.2 (or 108) daily trips during the weekday Friday period. The peak daily trip total of 108 would equate to 54 daily trips (inbound and outbound) at the Deer Park Road north driveway. Combined with 3,323 ADT on Deer Park Road (Existing plus Project Conditions), a southbound left-turn lane would be warranted on Deer Park Road at the north Sanitarium Road/Bremer Family Winery driveway based on County ADT warrant requirements (see **Appendix F**—Left-Turn Lane Warrant Graph).

In addition to the County left-turn lane volume warrant, proposed project visitation patterns and project trip distribution are also worth consideration when evaluating installation of a left-turn lane at the main (northern) project driveway as follows:

Southbound Left-Turn Volumes on Deer Park Road at the Bremer Family Driveway: Based on weekday Friday PM peak period (4:00-6:00 p.m.) and Saturday mid-day peak hour (1:00-3:00 p.m.) counts conducted at the Sanitarium Road-Bremer Family Winery Driveway/Deer Park Road; one (1) southbound left-turn movement was observed at the Bremer Family Winery driveway from Deer Park Road. Based on discussions with the project applicant, all guest visitation originates from the Napa Valley area via Deer Park Road. Visitors and guests to the winery do not typically originate from areas to the north via Deer Park Road (White Cottage Road, Angwin, & Howell Mountain Road). The vast majority of guests use Deer Park Road to/from the south and/or Sanitarium Road to/from the west to access the proposed project site. Consequently, there would be virtually no demand for a southbound left-turn lane on Deer Park Road at the Bremer Family Winery north driveway.

7.1.3 Internal Circulation

With the proposed project site plan, the existing Bremer Family Winery project driveway from Deer Park Road would be improved from existing conditions to County standards for emergency vehicle access (see Project Site Plan---Figure 6.1). The main project driveway would extend east from Deer Park Road approximately 500 feet and provide access to winery production and storage areas (to the east). As noted, all vehicle traffic traveling to the Winery would be inbound from the existing Bremer Family Winery driveway (opposite Sanitarium Road). Approximately 200-feet east of Deer Park Road, the internal driveway would split; the eastward internal leg would

[19] Anna Vickroy, PE, TE, TJKM Consultants, Bremer Family Winery, P22-00086, Conditions of Approval, Comment memorandum, August 21, 2024.

extend another 300 -feet to Winery production areas before looping around to re-join the southeast leg of the driveway. The southeast leg would extend past Winery parking areas (to the Farmhouse) before turning southwest back towards Deer Park Road. This internal loop road allows vehicles to circulate through the site to access parking areas located off the driveway and in the southeast portion of the site adjacent to vineyard areas. The vehicle circulation area in front of the main winery tasting buildings would allow access for emergency vehicles (fire trucks) and parking areas south these winery facilities. The internal southwest segment of the loop road would provide access to new guest parking areas before extending west to Deer Park Road approximately 185-feet south of Sanitarium Road.

The Napa Countywide Bicycle Plan has been completed and adopted by the Napa Valley Transportation Authority (NVTA) and the County.[20] The plan encourages new developments to incorporate bicycle friendly design. Deer Park Road is designated as a Class III bike route from Silverado Trail past the proposed project site. It is expected that some visitors may occasionally arrive by bicycle to access the proposed project. The project would provide bicycle racks for visitors to the proposed winery.

8. Vehicle Miles Traveled (VMT)

The following VMT guidelines and recommendations are sited directly from the Napa County Traffic Study (TIS) Guidelines (*Attachment C—VMT Analysis Approach for Development Projects in Napa County*).[21]

8.1.1 VMT Policies

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that "projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact."

That policy is followed by an action item (CIR-7.1) directing the County to update its CEQA procedures to develop screening criteria for projects that "would not be considered to have a significant impact to VMT" and that could therefore be exempted from VMT reduction requirements. The approach outlined here includes a set of screening criteria intended to comply with this action item.

8.1.2 Baseline VMT Screening Process

It is common that an existing facility, whether a winery or another type of use, may apply to the County for some type of modification. Modifications may involve expansion of operating hours or of production quantities, changes to the number of events or visitors permitted, construction of new or expanded buildings, modifications to existing buildings to allow for more intensive use, and so on. In many cases, the requested modification would trigger more vehicle trips to/from the project site.

For the purposes of VMT analysis, the County will consider the baseline trip generation for all existing facilities to be the trip generation of the facility under entitled operating characteristics as of January 1,2022. When an existing facility applies for a modification, the trip generation associated with that modification will be calculated as the change between the facility's entitled operations on January 1, 2022and the expected operations once the proposed modification is complete.

At any point in the future, if the facility has added more than 110 daily passenger vehicle trips, during any period beyond the level of its trip generation on January 1, 2022, then it will be subject to the "VMT Analysis Requirements for Projects Based on Trip Generation" described below. Please note that crossing this threshold of adding 110 daily passenger vehicle trips may occur in the first project modification requested after January 1, 2022, or it may occur after multiple project modifications which will be treated cumulatively.

Given the largely rural nature of Napa County, a reasonable screening approach is to apply a combination of the concepts and guidelines expressed in both the OPR Technical Advisory and the Napa County TIS

[20] Napa County, Countywide Bicycle Plan (2019), Planning Area-North Valley, May 2019.
[21] Napa County PBES, Napa County Traffic Impact Study Guidelines, Attachment J, February 2022.

Guidelines. Development projects proposed in Napa County can use the following structure to determine what level of VMT analysis will be required:

A Project modifying an existing facility that would generate additional trips where the net cumulative result of all project modifications after January 1, 2022 would generate less than 110 net new daily passenger vehicle and truck trips.

a. Project is not required to prepare a TIS

b. Project is presumed to have a less-than-significant environmental impact for VMT

c. Applicant is encouraged to describe the measures they are taking and/or plan to take that would reduce the Project's trip generation and/or VMT

Based on the above Napa County VMT analysis and criteria, the proposed project is calculated to generate 16 net new daily trips on a weekday (maximum) and satisfies all requirements to be screened out and not require VMT analysis.

9. Transportation Demand Management (TDM)

TDM Plan

The following measures are suggested and/or occurring to further reduce the demand of vehicles to/from the site. Given the nature of the proposed Use Modification with small increases in employment and no increases in daily guest visitation, large TDM measures are not practical given the location overall size of the Winery operations. However, specific TDM measures are described in some detail below.

Tours and Tastings/Marketing Events:

- When smaller marketing events are being held at the Winery (25-50 guests), the combination of tours/tastings and marketing event shall not exceed 70 daily visitors.
- When large marketing events occur twice per year (100 guests), 25 tours/tasting visitors shall be allowed on those days. However, all marketing event guests will be transported to/from the Winery via hire car (buses and/or vans) on that day. In addition, tours and tastings shall be scheduled during the morning and early afternoon hours (10:00 a.m. – 3:00 p.m.) to avoid any conflicts with the larger marketing event that are held in the later afternoon and evening hours (see Marketing Event Operations).
- To the maximum extent feasible, scheduling of tours and tastings shall not occur during peak travel times between 4:00-6:00 p.m. (weekdays) and 1:00-3:00 p.m. (weekends).

Shuttles, Hire Car, Limousines

- To the maximum extent possible, shuttle and other high occupancy vehicles shall transport guests to marketing events or tours and tastings for groups of 15 or more persons, with all vehicles parking on-site in designated areas.

Employee/Guest Incentives:

Employees:

The project applicant indicates that all current vineyard workers currently carpool to the project site. In addition, the applicant lives within one-mile of the Winery reducing overall VMT trip lengths. The Winery applicant currently ***provides low-cost housing*** for employees both on-property and within close proximity to the Winery.

Marketing Event Operations:

The project applicant indicates that when the Winery hosts large marketing events (two events year @ 100 guests), a majority of the guests stay at local hotels in the Napa Valley.[22] The Winery then uses hire vehicles (buses and/or vans) to transport the guests safely to/from the Winery for the dinner/event. Depending on the number of vans/buses, the vehicles will stay at the Winery during the event and then transport the guests back to the hotels upon completion. The large marketing events typically occur between 7:00 p.m. and 11:00 p.m. outside

[22] John Bremer, Applicant/Owner, Bremer Family Winery, Large event transportation demand management (TDM) measures, Personal communication, April 8, 2023.

of the peak traffic flows. In addition to guest transportation, the associated catering generates four (4) truck trips; one truck arrives the day prior to the event for set-up then the day after the event for tear-down. Five (5) employees (event only) drive to the gathering. With these large 100-guest event TDM measures, it is estimated that overall trip generation is reduced to approximately 25-35 vehicle trips accounting for guest, catering, and employee activities.

In addition to the employee TDM measures currently embedded in Winery operations, the following is suggested:

- Staggered employee work hours: The winery will make efforts to have employees who do not live on-site arrive and/or depart the premises outside of the peak commute periods. For example, wine production employees would be encouraged to arrive prior to 7:00 a.m. and to depart before 3:00 p.m. (before 12:00 p.m. on the weekends). The exception would be during the crush/harvest season. Employees working in the visitor-serving capacities would be encouraged to arrive after 9:00 a.m. and depart after 6:00 p.m. (after 4:00 p.m. on weekends);
- Ride Share/Car Free Operations: The winery will make efforts to encourage ride shares and “car free” tourism as described in the program of the Napa Valley Destination Council and Napa Valley Transportation Agency.

Appendix A

Traffic Count Data

Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
(951)268-6268

County of Napa
N/S: Deer Park Road
E/W: Sanitarium Rd/Bremer Family Winery
Weather: Clear

File Name : CNP_DP_San 1-20 PM
Site Code : 22323145
Start Date : 1/20/2023
Page No : 1

Groups Printed- Total Volume

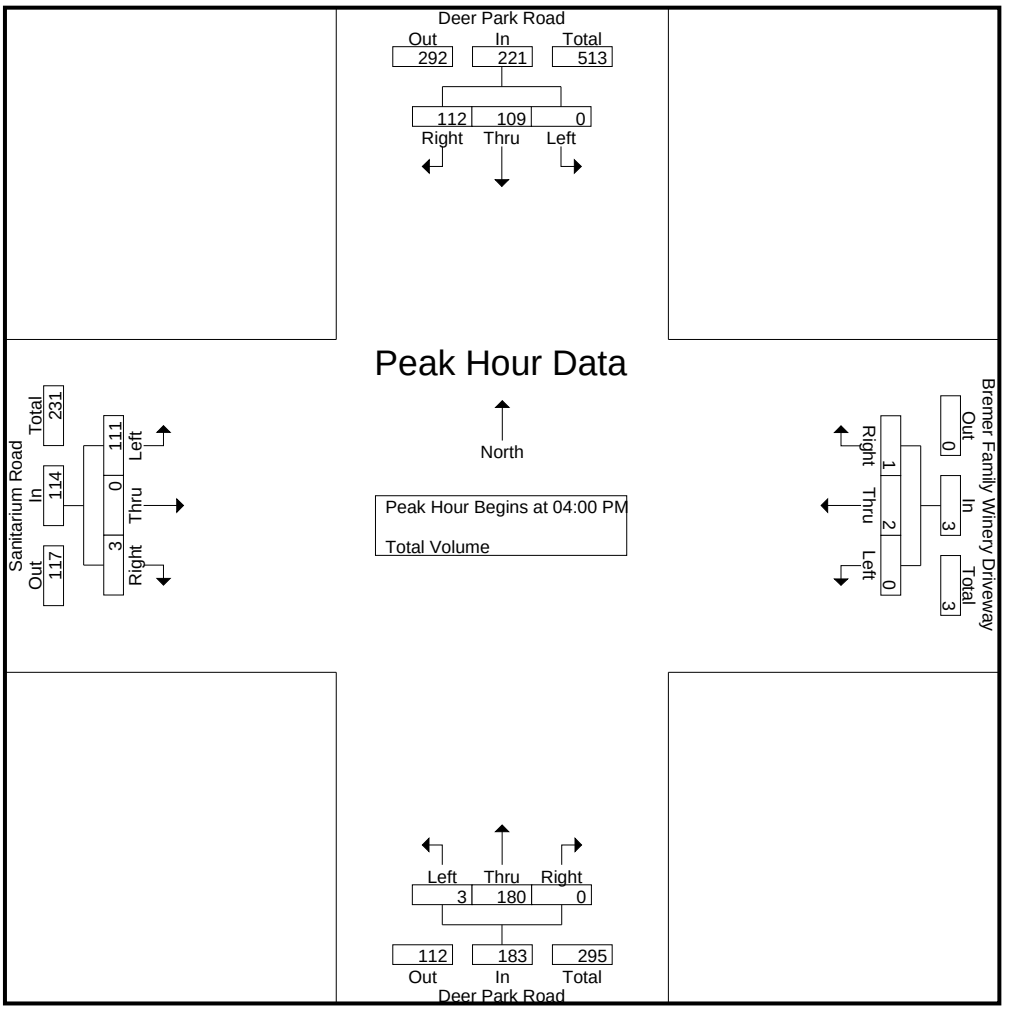
	Deer Park Road Southbound				Bremer Family Winery Driveway Westbound				Deer Park Road Northbound				Sanitarium Road Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
04:00 PM	0	33	25	58	0	1	1	2	1	46	0	47	29	0	1	30	137
04:15 PM	0	29	35	64	0	0	0	0	1	50	0	51	21	0	2	23	138
04:30 PM	0	32	23	55	0	0	0	0	0	47	0	47	34	0	0	34	136
04:45 PM	0	15	29	44	0	1	0	1	1	37	0	38	27	0	0	27	110
Total	0	109	112	221	0	2	1	3	3	180	0	183	111	0	3	114	521
05:00 PM	0	20	17	37	0	0	0	0	0	43	0	43	29	0	1	30	110
05:15 PM	0	15	25	40	0	0	0	0	2	33	0	35	20	0	0	20	95
05:30 PM	0	22	18	40	0	1	1	2	1	51	0	52	23	0	0	23	117
05:45 PM	0	16	21	37	0	0	0	0	0	41	0	41	30	0	0	30	108
Total	0	73	81	154	0	1	1	2	3	168	0	171	102	0	1	103	430
Grand Total	0	182	193	375	0	3	2	5	6	348	0	354	213	0	4	217	951
Apprch %	0	48.5	51.5		0	60	40		1.7	98.3	0		98.2	0	1.8		
Total %	0	19.1	20.3	39.4	0	0.3	0.2	0.5	0.6	36.6	0	37.2	22.4	0	0.4	22.8	

	Deer Park Road Southbound				Bremer Family Winery Driveway Westbound				Deer Park Road Northbound				Sanitarium Road Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:00 PM																	
04:00 PM	0	**33**	25	58	0	**1**	**1**	**2**	**1**	46	0	47	29	0	1	30	137
04:15 PM	0	29	**35**	**64**	0	0	0	0	1	**50**	0	**51**	21	0	**2**	23	**138**
04:30 PM	0	32	23	55	0	0	0	0	0	47	0	47	**34**	0	0	**34**	136
04:45 PM	0	15	29	44	0	1	0	1	1	37	0	38	27	0	0	27	110
Total Volume	0	109	112	221	0	2	1	3	3	180	0	183	111	0	3	114	521
% App. Total	0	49.3	50.7		0	66.7	33.3		1.6	98.4	0		97.4	0	2.6		
PHF	.000	.826	.800	.863	.000	.500	.250	.375	.750	.900	.000	.897	.816	.000	.375	.838	.944

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County of Napa
N/S: Deer Park Road
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Weather: Clear

File Name : CNP_DP_San 1-20 PM
Site Code : 22323145
Start Date : 1/20/2023
Page No : 2



Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	04:00 PM				04:00 PM				04:00 PM				04:00 PM			
+0 mins.	0	**33**	25	58	0	**1**	**1**	**2**	**1**	46	0	47	29	0	1	30
+15 mins.	0	29	**35**	**64**	0	0	0	0	1	**50**	0	**51**	21	0	**2**	23
+30 mins.	0	32	23	55	0	0	0	0	0	47	0	47	**34**	0	0	**34**
+45 mins.	0	15	29	44	0	1	0	1	1	37	0	38	27	0	0	27
Total Volume	0	109	112	221	0	2	1	3	3	180	0	183	111	0	3	114
% App. Total	0	49.3	50.7		0	66.7	33.3		1.6	98.4	0		97.4	0	2.6	
PHF	.000	.826	.800	.863	.000	.500	.250	.375	.750	.900	.000	.897	.816	.000	.375	.838

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County of Napa
N/S: Deer Park Road
E/W: Sanitarium Rd/Bremer Family Winery
Weather: Clear

File Name : CNP_DP_San 1-21 MD
Site Code : 22323145
Start Date : 1/21/2023
Page No : 1

Groups Printed- Total Volume

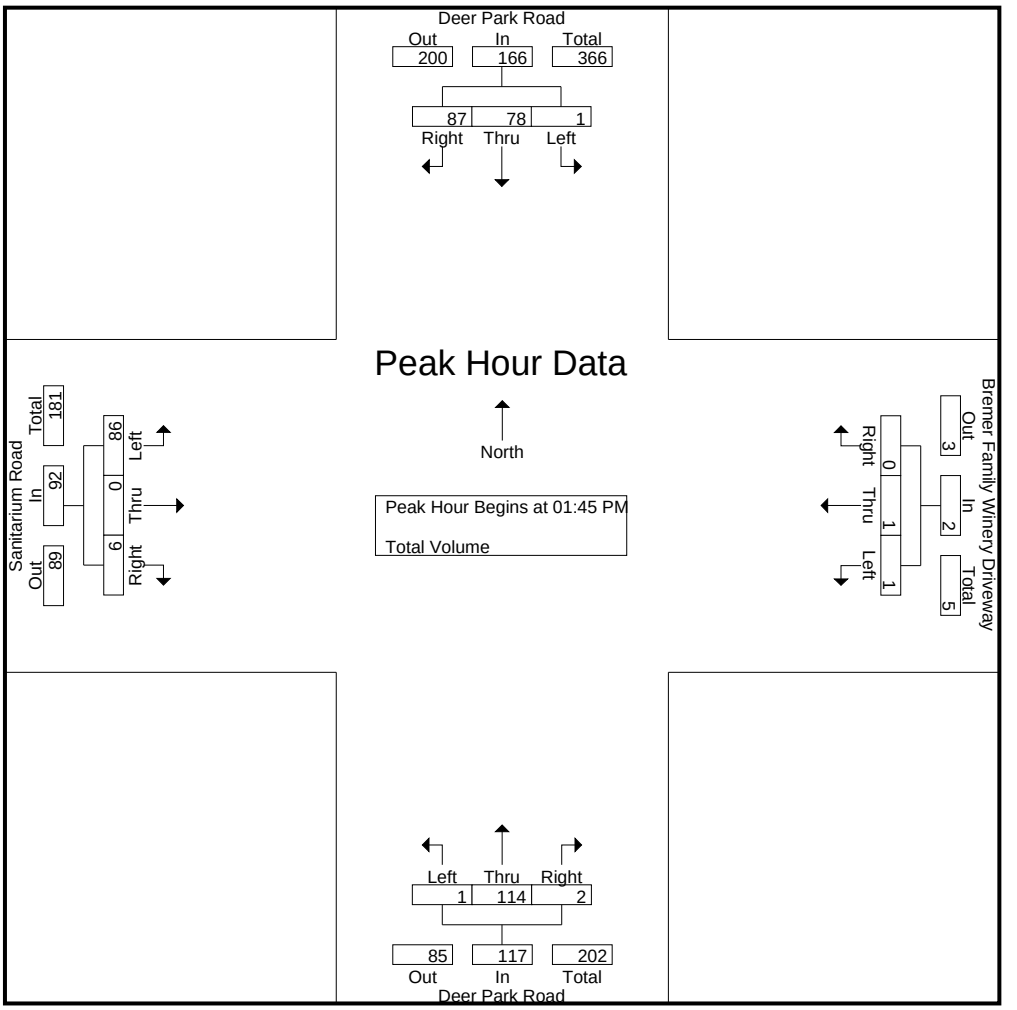
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01:00 PM	0	20	22	42	1	0	0	1	0	21	0	21	19	0	0	19	83
01:15 PM	0	20	12	32	0	0	0	0	1	27	0	28	7	0	0	7	67
01:30 PM	0	19	16	35	0	0	0	0	1	29	0	30	9	0	1	10	75
01:45 PM	0	22	18	40	1	0	0	1	1	25	1	27	22	0	0	22	90
Total	0	81	68	149	2	0	0	2	3	102	1	106	57	0	1	58	315
02:00 PM	0	22	25	47	0	0	0	0	0	21	0	21	23	0	3	26	94
02:15 PM	1	15	20	36	0	0	0	0	0	32	0	32	23	0	1	24	92
02:30 PM	0	19	24	43	0	1	0	1	0	36	1	37	18	0	2	20	101
02:45 PM	1	12	12	25	0	0	0	0	0	28	1	29	21	0	1	22	76
Total	2	68	81	151	0	1	0	1	0	117	2	119	85	0	7	92	363
Grand Total	2	149	149	300	2	1	0	3	3	219	3	225	142	0	8	150	678
Apprch %	0.7	49.7	49.7		66.7	33.3	0		1.3	97.3	1.3		94.7	0	5.3		
Total %	0.3	22	22	44.2	0.3	0.1	0	0.4	0.4	32.3	0.4	33.2	20.9	0	1.2	22.1	

	Deer Park Road Southbound				Bremer Family Winery Driveway Westbound				Deer Park Road Northbound				Sanitarium Road Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 01:00 PM to 02:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 01:45 PM																	
01:45 PM	0	**22**	18	40	**1**	0	0	**1**	**1**	25	**1**	27	22	0	0	22	90
02:00 PM	0	22	**25**	**47**	0	0	0	0	0	21	0	21	**23**	0	**3**	**26**	94
02:15 PM	**1**	15	20	36	0	0	0	0	0	32	0	32	23	0	1	24	92
02:30 PM	0	19	24	43	0	**1**	0	1	0	**36**	1	**37**	18	0	2	20	**101**
Total Volume	1	78	87	166	1	1	0	2	1	114	2	117	86	0	6	92	377
% App. Total	0.6	47	52.4		50	50	0		0.9	97.4	1.7		93.5	0	6.5		
PHF	.250	.886	.870	.883	.250	.250	.000	.500	.250	.792	.500	.791	.935	.000	.500	.885	.933

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File Name : CNP_DP_San 1-21 MD
Site Code : 22323145
Start Date : 1/21/2023
Page No : 2



Peak Hour Analysis From 01:00 PM to 02:45 PM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	01:45 PM				01:00 PM				02:00 PM				01:45 PM			
+0 mins.	0	**22**	18	40	**1**	0	0	**1**	0	21	0	21	22	0	0	22
+15 mins.	0	22	**25**	**47**	0	0	0	0	0	32	0	32	**23**	0	**3**	**26**
+30 mins.	**1**	15	20	36	0	0	0	0	0	**36**	**1**	**37**	23	0	1	24
+45 mins.	0	19	24	43	1	0	0	1	0	28	1	29	18	0	2	20
Total Volume	1	78	87	166	2	0	0	2	0	117	2	119	86	0	6	92
% App. Total	0.6	47	52.4		100	0	0		0	98.3	1.7		93.5	0	6.5	
PHF	.250	.886	.870	.883	.500	.000	.000	.500	.000	.813	.500	.804	.935	.000	.500	.885

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File Name : CNP_DP_San 1-27 PM
Site Code : 22323145
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Groups Printed- Total Volume

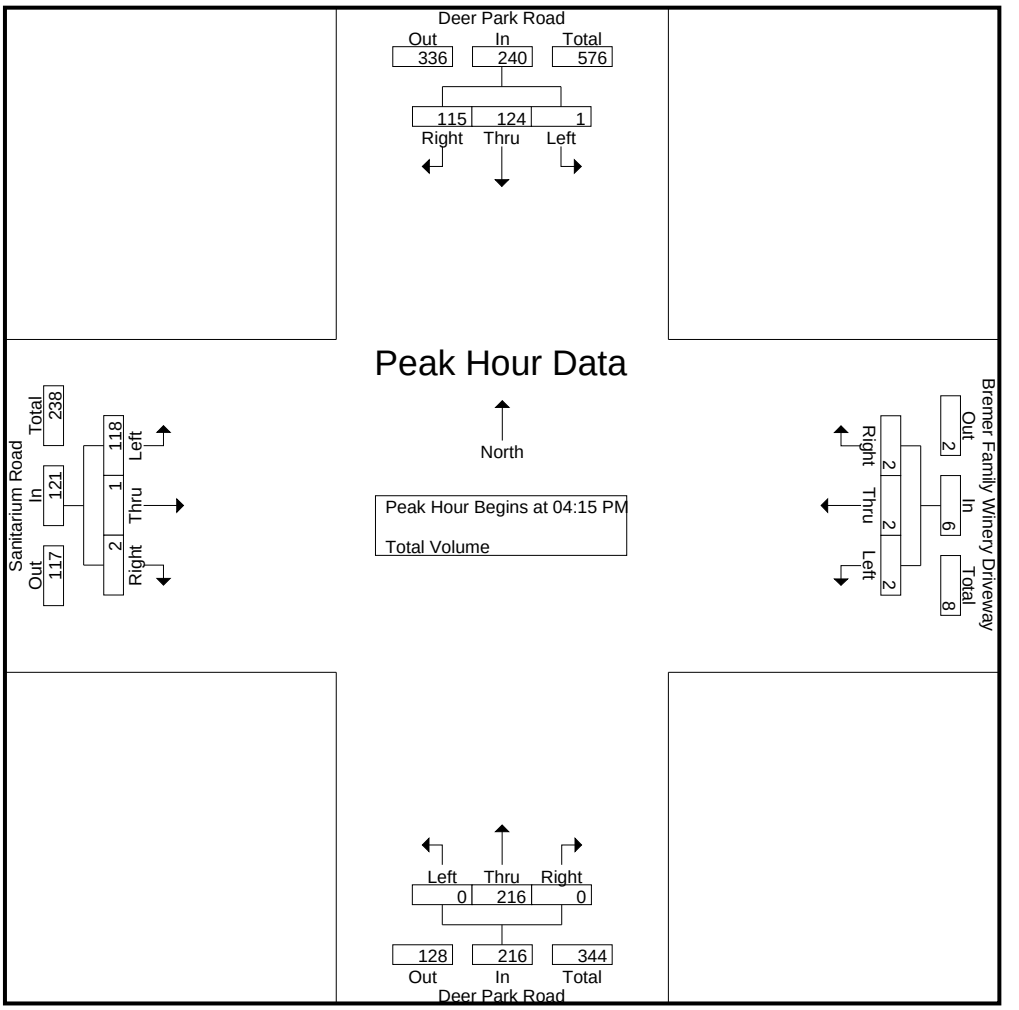
	Deer Park Road Southbound				Bremer Family Winery Driveway Westbound				Deer Park Road Northbound				Sanitarium Road Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
04:00 PM	0	24	23	47	0	1	0	1	0	40	0	40	20	0	2	22	110
04:15 PM	1	46	40	87	0	0	0	0	0	53	0	53	32	0	1	33	173
04:30 PM	0	32	32	64	2	0	0	2	0	66	0	66	25	0	0	25	157
04:45 PM	0	23	25	48	0	1	0	1	0	39	0	39	32	0	1	33	121
Total	1	125	120	246	2	2	0	4	0	198	0	198	109	0	4	113	561
05:00 PM	0	23	18	41	0	1	2	3	0	58	0	58	29	1	0	30	132
05:15 PM	0	21	32	53	1	0	0	1	0	44	0	44	35	0	0	35	133
05:30 PM	0	21	21	42	0	0	0	0	0	31	0	31	26	0	0	26	99
05:45 PM	0	22	18	40	0	0	0	0	0	38	0	38	32	0	0	32	110
Total	0	87	89	176	1	1	2	4	0	171	0	171	122	1	0	123	474
Grand Total	1	212	209	422	3	3	2	8	0	369	0	369	231	1	4	236	1035
Apprch %	0.2	50.2	49.5		37.5	37.5	25		0	100	0		97.9	0.4	1.7		
Total %	0.1	20.5	20.2	40.8	0.3	0.3	0.2	0.8	0	35.7	0	35.7	22.3	0.1	0.4	22.8	

	Deer Park Road Southbound				Bremer Family Winery Driveway Westbound				Deer Park Road Northbound				Sanitarium Road Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:15 PM																	
04:15 PM	**1**	**46**	**40**	**87**	0	0	0	0	0	53	0	53	**32**	0	**1**	**33**	**173**
04:30 PM	0	32	32	64	**2**	0	0	2	0	**66**	0	**66**	25	0	0	25	157
04:45 PM	0	23	25	48	0	**1**	0	1	0	39	0	39	32	0	1	33	121
05:00 PM	0	23	18	41	0	1	**2**	**3**	0	58	0	58	29	**1**	0	30	132
Total Volume	1	124	115	240	2	2	2	6	0	216	0	216	118	1	2	121	583
% App. Total	0.4	51.7	47.9		33.3	33.3	33.3		0	100	0		97.5	0.8	1.7		
PHF	.250	.674	.719	.690	.250	.500	.250	.500	.000	.818	.000	.818	.922	.250	.500	.917	.842

