

July 19, 2016

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RECEIVED

JUL 19 2016

Napa County Planning, Building
& Environmental Services

Re: Comments on & Opposition to the Mountain Peak Winery Use Permit (#P13-00320-UP)

Dear Mr. McDowell & Members of the Planning Commission,

My name is Anthony Arger and I oppose the Mountain Peak Winery project, Use Permit #P13-00030-UP (hereinafter referred to as “Mountain Peak” or “Applicant”). As will be described in detail below, this project is out-of-scope for the remote and rural location in which it is being proposed, and will cause numerous adverse impacts on the entire Soda Canyon/Loma Vista community from both a public safety and environmental standpoint. I strongly urge you to either deny this project entirely, or scale it back significantly so that it is on par with existing projects in the immediate vicinity of the proposed location on upper Soda Canyon Road (“SCR”), and in order to conform with Napa County Resolution No. 2010-48 (Interpretive Resolution to Ordinance No. 1340), Exhibit A, Section III (hereinafter jointly referred to as the “2010 Amendment”) which requires appropriate scaling of wine production, on-site marketing, and visitation programs based on the “*remoteness of the location*” and “*access constraints.*”

I. Qualifications & Personal Background

My family owns one of the properties on Soda Canyon Road that will be most impacted by the proposed Mountain Peak project. Our property is located at 3030 Soda Canyon Road (APN 032-500-041), which abuts the Mountain Peak property directly to the east from the proposed winery site, and directly to the south of a portion of the Mountain Peak parcel on which it is my understanding a significant portion of the cave spoils will be dumped. (See **Exhibit 1** – Arger Family Parcel Location in Relation to Mountain Peak). My parents purchased our home and property at 3030 Soda Canyon Road in 1997, and over the years have planted approximately 17 acres of vineyards, which we have and continue to farm today.

I am a licensed attorney in the State of California and in the State of Nevada. I graduated from the University of San Francisco with dual juris doctorate and master of business administration degrees in May 2014. I served as a law clerk to the Honorable James W. Hardesty, Chief Justice of the Supreme

Court of the State of Nevada, and am now an associate at the civil litigation firm of Robertson, Johnson, Miller, & Williamson in Reno, NV. After graduating from Bates College in 2006, I worked in the fixed income division at Morgan Stanley in New York City. After two and a half years in Manhattan, I returned to Napa in 2009 and worked at our family owned winery, Arger-Martucci Vineyards, located in St. Helena, for five years from January 2009 to December 2013 when we sold the winery. My family, along with our partners, owned and operated Arger-Martucci Vineyards from 1998 to 2013, a period of approximately 15 years, and I lived full-time at our home on Soda Canyon for approximately 2 years.

Due to the remote location of our property on Soda Canyon Road, which we knew to be very treacherous from the day we bought the property, we deliberately chose not to build and operate a winery or tasting room on Soda Canyon. Instead, we planted vineyards on our Soda Canyon property, and conducted all winery operations on the Napa Valley floor. My father, Kosta M. Arger, MD, is a practicing cardiologist, who, for the 15 years we owned Arger-Martucci Vineyards, was the winemaker. He learned to make wine from the legendary Joe Heitz of Heitz Cellars in 1976, and began his winemaking career by making wine in our garage, and did so for nearly 25 years until we started Arger-Martucci Vineyards in 1998. For five years, from 2009 to 2013, I was the Director of Sales and Marketing at our family owned and operated winery. Today, although we no longer own a winery, my family continues to sell all of our grapes from our vineyards at the end of Soda Canyon Road to wineries located throughout the Napa Valley. I work closely and regularly with our vineyard manager, assist my parents with the financing for the vineyard, and handle all of the contracting and relationships with our buyers. In short, my family and I are intimately involved in, and familiar with, the Napa Valley wine industry, and have been since the 1970s. We appreciate and respect all the industry has to offer, but we also respect the safety and welfare of all the residents of Soda Canyon Road, and other remote areas, in the Napa Valley.

II. Brief Overview of the Mountain Peak Project

The owners of Mountain Peak Winery, whom neither my family nor any of the other nearby neighbors has never been approached by or met despite them having owned the property for more than three years, are proposing a 100,000 gallon production capacity, 33,424 square feet of caves (which would be the twelfth largest in all of Napa – See **Exhibit 2** – Napa County Wine Caves), a total of 18,486 visitors per year (See **Exhibit 3** – Mountain Peak Visitation Figures), two (2), 100,000 water storage tanks, use of ~15,200 gallons of water per day, and one (1), 20,000 gallon waste system, all of which is to cover 103,016 square feet by “Phase II” of the project according to the Applicant’s revised application, submitted in March 2016. In addition, the operation will have 19 full-time employees, 4 part-time (but

nonetheless year-round) employees, 4 seasonal employees during harvest, and an unidentified number of vineyard workers, delivery and equipment truck drivers, and other individuals needed to run an operation of this magnitude. According to the Applicant's own estimates, the project will generate approximately 47,300 car trips per year. (See **Exhibit 4** – Understanding Traffic Trips Generated by Mountain Peak Winery).

In short, and despite the Applicant's best attempts to disguise this project as environmentally friendly, this is a large-scale, commercial winery operation that will require an incredible number of natural and man-made resources, which will devastate the remote and rural community in which it is being proposed. This is especially true when it becomes readily apparent after reading on that this community already suffers from an incredible number of emergency accidents and incidents from traffic collisions, to drunk driving, to residential and wildland fires.

III. Location, Geography, & History of Traffic on Soda Canyon Road

A. Location of Soda Canyon Road

Soda Canyon Road can only be accessed via Silverado Trail, approximately 4 miles north of Trancas Street in Napa, CA, meaning that it is a dead-road with no other outlet in the event of an emergency. Importantly, Soda Canyon Road has numerous branches, splitting off onto several other roads, including Feliz Ranch Road, Loma Vista Drive, Soda Springs Road, Chimney Rock Road, Capps Drive, and Ridge Drive. There are approximately 163 homes, innumerable vineyards, and even a handful (a current total of 4) of wineries on nearly every branch of this road, all users of which must use the single entrance and exit point at the intersection of Soda Canyon Road and Silverado Trail. Additionally, while the paved portion of Soda Canyon Road dead-ends at the Antica Winery property (3700 Soda Canyon Road), the dirt road that divides my property and the Mountain Parcel goes on for several more miles into the mountains and is where several additional homes and vineyards are located. (See **Exhibits 5 & 6** – Soda Canyon Road Service Area; Soda Canyon Road Property Locations¹). Accordingly, and for purposes of this letter, when I refer to "Soda Canyon," or "Soda Canyon Road," it implies ALL of the other roads that can only be accessed from Soda Canyon Road.

¹These maps, along with several other maps and charts attached to this letter, were created by Ms. Amber Manfree, who has a Bachelor of Arts in Environmental Studies from Sonoma State University, a Master's in Geography from UC Davis, and a PhD in Geography from UC Davis. She has also testified as an expert witness with relation to her mapping abilities, which, among many other skills, involves working with massive amounts of data to create incredibly detailed and accurate maps and charts. If there is any question as to the accuracy of these maps, please do not hesitate to let me know and I will be happy to put any person seeking verification in touch with her.

B. Geography of Soda Canyon Road

At the top of Soda Canyon Road, approximately 1,400 feet above the Napa Valley floor, the Atlas Peak American Viticultural Area (AVA) makes its home in Foss Valley, which is a mountaintop valley where my family's property, along with that of the Applicant and numerous other residents and vineyard operations are located. The paved portion of Soda Canyon Road is 6.75 miles long, extremely steep beginning around mile 4.5, serpentine, filled with blind-corners (none of which have any guard rails), is ridden with unfixed pot-holes that get worse with every car and large truck that travels the road, has no bike or jogging lanes, has cracking and crumbling shoulders, and in short, is totally unfit to house the commercial winery event center with 18,486 potentially inebriated tourists being proposed by Mountain Peak. To get a better visualization of Soda Canyon Road and its dilapidated condition, please see **Exhibits 7a-jj, 8a-ff, 9 & 10**, which respectively include photographs of the road heading in both a northeast (up the mountain) and southwest (down the road) direction², as well as a video of traveling northeast (up the mountain) and a video of vineyard worker traffic (**Note:** Exhibits 9 & 10 are included in the flash drive included with this letter, and are also visible on youtube at <https://www.youtube.com/watch?v=FFSN53PZzjE> and <https://www.youtube.com/watch?v=tF2nnaDgR3g>, respectively).

As you watch these videos, note that (1) my wife and I took these videos in June 2015, (2) they were taken in succession, and (3) they are a perfect example of an average day driving up (or down) Soda Canyon Road. During our 15 minute trip up the entire 6.75 mile length of the paved portion of the road (the road forks into a dirt road at our property and that of Mountain Peak – approximately mile 6.1 – and continues further into the mountains to other vineyards and protestant properties), we passed 35 cars, including a Sheriff who had somebody pulled over on the side of the road. Immediately following the conclusion of the filming of the first video, we returned to the dirt road at ~mile 6.1, and captured a very small portion of the daily caravan of vineyard workers leaving Stagecoach Vineyards (located at the very end of the dirt road), in which there was another 14 cars, making for a total of 49 cars that drove down Soda Canyon Road in a roughly 20-minute period. Unfortunately, passing 49 cars in 20 minutes is a very average, perhaps even below average, day for the traffic that frequently overwhelms Soda Canyon property owners and residents.

After reviewing the above photographs and videos, and as you continue reading this letter, please keep in mind that the proposed Mountain Winery is near the very end of this dangerous road, at

²These two sets of photographs includes pictures taken in 1998 and 1999, which demonstrate that the condition of the road has only worsened since that time.

approximately the 6.1-mile mark, which is beyond the extremely steep hill on which there is no guardrails or other protection from going over the edge in the event of an accident.

C. History of Traffic & Poor Road Conditions on Soda Canyon Road

Unfortunately for all residents and property owners on Soda Canyon, issues with traffic, large equipment ruining the road, reckless driving, and generally bad road conditions have been prevalent and brought to the attention of the County of Napa (hereinafter the "County") for decades, yet little deference ever seems to be given to the residents and property owners on Soda Canyon Road. In fact, the last time Soda Canyon Road was repaved was in the early 1980s, and, consistently since then, residents have had to repeatedly bring the condition of the road to the attention of the County at every opportunity, especially when new winery projects are proposed. Regrettably, residents and property owners have to re-raise all of the same issues each time a new Board of Supervisors is voted in. Attached as **Exhibits 11 & 12** are letters from residents to the County dating back to the late 1990s and early 2000s that address these traffic issues. In a letter from Mr. Fletcher Benton, who resides at 3398 Soda Canyon Road (less than .4 miles past the Mountain Peak proposed site), dated December 17, 2002, Mr. Benton, on the subject of the Krupp Winery application on upper Soda Canyon (discussed in detail below), Mr. Benton states:

[t]he issue now is that same as it was in 1987, traffic and the fact that Soda Canyon Road is a dead end with no way out in case of catastrophe, except back down the hill...There are many elderly residents and families with small children in the area. The maintenance of the Krupp vineyard has already caused congestion during school busing hours because of vineyard workers coming and coming.

In short, the traffic issues on Soda Canyon Road are not new, and more importantly, have gotten dramatically worse on Soda Canyon Road since 2002, and certainly since 1987. Documentation in the form of Maps and Charts supporting this fact are further below. The point of including this information is to inform the County that residents and property owners moved to Soda Canyon to get away from traffic congestion, noise, and everything else that a large winery operation brings to the table. Residents and property owners have been down this path before, and we, as residents and property owners, implore the County to account for that history and quit trying to shove new winery developments down our throats every time a new Board of Supervisors is voted in.

IV. Existing Public Safety Issues on Soda Canyon Road

Upon review of the traffic report provided by Mountain Peak's paid experts, one is left with the impression that there are no traffic, public safety, or other issues on the road that would be exacerbated

by the addition of approximately 47,300 annual trips by the Mountain Peak project. However, before delving into the inaccuracies of the existing traffic report, it is important to highlight how dangerous Soda Canyon Road is under existing conditions, as determined by various State and County agencies.

A. Public Safety – Napa Grand Jury, CHP, CalFire, & Unreported Accidents

1. 2007-2008 Napa County Grand Jury Final Report

The 2007-2008 Napa County Grand Jury Final Report on the Napa County Fire Department (the “07-08 Grand Jury Report) determined that the Soda Canyon area has “the second highest rate of incidents in Napa County,” and concluded that in the two-year period from 2006 to 2007, Soda Canyon Road had 594 incidents (See **Exhibit 13** – 2007-08 Grand Jury Final Report at pgs. 20, 23). As will be demonstrated further below, traffic conditions and traffic volume have worsened and increased, respectively, each year since that time.

2. California Highway Patrol Incidents

Attached to this letter is a summary report from the California Highway Patrol (CHP) that highlights a select few of the incidents and accidents that have occurred on Soda Canyon Road or at the intersection of Silverado Trail and Soda Canyon Road from January 2013 through April 2016. (See **Exhibit 14** – CHP Summary Report³). Importantly, and before continuing, it is noteworthy that the Napa County Sheriff has primary jurisdiction over Soda Canyon Road and accordingly has the much larger record of the accidents and incidents that occur annually on Soda Canyon Road. However, despite several attempts by Soda Canyon residents to obtain these records from the Sheriff’s office, the Sheriff’s office has refused to provide any detailed account of said incidents. As a result, when reviewing the CHP records described below and attached, please keep in mind that the described incidents, while they are an accurate representation of the *types* of accidents and incidents that occur on the road, they are not an accurate representation of *how many* accidents and incidents occur on Soda Canyon on an annual basis because it is the Sheriff’s Department that typically responds to the calls.⁴

³Note that I personally prepared this summary using detailed “Incident Reports” provided to me by the CHP. As an officer of the court, I declare under penalty of perjury under the laws of the State of California, that this summary accurately reflects exactly what is contained in the much longer, more detailed CHP “Incident Reports.” And in fact, an earlier version of this report (the same report, but simply containing records from January 2013 to April 2015) was already accepted into a legal court proceeding as an evidence exhibit in a separate matter. That being said, I more than happy to provide ALL of the CHP records used to compile the attached summary to the County in electronic format for review and confirmation upon request.

⁴I respectfully request that before moving forward on making a decision on this proposed winery that the County of Napa obtain detailed records from the Napa County Sheriff’s Department regarding the number of incidents and accidents that have occurred over the past several years on Soda Canyon Road. If not, additional time should be granted to opponents of this project to submit a public records act request to the Sheriff’s Department to obtain this information. An informed decision cannot be made by the County without this detailed information.

Brief Summary of CHP Incidents on/near Soda Canyon from January 2013 to April 2016**Total Number of Incidents: 36****Number of 2 car collisions: 8****Number of 1 car collisions (i.e. into tree, ditch, pole, etc.): 10****Traffic Hazards: 2****Reckless Driving: 3****Animal in Roadway: 1****Driving Under the Influence: 7****2 Car Speed Contest: 1****Fire: 1****Semi-Trucks Stalls/Accidents: 2****Unidentified: 1****Daytime Incidents (7am-6pm): 22****Nighttime Incidents (6pm-6am): 14**

In just over 3 years, the above described 36 incidents took place either on Soda Canyon Road or at the intersection of Silverado Trail and Soda Canyon Road. Of particular note are the combined 18 one and two car collisions, the 3 reports of reckless driving, the 2 semi-truck related incidents, and most importantly, the 7 driving under the influence reports. Incident number 140910GG01108 is also worthy of special attention because it involved a semi-truck that overturned on the steepest part of Soda Canyon Road (around mile 4.5 – below the proposed Mountain Peak site) and blocked ALL ingress and egress to every property above that point for more than 5 hours, and required two tow trucks to remove it. Had that truck started a wildfire, which can and does happen with regularity in fire prone regions, or had there been an emergency incident above that location, all persons above that point would have been trapped. Attached as **Exhibit 15** is a picture of a similar traffic jam caused by large trucks very near to where Incident number 140910GG01108. As is plainly visible from the picture, which was taken around the 4.9 mile mark on Soda Canyon Road, there is no way to get around these large trucks stuck near the top of the steepest part of the road, which is before the Applicant's proposed location.

Again, this CHP summary report is just a sampling because it does not include the Sheriff's reports for Soda Canyon Road during the same period, but it certainly provides some insight as the type of accidents that regularly occur on or near Soda Canyon Road.

3. CalFire Incident Report

In addition to the significant number of incidents on Soda Canyon Road responded to by the CHP, there is also an incredible number of incidents reported by the California Department of Forestry and Fire Protection (or CalFire). (See **Exhibit 16** – CalFire Summary Report⁵).

Brief Summary of CalFire Incidents on Soda Canyon from January 2007 to April 2015

Total Number of Incident Calls/Responses: 107

Number of Calls/Incidents for Medical/EMS: 40
 Number of Calls/Incidents for Residential Fires: 13
 Number of Calls/Incidents for Wildland Fires: 16
 Number of Calls/Incidents for Reported Fires/Smoke Checks: 1
 Number of Calls/Incidents for Traffic Collisions: 9
 Number of Calls/Incidents for Hazmat: 3
 Number of Calls/Incidents for PA/Other/No-Description: 25

While a separate section specifically on fire danger on Soda Canyon Road is further below, I have included the CalFire summary report here because it is important to note that CalFire deals not only with fires, but also with medical and other emergency related incidents, of which there are a lot. Many of the residents and property owners on Soda Canyon are growing older and are increasingly requiring emergency medical assistance, as evidenced in the CalFire summary. Be it a fire truck or ambulance that needs to rush up or down this road, the addition of any number of visitors to the Applicant's proposed winery will significantly impede, and perhaps prevent altogether, access by emergency services to house fires, wildfires, or elderly persons needing emergency care. As noted above with regard to the semi-truck overturning, if an accident occurs anywhere on the road and blocks the roadway, all individuals above that line are trapped because of one-way in, one-way out design of the road, including any would-be visitors to any winery on the road. This becomes increasingly important below when the sheer volume of visitor traffic proposed by Mountain Peak is realized.

4. Un-Reported Accidents on Soda Canyon Road

The CHP and CalFire summaries, even with their substantial numbers, are still only a snapshot of the types of accidents that regularly occur on Soda Canyon because so many accidents go *un-reported*. For example, in June 2015 an abandoned car was found crashed and hanging over the creek that runs through the northeastern part of Mountain Peak's parcel (and at the northwestern end of my family's

⁵As with the CHP Summary Report, please note that I personally prepared the CalFire Summary Report using detailed "Incident Reports" provided to me by CalFire. As an officer of the court, I declare under penalty of perjury under the laws of the State of California, that this summary accurately reflects exactly what is contained in the much longer, more detailed CalFire "Incident Reports." And in fact, this same report was already accepted into a legal court proceeding as an evidence exhibit in a separate matter. That being said, I more than happy to provide ALL of the CalFire records used to compile the summary to the County of Napa in electronic format for review and confirmation upon request.

property). (See **Exhibit 17a-b** – Photos of Abandoned Car on the Mountain Peak Property). As is plainly visible from the pictures, the car crashed on the dirt road portion of Soda Canyon heading either to or from the direction of Stagecoach Vineyards, and the driver (and any occupants) simply abandoned the car. I cannot stress to the County **how often this exact same scenario plays out on Soda Canyon Road**. Every year, numerous (probably somewhere in the range 10-15) cars are found crashed on the road and simply abandoned, creating obvious hazards for property owners and all other users of the road. And, in addition to the cars that are abandoned, there are other instances where cars crash, the occupants do not abandon the car, but the only responder is a tow truck (e.g. the incident goes unreported because no state or county agencies are contacted). For example, in September 2015, a Honda Accord was heading down Soda Canyon Road, had just completed coming off the steepest part of the road, lost control of the vehicle, went off the road, and crashed into a resident's front yard (2441 Soda Canyon Road), narrowly missing a propane tank. (See **Exhibit 18a-i** – Photos of September 2015 Car Crash at 2441 Soda Canyon). As is evident from the pictures, and confirmed by eyewitnesses, there was no response by the Sheriff's Department, the CHP, CalFire, or any other agency. This was just another typical accident that occurs on Soda Canyon road. Further evidence of car accidents, demonstrated by skid marks and downed signs, that occur regularly on Soda Canyon Road are seen in additional pictures attached to this letter. (See **Exhibit 19a-b** – Photos of Skid Marks and Downed Signs on SCR).

5. Evidence of Alcohol Consumption on SCR – Discarded Beer Bottles

Attached are several photos taken by a Soda Canyon resident depicting discarded beer bottles regularly found along the road. (See **Exhibit 20a-e** – Photos of Beer Bottles on Soda Canyon Road). An elderly resident of the road, until very recently, used to walk the road nearly every morning, would find these beer bottles, and then place them on top of the mile markers. While it is unknown who discarded these bottles (although it can probably be surmised from the brand of beer bottles displayed), it is obvious that alcohol consumption currently occurs on Soda Canyon Road.

In sum, as is plainly apparent from the above descriptions, Soda Canyon Road, under current conditions, experiences high numbers of accidents and incidents on annual basis. **The fact that none of this information is mentioned anywhere in Mountain Peak's traffic report, or the County's documents, is extremely troubling because it wholly ignores the public safety of all property owners, residents, and current users of the road.** Now, add approximately 18,846 wine-imbibing tourists on an annual basis to this mix, and the results are disastrous.

B. Natural Occurring Conditions on Soda Canyon Road Fire, Fog, Floods, Wildlife, Dark

Aside from the significant dangers posed by current drivers and users of Soda Canyon Road, there are several naturally occurring conditions on the road which warrant attention, including fires fog, flooding, wildlife and the pitch dark of Soda Canyon Road at night.

1. Fires

The ever-present danger of wildland and residential fires on Soda Canyon Road cannot be overstated. Soda Canyon is a boxed-canyon, which is especially dangerous because winds funnel through canyons and cause what may be an initially small fire to spread rapidly, particularly in the uphill direction. To get a better idea of the fire danger that exists on Soda Canyon Road, please review **Exhibits 21 & 22**, which respectively show the "Fire Hazard Severity Zones" across Napa and the specific "Fire Hazard Severity Zone" for all properties located on Soda Canyon Road. As is readily apparent from a review of **Exhibit 22**, almost the entire upper portion of Soda Canyon, including my family's property and the Mountain Peak proposed winery site are located in a "Very High Fire Hazard Severity Zone."

As indicated in the CalFire summary, between 2007 and 2015, there were 13 residential fires and 16 wildland fires on Soda Canyon Road. By way of specific example (although not counted in the CalFire figures above), there was a fire in May 2003 near the 2400 block of Soda Canyon Road, close to the residence of Mr. and Mrs. David Hallet. The fire was later determined to have been caused by a discarded cigarette butt from a careless vehicle occupant. The Halletts took several photographs of this fire, as demonstrated in **Exhibit 23a-e**, and it is plainly visible how the fire began on the roadway and quickly spread uphill.

In 2005, there was another fire near the 2400 block of Soda Canyon Road, which again threatened homes and quickly spread uphill. This fire was caused by oil dripping onto the exhaust pipe of a car and sparking a fire in the dry brush alongside of the road nearly at the entrance to the Hallett residence. (See **Exhibit 24a-e** – Photos of August 2005 Fire).

In 2011, there was another wildfire near the 2400 block of Soda Canyon Road, which threatened homes, quickly spread uphill and trapped all residents living above the 2300 block of Soda Canyon, including the Halletts, in their homes. (See **Exhibit 25a-c** – CalFire Incident Report and Newspaper Articles). There were additional wildfires in 2012 and 2013 that either trapped residents or prevented them from accessing their homes. (See **Exhibits 26a-c, 27a-b, & 28a-c** – CalFire Incident Reports and Newspaper Articles for 2012 and 2013 fires, respectively). In short, there have been numerous wildfires on Soda Canyon Road in the very recent past that posed serious threats to public safety and will do so again, especially because there is only a single exit in the event of such an emergency. Many residents

of Soda Canyon, like Mr. Rick Thornberry, are aware of the fire risks and have specifically designed their homes to be “fire resistant.” (See **Exhibit 29** – Newspaper Article on Rick Thornberry). However, even a “fire resistant” home will not stop a devastating firestorm, such as the devastating Atlas Peak Fire that ravaged the entire community in 1981.

In fact, there is such a severe fire risk on Soda Canyon that CalFire created a “Pre-Attack Fire Plan” specifically designed for the Soda Canyon and Monticello area. (See **Exhibit 30** – Soda Canyon/Monticello Pre-Attack Fire Plan). The Pre-Attack Fire Plan discusses the history of large fires that have occurred every 30-40 years on Soda Canyon Road, the reasons why Soda Canyon Road is so prone to fires, and several instructions on what to do not if, but when, the next big fire comes. Below are several quotes taken directly from the Pre-Attack Fire Plan, which specifically address the incredible and legitimate dangers that residents and all users of Soda Canyon Road face with regard to wildfires:

“There are a wide range of fuels in the Soda Canyon/Monticello Area. Fuels range from grass/oak woodland to 15-50 year old chaparral with some stands of decadent brush over 50 years old. Due to fire suppression and lack of aggressive wildland fuels management, both the vertical arrangement and horizontal continuity of fuels will promote rapid fire growth. These same conditions will also hinder conventional fire suppression tactics”

“The Soda Canyon/Monticello Area consists of numerous structures ranging from small to very large wineries, caves, and trailers. Most have outbuildings that may contain hazardous materials such as fuel, ammunition, pesticides, insecticides, herbicides, fertilizers and controlled substances”

“Elevations within the Soda Canyon/Monticello Area range between 0 and 80% slope. . . Vineyards and other manmade features provide a network of barriers that will need to be connected to create an effective fireline. The two wide canyons provide the opportunity for wind to be funneled, even under local wind conditions.”

“The early designation and use of incident facilities such as Staging Areas and early evacuation is critical due to the poor road network servicing area. **The roads will quickly become congested if an effective traffic control plan is not established by cooperating law enforcement agencies and public works departments.**”

“An adequate facility to support an incident does not exist within the Soda Canyon/Monticello Area.”

“If evacuation is necessary, it needs to be **ORDERED EARLY**... Residents should be discouraged from using their normal travel patterns if that takes them closer to the incident. If the incident or associated emergency responder equipment compromises the travel routes, then **sheltering in place or use of vineyards may be the best option.**”

“Depending on the location of the fire, the primary evacuation routes are the main paved roads of Soda Canyon Rd.”

“Most bridges have not been engineered, tested or rated for fire engines. Inspect every bridge before crossing!”

“There are no water distribution systems in the Soda Canyon/Monticello Area...Residences use wells with on-site water storage.”

“The most significant fire in the Soda Canyon/Monticello Area was the 1981 Atlas Peak fire[, which] burned approximately 23,000 acres over two days in late June. Several other fires have occurred in recent years including the October 2006 Atlas Fire and July 2007 Peak Fire. Both of these fires burned around numerous structures and required a significant commitment of resources.”

“Fire history, fuels, topography and urban-interface issues indicate the potential for a large and damaging fire in the Soda Canyon/Monticello Area.”

The implications of this Pre-Attack Fire Plan are terrifying and I am more than concerned for myself, my family, and my neighbors *when* of one of these **predicted** wildfires occurs. The prospect of trying to escape under existing traffic conditions is frightening enough. The issuance of a permit to Mountain Peak for 18,486 tastings and tours to visitors, who do not know the road, and may very well be inebriated, will only make worse an already extremely dangerous situation. Again, there is only 1 way out. Traffic will become congested, if not outright blocked as the result of an accident caused by a panicking driver, meaning that we will have to take refuge in our homes or nearby vineyards and hope for the best. I prefer being able to escape, which will be made significantly more difficult if unfamiliar winery visitors are clogging our only exit. Not only will these visitors be endangered, but they could also cause the fire, as was seen with the cigarette butt fire of 2003, and the July 2015 Wragg Fire just over the hill from Atlas Peak, which was caused by the overheating engine of a car that pulled over on the side of the road in the dry brush near Lake Berryessa. (See **Exhibit 31a-b** – CalFire Incident Report and Newspaper Articles on Wragg Fire).

The prospect of fire on Soda Canyon is an extremely serious issue that cannot be overstated, and it truly begs the question – why on earth would a project as large and with as many visitors be approved to operate in an area with such a high risk of wildfire? The simple answer is that such a project should not and cannot be approved in this location.

2. Fog & Ice

Due to the unique composition of Soda Canyon– it is a canyon, with very steep hillsides – the road experiences dense fog (some type of inversion that I will not even begin to try and explain) on a regular basis, especially from approximately the 4 mile mark to the 5 mile mark, which just so happens

to be where the steep hill is located, and which does not have any guardrails. On numerous occasions, I have experienced fog on the road so dense – both during the day and at night – that the only way I can proceed forward in my vehicle is to open my driver door and follow the yellow line in the middle of the road. In fact, I experienced one such incident as recently as May 6, 2016. I left our property at 12pm – yes, noon – to drive down the hill. Near my property (and that of Mountain Peak), the visibility was okay. However, as soon as I reached the top of the steep descent, the fog became so dense that I had to slow down to 5mph, open my door, and practically crawl down the hill. In addition to the fog, during the winter, it can and does snow at the top of Atlas Peak, and particularly around the 5-mile mark near the top of the road, it can get very slick and icy, posing further driving dangers to all users of the road. (See Exhibits 7n-q and 8h-q).

3. Flooding & Mudslides

In addition to the foggy conditions that regularly impact Soda Canyon Road, rainy conditions can and have quickly caused flooding and mudslides. Soda Creek begins near the top of the steep hill and follows the road for the majority of the way down. Because of how steep Soda Canyon is, even a small rainstorm can lead to flooding of Soda Creek very quickly, which at many points along the road, has and will cause flooding. Particularly vulnerable parts of the road are (1) the hairpin turn at mile 3.95 and (2) the lower portion of the road near the 1.10-mile mark, both of which are well below the proposed Mountain Peak site. And, with rainstorms and flooding comes mudslides, of which there have also been many, some of which have closed the road for several days at a time. A few pictures of such incidents on Soda Canyon Road are attached to this letter. (See Exhibit 32a-b – Photos of Flooding & Mudslides). These are not the type of conditions that unfamiliar and potentially inebriated tourists should be encouraged to drive, especially if it puts the safety of residents and property owners at even greater risk.

4. Wildlife & Nighttime Conditions

Finally, there is an array of wildlife that inhabits Soda Canyon and which is seen near or crossing the road with regular frequency, including deer, foxes, mountain lions, turkeys, raccoons, possums, squirrels, and rattlesnakes. The most prevalently seen and dangerous of these animals, at least to drivers and other vehicle occupants, are deer. Whether hitting, or swerving to avoid hitting a deer, substantial damage can be caused to the animal, the vehicle, and the vehicle's occupants. Since 1997 when my family purchased our property, I have personally experienced hundreds, if not thousands, of deer sightings on Soda Canyon Road, from the bottom to the top and everywhere in between. The deer (and other animals) are particularly active at night, when it is hardest for drivers to see them. In fact, I would consider to be rare if I did not see a deer (or two or three) while driving the road at night. Importantly,

aside from one street where Loma Vista Drive branches off from Soda Canyon Road, there is not a single street light on Soda Canyon Road, meaning that it is incredibly dark at night, especially when there is no moon.⁶ Mountain Peak is seeking to hold 78 marketing events for 1,846 people per year that would last until 10pm. So, not only would potentially inebriated tourists who are unfamiliar with the road be asked to drive an already dangerous road, but they would also be asked to do it at night when animals are most active. The thought of this is simply ludicrous and I sincerely hope that the County dismisses such a request without a second thought, as to permit this type of activity would endanger all users of the road, including the wine imbibing tourists Mountain Peak seeks to lure to its location. Tragically, Mountain Peak (who does business as “Acumen Winery”) recently experienced the loss of their winemaker, Denis Malbec, to a drunk driving accident, which occurred in the Napa Valley, at night. (See **Exhibit 33a-c** – News Articles on Drunk Driving Death of Mountain Peak Winemaker Denis Malbec). While the fatal and tragic accident took place near Yountville, it could just as easily have occurred on Soda Canyon Road after a late night marketing or winemaker dinner type event, such as those that are being proposed by Mountain Peak. Please do not encourage these types of events in a remote and rural location that could lead to similar poor judgment by even some of the most well-regarded and respected individuals in the Napa Valley.

C. Current Users of Soda Canyon Road – Property Owners, Walkers, Joggers, Cyclists, Vineyard Workers, & Large Trucks

When reviewing the Mountain Peak winery proposal, it is imperative to keep in mind the current types of users of Soda Canyon Road. Those users include Residents, Walkers/Joggers, Cyclists, employees of existing vineyard and winery operations, vineyard workers, & large trucks that travel the road on virtually a daily basis.

1. Property Owners, Walkers, & Joggers

According to Ms. Manfree’s map (See **Exhibit 6**), there are 163 residences on Soda Canyon Road. Many of those individuals have lived on the road for decades, some going back to the 1940s and

⁶Please note that I, along with many other neighbors I have spoken to, personally enjoy the lack of street lights on Soda Canyon Road, as it is a tribute to the remote and rural nature of the road, which would be diminished by the addition of any more street lights. This is important because while I can envision a potential County proposed solution to the darkness as adding numerous street lights to the road, such an act would destroy the quiet enjoyment of my property, as I’m sure would be indicated by other neighbors. This goes back to the point that hundreds of people purchased homes on Soda Canyon to get away from the lights and activity of cities, including downtown Napa. It is therefore wholly inappropriate for a winery like Mountain Peak to be proposed in the remote and rural mountains of Atlas Peak above Napa, which would add significant light and noise pollution from 24/7 grape processing during harvest, to 78 marketing events per year lasting until 10pm, and certainly if a County mitigation included the addition of innumerable street lights. In other words, this project is totally inappropriate for the remote and rural location in which it is being proposed.

1950s, such as the Schreuder and Manfree families. They have all witnessed the drastic changes on the road since that time. Even since my family purchased our property in 1997 and began our small vineyard operation at the end of Soda Canyon Road, we have witnessed dramatic increases in traffic and activity on the road. With so many residents and property owners on the road who live there full-time and/or spend significant portions of their time at their properties, it is hoped that the County remembers that these individuals, these residents, and these long-time property owners have spent significant portions of their lives and financial resources building their homes and lives on this road and in this community; their input and opinions should not be so quickly dismissed because a new developer and a deep-pocketed owner came to town and want to build an adult Disneyland at the top of Soda Canyon Road. Many of the residents, particularly at the bottom of Soda Canyon Road, are often seen walking and/or jogging along Soda Canyon Road, and the addition of any more cars and/or trucks on this road increases their risk of getting injured at the hands of a reckless and/or drunk driver.

2. Bicyclists

In addition to the walkers and joggers who regularly use Soda Canyon Road, it is a road utilized weekly (and almost daily during the warmer month) by bicyclists. Because of the very steep climb offered by the road, it has become a draw for many cyclist enthusiasts looking for a challenge. In fact, there are several resources (online and print) that tout this road as a cycling destination. (See **Exhibit 34a-b** – Articles Re: Cycling on SCR). To that end, over this past 4th of July holiday weekend, I was heading down Soda Canyon Road and snapped a couple of pictures of two cyclists climbing the steep hill at around mile 4.6. (See **Exhibit 35a-b** – July 2016 Pictures of Cyclists on Soda Canyon Road). Because there are no bicycle lanes on the road, virtually every time a driver passes a cyclist, that driver, unless he or she moves into the other lane of traffic, is in violation of California Vehicle Code section 21760 – the “Three Foot for Safety Act.” The major issue for cyclists, drivers, and for the County, becomes when two cars (or trucks) are approaching from opposite directions on one of the many blind curves and overtake a cyclist (or two) simultaneously and there is nowhere to turn. While I am not aware of any such accident to date, if another ~47,300 vehicle trips are allowed by the Mountain Peak project, the likelihood of such an incident increases dramatically.

3. Vineyard Workers

In contrast to the residents, joggers, walkers, and cyclists, a group of users who pose severe safety risks to the users of Soda Canyon Road are the vineyard workers. As will be described in detail below, there has been significant vineyard expansion over recent years, and with that expansion, more vineyard workers are required to tend to those vineyards. And because of the hilly and rocky nature of Atlas Peak,

very little can be done by machine, meaning that vineyard workers are and will continue to be the primary means to farm these vineyards. Unfortunately, the vineyard workers are among the most reckless drivers on the road. Ask any resident or property owner and they will have at least one or two stories of being honked at, yelled at, and/or nearly driven off the road by one or a group of these drivers. Part of the problem is that many of them typically get off work at the same time and leave in caravans of cars that can be as many as 100 or more at a time, especially during the harvest season. And, the problem with these worker caravans is that their timing is not always predictable, especially during harvest, because grapes are often picked through the night and/or early into the morning. This means that the time the caravan is heading up and down the hill changes on a regular basis, depending on the season (and thus cannot be avoided by simply changing the opening or closing time for a tasting room). The drivers maintain speeds far in excess of the posted 25 mph near the top of the road, and the 45 mph at the bottom of the road, and there have been countless times when I have come around a hairpin turn, especially the turn at mile 3.95, and had to slam on my brakes because a parade of vineyard workers is driving too fast around the corner, drift into the opposite lane, and do not stop for oncoming traffic.

In addition to their generally reckless driving as increasing numbers of workers are required to farm the vineyards, there is a growing daily traffic backup at the intersection of Soda Canyon Road and Silverado Trail. Because there is no traffic signal at the intersection, and the traffic on Silverado Trail travels at speeds of 55 mph +, making a left turn onto Silverado Trail from Soda Canyon Road is not only hair-raising, but has also been the site for several accidents (at least one of which is referenced in the CHP Report Summary) and innumerable near misses, several of which I have witnessed. Due to this difficult left turn, traffic regularly backs up a half-mile or more onto Soda Canyon Road from the intersection. These are serious and growing problems on the road that are worse every year, and introducing unsuspecting winery tourists to the mix is a plainly irresponsible and terrible idea.⁷

4. Large Trucks

One of the most negatively impactful groups of users of Soda Canyon Road is the large trucks which are increasingly larger in both size and prevalence on the road. Much of the truck traffic is due to the existing winery and vineyard operations at the end of Soda Canyon Road (i.e. past the Mountain Peak site), as well as the rock quarry at Stagecoach Vineyards, which has been steadily increasing the number of large loads carried off-site. At this point, sightings of multiple large trucks has unfortunately become a daily occurrence on Soda Canyon Road. Not only is the road deteriorating into an even more

⁷I acknowledge the fact that my family's property also requires the use and labor from vineyard workers, however, our roughly 17 acres makes up only a fraction of the approximately 1,972 acres that are planted on Soda Canyon Road.

dilapidated condition because of these large trucks, but they also pose serious safety risks to all users of the road. The road is so narrow that the trucks can literally not stay in their own lane, and very often take over both lanes because the loads are so large. Yet, Mountain Peak seeks to add a significant number of large trucks to the road both during construction and long after, when numerous large trucks will be needed to transport loads of grapes, bottles, capsules, equipment, food and other items for catering events, and many other types of loads that will be required to run this oversized, commercial winery operation. Attached are several pictures of trucks on Soda Canyon Road taken during the last couple of years, which demonstrate a sampling of the type and size of trucks that are frequently seen going up and down this already dilapidated road. (See **Exhibit 36a-j** – Large Trucks on Soda Canyon Road). In addition, **Exhibits 37 & 38** (available on the included flashdrive and on youtube at <https://www.youtube.com/watch?v=HQe5MuIrYI0> and <https://www.youtube.com/watch?v=ZY2cQVdI9cw>) depict two large trucks on Soda Canyon Road, both of which were filmed in June of 2015. These videos provide a clear demonstration as the serious safety risks posed all users of the road, especially residents and property owner, by the ever-increasing number of large trucks on Soda Canyon. Neither truck can physically stay in its lane, despite what I would hope is their best efforts to do so. As described in the section above describing the CHP reports, these oversized trucks can and have overturned on Soda Canyon Road, blocking all traffic for hours at a time. Their continued presence, and the safety risks they pose, will be exacerbated dramatically if Mountain Peak is approved in its current form.

D. Summary of Existing Conditions on Soda Canyon Road

As described above and supported by the several attached exhibits, the existing conditions of Soda Canyon Road – both man-made and naturally occurring – are cause for alarm with regard to public safety. Mountain Peak seeks to impose 18,486 winery tourists, not to mention employees, vineyard workers, and event staff, to the already dangerous mixture of a broken road that has innumerable blind turns, is steep, often foggy, and rampant with wildlife (especially at night), bicyclists, walkers, joggers, reckless vineyard worker drivers, and oversized trucks that literally cannot stay in their own lane. In its current form, the Mountain Peak permit application will pose serious additional and legitimate safety risks to all users of the road and threatens the safety of the entire Soda Canyon community.

V. Traffic

Traffic numbers on Soda Canyon Road have increased dramatically in recent years, and while Mountain Peak's highly paid traffic expert does a sensational job at downplaying the traffic impacts of this project, the simple fact is that traffic was bad when my family purchased our property in 1997, has

gotten much worse since then, and will be a complete disaster if the Mountain Peak project is approved in its current form.

A. The Crane Transportation Group Traffic Report & Charts – Fatally Flawed

Upon review of the traffic report prepared by Crane Transportation Group for the Mountain Peak project, it is very noticeable, even as a layperson, that there are several flaws with the report that must be addressed by the applicant prior to any final decision being rendered by the County.

1. The Misleading Statement of Mountain Peak's 92% On-Site Production

To begin, the traffic report, repeatedly indicates that “92 percent of the grapes will be grown on site.” (See Applicant Document – Crane Traffic Report at pages 4, 5, 31). This is literally impossible. There are currently 28 acres planted on the Mountain Peak parcel (APN:032-500-033) (See Applicant Document – Project Statement at page 3). Even if every single grapevine were replanted after construction, the maximum production this vineyard could hope to produce is 84 tons.⁸ However, based on the current project proposal, the maximum amount of vineyard acreage that can be planted after construction on the Mountain Peak site is 25 acres. (See **Exhibit 39** – Map Depicting Minimum Plantable Acres at Mountain Peak Proposed Winery Site Post-Construction; See also Applicant's Water Availability Analysis at pg. 2, indicating that only 25 acres of the property will be planted in vine post-production). As a result, the maximum amount of tonnage that can be produced “on-site,” assuming a generous 3 tons/acre, is 75 tons of grapes. Even allowing for the 25% outside Napa grape sourcing, that means that Mountain Peak can only produce on-site and outsource a maximum of 100 tons of grapes. Mountain Peak is seeking a 100,000 gallon winery permit. This equates to approximately 700 tons of finished wine product. If Mountain Peak can only produce 75 tons, and outsource 25% of grapes, for a total of 100 tons, that means there is a **600 ton shortfall** that Mountain Peak will have to truck in from other vineyards. As a percentage, this means that Mountain Peak can only produce **11% of grapes on-site, NOT 92% as it claims**. (See **Exhibits 40 & 41a-b** – Mountain Peak Winery Conversion Chart: Tons of Grapes to Gallons of Finished Wine; Mountain Peak On-Site Production & Grape Hauling Realities (and accompanying Graph)).

In other words, Mountain Peak, in its Project Statement, has completely mislead the County and apparently mislead its own traffic engineer because there is simply no possible way that “92 percent of the grapes [can] be grown on site.” According to the Applicant, it owns another 84 acre parcel farther

⁸This figure is calculated by multiplying 28 acres times 3 tons of grapes, which is a very generous yield for this location. My family has been farming our vineyard since it was first planted in 1999, and the largest yield we have ever produced was approximately 2.7 tons to the acre. Due to the very rocky soil and tough growing conditions, an average yield is 2 to 2.5 tons per acre.

up the dirt road on Soda Canyon and is including those figures in its calculation. However, this parcel, regardless of how large it is and how much it produces **cannot be considered as part of Mountain Peak's "on-site production" in association with the sought after 100,000 gallon permit application for APN: 032-500-033 because is an entirely separate parcel of land that is NOT contiguous with the property and can be sold at any time.** The permit sought by Mountain Peak runs with the land, and any claimed on-site production must be limited to the parcel on which the winery is located, or in the very least parcel(s) that are immediately contiguous with the parcel on which the winery permit is being sought.

Moreover, even if all 84 acres of Mountain Peak's separate parcel were planted in vineyards, yielding 3 tons to the acre, and *could* be counted towards its on-site production, which again it cannot, that would still only produce 252 tons, for a total of 327 tons. This amounts only to 47% of the tons needed to satisfy the 700 tons required for a 100,000 gallon permit. So, where is the other 45% of the grapes coming from that the Applicant includes in its claimed 92% of "on-site" production? Leasing? Contracts? All of those arrangements are temporary and can be terminated at any time. The sought after 100,000 gallon winery permit is forever and the Applicant cannot be allowed to dupe the County and the other property owners on Soda Canyon Road by claiming that it will be able to produce 92% of the grapes needed to satisfy a 100,000 gallon permit on-site. To be blunt, it sounds like this is a well-thought out plan by Mountain Peak to obtain maximum production gallons in order to engage in custom crush for other wineries across the Napa Valley, which of course will bring even more traffic in the form trucks and cars up and down Soda Canyon Road on an annual basis, none of which is accounted for in the traffic report.

Additionally, even if Mountain Peak sources grapes from its other parcel, Stagecoach Vineyards or other locations on Atlas Peak, trucks will still have to travel up and down Soda Canyon Road, unless of course Mountain Peak is planning to purchase a fleet of grape transports, eternally store them on-site, and never have them travel down Soda Canyon Road.

Finally, regardless of how Mountain Peak deals with transporting grapes to and/or from the site, whatever is produced on-site will require bottles, corks, capsules, labels, boxes, and eventual transportation of the finished product off-site. Where are all of those figures in the traffic report? Accordingly, the Applicant's traffic report is fatally flawed because it assumes lower numbers of trucks and traffic due to this 92% on-site production claim.

2. Missing References

In addition to traffic report's inappropriate reliance on the 92% on-site production figure, the report also seems to be missing several figures and statistics. For example, on page 7 of the traffic report, the engineer states that "May and July 2013 as well as January 2015 peak hour counts are presented in **Appendix Figure 1.**" However, when accessing what appears to be the appendix (titled "Figures") on the County website, Figure 1 does not contain a single traffic count, and is instead a map of the area. Errors of this type appear to be made throughout the report and must be revised.

B. Traffic Statistics – Applicant & County Figures

Despite the cryptic manner in which the Mountain Peak's traffic report is written, I was able to decipher some statistics, and when compared with numbers provided by Mountain Peak as to traffic, there are some pretty surprising results and implications, which of course are mentioned nowhere by the traffic expert or Mountain Peak.

As a result of the Applicant's traffic related documents not containing any meaningful numbers that a layperson can wrap their head around, I created a chart based entirely on Mountain Peak's original 2014 permit application⁹ and the Crane traffic report. (See **Exhibit 4**). The important takeaways from this chart are that according to Mountain Peak's own application, it will generate approximately 130 "trips" on Soda Canyon Road per day, which amounts to **47,328 "trips" per year**. By any measure, the addition of nearly 50,000 trips on a road, especially one as dangerous as Soda Canyon, is a significant amount. In fact, the traffic report indicates that there are an average of 516,813 vehicles per year at the intersection of Soda Canyon Road and Silverado Trail. If Mountain Peak adds 47,238 vehicles to the mix, that is a total 564,141 vehicles at the intersection, representing an **increase of 9%**. This is especially important in light of the existing problems at the intersection of Soda Canyon Road and Silverado Trail. Even more impactful for my family and all other property owners in the immediate vicinity of the proposed Mountain Peak winery site is that the traffic report indicates that currently, there are approximately 168,323 vehicles per year that travel in the immediate vicinity of the winery. An increase of approximately 47,328 vehicles makes for 215,652 vehicles per year in the immediate vicinity of the winery, which represents an **increase of 28%**. It does not take a traffic expert to determine that a 28% increase in traffic on a remote, rural, and dilapidated road will have adverse impacts on nearby neighbors and property owners.

⁹I would have used the March 2016 application, but the application, curiously, is missing the page which indicates the number of trips to be generated by the project. Importantly, the proposed visitation and employee numbers have not changed from the original application in 2014 to the revised 2016 application, so it can be safely assumed that the traffic figures provided in the original application are at least somewhat accurate (although likely still understated).

C. Traffic Statistics –Winery and Vineyard Growth on/near Soda Canyon Road

When my family purchased our property on Soda Canyon Road in 1997, there were four wineries on the road. These wineries had a combined visitation allowance of 5,772, with the majority (5,200 visitors) belonging to Antica. (See **Exhibit 42** – Winery Visitation from Current and Future Wineries on Soda Canyon Road and Silverado Trail). Since then, another three wineries, with a combined visitation of 9,842 have been approved and are operating on lower Soda Canyon Road. This means that there are currently 15,614 winery visitors permitted to visit wineries located on Soda Canyon Road on an annual basis. At the intersection of Soda Canyon Road and Silverado Trail, there are two wineries operating on Silverado Trail that have a combined visitation allowance of 21,940 tourists. Thus, as of today, there are 37,554 winery tourists permitted to access wineries at the intersection of Soda Canyon Road and Silverado trail.

As of the date of this letter, there are three wineries pending approval on Soda Canyon Road, including Mountain Peak, with a combined annual visitation allowance of 26,739.¹⁰ There are four more wineries on Silverado Trail at the intersection of Soda Canyon Road that are seeking permit approval. The combined annual visitation requests for these Silverado Trail wineries total 46,856. In combination, there are seven wineries seeking approval that will cause the intersection of Soda Canyon Road and Silverado Trail to see an increase of 73,595 winery visitors on an annual basis. Combined with the existing winery visitors using the same intersection, there would be a grand total of 111,149 winery visitors if all of the permits are approved. **That represents an increase of 196% in annual winery tourists at the intersection of Soda Canyon Road and Silverado Trail.** To state the obvious, that is an incredible increase in annual winery visitor traffic (not to mention the ancillary operational traffic that will come with it) at that intersection. As discussed above, that intersection already suffers from long traffic back-ups and accidents, which will only worsen from the cumulative impacts of these winery visitors, a large portion of which would come from Mountain Peak.

In addition to the heavy increases in winery visitor traffic, there have also been significant increases in vineyard worker traffic that must be accounted for. In 1999, two years after my family purchased our property on Soda Canyon Road, there were approximately 1,225 acres of planted acres on Soda Canyon Road. (See **Exhibit 43** – Soda Canyon Road Vineyards in 1999). Since then, an additional 747 acres of vineyards have been planted. (See **Exhibit 44** – Soda Canyon Road Vineyards in 2016). The vast majority of the vineyards existing in 1999, as well as those planted since then, are

¹⁰Note that Relic Winery has been approved by the County, but has not yet obtained a license to operate from the Department of Alcoholic Beverage Control.

located near the top of Atlas Peak at the end of Soda Canyon Road. (See **Exhibits 45a-b** – Location of Vineyards Planted on Soda Canyon Road – Chart & Graph). This is important because it means that all workers, trucks, and other equipment and transports needed to service these vineyards must travel the entire length of Soda Canyon Road, including going past Mountain Peak's proposed winery location. This also means that any and other visitors, employees, winery tourists, or otherwise from Mountain Peak, will be coming into contact with all of the vineyard workers, large trucks, and other equipment needed to run these vineyards. Likewise, in the event of an emergency, such as a large wildfire, of which there have been many on Soda Canyon Road, any winery tourists and employees will be forced to evacuate in the midst of the pure chaos that will ensue when hundreds of vineyard workers, residents, and other users of the road are similarly trying to escape through the single exit at the intersection of Soda Canyon Road and Silverado Trail.

With regard to numbers, attached as **Exhibit 46** is a chart that demonstrates the total number of vineyard workers on Soda Canyon Road, and winery visitors from wineries on Soda Canyon Road and on Silverado Trail (at the intersection of Soda Canyon Road) that currently must utilize the intersection as compared to the future figures if all pending winery permits are granted. Currently, it takes approximately 41,440 vineyard workers to farm the 1,972 acres of vineyards planted on Soda Canyon Road on an annual basis. In combination with the winery statistics discussed above, that means there are approximately 78,994 vineyard workers from Soda Canyon vineyards and winery visitors that must use the intersection of Soda Canyon Road and Silverado Trail. If all the pending winery permits are approved, that **number will increase to 152,589 vineyard workers and winery visitors at that intersection on an annual basis.** That **represents an increase of 93% from the current level.** Again, the cumulative impacts of these wineries at that intersection, of which Mountain Peak plays a large role, must be taken into account by the County, and lead to the decision to deny, or significantly limit the proposed Mountain Peak project.

VI. Noise, Water, & Other Environmental Impacts

A. Noise

One of the most enjoyable parts about my family's property on Soda Canyon is literally the sound of *nothing*. The geography of Foss Valley, which is the valley at the top of Soda Canyon Road in which my property, along with that of Mountain Peak, sits, is such that sound carries for miles. Because much of the natural vegetation has been removed and replaced by vineyards, along with the peaks and mountain tops surrounding all of the properties in Foss Valley, there are few barriers in the basin of Foss Valley and effective walls created by the mountains, which has the effect of simultaneously

carrying and keeping all sounds created within Foss Valley. During both the day, and particularly at night, you can hear virtually every sound uttered within several miles from my family's property. With the exception of vineyard worker traffic, tractors and other vineyard operations occurring throughout the year, and an occasional party at a neighbor's house in the evening, the primary sound heard on upper Soda Canyon at any point during the day or night is literally *nothing*.

The Mountain Peak project, along with its ~47,300 annual trips and 18,486 winery visitors, poses a serious threat to the quiet enjoyment of my family's property. Be it during the daytime tasting events, during which 80 visitors are allowed, or during nighttime marketing events when up to 125 visitors are permitted, when wine-drinking tourists imbibe alcohol, they become increasingly boisterous. Having worked at my family's winery, Arger-Martucci Vineyards for 5 years, including numerous days covering the tasting room when an employee was out, I know how loud, not to mention unruly, winery tourists can become. No matter how much Mountain Peak tries to downplay this aspect of winetasting, it is a simple fact that noise levels will increase dramatically from the current levels if this permit is granted. Importantly, a review of Mountain Peak's Noise Report indicates that nearly all of the anticipated sounds fall just below the threshold of acceptable limits in the various zones throughout Napa County. Even more importantly, the Noise Report relies upon the same erroneous and misleading statement that 92% of the grapes will be sourced from "on-site," which appears to have led to a reduction in the anticipated sounds caused by traffic, and which issues a deathly blow to the credibility of the report. Accordingly, as with the Applicant's traffic report, the Noise Report must be revisited and revised before any final decision can be made on this project.

B. Water

According to Mountain Peak's project statement, the winery event center is going to place two (2), 100,000 gallon water tanks on the property and use approximately 15,194 gallons of water per day, which is an increase from its current use of 12,989 gallons of water per day (See Applicant's Revised Application at pg. 14). To put this in perspective, on an annual basis Mountain Peak will utilize 5,545,810 gallons of water. The Applicant's Water Availability Analysis similarly reports that water use will increase from 14.75 acre-feet per year to 17.02 acre-feet per year (See Applicant's Water Availability Analysis at pg. 2).

As the County is well aware, Napa, and the entire state of California for that matter, are still in the midst of a tremendous drought that has no end in sight. All of the water used at the top of Atlas Peak comes from well water, as admitted by the Applicant in its project statement (See Applicant's Revised Application at pg. 14). If Mountain Peak is allowed to move forward at its current size, deep wells will

be drilled and massive pipes (the size used on oil tankers if I understand the groundwater study and water availability analysis correctly) will be placed into the ground. My family is located directly next to Mountain Peak and draw from the exact same underground water sources. If Mountain Peak is permitted as-is, and uses its projected 5,545,810 gallons of water per year, there is a strong chance that our wells, which support both our home and vineyards could run dry. The same is true for other nearby neighbors who share the same water source, like Mr. Bill Hocker, whose property is located directly north of the Mountain Peak project site. Importantly, the primary reasons for which Mountain Peak seeks to use so much water is **not for agricultural purposes**. Instead, much of this water will go towards supporting its commercial kitchen and other aspects of its vast marketing program, which is far too large and out of scope for the proposed winery location. Additionally, this water will be used to process the approximately 700 tons of grapes needed to satisfy the requested 100,000 gallon permit, of which **only 11% can be produced from the 25 acres on-site that will be plantable after construction**. (See **Exhibit 40a** – Mountain Peak Winery On-Site Production). Moreover, the water that Mountain Peak will be sucking up from the underground aquifers would otherwise be feeding into Rector Canyon, located just to the north of the Applicant's property, which in turn feeds into the Rector Reservoir, which is the water supply for the City of Yountville. None of these facts are mentioned in the Applicant's groundwater study or water availability analysis, which, once again, renders a fatal blow to the reliability of these reports. Accordingly, the studies must be revised and these factors must be taken into account before a final decision can be made on this oversized project.

C. Caves & Other Environmental Impacts

Mountain Peak is requesting to build caves that total 33,424 square feet in size. If permitted, they would be the 12th largest in Napa and almost as big as the caves located on the Antica property, which is approximately 1,200 acres, or roughly 30 times as large as the Mountain Peak parcel. (See **Exhibit 2** – Napa County Wine Caves). Based on those factors alone, it should be quickly understood that the Mountain Peak project is massively out-of-scope for its relatively small parcel of 41 acres.

Additionally, the amount of earth that will have to be moved is enormous, which is particularly troubling to my family, because a significant portion of the cave spoils will be relocated to the portion of Mountain Peak's parcel that is directly north of our property. (See **Exhibit 1** - Arger Family Parcel Location in Relation to Mountain Peak). My family's property runs slowly downhill and if spoils are placed on Mountain Peak's northern parcel, there is a strong chance that serious drainage issues could result, especially if Mountain Peak's parcel is built up significantly, which, based on the projected size of the caves, it appears that it will be.

Moreover, there is no discussion that I could locate in either the Cave Data and Feasibility Report or the Bartelt Civil Plans that discusses the potential adverse effects of (1) possible disturbance on archaeological artifacts from the Wappo Indian tribe indigenous to many parts of Northern California, including the Napa Valley; (2) disruption of local biological species as a result of the displacement of earth; and (3) adverse impacts of the cave spoils on the local watershed, as well as the Rector Reservoir, which again, is the water supply for the City of Yountville.

As to the Wappo Indian tribe, Foss Valley at the top of Atlas Peak and right where my family's property and that of the Applicant is located, served as the tribe's summer grounds. I have found numerous arrowheads over the years, and one neighbor, Mr. Michael Russ, whose property is just to the northeast of Mountain Peak's property, has an entire collection of arrowheads, pots, and other artifacts that he has recovered from the immediate vicinity over the years. With the sizeable cave plans being requested by Mountain Peak, there is a strong chance that there are additional archaeological artifacts which may be disturbed. There is no mention of this in any of the Mountain Peak reports.

There is also no discussion as to the possible adverse impacts on local plant and animal species, nor on the local water supply. With such a large amount of earth to be moved, it would seem that there should be some mention, or perhaps a separate study altogether, on the adverse impacts on local species. Perhaps more importantly is the potential adverse impacts on the local water supply. There is a "blue-line" creek that runs through the northeastern part of Mountain Peak's parcel that feeds directly into Rector Canyon, which is the source for the City of Yountville's water supply. If any of the cave spoils are placed on that parcel, which I believe they will be, there is the potential for serious adverse impacts. The same is true even if the spoils are placed on the main portion of Mountain Peak's parcel, as that property slopes gently downhill towards Rector Canyon, meaning any runoff and other potentially detrimental substances could run downhill and into Rector Canyon.

Finally, it is noteworthy that the Cave Data and Feasibility Report produced by Condor Earth Technologies is from August 2013 and indicates that the caves will be in excess of 60,000 square feet. Is the applicant currently telling the County of Napa that it is only building 33,424 square feet of caves, but later planning to come back to the County and ask to build the remaining ~30,000 square feet? I certainly hope not, and accordingly request a revised and updated version of the Condor Cave analysis, or other confirmation from the Applicant, to ensure that there are no long-term or "Phase II" plans to further expand the caves *if* the existing caves were ever to be approved.

VII. Implications of the 2010 Amendment

While the 1990 Winery Definition Ordinance was amended in 2010, the 2010 Amendment put in place specific language to ensure winery projects are appropriately scaled based on the location and access thereto. Specifically, Section III of Resolution No. 2010-48 (Interpretive Resolution to Ordinance No. 1340), under Exhibit A of the 2010 Amendment, is titled “The Appropriate Intensity of Marketing Programs” and reads as follows:

[t]o ensure that the intensity of winery activities is appropriately scaled, the County ***considers the remoteness of the location and the amount of wine to be produced at a facility*** when reviewing use permit proposals, and endeavors to ensure a direct relationship between ***access constraints*** and ***on-site marketing and visitation programs***.

These four factors, that is: (1) the remoteness of the location; (2) the amount of wine to be produced at the facility; (3) access constraints to the project; and (4) on-site marketing and visitation programs seem to have been tailor made for a project such as Mountain Peak. As will be described below, each of these four factors alone, and certainly in combination, lead to only one possible conclusion – that the Mountain Peak Winery proposal is **not** appropriately scaled, and must therefore either be denied outright, or significantly scaled back to comply with Napa County law.

A. Remoteness of the Location

One of my passions is hiking and backpacking. Among the many reasons I enjoy hiking and backpacking is because I can escape to remote and rural mountain locations where (1) cell phones do not work, and (2) there is absolute silence. Both of these conditions exist at my family’s property on Soda Canyon, as well as at the proposed Mountain Peak winery site. To this day, I still do not get cell reception at my house, nor do any other friends and family who visit us there, and it is wonderful. When I am the house, I am off the grid. Additionally, as discussed in the “Noise” section of this letter, the primary sound at our house at any given time of day or night is literally ***nothing***. As a third attestation to the remoteness of the proposed Mountain Peak winery site, Global Positioning Systems (GPS) did not work for years, and only recently have ***some*** such systems begin to work properly. As a result of there being no cell reception and GPS systems are very spotty, to this day, I have a set of detailed driving instructions that I email to friends or family who are coming to visit our property that read as follows:

[y]ou may be able to put our address in your GPS, but it doesn’t always work b/c the addresses on Soda Canyon Road are out of order and there is NO CELL RECEPTION at the house. Accordingly, please follow the directions below once your GPS gets you to Soda Canyon Road. Once you turn off of Silverado Trail onto Soda Canyon Road (SCR), set your odometer to 0.00. From the bottom of SCR (intersection of

Silverado Trail and SCR) to the turn off to our house, it is ~6.2 miles. Do not pay attention to the addresses, as they are out of order. From the bottom, you will be making a steady climb up the hill, and at one point it gets extremely steep (you will know when you are on the steep part). Once you crest the steepest part, you are only about a mile away. At the end of that last mile, you will come to a quasi-fork in the road, where the paved road continues to the right, and a dirt road starts to the left. At that fork, if you are looking straight, you will see a big wooden sign with white writing that says “Odyssey Vineyards, 3030 Soda Canyon” – that is our property... If you get lost, drive back to ~100 yards below the top of the big hill (where there is some cell reception) and CALL THE HOUSE (707) XXX-XXXX to contact us.

In 2016, there are very few places that still do not get cell reception, and even fewer where GPS is still not entirely functional. However, my family’s property, and the proposed Mountain Peak Winery site, is one of them. Add to this the fact that *silence* is the primary sound at our property, and that of Mountain Peak, and I honestly cannot think of a better example of a “remote location” within Napa.

B. Amount of Wine to Be Produced

Mountain Peak is requesting a permit to produce 100,000 gallons per year, which equates to 700 tons of grapes. As discussed in detail above, the maximum amount of tonnage that can be produced “on-site,” assuming a generous 3 tons/acre, is 75 tons of grapes. Even allowing for the 25% outside Napa grape sourcing, that means that Mountain Peak can only produce on-site and outsource a maximum of 100 tons of grapes. As a percentage, this means that Mountain Peak can only produce **11% of grapes on-site, NOT 92% as it claims.** That means there is a **600 ton shortfall** that Mountain Peak will have to truck in from other vineyards. (See **Exhibits 40 & 41a-b** – Mountain Peak Winery Conversion Chart: Tons of Grapes to Gallons of Finished Wine; Mountain Peak On-Site Production & Grape Hauling Realities (and accompanying Graph)). In other words, the amount of wine Mountain Peak seeks to produce is far more than can be sustained by its immediate property, and will thus require anywhere from 27 to 108 trucks on an annual basis to haul grapes to the property, and additional trucks to haul the finished product away.

C. Access Constraints

As discussed in detail throughout this letter, Soda Canyon Road is a one-way in, one-way out road, and there are severe access limitations due to existing traffic conditions. Mountain Peak is proposing what truly amounts to a winery event center on par with an adult Disneyland at the very end of a remote and rural country road that is 6.75 miles long and has no outlet. According to the Applicant’s own figures, **the project would cause traffic in the immediate vicinity of the project to increase by approximately 28%.** (See **Exhibit 4** – Understanding Traffic Trips Generated by Mountain Peak).

Moreover, if all pending permits are approved on Soda Canyon Road and on Silverado Trail at the intersection with Soda Canyon Road, there will be a **196% increase in winery visitation at that intersection**; an intersection which already suffers from serious traffic congestion and backup today. In addition, the approximate number of vineyard workers and winery visitors who utilize the Soda Canyon/Silverado Trail on annual basis is currently 79,000. If Mountain Peak and several other pending projects in the immediate vicinity are approved, that number will increase to 152,589, representing an increase of 93%. These existing traffic conditions are so serious that they are addressed by CalFire in its Pre-Attack Fire Plan for Soda Canyon, particularly with regard to congestion on the roads in the event of an emergency. Accordingly, and in light of this information, it is an understatement to say that Soda Canyon, and particularly at the 6.1-mile mark where Mountain Peak proposes its winery event center, has legitimate access constraints.

D. On-Site Marketing & Visitation Programs

Mountain Peak seeks a permit that will allow for a grand total of 18,486 visitors on an annual basis. To access the site, visitors will have to drive the 6.1 miles from the Valley floor, and may have already been consuming alcohol. This probability is made more significant by the fact that Mountain Peak seeks to stay open until 6pm. The tasting room at Arger-Martucci Vineyards was only permitted to stay open until 4pm. Having worked on numerous occasions in the tasting room, I can assure you that the vast majority of people who came in after 3pm were visibly drunk. And those that came around just before close at 4pm were typically even more inebriated. After we politely told those individuals that we could not serve them, they inevitably asked what other wineries were “open late,” which in Napa means 6pm. Based on these innumerable personal experiences I had at our tasting room, I can assure you that inebriated individuals will attempt to drive up Soda Canyon Road in the afternoon to make it to one of the wineries – Mountain Peak – that stays “open late.” Once at Mountain Peak, these same potentially inebriated individuals may be served additional wine, and if visitors were not inebriated before arriving, they certainly will be afterward. Finally, after all of that, these individuals will get back onto Soda Canyon Road and drive down the mountain. As described above, Soda Canyon Road is a very dangerous road even under sober conditions. If Mountain Peak is allowed to operate, which it is requesting to do both during the day and **at night when conditions on the road are even more dangerous**, the combination of inebriation and the existing road conditions will lead to a serious and fatal accident on Soda Canyon Road. If the County grants this permit, it will be condoning such activity and the eventual tragic result that will follow.

