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NAPA COUNTY BOARD OF SUPERVISORS MEETING  
COUNTY OF NAPA

RE: 10-B Director of Planning Building and  
Environmental Services requests direction  
On the adoption of an ordinance regarding  
Remote wineries

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TRANSCRIPT OF PROCEEDINGS

September 25, 2018

SUNSHINE LITIGATION SERVICES  
TRANSCRIBED FROM JAVS CD  
Transcribed By: GAIL R. WILLSEY, CSR #359, CA CSR  
#9748

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A P P E A R A N C E S

Chair Brad Wagenknecht  
Supervisor Ryan Gregory  
Supervisor Diane Dillon  
Supervisor Pedroza  
Supervisor Ramos



1 Division to join me this morning.

2 So I think it's -- what I want to do is tell  
3 kind of a brief narrative story in some ways. I think  
4 what and I'm kind of reframing what the information  
5 the staff report -- I won't bother to present that.

6 I think what we've seen over the past  
7 especially 10 years in particular is that as the  
8 valley floor has become either developed out, there  
9 are parcels -- there are 10-acre parcels that don't  
10 have wineries on them within the AP zone but there  
11 aren't many of them. The valley floor has more or  
12 less gotten very close to being developed out and has  
13 gotten very expensive to develop out. Prices  
14 especially in the Oakfield --inaudible -- area are  
15 \$500,000 an acre now.

16 So as the wine industry has continued to grow  
17 in Napa County and as the valley has become either too  
18 expensive or unavailable, we've seen a lot of the more  
19 recent winery growth that's been occurring as far as  
20 new wineries, not expansion of existing wineries, but  
21 new wineries have increasingly been developed in the  
22 hillside areas particularly in the areas east and west  
23 of the valley.

24 As noted in the Staff Report, of the 500 or

1 so physical wineries that we have in the county,  
2 almost 60 percent now are located in the AW zone which  
3 also includes the Los Carneros area but generally are  
4 not located in the historical preserve. So it's  
5 60 percent are now. The majority are not located in  
6 the area that's traditionally been associated with  
7 wine making in Napa County. So that's one trend, one  
8 development.

9 As these wineries have moved out into the  
10 hillside areas, we've seen more and more -- since they  
11 now represent a majority of the wineries in Napa  
12 County, we've also seen these wineries be located on  
13 the majority of what are essentially local roadways.  
14 Local roadways, under the general planning road  
15 classification, are two-lane streets. They're the  
16 lowest classification of street still allowed for  
17 businesses and homes, but they are the smallest unit  
18 of roads. So we're seeing more wineries not located  
19 on Silverado Trail, not located on Highway 29, not  
20 located on the major roadways within the county but on  
21 more of the minor roadways in the county, places like  
22 Sage Canyon or Soda Canyon or Dry Creek Road.

23 So it's second -- and while these wineries  
24 are not exceeding the level of service that's

1 referenced in the adopted general plan because they  
2 don't trigger the threshold that the plan has adopted,  
3 it's still a significant increase in traffic, from the  
4 local resident's perspective. It's not significant  
5 from a traffic congestion or management perspective  
6 but it's a noticeable increase for the traffic that  
7 was there ten years ago for the residents as the  
8 wineries push out into the hillside areas many of  
9 which have a number of homes in them.

10           Lastly, as wineries have pushed out into the  
11 hillside areas, they are being located on properties  
12 that may have -- may require more frequent variances  
13 because of slopes and other site features and also may  
14 not be as suitable or may not have much land that is  
15 suitable for planting. So we're increasingly seeing  
16 wineries that are -- may not have vineyards associated  
17 with them that are just wineries by themselves with no  
18 grapes on the site. Others still may have grapes  
19 under ownership or control elsewhere in the county or  
20 they may not. That's not a requirement. The  
21 requirement is that they have 75 percent of the source  
22 grapes within Napa, not that they actually own or  
23 control those grapes directly. However, most of these  
24 wineries are also fairly small as noted in the Staff

1 Report. The wineries in the hillside areas are  
2 generally about half the size in terms of production  
3 of the wineries in the AP zone and have maybe a  
4 25 percent of the visitation rates as the wineries in  
5 those areas.

6 So we're seeing a proliferation of small  
7 wineries into the hillsides on local roadways and in  
8 some cases, that don't have any vineyards attached to  
9 them. So that has created some questions about  
10 whether this type of winery development is appropriate  
11 and if so, how it should be regulated or changed in  
12 the future. Those questions have been manifested in  
13 several of the appeals that have come to the board in  
14 the last year or two, most notably Mountain Peak and  
15 Casas of the Canyon but also the Dry Creek appeal  
16 which was drawn before the board had a chance to hear  
17 that. Several of these questions arose on all three  
18 of those projects and there are others currently that  
19 are coming before the Planning Commission that have  
20 similar issues as well.

21 The 2010 memo that referenced the word  
22 "remote winery" did not include any context or  
23 definition for what a remote winery -- what  
24 constitutes a remote winery and so for staff for the

1 applicants for the public of the Planning Commission,  
2 we're recommending that the Board provide some  
3 direction to staff, should they decide that action  
4 needs to be taken with regards to this trend in winery  
5 development. That if the Board so wishes, that they  
6 direct staff to prepare an ordinance that the Board  
7 intends any regulations or requirements that they wish  
8 to place on these types of developments to apply  
9 uniformly for all future they -- forward going  
10 modifications in new wineries and that we provide  
11 general direction. We're not looking for -- my  
12 request would be that the Board not provide  
13 necessarily detailed information because that will  
14 come about through the public process, through staff  
15 meetings with stakeholders both the industry and the  
16 public, through environmental review of the project,  
17 through Planning Commission hearings. And the Board,  
18 at the end of this process, would have a chance not  
19 only to weigh in throughout that process but also when  
20 and future ordinance would come back before it for  
21 final adoption but we need a starting place.

22 So I'm just not looking for 80 percent  
23 engineered drawings, I'm just looking for a starting  
24 place from the Board as to what -- is there a concern

1 if so what are the concerns and any suggestion about  
2 how staff may want to go forward in addressing those  
3 concerns.

4 THE CHAIR: I've never turned in 80 percent  
5 drawings yet. Good. Thank you for the introductions,  
6 are there questions from the Board at this moment?

7 Supervisor Gregory?

8 SUPERVISOR GREGORY: It might be important  
9 for me to mention how this started with me, and I  
10 think we're all looking at it from different lenses  
11 but we had a recent application that was denied by our  
12 Planning Commission. It came to us on appeal but it  
13 was pulled last minute before we could act on it. But  
14 there wasn't a lot of love for that project, it had  
15 zero agriculture, it had zero --

16 So that's where I'm coming from, that was a  
17 problem. I don't think that project should have been  
18 submitted and I know we had a Planning Commission  
19 struggling with that, using that as a base for their  
20 decision but they didn't have a policy backup. So for  
21 me, that's why I'm here but I do -- and I've got some  
22 other questions that maybe after public comment but  
23 I'm really interested in hearing from the public on  
24 this.

1 THE CHAIR: Okay.

2 I don't see any other questions right now  
3 from the Board. I will open it up to the public at  
4 this point. I will mention that we have gotten quite  
5 a bit of correspondence on this and that comes into  
6 our thinking and so.

7 Now, public what are you thinking about this?

8 THE SPEAKER: Good morning Supervisors,  
9 Michelle Novi with the Napa Valley Vintners.

10 I don't have any comments about the substance  
11 of what Mr. Morrison said but rather a comment about  
12 the procedure.

13 As many of you know, in order for the NVV to  
14 take an official position on any issue, it usually has  
15 to go in front of our Community and Issues Committee.  
16 From there, they make a recommendation and then that  
17 goes to our board. Our CIIC committee meets the first  
18 Thursday of every month and then the NVV board meets  
19 the following Thursday. We only found out about this  
20 proposal being heard here about 10 days ago and so  
21 unfortunately, we can't offer any feedback and we  
22 would very much like to do that.

23 My recommendation would be that Director  
24 Morrison and perhaps one of the members of the Board

1 of Supervisors joins our upcoming CIIC meeting on the  
2 first Thursday of October. I think that's the 4th or  
3 6th to discuss the issue and let the committee provide  
4 some substantial feedback.