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County of Napa
N/S: Deer Park Road
E/W: Sanitarium Rd/Bremer Family Winery
Weather: Clear

File Name : CNP_DP_San 1-27 PM
Site Code : 22323145
Start Date : 1/27/2023
Page No : 2



Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	04:00 PM				04:30 PM				04:15 PM				04:45 PM			
+0 mins.	0	24	23	47	**2**	0	0	2	0	53	0	53	32	0	**1**	33
+15 mins.	**1**	**46**	**40**	**87**	0	**1**	0	1	0	**66**	0	**66**	29	**1**	0	30
+30 mins.	0	32	32	64	0	1	**2**	**3**	0	39	0	39	**35**	0	0	**35**
+45 mins.	0	23	25	48	1	0	0	1	0	58	0	58	26	0	0	26
Total Volume	1	125	120	246	3	2	2	7	0	216	0	216	122	1	1	124
% App. Total	0.4	50.8	48.8		42.9	28.6	28.6		0	100	0		98.4	0.8	0.8	
PHF	.250	.679	.750	.707	.375	.500	.250	.583	.000	.818	.000	.818	.871	.250	.250	.886

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County of Napa
N/S: Deer Park Road
E/W: Sanitarium Rd/Bremer Family Winery
Weather: Clear

File Name : CNP_DP_San 1-28 MD
Site Code : 22323145
Start Date : 1/28/2023
Page No : 1

Groups Printed- Total Volume

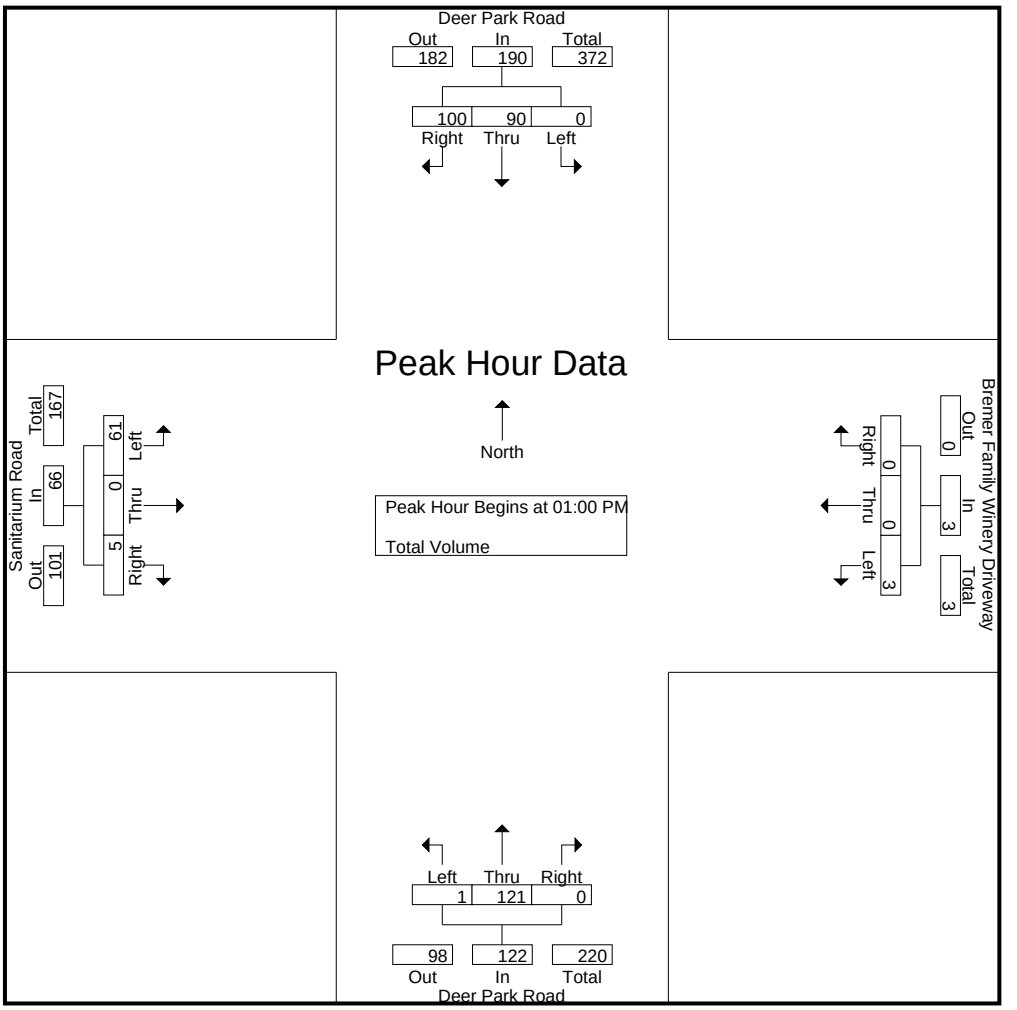
	Deer Park Road Southbound				Bremer Family Winery Driveway Westbound				Deer Park Road Northbound				Sanitarium Road Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
01:00 PM	0	29	29	58	1	0	0	1	0	30	0	30	18	0	1	19	108
01:15 PM	0	14	16	30	1	0	0	1	0	28	0	28	15	0	2	17	76
01:30 PM	0	26	26	52	1	0	0	1	1	36	0	37	14	0	0	14	104
01:45 PM	0	21	29	50	0	0	0	0	0	27	0	27	14	0	2	16	93
Total	0	90	100	190	3	0	0	3	1	121	0	122	61	0	5	66	381
02:00 PM	0	17	14	31	0	0	0	0	1	27	0	28	18	0	0	18	77
02:15 PM	0	14	18	32	0	0	0	0	1	17	0	18	16	0	0	16	66
02:30 PM	0	29	25	54	0	0	0	0	1	34	0	35	21	0	0	21	110
02:45 PM	0	16	22	38	0	0	0	0	0	29	1	30	17	0	1	18	86
Total	0	76	79	155	0	0	0	0	3	107	1	111	72	0	1	73	339
Grand Total	0	166	179	345	3	0	0	3	4	228	1	233	133	0	6	139	720
Apprch %	0	48.1	51.9		100	0	0		1.7	97.9	0.4		95.7	0	4.3		
Total %	0	23.1	24.9	47.9	0.4	0	0	0.4	0.6	31.7	0.1	32.4	18.5	0	0.8	19.3	

	Deer Park Road Southbound				Bremer Family Winery Driveway Westbound				Deer Park Road Northbound				Sanitarium Road Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 01:00 PM to 02:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 01:00 PM																	
01:00 PM	0	**29**	**29**	**58**	**1**	0	0	**1**	0	30	0	30	**18**	0	1	**19**	**108**
01:15 PM	0	14	16	30	1	0	0	1	0	28	0	28	15	0	**2**	17	76
01:30 PM	0	26	26	52	1	0	0	1	**1**	**36**	0	**37**	14	0	0	14	104
01:45 PM	0	21	29	50	0	0	0	0	0	27	0	27	14	0	2	16	93
Total Volume	0	90	100	190	3	0	0	3	1	121	0	122	61	0	5	66	381
% App. Total	0	47.4	52.6		100	0	0		0.8	99.2	0		92.4	0	7.6		
PHF	.000	.776	.862	.819	.750	.000	.000	.750	.250	.840	.000	.824	.847	.000	.625	.868	.882

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County of Napa
N/S: Deer Park Road
E/W: Sanitarium Rd/Bremer Family Winery
Weather: Clear

File Name : CNP_DP_San 1-28 MD
Site Code : 22323145
Start Date : 1/28/2023
Page No : 2



Peak Hour Analysis From 01:00 PM to 02:45 PM - Peak 1 of 1
Peak Hour for Each Approach Begins at:

	01:00 PM				01:00 PM				01:00 PM				02:00 PM			
+0 mins.	0	**29**	**29**	**58**	**1**	0	0	**1**	0	30	0	30	18	0	0	18
+15 mins.	0	14	16	30	1	0	0	1	0	28	0	28	16	0	0	16
+30 mins.	0	26	26	52	1	0	0	1	**1**	**36**	0	**37**	**21**	0	0	**21**
+45 mins.	0	21	29	50	0	0	0	0	0	27	0	27	17	0	**1**	18
Total Volume	0	90	100	190	3	0	0	3	1	121	0	122	72	0	1	73
% App. Total	0	47.4	52.6		100	0	0		0.8	99.2	0		98.6	0	1.4	
PHF	.000	.776	.862	.819	.750	.000	.000	.750	.250	.840	.000	.824	.857	.000	.250	.869

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County of Napa
Deer Park Road
S/ Bremer Winery Driveway / Sanitarium Road
24 Hour Directional Volume Count

CNP001
Site Code: 223-23145

Start Time	1/20/23 Fri	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		1	19			0	36				
12:15		2	25			1	28				
12:30		0	32			0	24				
12:45		3	30	6	106	1	18	2	106	8	212
01:00		0	28			0	30				
01:15		3	26			0	22				
01:30		1	16			3	22				
01:45		1	19	5	89	1	16	4	90	9	179
02:00		0	21			1	23				
02:15		0	25			0	26				
02:30		1	21			0	22				
02:45		0	27	1	94	0	**30**	1	101	2	195
03:00		0	33			0	**43**				
03:15		0	29			0	**39**				
03:30		1	34			0	**31**				
03:45		3	**30**	4	126	1	22	1	135	5	261
04:00		1	**41**			2	30				
04:15		0	**53**			2	35				
04:30		0	**42**			2	30				
04:45		0	25	1	161	2	10	8	105	9	266
05:00		0	38			3	21				
05:15		0	39			8	17				
05:30		0	50			8	25				
05:45		11	31	11	158	8	16	27	79	38	237
06:00		10	30			14	12				
06:15		14	25			25	5				
06:30		15	22			17	7				
06:45		27	22	66	99	18	10	74	34	140	133
07:00		14	11			21	4				
07:15		27	26			**30**	4				
07:30		21	15			**34**	5				
07:45		18	8	80	60	**51**	4	136	17	216	77
08:00		25	16			**44**	3				
08:15		15	6			28	5				
08:30		15	17			18	9				
08:45		15	11	70	50	21	4	111	21	181	71
09:00		**42**	16			52	1				
09:15		**18**	10			19	5				
09:30		**23**	6			27	3				
09:45		**17**	7	100	39	24	2	122	11	222	50
10:00		18	9			18	8				
10:15		15	7			27	3				
10:30		24	5			21	3				
10:45		23	4	80	25	19	2	85	16	165	41
11:00		25	6			19	2				
11:15		25	8			21	4				
11:30		25	3			24	1				
11:45		25	6	100	23	20	0	84	7	184	30
Total		524	1030	524	1030	655	722	655	722	1179	1752
Combined Total		1554		1554		1377		1377		2931	
AM Peak	-	09:00	-	-	-	07:15	-	-	-	-	-
Vol.	-	100	-	-	-	159	-	-	-	-	-
P.H.F.		0.595				0.779					
PM Peak	-	-	03:45	-	-	-	02:45	-	-	-	-
Vol.	-	-	166	-	-	-	143	-	-	-	-
P.H.F.			0.783				0.831				
Percentage		33.7%	66.3%			47.6%	52.4%				

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County of Napa
Deer Park Road
S/ Bremer Winery Driveway / Sanitarium Road
24 Hour Directional Volume Count

CNP001
Site Code: 223-23145

Start Time	1/21/23 Sat	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		1	16			1	15				
12:15		3	24			1	25				
12:30		0	21			0	21				
12:45		1	22	5	83	2	19	4	80	9	163
01:00		2	20			1	18				
01:15		2	31			0	24				
01:30		1	31			0	20				
01:45		1	26	6	108	0	23	1	85	7	193
02:00		0	24			0	26				
02:15		1	30			0	17				
02:30		0	**34**			0	21				
02:45		0	**29**	1	117	0	11	0	75	1	192
03:00		0	**26**			0	14				
03:15		1	**31**			0	28				
03:30		0	22			0	19				
03:45		0	21	1	100	0	18	0	79	1	179
04:00		1	15			0	**21**				
04:15		1	26			1	**29**				
04:30		3	17			4	**23**				
04:45		0	18	5	76	0	**21**	5	94	10	170
05:00		0	25			4	19				
05:15		0	25			2	23				
05:30		1	20			5	12				
05:45		0	16	1	86	3	8	14	62	15	148
06:00		0	21			4	13				
06:15		2	21			7	10				
06:30		0	7			5	6				
06:45		5	19	7	68	7	11	23	40	30	108
07:00		6	20			6	12				
07:15		8	11			7	5				
07:30		15	9			13	4				
07:45		6	12	35	52	11	10	37	31	72	83
08:00		10	13			10	3				
08:15		4	14			17	2				
08:30		13	7			17	2				
08:45		15	7	42	41	11	2	55	9	97	50
09:00		16	8			14	3				
09:15		7	9			**25**	1				
09:30		15	7			**33**	7				
09:45		16	14	54	38	**21**	4	93	15	147	53
10:00		15	4			**30**	0				
10:15		14	7			21	4				
10:30		**18**	5			23	2				
10:45		**23**	12	70	28	18	5	92	11	162	39
11:00		**22**	8			14	3				
11:15		**24**	6			16	0				
11:30		12	7			11	2				
11:45		15	2	73	23	25	1	66	6	139	29
Total		300	820	300	820	390	587	390	587	690	1407
Combined Total		1120		1120		977		977		2097	
AM Peak	-	10:30	-	-	-	09:15	-	-	-	-	-
Vol.	-	87	-	-	-	109	-	-	-	-	-
P.H.F.		0.906				0.826					
PM Peak	-	-	02:30	-	-	-	04:00	-	-	-	-
Vol.	-	-	120	-	-	-	94	-	-	-	-
P.H.F.			0.882				0.810				
Percentage		26.8%	73.2%			39.9%	60.1%				

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County of Napa
Deer Park Road
S/ Bremer Winery Driveway / Sanitarium Road
24 Hour Directional Volume Count

CNP001
Site Code: 223-23145

Start Time	1/22/23 Sun	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		0	23			1	14				
12:15		3	**27**			0	19				
12:30		1	**26**			0	26				
12:45		6	**28**	10	104	0	23	1	82	11	186
01:00		2	**28**			1	17				
01:15		3	21			1	18				
01:30		2	21			0	21				
01:45		0	27	7	97	0	13	2	69	9	166
02:00		2	16			0	11				
02:15		2	20			1	19				
02:30		1	25			1	**19**				
02:45		4	28	9	89	1	**23**	3	72	12	161
03:00		1	23			0	**21**				
03:15		2	26			3	**25**				
03:30		2	14			2	14				
03:45		0	18	5	81	1	18	6	78	11	159
04:00		1	17			1	13				
04:15		0	15			0	12				
04:30		1	25			0	10				
04:45		1	14	3	71	4	14	5	49	8	120
05:00		2	26			0	8				
05:15		0	13			2	11				
05:30		0	14			3	12				
05:45		0	19	2	72	2	9	7	40	9	112
06:00		1	20			1	11				
06:15		3	13			3	5				
06:30		2	15			3	4				
06:45		4	15	10	63	1	5	8	25	18	88
07:00		2	15			2	8				
07:15		5	10			4	9				
07:30		8	9			12	7				
07:45		8	10	23	44	9	2	27	26	50	70
08:00		8	11			9	3				
08:15		7	10			13	3				
08:30		8	5			12	0				
08:45		10	6	33	32	10	2	44	8	77	40
09:00		14	7			13	4				
09:15		10	9			16	1				
09:30		10	6			**22**	1				
09:45		17	5	51	27	**23**	5	74	11	125	38
10:00		13	3			**20**	0				
10:15		17	8			**25**	0				
10:30		8	12			16	2				
10:45		15	3	53	26	14	2	75	4	128	30
11:00		**20**	4			20	0				
11:15		**14**	6			23	3				
11:30		**21**	1			28	2				
11:45		**19**	1	74	12	10	0	81	5	155	17
Total		280	718	280	718	333	469	333	469	613	1187
Combined Total		998		998		802		802		1800	
AM Peak	-	11:00	-	-	-	09:30	-	-	-	-	-
Vol.	-	74	-	-	-	90	-	-	-	-	-
P.H.F.		0.881				0.900					
PM Peak	-	-	00:15	-	-	-	02:30	-	-	-	-
Vol.	-	-	109	-	-	-	88	-	-	-	-
P.H.F.			0.973				0.846				
Percentage		28.1%	71.9%			41.5%	58.5%				

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County of Napa
Deer Park Road
S/ Bremer Winery Driveway / Sanitarium Road
24 Hour Directional Volume Count

CNP001
Site Code: 223-23145

Start Time	1/23/23 Mon	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		4	18			0	28				
12:15		0	23			0	20				
12:30		4	26			0	17				
12:45		0	17	8	84	0	20	0	85	8	169
01:00		1	14			1	21				
01:15		1	13			0	24				
01:30		0	19			1	12				
01:45		1	22	3	68	0	18	2	75	5	143
02:00		1	20			0	23				
02:15		2	17			0	16				
02:30		1	26			0	18				
02:45		1	25	5	88	0	23	0	80	5	168
03:00		0	31			1	**29**				
03:15		1	40			4	**25**				
03:30		0	45			0	**43**				
03:45		1	**41**	2	157	1	**40**	6	137	8	294
04:00		0	**54**			1	27				
04:15		0	**40**			4	23				
04:30		1	**47**			4	15				
04:45		0	36	1	177	5	21	14	86	15	263
05:00		0	44			6	18				
05:15		1	35			6	30				
05:30		7	25			8	18				
05:45		5	44	13	148	10	10	30	76	43	224
06:00		13	30			19	20				
06:15		9	30			19	8				
06:30		**28**	23			27	7				
06:45		**19**	29	69	112	23	5	88	40	157	152
07:00		**23**	17			25	5				
07:15		**35**	11			28	2				
07:30		22	17			**39**	2				
07:45		22	7	102	52	**55**	5	147	14	249	66
08:00		20	14			**41**	3				
08:15		23	10			**34**	2				
08:30		21	8			31	3				
08:45		21	12	85	44	29	3	135	11	220	55
09:00		13	10			29	0				
09:15		20	7			19	3				
09:30		17	7			21	4				
09:45		19	1	69	25	29	3	98	10	167	35
10:00		17	4			16	3				
10:15		23	6			22	2				
10:30		16	6			29	2				
10:45		28	3	84	19	28	2	95	9	179	28
11:00		16	2			16	2				
11:15		13	4			16	0				
11:30		21	2			24	0				
11:45		24	2	74	10	13	1	69	3	143	13
Total		515	984	515	984	684	626	684	626	1199	1610
Combined Total		1499		1499		1310		1310		2809	
AM Peak	-	06:30	-	-	-	07:30	-	-	-	-	-
Vol.	-	105	-	-	-	169	-	-	-	-	-
P.H.F.		0.750				0.768					
PM Peak	-	-	03:45	-	-	-	03:00	-	-	-	-
Vol.	-	-	182	-	-	-	137	-	-	-	-
P.H.F.			0.843				0.797				
Percentage		34.4%	65.6%			52.2%	47.8%				

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County of Napa
Deer Park Road
S/ Bremer Winery Driveway / Sanitarium Road
24 Hour Directional Volume Count

CNP001
Site Code: 223-23145

Start Time	1/24/23 Tue	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		1	27			0	14				
12:15		0	29			1	25				
12:30		2	26			0	21				
12:45		0	14	3	96	0	14	1	74	4	170
01:00		0	17			0	26				
01:15		0	18			0	34				
01:30		0	23			0	16				
01:45		0	34	0	92	0	18	0	94	0	186
02:00		0	19			0	24				
02:15		1	23			1	18				
02:30		0	38			1	26				
02:45		0	21	1	101	1	18	3	86	4	187
03:00		2	36			0	25				
03:15		1	37			0	18				
03:30		1	46			1	28				
03:45		2	31	6	150	2	**38**	3	109	9	259
04:00		0	43			0	**28**				
04:15		2	**37**			2	**30**				
04:30		0	**36**			5	**30**				
04:45		0	**48**	2	164	5	17	12	105	14	269
05:00		2	**48**			4	14				
05:15		0	35			9	22				
05:30		3	38			8	20				
05:45		4	32	9	153	16	11	37	67	46	220
06:00		10	34			12	13				
06:15		14	20			23	9				
06:30		13	11			26	9				
06:45		29	22	66	87	19	7	80	38	146	125
07:00		22	19			33	8				
07:15		18	10			24	7				
07:30		22	20			33	7				
07:45		**32**	13	94	62	**54**	7	144	29	238	91
08:00		**32**	20			**38**	2				
08:15		**24**	9			**39**	5				
08:30		**28**	20			**56**	2				
08:45		18	7	102	56	21	3	154	12	256	68
09:00		15	16			26	4				
09:15		40	12			40	2				
09:30		11	7			28	3				
09:45		19	1	85	36	22	3	116	12	201	48
10:00		27	12			28	3				
10:15		21	6			14	0				
10:30		26	5			32	2				
10:45		23	3	97	26	21	1	95	6	192	32
11:00		27	3			23	0				
11:15		24	3			17	1				
11:30		23	1			21	1				
11:45		25	1	99	8	25	0	86	2	185	10
Total		564	1031	564	1031	731	634	731	634	1295	1665
Combined Total		1595		1595		1365		1365		2960	
AM Peak	-	07:45	-	-	-	07:45	-	-	-	-	-
Vol.	-	116	-	-	-	187	-	-	-	-	-
P.H.F.		0.906				0.835					
PM Peak	-	-	04:15	-	-	-	03:45	-	-	-	-
Vol.	-	-	169	-	-	-	126	-	-	-	-
P.H.F.			0.880				0.829				
Percentage		35.4%	64.6%			53.6%	46.4%				

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County of Napa
Deer Park Road
S/ Bremer Winery Driveway / Sanitarium Road
24 Hour Directional Volume Count

CNP001
Site Code: 223-23145

Start Time	1/25/23 Wed	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		1	22			0	23				
12:15		2	32			1	21				
12:30		1	26			0	22				
12:45		1	16	5	96	0	17	1	83	6	179
01:00		1	25			0	25				
01:15		2	19			0	21				
01:30		1	28			0	22				
01:45		0	29	4	101	0	22	0	90	4	191
02:00		0	33			0	24				
02:15		0	28			0	21				
02:30		0	33			1	21				
02:45		1	16	1	110	0	33	1	99	2	209
03:00		1	42			0	**31**				
03:15		0	33			0	**31**				
03:30		2	**58**			1	**36**				
03:45		0	**57**	3	190	1	**50**	2	148	5	338
04:00		1	**36**			0	24				
04:15		0	**51**			3	29				
04:30		1	49			3	36				
04:45		1	35	3	171	5	20	11	109	14	280
05:00		0	39			9	24				
05:15		4	53			3	21				
05:30		6	41			6	22				
05:45		4	32	14	165	9	15	27	82	41	247
06:00		4	32			14	21				
06:15		18	25			29	16				
06:30		20	21			17	6				
06:45		**27**	19	69	97	24	6	84	49	153	146
07:00		**27**	13			44	9				
07:15		**27**	20			24	9				
07:30		**27**	26			40	10				
07:45		21	12	102	71	**40**	8	148	36	250	107
08:00		27	31			**45**	5				
08:15		18	16			**36**	6				
08:30		11	14			**43**	6				
08:45		27	18	83	79	28	6	152	23	235	102
09:00		33	7			19	4				
09:15		23	17			29	6				
09:30		20	13			32	3				
09:45		18	10	94	47	23	4	103	17	197	64
10:00		19	5			29	0				
10:15		17	9			27	1				
10:30		31	8			17	1				
10:45		28	5	95	27	24	4	97	6	192	33
11:00		24	3			20	4				
11:15		23	2			26	0				
11:30		26	4			30	0				
11:45		10	1	83	10	11	2	87	6	170	16
Total		556	1164	556	1164	713	748	713	748	1269	1912
Combined Total		1720		1720		1461		1461		3181	
AM Peak	-	06:45	-	-	-	07:45	-	-	-	-	-
Vol.	-	108	-	-	-	164	-	-	-	-	-
P.H.F.		1.000				0.911					
PM Peak	-	-	03:30	-	-	-	03:00	-	-	-	-
Vol.	-	-	202	-	-	-	148	-	-	-	-
P.H.F.			0.871				0.740				
Percentage		32.3%	67.7%			48.8%	51.2%				

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County of Napa
Deer Park Road
S/ Bremer Winery Driveway / Sanitarium Road
24 Hour Directional Volume Count

CNP001
Site Code: 223-23145

Start Time	1/26/23 Thu	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		2	25			1	14				
12:15		1	20			1	27				
12:30		0	25			0	13				
12:45		0	20	3	90	1	26	3	80	6	170
01:00		1	25			0	24				
01:15		1	20			1	27				
01:30		0	38			0	28				
01:45		2	27	4	110	1	21	2	100	6	210
02:00		1	13			0	18				
02:15		0	19			0	11				
02:30		1	25			0	24				
02:45		0	23	2	80	0	23	0	76	2	156
03:00		0	36			0	26				
03:15		0	40			1	33				
03:30		1	**56**			0	**39**				
03:45		1	**33**	2	165	1	**24**	2	122	4	287
04:00		2	**46**			1	**34**				
04:15		1	**53**			2	**42**				
04:30		2	37			5	25				
04:45		1	48	6	184	4	22	12	123	18	307
05:00		0	40			6	30				
05:15		1	53			5	21				
05:30		1	41			7	22				
05:45		4	44	6	178	8	23	26	96	32	274
06:00		12	42			18	20				
06:15		12	26			20	10				
06:30		22	32			24	6				
06:45		**26**	29	72	129	21	11	83	47	155	176
07:00		**34**	27			23	16				
07:15		**22**	18			27	7				
07:30		**26**	23			27	10				
07:45		24	15	106	83	**55**	7	132	40	238	123
08:00		20	16			**45**	5				
08:15		20	20			**31**	7				
08:30		22	15			**32**	8				
08:45		23	15	85	66	27	9	135	29	220	95
09:00		25	17			31	5				
09:15		15	15			28	5				
09:30		23	11			28	2				
09:45		25	13	88	56	24	6	111	18	199	74
10:00		24	9			27	4				
10:15		23	6			27	3				
10:30		23	7			21	3				
10:45		34	4	104	26	22	2	97	12	201	38
11:00		24	4			21	4				
11:15		23	5			21	3				
11:30		22	3			17	2				
11:45		18	2	87	14	16	3	75	12	162	26
Total		565	1181	565	1181	678	755	678	755	1243	1936
Combined Total		1746		1746		1433		1433		3179	
AM Peak	-	06:45	-	-	-	07:45	-	-	-	-	-
Vol.	-	108	-	-	-	163	-	-	-	-	-
P.H.F.		0.794				0.741					
PM Peak	-	-	03:30	-	-	-	03:30	-	-	-	-
Vol.	-	-	188	-	-	-	139	-	-	-	-
P.H.F.			0.839				0.827				
Percentage		32.4%	67.6%			47.3%	52.7%				

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County of Napa
Deer Park Road
S/ Bremer Winery Driveway / Sanitarium Road
24 Hour Directional Volume Count

CNP001
Site Code: 223-23145

Start Time	1/27/23 Fri	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		2	36			3	31				
12:15		1	26			1	41				
12:30		1	39			1	30				
12:45		0	29	4	130	0	24	5	126	9	256
01:00		2	28			1	38				
01:15		1	18			2	26				
01:30		0	20			1	19				
01:45		2	25	5	91	0	29	4	112	9	203
02:00		2	34			0	29				
02:15		1	24			0	24				
02:30		1	31			1	38				
02:45		1	35	5	124	1	36	2	127	7	251
03:00		0	29			0	53				
03:15		1	31			0	37				
03:30		0	53			1	41				
03:45		1	49	2	162	0	36	1	167	3	329
04:00		0	40			2	**47**				
04:15		1	**53**			1	**87**				
04:30		1	**66**			1	**64**				
04:45		0	**39**	2	198	3	**48**	7	246	9	444
05:00		0	**58**			6	41				
05:15		1	44			5	53				
05:30		3	31			5	42				
05:45		4	38	8	171	12	40	28	176	36	347
06:00		7	32			13	11				
06:15		24	29			26	10				
06:30		31	18			28	14				
06:45		23	22	85	101	21	13	88	48	173	149
07:00		24	19			26	8				
07:15		26	15			19	6				
07:30		26	16			**41**	6				
07:45		27	15	103	65	**53**	5	139	25	242	90
08:00		24	12			**46**	4				
08:15		20	17			**40**	5				
08:30		**36**	15			36	2				
08:45		**30**	13	110	57	35	3	157	14	267	71
09:00		**26**	17			27	5				
09:15		**31**	12			31	5				
09:30		14	11			31	7				
09:45		16	10	87	50	24	3	113	20	200	70
10:00		26	12			19	6				
10:15		30	9			32	5				
10:30		30	6			32	7				
10:45		34	6	120	33	23	2	106	20	226	53
11:00		21	7			38	3				
11:15		25	3			30	3				
11:30		19	5			30	2				
11:45		33	5	98	20	25	1	123	9	221	29
Total		629	1202	629	1202	773	1090	773	1090	1402	2292
Combined Total		1831		1831		1863		1863		3694	
AM Peak	-	08:30	-	-	-	07:30	-	-	-	-	-
Vol.	-	123	-	-	-	180	-	-	-	-	-
P.H.F.		0.854				0.849					
PM Peak	-	-	04:15	-	-	-	04:00	-	-	-	-
Vol.	-	-	216	-	-	-	246	-	-	-	-
P.H.F.			0.818				0.707				
Percentage		34.4%	65.6%			41.5%	58.5%				