In sum, when reviewing this permit application and considering these four factors maintained within the 2010 Amendment, the County must conclude that the Mountain Peak Winery project is **not** appropriately scaled, and must therefore either reject the permit entirely, or scale it back significantly to a point that would allow cooperation with the language of the 2010 Amendment.¹¹

VIII. Winery Size & Visitation Precedent Near the Mountain Peak Winery Site

There are three wineries in the immediate vicinity of the proposed Mountain Peak Winery site that serve as precedent as to the appropriate size and scaling of wineries on upper Soda Canyon. These wineries include (1) Krupp Winery (File No. 01241-UP, APN: 032-040-005), (2) Meadworock Winery (DBA Astrale e Terra, File No. SW-118889-UP; APN: 032-230-027), and (3) Whitbread Winery (DBA Antica Napa Valley, File No. U-488687, APN: 032-080-39) each of which is discussed below.

A. Krupp Winery

On November 20, 2001, Mr. Jan Krupp sought a permit for a winery on upper Soda Canyon to establish a winery with 48,000 gallons of annual production, 10,500 square feet of caves, and 2,320 visitors on an annual basis. The address listed for this application is 3265 Soda Canyon Road, which is the exact same address for the current applicant, Mountain Peak Winery. The parcel numbers do appear to be different (Krupp Winery APN: 032-040-005; Mountain Peak APN: 032-500-033), however the Krupp parcel had 48.04 acres of land, and the site map in the application appears similar to Mountain Peak's parcel, so it is possible that Mr. Krupp sold ~7 acres, re-parceled the site, and it is now the same site at which the Mountain Peak property is being proposed. I notified Mr. McDowell of this inquiry, and as of the date of this letter, it is still unclear whether this is the same parcel. Regardless, the important take away from the Krupp Winery is that it was proposed on upper Soda Canyon and never constructed. According to the County records, several letters of opposition were lodged (See **Exhibits 11 & 12** –

¹¹It is worth noting that during 2014 discussions with both Mr. Steven Rea, the Mountain Peak winery representative, and Ms. Donna Olford, the winery consultant, both indicated that they must have direct to consumer (DTC) sales to “survive.” This same argument seems to be playing out all over Napa Valley and has, at least thus far, been a focal point as to why the County continues to approve winery permits seemingly without pause. However, the question not being asked is *why* wineries “need” DTC to “survive?” The logical answer is that market forces and economics are at play and there are simply too many wineries in the Napa Valley and across California for that matter. As the former Director of Sales & Marketing at our family owned winery for 5 years, I know precisely how hard it is to get out there and sell wine, as I was the “little guy” competing with much large wineries and simply trying to break into new markets. However, the reality is that is simply a glut of wineries in existence today. Under basic economic theory of supply and demand, when there is too much supply of a good and not enough demand, market forces dictate that there should be less goods. That is exactly the scenario playing out right now in the wine industry, and it is **not** the County's job to effectively subsidize the wine industry by caving to demands for the DTC model, especially when doing so comes at the expense of ruining remote and rural communities like that of Soda Canyon Road. In fact, by catering to these DTC demands and allowing so many new wineries to come online, the County is diluting the Napa Valley brand. In sum, if Mountain Peak “needs” DTC to survive, then its business model is flawed and should not even be allowed to get off the ground, especially when this is considered in light of location in which this winery is being proposed.

Opposition Letters to Krupp Winery) and, according to Mr. McDowell, it appears that the application was withdrawn. While I was not involved in the opposition to the Krupp Winery, I can surmise, based on conversations with other nearby residents, that there was significant pushback from the community and Mr. Krupp realized that even his proposed winery was much too large for upper Soda Canyon Road. It is also my understanding that the County was undergoing some changes during that time, and it may have even been that the County representatives advised Mr. Krupp that his permit would not be approved.

Regardless of the exact circumstances why the Krupp Winery application was withdrawn, the fact that the Krupp Winery never got approved is important because the requested gallons per year were less than 52% less than what is being sought by Mountain Peak; the caves were 69% smaller than those sought by Mountain Peak; and the visitation allowance was 78% less than that being sought by Mountain Peak. Whatever the circumstances were surrounding the Krupp Winery permit, the simple conclusion, at least with regard to the Mountain Peak application, is that even a permit requesting 48,000 gallons, 10,500 square feet of caves, and 2,320 visitors per year is **too large for upper Soda Canyon Road**. Thus, as a starting point, Mountain Peak's project must be smaller than that proposed by Mr. Krupp back in 2001, when, I should add, traffic conditions on Soda Canyon Road, and at the intersection with Silverado Trail, were much better than they are today.

B. Meadowrock Winery (DBA Astrale e Terra)

In 1988, the owners of Meadowrock Winery (hereinafter "Astrale e Terra") proposed a winery that would produce 20,000 gallons of wine per year, have no caves, and be limited to 52 visitors (1 per week). The winery was approved and is still in operation today.

However, in 1998-1999, before obtaining the required Type 02 license to operate and sell alcoholic beverages at the winery site from the Department of Alcoholic Beverage Control (hereinafter "ABC"), there was a hotly contested battle between the Astrale e Terra owners and the nearby Soda Canyon neighbors. Even though Astrale e Terra could only host a maximum of 52 visitors per year, neighbors were still concerned of the prospect of this winery operating and having the ability to host wine tastings and conduct retail sales with members of the public. For the record, the Astrale e Terra file number is 02-344164, and the Reg number is 98045225.

As a result, the matter was litigated. After a hearing before an administrative law judge, during which evidence of the dangerous nature of the road was presented via pictorial and testimonial evidence from several neighbors and residents on Soda Canyon Road, the ABC issued a formal order that denied all wine tasting and retail sales on-site. Specifically, the ABC determined in 1999 that:

- (1) the “[e]vidence established that increased traffic on Soda Canyon Road would interfere with the quiet enjoyment of nearby residences.”
- (2) the “[e]vidence established that increased traffic on Soda Canyon Road would aggravate a traffic problem on a problematic roadway which serves Applicant, nearby residents and two other vineyards.”

(See **Exhibit 47** – 1999 Astrale e Terra Decision & Proposed Order at 6).

Based on these two findings, the reviewing court found that the “issuance of the applied-for license *would be contrary to public welfare or morals.*” (See Id.). The court went on to state that because the Applicant’s “primary present purpose in seeking a winegrower license [was] to enable Applicant to sell the wine it has produced and wine which it intends to produce,” the court indicated that the protests would be sustained *if* the Applicant petitioned the Department for a conditional license containing the following conditions:

- (1) “No winetasting or tasting by appointment shall be permitted at this location.”
- (2) “No retail sales of alcoholic beverages to walk-in customers shall be permitted at this location.”

(See Id. at 6-7).

The Astrale e Terra winery is located at 3148 Soda Canyon Road and sits on a parcel of roughly 68 acres. The entrance to Astrale e Terra is 0.4 miles from the entrance of the proposed Mountain Peak winery site. Soda Canyon Road has not been repaved since the 1980s, and, as discussed above and as is plainly visible through several maps and charts attached to this letter, road and traffic conditions have gotten significantly worse since 1999, when the ABC determined that (1) “increased traffic on Soda Canyon Road *would interfere with the quiet enjoyment of nearby residences,*” and (2) “increased traffic on Soda Canyon Road *would aggravate a traffic problem on a problematic roadway* which serves Applicant, nearby residents and two other vineyards.” In short, the legal precedent for Soda Canyon Road, and especially upper Soda Canyon Road, has been set. Accordingly, under that precedent, because the Astrale e Terra parcel is 68 acres and is within one half mile of the Mountain Peak proposed winery parcel of 41 acres, (1) the maximum production size that should be permitted on the proposed Mountain Peak winery site is **less than** 20,000 gallons per year, and (2) there should be **zero** tasting permitted on-site. More specifically, attached as **Exhibit 48a-b** is comparison chart and graph for Astrale e Terra Winery vs. Mountain Peak Winery with regard to production, which indicates that the scaled maximum gallons Mountain Peak should be able to produce based on land area is 12,054 gallons, and the scaled maximum gallons Mountain Peak should be able to produce based on planted vineyard acres is 15,150

gallons. Thus, based on the Astrale e Terra precedent, Mountain Peak would be appropriately scaled if it were limited to between 12,000 gallons and 15,200 gallons with zero visitation allowance.

C. Whitbread Winery (DBA Antica Napa Valley)

The final winery in the immediate vicinity of the Mountain Peak proposed winery site is Whitebread Winery (hereinafter "Antica"). The final approved winery, which came only after a bitter fight and long legal battle with several neighbors in the late 1980s and early 1990s, features a 450,000 gallon permit with 36,000 square feet of caves and 5,200 visitors per year. The critical distinction for Antica is that the contiguous parcels on which this winery operation sits amount to approximately 1,200 acres, with approximately 570 acres of planted vineyards. By contrast, Mountain Peak is seeking a 100,000 gallon permit with 33,424 square feet of caves and 18,486 visitors per year on a 41-acre parcel. As scaled to Antica, a winery less than 0.5 miles away from the proposed Mountain Peak site, the Applicant's numbers simply do not make sense.

In light of the 2010 Amendment language discussed above, the County has an obligation to appropriately scale new winery permits based on the remoteness of the location, size, access and marketing programs. As it exists today, and has since the 1990s, Antica is an exemplar model for upper Soda Canyon Road that can and should be use as a scaling guideline for Mountain Peak, as it has the three same primary components: (1) winery production gallons; (2) caves; and (3) a marketing/visitation program. More specifically, attached as **Exhibit 49a-d** is comparison chart (and graphs) for Antica vs. Mountain Peak, which indicates that the scaled figures for Mountain Peak based on contiguous land area are: (1) 15,088 gallons; (2) 1,189 sf of caves; and (3) 178 visitors per year. If basing on vineyard acres, the Mountain Peak figures are: (1) 19,275 gallons; (2) 1,575 sf of caves; and (3) 186 visitors per year. Hence, based on the Antica precedent, Mountain Peak would be appropriately scaled if it were limited to between approximately 15,000 and 19,300 gallons, 1,100 and 1,600 square feet of caves, and 160 to 190 visitors per year.

IX. Interactions with Mountain Peak Winery

The Mountain Peak Winery site is located across the dirt road from my property. In the approximately three years that Mr. Hua Yuan and his family have owned the Mountain Peak property, my family has never once been contacted or approached by any member of the Yuan family. One would think that with a project of this magnitude, the owner would show some type of interest in connecting with the community. However, this has not been the case and we have dealt entirely with Mr. Steven Rea and Ms. Donna Olford, the winery representative and winery consultant, respectively. While we had some pleasant interactions with the representatives initially, there have been several instances of

questionable conduct since we first met with them in the spring 2014 that raise serious questions as to the character and intentions of either the owners of Mountain Peak and/or its representatives.

To begin, there were discussions in the spring of 2014 between my family, several neighbors, Mr. Rea, and Ms. Olford relating to concerns over the scope and size of the project. After a couple of meetings with the representatives that spring, Mr. Rea sent my family and the other neighbors a "Proposed Compromise Agreement," dated May 8, 2014, which the Applicant included as an attachment to its Project Statement. In its Statement, the Applicant touts the fact that it (1) moved the main winery entrance; and (2) reduced the cave size by roughly 50% in order to accommodate the neighbors. I want to quickly dispel the notion that the Applicant did either of these things to accommodate the neighbors. First, the original winery entrance for 18,486 visitors annually was to be placed on the one-lane, gravel road, not more than 15 feet from the entrance to my family's property, and approximately 150 yards off of the paved portion of Soda Canyon. Considering that hundreds of vineyard workers speed down this dirt road (recall the crashed car on the dirt road on Mountain Peak's property) on a nearly daily basis to access Stagecoach and other vineyards beyond the Mountain Peak property, it was ludicrous for the Applicant to ever even consider placing the entrance for 18,486 wine-imbibing tourists on the gravel road. When we brought the idiocy of this location to the attention of Mr. Rea, we then met with his engineer, Mr. Bartelt, who agreed that it would be better and safer to put the entrance on the main road. Thus, this alleged compromise by the Applicant was actually a function of following their engineer's recommendation. Second, the reduction in cave size "by almost one-half its original size," similarly had nothing to do with "compromising" with the neighbors. (See Project Statement at 1). Instead, it was a practical decision because anything larger than the 33,424 square foot caves currently proposed would have triggered a full EIR as a result of various County and State laws. In other words, please do not be fooled by the representations of the Applicant that it has made changes to accommodate the neighbors. In fact, and as admitted in the project narrative, the Applicant did not agree to the primary request by all of the neighbors, which "was a significant downsizing of the project." (See Project Statement at 2).

The second concerning issue has to do with what appear to be deliberate attempts by the Applicant to mislead the neighbors, the County, and even its own experts, by claiming that it will be able to produce 92% of the grapes from "on-site." As discussed above, this is simply not possible. The maximum percentage of "on-site" production is 11%, with a maximum of 47% IF the other parcel could be counted toward the "on-site" total, which for all of the reasons discussed above, it cannot.

Finally, the Applicant was conducting illegal and unpermitted and unlicensed tastings on the proposed winery premises for an unknown period of time. I personally alerted Mr. Rea first, in

November 2015, to try and resolve the issue without the need for outside intervention, but was immediately spurned, which left me with no choice but to contact Mr. McDowell at the County. My communications with Mr. Rea, as well as those with Mr. McDowell, are attached to this letter as **Exhibit 50a-b**. While I will not revisit all of the details of the violations here because they are already on file with the County, I do note that since I alerted Mr. Rea, neither my family, nor any of the other neighbors, have witnessed the constant flow of limousines and different and numerous cars that were entering and exiting the Mountain Peak property on a regular basis in the summer and fall of 2015.

In light of the above, the prospect of future misconduct by the Applicant and/or its representatives is unsettlingly real, and for the sake of my family and all other concerned residents and property owners on Soda Canyon Road, I sincerely hope that the County takes this series of questionable conduct into account before making a final decision on this winery permit application.

X. Conclusion

In light of all of the adverse public safety and environmental impacts that the proposed Mountain Peak Winery project will cause to the Soda Canyon community, the project, at least in its current form, must be denied. However, as an active member of the wine industry, I do not oppose this project outright. Instead, I simply ask that the County appropriately scale the Mountain Peak project in accordance with the 2010 Amendment and the immediately comparable wineries on upper Soda Canyon Road, which include Astrale e Terra and Antica that are both within 0.5 miles of the Mountain Peak location. Combining the scaling figures for these two comparable wineries from above, an acceptable range for the three primary components of the winery – that is (1) production capacity, (2) cave size, and (3) the visitation allowance – are: (1) 12,000 to 19,300 gallons; (2) 1,100 to 1,600 square feet of caves; and (3) 160 to 190 visitors per year.

If the above range of figures are unacceptable to the Applicant, then it can freely do what my family did when we started our winery in 1998 – grow the grapes on Soda Canyon and later purchase a facility on the Napa Valley floor where all production and marketing/visitation can take place. Not only is this option much more responsible in light of the dangerous nature of Soda Canyon Road, but is also entirely feasible, as evidenced by my family, and numerous others who have chosen a similar set up.

Lastly, and in response to the Applicant's anticipated statement that it has spent tens or even hundreds of thousands of dollars to date in trying to obtain this winery permit, please remember that other Soda Canyon Road property owners have collectively spent millions upon millions of dollars to make their homes and lives in this remote and rural community specifically because of its remote and

rural qualities, and the greed of one property owner cannot be allowed to overtake the greater interests of the entire community.

Thank you for taking the time to read my opposition to the Mountain Peak Winery project and please do not hesitate to contact me with any questions or concerns regarding said opposition.

Sincerely,

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

Anthony G. Arger, Esq.

Odyssey Vineyards

3030 Soda Canyon Road, Napa, CA 94558

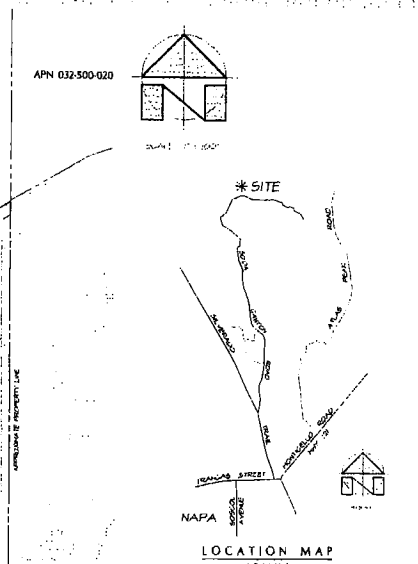
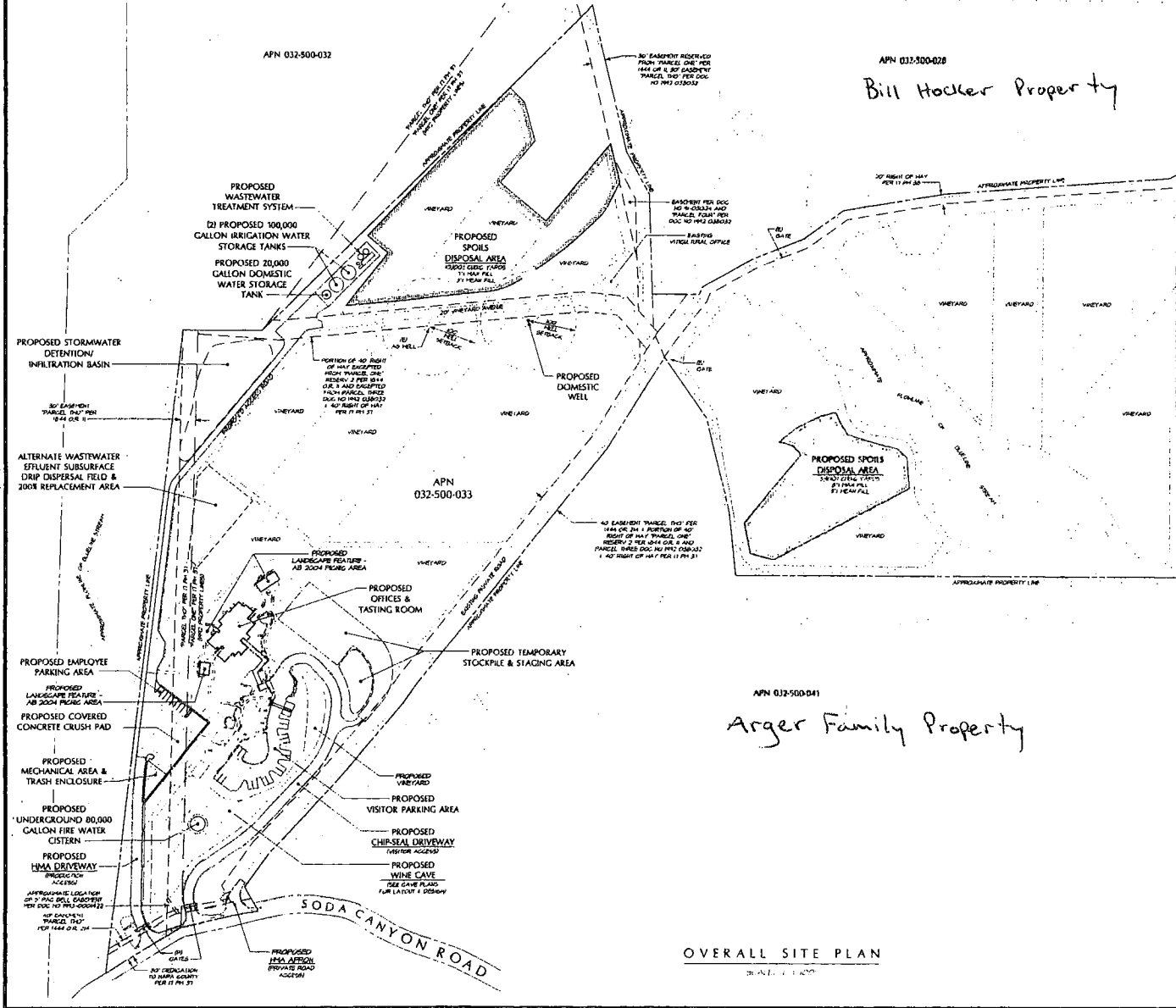
EXHIBIT “1”

EXHIBIT “1”

EXHIBIT “1”

MOUNTAIN PEAK WINERY

USE PERMIT DRAWINGS



PROJECT INFORMATION:

PROPERTY OWNER:
MOUNTAIN PEAK VINEYARDS, LLC
GEO YUAN
3265 SODA CANYON ROAD
NAPA, CA 94558

PROJECT APPLICANT:
MOUNTAIN PEAK VINEYARDS, LLC
GEO STEVEN REA
1114 PETRA DRIVE
NAPA, CA 94558
310-913-0142

PROJECT ADDRESS:
3265 SODA CANYON ROAD
NAPA, CA 94558

ASSESSOR'S PARCEL NUMBER:
032-500-033

PARCEL SIZE:
41.76± ACRES

PROJECT SIZE:
8.9± ACRES

SHEET INDEX:

SHEET UP1 OVERALL SITE PLAN
SHEET UP2 WINERY DEVELOPMENT AREA
SHEET UP3 SITE PLAN
SHEET UP4 EXISTING CONDITIONS -
DEMOLITION PLAN
SHEET UP5 PROPOSED CONDITIONS -
GRADING & LAYOUT PLAN
PHASING EXHIBIT

OVERALL SITE PLAN
DATE: 11/11/2010



PREPARED UNDER THE DIRECTION OF
PAUL N. BARTELT R.C.E. 45102

BARTELT
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**MOUNTAIN PEAK WINERY
OVERALL SITE PLAN
COUNTY OF NAPA**

SHEET NO. 00 5
DATE: 11/11/2010
FILE NO. 032-500-033

UP1

913-00364

EXHIBIT “2”

EXHIBIT “2”

EXHIBIT “2”

Napa County Winery Caves

Winery Name	Status	Apprv_date	Estab_date	AVA	CaveSize	RankbySize
TRALMAZ WINERY	PROD	6/20/2001	11/12/2002	Coombsville	55,000	1
SCHRAMSBERG VINEYARDS WINERY	PROD	09/01/1862	9/1/1973	Diamond Mountain District	54,071	2
JARVIS VINEYARDS	PROD	1/22/1992	10/1/1992	Napa Valley	51,724	3
NAPA VALLEY RESERVE	PROD	3/20/2002	9/1/2005	St Helena	42,000	4
STERLING VINEYARDS	PROD	9/1/1964	9/1/1969	Calistoga	41,000	5
FAR NIENTE WINERY	PROD	2/1/1979	9/1/1982	Oakville	39,000	6
HUDSON VINEYARDS WINERY	APVD	10/7/2015		Los Carneros	38,240	7
RUTHERFORD HILL WINERY	PROD	9/20/1971	12/1/1976	Rutherford	38,100	8
ANTICA NAPA VALLEY	PROD	9/1/1987	10/1/1992	Atlas Peak	36,000	9
YOUNTVILLE HILL WINERY	PEND			Yountville	35,588	10
STAGS LEAP WINE CELLARS	PROD	3/21/1973	6/1/1973	Stags Leap District	34,860	11
MOUNTAIN PEAK WINERY	PEND			Atlas Peak	33,424	12
PINE RIDGE WINERY	PROD	9/1/1978	9/1/1978	Stags Leap District	31,830	13
CLIFF LEDE VINEYARDS	PROD	4/4/1979	9/1/1979	Stags Leap District	31,300	14
HEITZ WINE CELLARS	PROD	09/01/1898	9/1/1961	St Helena	30,000	15
WILLIAM HILL WINERY	PROD	7/1/1987	9/1/1990	Napa Valley	30,000	16
CASTELLO DI AMOROSA	PROD	1/6/1988	3/1/2004	Diamond Mountain District	30,000	17
STAGLIN WINERY	PROD	6/2/1999	9/1/2001	Rutherford	28,483	18
ROMBAUER VINEYARDS	PROD	5/1/1982	12/1/1982	St Helena	26,340	19
CHATEAU MONTELENA WINERY	PROD	09/01/1882	09/01/1886	Calistoga	25,900	20
FAIRVIEW ESTATES WINERY	PROD	9/1/1959	9/1/1970	Calistoga	25,000	21
BRANDLIN / CUVAISSON CARNEROS	PRODMD	5/15/2002	11/12/2004	Los Carneros	25,000	22
ARKENSTONE VINEYARDS	PROD	4/2/2003	9/1/2008	Howell Mountain	25,000	23
KENZO WINERY	PRODMD	3/16/2005	9/1/2010	Napa Valley	25,000	24
STAG'S LEAP WINERY (DOUMANI 5)	PROD	11/20/1991	9/1/1993	Stags Leap District	23,500	25
OYO CREEK VINEYARDS	APVD	4/21/2003		Napa Valley	23,050	26
B CELLARS	PROD	2/21/2007	9/1/2014	Oakville	22,946	27
MINER FAMILY WINERY	PROD	5/20/1987	9/1/1996	Oakville	22,000	28
RUDD ESTATE WINERY	PROD	3/19/1980	5/1/1980	Oakville	22,000	29
CONTINUUM WINERY	PROD	3/7/2001	9/1/2002	Napa Valley	21,758	30
TOM EDDY WINERY	PROD	5/2/2001	8/14/2012	Calistoga	21,437	31
PORTER VINEYARDS	PROD	7/17/2002	9/1/2007	Coombsville	21,000	32
TWO ROCKS WINERY	PROD	1/21/2004		Napa Valley	20,682	33
SPRING MOUNTAIN VINEYARDS	PROD	09/01/1873	9/1/1968	Spring Mountain District	19,660	34
HARLAN ESTATE II	PROD	10/21/1981	9/1/1980	Oakville	19,165	35
CLOS PEGASE INC	PROD	11/21/1984	9/1/1986	Calistoga	19,000	36
LADERA WINERY	PROD	5/1/1985	9/1/1985	Howell Mountain	19,000	37
DANA ESTATES	PROD	10/1/1988	9/1/1989	Rutherford	19,000	38
CHECKERBOARD VINEYARDS	PROD	3/15/2006	9/1/2007	Diamond Mountain District	19,000	39
SNOWDEN VINEYARDS	UNKWN	3/6/2002		Napa Valley	18,900	40
CALDWELL WINERY	PRODMD	12/15/2004	5/5/2011	Coombsville	18,438	41
NIEBAUM COPPOLA ESTATE HWY 29	PROD	09/01/1879	9/1/1933	Rutherford	18,400	42
SOMERSTON WINERY	PROD	2/6/2008	8/1/2010	Napa Valley	18,045	43
WHISKEY RIVER RANCH VINEYARDS	PROD	10/18/1995	9/1/1996	Napa Valley	18,000	44
QUINTESSA WINERY	PROD	12/6/2000	9/1/2002	Rutherford	17,000	45
YOUNTMILL VINEYARDS	PEND			Oakville	16,806	46
ROCKY RIDGE WINERY	APVD	12/7/2005		Howell Mountain	16,600	47
ITALICS WINERY	PROD	5/9/2000	9/1/2005	Coombsville	16,500	48
CAIRDEAN WINERY	PROD	6/6/2012	8/26/2014	St Helena	16,500	49
BREMER FAMILY WINERY	PROD	8/15/1979	9/1/1979	Napa Valley	16,136	50
SCREAMING EAGLE WINERY	PROD	7/1/1988	9/1/1989	Oakville	16,000	51
CAVES AT SODA CANYON	PROD	8/2/2006	9/5/2013	Napa Valley	16,000	52

CA'NANI WINERY	APVD	10/6/2010		Oakville	15,970	53
TEPH CELLARS	PROD	4/27/2010	8/26/2013	Calistoga	15,798	54
SS CREEK WINERY	PROD	4/1/1987	9/1/1987	Napa Valley	15,500	55
DAVIS ESTATES	PRODMD	8/7/2002	9/1/2003	Calistoga	15,445	56
DEL DOTTO FAMILY WINERY	PROD	8/12/2003	9/1/2008	Rutherford	15,163	57
VINE CLIFF WINERY	PROD	9/1/1988	9/1/1989	Oakville	15,000	58
MEADOWOOD LANE WINERY	PROD	12/17/1997	9/1/2006	St Helena	15,000	59
OLNEY FAMILY WINERY	PROD	10/3/2001	9/1/2004	Oak Knoll District of Napa Valley	15,000	60
MAXVILLE LAKE WINERY	PROD	7/22/1998	9/1/2003	Chiles Valley District	14,995	61
NEWTON VINEYARD	PROD	5/1/1979	12/1/1979	Spring Mountain District	14,400	62
CADE WINERY	PROD	5/3/2006	9/1/2007	Howell Mountain	14,290	63
VIADER VINEYARDS	PROD	5/22/1992	9/1/1993	Napa Valley	14,100	64
HUNNICUTT WINERY	PROD	12/3/2008	9/1/2009	St Helena	14,100	65
VINEYARD 29	PROD	2/21/2001	9/1/2002	St Helena	14,038	66
PRIDE MOUNTAIN VINEYARDS	PROD	10/19/1994	2/14/2001	Spring Mountain District	14,000	67
FLORA SPRINGS WINE CO	PRODMD	11/1/1978	9/1/1979	Rutherford	13,500	68
EHREN JORDAN WINE CELLARS	PROD	7/7/2004	9/1/2005	St Helena	13,276	69
KATHRYN HALL WINERY	PROD	7/18/2001	9/1/2006	Napa Valley	13,240	70
SINEGAL ESTATE WINERY	PROD	8/14/1982	9/1/1983	St Helena	13,200	71
ABREU HOWELL MTN VINEYARDS	APVD	4/2/2003		Howell Mountain	13,200	72
ROBERT FOLEY VINEYARDS	PROD	4/4/2007	9/1/2008	Howell Mountain	12,350	73
ALKO RANCH, LLC	PROD	9/3/2003	9/1/2007	Napa Valley	12,000	74
ANNAPURNA WINERY	UNKNWN	11/20/2002		Stags Leap District	11,700	75
O'SHAUGHNESSY WINERY	PROD	2/16/2000	9/1/2005	Howell Mountain	11,600	76
SHUTTERS WINERY	APVD	6/16/2010		Calistoga	11,600	77
CHATEAU 15 WINERY	APVD	3/2/2005		Coombsville	11,338	78
EHLERS ESTATE WINERY	PROD	11/20/1991	9/1/1992	St Helena	11,220	79
TERIA WINERY	APVD	7/20/2005		Mount Veeder	11,166	80
...L VINEYARDS	APVD	2/5/2003		Howell Mountain	11,000	81
WOODBIDGE WINERY	PROD	9/18/2007	8/3/2006	St Helena	10,985	82
CHATEAU BOSWELL	PROD	12/9/1980	9/1/1982	St Helena	10,860	83
ROBERT SINSKEY VINEYARDS	PROD	2/4/1987	9/1/1989	Stags Leap District	10,685	84
BOND ESTATES	PROD	12/1/1984	9/1/1988	Napa Valley	10,400	85
HOURGLASS WINERY	PROD	4/18/2007	9/1/2008	Calistoga	10,400	86
DDNG WINERY	PEND			Oakville	10,158	87
VINEYARD 22	APVD	12/1/2010		Napa Valley	10,050	88
ARAUJO ESTATES WINERY	PROD	7/1/1988	9/1/1992	Calistoga	9,700	89
BALDACCI FAMILY VINEYARDS	PRODMD	7/1/1986	9/1/1989	Stags Leap District	9,240	90
VENGE VINEYARDS	PROD	12/2/2009	9/1/2010	Calistoga	9,000	91
SHAFFER VINEYARDS	PROD	4/18/1979	6/1/1979	Stags Leap District	8,900	92
CHANTICLEER WINERY	PEND			Yountville	8,900	93
2490 LAKE COUNTY HWY WINERY	PEND			Calistoga	8,623	94
TRUCHARD VINEYARDS	PROD	7/1/1986	9/1/1990	Los Carneros	8,438	95
ODETTE WINERY	PROD	9/1/1980	9/1/1983	Stags Leap District	8,160	96
BRYANT FAMILY WINERY	PROD	6/21/2000	11/21/2002	Napa Valley	8,000	97
GRIEVE FAMILY WINERY	APVD	9/20/2007		Napa Valley	8,000	98
BRAND NAPA VALLEY	PROD	8/5/2009	9/25/2012	Napa Valley	7,700	99
THE VINEYARDIST	APVD	8/25/2006		Diamond Mountain District	7,500	100
NAPA HARVEST WINERY	APVD	6/21/2006		Napa Valley	7,440	101
SODHANI WINERY	APVD	6/16/2016		Spring Mountain District	7,150	102
NEAL WINERY	PROD	1/19/2000	9/1/2001	Howell Mountain	7,132	103
KONGSGAARD WINERY	PROD	6/15/2005	6/23/2010	Atlas Peak	7,000	104
KELLY FLEMING WINES	PROD	10/4/2006	9/1/2010	Calistoga	7,000	105
? WINERY	APVD	2/9/2009		Napa Valley	7,000	106
IVICRUS WINES	PROD	3/6/2002	9/1/2005	St Helena	6,947	107

FANTESCA ESTATE	PROD	12/5/2000	9/1/2002	Spring Mountain District	6,900	108
RYERS VINEYARDS WINERY	PROD	10/6/1982	9/1/1983	Napa Valley	6,800	109
BAR ROCK WINERY	UNKNWN	8/17/2004		Stags Leap District	6,779	110
VON STRASSER WINERY	PROD	10/15/1979	9/1/1980	Diamond Mountain District	6,700	111
CARVER SUTRO WINERY	APVD	7/15/2009		Calistoga	6,700	112
MORRIS FAMILY WINERY	PEND			Diamond Mountain District	6,681	113
LODESTONE VINEYARDS	APVD	11/16/2011		Napa Valley	6,550	114
DAVID ARTHUR VINEYARDS	PROD	10/1/1984	9/1/1985	Napa Valley	6,500	115
ROY ESTATE VINEYARDS	APVD	5/1/2002		Napa Valley	6,500	116
PAOLETTI ESTATES WINERY	PROD	1/20/1993	9/1/1995	Calistoga	6,400	117
TENCH WINERY	APVD			Oakville	6,245	118
LONGMEADOW RANCH WINERY	PROD	7/6/1994	9/1/1996	Napa Valley	6,100	119
BLANKIET WINERY	PROD	7/2/2003	10/8/2007	Yountville	6,098	120
DUNN VINEYARDS	PROD	3/1/1982	12/1/1982	Howell Mountain	6,000	121
WHITE ROCK VINEYARDS	PROD	3/30/1987	6/1/1987	Napa Valley	6,000	122
BROWN ESTATE VINEYARDS	PROD	3/15/2001	9/1/2003	Chiles Valley District	6,000	123
PALISADES WINERY	APVD	11/20/2002		Napa Valley	6,000	124
ADAMVS	PROD	3/19/2003	9/1/2006	Howell Mountain	6,000	125
DIOGENES RIDGE WINERY	APVD	2/19/2014		Howell Mountain	5,800	126
LINDSTROM WINERY	APVD	11/3/2004		Stags Leap District	5,750	127
LA JOTA VINEYARD	PROD	11/1/1981	9/1/1982	Howell Mountain	5,700	128
SLOAN WINERY	PROD	1/23/1991	9/1/1991	Napa Valley	5,593	129
MJA WINERY	PROD	10/5/1988	9/1/1989	Napa Valley	5,511	130
STORYBOOK MOUNTAIN VINEYARD	PROD	9/5/1979	9/18/1983	Calistoga	5,400	131
VINEYARD 7 AND 8	PROD	3/20/2002	10/30/2006	Spring Mountain District	5,300	132
HARTWELL WINERY	PROD	8/21/1996	9/1/1998	Stags Leap District	5,000	133
FRISINGER VINEYARDS	PROD	11/1/1985	9/1/1986	Oak Knoll District of Napa Valley	5,000	134
THE HILL ESTATE WINERY	PROD	9/5/2001	9/5/2001	St Helena	5,000	135
RESCHEN WINERY	PROD	7/17/2002	8/15/2006	St Helena	5,000	136
MORLET FAMILY ESTATE	PROD	1/2/2008	9/1/2012	St Helena	5,000	137
DANCING HARES VINEYARD	PROD	1/15/2003	9/1/2010	Napa Valley	4,885	138
W H SMITH WINES	PROD	5/15/2002	9/1/2004	Howell Mountain	4,730	139
GANDONA WINERY	PROD	6/4/2008	9/1/2009	Napa Valley	4,716	140
REVERIE ON DIAMOND MOUNTAIN	PROD	6/21/1995	9/21/1995	Diamond Mountain District	4,710	141
DUTCH HENRY WINERY	PROD	1/18/1984	5/1/1984	Calistoga	4,500	142
BROMAN CELLARS	APVD	8/15/2007		Napa Valley	4,375	143
JERICO CANYON WINERY	PROD	1/16/2002	9/1/2007	Calistoga	4,100	144
CLARK CLAUDON VINEYARD	UNKNWN	1/18/2006		Napa Valley	4,100	145
WILLIAM COLE WINERY	PROD	10/16/2002	9/1/2004	St Helena	4,000	146
CORBETT VINEYARDS	UNKNWN	8/18/2004		St Helena	4,000	147
SEARS WINERY	PRODMD	6/10/1988	9/1/1996	Howell Mountain	3,600	148
NEMEREVER WINERY	PROD	2/5/2003	7/11/2013	Oakville	3,356	149
BARNETT VINEYARDS	PROD	9/1/1988	12/1/1988	Spring Mountain District	3,276	150
STAGS LEAP WINE WINERY (DOUMANI 1)	PROD	7/11/1973	12/1/1973	Stags Leap District	3,200	151
ALTAMURA WINERY	PROD	3/1/1995	10/28/1996	Napa Valley	3,115	152
AZALEA SPRINGS WINERY	UNKNWN	5/2/2001		Diamond Mountain District	3,016	153
LAGIER MEREDITH WINERY	APVD	1/21/2004		Mount Veeder	2,860	154
KEEVER WINERY	PROD	8/20/2003	9/1/2006	Yountville	2,800	155
MALDONADO WINERY	PROD	11/17/2004	9/9/2010	Calistoga	2,800	156
GREEN AND RED VINEYARD	PROD	1/1/1987	12/1/1987	Chiles Valley District	2,600	157
VILLA DEL LAGO	PROD	6/1/1988	9/1/1993	Napa Valley	2,500	158
CIMAROSSA WINERY	APVD	12/17/2008		Howell Mountain	2,500	159
PALLADIAN ESTATE	PROD	6/5/2002	9/1/2003	St Helena	2,470	160
MC WINERY	PROD	12/14/2010	8/19/2015	Napa Valley	2,458	161
DELL DOTTO WINERY	PRODMD	7/13/1999	9/1/2004	Napa Valley	2,364	162

BRAVANTE WINERY	PROD	5/19/2004	9/1/2008	Howell Mountain	2,300	163
FINCHERO NAPA VALLEY	PROD	9/16/1981	12/1/1981	St Helena	2,296	164
BINSON FAMILY VINEYARDS	PROD	11/20/2002	9/1/2003	Stags Leap District	2,100	165
PHELAN WINERY	PROD	5/1/2002	9/1/2004	Napa Valley	2,080	166
VIN ROC WINERY	PROD	7/7/2004		Atlas Peak	2,000	167
CASTLEVALE WINERY	PEND			Chiles Valley District	1,900	168
CAVUS VINEYARDS	PROD	7/3/2002	9/1/2004	Stags Leap District	1,650	169
RIPE PEAK WINERY	PROD	3/16/2005	9/1/2006	Atlas Peak	1,600	170
DIAMOND MOUNTAIN WINERY	PROD	7/20/1994	7/9/1996	Diamond Mountain District	1,540	171
WHITFORD CELLARS	PROD	7/1/1982	9/1/1983	Coombsville	1,414	172
DAVIANA WINERY	PROD	11/2/1984	9/1/1985	Coombsville	1,200	173
PELOSI WINERY	APVD	8/17/2005		St Helena	1,000	174
TRES SABORES	PROD	6/1/1988	9/11/1991	Rutherford	780	175

Key
APVD: Approved Winery, **NOT** producing
PEND: Winery pending approval
PROD: Active winery

Date: July 15, 2016
Data Compiled by: Amber Manfree, PhD
(Sources: Napa County Winery Database, Napa County Documents)

EXHIBIT “3”

EXHIBIT “3”

EXHIBIT “3”

Mountain Peak Winery Annual Visitation Figures	
Visitation Category	# People
Annual Daytime Visitors (320/week x 52 weeks)	16,640
Monthly Marketing Event (3 Events, 12 people x 12 months)	432
Monthly Marketing Event (3 Events, 24 people x 12 months)	864
Annual Marketing Events (4 Events, 75 people)	300
Annual Marketing Events (2 Events, 125 people)	250
Annual Grand Total Visitors	18,486
<p>Date: July 12, 2016 Data Compiled by: Amber Manfree, PhD (Sources: Napa County Winery Database, Napa County Documents)</p>	

EXHIBIT “4”

EXHIBIT “4”

EXHIBIT “4”

Understanding Traffic Trips Generated by the Mountain Peak Project

Trips to be Added On Soda Canyon Road as Proposed by Mountain Peak

	Number of Daily Trips Added as Proposed by Mountain Peak	Total Number of Annual Trips Added to SCR as Proposed by Mountain Peak	Number of Daily Trips Added for Marketing Event for 75 People as Proposed by Mountain Peak	Total Traffic During 75 Person Marketing Event
Typical Weekday	130	47,450	82	47,662
Typical Saturday	128	46,720	82	46,930
Typical Crush Saturday	131	47,815	82	48,028
Average	130	47,328	82	47,540

Existing Vehicle Traffic at Intersection of Silverado Trail & Soda Canyon Road

	May 2013 Two-Way Traffic Counts taken by Crane Transportation at SCR/ST Intersection (Vehicles Per Hour)	Seasonal Adjustment to May Figures to Reflect Harvest Conditions	Total Harvest Traffic (Vehicles Per Hour)	Average Annual No. Vehicles Per Hour	Average No. Vehicles Per Year
Friday Peak	1,545	3%	1,591	1,568	572,384
Saturday Peak	1,245	3%	1,282	1,264	461,241
Average	1,395	3%	1,437	1,416	516,813

Existing Vehicle Traffic at Mountain Peak Site

	January 2015 Two-Way Traffic Counts Taken Near MPW Site (Average of 4 days Count)	Seasonal Adjustment to January Figures to Reflect Harvest Conditions	Total Harvest Traffic (Vehicles Per Hour)	Average Annual No. Vehicles Per Hour	Average No. Vehicles Per Year
Peak	432	17%	505	469	171,083
Off-Peak	432	10%	475	454	165,564
Average	432	14%	490.32	461.16	168,323

Increase to Traffic at Intersection of Silverado Trail With Addition of MPW Traffic

	Average No. Vehicles Per Year	Average # Vehicles Added Annually as Proposed by Mountain Peak During Normal Operation	Total Average No. Vehicles at ST/SCR Intersection w/ Addition of MPW Traffic	Percentage Increase to Current Traffic Volume
Friday Peak	572,384	47,328	619,712	8%
Saturday Peak	461,241	47,328	508,570	10%
Average	516,813	47,328	564,141	9%

Increase to Traffic Near MPW Proposed Winery Site

	Average No. Vehicles Per Year	Average # Vehicles Added Annually as Proposed by Mountain Peak During Normal Operation	Total Average No. Vehicles at ST/SCR Intersection w/ Addition of MPW Traffic	Percentage Increase to Current Traffic Volume
Peak	171,083	47,328	218,411	28%
Off-Peak	165,564	47,328	212,892	29%
Average	168,323	47,328	215,652	28%

Date: July 17, 2016

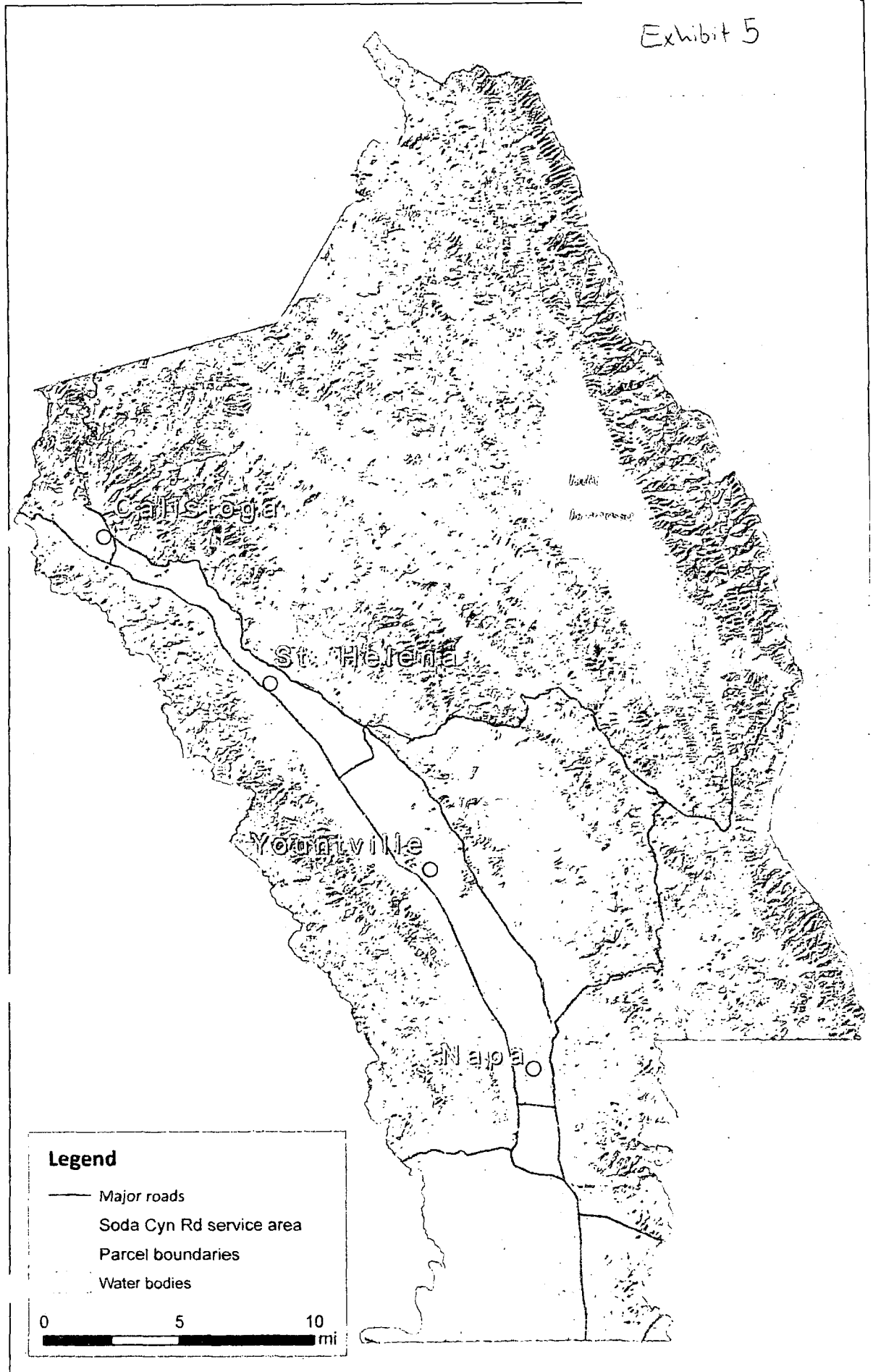
By: Anthony Arger, JD, MBA

Sources: MPW 2014 Permit Application, pg. 15; Crane Transportation Traffic Report Ordered by MPW, pgs. 6-7

EXHIBIT “5”

EXHIBIT “5”

EXHIBIT “5”

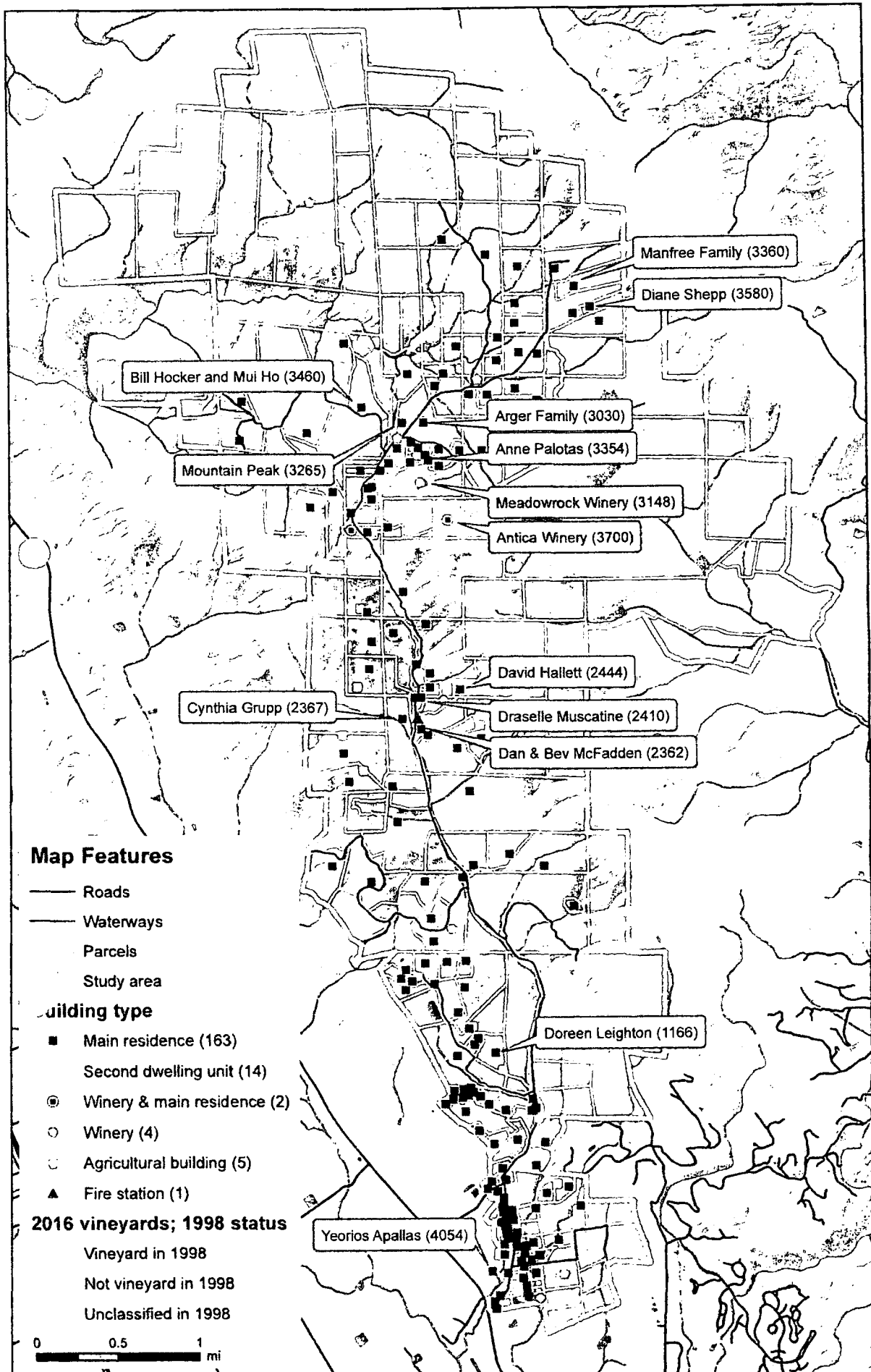


Napa County showing Soda Canyon Road Service Area

EXHIBIT “6”

EXHIBIT “6”

EXHIBIT “6”



Soda Canyon Property Locations

EXHIBIT “7”

EXHIBIT “7”

EXHIBIT “7”



NO
OUTLET

NADA
0000

Exhibit Fa
SCR reading NE (wp)
mile 0.00
2015



Exhibit 7b
SCR Healing NE (up)
mile 0.90
2015

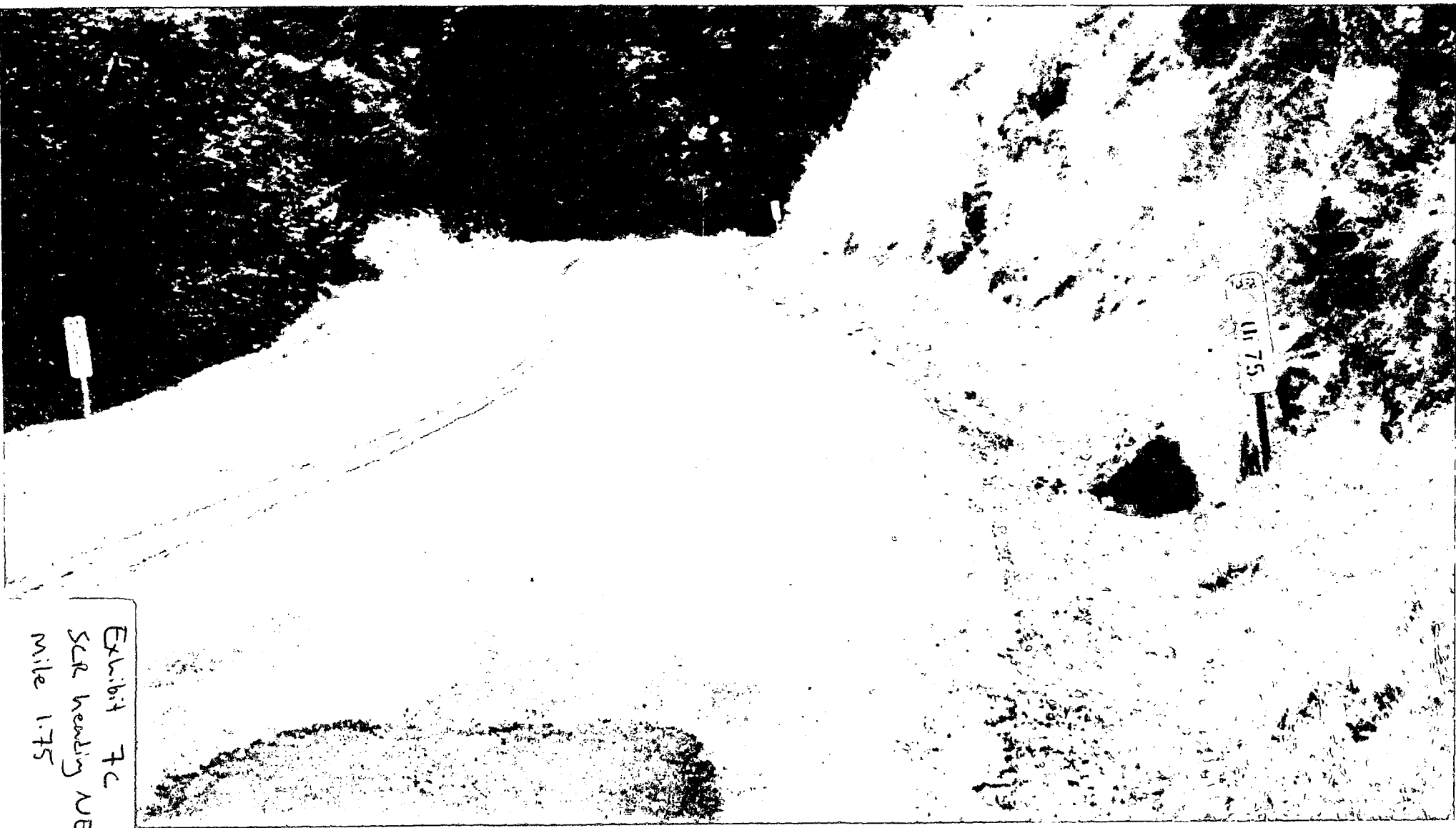


Exhibit 7c
SRR heading NE (up)
Mile 1.75 2015



Exhibit 7d
SCR heading NE (up)
mile 2.07 2015



Exhibit 7e
See heading NE (w)
mile 2.75 2015



ONE LANE BRIDGE
TWO LANE NO
PASSING RD

Exhibit 7f
SCR heading NE (up)
mile 3.15
1998



NARROW
BRIDGE

Exhibit F9
SCR heading NE (wp)
mile 3.15 2015



Exhibit 7h
SCR heading NE (up)
mile 3.95 2015



Exhibit Fi
SAR heading NE (up)
mile 4.00 2015



SODA CANYON
VOLUNTEER FIRE DEPARTMENT
NCFD STATION 13

2400

Exhibit 7j
SCR heading NE (up)
mile 4.15 2015

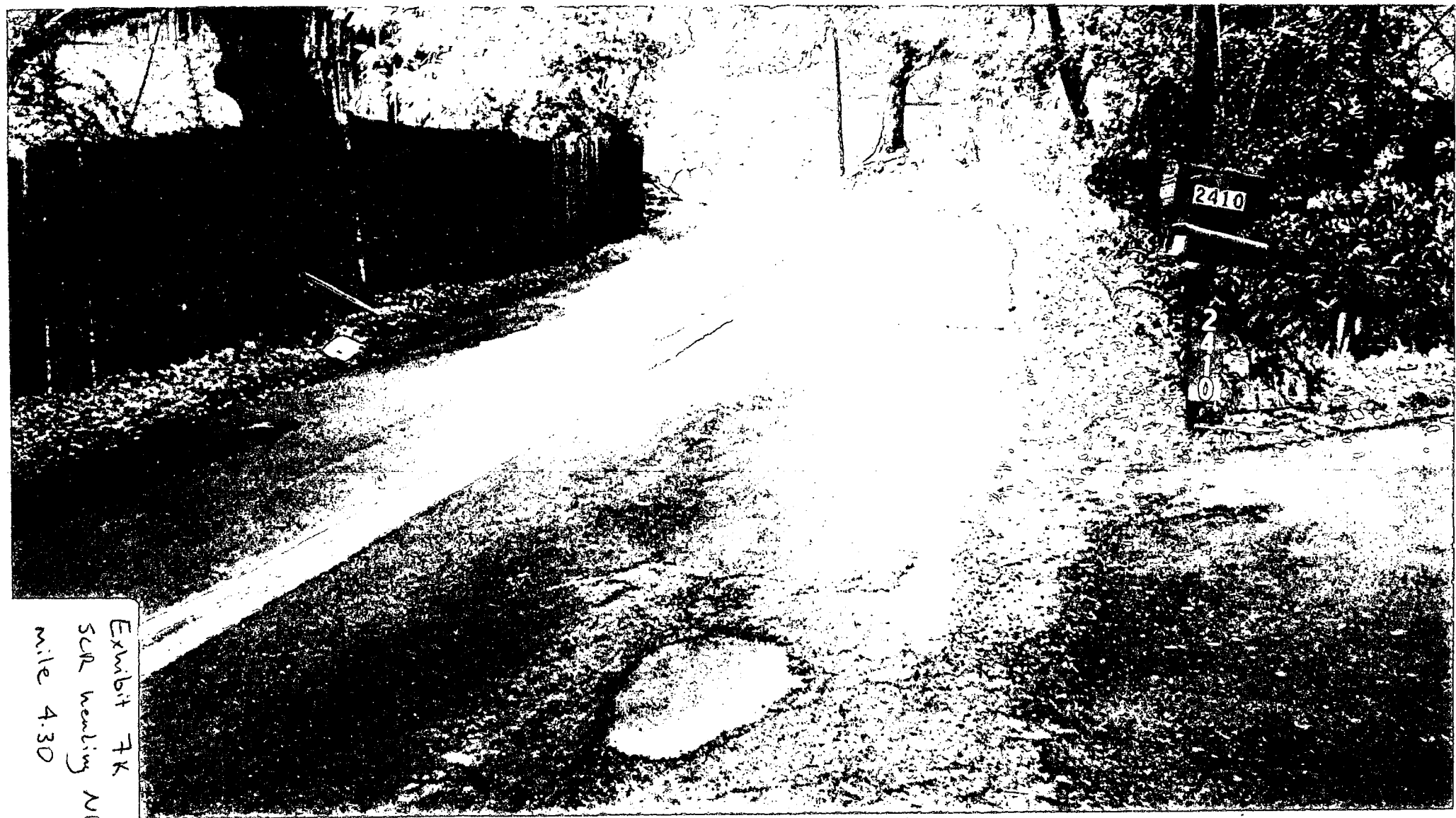


Exhibit 7K
SCR heading NE (wp)
mile 4.30 2015



Exhibit 71
SCR heading NE (up)
mile 4.35 2015

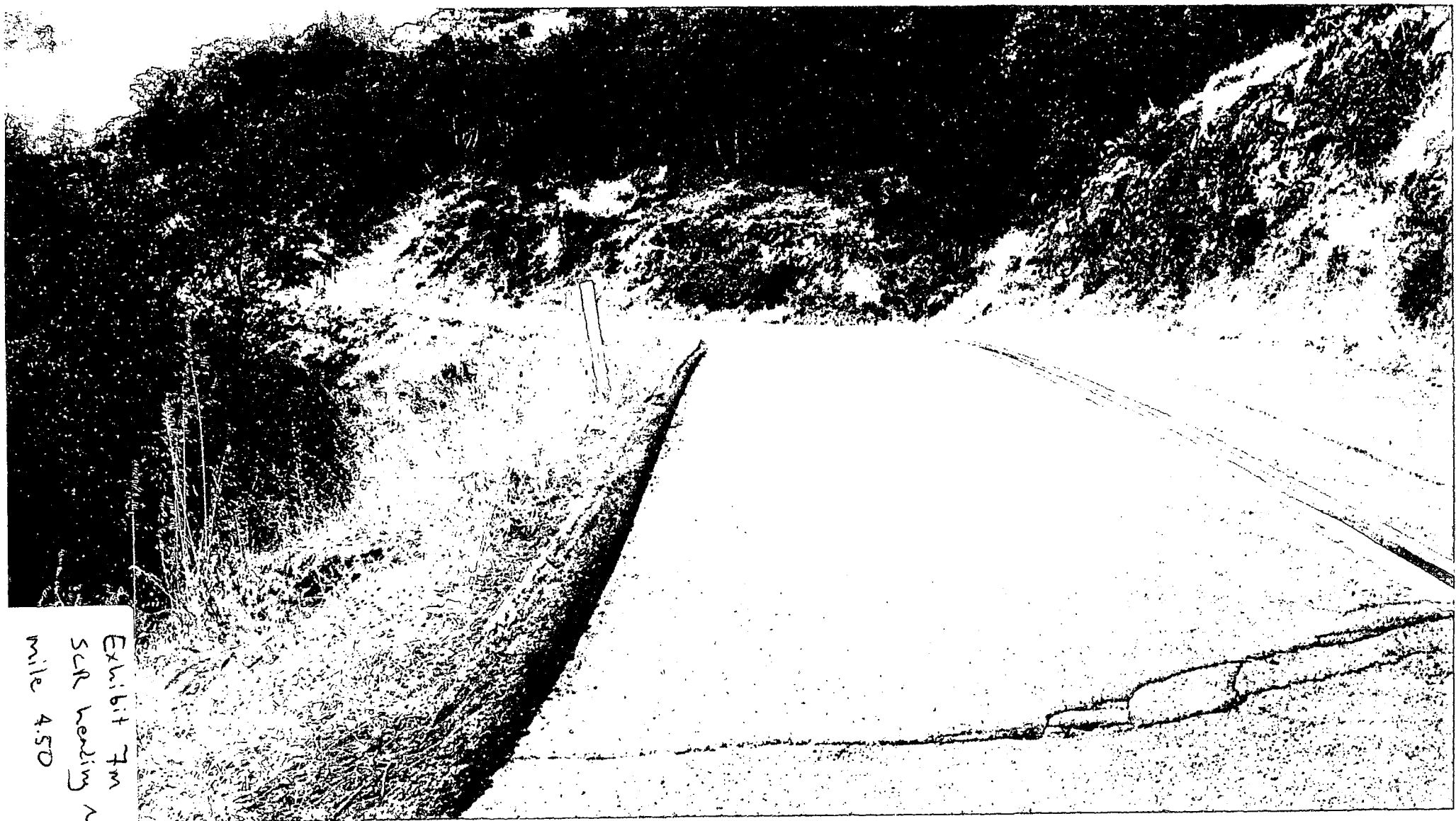


Exhibit 7m
SCR heading NE (wp)
mile 4.50 2015

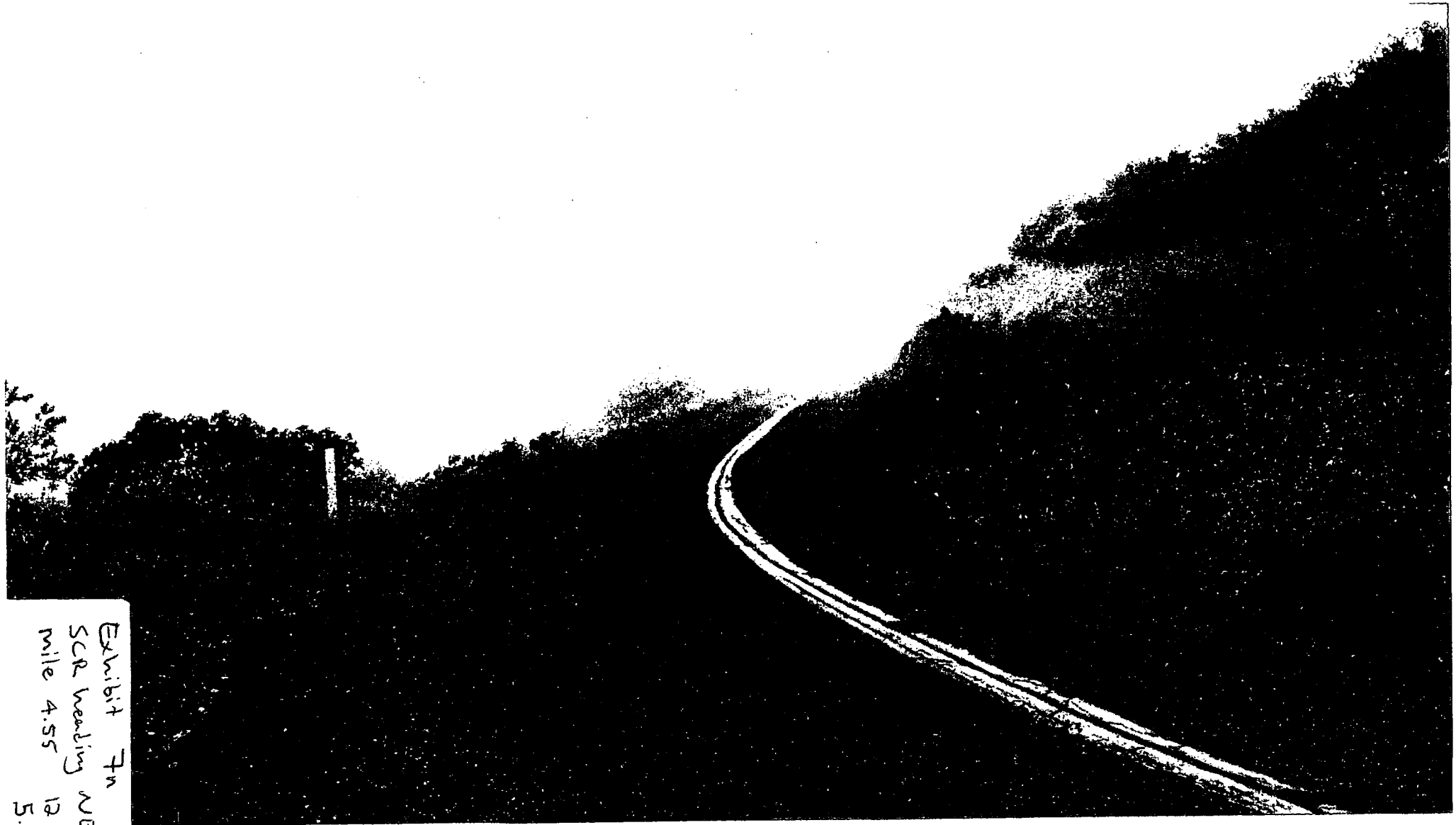


Exhibit 7n
SCR Weading NE (up)
mille 4.55
12 pm on
5.6. 2016



Exhibit 70
SCR heading NE (wp)
mile 4.65 2015

04.75

Exhibit 7p
S&R heading
mile 4.75

NE (up)
19pm on
5.6.2016

Exhibit 709
SCR heading
mile 5.00
NE (up)
12pm on
5.6.2016

9 05 00



EXHIBIT
XL
Dyerberg No. 6719



Exhibit Fr
SCR heading NE (up)
mile 6.20
1998

OCT 9 1998

Heating and Legal Unit
Dept. of Alcoholic Beverage Control
SACRAMENTO



Exhibit 7s
SCR heading NE (up)
mile 6.30 2015

(There are ~~no~~ private residences on the east 2 1/2 miles)