5 On another note aside from this discussion  
6 and I appreciate just how much is on the Planning  
7 Department's plate but in a community like ours that  
8 is solely focused -- not solely but largely focused on  
9 agriculture, to be having discussions around these  
10 types of policies right in the middle of harvest is  
11 very challenging. I'm sure it's challenge for the  
12 Planning Department to contemplate not bringing these  
13 types of policies for a whole three months out of the  
14 year. Of course, the fire has affected our timelines  
15 as well but in order for groups like the Vintners and  
16 the grape growers and the Farm Bureau and the wine  
17 growers to meet with our members and provide  
18 meaningful and thoughtful comments that will help make  
19 policies more effective, it's really important that we  
20 discuss this when it's not in the busiest time of  
21 year. So thank you.

22 THE CHAIR: Thank you.

23 Yeah, I think as Supervisor Gregory said, a  
24 lot of this came to us kind of in the back door by --

1 we would have had a project that a lot of us had  
2 questions about and we might have been able to answer  
3 some of that that way. So we're just in the start of  
4 this process and I'm sure we'll have somebody come and  
5 visit and talk this through with the Vintners and  
6 other groups.

7 THE SPEAKER: Good morning Supervisors, Kelly  
8 Anderson. I'll be speaking on behalf of Saveral  
9 Angwin this morning. And I really appreciate this  
10 effort to discuss appropriate locations for rural  
11 wineries.

12 Saveral Angwin, as you know, is a volunteer  
13 grass roots organization, and we're dedicated to  
14 protecting and preserving the rural setting and  
15 community character of Angwin. We have participated  
16 in the Napa County general plan update arena APAC. We  
17 have been there.

18 One thing that I think is important for all  
19 of the areas of Napa County not just -- well, I'll  
20 talk about this specifically. In the agriculture  
21 preservation and land use element of the general plan,  
22 Ag Use Land 57 says, "The county shall seek to  
23 maintain Angwin's rural setting and character while  
24 providing opportunities for limited commercial

1 services focused on the Angwin community."

2 At this time, the Howe Mountain Vintners and  
3 Growers show 15 wineries located in Angwin with  
4 tasting rooms. I venture to guess there are more  
5 opportunities to taste in Angwin than 15. We, in  
6 Angwin, do not consider tasting rooms a local serving  
7 business. We are concerned about impacts to our  
8 neighborhoods and the safety of our families when we  
9 are reaching out into these roadways that people  
10 basically live on.

11 One example I'd like to give to the road bike  
12 people here is Ink Grade Road. We've all ridden up  
13 that road and you know the character of it, yet it is  
14 probably the number one large tour bus destination end  
15 point I'll call it Angwin. So we're putting Humvee  
16 size limos down Ink Grade Road at night for different  
17 winery-related events and as we learned at some recent  
18 fire-wise meetings, the proposed escape route, should  
19 we have a fire in Angwin, is down a gravel road off of  
20 Las Posadas down to the 4-H camp. So we're really  
21 confronted with an isolated mountain top and how many  
22 more visitors can we handle up there. We're of course  
23 concerned about the impacts to groundwater and waste  
24 water disposal. I'm welcoming more discussion about

1 this obviously.

2 I do have some questions. In the Staff  
3 Report, it mentioned the issue of sustainability and  
4 estate-grown fruit and I'm wondering and this is a  
5 question. I don't know the answer, Napa County is an  
6 Appalachian. So is an AVA Napa County. So if you're  
7 growing fruit in the Los Carneros and you're bringing  
8 it up to Mount Veeder, is that considered estate  
9 grown.

10 So we are kind of talking about estate grown  
11 being sustainable, and I have a question about what  
12 that means. So basically Saveral Angwin really  
13 appreciates this opportunity to participate and we  
14 seek to protect our residence and our neighborhood.  
15 Thank you.

16 THE COURT: Thank you. Further public  
17 comment?

18 THE SPEAKER: Good morning. My name is Chris  
19 Malin. I now live at 2945 Atlas Peak Road.

20 THE CHAIR: Congratulations.

21 THE SPEAKER: Okay. Where we built our home  
22 40 years ago and lost it in the fire but we're up  
23 there temporarily in housing, so that's great. But  
24 with that experience, I have a little story for you.

1           Three times on Atlas Peak Road, I've been  
2 totally blocked from getting off the mountain from  
3 16-wheelers, 18 wheelers, if you can believe that,  
4 jackknifed on Atlas Peak Road telling me that they're  
5 making deliveries to vineyards, wineries, whatever.  
6 The last time it happened was 2018. I actually had to  
7 go home and get our tractor and help guys that showed  
8 up straighten it out because the Highway Patrol could  
9 not get around the corner to pull the truck out of the  
10 ditch jackknifed across Atlas Peak Road. It took us  
11 half the day to get it straightened out. Then the  
12 Highway Patrol did cite him because we straightened  
13 him out twice, and he decided he could go back up, so  
14 he jackknifed again. So the Highway Patrol took a  
15 long time to get there and when he got there, he did  
16 cite him.

17           Another time a tour bus came up there, who  
18 knows why, got lost but got jackknifed. Another time  
19 another truck got jackknifed but all three times, we  
20 couldn't get off the hill for six to eight hours, so a  
21 major problem. The truck traffic cannot negotiate  
22 those steep mountain turns. It also happened to me on  
23 Spring Mountain Road. About 10 years ago, a truck  
24 jackknifed and we had to go a whole other route and it

1 was closed all day.

2 The other thing on the wineries is they  
3 should dispose of their wastewater on-site. Palmos  
4 does that, I've seen their operation, it's pretty  
5 nifty. They use the wastewater on-site. So that  
6 should be a given. No hold and haul. There should be  
7 no hold and haul of wastewater off of wineries to East  
8 Bay Mud, that just shouldn't be happening. Then  
9 especially in the MST wherein groundwater depletion.

10 This ordinance, if it does come to be, needs  
11 to coincide with the fact that we have groundwater  
12 depletion in the MST. There should be a thorough  
13 analysis on how long large these wineries are, how  
14 many gallons they're going to be producing because we  
15 all know that they pump groundwater to make wine.

16 THE CHAIR: Thank you.

17 THE SPEAKER: Thank you.

18 THE CHAIR: Good morning.

19 THE SPEAKER: Good morning.

20 My name is Herman Frobe. I'm a resident of  
21 Dear Park. I've spent over half my life in the wine  
22 industry working in small rural wineries. I was  
23 impressed by Mr. Morrison's introduction regarding  
24 traffic load, winery location, et cetera.

1 I've owned my own label. At that time, I ran  
2 it out of my house and I made my wine at a large  
3 facility. I was allowed to store the finished product  
4 in a commercial warehouse. The only activity I was  
5 allowed to do out of my home was make phone calls,  
6 sales, business, paper, et cetera.

7 The advent of the Napa Valley wine auction,  
8 of course, led to the appreciation of Napa Valley as a  
9 destination, and we have seen the growth of these  
10 vanity labels. That's what we call it in production.  
11 These small operations, you know, small again you're  
12 going to have to define that but let's say 600, 1000  
13 case operations versus 5000 versus 10 versus 30 versus  
14 50. I'm not sure where you guys draw the line but  
15 small operations, it's the nature of the beast. They  
16 tend to want to become big operations. Then, you  
17 know, the traffic increases. Everything increases in  
18 dimensions.

19 You're all quite aware that we, as residents  
20 of Napa Valley, are already putting up with a lot. I  
21 mean, you know we hear fans. We hear refrigeration.  
22 We hear all this stuff. And okay, it's part of  
23 producing wine, right. It's production. Well, I'm  
24 next door to the Bremmers. You may remember my

1 comments and for all of us, these sort of small rural  
2 wineries with big aspirations have become a nightmare.  
3 Our roads flood now. We have traffic, we have  
4 accidents. The constant noise of construction and  
5 land use, bam, bam, bam, bam, bam, bam, beep, beep,  
6 beep, beep. The impact on us as residents are huge.

7 You know, I don't have a problem with a  
8 farmer producing his wine on his property but when  
9 these operations become bocce ball courts and wedding  
10 venues and concert things, you know, they look at the  
11 Mandavi's and wonder how come they have a concert and  
12 we can't. Well, they don't know it's been  
13 grandfathered. There's a lot of pressure and we, as  
14 residents, are indeed suffering. So that's what I  
15 have to say.

