



A Tradition of Stewardship
A Commitment to Service

MINUTES

NAPA COUNTY AGRICULTURAL PROTECTION ADVISOR COMMITTEE

1195 Third Street, Ste. 305

Tuesday May 26, 2015
9:00 A.M.

1. CALL TO ORDER / ROLL CALL

Committee Members in attendance:

Christina Benz, John Dunbar, David Graves, Eve Kahn, Peter McCrea, Bruce Phillips, Stan Boyd, Sharon Gardner, Ted Hall, Jim Krider, Dan Mufson, Debra Dommen, Jeri Gill, Charles Hossom, Tony LeBlanc, Lucio Perez, Oscar Renteria

Alternate Members in attendance:

Michelle Benvenuto, Carl Bunch, Rex Stultz, Larry Bettinelli, Jeff Dodd, Clay Gregory, Norma Tofanelli, Harvest Duhig, Gary Margadant, Peter White

Alternate Members absent:

Bob Fiddaman, Phil Blake

2. PLEDGE OF ALLEGIANCE

Stan Boyd led the salute to the flag

3. CITIZEN COMMENTS AND RECOMMENDATIONS

➤ *Geoff Ellsworth: I watched the May 20th 2015 Napa County Planning Commission meeting on video from the county Website. I think it was a really important meeting. I appreciated Ted Hall's comments about looking at the Big Picture. I think everyone should watch this meeting if you can. The meeting does an excellent job of delineating many of the issues we are talking about here.*

We are hearing a lot here about "The Dream". The Dream people say they have about things like having their own winery someday. I understand that, I really do.

I have a dream too. My dream is to protect Napa County Agriculture and to protect the communities here that allow Napa County Agriculture to exist. I am here to stand up for the citizens who allow Napa County to be a Right-to-Farm County.

The major threat we are seeing, in conjunction with water availability, is over-visitation leading towards urbanization. Our infrastructure and our communities are straining to accommodate this over-visitation and if we keep on this present course, it will break. This is urbanization by over-visitation and it will compromise our Ag Preserve growing region and the communities who live here.

This must be a part of every conversation in trying to solve this problem.

Our two lane roads are the limiting factor in the system. If we overload their capacity, whether the visitation happens in a municipality or in the county, we risk a breakdown of the entire system. We risk breaking the nest Egg that is the Ag Preserve.

When I first got involved in this over a year ago I realized that in order to be effective I had to make the commitment that my actions in this could in no way benefit myself.

That is an ideal. It doesn't mean it has to be forever but this is such a complex problem that I believe if we all can ALL start looking past how any of this is going to benefit ourselves personally, then we can start looking at the Big Picture of what it's going to take to protect Napa County Agriculture AND our communities who live here.

- *Jeff Dodd: "What are the problems we are facing today?" I ask that the Chair and committee strongly consider what the issues are and find a consensus to those issues before going any further. This whole process is looking to grab solutions without looking at the big picture. "What are the problems with the growth of the wine industry? I'm not the only one asking this question.*

At the last meeting , former Supervisor Ginny Simms (who probably has more county land use experience than anyone in the room) asked that we discuss problems first so we can find solutions. One of the most simple yet insightful proposals that we heard at the last meeting was from Eve Kahn, where she suggested that APAC must make a list of problems and issues that need to be resolved. The letter to the APAC Committee that David Graves submitted spoke of wicked problems and the fact that we don't share a common understanding and nature of the issues that we face. He is correct because we haven't even talked about them let alone come to a consensus. What are the big issues? This is a critical question to address first because how can we speak to solutions when we can't come to consensus on the issues solutions should address?

Setting the minimum parcel size to some arbitrary number like 40 acres is not smart policy because it has no direct relationship to the issues we face today. If certain folks want to stifle the wine industry and wine growth in general that's fine, and I get that, but if you push these types of policies that are solely built on emotion instead of logic then we will have to come again next year and do this whole thing over again.

