

Dear Supporter of Measure D,

Beginning a few weeks ago, the Barretts who had challenged the legitimacy of Measure D in the courts, expressed the wish to avoid the trial scheduled in Federal Court beginning March 23<sup>rd</sup> and submitted a proposal for a settlement.

This draft was submitted for my approval during a conference at County Counsel Mr. Brax's office in the presence also of Counsel McGinley-Stempel of the Renne Public Law Group which the County had engaged to defend the Barrett law suit. Prior to this meeting and before the settlement document was received, I had a conference at the Renne office in San Francisco. At the time the sentiment was that we would prevail in the law suit - though anything could happen- but it was also anticipated that whichever party lost would file an appeal. An expensive and lengthy process.

After reviewing the draft I made several changes to the language all of which were conceded by the Barretts resulting in the document as it appears on the link below.

The Barretts themselves gain absolutely nothing by this document compared to the text of Measure D. They still are not allowed to fly their helicopter from their home or winery, nor can they apply for a permit to do so as personal use helipad permits are no longer possible in Napa County. However, they avoid the huge costs of an appeal. Secondly, the law suit was also brought by a pilot's association group and the text additions help clarify the meaning of the word "unavoidable landing" during aerial vineyard operations, something judge Alsop had questioned as being vague. (If the word "unavoidable" needs further definition, we are in trouble), but vagueness can be grounds for invalidating an initiative. The clarifications in the approved document gave more clarity to the aerial operators when a landing is unavoidable.

On a side note, aerial operations in Napa County are in the decline (fewer than 20 aerial spraying permits were granted by the Ag Commissioner in 2019) and are being replaced by drones. The Napa airport has an entire Yamaha drone unit now.

As Mr. McGinley states, the case is now over, no more private heliports, no personnel, managerial or visitor transport by helicopter to vineyards.

I thank you all for your support, in research, signature collecting, moral, legal and financial. We have insured that the Napa Valley will be enjoying the peace and quiet it deserves for the benefit of all including wineries and vineyards, something also the Barretts will benefit from.

It also makes evident that citizen engagement as arduous and expensive as it may be is sometimes the only way to insure the future of this valley. I decided that my next project will be to insure that the safety of our hillside residents is not being compromised by development which clogs the narrow escape routes and ones without secondary accesses deep into our mountains.

We will give the County ample notice and offer as much cooperation as it may choose to seek towards an effective remote winery ordinance to achieve this goal.

George