16 THE CHAIR: Thank you, Mr. Frobe.

17 THE WITNESS: Hi. Bernadette Brooks, 3103  
18 Dry Creek Road in Napa.

19 I want to say at a general level also, that  
20 this is a difficult time and short notice for all of  
21 us to participate in this. But my concern is that as  
22 we press into the hills and remote areas and truly  
23 local small roads, everything needs a variance, a road  
24 exception, this, that or the other thing. Then we're

1 being told by the Planning Commission well, you know,  
2 it would be even worse if we didn't give them this  
3 variance and exception because they would have to tear  
4 down more trees or they would have to affect more  
5 erosion.

6 What I say is no. If are rules are there for  
7 variance and exceptions, they should be really, really  
8 rare and instead once again, they are becoming the  
9 normal. We had this issue come up once before with  
10 APAC but now because of where these things are trying  
11 to be put, they almost can't be put on their sites  
12 without these things. The mitigations that are put in  
13 place for all of the different reasons why they don't  
14 fit well are becoming a nightmare for the Planning  
15 Commission's compliance.

16 You know, there's mitigations like saying  
17 well, we're going to put up walls. So if you have a  
18 300 person event, the sound decimal level in the hills  
19 won't bother your neighbor. Well, you know, who's  
20 going to be able to go there and even know they're  
21 going to do that necessarily. I know there's permits  
22 for special events but there's mitigations like that  
23 over and over and over again.

24 We're even hearing mitigations on what we

1 think is the key mitigation of groundwater extraction  
2 and measuring and then we have neighbors in our area  
3 who have asked for those reports that are mandated by  
4 the mitigations. They cannot get them for the last  
5 two years. They have no way of knowing that their  
6 next door neighbor who they believe is impacting their  
7 groundwater domestic needs, they can't get the reports  
8 that were part of the mitigation of their approval.

9 So the mitigations, the variances, the  
10 exceptions are getting out of control because where  
11 we're trying to fit kind of a 10-pound bag of potatoes  
12 in a 5-pound sack Thank you.

13 THE CHAIR: Thank you, Bernadette.

14 THE SPEAKER: George -- inaudible.

15 THE COURT: Good morning.

16 THE SPEAKER: Good morning.

17 This is a big issue, it involves devastation,  
18 access, fire, traffic. As was the issue of annexation  
19 that we talked about before, they all have the  
20 potential of impacting the future of Napa Valley.

21 Rightly so, you're placing a lot of resources,  
22 administrative resources on the strategic plan and  
23 hopefully by December 15th, I don't know how you're  
24 going that do it, but at least you may come up with

1 some suggestions about the future of Napa Valley.

2 So my suggestion is that you delay decisions  
3 like the one we were talking about before, annexation,  
4 which really at times could be a circumvention of  
5 major -- inaudible -- and this one. So this is my  
6 suggestion. Thank you.

7 THE CHAIR: Further public comment at this  
8 point?

9 THE SPEAKER: Good morning to the Board.  
10 It's Gary Morgan from up on Mount Veeder Road.

11 I live very close to one of the wineries you  
12 were speaking about that was turned down because it  
13 didn't have any vineyards on it. Also, the thing is  
14 is that that particular project had wanted a variance  
15 because it was steep which the Planning Commission  
16 looked at and said you must be crazy. The whole place  
17 on Mount Veeder is steep so why would you get a  
18 variance for that sort of thing?

19 These are some of the problems that we are  
20 having with the wineries coming up into the hills  
21 because we don't know what your objectives are. We  
22 really don't know how you see it and how you are going  
23 to manage it and neither does the Planning Commission.  
24 What we would like is really some guidance and some

1 leadership from you on this issue. I think that that  
2 would be most appropriate because we're really tired  
3 of the ad hoc basis as to how it's been decided in the  
4 past, you know, it doesn't make good planning  
5 decisions about what this is which is essentially what  
6 we're talking about. We think that this is a zoning  
7 issue about what you're going to do in the mountains  
8 and what you're going to do in the agriculture water  
9 shed.

10 So you've heard other people talk about it  
11 already. You heard Chris Malin mention about the  
12 risks. You know, these roads aren't places where you  
13 can have an easy detour around stuff. So there are  
14 major risks for you and for Mr. Letterer who is now in  
15 the audience, and we would like to see that, you know,  
16 we are considered. You know, is it a bigger benefit  
17 for the community in that area?

18 You mentioned Saboral Angwin and Kelly  
19 Anderson spoke about it here. What does this do for  
20 the community up there. If it's only dealing with --  
21 because somebody wants to put a -- I call it a 7-11  
22 winery, that's what we were going to have near us  
23 because it wasn't going to have any vineyard on it, it  
24 was just going to be a store front. This guy wanted

1 to just flip it.

2           So we're concerned about, you know, the  
3 future. We want to know what your view -- what your  
4 suggestions are for a uniform future for us to decide  
5 about what's going on in our neighborhood. We really,  
6 really do need that leadership from you. I think the  
7 strategic plan, as other people have mentioned, you  
8 know George mentioned that we -- we're looking for  
9 something. We're looking for something in there. We  
10 have the ability to come to speak to you about it but  
11 the proof is going to be in the pudding in December as  
12 to what you really want to do.

13           So please, step up, we would really enjoy it.

14           THE CHAIR: Thank you. We don't need -- wait  
15 come on up. I'm just -- let's keep the discussion  
16 moving.

17           THE SPEAKER: My name is Roxanne Hogan and I  
18 live on Fresian Drive in Angwin. There is a proposed  
19 winery on that road at this moment in front of the  
20 Planning Commission. We've lived there for 27 years.  
21 When we moved there, there were maybe three or four  
22 full-time residents. There were no wineries. There's  
23 some vineyards but there weren't any wineries. We let  
24 one winery go in with the stipulation that there would

1 be one visit a day, that kind of thing. Now there's  
2 many visits a day and of course events.

3 With this new one that's coming in, Fresian  
4 Drive is a very narrow -- I don't know if you've all  
5 been on but it's have narrow. There's a cliff that  
6 goes off. One car, so someone always has to back up.  
7 The problem with it is if we have a jackknife  
8 situation like the woman suggested or said that she  
9 had on her road, it's our only way out, in and out for  
10 our residence to get out. We have families with small  
11 children. We've had three dogs hit by cars as we were  
12 on the road because they go too fast. I put one of  
13 those little yellow men out a couple of months ago,  
14 and there isn't a day that goes by where he doesn't  
15 get run over. There's plenty of room to go around, if  
16 you're a car or a truck, even the grape trucks but  
17 they just go too fast. It is so narrow.

18 Where this winery is planning to go is  
19 another road that goes up and it's even worse. You  
20 would have to see it. I mean, they could go down this  
21 cliff and the two residents up there would have no way  
22 out if a truck blocked them. They also planning on  
23 bringing in grapes because their vineyard isn't big  
24 enough for what they want to produce. They also have

1 their own winery elsewhere. So we don't understand  
2 why it's necessary that they build a winery.

3 Everyone has talked about the technical  
4 stuff. The groundwater, we have those wonderful lakes  
5 that the Fresian family had the foresight to, you  
6 know, use for the community. There's already been  
7 problems in the lakes from the residue or whatever. I  
8 don't know all the technical stuff, but what I do know  
9 is quality of life. It's a private road, private and  
10 when we moved there, we assumed that meant things like  
11 this wouldn't occur. Unfortunately, they are  
12 occurring and I hope that maybe you'll see fit to do  
13 something about it. Thank you.

14 THE CHAIR: Thank you. Any other comments?

15 THE SPEAKER: Good morning, Michelle Benvito,  
16 Wine Growers of Napa County. As Michelle Novi said  
17 with the Napa Valley Vintners, this is really  
18 difficult to respond to an issue that you gave a Staff  
19 Report on Thursday and you have no time to meet with  
20 your members and discuss this, and this issue is  
21 complicated. I mean, how are we defining rural  
22 wineries.

23 Remoteness and access are very different.  
24 For example, in Hope Valley, you might have a winery,

1 it might be considered ruler but access may not be an  
2 issue. Also each application should be reviewed on a  
3 case by case basis taking into account the parameters  
4 of each site. We have examples of this already that  
5 have been mentioned, the Mount Veeder Winery, the  
6 Mountain Peak like already these are being looked at  
7 on a case by case basis, and different restrictions  
8 are being put on those.

9 There's also seems to be a misunderstanding  
10 about the intent of grape sourcing. The 75 percent  
11 grape sourcing is tied to maintaining the Ag Preserves  
12 legality and ability to not negate the commerce  
13 clause. Aside of all that, this is an issue that has  
14 a big impact on the wine community.