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County of Napa
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24 Hour Directional Volume Count

CNP001
Site Code: 223-23145

Start Time	1/28/23 Sat	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		2	22			2	19				
12:15		2	26			0	42				
12:30		1	34			1	25				
12:45		4	**29**	9	111	1	31	4	117	13	228
01:00		3	**30**			0	**58**				
01:15		1	**28**			1	**30**				
01:30		0	**37**			0	**52**				
01:45		1	27	5	122	1	**50**	2	190	7	312
02:00		2	28			1	31				
02:15		2	18			0	32				
02:30		1	35			0	54				
02:45		0	29	5	110	1	38	2	155	7	265
03:00		1	28			0	23				
03:15		0	28			1	22				
03:30		0	35			0	29				
03:45		1	15	2	106	0	24	1	98	3	204
04:00		1	19			0	17				
04:15		0	19			0	20				
04:30		2	25			2	15				
04:45		1	25	4	88	1	20	3	72	7	160
05:00		0	25			1	20				
05:15		0	25			0	21				
05:30		2	23			5	12				
05:45		2	27	4	100	1	14	7	67	11	167
06:00		0	20			0	15				
06:15		3	26			8	11				
06:30		4	17			6	11				
06:45		4	19	11	82	4	11	18	48	29	130
07:00		7	26			6	7				
07:15		7	18			5	9				
07:30		8	21			10	11				
07:45		20	5	42	70	22	0	43	27	85	97
08:00		9	19			16	8				
08:15		8	11			17	6				
08:30		10	10			8	4				
08:45		14	12	41	52	**21**	4	62	22	103	74
09:00		10	8			**18**	7				
09:15		16	10			**30**	7				
09:30		14	9			**35**	8				
09:45		17	11	57	38	16	1	99	23	156	61
10:00		**24**	9			23	5				
10:15		**17**	6			24	3				
10:30		**22**	8			24	2				
10:45		**26**	5	89	28	19	2	90	12	179	40
11:00		17	7			19	4				
11:15		19	6			23	2				
11:30		18	5			27	1				
11:45		12	3	66	21	20	2	89	9	155	30
Total		335	928	335	928	420	840	420	840	755	1768
Combined Total		1263		1263		1260		1260		2523	
AM Peak	-	10:00	-	-	-	08:45	-	-	-	-	-
Vol.	-	89	-	-	-	104	-	-	-	-	-
P.H.F.		0.856				0.743					
PM Peak	-	-	00:45	-	-	-	01:00	-	-	-	-
Vol.	-	-	124	-	-	-	190	-	-	-	-
P.H.F.			0.838				0.819				
Percentage		26.5%	73.5%			33.3%	66.7%				
ADT/AADT		ADT 2,797		AADT 2,797							

Appendix B

Synchro Intersection LOS Results

Intersection	
Int Delay, s/veh	3.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	132	1	4	2	2	2	2	228	0	1	135	131
Future Vol, veh/h	132	1	4	2	2	2	2	228	0	1	135	131
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	148	1	4	2	2	2	2	256	0	1	152	147

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	416	414	152	490	561	256	299	0	0	256	0	0
Stage 1	154	154	-	260	260	-	-	-	-	-	-	-
Stage 2	262	260	-	230	301	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	542	524	886	484	432	775	1245	-	-	1292	-	-
Stage 1	841	764	-	738	687	-	-	-	-	-	-	-
Stage 2	736	687	-	766	660	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	537	522	886	480	431	775	1245	-	-	1292	-	-
Mov Cap-2 Maneuver	537	522	-	480	431	-	-	-	-	-	-	-
Stage 1	839	763	-	737	686	-	-	-	-	-	-	-
Stage 2	730	686	-	760	659	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	14.2	11.9	0.1	0
HCM LOS	B	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1245	-	-	543	527	1292	-	-
HCM Lane V/C Ratio	0.002	-	-	0.283	0.013	0.001	-	-
HCM Control Delay (s)	7.9	0	-	14.2	11.9	7.8	0	-
HCM Lane LOS	A	A	-	B	B	A	A	-
HCM 95th %tile Q(veh)	0	-	-	1.2	0	0	-	-

Intersection	
Int Delay, s/veh	2.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	85	0	7	2	1	0	1	136	1	0	97	108
Future Vol, veh/h	85	0	7	2	1	0	1	136	1	0	97	108
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	96	0	8	2	1	0	1	153	1	0	109	121

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	265	265	109	330	386	154	230	0	0	154	0	0
Stage 1	109	109	-	156	156	-	-	-	-	-	-	-
Stage 2	156	156	-	174	230	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	682	635	937	618	543	884	1320	-	-	1408	-	-
Stage 1	889	799	-	839	763	-	-	-	-	-	-	-
Stage 2	839	763	-	821	708	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	681	634	937	612	542	884	1320	-	-	1408	-	-
Mov Cap-2 Maneuver	681	634	-	612	542	-	-	-	-	-	-	-
Stage 1	888	799	-	838	762	-	-	-	-	-	-	-
Stage 2	837	762	-	814	708	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	11.1	11.2	0.1	0
HCM LOS	B	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1320	-	-	695	587	1408	-	-
HCM Lane V/C Ratio	0.001	-	-	0.149	0.006	-	-	-
HCM Control Delay (s)	7.7	0	-	11.1	11.2	0	-	-
HCM Lane LOS	A	A	-	B	B	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.5	0	0	-	-

Intersection	
Int Delay, s/veh	3.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	133	1	4	2	2	2	2	230	0	1	139	135
Future Vol, veh/h	133	1	4	2	2	2	2	230	0	1	139	135
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	149	1	4	2	2	2	2	258	0	1	156	152

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	422	420	156	499	572	258	308	0	0	258	0	0
Stage 1	158	158	-	262	262	-	-	-	-	-	-	-
Stage 2	264	262	-	237	310	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	537	520	882	477	426	773	1236	-	-	1289	-	-
Stage 1	837	761	-	736	686	-	-	-	-	-	-	-
Stage 2	735	686	-	760	654	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	532	518	882	473	425	773	1236	-	-	1289	-	-
Mov Cap-2 Maneuver	532	518	-	473	425	-	-	-	-	-	-	-
Stage 1	835	760	-	735	685	-	-	-	-	-	-	-
Stage 2	729	685	-	754	653	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	14.4	12	0.1	0
HCM LOS	B	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1236	-	-	538	521	1289	-	-
HCM Lane V/C Ratio	0.002	-	-	0.288	0.013	0.001	-	-
HCM Control Delay (s)	7.9	0	-	14.4	12	7.8	0	-
HCM Lane LOS	A	A	-	B	B	A	A	-
HCM 95th %tile Q(veh)	0	-	-	1.2	0	0	-	-

Intersection	
Int Delay, s/veh	2.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	87	0	7	2	1	0	1	140	1	0	100	112
Future Vol, veh/h	87	0	7	2	1	0	1	140	1	0	100	112
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	98	0	8	2	1	0	1	157	1	0	112	126

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	272	272	112	339	398	158	238	0	0	158	0	0
Stage 1	112	112	-	160	160	-	-	-	-	-	-	-
Stage 2	160	160	-	179	238	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	674	630	933	609	535	880	1311	-	-	1403	-	-
Stage 1	886	797	-	835	760	-	-	-	-	-	-	-
Stage 2	835	760	-	816	703	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	673	629	933	604	534	880	1311	-	-	1403	-	-
Mov Cap-2 Maneuver	673	629	-	604	534	-	-	-	-	-	-	-
Stage 1	885	797	-	834	759	-	-	-	-	-	-	-
Stage 2	833	759	-	809	703	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	11.2	11.3	0.1	0
HCM LOS	B	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1311	-	-	687	579	1403	-	-
HCM Lane V/C Ratio	0.001	-	-	0.154	0.006	-	-	-
HCM Control Delay (s)	7.7	0	-	11.2	11.3	0	-	-
HCM Lane LOS	A	A	-	B	B	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.5	0	0	-	-

Intersection	
Int Delay, s/veh	3.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	156	1	5	2	2	2	2	269	0	1	159	154
Future Vol, veh/h	156	1	5	2	2	2	2	269	0	1	159	154
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	175	1	6	2	2	2	2	302	0	1	179	173

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	489	487	179	577	660	302	352	0	0	302	0	0
Stage 1	181	181	-	306	306	-	-	-	-	-	-	-
Stage 2	308	306	-	271	354	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	484	476	856	423	379	731	1190	-	-	1242	-	-
Stage 1	814	744	-	697	656	-	-	-	-	-	-	-
Stage 2	696	656	-	728	625	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	479	475	856	418	378	731	1190	-	-	1242	-	-
Mov Cap-2 Maneuver	479	475	-	418	378	-	-	-	-	-	-	-
Stage 1	812	743	-	696	655	-	-	-	-	-	-	-
Stage 2	690	655	-	721	624	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16.8	12.8	0.1	0
HCM LOS	C	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1190	-	-	486	468	1242	-	-
HCM Lane V/C Ratio	0.002	-	-	0.375	0.014	0.001	-	-
HCM Control Delay (s)	8	0	-	16.8	12.8	7.9	0	-
HCM Lane LOS	A	A	-	C	B	A	A	-
HCM 95th %tile Q(veh)	0	-	-	1.7	0	0	-	-

Intersection	
Int Delay, s/veh	2.5

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↰	↱
Traffic Vol, veh/h	100	0	8	2	1	0	1	160	1	0	114	127
Future Vol, veh/h	100	0	8	2	1	0	1	160	1	0	114	127
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	112	0	9	2	1	0	1	180	1	0	128	143

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	311	311	128	387	454	181	271	0	0	181	0	0
Stage 1	128	128	-	183	183	-	-	-	-	-	-	-
Stage 2	183	183	-	204	271	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	636	599	914	566	497	854	1275	-	-	1376	-	-
Stage 1	869	784	-	812	743	-	-	-	-	-	-	-
Stage 2	812	743	-	791	680	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	635	598	914	560	497	854	1275	-	-	1376	-	-
Mov Cap-2 Maneuver	635	598	-	560	497	-	-	-	-	-	-	-
Stage 1	868	784	-	811	742	-	-	-	-	-	-	-
Stage 2	810	742	-	783	680	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	11.8	11.7	0	0
HCM LOS	B	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1275	-	-	650	537	1376	-	-
HCM Lane V/C Ratio	0.001	-	-	0.187	0.006	-	-	-
HCM Control Delay (s)	7.8	0	-	11.8	11.7	0	-	-
HCM Lane LOS	A	A	-	B	B	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.7	0	0	-	-

Intersection	
Int Delay, s/veh	3.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	132	1	4	0	0	0	4	230	1	1	135	131
Future Vol, veh/h	132	1	4	0	0	0	4	230	1	1	135	131
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	148	1	4	0	0	0	4	258	1	1	152	147

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	421	421	152	497	568	259	299	0	0	259	0	0
Stage 1	154	154	-	267	267	-	-	-	-	-	-	-
Stage 2	267	267	-	230	301	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	538	519	886	479	428	772	1245	-	-	1288	-	-
Stage 1	841	764	-	732	683	-	-	-	-	-	-	-
Stage 2	732	683	-	766	660	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	536	516	886	474	426	772	1245	-	-	1288	-	-
Mov Cap-2 Maneuver	536	516	-	474	426	-	-	-	-	-	-	-
Stage 1	838	763	-	729	680	-	-	-	-	-	-	-
Stage 2	729	680	-	760	659	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	14.3	0	0.1	0
HCM LOS	B	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1245	-	-	542	-	1288	-	-
HCM Lane V/C Ratio	0.004	-	-	0.284	-	0.001	-	-
HCM Control Delay (s)	7.9	0	-	14.3	0	7.8	0	-
HCM Lane LOS	A	A	-	B	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	1.2	-	0	-	-

Intersection	
Int Delay, s/veh	0.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	6	4	231	0	0	139
Future Vol, veh/h	6	4	231	0	0	139
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	7	4	251	0	0	151

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	402	251	0	0	251	0
Stage 1	251	-	-	-	-	-
Stage 2	151	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	604	788	-	-	1314	-
Stage 1	791	-	-	-	-	-
Stage 2	877	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	604	788	-	-	1314	-
Mov Cap-2 Maneuver	604	-	-	-	-	-
Stage 1	791	-	-	-	-	-
Stage 2	877	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.5	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	666	1314	-
HCM Lane V/C Ratio	-	-	0.016	-	-
HCM Control Delay (s)	-	-	10.5	0	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	2.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	85	1	7	0	0	0	2	136	2	0	97	108
Future Vol, veh/h	85	1	7	0	0	0	2	136	2	0	97	108
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	96	1	8	0	0	0	2	153	2	0	109	121

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	267	268	109	332	388	154	230	0	0	155	0	0
Stage 1	109	109	-	158	158	-	-	-	-	-	-	-
Stage 2	158	159	-	174	230	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	680	633	937	616	542	884	1320	-	-	1407	-	-
Stage 1	889	799	-	837	761	-	-	-	-	-	-	-
Stage 2	837	761	-	821	708	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	679	632	937	609	541	884	1320	-	-	1407	-	-
Mov Cap-2 Maneuver	679	632	-	609	541	-	-	-	-	-	-	-
Stage 1	887	799	-	835	759	-	-	-	-	-	-	-
Stage 2	835	759	-	813	708	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	11.1	0	0.1	0
HCM LOS	B	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1320	-	-	693	-	1407	-	-
HCM Lane V/C Ratio	0.002	-	-	0.151	-	-	-	-
HCM Control Delay (s)	7.7	0	-	11.1	0	0	-	-
HCM Lane LOS	A	A	-	B	A	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.5	-	0	-	-

Intersection	
Int Delay, s/veh	0.2

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	3	1	139	0	0	104
Future Vol, veh/h	3	1	139	0	0	104
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	1	151	0	0	113

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	264	151	0	0	151	0
Stage 1	151	-	-	-	-	-
Stage 2	113	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	725	895	-	-	1430	-
Stage 1	877	-	-	-	-	-
Stage 2	912	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	725	895	-	-	1430	-
Mov Cap-2 Maneuver	725	-	-	-	-	-
Stage 1	877	-	-	-	-	-
Stage 2	912	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	9.8	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	761	1430	-
HCM Lane V/C Ratio	-	-	0.006	-	-
HCM Control Delay (s)	-	-	9.8	0	-
HCM Lane LOS	-	-	A	A	-
HCM 95th %tile Q(veh)	-	-	0	0	-

Intersection	
Int Delay, s/veh	3.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	133	1	4	0	0	0	4	232	1	1	139	135
Future Vol, veh/h	133	1	4	0	0	0	4	232	1	1	139	135
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	149	1	4	0	0	0	4	261	1	1	156	152

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	428	428	156	507	580	262	308	0	0	262	0	0
Stage 1	158	158	-	270	270	-	-	-	-	-	-	-
Stage 2	270	270	-	237	310	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	532	515	882	471	422	769	1236	-	-	1285	-	-
Stage 1	837	761	-	729	680	-	-	-	-	-	-	-
Stage 2	729	680	-	760	654	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	530	512	882	466	420	769	1236	-	-	1285	-	-
Mov Cap-2 Maneuver	530	512	-	466	420	-	-	-	-	-	-	-
Stage 1	834	760	-	726	677	-	-	-	-	-	-	-
Stage 2	726	677	-	754	653	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	14.4	0	0.1	0
HCM LOS	B	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1236	-	-	536	-	1285	-	-
HCM Lane V/C Ratio	0.004	-	-	0.289	-	0.001	-	-
HCM Control Delay (s)	7.9	0	-	14.4	0	7.8	0	-
HCM Lane LOS	A	A	-	B	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	1.2	-	0	-	-

Intersection	
Int Delay, s/veh	0.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	6	4	233	0	0	143
Future Vol, veh/h	6	4	233	0	0	143
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	7	4	253	0	0	155

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	408	253	0	0	253	0
Stage 1	253	-	-	-	-	-
Stage 2	155	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	599	786	-	-	1312	-
Stage 1	789	-	-	-	-	-
Stage 2	873	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	599	786	-	-	1312	-
Mov Cap-2 Maneuver	599	-	-	-	-	-
Stage 1	789	-	-	-	-	-
Stage 2	873	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.5	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	662	1312	-
HCM Lane V/C Ratio	-	-	0.016	-	-
HCM Control Delay (s)	-	-	10.5	0	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	2.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	89	1	7	0	0	0	2	144	2	0	103	115
Future Vol, veh/h	89	1	7	0	0	0	2	144	2	0	103	115
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	100	1	8	0	0	0	2	162	2	0	116	129

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	283	284	116	352	412	163	245	0	0	164	0	0
Stage 1	116	116	-	167	167	-	-	-	-	-	-	-
Stage 2	167	168	-	185	245	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	663	620	928	597	525	874	1304	-	-	1396	-	-
Stage 1	881	794	-	828	755	-	-	-	-	-	-	-
Stage 2	828	754	-	810	698	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	662	619	928	590	524	874	1304	-	-	1396	-	-
Mov Cap-2 Maneuver	662	619	-	590	524	-	-	-	-	-	-	-
Stage 1	879	794	-	826	753	-	-	-	-	-	-	-
Stage 2	826	752	-	802	698	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	11.4	0	0.1	0
HCM LOS	B	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1304	-	-	675	-	1396	-	-
HCM Lane V/C Ratio	0.002	-	-	0.161	-	-	-	-
HCM Control Delay (s)	7.8	0	-	11.4	0	0	-	-
HCM Lane LOS	A	A	-	B	A	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.6	-	0	-	-

Intersection	
Int Delay, s/veh	0.2

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	3	1	147	0	0	110
Future Vol, veh/h	3	1	147	0	0	110
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	1	160	0	0	120

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	280	160	0	0	160	0
Stage 1	160	-	-	-	-	-
Stage 2	120	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	710	885	-	-	1419	-
Stage 1	869	-	-	-	-	-
Stage 2	905	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	710	885	-	-	1419	-
Mov Cap-2 Maneuver	710	-	-	-	-	-
Stage 1	869	-	-	-	-	-
Stage 2	905	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	9.8	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	747	1419	-
HCM Lane V/C Ratio	-	-	0.006	-	-
HCM Control Delay (s)	-	-	9.8	0	-
HCM Lane LOS	-	-	A	A	-
HCM 95th %tile Q(veh)	-	-	0	0	-

Intersection	
Int Delay, s/veh	3.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	156	1	5	0	0	0	4	271	1	1	159	154
Future Vol, veh/h	156	1	5	0	0	0	4	271	1	1	159	154
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	175	1	6	0	0	0	4	304	1	1	179	173

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	494	494	179	584	667	305	352	0	0	305	0	0
Stage 1	181	181	-	313	313	-	-	-	-	-	-	-
Stage 2	313	313	-	271	354	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	481	472	856	419	376	728	1190	-	-	1239	-	-
Stage 1	814	744	-	691	652	-	-	-	-	-	-	-
Stage 2	691	652	-	728	625	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	479	470	856	414	374	728	1190	-	-	1239	-	-
Mov Cap-2 Maneuver	479	470	-	414	374	-	-	-	-	-	-	-
Stage 1	811	743	-	688	649	-	-	-	-	-	-	-
Stage 2	688	649	-	721	624	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16.8	0	0.1	0
HCM LOS	C	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1190	-	-	486	-	1239	-	-
HCM Lane V/C Ratio	0.004	-	-	0.375	-	0.001	-	-
HCM Control Delay (s)	8	0	-	16.8	0	7.9	0	-
HCM Lane LOS	A	A	-	C	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	1.7	-	0	-	-

Intersection	
Int Delay, s/veh	0.2

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	6	4	272	0	0	164
Future Vol, veh/h	6	4	272	0	0	164
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	7	4	296	0	0	178

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	474	296	0	0	296	0
Stage 1	296	-	-	-	-	-
Stage 2	178	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	549	743	-	-	1265	-
Stage 1	755	-	-	-	-	-
Stage 2	853	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	549	743	-	-	1265	-
Mov Cap-2 Maneuver	549	-	-	-	-	-
Stage 1	755	-	-	-	-	-
Stage 2	853	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	613	1265	-
HCM Lane V/C Ratio	-	-	0.018	-	-
HCM Control Delay (s)	-	-	11	0	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	2.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↰	↱
Traffic Vol, veh/h	100	1	8	0	0	0	2	160	2	0	114	127
Future Vol, veh/h	100	1	8	0	0	0	2	160	2	0	114	127
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	175
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	5	5	5	5	5	5	5	5	5	5	5	5
Mvmt Flow	112	1	9	0	0	0	2	180	2	0	128	143

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	313	314	128	390	456	181	271	0	0	182	0	0
Stage 1	128	128	-	185	185	-	-	-	-	-	-	-
Stage 2	185	186	-	205	271	-	-	-	-	-	-	-
Critical Hdwy	7.15	6.55	6.25	7.15	6.55	6.25	4.15	-	-	4.15	-	-
Critical Hdwy Stg 1	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.15	5.55	-	6.15	5.55	-	-	-	-	-	-	-
Follow-up Hdwy	3.545	4.045	3.345	3.545	4.045	3.345	2.245	-	-	2.245	-	-
Pot Cap-1 Maneuver	634	597	914	564	496	854	1275	-	-	1375	-	-
Stage 1	869	784	-	810	741	-	-	-	-	-	-	-
Stage 2	810	740	-	790	680	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	633	596	914	557	495	854	1275	-	-	1375	-	-
Mov Cap-2 Maneuver	633	596	-	557	495	-	-	-	-	-	-	-
Stage 1	867	784	-	808	740	-	-	-	-	-	-	-
Stage 2	808	739	-	781	680	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	11.9	0	0.1	0
HCM LOS	B	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1275	-	-	647	-	1375	-	-
HCM Lane V/C Ratio	0.002	-	-	0.189	-	-	-	-
HCM Control Delay (s)	7.8	0	-	11.9	0	0	-	-
HCM Lane LOS	A	A	-	B	A	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.7	-	0	-	-

Intersection	
Int Delay, s/veh	0.1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	3	1	163	0	0	122
Future Vol, veh/h	3	1	163	0	0	122
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	1	177	0	0	133

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	310	177	0	0	177	0
Stage 1	177	-	-	-	-	-
Stage 2	133	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	682	866	-	-	1399	-
Stage 1	854	-	-	-	-	-
Stage 2	893	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	682	866	-	-	1399	-
Mov Cap-2 Maneuver	682	-	-	-	-	-
Stage 1	854	-	-	-	-	-
Stage 2	893	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10	0	0
HCM LOS	B		

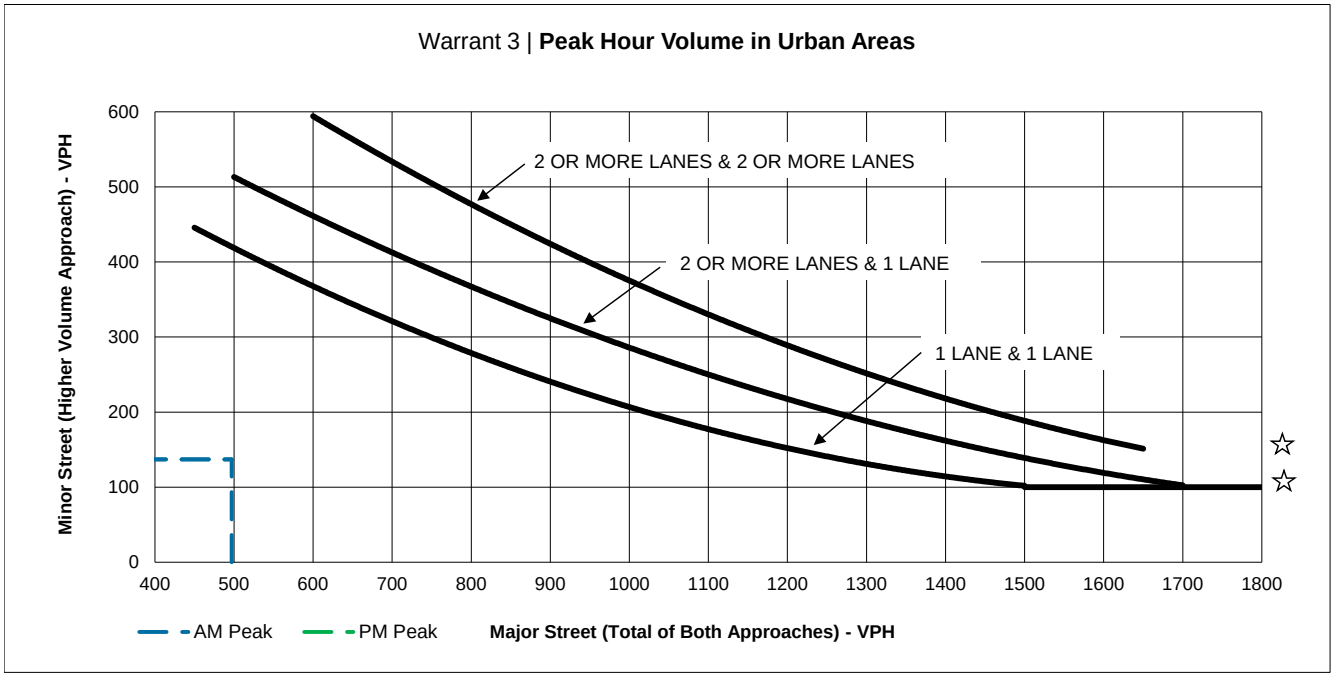
Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	720	1399	-
HCM Lane V/C Ratio	-	-	0.006	-	-
HCM Control Delay (s)	-	-	10	0	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0	0	-

Appendix C

Signal Warrant Sheets

Both 1 Lane Approaches		2 or more Lane and One Lane Approaches		Both 2 or more Lane Approaches	
Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach
500	420	500	505	500	N/A
600	360	600	460	600	590
700	325	700	420	700	540
800	285	800	360	800	475
900	245	900	325	900	425
1000	200	1000	285	1000	370
1100	175	1100	250	1100	340
1200	150	1200	220	1200	285
1300	130	1300	190	1300	250
1400	120	1400	155	1400	220
1500	100	1500	145	1500	180
1600	100	1600	120	1600	170
1700	100	1700	100	1650	150
1800	100	1800	100	1800	150

** Note: Values in Table are approximate, actual curves based upon 2nd order polynomial equation*



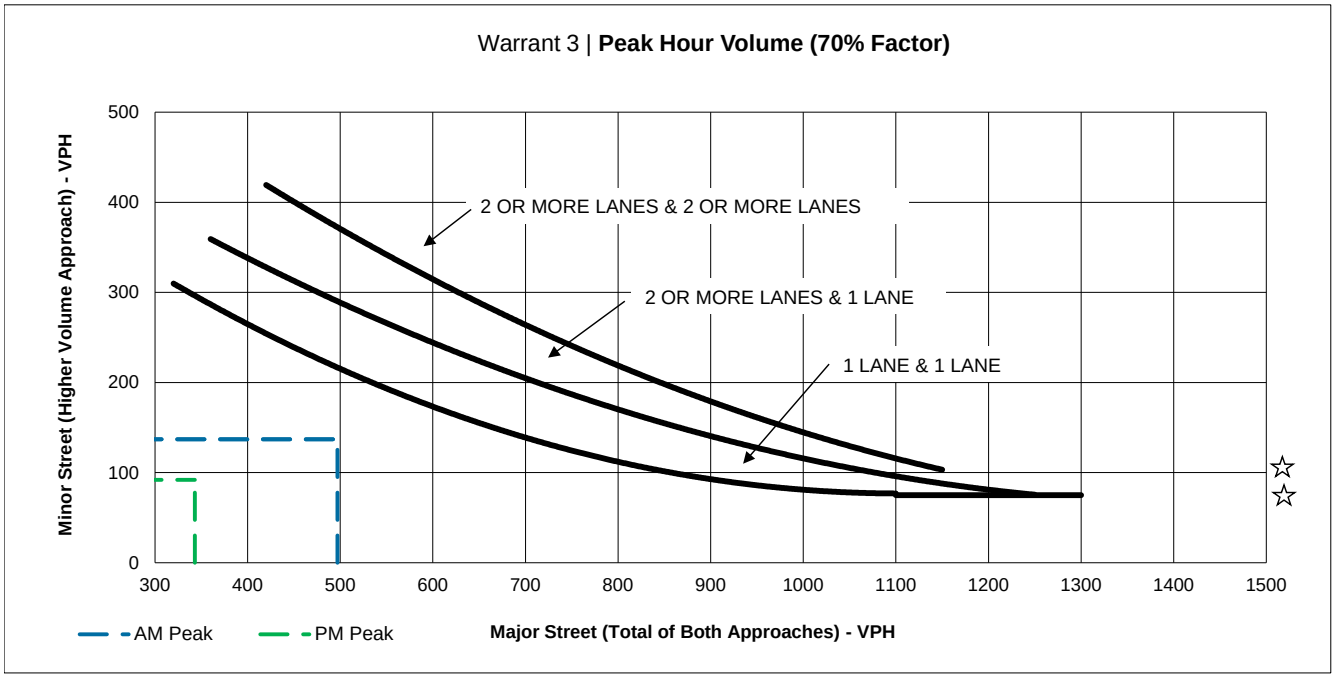
☆ **NOTE:**
150 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR MINOR STREET APPROACH WITH TWO OR MORE LANES AND 100 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACHING WITH ONE LANE.

