

McDowell, John

From: karey.o@hotmail.com
Sent: Wednesday, July 13, 2016 6:18 PM
To: McDowell, John
Subject: Mountain Peak Winery-Use Permit #P13-00320-UP

Dear John McDowell,

I have been a resident of Soda Canyon Road for thirty five years, and I am writing to you to express my opposition to the purposed Mountain peak Winery. My opposition is based on the condition of Soda Canyon Road, traffic, fire danger, water, and noise that will be generated from this commercial project.

Soda Canyon Road is a dead end, two lane, winding, and steep un maintained country road with hundreds of potholes and very little smooth pavement. In the thirty five years that I have lived here there has been no paving or any improvements to the road other than occasional pot hole filling most of which return after the raining season.

Traffic on Soda Canyon Road has increased significantly over the years with the development of the vineyards and Antica Winery. There have been numerous accidents on Soda Canyon Road some of which are documented by the highway patrol, and are a matter of public record. I believe there was an auto car counter placed on Soda Canyon Road to and record to obtain traffic data deliberately in the Winter so as not to reflect the factual traffic amount which is heavy in the Spring, Summer, and Fall. I am sure the reasoning behind the Winter count was done with the knowledge that there is very little activity in the vineyards during the vines dormant reason.

Everyday large 60foot trucks, double tankers, 60 foot trailers some with wide loads travel Soda Canyon Road which is too narrow for their size putting them dangerously over the double yellow line into the path of coming traffic. At least once a month, trucks break down on the ridge some times blocking both lanes of traffic. The purposed Mountain Peak Winery will greatly add to the existing dangerous traffic on Soda Canyon



Road,not to mention the visitors that will be travelling down Soda Canyon Road at night under the influence of wine.

Soda Canyon is a highly dangerous fire zone and suffered a large fire in 1981.The treasure of FireWise,Jim Thornberry,is a resident of Soda Canyon,and has the facts on the fire threat to this canyon especially in the fourth year of drought in California.

The amount of water used by a 100,000 gallon winery is obscene.UC Davis has the facts on the amount of water a huge commercial project like Mountain Peak will use.Certainly,the amount of water the winery will use is disproportionate to the amount of water used by the surrounding neighbors in single family dwellings.I have great concerns about the water table again after the fourth year of drought in our state.

I believe the size of the purposed Mountain Peak Winery is harmful given the lot is only 40 acres,and surrounded by single family dwellings and vineyards.

It would be more feasible for Mountain Peak Winery to open a tasting room in downtown Napa where there is plenty of parking,foot traffic,and the ability to host events without disturbing the neighbors in Soda Canyon.

If money for Mr. Hua Yuan and Napa County is the only criteria for the passing of this huge commercial project then be aware that you are opening Pandora's box because other owners of 40 acre parcels will follow and expect the same.

Sincerely,
Karey Frasset

**Glenn Schreuder
2882 Soda Canyon Road
Napa, CA 94558**

July 12th, 2016

Dear Planning Commissioners,

On behalf of myself and several other Soda Canyon neighbors, I respectfully request a continuance of the Planning Commission Hearing for Use Permit # P13-00320-UP Mountain Peak Winery of at least 14 calendar days (2 weeks) to review (a) the traffic study, with a complete set of tables and figures, made available to us on Wednesday July 6th, 2016 and (b) the determination of and notice to us by the County Planning Department Deputy Director on Friday July 8th that the Water Availability Analysis (WAA) that has been marked "Draft" was and is considered by the County Planners to be the "Final" WAA.

I originally requested the final version of the WAA on Friday July 1st, 2016, but did not receive final confirmation that the "Draft" version currently on the County website is being treated as the final version until Friday, July 8, 2016. It is worth noting that the report is still marked as a "Draft" document as of the date of this letter.

My understanding of the rules is that the public is allowed 20 days from the notice of the Mitigated Negative Declaration (MND) to review any documents used by the County in reaching its decision. As a result, I respectfully request a continuance to allow the proper amount of time to review what has been represented to us to be a final set of reports.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Schreuder', with a horizontal line extending to the right.

Glenn Schreuder

McDowell, John

From: glensch@wildblue.net
Sent: Tuesday, July 12, 2016 2:26 PM
To: McDowell, John
Subject: Re: Use Permit # P13-00320-UP Mountain Peak Vineyards
Attachments: Use Permit # P13-00320-UP Mountain Peak Winery, Request for Continuance 2016-07-11.pdf

Dear Mr. McDowell,

Below and attached please find a letter addressed to the Planning Commission requesting a continuance in the Mountain Peak matter, currently scheduled for July 20th, 2016. Please see that it reaches the Commissioners for their review prior to July 20th. Thank you again for your assistance with this matter.

Dear Planning Commissioners,

On behalf of myself and several other Soda Canyon neighbors, I respectfully request a continuance of the Planning Commission Hearing for Use Permit # P13-00320-UP Mountain Peak Winery of at least 14 calendar days (2 weeks) to review (a) the traffic study, with a complete with tables and figures, made available to us on Wednesday July 6th, 2016 and (b) the determination of and notice to us by the County Planning Department Deputy Director on Friday July 8th that the Water Availability Analysis (WAA) that has been marked "Draft" was and is considered by the County Planners to be the "Final" WAA.

I originally requested the final version of the WAA on Friday July 1st, 2016, but did not receive final confirmation that the "Draft" version currently on the County website is being treated as the final version until Friday, July 8, 2016. It is worth noting that the report is still marked as a "Draft" document as of today.

My understanding of the rules is that the public is allowed 20 days from the notice of the Mitigated Negative Declaration (MND) to review any documents used by the County in reaching its decision. As a result, I respectfully request a continuance to allow the proper amount of time to review what has been represented to us to be final set of reports.

Thank you in advance for your consideration.

Sincerely,

Glenn Schreuder
2882 Soda Canyon Road
Napa, CA 94558

From: "John McDowell" <John.McDowell@countyofnapa.org>
To: "glensch@wildblue.net" <glensch@wildblue.net>

Sent: Monday, July 11, 2016 4:03:10 PM

Subject: RE: Use Permit # P13-00320-UP Mountain Peak Vineyards

Mr. Schreuder,

A continuance may be requested in writing in advance of the hearing or submitted at the hearing. It may also be requested verbally at the hearing. The Planning Commission makes the determination on the request for continuance. A staff report will be issued this week containing an analysis of the project, draft findings for approval, draft conditions of approval, as well as all correspondence addressed to the Commission (and received prior to publishing). If you submit a continuance request by Wednesday morning, I will certainly be able to include it in the packet. Staff also provides the Commission with correspondence received after the packet is issued generally the night before the hearing unless materials come in that evening in which case the Commission get the materials in the morning.

Thank you,

John

John McDowell
Deputy Planning Director
Napa County Planning, Building and Environmental Services Department
(707) 299-1354

From: glensch@wildblue.net [mailto:glensch@wildblue.net]
Sent: Monday, July 11, 2016 3:19 PM
To: McDowell, John
Subject: Re: Use Permit # P13-00320-UP Mountain Peak Vineyards

Hi John,

Thank you for getting back to me.

I must admit it is very confusing, not to mention frustrating, that last Friday, July 8, 2016, was the first time I, along with other citizens expecting to protest this project, learned that a document marked "DRAFT" is being considered by the county to be the final version of the groundwater study (WAA) for Mountain Peak.

In addition, from communications with Messrs. Bill Hocker and Anthony Arger (other citizens also concerned about the Mountain Peak project), I understand that the full/final traffic report was not made available until July 6, 2016, as the County's website link was broken.

If my understanding of the rules is correct, I, along with any other protesting citizens, am allowed 20 days to review any final reports for the project used by the County.

I/we did not learn until last Friday that the "DRAFT" hydrology report was final, shouldn't I/we be allowed 20 days from that date to review the report and comment?

If the matter is out of your hands and I have to formally request a continuance, how do I go about doing that?

Thanks for your assistance, Glenn

From: "John McDowell" <John.McDowell@countyofnapa.org>
To: "glennsch@wildblue.net" <glennsch@wildblue.net>, "Charlene Gallina" <Charlene.Gallina@countyofnapa.org>
Sent: Friday, July 8, 2016 4:38:21 PM
Subject: RE: Use Permit # P13-00320-UP Mountain Peak Vineyards

Mr. Schreuder,

Thank you for your inquiry. The groundwater study labeled with "draft" is the water study for the project. I do not know why the applicant's consult labeled their report that way. The project's environmental document and all materials referenced in that document have been available during the comment period. You may request a continuance of the hearing which is at the discretion of the Planning Commission at the meeting.

Thank you,

John

John McDowell
Deputy Planning Director
Napa County Planning, Building and Environmental Services Department
(707) 299-1354

From: glennsch@wildblue.net [<mailto:glennsch@wildblue.net>]
Sent: Friday, July 08, 2016 12:02 PM
To: Gallina, Charlene; McDowell, John
Cc: glennsch@wildblue.net
Subject: Use Permit # P13-00320-UP Mountain Peak Vineyards

Dear Ms. Gallina & Mr. McDowell,

I hope you both had a great holiday weekend, I am reaching out today because as of this morning I have not yet received any reply to my email below to Charlene.

In addition, I just re-checked the County's website and the Mountain Peak Vineyards (MPV) Groundwater Study is still in draft form, here is the link:

<http://www.countyofnapa.org/Pages/DepartmentDocuments.aspx?id=4294967660>

I understand that the public is entitled to a comment period of not less than 20 days after the all final documents referenced in the negative declaration have been submitted for review by the public.

The Groundwater study is still in draft form and, in addition, the final traffic study was not made available until July 6th.

Am I correct in understanding that the hearing date will need to be pushed back from the current date of July 20th?

Please let me know at your earliest convenience whether I am interpreting the relevant guidelines correctly, and if so, what date we can expect the MPV hearing to be rescheduled to.

Thank you again for your continued assistance!

Sincerely, Glenn Schreuder

From: Gallina, Charlene [Charlene.Gallina@countyofnapa.org]

To: glennsch@wildblue.net

Sent: Fri 7/1/2016 5:02 PM

Subject: Use Permit # P13-00320-UP Groundwater Study

I will be out of the office on Friday, July 1st and will be back in the office on Tuesday, July 5th. Please leave a message and I will respond upon my return. Have a safe 4th of July!!!
CONFIDENTIALITY NOTICE: This email message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If you are not the intended recipient of the message, please contact the sender immediately and delete this message and any attachments. Thank you.

From: glennsch@wildblue.net

To: "charlene gallina" <charlene.gallina@countyofnapa.org>

Sent: Friday, July 1, 2016 5:01:29 PM

Subject: Use Permit # P13-00320-UP Groundwater Study

Hi Charlene,

Thank you again for your help this week.

I was just looking around on the County website's Online Permit Center and noticed the Mountain Peak Winery Groundwater Study is in draft form, is there a final version available?