EXHIBIT

IV

Overseas No. 8111

11

first photo



Exhibit 76
SCR heading NE (up)
mile 6.05
1999

The Last One Quarter Mile of Santa Canyon Rd

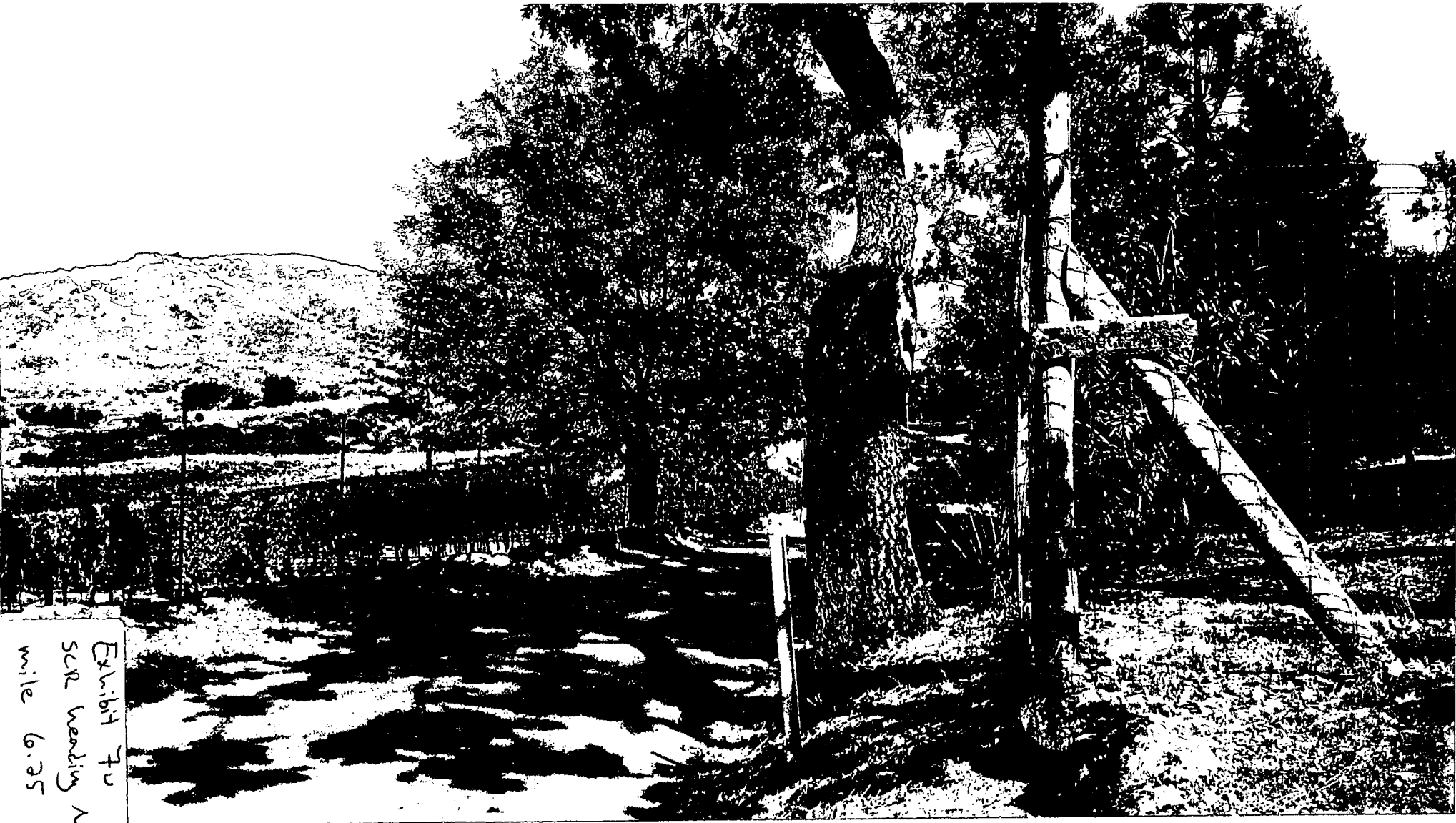


Exhibit 7u
SCR heading NE (up)
mile 6.25
2015

Blumberg No. 5719
EXHIBIT
VI



ONE WAY RD
BLIND
CORNER

Exhibit 7v
Scn nearby NE (up)
mile 6.30
1998

OCT 9 1998

Hearing and Legal Unit
Dept. of Alcoholic Beverage Control
SACRAMENTO



Exhibit 7w
ScR heading NE (w)
mile 6.30 2015

2

EXHIBIT
XVI
Lundberg No. 511

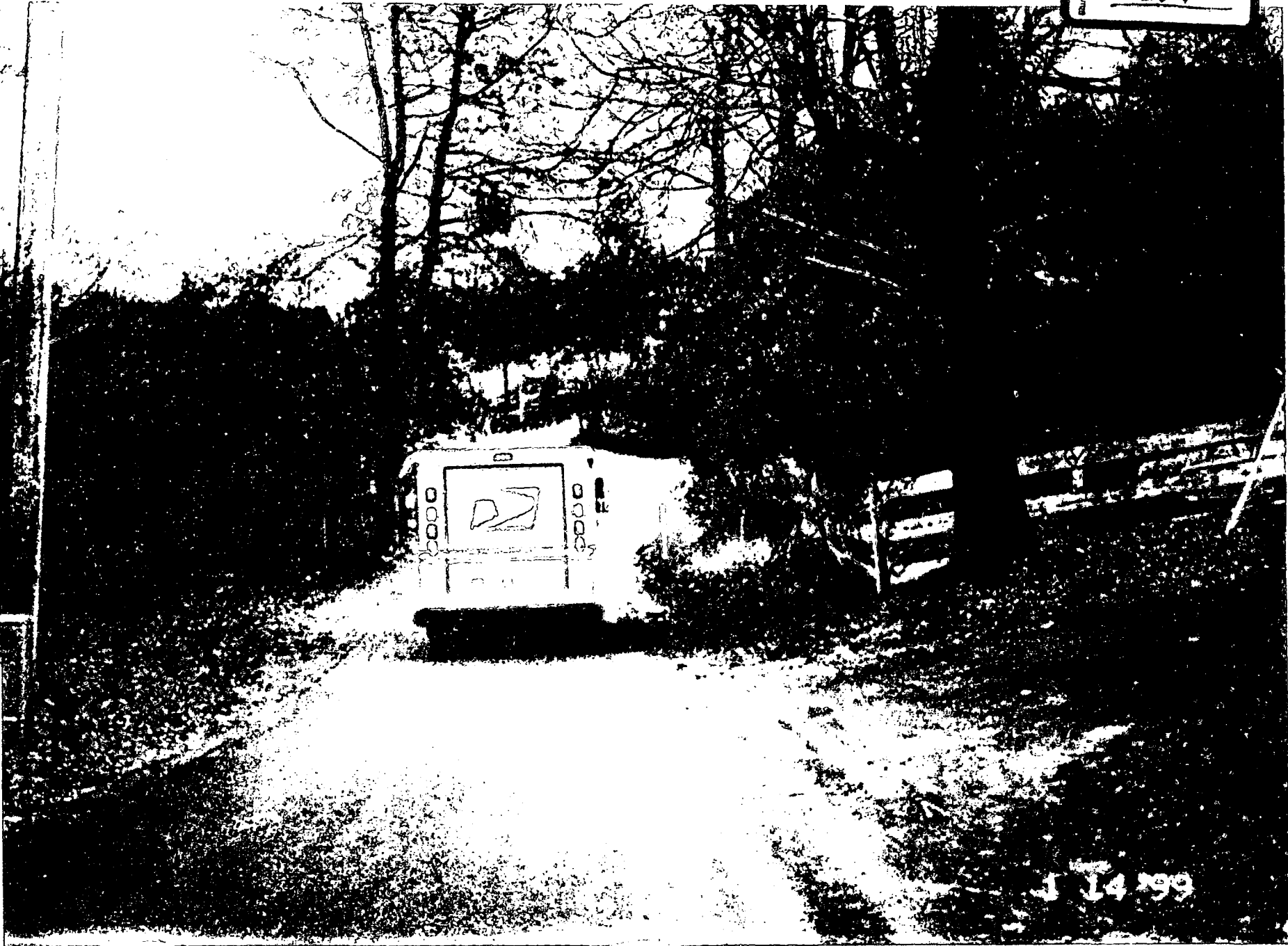


Exhibit 7x
SCR Weaving ME Cup)
mile 6.35
1999

J 14 1999

This is a "small" mail truck — note the width of the road.

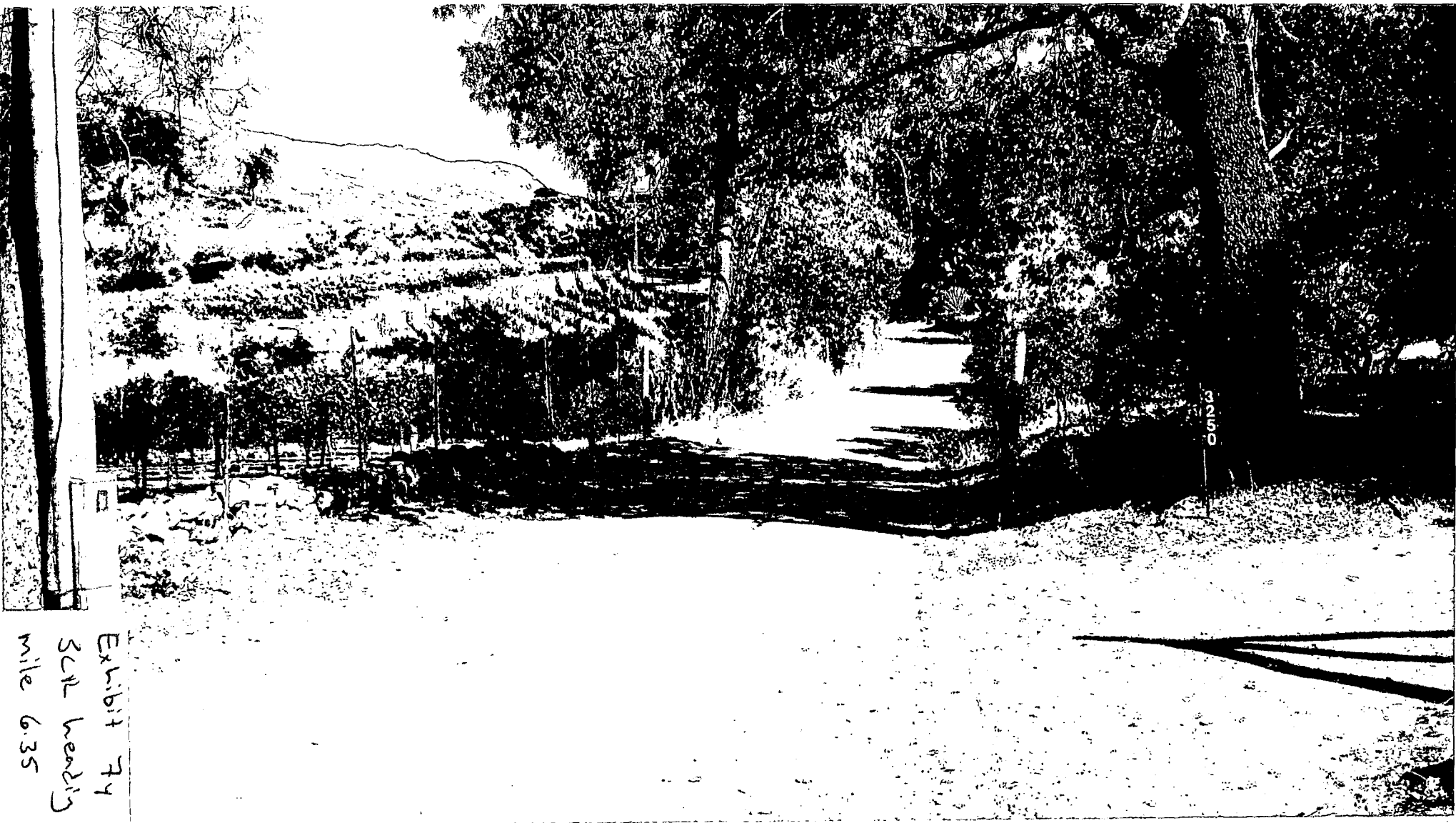


Exhibit 74
Scal heading NE (up)
mile 6.35 2015

Shirley No. 819
E: 7T
IV

ONE LANE RD
BLIND CURVE



Exhibit 72
SCR heading NE (up)
mile 6.40
1998

OCT 9 1998

Hearing and Legal Unit
Dept. of Alcoholic Beverage Control
SACRAMENTO



Exhibit Area
500 Lehigh Ave (NPI)
mile 6.40 2015

EXHIBIT
X
Blumberg No. 5113

BLIND CURVE
ONE LANE RD



Exhibit 7bb
3428 Wending Ave (up)
mile 6.45
1998

RECEIVED

OCT 9 1998

Hearing and Legal Unit
Dept. of Alcoholic Beverage Control
SACRAMENTO



Exhibit 7c
SCR nearby NE (up)
mile 6.45 2015

Quincy No. 5702
EXHIBIT
1-14



EXHIBIT 7DD
SCR heading NE (up)
mile 6.55
1999

1 14 '99

Just One Quarter Mile - then isn't a road dividing line



Exhibit Fee
SAR nearby NE (W)
mile 6.55 2015

3

Clunberg No. 9115
BIT
XVII



Exhibit 7ff
 SR nearby
 mile 6.65
 NE (up)
 1999

1 14 '99

using the school yard the bus comes 5 times daily.



Exhibit F93
SCR nearby
mile 6.65 NE (W)
2015

4 The school bus is at the entrance of the vineyard road.

4

EXHIBIT
XVIII
No. 8111



Exhibit 7th
SR heading NE (up)
mile 6.05
1999

1 14 '99

The mail truck was entirely off the road to make room



Exhibit 7ii
SCR Working NE (up)
mile 6.65 2015



Exhibit F11
SER reading
wile 6.75
NE (wp)
2015

EXHIBIT “8”

EXHIBIT “8”

EXHIBIT “8”

BLIND CURVE
ONE LANE RD.



Exhibit 8a
SCR heading SW (down)
mile 6.55
1998

RECEIVED

OCT 9 1998

Hearing and Legal Unit
Dept. of Alcoholic Beverage Control
SACRAMENTO



Exhibit 8b
SCR heading SW (down)
mile 6.55 2015

Exhibit No. 8110
EXHIBIT
IX



Exhibit 8c
SCR Wending SW (down)
mile 6.35
1998

RECEIVED

OCT 9 1998

Heating and Legal Unit
Dept. of Alcoholic Beverage Control
SACRAMENTO



Exhibit 8d
SCR heading SW (down)
mile 6.35 2015

EXHIBIT
V
Dumbarq No 519

ONE LANE RD
BLIND CURVE.



Exhibit 8c
SCR heading SW (down)
mile 6.25
1998

REIVED

OCT 9 1998

Hearing and Legal Unit
Dept. of Alcoholic Beverage Control
SACRAMENTO



Exhibit 8F
SCR Wealding
Mile 6.25 SW (2km)
2015



NARROW
WINDING ROAD
NEXT 6
MILES

25
MPH

Exhibit 8g
SCR heading SW (down)
mile 6.10 2015



Exhibit 8h
SCR heading SW (down)
mile 5.20 2015



Exhibit 8i
SCR heading SW (down)
19pm on
mile 5.20
5.6.2016



Exhibit 8,
5CR Wendig SW (down)
mile 4.90 2015



Exhibit 8K
SCR heading SW (down)
mile 4.90
12pm on
5.6.2016



Exhibit 81
SCR heading
mile 4.85
SW (down)
19pm on
5.6.2016

Blumberg No. 8119
EXHIBIT
XII

BIG DROP OFF
NO GUARD RAIL



Exhibit 8m
50m heading SW (down)
mile 4.80 1998
No Guardrails!

OCT 9 1998

Hearing and Legal Unit
Dept. of Alcoholic Beverage Control
SACRAMENTO



Exhibit 8n
SCR heading SW (2pm)
mile 4.80
2015
NO Guardrails!

Exhibit 8.0
SCR heading SW (down)
mile 4.80
19pm on
5.6.2016
No Guardrails + FOG!



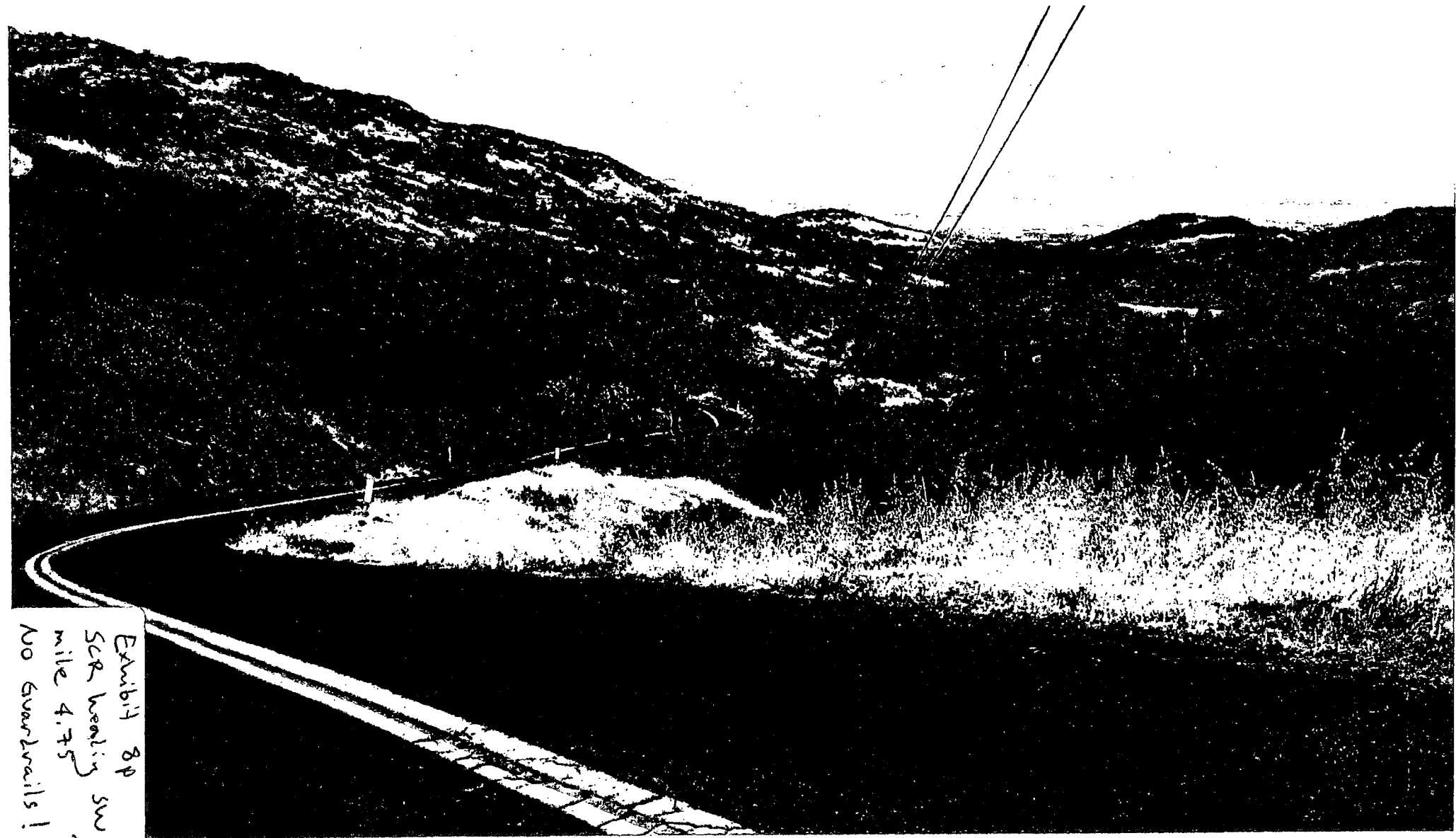


Exhibit 8p
SCR meeting SW (200m)
mile 4.75
2015
No Guardrails!




Exhibit 8₂
SRR heading SW (down)
mile 4.75
19pm on
5.6.2016
No Guar Lunils + Fog!



Exhibit 8r
SCR heading SW (down)
mile 4.65 2015



Exhibit 83
Scn heading SW (down)
mile 4.50
1998

OCT 9 1998



Exhibit 8t
SCL heading SW (down)
mile 4.50 2015



Exhibit 8v
SCR heading SW (down)
mile 4.45 2015

EXHIBIT
VIII
Shimberg No. 5110



Exhibit 8V
SRR heading SW (down)
mile 4.30 1998

RECEIVED

OCT 9 1998

Hearing and Legal Unit
Dept. of Alcoholic Bev. & Tobacco
SACRAMENTO



Exhibit 8w
scr nearby SW (down)
mile 4.30 2015



Exhibit 8x
3CR heading SW (down)
mile 4.15 2015



Exhibit 84
3CR Weath; SW (down)
mile 4.00 2015



Exhibit 82
Scn heading SW (down)
mile 3.15 2015



Exhibit 8a
Scp nearby SW (down)
mile 2.50 2015



Lead 7512

Exhibit 8bb
SCR heading SW (down)
mile 1.30 2015



Exhibit 8c
SCR heading SW (down)
mile 1.10 2015



Exhibit 8DD
Scn Weading SW (down)
mile 0.80 2015



30
M.P.H.



Exhibit 8ee
SEA heading SW (down)
mile 0.30 2015



Exhibit 8ff
SCR heading SW (down)
mile 0.00 2015

EXHIBIT “9”

EXHIBIT “9”

EXHIBIT “9”

Video: Included on
USB flashdrive submitted
with this Opposition Letter.
Also available on youtube.
See letter.

"A trip up Soda Canyon Road"
filmed June 2015

EXHIBIT “10”

EXHIBIT “10”

EXHIBIT “10”

Video: Included on USB
flash drive submitted with
this opposition letter. Also
available on youtube.

"A trip up Soda Canyon Road part 2"
Caravan of cars leaving
Stage Coach Vineyards.

EXHIBIT “11”

EXHIBIT “11”

EXHIBIT “11”

RECEIVED

DEC 19 2002

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT

Fletcher & Roberta Benton
3398 Soda Canyon Road
Napa, CA 94558
250 Dore Street
San Francisco, CA 94103
Tel: (415) 863-7207
12/17/02

Please file
01241 - UP
Krupp

Dear Mr. Kevin Donnelley (ABC), Ms. Kate Dargan (CDF), & Mr. Charles Wilson (Napa County Planning Dept),

Please accept this letter as my protest against a license for Krupp Brothers LLC at 3265 Soda Canyon Road, Napa, File 02395365. My protest is based on the fact that this license may be transferable at a future date and represents their (Krupp Bros) shoe in the door for the greater scheme of building a winery, and conducting other wine related activities. Officer Kevin Donnelley has contacted me in regards to mitigation measures that would allow this license to proceed forward. His question to me was what could I mitigate that would make this possible? I asked him if there was a "shoe in the door mitigation measure" and he said no. The issue now is the same as it was in 1987, traffic and the fact that Soda Canyon Road is a dead end with no way out in case of catastrophe, except back down the hill (Benton v. County of Napa, et al., Napa County Superior Court Action No. 54572 (the "Winery Action"). There are many elderly residents and families with small children in the area. The maintenance of the Krupp vineyard has already caused congestion during school busing hours because of vineyard workers coming and going. Mitigation measure 11 in Articles of Agreement of action No. 54572 states: "Trucking to and from this winery shall be scheduled and operated so as to avoid regular school bus morning pick ups and afternoon deliveries of students operating in the vicinity of the winery. School busing times shall be ascertained through regular contact with public and private school agencies operating school buses in the vicinity of the winery (especially, but not limited to, the N.V.U.S.D. and the Napa County Superintendent of Schools). This was a judgement made as a condition to settle the lawsuit 13 years ago. To my knowledge the County of Napa been unable to regulate or enforce this court order.

The application by the Krupp Brothers LLC is solely for a business office at 3265 Soda Canyon Road, I believe, if approved, this license could be expanded and transferred in the future. If this were to occur the results would be another devastating blow to the residents of Soda Canyon Road in Napa.

Sincerely,



Fletcher Benton

EXHIBIT “12”

EXHIBIT “12”

EXHIBIT “12”

RECEIVED

DEC 17 2002

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT

Alan & Diane Shepp
3580 Soda Canyon
Napa, CA 94558
707-253-9337 r/f
shepp-ad@pacbell.net

December 16, 2002

Charles Wilson, Chair
Napa County Planning Department
1195 Third Street, Rm 210
Napa, CA 94559

and

Investigator Donnelly
Alcohol Bererage Control
50 D Street, Suite 130
Santa Rosa, CA 95404

re: application development permit, file # 01241-UP
Krupp Brothers LLC; submitted 11/20/01

re: Duplicate Permit Application
Krupp Brothers LLC
3265 Soda Canyon Rd, Napa, CA
Veraizon Cellars aka Stagecoach Vineyards

Please
file
with
037-049-025

Dear Mr. Wilson and Mr. Donnelly,

We request that the application by Krupp Brothers LLC to build a winery on Soda Canyon Road, which would be accessed by a shared private road that has been in existence for over 100 years be denied. And we request that the Duplicate Permit Application to ABC, by same, be denied.

The historic nature of the private gravel road portion of Soda Canyon Road, includes mature oaks and stone walls, began when the homesteader John Grant, settled in this area in the late 1800's. The gravel road is now shared by 25 families. The portion of the gravel road which begins at the turnoff from the county road at the mailboxes and runs to the first creek is a deeded right of way of 40' in width. From the creek (near the Peters residence) to the end of the road it becomes a 40' prescriptive right of way. The maintenance of this road is and has been done by the "Soda Canyon Road Committee" which is composed of all the property owners who live on this private road. We have established a pro-rated schedule of annual fees for the property owners. The funds are used to replace gravel, trim trees and brush removal. The accounts have been maintained by our neighbors, George and Elaine Baker.

Our private road is inappropriate for commercial use. Since the Krupp Brothers LLC, aka Stagecoach Vineyards began their operations the increase of traffic has significantly factored into the deterioration of the road and has dramatically reduced the safety of children and pedestrians. We have enclosed a copy of a previous letter relating to the school bus safety issue. The increased traffic has also had a significant negative impact on the Soda Canyon county paved road that dead ends at the Atlas Peak Winery. Numerous times, large trucks hauling vineyard supplies and barrels have broken down at the steepest part of the road. In one case, an oversized vineyard truck caused a school bus with children, to back down the steepest and most dangerous section of Soda Canyon Road.

To avoid a reoccurrence of the above mentioned dangerous circumstance, several judgments were approved by the Court and issued by the Conservation, Development and Planning Department, Napa County, December 24, 1998: Mitigation Measure #11 (of 15 Mitigation Measures) states that *hauling by trucks on public roads shall not be allowed on Monday through Friday, between 7:00 AM - 9:00 AM and also between 2:00 PM - 4:00 PM on school days, to minimize hazardous conditions during school busing times.* However, it has been our experience, that mitigation measures by the Planning Department are nothing but hot air...never enforced no matter how many private complaints are made... simply because the County has only one person to investigate/enforce infractions of this type.

There have been several accidents on both the Soda Canyon county road and on our private gravel road caused by speeding and unlicensed vineyard workers who abandon their vehicle after an accident. It was agreed at our last road committee meeting to post a speed limit (12 MPH) and to install speed bumps for safety. Both have been abused by the winery workers and Krupp Brothers LLC who saw fit to remove our speed bumps to facilitate their workers and delivery/construction vehicles. The CHP will not respond to accidents on a "private" road. The question then, which law enforcement agency is legally responsible? and who ultimately is liable?

The County requirements for issuing a permit for the Krupp Winery would significantly change the nature, configuration and use of our private road. The 18' width requirement plus 2' shoulder width on both sides would require the removal of many mature oaks and historic stone walls. Please note that the width and shoulder requirements do not include footage necessary for ditches on both sides of the road, that are needed to channel the runoff of rain water. This would add another 4'-6' width to the county requirements.


The County may also consider the requirement of new bridges to span streams that cross the private road and a reconfiguration of the road where dangerous curves exist. One of the cross streams gets its runoff from the Atlas Peak Winery Reservoir. During times of heavy rain (like the past few days) the stream overflows across the gravel road. The runoff from the Atlas Peak reservoir was one of the 15 mitigation measures which the Whitbread consortium (now Atlas Peak Winery) was to address prior to their being issued a permit. We have no record of any enforcement of the those mitigation measures and obviously if there were, then the stream would not wash away the gravel road on a regular basis, as it did again these past few days. Yet another mitigation measure not enforced.

We intend to keep our 100+ year, historic private road as a private road and do not want the County to abridge our right to do so for the sake of an ill conceived commercial winery. Winery tours, tastings, wine sales and special events, even if "private and by invitation only" pose unsafe, hazardous and inappropriate traffic on a private, communally owned gravel road. And there is the question of liability in the event of a vehicular accident on the private gravel road?

In a recent conversation with Kate Dargan of NCFD/CDF, she stated that Krupp has requested exemption from County requirements for certain portions of the road. We insist that no exemptions be approved. We are also concerned about pending Stream Set-back regulations and what effect they will have on Krupp's winery application

We are not asking for mitigation measures that have proven to be ignored paperwork and unenforceable. We ask the County to deny the Krupp Brothers LLC application for a winery on Soda Canyon Road. We also ask that the application for a duplicate permit from ABC, by Krupp Brothers LLC, be denied for many of the above same reasons because we believe that Krupp Brothers LLC will eventually transfer the ABC Duplicate permit if their winery permit is approved.

Sincerely,


Alan and Diane Shepp

enc. ltr, 2/13/02 to Jim King, Chair Planning Commission
cc: Dianne Dillon, District 3 Supervisor
Steve Lederer, Napa County Planning Department
Kate Dargan, NCFD/CDF

Alan and Diane Shepp
3580 Soda Canyon Road
Napa, CA 94558
707-253-9337 tel-fax
shepp-ad@pacbell.net

13 February 2002

Jim King, Chair
Planning Commission
1195 Coombs Street
Napa, CA 94559

re: application development permit, file no. 01241-UP;
Krupp Brothers LLC; submitted 11/20/01

Dear Mr. King,

Our children's school bus was late this morning in picking them up because the school bus was stuck behind a large lumber truck coming up the steep grade of Soda Canyon Road. And as it turns out the load of lumber was being delivered to Jan Krupp's Stagecoach Vineyard site...where it is our understanding they have already begun to build a winery, the permit for which has not been approved!

Further, to the best of our knowledge approximately 10-12 people have been living at the vineyard/proposed winery site for several years in an old converted barn/warehouse and half a dozen trailers. We presume these are legal residences and the proper permits from environmental health have been issued and would like to know if there is to be an increase in residences.

Mr. Krupp claims in his application that the two miles of dirt/gravel road (from the paved Soda Canyon Road to his proposed winery) is his "private driveway". In reality, he has shared the use of this road with approximately twenty five (25) neighbors. The dirt/gravel road has been "shared-access" for one hundred plus (100+) years by those who live here.

The current dirt/gravel road is a one-lane country road, winding around and through trees, narrow in places, with an occasional wide space for two vehicles to pass. During the winter, the road is pocked with many pot-holes and occasionally washed away by winter storms. We, the neighbors of Soda Canyon Road meet several times a year to plan the maintenance and repair of the road. We have spent many hours and thousands of dollars over the years maintaining the road and saving as many trees as possible.

Mr. Krupp may have a right-of-way along the dirt/gravel road just as we all do. However Mr. Krupp's right-of-way is for access to a vineyard not a winery. The difference in use and the ramifications of that difference pose many questions that have not yet been addressed in the permit process. What of the trees? Does the dirt road need to be widened? Does the dirt road need to be improved? If so to what degree? And if so at whose expense? Who will maintain the widened road? Who will be liable in the event of an accident considering the increased public use of the road? Who do we call in the event of an accident, the County Sheriff or Highway Patrol? Will the County be taking over the maintenance of the dirt road, in the event the winery is permitted thereby encouraging increased public use of our private road? If a permit is granted for the winery what mitigation on the use of the road and winery access is projected such as turnouts and speed bumps to curtail the winery workers speeding on the road, which they already do blatantly disregarding the posted speed signs. We also expect that heavy truck traffic be restricted to hours when the school buses are not on the road.

In terms of increased use, what about the paved portion of Soda Canyon Road? We, the neighbors have witnessed a dramatic increase in use due to increased vineyard development with an equal increase in vehicle accidents; large trucks unable to make it up the steep grade - stalling - blocking the road for substantial amounts of time; large trucks unable to make the turns without taking up both lanes - blocking the road. And in one incident, the school bus having to back down the steepest portion so that a large delivery truck could pass down the road.

And what of hillside development? We thought there were new statutes that restricted building, or is that just for residences? Are wineries exempt?

These are but a few of the issues that concern us. We respectfully request that you closely scrutinize the Krupp Brothers LLC application for a winery, take into consideration the issues that concern us and most of our neighbors and deny the permit.

Thank you.

Sincerely,


Alan and Diane Shepp

EXHIBIT “13”

EXHIBIT “13”

EXHIBIT “13”



**Napa County Grand Jury
2007-2008**

Final Report on the

NAPA COUNTY FIRE DEPARTMENT



Photos of the Atlas Peak fire 2006

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needs of the individual departments; however some departments are fundraising above and beyond, for major capital improvements. Equipment selection for the individual departments has been a long-standing issue, but some progress is evident in this area.

Volunteer firefighter training, both initial and ongoing, is one of the issues that needs to be resolved. Issues include content and quality of instruction. This subject impacts volunteer firefighter safety, the safety of our citizens and their property and the general liability of the County. Volunteer firefighters are County employees when responding to an emergency.

Volunteer firefighters who attend the requisite training sessions receive the same stipend regardless of the level of their training or the number of emergency calls to which they have responded. A more equitable stipend system based on qualification level and responses would help the retention issue.

Napa County volunteer firefighters are dispatched as strike-team members to areas outside of Napa County in support of major emergencies and compensated for their time. While CAL FIRE members of the strike teams are provided with motel rooms, volunteers must "camp out" because the County is not reimbursed for that expense. The Grand Jury believes it necessary to change this practice so that volunteers get the same accommodations.

California law permits a limited number of volunteer firefighting personnel in each department to outfit their private vehicles with lights and siren so that they can respond "Code 3" to an emergency. The County does not require any special training for these drivers and has no means of determining if the individuals carry adequate vehicle insurance. The County does not insure private vehicles. The Grand Jury recommends that training and insurance issues be addressed.

There are four different Rapid Entry Systems (Knox Locks) in Napa County: unincorporated Napa County (including Calistoga), St. Helena, the City of Napa and American Canyon. This seems to be an unnecessary impediment for first responders. Uniformity is recommended.

Much of Napa County is considered a high-fire-hazard environment and is rural in nature. Residents and visitors who are in rural or remote areas of Napa County can expect an emergency response time of 14 plus minutes and therefore may not survive a catastrophic (medical or fire) event. This needs to be addressed.

On March 10, 2008, there was a structure (house) fire on Soda Canyon Road in Napa. The incident location was only seven-tenths of a mile from the Soda Canyon Fire Station and yet, there was no equipment at the Soda Canyon Station that could respond (Engine 213 (1972) has not been listed as responding to an incident for many years). Thus, it took 31 minutes from the time of the initial 911 call at 9:29pm, until the first engine arrived on the scene of the incident at 10:00pm. There was extensive damage to the roof and attic with heavy smoke damage to the rest of the house, at an estimated loss of \$400,000.

It is reasonable to assume that if the local Fire Station had been properly equipped with a "running" engine, the volunteer firefighters responding to the Soda Canyon Station would have seen/located the fire and could have gotten to the fire sooner than the 31 minutes that it unfortunately took.

The Grand Jury readily concludes that the Soda Canyon Volunteer Fire Department needs a Type IV engine or similar smaller unit suitable for the smaller country roads, dirt roads, smaller driveways and bridges characteristic of the area. Also needed is a rescue vehicle with defibrillator to be housed at the Soda Canyon station. The Grand Jury recommends that the County, as soon as possible, provide a Type IV unit and a rescue vehicle with defibrillator that will fit into and be housed at the Soda Canyon station.

The Grand Jury also recommends the County, replace as soon as possible all firefighting vehicles that predate 1991, with vehicles appropriate for the individual service area requirements.

The Grand Jury understands that the NCFD has modified the makeup of the selection committee charged with specifying the purchase of "appropriate sized emergency response vehicles" to the area of service. Most of Napa County is rural to remote, with smaller country roads, driveways, entrance bridges, etc., and large fire equipment cannot easily/safely traverse these obstacles. The Grand Jury recommends that the NCFD continue the policy of consulting the Volunteer Chief or appointed representative from a given volunteer fire department when equipment is being selected for their use.

This report contains findings and opinions that are critical of certain aspects of volunteer fire department administration at the County level and individual department level. However, the Grand Jury has the highest respect for the individual men and women of the Napa County Volunteer Fire Departments who risk their lives and give up a significant amount of their time in support of their fellow County citizens and Napa Valley visitors. Napa County is privileged to have this dedicated corps of volunteers and has an obligation to see that they are properly supported in their work. The County is also fortunate to have a cadre of paid firefighters who are an integral part of the County Fire Department.

The Grand Jury wishes to thank CAL FIRE, all Napa County Volunteer Fire Departments and the NCFD for their cooperation in this investigation.

BACKGROUND

The NCFD exists through a contract between Napa County and the California Department of Forestry and Fire Protection (CAL FIRE formerly CDF). This contractual history dates back to 1932. The County/State contract is up for renewal by June 2008. In addition, a MOU was signed between CDF and the various Volunteer Fire Departments in approximately 1970. The current MOU (Napa County Agreement #3819) was approved by the Napa County Board of Supervisors in February 1996, amended in 2004. This action consolidated the administrative, training, purchasing, warehousing, and other

- 2001-2002 Grand Jury, NCFD Report
- Fire Station Deployment Analysis and Master Plan Implementation for the NCFD, Draft Report, Vol. 1,2,3, presented to Napa County Board of Supervisors on September 11, 2007; report and analysis performed by Citygate Associates, LLC
- Structure Fire Investigation Report, Incident # CALNU007777, 10/11/07
- Minutes of Volunteer Chiefs Advisory Board Meetings, 2007
- Letter of thanks from (private citizens) survivors of Southern California Harris Fire (October 2007) in appreciation for services performed by Napa Volunteer Firefighter strike team, November 5, 2007
- County of Napa Code sections 18.104.270 and 18.104.275
- <http://forums.firehouse.com>, urban interface vehicles Type I,II,III
- CDF FIRE, Structure Fire Investigation [report] Origin and Cause, October 11, 2007, Incident #: CALNU007777
- The Napa Valley Register, *Fire Engine ripped up while being pulled from mud*, February 1, 2008
- The Napa Valley Register, *Firefighters get a raise*, February 26, 2008
- CAL FIRE, Interagency Report of Incident and Dispatch Action report, Incident Number: 08-CALNU 001717
- The Napa Valley Register, *Fire Damages Soda Canyon home*, March 11, 2008
- ABC News, *Napa firefighters contain house fire after more than an hour*, March 11, 2008
- The Napa Valley Register, *Dog sensed Fire at Soda Canyon home on Monday night*, March 12, 2008

DISCUSSION

County Fire Department Administration

1199 Big Tree Road, St. Helena

Current County Organization

The NCFD consists of State, County and City firefighting agencies including nine volunteer fire companies. CAL FIRE, formerly CDF, provides paid firefighters, administrative services, fire-dispatch and miscellaneous support through a contractual agreement between Napa County and CAL FIRE. This contract history dates back to 1932. The scope of work for which the County currently contracts with CAL FIRE is shown in Appendix 1 of this report. The estimated annual budget for these services from July 1, 2004, to date is shown below. Most of the annual cost increase is due to increasing personnel costs, over which the County has no control:

- July 1, 2004 – June 30, 2005: \$5,554,011.36
- July 1, 2005 – June 30, 2006: \$5,960,428.80
- July 1, 2006 – June 30, 2007: \$6,859,492.04
- July 1, 2007 – June 30, 2008: \$7,428,585.91

The Milton Road facility was built in 1950, by volunteers and houses one engine that is County owned. The building sits in the flood plain, is old and in need of upgrading. The County owned Carneros satellite building houses one County owned fire engine and leaks profusely when it rains. Paved parking is limited for responding Volunteer firefighters.

The CVFD shares resources with the Soda Canyon Volunteer Fire Department and the Dry Creek-Lokoya Volunteer Fire Department.

The Carneros Vineyard Run, previously organized by the Napa Valley School of Fine Arts and Vocational Arts Association, was turned over to CVFD in 2007. *The Carneros Run 2008* event is to benefit the building fund for a new Carneros Fire Station.

Currently is staffed at nine active personnel, the CVFD is authorized to have 25.

County owned Equipment at this site:

- Engine 10 (1989) Ford, Co# 8054
- Engine 210 (1998) Pierce, Co# 8091
- Water Tender 10 (1993) Mack, Co# 8076
- Water Tender WT16 (2005) Co.#8113 – this vehicle is housed at Dry Creek-Lokoya and shared with Dry Creek-Lokoya and Soda Canyon

Relocation of the Carneros/Edgerly Island Fire Station

The 2007-2008 Grand Jury recommended, by separate report, that the Napa City Council vote to approve the construction of a fifth fire station to be located in Browns Valley; and, with the Board of Supervisors, establish a plan to relocate the Carneros/Edgerly Island station to Browns Valley. As noted in the Citygate report, there are two issues regarding the location of the Carneros/Edgerly Island Fire Station. The first is the fact that the Milton Road location of Station #10 places it near the western boundary of its service area rather than being more centrally located. The second is that Citygate found that most of the firefighters who are members of the Carneros/Edgerly Island Volunteer Fire Department live in the Brown's Valley/Carneros region. This results in long drive times for volunteers to get to Station #10, and typically long drive times to get equipment to the emergency. Combining a new Napa City fire station with Station #10 would improve response times and provide an economical solution to the relocation of this station.

Deer Park Volunteer Fire Department, #21

670 Sanitarium Road, Deer Park



The Deer Park Volunteer Fire Department was founded in the 1920's as the Sanitarium Volunteer Fire Department. In the late 1960's the department was renamed the Deer Park Volunteer Fire Department (DPVFD) and in the early 1990's was incorporated as a 501(c)3 nonprofit, with a Board of Directors. The

houses 1 engine; and the Mt. Veeder shed, built around 1985, houses a Type III engine, specifically constructed for wildland firefighting. All facilities are volunteer owned.

In addition, the DC-LVFD shares resources with the Soda Canyon Volunteer and Carneros Volunteer Fire Departments.



The DC-LVD currently has 30 active personnel and is authorized to have 35. The Department enjoys the distinction as founder, 25 years ago, of the first all-women volunteer fire crew in northern California.

Increased traffic and population density on lower Dry Creek Road has placed a higher demand for services. Under the MOU with Napa County, the DC-LVFD is eligible for additional fire apparatus to serve the need, provided the DC-LVFD acquire a parcel of land and construct at their expense, a fire station to house the equipment. Proceeds from the annual "Home Winemakers Classic", put on by the DC-LVD, have been earmarked for this capital campaign.

County owned Equipment at these sites:

- Engine 16 (2003) Type I, Pierce, Co. #8107
- Engine 216 (1991) Type III, IHC, Co. #8061
- Engine 316 (1990) Type III, IHC, Co.#8059
- Water Tender WT16 (2005) Co.#8113 – this vehicle is shared with Carneros and Soda Canyon

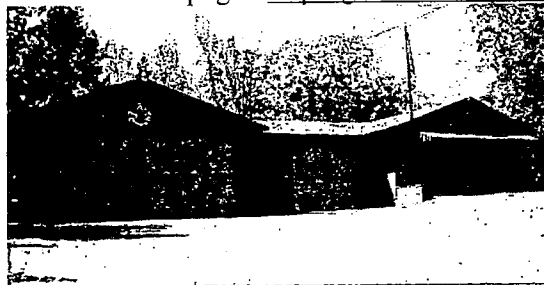
Volunteer owned Equipment at these sites:

- Squad 16 – 4x4 Rescue - Ford F350 (1999)
- Command 16 – 4x4 Chevy Tahoe (1995)

Needs: The main fire station needs running water, septic system, flush toilet, and an exhaust system.

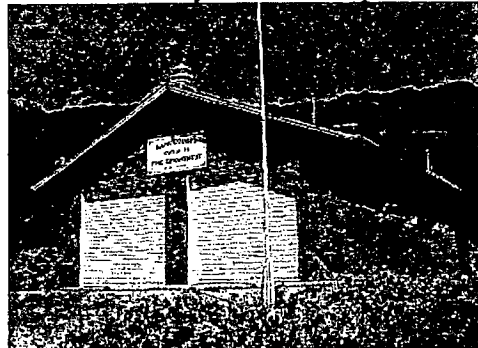
Gordon Valley Volunteer Fire Department, #22

1345 Wooden Valley Cross Road, Napa
unofficial webpage: <http://gordonvalley.com>



The Gordon Valley Volunteer Fire Department (GVVFD) was established in 1946. The fire station is located on State property next to the CAL FIRE seasonal fire station on Wooden Valley Cross Road. The station was built with local donations and labor from Napa and Solano counties in 1974, with later improvements in 1996, and is

Soda Canyon Volunteer Fire Department, #13
2368 Soda Canyon Road, Napa



The Soda Canyon Volunteer Fire Department (SCVFD) was established in 1961, and incorporated as a 170(c) charitable trust in the same year, with a Board of Directors. The fire station was built in 1964, with volunteer funds/labor and currently houses 1 engine. The fire engine housed at this facility is currently listed on the inactive list, however was listed as active “front line” until recently. The Grand Jury noted

that the engine, c. 1972, had apparently not been used for some time as abundant cobwebs were found on the tires. This engine predates 1985, and therefore does not meet current NFPA 1901 safety standards for fire apparatus.

NCFD purchased a Type I “road queen” for the Soda Canyon Volunteer Fire Department; however it was too large and could not fit into the Soda Canyon firehouse.

CAL FIRE recently purchased a Type III engine for the Soda Canyon Volunteer Fire Department, however, again, it was too large and could not fit into the Soda Canyon firehouse. Both engines are housed at the Napa Fire Station on Monticello Road (7 miles from the Soda Canyon firehouse). Further, the Type I engine cannot traverse many of the roads, driveways and bridges in the Soda Canyon service area.

With no usable apparatus at this fire station, this Department responds from the Monticello Fire House. Response time has been extended to an unacceptable 30+ minutes to some areas within the Soda Canyon service area.

The Soda Canyon area is identified by Citygate as having the second highest rate of incidents in Napa County.

The SCVFD shares resources and equipment with Carneros Volunteer and Dry Creek-Lokoya Volunteer Fire Departments.

Fundraising activities have been suspended for the past twelve years.

The SCVFD has 33 active personnel. The crew meets at the Soda Canyon Fire Station for monthly training/meetings.

County owned Equipment at this site:

- Engine 213 (1972) Type III, Co#8047, on the inactive list.

County owned Equipment at other sites and designated for Soda Canyon:

- Engine 13 (1997), Type I, Co# 8090, (Napa-Monticello Station)
- Engine 213 (2007), Type III, Co#8047 (Napa-Monticello Station)
- S13 (~1986) air/light service truck, IHC, Co# 8058, (Napa-Monticello Station)

- Water Tender WT16 (2005) Co.#8113 – this vehicle is housed at Dry Creek-Lokoya and shared with Dry Creek-Lokoya and Carneros

The above listed Schedule C, engine 213 (1972), is currently on the inactive list. However, through 2007, the engine was on the “active list”. The Grand Jury investigation revealed that this vehicle has not been listed as responding to an incident for many years. The Volunteer Department has made requests for the engine to be repaired or replaced with a Type IV unit since 1999.

Needs:

- Type IV engine suitable for smaller country roads, dirt roads, small driveways and bridges characteristic of the service area, to be housed at the Soda Canyon Station. See Appendix 4, for apparatus descriptions.
- A rescue truck equipped with defibrillator to be housed at the Soda Canyon Station.
- Upgrade water system. No potable water at the Station. Water storage tank installed in 1964.
- Right of way/driveway/parking restricted by new neighbor entrance/gate in non-compliance with Napa County Code, Title 18, requirements. See Appendix 7.

Volunteer Fire Department Equipment and Response Time

Overall need in rural areas of Napa County is appropriate type/size vehicle apparatus to negotiate narrow dirt roads, traverse light driveways, small bridges...in other words, vehicles that are appropriate for local needs to facilitate most efficient/effective response time.

Equipment

The current MOU makes provision for a standing Apparatus Committee which among other responsibilities includes *recommending standard designs for each type of fire apparatus purchased by the Napa County Fire Department*. During the Grand Jury investigation, many of the volunteer organizations complained that the equipment selected by the County Fire Department was not suitable, or certainly not optimal, for the recipient fire department. In general, this complaint dealt with the inappropriate assignment of large, heavy equipment to rural areas with narrow, winding, dirt roads and low capacity bridges.

The Grand Jury was advised by the NCFD that the equipment selection process had been modified to include a representative of the Volunteer Fire Department for which the equipment was intended. Because of the lead-time to procure fire equipment, the Grand Jury was unable to determine if this change is producing the intended results.

The Draft Citygate Report detailed extensive information and statistics regarding the NCFD, and the Grand Jury has referred to some of that information herein. However, the report admits that “Citygate did not inspect all apparatus, a spot check revealed...”. This Grand Jury visited all nine volunteer fire departments and conducted its own research

The Draft Report by Citygate Associates states that two years of available data break down as follows:

	<u>2005</u>	<u>2006</u>	<u>Total</u>
Incidents	2416	2547	4963
Fire Category	430	400	830
Medicals	1699	1819	3518
Others	287	328	615

Computer Aided Dispatch data regarding the distribution of incidents by community:

Area of Incident Count

Yountville	768
Soda Canyon	594
Capell Valley	462
Calistoga	432
Napa	422
Greenwood	421
St. Helena	409
Angwin	328
Pope Valley	281
Rutherford	277
Edgerly Island	176
Deer Park	157
Dry Creek	126
Gordon Valley	63
American Canyon	32

INCIDENTS AND HOW THEY RELATE TO EQUIPMENT NEEDS

Gordon Valley: need water tender structure fire total loss

October 11, 2007: Initial dispatch was for a wildland fire, however on arrival at the scene it was determined to be a structure (house) fire. Notified dispatch to upgrade to full structure response and request for an additional water tender. Defensive attack was initiated to protect any exposures. Water was pumped from supply from the road. Insufficient "water supply was an issue without the immediate response of the water tender." Structure was a total loss.

Soda Canyon: need appropriate size apparatus, housed at the Station

March 10, 2008: structure (house) fire 2001 Soda Canyon Road, Napa. The incident location was only seven-tenths of a mile from the Soda Canyon Fire Station and yet it took 31 minutes from the time of the initial 911 call at 9:29pm, until the first engine arrived on the scene of the incident at 10:00pm.

Further (15 minutes after the initial 911 call) the residents of premises of the fire called 911 and gave the combination to the gate and the address so that firefighters were able to correctly locate the fire and gain entrance to the property. The electronic entrance gate did not have a rapid entry, emergency access key box. This is in noncompliance of California Fire Code, Section 506. See Appendix 6.

“The blaze was reported at 9:29pm. Approximately 30 firefighters (from the Soda Canyon and Rutherford fire departments) battled the blaze and declared the flames contained just after 11pm, according to CAL FIRE.”

Quote from Napa Valley Register, “*Dog sensed fire at Soda Canyon home on Monday night*”, March 12, 2008. *There was extensive fire damage to the roof and attic [estimated loss of \$400,000]. The rest of the house had heavy smoke damage....The rough terrain in the area made things difficult for firefighters. The driveway was only wide enough for one engine to reach the house. We had to lay about 2,500 feet of hose up the driveway to fight the fire. The firefighters had to hike in about half mile, all uphill. Shubin said.*

It would be reasonable to assume that if the local Fire Station had been properly equipped with a “running” engine, the volunteer firefighters responding to the Soda Canyon Station would have seen/located the fire and could have gotten to the fire sooner than the 31 minutes that it unfortunately took...however Engine 213 (1972) has not been listed as responding to an incident for many years. The Soda Canyon Volunteer firefighters currently respond out of the Napa-Monticello Station.

Quote from the Napa Valley Register, “*Fire Damages Soda Canyon home*”, March 11, 2008. *The Soda Canyon and Atlas Peak areas northeast of Napa have been the location of some dangerous blazes in recent years, including a 60-acre fire off Atlas Peak Road in July of 2007.*

According to the Draft Report, Citygate Associates, *the Soda Canyon Area of incident count over 24 month period: 594* (second highest in the Napa County).

Pope Valley: need appropriate size vehicles, designed for dirt roads

Napa Valley Register, “*Fire Engine ripped up while being pulled from mud*”, February 1, 2008. *January 18, 2008: Small grass fire near Aetna Springs. ...drove the engine down an old dirt road, and because of all the recent rain, the engine got stuck, Derum said. Firefighters laid hose from where the truck was stuck in the mud and put out the one-acre fire....The first tow truck was not able to recover the fire engine. So, [a second] tow truck...hooked up to the stranded engine and attempted to haul it out....the crippled fire engine was loaded onto a carrier and driven to the manufacturer in Woodland.*

The Grand Jury later learned that the fuel tank had (due to the design) been installed below the axle, hence when the engine became stuck, and it was virtually impossible to “pull” the engine out.

issued an emergency vehicle permit and is so equipped to respond to emergencies. Companies may have their own underwriting requirements regarding this. For the volunteer fire departments that do make use of AEV Permits, the Grand Jury has no way of determining if the private vehicles are adequately insured for this service.

The County does not mandate emergency response driver training for volunteer firefighters.

The AEV Permit application form, CHP Form 810, requires that the sponsoring fire department be identified. The California Highway Patrol provided the Grand Jury with the below listed data regarding Napa County Volunteer Fire Departments.

FIRE DEPARTMENT	No. of AEV Permits
Angwin Volunteer Fire Department	2
Capell Valley Volunteer Fire Department	0
Deer Park Volunteer Fire Department	1
Dry Creek/Lokoya Volunteer Fire Department	0
Edgerly Island Volunteer Fire Department	0
Gordon Valley Volunteer Fire Department	0
Pope Valley Volunteer Fire Department	0
Rutherford Volunteer Fire Department	1
Soda Canyon Volunteer Fire Department	0

In touring the Volunteer Fire Department facilities, it appeared to the Grand Jury that more private vehicles are outfitted for Code 3 response than is indicated in the above table.

COMMUNICATIONS

Effective communications are an essential element of disaster response. Effective communications are also an essential element in the day-to-day response to law enforcement, fire, and medical emergencies. Because of the complexity of the technological and procedural aspects of County emergency communications, a separate Grand Jury report will be dedicated to this subject.

LOCKS AND KEYS

California Fire Code, Section 506, requires that an approved rapid emergency entry gate switch or padlock be installed *where access to or within a structure or area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes.* See Appendix 6.

Rapid Entry Systems are used by firefighters throughout the United States to provide access to normally locked areas such as buildings (outside normal working hours), gated

- a. the current location of Station #10 imposes significant travel requirements for responding volunteers.
- b. there is no sign or street light on the road to indicate the entrance to the Capell Valley Volunteer Fire Department.
- c. the Carneros Volunteer Fire Department, Milton Road station is old, sits in the flood plain and is in need of upgrading.
- d. the Carneros satellite building leaks profusely when it rains and paved parking is limited for responding Volunteer firefighters.
- e. the Dry Creek-Lokoya Volunteer Fire Department station needs running water, a septic system, a flush toilet and an exhaust system.
- f. the Soda Canyon Volunteer Fire station needs potable water and a water system upgrade.
- g. the Soda Canyon Volunteer Fire station has no usable apparatus at this fire station, so responds from the Monticello Fire station. Response time has been extended to an unacceptable 30+ minutes to some areas within the Soda Canyon service area.
- h. the Soda Canyon Volunteer Fire station driveway/volunteer parking is currently restricted by new neighbor entrance/gate in noncompliance with Napa County Code, Title 18.

12. Apparatus:

- a. three NCFD engines and one water tender predate 1985, and eleven engines and one rescue vehicle predate 1991.
- b. the above stated vehicles do not meet current NCFD 1901 safety standards for fire apparatus.
- c. the Gordon Valley Volunteer Fire Department needs a water tender.
- d. the Soda Canyon Volunteer Fire Department needs a smaller Type IV unit (suitable for the smaller country roads, dirt roads, smaller driveways and bridges characteristic of the area) to be housed at the Soda Canyon station.
- e. the Soda Canyon Volunteer Fire Department needs a rescue truck with defibrillator housed at the Soda Canyon station.

13. Fundraising:

- a. many of the nine Volunteer Fire Departments do annual fundraising for capital improvements and other department needs.
- b. proceeds from the *Carneros Run 2008*, are to benefit the Carneros Volunteer Fire Department new building fund.
- c. proceeds from the *Winemakers Classic* are to benefit the Dry Creek-Lokoya capital campaign for expanded station construction.

- 14. the Soda Canyon Volunteer Fire Department service area has the second highest number of emergency incidents in Napa County.
- 15. the NCFD has modified the makeup of the selection committee charged with specifying the purchase of "appropriate sized emergency response vehicles" to the area of service.
- 16. California Fire Code requires that an approved rapid emergency entry gate switch or padlock be installed *where access to or within a structure or area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes.*

- g. the County establish a policy that details equal accommodations for Volunteer firefighters who are part of a County deployed strike team to that of their paid counterparts.
- 8. the volunteer stipend be based on the number of emergency responses made by the volunteer while retaining the training requirement as an eligibility criteria. In addition, a tiered compensation system which rewards advanced qualifications be implemented.
- 9. the County fund the required emergency response driver training for volunteer firefighters.
- 10. the County reimburse individual volunteer firefighters for any additional insurance premium costs incurred for the operation of properly authorized AEVs.
- 11. the funds to pay a Volunteer firefighter who was part of a County deployed strike team be made available on a routine basis and in a timely manner to insure that they are promptly compensated for their time.
- 12. Fire Stations:
 - a. relocate the Station #10 to a combined Napa City/County fire station in Browns Valley.
 - b. the County install a road sign and light on the road at the entrance to the Capell Valley Volunteer Fire Station.
 - c. the County rectify the restricted access/parking issue at the Soda Canyon Fire Station regarding new neighbor entrance gate.
- 13. Apparatus:
 - a. the County replace as soon as possible, all firefighting vehicles that predate 1991, with vehicles that are appropriate for the individual service area requirements.
 - b. the County provide as soon as possible, a water tender to Gordon Valley Volunteer Fire Department.
 - c. the County provide as soon as possible, a Type IV unit and a rescue vehicle with defibrillator that will fit into and be housed at Soda Canyon station.
- 14. the NCFD continue the policy of consulting the Volunteer Chief or appointed representative from a given volunteer fire department when equipment is being selected for their use.
- 15. all fire departments within Napa County have the same rapid entry system locks with a "universal" Key.
- 16. Volunteer fire departments receive greater support from the County and in return, relinquish some of their long held independence.