SCENARIO (AM/PM)	Existing (NP)	
		Number of Lanes
Major Approach	Deer Park Road	1
Minor Approach	Sanitarium Road	1
	PM Peak	MD Peak
Major St. Volume (both approaches):	497	343
Minor St. Volume (higher volume approach):	137	92
Warrant Met?:		

Volumes for higher minor street

Both 1 Lane Approaches		2 or more Lane and One Lane Approaches		Both 2 or more Lane Approaches	
Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach
400	265	400	340	400	N/A
500	210	500	290	500	375
600	180	600	240	600	310
700	150	700	200	700	260
800	90	800	175	800	220
900	100	900	140	900	180
1000	85	1000	120	1000	150
1100	75	1100	95	1150	100
1200	75	1200	80	1200	100
1300	75	1250	75	1300	100

** Note: Values in Table are approximate, actual curves based upon 2nd order polynomial equation*

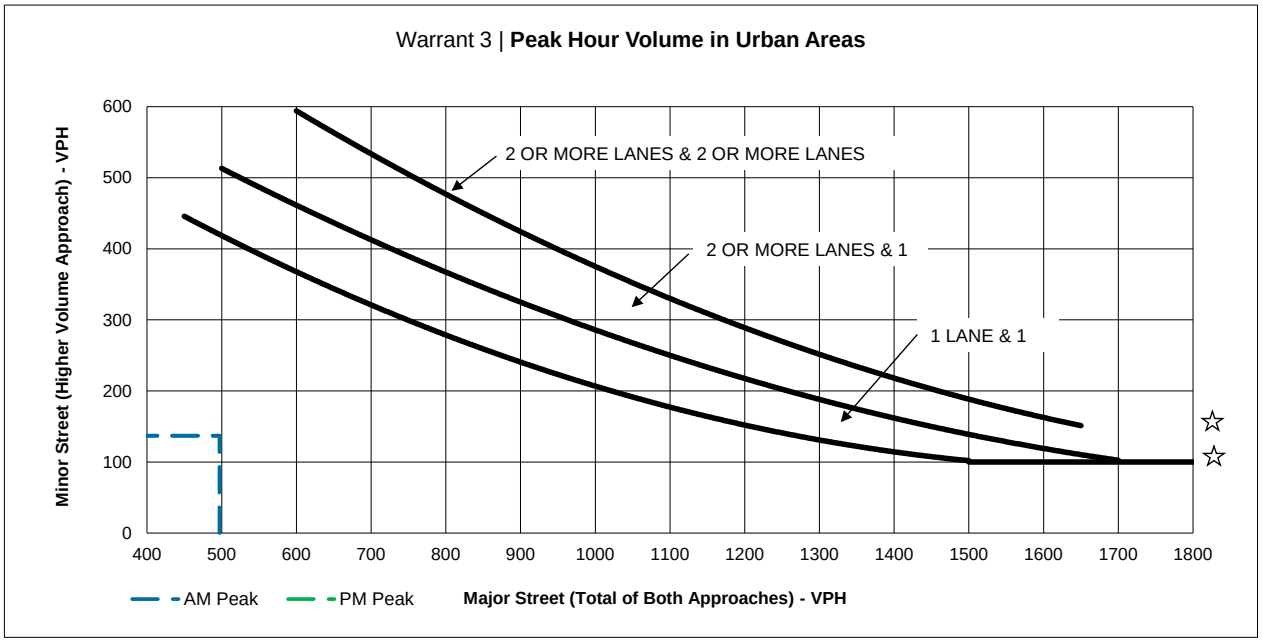


☆ NOTE:
100 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR MINOR STREET APPROACH WITH TWO OR MORE LANES AND 75 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACHING WITH ONE LANE.

SCENARIO (AM/PM)	Existing (NP)		
		Number of Lanes	
Major Approach	Deer Park Road	1	
Minor Approach	Sanitarium Rod	1	
	AM Peak	PM Peak	**Volumes for higher minor street**
Major St. Volume (both approaches):	497	343	
Minor St. Volume (higher volume approach):	137	92	
Warrant Met?:			

Both 1 Lane Approaches		2 or more Lane and One Lane Approaches		Both 2 or more Lane Approaches	
Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach
500	420	500	505	500	N/A
600	360	600	460	600	590
700	325	700	420	700	540
800	285	800	360	800	475
900	245	900	325	900	425
1000	200	1000	285	1000	370
1100	175	1100	250	1100	340
1200	150	1200	220	1200	285
1300	130	1300	190	1300	250
1400	120	1400	155	1400	220
1500	100	1500	145	1500	180
1600	100	1600	120	1600	170
1700	100	1700	100	1650	150
1800	100	1800	100	1800	150

** Note: Values in Table are approximate, actual curves based upon 2nd order polynomial equation*



☆ **NOTE:**

150 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR MINOR STREET APPROACH WITH TWO OR MORE LANES AND 100 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACHING WITH ONE LANE.

SCENARIO (AM/PM)	Cumulative (NP)	
		Number of Lanes
Major Approach	Deer Park Road	1
Minor Approach	Sanitarium Road	1
	PM Peak	MD Peak
Major St. Volume (both approaches):	585	364
Minor St. Volume (higher volume approach):	162	109
Warrant Met?:		

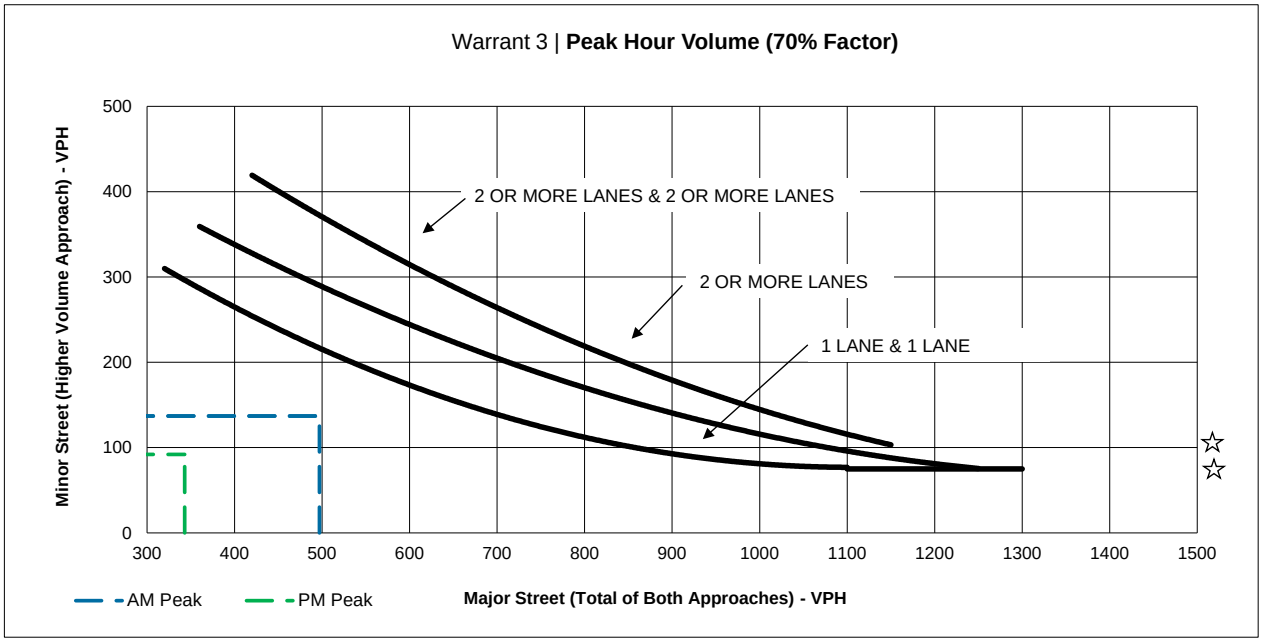
Volumes for higher minor street

AM Peak	X	Y
Series 1	0	162
	585	162
Series 2	585	0
	585	162

PM Peak	X	Y
Series 1	0	109
	364	109
Series 2	364	0
	364	109

Both 1 Lane Approaches		2 or more Lane and One Lane Approaches		Both 2 or more Lane Approaches	
Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach
400	265	400	340	400	N/A
500	210	500	290	500	375
600	180	600	240	600	310
700	150	700	200	700	260
800	90	800	175	800	220
900	100	900	140	900	180
1000	85	1000	120	1000	150
1100	75	1100	95	1150	100
1200	75	1200	80	1200	100
1300	75	1250	75	1300	100

** Note: Values in Table are approximate, actual curves based upon 2nd order polynomial equation*



☆ NOTE:
100 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR MINOR STREET APPROACH WITH TWO OR MORE LANES AND 75 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACHING WITH ONE LANE.

SCENARIO (AM/PM)	Cumulative (NP)	
		Number of Lanes
Major Approach	Deer Park Road	1
Minor Approach	Sanitarium Rod	1
	AM Peak	PM Peak
Major St. Volume (both approaches):	585	364
Minor St. Volume (higher volume approach):	162	109
Warrant Met?:		

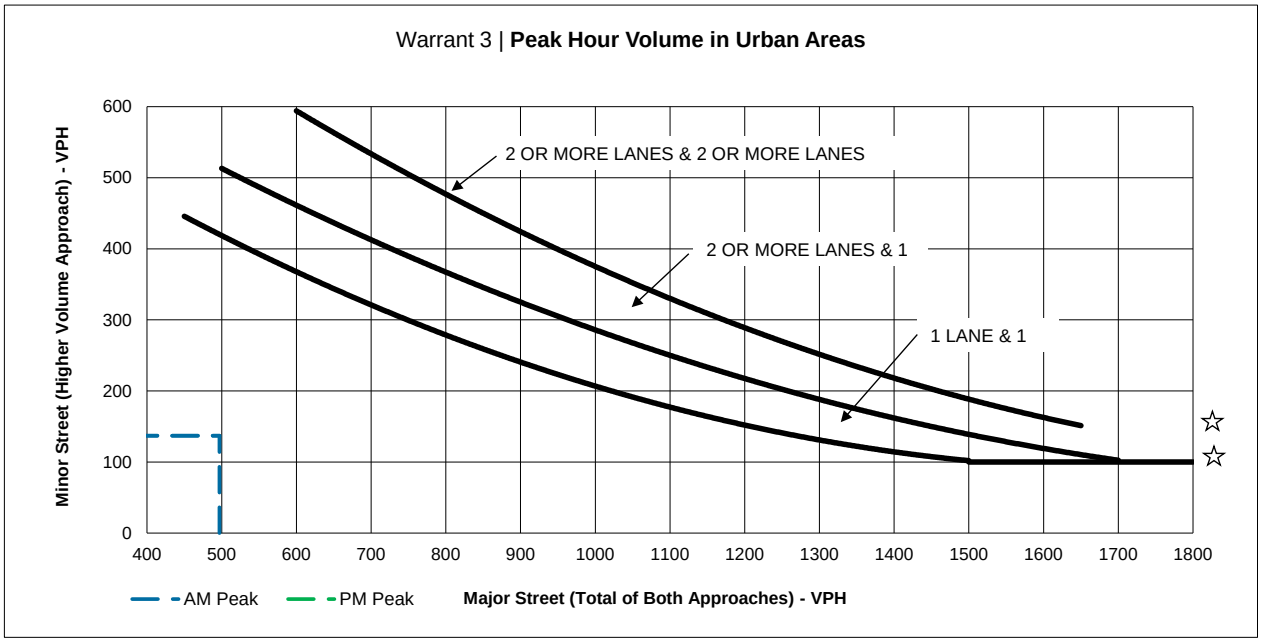
Volumes for higher minor street

AM Peak	X	Y
Series 1	0	162
	585	162
Series 2	585	0
	585	162

PM Peak	X	Y
Series 1	0	109
	364	109
Series 2	364	0
	364	109

Both 1 Lane Approaches		2 or more Lane and One Lane Approaches		Both 2 or more Lane Approaches	
Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach
500	420	500	505	500	N/A
600	360	600	460	600	590
700	325	700	420	700	540
800	285	800	360	800	475
900	245	900	325	900	425
1000	200	1000	285	1000	370
1100	175	1100	250	1100	340
1200	150	1200	220	1200	285
1300	130	1300	190	1300	250
1400	120	1400	155	1400	220
1500	100	1500	145	1500	180
1600	100	1600	120	1600	170
1700	100	1700	100	1650	150
1800	100	1800	100	1800	150

** Note: Values in Table are approximate, actual curves based upon 2nd order polynomial equation*



☆ **NOTE:**

150 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR MINOR STREET APPROACH WITH TWO OR MORE LANES AND 100 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACHING WITH ONE LANE.

SCENARIO (AM/PM)	**Exist + Project**	
		Number of Lanes
Major Approach	Deer Park Road	1
Minor Approach	Sanitarium Road	1
	PM Peak	MD Peak
Major St. Volume (both approaches):	502	345
Minor St. Volume (higher volume approach):	137	93
Warrant Met?:		

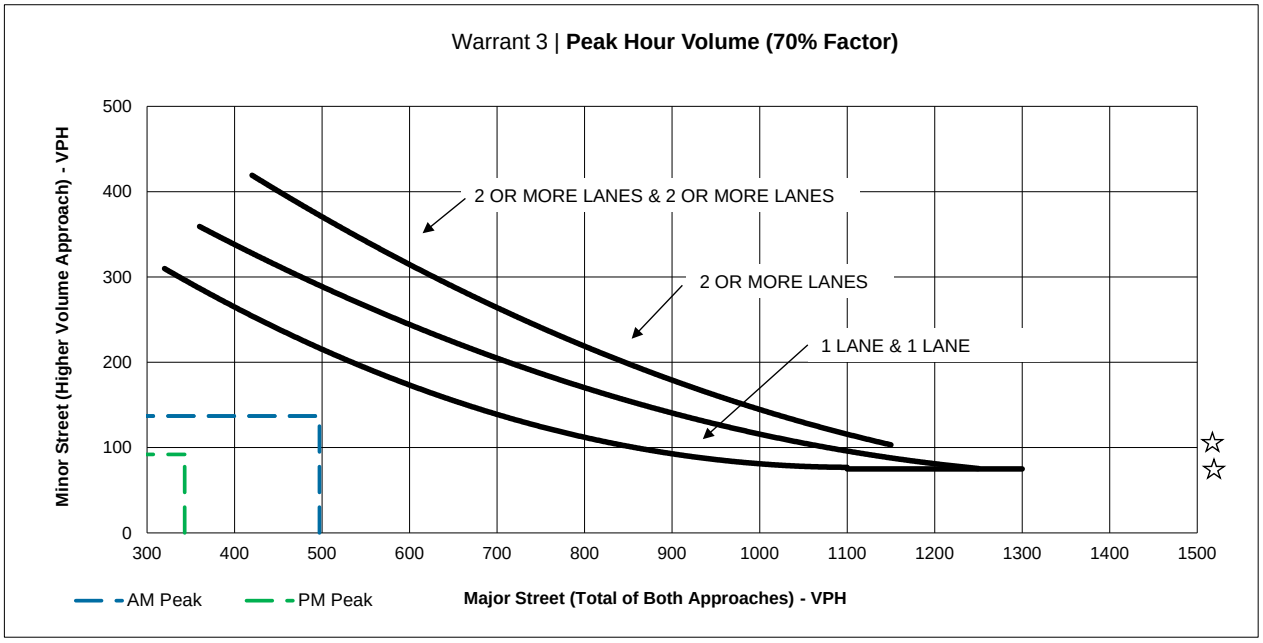
Volumes for higher minor street

AM Peak	X	Y
Series 1	0	137
	502	137
Series 2	502	0
	502	137

PM Peak	X	Y
Series 1	0	93
	345	93
Series 2	345	0
	345	93

Both 1 Lane Approaches		2 or more Lane and One Lane Approaches		Both 2 or more Lane Approaches	
Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach
400	265	400	340	400	N/A
500	210	500	290	500	375
600	180	600	240	600	310
700	150	700	200	700	260
800	90	800	175	800	220
900	100	900	140	900	180
1000	85	1000	120	1000	150
1100	75	1100	95	1150	100
1200	75	1200	80	1200	100
1300	75	1250	75	1300	100

** Note: Values in Table are approximate, actual curves based upon 2nd order polynomial equation*



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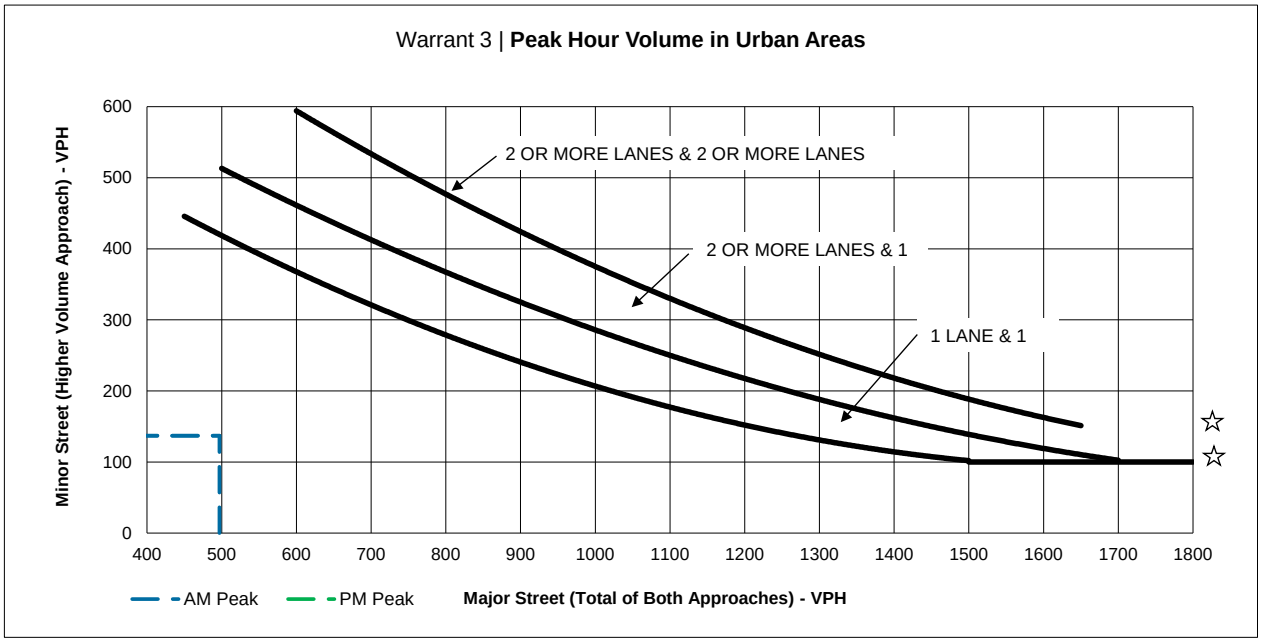
SCENARIO (AM/PM)	Exist + Project		
		Number of Lanes	
Major Approach	Deer Park Road	1	
Minor Approach	Sanitarium Rod	1	
	AM Peak	PM Peak	**Volumes for higher minor street**
Major St. Volume (both approaches):	502	345	
Minor St. Volume (higher volume approach):	137	93	
Warrant Met?:			

AM Peak	X	Y
Series 1	0	137
	502	137
Series 2	502	0
	502	137

PM Peak	X	Y
Series 1	0	93
	345	93
Series 2	345	0
	345	93

Both 1 Lane Approaches		2 or more Lane and One Lane Approaches		Both 2 or more Lane Approaches	
Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach
500	420	500	505	500	N/A
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800	285	800	360	800	475
900	245	900	325	900	425
1000	200	1000	285	1000	370
1100	175	1100	250	1100	340
1200	150	1200	220	1200	285
1300	130	1300	190	1300	250
1400	120	1400	155	1400	220
1500	100	1500	145	1500	180
1600	100	1600	120	1600	170
1700	100	1700	100	1650	150
1800	100	1800	100	1800	150

** Note: Values in Table are approximate, actual curves based upon 2nd order polynomial equation*



☆ **NOTE:**

150 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR MINOR STREET APPROACH WITH TWO OR MORE LANES AND 100 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACHING WITH ONE LANE.

SCENARIO (AM/PM)	**Cumulative + Project**	
		Number of Lanes
Major Approach	Deer Park Road	1
Minor Approach	Sanitarium Road	1
	PM Peak	MD Peak
Major St. Volume (both approaches):	590	405
Minor St. Volume (higher volume approach):	162	109
Warrant Met?:		

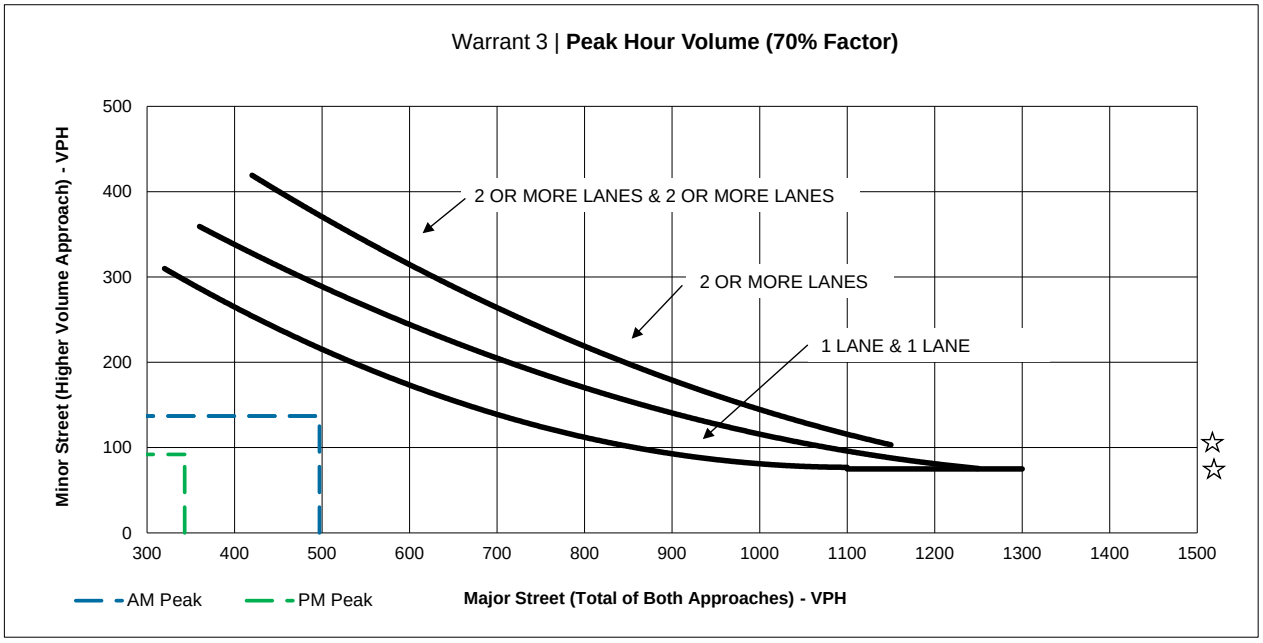
Volumes for higher minor street

AM Peak	X	Y
Series 1	0	162
	590	162
Series 2	590	0
	590	162

PM Peak	X	Y
Series 1	0	109
	405	109
Series 2	405	0
	405	109

Both 1 Lane Approaches		2 or more Lane and One Lane Approaches		Both 2 or more Lane Approaches	
Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach	Major Street Total of Both Approaches	Minor Street High Volume Approach
400	265	400	340	400	N/A
500	210	500	290	500	375
600	180	600	240	600	310
700	150	700	200	700	260
800	90	800	175	800	220
900	100	900	140	900	180
1000	85	1000	120	1000	150
1100	75	1100	95	1150	100
1200	75	1200	80	1200	100
1300	75	1250	75	1300	100

** Note: Values in Table are approximate, actual curves based upon 2nd order polynomial equation*



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SCENARIO (AM/PM)	Exist + Project		
		Number of Lanes	
Major Approach	Deer Park Road	1	
Minor Approach	Sanitarium Rod	1	
	AM Peak	PM Peak	**Volumes for higher minor street**
Major St. Volume (both approaches):	590	405	
Minor St. Volume (higher volume approach):	162	109	
Warrant Met?:			

AM Peak	X	Y
Series 1	0	162
	590	162
Series 2	590	0
	590	162

PM Peak	X	Y
Series 1	0	109
	405	109
Series 2	405	0
	405	109

Appendix D

Approved Project Trip Generation

WINERY TRIP GENERATION WORKSHEET

Planning, Building & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559-3082
(707) 253-4417

A Tradition of Stewardship
A Commitment to Service

Clear Form

PROJECT DESCRIPTION

Winery Name: ALOFT WINERY (P16-00429) **Date Prepared:** 2/6/23

Existing Entitled Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	0	
	Weekend	0	
Number of Part Time Employees*	Weekday	0	
	Weekend	0	
Maximum Daily Visitation	Weekday	0	
	Weekend	0	
Annual Gallons of Production		0	0
Annual Tons of Grape Haul		0.0	N/A
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	0	
	Weekend	0	

Proposed Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	6	
	Weekend	6	
Number of Part Time Employees*	Weekday	2	
	Weekend	2	
Maximum Daily Visitation	Weekday	20	
	Weekend	20	
Annual Gallons of Production		50,000	50,000
Annual Tons of Grape Haul		312.5	N/A
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	125	
	Weekend	125	

*Number of full time and part time employees should represent the max number of employees that will be working on any given day (including all vendors and contractors employed for the largest event that occurs two or more times per month on average).

ALOFT WINERY (P16-00429)
TRIP GENERATION

Existing Winery					Harvest	Non-Harvest
Maximum Daily Weekday Traffic (Friday)						
	Harvest	*Non-Harvest*				
FT Employees	0	0	3.05 one way trips/employee	FT Employee Daily Trips	0.0	0.0
PT Employees	0	0	1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors	0	0	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	0.0	0.0
Max Event	0	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	0		0.000018 truck trips	Production Daily Trips	0.0	0.0
Tons of Grape Haul#	0.0		0.013889 truck trips	Grape Haul Daily Trips	0.0	0.0
				Total Weekday Daily Trips	0	0
				Total Weekday Peak Hour Trips*	0	0
Maximum Daily Weekend Traffic (Saturday)						
	Harvest	*Non-Harvest*				
FT Employees	0	0	3.05 one way trips/employee	FT Employee Daily Trips	0.0	0.0
PT Employees	0	0	1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors	0	0	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	0.0	0.0
Max Event	0	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	0		0.000018 truck trips	Production Daily Trips	0.0	0.0
Tons of Grape Haul#	0.0		0.013889 truck trips	Grape Haul Daily Trips	0.0	0.0
				Total Weekend Daily Trips	0	0
				Total Weekend Peak Hour Trips*	0	0
Maximum Annual Traffic						
				Total Annual Trips**	0	

Proposed Winery					Harvest	Non-Harvest
Maximum Daily Weekday Traffic (Friday)						
	Harvest	*Non-Harvest*				
FT Employees	6	0	3.05 one way trips/employee	FT Employee Daily Trips	18.3	0.0
PT Employees	2	0	1.9 one way trips/employee	PT Employee Daily Trips	3.8	0.0
Max Visitors	20	0	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	15.4	0.0
Max Event	125	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	96.2	0.0
Gallons of Production	50,000		0.000018 truck trips	Production Daily Trips	0.9	0.9
Tons of Grape Haul#	312.5		0.013889 truck trips	Grape Haul Daily Trips	4.3	0.0
				Total Weekday Daily Trips	139	1
				Total Weekday Peak Hour Trips*	15	1
Maximum Daily Weekend Traffic (Saturday)						
	Harvest	*Non-Harvest*				
FT Employees	6	0	3.05 one way trips/employee	FT Employee Daily Trips	18.3	0.0
PT Employees	2	0	1.9 one way trips/employee	PT Employee Daily Trips	3.8	0.0
Max Visitors	20	0	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	14.3	0.0
Max Event	125	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	89.3	0.0
Gallons of Production	50,000		0.000018 truck trips	Production Daily Trips	0.9	0.9
Tons of Grape Haul#	312.5		0.013889 truck trips	Grape Haul Daily Trips	4.3	0.0
				Total Weekend Daily Trips	131	1
				Total Weekend Peak Hour Trips*	19	1
Maximum Annual Traffic						
				Total Annual Trips**	10,815	

Net New Trips		Harvest	Non-Harvest
Maximum Weekday Traffic (Friday)			
If total net new daily trips is greater than 40, a TIS is required	**Net New Weekday Daily Trips**	139	1
	Net New Weekday Peak Hour Trips*	15	1
Maximum Weekend Traffic (Saturday)			
If total net new daily trips is greater than 40, a TIS is required	**Net New Weekend Daily Trips**	131	1
	Net New Weekend Peak Hour Trips*	19	1
Maximum Annual Traffic			
Please Prepare a Traffic Impact Study	**Net New Annual Trips****	10,815	

#Trips associated with Grape Haul represent harvest season only.