15 So as I mentioned earlier, I mean Director  
16 Morrison mentioned stakeholder meetings going forward  
17 but this seems backwards. Shouldn't we have already  
18 been having stakeholder meetings. To review the  
19 intended and unintended consequences of whatever is  
20 being discussed today.

21 I also wanted to correct a couple of things  
22 that have been said earlier for when groundwater  
23 depletion and MST. I mean as you guys have seen since  
24 you have added additional restrictions, that has

1 stabilized so the MST has stabilized. Also, this idea  
2 that everything needs a variance and is becoming the  
3 norm is inaccurate. Aside from the fact that wine  
4 growers and the wine industry in general has said we  
5 should not be granting variances willy-nilly, that  
6 there should be a very strict reason to grant a  
7 variance.

8 So maybe we could have Director Morrison talk  
9 about the issue of variance. I know that's been  
10 looked at in the past on how many is being granted and  
11 it's not every single application is needing a  
12 variance. So thank you very much.

13 THE CHAIR: Thank you. Thank you Michelle.

14 Further comments?

15 THE SPEAKER: Julie Ironoski, I live in Alta  
16 Heights.

17 I guess I want to invite and request really a  
18 deeper consideration of what the word "sustainability"  
19 means. In one of the reports, there was a comment  
20 tying sustainability to a estate production, and I  
21 think we need a fuller and more holistic, a more  
22 realistic discussion of what sustainability means. I  
23 don't see that happening in a lot of the planning  
24 discussions in Napa County.

1           Other people have spoken about the issues  
2 regarding water, traffic, increase of fire danger  
3 because people are moving more out into remote areas,  
4 access during emergencies, being able to leave your  
5 home in an emergency, but I just want to bring up two  
6 other questions that are really significant in my  
7 mind.

8           One is sustainability in terms of community  
9 support. I think everybody wants to continue support  
10 of agriculture in Napa County, but the more people are  
11 affected in ways that they can't control where they  
12 feel like they don't have a voice in the process and  
13 where they feel frankly sometimes bullied by the  
14 industry, that's really going to eat into community  
15 support for agriculture, for the Ag Preserve, and I  
16 think that's something that we should really think  
17 about because I think we want more people invested in  
18 protecting agriculture, true agriculture but that's  
19 limited by things like the bocce courts and the  
20 restaurants out in the AW and the parties that go on  
21 all night and other things that are disturbing and I  
22 want to get to the last thing.

23           Sustainability, there's nothing sustainable  
24 that doesn't have a limit. I think we really struggle

1 with the idea of limiting the wine industry in Napa  
2 County because we do see all the benefits that we get  
3 from it but there's nothing good without a limit.  
4 There's nothing sustainable without limits.

5 To the point of limits, I think we really  
6 have to look at the whole idea of the negative  
7 declarations that are being used. There's a winery  
8 that's going from 30,000 gallons to 100,000 gallons,  
9 that's going from, I don't know a five time increase  
10 of visitors. I don't have the statistics right at the  
11 front of my brain. This is proposed under a negative  
12 declaration. People look at this and they say how is  
13 this not going to have an impact in any one of the  
14 ways that has been brought forward today. Thank you.

15 THE CHAIR: Thank you, Julia.

16 Any further comments? We have two speaker  
17 platforms so one can be at the other one ready to go.

18 THE SPEAKER: David Heightsman up at Circle  
19 Oaks, President and -- inaudible -- Napa Watersheds.

20 A couple of issues I haven't really heard  
21 addressed specifically and one was that if you put a  
22 development if these are a development, let's call it  
23 like what it is, you're going to incur further  
24 development. You put a winery at the end of the road

1 where there aren't enough grapes to support it, you're  
2 going to encourage vineyards to go in there because it  
3 would be more sustainable. You're not going to have  
4 to be trucking them further. You're going to hear the  
5 sustainability argument and there's validity to it.

6 Any time you're going to put these wineries,  
7 you're going to get further development into the  
8 hillsides and that should be a concern and part of the  
9 plan because it's going to happen. I realize you  
10 don't have to do that and under Sequa you don't have  
11 to do that but you know it's going to happen. You see  
12 it happening throughout here. Okay, that was the  
13 first point. What was the further development going  
14 to be on and all the other problems that everyone has  
15 been bringing up.

16 The other one was an emergency plan. You're  
17 putting further impact to these communities. There  
18 should be an emergency plan. Okay. We saw the fires  
19 and we've addressed that. I've fought fires for  
20 three years, rangeland fires and specifically, didn't  
21 move up to Soda Canyon or Atlas Peak because of them  
22 and you saw the results. It's a chimney up through  
23 there. There's other places throughout the county  
24 including Circle Oakes incidentally, not as bad but

1 it's still there.

2           Could we come up with an emergency plan. One  
3 of my major concerns now is during earthquakes now  
4 that we know we're in an active seismic zone, the  
5 biggest danger for life in earth quakes isn't falling  
6 buildings, it's fires, alright. Can we have an  
7 emergency plan. If we have a fire and fires take off  
8 and there's a pretty damn good chance it can, your  
9 resources are going to be concentrated down in the  
10 city and rightly so. We're going to be left to our  
11 own resources up there.

12           There should an emergency plan of how the  
13 hell people can get out another way because you're  
14 going to be left on your own or if the fire takes off  
15 like what we saw, you're on your own until people can  
16 muster and you can get emergency responders up there  
17 and it's -- and that's difficult to do to coordinate  
18 emergency response like what we saw in the fires that  
19 we had, it's tough and it takes 24 to 48 hours before  
20 things are actually coordinated.

21           Could we have an emergency plan before  
22 anything else comes up there so we know where people  
23 can go whether it's grading a road out of there.  
24 Maybe people up in Atlas Peak there is the

1 right-of-way exists to take it down on the other side  
2 of the hill, some things like that. Let's think about  
3 the people that live here. Thank you.

4 THE CHAIR: Thank you, David.

5 THE SPEAKER: He said a lot of what I was  
6 actually just going to say. I'm Rebecca Dice. I live  
7 on Fresian Drive and of course, I'm looking at the Red  
8 Leg Ranch Winery application with great interest since  
9 it's several hundred feet from my bedroom window.

10 You know, we don't -- this as an agriculture  
11 area. We're excited about agriculture, to some  
12 extent, and it's important to the area but looking at  
13 the staff notes here, it's saying if we make some  
14 ordinances or, you know, kind of beef up the  
15 ordinances and define it, we might deny some  
16 applications and you know what, that may be entirely  
17 appropriate.

18 They're asking for a 30,000 gallon winery on  
19 a single-lane road, it's a private road. The county  
20 is never going to maintain that road, it will be up to  
21 the citizens. Historically, the wineries have not  
22 lived up to their agreements to maintain those roads.  
23 So as a resident on the road, I'm very concerned about  
24 my ability to get out with my children if there's a

1 fire. I'm very concerned about the groundwater, and  
2 I'm really concerned about the lakes. Fresian Lakes  
3 is the town water supply. If that project is  
4 approved, I feel like the water supply there for the  
5 entire town is at risk. So if we're limiting  
6 development in these areas especially on private  
7 roads, that may be appropriate. I don't think that we  
8 should be afraid to do that. Thank you.

9 THE CHAIR: Thank you.

10 We've had 12 speakers so far, how many more  
11 are we looking at? Okay, two. Why don't you come and  
12 be ready and then perfect.

13 THE SPEAKER: Cynthia Greu, Soda Canyon Road.  
14 Heads up, cell phones down. Thank you.

15 Last summer I spoke to you all about the fire  
16 potential on Soda Canyon Atlas Peak area, the fact  
17 that this has historically burned and it did again and  
18 the fire last October, the Atlas fire, well, I thought  
19 that the '81 fire, the Atlas Peak fire was the worst  
20 fire imaginable, it wasn't even close to last October.

21 You have approved three wineries on Soda  
22 Canyon Road in the last few years, two of them with no  
23 grapes at all with the idea or the argument that they  
24 would be getting grapes from Stagecoach where they

1 would be saving the trips down the road. There would  
2 be less movement of grapes up and down the road  
3 because of course they had a contract or a contracts  
4 and now those contracts are probably very much up in  
5 the air since Stagecoach has been bought by Gallo.

6 The wineries -- if you allow wineries in the  
7 AW in these remote areas and I don't think you should,  
8 there should no visitation. No visitation at all and  
9 they should only be allowed to use estate grapes.