REQUEST FOR RESPONSES

The 2007-2008 Grand Jury requests responses from:

- o The Napa County Board of Supervisors to all the above.
- o The Napa County Fire Chief to all of the above, except #12.
- o Chiefs: City of Napa, and Calistoga Fire Departments to Recommendation #15

EXHIBIT “14”

EXHIBIT “14”

EXHIBIT “14”

California Highway Patrol (CHP) Incident Report Summary (1/21/13 to 4/11/16)

Date	Incident #	Incident Description	Location of Incident	Time of Day	Duration of Incident
1/21/2013	130121GG00952	1182 - 2 vehicle traffic Collision, non-injury. White Chevy truck TC'D into side of mountain, blocking road. Vehicle is not driveable. Tow required.	Soda Canyon Road at mile marker 2.	12:29 PM	58 minutes
4/8/2013	130408GG02563	1179 - 2 vehicle traffic collision, injury. Person hospitalized at Queen of the Valley for major injuries. Tow required.	Soda Canyon Road, 300 yards from Silverado Trail.	7:16 PM	2 hours 24 minutes
5/26/2013	130526GG03104	1182 - Traffic collision, non-injury. Toyota Prius partially blocking road. Two women were trying to turn around and ran off the roadway. Woman standing on Soda Canyon flagging down vehicles.	Soda Canyon Road at intersection with Soda Springs Road.	10:12 PM	2 hours, 26 minutes
7/3/2013	130703GG00933	1181 - Traffic collision, minor injuries. Xray on Moped vs. side of roadway. Xray in/out of consciousness.	2750 Soda Canyon Road.	11:35 AM	24 minutes
8/16/2013	130816GG00929	1182 - 2 vehicle traffic collision, non-injury. Air bags deployed, toyota corolla vs. truck, blocking lanes on silverado trail, damage to front end of vehicle.	Soda Canyon Road at intersection with Silverado Trail.	9:24 AM	49 minutes
10/16/2013	131016GG01412	1182 - 2 vehicle traffic collision, non-injury. 2 tires blown out on hill; trying to reverse; possibly trying to leave. Involved party told other driver not to call 911. Vehicle 1/4 mile up from fire station, vehicle reversed and pulled into ditch on roadway.	Soda Canyon Road at intersection with Silverado Trail.	2:18 PM	45 minutes
10/21/2013	131021GG00603	1182 - 2 vehicle traffic collision, non-injury. Blocking roadway. Tow required.	Soda Canyon Road at intersection with Silverado Trail.	7:59 AM	40 minutes
11/24/2013	131124GG02387	1182 - Traffic collision, non-injury. Car on side of road.	Soda Canyon Road, 1/2 mile from Loma Vista.	5:30 PM	33 minutes
12/17/2013	131217GG03587	1182 - Traffic collision, non-injury. PGE guide wire down, NW corner, not live.	Soda Canyon Road at intersection with Silverado Trail.	10:19 PM	1 hour, 38 minutes
1/10/2014	140110GG02717	1182 - Traffic collision, non-injury. BMW vs PGE pole, airbags deployed, rear wheel took off, unable to move vehicle off roadway.	Soda Canyon Road at intersection with Silverado Trail.	5:53 PM	2 hours, 57 minutes
9/10/2014	140910GG01108	1179 - Traffic collision. Large semi truck on its side, white cab, single trailer, blocking the middle of the road, roadway is completely blocked, unable to get traffic by. Rear axel completely separated from the truck. Driver left vehicle, found at 2600 Soda Canyon Road on side of roadway with other people, has a broken shoulder. CalFire requested, heavy tow. Roadway may be blocked few hours. Soda Canyon Road 2 miles north of Soda Springs Road closed due to collision. First tow truck now hanging over cliff; trying to recover their own truck. Second tow company (Ramirez Tow) doing recovery on vehicle.	Soda Canyon Road at 2600 block.	9:55 AM	5 hours, 11 minutes.
3/17/2015	150317GG00614	1179 - Traffic collision. White Nissan Pathfinder vs tree. Vehicle is off the roadway, into bushes. Tow required. Driver hospitalized.	Northbound Silverado Trail at Soda Canyon Road.	7:09 AM	1 hour, 40 minutes
3/28/2015	150328GG03563	1182 - Traffic collision, non-injury. Driver/vehicle gone on arrival. Vehicle off road in a creek. 2-3 people walking toward paved road.	3030 Soda Canyon Road, bridge area on the dirt road 200 yards down the dirt road.	7:25 PM	1 hour, 44 minutes
4/12/2015	150412GG03602	1125 - Traffic Hazard, 4x4 Quad on street at night, subject arrested for possession of guns and shot guns.	Soda Canyon Road (exact location not specified).	8:34 PM	7 minutes
4/15/2015	150415GG01631	1183 - Traffic collision, unknown injury. Possible diabetic shock. Small compact dark vehicle parked just before Stagecoach gate. Owner of vehicle being transported to Queen of the Vally hospital. Tow required. Driver cited for 14601(1)(A), vehicle was impounded per 14602.	3555 Soda Canyon Road near Stagecoach Vineyards (on dirt road).	1:07 PM	4 hours, 40 minutes
4/20/2015	150420GG00631	1125A - Animal Hazard, deer in roadway.	Silverado Trail at Soda Canyon Road.	7:39 AM	1 hour, 6 minutes
4/24/2015	150424GG03930	23103 - Reckless Driving, male on 4wheel drive vehicle almost hit dogs while man was out walking his dog.	Soda Canyon Road at Silverado Trail.	9:21 PM	29 minutes
4/26/2015	150426GG01524	1183 - Traffic collision, unknown injury. White Acura vs Gray truck, blocking roadway. Driver advised he is driving and not from the area.	2368 Soda Canyon Road (intersection with Soda Springs Road).	12:04 PM	32 minutes

6/6/2015	150606GG03306	23152 - Driving Under Influence, driving on roadside, over double yellow lines, erratic speeds.	2900 Block Silverado Trail/Soda Canyon Road.	6:32 PM	7 minutes
6/28/2015	150628GG00038	(no description)	Silverado Trail at Soda Canyon Road.	9:26 AM	40 minutes
7/6/2015	150706GG04037	23013 - Reckless Driving, male on 4x4 Quad driving towards Soda Canyon Store; Tweaker that is squatting on Soda Canyon property; Has been arrested multiple times; occasionally possesses shotgun.	1200 Block Soda Canyon Road.	8:45 PM	12 minutes
7/7/2015	150707GG02214	23103 - Reckless Driving, gray Ford, vehicle weaving	Silverado Trail at Soda Canyon Road.	2:55 PM	4 minutes
7/15/2015	150715GG02473	23152 - Driving Under Influence, white Ford Explorer, unable to maintain.	Silverado Trail at Soda Canyon Road.	2:59 PM	20 minutes
8/29/2015	150829GG04545	Changed from 1183 Traffic Collision to 1015X-Xray - Arrest in custody; Vehicle found off the roadway.	1200 Block Soda Canyon Road.	9:38 PM	1 hour 53 minutes
9/7/2015	150907GG02368	23109 - Speed Contest; Lime Green Sedan vs. Black older Sedan; 90 mph	NB on Soda Canyon Road at Silverado Trail.	3:35 PM	7 minutes
9/17/2015	150917GG03723	23152 - Driving Under Influence; Black Mustang unable to Maintain; Citizen advised to not follow.	2368 Soda Canyon Road.	8:36 PM	13 minutes
10/3/2015	151003GG03037	23152 - Driving Under Influence; White Mazda Miata Weaving; Erratic speeds; Pulling into Van Der Heyden Winery.	Silverado Trail at Soda Canyon Road.	5:06 PM	10 minutes
10/24/2015	151024GG01564	1125 - Traffic Hazard; Lots of vans in area for event; Relay race in area; People congregating in middle of roadway; Man is getting married later today and expects approx. 300 people heading up road; Concerned about safety if road blocked.	Soda Canyon Road at Silverado Trail.	10:59 AM	9 minutes
11/14/2015	151114GG02581	23152 - Driving Under Influence; white limo, erratic breaking, erratic speeds between 30-55mph.	Silverado Trail at Soda Canyon Road.	3:45 PM	20 minutes
11/26/2015	151126GG01343	23152 - Driving Under Influence; unable to maintain lane, erratic braking.	Silverado Trail at Soda Canyon Road.	11:39 PM	17 minutes
12/19/2015	151219GG03730	23152 - Driving Under Influence; White Toyota or Nissan; Swerving; Driving into Oncoming Traffic.	Silverado Trail at Soda Canyon Road.	7:32 PM	18 minutes
12/28/2015	151228GG01007	FIRE - Report of fire; Saw gray smoke coming, negative flames; couple of burn piles; construction.	Soda Canyon at Soda Springs Road.	10:55 AM	33 minutes
1/6/2016	160106GG03274	1183 - Traffic Collision; Vehicle on left hand side of creek off roadway; 2 males involved; Nissan Sentra on its roof; Napa Valley Tow called.	Soda Canyon Road - 2 miles east of Silverado Trail (past the bridge).	7:17 PM	1 hour, 3 minutes
1/18/2016	160118GG03228	1125 - Traffic Hazard; Semit Truck Trailer partly blocking right lane around blind corner; Truck headed northbound on Soda Canyon.	Soda Canyon Road at Silverado Trail.	6:20 PM	44 minutes
4/6/2016	160406GG01308	23103 - Reckless Driving; white Chevy Impala all over roadway; Almost went off roadway.	Silverado Trail at Soda Canyon Road.	10:50 AM	3 minutes
4/11/2016	160411GG02790	1179 - Traffic Collision; 1141 En Route; 2 vehicle collision; 1 party trapped; Fire Dept. en route for extrication; 1 part injured; AT&T Towing en route.	Soda Canyon Road at Silverado Trail.	5:23 PM	1 hour 10 minutes

Source: Department of California Highway Patrol, Data Warehouse, Incident Details Reports

Incident Detail Report

Data Source: Data Warehouse
Incident Status: Closed
Incident number: 140910GG01108
Incident Date: 9/10/2014 09:55:44
Last Updated: 7/1/2015 14:56:58

Incident Type:	1 CHP Unit Incident	Alarm Level:	
Priority:	2	Problem:	1179-Trfc Collision-1141 Enrt
Determinant:		Agency:	CHP
Base Response#:		Jurisdiction:	GG
Confirmation#:		Division:	21-Napa
Taken By:	Deborah M Farris	Battalion:	21-Napa
Response Area:	21-002	Response Plan:	21-002 1 Unit Response
Disposition:	F-File	Command Ch:	
Cancel Reason:	RD-Radio Desk	Primary TAC:	
Incident Status:	Closed	Secondary TAC:	
Certification:		Delay Reason (if any):	
Longitude:	122285411	Latitude:	38389904

Location Name:	SODA CYN AT SILVERADO TRL	County:	Napa
Address:	Soda Canyon Rd / Soda Springs Rd	Location Type:	
Apartment:		Cross Street:	
Building:		Map Reference:	
City, State, Zip:	Unincorporated CA 94558		

PERSON 1
Name: [REDACTED] - Passing Motorist **Phone:** [REDACTED]

PERSON 2
Name: [REDACTED] BIG RIG COMPANY - Involved Party **Phone:** [REDACTED]

Caller Name: [REDACTED]
Method Received: [REDACTED] **Call Back Phone:** [REDACTED]
Caller Type: Passing Motorist **Caller Location:** [REDACTED]

Description	Date	Time	User	Description	Time
Phone Pickup	9/10/2014	09:55:42			
1st Key Stroke	9/10/2014	09:55:42		Received to In Queue	00:01:49
In Waiting Queue	9/10/2014	09:57:33		Call Taking	00:03:34

Sample Report

Call Taking Complete	9/10/2014	09:59:18	Deborah M Farris	In Queue to 1st Assign	00:03:11
1st Unit Assigned	9/10/2014	10:00:44		Call Received to 1st Assign	00:05:02
1st Unit Enroute	9/10/2014	10:00:44		Assigned to 1st Enroute	00:00:00
1st Unit Arrived	9/10/2014	10:16:53		Enroute to 1st Arrived	00:16:09
Closed	9/10/2014	15:07:14	Kristie A Oliveira	Incident Duration	05:11:32

Unit	Assigned	Disposition	Enroute	Staged	Arrived	At Patient	Delay Avail	Complete	Odm. Enroute	Odm. Arrived	Cancel Reason
A21-002	10:00:44		10:00:44		10:16:53			11:58:41			
21-S2	10:02:11		10:08:55		10:23:48			12:29:00			
A21-001	10:04:35	RU-Reassign Unit or Incident	10:04:35		10:19:32			12:46:32			RU-Reassign Unit
B21-001	10:43:53	RU-Reassign Unit or Incident			10:43:55			14:21:55			RU-Reassign Unit
GG-C194	11:00:21		11:00:21		11:52:29			13:36:31			
A22-080	11:32:23	RU-Reassign Unit or Incident						11:32:28			RU-Reassign Unit
A21-002	12:28:26	F-File	12:28:26					15:07:14			RD-Radio Desk

Unit	Name
A21-002	Steven C Wheat (013727) - Officer
21-S2	Jeffrey L Page (013875) - Sergeant
A21-001	Randall T Wayne (015176) - Officer
GG-C194	David C Juricich (013684) - Officer
A22-080	Jay C Brome (014782) - Officer
A21-002	Steven C Wheat (013727) - Officer

No Pre-Scheduled Information

No Transports Information

No Transports Information

Date	Time	User	Type	Conf.	Comments
9/10/2014	09:56:37	A12320	Response		[1] NAPA PD ROLLING FIRE
9/10/2014	09:56:39	A12320	Response		[2] NFI

9/10/2014	09:57:24	A12320	Response	[3] RP RECEIVED CALL FROM EMPLOYEE ADVG THERE IS AN ACCIDENT AND TO CALL 911
9/10/2014	09:57:31	A12320	Response	[4] RP DOESNT HAVE ANY FURTHER INFO
9/10/2014	09:59:30	A06805	Response	[5] LARGE SEMI 24 FTR ON ITS SIDE
9/10/2014	09:59:40	A06805	Response	[6] BLOCKING THE MIDDLE RD
9/10/2014	10:00:31	A06805	Response	[7] WHI CAB SINGLE TRLR
9/10/2014	10:01:00	A06805	Response	[8] RP IS CHECKING TO SEE IF THERE IS A DRVR IN CAB OR NOT
9/10/2014	10:02:04	A13332	Response	[9] 21-S2 COPIES
9/10/2014	10:03:01	A06805	Response	[10] NEG DRVR -- JUST FOUND HIM THE DRVR IS AT 2600 SODA CANYON ON SIDE OF RDWY WITH OTHER PEOPLE HAS A BROKEN SHOULDER
9/10/2014	10:11:04	A13332	Response	[11] 21-2 UTL TO JEO SIL TRL
9/10/2014	10:11:58	A13332	Response	[12] 21-2 COPIES LINE 10
9/10/2014	10:19:28	A09294	Response	[13] [Notification] [CHP]-CALFIRE REQ 1185 HEAVY TOW
9/10/2014	10:19:43	A13332	Response	[14] A21-001 RDWY COMPLETELY BLKD
9/10/2014	10:20:17	A09294	Response	[15] [Notification] [CHP]-PER CALFIRE RDWY MAY BE BLOCKED FOR FEW HOURS
9/10/2014	10:22:18	A13332	Response	[16] A21-001 ROLL 1185 HD // REAR AXLE BO AND ON ITS SIDE
9/10/2014	10:22:33	A12543	Response	[17] PER BIG RIG COMPANY TRYING TO MAKE ARRANGEMENTS FOR 1185
9/10/2014	10:24:14	A13332	Response	[18] 21-S2 21-S2 COPIES LINE 17 // WILL ADV
9/10/2014	10:25:32	A13332	Response	[19] A21-002 REQ COMMERCIAL UNIT
9/10/2014	10:26:45	A15101	Response	[20] [Notification] [CHP]-INVLD CB - ADVSD CALLING RAMIREZ TOW FOR THE TRUCK // DOES NOT WANT A CHP TOW
9/10/2014	10:26:54	A15101	Response	[21] RP WILL CB WITH ETA FOR 1185
9/10/2014	10:28:13	A13332	Response	[22] A21-002 21-2 COPIES RAMIREZ TOW WILL BE ROLLED BY TK OWNER
9/10/2014	10:29:01	A13332	Response	[23] 21-S2 RDWY COMPLETELY BLKD
9/10/2014	10:29:35	A11900	Response	[24] [Notification] [CHP]-NR FRM ANY UNIT ON BLUE
9/10/2014	10:30:13	A13332	Response	[25] 21-S2 UNABLE TO GET TRAFFIC BY
9/10/2014	10:30:59	A13332	Response	[26] LE // NEG RESP FRM COMMERCIAL UNIT ON GRP/TURQ
9/10/2014	10:31:56	A11900	Response	[27] LL W/COMMERCIAL UNIT UPSTAIRS WILL ADV
9/10/2014	10:32:10	A13332	Response	[28] 21-S2 REAR AXLE COMPLETELY SEPARATED FRM THE TK
9/10/2014	10:32:22	A13332	Response	[29] 21-S2 BETTER 1020 // SODA CANYON 2 MILES JNO SODA SPRINGS
9/10/2014	10:33:31	A11900	Response	[30] [Notification] [CHP]-1039 OFCR FELFELLA HE WILL HAVE COMM UNIT FOR NAPA AREA COME UP ON RADIO
9/10/2014	10:35:53	A12839	Response	[31] [Notification] [CHP]-PER EMPLOYER // ADVS RAMIREZ TOW SUISUN TOW IS ENRT UNK ETA
9/10/2014	10:41:21	A11900	Response	Y [32] [Notification] [CHP]-GG-C194 IS ENRT FRM MARIN SCALES - IF NOT NEEDED ANY LONGER CAN 1022 HIM AT [REDACTED]
9/10/2014	10:43:17	017175	Response	[33] ****ISSUE SIGALERT / TRAVEL ADVISORY**** SODA CANYON RD 2 MILES N/O OF SODA SPRINGS CLOSED DUE TO COLLISION, UNK ETO
9/10/2014	10:43:40	A16225	Response	[34] B21-1 WILL 1021 BLACKHAWK 1185 TO MOVE TRIALER OO RDWY
9/10/2014	10:45:09	A13332	Response	[35] J RAMIREZ ENRT // ETA DRIVING TIME FRM FF 10 AGO // THEY COPY ALL INFO
9/10/2014	10:46:59	CHPGGP30INT02MSOS	Response	Y [36] *MDC 10-28 INQUIRY: [REDACTED] SODA CANYON RD SILVERADO TRL SODA CY [*013727.IA QV.CA0289925.LIC/[REDACTED].LIS/CA 013727.CM.04.A21-002.SODA CANYON RD SILVERADO TRL SODA CY..1.3000000000.*013727.IV 4 [REDACTED]]
9/10/2014	10:47:15	A16225	Response	[37] VIA LL 21-S2 CONT W/COMM UNIT FROM MARIN // WILL NEED BRAKE INSPECTION // CPZ LINE 35
9/10/2014	11:00:22	A11616	Response	[38] Backed up A21-002 with GG-C194
9/10/2014	11:02:54	A16225	Response	[39] Secondary Location for A21-002: QVH.

9/10/2014	11:09:00	A11616	Response		[40] GG-C194 SWITCHING TO GRAPE
9/10/2014	11:09:16	A16225	Response		[41] GG-C194 Unit GG-C194 current position updated to SW GRP.
9/10/2014	11:54:24	CHPGGP30INT02MSOS	Response	Y	[42] *MDC 11-27 INQUIRY: [REDACTED] SODA CANYON RD SILVERADO TRL SODA CY [*013727.ID [REDACTED]]
9/10/2014	11:57:33	A16225	Response	Y	[43] 21-2 VIA MDC: DL# [REDACTED] LAST OF [REDACTED] OO 114 SUISUN CITY MINOR INJ
9/10/2014	12:00:47	A16225	Response		[44] 21-2 - LINE 43 - PRTY XPORTED TO QVH ****
9/10/2014	12:28:26	A11900	Response		[45] Backed up 21-S2 with A21-002
9/10/2014	12:37:26	A16225	Response		[46] BOLO Entry: HOSP - Hospitalized For Unit 21-2/Requested By Kristie A Oliveira
9/10/2014	13:08:36	CHPGGP30INT02MSOS	Response	Y	[47] *MDC 11-27 INQUIRY: [REDACTED] SODA CANYON RD SODA SPRINGS RD SODA [*013727.ID [REDACTED]]
9/10/2014	13:08:48	CHPGGP30INT02MSOS	Response	Y	[48] *MDC 10-28 INQUIRY: [REDACTED] SODA CANYON RD SODA SPRINGS RD SODA [*013727.IA QV.CA0289925.LIC/[REDACTED].LIS/CA 013727.CM.04.A21-002.SODA CANYON RD SODA SPRINGS RD SODA.1.3000000000.*013727.IV 4 [REDACTED]]
9/10/2014	13:19:19	A16225	Response	Y	[49] 21-1B - RAMIREZ CALLED ON REQ // NEG HAS BEEN ACCOMPLISHED ON RECOVERY OF VEH // OTHER 1185 NOW 1097 // RAMIREZ 1185 NOW HANGING OVER CLIFF // NEG TOW ACTIVITY CONDUCTED AT THIS POINT & TRYING TO RECOVER THEIR OWN 1185 TK
9/10/2014	13:36:12	A16225	Response		[50] B21-001 RAMIREZ TOW NOW DOING RECOVERY ON VEH
9/10/2014	13:36:31	'C'	Response	Y	[51] GG-C194 - 10-19

Date	Time	Location/Address	User
9/10/2014	10:32:34	SODA CYN AT SILVERADO TRL / Soda Canyon Rd / Soda Springs Rd	MJB

No Priority Changes

No Alarm Level Changes

Date	Time	Radio	Activity	Location	Log Entry	User
9/10/2014	09:56:05		Incident Priority Change		Incident priority changed from <none> to 2	A12320
9/10/2014	09:57:34		ANI/ALI Statistics		INT Insert:Sep 10 2014 09:55:40 / INT SendNP:Sep 10 2014 09:55:40 / WS RecvNP:Sep 10 2014 09:55:41 / WS Process:Sep 10 2014 09:57:34	A12320
9/10/2014	09:57:56		Read Incident		Incident 199 was Marked as Read.	A13332
9/10/2014	09:57:56		Read Comment		Comment for Incident 199 was Marked as Read.	A13332
9/10/2014	09:59:18		UserAction		User clicked Exit/Save	A12320
9/10/2014	10:00:44	A21-002	ASSIGN	Soda Canyon Rd / Silverado Trl [SODA CYN AT SILVERADO TRL]		A13332
9/10/2014	10:00:44	A21-002	ENRT	Soda Canyon Rd / Silverado Trl [SODA	Responding From = Bel Aire Plz\Trancas St	A13332

				CYN AT SILVERADO TRL]		
9/10/2014	10:01:35		Supplemental Information	Soda Canyon Rd / Silverado Trl	Supplemental Person record 468369 - Passing Motorist was added for [REDACTED]	A06805
9/10/2014	10:02:11	21-S2	ASSIGN	Soda Canyon Rd / Silverado Trl [SODA CYN AT SILVERADO TRL]		A13332
9/10/2014	10:02:16		UserAction		User clicked Exit/Save	A13332
9/10/2014	10:03:13		UserAction		User clicked Exit/Save	A06805
9/10/2014	10:04:35	A21- 001	ASSIGN	Soda Canyon Rd / Silverado Trl [SODA CYN AT SILVERADO TRL]		A13332
9/10/2014	10:04:35	A21- 001	ENRT	Soda Canyon Rd / Silverado Trl [SODA CYN AT SILVERADO TRL]	Responding From = SR12	A13332
9/10/2014	10:07:44		UserAction		User clicked Exit/Save	017175
9/10/2014	10:08:55	21-S2	ENRT	Soda Canyon Rd / Silverado Trl [SODA CYN AT SILVERADO TRL]	Responding From = Napa Area	A13332
9/10/2014	10:10:50		Read Comment		Comment for Incident 199 was Marked as Read.	A13332
9/10/2014	10:12:01		UserAction		User clicked Exit/Save	A13332
9/10/2014	10:14:36		UserAction		User clicked Exit/Save	CT_TBROWN
9/10/2014	10:16:53	A21- 002	10-97	Soda Canyon Rd / Silverado Trl		A13332
9/10/2014	10:19:29		Read Comment		Comment for Incident 199 was Marked as Read.	A13332
9/10/2014	10:19:32	A21- 001	10-97	Soda Canyon Rd / Silverado Trl		A13332
9/10/2014	10:20:08		Read Comment		Comment for Incident 199 was Marked as Read.	A13332
9/10/2014	10:20:18		Read Comment		Comment for Incident 199 was Marked as Read.	A13332
9/10/2014	10:21:18		Supplemental Information	Soda Canyon Rd / Silverado Trl	Supplemental Person record 468376 - Involved Party was added for [REDACTED]	A12543
9/10/2014	10:21:45		UserAction		User clicked Exit/Save	A09294
9/10/2014	10:23:48	21-S2	10-97	Soda Canyon Rd / Silverado Trl		A13332
9/10/2014	10:24:18		UserAction		User clicked Exit/Save	A12543
9/10/2014	10:26:45		Read Comment		Comment for Incident 199 was Marked as Read.	A13332
9/10/2014	10:27:03		UserAction		User clicked Exit/Save	A15101
9/10/2014	10:29:03		UserAction		User clicked Exit/Save	A13332
9/10/2014	10:29:14		Read Comment		Comment for Incident 199 was Marked as Read.	A13332
9/10/2014	10:29:17		UserAction		User clicked Exit/Save	A13332
9/10/2014	10:29:36		Read Comment		Comment for Incident 199 was Marked as Read.	A13332
9/10/2014	10:31:00		Rotation Request Entered	Soda Canyon Rd / Silverado Trl Unincorporated, CA 94558	Rotation Request ID 172014 entered.	A13332

9/10/2014	10:32:34	21-S2	Update Unit Address	Soda Canyon Rd / Soda Springs Rd		A13332
9/10/2014	10:32:34	A21-001	Update Unit Address	Soda Canyon Rd / Soda Springs Rd		A13332
9/10/2014	10:32:34	A21-002	Update Unit Address	Soda Canyon Rd / Soda Springs Rd		A13332
9/10/2014	10:33:00		Rotation Request Canceled	Soda Canyon Rd / Silverado Trl Unincorporated, CA 94558	[RR 172014] Rotation Request canceled.	A13332
9/10/2014	10:33:32		Read Comment		Comment for Incident 199 was Marked as Read.	A13332
9/10/2014	10:33:54		UserAction		User clicked Exit/Save	A13332
9/10/2014	10:35:53		Notify Comment		(Response Viewer)	
9/10/2014	10:35:53		Read Comment		Comment for Incident 199 was Marked as Read.	A16225
9/10/2014	10:35:57		UserAction		User clicked Exit/Save	A12839
9/10/2014	10:36:25		UserAction		User clicked Exit/Save	A16225
9/10/2014	10:40:21		UserAction		User clicked Exit/Save	017175
9/10/2014	10:40:39		UserAction		User clicked Exit/Save	017175
9/10/2014	10:41:22		Read Comment		Comment for Incident 199 was Marked as Read.	A16225
9/10/2014	10:43:16		UserAction		User clicked Exit/Save	017175
9/10/2014	10:43:50		UserAction		User clicked Exit/Save	017175
9/10/2014	10:43:53	B21-001	ASSIGN	Soda Canyon Rd / Soda Springs Rd [SODA CYN AT SILVERADO TRL]		A16225
9/10/2014	10:43:55	B21-001	10-97	Soda Canyon Rd / Soda Springs Rd		A16225
9/10/2014	10:45:36		UserAction		User clicked Exit/Save	A11900
9/10/2014	10:46:58		UserAction		User clicked Exit/Save	A13332
9/10/2014	10:46:59	A21-002	*MDC 10-28 INQUIRY: [REDACTED] SODA CANYON	Soda Canyon Rd	[*013727.IA QV.CA0289925.LIC/[REDACTED].LIS/CA 013727.CM.04.A21-002.SODA CANYON RD SILVERADO TRL SODA CY..1.3000000000.*013727.IV 4 [REDACTED]]	CHPGGP30INT02MS
9/10/2014	10:47:16		UserAction		User clicked Exit/Save	A16225
9/10/2014	10:48:52		UserAction		User clicked Exit/Save	A11161
9/10/2014	10:52:40		Read Comment		Comment for Incident 199 was Marked as Read.	A16225
9/10/2014	10:55:12		UserAction		User clicked Exit/Save	017175
9/10/2014	10:55:46		UserAction		User clicked Exit/Save	A16225
9/10/2014	11:00:21	GG-C194	ASSIGN	Soda Canyon Rd / Soda Springs Rd [SODA CYN AT SILVERADO TRL]		A11616
9/10/2014	11:00:21	GG-C194	ENRT	Soda Canyon Rd / Soda Springs Rd [SODA CYN AT SILVERADO TRL]	Responding From = SR37 EUUnnamed Street	A11616
9/10/2014	11:00:21	A21-002	Unit Backed up	SODA CYN AT SILVERADO TRL	Backed up with GG-C194	A11616
9/10/2014	11:02:54	A21-002	ENRT ALT	QVH	Incident ID = 5119199, 0, 0,	A16225
9/10/2014	11:05:54		Read Comment		Comment for Incident 199 was Marked as Read.	A16225

9/10/2014	11:05:57		UserAction		User clicked Exit/Save	A16225
9/10/2014	11:26:33		Read Comment		Comment for Incident 199 was Marked as Read.	A16225
9/10/2014	11:26:39		UserAction		User clicked Exit/Save	A16225
9/10/2014	11:32:23	A22-080	ASSIGN	Soda Canyon Rd / Soda Springs Rd [SODA CYN AT SILVERADO TRL]		A16225
9/10/2014	11:32:28	A22-080	ReAssign Vehicle	SODA CYN AT SILVERADO TRL	ReAssign Reason: RU-Reassign Unit	A16225
9/10/2014	11:32:28		ReAssign Response	SODA CYN AT SILVERADO TRL	Clearing Primary Vehicle Flag	A16225
9/10/2014	11:34:26		UserAction		User clicked Exit/Save	017175
9/10/2014	11:47:02		UserAction		User clicked Exit/Save	017175
9/10/2014	11:52:29	GG-C194	10-97	Soda Canyon Rd / Soda Springs Rd		A16225
9/10/2014	11:54:24	A21-002	*MDC 11-27 INQUIRY: [REDACTED] SODA CANYON	Willis DrRubicon St	[*013727.ID [REDACTED]]	CHPGGP30INT02MS
9/10/2014	11:54:54		UserAction		User clicked Exit/Save	017175
9/10/2014	11:56:53		Read Comment		Comment for Incident 199 was Marked as Read.	A16225
9/10/2014	11:58:41	A21-002	10-8	QVH		A16225
9/10/2014	12:00:48		UserAction		User clicked Exit/Save	A16225
9/10/2014	12:02:56		UserAction		User clicked Exit/Save	017175
9/10/2014	12:07:25		UserAction		User clicked Exit/Save	017175
9/10/2014	12:10:32		Read Comment		Comment for Incident 199 was Marked as Read.	A11900
9/10/2014	12:11:21		UserAction		User clicked Exit/Save	A11900
9/10/2014	12:25:26		UserAction		User clicked Exit/Save	017175
9/10/2014	12:28:26	A21-002	ASSIGN	Soda Canyon Rd / Soda Springs Rd [SODA CYN AT SILVERADO TRL]		A11900
9/10/2014	12:28:26	A21-002	ENRT	Soda Canyon Rd / Soda Springs Rd [SODA CYN AT SILVERADO TRL]	Responding From = Lassen St\Valencia St	A11900
9/10/2014	12:28:26	21-S2	Unit Backed up	SODA CYN AT SILVERADO TRL	Backed up with A21-002	A11900
9/10/2014	12:29:00	21-S2	10-8			A11900
9/10/2014	12:35:31		UserAction		User clicked Exit/Save	A16225
9/10/2014	12:37:26	21-2	Create BOLO Record		BOLO Entry: HOSP - Hospitalized Added By A16225 For Incident# 140910GG01108	A16225
9/10/2014	12:37:39		UserAction		User clicked Exit/Save	A16225
9/10/2014	12:46:04		UserAction		User clicked Exit/Save	017175
9/10/2014	12:46:32	A21-001	ReAssign Vehicle	SODA CYN AT SILVERADO TRL	ReAssign Reason: RU-Reassign Unit	A16225
9/10/2014	12:46:32		ReAssign Response	SODA CYN AT SILVERADO TRL	Clearing Primary Vehicle Flag	A16225
9/10/2014	12:50:31		Read Comment		Comment for Incident 199 was Marked as Read.	A16225
9/10/2014	12:50:38		UserAction		User clicked Exit/Save	A16225
9/10/2014	13:06:13		UserAction		User clicked Exit/Save	017175

9/10/2014	13:08:36	A21-002	*MDC 11-27 INQUIRY: [REDACTED] SODA CANYON	Valle Verde Dr\Shelter Creek Dr	[*013727.ID [REDACTED]]	CHPGGP30INT02MS
9/10/2014	13:08:48	A21-002	*MDC 10-28 INQUIRY: [REDACTED] SODA CANYON	Valle Verde Dr\Shelter Creek Dr	[*013727.IA QV.CA0289925.LIC/[REDACTED].LIS/CA 013727.CM.04.A21-002.SODA CANYON RD SODA SPRINGS RD SODA..1.3000000000.*013727.IV 4 [REDACTED]]	CHPGGP30INT02MS
9/10/2014	13:09:22		Read Comment		Comment for Incident 199 was Marked as Read.	A16225
9/10/2014	13:09:36		UserAction		User clicked Exit/Save	A16225
9/10/2014	13:10:11		UserAction		User clicked Exit/Save	017175
9/10/2014	13:19:23		UserAction		User clicked Exit/Save	A16225
9/10/2014	13:36:31	GG-C194	1098	Arnold Dr\Madrone Rd		CHPGGP30INT02MS
9/10/2014	13:36:31	GG-C194	10-8	Soda Canyon Rd / Soda Springs Rd [SODA CYN AT SILVERADO TRL]		C
9/10/2014	13:36:59		UserAction		User clicked Exit/Save	017175
9/10/2014	13:56:07		UserAction		User clicked Exit/Save	017175
9/10/2014	14:21:55	B21-001	ReAssign Vehicle	SODA CYN AT SILVERADO TRL	ReAssign Reason: RU-Reassign Unit	A16225
9/10/2014	14:21:55		ReAssign Response	SODA CYN AT SILVERADO TRL	Clearing Primary Vehicle Flag	A16225
9/10/2014	14:47:28		UserAction		User clicked Exit/Save	017175
9/10/2014	14:51:29		UserAction		User clicked Exit/Save	017175
9/10/2014	14:59:22		Read Comment		Comment for Incident 199 was Marked as Read.	A16225
9/10/2014	14:59:31		UserAction		User clicked Exit/Save	A16225
9/10/2014	15:07:11		UserAction		User clicked Cancel	A16225
9/10/2014	15:07:14		Cancel Response	SODA CYN AT SILVERADO TRL	Cancellation Reason: RD-Radio Desk, Response Disposition: F-File	A16225
9/10/2014	15:07:14	A21-002	10-8	Soda Canyon Rd / Soda Springs Rd [SODA CYN AT SILVERADO TRL]	Unit Cleared From Incident 140910GG01108	A16225

Date	Time	Field	Changed From	Changed To	Reason	Table	Workstation	User
9/10/2014	09:55:42	Call_Back_Phone		([REDACTED]) [REDACTED]	(Response Viewer)	Response_Master_Incident	GG017	A12320
9/10/2014	09:55:58	Address	(Blank)	SODA CANYON/SILVERADO	New Entry	Response_Master_Incident	GG017	A12320
9/10/2014	09:56:01	Address		Soda Canyon Rd / Silverado Trl	(Response Viewer)	Response_Master_Incident	GG017	A12320
9/10/2014	09:56:01	City		Unincorporated	(Response Viewer)	Response_Master_Incident	GG017	A12320
9/10/2014	09:56:01	State		CA	(Response Viewer)	Response_Master_Incident	GG017	A12320
9/10/2014	09:56:01	Postal_Code		94558	(Response Viewer)	Response_Master_Incident	GG017	A12320
9/10/2014	09:56:01	Latitude	0	38356878	(Response Viewer)	Response_Master_Incident	GG017	A12320

9/10/2014 09:56:01	Longitude	0	122287455	Viewer)	(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:01	Street_Id	NULL	295459		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:01	IntersectionStreetID	NULL	295461		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:01	County		Napa		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:01	Jurisdiction		GG		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:01	Division		21-Napa		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:01	Battalion		21-Napa		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:01	Response_Area		21-23		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:05	Problem		1179-Trfc Collision-1141 Enrt		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:05	Response_Plan		21-23 1 Unit Response		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:05	DispatchLevel		Default		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:05	ResponsePlanType	0	1		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:05	Priority_Description		2		Response_Master_Incident GG017	A12320
9/10/2014 09:56:05	Priority_Number	0	2		Response_Master_Incident GG017	A12320
9/10/2014 09:56:05	Incident_Type		1 CHP Unit Incident		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:11	Location_Name		SODA CYN AT SILVERADO TRL		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:22	Problem	1179-Trfc Collision-1141 Enrt	1183-Trfc Collision-Unkn Inj		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:31	Problem	1183-Trfc Collision-Unkn Inj	1179-Trfc Collision-1141 Enrt		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:42	Caller_Type		Passing Motorist		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:56:45	Caller_Name		██████████ ██████████		(Response Response_Master_Incident GG017 Viewer)	A12320
9/10/2014 09:57:56	Read Call	False	True		(Response Response_Master_Incident GG006 Viewer)	A13332
9/10/2014 09:57:56	Read Comment	False	True		(Response Response_Master_Incident GG006 Viewer)	A13332
9/10/2014 10:10:50	Read Comment	False	True		(Response Response_Master_Incident GG006 Viewer)	A13332
9/10/2014 10:19:29	Read Comment	False	True		(Comment Response_Master_Incident GG006 Notification Window)	A13332
9/10/2014 10:20:08	Read Comment	False	True		(Response Response_Master_Incident GG006 Viewer)	A13332
9/10/2014 10:20:18	Read Comment	False	True		(Comment Response_Master_Incident GG006 Notification Window)	A13332
9/10/2014 10:26:45	Read Comment	False	True		(Comment Response_Master_Incident GG006 Notification)	A13332

9/10/2014 10:29:14	Read Comment	False	True	Window)	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:29:36	Read Comment	False	True	(Comment Notification Window)	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:32:32	Address	Soda Canyon Rd / Silverado Trl	SODA CANY/SODA SPRIN	Address Change	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:32:34	Address	Soda Canyon Rd / Silverado Trl	Soda Canyon Rd / Soda Springs Rd	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:32:34	Latitude	38356878	38389904	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:32:34	Longitude	122287455	122285411	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:32:34	Street_Id	295459	290472	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:32:34	IntersectionStreetID	295461	290465	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:32:34	Response_Area	21-23	21-002	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:32:34	Response_Plan	21-23 1 Unit Response	21-002 1 Unit Response	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:32:34	Address	SODA CANY/SODA SPRIN	Soda Canyon Rd / Soda Springs Rd	Change Verified	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:33:32	Read Comment	False	True	(Comment Notification Window)	(Response Viewer)	Response_Master_Incident GG006	A13332
9/10/2014 10:35:53	Read Comment	False	True	(Comment Notification Window)	(Response Viewer)	Response_Master_Incident GG006	A16225
9/10/2014 10:41:22	Read Comment	False	True	(Comment Notification Window)	(Response Viewer)	Response_Master_Incident GG006	A16225
9/10/2014 10:52:40	Read Comment	False	True	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A16225
9/10/2014 11:05:54	Read Comment	False	True	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A16225
9/10/2014 11:26:33	Read Comment	False	True	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A16225
9/10/2014 11:56:53	Read Comment	False	True	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A16225
9/10/2014 12:10:32	Read Comment	False	True	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG005	A11900
9/10/2014 12:50:31	Read Comment	False	True	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A16225
9/10/2014 13:09:22	Read Comment	False	True	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A16225
9/10/2014 14:59:22	Read Comment	False	True	(Response Viewer)	(Response Viewer)	Response_Master_Incident GG006	A16225

No Custom Time Stamps

Description

EMS

FIRE

LAW

Data

NAPA CNTRL DISP

CALFIRE NAP SON

CO

NAPSO

User

A12320

A12320

A12320

No Attachment

EXHIBIT “15”

EXHIBIT “15”

EXHIBIT “15”



Exhibit 15
5.2a Canyon Road
Mile 4.85

EXHIBIT “16”

EXHIBIT “16”

EXHIBIT “16”

California Department of Forestry and Fire Protection (CALFIRE) Soda Canyon/Loma Vista Road Incident Report Summary Jan. 2007 to Apr. 2015

Date	Incident/Event No.	Incident Type/Description	Location of Incident	Alarm Time/Incident Call Received	Clear Time/Incident Closed
1/29/2007	7010149	Fire, Smoke Check	2439 Soda Canyon Road	10:24 AM	11:55 AM
3/16/2007	1603	EMS call, excluding vehicle accident with injury.	1035 Soda Canyon Road	5:22 PM	5:27 PM
3/16/2007	7001897	Lifeline alarm. Medical.	1035 Soda Canyon Road	5:22 PM	5:45 PM
9/2/2007	6542	Mobile property (vehicle) fire that burned 1/4 acres of grass under some grape vines. B-1407, Engine 25, Engine 2163 responded. Property owner was driving golf cart to feed chickens. The vehicle over heated and melted the wires and dropped slash on the ground and started the grass fire.	1200 Soda Canyon Road	12:05 PM	1:33 PM
9/2/2007	7007436	Fire, Wildland.	1200 Soda Canyon Road	12:04 PM	1:39 PM
9/29/2007	7408	Extrication/disentanglement of victim(s) from vehicle. Engine 25 responded to vehicle roll over with a fire. A full wildland dispatch was started. Upon arrival, found a single vehicle off the roadway with no fire involved. Released to CHP.	2150 Soda Canyon Road	7:58 AM	8:36 AM
9/29/2007	7998385	Medical, traffic collision.	2100 Soda Canyon Road	7:58 AM	8:37 AM
10/9/2007	7739	Good intent call. Engine 1472 responded to a smoke check in the area of 3201 Soda Canyon Road.	3201 Soda Canyon Road	10:06 AM	10:40 AM
10/9/2007	7008745	Fire, smoke check.	2108 Soda Canyon Road	10:03 AM	10:48 AM
11/23/2007	8883	Brush, or brush and grass fire mixture. Engine E1470 responded to illegal control burn. Property owner had adequate clearance and water supply, however it was a no burn day.	2000 Soda Canyon Road	6:34 PM	8:28 PM
11/23/2007	7010012	Fire, Wildland	2000 Soda Canyon Road	6:32 PM	8:39 PM
11/29/2007	9006	False alarm, or false call, other. Smoke investigation. Legal control burn found at 2150. Several burn piles containing olive trees.	2150 Soda Canyon Road	10:46 AM	11:29 AM
3/10/2008	1717	Building fire. 1 or 2 family dwelling.	2001 Soda Canyon Road	9:34 PM	Closed 3/11/08 3:54 PM
3/10/2008	8002148	Fire, Residential	2001 Soda Canyon Road	3/10 08 9:32PM	Closed 3/15/2008 12:29 PM

7/17/2008	5694	Brush, or brush and grass mixture fire. Engine arrived at scene of a vegetation fire at 3700 Soda Canyon Road. Upon arrival the fire had been extinguished by locals. The fire burned about half an acre of grass and brush. The fire started under a power pole.	3700 Soda Canyon Road	8:00 AM	11:00 AM
7/17/2008	8006646	Fire, Wildland	3700 Soda Canyon Road	7:59 AM	12:23 PM
8/26/2008	7008	Motor vehicle accident with no injuries. Engine 25 arrived at scene with a single vehicle in the ditch. Provide first aid and check for injuries.	2882 Soda Canyon Road	10:37 PM	11:03 PM
8/26/2008	8008082	Med, Traffic Collision	2882 Soda Canyon Road	10:36 PM	11:25 PM
1/15/2009	312	Passenger vehicle fire. Engine 25 dispatched to vehicle fire. The fire had been extinguished by the property owner.	1156 Soda Canyon Road	9:34 AM	9:57 AM
1/15/2009	9000370	Fire, Veh Passenger	1156 Soda Canyon Road	9:34 AM	10:05 AM
1/21/2009	445	Authorized controlled burning. Determined to be a legal control burn in a vineyard and orchard.	1000 Soda Canyon Road	11:03 AM	11:23 AM
1/21/2009	9000523	Fire, Wildland	1000 Soad Cny Rd- Elementary School	11:00 AM	11:43 AM
3/3/2009	1272	Smoke scare, odor of smoke. FSR Napa responded to a tone out for a structure fire; ended up being smoke in a structure caused by the HVAC system pulling smoke from the fireplace.	2439 Soda Canyon Road	5:23 AM	6:17 AM
3/3/2009	9001517	Fire, Residential	2439 Soda Canyon Road	5:22 AM	6:53 AM
9/30/2009	7299	Brush, or brush and grass mixture fire. Small roadside vegetation fire that burned up an embankment and bumped into a road. NCFD Chipper Crew first fire resource at scene. NCFD crew took action and kept the fire in check until CalFire resources arrived.	2929 Soda Canyon Road	3:39 PM	5:51 PM
9/30/2009	9008547	Fire, Wildland	2929 Soda Canyon Road	3:38 PM	6:09 PM
10/28/2009	8131	False alarm or false call, other. Engine 1493 responded to a smoke check and was UTL.	Soda Canyon Road	2:11 AM	2:33 AM
10/28/2009	9009516	Fire, Smoke Check	2000 Soda Canyon Road	2:10 PM	2:52 PM
6/20/2010	10005172	Fire, Smoke Check	2500 Soda Canyon Road	11:27 AM	12:25 PM
7/19/2010	10006454	Fire, Wildland	1000 Blk Chimney Rock Road	7:36 PM	9:21 PM
8/16/2010	10007593	Fire, Wildland	Soda Canyon Store	5:35 PM	7:14 PM
1/1/2011	11000036	Medical.	1080 Soda Canyon road	8:48 PM	9:30 PM

1/1/2011	11000036	Medical	1080 Soda Canyon Road	8:48 AM	9:30 AM
1/24/2011	11000753	Medical	1080 Soda Canyon Road	6:12 PM	7:13 PM
2/21/2011	11001851	Fire, Residential	3396 Soda Canyon Road	1:47 PM	7:54 PM
3/8/2011	11002335	Medical	1080 Soda Canyon road	10:42 AM	11:10 AM
3/29/2011	11003260	Medical	1080 Soda Canyon Road	10:57 PM	11:19 PM
4/2/2011	11003394	Medical	1900 Soda Canyon Road	3:42 PM	4:35 PM
4/28/2011	11004335	Medical	1080 Soda Canyon road	8:17 PM	8:47 PM
5/10/2011	11004722	Fire, Residential Alarm	1320 Soda Canyon Road	3:56 AM	Closed 6/23/2011
7/9/2011	11007084	Medical	3366 Soda Canyon Road	9:25 AM	10:12 AM
8/15/2011	11008484	Medical	1110 Soda Canyon Road	1:43 PM	2:28 PM
8/20/2011	11008703	Fire, Wildland	3090 Soda Canyon Road	7:17 PM	Closed 8/21/11 1:35 PM
9/14/2011	11009650	Med, Traffic Collision	2000 Soda Canyon Road	9:54 AM	11:57 AM
9/17/2011	11009745	Medical	1202 Soda Canyon Road	8:42 AM	9:55 AM
9/20/2011	11009877	Medical	3366 Soda Canyon Road	3:00 PM	4:31 PM
9/25/2011	11010066	Med, Traffic Collision	2441 Soda Canyon Road	11:41 AM	1:14 PM
9/30/2011	11010280	Medical	1110 Soda Canyon Road	12:49 PM	1:08 PM
10/10/2011	11010684	Medical	3366 Soda Canyon Road	11:12 AM	11:58 AM
10/22/2011	11011087	Fire, Smoke Check	3540 Soda Canyon Road	1:58 AM	3:56 AM
10/24/2011	11011149	PA, Person Lift a Vehicle off a Dog, Auto vs Dog	3465 Soda Canyon Road	9:28 AM	12:02 PM
10/30/2011	11011313	PA, Other	1202 Soda Canyon Road	6:57 AM	7:57 AM
11/1/2011	11011426	Fire, Wildland	1035 Loma Vista Dr	8:31 PM	Closed 12/6/11 1:21 PM
11/2/2011	11011446	Fire, False Alarm	3700 Soda Canyon Road	7:25 AM	8:08 AM
11/2/2011	11011440	Fire, False Alarm	3700 Soda Canyon Road	3:04 AM	5:06 AM
11/2/2011	11011466	Fire, Wildland	2500 Soda Canyon Road	4:43 PM	Closed 11/3/11 2:40 PM
11/3/2011	11011505	Medical	3366 Soda Canyon Road	9:12 PM	10:14 PM
11/10/2011	11011700	Medical	1110 Soda Canyon Road	8:02 AM	8:23 AM
12/1/2011	11012293	Fire, Wildland	1950 Soda Canyon Road	7:26 PM	8:44 PM
12/12/2011	11012606	Medical	1202 Soda Canyon Road	2:09 PM	2:27 PM
12/15/2011	11012683	PA, Person	1202 Soda Canyon Road	12:17 AM	12:33 AM
2/2/2012	12001038	Medical. Someone to flag in from the mailbox, construction in the driveway.	3396 Soda Canyon Road	11:27 AM	3:09 PM
2/2/2012	12001038	Medical	3396 Soda Canyon Road	11:27 AM	3:09 PM
2/4/2012	12001111	Med, Traffic Collision	2362 Soda Canyon Road	6:45 PM	7:43 PM
2/13/2012	12001341	Medical	1169 Soda Canyon Road	6:10 AM	6:51 AM
2/19/2012	12001531	Medical	3366 Soda Canyon Road	6:07 AM	7:06 AM

2/23/2012	12001659	Fire, Wildland	3247 Soda Canyon Road	12:31 PM	Closed 2/27/12 6:40 PM
4/7/2012	12003003	PA, Other Propane Tank Making Noise; Noise from Vineyard Fan	2077 Soda Canyon Road	1:46 AM	3:14 AM
4/14/2012	12003212	OTH, Cover Burn Tree Debry	3399 Soda Canyon Road	10:16 AM	6:51 PM
4/21/2012	12003425	Medical	1222 Soda Canyon Road	7:32 AM	8:30 AM
4/25/2012	12003536	OTH, Cover Control Burn	3267 Soda Canyon Road	7:15 AM	12:53 PM
5/12/2012	12004063	Medical	1160 Soda Canyon Road	7:41 AM	8:25 AM
6/15/2012	12005363	PA, Person Vehicle leaking fuel, Tow wants FIRE to clear Vehicle	Soda Canyon Store	12:49 PM	1:09 PM
6/18/2012	12005515	Med, Traffic Collision	2368 Soda Canyon Road	3:56 PM	4:34 PM
6/20/2012	12005581	Medical	1180 Soda Canyon Road	5:15 AM	5:42 AM
6/27/2012	12005852	Medical	1180 Soda Canyon Road	3:41 AM	4:31 AM
6/28/2012	12005938	Medical	1180 Soda Canyon Road	9:18 PM	10:10 PM
7/10/2012	12006482	Medical	3091 Soda Canyon Road	9:44 AM	11:53 AM
8/3/2012	12007535	Medical	3201 Soda Canyon Road	11:33 AM	12:03 PM
8/11/2012	12007911	PA, Other	1185 Soda Canyon Road	5:12 PM	5:30 PM
10/15/2012	12010286	Fire, Wildland	1107 Silverhill CT	1:52 PM	2:02 PM
2/16/2013	13001475	Fire, Debris.	3000 Soda Canyon Road	11:21 AM	Closed 2/22/13 3:25 PM
2/22/2013	13001475	Fire, debris.	3000 Soda Canyon Road	11:21 AM	3:25 PM
5/1/2013	13003968	Fire, Wildland	1314 Soda Canyon Road	6:23 PM	Closed 5/4/13 6:20 PM
5/14/2014	14004529	Medical.	1990 Soda Canyon Road	10:17 AM	11:12 AM
5/14/2014	14004529	Medical	1990 Soda Canyon Road	10:17 AM	11:12 AM
6/3/2014	14005356	Medical	1990 Soda Canyon Road	4:37 AM	5:53 AM
7/11/2014	14007194	Medical	1990 Soda Canyon Road	12:30 AM	1:40 AM
8/1/2014	14008107	Hazmat	1900 Soda Canyon Road	2:49 PM	3:50 PM
8/7/2014	14008369	Fire, False Alarm	Soda Canyon Store	3:17 AM	4:55 AM
8/24/2014	14009119	PA, Person	1169 Soda Canyon Road	4:20 AM	6:19 AM
8/24/2014	14009155	Fire, False Alarm	2275 Soda Canyon Road	10:46 AM	11:33 AM
8/31/2014	14009489	Fire, False Alarm	2275 Soda Canyon Road	8:49 AM	9:15 AM
9/10/2014	14009921	Med, Traffic Collision	2700 Soda Canyon Road	9:54 AM	2:42 PM
10/3/2014	14010860	Medical	1990 Soda Canyon Road	2:02 PM	2:43 PM
10/3/2014	14010878	Medical	1990 Soda Canyon Road	10:01 PM	12:32 AM
10/6/2014	14010997	Med, Traffic Collision	2275 Soda Canyon Road	10:50 AM	11:18 AM
10/12/2014	14011264	Medical	2077 Soda Canyon Road	10:09 AM	10:14 AM
10/12/2014	14011266	Medical	2077 Soda Canyon Road	10:23 AM	11:08 AM
11/3/2014	14012084	Medical	2291 Soda Canyon Road	4:20 AM	5:06 AM

11/16/2014	14012558	Hazmat	1410 Soda Canyon Road	12:40 PM	Closed 11/17/14 9:35 AM
11/17/2014	14012602	Medical	2354 Soda Canyon Road	1:18 PM	1:42 PM
12/16/2014	14013726	Hazard, Tree Down West Bound Lane	2100 Soda Canyon Road	5:03 AM	5:46 AM
2/14/2015	15001878	Medical	1407 Soda Canyon Road	2:40 PM	3:19 PM
2/22/2015	15001788	Hazard, electrical. Hazard tree down.	1900 Soda Canyon Road	7:52 AM	8:19 AM
2/22/2015	15001788	Haz, Electrical, Tree Down w/ Possible Phone Wires in Roadway	1900 Soda Canyon Road	7:52 AM	8:19 AM
2/27/2015	15001975	PA, Person	1218 Soda Canyon Road	8:54 AM	9:10 AM
4/6/2015	15003296	Fire, Wildland	1220 Soda Canyon Road	3:45 PM	Closed 4/13/15 7:43 AM

Source: California Department of Forestry and Fire Protection: Interagency Report of Incident and Dispatch Action; California All Incident Reporting System (CAIRS)



Interagency Report of Incident and Dispatch Action

Incident Number: 13-CALNU 002964
 Incident Name: SODA
 Event Number: 13003968

Detail Report-All Segment

Incident Location

Incident Status: CLS

Location: 1314 SODA CANYON RD ,NAPA	Apartment:	
Lo Cross: 1199 BLK SHADY OAKS DR	Hi Cross: LOMA VISTA DR	
City: NAPA County: NAPA	Map Page: 429_G_3	
Loc Com:		
Latitude: 38.370994	Agency: CALNU	Dispatch Zone: 9
Longitude: -122.283253	Jurisdiction: CALNU	Battalion: 1416
Legal: 15_T06N_R04W_M	DPA Agency: CANPA	Resp. Area: N61
UTM: 10 562611 4247222		Atom: N61
LEGAL 15_T06N_R04W_M	0	

Reporting Party Information

Caller Name: [REDACTED]	Caller Phone:
Caller Loc:	Call Source: 911

Incident Type/Response Information

Final Incident Type: FIRE, WILDLAND	Initial Incident Type: FIRE, WILDLAND	
Dispatch Level: L	Response Plan: NYWB	Response Level: 1

Incident Date/Time Summary

Incident Call Rec.:	05/01/2013	18:23:42		
Incident Keystroke:	05/01/2013	18:23:42	Personnel ID	CAD Workstation
Incident Entry:	05/01/2013	18:25:40	LKARLOW	LNUCAD01
Incident Dispatch:	05/01/2013	18:27:20	CDUNCAN	LNUCAD01
Incident Closed:	05/04/2013	18:20:18		

Fire Information

Status:	Contained:	Controlled:
Fire Report Person:	MILLOSOVICH	Total Acres Burned : 20
Investigation Report Person:		

Time Summary:					
WAI	DSP	ENR	ONS	AAC	CLS
18:25.40	18:27.20	18:30.08	18:40.08	18:09.09	18:20.18

Sample Reports



Interagency Report of Incident and Dispatch Action

Incident Number: 12-CALNU 001216
 Incident Name: SODA
 Event Number: 12001659

Detail Report-All Segment

Incident Location Incident Status: CLS

Location: 3247 SODA CANYON RD ,NAPA Apartment:
 Lo Cross: DRIVEWAY Hi Cross: DEAD-END
 City: NAPA Map Page: 409_F_1
 County: NAPA
 Loc Com:

Latitude: 38.435148 Agency: CANPA Dispatch Zone: 9
 Longitude: -122.296923 Jurisdiction: CANPA Battalion: 1416
 Legal: 22_T07N_R04W_M DPA Agency: CALNU Resp. Area: N26
 UTM: 10 561362 4254331 Atom: N26

LEGAL 22_T07N_R04W_M 0

Reporting Party Information

Caller Name: [REDACTED] Caller Phone:
 Caller Loc: Call Source: 911

Incident Type/Response Information

Final Incident Type: FIRE, WILDLAND Initial Incident Type: FIRE, WILDLAND
 Dispatch Level: L Response Plan: FWL6 Response Level: 1

Incident Date/Time Summary

Event	Date/Time	Personnel ID	CAD Workstation
Incident Call Rec.:	02/23/2012 12:31:32		
Incident Keystroke:	02/23/2012 12:31:32		
Incident Entry:	02/23/2012 12:32:50	SPUTMAN	LNUCAD01
Incident Dispatch:	02/23/2012 12:35:23	SPUTMAN	LNUCAD01
Incident Closed:	02/27/2012 16:40:41		

Fire Information

Status: CTRL Contained: 02/25/2012 21:29:00 Controlled: 02/26/2012 20:00:00
 Fire Report Person: BENGUEREL Total Acres Burned : 200
 Investigation Report Person:

Time Summary:

WAI	DSP	ENR	ONS	AAC	CLS
12:32.50	12:35.23	12:38.00	12:56.29	17:15.14	16:40.41

EXHIBIT “17”

EXHIBIT “17”

EXHIBIT “17”



Exhibit 17a
Vehicle crash at
APN: 033-500-033
June 2015



Exhibit 17b
Vehicle Crash at
APN: 039-500-033
June 2015

EXHIBIT “18”

EXHIBIT “18”

EXHIBIT “18”



Exhibit 18a
Car Crash at 2441
502a Langton Road
Sept. 2015



Exhibit 18b

Car Crash at 2441

Soda Canyon Rd.

Sept. 2015



Exhibit 18c

Car Crash at 2441

Solar Canyon Rd.

Sept. 2015



Exhibit 182
Car Crash
24x1 SCR
Sept. 2015



Exhibit 18e
Car Crash
2441 SCR

Sept. 2015



Exhibit 18F
Car Crash
2441 SCR
Sept 2015



Exhibit 18g

Car crash location

2441 SCR

sept. 2015

Exhibit 18h
Car crash location
2441 3CR
Sept. 2015

00 00



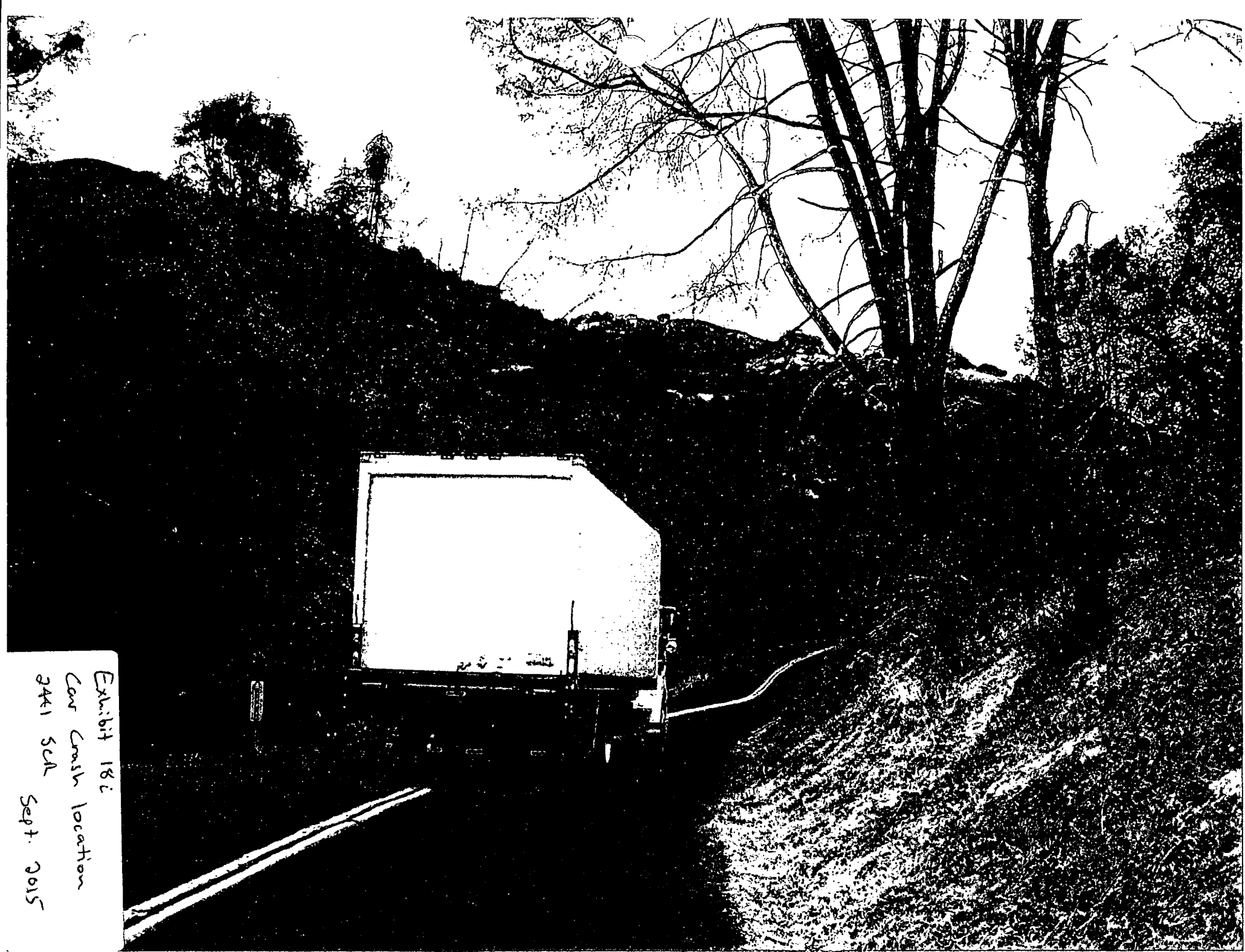


Exhibit 18i
Car Crash location
3441 SCA
Sept. 2015

EXHIBIT “19”

EXHIBIT “19”

EXHIBIT “19”

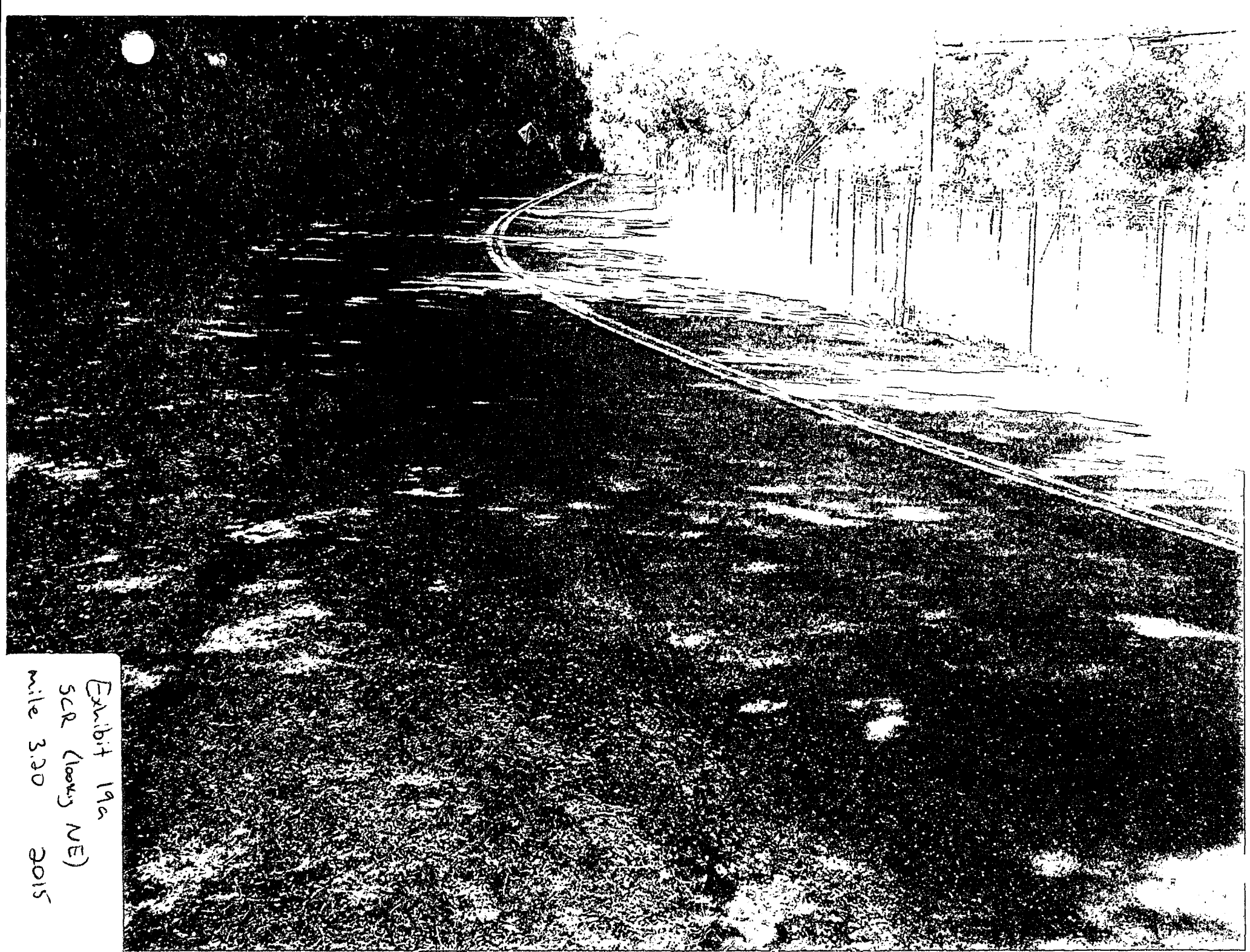


Exhibit 19a
SCR (looking NE)
mile 3.20 2015

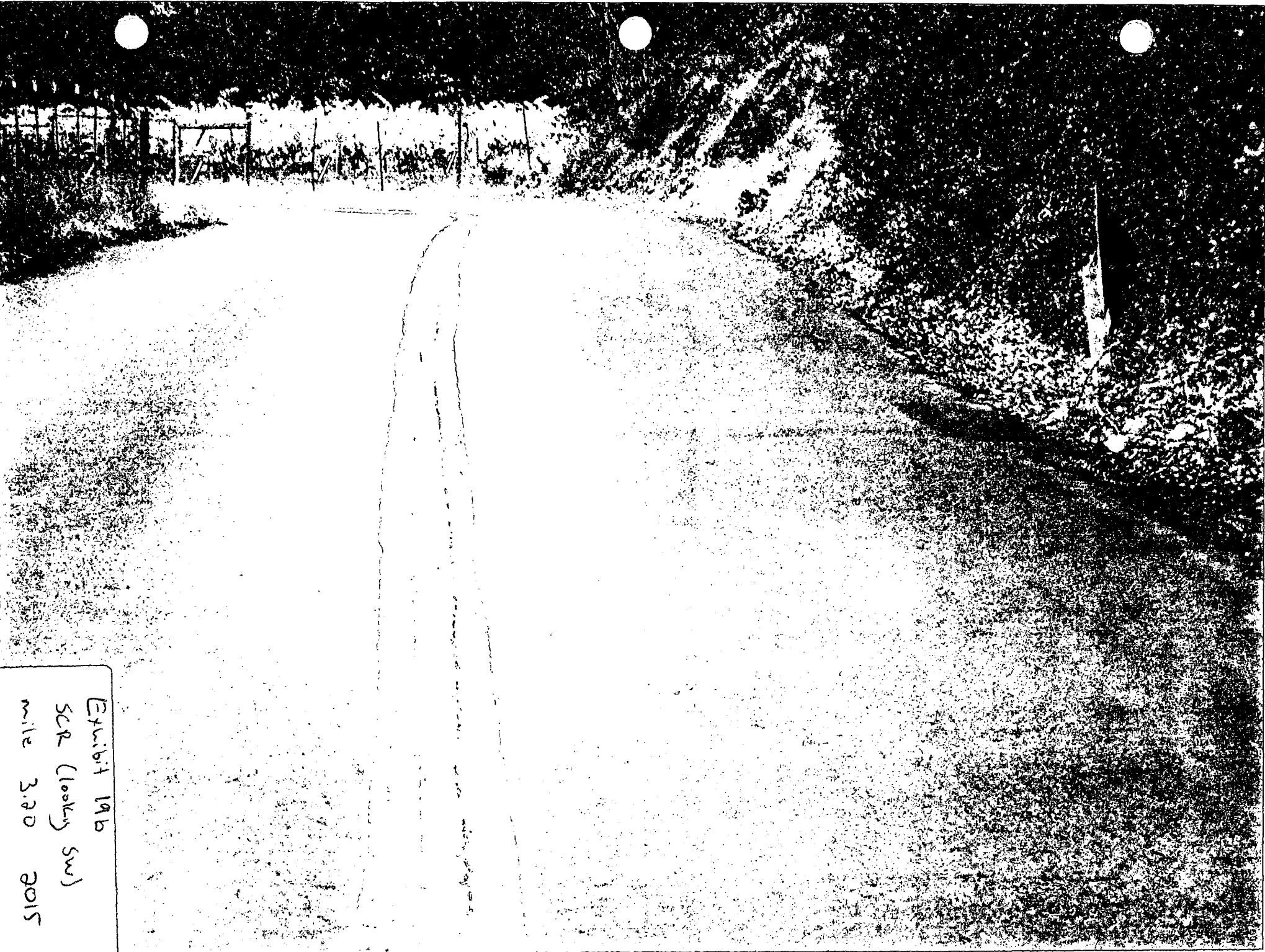


Exhibit 19b
SCR (looking SW)
mile 3.20 2015

EXHIBIT “20”

EXHIBIT “20”

EXHIBIT “20”

