

June 16, 0214

Wyntress Balcher
Napa County PBES
1195 Third Street, Second Floor
Napa, CA 94559

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JUN 16 2014
Napa County Planning, Building
& Environmental Services

RE: LMR Rutherford Estate Winery
Project Revision Statement (P13-00167 & P13-00185)

Dear Wyntress:

As we indicated at the June 4 hearing, the Applicant has amended its use permit and variance applications to propose that the winery building be located approximately 160 feet from the centerline of State Highway 29. Enclosed please find the following plans and materials:

- Amended site plan
- Demonstrative site plan for adverse impacts of 600' setback location
- Impact summary
- Draft Variance findings and analysis
- Potential Agriculture Conservation Easement Exhibit Map
- Email from Septic Engineer (RAMM) confirming the existing septic feasibility report is adequate for the proposed winery at the 160' setback location

The Applicant also is revising its proposed visitation program based on comments received during the June 4 hearing. Both changes are addressed further below.

Variance

The staff report for the June 4 hearing included variance findings for which staff recommended approval. Based on Commissioner comments during the June 4 hearing, we have provided suggested variance findings that incorporate and expand upon staff's recommended findings. The enclosed findings support grant of the variance and greatly exceed the level of support provided for similar variances approved by the Commission in the past.

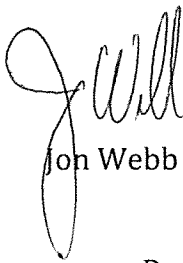
Visitation

The Applicant initially proposed 50 tours and tastings visitors per day. During the June 4 hearing, Commissioner comments inquired as to whether the Applicant

would agree to reduced visitation during the week of 30 persons per day. Rather than emphasizing weekend visitation during peak periods, the Applicant proposes to reduce its Friday & Saturday visitation to 40 persons per day. Visitation on Sunday through Thursday and holidays is proposed to remain at 50 persons per day.

We note that wineries with much lower production volumes have been granted comparable amounts of visitation. Unlike many wineries reviewed by the Commission, this project was not contested by neighbors at its hearing. The proposed visitation for this project is certainly appropriate for a 100,000 gallon winery, and the revised proposal encourages midweek visitation. Encouraging midweek visitation is an express goal of Visit Napa Valley, which is the official tourism marketing organization of Napa Valley and recipient of funding from Napa County.¹ By emphasizing midweek visitation, this project could become a model for future projects that would encourage visitation during off-peak times. Given these factors, we ask that the Commission approve the requested level of visitation.

Please feel free to contact me with any questions. Thank you.



Jon Webb

cc: David Morrison
John McDowell

¹ http://www.visitnapavalley.com/about_visit_napa_valley.htm.

Note: Floor area includes caves

Winery	Approved Production	Floor Area (sq. ft.)	Location	Tours & Tastings visitors/week (average)	Marketing Events per year*	Employees
By Appointment Only						
Carevan Serai	100,000	24,000	Valley Floor	2,800	376	23
Corona	100,000	29,008	Valley Floor	280^	80	24
Darioush Winery	100,000	72,751	Valley Floor	350 (Pub) 2,800 (Appt)^	429	55
Dominari	100,000	22,700	Valley Floor	140^	20	5
Monticello Vineyards	100,000	11,500	Valley Floor	84	no data	10
Pahlmeyer winery	100,000	56,057	Valley Floor	70	25	16
Round Pond winery	100,000	33,669	Valley Floor	360^	160	11
Public Tasting						
Moss Creek winery	100,000	24,000	Capell Valley	600	no data	2
Black Stallion	100,000	43,600	Valley Floor	350	no data	10
Andretti winery	100,000	13,400	Valley Floor	100	no data	5
Trinchero	100,000	9,856	Valley Floor	930	215	9
No tasting						
CE2V (Cosentino - Pope Valley)	100,000	33,795	Pope Valley	20**	36	5
<i>LMR Rutherford Estate Winery (proposed)</i>	<i>100,000</i>	<i>21,504</i>	<i>Valley Floor</i>	<i>270</i>	<i>32</i>	<i>9</i>

* No Data - Attributed to older wineries with no marketing program proposed or approved.

** Number authorized for retail sales only.

^ Maximum per week

VARIANCE FINDINGS
Napa County Code §18.28.060(A)(1)-(7)

(1) The procedural requirements set forth in Chapter 18.128 of the Napa County Code have been met.