Have a great weekend, Glenn

Glenn Schreuder
2882 Soda Canyon Road
Napa, CA 94558
 [\(707\) 257-9700](tel:(707)257-9700) x229 work
 [\(707\) 480-9447](tel:(707)480-9447) cell

McDowell, John

From: Lauren Griffiths <lauren_griffiths@sbcglobal.net>
Sent: Monday, July 11, 2016 10:30 AM
To: McDowell, John
Subject: OPPOSING MOUNTAIN PEAK WINERY-USE PERMIT #P13-00320-UP

July 11, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California. 94559

RE: PROTESTING MOUNTAIN PEAK WINERY - USE PERMIT #P13-00320-UP

Dear Deputy Planning Director McDowell,

One year ago my husband and I moved to Soda Canyon and the extraordinary location known as the Rector Plateau, or, Foss Valley. The peacefulness of the location, with its varied and plentiful wildlife and plant life, its distance from trafficked roads, its black sky at night illuminated only by stars, and the delicate balance of agriculture and oak woodland / riparian corridor - in an important agricultural watershed area - all make this location one which must be vigorously protected and preserved for the future health of the Napa Valley. The selection of this pristine location for a commercial enterprise as described in the use permit request is completely inappropriate and detrimental to this fragile ecosystem - there will be no way to reverse the destructive impact of such operations.

I encourage any planning commissioners who have not personally been to the Rector Plateau to *please* come for a visit to see first hand the "nature" of the location. I would be honored to arrange such a visit.

Of the many reasons why this use permit must be opposed - paramount concerns are:

*The impact on the watershed of the Rector Plateau; i.e., the strain that winery operations will place on the plateau's aquifer - with our state in its fourth year of drought, such actions are irresponsible. We MUST plan for the future, as decisions made today will have long term and irreversible consequences. This is the year that the validity of Climate Change has been acknowledged and Napa has the opportunity to lead by example - conserving its dwindling precious resources.

*The impact on traffic through Soda Canyon would be harrowing. The only road in and out of Soda Canyon is 6.75 miles long, steep, curvy, narrow, and pot-holed - without any guard rails, reflective lane markers, or street lights. During the winter the road becomes icy near the crest, is often shrouded in dense fog, and is whipped by winds and rain during storms. Imagine large and numerous trucks navigating in such conditions. Also imagine drivers unfamiliar with this road descending down this dangerous hill after drinking - particularly in the dark! In this remote location, we do not have the benefit of sobriety watches.

Just last month I was caught in a line of cars near the top of the hill while one tanker truck pushed a disabled tanker truck backwards up the hill, while emergency vehicles assisted (photo attached). It is not uncommon for trucks to overheat or to get stuck rounding a curve.

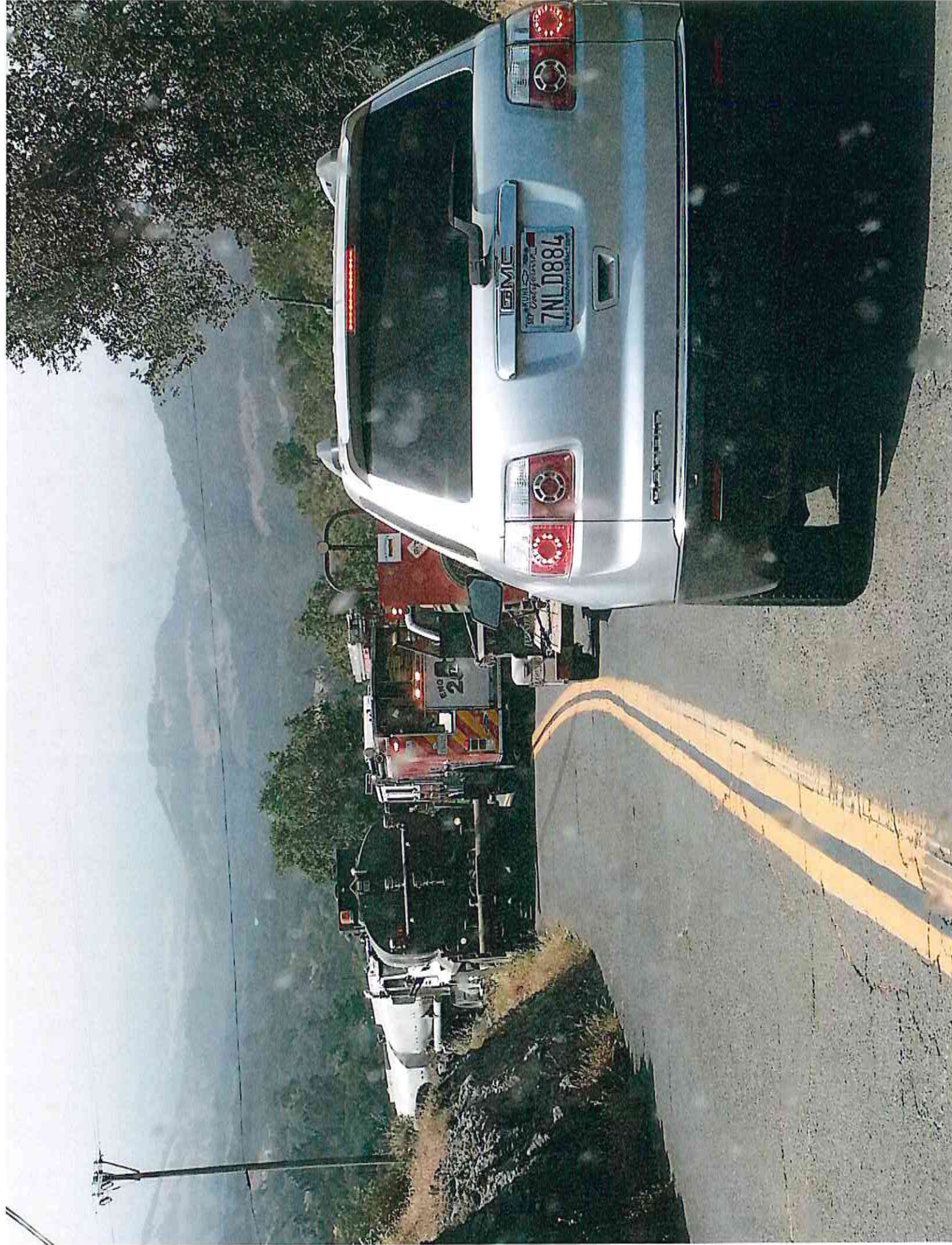
Denying this use permit is an opportunity for the Planning Commission to signal that it appreciates, values, and will *advocate for* the fertile land that has made Napa Valley world renown.

Your opposition of this use permit will be a landmark decision praised by future generations.

Respectfully,

Lauren Griffiths
3350 Soda Canyon Road
Napa, CA. 94558
415.509.6559





RECEIVED

JUN 28 2010

TRB
Napa County Planning, Building
& Environmental Services

John McDowell:

Vote No July 20 on Mountain Peak Vineyards and save Soda Canyon Road. Vote with your heart, and vote with your head for what's right for Napa Valley. You can make the difference that is needed. Don't let international corporate interests win, let the people voices be heard.

I remember the Napa of farmers who owned small parcels of land and drove beat up pickups. I grew up on Soda Canyon road; riding my bike with friends up and down the big dip in the road, walking to the Soda Canyon Store for snacks, and exploring the Soda Creek.

Unfortunately Soda Canyon Road is not the rural quiet lane it should be, and once was. It is becoming an industrial highway. It is loud, fast, clogged and dangerous at times.

Try pulling out of your drive way... or taking a walk. Its only a matter of time until the unthinkable happens. Do you want to live with that? When is enough enough? Today! Right Now!

This is the time to let the people of Napa be heard. Say NO To Mountain Peak Vineyards, and YES to preserving Soda Canyon.

Emily Walz





YOCHA DEHE
CULTURAL RESOURCES

RECEIVED
JUN 27 2016
Napa County Planning, Building
& Environmental Services

June 16, 2016

John McDowell
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

RE: Mountain Peak Winery Project

Dear Mr. McDowell:

Thank you for your project notification letter dated, May 19, 2016, regarding cultural information on or near the proposed Mountain Peak Winery project, Napa, Napa County, CA. We appreciate your effort to contact us and wish to respond.

The Cultural Resources Department has reviewed the project and concluded that it is within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we have a cultural interest and authority in the proposed project area.

Based on the information provided, the Tribe has concerns that the project could impact undiscovered archaeological deposits. Additionally, Yocha Dehe Wintun Nation requests a site visit to the project area to evaluate our cultural concerns. Please send us the cultural resource study for this project.

Please contact the following individual to coordinate a date and time for the site visit.

Mr. James Sarmento
Cultural Resources Manager
Yocha Dehe Wintun Nation
Office: (530) 723-0452, Email: jsarmento@yochadehe-nsn.gov

Please refer to identification number YD - 06072016-03 in any correspondences concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

James Kinter
Tribal Secretary
Tribal Historic Preservation Officer

Mr. John McDowell
Deputy Planning Director
Department of Planning, Building & Environmental Services
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

RECEIVED
JAN 13 2016
Napa County Planning, Building
& Environmental Services

January 11, 2016

Re: Unpermitted Tastings at Mountain Peak Winery (County of Napa Use Permit Modification #P13-00320-UP)

Dear Mr. McDowell,

I am writing to inform you of unpermitted tastings that have been occurring at Mountain Peak Winery/Vineyards ("MPV"), located at 3265 Soda Canyon Road, Napa, CA 94558 (County of Napa Use Permit Modification #P13-00320-UP). Following a specific instance of unpermitted wine tasting that occurred on November 15, 2015 at the MPV project site, described in detail below, I reached out to Mr. Steven Rea, General Manager for MPV, to inform him of the incident. I made it clear my communication to Mr. Rea (correspondence attached) that I was not immediately inclined to reach out to the County and/or the Department of Alcoholic Beverage Control ("ABC") to inform the respective agencies of this improper activity, as my family and the proprietors (and employees) of MPV are going to be next-door neighbors for the foreseeable future, and that it was (and still is) my desire to maintain a working relationship. Unfortunately, Mr. Rea informed me in his response that he had already reached out to an unnamed individual at the County because MPV has "nothing to hide" and further accused me of trespassing and harassment (correspondence attached). He did not include me on this communication with the County, and therefore I do not know how he portrayed the events that transpired. Accordingly, I would like to inform you (and the appropriate department/individuals at the County) of what did transpire and request that a formal complaint be lodged with the County in the MPV file. Before moving on, I must convey to you that it is with regret that I write this letter, as I sincerely hoped to resolve this matter with Mr. Rea directly, but it is obvious from his response to me that he and MPV have no desire to work with my family, or the neighborhood, many residents of which are deeply concerned by the MPV project.

The November 15, 2015 Incident

For the past several months, my family, along with other nearby neighbors, have noticed a steady stream of different cars, and even a few limousines, entering and leaving the proposed site for Mountain Peak Winery, which we recently learned is operating as Acumen Wines (<http://www.acumenwine.com/>). Based on the increasing number of cars and limousine sightings, we have suspected that improper activity in the form of unpermitted wine tastings has been occurring at MPV. On Sunday, November 15, 2015, our suspicions that unpermitted and unlicensed wine tastings are happening at MPV were confirmed.