If traffic or greenhouse gasses are the problem, then let's talk about affordable housing, more housing for workers up valley or ride sharing programs that take cars off the road or other ways that directly relate to traffic. If water is the problem then let's talk about restricting the trucking in of water, and let's talk about rewarding wineries or winery proposals that maybe dry farm for instance or approving our regional waste system so we don't have to ship out 43,000 gallons of winery waste water to Oakland that we could be utilizing here in the county. If a winery is inappropriate to a site then let's talk about what makes that the case. Yountville Hill is a pretty darn good example. I don't think it's appropriate to have 420 visitors a year, 100,000 gallons of production, 52 events, but yet only have 2 acres of vineyards on the property. That doesn't sound conducive to the Ag Preserve; it's a commercial operation. We need to start talking about problems so we can develop smart policy and encourage the type of development we want here, projects that are true to ag and true to the small farmer, instead of projects that treat our valley like a bar.

Let's not take some blind shot gun approach to deal with the problems we have and reach a consensus just for the sake of doing something, because it can only lead to unintended consequences. Before any more straw votes or staff time is spent on minimum parcel size or related issues, let's come together and talk about the problems and come to a consensus on the problems, because it's only then that we can reach meaningful solutions.

- *Mike Hackett: I'm here today speaking with you today as a result of work over nearly ten years protecting one of our most valuable watersheds: the headwaters for both Moore Creek and Conn Creek which feed Napa's water supply from Lake Hennessey.*

Over the last year, I could sense the growing concern throughout the County and with Volker's passing, it became mandatory that we all step up and take action. In a perfect world, I'd take the opportunity to talk with each of you personally, but we don't have the time thus I take this chance to speak to all of you at once.

Therefore just a bit about my history: I grew up in small dairy farm/lumber community in Washington. Only reason I mention it is because literally in my back yard was the open forest to play in as a kid. After college I flew for the Navy during Vietnam and I was turned into an idealist. I got an airline job in mid-seventies and chose to live in Napa because it was rural, beautiful and green! I had a Christmas tree farm in Browns Valley 20 years and raised my kids there. I retired 10 years ago and moved up to Angwin to get away from the crowded city of Napa.

I bring this up to point out that I do NOT have a dog in this fight. I don't own a winery, don't run a restaurant, don't work in the wine industry, etc. I have the purest of reasons; that is the preservation of what I cherish here. I have altruistic reasons only.

We sense traffic problems, crowds, intrusions into our watersheds, winery/event centers exposing rural homes to noise and traffic pollution, wineries turned into event centers and most troubling: compliance problems. In last few weeks: Melka, across from Titus, Caves at Soda Canyon, Markham, Bell, etc. with Reverie coming, Yountville Hill, Wools Ranch, etc. Many of these problems are a result of errors in judgement. Including language in the GP that includes the marketing and production of wine as ag, loosening of the WDO to include food events, the attitude of the previous Planning Director, the ever-improving economy which puts increasing pressure on this County for expansion of new wineries. It's a natural aspiration to own Napa Valley vineyard and build a winery, especially now with the new marketing schemes.

We are importing approximately 25,000 gallons of juice each year which means we produce twice the amount of wine than grapes we grow.

As Mark Luce said at the March 10th meeting: "The justification ... for putting yet another new winery into our ag resource area is much thinner than it has ever been in the past. And I think that we are really faced with a question of why this should be allowed to continue. And what does this mean for the next 25 years?"

- 1. Yes on 40 acre minimum with 90% grown on parcel*
- 2. Weekend traffic is tourism—no new industrial processing*
- 3. Weekday-stagger workers schedules and mandate marketing/sales into the cities*
- 4. Protect our watersheds at all costs with restrictive regulations*
- 5. Put some teeth in compliance and increase oversight including fines*

JFK said "Ask not what your Country can do for you, but what you can do for your country."

We should all be asking this same about our County, "Ask not what this County can do for you, but what you can do for this County." This APAC committee has to take some bold steps because it will get watered down when it goes to the Planning Commission, watered down when it goes to the Board. We are at a critical tipping point and we have to come out of here with some action.