10 One of the things Director Morrison said is  
11 that wineries in the AW tend to be smaller. Well,  
12 maybe initially but then they come back for their  
13 modification as we saw with Revery also on Soda  
14 Canyon, the caves of Soda Canyon. They violated their  
15 permit, but they were forgiven and given an increase.

16 So on Soda Canyon in the fire, let me just  
17 point out that if there had been an event at the -- as  
18 has been permitted, it hasn't -- it's still under  
19 litigation but Mountain Peak, if they were permitted  
20 and enjoying an event on that Sunday night of 150 or  
21 300 people and the event was getting out about 10:00  
22 when the fire started, they wouldn't have gotten out  
23 of there. Where would they have gone? Well, there  
24 were helicopter pilots that risked their lives getting

1 residents out of there. I mean, some of us -- I live  
2 four miles up the road and barely got out of there and  
3 a number of us were stuck behind a fallen tree. You  
4 can't increase that risk.

5 THE CHAIR: Thank you, Cynthia.

6 THE SPEAKER: My name is Keith Glance, I live  
7 at 390 Cold Springs Road in Angwin. I have lived  
8 there for 32 years.

9 I first came to Angwin in 1968 with my  
10 parents and attended Pacific Union Prep, Pacific Union  
11 College and have lived pretty much in Angwin ever  
12 since. I'm very well familiar with Cold Springs Road.  
13 When I was in college, we used to walk it, it was a  
14 gravel road, it became paved but with no base  
15 preparation.

16 A lot of the discussion this morning has -- I  
17 believe was supposed to be aimed towards defining  
18 "remote." My home is remote but yet I'm five minutes  
19 from the high school. I'm five minutes from the  
20 college. I'm five minutes from daycare. I'm  
21 five minutes from an Ace Hardware, a supermarket and a  
22 gas station. So how do you define "remote."

23 My immediate neighbors on my left, right and  
24 across the street combined have eight children who

1 ride their bikes on Cold Springs Road. My children  
2 used to ride their bikes back and forth to school.  
3 I'm very happy that they are grown and out of Angwin  
4 right now. To put a winery as is being sought at the  
5 end of Cold Springs Road bringing 18 wheelers and  
6 tankers, grape trucks, flatbeds with valley bins on  
7 them, just scares me to death when I think about the  
8 kids. It's bad enough with just us neighbors there.  
9 When we greet each other on the road, you put your two  
10 right wheels in the ditch and you very carefully pass  
11 each other. The winery workers do not do that. The  
12 winery vehicles do not do that. They have a mission,  
13 they have a job and they're trying to get it done.

14 My fear is that if we define "remote," that  
15 we create policy and if you create policy, then when  
16 somebody comes to you and says can we do this, you  
17 could say no, it's not in the policy or yes, it's in  
18 the policy. You don't have to think about it. You've  
19 got this wall of paperwork and words, it's our policy.  
20 You don't have to think about it.

21 Every one of these applications needs to be  
22 considered. Very little has been said about everyday  
23 safety. We've talked about fire safety. We've talked  
24 about disaster safety. My children, the children

1 across the street, like I said, it terrifies me to  
2 think of them under the wheels of an 18 wheeler. If  
3 that winery is allowed, it probably is going to happen  
4 some day. So the quality of life and the safety need  
5 to be considered. I appreciate your efforts here  
6 today. Thank you.

7 THE CHAIR: Thank you, Keith.

8 At this point, I'm going to return us back to  
9 the Board. You've heard from 14 folks having  
10 different things to say about this. I think they've  
11 helped us set parameters around this discussion or at  
12 least opened up some of the issues that we are talking  
13 about. This is meant to be a -- not -- this is not  
14 going to be anywhere near a finished product today.  
15 It's meant to be a start of this product.

16 So I see Supervisor Pedroza.

17 SUPERVISOR PEDROZA: Thank you, Chair.

18 There's a lot of good comments heard. You  
19 know, it's not often Gary and I agree on a lot but I  
20 will say Gary, I think you're right. We do have to  
21 show leadership. I think this is a critical point to  
22 talk about the future and the vision of Napa and a  
23 very singular issue.

24 For me, I'll kind of kick it off as

1 Supervisor Gregory said, you know, my district it's  
2 Atlas Peak Road, it's Soda Canyon. So I hear from my  
3 constituents about the challenges and concerns they  
4 have about wineries up rural network roads. I want to  
5 be consistent. I want to make sure that our Ag  
6 Community has a predictable, dependable process but  
7 also our residents know what the expectations are.

8 I think at this point, one of the concerns I  
9 see that really resonates, at least in my district,  
10 there's a lot to be discussed in the details but it's  
11 looking at the appropriateness of wineries that are  
12 going up these rural roads with no vineyards on-site,  
13 defacto custom crush facilities. I think there are  
14 better areas that are suited for this type of  
15 production. Look at Corporate Park, I think that's  
16 very appropriate.

17 So having said that, I think we do need to  
18 have a community discussion around this. There's an  
19 outreach component that will happen but a lot of this  
20 needs to happen with the five of us talking about our  
21 vision, talking about policy statements. Then we  
22 provide direction to the Planning Commission as well  
23 and I want the industries to provide comment. I  
24 understand it's a difficult time, but we're going

1 through a difficult time as a community, and we can't  
2 keep waiting to have some of these discussions.

3 So I hope that as we're going through this  
4 discussion, we're listening to the input of everyone  
5 but again, the problem I see and the problem I want to  
6 address is those wineries that are going up in rural  
7 areas that have no vineyards on-site. I do not think  
8 that's an appropriate use. I want to keep an open  
9 mind if there's a different way to address that. That  
10 may not be an estate component. I'm definitely open  
11 to that but I think we do need to start defining some  
12 of our tolerances, our vision and what the vision is  
13 for Napa and our community. I think this is a great  
14 starting point for me.

15 So those are some of my interests as we go  
16 forward.

17 THE CHAIR: Thank you.

18 Supervisor Gregory?

19 SUPERVISOR GREGORY: I'll start with a  
20 question either for C E O Tran or Director Morrison.

21 It was brought up that we're in the middle of  
22 a strategic plan, how does this fit. I think the  
23 reason -- well, first the strategic plan will be a  
24 broad document setting our priorities for the next

1 three years, it would very likely say do this, this  
2 thing we're doing so why wait. We're responding to a  
3 real topical issue of a project that withdrew itself  
4 and who knows what they're thinking. We need to do  
5 this sooner rather than later. How does moving this  
6 forward fit with our strategic plan, have you thought  
7 about that?

8 MR. TRAN: Yes, we have. In terms of the  
9 strategic planning, that is not to be mistaken to be  
10 -- inaudible -- amendment of zoning and things like  
11 that. So the strategic plan is intended to be all  
12 things inclusive. The County does many things  
13 including land use. So there is a distinction.

14 Obviously, this Board always has and can  
15 exercise its discretion in terms of giving forward any  
16 item. This -- inaudible -- is strategic -- inaudible  
17 -- land use, however, there's really no need to have  
18 to wait for that process because as you know, that  
19 process will take until December to finish.

20 So it's certainly up to the Board. Giving  
21 direction and I think that what Director Morrison is  
22 suggesting or proposing is getting direction from the  
23 Board going back because any type of planned use  
24 ordinance typically would have to go through the

1 Planning Commission and that by itself is a process  
2 that would involve public hearing opportunities.  
3 There will be time for notice. There will be time for  
4 stakeholder for input and things like that but having  
5 some general direction from the Board would be a  
6 tremendous help to get this started.

7 DIRECTOR MORRISON: I would agree with Mr.  
8 Tran. I would in most cases anyway but just this  
9 morning, the Board talked about annexation policy and  
10 in recent meeting, we talked about developing customs  
11 and standards on bird cannons. I'll be coming to the  
12 Board next month on the residential development and --  
13 inaudible -- sheds. The circulation element is going  
14 forward. The climate action is going forward.  
15 There's a number of processes that are going parallel  
16 to the strategic plan. The strategic plan, in my  
17 view, is intended to be a -- is intended to encompass  
18 every single thing the County is doing with 1400  
19 employees that would be impossible, it's really to  
20 prioritize what we're doing.

21 So I think it's is the Board's prerogative if  
22 they feel it's imperative that issues relating to  
23 remote wineries be addressed sooner, then I think the  
24 Board can give that direction to staff and we can

1 proceed without affecting the strategic plan. That's  
2 really up to the board how urgent -- if there's an  
3 issue and how urgent that issue may be.