On Sunday, November 15, 2015, family friends of ours were visiting our home and vineyards, located at 3030 Soda Canyon Road, and happened to be at the intersection of Soda Canyon Road and the one lane, dirt road that we must take to access our property. The entrance to MPV is also located at this intersection. At approximately 10:45 am, a blue, four-door sedan with Washington state license plates was moving slowly east along Soda Canyon Road (towards the direction of our property and that of MPV from the Silverado Trail) and stopped to ask our friends if they knew where “Acumen Winery [was] located” because they had “a wine tasting appointment.” Our family friends, who have visited our home several times, and are aware not only of MPV/Acumen’s location, but also of its pending permit with the County of Napa, pointed to the entrance of the MPV/Acumen property. At that moment, a man wearing a blue colored vest with an “Acumen” label/logo on the left breast pocket walked to the end of MPV’s driveway, opened the gates, and ushered the blue sedan inside the property. Based on this sequence of events, it is quite clear that the individuals in the sedan were visiting MPV for the strict purpose of a private wine tasting.¹

In Mr. Rea’s email response to me, he claims that a Mr. Kurt Inge is a “resident” at the MPV property and that the individuals in the blue sedan were “his guests who were visiting from Sweden,” who are among his “many friends visiting from within Napa and from all over the world.” I find this extremely hard to believe. My family has owned our property on Soda Canyon Road for 18 years. For 15 of those 18 years, we also owned a winery in St. Helena. We know the difference between “friends” who are visiting our home on Soda Canyon, and tourists who are coming to taste wine at a winery. The individuals in the blue sedan who stopped and asked our family friends on November 15 for directions to MPV were not simply “friends.” If they were just “friends,” they would have asked something along the lines of “do you know where Kurt Inge lives? We are friends from out of town who are here to visit him...” Instead, they asked where “Acumen Winery [was] located” because they had “a wine tasting appointment.” Then, just after the individuals in the car approached our family friends and asked for directions to a winery because they had a wine tasting appointment, an individual (presumably Mr. Inge), came out to the gate to greet the individuals in the blue sedan. Not only did the individuals not get out of the car to say hello to the greeter (something I would expect if my friends were visiting me all the way from Sweden), but the greeter was also wearing a blue colored vest with an “Acumen” label on the left breast pocket. Based on this sequence of events, there can be no doubt that these individuals were visiting MPV for the strict purpose of a private wine tasting. The likelihood of this is further supported by the increasing number of sightings over recent months of different cars and limousines entering and exiting the property.

As to Mr. Rea’s allegations of trespassing and harassment, I was not even at home at the time of the incident. These allegations are entirely without merit and are nothing more than a smokescreen to divert attention away from the only illegal activity that occurred on that day – unpermitted and unlicensed wine tastings at MPV. The fact is that Mr. Rea and his team were caught red-handed engaging in clearly unpermitted and illegal tastings, and they are now reeling to come up with some alternate scenario that could somehow relieve them of the difficult position in which they have placed themselves.²

¹If necessary, I am happy to provide additional support from our family friends pertaining to the facts and circumstances surrounding the November 15, 2015 incident. Please do not hesitate to let me know.

²I am similarly happy to provide you with additional information on these absurd allegations if necessary.

Other Previous & Ongoing Wine Tastings at the MPV Property

The November 15, 2015 incident is now the second reported instance of unpermitted wine tastings taking place at MPV. Last May, Mrs. Diane Shepp, a long-time resident of Soda Canyon Road, reported to you (and the County) that Stagecoach Vineyards has been engaging in unpermitted wine tastings for years (see attached email chain, yelp reviews, web page from the Stagecoach Vineyard website, and a May 24, 2000 letter from the ABC explicitly stating that no tastings are permitted at this location). As pointed out in Mrs. Shepp's final email regarding these unpermitted tastings, the "little red barn" utilized by Krupp Brothers/Stagecoach Vineyards for its wine tastings is located on the north end of the Mountain Peak Vineyards property.³ As I understand it, the owner of Stagecoach Vineyards sold the roughly 40-acre parcel to MPV some 3 or 4 years ago, but negotiated some type of agreement to continue utilizing the red barn (aka the "existing viticultural office") that is located on what is now MPV's property. I am not aware of the details of this agreement, but it is clear that MPV either explicitly or implicitly authorized the unpermitted Stagecoach wine tastings to continue to take place on its property following the land purchase.

Conclusion

My family has been a part of the Napa Valley wine industry since the 1970s. Having owned a winery in St. Helena for 15 years, and our vineyards on Soda Canyon Road for close to 20 years, we are well aware of the County and State regulations relating to the marketing, purchase, and sale of alcohol. With this understanding and respect not only for the rules, but also for the community at large, we are deeply concerned by the now multiple instances of unlawful activity taking place at MPV. As you are well aware, the proposed winery, extensive caves, and event center project put forth by MPV is highly controversial in the neighborhood, even among vineyard owners, such as my family, and other wineries on Soda Canyon Road. With such overwhelming opposition to this project, one would think that Mr. Rea and his team would be seeking to not only abide by the County rules and those of the ABC that prohibit wine tastings prior to the issuance of a permit or ABC license, but also trying to work with the neighborhood to build a working relationship for the future. Unfortunately, it is now clear that Mr. Rea and his team place no value on following the rules of the County of Napa or the Department of Alcoholic Beverage Control, or working with the neighborhood. Regretfully, this situation is most disturbing because it suggests the type of behavior that MPV will engage in going forward. We certainly hope that this does not continue to be the case, and that Mr. Rea and MPV will reverse its current course and be more willing to work with the neighborhood. However, until

³If there are any questions regarding the location of the red barn and its ownership status, I have attached 3 maps demonstrating that the little red barn, which is still run by Stagecoach Vineyards (I know because my family's property is directly across from the red barn and there is a sign out front that says "Stagecoach Vineyards"), is located on the north end of the MPV property. The first is a map provided by Mountain Peak to neighbors when the company first introduced the project to the neighbors (titled "Mountain Peak Winery Use Permit Drawings"). The map shows that the Mountain Peak property is nearly divided into 2 parcels, with a small strip of land connecting one parcel to the other across a one lane, dirt road that serves other properties further into the mountains. To the left of that small strip (roughly just to top left of the middle of the page) is a line indicating the location of an "existing viticultural office." This "existing viticultural office" is the little red barn that is still leased/run by Krupp Brothers/Stagecoach Vineyards. To make it more clear, I have also provided two Google maps, which show the red barn at this location on the MPV property.

this happens, the safety and welfare of all Soda Canyon residents is in serious jeopardy due to the distinct possibility of drunk drivers using Soda Canyon Road to access/exit the MPV property. We therefore respectfully request that the County take appropriate formal action to ensure that no more unpermitted tastings, or otherwise unauthorized behavior, occurs at MPV until it is permitted and/or licensed to do so.

Thank you for taking the time to read this letter, and please do not hesitate to let me know of any questions.

Sincere Regards,

A handwritten signature in blue ink, appearing to read 'A.G. Arger', with a long horizontal flourish extending to the right.

Anthony G. Arger

Attorney at Law

3030 Soda Canyon Road

Napa, CA 94558



Anthony Arger <anthony.arger@gmail.com>

Unpermitted Wine Tastings at Mountain Peak Winery

Steve Rea <steven@mountainpeakvineyards.com>

Wed, Dec 9, 2015 at 2:21 PM

Reply-To: Steve Rea <steven@mountainpeakvineyards.com>

To: Anthony Arger <anthony.arger@gmail.com>

Cc: Donna Oldford <dboldford@aol.com>

Hello Anthony,

Thank you for communicating with us as I had wondered who it was that came onto our property on the day you mentioned. It was a very disturbing situation for our resident, Kurt-Inge, and his guests who were visiting from Sweden. They said how someone was snooping around the house, peaking in windows and taking photos and when confronted mentioned something about having "unauthorized tastings". Normally, most people would think this could be a robber scoping out the house or worse. At least now we know it was our neighbor. Considering how illegal, dangerous and wildly inappropriate these kinds of actions are, we must ask you or whichever people you are talking to, to please never trespass like this again.

Please understand that Kurt-Inge is very social, with many friends visiting from within Napa and from all over the world. He, we and our friends as guests are entitled to a peaceful enjoyment of the house and land.

We really regret to see that there are such extreme attitudes from some people to jump to conclusions and make such unbiased and fabricated accusations, even to the degree that they would trespass onto our property in such a threatening way. Whether it was you, your friends, other neighbors or people you know, needless to say we must ask you to never do that again.

Since we have nothing to hide, we have directly notified the County of your letter and baseless accusations, and they are in contact with the Sheriff so the Sheriff is also aware of the trespassing and harassment.

It is my hope that we can get beyond such meaningless and negative actions to be respectful neighbors in supporting a community that we can all enjoy.

Thank you,

Steve

" Life is Good "

From: Anthony Arger <anthony.arger@gmail.com>**To:** "Steven @ MPV" <steven@mountainpeakvineyards.com>

Cc: Donna Oldford <dboldford@aol.com>
Sent: Monday, November 23, 2015 4:27 PM
Subject: Unpermitted Wine Tastings at Mountain Peak Winery

Dear Mr. Rea,

For the past several months, our family, along with other nearby neighbors, have noticed a steady stream of different cars, and even a few limousines, entering and leaving the proposed site for Mountain Peak Winery/Vineyards (MPV), located at 3265 Soda Canyon Road in Napa, CA (County of Napa Use Permit Modification #P13-00320-UP), which we recently learned is operating as Acumen Wines (<http://www.acumenwine.com/>). Based on the increasing number of cars and limousine sightings, we have suspected that improper activity in the form of unpermitted wine tastings has been occurring at MPV. Just over a week ago, on Sunday, November 15, 2015, our suspicions that unpermitted and unlicensed wine tastings are happening at MPV seem to have been confirmed.

On Sunday, November 15, 2015, family friends of ours were visiting our home and vineyards, located at 3030 Soda Canyon Road, and happened to be at the intersection of Soda Canyon Road and the dirt road that veers towards our property (where residents leave their garbage cans), also right at the entrance to MPV. At approximately 10:45 am, a blue, four-door sedan with Washington state license plates was moving slowly east along Soda Canyon Road (towards the direction of our property and that of MPV from the Silverado Trail) and stopped to ask our friends if they knew where "Acumen Winery [was] located" because they had "a wine tasting appointment." Our friends, who have visited our home several times, and are aware not only of MPV/Acumen's location, but also of its pending permit with the County of Napa, pointed to the entrance of the MPV property. At that moment, a man wearing a blue colored vest with what appeared to be an "Acumen" label/logo on the left breast pocket walked to the end of MPV's driveway, opened the gates, and ushered the blue sedan inside the property. Based on this sequence of events, it is quite clear that the individuals in the sedan were visiting MPV for the strict purpose of a private wine tasting.

It is my understanding that Mountain Peak Winery/Vineyards (operating as "Acumen") is not currently permitted by the County of Napa (the County) to conduct any on-site winery tours or wine tastings. It is also my understanding that MPV does not currently have a Type 02 license to serve alcohol to wine tasters from the California Department of Alcoholic Beverage Control (ABC). Based on what we have observed in the form of different cars and limousines entering and exiting the property over the past several weeks and months, and this specific incident where individuals driving a car with an out-of-state license plate specifically asked our friends for directions to the MPV/Acumen property because they had "a wine tasting appointment," there is little doubt that unpermitted and unlicensed tastings are being conducted at the proposed site for MPV/Acumen.