*Weekday peak hour trips are calculated as 38% of daily trips associated with visitors and production plus one trip per employee. Weekend peak hour trips are calculated as 57% of daily trips associated with visitors and production plus one trip per employee.

**Annual trips represent a conservative calculation that assumes 11 weeks of harvest, all weekdays are Fridays, all weekends are Saturdays, and assumes that the largest event that occurs two or more times per month on average occurs every day.

WINERY TRIP GENERATION WORKSHEET

Planning, Building & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559-3082
(707) 253-4417

A Tradition of Stewardship
A Commitment to Service

Clear Form

PROJECT DESCRIPTION

Winery Name: RED LAKE WINERY (P18-00267) **Date Prepared:** 2/6/23

Existing Entitled Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	0	
	Weekend	0	
Number of Part Time Employees*	Weekday	0	
	Weekend	0	
Maximum Daily Visitation	Weekday	0	
	Weekend	0	
Annual Gallons of Production		0	0
Annual Tons of Grape Haul		0.0	N/A
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	0	
	Weekend	0	

Proposed Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	4	
	Weekend	4	
Number of Part Time Employees*	Weekday	1	
	Weekend	1	
Maximum Daily Visitation	Weekday	12	
	Weekend	12	
Annual Gallons of Production		30,000	30,000
Annual Tons of Grape Haul		187.5	N/A
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	75	
	Weekend	75	

*Number of full time and part time employees should represent the max number of employees that will be working on any given day (including all vendors and contractors employed for the largest event that occurs two or more times per month on average).

RED LAKE WINERY (P18-00267)
TRIP GENERATION

Existing Winery					Harvest	Non-Harvest
Maximum Daily Weekday Traffic (Friday)						
	Harvest	*Non-Harvest*				
FT Employees	0	0	3.05 one way trips/employee	FT Employee Daily Trips	0.0	0.0
PT Employees	0	0	1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors	0	0	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	0.0	0.0
Max Event	0	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	0		0.000018 truck trips	Production Daily Trips	0.0	0.0
Tons of Grape Haul#	0.0		0.013889 truck trips	Grape Haul Daily Trips	0.0	0.0
				Total Weekday Daily Trips	0	0
				Total Weekday Peak Hour Trips*	0	0
Maximum Daily Weekend Traffic (Saturday)						
	Harvest	*Non-Harvest*				
FT Employees	0	0	3.05 one way trips/employee	FT Employee Daily Trips	0.0	0.0
PT Employees	0	0	1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors	0	0	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	0.0	0.0
Max Event	0	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	0		0.000018 truck trips	Production Daily Trips	0.0	0.0
Tons of Grape Haul#	0.0		0.013889 truck trips	Grape Haul Daily Trips	0.0	0.0
				Total Weekend Daily Trips	0	0
				Total Weekend Peak Hour Trips*	0	0
Maximum Annual Traffic						
				Total Annual Trips**	0	

Proposed Winery					Harvest	Non-Harvest
Maximum Daily Weekday Traffic (Friday)						
	Harvest	*Non-Harvest*				
FT Employees	4	0	3.05 one way trips/employee	FT Employee Daily Trips	12.2	0.0
PT Employees	1	0	1.9 one way trips/employee	PT Employee Daily Trips	1.9	0.0
Max Visitors	12	0	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	9.2	0.0
Max Event	75	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	57.7	0.0
Gallons of Production	30,000		0.000018 truck trips	Production Daily Trips	0.5	0.5
Tons of Grape Haul#	187.5		0.013889 truck trips	Grape Haul Daily Trips	2.6	0.0
				Total Weekday Daily Trips	85	1
				Total Weekday Peak Hour Trips*	10	1
Maximum Daily Weekend Traffic (Saturday)						
	Harvest	*Non-Harvest*				
FT Employees	4	0	3.05 one way trips/employee	FT Employee Daily Trips	12.2	0.0
PT Employees	1	0	1.9 one way trips/employee	PT Employee Daily Trips	1.9	0.0
Max Visitors	12	0	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	8.6	0.0
Max Event	75	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	53.6	0.0
Gallons of Production	30,000		0.000018 truck trips	Production Daily Trips	0.5	0.5
Tons of Grape Haul#	187.5		0.013889 truck trips	Grape Haul Daily Trips	2.6	0.0
				Total Weekend Daily Trips	80	1
				Total Weekend Peak Hour Trips*	12	1
Maximum Annual Traffic						
				Total Annual Trips**	6,723	

Net New Trips		Harvest	Non-Harvest
Maximum Weekday Traffic (Friday)			
If total net new daily trips is greater than 40, a TIS is required	**Net New Weekday Daily Trips**	85	1
	Net New Weekday Peak Hour Trips*	10	1
Maximum Weekend Traffic (Saturday)			
If total net new daily trips is greater than 40, a TIS is required	**Net New Weekend Daily Trips**	80	1
	Net New Weekend Peak Hour Trips*	12	1
Maximum Annual Traffic			
Please Prepare a Traffic Impact Study	**Net New Annual Trips****	6,723	

#Trips associated with Grape Haul represent harvest season only.

*Weekday peak hour trips are calculated as 38% of daily trips associated with visitors and production plus one trip per employee. Weekend peak hour trips are calculated as 57% of daily trips associated with visitors and production plus one trip per employee.

**Annual trips represent a conservative calculation that assumes 11 weeks of harvest, all weekdays are Fridays, all weekends are Saturdays, and assumes that the largest event that occurs two or more times per month on average occurs every day.

Appendix E

Bremer Family Winery Trip Generation

WINERY TRIP GENERATION WORKSHEET

Planning, Building & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559-3082
(707) 253-4417

A Tradition of Stewardship
A Commitment to Service

Clear Form

PROJECT DESCRIPTION

Winery Name: BREMER FAMILY WINERY USE MODIFICATION (GHD Prepared) **Date Prepared:** 2/14/23

Existing Entitled Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	4	4
	Weekend	2	2
Number of Part Time Employees*	Weekday	2	0
	Weekend	2	0
Maximum Daily Visitation	Weekday	70	70
	Weekend	70	70
Annual Gallons of Production		15,000	15,000
Annual Tons of Grape Haul		93.8	N/A
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	0	0
	Weekend	0	0

Proposed Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	8	8
	Weekend	2	2
Number of Part Time Employees*	Weekday	2	0
	Weekend	2	0
Maximum Daily Visitation	Weekday	70	70
	Weekend	70	70
Annual Gallons of Production		50,000	50,000
Annual Tons of Grape Haul		312.5	N/A
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	0	0
	Weekend	0	0

*Number of full time and part time employees should represent the max number of employees that will be working on any given day (including all vendors and contractors employed for the largest event that occurs two or more times per month on average).

BREMER FAMILY WINERY USE MODIFICATION (GHD Prepared)

TRIP GENERATION

Existing Winery					Harvest	Non-Harvest
Maximum Daily Weekday Traffic (Friday)						
	Harvest	*Non-Harvest*				
FT Employees	4	4	3.05 one way trips/employee	FT Employee Daily Trips	12.2	12.2
PT Employees	2	0	1.9 one way trips/employee	PT Employee Daily Trips	3.8	0.0
Max Visitors	70	70	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	53.8	53.8
Max Event	0	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	15,000		0.000018 truck trips	Production Daily Trips	0.3	0.3
Tons of Grape Haul#	93.8		0.013889 truck trips	Grape Haul Daily Trips	1.3	0.0
				Total Weekday Daily Trips	72	67
				Total Weekday Peak Hour Trips*	27	25
Maximum Daily Weekend Traffic (Saturday)						
	Harvest	*Non-Harvest*				
FT Employees	2	2	3.05 one way trips/employee	FT Employee Daily Trips	6.1	6.1
PT Employees	2	0	1.9 one way trips/employee	PT Employee Daily Trips	3.8	0.0
Max Visitors	70	70	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	50.0	50.0
Max Event	0	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	15,000		0.000018 truck trips	Production Daily Trips	0.3	0.3
Tons of Grape Haul#	93.8		0.013889 truck trips	Grape Haul Daily Trips	1.3	0.0
				Total Weekend Daily Trips	62	57
				Total Weekend Peak Hour Trips*	33	31
Maximum Annual Traffic						
				Total Annual Trips**	23,800	

Proposed Winery					Harvest	Non-Harvest
Maximum Daily Weekday Traffic (Friday)						
	Harvest	*Non-Harvest*				
FT Employees	8	8	3.05 one way trips/employee	FT Employee Daily Trips	24.4	24.4
PT Employees	2	0	1.9 one way trips/employee	PT Employee Daily Trips	3.8	0.0
Max Visitors	70	70	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	53.8	53.8
Max Event	0	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	50,000		0.000018 truck trips	Production Daily Trips	0.9	0.9
Tons of Grape Haul#	312.5		0.013889 truck trips	Grape Haul Daily Trips	4.3	0.0
				Total Weekday Daily Trips	88	80
				Total Weekday Peak Hour Trips*	32	29
Maximum Daily Weekend Traffic (Saturday)						
	Harvest	*Non-Harvest*				
FT Employees	2	2	3.05 one way trips/employee	FT Employee Daily Trips	6.1	6.1
PT Employees	2	0	1.9 one way trips/employee	PT Employee Daily Trips	3.8	0.0
Max Visitors	70	70	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	50.0	50.0
Max Event	0	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	50,000		0.000018 truck trips	Production Daily Trips	0.9	0.9
Tons of Grape Haul#	312.5		0.013889 truck trips	Grape Haul Daily Trips	4.3	0.0
				Total Weekend Daily Trips	66	57
				Total Weekend Peak Hour Trips*	35	32
Maximum Annual Traffic						
				Total Annual Trips**	27,446	

Net New Trips		Harvest	Non-Harvest
Maximum Weekday Traffic (Friday)			
If total net new daily trips is greater than 40, a TIS is required	**Net New Weekday Daily Trips**	16	13
	Net New Weekday Peak Hour Trips*	5	4
Maximum Weekend Traffic (Saturday)			
If total net new daily trips is greater than 40, a TIS is required	**Net New Weekend Daily Trips**	4	0
	Net New Weekend Peak Hour Trips*	2	1
Maximum Annual Traffic			
A Traffic Impact Study is NOT Required	**Net New Annual Trips****	3,646	

#Trips associated with Grape Haul represent harvest season only.

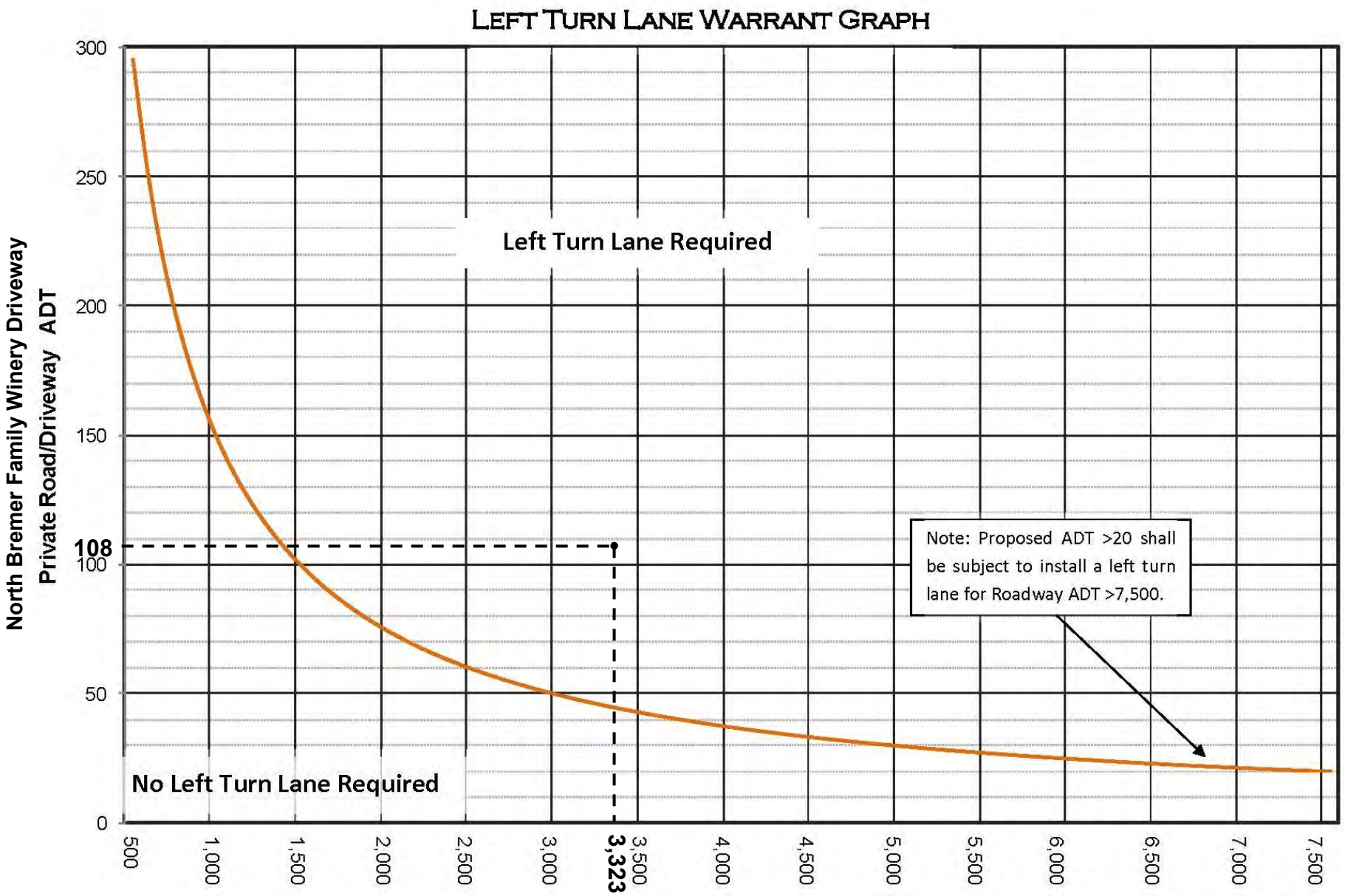
*Weekday peak hour trips are calculated as 38% of daily trips associated with visitors and production plus one trip per employee. Weekend peak hour trips are calculated as 57% of daily trips associated with visitors and production plus one trip per employee.

**Annual trips represent a conservative calculation that assumes 11 weeks of harvest, all weekdays are Fridays, all weekends are Saturdays, and assumes that the largest event that occurs two or more times per month on average occurs every day.

Appendix F

Left-Turn Lane Warrant Sheets

Bremer Family Winery North Driveway
Existing Plus Project Conditions:



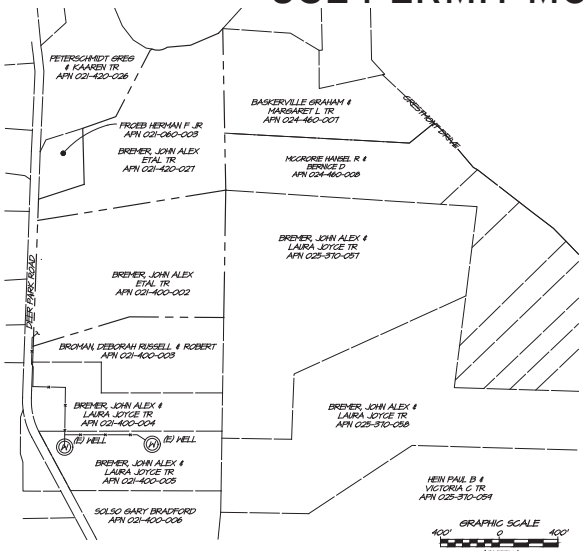
Bremer Family Winery Project:
Existing Plus Project Conditions:
Left Turn Lane Is Warranted

Source: Napa County Road & Street Standards, 2023

“J”

Graphics

BREMER FAMILY WINERY
USE PERMIT MODIFICATION



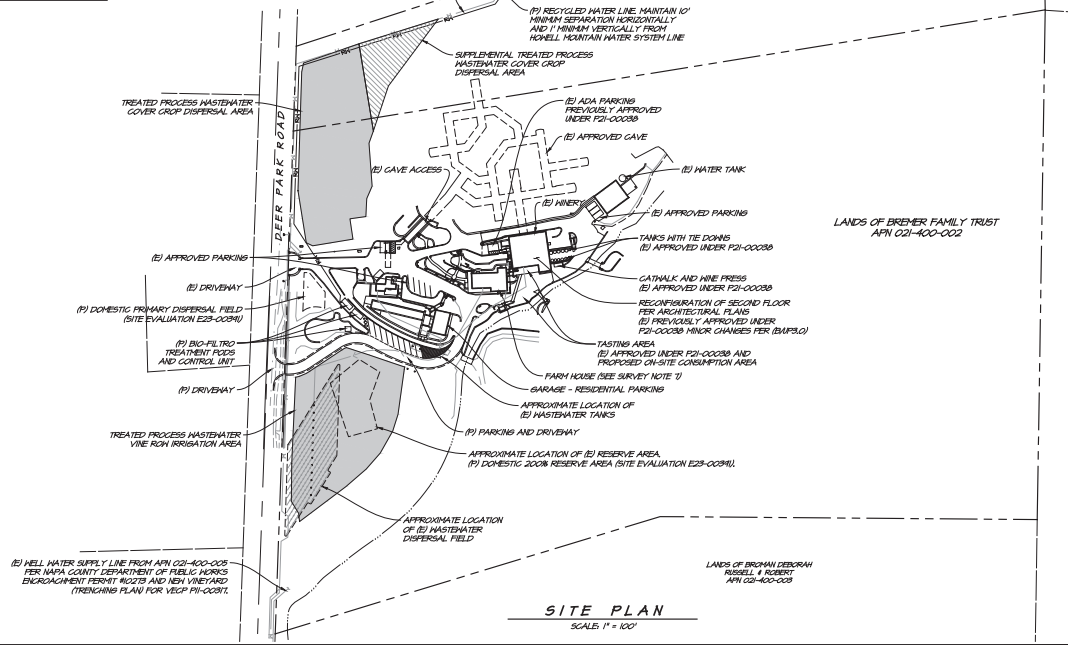
ADJOINING PARCELS AND WELL LOCATION
SCALE: 1" = 400'



LOCATION MAP
SCALE: 1" = 4,000'



GRAPHIC SCALE
100 0 100 200
(IN FEET)
1 inch = 100 FT



SITE PLAN
SCALE: 1" = 100'

PROJECT INFORMATION

OWNER:	BREMER FAMILY WINERY 10480 DAWSON CANYON ROAD CORONA, CALIFORNIA 92883
SITE ADDRESS:	975 DEER PARK ROAD ST HELENA, CALIFORNIA 94574
PARCEL NO & AREA:	021-400-002 & 021-420-027 (147.09 ACRES) (ONE LEGAL PARCEL)
EXISTING USE:	WINERY
PROPOSED USE:	WINERY
EXISTING ZONING:	AW

SURVEY NOTES

1. THIS MAP DOES NOT REPRESENT A PROPERTY LINE SURVEY. PROPERTY LINES SHOWN HEREON ARE BASED ON RECORD DATA. PROPERTY LINES WERE RECEIVED IN A CAD FILE FROM TERRA FIRMA SURVEYS ON JUNE 26, 2024.
2. THIS MAP IS BASED ON A FIELD SURVEY BY TERRA FIRMA SURVEYS, INC. ON 3/1, 3/2, 6/14, 6/15, 6/20, 6/22, 6/28 & 7/5/2011 AND SUPPLEMENTARY TOPOGRAPHIC SURVEY DATED 3/24/2024.
3. NO TREES WERE LOCATED BETWEEN THE CREEKSIDE WALLS AND THE CREEK FLOWLINE.
4. NO ORNAMENTAL TREES WERE LOCATED ON THE WINERY SITE.
5. THE HORIZONTAL AND VERTICAL DATUM OF THIS MAP IS BASED ON AERIAL MAPPING RECEIVED FROM BREMER FAMILY WINERY IN FEBRUARY 2011.
6. SITE IMPROVEMENTS NOT WITHIN THE APPROVED WINERY DEVELOPMENT AREA ARE NOT SHOWN AS REQUESTED BY COUNTY OF NAPA IN APPLICATION COMPLETENESS LETTER DATED APRIL 16, 2021 FOR PERMIT P21-00038.
7. ONLY OFFICE AND BATHROOM IN LOWER FLOOR OF FARMHOUSE AS SHOWN ON UP3.0 ARE INCLUDED IN THIS APPLICATION. APPROVED UNDER PERMIT P21-00038.
8. NO WELLS LOCATED ON THIS PARCEL.

SYMBOL LEGEND

EXISTING
- SANITARY SEWER FORCE MAIN
- WATER MAIN LINE
- STORM DRAIN / PROCESS WASTE WATER DRAIN LINE
- EDGE OF GRAVEL
- PROPERTY LINE
- (N) APPROXIMATE WELL LOCATION

PROPOSED
- SANITARY SEWER FORCE MAIN LINE
- PWW PROCESS WASTEWATER LINE
- SS SANITARY SEWER GRAVITY LINE
- RW RECYCLED WATER LINE

SHEET INDEX

UP1.0	COVER SHEET
UP2.0	COVERAGE AND DEVELOPMENT
UP2.1	PARKING, LAYOUT AND DIMENSION
UP2.2	GRADING PLAN
UP2.3	FIRE ACCESS PLAN
UP2.4	EXISTING DRAINAGE AND UTILITY PLAN
UP3.0	PRODUCTION AND ACCESSORY

NO.	DATE	REVISIONS	BY

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BREMER FAMILY WINERY
COVER SHEET
ST HELENA CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER WILLIAM A. SELLERS No. 72... CIVIL ENGINEER STATE OF CALIFORNIA

DATE	JULY 14, 2025
DRAWN	DCB
DESIGNED	DRL
CHECKED	BMF
JOB NO.	4IMP005.0

SHEET NO.
UP1.0
1 OF 7 SHEETS

W:\4-PROJECTS\4IMP005.0_Bremer_John_Use Permit Update\CAD\4IMP005.0_Bremer_John_Use Permit_Update_2025\4IMP005.0_Bremer_John_Use Permit_Update_2025.dwg 08/20/2025 2:58:46PM dsbenge COPYRIGHT RSA+

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***TASTING AREA NOTE:**
ANY AND ALL VISITATION ASSOCIATED WITH ON-PREMISES CONSUMPTION SHALL BE SUBJECT TO NO. U#71874, NO. P07-00454-MOD, NO. P09-00178-VHP, AND SETTLEMENT AGREEMENT NAPA COUNTY SUPERIOR COURT JUDGEMENT DATED FEBRUARY 6, 2014, CASE NO. 17CV000884.

LEGEND:

- STRUCTURES = 4,152 S.F.
- EMPLOYEE PARKING = 648 S.F.
- PAVED/GRAVEL AREAS = 40,134 S.F.

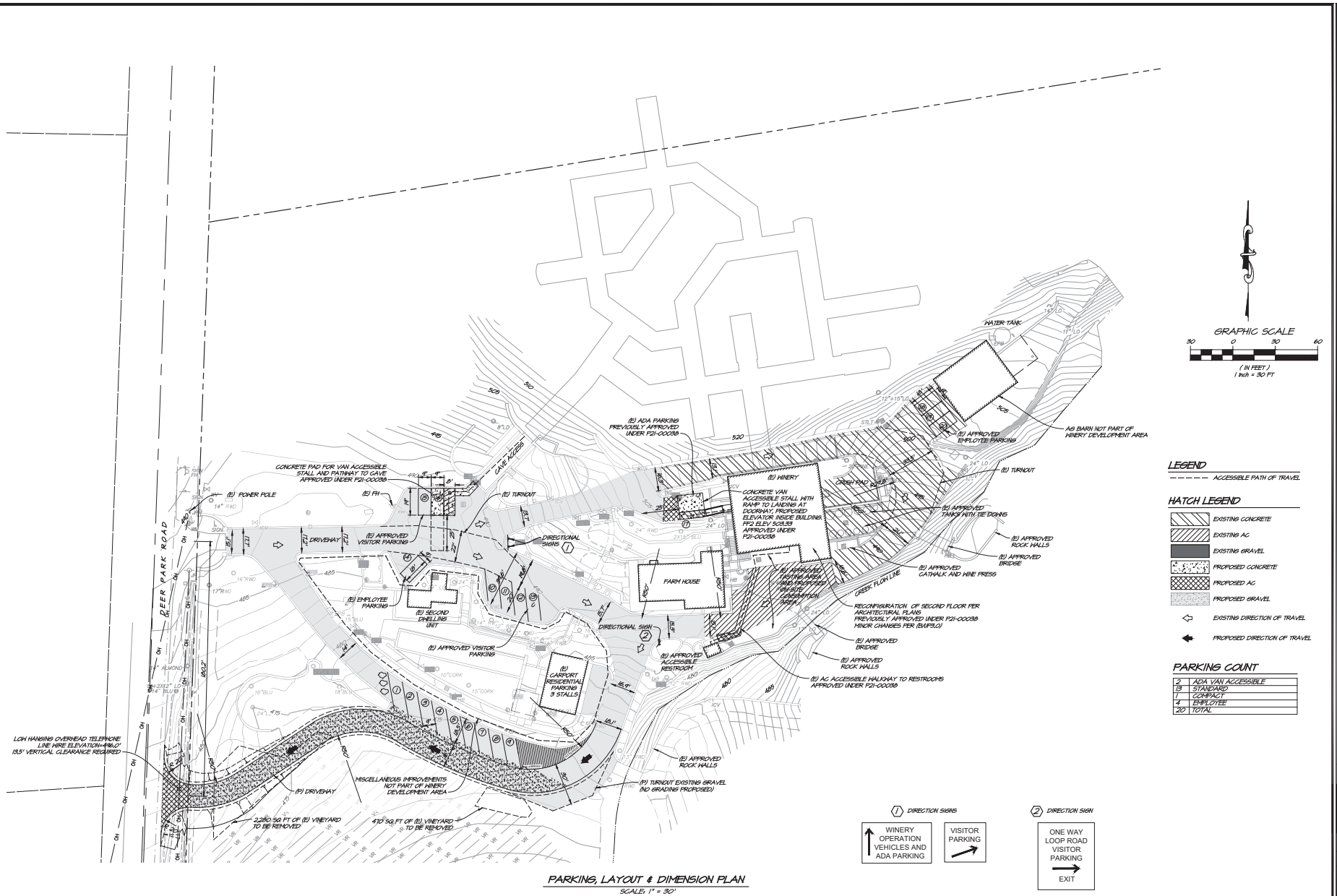
TOTAL PARCEL AREA = 47.1 ACRES

- DEVELOPMENT AREA = 4,800 S.F. +
- COVERAGE AREA = 44,934 S.F. +

COVERAGE AREA AS A PERCENTAGE OF PARCEL = 2%

- OUTDOOR VISITATION / TASTING AREA 1,132 S.F.