Analysis: The variance application has been filed and notice and public hearing requirements have been met. The hearing notice was posted on May 3, 2014 and copies were forwarded to property owners within 300 feet of the subject parcel and all other interested parties. The CEQA public comment period ran from May 3 to June 3, 2014.

(2) Special circumstances exist applicable to the Property. Including size, shape, topography, location or surroundings, because of which strict application of the zoning district regulations deprives such property of privileges enjoyed by other properties in the vicinity and under identical zoning classifications.

Analysis: The proposal herein is to establish winery uses to include construction of a 11,000 square foot winery structure, winery office, and tasting pavilion are within the 600 foot winery setback, allow production of 100,000 gallons per year and establish a visitation program. There are multiple of special circumstances applicable to the Property.

Environmental Considerations

The site is bordered on the east by Bale Slough and therefore depriving the property owner of privileges enjoyed by other properties in the vicinity and under identical zoning classifications. Most of the project site is included in the floodplain, which would require any structures to be raised one foot above base flood elevation (BFE). However, raising the structure one foot above BFE would require elevating the building pad by 3-4 feet and the importation of 12,540 cubic yards of fill for a building pad and access road. Strict compliance with the setback also would increase impervious surfaces to 73,600 square feet. Grant of the variance places the winery structures above BFE and results in minimal fill (865 cubic yards) and less impervious surface area (45,000 square feet).

Napa County currently is working with the Napa Resource Conservation District to acquire grant funding to assess and develop a river restoration plan for Bale Slough and the upper Bear Creek watershed. Bale Slough has been bermed, straightened and shortened. Creek restoration options have yet to be evaluated, however, lengthening the stream and widening the riparian buffer can provide flood attenuation, groundwater recharge, and habitat benefits. If the winery were built in conformance

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with the 600 feet setback, new buildings would infringe more upon the existing Bale Slough riparian alignment than if they were built at a higher elevation closer to the highway. Grant of the variance places structures as far as possible out of the riparian buffer zone of Bale Slough would facilitate future river restoration design and potential stream realignment options.

Visibility and Aesthetic Impacts

Raising the building pad and winery building also would raise the visibility of the resulting winery structure. Photo-simulations demonstrate that raising the winery structure would create an aesthetic impact on a designated scenic corridor (Highway 29). The winery becomes much more visible from the highway because it extends beyond the screening effect of the existing roadside mature walnut trees when viewed by southbound traffic. Placement of the winery outside the 600-foot setback makes the structure plainly visible and increases aggregate visual impact. In contrast, placement of the winery structures within the setback provides screening from existing trees and clusters the winery development with existing structures and is consistent with the numerous structures within the setback on nearby parcels including Provenance Vineyards and Grgich Hills Estate. Given all these elements, the proposed location would serve as a visual barrier for drive-by-motorist and serve to screen winery activities from adjacent properties located along Highway 29, thereby, not result in degrading the visual character of the site and effectively mitigate any adverse impacts associated with locating the proposed winery closer to Highway 29.

Clustered Development with pre-1990's Buildings

Existing buildings on the Property create an opportunity for clustered development, which is preferable to low-density development. Low-density development is very bad land use and very harmful to operating economics, energy efficiency, transportation emissions (extra distances with no fundamental value-added), and water handling. The Planning Commission favored this kind of clustered development when it approved a variance for the Corona Winery (P13-00063 & P13-00274) on November 6, 2013. Similar to the Corona Winery, this project's placement in the floodplain would comply with the 600-foot setback, but would provide an environmentally inferior project. Compliance with the 600-foot setback also has the following detrimental effects on the winery and farm development:

- The existing solar project is rendered less efficient due to of the losses transmitting power to the structures farther away.
- Increases coverage and impervious surfaces.
- Requires construction of new buildings rather than use of existing structures.
- Moves the winery closer to the proposed livestock zone and compost area of the property reducing its attractiveness and raising issues of insects, odors,

etc.

- Moves building further away from existing well, increasing energy costs of moving water and disturbing more ground.