We have not yet decided how we are going to handle this situation with the County or the ABC. We are not immediately inclined to report this activity to either the County or the ABC because we realize that we are going to be neighbors for the foreseeable future and would like to maintain a working relationship with you, as well as with the owners and other employees/consultants of MPV. However, we are simultaneously quite concerned that MPV is engaging in what appears to be improper activity even before perfecting any entitlements for public wine tastings and tours from the County of Napa or the ABC.

As you are well aware, this project is a very important matter to the Soda Canyon neighborhood and community. As one of your immediate neighbors, we are reaching out to you as a courtesy to inform you and other MPV employees of what has been observed at your property over the past several weeks and months. While we try to resolve how we are going to handle this situation, we strongly encourage you and other MPV employees to immediately cease all unpermitted and unlicensed wine tastings at the proposed winery site for Mountain Peak Winery/Vineyards. If the neighborhood continues to observe similar activities at the Mountain Peak site, we, along with other members of the community, will be left with no other option but to seek corrective action through the proper channels.

Thank you in advance for your cooperation and understanding. If you have any questions, please do not hesitate to contact me.

Sincere Regards,
Anthony

(a pdf version of this communication is also attached)

--

Anthony Arger
Cell: (775) 750-6545
Email: anthony.arger@gmail.com



Anthony Arger <anthony.arger@gmail.com>

Re: Mountain Peak and APAC Proposal

Julie Arger <jarger@sbcglobal.net>
Reply-To: Julie Arger <jarger@sbcglobal.net>
To: Anthony Arger <anthony.arger@gmail.com>

Tue, Dec 29, 2015 at 10:42 AM

On Tuesday, May 26, 2015 10:22 AM, "McDowell, John" <John.McDowell@countyofnapa.org> wrote:

Thank you – I have forwarded this onto code enforcement. They have opened a case but I'm not going to be able to discuss this with them in detail until late this week.

From: Cynthia Grupp [mailto:cfgrupp@gmail.com]
Sent: Friday, May 22, 2015 1:51 PM
To: Diane Shepp
Cc: McDowell, John; Bill Hocker; Julie Arger; Alan Shepp
Subject: Re: Mountain Peak and APAC Proposal

This is also on their website under future plans:

But at an innovative enterprise like Stagecoach, the opportunities always outweigh the challenges. We see great potential in the area of education, such as sommelier summits, and in Stagecoach's growth as a luxury brand. We plan to expand our hospitality program with new facilities for customers and visitors, and to host more social events at the vineyard, including rides in our beautifully restored original stagecoach.

On Thu, May 21, 2015 at 10:07 AM, Diane Shepp <protectruralnapa@gmail.com> wrote: Just went on-line and found probably exactly what you found. I have scanned it here for your additional information. Please note the second photo of the red barn visitors center for Krupp, that sits on the Mountain Peak Vineyard property. Also any map directions clearly indicate the location of the red barn as where the tours begin.

We will forward any additional photos we might take, particularly with the Wine Auction almost upon us.

Diane

On Thu, May 21, 2015 at 9:45 AM, McDowell, John <John.McDowell@countyofnapa.org> wrote:

Thank you for the information on Krupp Brothers. I found some evidence on their website and elsewhere on the web. I'm forwarding this information to our code enforcement team to look into it further.

Thank you,

John McDowell
Deputy Planning Director
Napa County Planning, Building and Environmental Services Department
(707) 299-1354

From: Diane Shepp [mailto:protectruralnapa@gmail.com]
Sent: Thursday, May 21, 2015 9:30 AM
To: McDowell, John
Cc: Cynthia Grupp; Bill Hocker; Julie Arger; Alan Shepp
Subject: Re: Mountain Peak and APAC Proposal

Deputy Director McDowell,

I echo Bill's comments and thank you for taking the time to meet with us yesterday.

When driving home yesterday I stopped in front of the barn on the Mountain Peak property that serves as the "greeting place" for visitors to Stagecoach Vineyards. I apologize that the photos are not better, however perhaps you can blow them up for greater detail. Or maybe I will be able to take better photos. The gate has in its grill work, "Stagecoach Vineyards" and the address on Soda Canyon Road. Please note the boulder to the right of the gate with the Stagecoach Vineyards logo on it. A mile further down the dirt road where the road "Y" 's, I took the second photo, clearly indicating a turn left will take you to Stagecoach Vineyards and their "Pavilion" and the location of Stagecoach Vineyards tours/tastings.

I will alert our neighbors to take photos anytime they see a tour bus at the red barn or driving out to the Pavilion and forward them onto you. In the meantime I will check out social media for tours/tastings oat Stagecoach Vineyards.

Best regards,

Diane

On Wed, May 20, 2015 at 10:14 PM, Bill Hocker <bill@wmhocker.org> wrote:
Mr. McDowell,

It was a great pleasure to speak with you today concerning the Mountain Peak project and to know that you will be handling the project going forward. You have a gift for sympathy and understanding which I must assume is communicated to Ms. Oldford and Mr. Reh as well. I would hope that both sides might feel that we have an open and honest broker well versed in the issues in what will be a contentious process over the next year.

Today I mentioned the APAC Proposal L from Bernadette and Walt Brooks. I had not known who they were and was surprised when Bernadette spoke up today durning the visitation matrix segment of the PC meeting.

My own screed on the proposal is here <http://sodacanyonroad.org/forum.php?p=811>
(pedantic as usual)

I'm sure that Mr. Morrison has gone over their proposal; the departmental proposal and theirs overlap in many ways. I call your attention to it because it begins to integrate several factors that should be integrated - parcel size to capacity to visitation to location. Relating parcel size and AP vs AW location to visitation was an issue brought up by others at the PC meeting today. Their proposal includes some items that might fit in to your evaluation criteria (like visitation based on actual production vs permit capacity, and visitation only during daylight hours.)

Again many thanks for giving us the opportunity to chat today.

Bill Hocker

--

Diane Shepp
President
Protect Rural Napa
P.O. Box 2385
Yountville, CA 94599
protectruralnapa@gmail.com

Dedicated to promoting land conservation awareness, education and outreach in Napa County for the benefit of current and future generations.

The information in this transmittal (including attachments, if any) is privileged and confidential and is intended only for the recipient(s) listed above. Any review, use, disclosure, distribution or copying of this transmittal is prohibited except by or on behalf of the intended recipient. If you have received this transmittal in error, please notify me immediately by reply email and destroy all copies of the transmittal. Thank you.

CONFIDENTIALITY NOTICE: This email message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If you are not the intended recipient of the message, please contact the sender immediately and delete this message and any attachments. Thank you.

--

Diane Shepp
President
Protect Rural Napa
P.O. Box 2385
Yountville, CA 94599
protectruralnapa@gmail.com

Dedicated to promoting land conservation awareness, education and outreach in Napa County for the benefit of current and future generations.

12/29/2015

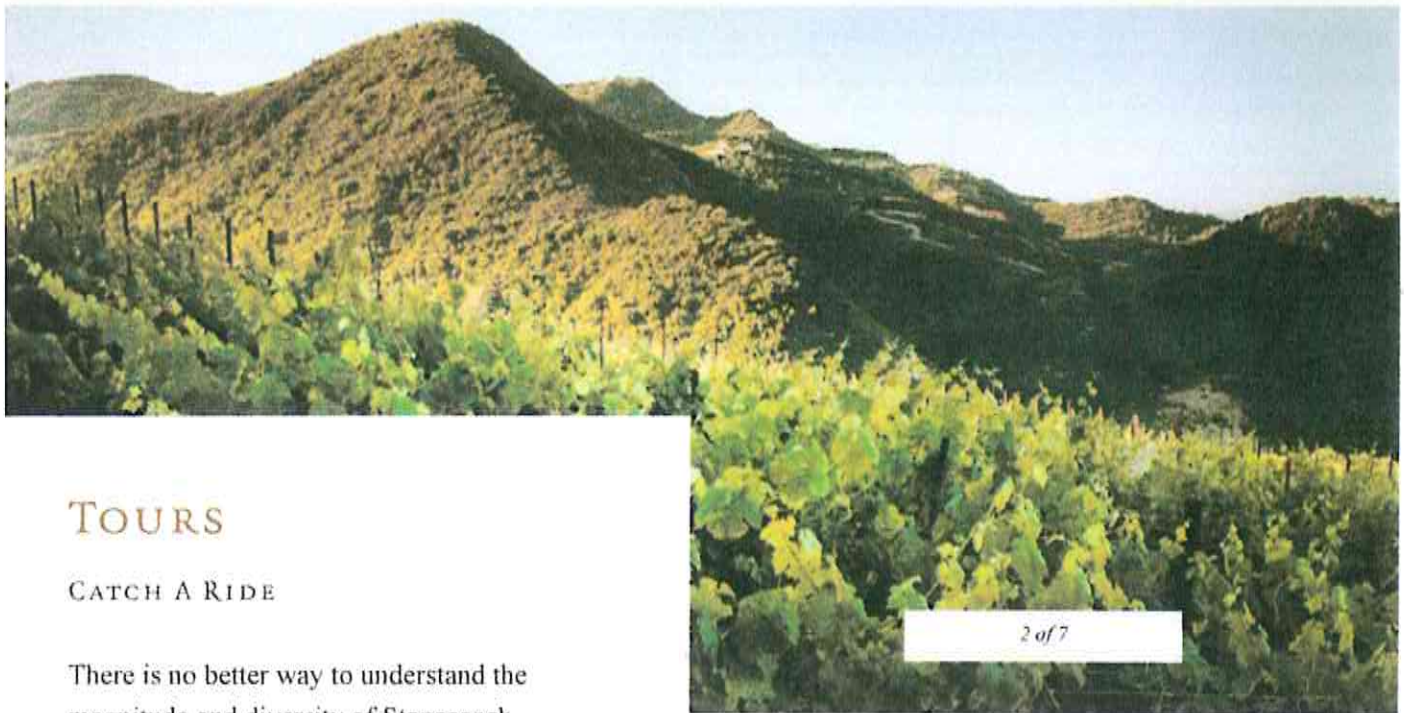
Gmail - Re: Mountain Peak and APAC Proposal

The information in this transmittal (including attachments, if any) is privileged and confidential and is intended only for the recipient(s) listed above. Any review, use, disclosure, distribution or copying of this transmittal is prohibited except by or on behalf of the intended recipient. If you have received this transmittal in error, please notify me immediately by reply email and destroy all copies of the transmittal. Thank you.

STAGECOACH VINEYARD



<http://domain.com/>)



TOURS

CATCH A RIDE

There is no better way to understand the magnitude and diversity of Stagecoach Vineyard than to tour it yourself.

ARRANGE A TOUR

Contact our concierge

Phone: (707) 259-1198

tours@stagecoachvineyard.com

(<mailto:tours@stagecoachvineyard.com>)

2 of 7

Our concierge will take you on a private, 60- to 90-minute loop around the 1100-acre property, which affords spectacular views from the Napa Valley to the San Francisco Bay – on clear days you can even see the City skyline. Soaring golden eagles, sightings of black bears, bobcats, or coyotes – is it any wonder that the natural splendor of these rolling hills has inspired marriage proposals? Weather permitting, you will head to the uppermost point of the vineyard and enjoy the full experience that Stagecoach Vineyard has to offer. Contact us today for more details or to book a tour.



Krupp Brothers Stagecoach Vineyard Photos

5 photos for Krupp Brothers Stagecoach Vineyard

4 of 5



Greg G.