MODERNA

NAD

CSA

Exhibit 20a
Beer bottle on SCR

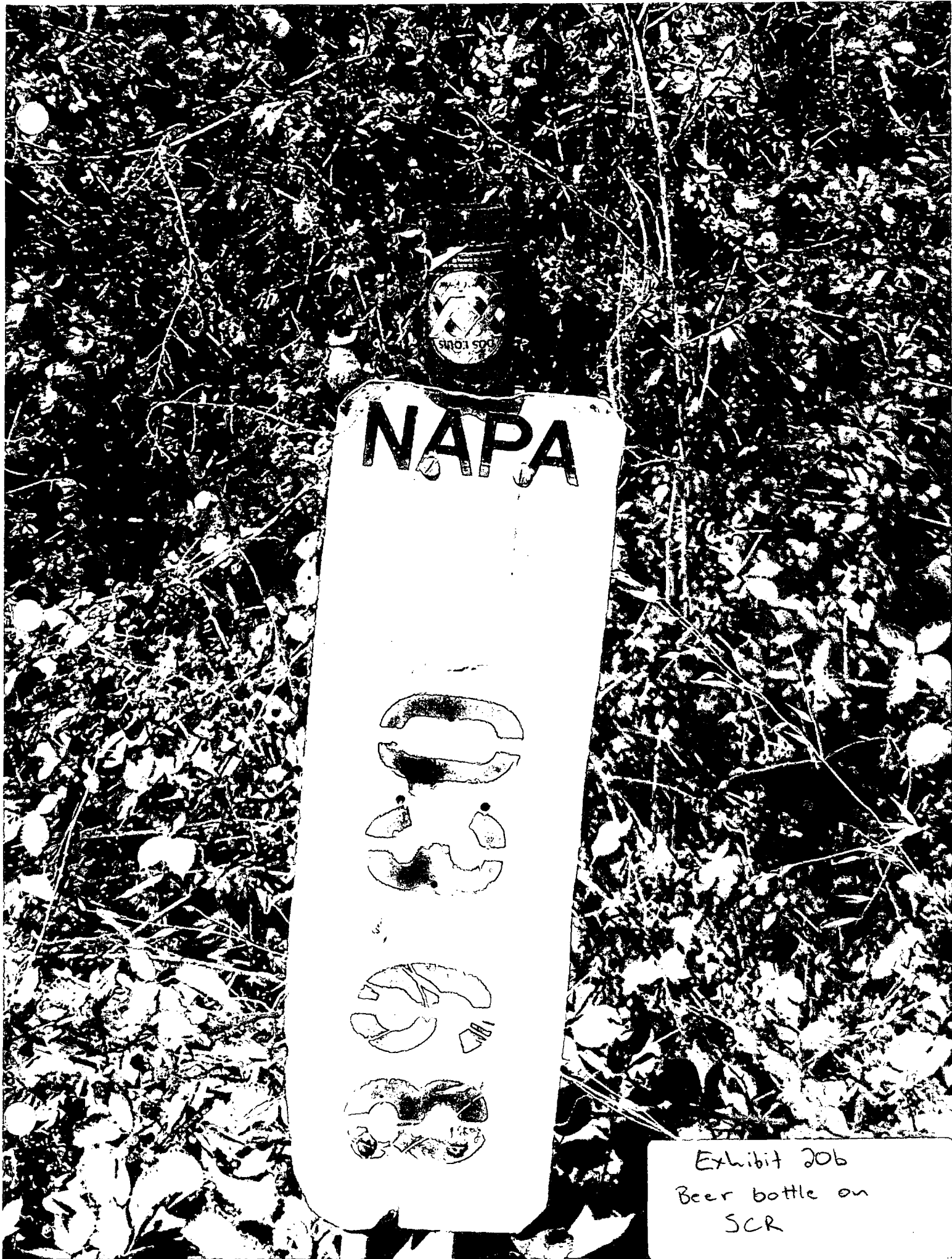


Exhibit 206
Beer bottle on
SCR



Exhibit 20c
Beer bottle on
SCR



Exhibit 20d
Beer bottle on
SCR

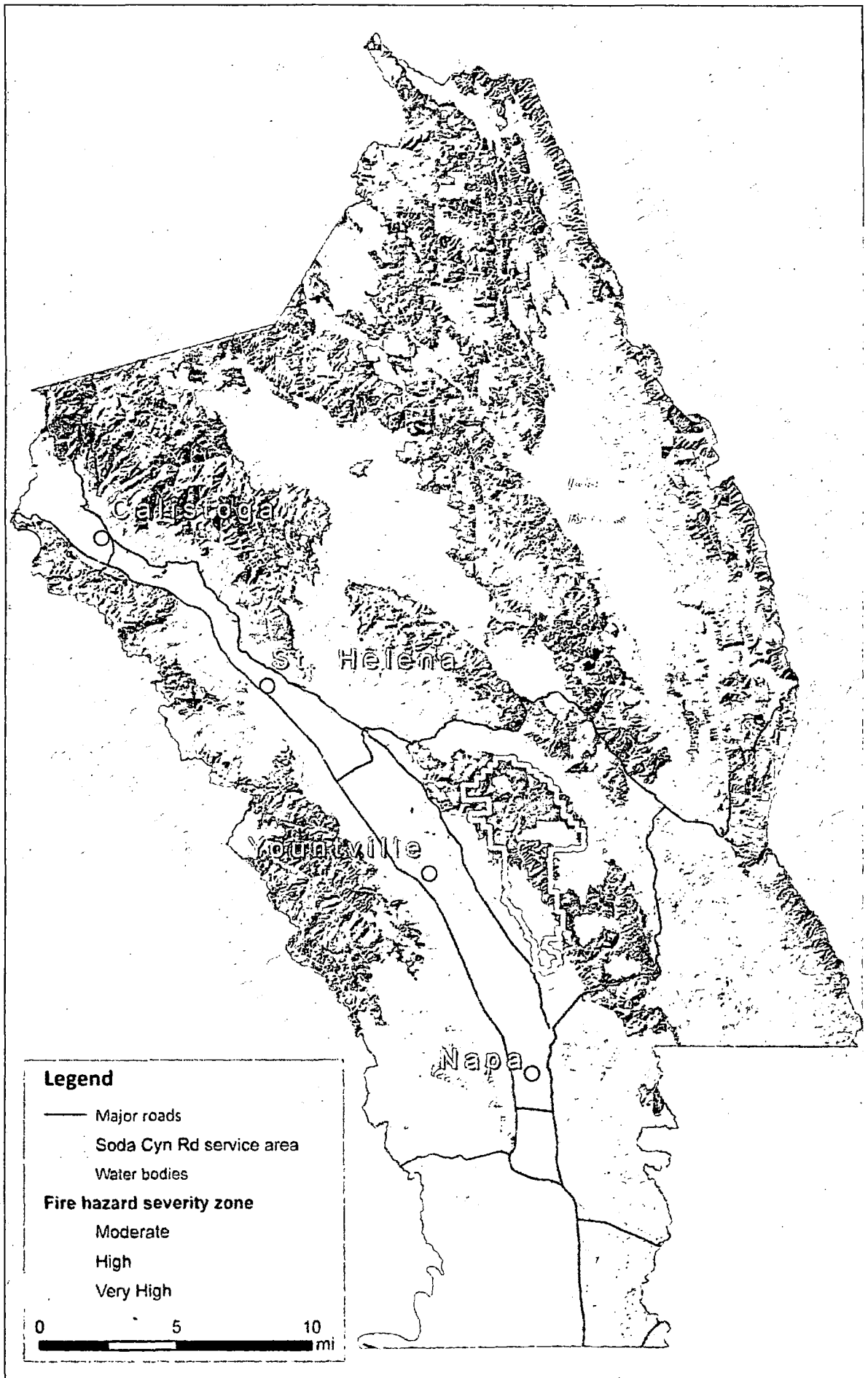
Exhibit 20e
Beer bottles on
SCR



EXHIBIT “21”

EXHIBIT “21”

EXHIBIT “21”

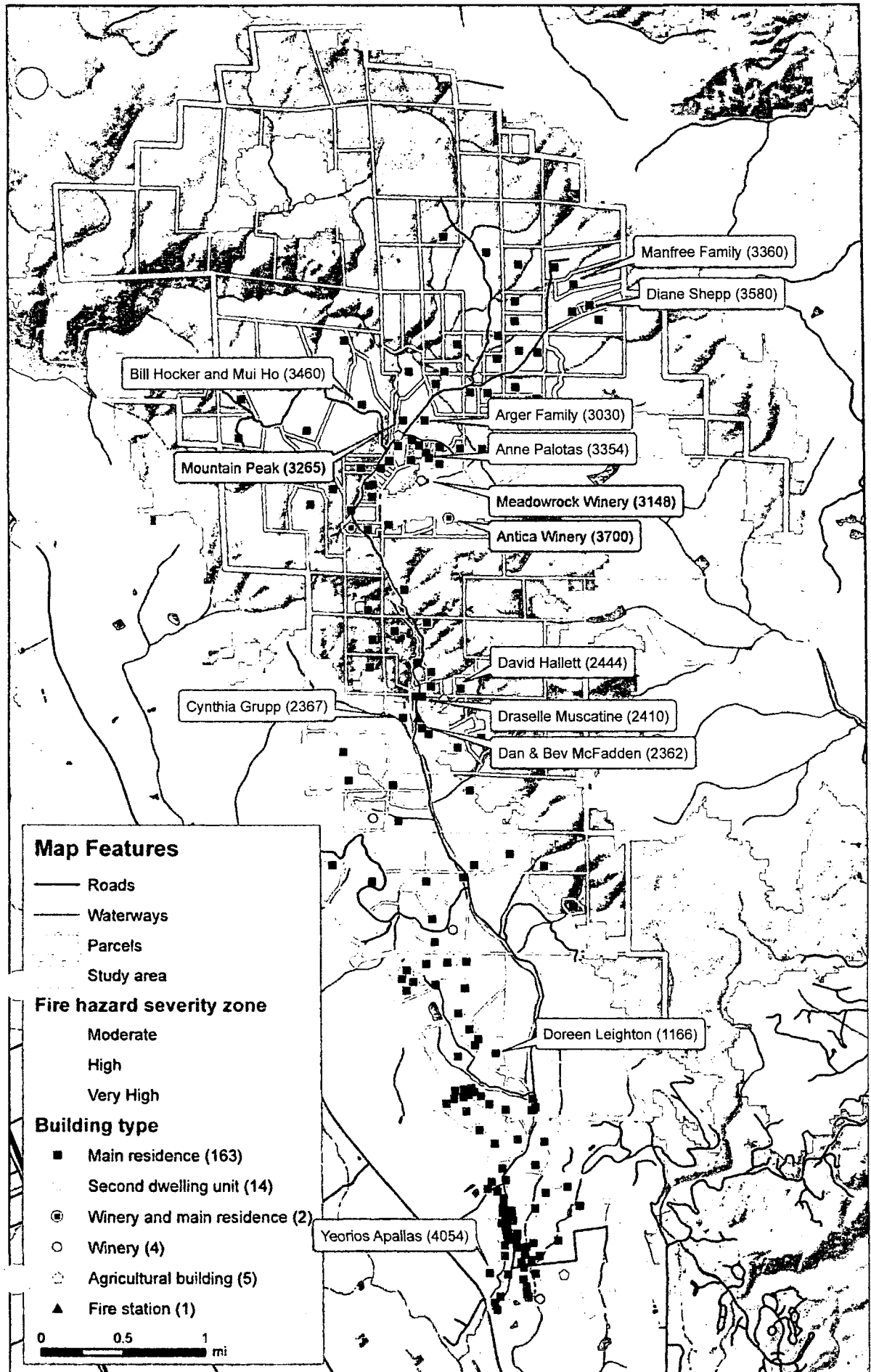


Napa County Fire Hazard Severity Zones and Soda Canyon Road Service Area

EXHIBIT “22”

EXHIBIT “22”

EXHIBIT “22”



Fire Hazard Severity Zones and Property Locations

EXHIBIT “23”

EXHIBIT “23”

EXHIBIT “23”

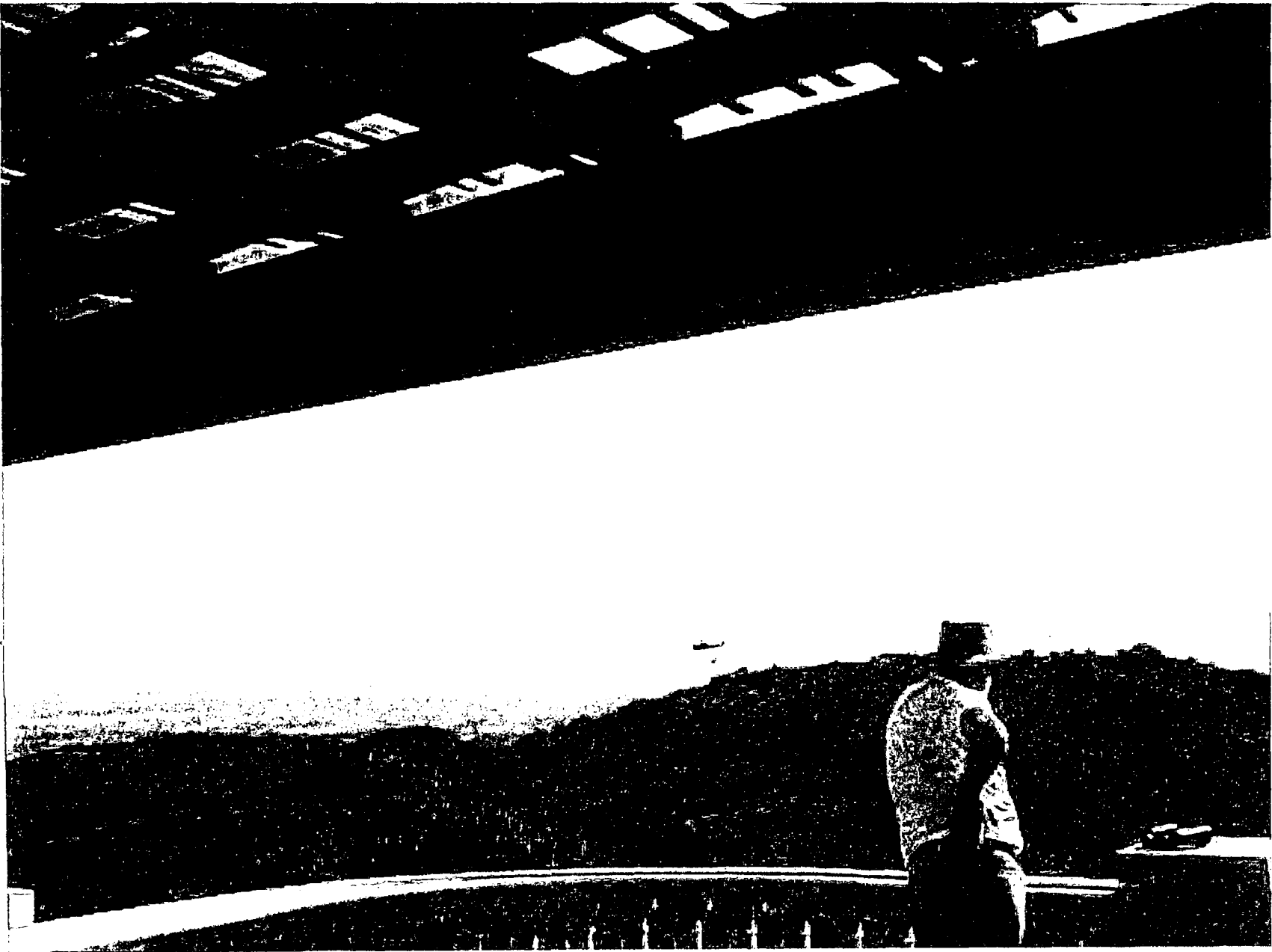


Exhibit 93a
May 2003 fire
Sola Canyon Road

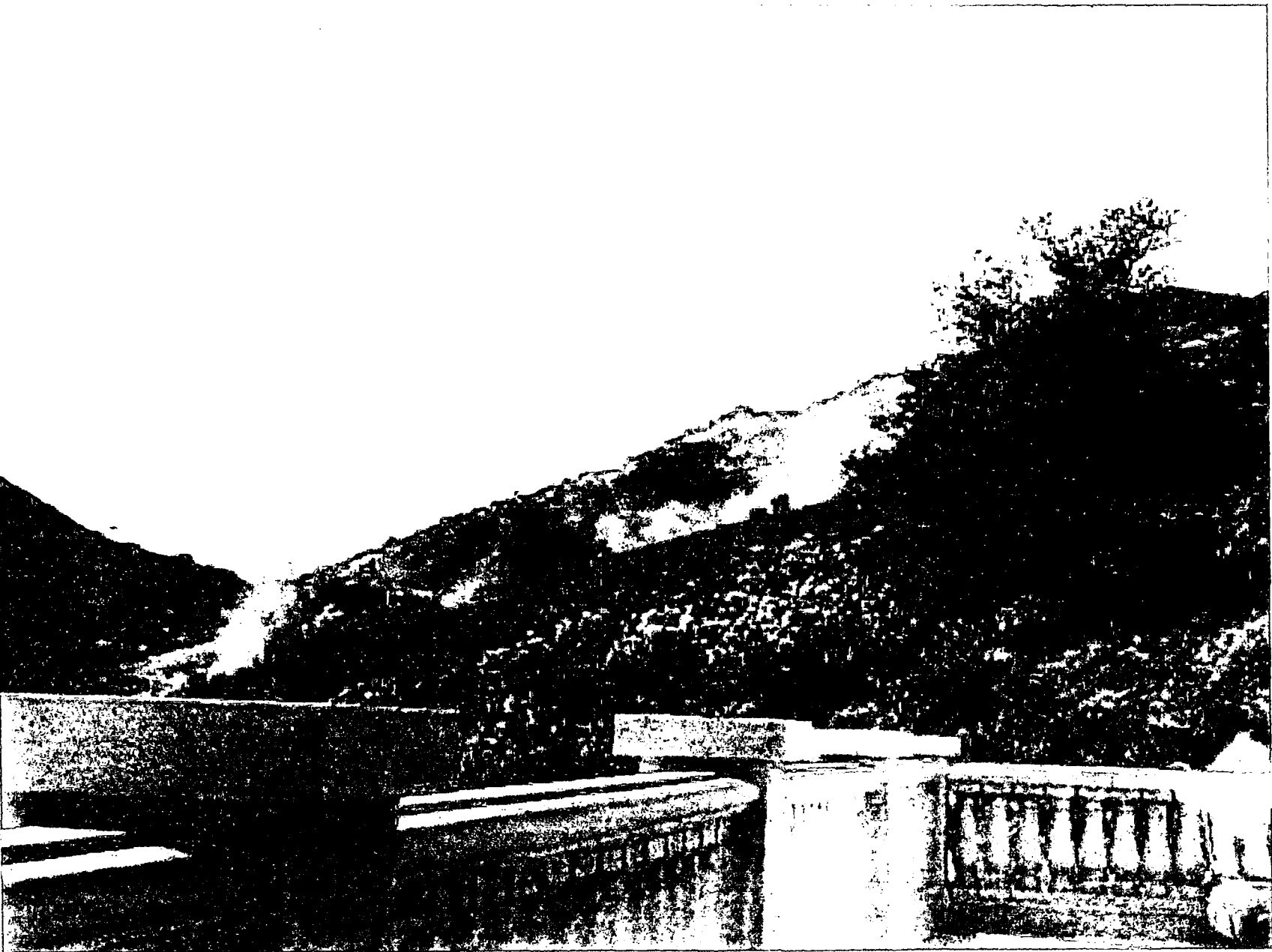


Exhibit 03b
May 2003
SCR Fire



Exhibit 33c
May 2003
SCR Fire



Exhibit 232
May 2003
SCR Fire



Exhibit 23c
May 2003
SCR Fire

EXHIBIT “24”

EXHIBIT “24”

EXHIBIT “24”

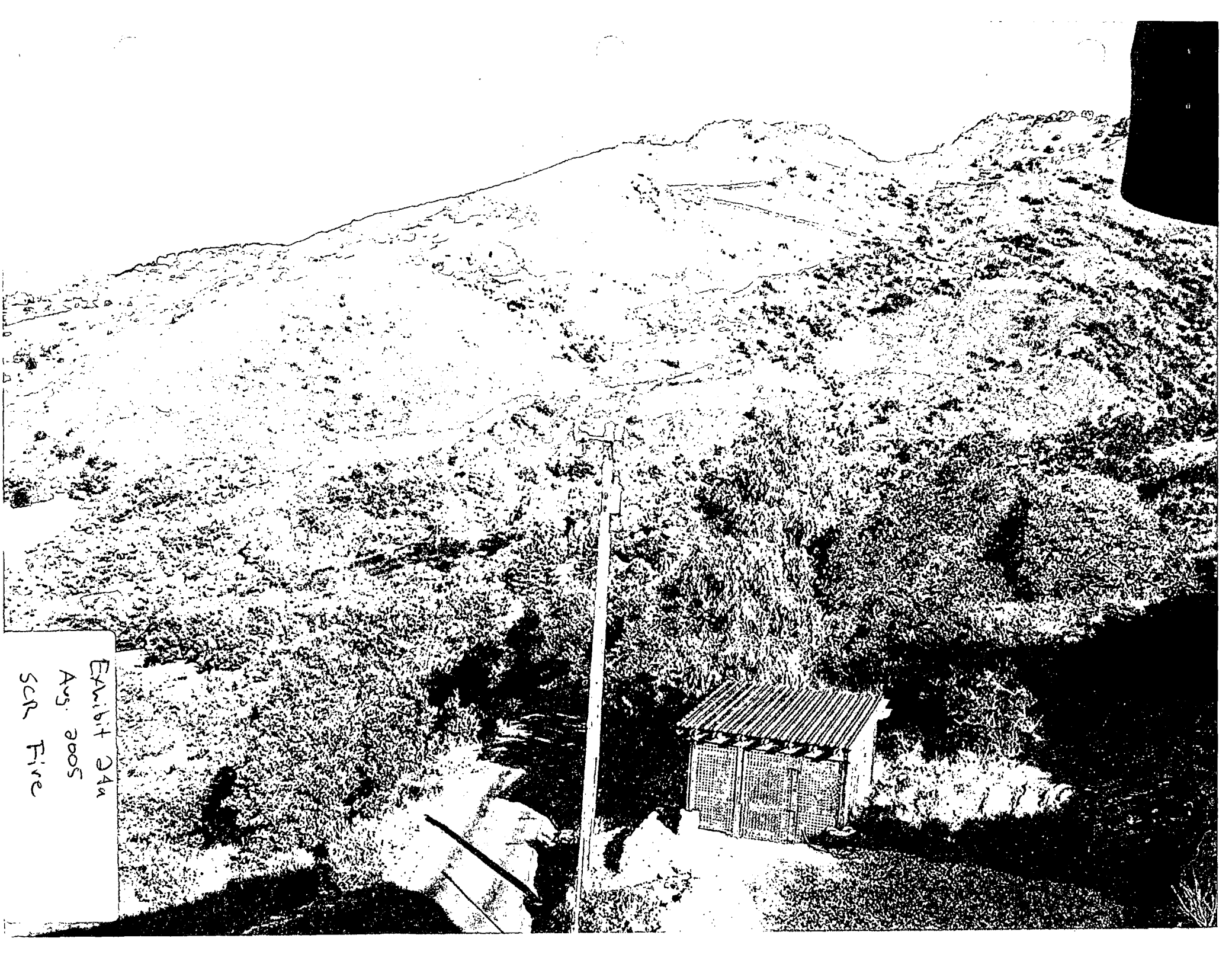


Exhibit 24a
Aug. 2005
SCR Five




Exhibit 24b
Aug. 2005
Soda Canyon Road
Fire



Exhibit 24
Aug. 2005 Fine
SCR



Exhibit 242
Aug. 2005 Fire
SCL

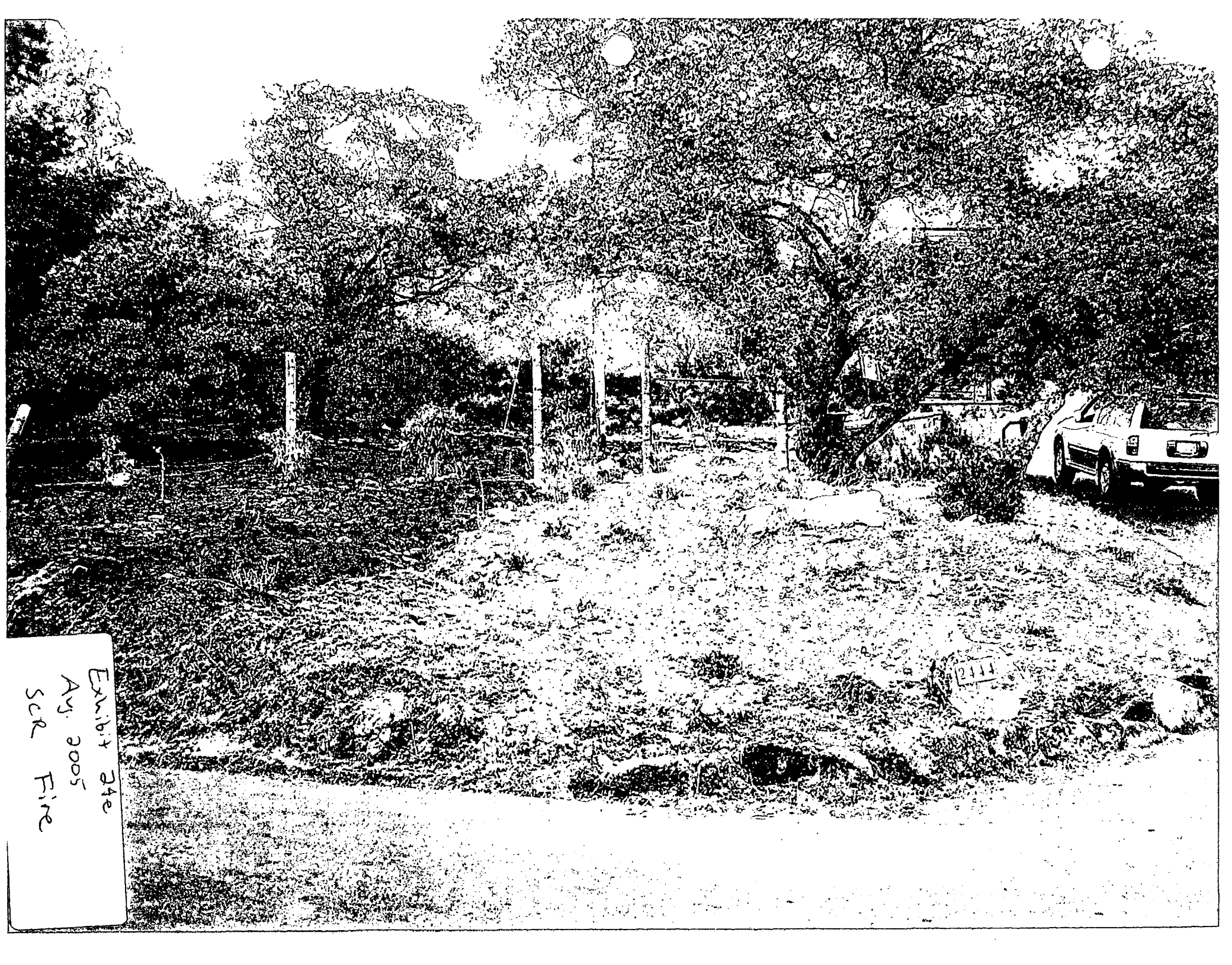


Exhibit 24e
AY: 2005
SCR Fire

2414

EXHIBIT “25”

EXHIBIT “25”

EXHIBIT “25”



Incident Information

Last modified on Nov 02, 2011

LOMA FIRE

Loma Fire Incident Information:

Last Updated:	November 2, 2011 8:30 am	FINAL
Date/Time Started:	November 1, 2011 9:05 pm	
Administrative Unit:	CAL FIRE Sonoma-Lake-Napa Unit	
County:	Napa County	
Location:	Loma Vista Dr & Soda Canyon Rd, north of the City of Napa	
Estimated - Containment:	90 acres - 100% contained.	

California Statewide Fire Map

2016 Calif...

Map data ©2016 Google, INEGI Terms
View California Fire Map in a larger map

LOMA FIRE MORE INFO

- Loma Fire Information
- Telephone Numbers
- Special Notices

Exhibit 25a



Interagency Report of Incident and Dispatch Action

Incident Number: 11-CALNU 008829
 Incident Name: SODA
 Event Number: 11011426

Detail Report-All Segment

Incident Location

Location: 1035 LOMA VISTA DR ,NAPA
 Lo Cross: 1409 BLK SODA CANYON RD
 City: NAPA County: NAPA Hi Cross: DEAD-END Apartment:
 Loc Com: Map Page: 429_G_2
 Incident Status: CLS
 Latitude: 38.376543 Agency: CALNU Dispatch Zone: 9
 Longitude: -122.285487 Jurisdiction: CALNU Battalion: 1416
 Legal: 10_T06N_R04W_M DPA Agency: CALNU Resp. Area: N19
 UTM: 10 562411 4247836 Atom: N19
 LEGAL 10_T06N_R04W_M 0

Reporting Party Information

Caller Name: [REDACTED] Caller Phone:
 Caller Loc: [REDACTED] Call Source:

Incident Type/Response Information

Final Incident Type: FIRE, WILDLAND Initial Incident Type: FIRE, WILDLAND
 Dispatch Level: H Response Plan: FWL6 Response Level: 1

Incident Date/Time Summary

Incident Call Rec.:
 Incident Keystroke: 11/01/2011 20:31:05 Personnel ID CAD Workstation
 Incident Entry: 11/01/2011 20:32:12 FENGELBE LNUCAD03
 Incident Dispatch: 11/01/2011 20:33:08 JGAHAGAN LNUCAD02
 Incident Closed: 12/06/2011 13:21:30

Fire Information

Status: Contained: Controlled:
 Fire Report Person: NEWBERRY Total Acres Burned : 65
 Investigation Report Person:

Time Summary:

WAI	DSP	ENR	ONS	AAC	CLS	WAI
20:32.12	20:33.08	20:58.02	21:36.26	16:59.52	16:59.57	8:51.50
CLS	WAI	CLS	WAI	CLS		
8:55.08	9:05.59	9:07.00	13:12.14	13:21.30		

Fast-moving fire scares Soda Canyon residents



NOVEMBER 02, 2011 5:28 PM • KERANA TODOROV

Dozens of residents returned to their homes in the Soda Canyon area Wednesday following a hair-raising Tuesday night fire that scorched 65 acres in gusty winds, reducing a vacation house to ashes and destroying the garage and an old pigeon coop on a nearby property.

The fast-moving fire, which was reported at about 8:40 p.m. Tuesday, was declared contained at 8 a.m. Wednesday, CalFire

Assistant Chief David Shew said.

On Wednesday morning, CalFire crews continued to extinguish hot spots, with a helicopter delivering buckets of water. No one was injured in the fire, whose cause remains under investigation, Shew said at mid-day.

Dozens of residents were evacuated as high winds, estimated at 20 to 30 miles per hour, fanned the flames, threatening about 100 properties on Soda Canyon Road and along Loma Vista and Shady Oaks drives, according to CalFire.

Luckily, the hills shielded the fire from the winds, Shew said. Soda Canyon Road was closed at Silverado Trail while the fire burned.

CalFire investigators are looking at many possible causes for the fire, including downed power lines near Loma Vista Drive, Shew said. Damage estimates were still being compiled as of Wednesday afternoon.

The fire engulfed a house at 1029 Loma Vista Drive that had sweeping views of the Napa Valley. As they evacuated the area, neighbors saw flames, some four stories high, climb a hillside toward the house.

The property was unoccupied, neighbors said. The property's owners, who reside in Rye, N.Y., according to county records, could not be reached for comment Wednesday.

Residents returned home Wednesday morning after an ordered evacuation Tuesday night. The Red Cross was prepared to open a shelter at Crosswalk Church in Napa, but the evacuees apparently found accommodations elsewhere, Frank Lucier, the local Red Cross executive director, said.

On Soda Canyon Road, Anavon Anderson recalled how she had opened her front door in the 1300 block of Soda Canyon Road Tuesday to check the howling winds, only to see flames taller than her two-story house a few hundreds yards away.

Exhibit 25b

The fire destroyed her property's garage, along with an empty pigeon coop where her husband, Clyde, had raised birds.

"It was terrifying. It really was," Anavon Anderson, 77, said as firefighters monitored hot spots nearby.

When she shouted an alarm, her husband ran outside to get their two vehicles out of the garage. He also turned on sprinklers on the roof of their two-story house and, using a hose, doused the area around the house with water.

Clyde Anderson, 80, said he lost a house on the property to fire in 1965. "I know what it can do," Anderson said.

On Tuesday, he spent the night on his property after the flames had swept by, while his wife and their dog, Marley, stayed with relatives in downtown Napa.

On Loma Vista Drive, Alex Horeczko said their 3 1/2-year-old twins were in bed, having trouble going to sleep because of the winds, when her husband, Alan, saw the fire from the kitchen window.

He yelled, "'There's a fire!'"

Alex Horeczko came to the kitchen. "It was like a raging bonfire," she said.

Not wanting to take chances, they grabbed their two children, Nicholas and Lara, who were in their pajamas, their two cats, Darjie and Earl, their wallets and cell phones and drove off within 10 minutes, just as the first fire truck was arriving, she said.

"We knew it was spreading pretty quickly," Alex Horeczko said.

The family ended up staying at a hotel in Napa. The two cats were kept inside the family's Toyota Highlander with a litter box because the hotel did not allow pets, the family said.

As it turns out, it was Darjie's second close-call this year. In March, the cat hid in a moving pod when the family was moving from Colorado to Napa. The cat was found dehydrated, but OK, in Napa 11 days later, generating a story in The Register.

On Wednesday afternoon, Darjie and Earl were reportedly back to their normal selves. "They're outside enjoying the weather," Alex Horeczko said.

The fire response included fire crews from Napa, Sonoma, Santa Clara and Santa Cruz, Shew said.

Fire crews were dispatched to Soda Canyon Road late Wednesday afternoon, when a vegetation fire of unknown origin burned between 1 and 2 acres in the 2300 block of Soda Canyon Road, CalFire said. The fire was contained at about 5:30 p.m., Shew said. A CalFire helicopter dropped buckets of water on the fire as fire crews staged at the Soda Canyon Volunteer Fire Department.



Families return home after Tuesday night's wildlands fire



NOVEMBER 02, 2011 12:13 AM • KERANA TODOROV

Residents returned to their homes in the Soda Canyon area this morning following the hair-raising Tuesday night fire that scorched 90 acres in gusty winds, reducing a vacation house to ashes and destroying the garage and an old pigeon coop on a nearby property.

The fast-moving fire, which was reported at about 8:40 p.m. Tuesday, was declared contained at 8 a.m. Wednesday, CalFire

Assistant Chief David Shew said.

On Wednesday morning, CalFire crews continued to extinguish hotspots, with a helicopter delivering buckets of water. No one was injured in the fire, whose cause remains under investigation, Shew said at mid-day.

About 24 homes were evacuated as high winds, estimated at 30 miles per hour, fanned the flames. Luckily, the hills shielded the fire from the fiercest winds, CalFire said.

CalFire investigators are looking at a number of possibilities for what caused the fire, including downed power lines near Loma Vista Drive, Shew said. Damage estimates are still being compiled.

Anavon Anderson opened his front door in the 1300 block of Soda Canyon Road to check the howling winds, only to see flames taller than her two-story house a few hundreds yards away.

The fire destroyed her property's garage, along with a few outbuildings and an empty pigeon coop where her husband, Clyde, had raised birds.

"It was terrifying. It really was," Anavon Anderson said.

When she shouted an alarm, her husband ran outside to get their two cars out of the garage. He also turned on sprinklers on the roof of their two-story house and, using a hose, doused the area around the house with water.

Clyde Anderson, 80, said he lost a house in 1965 on the property. "I know what it can do," he said.

Exhibit 25c

Soda Canyon Road was closed at Silverado Trail around 10:15 p.m. as 22 fire trucks, five inmate crews, three water tankers and two bulldozers poured into the area, CalFire said.

EXHIBIT “26”

EXHIBIT “26”

EXHIBIT “26”



CAL FIRE

Search



Last modified on Feb 25, 2012

California Statewide Fire Map

SODA FIRE

Soda Fire Incident Information:

Last Updated: February 25, 2012 8:30 am FINAL

Date/Time Started: February 23, 2012 12:32 pm

Administrative Unit: CAL FIRE Sonoma-Lake-Napa Unit

County: Napa County

Location: 3200 block of Soda Canyon Road, north of Silverado Trail, northeast of Napa City

Acres Burned - Containment: 200 acres

Estimated - Containment: 200 acres - 100% Contained

Evacuations: No evacuations in place

Injuries: 2 minor injuries

Cause: Escaped agricultural debris burn pile

Cooperating Agencies: CAL FIRE, Napa County Fire Dept. (FD), Calistoga FD, Napa City FD, St. Helena FD, American Canyon FP District, Napa County Sheriff Dept. and California Dept. of Corrections and Rehabilitation.

Total Fire Personnel: 95 firefighters

Total Fire Engines: 5 fire engines

Total Fire crews: 5 fire crews

Total Dozers: 1 bulldozer

Conditions: The fire burned in steep and rugged terrain, making access difficult. Gusty winds posed a challenge on Thursday, but diminished on Friday allowing firefighters to make good progress towards containment of the fire. Resources will remain on the incident today patrolling and mopping up.

[View California Fire Map in a larger map](#)

SODA FIRE MORE INFO

- Soda Fire Information
- Incident Maps
- Photos
- News Releases
- Weather Information
- Telephone Numbers
- Special Notices
- Related Links

Exhibit 26a



Incident Number: 12-CALNU 001216
 Incident Name: SODA
 Event Number: 12001659

Interagency Report of Incident and Dispatch Action

Detail Report-All Segment

Incident Location Incident Status: CLS

Location: 3247 SODA CANYON RD ,NAPA	Apartment:
Lo Cross: DRIVEWAY	Hi Cross: DEAD-END
City: NAPA County: NAPA	Map Page: 409_F_1
Loc Com:	
Latitude: 38.435148	Agency: CANPA Dispatch Zone: 9
Longitude: -122.296923	Jurisdiction: CANPA Battalion: 1416
Legal: 22_T07N_R04W_M	DPA Agency: CALNU Resp. Area: N26
UTM: 10 561362 4254331	Atom: N26
LEGAL 22_T07N_R04W_M	0

Reporting Party Information

Caller Name: [REDACTED]	Caller Phone:
Caller Loc:	Call Source: 911

Incident Type/Response Information

Final Incident Type: FIRE, WILDLAND	Initial Incident Type: FIRE, WILDLAND
Dispatch Level: L	Response Plan: FWL6 Response Level: 1

Incident Date/Time Summary

Incident Call Rec.:	02/23/2012	12:31:32		
Incident Keystroke:	02/23/2012	12:31:32	Personnel ID	CAD Workstation
Incident Entry:	02/23/2012	12:32:50	SPUTMAN	LNUCAD01
Incident Dispatch:	02/23/2012	12:35:23	SPUTMAN	LNUCAD01
Incident Closed:	02/27/2012	16:40:41		

Fire Information

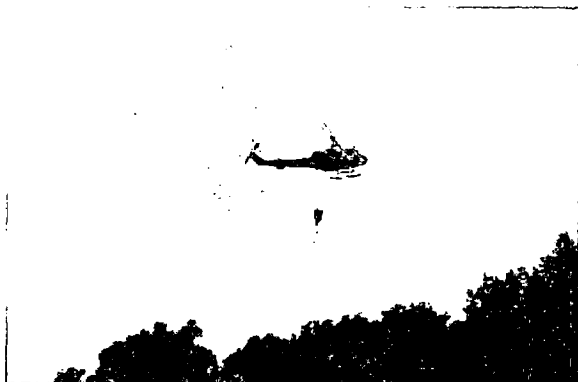
Status: CTRL	Contained: 02/25/2012 21:29:00	Controlled: 02/26/2012 20:00:00
Fire Report Person:	BENGUEREL	Total Acres Burned : 200
Investigation Report Person:		

Time Summary:

WAI	DSP	ENR	ONS	AAC	CLS
12:32.50	12:35.23	12:38.00	12:56.29	17:15.14	16:40.41



Soda Canyon fire fully contained



FEBRUARY 24, 2012 9:00 AM • PETER JENSEN

UPDATE (10:10 a.m.): Aided by reduced winds and cooler weather, CalFire reported Saturday morning that the 200-acre Soda Canyon fire was 100 percent contained.

The fire broke out at mid-day Thursday, apparently caused when sparks from someone burning vineyard debris escaped into adjacent brushland, CalFire said. State fire spokesman Daniel Berlant said investigators are now trying to determine

whether the unnamed person was negligent and should be fined, according to the Associated Press.

The wildfire had burned 200 acres by Thursday night. CalFire, assisted by fire departments from the Napa Valley cities and the Napa County Fire Department, spent all day Friday and Friday night putting out hot spots.

At the peak of the rare February wildfire, three homes up Soda Canyon Road were threatened, but firefighters saved them all.

At the fire's peak, more than 200 firefighters were on the fire lines, with two helicopters dropping water near threatened residences.

Fire crews intended to remain on the scene Saturday, patrolling and mopping up, CalFire said.

Updated 10:23 p.m.: CalFire says the Soda Canyon fire is 75 percent contained, with full containment expected by 8 a.m. Saturday.

Two hundred firefighters continue to battle a brush fire that has scorched about 200 acres in Soda Canyon, but the lack of winds allowed them to make progress in corralling it on Friday, according to CalFire.

Friday's fire didn't produce the heavy smoke seen in the area northeast of Napa on Thursday afternoon, when the blaze broke out shortly after 12:30 p.m.

Crews spent Friday extinguishing hot spots, where flames burst out in small areas, and working to complete a containment line around the fire's acreage, said CalFire spokesman Daniel Berlant. As of late Friday afternoon, he wasn't sure how much of the fire had been contained.

Exhibit 266

The work is difficult because the canyon is extremely rugged and steep, but the good weather and low winds helped fire crews, Berlant said.

"The weather really has been cooperating today," he said. "Residents saw a significantly less amount of smoke. We want to make sure we put out every ember, every hot spot before we leave."

The fire threatened three homes Thursday night, but they were safe by Friday, Berlant said. Investigators are looking into reports that the fire started from a debris burn, possibly from a vineyard.

Berlant said this is one of the largest wildfires in the state so far this year. He said having a fire of this size this early in the year is rare.

"It's not something we've had in many, many years," Berlant said.

CalFire spokesman Brian Hampton said the agency assessed the acreage aeriaily Friday morning and determined the fire's size to be 200 acres — more than three times larger than previously estimated.

The blaze hadn't grown much overnight Thursday, officials said. CalFire hadn't been able to accurately assess the size of the fire from the ground Thursday because it had burned into a steep canyon.

Crews from around the state have come to help fight it, Berlant said. Slightly fewer than 200 firefighters were on the scene Friday.

The hillsides are much drier than usual because of the low rainfall this winter. Temperatures Thursday were some 15 degrees warmer than usual, with strong winds at the ridge tops.

Berlant said the recent rain hasn't done much to help the dried-out grass and brush.

CalFire has seen an increase in wildfires this year. From Jan. 1 to Feb. 18, the agency received reports of 347 wildfires. In that same period last year, the agency received 122 reports of wildfires. The burned acreage has also increased, with 342 acres consumed in wildfires this year, compared to 136 acres last year, Berlant said.

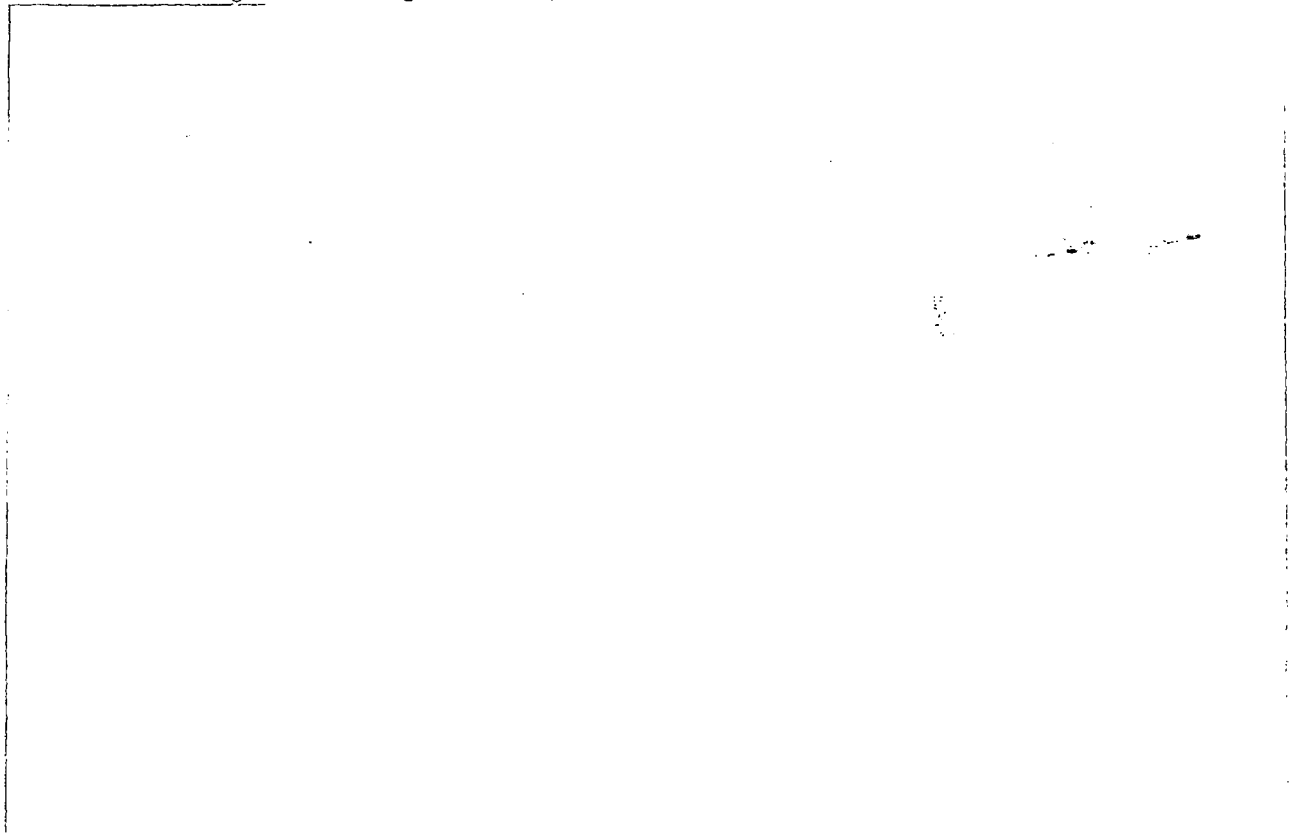
"If we don't see a monsoon of rain over the next month it's going to dry out more," Berlant said. "We're only going to see more and more fires as we get later into the year."



NEWS > LOCAL

Crews Fight Vegetation Fire in Napa

Fire crews said even after they got the fire knocked down, they would stay on the scene overnight watching for hot spots.



Napa Vegetation fire was fought by the ground and the air.
Updated at 6:46 PM PDT on Thursday, Feb 23, 2012

Crews appeared to have the upper hand on a 35-acre vegetation fire in Napa County by nightfall Thursday. Crews said they expected full containment by the end of the night.

Exhibit 26c

The fire was off Soda Canyon Road near the Silverado Trail and was threatening three homes for a time. Anyone who was in the homes at the time of the fire was told to evacuate.

CalFire named the fire "Soda Fire."

There was at least one large home on the top of ridge that appeared to be within a few yards a fire spot in the 5 p.m. hour. Fire trucks could be seen surrounding the home.

The temperature in the area was in the 70s and there were wind gusts of 30 mph which did not help matters, fire crews said.

The fire started around 12:30 p.m. when a controlled burn on private property spread, according to officials.

There were 180 firefighters at the scene of the fire that was burning brush-covered hillsides and flat land. Two helicopters were dropping water on the fire from above and bull dozers turning the ground below to keep the fire from spreading.

The fire was putting up white smoke that could be seen from downtown Yountville. Reporter Christie Smith said she could smell the fire from her home in Hercules.

Firefighters said they would be on the scene throughout the night looking for hot spots.

■

Bay City News contributed to this report.

Published at 4:28 PM PDT on Feb 23, 2012

Find this article at:

<http://www.nbcbayarea.com/news/local/Crews-Respond-to-Vegatation-Fire-in-Napa-140233783.html>

Check the box to include the list of links referenced in the article.

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EXHIBIT “27”

EXHIBIT “27”

EXHIBIT “27”



Interagency Report of Incident and Dispatch Action

Incident Number: 13-CALNU 002964
 Incident Name: SODA
 Event Number: 13003968

Detail Report-All Segment

Incident Location

Incident Status: CLS

Location: 1314 SODA CANYON RD ,NAPA	Apartment:
Lo Cross: 1199 BLK SHADY OAKS DR	Hi Cross: LOMA VISTA DR
City: NAPA County: NAPA	Map Page: 429_G_3
Loc Com:	
Latitude: 38.370994	Agency: CALNU Dispatch Zone: 9
Longitude: -122.283253	Jurisdiction: CALNU Battalion: 1416
Legal: 15_T06N_R04W_M	DPA Agency: CANPA Resp. Area: N61
UTM: 10 562611 4247222	Atom: N61
LEGAL 15_T06N_R04W_M	0

Reporting Party Information

Caller Name: [REDACTED]	Caller Phone:
Caller Loc:	Call Source: 911

Incident Type/Response Information

Final Incident Type: FIRE, WILDLAND	Initial Incident Type: FIRE, WILDLAND
Dispatch Level: L	Response Plan: NYWB Response Level: 1

Incident Date/Time Summary

Incident Call Rec.:	05/01/2013 18:23:42	Personnel ID	CAD Workstation
Incident Keystroke:	05/01/2013 18:23:42	LKARLOW	LNUCAD01
Incident Entry:	05/01/2013 18:25:40	CDUNCAN	LNUCAD01
Incident Dispatch:	05/01/2013 18:27:20		
Incident Closed:	05/04/2013 18:20:18		

Fire Information

Status:	Contained:	Controlled:
Fire Report Person: MILLOSOVICH	Total Acres Burned : 20	
Investigation Report Person:		

Time Summary:					
WAI	DSP	ENR	ONS	AAC	CLS
18:25.40	18:27.20	18:30.08	18:40.08	18:09.09	18:20.18

Exhibit 27a

WILDFIRE

Winds, heat contribute to fires around Napa County



MAY 01, 2013 7:44 AM • KERANA TODOROV

CalFire fought several wildfires in Napa County on Wednesday, including a blaze that burned 75 acres and gutted a barn near Yountville and a smaller 2-acre blaze in rugged country near Calistoga.

At about 6:40 p.m. Wednesday, firefighters from as far as Marin County responded to a wildfire near the Soda Springs ruins above Soda Canyon Road in east Napa County. The fire, which broke as winds gusts

reached about 20 miles per hour, burned an abandoned trailer in a eucalyptus grove.

Early in the evening, onlookers snapped pictures of two helicopters — one from CalFire and another contracted through “Call When Needed” — dumping buckets of water on the burning, smoking blaze in steep terrain.

As of about 8 p.m., the Soda fire had burned about 20 acres, according to CalFire/Napa County officials. While the blaze may be contained by Thursday morning, fire crews are expected to remain at the site for days, they said.

“With the heavy fuels, we’ll be out here for a couple of days,” CalFire/Napa County Fire Chief Scott Upton said. “We’ve stopped the forward spread of the fire. But they’ll be heavy mop-up.”

The cause of the fire is unknown, but there were two downed power lines near the ruins, CalFire/Napa County fire representatives said. Pacific Gas and Electric Co. responded to the incident. Napa County Sheriff’s deputies closed Soda Springs Road, a one-lane rural road that veers off Soda Canyon Road and leads to the ruins.

Earlier in the day, the Yountville fire, located near the California Department of Fish and Wildlife facility on Silverado Trail, north of Yountville, was 100 percent contained early Wednesday afternoon, CalFire/Napa County Fire Capt. Amy Head said at 1 p.m..

The fire gutted a barn on the Gamble family ranch, but no injuries were reported.

The Yountville fire broke out shortly before midnight, said CalFire Battalion Chief Curtis Brown. Firefighters were challenged by a lack of access and winds gusting to 25 mph, he said.

“It made it very difficult,” Brown said. “It’s very dangerous.”

Exhibit 27b

The fire burned an unused former slaughterhouse built in the 1920s, ranch owner Tom Gamble said Wednesday morning as firefighters continued to hose the barn with water.

Arnold Rojas, a resident on nearby State Lane, said he had a hard time falling asleep because of the high winds. Then the smell of the fire woke him up. "The smoke was really thick," he said.

Fire crews included volunteer firefighters from Capell Valley who supplied fire crews with water. One of the firefighters, Capell Valley Volunteer Fire Capt. Bob Lee, estimated having supplied 7,500 gallons to fire engines throughout the night.

About 80 firefighters were at the scene Wednesday. Some of the firefighters were expected to remain at the fire Thursday, officials said.

Near Angwin, strong winds caused another fire when a tree branch struck a power line that arced, causing a fire in the 1000 block of Las Posadas Road,, said Angwin Volunteer Fire Chief Avery Browne. A property manager heard noise, saw the fire and called for help at 12:07 a.m. Wednesday.

The fire extended into a tree, then reached the roof of a 5,000-square-foot barn where Treasure Wine Estates maintains vineyard equipment worth more than \$50,000, he said.

The fire got into the attic, but firefighters were able to save the structure, estimated value of \$180,000, as well as the contents, including tractors, discs, and fuel. The fire was put out in about 20 minutes, Browne said. The firefighters left the scene at 5:30 a.m.

The fire came near a 250-gallon propane tank, but the tank did not explode because of a vent.

Altogether, the fire caused about \$50,000 worth of damage to the structure, and burned a half acre, Browne said. Firefighters had to cut a hole in the roof to keep the fire from progressing.

"I'm very proud of those guys," Browne said.

A larger wildfire, called the Yellow Fire, burned Wednesday in Knights Valley in Sonoma County, with 114 firefighters on the scene, CalFire said. The fire was reported at 2 a.m., Head said. That fire had burned at least 125 acres of oak woodland and rolling hills east of Healdsburg and damaged a house, CalFire said Wednesday.

Another blaze, dubbed the Summit Fire, had burned about 2 acres near the Schramsberg Vineyards south of Calistoga.

CalFire spokeswoman Suzie Blankenship said 46 firefighters were battling that blaze at midday Wednesday. The fire started at about 5:30 a.m. Wednesday near the 1400 block of Schramsberg Road, she said.

No structures have burned and there are no injuries in the Calistoga blaze, CalFire said. Firefighters were unable to get engines close to the fire because of the steep terrain and were hiking in with hoses, Blankenship said.

The cause of the fire is under investigation and there is no estimate when it will be contained, CalFire said Wednesday afternoon.

The Yellow Fire was expected to be fully contained by Thursday morning, Head said. Fire crews were also dispatched to the 18000 block of Highway 128 near the Yellow Fire at 1:20 a.m. Tuesday where a 65-foot tall oak tree fell on power lines. A fire then burned about 1/2 acre, Head said.

"The high winds have definitely been a challenge," Head said.

Bay City News contributed to this story

EXHIBIT “28”

EXHIBIT “28”

EXHIBIT “28”



Incident Information

Last modified on Nov 23, 2013

SILVERADO FIRE

Silverado Fire Incident Information:

Last Updated:	November 23, 2013 6:30 pm	FINAL
Date/Time Started:	November 21, 2013 9:39 pm	
Administrative Unit:	CAL FIRE Sonoma-Lake-Napa Unit	
County:	Napa County	
Location:	Off Silverado Trail in the Soda Canyon area near Napa	
Acres Burned - Containment:	190 acres - 100% contained	
Structures Destroyed:	1 outbuilding	
Evacuations:	Lifted on Friday, 11-22-13 at 06:00PM.	
Cause:	Under Investigation	
Cooperating Agencies:	CAL FIRE, Napa County Fire, Rutherford VFD, Soda Canyon VFD, Napa County Sheriff's Office, and California Dept. of Corrections and Rehabilitation	
Total Fire Personnel:	150	
Total Fire Engines:	15	
Total Fire crews:	6	
Total Water Tenders:	3	
Long/Lat:	-122.311/38.382	
Conditions:	Firefighters continue to strengthen and patrol fire line. Heavy mop up. Weather 67 degrees, 11% humidity, wind 2mph.	
Phone Numbers	(707) 967-4207 (Fire Information)	

California Statewide Fire Map

2016 Calif...

Map data ©2016 Google, INEGI

[View California Fire Map in a larger map](#)

SILVERADO FIRE MORE INFO

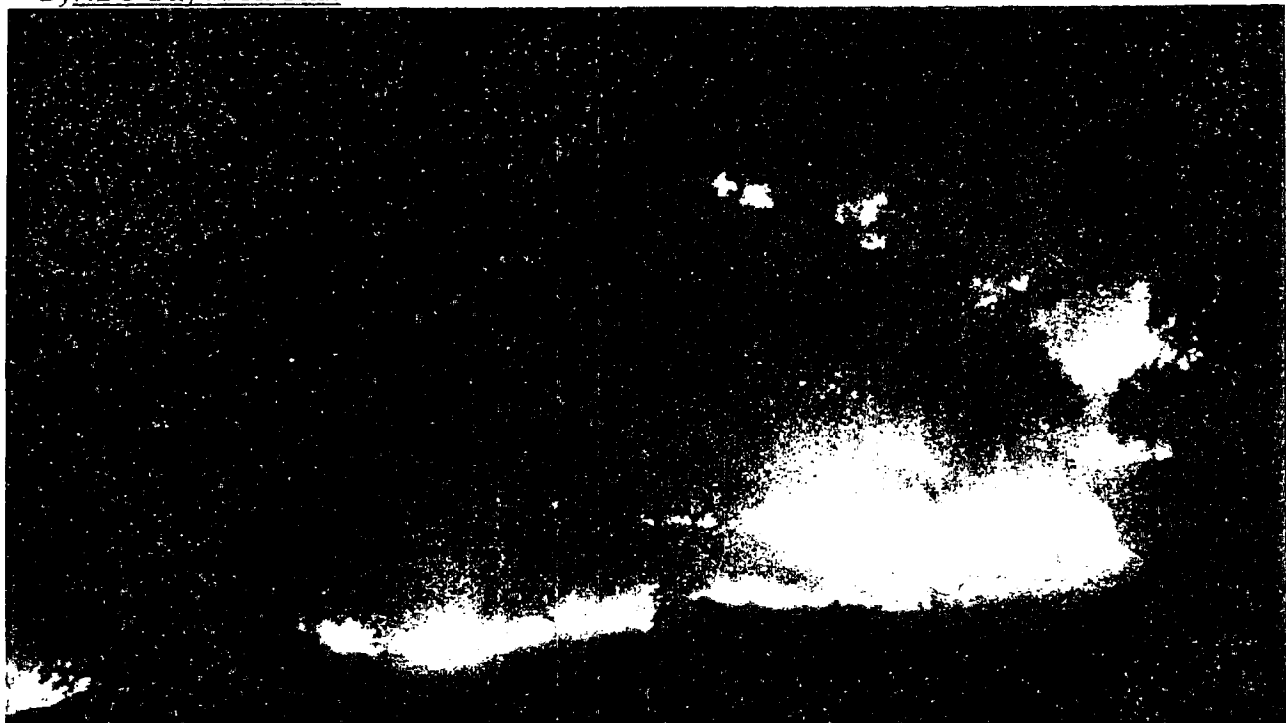
- Silverado Fire Information
- Incident Maps
- Photos
- News Releases
- Weather Information
- Telephone Numbers
- Special Notices
- Related Links

Exhibit 28a

NEWS > LOCAL

300 Acre Grass Fire Burns in Napa

By NBC Bay Area Staff



NBC Bay Area

300 acre fire in Napa. Nov. 21, 2013

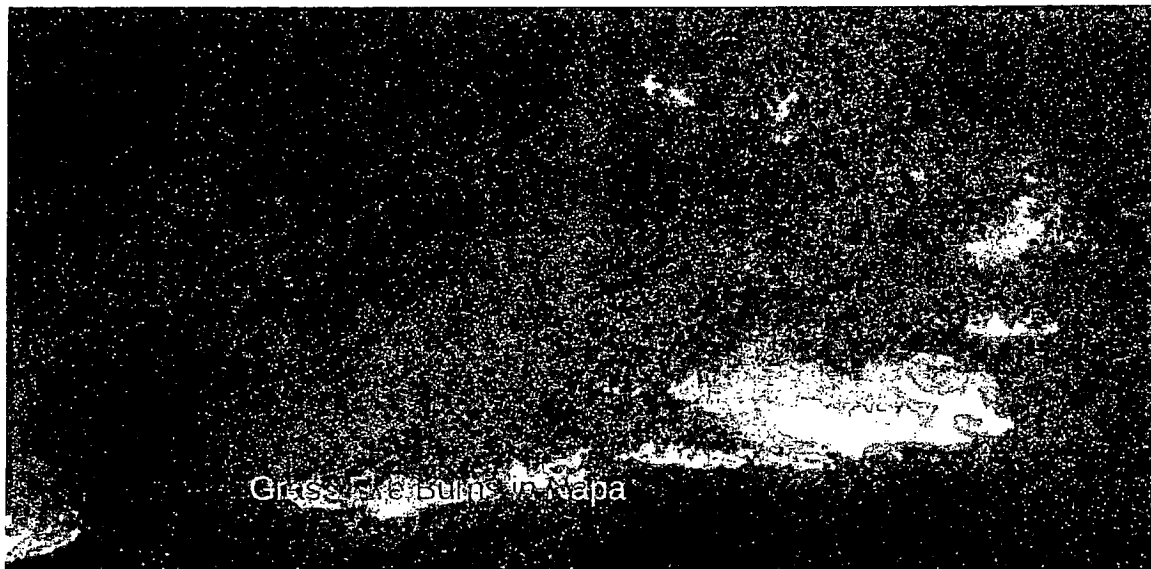
Updated at 6:10 PM PDT on Friday, Nov 22, 2013

Firefighters in Napa County are gaining ground on a wind-whipped vegetation fire.

As of 6 p.m. Friday evening, it's 70 percent contained. So far, 300 acres have burned. The high winds were making containing the fire difficult to fight.



Exhibit 28b



Homes in the Napa area were being threatened by a wind-whipped grass fire that has burned at least 300 acres. (Published Friday, Nov 22, 2013)

It's happening near Soda Canyon Road and Loma Vista Drive, not far from Silverado Trail.

All evacuations and road closures have been lifted, the Napa County Sheriff's Office announced Friday evening.

Mandatory evacuations were in place for about 50 people living on Loma Vista, Shady Oaks and Ridge drives. An emergency shelter was opened at Napa High School.

The fire started around 11 p.m. Thursday night, and firefighters say, the flames spread quickly.

More than 200 firefighters were on scene. Strong wind gusts were reported throughout the region, reaching as high as 55 mph in some areas.

No word yet on any injuries or if any homes have been destroyed.

The cause of the fire is under investigation.

Bay City News contributed to this report.

Published at 6:43 AM PDT on Nov 22, 2013

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Wildfire burns 300 acres, forces evacuations

Exceptionally dry conditions for late November



NOVEMBER 22, 2013 5:49 PM • KERANA TODOROV

Updated at 10:06 p.m. — A late-November wildland fire whipped by fierce winds had residents in the hilly Soda Canyon Road area east of Silverado Trail fleeing for safety Thursday night.

Fearing the fire could become a big one, authorities told about 50 families leave their homes for safety on the Napa Valley floor. Meanwhile, fire units from as far away as Santa Clara pounced on the blaze.

The fire consumed 300 acres overnight before firefighters began to gain the upper hand. By late Friday afternoon, the fire was considered 70 percent contained, with the scope of the blaze still at 300 acres, CalFire/Napa County reported. CalFire Capt. Tiffany Mercado said Friday night the agency expected to increase containment to 80 percent by Saturday morning.

The fire, whose cause is under investigation, occurred a day after a two-day rainstorm that had dampened a parched countryside that hadn't seen significant precipitation since last December.

The recent rains did not do much to curtail the risks of fire, according to CalFire/Napa County Fire representatives. In addition, Thursday's northerly, dry winds allowed the fire to spread very rapidly.

"It's still very dry," CalFire/Napa County Fire Battalion Chief Barry Biermann said Friday. "We've had very little rainfall this year."

The vegetation fire broke out Thursday night on the hills east of Silverado Trail near Soda Canyon Road. It was first reported at about 9:30 p.m. Thursday.

Fire officials, who faced strong and erratic winds all day Friday, do not know when the fire will be fully contained. Winds were predicted to decrease by 10 p.m. Friday.

Mandatory evacuations for residents along Loma Vista, Shady Oaks and Ridge drives were imposed Thursday night. The order was lifted just before 6 p.m. Friday.

Exhibit 280

Initially, about 50 structures were threatened, but only one outbuilding burned, Capt. Amy Head of CalFire/Napa County reported Friday morning. A firefighter was treated for a strained neck.

Napa County sheriff's deputies and the California Highway Patrol closed Soda Canyon Road on Thursday night to traffic, as fire trucks rushed to the rare late November wildfire. Silverado Trail remained open to traffic throughout.

Responding to the evacuations and uncertainty surrounding the fire's course, the American Red Cross opened an evacuation shelter at the Napa High School gymnasium for a few hours Thursday night. A Red Cross volunteer was assigned to the evacuation zone, said Napa Red Cross Director Anne Steinhauer.

About 50 families were being evacuated, but as of around 1 a.m. Friday only five people had showed up at the gym. Eventually they all left to seek other accommodations.

Most of the evacuees stayed with family and friends, said Napa County Sheriff's Capt. Tracey Stuart. Others refused to leave their homes, she said.

The fire erupted on an evening when the National Weather Service had warned of winds above 35 mph in the North Bay, and above 50 mph at higher elevations.

More than 200 firefighters responded to the fire Thursday, with relief crews taking over Friday. In addition to the firefighters, other public safety responders came from Napa Police, the Sheriff's Office, California Highway Patrol, Napa County Animal Control and Napa County Search and Rescue volunteers who helped evacuate the residents.

EXHIBIT “29”

EXHIBIT “29”

25 years after the Atlas Peak fire, an engineer tackles the challenge of building a house in a high-risk area

MAY 20, 2006 12:00 AM • BY KATHLEEN DREESSEN, REGISTER CORRESPONDENT

From the hillside vantage point of the home he's building, Rick Thornberry has sweeping views across the Napa Valley, Rector Reservoir and, on a clear day, to San Francisco. But Thornberry sees something else — the threat of wild land fire.

"You can picture a wildfire roaring up this hill," said Thornberry of a steep slope that fronts his home. "From the beginning, we planned to build this house to be fire resistant with a large defensible space."

Perhaps not surprisingly, Thornberry is president of the Code Consortium Fire Protection Engineers. His life revolves around fire protection.

Thornberry purchased the 60-acre home site 19 years ago, six years after the Atlas Peak fire of 1981. That fire burned 20,000 acres in one afternoon, stretching from Atlas Peak and what is now Silverado Highlands to Soda Canyon. Thornberry's house is off Soda Canyon Road.

"There were 12 parcels here, but since the fire had cleared the landscape they hadn't had much luck selling," said Thornberry, who purchased the property at a Sotheby's auction. "We pulled the permit in 1999, thinking we'd start building slowly. The dot-com boom hit, though, and we couldn't get contractors. We finally started in earnest last October and are hoping to be complete by July."

The house is 5,000 square feet, not counting the garage.

Conscious of the history of the area and the perils of fire, Thornberry used building materials and systems to increase the structure's resistance to fire.