DEER PARK ROAD
DRIVEWAY
CAVE ACCESS
SIGN
SIGN
SIGN
(E) APPROVED VISITOR PARKING
(E) APPROVED ONE EMPLOYEE PARKING STALL
(E) APPROVED VISITOR PARKING
(E) ADA PARKING PREVIOUSLY APPROVED UNDER P21-00038
(E) WINERY
(E) APPROVED WINERY COVERED TASTING AREA AND PROPOSED ON-SITE CONSUMPTION AREA
GRISH PAD
FARM HOUSE
DECK
DECK
(E) WATER TANK
AG BARN NOT PART OF (E) WINERY DEVELOPMENT AREA
(E) APPROVED THREE EMPLOYEE PARKING STALLS
(E) APPROVED TANKS WITH TIE DOWNS
(E) APPROVED ROCK WALLS
(E) APPROVED BRIDGE
(E) APPROVED CATWALK AND WINE PRESS
CREEK FLOW LINE
RECONFIGURATION OF SECOND FLOOR PER ARCHITECTURAL PLANS PREVIOUSLY APPROVED UNDER P21-00038 MINOR CHANGES PER BMP3.0
(E) APPROVED BRIDGE
(E) APPROVED ROCK WALLS
(E) APPROVED SOUTH OF WINERY TASTING AREA AND PROPOSED ON-SITE CONSUMPTION AREA*
(E) APPROVED ACCESSIBLE RESTROOM
(E) APPROVED ROCK WALLS
MISCELLANEOUS IMPROVEMENTS NOT PART OF WINERY DEVELOPMENT AREA
BOULDERS TO BLOCK PASSAGE
18'-1"
4%
4%
4%



PARKING, LAYOUT & DIMENSION PLAN
SCALE: 1" = 30'

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NO.	DATE	REVISIONS	BY	APPD

BREMER FAMILY WINERY
PARKING, LAYOUT & DIMENSION
ST HELENA CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER WILLIAM R. SMITH No. 77857 CIVIL STATE OF CALIFORNIA

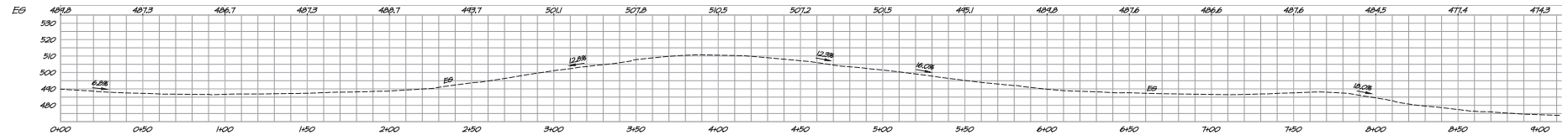
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DRAWN	DCB
DESIGNED	DRL
CHECKED	BMF
JOB NO.	4180050

SHEET NO.
UP2.1
3 OF 7 SHEETS

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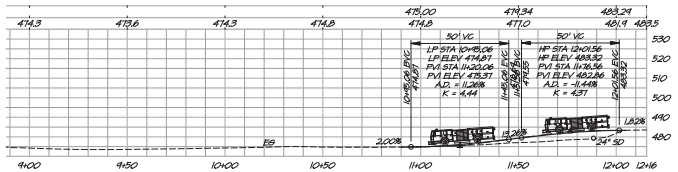
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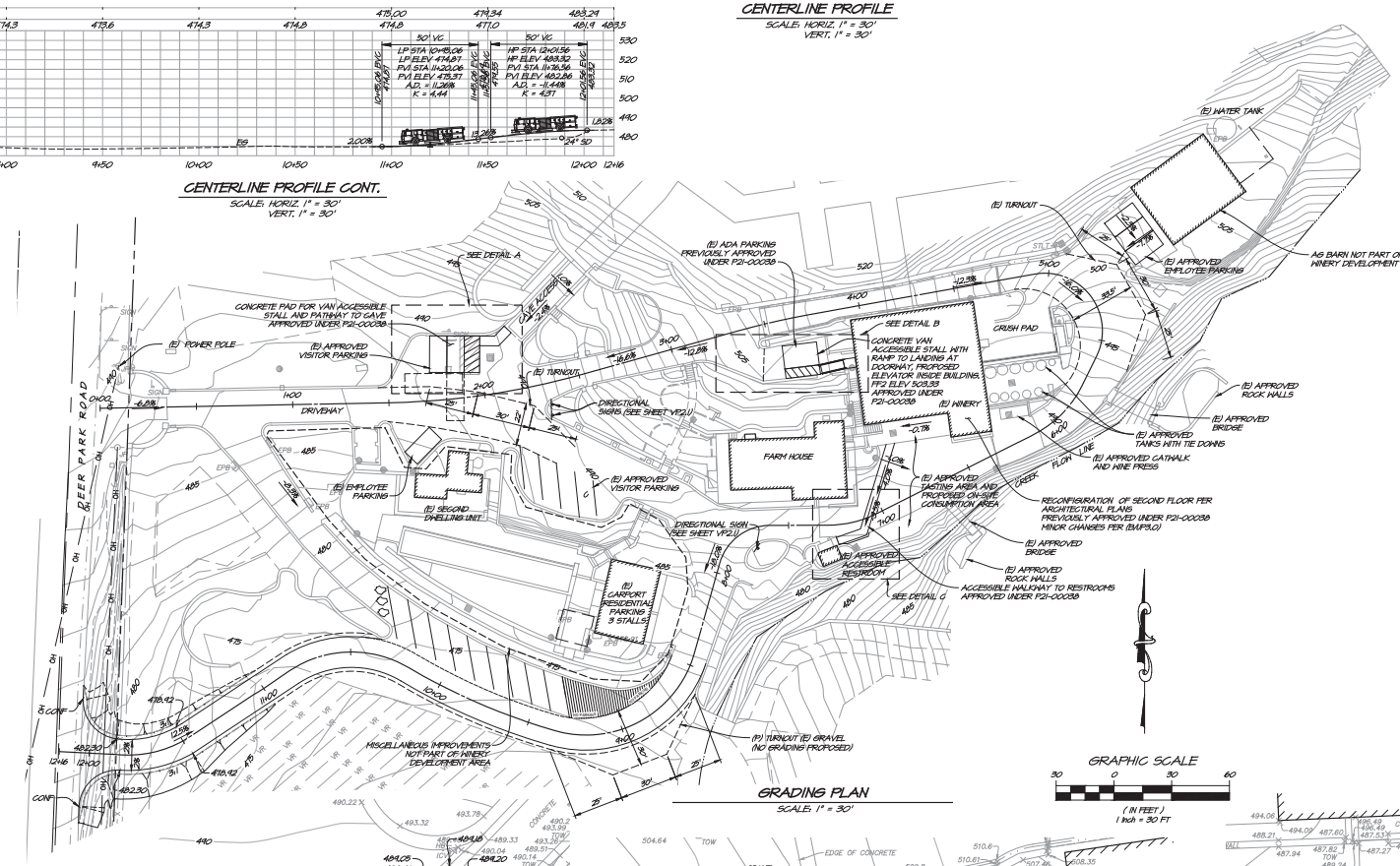
CENTERLINE PROFILE

SCALE: HORIZ. 1" = 30'
VERT. 1" = 30'



CENTERLINE PROFILE CONT.

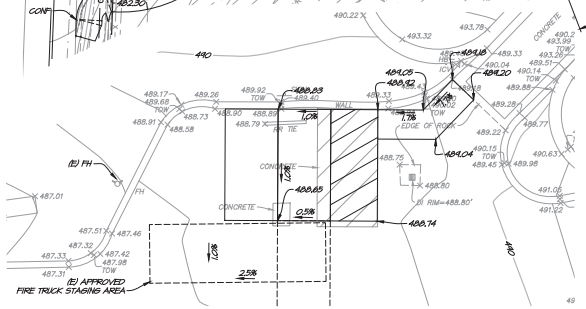
SCALE: HORIZ. 1" = 30'
VERT. 1" = 30'



GRADING PLAN

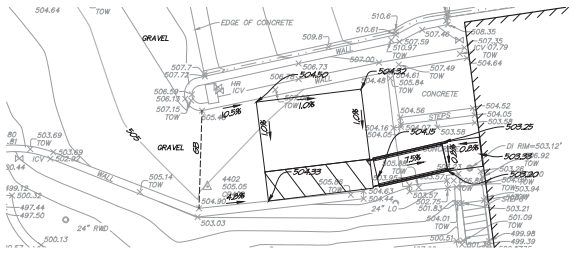
SCALE: 1" = 30'

GRAPHIC SCALE
30 0 30 60
(IN FEET)
1 inch = 30 FT



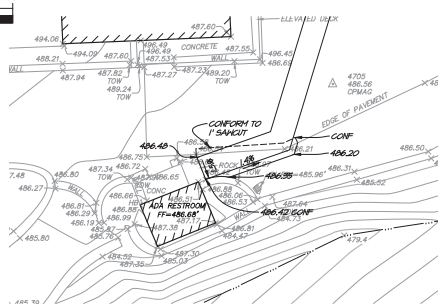
DETAIL A

SCALE: 1" = 10'



DETAIL B

SCALE: 1" = 10'



DETAIL C

SCALE: 1" = 10'

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NO.	DATE	REVISIONS	BY	APPD

BREMER FAMILY WINERY
GRADING PLAN

ST HELENA CALIFORNIA

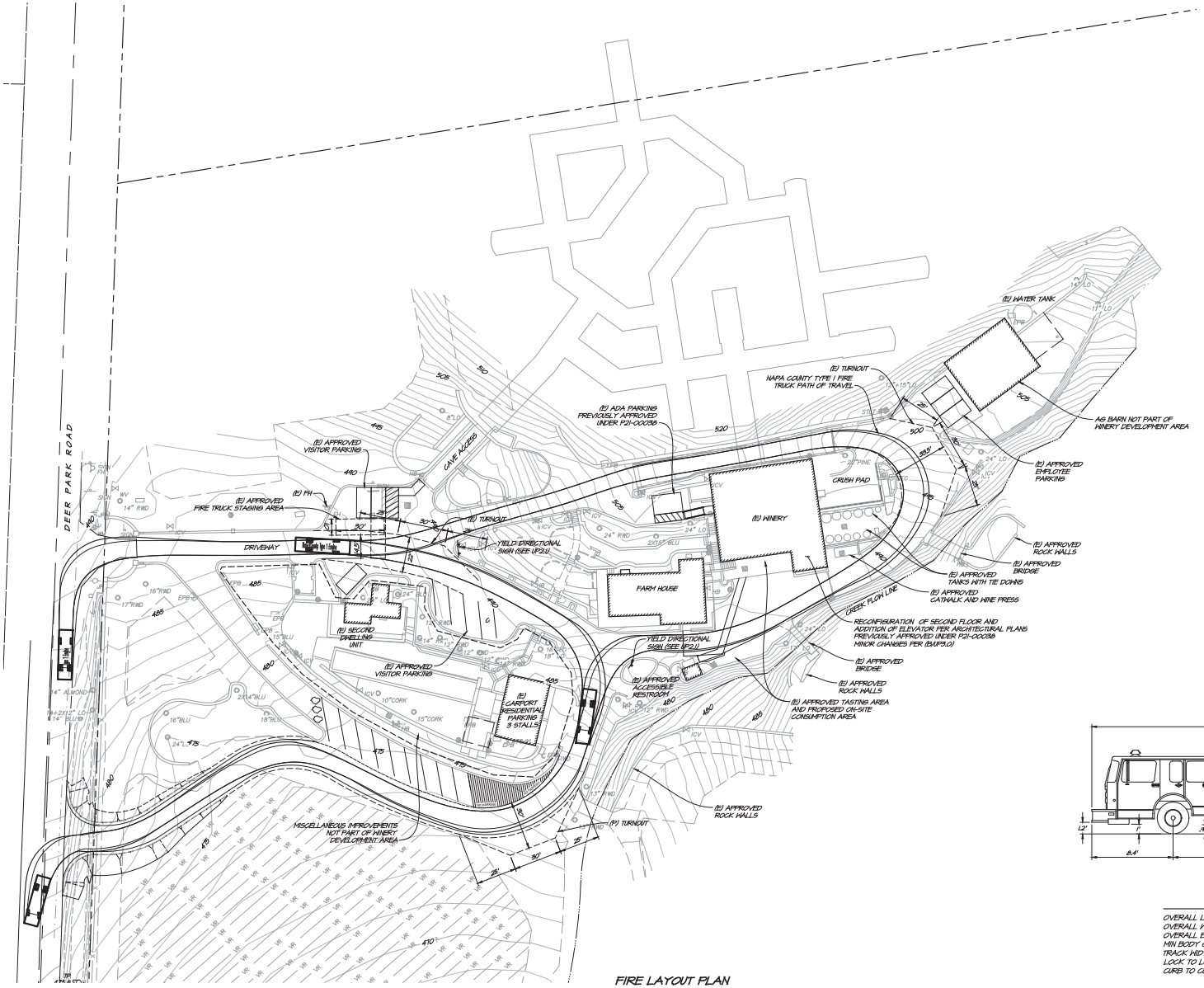
REGISTERED PROFESSIONAL ENGINEER WILLIAM B. HAMILTON No. 73855 CIVIL STATE OF CALIFORNIA

DATE	JULY 14, 2025
DRAWN	DCB
DESIGNED	DRL
CHECKED	BHH
JOB NO.	4119005.0

SHEET NO.
UP2.2
4 OF 7 SHEETS

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FIRE LAYOUT PLAN

SCALE: 1" = 30'

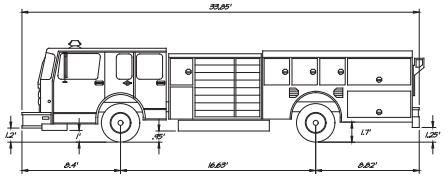
GRAPHIC SCALE

30 0 30 60

(IN FEET)
1 inch = 30 FT

NOTES:

1. FIRE WATER SUPPLY FROM HOWELL MOUNTAIN WATER DISTRICT.
2. SEPARATE SUBMITTALS FOR FIRE SPRINKLERS, FIRE ALARM, AND RESPONDER RADIO COVERAGE FOR THE CAVE WILL BE APPLIED FOR AT TIME OF BUILDING.



TYPE I ENGINE

OVERALL LENGTH	33.852 FT
OVERALL WIDTH	8.500 FT
OVERALL BODY HEIGHT	10.514 FT
MIN. BODY GROUND CLEARANCE	0.950 FT
TRACK WIDTH	8.500 FT
LOCK TO LOCK TIME	7.00 S
CURB TO CURB TURNING RADIUS	24.700 FT

PRELIMINARY - NOT FOR CONSTRUCTION

RSA+ CONSULTING CIVIL ENGINEERS + SURVEYORS +
1515 FOURTH STREET
NAPA, CALIF. 94559
OFFICE (707) 252-3301
www.rsacivil.com

NO.	DATE	REVISIONS	BY	APPD

BREMER FAMILY WINERY
FIRE LAYOUT PLAN
ST HELENA CALIFORNIA

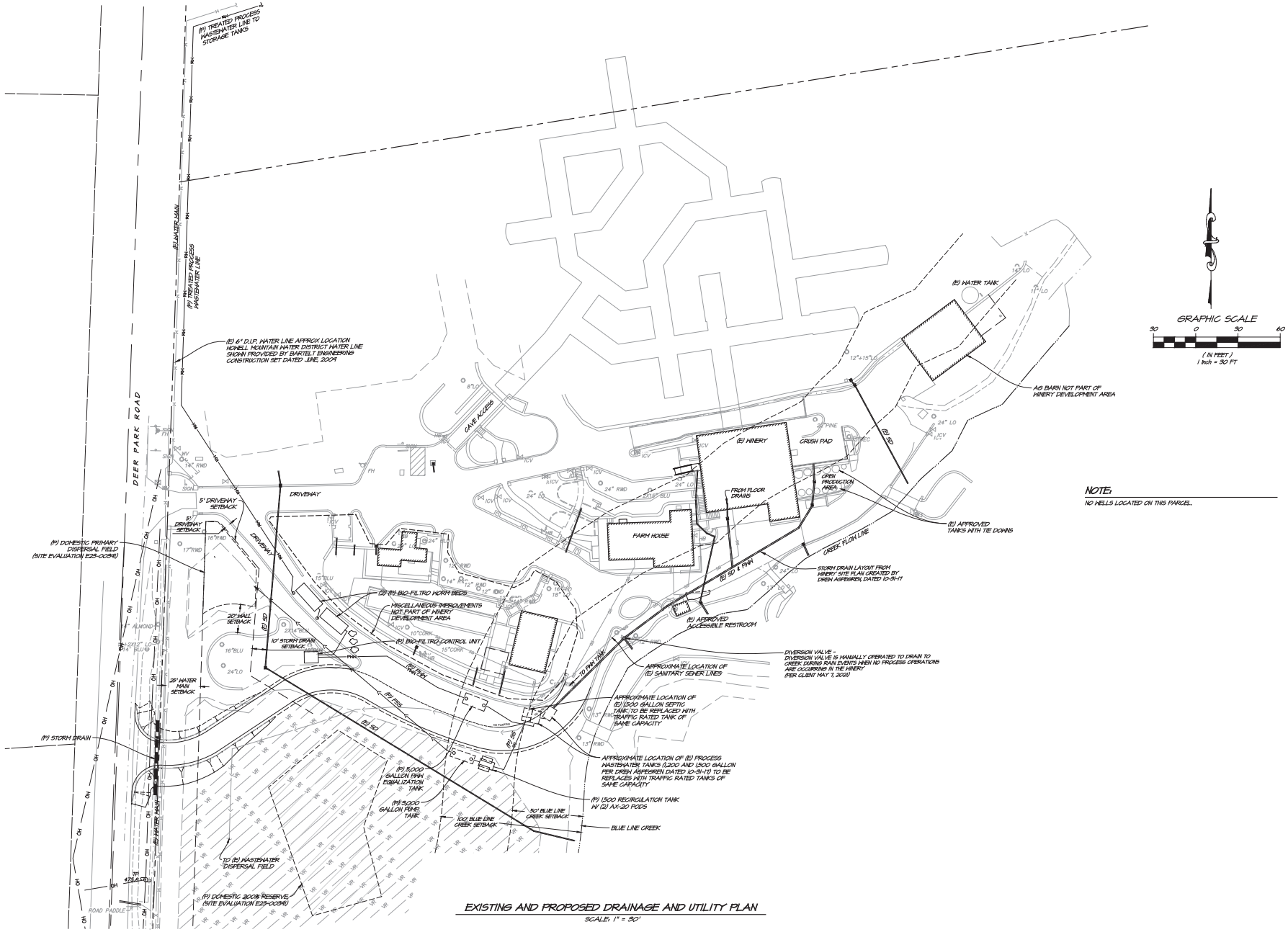
REGISTERED PROFESSIONAL ENGINEER — DOUGLAS R. WILLIAMS — No. 61559 — CIVIL — STATE OF CALIFORNIA

DATE	JULY 14, 2025
DRAWN	DGB
DESIGNED	DRL
CHECKED	BMF
JOB NO.	4IN005.0

SHEET NO.
UP2.3
5 OF 7 SHEETS

W:\4-PROJECTS\4IN005.0_Bremer_Winery_Use_Permit_Modification\CIVIL\DESIGN\ROUTE\4IN005.0_BRMR_ARB-SRB-PERMITUP-2.3 Fire.dwg 08/20/2025 2:44:49PM dlaberge COPYRIGHT RSA+

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NOTE:
NO WELLS LOCATED ON THIS PARCEL.

EXISTING AND PROPOSED DRAINAGE AND UTILITY PLAN
SCALE: 1" = 30'

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NO.	DATE	REVISIONS	BY	APPD

BREMER FAMILY WINERY
EXISTING AND PROPOSED DRAINAGE AND UTILITY PLAN
ST HELENA CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER WILLIAM R. BARTELT No. 17611 Exp. 12-31-25 CIVIL ENGINEER STATE OF CALIFORNIA

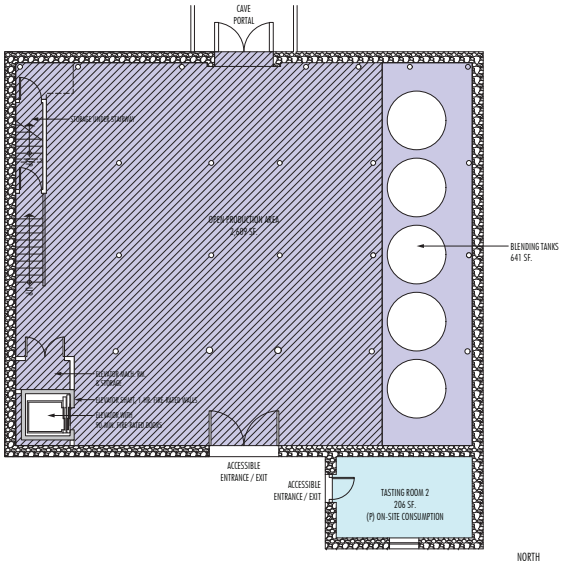
DATE	JULY 14, 2025
DRAWN	DCB
DESIGNED	DRL
CHECKED	BWB
JOB NO.	4119005.0

SHEET NO.
UP2.4
6 OF 7 SHEETS

W:\4119-005-BREMER\Civil\Exhibits\Plans\4119005-0_Bremer_Plans_Land_Use\Land_Use_Permit_Plans\Sheets\4119005-0_Bremer_Plans_Land_Use_Permit_Plan_Sheets.dwg 08/20/2025 2:36:36PM dcberge COMPANY RSA+

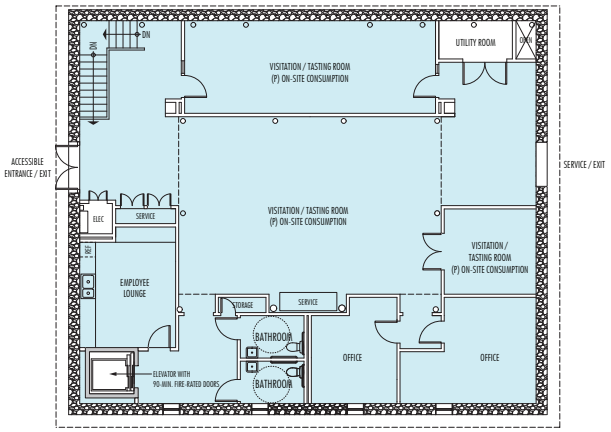
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PRELIMINARY - NOT FOR CONSTRUCTION



A WINERY BUILDING - 1ST FLOOR (AS APPROVED) WITH (P) ON-SITE CONSUMPTION

SCALE: 1"=8'-0"



B WINERY BUILDING - 2ND FLOOR (AS APPROVED) WITH (P) ON-SITE CONSUMPTION

SCALE: 1"=8'-0"

NOTES REGARDING WINERY FIRST FLOOR

OPEN BARREL STORAGE ROOM IS USED AS A WINERY PRODUCTION AREA FOR BLENDING WINES, AND TEMPORARY STORAGE OF WINE IN BARRELS. ON EVENT DAYS, THERE WILL BE NO PRODUCTION ACTIVITIES IN THE BARREL ROOM.
LOCATION OF ELEVATOR HAS CHANGED AND STAIRS TO UPPER LEVEL ADDED TO THE PLAN.

NOTES REGARDING WINERY SECOND FLOOR

LOCATION OF ELEVATOR HAS CHANGED AND STAIRS TO LOWER LEVEL ADDED TO THE PLAN.

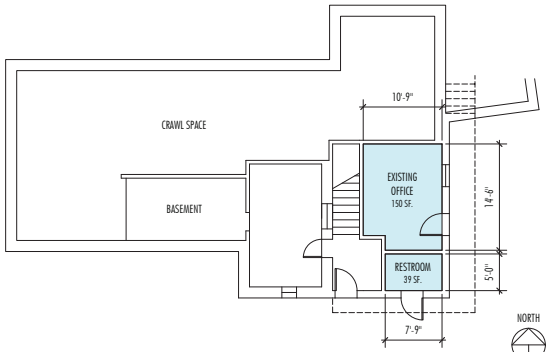
COUNTY NOTES:

4.10 AMPLIFIED MUSIC
THERE WILL BE NO AMPLIFIED SOUND SYSTEM OR AMPLIFIED MUSIC UTILIZED OUTSIDE OF APPROVED, ENCLOSED WINERY BUILDINGS.

6.3 LIGHTING
ALL EXTERIOR LIGHTING, INCLUDING LANDSCAPE LIGHTING, SHALL BE SHIELDED AND DIRECTED DOWNWARD; SHALL BE LOCATED AS LOW TO THE GROUND AS POSSIBLE; ON TIMERS; AND SHALL UTILIZE MOTION DETECTION SENSORS TO THE GREATEST EXTENT PRACTICABLE. ALL LIGHTING SHALL BE SHIELDED OR PLACED SUCH THAT IT DOES NOT SHINE DIRECTLY ON ADJACENT PROPERTIES OR IMPACT VEHICLES ON ADJACENT STREETS. NO FLOOD LIGHTING OR SODIUM LIGHTING OF THE BUILDING IS PERMITTED, INCLUDING ARCHITECTURAL HIGHLIGHTING AND SPOT LIGHTING. LOW-LEVEL LIGHTING SHALL BE USED IN PARKING LOTS, AS OPPOSED TO ELEVATED HIGH-INTENSITY LIGHT STANDARDS. LIGHTING UTILIZED DURING HARVEST ACTIVITIES IS EXEMPT FROM THIS REQUIREMENT.

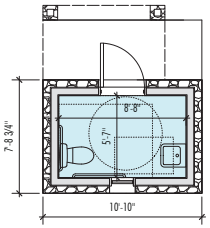
C PROJECT & COUNTY NOTES

SCALE: 1"=8'-0"



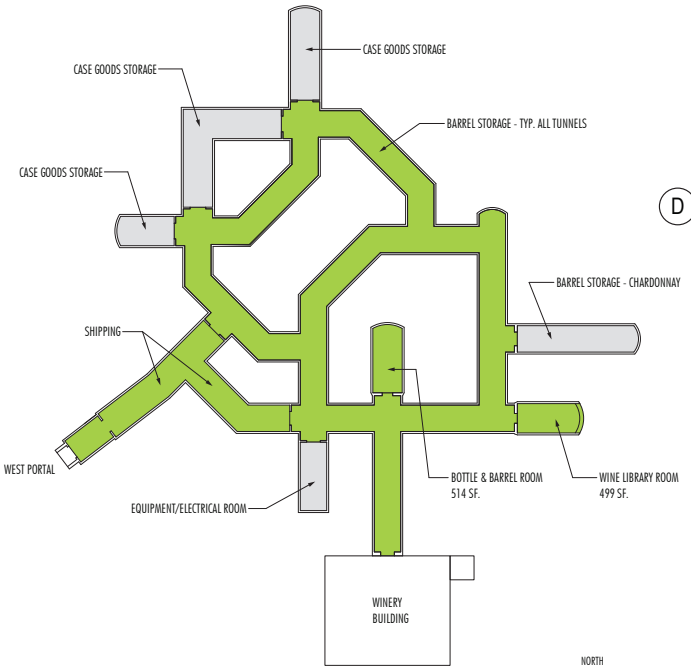
E FARMHOUSE - LOWER FLOOR

SCALE: 1"=8'-0"



F ACCESSIBLE BATHROOM FLOOR PLAN

SCALE: 1"=4'-0"



G CAVE FLOOR PLAN

SCALE: 1"=30'-0"

KEY TO BUILDING USE AREAS

- WINERY PRODUCTION AREA
- WINERY PRODUCTION AREA USED FOR EVENTS
- WINERY ACCESSORY AREA

KEY TO CAVE USEAGE AREAS

- "EMPLOYEES ONLY" AREAS - OFF-LIMITS TO PUBLIC.
- PROPOSED AREAS FOR GUIDED TOURS - BY APPOINTMENT ONLY, AND GUESTS ESCORTED BY WINERY STAFF.