Vineyard Preservation

The proposed project seeks to maximize the preservation of the existing vineyard so that estate wines can be produced. The project's use permit application notes that the majority of the winery's production will be estate-grown. California law allows variances based on circumstances related to existing vegetation.¹ Grant of the variance limits vine removal to 0.97 acres of in the least productive area due to heavy shade. Without grant of a variance in the location proposed, 2.46 acres of vineyard would have to be removed, which would result in more grapes being trucked onto the Property for processing at the winery. Additional truck traffic results in traffic and greenhouse gas impacts that can be avoid through grant of the variance.

Agricultural Education and Preservation

The proposal also creates a connection between the winery and existing on-site agricultural uses. The existing farm stand, gardens, and orchards would serve to educate winery guests as to Napa's potential for agricultural diversity.

The Applicant already has placed adjacent parcels under conservations easements with the Land Trust of Napa County. The Applicant's intent is to include the vineyard portions of the project site in a similar conservation easement to create a 83.7 acre ranch that is permanently protected for only agricultural use. Compliance with the 600 foot setback would hamper the Applicant's ability to place the project site under a conservation easement because the winery structures would break up the preserved easement area. Grant of the variance facilitates the Applicant's ability to place the project site under a conservation easement, which furthers the agricultural preservation policies of the Napa County General Plan.

(3) Grant of the variance is necessary for the preservation and enjoyment of substantial property rights.

Analysis: The property is located within the Agricultural Preserve (AP) district which allows wineries and accessory uses and are permitted upon approval of a conditional use permit. As discussed in the above special circumstance finding, the approval of the variance from the 600' setback requirement from Highway 29 will allow the applicant to minimize disturbance to the floodplain, while at the same time allowing

¹ See *Miller v. Santa Barbara County* (1981) 122 Cal.App.3d 539 (upholding variance for expansion of existing hotel where conformance with newer cottage hotel standards would remove significant landscaping)

the applicant to maintain existing vineyards. The grant of this variance will not confer special privilege to the applicant, as the Commission has previously granted variances to allow the construction of wineries, including accessory facilities, within roadway setbacks on properties with the same zoning and substantially similar property characteristics. Additionally, the granting of this variance would not confer a special privilege as the subject parcel contains a unique combination of existing development and regulatory constraints, namely floodplains, river and creek setbacks.

(4) Grant of the variance will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: The granting of the variance to the winery road setback (within 160 feet to 360 feet of Highway 29 where 600 feet is required) will not adversely affect the health or safety of persons residing or working in the neighborhood of the property. The proposed winery structures would be located in a clustered development with existing buildings. There have been no adverse impacts to public health, safety or welfare from the existing pre-1990 buildings. Various County departments have reviewed the Project and commented regarding water, waste water disposal, access, building permits, and fire protection. Conditions are recommended which will incorporate these comments into the project to assure protection of public health and safety.

(5) In the case of groundwater basins identified as "groundwater deficient areas" under Section 13.15.010, grant of the variance would not require a new water system or improvement, or utilize an existing water system or improvement causing significant adverse effects, either individually or cumulatively, on said groundwater basins in Napa County, unless that variance would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Section 13.15.070 or 13.15.080.

Analysis: The subject property is not located in a "groundwater deficient area" as identified in Section 13.15.010 of the Napa County Code.

(6) Grant of the variance in the case of other groundwater basins, or areas which do not overlay an identified groundwater basin, where grant of the variance cannot satisfy the criteria specified for approval or waiver of a groundwater permit under Section 13.15.070 or 13.15.080, substantial evidence has not been presented demonstrating that the grant of the variance might cause a significant adverse affect on any underlying groundwater basin or area which does not overlay an identified groundwater basin.

Analysis: Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project which reduces water usage or any water usage which is at or below the established threshold is, for purposes of the application of the County's Groundwater Conservation Ordinance, assumed not to have a significant effect on groundwater levels. Based on the submitted Phase One water availability analysis, the 30 acre subject valley-area parcel has a water availability calculation of 30 acre feet per year (af/yr), which is arrived at by multiplying its approximately 30 acre size by a one acre feet per year per acre fair share water use factor. The Water Demand Calculations submitted for the project placed water demand for the winery including hospitality functions and incidental retail and office use, vineyard, and landscaping at 22.5 af/yr. Based upon this figure, the project would be well below the established threshold for groundwater use on the property. The County is not aware of, nor has it received any reports of, groundwater shortages near the project area. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

(7) In the case of a development or improvement with a reasonably foreseeable connection to a public water supply as defined in 13.15.010, regardless of the number of parcels served, grant of the variance would not require a new water system or utilize an existing water system necessitating a groundwater permit pursuant to Chapter 13.15. This finding shall not be required if the applicant presents substantial evidence demonstrating that grant of the variance for such development or improvement would not have a significant adverse effect on the underlying groundwater basin; or if that variance would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Section 13.15.070 or 13.15.080 of this code.