47 48

Compliment

Uploaded 11/15/17



From Greg G.



From Greg G.



From Greg G.



From Greg G.



From Greg G.

About

- About Yelp
- Careers
- Press
- Investor Relations
- Content Guidelines
- Terms of Service
- Privacy Policy

Discover

- The Weekly Yelp
- Yelp Blog
- Support
- Yelp Mobile
- Developers
- RSS

Yelp for Business Owners

- Claim your Business Page
- Advertise on Yelp
- Yelp SeatMe
- Business Success Stories
- Business Support
- Yelp Blog for Business Owners

Languages

English

Countries

United States

Krupp Brothers Stagecoach Vineyard

★★★★★ 3 reviews

\$\$ Beer, Wine & Spirits



Soda Canyon Rd

Map data ©2015 Google

[Edit](#)

3267 Soda Canyon Rd
Napa, CA 94558
[Get Directions](#)
(707) 226-2215
[kruppbros.com](#)



Krupp Brothers Stagecoach Vineyard - Napa, CA, United States

Recommended Reviews

Yelp Sort [Date](#) [Rating](#) [Elites](#)

English 3



Your trust is our top concern, so businesses can't pay to alter or remove their reviews. [Learn more](#)



Krystle L.
Larkspur, CA
23 friends
90 reviews
Elite '16

★★★★★ 7/18/2014

Krupp Brothers produces some of my all time favorite wines. Black Bart's Bounty Syrah is so rich and full bodied, great with steaks. I'm sad to hear that they've stopped making it. The chardonnay is another favorite of mine.

I buy their wines on their website but you can also do a wine tasting tour if you call. The cost of the tour can go towards a wine purchase which is nice. The vineyard is beautiful and the view from the top is amazing! It's a more remote place and cell phone service is pretty spotty so make sure you have a GPS.



Tiffany C.
San Francisco, CA
106 friends
579 reviews
Elite '16

★★★★★ 4/27/2014

1 check-in

Gosh Kazu O. Why are you spilling the beans?

This is a amazing winery from people who really love wine. They don't do any advertising here, so everyone that comes here is basically through word of mouth. This is my favorite wine tasting ever. You hop in a car and they drive you around the vineyard as they tell you about themselves. The view is amazing, the wines are fabulous (love the M5 and the Chard), and I love the story behind the Krupp brothers. My favorite winery thus far, making it very tough to hold back and not sign up for a membership!

\$\$ Price range **Moderate**



[Edit business info](#)



[Work here? Claim this business](#)

Hours

More business info

Accepts Credit Cards **Yes**



Kazu O.
First to review

People also viewed



Frank Family Vineyards
320 reviews
Always a great experience - and the wines are amazing.

Browse nearby

[Restaurants](#), [Nightlife](#), [Shopping](#), [Show all](#)

Work Here? Claim this Business

- Respond to reviews and privately message customers
- Claiming is free, and only takes a minute



Kazu O.
 San Francisco, CA
 365 friends
 442 reviews
 Elite '16



4/27/2014

1 check-in 1 First to Review

Shhh. Secret spot. Way up in the hills, up a windy dirt road. Good luck finding this place, but it's the best wine tasting experience, EVER. Reservations-only, and they only do tastings sometimes when time allows in their schedule. You'll get a great historical lesson of the Pritchard Hill region, beautiful views, and some AMAZING wine. That chardonnay is probably the best chard I've ever had!

Seriously though, don't tell anyone.

Page 1 of 1

Other great stuff nearby



See More Beer, Wine & Spirits in Napa

About

- About Yelp
- Careers
- Press
- Investor Relations
- Content Guidelines
- Terms of Service
- Privacy Policy
- Ad Choices

Discover

- The Weekly Yelp
- Yelp Blog
- Support
- Yelp Mobile
- Developers
- RSS

Yelp for Business Owners

- Claim your Business Page
- Advertise on Yelp
- Yelp SeatMe
- Business Success Stories
- Business Support
- Yelp Blog for Business Owners

Languages

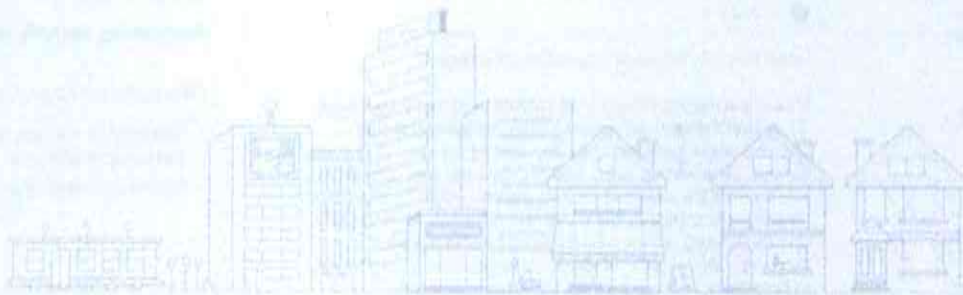
English

Countries

United States

Napa Business Listings **A B C D E F G H I J K L M N O P Q R S T U V W X Y Z** | Newly Added

Site Map | Atlanta | Austin | Boston | Chicago | Dallas | Denver | Detroit | Honolulu | Houston | Los Angeles | Miami | Minneapolis | New York | Philadelphia | Portland | Sacramento | San Diego | San Francisco | San Jose | Seattle | Washington, DC | More Cities



DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

50 D Street, Suite 400
Santa Rosa, CA 95404
(707) 576-2165



Mary L. Schreuder
Joseph A. Schreuder
2882 Soda Canyon Rd.
Napa, CA 94558

May 24, 2000

Dear Protestant:

I am the Investigator with the Alcoholic Beverage Control assigned to handle the applications for a type 17 / Beer & Wine Wholesaler & a type 20 / Off Sale Beer & Wine licenses at 3265 Soda Canyon Road, in Napa. My name is Kathy Chavez. My work telephone is (707) 576-2493.

In order for me to complete my investigation of the issues of protest with regard to issuing or denying these licenses, I would appreciate your cooperation in filling out the protestant interview information enclosed and returning it to me in the stamped envelope enclosed for you as soon as possible. Or if you would prefer to discuss the matter, via phone or in person please feel free to contact me at the telephone number listed in the above paragraph.

Please, understand this agency has only an objective interest in either issuing or denying these licenses based upon the grounds listed on the enclosed ABC-510 form. Therefore, I must prove or disprove the issues listed in your protest that relate solely to alcohol issues.

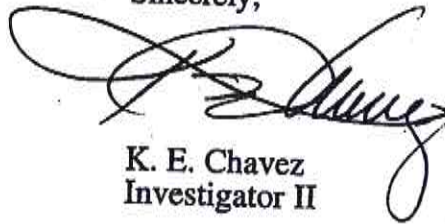
This application is for an office location only. The applicant has signed conditions that would restrict these licenses to the sales of beer and/or wine to be solicited and accepted by direct mail, telephone and/or on-line computer only. The office cannot be used for walk in public traffic to order alcoholic beverages.. There can be no storage, possession and/or delivery of alcoholic beverages to retailers or consumers from this location. Please note: alcoholic beverages used for personal consumption are not included as a part of these conditions. Please, see the enclosed conditions and a copy of the applicant's home occupation permit.

The Department requires that records be kept for sale and distribution of alcoholic beverages. And thus, the Department may make an examination of the books and records of any licensee where records are kept and inspect the premises. Therefore, the Department requires that this office location be licensed. The applicant, Krupp Brothers LLC has applied for additional 17/20 licenses to be issued at a separate shipping location of 747 Skyway Ct., Napa, California. This address is licensed with public warehouse licenses and is suitable for the storage, possession and distribution of alcoholic beverages. This is the address the applicant has chosen from which to store and ship their alcoholic beverages.

If the applicant at a later date, would chose to decide to apply for a type 02 / wine grower's license at this location another public posting would be required and protests would be accepted by this Department. The applicant would also have apply to Napa County Planning Department for approval to build and operate a winery.

I hope I have shed some light on the types of licenses and office operation that this applicant has applied for at this location. If you have questions or would like to talk to me further about your protest at this location please, feel free to call me at (707) 576-2493. Thank you in advance for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. E. Chavez', written in a cursive style.

K. E. Chavez
Investigator II

Enclosures

kc: KC

cc: DR, file, & Krupp Brothers LLC

This is done because the law requires that the applicant be furnished with a statement of issues to be determined at the hearing. The statement of issues identifies the grounds that you and any other possible protestants have submitted which form the basis for your objection to the granting of the license.

Some of the grounds of protest which could relate to public welfare and morals are as follows:

1. The Premises are located within the immediate vicinity of a school, church, hospital, or children's playground and the normal operation of the licensed premises would interfere with their respective functions.

It will be necessary to establish specifically the detrimental factors which would affect the facility. However, mere proximity to such consideration points is not sufficient grounds in and of itself to support a denial.

2. The premises are located in a residential area, and the normal operation of the licensed premises would interfere with the quiet enjoyment of their property by the residents of the area. It will be necessary to identify specifically how the residents will be affected.
3. When the premises have not been operated with the same type license within 90 days of the application, your protest may be based upon Rule 61.4 of title 4, chapter 1, of the California Code of Regulations. The rule provides a basis for denial of the application if the premises or the parking lot is within 100 feet of a residence and the applicant fails to establish that operation of the business would not interfere with the quiet enjoyment of the residents. The rule is available for your review at any Department office or may be purchased for a nominal fee.
4. Licensing the premises would create a public nuisance as defined in Penal Code Section 370, in that : (the specific facts leading to this conclusion must be stated.).
5. Issuance of the license to the premises would result in or add to an undue concentration of licenses.
6. The applicant is not the true or sole owner of the business to be licensed. You must be prepared to present evidence and/or testimony as to the true ownership.

The following are grounds usually cited by city or county enforcement agencies only, but can be used by individuals who have independent, adequate evidence of same:

7. Issuance of the license to the premises would tend to create a law enforcement problem or aggravate an already existing police problem.
8. Licensing the premises would be contrary to the provisions of a valid zoning ordinance.
9. The applicant has been convicted of a felony or of a crime involving moral turpitude or of one of the offenses listed in subdivision (b) of Section 24200 of the Alcoholic Beverage Control Act.
10. The applicant has a record of chronic insobriety.
11. The applicant has a police record which disqualifies him or her for a license.

For your protest to be more effective, it should be specific and not merely a restatement of the above examples.

Google Maps 3267 Soda Canyon Rd



Imagery ©2015 Google, Map data ©2015 Google 200 ft

3267 Soda Canyon Rd
Napa, CA 94558

At this location

Stagecoach Vineyard
Winery · Soda Canyon Rd



Google Maps 3267 Soda Canyon Rd



Imagery ©2015 Google, Map data ©2015 Google 50 ft

3267 Soda Canyon Rd
Napa, CA 94558

At this location

Stagecoach Vineyard
Winery · Soda Canyon Rd



McDowell, John

From: steven@mountainpeakvineyards.com
Sent: Wednesday, November 25, 2015 5:31 PM
To: Morrison, David; McDowell, John
Cc: Donna Oldford; McMahon Brien (Perkins Coie)
Subject: Letter of Concern about Harassment
Attachments: Harrassment Letter.pdf; Unpermitted Wine Tastings at Mountain Peak Winery-2.pdf

Hello David and John,

I hope that all goes well with you both as we approach this Thanksgiving holiday and that you have some good family, friends and food plans.