D COLOR CODES FOR BUILDING AND CAVE USE AREAS

SCALE: NONE

SUPPLEMENTAL WINERY AREA CALCULATIONS:

AREA DESCRIPTION	EXISTING APPROVAL	PROPOSED - NORMAL DAY	PROPOSED - EVENT DAY
PRODUCTION FACILITY AREA	**22,519 SF. TOTAL**	**22,519 SF. TOTAL**	**19,910 SF. TOTAL**
WINERY BUILDING, 1ST FLOOR			
BARREL STORAGE ROOM	3,250 SF.	3,250 SF.	641 SF.
WINERY BUILDING, 2ND FLOOR			
OPEN STORAGE ROOM			
CAVE - PRODUCTION AREAS	16,839 SF.	16,839 SF.	16,839 SF.
TANKS & CRUSH PAD	2,430 SF.	2,430 SF.	2,430 SF.
ACCESSORY USES AREA	**3,693 SF. TOTAL**	**3,693 SF. TOTAL**	**6,302 SF. TOTAL**
WINERY BUILDING, 1ST FLOOR	206 SF.	206 SF.	206 SF.
TASTING ROOM			
BARREL STORAGE ROOM			2,609 SF.
WINERY BUILDING, 2ND FLOOR	3,250 SF.	3,250 SF.	3,250 SF.
OFFICES, TASTING ROOMS, KITCHEN, & RESTROOMS			
FARMHOUSE, LOWER FLOOR	189 SF.	189 SF.	189 SF.
OFFICE & RESTROOM			
ACCESSIBLE RESTROOM	48 SF.	48 SF.	48 SF.
OUTDOOR TASTING AREAS			
ACCESSORY / PRODUCTION RATIO	**16.4% (EXISTING APPROVAL PER P21-00038)**	**16.4% (NO CHANGE PROPOSED ON NORMAL DAY)**	**31.7%**

H SUPPLEMENTAL WINERY AREA CALCULATIONS

SCALE: NONE

PRELIMINARY - NOT FOR CONSTRUCTION

NOWELL PLA LANDSCAPE ARCHITECTURE
100 ADOBE CANYON RD. KENWOOD, CA 95452
T 619.890.5240

WINERY PRODUCTION & ACCESSORY USES

BREMER FAMILY WINERY

975 DEER PARK RD. SAINT HELENA, CA 94574

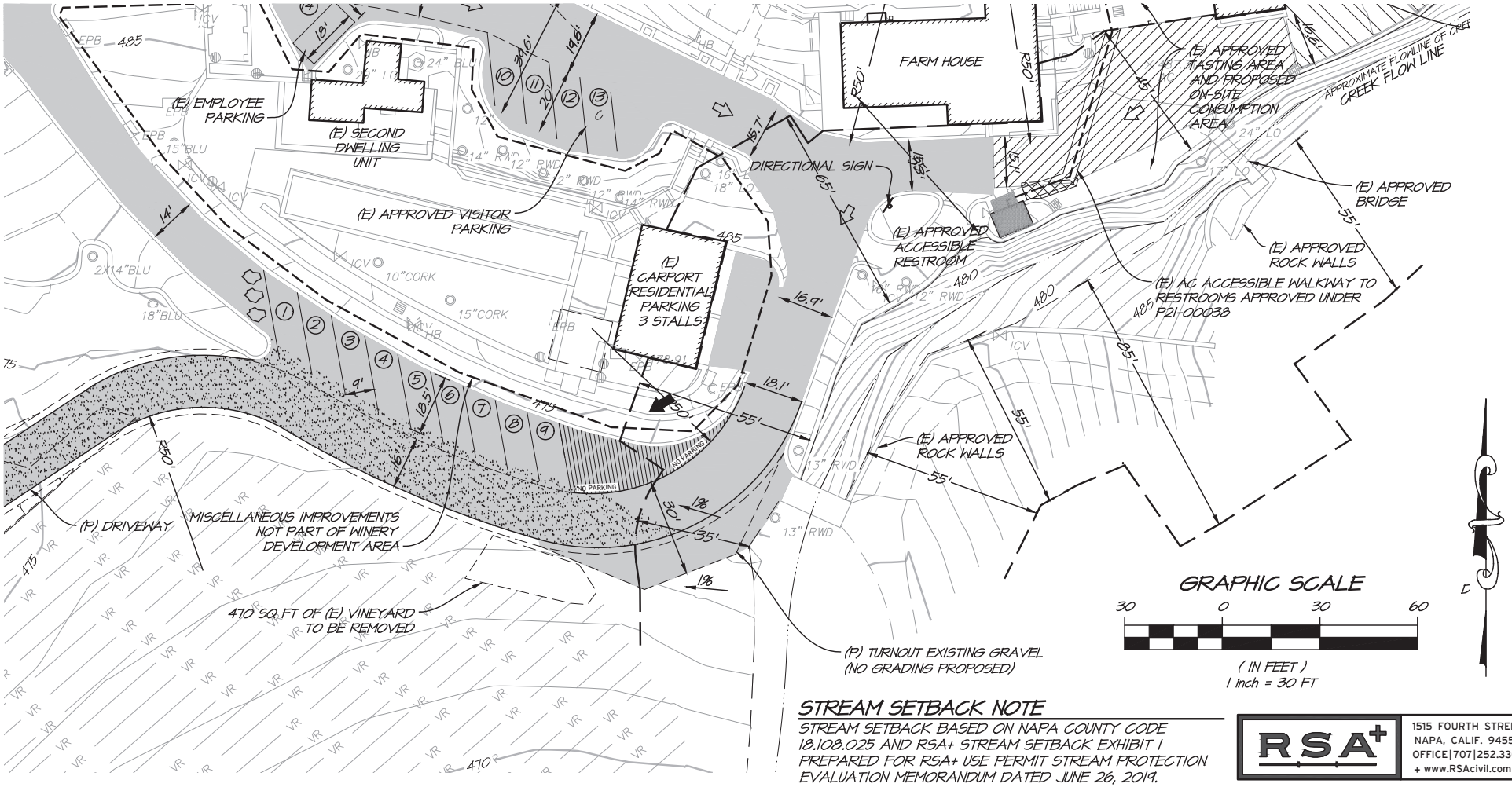
JOB 16001.00
DATE 7/19/2025
REVISIONS
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△
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PRODUCTION & ACCESSORY

UP3.0

BREMER WINERY
LAYOUT WITH CREEK SETBACK EXHIBIT
NAPA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
BRUCE WILLIAM FENTON
No. 77850
Exp. 6-30-26
CIVIL ENGINEER
STATE OF CALIFORNIA



STREAM SETBACK NOTE

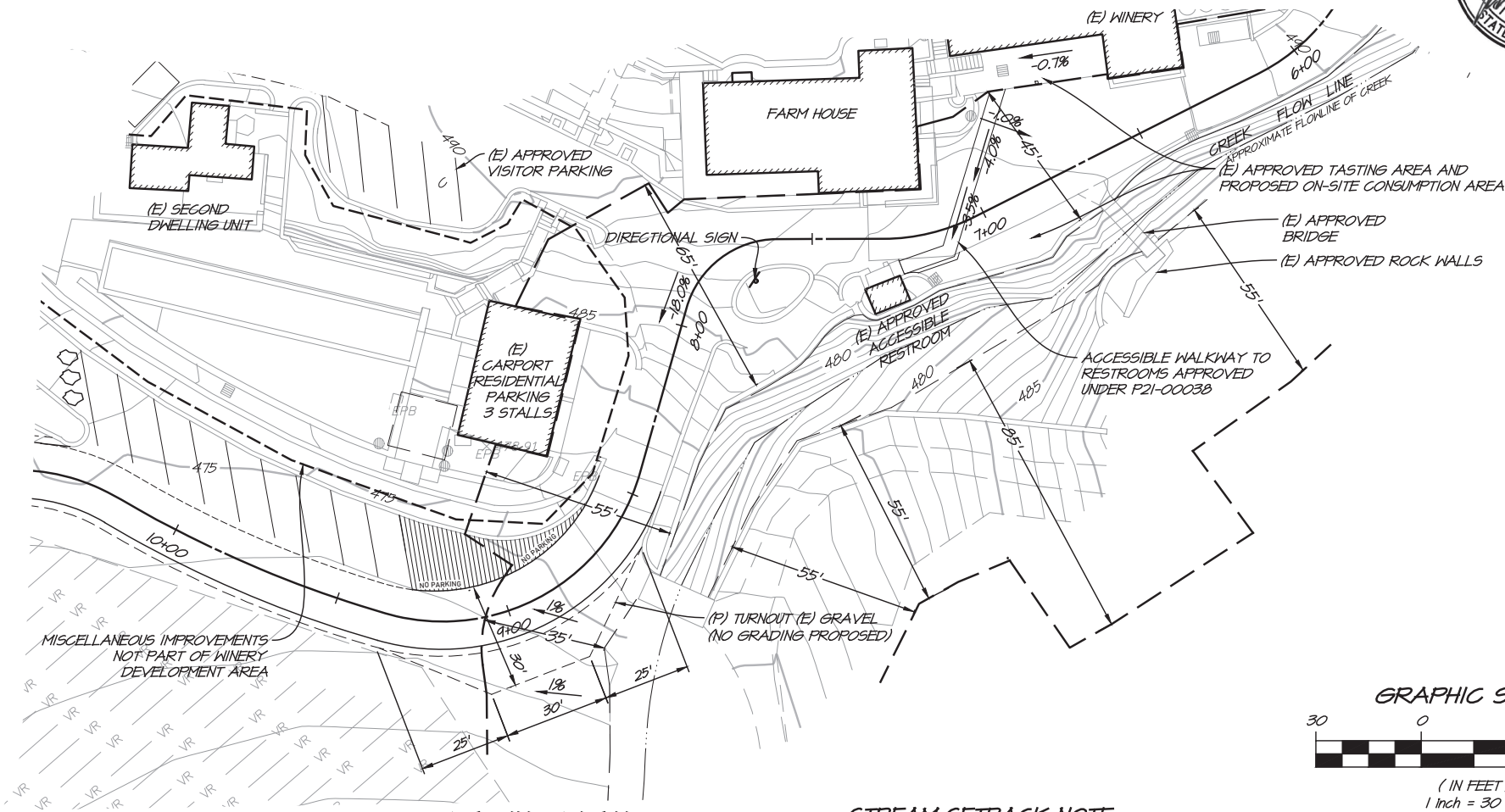
STREAM SETBACK BASED ON NAPA COUNTY CODE 18.108.025 AND RSA+ STREAM SETBACK EXHIBIT 1 PREPARED FOR RSA+ USE PERMIT STREAM PROTECTION EVALUATION MEMORANDUM DATED JUNE 26, 2019. SETBACK EXTENDED SOUTH ON THE WEST SIDE OF THE CREEK TOWARDS THE PROPOSED DRIVEWAY.

RSA+
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OFFICE|707|252.3301
+ www.RSAcivil.com +
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JANUARY 29, 2025 4119005.0 SHEET 1 OF 4

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BREMER WINERY
GRADING WITH CREEK SETBACK EXHIBIT
NAPA COUNTY CALIFORNIA



GRADING PLAN
SCALE: 1" = 30'

STREAM SETBACK NOTE
STREAM SETBACK BASED ON NAPA COUNTY CODE 18.108.025 AND RSA+ STREAM SETBACK EXHIBIT 1 PREPARED FOR RSA+ USE PERMIT STREAM PROTECTION EVALUATION MEMORANDUM DATED JUNE 26, 2019. SETBACK EXTENDED SOUTH ON THE WEST SIDE OF THE CREEK TOWARDS THE PROPOSED DRIVEWAY.

GRAPHIC SCALE
30 0 30 60
(IN FEET)
1 inch = 30 FT

REGISTERED PROFESSIONAL ENGINEER
BRUCE WILLIAM FENTON
No. 77889
Exp. 6-30-25
CIVIL ENGINEER
STATE OF CALIFORNIA

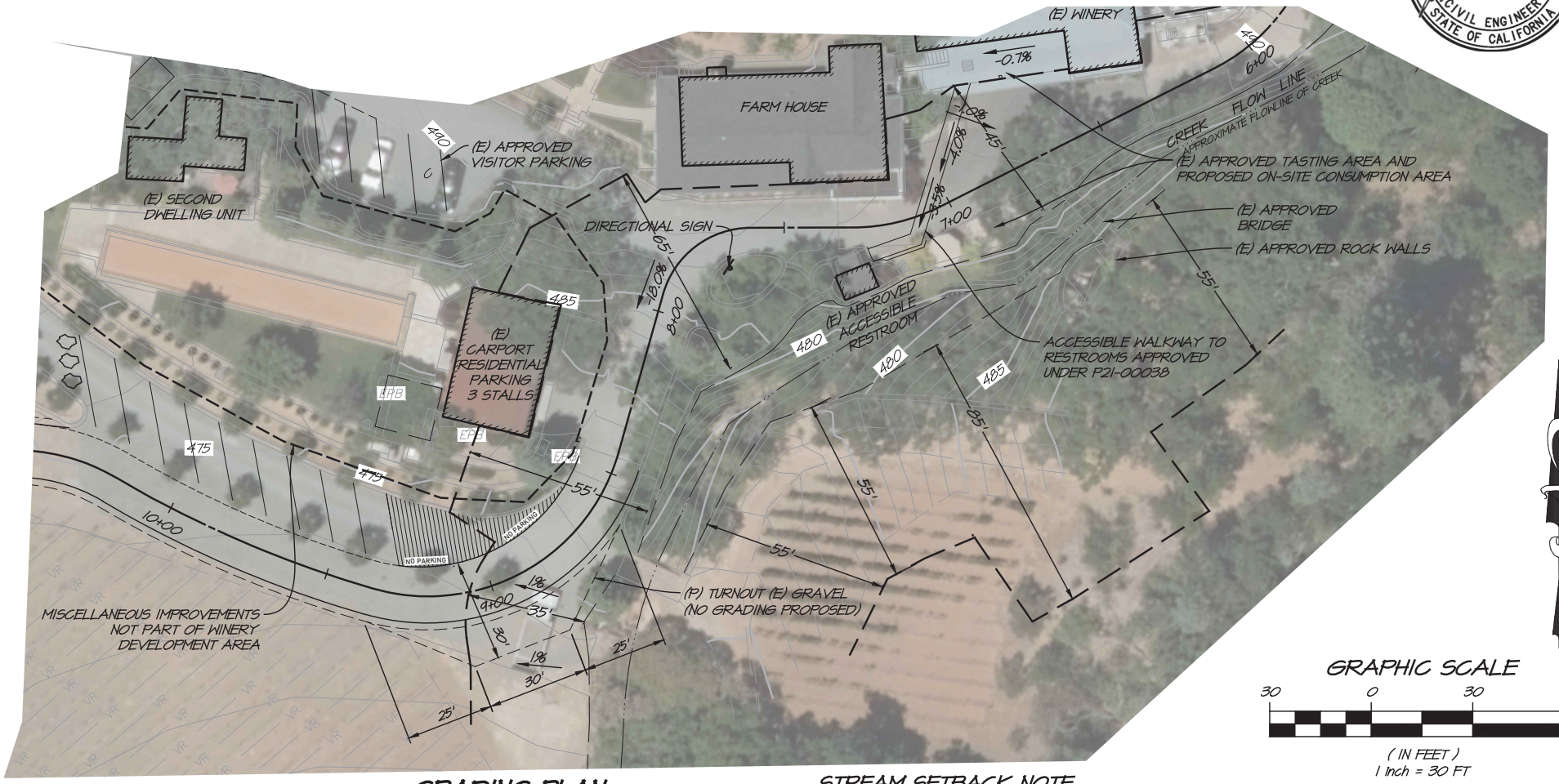
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JANUARY 29, 2025 4119005.0 SHEET 2 OF 4

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BREMER WINERY
GRADING WITH CREEK SETBACK EXHIBIT
NAPA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
BRUCE WILLIAM FENTON
No. 77885
Exp. 6-30-25
CIVIL ENGINEER
STATE OF CALIFORNIA



GRADING PLAN
SCALE: 1" = 30'

STREAM SETBACK NOTE
STREAM SETBACK BASED ON NAPA COUNTY CODE 18.108.025 AND RSA+ STREAM SETBACK EXHIBIT 1 PREPARED FOR RSA+ USE PERMIT STREAM PROTECTION EVALUATION MEMORANDUM DATED JUNE 26, 2019. SETBACK EXTENDED SOUTH ON THE WEST SIDE OF THE CREEK TOWARDS THE PROPOSED DRIVEWAY.

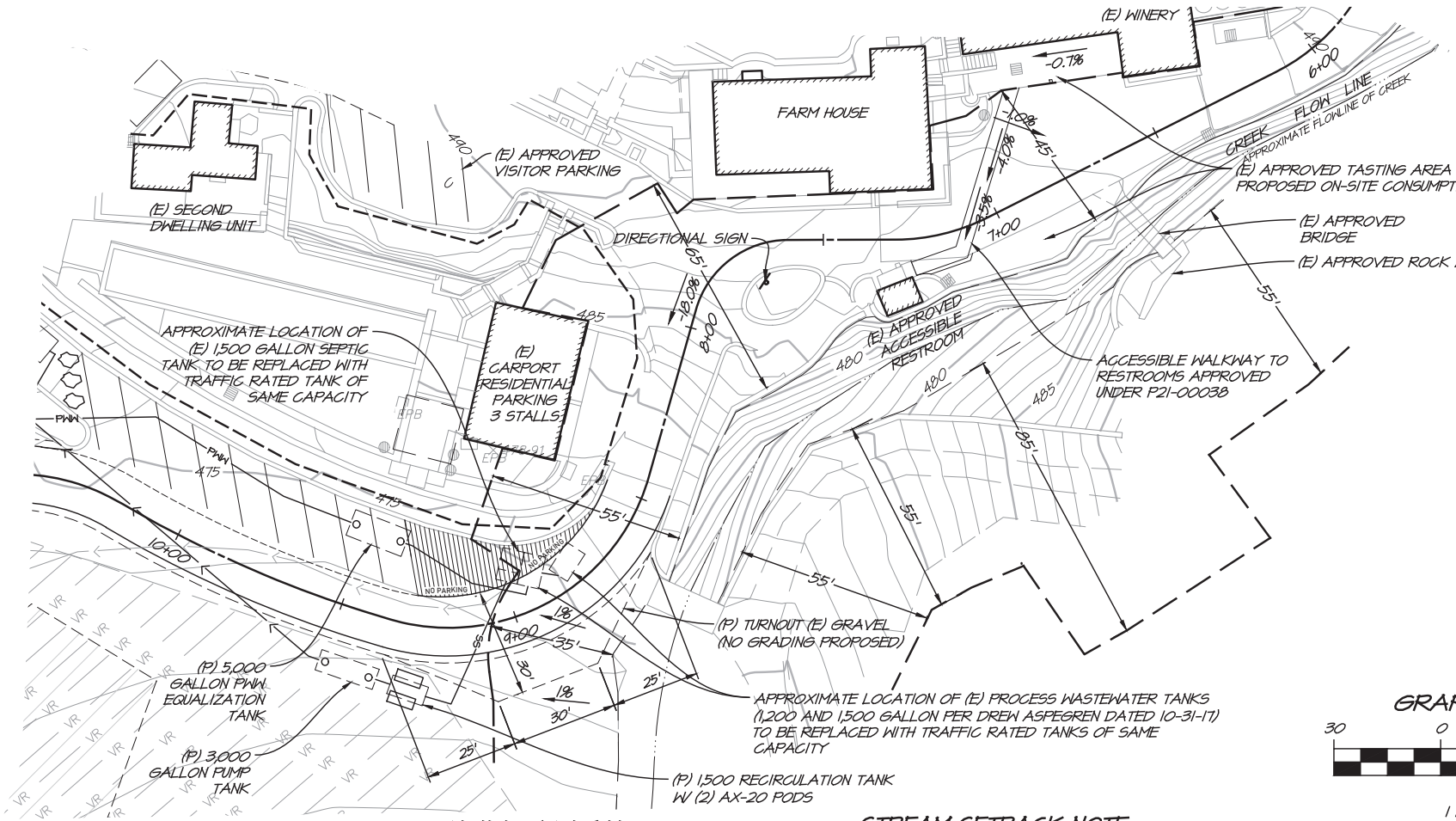
GRAPHIC SCALE
30 0 30 60
(IN FEET)
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JANUARY 29, 2025 4119005.0 SHEET 3 OF 4

R:\2019\4119005.0_Bremer_Winery_Use_Permit_Modification\DESIGN (DESIGN 3D)\Exhibits\Exh0-3 of 4 bldg creek setback-Grading.dwg 01/29/2025

BREMER WINERY
UTILITY WITH CREEK SETBACK EXHIBIT
NAPA COUNTY CALIFORNIA



UTILITY PLAN
SCALE: 1" = 30'

STREAM SETBACK NOTE
STREAM SETBACK BASED ON NAPA COUNTY CODE 18.108.025 AND RSA+ STREAM SETBACK EXHIBIT I PREPARED FOR RSA+ USE PERMIT STREAM PROTECTION EVALUATION MEMORANDUM DATED JUNE 26, 2019. SETBACK EXTENDED SOUTH ON THE WEST SIDE OF THE CREEK TOWARDS THE PROPOSED DRIVEWAY.

GRAPHIC SCALE
30 0 30 60
(IN FEET)
1 inch = 30 FT

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JANUARY 29, 2025 4119005.0 SHEET 4 OF 4

REGISTERED PROFESSIONAL ENGINEER BRUCE WILLIAM FENTON No. 77859 Exp. 6-30-25 CIVIL ENGINEER STATE OF CALIFORNIA

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“K”

Winery Comparison Analysis and Summary of Changes

Bremer Family Winery (P22-00086)
Planning Commission Hearing – May 6, 2026

LOCATIONAL CRITERIA	STAFF COMMENTS
Size of Parcel	46.09
Proximity of Nearest Residence	Approximately 480 feet north
Number of Wineries Located Within One Mile	8
Located Within the Napa Valley Business Park (AKA Airport Industrial Area)	No
Primary Road Currently or Projected to be Level of Service D or Below	No
Primary Road a Dead End	No
Located Within a Flood Zone	500 Year Flood Zone - Area of minimal hazard
Located Within a Municipal Reservoir Watershed	No
Located Within a State Responsibility Area or Fire Hazard Severity Zone	SRA Very High Hazard Severity Zone
Located Within an Area of Expansive Soils	No
Located Within a Protected County Viewshed	No
Result in the Loss of Sensitive Habitat	No
OPERATIONAL CRITERIA	**STAFF COMMENTS**
Napa Green Certified or Other Related Program	No
Percentage of Estate Grapes Proposed	Approximately 36.9 acres approved spread across six properties
Number of Proposed Variances	None
Wastewater Processed On-Site	Yes
Voluntary Greenhouse Gas Emission Reduction Measures Proposed	Energy efficient lighting, water efficient fixtures, desing to optimaize natural heating/cooling, cover crop, chipping and reuse of pruned biomass
Vanpools, Flexible Work Shifts, Shuttles, or Other Traffic Congestion Management Strategies Proposed	None
Violations Currently Under Investigation	None
High Efficiency Water Use Measures Proposed	None
Existing Vineyards Proposed to be Removed	Approximately 2,750 sq. ft.
On-Site Employee or Farmworker Housing Proposed	No
Site Served by a Municipal Water Supply	Yes
Site Served by a Municipal Sewer System	No
Recycled Water Use Proposed	Yes
New Vineyards Plantings Proposed	No
Hold & Haul Proposed: Temporary (Duration of Time) or Permanent	No
Trucked in Water Proposed	No

Bremer Family Winery
Permit P22-00086
Winery Comparison 50,000 Gallons

Name	Bldg Size	Cave Size	Production	Daily Visitors	Weekly Visitors	Annual Visitors	Annual Marketing Visitors	Number of Marketing Events	Annual Visitation	Acres	Location	Pre-WDO
JERICHO CANYON WINERY	10,291	4,100	50,000	90	500	13,800	1,200	12	15,000	131.05	hillside	No
BENNETT LANE WINERY	17,550	0	50,000	32	200	10,400	2,495	55	12,895	10	valley floor	No
SHUTTERS WINERY	20,934	11,600	50,000	18	40	2,080	1,000	26	3,080	13.36	hillside	No
NORMAN ALUMBAUGH WINERY	21,052	0	50,000	20	140	7,280	7,280	244	7,524	80.92	Pope Valley	No
OUTPOST WINES	9,155	0	50,000	30	180	9,360	325	9	9,685	37.61	Angwin	Yes
ROBERT FOLEY VINEYARDS	1760	12,350	50,000	10	60	3,120	3,120	14	3,364	13.04	Angwin	No
LAST RESORT WINERY	9,839	0	50,000	20	140	7,280	720	12	8,000	55.44	Pope Valley	No
PRIDE MOUNTAIN VINEYARDS	5,400	14,000	50,000	20	20	1,040	1,060	49	2,100	22.27	hillsdie	No
LOKOYA	16,712	0	50,000	30	70	3,640	720	24	4,360	72.55	hillsdie	Yes
ROBERT KEENAN WINERY	10,006	0	50,000	35	245	12,740	1,050	21	13,790	147.39	hillside	Yes
BUEHLER VINEYARDS	12,187	0	50,000	0	0	0	0	0		47.76	hillside	Yes
BROWN ESTATE VINEYARDS	2,704	6,000	50,000	2	2	104	220	9	324	130.46	Chiles Valley	No
NIEBAUM COPPOLA ESTATE NIEBAUM LN	30,090	0	50,000	20	15	780	1,170	41	1,950	78.76	hillside	Yes
FOLIE A DEUX	9,700	0	50,000	50	350	18,200	0	0	18,200	3	valley floor	Yes
GAMBLE FAMILY VINEYARDS	32760	0	50,000	30	300	15,600	1,410	34	17,010	11.17	valley floor	No
ALTAMURA WINERY	11,800	3,115	50,000	0	20	1,040	0	0	1,040	58.59	Wooden Valley	No
PROGENY WINERY	20,882	0	50,000	60	350	18,200	4,460	76	22,840	236.66	hillside	No
REGUSCI WINERY	22,000	0	50,000	150	400	20,800	1,450	16	22,500	162.62	valley floor	No
HAGAFEN CELLARS	6,800	0	50,000	25	150	7,800	725	12	8,525	12.28	valley floor	No
SIGNORELLO WINERY	5,475	15,906	50,000	60	350	18,200	2,011	53	20,211	56.59	valley floor	Yes
REFUGE WINERY	18,875	0	50,000	124	868	45,136	3370	115	48,506	13.23	valley floor	No
MADONNA ESTATE	16,360	0	50,000	280	1,044	54,288	0	0	54,288	4.37	Carneros	Yes
ITALICS WINERY	13,967	16,500	50,000	20	50	2,600	390	8	2,990	45.98	MST	No
DAVID BUSBY WINERY	18,162	0	50,000	0	0	0	0	0	0	1.28	industrial	No
TWO ROCKS WINERY	6,950	20,682	50,000	6	15	780	920	13	1,700	46.66	hillside	No
AVERAGE CALCULATION	**11,998**	**5,256**	**50,000**	**30**	**160**	**6,795**	**2,150**	**53**	**7,706**	**45.46**		
MEDIAN CALCULATION	**10,065**	**0**	**50,000**	**20**	**140**	**7,280**	**1,130**	**20**	**7,524**	**37.61**		

BREMER FAMILY WINERY (APPROVED)	**3613**	**0**	**15,000**	**2**	**14**	**728**	**100**	**3**	**828**	**46.09**	**hillside**	**Yes**
BREMER FAMILY WINERY (PROPOSED)	**4676**	**0**	**50,000**		**176**	**9,152**	**100**	**3**	**9,252**	**46.09**	**hillside**	**Yes**

* No tours or tasting permitted

Bremer Family Winery
Permit P22-00086
Summary of Operational Changes

Existing Conditions	Proposed Request	Net Change
Production		
15,000 gal/yr	50,000 gal/yr	Net increase of 35,000 gal/yr
Visitation		
70 visitors per day 490 visitors per week 3,600 visitors per year	70 visitors per day 490 visitors per week 12,500 visitors per year	No change visitors per day No change visitors per week Net increase 8,900 visitors per year
Marketing Program		
None	6 total events with 300 guests per year	Net increase: 6 total events with 300 guests per year
	I event/year with 100 guests 3 events/year with 50 guests 2 event/year with 25 guests	
Employees		
4 full-time & 2 part-time	8 fultime & 2 part -time	Net increase of 4 full-time

“L”

Public Comments

From: MeetingClerk
To: Trippi, Sean
Subject: FW: Napa County - Notice of Public Hearing
Date: Thursday, April 2, 2026 8:53:27 AM

From: RICHARD W SVENDSEN <rsvendsen@sbcglobal.net>
Sent: Thursday, April 2, 2026 8:52 AM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Subject: Re: Napa County - Notice of Public Hearing

[External Email - Use Caution]

Deer Park road DOES NOT NEED ANITHER WINERY!! Do people realize this area has had major fires recently? Vote NO.
Sent from my iPhone

> On Apr 2, 2026, at 8:26 AM, MeetingClerk <MeetingClerk@countyofnapa.org> wrote:
>
> BREMER FAMILY WINERY – P22-00086
>
> <image002.png>
>
> **Napa County - Meeting Clerk - AR**
> Planning, Building, & Environmental Services
> Napa County
>
> **Phone:** 707-253-4417
> Email: meetingclerk@countyofnapa.org
>
> 1195 Third Street, Suite 210
> Napa, CA 94559
> www.napacounty.gov
>
> <P22-00086 Public Notice.pdf>

From: MeetingClerk
To: Trippi, Sean
Cc: Quackenbush, Alexandria
Subject: FW: Napa County Rev. Project Submittal Courtesy Notice
Date: Friday, June 27, 2025 2:53:14 PM
Attachments: image001.png

See public comment below.

Kind Regards,

A Tradition of Stewardship
A Commitment to Service

Napa County – Meeting Clerk - AV
Planning, Building, & Environmental Services
Napa County
Phone: 707-253-4417
Email: meetingclerk@countyofnapa.org
1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

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From: RICHARD W SVENDSEN <rsvendsen@sbcglobal.net>
Sent: Friday, June 27, 2025 8:27 AM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Subject: Re: Napa County Rev. Project Submittal Courtesy Notice

[External Email - Use Caution]

This is nuts. Increase this production from 15,000 gallons to 50,000 gallons plus the impact of visitors on a SMALL country road like Deer Park Road? What about water usage? Hasn't the county learned enough from the example of Dario Sattui's blatant overreach of water and visitation numbers at his Castle do Amoroso? Come on! Enough already. This is such a scam. A winery originally asks for a small gallon permit and then 5 years later desires a huge increase on the back of their original permit. We don't need more wineries in this county especially in developed residential neighborhoods
Sent from my iPhone

On Jun 27, 2025, at 8:07 AM, MeetingClerk <MeetingClerk@countyofnapa.org>

wrote:

P22-00086 BREMER FAMILY WINERY

Kind Regards,



Napa County – Meeting Clerk - AV
Planning, Building, & Environmental Services
Napa County
Phone: 707-253-4417
Email: meetingclerk@countyofnapa.org
1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

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<P22-00086 Bremer Family Winerey RevProject Courtesy.pdf>

From: Carlo Calabi
To: Trippi, Sean
Subject: Bremer winery expansion
Date: Tuesday, April 14, 2026 12:58:01 PM

[External Email - Use Caution]

I just want to say that the proposed Bremer winery expansion will make a very dangerous section of Deer Park Road even more dangerous, with or without a turn lane. I have personally witnessed three accidents at that corner with Sanitarium road.
I am very much opposed to the expansion.
Thanks,
Carlo Calabi
Angwin

Sent from my iPad

From: Charlotte Williams
To: Trippi, Sean
Subject: Re: Bremmer request for increases
Date: Monday, April 13, 2026 9:44:34 PM

[External Email - Use Caution]

Mr. Trippi,

Apologies! I misspelled your last name in my previous email.