Analysis: The nearest public water supply is the City of St. Helena. The City's policy and Napa LAFCO policies do not support additional water connections outside the City's boundaries. There are no indications that the sphere of influence of St. Helena would be extended to include the Property. Based on the above, a connection to a public water system is not reasonably foreseeable.

National Fish and Wildlife Foundation – Bring Back the Natives / More Fish 2014, Pre-proposal
 Title: Bale Slough Steelhead Habitat Restoration Project
 Organization: Napa County Resource Conservation District

Grant Request Information

Title of Project	Bale Slough Steelhead Habitat Restoration Project
Project Description	A true public-private partnership, this project will assess and restore stream habitat in a vital tributary to the Napa River - the most important steelhead watershed in the San Francisco Bay Area.
Long Term Outcome(s) of Project	This project will produce a cohesive landowner group, restore 1-2 acres of riparian vegetation, provide current data on steelhead abundance, and lead to future restoration actions within the watershed
Project Location Description	The project will be entirely within the Bale Slough/Bear Creek watershed, which is tributary to the Napa River near the town of Rutherford.
Total Amount Requested	\$20,000.00
Total Match Amount Proposed	\$40,000.00
Proposed Grant Period	01/01/2015 - 06/30/2017
Organization	Napa County Resource Conservation District
Organization Type	State or Local Government
Primary Contact	Mr. Jonathan Koehler
Position/Title	Senior Biologist
Street Address Line 1	1303 Jefferson St
Street Address Line 2	Suite 500B
Street Address Line 3	
City, State, Country Postal Code	Napa, California, North America - United States, 94559
Region (if international)	
Phone and E-mail	707-252-4188 Ext: 109; jonathan@naparcd.org

National Fish and Wildlife Foundation – Bring Back the Natives / More Fish 2014, Pre-proposal
 Title: Bale Slough Steelhead Habitat Restoration Project
 Organization: Napa County Resource Conservation District

Matching Contribution Amount: \$15,000.00
 Type: Cash
 Status: Pledged
 Source: Napa County Flood Control and Water Conservation District
 Source Type: Non-Federal
 Description: Matching funds to complete a study and restoration prioritization of the Bale Slough watershed.

Matching Contribution Amount: \$10,000.00
 Type: In-kind
 Status: Application Submitted
 Source: Napa County Flood Control and Water Conservation District and California Conservation Corps
 Source Type: Non-Federal
 Description: Grant submitted by Napa FCD to obtain CCC labor, which would be used for invasive plant removal and native plant management

Matching Contribution Amount: \$10,000.00
 Type: In-kind
 Status: Pledged
 Source: Private vineyard management crews
 Source Type: Non-Federal
 Description: Installation of native plants, irrigation system and water

Matching Contribution Amount: \$5,000.00
 Type: In-kind
 Status: Pledged
 Source: Napa County Flood District Nursery
 Source Type: Non-Federal
 Description: Provide native locally grown riparian plants for stream revegetation

Total Amount of Matching Contributions \$40000.0000

National Fish and Wildlife Foundation – Bring Back the Natives / More Fish 2014, Pre-proposal
Title: Bale Slough Steelhead Habitat Restoration Project
Organization: Napa County Resource Conservation District

The following pages contain the uploaded documents, in the order shown below, as provided by the applicant:

Pre-proposal Narrative

The following uploads do not have the same headers and footers as the previous sections of this document in order to preserve the integrity of the actual files uploaded.