"We have two 10,000 gallon water tanks that are used for vineyard irrigation and fire protection," he explained. "We have a fire hydrant with a four inch diameter. The pool water can also be used to fight a fire and it has a four and a half inch fire department outlet. The house has a sprinkler system and all the materials are cutting edge stuff."

The firewise features of the home include noncombustible exterior wall coverings, decks and trim, a minimum of exposed wood, a Class A composition shingle roof and hard-wired smoke detectors. Despite the use of specialized materials, the attractive and gracious home looks no different than any other.

One of the main components of the building is fire retardant cellulose insulation by Greenfiber. The product is blown in under the roof, sprayed into the exterior walls and garage, and as pipe penetration protection between the garage and the home for

vacuum, water, sprinkler and cable wires. It is also used as sound control in interior walls and floors.

"In my work, I've learned that some of the most vulnerable areas in a home are attic vents and eaves," said Thornberry. "Usually you need vents so the attic can breathe and not get a moisture buildup. But during a fire, embers can go through the vents and set the house on fire in the most devastating way. This product absorbs the moisture and breathes without moisture condensation, so we were able to eliminate attic vents."

Thornberry is a consultant for the Greenfiber company. Greenfiber representative, Harold Shepard, eagerly demonstrated with a blowtorch how the product chars and smolders rather than ignites, thus buying time for occupants to safely exit the building.

What about attic vents in building codes?

"We have to get a variance on the current code," said Thornberry. "I had fire marshals and building officials here and they seem receptive to the technology."

Steve Jensen, a chief building official with the city of Napa, has toured the site. "This is an interesting concept from the standpoint of urban wild land situation," said Jensen. Not having attic vents "conflicts with building code, and has to be approved on a case-by-case basis. ... This is something in upcoming code that needs to be addressed."

Outside the home, Thornberry has taken additional precautions. State code and Napa Firewise, the fire education program, recommends a defensible space around homes. The general recommendation is a perimeter of 100 feet from your home cleared of dead grass, with shrubs and trees replaced with less flammable vegetation.

"Our defensible space is 300 feet, minimum," said Thornberry. "I'm removing the underbrush and thinning the trees to make it harder for fire to climb from tree to tree."

He has also given the fire department easy access in terms of pullouts and turn-around areas on the road leading to the home.

City of Napa Fire Marshal Darren Drake is impressed with the project. "He's done a good job of defensible space, putting distance between vegetation and the home," said Drake. "This is a critical point, because it gives you a better area to defend the building. Everything we preach, he's incorporated. He's taken the theoretical and given it a practical application in his home. The construction component increases survivability."

County of Napa Fire Marshal/CDF Gabrielle Avina agreed. "He's built a model home as far as Napa Firewise is concerned," said Avina. "Wild land homeowners have to be able to survive without having the fire department there immediately. From a fire department standpoint, this is the house we want to picture in our brochures. This is a good example of the community becoming involved, which is what Napa Firewise is trying to communicate. Wild land fires are a community problem."

It's a community problem that Rick Thornberry, for one, has taken to heart.

For further information about Firewise Landscaping and other fire safety tips, check www.co.napa.ca.us/firewise.

EXHIBIT “30”

EXHIBIT “30”



caution, map orientation and other incidents in the area
 ed conditions
 (previous, current and expected)
 r (previous, current and expected)

ECUTION

incident Commander/immediate supervisor)
 s intent
 cal assignments

E PROTECTION

possibility should be scouted by strike team leader prior to engine deployment.
 ensive tactics. If safe, advise residents to leave. If not, shelter in place. Form
 ave for safe area and extinguish residual burning after fire front has passed
 lures based on defensible space and construction

ground electrical lines and propane tanks
PERMISSION TO FIRE from appropriate level of supervision and coordinate firing
 ith adjoining forces. Light only as much fire as you can control and extinguish;
 ng point and a termination point prior to lighting fire
 are areas are municipal hydrant systems and others utilize well storage
 1/2" NH male outlets
 nes at residences using a backup person. Use structures as a shield. Do NOT Block
 is. **STAY MOBILE!**

ively with headlights on and watch for evacuees driving erratically
 y short during structure protection (no more than 200-300 feet). Use 1 1/2" lines
 taring in place or evacuation considerations (public and fire personnel)
 ration routes and route of travel for fire apparatus
 asiat public in evacuation of homes and animals
 plans

ATIONS

tion plan: tactical, command, air/ground frequencies, cell phone numbers, etc.
 n

UPPORT

rees that may be working adjacent to you and those available to order
 rations
 g., transportation, supplies, equipment)

AGEMENT

new hazards and risks

ity

m Lookouts, Communications, Escape Routes and Safety Zones (LCES)
 on safety zones and refuge areas (structure, vehicle, shelter)
 ted, watch crew members for signs of heat stress
 . 1 1/2" charged line with a fog nozzle on your engine for crew safety and quick response
) gallons of water in the engine tank for crew protection
 ards with hazard flagging tape (power lines, propane tanks, outbuildings containing
 r ammunition)

azards

uld be inspected before crossing. Some bridges are not of sufficient strength
 ignent
 igh values at risk as well as a commercial/tourist population
 d egress routes pose critical complications for firefighters entering and
 xiting on the same primary roadways
 for firefighters and civilians are limited
 rol measures to eliminate hazards and reduce risk
 on the resource considerations for the area
 ision points for disengagement or reevaluation of operational plan

S OR CONCERNS

ET OUT!

king sustained runs and you have inadequate defensible space based on the
 he observed flaming front
 r supply will not outlast the fire threat
 fires than you can suppress
 sity dictates leaving the area immediately
 60% involved
 re is established beyond capability of a 1 1/2" line or available water supply
 o longer ensure compliance with LCES



GENERAL PLAN

The Soda Canyon/Monticello Pre-Attack Plan (approximately 16,863 acres) is designed to manage a wildfire that starts on a "normal" day during fire season and rapidly overwhelms initial attack resources. Life, safety and property conservation become priorities and may take precedent over perimeter control. The IC needs to have the ability to proactively plan for the spread of the fire by ordering additional resources matching the life, safety and property conservation potential. This plan provides the IC with a planning tool which will increase fire suppression efficiency for both firefighter and civilian safety.

Fire history, fuels, topography and urban-interface issues indicate the potential for a large and damaging fire in the Soda Canyon/Monticello Area. Timber related fuels produce embers and sustained radiant heat. Each ember represents a potential spot fire and radiant heat has been proven to be the most important factor contributing to structure ignition from a wildfire.

OBJECTIVES

The Soda Canyon/Monticello Area has been divided into three contingency planning zones based upon road access. The zones are described in the following table. The goal is to contain a wildfire within Planned contingency sections of this Plan.

Zone Name	Acres	Commercial	Residential	Workshop
Soda Canyon	6,365	2	102	6
Capell	4,573	2	211	3
Monticello	5,925	3	82	4
Capell	4,543	2	211	3
Monticello	5,955	3	82	4

INCIDENT OBJECTIVES

Management Objectives

1. Provide for firefighter and civilian safety (Civilian evacuations considered to be the best protection of life).
2. Preferred method of attack is aggressive offensive perimeter control.
3. Efficiently plan for fire spread and conduct proactive reconnaissance of assets at risk.
4. Work cooperatively with all agencies.
5. Order necessary resources and demobilize as appropriate.
6. Maintain fiscal accountability, keeping costs commensurate with assets at risk.
7. Complete all necessary documentation.
8. Utilize an after action review process to critique the emergency response, incident management and the Plan to adapt it for future use.

Control Objectives

Pre-determined control objectives are specific to each contingency planning zone and are described in

Zone Name	Number of	Key Fire	Workup	Escalate
Soda Canyon	Silverado Trail/ toe of slope	Ambrosi Winery (1700 Soda Canyon Rd and Circle 5 Ranch access Rd)	Atlas Peak Rd	Soda Canyon Rd
Capell	Access Rd from Circle Oaks ranch back to Circle 5 Ranch	Capell Valley Rd and fire Rd to Atlas Peak Rd	Monticello Rd	Atlas Peak Rd
Monticello	Silverado Country Club	Atlas Peak Rd and access Rd to Capell Valley Rd	Monticello Rd	Atlas Peak Rd

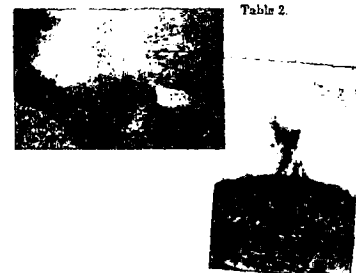
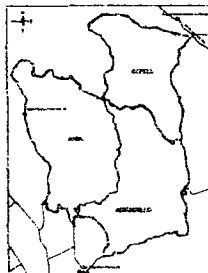


Table 2

EXPECTED FIRE BEHAVIOR

Fuels

There are a wide range of fuels in the Soda Canyon/Monticello Area. Fuels range from grass/ank woodland to 16-50 year old chaparral with some stands of decadent brush over 80 years old. Due to fire suppression and lack of aggressive wildland fuels management, both the vertical arrangement and horizontal continuity of fuels will promote rapid fire growth. These same conditions will also hinder conventional fire suppression tactics. Vertical arrangement is conducive to passive (single tree torching) and active crown fires.

Where vineyards have been established and if a "no-till" management approach has been implemented, the fire may still spread through the vineyard.

Critical concerns are when the chaparral dead-to-live ratio exceeds 50% and live fuel moisture approaches 60% in late Summer and early Fall.

Weather

The weather is generally warm and dry during the day with good relative humidity recovery at night helped by the coastal onshore flow. Fog often returns to the area each night from the south and dissipates by 1100 hours the following morning. If a critical weather pattern exists such as a Foehn north wind, or a cold front passage, the daily weather variation will be subdued. If these critical weather patterns align with the topography, expect extreme rates of spread, especially along exposed ridges and through constricted areas.

Peak summer day temperatures are generally 80-90° F, with relative humidity ranging between 20-35%. Gradient winds are generally out of the SWSW 6-10 mph, strengthening in the afternoon with a 10-15 mph wind in the late afternoon diminishing by dark. Upper Atlas Peak (addresses greater than 2800) and Soda Canyon Rds (addresses greater than 3200) experience northeast winds in the early afternoon (1400 hours) between 5-10 mph. As the sun sets, expect northwest winds (down slope/dawn valley) to develop. These winds can align with some of the major drainages. The 2007 Peak Fire made a significant run and spotted across Milliken Creek during the early evening hours due to this local factor.

There is a Remote Activated Weather Station (RAWS) for this area on the top of Atlas Peak Rd approximately 1 mile west from Turtle Rock on the Hammond Ranch. This site provides accurate conditions for the entire Soda Canyon/Monticello Area.

Topography

Elevations within the Soda Canyon/Monticello Area range between 0 and 80% slope with two dominate north/south orientated ridges. Vineyards and other manmade features provide a network of barriers that will need to be connected to create an effective fireline. The two wide canyons provide the opportunity for wind to be funneled, even under local wind conditions. This situation will be compounded during critical weather conditions.

Significant fire in the Soda Canyon/Monticello Area was the 1981 Atlas Peak Fire. The fire burned approximately 23,000 acres over two days in late June. This fire burned approximately 23,000 acres over two days in late June. Significant fires have occurred in recent years including the October 2006 Atlas Fire and July 2007. Both of these fires burned around numerous structures and required a significant amount of resources.

OPERATIONS Considerations

Soda Canyon/Monticello Area is entirely CAL FIRE State Responsibility Area (SRA). No unified considerations are necessary. If the fire moves into the Silverado Country Club or other areas, these unincorporated areas of Napa County are Local Responsibility Area (LRA) and are managed by CAL FIRE.

Designation and use of incident facilities such as Staging Areas and early evacuation is dependent on the road network servicing the area. The roads will quickly become congested if an effective control plan is not established by cooperating law enforcement agencies and public officials.

Integrating a local member of the fire department or resident into the intelligence gathering and evacuation process. This person could provide valuable input as to the location of abandoned fire equipment and weather patterns.

Operational Considerations

Based upon the dynamics of the incident, may either exercise the option to shelter residences or order an evacuation through cooperation and consultation with local law enforcement. Depending on the location of the fire, the primary evacuation routes are the roads of Soda Canyon Rd, Atlas Peak Rd and Monticello Rd (Highway 29). Evacuation routes should be directed to either Napa or Capell Valley depending upon the direction of spread of the fire. If evacuation is necessary, it needs to be ORDERED EARLY. Residents should be advised to use the main roads in the area to head AWAY from the fire. Residents should be encouraged from using their normal travel patterns if that takes them closer to the incident or associated emergency responder equipment compromises the travel sheltering in place or use of vineyards may be the best option.

Roads in the area are narrow, two lane roads. Evacuation routes will open and staff evacuation shelters.

- Evacuation route closure points are:
 - Soda Canyon Rd at Silverado Trail
 - Monticello Rd at Vichy Avenue
 - Atlas Peak Rd at Hillcrest Drive
 - Monticello Rd at Wooden Valley Rd
 - Monticello Rd at Highway 128

County Sheriff's Office initial deployment for an incident is a Sergeant and two deputies. The Sheriff or his sergeant will coordinate all evacuations and will also coordinate any animal control issues.

Evacuation order should also be accompanied with:

- Assignment of a PIO to any evacuation shelters as soon as possible to allow the most current and efficient dissemination of information
- Development and maintenance of close coordination with the Sheriff's Office, California Highway Patrol and all other involved agencies such as Cal Trans and County Roads Department

Interface Considerations: Soda Canyon/Monticello Area consists of numerous structures ranging from small to very large homes and trailers. Most have outbuildings that may contain hazardous materials such as union, pesticides, insecticides, herbicides, fertilizers and controlled substances.

Oaks Subdivision is a concentrated area of structures with varying levels of clearance and landscaping.

Most homes are built of non-fire resistive material, have little or no defensible space, are built on steep slopes or in saddles and have inadequate driveways and turnaround areas.

Evacuation triage should be accomplished prior to deploying resources by strike team leaders. Type III fire engines are best suited for the area.

Most homes have propane tanks and above ground service drops for electrical service.

Supply Considerations: Residents should be ordered early. There are no water distribution systems in the Soda Canyon/Monticello Area with the exception of the Circle Oaks Subdivision. Residences use wells with on-site pumps. Some of these water sources require drafting. These will be equipped with 4 1/2" or 2 1/2" hoses. Some of the residences have ponds and a few have swimming pools.

Vineyards have draft hydrants and large irrigation ponds. 2210 Soda Canyon Rd has 10,000 gallons in water (one 20,000 gallon tank and four 10,000 gallon tanks). These tanks are on a dirt road behind the residence. The driveway is passable by most fire engines. Fire water tenders may have difficulty negotiating the road near the residence.

Hydrants in the Silverado Country Club with the closest hydrant locations for each main road are:

- Circle Oaks Rd - Transac St x Silverado Trail or at 1605 Atlas Peak Rd (Spa at Silverado)
- Monticello Rd x Vichy Avenue
- Atlas Peak Rd - In front of 136 Westgate Drive

Operational Facilities Considerations

Staging facility to support an incident does not exist within the Soda Canyon/Monticello Area. Two initial Incident Command Posts (ICP) and staging areas have been identified: the Napa and Capell Fire Stations. The Capell Fire Station is in an area with no cell coverage and has minimal facilities. The Napa Fire Station, near the Country Club, has cell phone service and has accommodations for parking.

Staging areas are identified in the following table. The Napa Fairgrounds have been used as an incident base in the past. The Napa Fairgrounds will most likely be where the incident base is established unless a planned event prevents its use.

Defensible Space Areas

Area	Consideration/Action
Evacuation	<ul style="list-style-type: none"> Use Soda Canyon Rd as western boundary Use Atlas Peak Rd as the southern and eastern boundary Use vineyard road at 3700 Soda Canyon over to Circle S Ranch for northern boundary Hold fire to bottom of the slope along the northern edge of the Napa Valley flow from Atlas Peak Rd to Soda Canyon Rd
Water	<ul style="list-style-type: none"> Consider using existing vineyard roads connecting Circle Oaks Rd and Atlas Peak Rd Construct and improve direct lines utilizing the roads from Atlas Peak Rd (Serra Ranch) to Capell Valley Rd Use Monticello Rd and Capell Valley Rd as barriers
Structure	<ul style="list-style-type: none"> Use Atlas Peak Rd and Monticello Rd as barriers Consider using existing vineyard roads connecting Circle Oaks Rd and Atlas Peak Rd improve with brush Be aware of a significant amount of structures with poor egress and clearance within Circle Oaks Subdivision.

Contingencies

If rates of spread and fireline intensity dictate indirect tactics, both bulldozers and hand crews will be needed to open and fortify existing roads and the establishment of new firelines. Many abandoned or poorly maintained fire and jeep roads exist within the Soda Canyon/ Monticello Area that can be used. Many are unmarked or unable to be shown on a map.

Contingency actions are further described in the following table.

Area	Address	Coordinates	Longitude	Remarks
Napa Fire Station	1820 Monticello Rd	N 38° 20.379'	W 122° 15.773'	
Soda Canyon Gate	4036 Silverado Trail	N 38° 21.443'	W 122° 17.249'	Not good for dozers
Entrance to Milliken Lake	2582 Atlas Peak Rd	N 38° 22.919'	W 122° 14.461'	
Circle S Ranch	3995 Atlas Peak Rd	N 38° 24.992'	W 122° 14.985'	
Antion Winery	3700 Soda Canyon Rd	N 38° 25.995'	W 122° 17.435'	
NCFD Capell Station 14	1193 Capell Valley Rd	N 38° 27.160'	W 122° 12.191'	
Large vineyard	Silverado Trail just South of Hillcrest Ave	N 38° 20.437'	W 122° 16.935'	Good for dozers
Napa Fairgrounds	375 3rd St	N 38° 17.933'	W 122° 15.790'	Also can be used as an incident base

Structure Protection Tactics

Limited access and the difficulty in supervising both perimeter control and structure protection activities will necessitate the formation of a structure protection group. Based upon the complexity of the incident, the IC may need to consider the development of a structure protection branch with several structure protection groups. Groups will allow for more efficient intelligence gathering and provide proper span of control. If an opportunity arises, structure protection groups should actively participate in perimeter control!

Many of the structures have an address of the nearest paved road, but are in fact located on long, narrow, driveways well off of the road. Fire engines may have limited access and turnaround space due to narrow roads and overhanging trees. Many are located mid-slope.

Many of the homes have minimal defensible space. Most homes are not of fire resistive construction, many with shake roofs.

Most bridges have not been engineered, tested or rated for fire engines. Inspect every bridge before crossing!

Most homes have above ground utility lines and propane tanks.

Structure triage should take place prior to committing engines up long driveways. Dozers and Fire Crews should be used if time permits to clear defensible space.

Application of Class A foam by engines, gel by helicopters and retardant application by air tankers around these structures will be necessary. It may be that engines companies may have to apply Class A foam, then abandon the area and return after the fire front has passed to suppress the residual fire.

Firing out (backfiring) behind the structures in this area is not generally advised because of fuel type and topography.

Should firing be considered:

- Obtain IC or Operations Section Chief approval prior to conducting firing operations
- Firing needs to be carefully coordinated with adjoining resources so as not to cut off escape routes and send fire towards other structures and firefighters
- Limit firing to the amount of fire necessary

Evening and nighttime fireline construction will be aided by favorable weather conditions (cooler temperature and fog).

It is recommended to have two ambulances assigned and staged at the Napa or Capell Fire Stations to assist with medical emergencies.

AGENCY NOTIFICATIONS

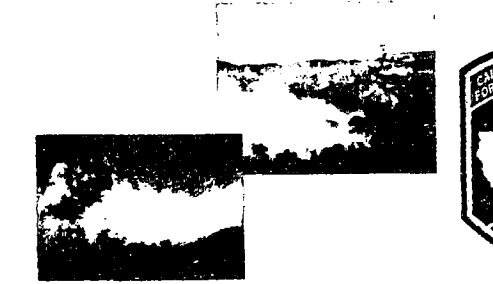
- Through ECC request representatives from:
- County OES
 - CHP/ County Sheriff (Sergeant or above)
 - Cal Trans
 - County Roads
 - Red Cross
 - Utilities (as needed, PG&E, Pac Bell)
 - Napa City Water Department

RADIO FREQUENCIES

Agency	Frequency	Band	Power	Notes
County OES	151.240	151.240	2 (123.0)	
CDF Command 1	151.355	159.300	2 (123.0)	
CDP Command 2	151.265	159.330	13 (141.3) 14 (151.4)	
Napa County Fire	154.415	3 (131.8)	154.760	2 (123.0) 5 (146.2)

Tactical Frequencies

Agency	Frequency	Band	Power	Notes
White 2	154.265	154.265		
White 3	154.295	154.295		
CDP Tac 2	151.160	151.160	16 (192.8)	
CDP Tac 4	151.190	151.190	16 (192.8)	
CDP Tac 5	151.250	151.250	16 (192.8)	
Napa County Tac	154.325	3 (131.8)	154.325	3 (131.8)
CDP Air Ground	151.220	151.220		
CALCORD	156.075	156.075		



SODA CANYON - MONTICELLO

LEGEND

- FIRE STATION
- ⊙ KNOX BOX
- ADDRESS
- ⊙ HYDRANT
- ⊙ BRIDGE
- ⊙ WATER TANK
- ⊙ GATE
- CONTINGENCY ZONE
- ⊙ ROAD CLOSURE POINTS
- HIGHWAY
- MAJOR ROAD
- ROAD
- DRIVEWAY
- FIRE ROAD





CIRCLE OAKS
SEE DETAIL AREA 1

DETAIL AREA 1
CIRCLE OAKS

MONTECITO

WOODEN VALLEY RD

WOODEN VALLEY

WADSWORTH

WADSWORTH

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EXHIBIT “31”

EXHIBIT “31”

EXHIBIT “31”



Incident Information

Last modified on Aug 05, 2015

WRAGG FIRE

Wragg Fire Incident Information:

Last Updated:	August 5, 2015 5:30 pm	FINAL
Date/Time Started:	July 22, 2015 2:24 pm	
Administrative Unit:	CAL FIRE Sonoma-Lake-Napa Unit	
County:	Napa County and Solano County	
Location:	Off of Hwy 128 near Greaves Rd, Lake Berryessa	
Acres Burned - Containment:	8,051 acres - 100% contained	
Structures Threatened:	0	
Structures Destroyed:	2 outbuildings destroyed - 4 outbuildings and 1 residence damaged	
Evacuations:	All evacuations have been lifted	
Road Closures :	All road open to normal traffic.	
Cause:	While initially reported as a vehicle accident, the cause is under investigation.	
Cooperating Agencies:	CAL FIRE, Napa County Fire, Winters FPD, Vacaville FPD, Vacaville City Fire, City of Winters, Napa County Sheriff, Solano County Sheriff, Yolo County Sheriff, CHP, Red Cross, PG&E, Napa County Road Department, CDCR, CalOES, Salvation Army, CCC, BLM, CalTrans, Air Resources Board, Bureau of Reclamation, Yocha Dehe Wintun Nation, and CAL FIRE Incident Management Team 6	
Total Fire Personnel:	144	
Total Fire Engines:	5	
Total Fire crews:	2	
Total Dozers:	4	
Total Water Tenders:	3	
Incident Management Team:	6	
Long/Lat:	-122.1145/38.4994	
Conditions:	The activity on the fire includes fire line suppression repair, mop up and tactical patrol as firefighters work to achieve full containment. The Wragg Incident management will be transitioned back to the CAL FIRE Sonoma-Lake-Napa Unit Monday (8-3-15) at 0900.	
Phone Numbers	(707) 999-3016 (Wragg Fire Information)	

California Statewide Fire Map

2016 Calif...

Map data ©2016 Google, INEGI Terms
View California Fire Map in a larger map

WRAGG FIRE MORE INFO

- Wragg Fire Information
- Incident Maps
- Photos
- News Releases
- Weather Information
- Telephone Numbers
- Special Notices
- Related Links

Exhibit 31a



https://www.google.com/maps/tviewer?m=d= 2015 California Fire Map

File Edit View Favorites Tools Help

Suggested Sites Web Slice Gallery

Page Safety Tools

Google+ Search Images Maps Play YouTube News Gmail More

Sign in

2015 California Fire Map

This map created by CAL FIRE provides general locations of major fires burning in



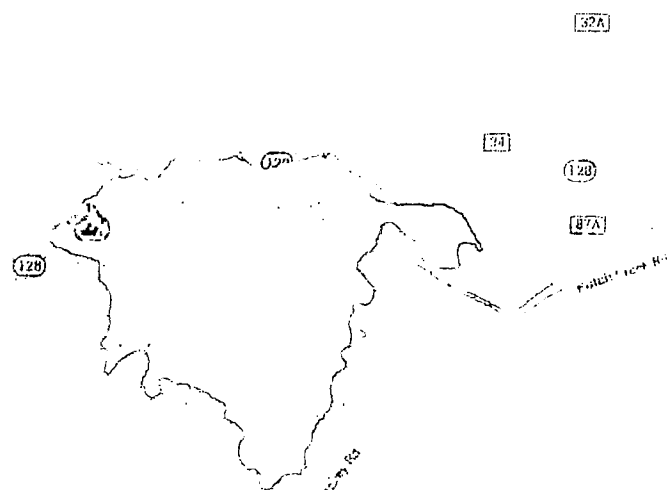
Made with Google My Maps

Active Fires

- Wragg Fire
- Wragg Fire Perimeter
- 3-12 Fire
- 3-11 Fire
- Trips Fire
- Pines Fire
- Pines Fire Perimeter
- Lake Fire
- Lake Fire Perimeter
- Washington Fire
- Washington Fire Perimeter
- Kyburz Fire



Spanish Flat



Atlas

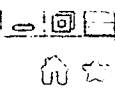
Yountville

Google My Maps

2 km Map data ©2015 Google

125%





2015 California Fire Map

This map created by CAL FIRE provides general locations of major fires burning in



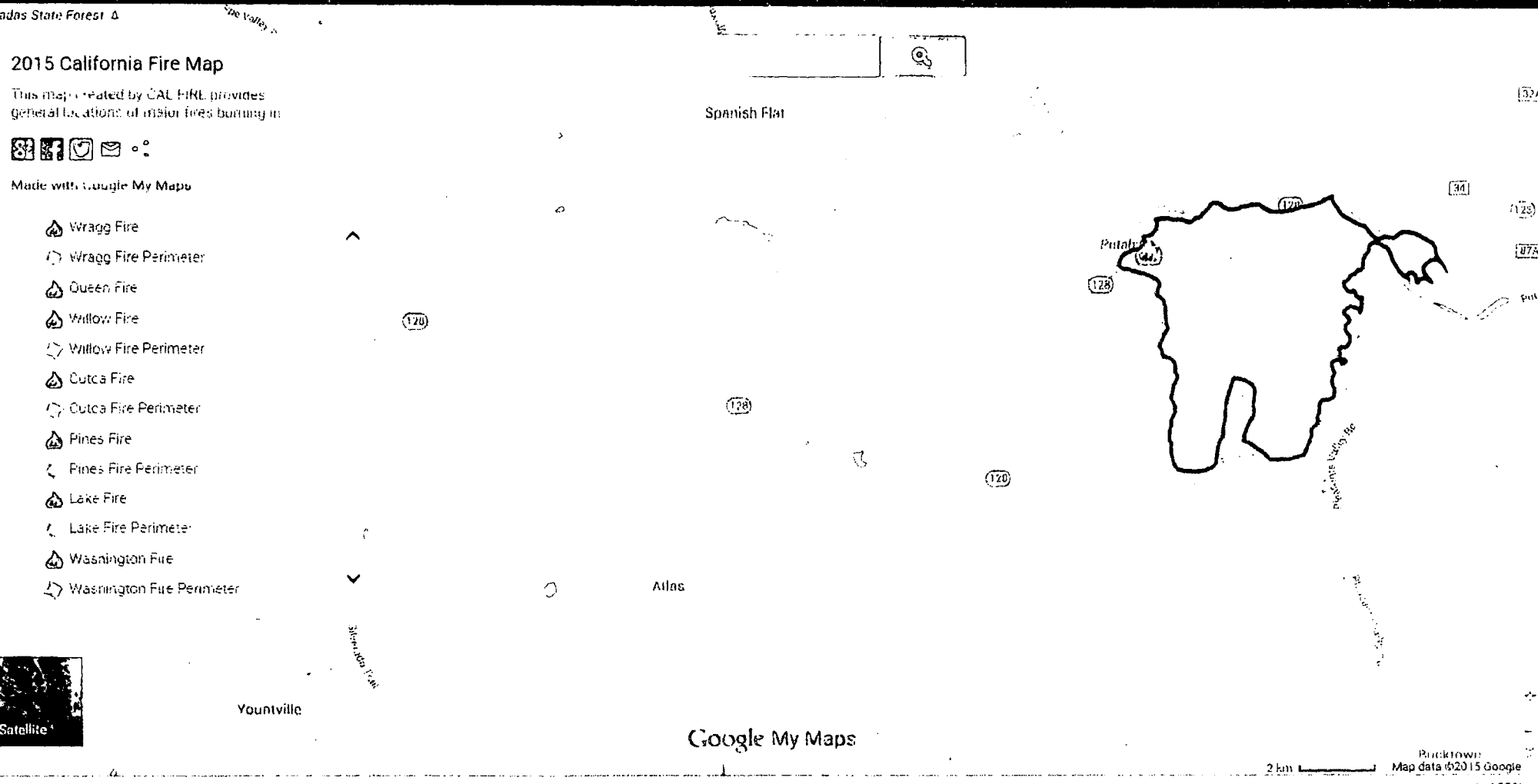
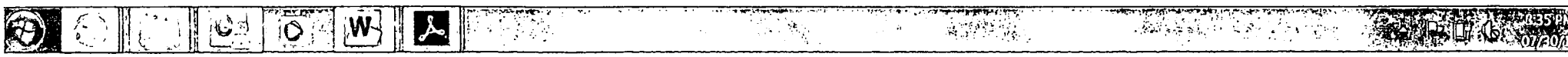
Made with Google My Maps

- Wragg Fire
- Wragg Fire Perimeter
- Queen Fire
- Willow Fire
- Willow Fire Perimeter
- Cutca Fire
- Cutca Fire Perimeter
- Pines Fire
- Pines Fire Perimeter
- Lake Fire
- Lake Fire Perimeter
- Washington Fire
- Washington Fire Perimeter



Yountville

Google My Maps



Expand

http://napavalleyregister.com/news/local/vehicle-exhaust-blamed-for--acre-wragg-fire/article_5f5249ff-9f59-5e57-ace8-9522a48058c8.html

Vehicle exhaust blamed for 8,000-acre Wragg Fire

Register staff Aug 14, 2015



Cal Fire investigators have determined the cause of the Wragg Fire, which burned more than 8,000 acres in three counties, was the result of a vehicle exhaust contacting dry grass. The dry grass ignited the surrounding brush and the vehicle as well.

Exhibit 31b

The Wragg Fire was reported at 2:24 p.m. on July 22 off of Highway 128 near Wragg Canyon Road and the Lake Berryessa dam in Napa County. The fire burned through heavy brush and steep rugged terrain eventually ending 4 miles west of the city of Winters and just north of Mix Canyon Rd near Vacaville.

During initial operations, a Cal Fire helicopter was used for the emergency rescue of hikers in the Cold Canyon area. One hiker suffered a heat related illness and was transported to a local hospital by ground ambulance.

The fire burned 8,051 acres, destroyed two outbuildings, damaged four outbuildings and one residence. The "Wragg Fire" is 100 percent contained, Cal Fire said.

"With the critical fire conditions we are seeing this year combined with four years of drought, we are asking the public to be extra cautious in not sparking a wildfire," said Cal Fire Unit Chief Scott Upton. "With hunting season and other outdoor activities at their peak, it is imperative that we remain aware of how easily dry grass can ignite a wildfire with devastating consequences."

With drought conditions, Cal Fire continues to urge the public to be careful outdoors. Pulling over in dry grass can easily ignite a wildfire. Learn more tips on how to operate and maintain your vehicle safely at www.ReadyForWildfire.org or on the attached infographic.

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EXHIBIT “32”

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Exhibit 3a
SCR
Mile 1.10

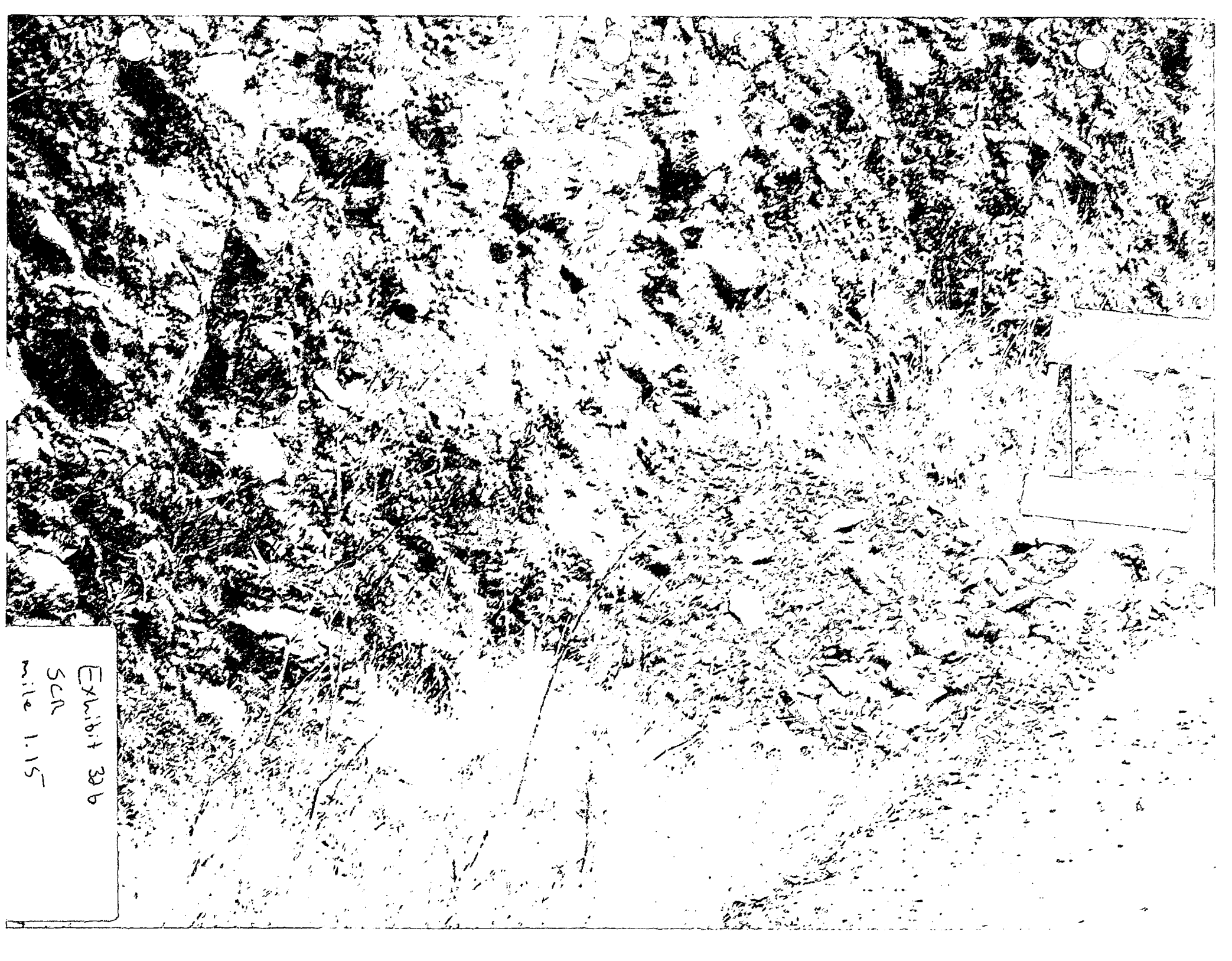
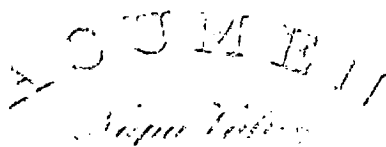


Exhibit 39b
SCN
mile 1.15

EXHIBIT “33”

EXHIBIT “33”

EXHIBIT “33”



[ABOUT](#)

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Dear Friends,

Acumen wines are the embodiment of a dream to share with friends and family the very best of the Old and New Worlds, a dream where world-class winemaking and viticulture experience combine with a deep love of the land.

Our Acumen team, which includes winemaker Denis Malbec and viticulturists Steve Mathiasson and Garrett Buckland, was drawn to the mountainside vineyards of Napa Valley's eastern slopes, which have created countless world-class wines. It was here in the Atlas Peak AVA that we set our roots in two unique vineyards with a total of 116 acres. The Acumen label shares a glimpse of our inspiring view, which features the iconic peak of Mount St. Helens and the peaceful, undulating hillsides of this enchanted mountain valley. Along with our neighbors on Patchard Hill and in Oakville, our vines are planted in the prized, red, iron-rich volcanic soils that have become the benchmark for Napa Valley's finest wines.

Every glass of Acumen is an invitation to share in our dream, to be transported to the vineyards, to feel the sun and smell the earth, to taste the best that Napa Valley has to offer. We hope you join us.

With Gratitude,

Exhibit 33a



http://napavalleyregister.com/news/local/prominent-st-helena-winemaker-dies-in-crash/article_53b908f3-8cbf-5f01-98cc-0c4b94def4ba.html

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PREVIOUS



Napa Police warn against "family emergency" scam

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NEXT UP

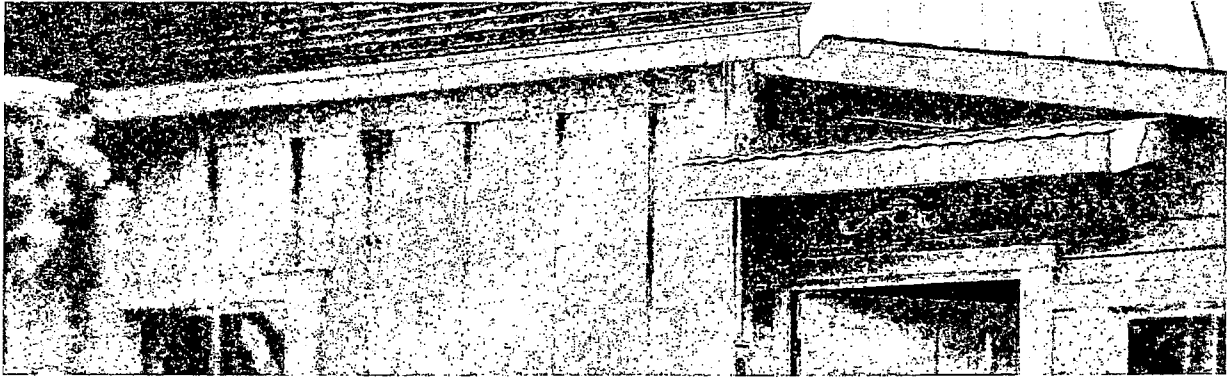


Animal Shelter offering free adoptions on Saturday

Prominent St. Helena winemaker dies in crash

HOWARD YUNE hyune@napanews.com Apr 17, 2016

Exhibit 33b



A car crash in Yountville has claimed the life of Upvalley winemaker Denis Malbec.

The 46-year-old Malbec, who with his wife, May-Britt, founded the Notre Vin winery in St. Helena, was at the wheel of a 2016 Mercedes-Benz shortly after midnight Saturday morning when it went off Washington Street near Highway 29 and struck several trees, according to authorities. He was pronounced dead at the scene.

His passenger, Josh Phelps, a 30-year-old winemaker, was riding with him after meeting him and May-Britt at the Press Restaurant in St. Helena, May-Britt Malbec said Tuesday. After taking her home, the two men continued to Yountville, where they briefly visited Pancha's and Bouchon before the accident, she said.

The California Highway Patrol reported that Phelps, of the Taken Wine Co. in St. Helena, was taken to Queen of the Valley Medical Center for evaluation, but had no reported injuries.

The cause of the fatal crash remained unclear on Sunday. Attempts to contact the CHP were unsuccessful.

The crash brought an untimely end to a man whose childhood was steeped in the winemaking traditions of his native France, and who worked to impart that character in a new generation of high-end North Bay wines, according to Andre Boada, who was vice president of sales at Capture Wines of Sonoma County when Malbec served as its founding winemaker from 2008 to 2012.

“He tried to bring Bordeaux-style, beautiful, elegant, lower-alcohol wines to the U.S.,” he said of Malbec, the son of a cellar master and grandson of a vineyard manager at the famed Chateau Latour wine estate in Pauillac, France. “When he came to Pine Mountain (in Cloverdale) to craft our wines at Capture, we brought out a different style that nobody was doing then.”

After a stint as a Chateau Latour cellar master in the late 1990s, Malbec in 2000 moved with his wife to California, where the couple established themselves both as winemakers and consultants. Among his creations were wines under the Kapcsandy and Blankiet Estate labels that garnered high ratings from the wine critic Robert Parker, including a 2007 Kapcsandy cabernet sauvignon that Parker awarded a top score of 100.

In the Upvalley, the Malbecs – who met in France while May-Britt worked in public relations for Chateau Latour—established Notre Vin, an upscale small-batch winery that draws from grapes grown in the Howell Mountain area as well as the Sonoma Coast. The couple also produced wine from Lake County vineyards under the Alienor brand, named for Eleanor of Aquitaine, the 12th-century queen consort of France and England.

A private memorial service for Denis Malbec is planned for next week.

This story has been corrected since first posting to more accurately reflect events on the night of the crash and May-Britt Malbec's job at Chateau Latour.

Howard Yune



http://napavalleyregister.com/news/local/napa-valley-winemaker-legally-drunk-in-fatal-crash/article_de921c73-4d03-5cbd-b8d2-9596e626b004.html

<

PREVIOUS

Napa water taxi, historic B&B and apartment project face council vote

>

NEXT UP

Napa Police warn against 'family emergency' scam

Napa Valley winemaker legally drunk in fatal crash

MARIA SESTITO msestito@napanews.com Jun 21, 2016

Denis Malbec

Denis Malbec

Photo from Malbec's LinkedIn account

Denis Malbec, the Upvalley winemaker who died in a fatal car crash in April, had a blood alcohol content of .21 percent – more than two and a half times the legal limit, according to the Napa County Sheriff's Office.

Exhibit 33c

Malbec, 46, was driving a 2016 Mercedes-Benz on the night of April 16 when the vehicle went off Washington Street near Highway 29 in Yountville, striking several trees, officials said. He was pronounced dead at the scene.

Malbec died from multiple blunt impact injuries due to the crash, said Sheriff's Capt. Steve Blower with the Coroner's Office.

His passenger, Josh Phelps, a 30-year-old winemaker was taken to Queen of the Valley Medical Center for evaluation, but had no reported injuries.

Maria Sestito

Currents

~

What are the best truck brands of 2016?

The mysterious case of D.B. Cooper is officially closed

—

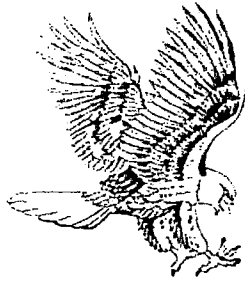
What was the most popular song the year you were born?

New Trump-Pence logo gives some people the giggles

EXHIBIT “34”

EXHIBIT “34”

EXHIBIT “34”



Eagle Cycling Club

March 2015

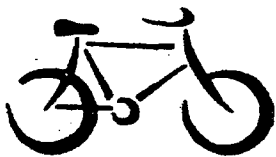
The Eagle Cycling Club

provides cyclists with a variety of riding experiences. Our members can be seen on the road, in the hills, on tandems, on recumbents, and often pulling kids in trailers.

eaglecyclingclub.org

Inside This Issue:

Pres's Message	Pg. 1
Club Biz.	Pg. 2
Ride Schedule	Pgs. 3-6
Loss Weight	Pgs. 7-8



Pictures and articles for the newsletter are always welcome! Please submit to Genny at: genover@shcglobal.net by the end of the month.

Eagle Cycling Club January Meeting
Date: March 9, 2015; Location: Downtown Joe's
Board Meeting: 6:00 PM
General Meeting: 7:00 PM

Message From the President

Tired of hearing from that curmudgeon, El Jefe? Ready for a change?

Well, the Gods are with you. El Jefe has been kidnapped and is being held incommunicado in another state, so Vice President Jennifer Chapman will be holding down the fort at our next meeting, on March 9, at 7:00 p.m., at the back room at Downtown Joe's (Board meeting at 6:00 p.m.).

If she stages a coup, I could wind up exiled for life. But I expect she's smarter than that. Who, in their right mind, would seek out the leadership of ECC? Having not been in my right mind for a long time, I'm afraid I can't answer that. But Jennifer shows way too much evidence of rationality. I expect that if I didn't return, she'd send out a search party and bring me back, kicking and screaming. That would certainly be the rational thing to do.

So come to the celebration! Really, what else could you be doing on a Monday night after football season? Come help Jennifer turn things upside down and also help welcome our Guest Speaker:

Laura J. Bray, MS, ART will give a presentation on "Scar Tissue: How it causes pain; How Active Release Techniques can help, and Self-Treatment Tips for Cyclists."

As usual, there will be limited free food, drinks are on you.

El Jefe

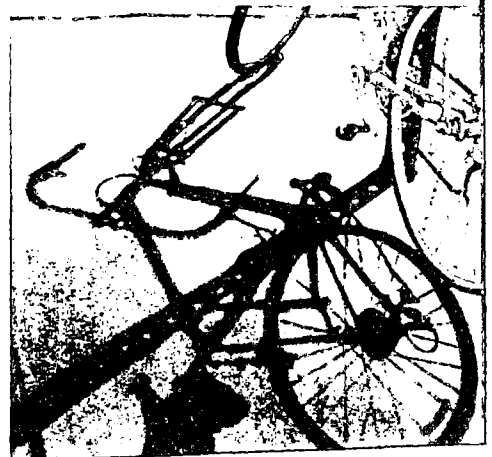


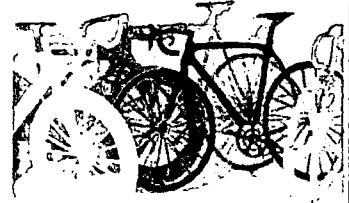
Exhibit 34a

Ride Schedule, continued...

Sundays:

9:00 a.m. Napa to Yountville, 1.5-A-20

Vintage bike ride, only on the third Sunday of every month. Dust off your vintage steed and join us for a relaxing ride to Yountville. We will be stopping for coffee and pastries before returning to Napa. Leaves from Bicycle Works, 3335 Solano Avenue. Rain cancels. For more information, contact Andre Garcia at 707-253-7000)

**Tuesdays**

3:00 p.m. Variable route, 2-B/C-20/40

Training ride for the Eagle High School Cycling Club. Meet at 3:00 the bicycle container near the Napa High School gym, roll at 3:30. This is a coached ride for high school age riders learning group riding skills. Mentors welcome. For more information, contact Connor Kensok at 707-631-6919.

6:00 p.m. Variable route, 2-A/B/C/D-20/30

Be Bright Ride. Meet at Bicycle Works at 6 pm (we do wait till 6:15 pm no later) to go for a 20 to 30 mile ride which will depend on the weather and where the group wants to go, which means it could be Mt. Veeder, Carneros, Soda Canyon to the Firehouse, Rutherford Loop and somewhere fun. Slowest rider sets the pace. **Front and rear lights are required**, since this ride takes place after dark. For more information, contact Gabby Gonzalez at 707-815-7436 or gglez11@hotmail.com.

Wednesdays

8:30 a.m. SHARP! Carneros loop, 1.5-B-20

A leisurely two hour ride in the Carneros district. This is a no-drop ride, which regroups regularly, and usually takes a group photo at the "Pigs 4 Sale" sign. Meet at Dwight Murray Plaza, at the infamous missing clock tower, on First between Main and Coombs. Refreshments at the Model Bakery afterwards. Rain cancels. For more information, call Bob Hillhouse at 707-253-7000 or 707-252-1246.

5:00 p.m. Mt. Veeder loop, 2/3-D-21

The classic clockwise Mt. Veeder loop. Meet at the corner of Browns Valley Road and Redwood Road. Go over Mt. Veeder and return via Dry Creek Road. Optional return with the 6:00 p.m. counter-clockwise ride. No Leader.

6:00 p.m. Variable Route, 2-D-20/25

Usually a counter-clockwise Mt. Veeder loop, going out on Dry Creek Rd., and returning on Redwood Rd. Meet at Bicycle Works. Bring lights in the winter. If it's raining, the loop will be through Carneros instead. This is a no drop ride, for all levels. For more information, contact Dave Pruett at Bicycle Works, 707-253-7000

6:00 p.m. **Silverado Country Club/Avenues Loop**, 2-B-15/20

Slowest rider sets the pace. **A women's only ride.** Meet at the Oxbow east parking lot. For more information, contact Margaret Mackey at 707-363-4492 or Linda Mcfeely at 707-975-6099.

Thursdays

3:00 p.m. Variable route, 2-B/C-30/60

Training ride for the Eagle High School Cycling Club. Meet at 3:00 the bicycle container near the Napa High School gym, roll at 3:30. This is a coached ride for high school age riders learning group riding skills. Mentors welcome. For more information, contact Connor Kensok at 707-631-6919.

Fridays

8:30 a.m. **Bike Friday**, 1/1.5-A-10

Bike Friday is an easy, mostly flat ride to Yountville via Solano Avenue. There is a yak stop at the structure at the end of Solano Avenue in Yountville. Alternate routes are planned impromptu from there. Some ride up-valley, some return via Solano Avenue to Napa for coffee at Panera. The up-valley groups tend to ride a bit faster. Occasionally, a group will ride up to Hennessey and do the Lower Chiles Valley loop. Rain cancels. For more information, contact Doug Cleveland at 707-252-3985, or velobruin@att.net.

hills of napa

Napa, California

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THE HILLS OF NAPA RANKING FROM TOUGHEST TO NOT SO TOUGH

Hills provide a challenge, a chance to get into condition, a good look at varied scenery, and the only access to those great descents. The following is a listing and ranking of most of the hills in Napa. I used an Avocet 50 computer for altitude gain and distance. The greater the incline the more feet climbed per mile. The Napa hills range from 650 ft/mi. which in some circles computes to an 18% grade (not according to my trigonometry book) to 174 ft/mi. They are also ranked from most difficult to easiest which can be somewhat subjective. I base how hard they are usually on how steep but sometimes that's not the whole story. If two hills are practically the same pitch but one has no breaks, it will be ranked harder.

1) OAKVILLE GRADE (from Hwy 29) 650 ft/mi. Without a doubt the toughest climb in Napa. it's not that far but it starts out tough and gets alot tougher. You climb 650 feet in exactly one mile. No breaks, no shade, no fun. The first half isn't so bad and I can manage it sitting in the saddle using my 39/28. The last half increases in pitch and it's standing and grunting all the way at a 3.5 mph pace.

2) SPRING MTN (starting from St Helena) 526 ft/mi. I rank this second even though there are two other climbs that are steeper, but this one is longer and there are essentially no breaks. Total distance (from Y in the road to county line) is 4.5 miles and total elevation gain is 1560 feet. The major pitch however is 1.9 miles long and 1000 ft with virtually no breaks. It is covered in shade which helps but I've only attempted this twice in 7 years just to give you an idea of how much I enjoy this one.

3) SODA CANYON RD. 633 ft/mi. This is a dead end off of the Silverado Trail. Very pretty ride and it takes about 4 miles of not so difficult climbing to get to the real climb. Total distance from Silverado Trail to the peak is 6.1 miles and elevation gain is 1340 feet. The major pitch starts at the fire station 4 miles in and is 1.2 miles with 760 feet of climbing. There are only a couple of short breaks once you start the major climb. No shade, no fun.

4) WILD HORSE VALLEY RD. 600 ft/mi. This is also a dead end that is a continuation of Coombsville Rd. Total distance (from small bridge to peak) is 2.4 miles and 1210 feet of climbing. The major pitch starts at the Y and is 1.6 miles with 960 feet of elevation gain. This one is actually fun, has some great views, and some breaks. I break it down into three sections, the first third is toughest, middle third flatter and has some breaks, and the last third gets tougher again but still has some breaks.

5) HOWELL MTN. (from the Pope Valley side) 504 ft/mi. This is the alternative to Ink Grade and most people don't take it. Total distance is 2.2 miles with 1110 feet of climbing. Lots of shade, nice scenery, not alot of breaks but I still have fun on this one.

Exhibit 34b

6) TRINITY RD. (from the Sonoma Hwy 12 side) 480 ft/mi. I start the climb about a mile in from Hwy 12 just at a sharp right hairpin turn. From there to the fire station at the top it's 2.5 miles and 1200 feet of climb. The first and last third are the toughest with the middle third easiest with more breaks. No shade but still fun.

7) TRINITY RD. (from the Napa side) 474 ft/mi. Along with Mt Veeder this is one of my favorites. Lots of shade, great descent, great views. Total distance from the first right hand turn to the first vineyard beyond the county line is 1.9 miles and 900 feet of climbing.

8) CAVEDALE RD. 410 ft/mi. The total distance is 7.0 miles from Hwy 12 on the Sonoma side to the fire station on Trinity and 1850 feet of climb. The major pitch is 4.0 miles with 1640 feet. This is a very poorly maintained road with lots of potholes and bumps so it breaks your concentration. Very little shade and some tough pitches toward the end. Although I rank Trinity harder I prefer to climb it rather than this brain rattler - do not take this road on your descent unless you like building wheels.

9) PARTRICK RD. 380 ft/mi. This one is a dead end off of Browns Valley Rd. It has a very tough little pitch toward the start, some shade but mostly open, and a great descent but watch for the cattle guards (2). Total distance is about 4 miles from Browns Valley Rd. to where it breaks into a Y of driveways. I don't know the total elevation gain but suspect it's around 1300 feet. However, the major pitch is 2.0 miles and 760 feet. At the beginning there's a 0.5 mile climb of 300 feet gain which is a 600 ft/mi. pitch. That one little pitch is why it's ranked 9th instead of lower.

10) MT VEEDER (from Dry Creek side) 486 ft/mi. Total distance is 4.0 miles to the last peak (there are several) and 720 ft of elevation gain. This elevation gain is the elevation at the end minus elevation at the beginning not the total amount of climbing you do but in order to get that figure I have to remember to zero out my computer at the beginning which I haven't done yet. Anyway this is a beautiful mountain and a gorgeous ride. The major pitch is 0.7 miles and 340 feet. Continuing on you go 1.8 miles with 650 feet of climb. Lots of flats and rollers and gentler climbs to the final peak. One heck of a great downhill after that. Plenty of shade. Part of our 100 miler on the Tour of the Napa Valley.

11) MT VEEDER (from the Redwood Rd/Browns Valley side) 458 ft/mi. Starting at Browns Valley Rd/Redwood you have a gentle climb for 6.0 miles with 600 feet of climbing. Lots of shade, pretty scenery with babbling brook on your right. After that the major pitch is 1.2 miles and 550 feet of climb. About 3/4 of the way there's a nice flat break of 100 yards or so to the last pitch to the top. One of my favorites.

12) ATLAS PEAK 350 ft/mi. This is another dead end but quite beautiful, especially in the spring with a chance for a waterfall. The total distance from Westgate Dr. to the end is 8.3 miles with 1830 feet elevation gain. There are several peaks and the first and last are the most difficult. The first peak is 2.6 miles with 910 feet of climbing (watch for the waterfall to your right), then a flat section, rollers and a not so difficult climb to the second peak. After that you go downhill for 1/2 mile or so and then the road narrows for the last third with a few tough pitches. The ride back down is both scenic and a blast.

13) MT GEORGE (going east on 121) 333 ft/mi. Total distance is 3.3 miles with 1100 feet of climbing. Kind of boring, fairly open and fairly steady climb though not very difficult. Very nice coming back down though.

14) HOWELL MTN. (Napa Valley side off of Silverado Trail) 271 ft/mi. Total distance from the split with Conn Valley Rd to the top of the hill before Angwin (take Rt on Deer Park) is 4.1 miles and 1110 ft of climbing. Very pretty ride on a narrow road with great views, little traffic and plenty of shade.

15) INK GRADE 247 ft/mi. Total distance from Pope Valley Rd. to White Cottage is 4.5 miles and 1110 feet of climbing. Very nice ride with plenty of shade, lots of breaks especially at the start. One of the longer climbs in Napa but not as difficult as most. Also part of our righteous Tour of the Napa Valley.

16) OAKVILLE GRADE (Dry Creek side) 254 ft/mi. Might be steeper than Ink Grade but doesn't feel like it and it's much shorter. Total distance is 1.3 miles with 330 elevation gain. Watch out for that descent on the other side though, it's a screamer.

17) REDWOOD RD. 174 ft/mi. This is a little dead end side road off of Mt Veeder and the turn off for Hess Winery (a stop worth making for a look at their art collection). This is probably the prettiest road in Napa with a babbling brook, waterfalls in spring, redwoods, narrow winding road, and vineyards. Total distance is 3.4 miles and 590 feet of climbing. Most of the climbs are at 267 ft/mi. difficulty but there are lots of flats and breaks with probably less than 2 miles of actual climbing. The last 0.2 miles are the most difficult.

That's all there is to it, come on out to Napa and try a few, you might like it. -*Bruce DeBell*

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Eagle Cycling Club 3335 Solano Ave. Napa, CA 94558 info@eaglecyclingclub.org

EXHIBIT “35”

EXHIBIT “35”

EXHIBIT “35”



Exhibit 35a
SCR
Mile 4.70 7.2.2016



Exhibit 35b
SCR
mile 4.70 7.2.2016

EXHIBIT “36”

EXHIBIT “36”

EXHIBIT “36”



Exhibit 36a
SCR
mile 4.90 2015

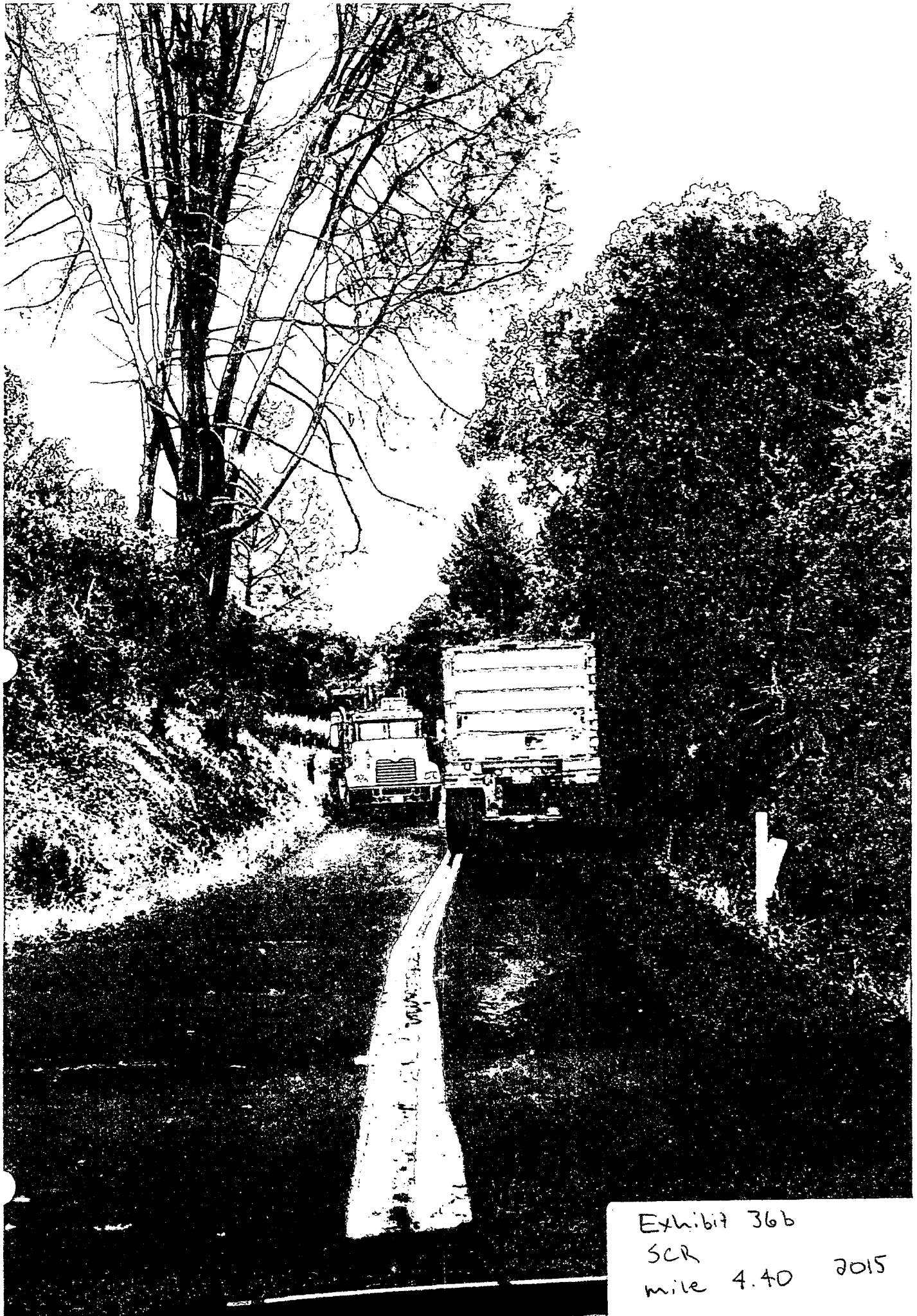


Exhibit 36b
SCR
mile 4.40 2015



Exhibit 36c
mile 3.15 2015
SCR

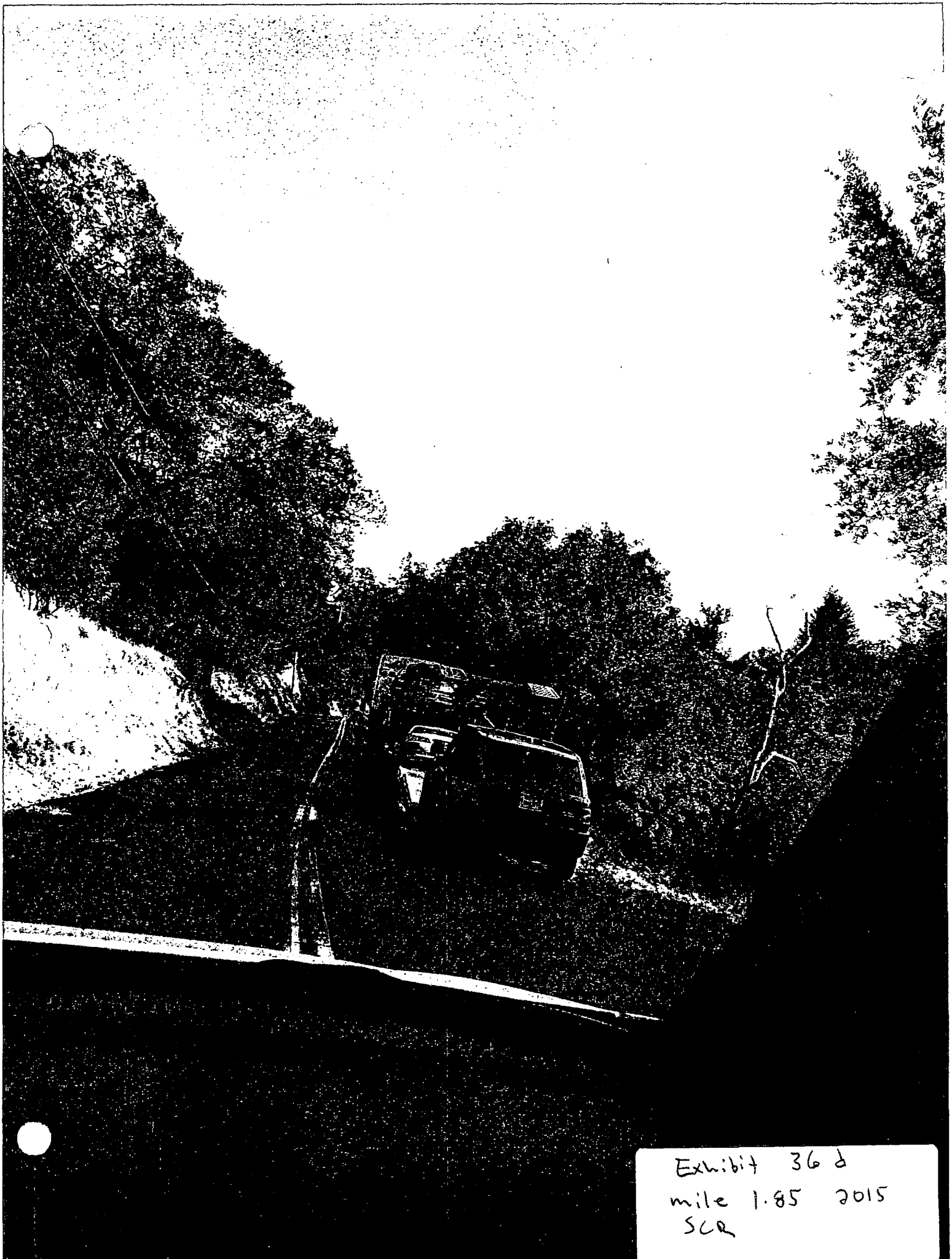


Exhibit 36 d
mile 1.85 2015
SCR



Exhibit 36e
36e
wile 1.85 2015

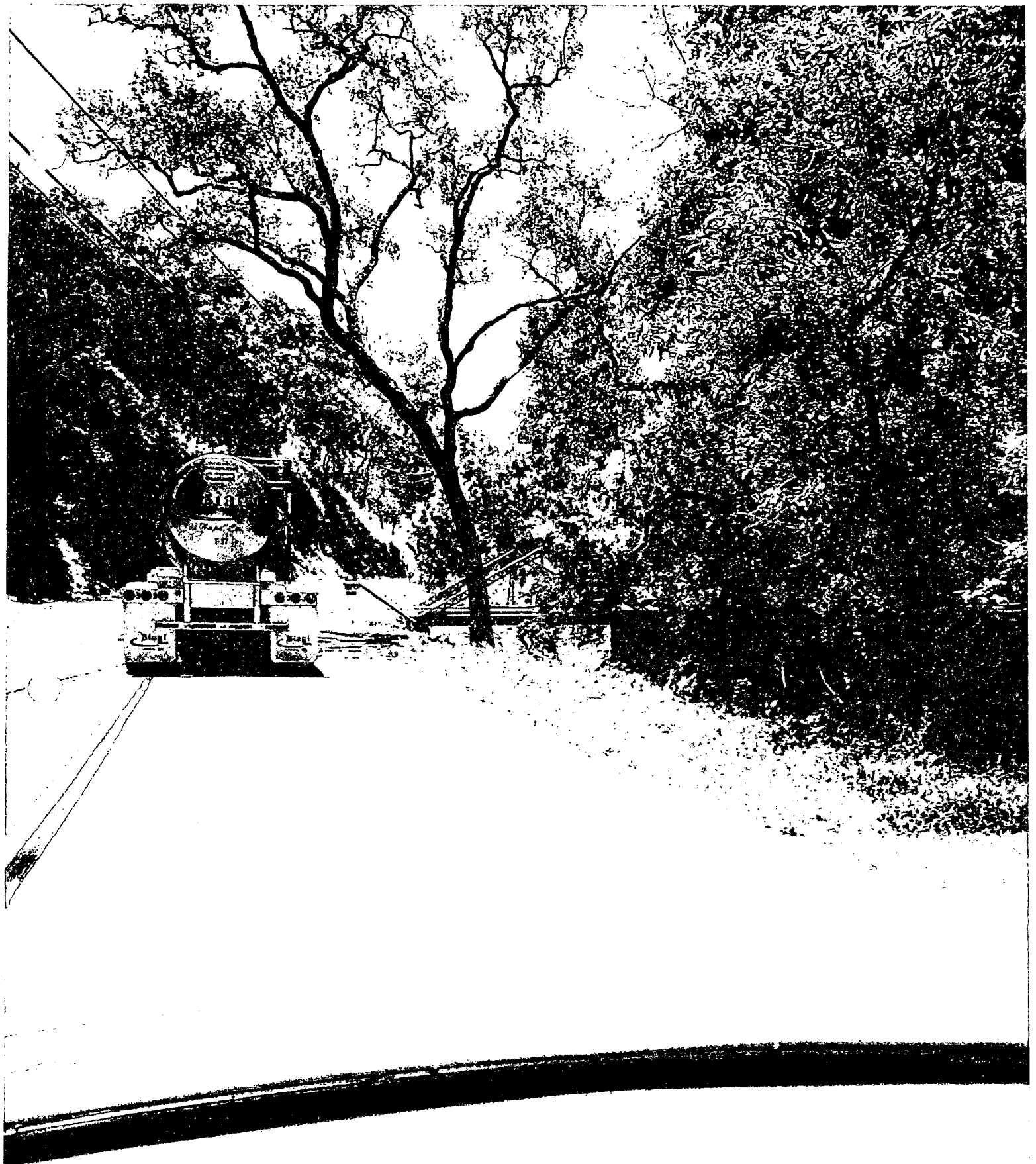


Exhibit 36f
SCR
mile 1.10 2015

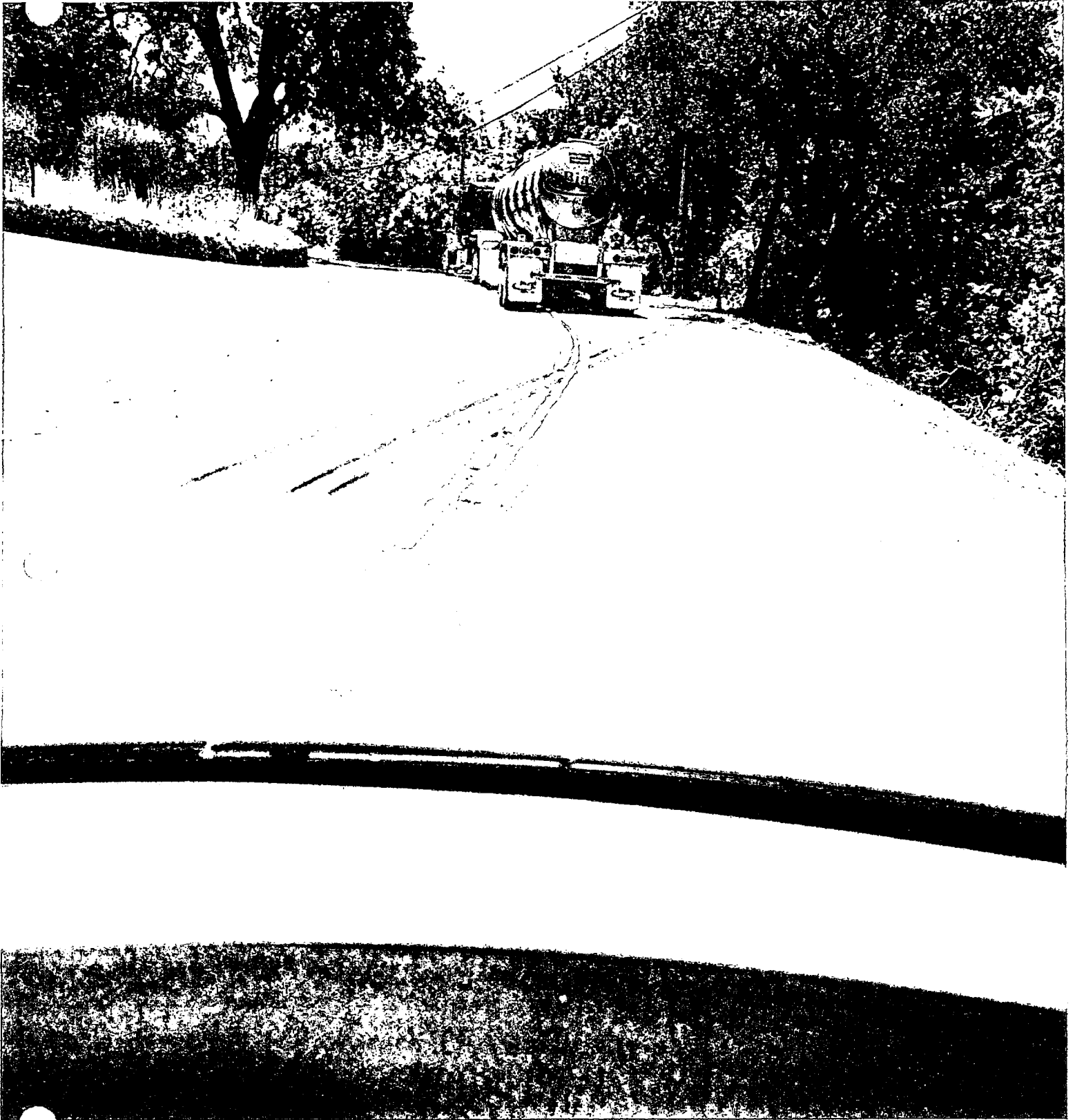


Exhibit 36g
SCR
mile 1.00 2015



Exhibit 36h
3CR
mile 4.15 2014



362

Exhibit 36i
SCR
mile 4.15 2014



Exhibit 36j
SCR
mile 4.15 2014

EXHIBIT “37”

EXHIBIT “37”

EXHIBIT “37”

Video: Rockcrushing
Equipment on SCR
Filmed: June 2015

Included on USB Flashdrive
submitted with this letter.
Also available on youtube.