4 THE CHAIR: I have to imagine also that if we  
5 were talking about this and there was -- in the  
6 community groups in the community meetings we were  
7 having, there was a strong push back against us  
8 looking at this, that we would hear that in the  
9 strategic plan and I don't think that's what we've  
10 heard in our discussions so far.

11 SUPERVISOR GREGORY: Maybe just some  
12 comments. I'll hopefully give you some direction to  
13 work with but again, I want also to get direction from  
14 the community and district partners.

15 So in going back to this project we keep  
16 talking about, you know, it was a -- I agree there are  
17 places for custom crush in certain areas of Napa  
18 County but to have a commercial building out in the  
19 middle of the Ag Watershed Zone up a rural road with  
20 zero agriculture I think would be the poster child for  
21 years to come of losing our connection to agriculture.  
22 So we've got to fix that.

23 Again, that's why we're moving this faster  
24 than anything else and the strategic plan. What's the

1 number. We know that to be AVA label, you have to be  
2 85 percent. There's these numbers out there, but I  
3 don't know what number is. That is getting into the  
4 business of making wine, and I'm not an expert so  
5 we'll need to hear more on that.

6 Where should the supply and really how do you  
7 define remote? Is this all of Ag Watershed are is it  
8 those properties along certain roads. I think we need  
9 to figure that out and really look at different  
10 scenarios.

11 I agree there should be some connection from  
12 visitation to a remoteness discussion and again, I'm  
13 not sure what that is but we need to define it. Last,  
14 I've heard a lot about carrying capacity in recent  
15 conversations. One real way to address carrying  
16 capacity is do you have land, do you have enough room  
17 for a septic system. That's the most physical  
18 manifestation of carrying capacity I can think of.

19 So that said, we're solving one specific  
20 thing that's come up recently but this is certainly a  
21 much bigger issue, and I look forward to digging more  
22 into it with our partners out there, all of you.

23 THE CHAIR: You're done?

24 SUPERVISOR GREGORY: Yes.

1 THE CHAIR: Supervisor Ramos?

2 SUPERVISOR RAMOS: Thank you, Chair.

3 I'm having thoughts and thinking oh, I think  
4 I said this before and I said much of this when we  
5 kicked off our strategic planning journey. One of the  
6 things that I had said that I think there's  
7 consideration and this is in fact doing that is the  
8 differences between the AP and AW.

9 I mentioned back in July that I think one of  
10 the things, as we venture down looking at our future  
11 and the way in which we carry out the general plan, is  
12 that we need to live within our means. So when I  
13 think about remoteness and what that means, I think  
14 remoteness is perhaps a word we need to be careful in  
15 use of because as was said, when you look at certain  
16 areas like Angwin, if you've got a grocery store  
17 there, you're not quite that remote. I used to live  
18 in Berryessa Estates and I could get Popsicle  
19 three blocks down the road but nothing else.

20 So I just want us to be careful in terms of  
21 the remote and think more in terms of access,  
22 accessibility in the roadways. I think that that is a  
23 key component for us here. We have the unfortunate  
24 benefit of understanding how important ingress and

1 egress is especially in a fire prone areas, and I  
2 think that we need to utilize that.

3           October causes me pause when I think about  
4 variances. Variances for roadways, for example,  
5 they're there for a reason. So when thinking about a  
6 remote winery, I think that the access whether they  
7 are the rural arterial roads or those single-lane  
8 roads. I think that's something that we certainly  
9 need to consider in a policy.

10           The other part is related towards the  
11 agricultural activity. We find ourselves I think in  
12 this really -- in this classic chicken and egg  
13 scenario because if we say -- right now I did the  
14 math, 56 percent of the wineries in -- 56 percent of  
15 the wineries are using some form of estate component  
16 of 20 percent of 40 percent or more of their  
17 production of an estate component. If we were to say  
18 have a policy that said you need to have an estate  
19 component, then we are in fact encouraging more  
20 development of the vineyards themselves.

21           So I'm cognizant of the fact that -- estate  
22 component to me was very informative in the Soda  
23 Canyon process when I helped those parties address  
24 their concerns, it was a very informative factor for

1 me in the Mountain Peak decision. In fact, something  
2 that we required as an additional condition of  
3 approval and the reason was there are grapes and they  
4 will stay off the roadways, that to me is what  
5 informed that estate component and those scenarios.

6 It's a different story to say there will be  
7 grapes that will stay off the roadways. To include  
8 the estate component, I absolutely agree with my  
9 colleague it very much is -- it enhances the  
10 agricultural connection, it takes away that commercial  
11 feel of there are no grapes on-site but what that  
12 threshold is I think we really do need to understand  
13 from the community, from industry groups, from  
14 everyone because how much more grape production will  
15 we mandate. That's what we would be doing if we have  
16 an estate component. This is -- it's different from  
17 those scenarios with Mountain Peak that have the grape  
18 contracts already in place.

19 So I just -- I don't want any custom crush  
20 facilities in these rural areas, that's for sure, that  
21 has no place. You are welcome in the 5th district.  
22 I'll find you space in the airport industrial area or  
23 out in the Corporate Park and we will welcome you with  
24 open hands and I'll be there for the ribbon cutting

1 but out in the hillside areas, custom crush facilities  
2 I don't think enhance the agriculture area of those  
3 portions. With that said, we have to be very cautious  
4 of the requirement of the vineyards, balancing that  
5 with the permitted capacity and the estate -- and all  
6 of the Napa grown crop.

7           The other one to me that is of concern is the  
8 hold and haul concept. Hold and haul to me is it has  
9 its benefits, it has its downsides. One of the  
10 downsides for hold and haul, when we look at the  
11 nature of the truck traffic involved with hold and  
12 haul going down to presumably East Bay Mud because  
13 that's the cheapest place to process this industrial  
14 waste water that is practically drinkable, it goes  
15 through our roadway system. So it's a full travel  
16 down through American Canyon and that number of just  
17 that increased whether it's one, whether it's two, yes  
18 it's a very small number but we need to consider the  
19 safety of all involved and that's the community nature  
20 itself but also the load -- the truckloads that are  
21 being put on to our roadways.

22           With regards to sustainability, I think  
23 sustainability needs to also consider the commercial  
24 aspect. One of the things that when we -- that has

1 troubled me is we permit the number of employees and  
2 we're not tying that necessarily to the capacity of  
3 the land itself and those roadways, it's really about  
4 life and safety, accessibility, what is a safe number  
5 of people to have present to and from including that  
6 travel up to these locations.

7           Then I'll just end with saying we have an  
8 amazing opportunity to allow the community to fully  
9 participate in this. I don't see that we would have  
10 any reason to proceed in the next couple of months  
11 without that valuable input from the strategic  
12 planning process. I think that's a great opportunity  
13 for others to weigh in, especially when it comes to  
14 our tolerance of where we want to go. I think that  
15 also gives us an opportunity to work with our industry  
16 groups, like issues that are more urgent and  
17 immediate. I think that is one that can certainly  
18 benefit from great input and allow us to move in a --  
19 move forward with a policy that is reflective of our  
20 community.

21           Supervisor Dillon said -- I think that's  
22 really helpful when she said in 2010, there wasn't the  
23 need to define this but now there is, and I think it  
24 would behove us to do so in a grander way than just

1 the five of us.

2 THE CHAIR: Thank you. Supervisor Dillon?

3 SUPERVISOR DILLON: Thank you.

4 I have so many notes written here. I know  
5 you asked for not having 80 percent drawings, but I  
6 think that one of the challenges we have right now is  
7 because we have not given specifics to this process  
8 and specifics are what are used at the planning desk  
9 when the applicant comes in and passes over the  
10 threshold to move towards the Planning Commission.  
11 Then perhaps if citizens have the energy and resources  
12 to appeal to get to here, I mean this is the challenge  
13 that we're addressing.

14 I think given what we all went through last  
15 October, safety issues are paramount in addressing  
16 this. I find it interesting that you briefly  
17 addressed the road, RSS, Road and Street Standards  
18 issue that's before the Board of Forestry right now  
19 and it's interesting to think that that requires a  
20 20-foot wide minimum road. Well, Fresian Road is not  
21 20 feet wide, it's 12 feet wide and the idea that it's  
22 okay to put a winery down there because the winery has  
23 no control over that part of the road. I mean, it  
24 defies common sense and parts of Cold Springs probably

1 are not 20 feet. I don't have a tape measure and  
2 haven't been on it.