BEAR CANYON / BALE SLOUGH WATERSHED

Land Ownership (October 2013)

ALPHA & OMEGA	CHALONE	KOLB	NIEBAUM COPPOLA	ROUND POND	STAR VINEYARDS
ANDERSON	COTTAGE GARDENS	LMR	OAKLAND METAL TREATING CO	SENTINEL	SWLD
BODDUM	GALLEGOS	MORELAND	PESTONI	SEREMI	WHITEHALL LANE
BOSCHE	GARVEY	WINE TRAIN	PINE RIDGE	SHARTSIS	WILSEY
CALIFORNIA STATE	GIANT OAK	BOY SCOUTS	REALTY INCOME PROPERTIES	SPP NAPA VINEYARDS	WITT JOHN L TR ETAL

Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AEX, Geomatics, Aergrid, IGN, IGP, swisstopo, and the GIS User Community





NFWF

Bale Slough Steelhead Habitat Restoration Project Pre-proposal Project Narrative

Project Need: The Napa River watershed historically sustained one of the strongest populations of steelhead trout (*Oncorhynchus mykiss*) in the San Francisco Bay Area, and it supported a significant recreational fishery through the early twentieth century (USFWS 1968). Beginning around the 1960's, steelhead abundance declined sharply in the watershed, and by 1997 the Napa River steelhead, which belongs to the Central California Coast Steelhead Distinct Population Segment (DPS), was listed as a threatened species under the Federal Endangered Species Act. Today, the Napa River is considered one of the most important anchor watersheds within the San Francisco Estuary for the protection and recovery of regional steelhead populations (Becker et al. 2007).

The Bale Slough Steelhead Habitat Restoration Project is being created to extend the benefits of major restoration efforts in the mainstem Napa River upstream into the vital tributaries that support steelhead spawning and rearing. Over the past decade, a 4.5-mile reach of the mainstem Napa River south of the City of Saint Helena, between Zinfandel Lane and the Oakville Cross Road, has been the beneficiary of a multi-million dollar stream restoration effort initiated by private landowners and funded with help of multiple grants and in-kind support from a large number of public and private agencies and organizations. This long-term vision to restore the Rutherford Reach of the Napa River is nearing completion this year. It has been extraordinarily successful at improving fish habitat, reducing bank erosion, enhancing riparian corridors, and serving as a model for ongoing restoration partnerships. Restoration of the mainstem Napa River is continuing nine miles farther downstream through the Oakville to Oak Knoll Reach beginning in 2015. Without securing fish passage to essential spawning and rearing habitats in the tributary source watersheds (i.e. Bale Slough and Bear Creek), however, many of the desired benefits of these large scale restoration projects could remain unrealized.

Long-Term Conservation Outcomes: The proposed project will foster the development of a cohesive landowner group in partnership with local conservation agencies to manage and restore the stream network within the Bale Slough watershed. Specifically, the project aims to:

- Better understand the dynamics of the steelhead population within the Bale Slough watershed and its relationship to the mainstem
- Examine the role of protecting cold headwater stream habitats to ensure the long-term viability of steelhead populations within the Napa River watershed in light of ongoing climate change
- Catalog current stream habitat conditions of the Bale Slough watershed to guide immediate restoration actions and future planning efforts
- Map the extent of non-native invasive plant species and catalogue the abundance and diversity of native riparian plant species
- Restore 1-2 acres of riparian habitat through invasive vegetation removal and native planting
- Identify and prioritize restoration opportunities throughout the Bale Slough and Bear Creek watershed
- Stabilizing stream banks via planting of native plants and trees at targeted locations to reduce fine sediment pollution
- Further develop the landowner group with a vision of long-term steelhead habitat stewardship

The proposed project will also serve to support the Clean Water Act Total Maximum Daily Load (TMDL) objectives for the Napa River, which have been established by the San Francisco Bay Regional Water Quality Control Board.

Activities and Methodology: The proposed project will consist of the following core activities:

1. Conduct landowner outreach and coordination to develop a cohesive landowner group – This task will be completed within three months of project initiation and will be facilitated by the project team's existing

relationships with key landowners within the Bale Slough watershed. The project team will hold regular meetings with the landowner group throughout the project to ensure information exchange and continued project support.

2. Conduct steelhead habitat and abundance surveys and identify restoration priority areas – This task will be completed during one field season (winter, spring, summer) to map steelhead spawning and rearing areas and identify potential restoration opportunities, including eroding or failing banks, trash and debris, invasive and non-native vegetation, and fish passage obstructions. Field surveys will be conducted during the appropriate season (e.g. steelhead spawner surveys in winter) and are expected to be completed in one year. Data gathered during this task will be used to determine potential areas for future fish habitat improvements as well as non-native plant management and removal work described in task 3 and in future years.
3. Conduct invasive vegetation removal and management and replanting of native plant species – This task will build off of information collected during the field surveys described in task 2 and will involve a collaborative effort between the Napa County Flood Control and Water Conservation District (FCD), the California Conservation Corps, and in-kind labor from local agricultural landowners. The on-the-ground work will be completed during an approximately 2-week period in the second year of the project and will entail removing invasive riparian plants as well as other trash/debris and replacing them with native, locally grown species.