I'm sorry to trouble you before the holiday when you must have many more important things to take care of, but we wanted to inform you of a troubling situation that happened recently.

Last week when the resident of the house on our property, Kurt-Inge Eklund, was hosting for lunch some of his friends in town from Sweden, they noticed someone walking around the outside of the house, looking inside the windows and taking photographs. When they approached the person to ask what they were doing, he accused them of holding "unauthorized tastings" and threatened to inform the ABC. Needless to say, he was asked to leave right away or they would call the police.

We have nothing to hide, as we have not been doing any such tastings, so we wanted to inform you of the situation. This is very concerning, because it is a long walk from the gate to the house, and if someone walks such a long way onto private property, peaks inside of the windows taking photographs, the normal thought would be that they could be scoping out for a robbery or worse. Needless to say, this is a very inappropriate, dangerous and disconcerting situation.

Yesterday, we received the attached letter from Anthony Arger, our neighbor across the street, and wanted to share it with you right away. Kurt-Inge, as many people in the valley are, is a great home chef and enjoys entertaining house guests often. The extreme attitude to trespass, causing serious concern for our resident and his guests, and to harass us with such a baseless letter, is quite a concern. While we will contact Mr. Arger directly to try to resolve things so this doesn't happen again, we wanted you to be aware of the situation.

We understand that there may be nothing that you can do to stop such harassment, but we at least wanted to keep in good communication with you. I'm sorry again to send this right before the holidays, and wish you the very best.

Thank you,

Steven Rea
General Manager
Mountain Peak Vineyards, LLC

cc: Donna B. Oldford, Plans4Wine (via email)
Brien F. McMahon, Perkins Coie Law Firm (via email)

November 25, 2015

David Morrison and John McDowell
County of Napa
1195 Third Street, 3rd Floor
Napa, CA 94559

Hello David and John,

I hope that all goes well with you both as we approach this Thanksgiving holiday and that you have some good family, friends and food plans.

I'm sorry to trouble you before the holiday when you must have many more important things to take care of, but we wanted to inform you of a troubling situation that happened recently.

Last week when the resident of the house on our property, Kurt-Inge Eklund, was hosting for lunch some of his friends in town from Sweden, they noticed someone walking around the outside of the house, looking inside the windows and taking photographs. When they approached the person to ask what they were doing, he accused them of holding "unauthorized tastings" and threatened to inform the ABC. Needless to say, he was asked to leave right away or they would call the police.

We have nothing to hide, as we have not been doing any such tastings, so we wanted to inform you of the situation. This is very concerning, because it is a long walk from the gate to the house, and if someone walks such a long way onto private property, peaks inside of the windows taking photographs, the normal thought would be that they could be scoping out for a robbery or worse. Needless to say, this is a very inappropriate, dangerous and disconcerting situation.

Yesterday, we received the attached letter from Anthony Arger, our neighbor across the street, and wanted to share it with you right away. Kurt-Inge, as many people in the valley are, is a great home chef and enjoys entertaining house guests often. The extreme attitude to trespass, causing serious concern for our resident and his guests, and to harass us with such a baseless letter, is quite a concern. While we will contact Mr. Arger directly to try to resolve things so this doesn't happen again, we wanted you to be aware of the situation.

We understand that there may be nothing that you can do to stop such harassment, but we at least wanted to keep in good communication with you.

Thank you,



Steven Rea
General Manager
Mountain Peak Vineyards, LLC

cc: Donna B. Oldford, Plans4Wine (via email)
Brien F. McMahon, Perkins Coie Law Firm (via email)

Mountain Peak Winery
Attn: Mr. Steve Rea, General Manager (by U.S. mail and email)
cc: Ms. Donna Olford, Winery Consultant (by email only)
3265 Soda Canyon Road
Napa, CA 94558

November 23, 2015

Subject: Unpermitted Wine Tastings at Mountain Peak Winery

Dear Mr. Rea,

For the past several months, our family, along with other nearby neighbors, have noticed a steady stream of different cars, and even a few limousines, entering and leaving the proposed site for Mountain Peak Winery/Vineyards (MPV), located at 3265 Soda Canyon Road in Napa, CA (County of Napa Use Permit Modification #P13-00320-UP), which we recently learned is operating as Acumen Wines (<http://www.acumenwine.com/>). Based on the increasing number of cars and limousine sightings, we have suspected that improper activity in the form of unpermitted wine tastings has been occurring at MPV. Just over a week ago, on Sunday, November 15, 2015, our suspicions that unpermitted and unlicensed wine tastings are happening at MPV seem to have been confirmed.

On Sunday, November 15, 2015, family friends of ours were visiting our home and vineyards, located at 3030 Soda Canyon Road, and happened to be at the intersection of Soda Canyon Road and the dirt road that veers towards our property (where residents leave their garbage cans), also right at the entrance to MPV. At approximately 10:45 am, a blue, four-door sedan with Washington state license plates was moving slowly east along Soda Canyon Road (towards the direction of our property and that of MPV from the Silverado Trail) and stopped to ask our friends if they knew where "Acumen Winery [was] located" because they had "a wine tasting appointment." Our friends, who have visited our home several times, and are aware not only of MPV/Acumen's location, but also of its pending permit with the County of Napa, pointed to the entrance of the MPV property. At that moment, a man wearing a blue colored vest with what appeared to be an "Acumen" label/logo on the left breast pocket walked to the end of MPV's driveway, opened the gates, and ushered the blue sedan inside the property. Based on this sequence of events, it is quite clear that the individuals in the sedan were visiting MPV for the strict purpose of a private wine tasting.

It is my understanding that Mountain Peak Winery/Vineyards (operating as "Acumen") is not currently permitted by the County of Napa (the County) to conduct any on-site winery tours or wine tastings. It is also my understanding that MPV does not currently have a Type 02 license to serve alcohol to wine tasters from the California Department of Alcoholic Beverage Control (ABC). Based on what we have observed in the form of different cars and limousines entering and exiting the property over the past several weeks and months, and this specific incident where

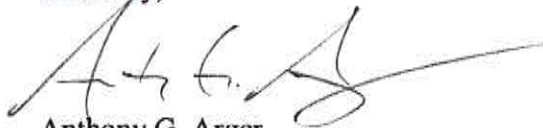
individuals driving a car with an out-of-state license plate specifically asked our friends for directions to the MPV/Acumen property because they had "a wine tasting appointment," there is little doubt that unpermitted and unlicensed tastings are being conducted at the proposed site for MPV/Acumen.

We have not yet decided how we are going to handle this situation with the County or the ABC. We are not immediately inclined to report this activity to either the County or the ABC because we realize that we are going to be neighbors for the foreseeable future and would like to maintain a working relationship with you, as well as with the owners and other employees/consultants of MPV. However, we are simultaneously quite concerned that MPV is engaging in what appears to be improper activity even before perfecting any entitlements for public wine tastings and tours from the County of Napa or the ABC.

As you are well aware, this project is a very important matter to the Soda Canyon neighborhood and community. As one of your immediate neighbors, we are reaching out to you as a courtesy to inform you and other MPV employees of what has been observed at your property over the past several weeks and months. While we try to resolve how we are going to handle this situation, we strongly encourage you and other MPV employees to immediately cease all unpermitted and unlicensed wine tastings at the proposed winery site for Mountain Peak Winery/Vineyards. If the neighborhood continues to observe similar activities at the Mountain Peak site, we, along with other members of the community, will be left with no other option but to seek corrective action through the proper channels.

Thank you in advance for your cooperation and understanding. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. G. Arger', with a long horizontal flourish extending to the right.

Anthony G. Arger
3030 Soda Canyon Road
Napa, CA 94558

Dave Phinney
Orin Swift Cellars
P.O. Box 475
Rutherford, CA 94573

October 16, 2015

John McDowell
Deputy Planning Director
Dept. of Planning, Building & Environmental Services
Napa County
1195 Third Street, Suite 210
Napa, CA 94559

RECEIVED

OCT 29 2015

TRB
Napa County Planning, Building
& Environmental Services

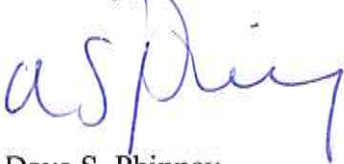
Dr. Mr. McDowell:

I am writing of support for Mountain Peak's winery use permit application as the application meets and exceeds both the letter and the spirit of the laws and standards. Several examples of this include:

- The proposed winery will source grapes from the estate surrounding vineyards or in close proximity, alleviating some truck traffic that is currently trucking the grapes to another facility
- Mountain Peak has removed all variances from the application.
- The design of the proposed winery is designed for and targeting LEED Platinum certification. I have seen the proposed design, and find its use of natural materials very appropriate, and appreciate that the barrel storage is slated to be completely underground and out of site.

I am a neighbor to this property, and feel strongly that as long as the property owners strictly follow the established laws and regulations required for the permit, the permit application should be approved.

Sincerely,



Dave S. Phinney

cc: David Morrison, Laura Anderson

RECEIVED

April 10, 2015

APR 20 2015

Napa County Planning, Building
& Environmental Services

Dear Ms. Shaveta,

We are writing this letter to share our positive interactions with those affiliated with management of The Mountain Peak Vineyard.

My wife and I have lived here on Soda Canyon for twenty-one years and have had opportunity to watch this area grow and change, for the better.

Since Mountain Peak Vineyards purchased the 112 acres they have upgraded the vineyards surrounding our home, provided a safe and easy access to our community mailboxes and upgraded the dirt road to access our homes. During these specific improvements we noticed how careful, professional and concerned they have been.

We understand that the vineyard company is seeking to expand in generating a winery, which includes an LEED Platinum certification, which includes optimal water, energy, and environmental standards, which are important to us, as neighbors.

We would like to send our support in favor of the goals in which The Mountain Peak Vineyards are seeking.

If you have any further questions in which you would like to talk to us about please contact us at 707-252-6429.

Sincerely Paul and Terri Kiser,
3090 Soda Canyon RD

Terri Kiser
Paul Kiser

September 25, 2014

Ms. Shaveta Sharma
Planner III
Dept. of Planning, Building & Environmental Services
Napa County
1195 Third Street, Suite 210
Napa, CA 94559

Dear Ms. Sharma:

We have owned our property on Soda Canyon Road since 1971 and permanently occupied it since 1991. During that time we have seen a lot of changes up here when it was discovered that this is an excellent area to grow wine grapes.


We are in support of the proposed Mountain Peak Winery project, which we understand is tentatively scheduled for hearing this fall. This is an applicant and neighbor who has been very responsible and diligent in keeping us informed about their plans for a new winery, for some months now.

My wife and I believe the winery will complement the Soda Canyon neighborhood for a number of reasons. First, it is one of the few larger wineries that has control over the large majority of their production level since they own at least two properties that will be supplying their grapes. This will take many of the large grape delivery trucks off of Soda Canyon Road, whereas they now are required to haul fruit to crush off-site. Based on the extent of their vineyard holdings, the winery will upgrade our area, improve property values which will bring in more property tax revenue and not simply be a tourist destination. Second, the winery has been designed in an environmentally sound manner and they will be growing their production with regard to preserving our environment.

