

From: Bill Hocker <bill@wmhocker.org>
Subject: Fwd: Protect Napa Property Rights - WEDNESDAY HEARING
Date: March 5, 2019 at 6:06:14 PM PST
To: Brian Bordona <Brian.Bordona@countyofnapa.org>, "Morrison, David" <David.Morrison@countyofnapa.org>, joellegPC@gmail.com, Dave.Whitmer@countyofnapa.org, anne.cottrell@lucene.com, Andrew.Mazotti@countyofnapa.org, JeriGillPC@outlook.com

Commissioners, Dir. Morrison, Mr. Bordona,

For some reason I received a copy of [this email](#), and, perhaps unfortunately, I just can't avoid commenting.

From the email:

"WOW! That [the > 30% ban] has major, major implications for any landowner, hillside grape grower, architect, contractor, landscaper, subcontractor, real estate broker, and ultimately the owner of any house in Napa County. "

and

"In these times of housing shortage, shouldn't Napa County be looking at opportunities to ADD housing, not STOP housing?"

The vision in the email compares Napa's hills to those of Berkeley and San Francisco as a buildout scenario model.

The idea that the steep areas of the watersheds are being seen by the development community principally as places for real estate speculation and building projects should only encourage the County to solidify its efforts to protect these areas now while they can. The intent of most of the County's land use policies in the last 50 years has been to prevent urban development of agricultural and open space lands. Until now, the county's wine industry stakeholders have viewed housing development as anathema to the continued viability of their industry. It was their principal concern in the creation of the Agricultural Preserve and the reason they and other residents supported the restriction of property rights that the ordinance required.

Measure C and the ensuing discussion has, quite appropriately, raised concerns about water quantity and quality in further vineyard conversion in the watersheds. It has also raised concerns about GHG generation in converting old growth trees and undisturbed soil to new vineyards, and it has raised concerns about habitat loss as more land is cleared and fenced off. Scientists can, and will, argue both sides of the environmental benefit and harm done by converting the natural environment to agriculture. And if the County errs on the wrong side of reality, natural lands can still be converted to agriculture 50 years from now, or, alternatively, water-starved vineyards and polluted waterways can be left to return to a natural and healthier ecology.

But given this email, it is fairly easy to see what the stakes really are in the watersheds: it is not about agriculture or nature; the real danger is the irreversible urbanization of the watersheds that will eventually overwhelm their value

for anything other than building sites.

Even now, as we witnessed in the epic battle over Walt Ranch, the issue of vineyard conversion is often no longer about grape production. It is about land speculation based on vineyards as a landscaping element in the development of good-life fantasies, whether for trophy homes or vanity wineries.

The danger of housing development to the maintenance of a rural and agrarian based economy was the impetus behind the 1968 Ag Preserve. Since then, that wisdom has been has been reiterated as official policy.

Uncontrolled urban encroachment into agricultural and watershed areas will impair agriculture and threaten the public health, safety and welfare by causing increased traffic congestion, associated air pollution and potentially serious water problems, such as pollution, depletion and sedimentation of available water resources. Such urban encroachment, or 'leap-frog development,' would eventually result in both the unnecessary, expensive extension of public services and facilities and inevitable conflicts between urban and agricultural uses.

- From the findings of Measure J, Agricultural Lands Preservation Initiative, 1990

While other Bay Area counties have experienced unprecedented development and urban infrastructure expansion over the last four decades, Napa County's citizens have conscientiously preserved the agricultural lands and rural character that we treasure.

- From the vision statement of the Napa General Plan 2013

The County and the municipalities are already succumbing to the demand for more housing projects, the result of a commitment to their approval and construction of labor-intensive tourism facilities. But, while the embrace of housing is bad enough for a county that purports to treasure rural character, let's not confuse the need for affordable worker housing with the demand for more luxury housing which the real estate developers posit in their email. The county may not have the right to prevent houses on properties (although I've never understood why) but they do have the right to set restrictions on their development for the sake of a greater good.

If the adoption of these new regulations prevents or slows the construction of new buildings in the watershed areas of the county, and protects the rural character that residents and visitors treasure here, then that alone is enough to justify the enactment of the regulations. Should it also preserve and protect our water resources and also do our small bit to prevent the extinction of our species from the threat of climate change, so much the better

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