Evaluation/Monitoring:

The Napa County Resource Conservation District (RCD) will lead the initial assessment of the Bale Slough watershed in coordination with the Napa County FCD. The RCD will produce a detailed technical report of the findings, and all survey data will be converted to geographic information system (GIS) format and graphically displayed on maps. Project success will be measured based on the percentage of landowners participating in the proposed project – we aim to have greater than 80% of landowners with direct Bale Slough/Bear Canyon Creek frontage participating in this project. Additionally, the Napa County FCD in cooperation with local landowners will monitor the ongoing success of on-the-ground vegetation management and planting efforts by tracking plant survival and recolonization by non-natives for a period of five years post-project.

Proposed Partnership: The proposed project will employ the highly successful private landowner-driven model developed and executed through the Rutherford Dust Society, a local non-profit group that encompasses Bale Slough, during the Napa River Rutherford Reach Restoration Project described above. This approach is a true private-public partnership between private landowners, Napa RCD, Napa County Flood Control and Water Conservation District, and other local agencies. Additionally, the headwaters of Bale Slough flow through lands on which conservation easements have already been granted to the Land Trust of Napa County by four owners. These easements restrict the properties to “forever wild” conditions or limited agricultural uses. The State of California and the federal government own other adjacent properties. Thus, much of the watershed is already protected and is likely to be maintained in perpetuity in conditions that support the river’s health. Taken together, these already protected lands contain more than seven miles of streams flowing to Bale Slough. Significantly, the entire watershed is made up of just 30 landowners, with three landowners controlling more than half of the total stream-miles. This relatively small number of total landowners and the demonstrated commitment to conservation values by several of them make this an exceptional opportunity for cooperative and comprehensive watershed restoration.

Dissemination: The technical report described above will be available for public download through the RCD’s website as well as through the Napa County Watershed Information Center and Conservancy (WICC) website and email distribution list.

Literature Cited:

Becker, G., I. Reining, D. Asbury, A. Gunther. 2007. San Francisco Estuary Watersheds Evaluation, Identifying Promising Locations for Steelhead Restoration in Tributaries of the San Francisco Estuary. CEMAR (Center for Ecosystem Management and Restoration).

U.S. Fish and Wildlife Service, 1968. Analysis of fish habitat of the Napa River and tributaries, Napa County, California, with emphasis given to steelhead trout production. October 21, 1968. Memorandum to file.

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nal project informa- ...sted on the Calltrans' ...: 12-Jameson Canyon ...je at dot.ca.gov/81st4/ ...ncanyon.

County offers online age applications

...es wishing to obtain a ...ge license from the Napa ...y clerk can now complete ...plication for the license on ...ounty's website, County-

pa.org. ...apa County has become a ...nation marriage site for ...les from across the nation ...around the world."

ained Napa County Clerk ...Tuteur. "Our online appli- ...on process will make it easi- ...nd more efficient for couples ...our staff to issue marriage

Register staff

Flu activity continues to ...increase in the Bay Area, includ- ...ing the Napa Valley, where four ...people were admitted to Queen ...of the Valley Medical Center's ...Intensive Care Unit over the ...weekend with flu symptoms, ...county officials reported.

All four patients were over the ...age of 64, according to county ...officials. ...The strain of flu that's been ...causing the most severe illness ...this season is H1N1, known as ..."swine flu" when it emerged in ...2009. This strain typically caus- ...es more illness in children and ...young adults. People of any age ...with other medical conditions ...are also at higher risk.

This year's flu vaccine, which ...is still widely available, includes ...protection from H1N1 and ...H3N2, as well as an influenza B ...virus. ...Since Jan. 6, eight hospitaliza- ...tions have been reported in Napa ...County. Seven of those patients ...were admitted to the ICU. ...No flu-related deaths have ...been reported in the county, but ...more than a dozen fatalities have ...occurred in the Bay Area, ...according to news accounts.