This applicant has gone a long way towards mitigating the project impacts perceived by some of the neighbors who live closest, including relocating the entry to the winery off of the private gravel road and offering mitigation related to dust control and the duration of construction activities. In short, we feel they have gone a long way to do the right thing relative to the neighborhood. We look forward to enjoying a respectful and neighbor-friendly relationship with the Mountain Peak Winery.

We strongly encourage the Planning Commission to approve this project based on its merits and also because it sets an excellent example for other winery interests to propose environmentally sound building projects wherever they are located in the Napa Valley.

Sincerely,



Michael Perri



Marieann Perri

RECEIVED

SEP 29 2014

Napa County Planning, Building
& Environmental Services



RECEIVED

JUL 21 2014

Napa County Planning, Building,
& Environmental Services

July 15, 2014

Mr. Robert Fiddaman

Chairman Napa Planning Commission

Dear Mr. Fiddaman,

I am writing in support of the application of Mountain Peak Vineyards to build a new winery on Soda Canyon Road.

As an owner of almost 1200 acres of land and over 600 acres of grapes accessible only from Soda Canyon Road I have a keen interest in developments that use Soda Canyon road.

Because of the excellent climate, soils and water availability in the area above the Fire Station on Soda Canyon approximately 2000 acres of grapes have been planted consistent with the goals of the Agricultural Preserve. Mountain Peak owns well over 100 acres of its own grapes in this area

Harvest is a busy time of year on Soda Canyon Road for vineyard workers, harvest trucks, and visitors. I believe it would make the road a safer place during that season to process more of the grapes within a few miles of the vineyards rather than sending them down the hill. The Mountain Peak winery would add to the grape processing capacity of Antica as well as the Caves and the Hirby Winery.

Sincerely,

Jan r Krupp

Representing Stagecoach and Krupp Brothers Vineyards.



RECEIVED

JUL 11 2014

Napa County Planning, Building
& Environmental Services

July 7, 2014

Mr. Bob Fiddaman
Chairman of Napa County Planning Commission
Napa County Planning Commission
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. Fiddaman:

We are a newly formed group on Soda Canyon Road which includes winery owners, grape growers, and residents. We coalesced under a common concern, in an effort that the balance between residential concerns and those of agricultural and winemaking might be more effectively spoken to. We are also writing to express our support of the Mountain Peak Vineyards Winery that is currently going to hearing before the County Planning Commission. The intent of our group is not just to voice support for wineries and vineyards, but also to reach out to residents along our road to create a forum for communication on a regular basis.

Napa County has a "right to farm" ordinance that appears on every tax notice sent out from the Tax Assessor's Office. Vineyards are obviously critical to the primary business of Napa County, which is wine. And wineries are not considered commercial uses, but agricultural processing as supportive of the County's major industry. On a more aesthetic level, the financial viability of grape growing and winemaking in the Napa Valley is what keeps our area one of the most beautiful in the world. It is only natural that people would wish to live in such a beautiful and renowned area, to have permanent residences or weekend vacation homes here. However, we must exercise caution that the protection of residential uses and the perception of vineyards as "open space" to not eclipse the major work and reputation of the Napa Valley. Perhaps the meaning and importance of "right to farm" has not been correctly perceived by those who have come to our area more recently. We believe that our coalition, and hopefully others like it, can help inform both full-time and part-time residents of the importance of keeping the balance.

We have watched what strikes us as an increasing level of controversy arising over new winery projects and new vineyard development over the past year and feel that this delicate balance is being eroded due to neighbor opposition to wineries and vineyards. The right to farm ordinance speaks for itself, although perhaps it is not well known to residents who were not property owners when it was first introduced. It may not be fully understood that our lands that are zoned for agriculture with zoning that specifically allows a winery, with an approved use permit. Wineries are an allowed use under both AP and AW zoning in Napa County.

www.thecavesatsodacanyon.com

2275 Soda Canyon Road | Napa, California 94558
Phone: (707) 861-8100 | Fax: (866) 219-5181
Info@thecavesatsodacanyon.com



PATLAND
ESTATE VINEYARDS



THE ULTIMATE WINERY EXPERIENCE

THE CAVES

at Soda Canyon

Our coalition seeks to establish a rapport with neighbors and agricultural interests along Soda Canyon Road with its vision to provide support for the goals and policies contained in the *Napa County General Plan* and also to provide a forum for the exchange of information relative to wineries and agriculture in our area. We envision having an annual social event where all neighbors along Soda Canyon Road are invited to attend, a barbeque or other pleasant gathering where neighbors can meet and exchange ideas and information. The coalition can also provide a forum for those who have concerns to voice and have concerns addressed at the local level rather than elsewhere.

We are very concerned about the importance of preserving agriculture as a viable industry in Napa County. We are concerned about keeping the delicate balance between agricultural and residential interests, making sure that the two are compatible land uses. And we are concerned about improved communications so that every vineyard or winery project in these lands that are zoned for vineyard development and wineries, is not jeopardized through opposition of neighbors who might have a home near a winery.

Wineries can be excellent neighbors in rural areas. They are a critical component in insuring that the wine grapes we grow are made into world class wines, with the winery providing the quality control that every great winemaker demands. Wineries typically incur close to the same amount of traffic and water use as a single-family residence with a guest house, and the winery almost always has a means of reusing water to irrigate vineyards and landscaping. Wineries are often beautiful structures that are integrated into the landscape in a sensitive manner.

Please accept this letter as having a two-fold objective. The larger objective is to make the County aware of our existence as a coalition on Soda Canyon Road, and to make residents along the road aware of our vision statement. For the moment, please accept this letter as our endorsement of the Mountain Peak Vineyards Winery. It is our understanding that this winery will process virtually all estate-grown grapes under their ownership on or just up the road from their winery parcel. This will take 50 - 100 large grape truck trips off Soda Canyon Road, whereas these grapes now must be hauled up valley to a custom crush facility. We further understand that most of the winery uses, and all production uses, will be housed in the wine caves instead of in at-grade structures. Finally, we are advised that this winery is targeting LEED Platinum certification. As part of its environmental efforts, we understand that it will actually be using notably less water than the current existing use. This is exactly the kind of winery we should be approving in Napa County, one that is sensitive to its neighbors, self-sustaining to a very large extent and designed for the future with such environmentally responsible design and operations.

www.thecavesatsodacanyon.com

2275 Soda Canyon Road | Napa, California 94558
Phone: (707) 861-8100 | Fax: (866) 219-5181
Info@thecavesatsodacanyon.com



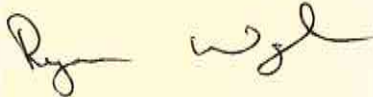
THE ULTIMATE WINERY EXPERIENCE

THE CAVES

at Soda Canyon

Thank you for this opportunity to introduce our coalition and to advocate for the approval of the Mountain Peak Vineyards Winery. We look forward to a continued and constructive relationship both with our neighborhood interests and with Napa County.

Sincerely,



Ryan Waugh
Founder
The Caves at Soda Canyon

cc:
Shaveta Sharma
Dept. of Planning, Building & Environmental Services
Napa County
1195 Third Street, Suite 210
Napa, CA 94559

www.thecavesatsodacanyon.com

2275 Soda Canyon Road | Napa, California 94558
Phone: (707) 861-8100 | Fax: (866) 219-5181
Info@thecavesatsodacanyon.com

Frost, Melissa

Subject: FW: Agenda Item 9E, Joint meeting of the Board of Supervisors and Planning Commission on May 20, 2014

Importance: High

Planning Commission Mtg.

MAY 20 2014

Agenda Item # 2A

From: Bill Hocker [mailto:bill@wmhocker.org]

Sent: Monday, May 19, 2014 10:10 AM

To: Dodd, Bill; McDowell, John

Subject: Agenda Item 9E, Joint meeting of the Board of Supervisors and Planning Commission on May 20, 2014

May 19, 2014

County of Napa
Supervisor Bill Dodd, District 4
Deputy Planning Director John McDowell

County Administration Building
1195 Third Street, Suite 310
Napa, CA 94559

Re: Agenda Item 9E, Joint meeting of the Board of Supervisors and Planning Commission on May 20, 2014

Dear Supervisor Dodd and Director McDowell,

I am Bill Hocker, and I reside at 3460 Soda Canyon Road in the Rector Creek watershed.

I commend the County for its decision to begin a review of issues that have become quite unexpectedly of concern to me in the last two months. The fact that you are discussing them means, perhaps, that I am not alone in my newfound interest. A winery-tourism project has been proposed in my neighborhood, in my backyard, on the Rector plateau, and I have become one of many concerned citizens (often called NIMBY's) that face a degradation of the rural lives and environments that are our reasons for living here. Thank you for this opportunity to voice my concerns. Two of the issues to be discussed are of great concern to me:

Noticing on Developmental proposals:

300 feet may be appropriate for urban environments but is rather skimpy when the official minimum parcel size is 160 acres. More importantly, a defined radius of notification doesn't consider specific circumstances. The tourism-winery proposed for my backyard is 6 miles up a dead end road. It envisions 25,000 visitors (tourists + employees) per year. The project will have major impacts on the several hundred residents that use the road. Yet at most 4 neighbors will receive notices. It should not be up to those residents to do the work of the developer or County in making the impacts known to all who will be affected. County staff visited the project site during the review process – part of their review, acting in the interests of their community, should be to assess the extent to which notification should be required.

Also, 20 days is a very short period to digest and evaluate and prepare a rebuttal for large projects that will affect the future of an entire community. Developers' consultants have had at least a year (often many years) working in concert with the planning department to massage codes and ordinances full of ambiguities,

Napa Valley, has operated since 1987 profitably with essentially no tourism. It is a clear example that given prudent development decisions, agricultural-winery operations can be profitable, and they fulfill the County's commitment to an agricultural economy and maintain the environment that we mere residents cherish.

The potential loss of vines in my backyard is small, perhaps 10% of the site. But their significance was probably best stated in the "findings of fact" at the beginning of the 1990 WDO:

(e) Napa County is one of the smallest counties in California and within the County areas suitable for quality vineyards are limited and irreplaceable. Any project that directly or indirectly results in the removal of existing or potential vineyard land from use depletes the inventory of such land forever.

(f) The cumulative effect of such projects is far greater than the sum of individual projects. The interspersing of non-agricultural structures and activities throughout agricultural areas in excess of what already exists will result in a significant increase in the problems and costs of maintaining vineyards and discourage the continued use of the land for agricultural purposes.

This is exactly what many of these new winery-tourism projects are doing. Nibbling up bits of vineyard property for inefficient wineries, tasting rooms and parking lots. The dangers, articulated over 20 years ago, are now being realized. As long as current tourism incentives are part of the equation, they will drive the development decisions. There is not a paucity of wineries to process Napa grapes. In fact, pressure seems to be increasing against the 75% rule as new winery capacity continues to outpace new vineyard development. Continuing tourism profit incentives for new winery developments will only increase that pressure.

I wish that the County would challenge any of the developers with projects approved in the last two years to renounce their marketing plans and to demonstrate that their decision to build their winery was based on a desire to engage in agriculture and make wine and not on the desire to build a winery as a tourist attraction. I suspect that many would decide not to build. If it is the increased profitability of tourism that is driving this trend then the concept of the Ag Preserve, to protect agriculture in the face of more profitable development, is failing. It is time to review those protections once again.