3 I think perhaps one thing we could do is say  
4 that that road requirement has to apply to the public  
5 road, to all the access to the winery, if that's what  
6 we need our threshold of safety. I think I'm just  
7 going to throw out some suggestions here but this is  
8 the way I'd like staff to be thinking about this.

9 I think that -- I mean, Ms. Grupp made a good  
10 point. We would have had a disaster if there would  
11 have been a major event happening of any kind but we  
12 don't have control over somebody's private birthday  
13 party. The things over which we do have control like  
14 winery permits, you build in something that says --  
15 and it's just an example. I'm giving this as an  
16 example the direction I think we need to go. It would  
17 say, the event is automatically cancelled, if there's  
18 a high red alert, red flag warning.

19 I mean, what's left the room, so to speak,  
20 since 2010, is a common sense application of the  
21 guidelines. I understand how that's happened in the  
22 more competitive environment that we live in. The  
23 only way I think we can get around it is by bringing  
24 specifics back to the situation unfortunately. So

1 those are the kinds of things that I would like staff  
2 to creatively think about.

3 We've been talking about using vehicle miles  
4 traveled and car trips, not numbers of people since we  
5 had the Milca hearing several years ago and I know  
6 it's being proposed but let's put that in right now  
7 especially where -- in consideration of I'll just say  
8 new wineries in the AW because I think that is what  
9 the distinction is here.

10 I don't think every winery in the AW is  
11 necessarily considered remote. On one side of Silver  
12 Trail, it's considered AW and on the other side, it's  
13 AP or AR. So that can't be the threshold. Maybe we  
14 should be using a map to say where these special  
15 parameters are going to apply in terms of future  
16 winery development, a map that embraces width of  
17 existing road, not kind of road because they're all  
18 different in size, a map that addresses topography,  
19 maybe that's the threshold criteria -- the threshold  
20 look of when these criteria that we're talking about  
21 kick in because as has been said, defining remote and  
22 then it may not be what we need to define.

23 We need to be able to set some expectations  
24 so that we're not met with a situation we were met

1 with and I think Supervisor Pedroza said this of the  
2 Oakville Winery. I mean, those folks it was unfair  
3 for them to get that far through the process.

4 So this needs to be addressed sooner rather  
5 than later because every week, you have folks down at  
6 the front desk starting to go through the process and  
7 it is unfair for them to go through this process and  
8 then be met at the end with nope, this doesn't work.  
9 So they need to have reasonable expectations and  
10 that's a reason why we need to set these parameters.

11 I'm concerned about saying things like  
12 "estate grapes" and then if the vineyard has a  
13 problem, what are we going to build in there to say  
14 your vineyard has a problem. You don't get to haul  
15 grapes just to keep your winery in business; are we  
16 prepared to do that? I mean, those are the things we  
17 need to look at because if estate grapes was the  
18 reason for saying, oh, you're going to have less truck  
19 traffic.

20 I mean, we've got to have some expectations  
21 here that we set for the prospective business owner,  
22 the winery owner, of what's going to happen if they  
23 are seeking to have their business established in  
24 these certain areas. I don't want to call them remote

1 because of that five minutes from an elementary school  
2 situation. So I'll leave it at that and -- well, I  
3 won't leave it at that.

4 I'm curious about why we have to do an  
5 ordinance and go through that long process and why we  
6 could not have adopted a resolution as we did in 2010.  
7 At the end of your Staff Report, it says that you  
8 recommend an ordinance to ensure enforcement. I'm  
9 unclear because what we enforce ultimately are the  
10 conditions of approval. We're -- what we're doing  
11 here is defining the process for how you get to a  
12 permit with conditions of approval.

13 MR. MORRISON: No, Supervisor Dillon, you're  
14 exactly right. The conditions of approval are what's  
15 enforced for the use permit, the code, for anything  
16 not covered under the use permit. My concern is that  
17 the marketing guidelines established on the 2010 memo  
18 may not be perceived as being as enforceable as they  
19 are guidelines and not codified.

20 I think the Board can adopt a resolution, if  
21 they so choose. I just think that at the end of the  
22 day, if in a contentious code enforcement situation, I  
23 just think an ordinance is more defensible but I think  
24 that guidelines could certainly be used if that's the

1 Board's preference. I don't know if counsel has  
2 anything.

3 SUPERVISOR DILLON: We may need an ordinance  
4 for the menus and lunches and food situation but for  
5 this --

6 MR. MORRISON: Well, I guess like I said, the  
7 Board could -- my concern would be that some  
8 applicant's would say oh, well those are just  
9 guidelines so I'm not mandatorily obligated to follow  
10 them and so I'm going to submit my application anyway,  
11 that would be my concern. Guidelines are seen as not  
12 being as much of a statement of County practice as an  
13 ordinance would be.

14 SUPERVISOR DILLON: So maybe this needs a  
15 discussion at another time but it seems to me that a  
16 guideline that says we're not going to be favorably  
17 looking at putting a winery at the end of any public  
18 road that's less than 20 feet wide.

19 MR. MORRISON: Would set the expectation.

20 SUPERVISOR DILLON: Would set the expectation  
21 and then the winery either decides to go forward and  
22 gets a permit or doesn't, and I don't see that as an  
23 enforcement issue.

24 MR. MORRISON: Okay. We will take a look at

1 that. I think that's certainly a worthwhile option to  
2 consider.

3 SUPERVISOR DILLON: Yeah. All right. Thank  
4 you.

5 THE CHAIR: I appreciate what you're saying.  
6 Having lived through the 2010 and thought what we put  
7 there in resolution in guideline and how it's morphed  
8 into something else, I would like to do this better  
9 than what we did with the 2010 resolution that has  
10 been interpreted a number of ways and it would -- this  
11 process I would like if we're going to -- I think  
12 there's some value to doing a resolution but it should  
13 be pointing to that we're going to follow it up with  
14 ordinance to -- as we develop this whole ordinance to  
15 beef it up.

16 I have a couple of things to say. One of  
17 them is that one of the things that Mr. Morrison  
18 pointed out at the beginning of this is that we had  
19 about 500 wineries -- about 500 big boxes in the Ag  
20 Preserve Area and about 300 in the Ag Watershed  
21 because that's 60/40 and it's really nice to have 500  
22 as a number so that you can get that in your head, and  
23 that's still quite a few boxes in the whole Napa  
24 County.

1 I've just gotten back from traveling the  
2 Rhone Valley, the Moselle Valley and the Alsace Region  
3 in France. You look at the vineyards, and there are  
4 almost no boxes in those vineyards. Mostly the wine  
5 action is done in the villages. They do have small  
6 villages that are relatively centrally located in all  
7 of those wine regions. Mostly wine production inside  
8 in those small villages and not in the grape area of  
9 the agriculture. I can see some value to that.

10 So in my mind, we may not -- we may be  
11 talking already that we're near carrying capacity for  
12 the numbers of wineries -- numbers of large boxes that  
13 we have in the county. One of the issues and I was  
14 thinking of this in illustration, we don't have this  
15 rapid stream of permits coming. What we have is more  
16 kind of a rising tide. I used to try to build -- it  
17 was nice having Salmon Creek Beach in our -- in my  
18 growing up. We used to build sand castles by Salmon  
19 Creek. The creek was rushing by but you never worry  
20 about losing your sand castle because the creek is  
21 rushing by. You build it out on the beach and very  
22 soon the tide is coming in and over topping what  
23 you're trying to do.

24 What we have is oftentimes we make an

1 approval for a small project at a remote location and  
2 over time, that small project increases because it's  
3 being successful. It's doing what it does and it just  
4 increases. That's kind of what we feel we've had  
5 success of the rising tides in Napa.

6 So there's a real value for us having this  
7 conversation, whenever we have it, because one of the  
8 things -- and I've taken good notes from each of our  
9 supervisors, as we discussed it. I've taken good  
10 notes from the public comments also but taken good  
11 notes from each of our supervisors and each of them  
12 are talking about there needs to be some real clear  
13 indication that this tide can't continue rising the  
14 way it is because we're soon going to be over topped  
15 all around.

16 So there is concern in letting future  
17 developers, future winery owners, future folks know  
18 that is better to let them know now. My goal has  
19 never been to turn down projects. My goal is that we  
20 have clear enough rules and regulations and  
21 expectations that they -- that bad projects aren't  
22 coming forward and that we're not having to turn them  
23 down. I tell people it takes millions -- many no's to  
24 make a final, yes. Most of these projects come in and

1 they get changed around over time.