EXHIBIT “38”

EXHIBIT “38”

EXHIBIT “38”

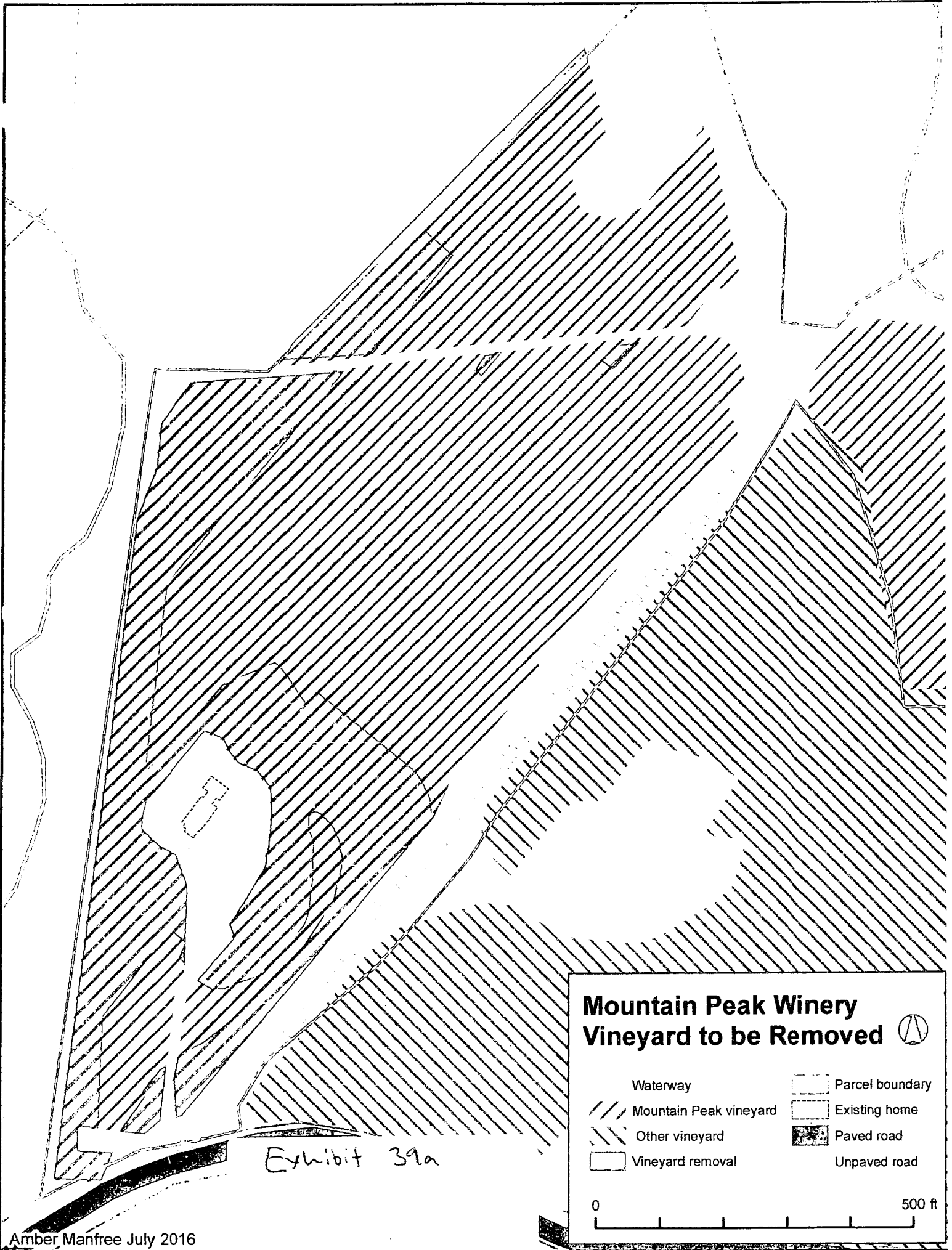
Video: Dumptruck
on SCR
Filmed June 2015

Included on USB
Flashdrive submitted
with this letter. Also
available on youtube.

EXHIBIT “39”

EXHIBIT “39”

EXHIBIT “39”



Mountain Peak Winery Vineyard to be Removed











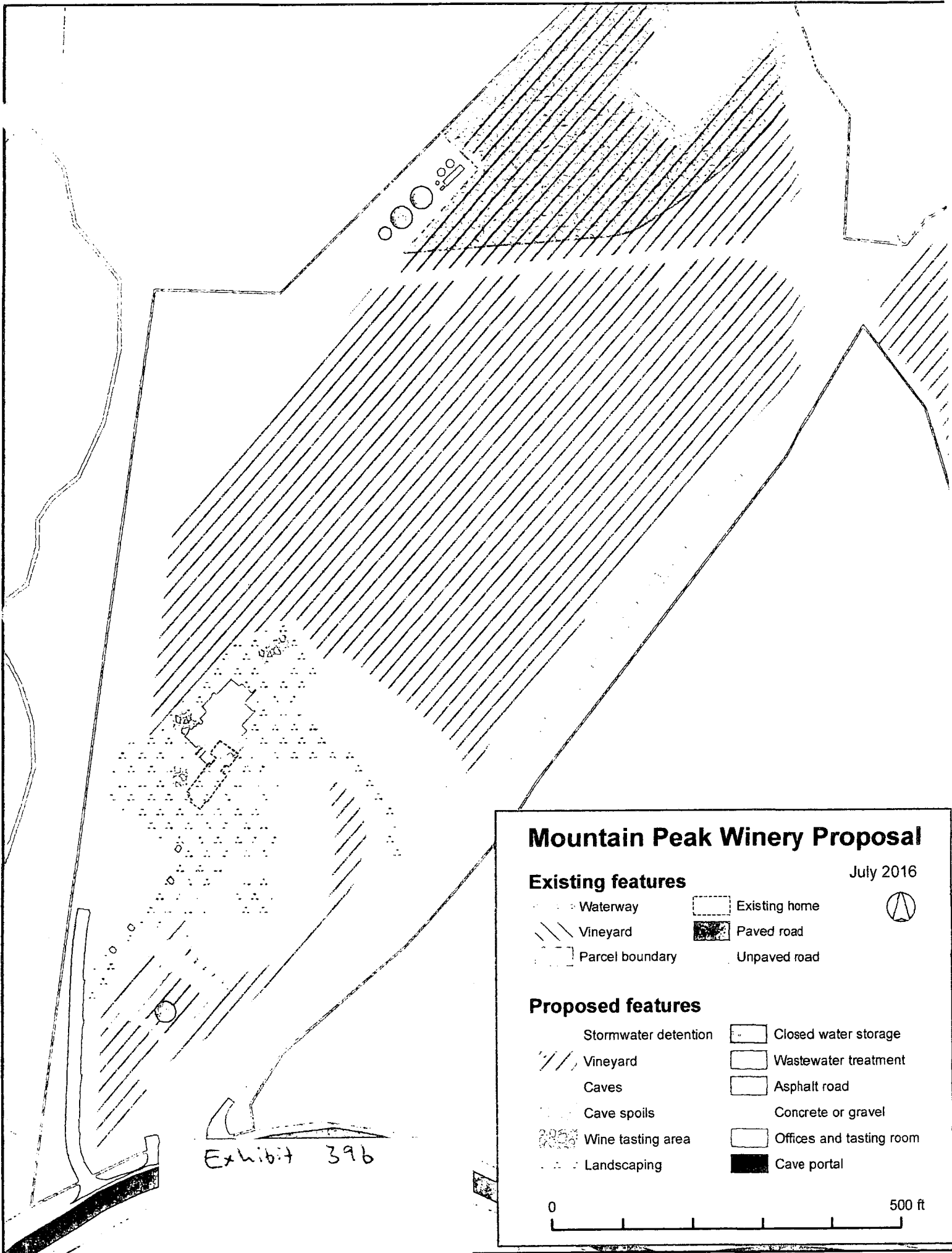
-  Waterway
-  Mountain Peak vineyard
-  Other vineyard
-  Vineyard removal
-  Parcel boundary
-  Existing home
-  Paved road
-  Unpaved road

Exhibit 39a





Mountain Peak Winery Proposal

July 2016

Existing features

- Waterway
- Vineyard
- Parcel boundary
- Existing home
- Paved road
- Unpaved road

Proposed features

- Stormwater detention
- Vineyard
- Caves
- Cave spoils
- Wine tasting area
- Landscaping
- Closed water storage
- Wastewater treatment
- Asphalt road
- Concrete or gravel
- Offices and tasting room
- Cave portal



Exhibit 396



EXHIBIT “40”

EXHIBIT “40”

EXHIBIT “40”

Mountain Peak Winery Conversion Chart: Tons of Grapes to Gallons of Finished Wine

	Tons	Cases (1 ton Produces 60 Cases of Wine)	Bottles (12 bottles per case x 60 cases)	Milliliters (750mL per bottle x 720 bottles)	Liters (1,000mL = 1L)	Gallons (1 gallon = 3.78 Liters)
Conversion Chart Figures (Baseline)	1	60	720	540,000	540	143
MPW Figures Under Existing UP Request	700	42,000	504,000	378,000,000	378,000	100,000
MPW Figures Scaled to on-site Grape Production Capacity After Construction (25 acres x 3 tons/acre)	75	4,500	54,000	40,500,000	40,500	10,714
MPW Figures Scaled to on-site Grape Production Capacity After Construction (25 acres x 3 tons/acre) + 25% Outside Grape Sourcing	100	6,000	72,000	54,000,000	54,000	14,286

Date: July 12, 2016

Data Compiled by: Amber Manfree, PhD

(Sources: Napa County Winery Database, Napa County Documents, & Winespectator.com)

EXHIBIT “41”

EXHIBIT “41”

EXHIBIT “41”

Mountain Peak Winery On-Site (APN 032-500-033) Grape Production Chart & Grape Hauling Realities

	Tons of Grapes
Maximum Plantable Acres on APN 032-500-033 After Construction	25
Mountain Peak Requested Permit Size (Converted to Max Tons of grapes needed to produce 100,000 gal of wine)	700

	Mountain Peak Current On-Site Grape Production Capacity (Tons)	Mountain Peak Current On-Site Grape Production Capacity (as a Percentage)	Annual Grape Shortfall (Tons)	Annual Grape Shortfall (as a Percentage)
Assuming Production of 2 Tons/Acre	50	7%	650	93%
Assuming Production of 2.5 Tons/Acre	62.5	9%	637.5	91%
Assuming Production of 3 Tons/Acre	75	11%	625	89%
Assuming Production of 3.5 Tons/Acre	98	14%	602	86%
Assuming Production of 4 Tons/Acre	100	14%	600	86%

Number of Trucks Required to Transport Grapes to Mountain Peak Winery Annually

Grape Truck/Transport Hauling Capacity	Tons of Grapes (per truck)	# Trucks Needed to Transport Annual Grape Shortfall If 2 Tons/Acre	# Trucks Needed to Transport Annual Grape Shortfall If 3 Tons/Acre	# Trucks Needed to Transport Annual Grape Shortfall If 4 Tons/Acre
Small Grape Transport (Dumptruck) - Max Hauling Capacity:	6	108	104	100
Large Grape Transport (Semi/Tractor-Trailer) - Max Hauling Capacity:	24	27	26	25

Date: July 12, 2016

Data Compiled by: Amber Manfree, PhD

(Sources: Napa County Winery Database, Napa County Documents, & Soda Canyon Road Vineyard Financials)

Exhibit 41a

MPW On-site Grape Production vs. Quantity Needed for Planned Wine Production

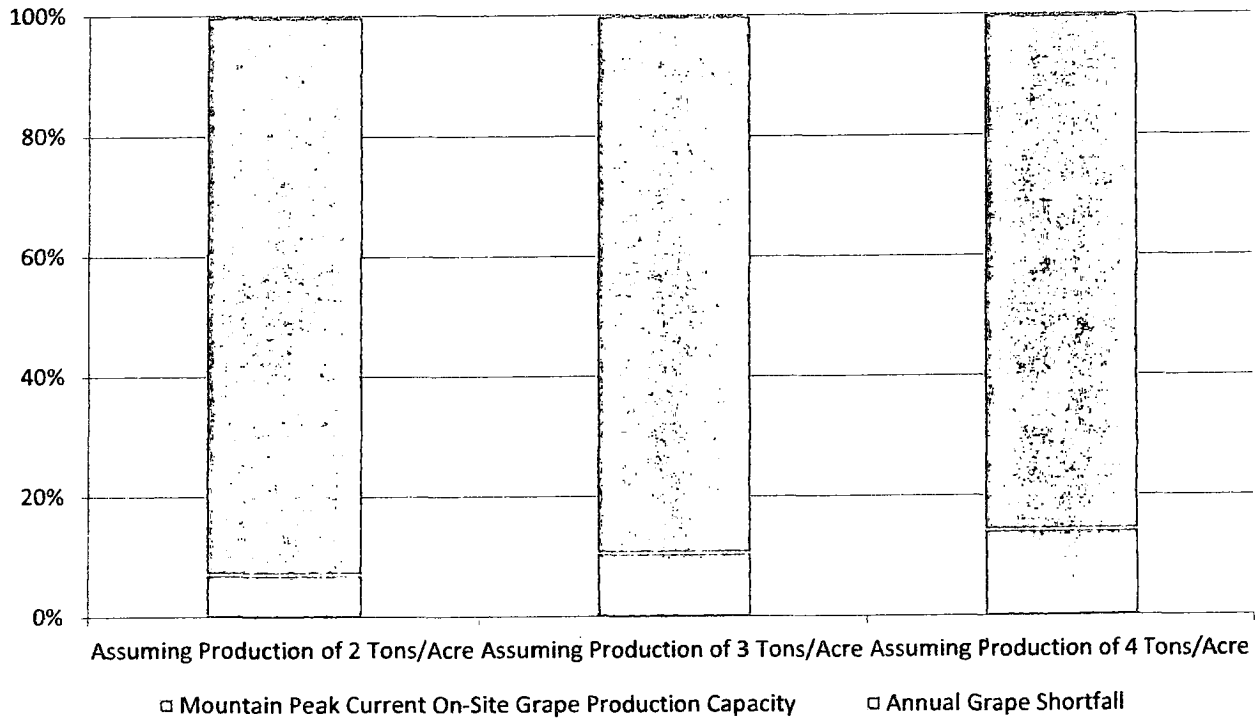


Exhibit 416

EXHIBIT “42”

EXHIBIT “42”

EXHIBIT “42”

Winery Visitation from Current and Future Wineries on Soda Canyon Road & Intersection w/ Silverado Trail

Name	Status	County Approval Date	Has Cave	Cave Size (sf)	Production (Gallons)	Type of Tours, Tastings	Daily Visitation (Ppl/Day)	Daily Visitation (Ppl/Week)	Daily Visitation (Ppl/Year)	Marketing Visitation (Events/Year)	Marketing Visitation (Ppl/Year)	TOTAL Annual Visitation
Producing Wineries: ACCESSED BY SODA CANYON RD												
ANTICA NAPA VALLEY 3700 Soda Canyon Road	PROD	1987	x	36,000	450,000	PVT	20	100	5,200	-	-	5,200
ASTRALE E TERRA/MEADOWROCK WINERY 3148 Soda Canyon Road	PROD	1988		-	20,000	TST APPT	-	1	52	-	-	52
LA VALLETTE WINERY Soda Canyon Road	UNKNWN	1988		-	20,000	TST APPT	-	-	-	-	-	-
ROY ESTATE VINEYARDS 1220 Soda Canyon Road	APVD	2002	x	6,500	12,000	APPT	10	40	2,080	12	630	2,710
THE CAVES AT SODA CANYON 2275 Soda Canyon Road	PROD	2006	x	16,000	30,000	APPT	20	70	3,640	18	1,320	4,960
V-12 WINERY 2001 Soda Canyon Road	APVD	2009	x	7,000	22,500	APPT	16	36	1,872	5	300	2,172
WHITE ROCK VINEYARDS 1115 Loma Vista Drive	PROD	1987	x	6,000	20,000	TST APPT	2	10	520	-	-	520
Total Existing Winery Visitors on/Accessed by Soda Canyon Road												15,614
Producing Wineries: ON SILV. TR. At Intersct. w/ SCR												
REYNOLDS FAMILY WINERY (Existing) 3266 Silverado Trail	PROD	2000		-	20,000	APPT	10	70	3,640	3	100	3,740
BLACK STALLION WINERY 4089 Silverado Trail	PROD	1985		-	100,000	PUB	50	350	18,200	-	-	18,200
Total Existing Winery Visitors on Silverado Trail at Intersection w/ Soda Canyon Road												21,940
Pending Approval: ACCESSED BY SODA CANYON RD												
GRASSI FAMILY WINERY 1044 Soda Canyon Road	PEND				25,000	APPT	12	70	3,640	3	155	3,795
MOUNTAIN PEAK WINERY 3265 Soda Canyon Road	PEND		x	33,424	100,000	APPT	80	320	16,640	78	1,846	18,486
RELIC WINERY (Pending ABC Approval) 2400 Soda Canyon Road	PEND	2010	x	2,458	20,000	APPT	20	*	4,180	11	278	4,458
Total Pending Winery Visitors on/Accessed by Soda Canyon Road												26,739
Pending Approval: ON SILV. TR. At Intersct. w/ SCR												
J VIGNE WINERY 4057 Silverado Trail	PEND				14,000	APPT	15	105	5,460	14	360	5,820
CORONA WINERY 3165 Silverado Trail	PEND				100,000	APPT	48	336	17,472	80	2,428	16,988
REYNOLDS FAMILY WINERY (Expansion of Existing) 3260 Silverado Trail	PEND				40,000	APPT	40	280	14,560	10	618	15,178
SAM JASPER WINERY 4059 Silverado Trail	PEND				20,000	APPT	25	160	8,320	23	550	8,870
Total Pending Winery Visitors on Silverado Trail at Intersection w/ Soda Canyon Road												46,856
Subtotal EXISTING WINERY VISITORS at/near Intersection of Silverado Tr. & Soda Canyon Rd.												37,554
Subtotal PROPOSED WINERY VISITORS at/near Intersection of Silverado Tr. & Soda Canyon Rd.												73,595
GRAND TOTAL ANNUAL WINERY VISITORS at Intersection of Soda Canyon & Silverado Trail IF ALL PERMITS APPROVED												111,149
Increase from Existing Traffic to Future Total if All Approved (as a percentage)												196%
Key APVD: Approved Winery, NOT producing PEND: Winery pending approval PROD: Active winery UNKNWN: Status unknown, needs follow-up						Key APPT: By appointment only NO: No tours, no tasting PUB: Open to public, no appointment necessary PVT: Private TST APPT: Tasting by appointment only						
Date: July 15, 2016 Data Compiled by: Amber Manfree, PhD Source: Napa County Winery Database & Napa County Documents												

EXHIBIT “43”

EXHIBIT “43”

EXHIBIT “43”

ASTRALE E TERRA WINERY
(Established 1990)

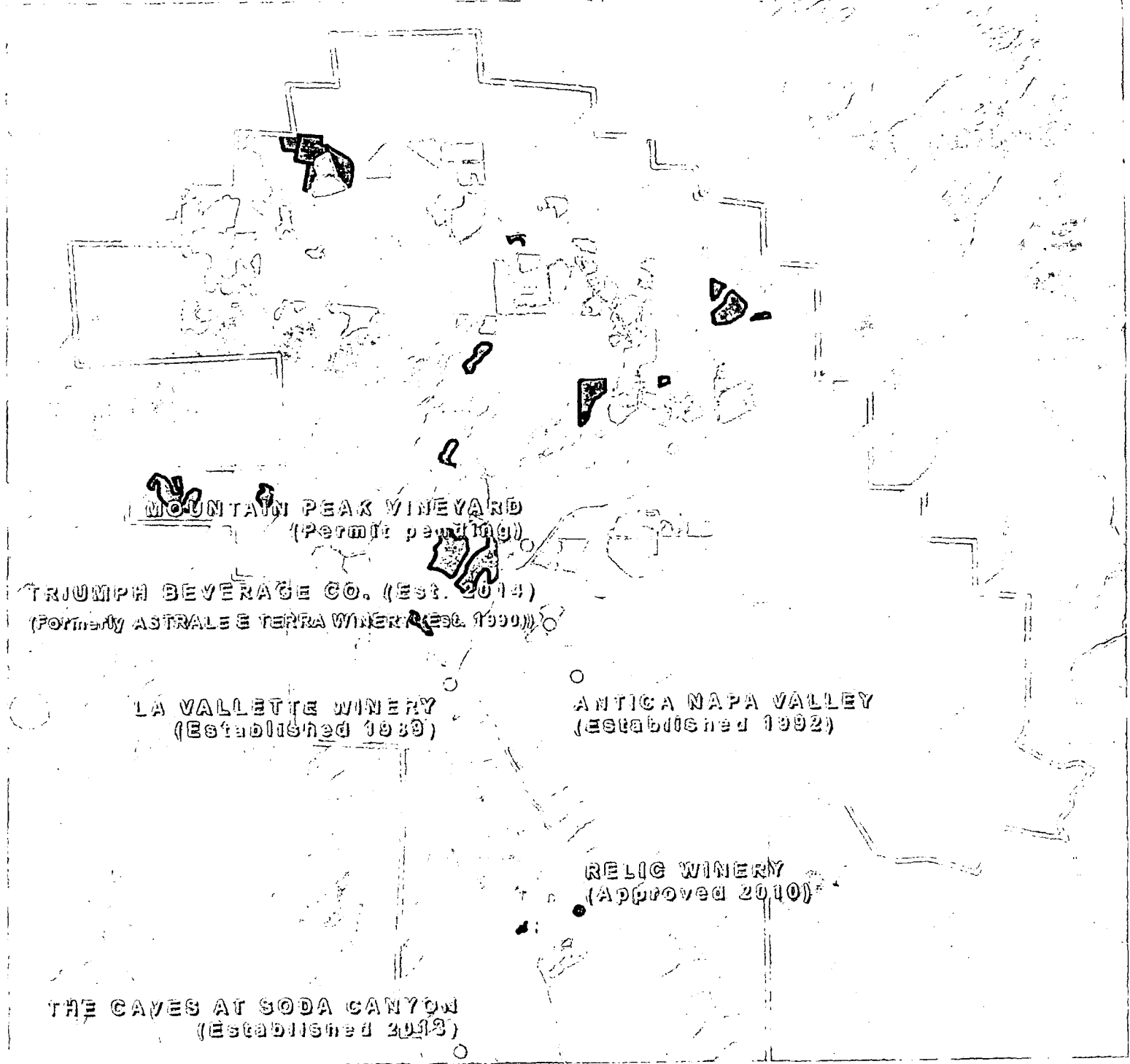
LA VALLETTE WINERY
(Established 1989)

ANTICA NAPA VALLEY
(Established 1992)

EXHIBIT “44”

EXHIBIT “44”

EXHIBIT “44”



MOUNTAIN PEAK VINEYARD
(Permit pending)

TRIUMPH BEVERAGE CO. (Est. 2014)
(Formerly ASTRAL E TERRA WINERY (Est. 1990))

LA VALLETTE WINERY
(Established 1939)

ANTICA NAPA VALLEY
(Established 1992)

RELIC WINERY
(Approved 2010)

THE CAVES AT SODA CANYON
(Established 2013)

EXHIBIT “45”

EXHIBIT “45”

EXHIBIT “45”

Change in vineyard acreage within Soda Canyon Road access area sorted by location

Prepared by Amber Manfree PhD

November 2015

Road name	Miles from Silverado Tr	Grade	Acreage				Acreage	
			1998 Vineyard	1998 Unclassified	2010 Vineyard	2015 Vineyard	Increase 1998 to 2010	Increase 2010 to 2015
Feliz Ranch Rd	0.3	Below	53.15	60.86	173.16	173.16	120.01	
Loma Vista Dr	1.5	Below	51.08	10.89	64.65	64.65	13.57	
Chimney Rock Rd	3.7	Below			9.04	9.04	9.04	
Ridge Dr	4.0	Below			4.69	4.69	4.69	
Capps Dr	4.5	Below			3.45	3.45	3.45	
Soda Cyn Ranch (informal)	6.0	Above	62.24	2.89	107.2	162.63	44.96	55.43
Soda Cyn Rd Left Fork Dirt	6.1	Above	473.25	5.97	938.08	995.83	464.83	57.75
Soda Cyn Rd Right Fork Paved	6.1	Above	567.90		578.73	578.73	10.83	
Soda Cyn Rd Main	n/a	n/a	16.98	19.22	76.17	79.35	59.19	3.18
Grand Total:			1224.60	99.83	1955.17	2071.53	730.57	116.36

Exhibit 45a

Soda Canyon Road Service Area

Vineyard Acreage Increase 1999 to 2015

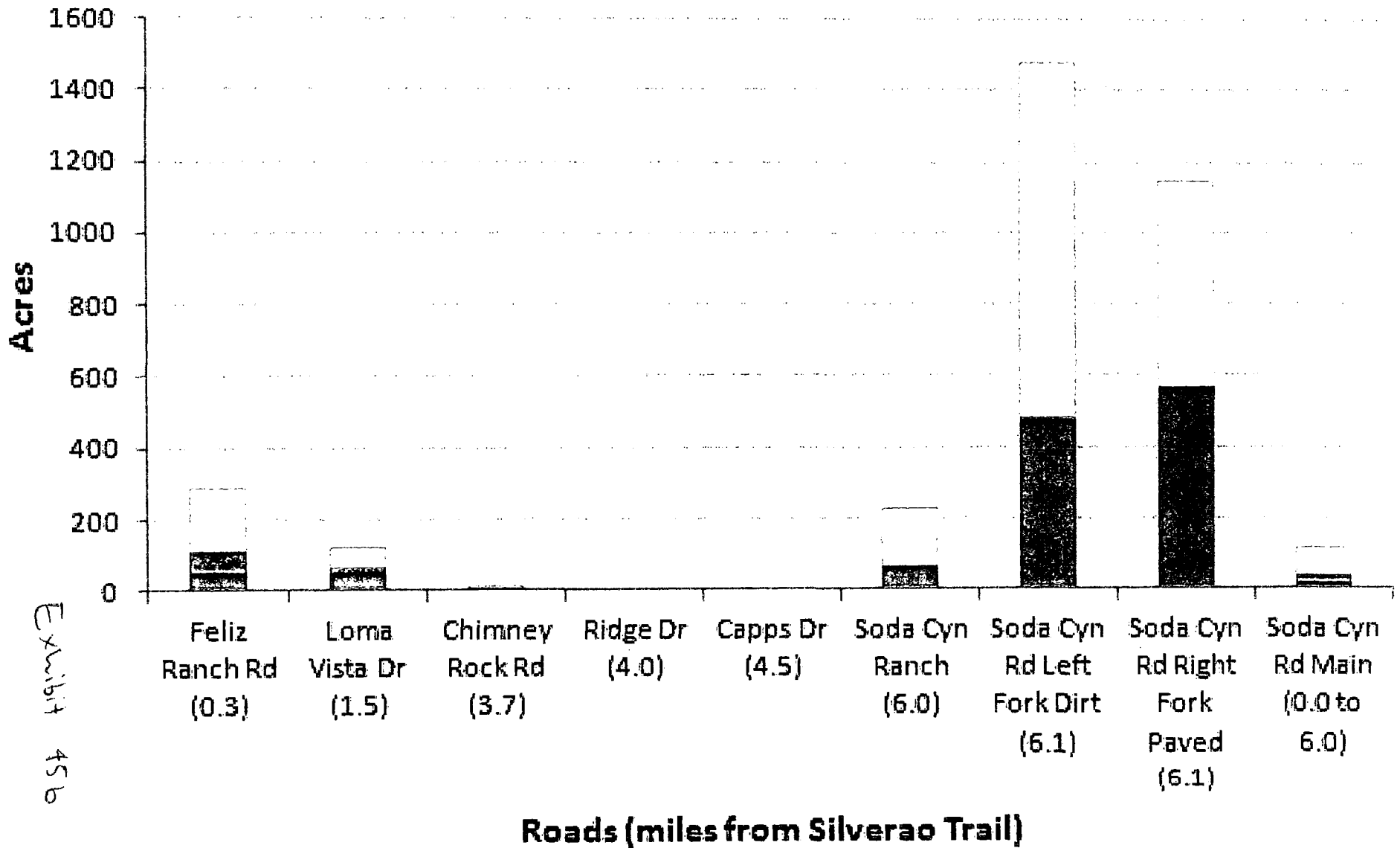


Exhibit 45b

Vineyard in 1998 and 2015
 Unclassified in 1998; vineyard in 2015
 New vineyard since 1998

EXHIBIT “46”

EXHIBIT “46”

EXHIBIT “46”

Vineyard Worker & Winery Visitor Traffic on Soda Canyon Road & Silverado Trail

Soda Canyon Road Vineyard Worker Visit Calculations

Average Number of Vineyard Worker Visits to Farm 20 Acres of Vineyards on Soda Canyon Road Per Year	400
Average Number of Vineyard Worker Visits to Farm 1 Acre of Vineyard on Soda Canyon Road Per Year (400 workers/20 acres)	20

Year	No. Acres Existing		Total Worker Visits (20 worker visits x No. Acres)
1998	1,225		24,500
2010	1,956	(1,125 + 731 acres planted since 1998)	39,120
2015	2,072	(1,956 + 116 acres planted since 2010)	41,440

Accessed by Soda Canyon Road: Winery Visitors	
Year	Winery Visitors Permitted
1999	5,772
2015	15,614
Proposed Visitors: Grassi, MPW, & Relic	26,739
Total Future/Pending (Existing + Relic, MPV, Grassi Proposed)	42,353

Accessed by Silverado Trail at Intersection with Soda Canyon Road: Winery Visitors	
Year	Winery Visitors Permitted
1999	18,200
2015	21,940
Proposed Visitors: Beau Vigne, Corona, Reynolds Expansion, Sam Jasper	46,856
Total Future/Pending (Existing + BV, Corona, Reynolds, Sam Jasper Proposed)	68,796

Combined Vineyard Worker & Winery Visitors at Intersection of Silverado Trail & Soda Canyon Road	
Year	Vineyard Worker Traffic & Winery Visitors
1999	48,472
2015	78,994
Existing Vnyd Workers + Existing Winery Visitors + ALL Proposed Winery Visitors	152,589

Date: July 15, 2016

Acreage & Winery Visitors Compiled by: Amber Manfree, PhD

Worker Visits/Acre/Year Compiled by: Anthony Arger, JD, MBA

(Sources: Napa County Winery Database, Napa County Documents, Aerial Photos, & Soda Canyon Road Vineyard Financials)

EXHIBIT “47”

EXHIBIT “47”

EXHIBIT “47”

BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE PROTEST OF:

Fletcher Benton, et al
3398 Soda Canyon Road
Napa, CA 94558

AGAINST THE ISSUANCE OF A
WINEGROWER'S LICENSE TO:

Soda Canyon Real Estate Investments, Inc.
Astrale e Terra
3148 Soda Canyon Road
Napa, CA 94558

under the Alcoholic Beverage Control Act

FILE 02-344164

REG 98045225

RECEIVED

APR 26 1999

Hearing and Legal Unit
Dept. of Alcoholic Beverage Control
SACRAMENTO

ORDER

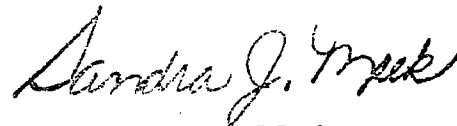
The protestant having withdrawn his protest against the issuance of the license, the protest filed herein is moot and good cause appearing therefor, the application is approved upon the conditions set forth in the applicant's Petition for Conditional License dated February 17, 1999.

CERTIFICATE

It is hereby certified that on March 5, 1999 the Department of Alcoholic Beverage Control adopted the foregoing as its order in the proceedings therein described.

Sacramento, California

Dated: March 5, 1999



Sandra J. Meek
Supervisor, Hearing & Legal Unit

RECEIVED

APR 27 1999

DEPT. OF A.B.C.
FILES

**BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF THE PROTEST OF:

Fletcher Benton, et al
3398 Soda Canyon Road
Napa, CA 94558

AGAINST THE ISSUANCE OF A
WINEGROWER'S LICENSE TO:

Soda Canyon Real Estate Investments, Inc.
Astrale e Terra
3148 Soda Canyon Road
Napa, CA 94558

FILE 02-344164

REG 98045225

**DECLARATION OF
SERVICE BY MAIL**

under the Alcoholic Beverage Control Act

I am over eighteen years of age, and not a party to the within cause; my business address is 3810 Rosin Court, Suite 150, Sacramento, California 95834. I served by CERTIFIED mail a copy of the following documents:

ORDER

on each of the following, by placing same in an envelope(s) addressed as follows:

Soda Canyon Real Estate Investments, Inc., 5250 Silverado Trail, Napa, CA 94558
Gerald C. Vanoli, Attorney at Law, P.O. Box 479, Lafayette, CA 94549-0479
Malcolm E. McLorg, Attorney at Law, 655 Montgomery St., Ste. 1000, San Francisco, CA 94111-2629
Fletcher & Roberta Benton, 3398 Soda Canyon Rd., Napa, CA 94558
Joseph A. Schreuder, 2882 Soda Canyon Road, Napa, CA 94558-9460
Rebecca Snyder, 3399 Soda Canyon Road, Napa, CA 94558

Each said envelope was then, on March 5, 1999 sealed and deposited in the United States Mail at Sacramento, California, the county in which I am employed, with the postage thereon fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 5, 1999 at Sacramento, California.



Declarant

**BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF THE APPLICATION OF

Soda Canyon Real Estate Investments, Inc.
dba: Astrale e Terra
3148 Soda Canyon Rd.
Napa, CA 94558

} FILE 02-344164

} REG. 98045225

**PETITION FOR CONDITIONAL
LICENSE**

For Issuance of an original (Type 02) Winegrower License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, persons residing within the immediate vicinity of the subject premises have protested the issuance of the applied for license; and,

WHEREAS, the protests deal with the proposed operation of the applied for premises; and,

WHEREAS, an Administrative Law Judge, subsequent to an Administrative Hearing, has imposed the conditions stated below; and,

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals;

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

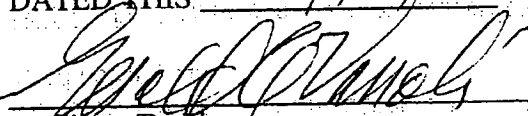
1. No wine tasting is to be permitted at this location.
2. No retail sales of alcoholic beverages to consumers shall be permitted at this location.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 17th DAY OF February, 1999.



Applicant/Petitioner

Applicant/Petitioner

**BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA**

FEB 01 1999

Hearing and Legal Unit
Dept. of Alcoholic Beverage Control
SACRAMENTO

IN THE MATTER OF THE PROTESTS OF:

Fletcher Benton, et al
3398 Soda Canyon Road
Napa, CA 94558

AGAINST THE ISSUANCE OF
A WINEGROWER LICENSE TO:

Soda Canyon Real Estate Investments, Inc.
Astrale e Terra
3148 Soda Canyon Road
Napa, CA 94558

} FILE: 02-344164

} REG: 98045225

} LICENSE TYPE: 02

} PAGES: 170

} REPORTER: Sims & Sims

} **PROPOSED DECISION**

This matter was heard by Michael B. Dorais, Chief Administrative Law Judge, Department of Alcoholic Beverage Control, Administrative Hearing Office, at Napa, California, on January 21, 1999, at 10:00 a.m.

Nicholas Loehr, Staff Counsel, represented the Department of Alcoholic Beverage Control (hereinafter "Department").

Applicant corporation Soda Canyon Real Estate Investments, Inc., (hereinafter "Applicant") was represented by Gerald Vanoli, Attorney at Law, and President of Applicant. Also present were C. Paul Johnson, Applicant's Chief Executive Officer, and Applicant's Secretary-Treasurer, Lorraine Vanoli.

Protestants Fletcher Benton, Joseph A. Schreuder and Rebecca Snyder were present. Protestant Roberta Benton was not present but was represented by Malcolm E. McLorg, Attorney at Law. Fletcher Benton was also represented by Mr. McLorg.

Evidence was received, the record was closed and the matter was submitted. The Administrative Law Judge now finds, determines and orders as follows:

FINDINGS OF FACT

I

Applicant has applied for a Type 02 winegrower license, pursuant to California Business and Professions Code Section 23356. This license permits the sale of wine and authorizes winetastings on or off the winegrower's premises.

II

The issues raised by the Protestants, and the issues to be determined, are whether granting of the applied-for Type 02 winegrower license will be contrary to public welfare and morals by reason of Article XX, Section 22, of the Constitution of the State of California and Section 23958 of the Business and Professions Code, in that:

1. Normal operation of the license will interfere with the quiet enjoyment by nearby residents of their property .
2. Issuance of the license will create or aggravate a dangerous road condition.
3. Applicant is not equipped to service the public.
4. Bulk wine or grape juice may be transported to the proposed licensed premises.

III

Applicant's premises is a building and parking lot in a vineyard located in a rural area in Napa County. The vineyard is about three-tenths of a mile from Soda Canyon Road which is a country road that leads from the Silverado Trail, a major thoroughfare in Napa County, to where it dead-ends at Atlas Peak Winery, one of two wineries currently licensed by the Department on Soda Canyon Road. While the Atlas Peak Winery is a large undertaking, Applicant's vineyard is relatively small and qualifies under Napa County's "small winery permit exemption".

Applicant's driveway begins approximately 7.5 miles from the point Soda Canyon Road connects to Silverado Trail. During most of that distance, Soda Canyon Road is a narrow two lane paved road with numerous curves and without paved shoulders. The last four-tenths of a mile before the Applicant's driveway is reached, the road is much narrower and can accommodate only one vehicle at a time.

Applicant's vineyard presently has one building measuring 25 x 35 feet and a bottling pad 25 x 10 feet. The building is refrigerated for use in fermentation and production of bulk wine. Applicant intends to produce wine from 22 to 24 acres on its vineyard.

Applicant intends to bring in a crusher and store in bulk the product derived from four types of grapes being grown at the vineyard. Applicant plans to bring two to four barrels of wine to the vineyard to make its varietals and intends to produce about 20,000 gallons of wine annually. Currently, the wine stored in bulk is in a warehouse near St. Helena.

IV

There are no residences within 100 feet of Applicant's premises.

V

There are no Department consideration points such as schools or public playgrounds within 600 feet of Applicant's premises, or churches or hospitals within the immediate vicinity.

VI

Department Investigator Jason Cvitanov contacted the Napa County Development Department, which is the local planning agency in the area where the premises is located and learned from Director Bob Nelson that Applicant's vineyard was exercising a valid use permit from Napa County.

VII

Joseph Schreuder resides at 2882 Soda Canyon Road and shares 65 feet of common property line with Applicant. Mr. Schreuder has resided at this location for 42 years and has observed changes in the area during that period. When he moved to Soda Canyon Road in April 1957, the area along the road was entirely residential, except for a sheep ranch where Atlas Peak Winery is now located.

While describing traffic on Soda Canyon Road, Mr. Schreuder provided the pickup times (7:00 a.m., 7:20 a.m. and varies) for three school buses serving local students attending high school, elementary school and special education classes, as well as the return bus times (noon, 2:30 p.m. and 4:00 p.m.). To turn around to drive back down Soda Canyon Road, these school buses utilize a wide spot in the road about where the two lane road becomes the one lane portion before Applicant's driveway is reached.

Mr. Schreuder has observed a significant increase in traffic on Soda Canyon Road due to operation of the vineyards.

VIII

Fletcher C. Benton owns property at 3398 Soda Canyon Road and shares a common boundary with Applicant. Mr. Benton bought five acres with a house at this location as a week-end retreat, but the peace and quiet envisioned when he purchased the property in 1970, when the area was residential and not heavily trafficked by persons working or visiting Atlas Peak Winery, has been adversely affected by reason of the commercial activity of vineyards.

IX

Mrs. Rebecca Snyder has resided at 3399 Soda Canyon Road for 22 years. Mrs. Snyder stated Soda Canyon Road rises 1500 feet from the valley floor and in addition to being subject to frequent foggy conditions in the fall and spring, has many blind corners.

Mrs. Snyder testified that 13 homes are located on the one lane portion of Soda Canyon Road immediately before Applicant's driveway leads from the road.

Car traffic from vineyard workers has become a traffic problem and Mrs. Snyder considers the road is now dangerous. Mrs. Snyder is opposed to increasing car traffic by attracting visitors to a new winery.

X

Muriel Hankins resides at 3354 Soda Canyon Road. Her home is located on that portion of the road which is one lane wide before Applicant's driveway.

During her 34 years of residence at this location, she has observed a significant increase in the number of vehicles using Soda Canyon Road since Atlas Peak Winery began operation. In addition to large trucks transporting wine barrels, the vineyard workers use the road and they drive faster than conditions permit. By her count one morning, twenty cars with vineyard workers passed her home on the way to Atlas Peak Winery.

XI

C. Paul Johnson is a Napa County resident who is Chief Executive Officer for Applicant. Mr. Johnson testified that Applicant's vineyard is 66 acres, of which 24 acres are currently planted with Merlot and Cabernet grapes. Applicant's vineyard qualified for a Napa County "small winery exemption permit" which had been obtained by the vineyard's prior owner and still is in effect since Applicant's production does not exceed the local ordinance's limit of 20,000 gallons or 5,300 cases annually.

Mr. Johnson stated Applicant has no intention to put in crushing equipment preferring to outsource such production work because that is more economical. Similarly in Mr. Johnson's view, public tasting is not an economical proposition, so Applicant does not intend to build a wine tasting room.

Mr. Johnson stated Applicant is seeking a winegrower license in order to be able to sell the wine produced from the vineyard.

XII

Douglas Hill has been a vineyard manager for 18 years. In addition to managing Applicant's vineyard, he manages a number of other local vineyards. He testified that that vineyards result in increased traffic because large numbers of workers and trucks are required. However, he believes the impact on traffic due to a winery operation to be minimal by comparison.

XIII

Gerald Vanoli is President of Applicant and also serves as Applicant's attorney. Mr. Vanoli presented evidence regarding traffic accidents on Soda Canyon Road. During the past five years, there have been three alcohol related single vehicle accidents and these occurred outside of business hours (i.e. before 6:00 a.m. or after 6:00 p.m.). In addition, there have been ten single vehicle accidents during business hours and one two-vehicle collision. One truck/trailer accident took place during this period.

Mr. Vanoli testified that Applicant does not intend to conduct wine tasting for the public except by appointment. Testimony indicated local law prohibits public winetasting or tour visits except by appointment. However, such limits may be subject to change and Mr. Vanoli indicated that Applicant did not want restrictive conditions on its license.

DETERMINATION OF ISSUES

I

Article XX, Section 22, of the Constitution of the State of California provides that the Department of Alcoholic Beverage Control has the power, in its discretion, to deny an application for an alcoholic beverage license if it determines for good cause that the granting of the license would be contrary to public welfare or morals.

II

Evidence established that increased traffic on Soda Canyon Road would interfere with the quiet enjoyment of nearby residences.

III

Evidence established that increased traffic on Soda Canyon Road would aggravate a traffic problem on a problematic roadway which serves Applicant, nearby residents and two other vineyards.

IV

Evidence did not establish any legal impediments to issuance of the applied-for license relating to the issues raised by Protestants regarding current lack of winetasting facilities on the proposed premises or the importation of wine or grape juice to Applicant's proposed premises.

V

Pursuant to Determination of Issues II and III, issuance of the applied-for license would be contrary to public welfare or morals. However, it is recognized that Applicant's primary present purpose in seeking a winegrower license is to enable Applicant to sell the wine it has produced and wine which it intends to produce. In addition, Applicant may wish to operate either on its own or in a cooperative venture with winegrower licensees, a winetasting and sales operation under a duplicate winegrower license at a location away from the vineyard. Accordingly, it appears that conditions on the applied-for license could resolve the concerns of Protestants while not impeding Applicant's primary commercial objectives.

ORDER

The protests are sustained, provided, however, if Applicant within 30 days of this Decision's effective date, petitions the Department for the issuance of a conditional license which contains all of those conditions set forth below, then the issuance of the license would not be contrary to public welfare and morals; the protests are overruled and the conditioned license shall issue.

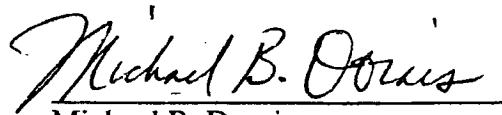
The proposed conditions:

1. No winetasting or tasting by appointment shall be permitted at this location.

Soda Canyon Real Estate
Investments, Inc.
02-344164
98045225
Page 7

2. No retail sales of alcoholic beverages to walk-in customers shall be permitted at this location.

Dated: January 25, 1999



Michael B. Dorais
Chief Administrative Law Judge

STATE OF CALIFORNIA
Department of Alcoholic Beverage Control
3810 Rosin Court, Suite 150
Sacramento, CA 95834

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to

Soda Canyon Real Estate Investments Inc.
Name (s) of Applicant (s)

For premises at 3148 Soda Canyon Rd, Napa, CA.
Exact address of proposed premises

on the grounds that: #2 Please see attached

RECEIVED

AUG 04 1998

Receiving and Issuing Unit
Dept. of Alcoholic Beverage Control
Sacramento

JUL 31 1998

Department of Alcoholic
Beverage Control
San Francisco

Fletcher Benton, declare under penalty of perjury:
Name of Protestant

That I am the protestant herein. That I have read the above protest and know the contents thereof.
That the same is true of my own knowledge except as to those matters which are therein stated on
information and belief, and as to those matters I believe to be true.

Executed on July 30, 1998 at San Francisco California.

Fletcher Benton
Name (printed)

[Redacted Signature]
Signature of Protestant

[Redacted Telephone Number]
Telephone Number

3398 Soda Canyon Rd, Napa, CA 94558
Address of Protestant

STATE OF CALIFORNIA
Department of Alcoholic Beverage Control
3810 Rosin Court, Suite 1
Sacramento, CA 95834

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to

Soda Canyon Real Estate Investments Inc.
Name (s) of Applicant (s)

For premises at 3148 Soda Canyon Rd, Napa, CA.
Exact address of proposed premises

on the grounds that: #2 Please see attached

JUL 31 1998

Department of Alcoholic
Beverage Control
San Francisco

Roberta Benton declare under penalty of perjury:
Name of Protestor

That I am the protestant herein. That I have read the above protest and know the contents thereof.
That the same is true of my own knowledge except as to those matters which are therein stated on
information and belief, and as to those matters I believe to be true.

Executed on July 31 1998 at San Francisco California.

Roberta Benton
Name (printed)

[Redacted Signature]
Signature of Protestor

[Redacted Telephone Number]
Telephone Number

3398 Soda Canyon Rd, Napa, CA. 94558
Address of Protestor

RECEIVED

AUG 04 1998

Dept. of Alcoholic Beverage Control

V

This letter is in protest to the application for the sale of alcohol at 3148 Soda Canyon Road in Napa, CA. The location of this property is at the end of a very narrow, two-lane, dead-end county road with 100% restricted passage for over 7 miles. There is an inadequate turnaround at the end. The last 3/4 mile of this road is a one-lane drive with blind curves. Also, at the end of the road is the Atlas Peak vineyards/winery with over 1100 acres of grapes and 36000 square feet of caves, which from my understanding is used by not only Atlas Peak, but other wineries. The maintenance workers, vineyard workers, and heavy equipment traveling there is already, by normal traffic standards, overburdening the safety of Soda Canyon Road. In addition, Atlas Peak has tours and tastings, party functions with loud music and to my knowledge makes no reports to the county of Napa on the mitigated measures for having a winery which already limits them to a given number of events.

There are numerous deliveries at this winery, including trucks full of bottling supplies, UPS, FedEx and whatever else is needed to support an operation of this magnitude, and there are thousands more acres which are still to be planted. The workers, equipment and contractors for these new areas will add more traffic on these 7 narrow miles of Soda Canyon where no passing is allowed. This is just to mention a few of the factors on congestion on the road. In addition to the above, there are property owners who have been living there for decades with families that seem to have been overlooked by the Napa county government. When Atlas Peak got its foot in the door, with lots of money, many of us were aware that this was just the beginning of the end of a way of life we all had enjoyed. The past ten years has proven it. Now, the applicant at 3148 Soda Canyon is requesting a permit to sell alcohol. They are no more equipped than I am to service the public. The road to their log house is a 10' wide asphalt road, possibly 1/4 mi long and from my knowledge, there are no public restrooms, parking facilities, no sound barriers, no public place to transact business and certainly no ability to produce the boutique winery limit of 20000 gallons of wine per year. There is a suspicion that bulk wine will be brought in from elsewhere.

I would like the applicant to state what their full intentions are and why they need an onsite license for sale of alcohol.. It may be they want to enhance the value of the property at a cost to the people who have lived there, in some cases, for generations. It makes no business sense for them to be issued a permit to sell alcohol. It is my understanding that this group has other wine properties on the valley floor that would be more suitable for sale of alcohol than the property at 3148 Soda Canyon Road.

RECEIVED

AUG 04 1998

DEPT. OF AG. NAPA CO. CALIF.
NAPA, CALIF. 94559

The objections I have to the selling of alcoholic beverages at 3148 Soda Canyon Road have mainly to do with safety on a narrow, two and one lane dead-end county road. Soda Canyon Rd beginning at Silverado Trail, runs for about 7.2 miles, climbing from the valley floor to over 1300 feet at the end where 3148 is located. There are many steep and blind curves on this road; no guardrails anywhere; no turnoffs; nowhere to go but down several hundred feet over a cliff if you needed to avoid an accident. This road is travelled twice a day by a school bus which travels the entire distance. The road is usually in very bad condition due to the amount of traffic already generated by the large vineyard/winery at the end of the road (Atlas Peak) and the heavy equipment brought up there. This is why it is not a suitable place to sell alcohol, or for tourists, who may not be familiar with the road. I'm assuming that this permit would not allow the consumption of alcoholic beverages as this would be foolhardy and dangerous to everyone.

RECEIVED

AUG 04 1998

Hearing and
Dept. of Alcoholic
and Tobacco Control
San Francisco

2882 Soda Canyon Rd.
Napa, CA 94558

July 31, 1998

STATE OF CALIFORNIA
Department of Alcoholic Beverage Control
3810 Rosin Court, Suite 150
Sacramento, CA 95834

RECEIVED
JUL 31 1998

Dept. of Alcoholic Beverage Control
Santa Rosa

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: **SODA CANYON REAL ESTATE INVESTMENTS, INC.** (Corp. add: 5250 Silverado Trail, Napa, CA 94558) For premises at: **3148 SODA CANYON ROAD, NAPA CA 94558** on the grounds that: the direct merchandising of alcoholic beverages at the proposed location is utterly inappropriate since it is at the end of a tortuous country road (Soda Canyon Road) which rises to ~ 1,450 ft. during the 6+ mile trek to the proposed point of sale. Each school day there are six round trips by school buses. Each work day there are countless private motor vehicle round trips carrying agricultural workers and, to a lesser extent, winery workers as well as construction workers, currently, along with a great deal of heavy trucking for both the extensive construction activities and wine production. To superimpose upon all this, additional traffic for the purpose of selling an alcoholic beverage at its remote production location is unconscionable.

This sort of "development" seems to be degenerating what once was the prime environment of the Napa Valley into a tourist theme park which might well be named "Grape America" already replete with a plethora of concession stands euphemistically referred to as "boutique wineries" of which the activity at issue in this application is but one more.

Additionally, the "INSTRUCTIONS FOR PREPARING AND FILING PROTESTS AGAINST APPLICATIONS FOR ALCOHOLIC BEVERAGE LICENSES" [ABC-510 (6/94)], specifies that "A COPY OF YOUR PROTEST WILL BE GIVEN TO THE APPLICANT." Based on this and equitable consideration, I request that a copy of the application at issue and its supporting documents be sent to me as a legitimate protestant.

I, Joseph A. Schreuder, declare under penalty of perjury:
That I am the protestant herein: That I have read the above protest and know the contents thereof:
That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

Executed on July 31, 1998 at Napa California.

RECEIVED

AUG 04 1998

Joseph A. Schreuder
Name
[Redacted]
Telephone Number

[Handwritten Signature]
Signature of Protestant
2882 Soda Canyon Rd., Napa, CA 94558
Address of Protestant

V

RECEIVED

AUG 05 1998

Hearing and ...
Dept. of Alcoholic Beverage Control
SUBMITTED

Licensee Name SODA CANYON REAL ESTATE INVESTMENTS, INC.

File Number 344164

MUST BE RECEIVED BY AUGUST 6, 1998

**STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
PROTESTANT'S/COMPLAINANT'S DECLARATION**

I, Rebecca Snyder, declare
PLEASE PRINT

under penalty of perjury.


That I am the protestant/complainant herein; that I have read my previously-submitted protest/complaint and know the contents thereof; that the same is true of my knowledge except to those matters which are therein stated on information and belief, and as to those matters I believe them to be true.

Executed on Aug. 2, 1998, at
(Date)

Napa California, California
(Place)

(Signature) [Redacted Signature]

Address 3399 Soda Canyon Rd
Napa California

 Mrs. Rebecca Snyder
3399 Soda Canyon Rd.
Napa, CA 94558-9758

94558

Notice: This verification constitutes a personal oath and must, therefore, be signed by each individual verifying the protest.

ABC-128 (3/97)

I am going to Europe in September.

7-16-98

Re: License to permit
the sale of alcoholic
beverages at 3148 Soda Canyon Rd
Napa, Calif 94555

RECEIVED

JUL 20

Hearing and Legal Unit
Dept. of Alcoholic Beverage Control
Sacramento

Dear Sir:

As a resident of Soda Canyon Rd
for twenty-two years I was outraged
to see the sign posted on July 3rd,
that a liquor license was being sought.

The last .25 mile of Soda Canyon Rd.
is barely two lanes has many blind corners -
And does not even have a line down the
middle! It is extremely hazardous
when the normal vineyard traffic leaves
and comes let alone "tipsy-tasters"
trying to drive it.

COPY SENT

JUL 20 1998

Atlas Peak winery has been very courteous
(in the respect) that it does not allow public
tastings. It has private tours twice yearly-
only. It is the winery located above
the prospectus.

(Cont.) ->

(Sincerely,

[Signature]

Vol

#2

There is very likely going to be a heated court battle over this. I can't think of one resident living up here that will not fight this.

Soda Canyon Rd. is 6.5 miles of rural country road with mostly blind corner turns and deteriorating asphalt. It is barely 2 lanes. In the winter that last 2.5- to 3 miles has dense fog in the mornings and evenings. The elevation goes from the valley floor to 1500 ft. level. Our weather is more extreme here — as we ^{get} almost double the rainfall of the Napa Valley and are subject to high winds. What a lousy location for a tasting room! It sounds like nothing but pure greed to me.