The flu is spread through ..."droplets," most often produced ...by coughing, which is why doc- ...tors recommend always covering ...coughs and washing hands fre- ...quently. Experts say the best ...way to cover a cough is with the ...inside of one's elbow. People ...with flu symptoms should stay ...home and not return to work or ...school until they are healthy, ...according to officials.

To get vaccinated, call ...doctor or health care provider to ...make an appointment for a flu ...vaccine or visit pharmacies and ...ask for a flu vaccine.

If you have no other access to ...the flu vaccine, call Napa Coun- ...ty Public Health at 707-253- ...4270 for a free flu vaccine at the ...Napa County Health and Human ...Services Agency, Public Health ...Division, in Building G, 2344 Old ...Sonoma Road, Napa.

Appointments are available ...Mondays and Wednesdays. ...Drop-ins are served on Tues- ...days, 1-5 p.m., and Thursdays, 1- ...4 p.m.

Influenza symptoms typically ...include a fever, usually 100 ...degrees and higher, that lasts ...three to four days; sudden onset ...headaches that can be severe; ...body aches, often severe; as well ...help to reduce the severity and ...length of illness if taken soon ...after symptoms start. ...Talk to a doctor or health care ...provider if you or someone you ...care for develops flu symptoms.

A dry, unproductive ...be severe. Sneezing can occur. ...Sore throats are common. Tired- ...ness can be moderate to severe. ...Some people, especially chil- ...dren, may have vomiting and ...diarrhea.

If you become ill with flu-like ...symptoms - fever over 100 ...degrees with cough and/or sore ...throat - you should stay home ...until you have been free of a ...fever for at least 24 hours with- ...out the use of fever-reducing ...medications such as Tylenol. ...Anti-viral medication may ...help to reduce the severity and ...length of illness if taken soon ...after symptoms start.

The property, which was ...acquired by Long Meadow ...Ranch and one of its affiliates in ...the fall of 2012, is located along ...Bale Slough in the center of the ...Rutherford appellation. ..."We are deeply committed to ...the preservation of agriculture ...in Napa County and this ease- ...ment will restrict future devel- ...opment of this property to pur- ...ly agricultural uses, which will ...also ensure that this portion of ...the valley floor in Rutherford ...will remain uncluttered by new ...residential and small winery ...development," said Ted Hall.

"We are also pleased to help ...protect an additional section of ...tributary to the Napa River," said ...Ladle Hall. ...The language of the easement ...provides for continued agricul- ...tural use for crops and livestock ...and includes provisions for soil ...planning.

The new easement, to be ...known as Long Meadow Ranch ...V, is the fifth major conservation ...easement created by Long ...Meadow Ranch and its affiliates. ...the Halls said in a release. This ...new gift brings the total land ...under conservation easements ...created by the Halls to 395 acres. ...Jim Verhey, a founder of Pre-

Hall family puts conservation easement on Rutherford vineyard

Register Staff

Long Meadow Ranch and the ...Land Trust of Napa County ...announced Monday the dona- ...tion of a conservation easement ...over an 11-acre prime vineyard ...parcel in Rutherford.

Long Meadow Ranch propi- ...etors Ted, Laddie and Chris Hall ...have relinquished entitlements ...to build a winery and a residence ...on the parcel. The Halls also ...extinguished rights for any com- ...mercial purpose unrelated to ...agriculture.

Only with a viable agricultural ...economy can we preserve the ...open space we treasure." ...The new easement, located at ...1790 St. Helena Highway South, ...will be part of Long Meadow ...Ranch's 90-acre Rutherford ...Estate. The estate has gained ...international recognition as a ..."grand cru" quality vineyard, ...which produces extraordinary ...sauvignon blanc wines as well as ...cabinet sauvignon wine, the ...Halls said.

The property, which was ...acquired by Long Meadow ...Ranch and one of its affiliates in ...the fall of 2012, is located along ...Bale Slough in the center of the ...Rutherford appellation. ..."We are deeply committed to ...the preservation of agriculture ...in Napa County and this ease- ...ment will restrict future devel- ...opment of this property to pur- ...ly agricultural uses, which will ...also ensure that this portion of ...the valley floor in Rutherford ...will remain uncluttered by new ...residential and small winery ...development," said Ted Hall.