- *Gary Margadant: I want to speak about an issue that has come up before and deals with the opportunity for people to have a winery in the Napa Valley. I went through a database by a*

firm called Wines & Vines to see how many new wineries there were inside operating in Napa Valley that did not have a tasting room and are less than 1,000 gallons in size. I came out with a number of 102 bonded wineries, and 249 virtual wineries (virtual wineries being someone who purchases their wine, bottles it and then attaches their own label).

There is plenty of opportunity for people to have a winery and not necessarily have it on their own land and in the Ag Preserve, and I wanted to make sure that people are aware of this. I have a copy and compilation that I put together and am willing to submit with the committee. I want to specifically state that there are people who are making an attempt to have their own winery and it doesn't have to be tied to their own land. One winery near me, Rubissow, they make their wine in the city of Napa and have Mt.Veeder grapes. They pick their grapes up and take them into the city; they don't have a winery at their vineyard. This is a different method and opportunity and I would suggest that it be part of the discussion here.

- *Harvest Duhig: I just wanted to make a suggestion that if the committee wishes. I tend to be a visual learner and follow strategy very well and love this white board behind me. If there are any opportunities in which you guys wish to identify problems that we will address systematically and write them down, I'd be happy to volunteer and be the strategist to put it on the board, so we can all follow a common thought process*

- *Patricia Damrey: My husband and I have a bio dynamic-organic ranch and it's on a very narrow little tag of land that starts at the valley floor and goes up on the ridge so we are in the Ag Watershed. It drains into both Redwood and Dry Creek because it goes both directions and both of those still have runs in them. Keeping our Ag Watershed healthy is really important to the continuance of agriculture in our valley and we do believe in agriculture. I've been there 22 years and my husband has been there 35, and we know how fragile it is. We live up in an area that is an oak savannah. In the morning you can see bobcats hunting in the meadow, there are huge populations of birds, and what fish and game calls a biological hotspot; meaning that much of the native vegetation is still there and healthy. That meadow is permitted for a vineyard. If so called farmers farm traditionally that means there will be ag chemicals there and that will not only impact native vegetation but they will go into the groundwater.
That oak savannah and oak woodlands are vital to our water supply. The "Glycol Guide" states that even Round-Up, which we used to think was very neutral, actually goes into the water and is not only a disruptor in frogs but in the human body and kills the microorganisms in our intestines. And I'll tell you; if those become extinct we are gone and we might as well forget it, so we need to look very carefully at what's being sprayed, in particularly the Ag Watersheds that go down and restore the groundwater. They drain down into our streams so I am very happy that this group is meeting. I feel like each of us have these little battles that are happening in our neighborhood and to our individual dreams, and we are ready to fight like badgers for what we love. But there is a larger picture here and I think it is so important that government takes that larger picture because you can't depend on any of us individually to look out for the larger whole. We certainly can't depend on people moving in, many who have never farmed. They move in with a dream and I can understand that as it's a beautiful place, but they want to have wineries and they don't learn very much about the land they live on*

- *Jill Matthiasson: A lot of the talk today, in general, has been about preventing something so things won't happen. I think we need to change the conversation to; what can we do to*

promote what we want to have here. We want to have a vibrant, thriving, rural community here. That's what the intention of the Agricultural Preserve was and I think everybody loves this valley for that reason. We grow agricultural products. Besides grapes, I personally grow peaches, other stone fruits and sell to farmers markets and local restaurants. I also make jams and sell those but we are not really promoting that side of agriculture. People want to come to this valley and if we want to continue to have this rural character then we need to promote all aspects of agriculture here and we need to allow people to experience all aspects of agriculture that happen here. We want to do that by inviting people to our farms and allowing them to engage in those processes and allowing them to pick fruit from the trees and make jams themselves. All of that is actually prohibited in the valley right now. So what I am asking the committee to do is to go back and not offer any recommendations for things that we shouldn't be doing, but offer recommendations of how we can create a vision, and what the process would be to create a vision for what we want this valley to be in the future.

4. APPROVAL OF MINUTES

Minutes for the April 27, 2015 were approved as corrected.

5. SECRETARY- DIRECTOR'S REPORT

David Morrison gave the report.