Thank you again for this opportunity to present my views.

Sincerely,

Bill Hocker
3460 Soda Canyon Road
Napa, CA 94558

Frost, Melissa

Subject: FW: Letter Re: Agenda Item 9E, Joint Meeting of the Board of Supervisors and Planning Commission on May 20, 2014
Attachments: Letter from Anthony Arger RE Agenda Item 9E, Joint Meeting of the Board of Supervisors and Planning Commission on May 20, 2014.docx

Planning Commission Mtg.

MAY 20 2014

Agenda Item # 2A

From: Anthony Arger [<mailto:anthony.arger@gmail.com>]

Sent: Monday, May 19, 2014 6:55 PM

To: Dodd, Bill; McDowell, John; tkscottco@aol.com

Subject: Letter Re: Agenda Item 9E, Joint Meeting of the Board of Supervisors and Planning Commission on May 20, 2014

Dear Supervisor Dodd, Planning Commissioner Scott, and Deputy Planning Director McDowell,

Please find below and attached a letter regarding the Joint Meeting of the Board of Supervisors and Planning Commission taking place on May 20, 2014. I am unable to attend the meeting in person, but would like to take this opportunity to voice my concerns regarding several issues that are to be discussed during the meeting.

My name is Anthony Arger and I live at 3030 Soda Canyon Road. As a resident of Soda Canyon Road, and concerned citizen of Napa County, I first want to say that I am happy to hear the county is going to consider several issues that have become of great concern to me, my family, and our Soda Canyon neighbors over the past couple of months. A large scale winery project known as Mountain Peak Vineyards ("MPV") has been proposed on the property adjacent to that of my family, which has served as a rude awakening to what has been happening in Napa County since the revision of the county ordinance occurred in 2010. In short, we have learned that since the ordinance revision, an unprecedented number of wineries with a specific focus on marketing and tourism have been approved in an incredibly short period of time. Two items to be discussed at the May 20 meeting are of great concern to my family and me, which include 1) the noticing procedures, and 2) the winery visitation, marketing and cumulative growth impact analysis.

Noticing Procedures for New Winery Proposals

The first item of great concern for my family and me is the current noticing procedures for winery developments. My understanding is that only properties located within 300 feet of the proposed project are required to receive notice. While this requirement may be appropriate for an urban, city development such as downtown Napa, or San Francisco, it is wholly inadequate for rural properties, particular considering that the official minimum parcel size is 160 acres.

In our situation, there are only 4 or 5 homes that will be notified when the MPV notice arrives, which is inappropriate for the specific circumstances of the MPV project, and for other winery developments throughout the county. We live at the very end of a two-lane, dead end road, that is over 6 miles long. The proposed MPV project is going to be located at the very end of this road and is seeking to have close to 18,500 annual visitors, as well another 7,000 individuals when employees and vineyard workers are calculated over the course of the year. This means that 25,000 people will be driving up and down a dangerous, decaying, six mile road with several hundred residents, yet only 4 or 5 residents at the very end of the road will be receiving any sort of notice of this massive project. It does not seem fair that it is up to those 4 or 5 residents to notify the hundreds of others who will also

modifications rapidly in order to take advantage of these relaxed rules on tourism. I had a conversation with a winery consultant just last week, and she said she is working on approximately 21 winery projects at the moment, which is composed of 13 new wineries, and 7 modifications or "mods" as she put it. She indicated she has never been so busy and does not know how she has been able to keep up. While I am sure she welcomes the new business, this conversation seriously opened my eyes to what is happening currently in Napa, and it is NOT what the 1968 Ag preserve, nor the 1990 WDO envisioned.

The traffic and tourism throughout all of Napa at present is already horrendous. A few weeks ago, I tried to make a left hand turn off of Silverado Trail onto Soda Canyon Road on a Saturday afternoon and I had to wait in the turn lane for over 10 minutes. Aside from being incredibly frustrated at the existing massive amount of traffic, I was seriously concerned for my safety, as I had no idea how much the drivers of those cars had been drinking and one minor slip up could have resulted in a head on collision with my car. Importantly, the current traffic and incredible amount of tourism does NOT reflect every new project that has already been approved, or that will be approved if the current pace of approval is maintained. The traffic is only going to get progressively worse, as these many new tourist based winery projects that have already been approved come on line over the next several years.

I would like to emphasize that my family and I are NOT against the wine industry. We are a part of, and support the wine industry. We depend on wineries to buy our grapes. The difference, however, is that we are seeking to uphold and maintain the original intent of the agricultural preserve, and are NOT proposing to add 100,000 gallon wineries with 85,000 square feet of facilities (which include 65,000 square feet of underground caves, that to my knowledge would be one of the largest wine caves in Napa, if not the world), and 18,500 visitors per year in rural parts of Napa. As stated above, the MPV project proposed on upper Soda Canyon Road is seeking to do exactly that and is counter to everything originally intended by the agricultural preserve.

Importantly, my family and other concerned neighbors recently met with the developer of the MPV project and we were told flat out that they have built this project around the tourism component and that direct sales mean everything. When asked if they would consider moving forward with just the 100,000 gallon winery without a commercial tourism component, the answer was an unwavering NO. What does this suggest about other developers and proposed wineries in Napa? It certainly seems to me that the name of the game right now is winery tourism, which again is contrary to original intention of the agricultural preserve.

It is also important to point out that another winery on Soda Canyon Road, Antica Napa Valley, has a much larger production capacity, but a much more limited tasting and tourism component, and has been operating successfully since 1987. The winery has hundreds of acres of vines and very minimal numbers of tourists, if any. In short, the winery has been very successful in upholding the spirit of the Agricultural Preserve, not thumbing its nose at it, as is the proposed MPV project, which is creating a business plan that encourages tens of thousands of visitors to access a VERY rural location on top of a mountain that is over six miles up a very steep, dangerous, two-lane road.

With regards to cumulative impact of the MPV project and others, it is also important to point out the "findings of fact" at the beginning of the 1990 WDO, which are as follows:

(e) Napa County is one of the smallest counties in California and within the County areas suitable for quality vineyards are limited and irreplaceable. Any project that directly or indirectly results in the removal of existing or potential vineyard land from use depletes the inventory of such land forever.

(f) The cumulative effect of such projects is far greater than the sum of individual projects. The

May 19, 2014

MAY 20 2014

County of Napa
Bill Dodd, Supervisor District 4
Terry Scott, Planning Commissioner District 4
John McDowell, Deputy Planning Director

Agenda Item # 2A

County Administration Building
1195 Third Street, Suite 310
Napa, CA 94559

Re: Agenda Item 9E, Joint meeting of the Board of Supervisors and Planning Commission on May 20, 2014

Dear Supervisor Dodd, Planning Commissioner Scott, and Director McDowell,

My name is Julia Arger and my husband, Kosta Arger and I live at 3030 Soda Canyon Road. As a resident of Soda Canyon Road, and concerned citizen of Napa County, I first want to say that I am encouraged to hear the county is going to consider several issues that have become of great concern to us, our family and our Soda Canyon neighbors over the past couple of months. A large scale winery project known as Mountain Peak Vineyards ("MPV") has been proposed on the property adjacent to ours, which has served as a rude awakening to what has been happening in Napa County since the revision of the county ordinance occurred in 2010. In short, we have learned that since the ordinance revision, an unprecedented number of wineries with a specific focus on marketing and tourism have been approved in an incredibly short period of time. Two items to be discussed at the May 20 meeting are of great concern to us, which include 1) the noticing procedures, and 2) the winery visitation, marketing and cumulative growth impact analysis.

Noticing Procedures for New Winery Proposals

The first item of great concern for us is the current noticing procedures for winery developments. Our understanding is that only properties located within 300 feet of the proposed project are required to receive notice. While this requirement may be appropriate for an urban, city development such as downtown Napa, or San Francisco, it is wholly inadequate for rural properties, particular considering that the official minimum parcel size is 160 acres.

In our situation, there are only 4 or 5 homes that will be notified when the MPV notice arrives, which is inappropriate for the specific circumstances of the MPV project, and for other winery developments throughout the county. We live at the very end of a two-lane, dead end road that is over 6 miles long. The proposed MPV project is going to be located at the very end of this road and is seeking to have close to 18,500 annual visitors, as well as another 7,000 individuals when employees and vineyard workers are calculated over the course of the year. This means that 25,000 people will be driving up and down a dangerous, decaying, six mile road with several hundred residents, yet only 4 or 5 residents at the very end of the road will be receiving notice of

restrictions on marketing and tourism activities were eased significantly. While the easing restrictions may have been appropriate at the time to help some wineries, ourselves included, the time for their productive use has passed, as developers have been lining up to take advantage of new winery marketing schemes that seek to make a big profit off of tourism.

A review of the Planning Commission's minutes over the last year demonstrates that nearly one new tourism winery has been added to Napa each month and existing wineries have been applying for modifications rapidly in order to take advantage of these relaxed rules on tourism. Our son had a conversation with a winery consultant just last week, and she said she is working on approximately 21 winery projects at the moment, which is composed of 13 new wineries, and 7 modifications or "mods" as she put it. She indicated she has never been so busy and does not know how she has been able to keep up. While we are sure she welcomes the new business, this conversation seriously opened our eyes to what is happening currently in Napa, and it is NOT what the 1968 Ag Preserve, nor the 1990 WDO envisioned.

The traffic and tourism throughout all of Napa at present is already horrendous. We have learned when and when not to travel on the Silverado Trail, around Napa and on Highway 29. While the existing and increasing massive amount of traffic is frustrating, it is also a huge safety concern. With the increased tourism component, driver impairment from excessive drinking becomes an even greater concern. Importantly, the current traffic does NOT reflect every new project that has already been approved, or that will be approved if the current pace of approval is maintained. The traffic is only going to get progressively worse, as these many new tourist based winery projects that have already been approved come on line over the next several years.

Another issue is the cumulative effect of water usage. With more and more massive winery projects, like MPV, with their extensive tourism and marketing component being submitted for approval, less water will be available for agriculture. And in our current California drought crisis, no elaborate recycling system can operate if adequate water is not available to begin with. Again, the 1968 Agricultural Preserve was established to protect agriculture.

I would like to emphasize that we are NOT against the wine industry. We are a part of, and support the wine industry. We depend on wineries to buy our grapes. The difference, however, is that we are seeking to uphold and maintain the original intent of the Agricultural Preserve, and are NOT proposing to add 100,000 gallon wineries with 85,000 square feet of facilities (which includes 65,000 square feet of underground caves, that to my knowledge would be one of the largest wine caves in Napa, if not the world), and 18,500 visitors per year in rural parts of Napa. As stated above, the MPV project proposed on upper Soda Canyon Road is seeking to do exactly that and is counter to everything originally intended by the 1968 Agricultural Preserve.

Importantly, we and other concerned neighbors recently met with the developer of the MPV project and we were told flat out that they have built this project around the tourism component and that direct sales mean everything. When asked if they would consider moving forward with just the 100,000 gallon winery without a commercial tourism component, the answer was an unwavering NO. What does this suggest about other developers and proposed wineries in Napa? It certainly seems to us that the name of the game right now is winery tourism, which again is contrary to the original intention of the Agricultural Preserve.