Best,

Charlotte Williams

On Mon, Apr 13, 2026, 9:38 PM Charlotte Williams <cdevorak59@gmail.com> wrote:

> Dear Sean Tripp,
>
> Just say no.
>
> Way too large an increase in each category. Unsafe ecologically and unsafe traffic-wise.
>
> Adding to Kellie Anderson's list of Deer Park Road users is my truck and 20 ft gooseneck trailer full of grazing goats. That stretch near Bremmer is just about where my truck broke down. Very stressful. Would have been even worse with several additional (drunk) winery visitors having to detour around my rig.
>
> And don't forget the various firetrucks that will almost certainly be up and down that road, especially after things dry up this summer.
>
> (Kellie's list Deer Park Road users, in case you didn't see it already:
>
> PUC Has 1,080 students [some of whom die due to excessive speed on that particular road...they really like those downhill straight stretches.]
>
> Swimming pool, gym, tennis, library open to public on PUC campus
>
> PUC Elmentary
>
> PUC Prep
>
> School bus taking Angwin and PV kids to St. Helena
>
> Angwin Dorcus
>
> Haven Thrift
>
> Three local Churches
>
> Hansen Swimming Pool

LInda Falls Hiking Trails

PUC Forest Trails

Thunderbird Bicycle Club

People using the Laundry because Calistoga Laundry is closed

Dentist visit.

College Market Shoppers

Cal Fire Las Posadas Station

Angwin Air Port and associated hangers

Horse stables at PUC

Equine activities at Pope Valley Ropers and Riders Arena

People towing boats and trailers to Lake Berryessa and Clear Lake

St Helena Hospital employees

St. Helena Hospital patients and their families

Ambulance transports to St. Helena Hospital from other hospital campuses

Crest Wood psychiatric facility workers and various patient transport to facilities from throughout California. Note employees working on 24 hour shifts.

Vineyard and winery workers, Farm Labor Contractor worker vans.

Winery visitors

Trucks Transporting farming equipment and harvest trucks

People and horses evacuating.

And the vision that scares me the most is the many wonderful student activities that PUC holds throughout the year bringing bus loads of students from multiple Adventist Academies (Monterey Bay, Rio Linda, Paradise, Fresno etc.) Bus loads of kids attending Choir performances, symphony performances, graduation, Alumni Weekend, sports camps , various Bible camps, Thunderbird PathFinders gatherings.)

Thank you for all you do to keep this county safe and sane.

Best regards,

Charlotte Williams cdevorak59@gmail.com
59 View Road, Calistoga

From: Kendace
To: Trippi, Sean
Subject: Urgent Sanitarium Road Safety Concerns: Bremer Winery Expansion
Date: Tuesday, April 14, 2026 10:50:15 AM

[External Email - Use Caution]

Hello,
As 24-years+ homeowners on Sanitarium Road, in Deer Park, we are aghast contemplating how the Bremer Winery proposed expansion could be considered, on any level, as beneficial to our communities and neighborhoods.

We are a small, intimate family neighborhood who survived the Glass Fire by merely a measure of feet. Cars zoom downhill past our houses at freeway speeds all day long, killing countless dogs (my adjacent neighbor has had 4 dogs killed) and cats (3 that I personally knew) between upper Sanitarium and the St. Helena Hospital entrance. I have never seen any policing/sheriff citing presence at this—the most dangerous upper stretch of San Road—only the bottom of the hill, after the stop sign. Further, there is nothing to discourage downhill traffic from using San Road as a "short-cut" or speed bumps to slow traffic and help protect our human and animal residents.

Despite the negative environmental impacts of their project, how is it possible for any feeling human to overlook and accept the inherent safety risks associated with a substantial increase in unmanaged traffic?

We are adamantly opposed to the Bremer Winery expansion.

If Napa County will entertain formation of a resident task force to help address traffic concerns, we would be eager to participate.

Kendace O'Donnell and Scott Denman
894 Sanitarium Road

Sent from my iPhone

From: M. Russo
To: Trippi, Sean
Subject: Winery expansion
Date: Tuesday, April 14, 2026 8:22:57 AM

[External Email - Use Caution]

I am writing to help you understand from people that live in the area of Deer Park Road and Sanitarium that more traffic plus a turn lane would be a nightmare !!we go up and down the hill every day it's hard enough now because people come down the hill too fast and people are trying to turn on to Sanitarium. trucks, FedEx ,college students, hospital workers. it's already dangerous !please don't add another turn lane this is common sense .thank you. long time Angwin resident Marion Russo

From:	Corey Preston
To:	Trippi, Sean
Cc:	Brooks, Walter; Williams, Molly; Cottrell, Anne
Subject:	Re: Bremer Family Winery Use Permit Major Modification #P22-00086-MOD & Exception to the Napa County Road and Street Standards
Date:	Tuesday, April 14, 2026 1:27:48 PM

[External Email - Use Caution]

Dear Mr. Trippi and Team,

I am writing to express my formal opposition to the exception request regarding the project referenced in the following NextDoor post and CEQA filing (https://ceqanet.lci.ca.gov/2026040089).

As a regular commuter along this corridor, I have observed that traffic is consistently hindered by ongoing roadwork and construction. While I appreciate the long-term goals of these projects, the current volume of activity already poses a significant daily challenge for residents.

I respectfully request that you deny this exception and require the necessary adjustments to ensure that the project does not further negatively impact local commuters.

Thank you for your time and consideration of this matter.

Sincerely,

Corey Preston

7650 Butts Canyon Rd.
Pope Valley, CA
https://www.Corey-Preston.com

From: K Widad
To: Trippi, Sean
Subject: RE: deer park road and winery expansion
Date: Wednesday, April 15, 2026 2:47:57 PM

[External Email - Use Caution]

I recently heard about the Bremer Winery request for a 300% expansion affecting Deer Park Rd and the water systems.
While everyone has a right to grow their business, mitigation of the negative effects on the community needs to be part of the process.
Ironically, this past weekend while driving to Napa from Angwin, I was stopped due to the cleanup of a serious rollover collision not far from the proposed massive traffic dump expansion.
The fact that Bremers are asking for an exception to the County Road and Street Standards to NOT build a County Required turn lane is dangerous and offensive to everyone who uses that road. Can you imaging stopping on that stretch of road to make a left hand turn?
If this is inevitable, I think that there should be a minimum requirement to build 2 roads, one for in and one for out and to expand to **2** turn lanes, one coming from the north, the other from the south.
I've lived in Angwin for 22 years. I've travelled that road to work for years and I regularly shop in Napa. I recently became a "senior" so I don't drive it as often as I used to but it is always with concern. Most times I am the "slow" one going only the speed limit as people are trying to get where they are going on time. I often pull over and let them pass. Other times, after following a large truck or service vehicle, I become late for a doctor's appointment and I am the one in a hurry. What I am saying is, for as many reasons as there are drivers, the road is already as hazardous as it is beautiful. Add to all of this the possibility of tripling the amount of awestruck, partying, or intoxicated tourists who aren't familiar with local driving conditions.
It sounds awful to me.
Angwin water is tolerable. It is often over chlorinated but not nearly as bad as St. Helena water. Why can't they use their own water resources? instead pressuring a small town system? And what if the next request is a hotel, with massive impervious cover and more resources gobbled up?

Thank you for allowing my input

Katherine Mattia
PO Box 557
Angwin Ca. 94508

From: richardcsf@comcast.net
To: Trippi, Sean
Subject: Support of Bremer Winery expansion
Date: Monday, April 13, 2026 2:38:12 PM

[External Email - Use Caution]

Dear Mr. Trippi,
Please be advised there are many local Napa Valley tax paying residents **who do approve & support of the Bremer expansion.**
This is an agricultural community and we must do everything to support its growth. These businesses support the local economy and allow for increased revenue for our towns.
We are too often persuaded by the local "nay sayers" and have done an injustice to the residents and communities who thrive from the tax revenue these businesses generate.
We ask that you please use good judjement in the decision making process and not be persuaded by the small percentge of residents who do nothing but hinder and complain about growth.
Again, ths is an agriultural community. Built round the wine industry hundreds of years ago. We must keep that in mind and support that.
Thank you for your consideration.
Richard C.

From: beth brown
To: Trippi, Sean
Subject: Bremer Family Vineyard
Date: Wednesday, April 15, 2026 8:26:06 AM

[External Email - Use Caution]

Dear Sean,

I'd like to voice my opposition to the Bremer Family Vineyard expansion, and, in particular, to the roadway issue.

The winery plans propose a new roadway entering Deer Park Rd. just south of the intersection of Deer Park and Sanitarium Roads, on the east side. A new road would dump more cars onto Deer Park Rd. in the straightaway below Sanitarium.

But Bremers are asking for an exception to the County Road and Street Standards to NOT build a County-required turn lane.

That very heavily-trafficked section of road moves very fast. With trucks, college kids, PG&E vehicles and Lake County commuters, there should NOT be a new road dumping traffic (after wine tasting) onto Deer Park Rd.

The traffic study indicated the following when radar speed surveys and field measurements were performed:

1. The "critical" vehicle speed (the speed at which 85% of all surveyed vehicles travel at or below) along Deer Park Road was measured at 52 mph at the project driveway. The posted speed limit in the project driveway area is 45 mph. Caltrans design standards indicate that these vehicle speeds require a stopping sight distance of 450-460 feet both north and south of the driveway measured along the travel lanes of Deer Park Road.

2. Based on field measurements, sight distance from the Bremer Family Winery driveway to the north on Deer Park Road is approximately 490 feet. Sight distance from the existing driveway to the south is in excess of 650 feet. Therefore, the sight distance recommendations would be met for the speed limit and measured vehicle speeds. Extending to the proposed south Bremer Family Winery driveway at Deer Park Road, the driveway would be

located approximately 185 feet south of the existing primary winery driveway opposite Sanitarium Road. Given a measured sight-distance in excess of 650 feet from the existing winery driveway would allow for 465 feet of vehicle sight distance from the new south winery driveway, which would be adequate based on Caltrans Requirements.

A considerate business model should put community safety first. The winery should not expand visitation that results in dumping vehicles onto Deer Park via a new road. Per the County, a turn lane is required, but the truth is that turn lane or not, the roadway is unsafe for additional winery traffic, and the treacherous traffic safety impacts cannot be mitigated in this location.

Thanks for your attention.

Beth Brown

Pope Valley

From: Lynmari Calabi
To: Trippi, Sean
Subject: Bremer Winery
Date: Thursday, April 16, 2026 10:56:12 AM

[External Email - Use Caution]

In regards to consideration to increase Bremer Winery usage …

I drive Deer Park Rd on a regular basis. That particular area, perpendicular to Sanitarium Rd is DANGEROUS!

I have seen a number of close accidents at that entrance. Adding MORE and frequent cars attempting access to Deer Park Rd from the other side (Bremer side) will only put more people in danger!

DO NOT ALLOW THIS TO HAPPEN!!

Lynmari Calabi
Angwin

From: mekjian@pon.net
To: Trippi, Sean
Subject: Formal Opposition to Bremer Family Winery Expansion - Public Safety, Traffic, and County Liability Concerns
Date: Wednesday, April 15, 2026 10:33:14 AM

[External Email - Use Caution]

Dear Mr. Trippi,

I am writing to formally oppose the proposed Major Modification to the Bremer Family Winery (Use Permit #P22-00086-MOD), including the requested exception to Napa County Road and Street Standards.

As a 26-year resident and homeowner in Angwin, and as a parent of children who commute to St. Helena five days a week, I have firsthand, daily experience with the limitations and risks associated with Deer Park Road. This proposal raises serious and unacceptable concerns related to traffic safety, emergency evacuation, and the potential legal and financial exposure to Napa County should this project be approved.

Deer Park Road is a constrained, rural, two-lane roadway with limited sightlines, minimal shoulders, and no meaningful capacity to absorb additional traffic. It already serves as a critical connector for residents, school traffic, leisure travelers and emergency services between Angwin/Pope Valley/Lake county and St. Helena. The proposed increases in production, visitation, employees, and on-site consumption will substantially intensify traffic volumes, turning movements, and congestion along this corridor. The applicant's request for an exception to avoid installing a left-turn lane further exacerbates these hazards by knowingly allowing unsafe traffic conditions to persist and worsen.

Of even greater concern is the project's direct impact on emergency evacuation. Deer Park Road is one of the primary evacuation routes for Angwin and surrounding communities during wildfire events. In recent years, Napa County has experienced multiple catastrophic fires, underscoring the life-or-death importance of maintaining clear, efficient evacuation corridors. Any increase in traffic—particularly from discretionary commercial uses such as winery visitation—creates foreseeable bottlenecks that could delay or prevent evacuation and impede emergency response.

Approving this project under these conditions exposes Napa County to significant liability. The risks are not speculative; they are well-documented and foreseeable. Should an evacuation be compromised, or should an accident occur as a result of increased traffic and inadequate roadway improvements, the County could face substantial legal exposure for having approved intensified use while simultaneously granting an exception to established road safety standards. This is especially concerning given that safer alternatives—such as requiring full roadway improvements or denying increased intensity—are available.

Furthermore, the reliance on a Mitigated Negative Declaration appears inadequate and inconsistent with the scale and severity of these impacts. The cumulative effects on traffic, evacuation capacity, and public safety are significant and cannot reasonably be reduced to a less-than-significant level through mitigation alone. A full Environmental Impact Report is not only warranted, but necessary to properly evaluate and disclose these risks.

For these reasons, I strongly urge the Planning Commission to deny the requested modification and exception. At a minimum, the County must require a comprehensive Environmental Impact Report that fully analyzes traffic congestion, evacuation constraints, and associated public safety risks before any consideration of approval.

The safety of residents, including families like mine who rely on Deer Park Road every day, must take precedence over the expansion of private commercial operations.

Thank you for your careful consideration of these serious concerns.

Sincerely,
Anna Mekjian
Angwin, CA Resident (26 years)

From: buckyswisher
To: Trippi, Sean
Subject: No on Bremer expansion
Date: Wednesday, April 15, 2026 3:25:41 PM

[External Email - Use Caution]

Dear Sean Trippi,
I am writing to formally express my concerns regarding the proposed modification for the Bremer Family Winery expansion, specifically the request to nearly triple annual visitation to 12,500 people and more than triple production to 50,000 gallons. The primary issue lies in the creation of a new roadway onto Deer Park Road combined with the winery's request for an exception to County Road and Street Standards regarding a required turn lane. Given that 85% of vehicles on this stretch travel at speeds up to 52 mph—exceeding the 45 mph limit—introducing a new traffic "dump" point for visitors without a dedicated turn lane poses a significant safety risk to local drivers, commuters, and students. Prioritizing a winery expansion over essential community safety infrastructure is unacceptable, and I urge the Commission to deny these exceptions and reconsider the scale of the expansion to protect the well-being of those who travel Deer Park Road daily.
Sincerely,
Elizabeth Swisher
Thomas Freeman
Pope Valley, California

Sent from my Galaxy

From: ruralangwin
To: Trippi, Sean
Subject: Fwd: Bremmer
Date: Thursday, April 16, 2026 9:35:16 PM

[External Email - Use Caution]

---------- Forwarded message ---------
From: **Randy Dunn** <randy@dunnvineyards.com>
Date: Thu, Apr 16, 2026 at 8:03 PM
Subject: Bremmer
To: Anne Cottrell <anne.cottrell@countyofnapa.org>, Brian Bordona <Brian.Bordona@countyofnapa.org>, Joelle Gallagher <joelle.gallagher@gmail.com>, Belia Ramos <belia.ramos@countyofnapa.org>, Liz Alessio <lalessio@cityofnapa.org>, Amber Manfree <admanfree@gmail.com>

Greetings, If you permit this expansion, you must make a turn lane mandatory. That intersection is very busy with fast moving traffic. Visibility is poor for vehicles turning from Sanitarium Rd. Come visit; sit there for 15 minutes and you will see what I mean. Especially during rush hours. I do not know much about liability law; but permitting this project without a turn lane is really sticking your neck out. My neck also, because I pay taxes that fund such County blunders.
I am sure that you cannot consider this guy's past, but, remember his ask for construction of a restroom adjacent to the creek! And, the creek was not even on his drawings! I have often wondered if they have a permit to haul in all the dirt that never seems to end.

In ernest,
R. Dunn
Sent from my iPad

From: Weissmiller, Sandra Jane
To: Trippi, Sean; Brunzell, Kara; Richmond, Pete; Dameron, Megan; Williams, Molly; Brooks, Walter; Cottrell, Anne
Cc: ruralangwin
Subject: Angwin Resident in response to Bremer Winery Modification
Date: Saturday, April 18, 2026 10:16:37 AM

[External Email - Use Caution]

Dear Planning Commissioners,

I am writing to express my concern and opposition regarding the proposed expansion of Bremer Family Winery, located just below the hairpin turn on Deer Park Road near Sanitarium Road. These are my concerns and understanding. I learned about this project through community discussion on Nextdoor and appreciate the increased public attention to decisions that directly affect safety, infrastructure, and quality of life in Angwin and Deer Park.

I am a pharmacist who serves this community. I have lived in Angwin for almost six years, and have enjoyed working here so much that I chose to purchase a home. Angwin is peaceful and beautiful, but it also has limited infrastructure and resources. Residents willingly accept reliance on non-city water systems and limited services in exchange for a quieter way of life. This proposal appears to disregard those realities by intensifying commercial activity in a location already constrained by infrastructure.

The project would significantly increase traffic that benefits only a private winery while transferring risk to the public. Deer Park Road is a known safety hazard, with steep grades, limited sightlines, frequent accidents, and repeated guardrail damage—especially near the Deer Park/Sanitarium intersection and hairpin turn. Increased visitation, production, employees, parking, and special events at this location pose ssafety risks and inconvenience to daily road users.

I am particularly concerned by the request to waive required road and street standards, including exemptions that avoid a required turn lane. These standards exist to protect public safety and ensure fairness. Granting waivers at such a concerning location sets a troubling precedent, especially when others are required to comply.

Water supply and protection are also major concerns. Note our water bill access has gone up by ~ 20% recently. The proposal to rely on additional water from the Howell Mountain Mutual Water

Company raises questions about long-term availability, reliability, and rising costs for Angwin residents. If existing wells on the property are inadequate to support this expansion, it is not appropriate to shift that burden to a limited community water system. As a hospital employee, I am also concerned about increased winery and sanitary waste in the vicinity of the community Hospital well and Angwin's water source. These resources deserve the highest level of protection.

Someone must consider cumulative impacts.

For these reasons, I respectfully urge the Commission to oppose this expansion because public safety, water protection for residents and the hospital, and fairness should take precedence over private benefit.

Thank you for your time and consideration.

Sincerely,
Sandra Weissmiller PharmD, BCPS,
Angwin Resident and Hospital Pharmacist

--
Sandra J. Weissmiller, PharmD, BCPS
Email: sweissmiller@gmail.com
Cell: (415) 301 9137

Education is a better safeguard of liberty than a standing army. ~Edward Everett

Attention: Brunzell, Kara ; Dameron,
Megan walter.brooks@countyofnapa.org; Richmond,
molly.williams@countyofnapa.org Supervisor: Cottrell,

RE: BREMMER FAMILY WINERY PROJECT--A THREAT TO OUR COMMUNITY.

Due to the odd location/configuration of this project, just below the hairpin turn on Deer Park Rd., and the fact that many homes in the area burned and have not been rebuilt, few people affected by this project will receive formal notice.

Yet folks driving on Deer Park Rd. (commuters, workers, parents transporting kids, college kids traveling up and down the hill) will be most negatively impacted.

#1 The project proposed an increase in visitors from 3,600 to 12,500 visitors turning off of Deer Park Rd. just below Sanitarium Rd. With the current traffic use and support this will cause a major traffic jam. Installing a 4-lane connecting hwy with off and on ramps would tear up the whole area and still not resolve the traffic issues which even now during high traffic times and events, extend clear to the St Helena Pope Street bridge and onto Hwy 29.

#2 An increase in wine production from 15,000 gallons to 50,000 gallons. Interesting that this project is being projected at a time when many vineyards are pulling out vines and not harvesting grapes. From where is the funding souce? and a few more questions could be added to that subject!

#3 Increase in parking, special events, employees etc.

#4 The project also proposes to use additional water from the Howell Mountain Mutual Water Company in Angwin to satisfy the expanded water demand! Angwin take note! Agwin Water company is noted in the summertime as running low on water resources to take care of the cummity..we do not need another large user to complicate our water resources.

#5 Of concern is the increased winery and sanitary waste that will result and be discharged into the area not far from St. Helena Hospital well! How is this even considered?

#6 The applicant (Bremer Family Winery) is requesting an exemption to the road and streets standard that trigger the need for a turn lane! They don't want to build a required turn lane! The Hairpin corner is already a hazard, and the proposal will increase the hazard to the commute traffic for PUC, The Hospital, and the Angwin community. Even now due to the closure of old Howell Mtn Rd and increased population in Angwin find the Road traffic in this area is hazardous.

#7 Proposes a winery driveway entering Deer Park Rd. Just south of Sanitarium Rd! Even currently there have been close calls as traffic from this location turns on the property from Deer Park Rd. as well as vehicles accessing the both the downhill traffic as well as the uphill traffic. It Does not make sense to grant an exemption to road standards?

Does this make sense to expand visitation and production at this winery given the extremely dangerous intersection?

Should any expansion occur here at all? NO CONTEST...THIS PROJECT SHOULD NOT BE ALLOWED AND WILL BE A HAZZARD FOR EXISTING TRAFFIC, COMMUTER USE, AND CERTAINLY CAUSE TRAFFICE TIE-UP AND HAZZARDS FOR THE LOCALS, THE FREIGHT DELIVERY, AND THE ANGWIN POPULATION, LET ALONE THE HAZARD THAT WILL BE PRESENT WHEN THE CUMMUNITY HAS TODO AND EMERGENCY EGRESS. (REMEMBER PARADIS CA. FIRE)

Should our private HMMWCO provide water? Are the wells on the Bremer property inadequate to support the proposed expansion? Napa Valley, St Helena, Angwin, Deer Park, and the Hospital draw water from this area as well as Howell Mountain. There is no reason to add additional usage and put the current water users at risk.

As drivers on this stretch of Deer Park Rd. You all know how dangerous the traffic is! How many time are the guardrails taken out! How many crashes occur at the Deer Park/Sanitarium intersection? There is absolutely no reason to put our community at increased risk in this area.

Other factors to consider in traffic safety is the approved but yet unbuilt 10,000 sq ft. winery (Danica Patrick) above the hair pin turn on blind curve, and a presumed rebuild of Burgess Winery (now Ink Grade) at some point!

As this project is in unincorporated Napa County most of you who drive these roads but live outside of the immediate project area will NOT RECEIVE NOTICE!

Let's proactively keep our roads safe for local drivers! Please submit your comments now!

--

Roger Lutz, Jr. (Angwin resident)
-Direct Cell/Desk (707) 486 3204

From: Chris Carmichael
To: Trippi, Sean
Subject: No On Bremer
Date: Monday, April 20, 2026 10:52:51 AM

[External Email - Use Caution]

Dear Mr. Trippi,

I am writing to formally oppose the proposed Major Modification to the Bremer Family Winery (Use Permit #P22-00086-MOD), including the requested exception to Napa County Road and Street Standards.

As a 26-year resident and homeowner in Angwin, and as a parent of children who commute to St. Helena five days a week, I have firsthand, daily experience with the limitations and risks associated with Deer Park Road. This proposal raises serious and unacceptable concerns related to traffic safety, emergency evacuation, and the potential legal and financial exposure to Napa County should this project be approved.

Deer Park Road is a constrained, rural, two-lane roadway with limited sightlines, minimal shoulders, and no meaningful capacity to absorb additional traffic. It already serves as a critical connector for residents, school traffic, leisure travelers and emergency services between Angwin/Pope Valley/Lake county and St. Helena. The proposed increases in production, visitation, employees, and on-site consumption will substantially intensify traffic volumes, turning movements, and congestion along this corridor. The applicant's request for an exception to avoid installing a left-turn lane further exacerbates these hazards by knowingly allowing unsafe traffic conditions to persist and worsen.

Of even greater concern is the project's direct impact on emergency evacuation. Deer Park Road is one of the primary evacuation routes for Angwin and surrounding communities during wildfire events. In recent years, Napa County has experienced multiple catastrophic fires, underscoring the life-or-death importance of maintaining clear, efficient evacuation corridors. Any increase in traffic—particularly from discretionary commercial uses such as winery visitation—creates foreseeable bottlenecks that could delay or prevent evacuation and impede emergency response.

Approving this project under these conditions exposes Napa County to significant liability. The risks are not speculative; they are well-documented and foreseeable. Should an evacuation be compromised, or should an accident occur as a result of increased traffic and inadequate roadway improvements, the County could face substantial legal exposure for having approved intensified use while simultaneously granting an exception to established road safety standards. This is especially concerning given that safer alternatives—such as requiring full roadway improvements or denying increased intensity—are available.

Furthermore, the reliance on a Mitigated Negative Declaration appears inadequate and inconsistent with the scale and severity of these impacts. The cumulative effects on traffic, evacuation capacity, and public safety are significant and cannot reasonably be reduced to a less-than-significant level through mitigation alone. A full Environmental Impact Report is not only warranted, but necessary to properly evaluate and disclose these risks.

For these reasons, I strongly urge the Planning Commission to deny the requested modification and exception. At a minimum, the County must require a comprehensive Environmental Impact Report that fully analyzes traffic congestion, evacuation constraints, and associated public safety risks before any consideration of approval.

The safety of residents, including families like mine who rely on Deer Park Road every day, must take precedence over the expansion of private commercial operations.

Thank you for your careful consideration of these serious concerns.

--
Chris Carmichael
chriscarmichael514@gmail.com
Cell Phone (707) 775-8774

Napa County

Board Agenda Letter

1195 THIRD STREET
SUITE 310
NAPA, CA 94559
www.napacounty.gov

Main: (707) 253-4580

Planning Commission | **Agenda Date:** 5/6/2026 | **File ID #:** 26-1010

TO: Napa County Planning Commission

FROM: Brian D. Bordona, Director of Planning, Building and Environmental Services

REPORT BY: Patrick Ryan, Assistant Director of Planning, Building and Environmental Services

SUBJECT: Presentation on Public Draft 2026 Water Availability Analysis

RECOMMENDATION

Receive a presentation on the Napa County Public Draft 2026 Water Availability Analysis (WAA) Guidance document and supplemental Technical Report.

EXECUTIVE SUMMARY

The Public Draft 2026 WAA Guidance supports groundwater policies in the Napa County General Plan (2008) which will undergo an comprehensive update starting in summer 2026. Through proper management, water conservation, and ongoing stewardship of natural resources, the groundwater and interconnected surface water resources found within the County can be sustained for future generations.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

In a presentation to the Groundwater Technical Advisory Group (TAG) on January 12, 2023, (then) Interim Director of Planning Building and Environmental Services (PBES), Brian Bordona, provided background information on the chronology of events which led to the development and evolution of Napa County's Water Availability Analysis (first adopted in 1991 and revised in 2015) and set the stage for further revisions which have been incorporated into the 2026 Public Draft WAA Guidance document.

The Napa County Board of Supervisors (BOS) is committed to preserving groundwater for agriculture and rural residential uses within the County. The Public Draft 2026 WAA Guidance supports groundwater policies in the Napa County General Plan which will be updated starting in summer 2026 following the completion of an updated Baseline Data Report (BDR) which was released to the public in March 2026. Through proper management, water conservation, and ongoing stewardship of natural resources, the groundwater and interconnected surface water resources found within the County can be sustained for future generations.

The 2026 update reflects recent regulatory developments, including Governor Newsom's Executive Orders (2022-2024) and formally integrates the Interim Well Permitting Requirements adopted by the Board in June 2023. It also addresses key groundwater and interconnected surface water management considerations that have emerged since the last major update in 2015, which followed adoption of the Sustainable Groundwater Management Act (SGMA) in 2014.

The updated WAA applies to project applications involving groundwater use through existing, improved, or new water supply systems, as well as proposals that would increase the intensity of groundwater extraction on a parcel. It will most commonly be required for discretionary projects that rely on groundwater, such as wineries, vineyard development, commercial uses, and certain residential projects.

By formally integrating these updates, the 2026 WAA establishes a cohesive framework that aligns local project review with state groundwater sustainability requirements, with the goal of achieving subbasin sustainability by 2042. The release of these draft documents represents an important step in protecting Napa County's groundwater resources and watersheds, while providing clear and objective standards for applicants and decision-makers.

The Public Draft 2026 WAA Guidance document was posted on the PBES homepage for public comment on March 27, 2026. Comments may be submitted through May 26th to groundwater@countyofnapa.org. The draft is available at <https://www.napacounty.gov/589/Planning-Building-Environmental-Services>.