6. ADMINISTRATIVE ITEMS

- A. This meeting is being conducted by the Agricultural Protection Advisory Committee and County staff to allow for input, discussion, and action regarding proposals for amending the County Zoning Code. The focus of this meeting concerns four topics: (1) the minimum parcel size for establishing new wineries; (2) the net loss of vineyards associated with winery development and/or expansion; (3) the role of estate grapes in winery production; and (4) other amendments related to the first three topics.

Committee members held discussions and took tentative actions on the draft options included in the staff report as follows: See chart for Committee members votes

(Please note that these and future recommendations will be considered again at the end of this process as a part of the final report of the Committee to the Planning Commission.)

Option A:

Retain the existing 10-acre minimum parcel size for all new wineries.

Motion for further discussion on Option A was made by Charles Hossom, seconded by Stan Boyd.

After discussions on Option A, Committee members voted the following;

11 in favor - 6 opposed

Option B:

Increase the minimum parcel size for new wineries to 40 acres in both the AP and AW zones.

Motion for further discussion on Option B was made by Christina Benz, seconded by Dan Mufson.

After discussions on Option B, Committee members voted the following;

8 in favor - 9 opposed

Option C:

Establish a small winery use permit for new facilities located on parcels of 10 to 40 acres.

Motion for further discussion on Option C was made by John Dunbar, seconded by Sharon Gardner.

After discussions on Option C, Committee members voted the following;

11 in favor - 6 opposed

Option D:

Require a minimum amount of estate grapes for all new and/or amended winery use permits.

Motion for further discussion on Option D was made by Charles Hossom, seconded by Lucio Perez.

After discussions on Option D, Committee members voted the following;

6 in favor - 11 opposed

Option E:

Require that new and/or amended winery use permits result in no net loss to vineyards.

A Motion was not made or further discussion on Option E. By way of roll call vote the Committee members voted the following;

4 in favor - 13 opposed

Option F:

Proposals that do not directly address minimum parcel size, estate grapes, or vineyard loss.

The Committee chose to consider Option F at the next meeting of June 8, 2015 after recommendations regarding the tasks assigned to the Committee have been made.

The following chart reflects committee member's votes for Option's A-E

As a reminder, any recommendation being forwarded to the Planning Commission for their consideration must have support of a super-majority of those Committee members present. For the full Committee of 17 members, a minimum of 12 votes is needed to move an item forward.

Committee Members	Option A		Option B		Option C		Option D		Option E	
	Y	N	Y	N	Y	N	Y	N	Y	N
Christina Benz	✓		✓		✓		✓		✓	
John Dunbar	✓		✓		✓			✓		✓
David Graves	✓			✓		✓		✓		✓
Eve Kahn		✓	✓		✓		✓			✓
Peter McCrea	✓			✓		✓		✓		✓
Bruce Phillips		✓	✓		✓		✓			✓
Stan Boyd	✓			✓		✓		✓		✓
Sharon Gardner		✓	✓		✓		✓		✓	
Ted Hall		✓	✓		✓			✓		✓
Jim Krider	✓			✓	✓			✓		✓
Dan Mufson		✓	✓		✓		✓		✓	
Debra Dommen	✓			✓	✓			✓		✓
Jeri Gill	✓			✓		✓		✓		✓
Charles Hossom	✓			✓		✓		✓		✓
Tony LeBlanc	✓			✓		✓		✓		✓
Lucio Perez		✓	✓		✓		✓		✓	
Oscar Renteria	✓			✓	✓			✓		✓
	11	6	8	9	11	6	6	11	4	13
	In Favor	Opposed	In Favor	Opposed	In Favor	Opposed	In Favor	Opposed	In Favor	Opposed

7. COMMITTEE REPORTS

8. FUTURE AGENDA ITEMS

9. ADJOURNMENT

Meeting was adjourned to the regular APAC Meeting of June 8, 2015.

TED HALL, Chairperson

ATTEST: DAVID MORRISON, Secretary-Director

MELISSA FROST, Clerk of the Committee