"We are also pleased to help ...protect an additional section of ...tributary to the Napa River," said ...Ladle Hall. ...The language of the easement ...provides for continued agricul- ...tural use for crops and livestock ...and includes provisions for soil ...planning.

RAM ENGINEERING
WASTEWATER & CIVIL ENGINEERING
130 South Main St., Suite 201 Sebastopol, CA 95472
p. 707-824-0266 f. 707-824-9707
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June 16, 2014

County of Napa Conservation,
Development, and Planning Department
1195 Third Street, Suite 210
Napa, CA 94559

Attention: Project Planner

Re: Long Meadow Ranch
Rutherford Winery
1790 St. Helena Highway
Rutherford, CA
APN 030-100-016
Use Permit Application P13-
00167
RAM Project No. 2013002

To Whom It May Concern:

The purpose of this letter is to address the relocation of the proposed Long Meadow Ranch Rutherford Winery to a 160-foot setback from the Highway. This relocation has no impact on the studies prepared by this office and previously presented for this Use Permit application.

- The Water Availability Analysis Phase 1 Study dated March 13, 2013 remains valid. The relocation of the winery has zero impact.
- The Water System Feasibility Report (and TMF Capacity Summary) dated March 29, 2013 remains valid. The relocation of the winery has zero impact.
- The Wastewater Feasibility Study dated July 25, 2013 remains valid. As indicated on the revised site plan, the sanitary (domestic) wastewater system is located in the vicinity of soil profile pits 3 and 4 (1440 LF primary and 200% reserve drip field), and the primary process wastewater system is located in the vicinity of soil profile pits 1 and 2 (2200 LF drip field). The process wastewater reserve area is indicated by four acres of vineyard drip irrigation. The relocation of the winery has no negative impact. The drip fields were shifted slightly to accommodate the winery footprint. The wastewater systems are still shown in locations already on file and approved by Napa County PBES.
- The Drainage Study dated May 5, 2014 remains valid. With the relocation of the proposed winery to the 160-foot setback, the drainage area A actually becomes smaller and therefore the required retention for runoff becomes less, resulting in the existing study being conservative.

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JUN 17 2014

Napa County Planning, Building
& Environmental Services

If you have any questions or require further information, please feel free to contact our office at (707) 824-0266.

Sincerely,

A handwritten signature in cursive script, appearing to read "tamara", written over a horizontal line.

Tamara Martin, REHS

A handwritten signature in cursive script, appearing to read "Steven Martin", written over a horizontal line.

Steven Martin, PE

RECEIVED

JUN 17 2014

Napa County Planning, Building
& Environmental Services

CHRIS D. MOORE
landscape architect, inc.

a california corporation
rla#2352

p.o. box 2622 yountville, ca 94599
p 707-483-5052 f 707-255-2630.
chrisd.moore@mac.com

Ted Hall
LMR Rutherford Partners, LLC
P.O. Box 477
Rutherford, California 94573

29 May, 2014

Ted:

Per your request, I met on site at LMR Rutherford Estate with Joe Schneider, co-owner of and arborist at Pacific Tree Care to assess the American Elm tree (*Ulmus americana*) that I am proposing be removed to accommodate the newly required entry to the estate and proposed winery. This entry, directly across the street from a similar one at Grgich Hills, would come so close to both the existing California Black Walnut tree (*Juglans c. hindsii*) and elm tree that both trees would be jeopardized as would the safety of those entering and leaving the site. One and or both trees would have to severely pruned, just to allow truck access.

As such, I have recommended removing the elm tree in favor of the walnut tree for the following reasons: The native walnut tree will not need to have entry road paving encroach as closely as would've been the case otherwise, making for a happier tree and safer access and egress. The lesser and non-native elm tree, although not truly diseased, is old and tired with many cavities and scars. It is susceptible, as are all elm trees in the Napa Valley, to Dutch Elm Disease which we have had problems with and quarantines for previously. Additionally, there is a very similar elm tree just to the north of the one proposed for removal. The walnut tree has no such mate.

In conclusion, the Caltrans entry drive location requirement necessitates the removal of a tree to safely enter the property in this location. The elm tree is the most logical tree to remove under the circumstances.

Please feel free to contact me with any questions.

Sincerely,



Chris D. Moore
President

cc: Joe Schneider, Pacific Tree Care