2 I think size of traffic, amount of traffic,  
3 the sustainability and the estate vineyard, those are  
4 all things that we should be talking about. Hold and  
5 haul, you know, one of the things that the size -- the  
6 size of road and requiring that you have water and  
7 sanitation at your place, it's natural constraints.  
8 So natural constraints should be taken into account of  
9 that project. I think that's -- those are the things  
10 I want to say right now.

11 Supervisor Ramos?

12 SUPERVISOR RAMOS: Thank you.

13 I forgot to ask for this but I think it might  
14 help at least to inform the conversation a little bit  
15 more for me is if we take maybe I don't know what a  
16 good measure of time would be, if eight years is too  
17 much but if we look at the requested variances for  
18 projects that have occurred in the AW, those that have  
19 come up on appeal and what the nature of those are, I  
20 know there are a number of them that we've seen,  
21 roadway standards and driveway variance -- roadway  
22 standards, variances, left turns, just accessibility  
23 type variances is really what I'm looking at and then  
24 also setbacks. That's the other one that comes to

1 mind when we look at this. I think that would help to  
2 inform the process.

3 I think one of the -- we have a set of rules  
4 of which variances have been requested and now we're  
5 being asked to clarify further. So knowing what is  
6 working, what isn't working I think would certainly  
7 help to inform the process a bit better for me.

8 THE CHAIR: Thank you, that was a robust  
9 conversation about remote wineries and hopefully -- I  
10 know I've got a good number of things talked about.

11 C E O Tran?

12 MR. TRAN: Thank you, chair.

13 Would it be helpful -- I know staff has taken  
14 a lot of notes and the video is also available too but  
15 would it be helpful for staff to sort of summarize and  
16 capture all the main points. Also, a lot of ideas are  
17 put out here today and I thank Supervisor Gregory for  
18 asking the question about strategic planning. This I  
19 do so as a complimentary item too what is going on  
20 because the County's business goes on as normal. We  
21 don't stop and wait. We don't -- what needs to be  
22 done will be done. We don't need to stop and wait for  
23 anything.

24 So that maybe a summary maybe if available,

1 just a highlight summary of that and then in addition  
2 also to manage expectations is the timing as to when  
3 should the timing for some of these items to come  
4 back, all of them to come back so that way we have a  
5 clear understanding because staff does have a lot on  
6 their plate and it would helpful to sort of get that  
7 direction.

8 THE CHAIR: I think that would be helpful to  
9 be able to see what was said and what we talked about  
10 and kind of some -- kind of a path forward from there.  
11 Thank you.

12 MR. MORRISON: Certainly and these are in no  
13 particular order.

14 The question of whether a site can support  
15 its own septic system requires hold and haul.  
16 Question of no custom crush on rural roads. The  
17 accessibility in general and traffic safety with  
18 regards to roads. A connection between visitation and  
19 remoteness was mentioned. Safety especially  
20 cancelling marketing events if a red flag warning is  
21 in effect. Not going by the AW zone but by using a  
22 map looking at such things as road classification  
23 topography. The question of whether this should be  
24 guidelines or an ordinance and including numbers on

1 accessibility and setback variances are exceptions. I  
2 would probably just include -- inaudible-- exceptions  
3 in that as well in case there was any interest in  
4 that.

5 Those are the general areas I heard. I heard  
6 several of these items mentioned by more than one  
7 board member, and I think staff has a very good sense  
8 of how to proceed forward and very much appreciate the  
9 discussion this morning.

10 THE CHAIR: Good, good. Yeah and I realize  
11 that each of us have probably a small item that we  
12 mentioned that we didn't hear but we'll get to opine  
13 on that when you come with our compiled list.

14 MR. MORRISON: As always, Planning has a very  
15 lengthy and publicly involved process, and there will  
16 be many opportunities for board members, if they have  
17 forgotten anything, if they wish to let either Mr.  
18 Smith or myself know at future hearings. So there's  
19 plenty of opportunities for further comment.

20 THE CHAIR: Thank you.

21 MR. TRAN: And I'm sorry, the second item was  
22 timing and the expectation or leaving that to staff?

23 THE CHAIR: Yeah, at this point, I realize  
24 you have to judge what we can do. But I think it's

1 helpful to have the discussion out there in the  
2 community so that there aren't any surprises.

3 MR. MORRISON: I think Mr. Tran was referring  
4 more to in terms of managing workload and priorities  
5 if the Board has an expectation about when they wanted  
6 this to come back so the staff can adequately try and  
7 gauge how much -- where to fit this in with the other  
8 directions that we received.

9 THE CHAIR: That might be helpful in your  
10 recitation of what was said today to put down, "Here's  
11 what our workload looks like right now," in one  
12 sentence format and then we can see what that looks  
13 like.

14 Supervisor Gregory?

15 SUPERVISOR GREGORY: I just want to clarify  
16 when you say come back, do you mean come back to us or  
17 send to them and the Planning Commission; what are we  
18 talking about?

19 MR. MORRISON: Well, I think that -- my  
20 thought was and I'm certainly open to correction by  
21 the board, was that staff would start to put some  
22 details on these items in working with the community  
23 to develop how these concerns that the Board has  
24 addressed, how they might be stated in either

1 guidelines or an ordinance and then to circulate that  
2 draft to the public. Why it maybe hearing from at  
3 least Chair Wagenknecht and interest in having a  
4 summary memo including what items that were discussed  
5 as well as an overview of workload and whether that  
6 would be just provided to the Board as an  
7 informational item or to come back as another  
8 discussion item. I'm not sure what the Board's  
9 pleasure is.

10 THE CHAIR: I'm not sure either.

11 Supervisor Dillon?

12 SUPERVISOR DILLON: Yeah. I think you ought  
13 to come back with -- I mean, you recapped verbally but  
14 I'll just say I don't think the idea I was presenting  
15 was captured except to some specific aspect of it.

16 So I think you need to come back to us and  
17 that's just me and perhaps that happened with others  
18 and you were doing that on the fly and from your  
19 written notes. So I think coming back to us with some  
20 clarification on direction, and that can happen sooner  
21 rather than later in a week or two because it's  
22 refining direction and then there would be engagement  
23 with --

24 MR. SULLIVAN: Yeah, absolutely. The next

1 regular board meeting is October 9th. That's been set  
2 aside or emergency preparedness so the 16th.

3 THE CHAIR: But looking at sometime in  
4 October would not be a bad thing.

5 Supervisor Pedroza?

6 SUPERVISOR PEDROZA: I think that's a great  
7 approach. Maybe coming back, David, with the comment  
8 about visitation, I think we already have tools in  
9 place to address that. So if there are something that  
10 we're already doing, including that in summary. And  
11 also some of the history of these topics because we  
12 have talked about some of these in the past so include  
13 that in the analysis that you present to us or the  
14 summary.

15 THE CHAIR: It's getting bigger.

16 Okay, Supervisor Ramos?

17 SUPERVISOR RAMOS: Thank you. This is  
18 sounding like a binder and not a memo.

19 Words matter and I'm concerned with  
20 continuing to call this "remote wineries." I think we  
21 really need to come back to our tool kit at zoning and  
22 what we're really talking about and to be very careful  
23 with rural as well. It doesn't inform our process to  
24 use rural and remote. I think that all the

1 supervisors have opined as to what does inform the  
2 process of what we're looking at and for us, it's that  
3 sustainability and living within our means and from  
4 the roadways, from carrying capacity all those things.

5           So I'd really like to make sure we encompass  
6 that, define it differently. I'm very concerned about  
7 the further development of how the conditions of  
8 approval come into this mix here. I think that would  
9 be something for staff to speak with County Council  
10 about of whether this would require a different  
11 standard set of conditions of approval for those areas  
12 going forward and what that -- what is our flexibility  
13 in terms of creating essentially a second set of  
14 conditions of approval for those areas affected by  
15 this potential policy change.

16           THE CHAIR: Thank you and thank you for the  
17 discussion.

18           We're going to take a break, it will be  
19 12 minutes, according to the clock I see. We'll be  
20 back at 11:30. We need to be done at noon.

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22           (The discussion was concluded.)  
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STATE OF NEVADA        )  
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COUNTY OF WASHOE     )

I, GAIL R. WILLSEY, do hereby certify:

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GAIL R. WILLSEY, CSR #359