Please, don't add to the hazardous road conditions by granting this license! COPY SENT JUL 20 1998

RECEIVED

JUL 20

Hearing and Legal Unit
Dept. of Alcohol Beverage Control
Sacramento

Sincerely,

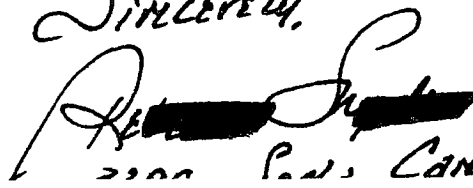

2200 Soda Canyon Rd

EXHIBIT “48”

EXHIBIT “48”

EXHIBIT “48”

Comparison Chart: Astrale e Terra Winery vs. Mountain Peak Winery

	Size (Acres)	Plantable Vineyards (Existing Acres Antica) (Post-Construction Acres MPW)	Estimated On-Site Vineyard Production (Tons, assuming 3 tons/acre)	Productio n (Gallons)	Cave Size (SF)	Visitors (Annual)
Astrale e Terra Winery Actual Figures	68	33	99	20,000	0	0
MPW Production Request	41	25	75	100,000	33,424	18,846
MPW Scaled to On-Site Grape Production Capacity	41	25	75	10,714	0	0
MPW Scaled to On-Site Grape Production Capacity + 25% Outside Grape Sourcing	41	25	100	14,286	0	0
MPW Scaled to Astrale e Terra Winery Land Area	41	25		12,054	0	0
MPW Scaled to Astrale e Terra Vineyard Area	41	25		15,150	0	0

Date: July 12, 2016

Data Compiled by: Amber Manfree, PhD

(Sources: Napa County Winery Database, Napa County Documents)

Exhibit 48a

Mountain Peak Winery Annual Production Request relative to Astrale e Terra Permitted Annual Production (gallons)

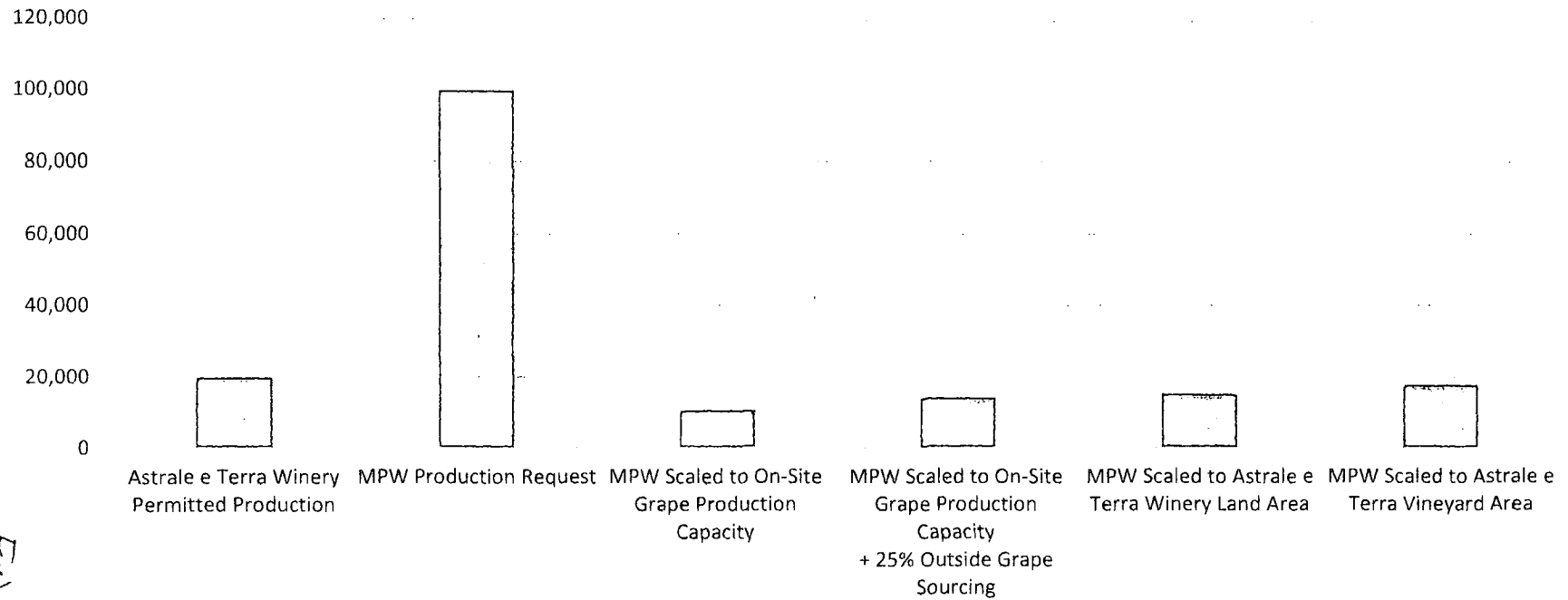


Exhibit 48b

EXHIBIT “49”

EXHIBIT “49”

EXHIBIT “49”

Comparison Chart: Antica Winery vs. Mountain Peak Winery (Production, Caves, Visitation)

	Size (Contiguous Acres)	Plantable Vineyards (Existing Acres Antica) (Post-Construction Acres MPW)	Estimated On-Site Vineyard Production (Tons, assuming 3 tons/acre)	Production (Gallons)	Cave Size (SF)	Visitors (Annual)
Antica Winery Actual Figures	1223	570	1710	450,000	36,000	5,200
MPW Production Request	41	25	.75	100,000	33,424	17,298
MPW Scaled to On-Site Grape Production Capacity	41	25	75	10,714	857	124
MPW Scaled to On-Site Grape Production Capacity + 25% Outside Grape Sourcing	41	25	100	14,286	1,143	165
MPW Scaled to Antica Winery Land Area	41	25		15,088	1,189	178
MPW Scaled to Antica Vineyard Area	41	25		19,725	1,575	186

Date: July 12, 2016

Data Compiled by: Amber Manfree, PhD

(Sources: Napa County Winery Database, Napa County Documents)

Exhibit 49a

Mountain Peak Winery Annual Production request relative to Antica Winery Annual Permitted Production

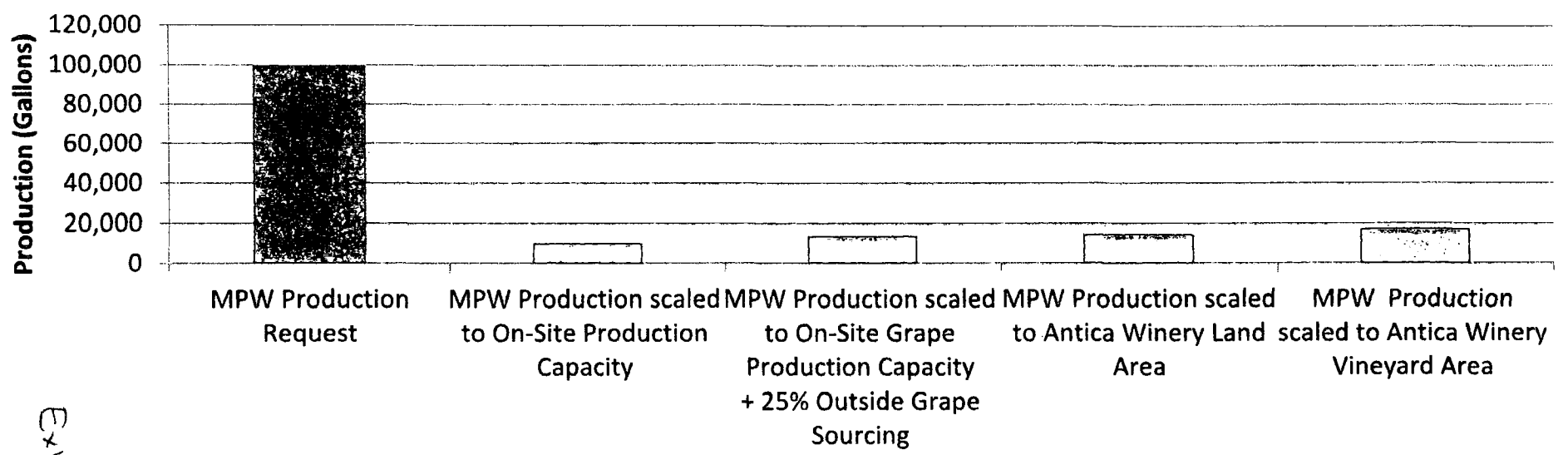


Exhibit 496

Mountain Peak Winery Cave Size Relative to Antica Winery (square feet)

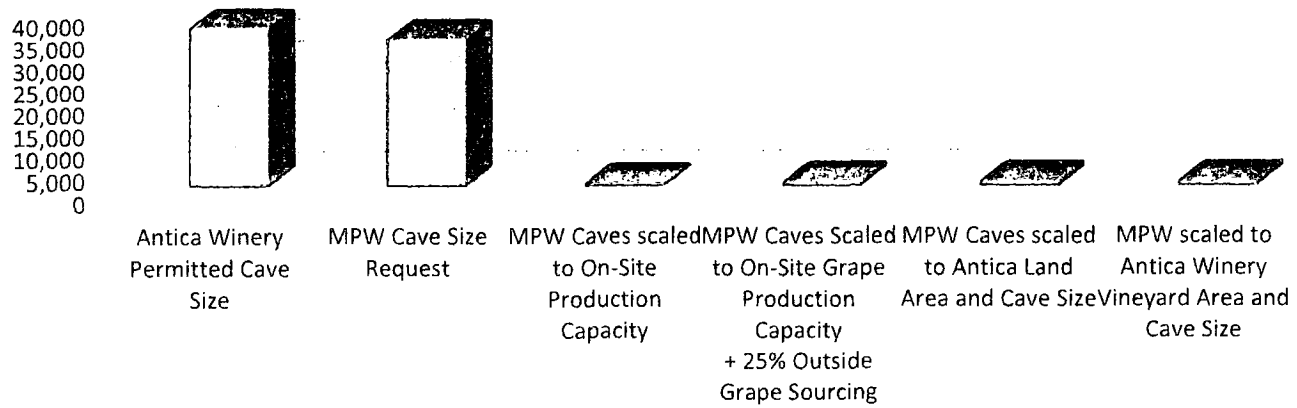


Exhibit 49c

Mountain Peak Winery Annual Visitor Request Relative to Antica Annual Visitor Allowance

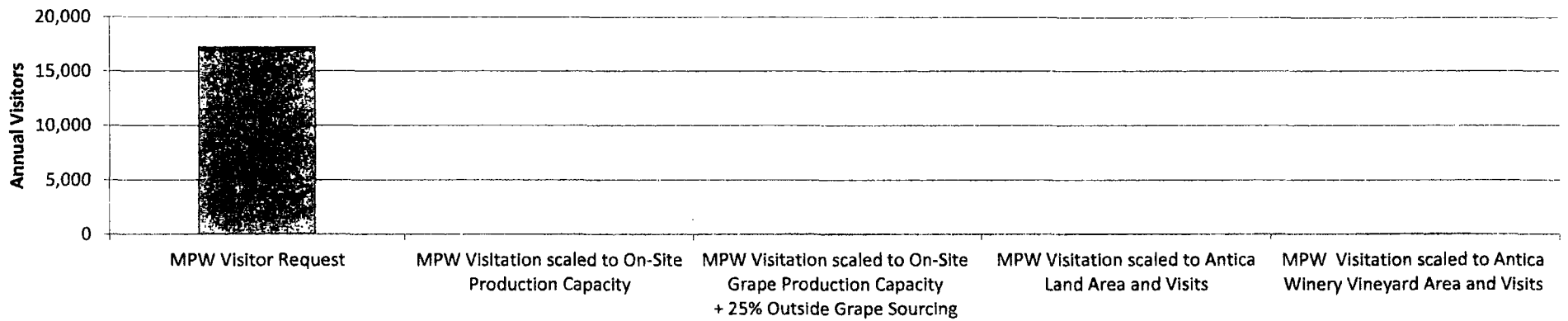


Exhibit 49A

EXHIBIT “50”

EXHIBIT “50”

EXHIBIT “50”

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

Exhibit 50a

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.

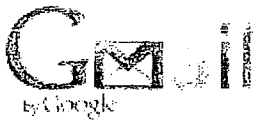
As you are well aware, this project is a very important matter to the Soda Canyon neighborhood and community. As one of your immediate neighbors, we are reaching out to you as a courtesy to inform you and other MPV employees of what has been observed at your property over the past several weeks and months. 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:
Email:



Anthony Arger <

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 <

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 <**To:** "Steven @ MPV" <steven@mountainpeakvineyards.com>



Anthony Arger ·

Unpermitted Wine Tastings at Mountain Peak Winery

Anthony Arger <

Tue, Mar 1, 2016 at 8:47 AM

To: Steve Rea <steven@mountainpeakwinery.com>
Cc: Donna Oldford <dboldford@aol.com>

Dear Mr. Rea,

Thank you for your response. I am sorry to hear you chose to contact the County before speaking with me further, as I believe we could have resolved this issue between us as neighbors. However, since you took the liberty of reaching out to the County on your own, and did not include us on that communication, you left us with no choice but to contact the County ourselves to make sure the representatives there heard the events that transpired.

As to your comment that the people in the blue sedan were "friends" of Mr. Inge visiting from Sweden, and were *not* there to taste wine, I find that extremely difficult to believe. We have had our vineyards on Soda Canyon 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 looking 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 "friends." If they were "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 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 "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 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 your 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 clearly 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 you and your team were caught red-handed engaging in clearly unpermitted and illegal tastings, and you are now reeling to come up with some alternate scenario that could somehow relieve you of the difficult position in which you have placed yourselves.

Regardless of how you choose to characterize the events, we know what has been happening at MPV, and we just hope is that you have ceased all unpermitted tastings at 3265 Soda Canyon Road, and that nothing of this sort will occur again unless and until you are permitted to do so. As you are well aware, Soda Canyon Road is an extremely narrow, steep, and long winding road with many blind turns. Potentially inebriated wine tasters leaving MPV, especially when your operation does not have a license, could easily cause a serious accident with disastrous results for the visitors, residents, and the owners of MPV. We, along with other residents and homeowners on Soda Canyon road, take our safety very seriously and hope that you do as well.

Finally, I sincerely hope that we are able to have open lines of communication going forward. As stated in my first email, I was not immediately inclined to contact the County and would not have done so now had you not done so first. If there are issues going forward, I hope that we can attempt to resolve them between ourselves first. We are going to be neighbors for the foreseeable future and I hope that at the very least we can maintain a working relationship.

Do not hesitate to let me know of any questions and have a good day.

Sincere Regards,

Anthony

[Quoted text hidden]



Anthony Arger <

Unpermitted Tastings at Mountain Peak Winery (County of Napa Use Permit Modification #P13-00320-UP)Anthony Arger <
To: john.mcdowell@countynapa.org >

Mon, Jan 11, 2016 at 8:54 AM

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]

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.

Exhibit SOB

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. Regrettably, 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 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,

Anthony

Note: Additional attachments will be sent in separate emails. I am also sending a copy of this correspondence, including all attachments, to you via U.S. mail.

Anthony Arger

ad

Image
Cell
Email:

[1] If 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.

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

[3] If 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.

 Letter to Mr. John McDowell re Unpermitted Tastings at MPV, 1.11.16.pdf
1879K



Anthony Arger

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

McDowell, John <John.McDowell@countyofnapa.org>
To: Anthony Arger

Mon, Jan 11, 2016 at 9:25 AM

Mr. Arger,

Thank you for the correspondence. I am forwarding your correspondence to the Code Enforcement Division for further investigation. Code Enforcement Staff investigated and addressed the Stagecoach Vineyards violation after the complaint was filed last May. Stagecoach Vineyards should no longer be conducting tastings at the Red Barn or elsewhere on the property.

Thank you,

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

From: Anthony Arger [mailto:]
Sent: Monday, January 11, 2016 8:55 AM
To: McDowell, John
Subject: Unpermitted Tastings at Mountain Peak Winery (County of Napa Use Permit Modification #P13-00320-UP)

[Quoted text hidden]

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.

July 18, 2016 (revision of May 28, 2014 letter)

John McDowell
Napa County Planning Department
1195 Third St., Second Floor
Napa, CA 94559

Re: Mountain Peak Vineyards Use Permit Application
3267 Soda Canyon Road, Napa

Some of my questions or assumptions here are no doubt naïve. And some have probably already been answered or may be addressed in the developer's engineering reports, (I tend to get bewildered by the numbers and the jargon, I'm afraid).

Our Concerns are:

1. Unnecessity of Winery

Considering that all of the grapes on the owner's 2 properties are currently being processed into wine at another winery (perhaps in the unused capacity of the winery just up the road);

And considering that the wine is already being sold in retail stores and on the internet;

And considering that the growing and selling of grapes is a profitable enterprise in Napa County whether wine is made by the vineyard owner or not and that wine from the owners grapes would be processed into wine and sold whethere a winery is built or not;

And considering that 5-6 acres of grapes are actually being removed to accommodate the winery and tourism facility;

Why is this winery even necessary for the maintenance of Napa's agricultural economy? Is it the county's position that every piece of property in the County larger than 10 acres is entitled to have a winery? If only half of those owners were to build a winery because the tourism they generate seems to be more profitable than growing grapes, each nibbling away at the vineyard acres, what would the effect be on the notion of the Ag Preserve?

2. Inappropriate Scale:

Considering that this project proposes ±45,000 sf of space to produce 100,000

gal/yr;

And considering that the other winery currently permitted on the watershed, Antica Napa Valley, has produced 450,000 gals/yr since 1987 in a facility permitted to have a 47,000 sf winery;

And considering that the County just approved a 100,000 gal/yr winery/tasting room/offices, The Corona Winery, on the Silverado Trail at Soda Canyon Rd that is a total of 28,000 sf;

Why should the county permit a project of this scale, producing less than 1/4 the wine of a similar sized winery and the same amount of wine as a winery 2/3 its size?

3. Inappropriate Tourism Location

Given that the County "considers the remoteness of the location and the amount of wine to be produced at a facility when reviewing use permit proposals, and endeavors to ensure a direct relationship between access constraints and on-site marketing and visitation programs" in its Resolution No 2010-48;

And considering that the proposed site is 6 miles up a small and winding and, in places, hazardous country road;

And considering that this is a remote area of only residences and vineyards (and one winery isolated in the center of 700 acres of vines with a much more restricted tasting allocation);

Why should the County permit a 130 trip/day, or 18000 visitors/year, tourism facility at such a remote location?

4. Alcohol on Soda Canyon Road Impacts

Considering that the proposed site is 6 miles up a small and winding and in places hazardous country road, with blind curves, and steep grade aside a ravine, a road that descends over a pass that is quite often buried in thick fog, and must be sanded to counter black ice during frosts;

Considering that wine tasters may leave late-opening and remote tasting rooms (with a great sunset view) as the last stop on their day of wine tasting, having consuming alcohol previously at other venues or after having consumed a bottle or two at the picnic tables;

And considering that, unlike almost all drivers on this dead end road, tourists coming to this project will be unfamiliar with the more dangerous parts of the road;

And considering that the dangers on the road are magnified at night particularly regarding wildlife crossings;

Why should the County allow tasting room hours for this project to last until 6:00pm

Why should the County allow marketing events, which involve more alcohol consumption than tastings to last until 10:00?

Why should the county allow that consumption of more than just tasting quantities of alcohol on the site?

This road should not be navigated by inebriated drivers especially when they are unfamiliar with its dangers.

5. Road Condition Impacts

Considering that the road is in a marginal state of repair and maintenance, perhaps as befits a small country road, with crumbling shoulders and inside curves of its step grade beginning to sink into the adjacent ravine under the already overburdened weight of heavy trucks and daily farmworker commutes;

And considering the volume of traffic that this project will be adding to the road (a 30% increase near the project site), both during the months or years of construction and then to move 80+ visitors and 19 employees and up and down the road each day;

And considering that according to the developer's traffic report the junction at Soda Canyon and the Silverado Trail even now has "unacceptable" delays and at times is already over the "signal warrant criteria levels" ;

And considering the almost certain reality that the County will have to give similar tasting/marketing privileges to the Antica winery that has been asking for such privileges since it was built 30 years ago, and thus doubling any employee/visitation numbers generated by this project;

And considering the precedent that this project will set for the development of similar projects along the road;

What steps will the County undertake to improve the condition and safety of the road to accommodate the increased volume of traffic on the road? Note Dan Mcfadden's letter here.

What steps will the County undertake at Soda Canyon Road and the Silverado Trail, an intersection that is already enormously overburdened at certain times of the day? Again people familiar with the road know the rhythm of traffic on the Trail and are more capable of timing that difficult left turn given the right break in the traffic. People unfamiliar with the road may be more cautious, making the backup at the stop sign exponentially longer, or less cautions increasing the potential for accidents with oncoming cars.

6. Non-Compliance with AW provisions

Considering that this parcel is in an AW district but does not comply with the basic 60-40 rule outlined in sec 18.108.027B of Ordinance 1219;

And considering that this property is not just in a watershed area, but has the main fork of rector creek crossing the property with another fork touching the property line:

Why should this project be allowed to remove acreage currently planted in vineyards for the development of parking lots, increased building areas, sculpture gardens, crush pads, maintenance and mechanical buildings, water storage tanks and wastewater treatment systems, large areas for the piling of pulverized rock spoils and a large amount of fill necessary for the Crush pad access road?

If major development of the property is to take place shouldn't the property first be restored to the 60/40 balance before additional development is approved, rather than replacing 5-6 acres of existing vines with facilities?

7. Rector Creek Endangerment

Considering that this project has the main fork of Rector Creek (usgs blue line) crossing its property and has another fork of Rector Creek (also usgs blue line) touching the property line;

And considering the watershed protection goals enumerated in Sec 18-108.010B of Ordinance 1219 to prevent pollution of the creek from earth moving operations;

And considering the extensive excavation and fill projected for this project – perhaps 800,000 cf of cave spoils, perhaps 150,000 cf of excavated crushpad, a

roadway raised 20 ft above existing grade; perhaps 600,000 cf of vineyard topsoil removed and then replaced, and fills in the lowlands of the site to 7 ft above existing grade and other areas adjacent to Rector Creek to 8 ft;

Why should the County allow extensive excavations both above and below ground adjacent to one fork of Rector Creek? (the crush pad, which will be the extraction zone for the caves, will be 75 ft from bank of the creek)

Why should the County allow deposit of spoils immediately adjacent a proscribed wetlands area of the site as well as immediately adjacent the main fork of Rector Creek?

What mitigation has the County required of the developer of this project to make sure that excavations materials, and the dust created by such extensive excavations and gradings will not end up in the Rector Creek forks and ultimately Rector Reservoir?

What mitigation has the County required to insure that the extensive below ground excavations and above ground fill will not upset the hydrology that feeds neighbors springs and wells?

8. Waste Water Treatment

Considering the requirements of sec 18.108.027 of Ordinance 1219 regarding sensitive water supply drainages:

Considering that the proposal anticipates a septic system to accomodate at least 99 people per day plus additional 12-125 people/ week for marketing events:

What requirements has the County asked of the developer to insure that this small public water system and its leach field required for this quantity of people would not have a polluting impact on the adjacent forks of Rector Creek (the edge of the leach field is shown 150' from closest fork).

9. Unknown effect on Groundwater Availability

Considering that the Napa County Groundwater Monitoring Plan has “no data” on the groundwater conditions of the “Eastern Mountains” region of the county but indicates that “one well near the MST shows recent declines similar to those found in the MST”;

And considering that a Phase II water analysis in the western mountains showed

much lower water availability than the county's allowed .5acft/yr;

and considering that a warming climate will almost certainly reduce the amount of water available county wide:

What monitoring has the County or developer done to arrive at the 14.75 acreft currently being used?

What tests or monitoring has the County made to verify that the .5 acreft /acre number is realistic for this area and should a phase II analysis be required?

Shouldn't the county require a phase 2 water analysis of the project that includes a aquifer test of neighbor's wells while project wells are under maximum use?

What mitigation has the County required to insure that the project's increased water usage will not hasten or directly cause the drying up of neighbor's springs and wells?

In a subject as uncertain as underground hydrology, consultants hired by the developer to give optimistic assessments should not be the final arbiters in this decision. The County should require that the Developer pay for independent testing both before a new well is dug and after project completion to insure residents continued access to water.

Shouldn't the county limit the depth of the applicant's new well to the depth of the nearest neighbor's well to insure that depletions affect all water users equally?

What reparations will the County require of the developer in the event that wells do dry after the completion of this project? The time to mitigate such foreseeable consequences is now, under the proposed use permit.

10. Light and Noise, Odor Impacts

Considering that The Napa General Plan specifically recognizes that the eastern part of the county is a dark sky environment, in which the milky way is visible:

And considering that the Napa General Plan goes into substantial detail concerning noise pollution:

What mitigation measures will be imposed upon this project to make certain that the Milky Way remains visible?

What mitigation will the project take to insure that light from the glass tasting pavilions, parking lot lights, visitors cars, walkways and other uses intended for

tourists do not spill over the property lines to eliminate this dark sky environment for the neighbors?

What level of background noise pollution will be allowed by this project, recognizing that we are beginning at a level of almost 0db of manmade noise pollution in this area?

What mitigation measures will be required of the project to prevent noise pollution from the tourism vehicle access and parking, picnic areas, tasting room terrace events from crossing property lines.

Considering that the LYVE wastewater treatment plant and its pumps and 100,000 gal tanks have been placed adjacent to our property line;

What mitigation measures will be required of the project to prevent noise of the pumps of the wastewater treatment plant and any odors it might generate from crossing property lines.

Might the developer consider using the spoils to produce landscaped berms separating our properties rather than filling large areas of the site to a 4 ft depth in order to mitigate these impacts.

11. Construction Impacts

Considering that enormous amounts of dust will be generated by a construction project requiring the movement of perhaps millions of cf of dirt over a period of perhaps many months or years:

What mitigations will the developer take to insure that the crops of adjacent owners (grapes on two sides and olives on the third side) are not affected by the dust generated? What reparations will the developer be required to make should fruit be damaged?

Considering that a construction project of this size will require dozens of workers, and subcontractors and consultants and inspectors, each with their own vehicles;

And considering that construction projects generate light and noise impacts far beyond the normal impacts of a retail and factory operation;

And considering that these impacts may last for many months if not years on such a large project;

What limits will the county put on the hours of construction and the number of

days per week that construction may take place so that at least a portion of the week is free from the noise and dust.

What conditions will the developer be required to abide by to insure that construction vehicles and equipment will not be parked within and will not obstruct the deeded access easements granted to adjacent neighbors and to others along the road. (in particular around my entrance gate which is at the most constricted part of the developer's hourglass-shaped property.

13. The Viticulture Office

Considering that the existing viticultural office is located just adjacent to our front gate and entry road easement;

We would like greater clarification from the developer on how this area of the site, including the entry gate to viticultural office, is to be.

14. Necessity of EIR

Considering that this project may set a precedent for the 40 or 50 other parcels over 10 acres on the rector watershed resulting in a commutative effect much greater than its individual impacts;

And considering that CEQA regulation 15064 (h)(1) states that "(h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

Why should not the county require an EIR report on the project?

Thank you for your consideration of these matters.

Sincerely,

Bill Hocker

3460 Soda Canyon Road

Napa, CA 94558

McDowell, John

From: Fletcher Benton <fletcherbenton@sonic.net>
Sent: Monday, July 18, 2016 10:14 AM
To: McDowell, John
Subject: Signed petitions re: #P13-00320-UP
Attachments: Napa Protest 1-2016.jpg; Napa Protest 2-2016.jpg

Deputy Planning Director McDowell,
Please see the attached.

Thank you
Fletcher Benton

July 18, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559
Email: john.mcdowell@countyofnapa.org
Fax: (707) 299-1358

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

Dear Deputy Planning Director McDowell,

My name is Roberta Benton and I live at 3398 Soda Canyon Road, Napa, CA 94558. We purchased the property in 1971 to live in a quiet, rural area and escape the massive development of San Francisco, for us, our children and grandchildren. It seems that such a development is trying to follow us into the outer most reaches of the Napa mountains. I strongly oppose the Mountain Peak project below and humbly request that you deny or significantly reduce this use permit for the following reasons.

- The size and scope of the project is way out of proportion with the size of the parcel and remote location. Soda Canyon Road is narrow, steep, winding, dangerous, dead-ends, often foggy, and is filled with wildlife.
- Current residents and workers will all be overwhelmed with the 17,298 anticipated new annual visitors plus additional big rig trucks hauling grapes, wine shipments, and construction equipment along this road. Potentially drunk drivers on this steep, curvy road are a danger to all of us.
- Requested permit is for 100,000 gallons, which would require ~700 tons of grapes to satisfy. The project parcel has only 28 acres of planted vines, producing a maximum of ~80 tons of grapes per year (a mere 11% required to produce 100,000 gallons!). Big rig trucks would be required to haul the additional ~620 tons of grapes up and down SCR!
- Large trucks are regularly stuck along Soda Canyon because it is narrow & steep, causing accidents and traffic delays!
- There is a major drought throughout California. Allowing a 100-gallon winery and event center will severely stress the limited water resources in our area and potentially suck the water resources dry no matter how elaborate a proposed LYVE wastewater treatment system sounds.
- Winery would be operational 7 days a week with up to 320 tourists/week, creating additional traffic and noise EVERY day in this rural area with no days off to enjoy the quiet. Marketing events go until 10pm!
- The peace and tranquility that I chose by moving into the mountains is being threatened. There are already busy commute hours with hundreds of vineyard worker cars coming and going, plus the prevalent big rigs. Adding 17,298 tourists, plus 19 more full time workers, more trucks and equipment to this busy/dangerous road is a bad idea!
- Soda Canyon has history of major fires. Because Soda Canyon Road is a dead-end road, there are MAJOR public safety concerns with regard to fire, and all emergencies for that matter. There is essentially zero cell service on Soda Canyon Road, offering the potential for disaster for drunk driver incidents, and the common jackknifed & stuck trucks.

For all of the reasons above, among many others, the County must deny this project and reduce the size to one that fits the rural environment and road conditions. Please protect our community's safety and preserve the quickly dwindling natural resources that Napa has left, particularly in the remote hillsides.

Sincerely,

Roberta Benton

July 18, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559
Email: john.mcdowell@countyofnapa.org
Fax: (707) 299-1358

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

Dear Deputy Planning Director McDowell,

My name is Fletcher Benton and I live at 3398 Soda Canyon Road, Napa, CA 94558. We purchased the property in 1971 to live in a quiet, rural area and escape the massive development of San Francisco, for us, our children and grandchildren. It seems that such a development is trying to follow us into the outer most reaches of the Napa mountains. I strongly oppose the Mountain Peak project below and humbly request that you deny or significantly reduce this use permit for the following reasons.

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Sincerely,



Lou Ann Best
3260 Soda Canyon Road
Napa, CA 94558

July 18, 2016

John McDowell, Deputy Planning Director
Napa County Planning, Building, and Environmental Services Department
1195 Third Street Suite 210
Napa, CA 94559

Re: Protesting/Opposing Mountain Peak Winery- Use Permit # P13-00320-UP

Dear Deputy Planning Director McDowell,

My name is Lou Ann Best, I grew up on Soda Canyon from the time I was 3 years old (1974). Now, at the age of 44, I am moving back home because of complications from a recent liver transplant.

My liver transplant was done on February 9th, 2015. I was so sick that Stanford Hospital almost didn't give me a liver. My family convinced the doctors that I would pull through and luckily I did, but it wasn't without a fight. Two days after my surgery I fell into a sleep for a one month. During that month I had many complications, including Respiratory failure (I almost died). To date, I still go to the hospital for complications and my liver enzymes are still abnormal; 3-4 weeks ago I was Hospitalized with internal bleeding; I am anemic; 2 weeks ago my General Practitioner doctor told me that, even after my transplant, my liver is critical; I currently have asthma and, again, it almost took my life during my one month of sleeping (Respiratory Failure).

Please consider, while reading this letter, how you would want yourself or someone in your family to be treated if you were going through difficult health issues. Would you find it acceptable to have the county approve two years of heavy construction involving noise, dust, traffic, and potential water availability and quality impacts right next door? And, following that, heavy tourism and industrial wine production? I live less than 200 yards from the Mountain Peak site.

My concern is heightened because, since vineyards and wineries have been introduced to Soda Canyon, my father and three of our nearby neighbors were diagnosed with cancer. Sadly, out of the four diagnosed, only one neighbor survived. I lost my Dad in October 2013, when I needed him the most in my life.

Due to my health, it is very important that I am in a place with clean drinking water, clean air and most of all a quiet environment. With the proposed Mountain Peak Winery site plans, involving dust, noise pollution, and a highly active winery I do not see how I can make a full recovery. I am already experiencing side effects from air pollution and stress from the noise of tractors that spray sulfur and other chemicals at all hours of the day and night. The blasting activities associated with cave excavation could potentially put me into the hospital, or be fatal. There are a number of people living nearby who are in delicate health that could all be affected, my mother (who has COPD) included.

Our well is about 110 ft deep. Mountain Peak plans to use 16 to 17 acre-feet of water per year with wells located 1,500 feet away from ours. The decision made today will affect my water resources in the

future. When the water is gone, it will be too late to get it back. Again, would you be willing to take this risk if your water supply was the one being affected?

The factors of road quality and safety are also a concern for me. Semi trucks haul wine, grapes, and supplies up and down the mountain. I've personally already had one near head-on collision because a semi-truck was too long to get around a blind corner without crossing into the other lane (see photos). I've encountered trucks unable to fit in their lane countless times. The trucks are too big for the road and take up half of my lane, leaving me nowhere to go so I have to brake hard and veer as close to the shoulder as I dare. It is only a matter of time before these trucks push somebody off the road and into the steep canyon. Additionally, it is not acceptable to have potentially intoxicated tourists driving down an already dangerous road under any circumstances.

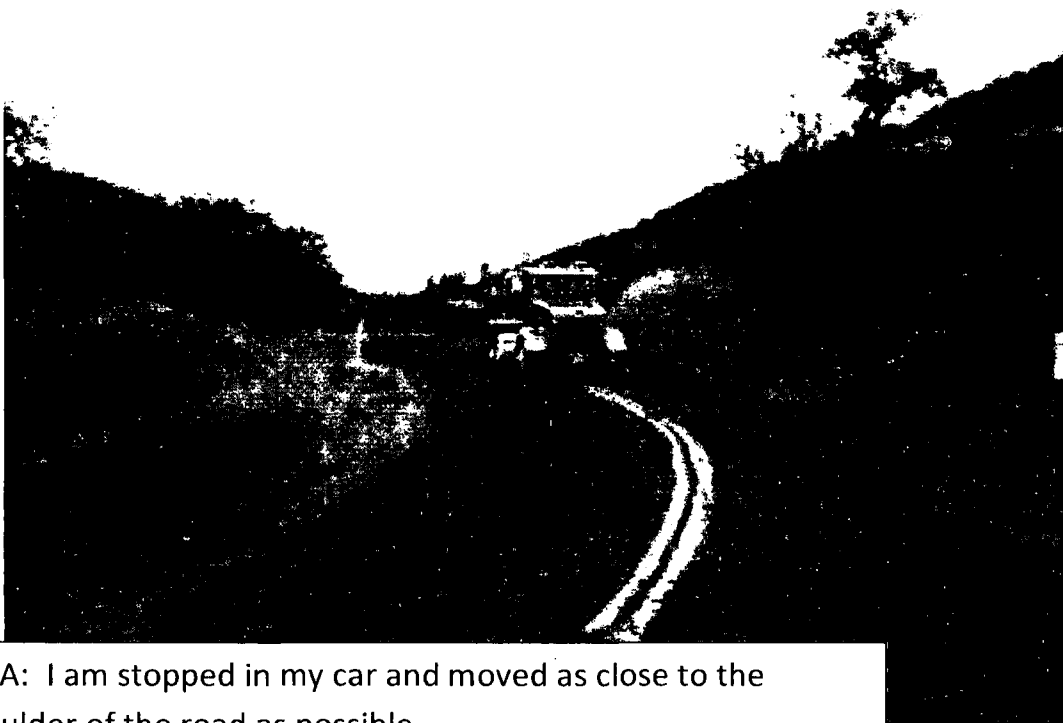
The road currently has damage and is not being maintained properly. The damage done to the roads between the many trucks and visitors with this project would be tremendous. Who will be responsible for this? People using the road for industrial purposes should be held accountable for the damage they are doing instead of taxpayers footing the bill. If for some reason this project is approved, the developer should be required to pay an amount proportional with the traffic they bring onto the road.

The house my parents purchased is a family home and they chose it because Soda Canyon was natural and undeveloped (see photo). As an adult I've seen wildlife become increasingly scarce as vineyards and wineries have moved in and expanded. It is clear that these projects are having negative environmental impacts.

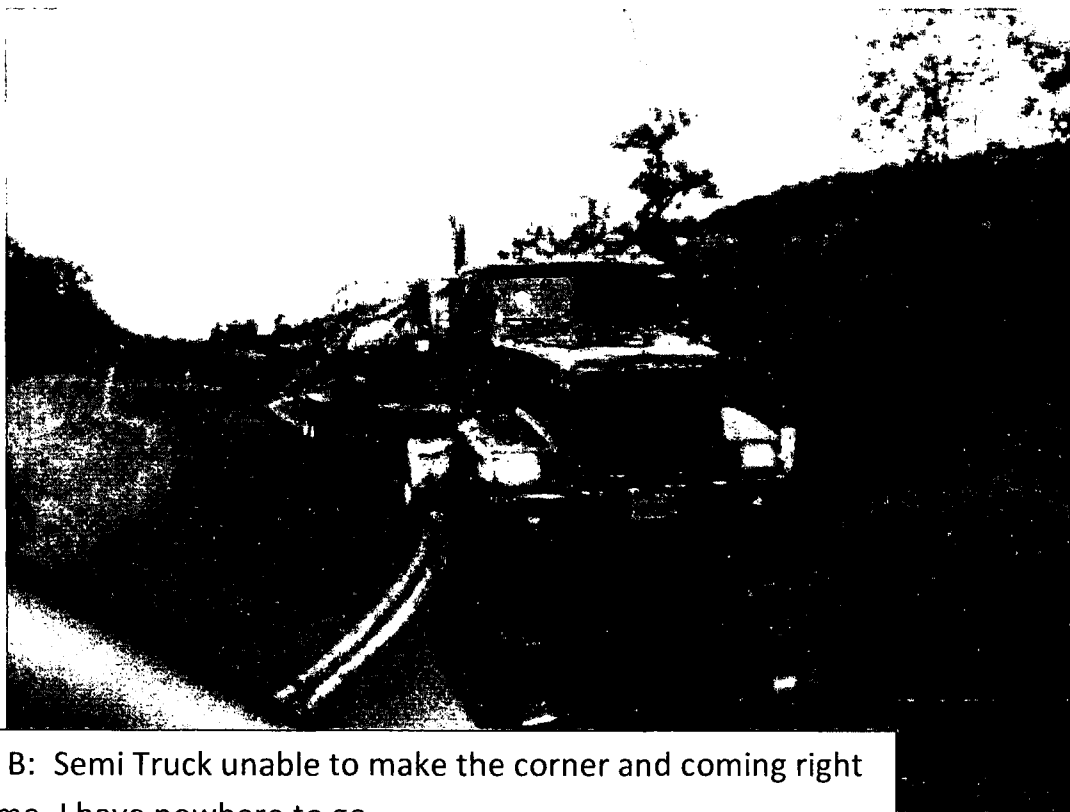
I have been having health issues for the past nine years and fighting to live since 2014, and really want to be able to return to my family home and enjoy my life in peace. Mountain Peak's proposal would negatively impact my healing process, my quiet enjoyment of my home, worsen road safety conditions for all residents and visitors, and compromise my water supply. Due to the issues described here, I am requesting that the project be denied.

Sincerely,

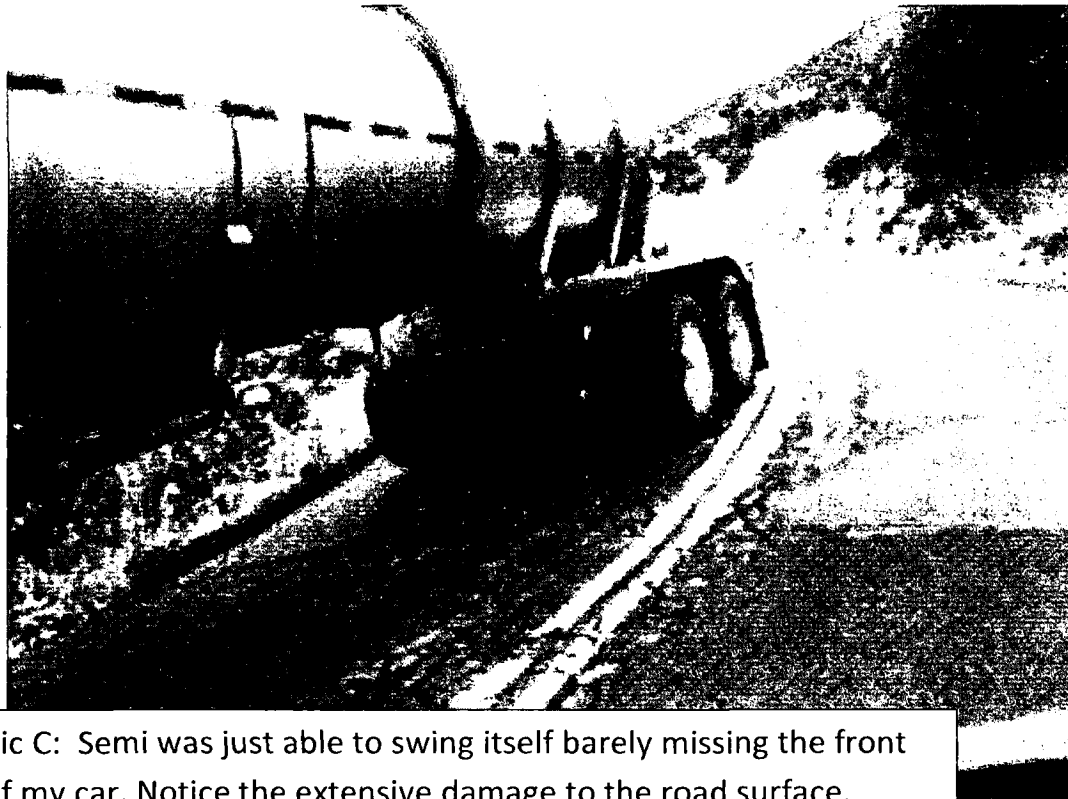
Lou Ann Best



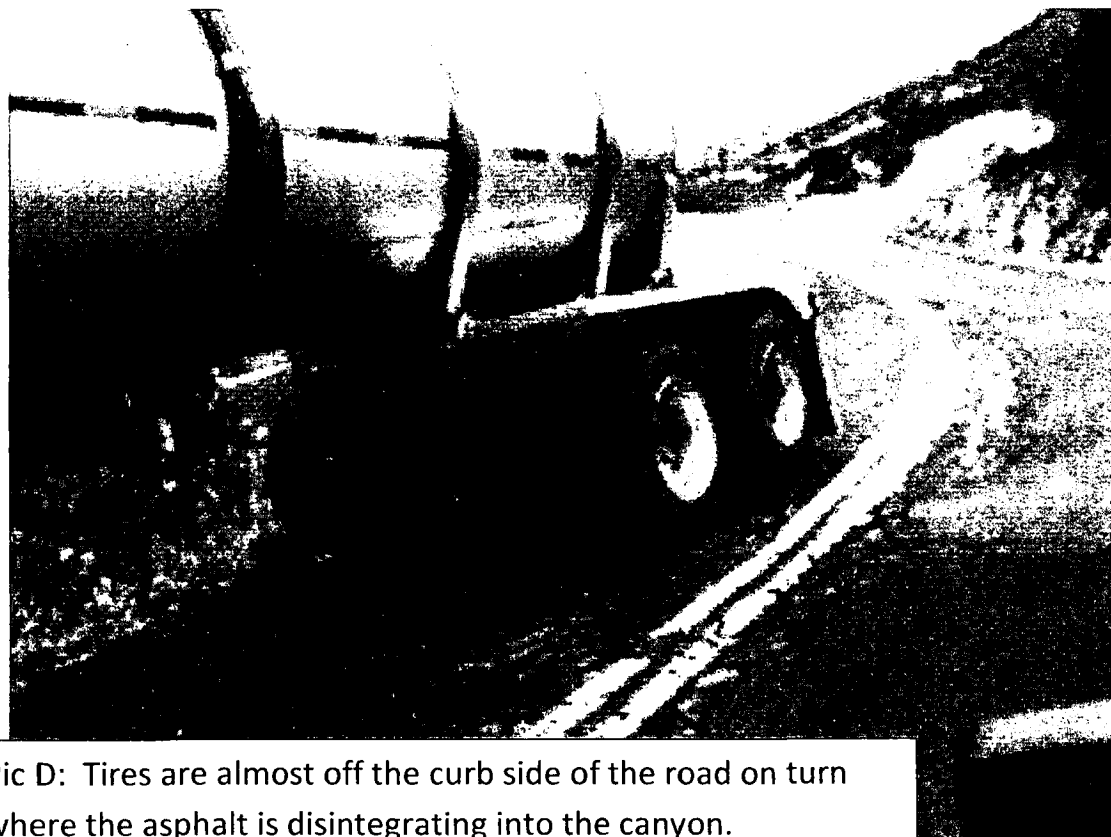
Pic A: I am stopped in my car and moved as close to the shoulder of the road as possible.



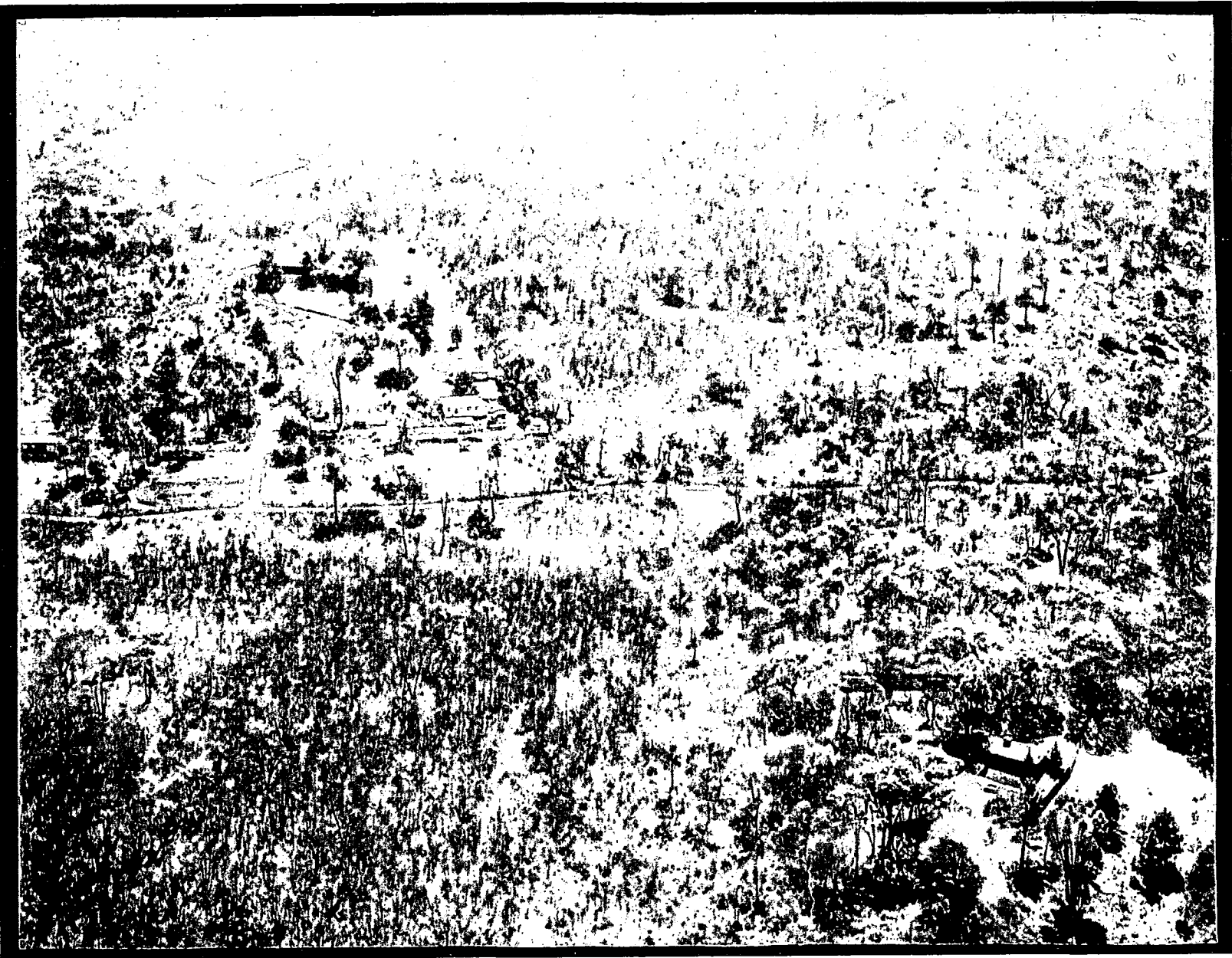
Pic B: Semi Truck unable to make the corner and coming right at me. I have nowhere to go.



Pic C: Semi was just able to swing itself barely missing the front of my car. Notice the extensive damage to the road surface.



Pic D: Tires are almost off the curb side of the road on turn where the asphalt is disintegrating into the canyon.



This picture was taken around 1960. This landscape is why we moved to Soda Canyon. We are a small community, not a public domain.

Debra Manfree
3360 Soda Canyon Road
Napa, CA 94558

July 18, 2016

John McDowell, Deputy Planning Director
Napa County Planning, Building, and Environmental Services Department
1195 Third Street Suite 210
Napa, CA 94559

Re: Protesting/Opposing Mountain Peak Winery- Use Permit # P13-00320-UP

Dear Deputy Planning Director McDowell,

I am writing to let you know that I am against the development of the Mountain Peak Winery. I live at 3360 Soda Canyon Road and I believe a development of this type does not belong in a remote section of the watershed right on the rim of Rector Canyon. Our family has made our home here since the 1940s.

Rector Canyon is currently a pristine waterway with an amazing diversity of plants and animals. The walls of the canyon are lined with ferns and mosses. The clear waters are habitat for wildlife. I have seen pacific giant salamanders over 2 feet long living in the pools. There are amazing waterfalls with water running year round. One waterfall is so big you can stand under it and get showered like in the pictures of paradise. I think this canyon should be viewed as a heritage site and Napa County should protect the area because of the incredible beauty that exists in Rector Canyon.

I also believe that all the people who are to make the decision to allow this canyon to be destroyed by the Mountain Peak development should take a hike to Rector Canyon to see for themselves the amazing natural beauty right here in Napa County. This important area should be protected and not be destroyed by commercial developments that do not belong in a sensitive watershed.

Also I would like to know why Napa County wants to allow this developer to come here and blast extensive caves, build parking lots, and have thousands of visitors every year in this remote section of the watershed. The owner, who has never made any effort to see us, and who we understand plans to live outside Napa County, has no regard for our environment here. This company is only here to make a profit. The surrounding neighbors, animals and native species are just in the way for them. The profits they make as they destroy our area will not benefit our rural community. They have no ties to this land or preserving the area for the future.

The road up Soda Canyon has a very steep grade. Many people will tell you it is dangerous. You need to listen to this important information because the people who live here know what they are talking about. I have had several near death experiences on the grade. I will tell you about three.

- On September 25 2011 I was on a trip to town and there was a mist that day. This was the first moisture since spring time and the road was slick. I was not driving over the speed limit and I know the road very well. When I tried to brake going down the grade, the back wheels slid out and my truck went over the cliff. Somehow I survived, but my truck was totaled.

- This spring I was driving down the grade and as I came around the blind curve at 2500 Soda Canyon there was a semi-truck coming up the grade more than a foot over the yellow center line. My vehicle was just inches from being pushed off the cliff. When a large vehicle makes the turn at that spot in the road there is no possible way for them to stay on their side of the road. This creates a very dangerous situation for anyone coming down hill as there is no way to see around the curve.
- In winter 2012 there was a heavy frost one morning. I had to scrape the ice off of the window of the car. I was on the way to bring my son to school. When we got to the grade it was covered in a sheet of ice and it was terrifying to go downhill on sheer ice.

The road is not suitable for large vehicles, which are already creating unacceptably dangerous conditions at current traffic levels. The proposed winery would produce 100,000 gallons of wine per year and have numerous marketing events, all of which will increase large vehicle traffic. Approving a development like this in this location is not responsible. This Mountain Peak development does not belong here on Soda Canyon Road. I hope you will listen to the people and not allow this developer to destroy this area.

Sincerely,

Debra Manfree

McDowell, John

From: Jessalyn Isham <jessalynisham@gmail.com>
Sent: Sunday, July 17, 2016 9:50 PM
To: McDowell, John
Subject: Protesting/Opposing Mountain Peak Winery-Use Permit #P13-00320-UP

Dear Deputy Planning Director McDowell,

My name is Jessalyn Isham and I live at 3150 Soda Canyon Road, Napa CA 94558. My young family and I moved to Soda Canyon Road in 2013. My husband and I both grew up in Napa and we loved living here. Napa has grown and changed a lot over the past 30 years but it was very important to us that we raise our children here. We decided to purchase our home in this area so that we could be in a quiet, rural country like setting. We both enjoy the peace and quiet and the space to move around in. Over the 3 + years that we have lived here, we have already seen a huge growth in our area. Now it seems that an even larger development is trying to intrude on us and everyone else who lives in this area.

We strongly oppose Mountain Peak project. I'm humbly requesting that you deny or significantly reduce this use permit. I ask you this, have you recently driven Soda Canyon Road? Especially during the "commute" hours of all the other workers whom travel to and from the area? If you have, you would notice that the amount of cars driving up and down this very narrow, winding, damaged road have it jammed packed. To allow a use permit the size that is being requested, would greatly increase this. I already try to stay off the road during those times, since everyone seems to think they personally own the road and do not drive very safely. I'm concerned with the amount of large trucks and their carrying capacity. I have been run off the road by commercial trucks that are hauling items up and down. The trucks have been stuck in the road multiple times as well. I have been behind accidents, I have witnessed tree branches being hit by the large trucks and falling into the roadways. I have been stuck on the steepest grade of this mountain because these trucks are just too large and heavy to make it. I have watched chunks of asphalt chip off the side of the mountain as these trucks squeeze through.

I already worry every time I drive home in the evening that I may encounter a drunk driver. In the evenings, Soda Canyon is filled with wild life that everyone who lives up here, knows to look out for. With the increase in marketing events my anxiety as I drive my 3 children home will defiantly rise. Homeowners shouldn't have to worry about their drive to their houses due to drunk drivers on a road that is already difficult for visitors to drive. The condition of the roadway is mediocre and even poor in some areas, and I don't foresee that changing anytime soon.

My husband is a fireman and I am perfectly aware of the fire conditioned area we live in. Increasing traffic, tourists and workers this high up that leads into a dead end road seems like a disaster waiting to happen. Cell phone service is minimal and lots of places non existent. There is potential for major public safety concerns if this permit is granted. The permit that is being requested is too large for this rural area in every way. Water is another huge concern. The amount of water that will be needed to host this size of project is absurd, and has the potential to run all of us homeowners dry. Therefore, causing an increase in stress and money going out of the homeowners pockets, all while this project is reaping the benefits.

For all of these reasons, among many others the County must deny this project and reduce the size to one that fits the rural environment and road conditions. Please think of everyone who has lived here their entire lives and who want nothing but to keep our community's safety put first. We need to preserve the already quickly dwindling natural resources that Napa has left. There is enough large wineries and places for events in better locations then the remote hillside of Soda Canyon Road. Please save all the residence and our area from this development.

McDowell, John

From: richard ehrenberger <zquat@aol.com>
Sent: Sunday, July 17, 2016 5:53 PM
To: McDowell, John
Subject: Mountain Peak Winery

Mr. McDowell, Napa County Planning Commission

This is a short letter of strong protest to the MPW Use permit as proposed due to the highly inappropriate location for a project of this scale and overall impact.

It makes no sense whatsoever to build a facility that would attract over 17 thousand visitors per year and which is sized to produce vastly more wine than is grown on the property at the end of a 6+ mile narrow steep serpentine cul de sac road. Everything about this proposal is on steroids. Please engage your wisdom and deny or significantly reduce the magnitude of this proposal.

Respectfully

Richard Ehrenberger,
Penelope Kuykendall
David Ehrenberger, MD
1990 Soda Canyon Road 94558

July 18, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559
Email: john.mcdowell@countyofnapa.org
Fax: (707) 299-1358

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

Dear Deputy Planning Director McDowell,

My name is Elisabeth Meier and I live at 3398 Soda Canyon Road, Napa, CA 94558. I moved here about 10 years ago to live in a quiet, rural area and escape the craziness and noise of San Francisco and be connected to nature and peace.

I strongly oppose the Mountain Peak project below and humbly request that you deny or significantly reduce this use permit for the following reasons.

- The size of the commercial side (tourism / marketing / building) of the project completely overshadows the actual acreage of the property and is completely unacceptable at this rural and remote location.
- The primary purpose should be farming, not tourism/marketing - 28 acres of planted grapes and 17,000+ visitors a year - does not compute. Neither does 100000 gallons of wine production permit make any sense, when only a 10% of the 100000 gallons can be harvested on the site itself.
- This is a Tourism/Marketing project cloned into a Farming project - where farming is 2ndary whereas growing grapes and producing wine should be primary and only to the size of the acreage.
- If you compare this project, 28 acres planted / 17000 Visitors to another Winery on Soda Canyon Road with 600 acres planted / 2000 Visitors per year - it becomes evident to anyone that farming is not the primary goal of this project.
- It is completely ridiculous and unacceptable to have an additional 17000 cars on the road with drivers not familiar with this very dangerous road. I cannot even tell you the amount of close calls I had on SCR with people not know what they are doing while driving on SCR. From stopping in the middle of a blind curve, to pulling over on dried vegetation (high fire danger), to coming at me on my side of the road or just plain driving in the middle of the road - probably in fear of the canyon edge. Add alcohol to that and you are looking at very bad outcomes.
- We also do not need more big rigs on the road - the road is barley maintained and many times throughout the year, big double tanker trucks get stuck in curves or just plain break down. Just recently I had to go into full reverse going down SCR, as otherwise the rear of one of those tanker trucks would have heaved me down the canyon - the driver completely unaware that his rear end took 1/2 of my side of the road and he never even slowed down (he could not have gotten moving again, too steep) Very Dicy!! Or how would you feel driving behind a big rig in September with high fire danger and you can barely see because the trucks breaks are smoking so much to try to slow the truck down? Would that make you feel save?
- I cannot even imagine anyone with the BEST interest of the community in mind for which they are responsible to approve this project at this location.
- The project must be modified to the size of what the property allows in harvest - which means significant and severe restrictions on number of visitors (to 10% of what is requested maximum), wine production gallons to 10% of what they suggest, number of days per month that tastings are permitted by half - not every day of every month and every weekend, and lastly hours of operation to normal hours - nothing past 4PM.

For all of the reasons above, among many others, the County must deny this project and reduce the size to one that fits the rural environment, the acreage of the property and road conditions. Please protect our community's safety and preserve the quickly dwindling natural resources that Napa has left, particularly in the remote hillsides.

Sincerely,



McDowell, John

From: Curt Fischer <curtfoto@earthlink.net>
Sent: Sunday, July 17, 2016 9:08 AM
To: McDowell, John
Subject: Mountain Peak Winery

Mr. McDowell

I am writing to the Napa County Planning Department for the first time after reading of proposals to build a very large winery (Mountain Peak Winery) at the top of Soda Canyon road. I write not because I live on Soda Canyon Road – I live on Shady Oaks Drive – so this isn't a “not in my backyard” opinion. The only direct aspect of my life that will probably change is that I often use Soda Canyon Road for a peaceful, sometimes difficult but rewarding bicycle climbing ride, and I suspect that this route will not be peaceful or safe after this large development, along with others, is approved - a small lifestyle amenity lost. I am writing because I see that this is only one of many current proposals for large wineries in very rural, difficult to reach sites, being pursued because the Valley floor is very expensive, and land is less expensive up in the hills, generally speaking. I think the approval of these oversized secluded developments will negatively impact life in the Napa Valley because each rural development sets a precedent, and each precedent is another step toward the ultimate loss of the environment we love.

Napa's success is crushing the Valley in traffic. Napa County is not building new roads, but it is approving developments that use existing roads not intended for heavy use. Soda Canyon Road is a perfect example of this. Not many years ago a sense of peace and tranquility enveloped Napa Valley. Napa is now approaching the rest of the Bay Area in the sense of crowding, traffic and loss of serenity. Living off of Silverado Trail, I regularly dread the prospect of making a left turn onto the Trail after 3:00 p.m. to travel to Napa. The line of southbound cars is never ending. Additionally, I regularly see 8 - 10 -12 vehicles backed up at the stop sign on Soda Canyon Road in the afternoons, trying to cross Silverado Trail to go south toward Napa. The majority of those vehicles are headed south. What will happen when there are 18-24-48 cars backed up - install a traffic light? That traffic light solution doesn't work very well anywhere on the whole length of Hi. 29, and the introduction of lights on Silverado Trail will be a truly depressing development. I refer you to the regrettable traffic light at Old Sonoma Road and Hi. 12, the result of many meetings and rules and laws and CalTrans negotiation - resulting in large traffic jams on mornings, evenings and weekends.

I know that building anything in California today is a complicated and expensive proposition. The result that many of the proposals landing on your desk are written by specialist lawyers, not the people hoping to build a winery or a business. This is the reason environmental impact reports are written by “environmental experts” who skillfully obfuscate problems that could and will arise from rural oversized developments. Combined with the threat of lawsuits, (“This is America – I own the land!”) you in government have a daunting task, and it's about to get worse as people and companies are motivated by the perception that owning trophy vineyards and wineries is glamorous, or a great way to store excess cash. When the founding wineries were built in the Valley all those many years ago, they were built by people who were driven by love of wine and the land. There was plenty of room to expand and little need for a Planning Department. Today, we are increasingly squeezed, and residents and existing wineries are forced to depend on our government and the Planning Department to protect what is left of a beautiful rural landscape. Constituents yearn for some sign of governmental wisdom and foresight, instead of form filing and fee collecting and endless meetings with predictable outcomes. Now is the time to confront this “rock and a hard place” situation of residents who nurture and love their communities, and business interests who only see a bottom line.

I don't think I'm alone on this issue. All you have to do is stand in the check out line at any local supermarket and listen to these same sentiments - they're everywhere. I write this because I have a feeling that we're headed toward the edge of a cliff, and don't want to write to you in a few years to say "How on earth did *this* happen?"

Curt Fischer
Napa

McDowell, John

From: Paul Bartelt <PaulB@barteltengineering.com>
Sent: Friday, July 15, 2016 12:28 PM
To: Gallina, Charlene; McDowell, John
Cc: 'Donna Oldford (dboldford@aol.com)'; steven@acumenwine.com; bmcMahon@perkinscoie.com; Michael Grimes; Paul Bartelt
Subject: Response to questions from Bill Hocker

Charlene/John:

At the request of Donna Oldford I have been asked to respond to several questions presented to you by Mr. Bill Hocker.

My responses are as follows:

Bill Hocker: Are the fill areas shown on the site plan to be stripped of their topsoil before the spoils are distributed with the topsoil then replaced over the spoils? what depth of topsoil?

Bartelt Engineering Response: All cut and fill performed as part of this project will be performed in conformance with Napa County regulations as well as with the project Geotechnical Investigation Report. It is standard construction practice to strip the top soil from areas to receive fill. In this case, the top two feet of soil will be removed from the fill site, temporarily stockpiled onsite, the cave spoils placed in the fill area to the depths shown on the plans and then the top soil replaced over the cave spoils. Performing the fill placement in this manner will allow the fill areas to be replanted in vineyard.

Bill Hocker: Is the built up area at Soda Canyon Road and the berms also to be built of cave spoils and will the topsoil be stripped from under them first? Will there be imported topsoil brought to the site?

Bartelt Engineering Response: The driveway to the winery tasting room will primarily be constructed with native soil. Cave spoils may be used to strengthen the underlying subgrade as needed or as directed by the Geotechnical Engineer in the field. The production driveway will be primarily constructed with the material excavated from the construction of the cave portal and crush pad. The production driveway will need to be constructed and useable prior to the start of drilling of the cave therefore cave spoils will not be used in this area. All cut and fill performed as part of this project will be performed in conformance with Napa County regulations as well as with the project Geotechnical Investigation Report. It is standard of practice to strip the top soil from areas to receive fill. We do not foresee the need to import topsoil to this project site.

Bill Hocker: How much earth is being moved around the site....the quantity of earth being moved, the time it will take to move it, and the amount of dust...

Bartelt Engineering Response: The quantity of material being moved at the site is listed in the Staff Report. At this time the Applicant does not have completed construction drawings or a General Engineering Contractor engaged to perform the grading required for this project therefore exact quantities of material moved and a construction schedule have not been determined. Typically, grading for a project similar to this one would take three to six months to perform. Cave construction for a project similar to the proposed cave could take six to twelve months. An erosion and sediment plan as well as dust mitigation measures will be prepared and implemented at this project site as required by Napa County, the State of California Regional Water Quality Control Board and the Bay Area Air Quality Management District.

Paul N. Bartelt, P.E.
Principal Engineer

Bartelt Engineering
1303 Jefferson Street, 200 B
Napa, CA 94559

707.258.1301 telephone
paulb@barteltengineering.com

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McDowell, John

From: Henni Cohen <hennic1044@gmail.com>
Sent: Thursday, July 14, 2016 7:54 PM
To: McDowell, John
Subject: Mountain Peak Winery comments

John Mc Dowell, Deputy Planning Director, Napa County

Planning Department

1195 Third Street, Suite 210

Napa, Ca 94559

Dear Sir,

We are writing to you as concerned residents about the proposed the Mountain Peak Winery on Soda Canyon Road.

We emphasize the term “Winery”. Our concern is not about grape growing on the slopes of Soda Canyon. Grape growing is agriculture, which we recognize is a basis of the Napa economy. This proposed project is not about agriculture, it is about retail wine selling and marketing in a winery event center with a commercial kitchen. We ask you to consider, would you allow a hotel or resort, a store or similar operation to build in a location 6.75 miles up Soda Canyon with the potential of attracting 17,000 visitors a year? Because that is what is being proposed here. The grapes need to be grown here to be Napa grapes, but the wine can be made and offered for purchase anywhere, and in a much more accessible and safer place.

The retail selling and marketing event center is proposed to take place near the end of a very narrow, winding, and steep road. The 17, 000 visitors that will be allowed annually with marketing events as part of the retail operation would be in addition to the number of workers and trucks with tons of grapes traveling up and down Soda Canyon on a daily basis. Could large wine tasting vans and buses even make it up Soda Canyon or be able to turn around before they reach the winery, in the case of an emergency, such as fire, if necessary? We highly doubt it. Furthermore, in the 9 years we have lived off Soda Canyon, we have seen a significant increase in the number of large trucks speeding up (and down) Soda Canyon since the approval of wineries above us on Soda Canyon. Clearly, there is a safety issue for both residents of Soda Canyon and the truck and van drivers who use Soda Canyon.

There is also the issue of fire safety in Soda Canyon. We are in a high fire prone area recognized by CalFire as in the Wildland/Urban Interface designated area. Soda Canyon Road is a one way in/one way out road. In the

event of a fire at the top of Soda Canyon, any barrier to egress, such as a large truck or tour bus being unable to turn around or having an accident while trying to maneuver a turn on the steep part of Soda Canyon, would be disastrous. Similarly, blocked access would mean the inability of fire and emergency personnel to reach the site of a fire. Please remember that there have been 2 incidences of fire on or near Soda Canyon in the last 5 years.

Finally, but not incidentally, there is a concern about water. We, and all of our neighbors, are on wells that are below the location of the proposed winery and pull from the aquifer that it would access. The water is, of course, a life blood to us and to the viability of living here. Will the applicant go on record and in a binding manner to assure, and insure, that it will not drain our water supply? Additionally, will it agree to supply us with sufficient water should the project cause us to lose our water supply?

Apart from the site specific issues described above, an additional and growing concern for us and all Napers is the apparent tactic of asking for a large operation, only then to agree to a somewhat smaller project. This then makes it appear that everyone is being reasonable and that the applicants have been accommodating. Should this winery be allowed at all, it must be pared down to a fraction of the requested scope, and the retail sales and marketing aspect of the project eliminated entirely.

This is a very troubling, way overblown, and dangerous proposed application in many ways. We hope and trust that the Planning Commission will agree and not allow this proposal to go forward in any manner similar to that which has been requested.

Thank you for your consideration.

Henrietta Cohen and Lee Trucker

1044 Loma Vista Dr.

Napa, CA 94558

707-251-5575

McDowell, John

From: Janis Pollock <babyjan@aol.com>
Sent: Thursday, July 14, 2016 7:31 PM
To: McDowell, John
Subject: Mountain Peak Winery

Hello Mr. McDowell~

My name is Janis Pollock, My husband and I have grown up in the Napa Valley and are familiar with the Soda Canyon area. I feel building a winery up there would create a real hardship on existing residents of Soda Canyon Road. The added traffic and congestion on an already narrow road would become a nightmare. I am opposed to the Mountain Peak Winery.

Thank you for your time.

Janis Pollock

McDowell, John

From: Randy Katz <randall.e.katz@gmail.com>
Sent: Monday, July 18, 2016 7:08 PM
To: McDowell, John
Subject: Opposition to use permit #P13-0020-UP.

Dear Mr. McDowell,

I am writing to share my strong opposition for the Mountain Peak Winery use permit #P13-0020-UP.

I am a resident of San Francisco and for the last 5 years have found a respite in Atlas Peak, having developed friendships with several residents that live along various segments of Soda Canyon Road.

As an admitted non-resident, but nonetheless frequent visitor of the Atlas Peak/Soda Canyon community, my opposition to this permit relates to public safety and the implications of allowing, and in fact encouraging, tens of thousands of possibly drunk winery visitors up Soda Canyon Road, which would be flat out unsafe.

Soda Canyon Road is over 6 miles of a winding narrow road with road with one lane in each direction. In many places, there is a steep drop off just feet from the road. Throughout the entire stretch, there is wildlife that runs across the road in front of vehicles with little notice.

Having driven the road hundreds of times, I know the twists and turns fairly well and it never fails to rattle the nerves while requiring strict attention. Inviting thousands upon thousands of visitors to drive this road...for the first time...in the dark...after drinking alcohol...that does not make any sense to me.

Let's not forget that there are no other ways down the hill and that this area is a fire hazard; or, that the construction on a project like this will require large trucks carrying huge loads of materials to maneuver the roads, creating awful traffic at best, and further risk of accident. Should these types of disasters happen at the same time, the result could be really horrific.

Short of denying the permit, I ask that you consider drastically reducing the size and scope of this project to mitigate the threats that this proposed winery creates.

Sincerely,

Randy Katz

16 Dogwood Court
Napa, CA 94558
July 18, 2016

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

RE: Mountain Peak Winery, Use Permit #P13-00320-UP

Dear Mr. McDowell,

I am writing because of my strong opposition to the Mountain Peak project referenced above. I am requesting that you deny or significantly reduce this use permit for the following reasons:

- ~The size and scope of this project are incredibly out of proportion to the size of the parcel and remote location. Soda Canyon Road is steep, narrow, winding, often foggy, and overall, a dangerous road with wildlife crossing at all times.
- ~The anticipated 17,300 new annual visitors plus the additional big rig trucks hauling grapes, wine shipments and construction equipment will be overwhelming for the current residents as well as a major traffic hazard.
- ~Potential drunk drivers on this steep, curvy road are a danger to all drivers and residents.
- ~This project parcel has only 28 acres of planted vines, producing a maximum of about 80 tons of grapes/year. Yet the requested permit is for processing 100,000 gallons/year which would require about 700 tons of grapes to satisfy. Big rig trucks would be required to haul the additional 620 tons of grapes to the top of Soda Canyon Road! That is nearly 90% of the needed grapes just to fulfill this permit's usage.
- ~Large truck are frequently stuck along Soda Canyon Road because it is narrow and steep, resulting in accidents and traffic delays.

~California is still suffering from the historic drought. Allowing a 100,000 gallon winery and event center will severely stress the limited water sources in that area. This development could potentially drain the water resources no matter how elaborate the proposed LYVE wastewater treatment systems sounds.

~The winery would be operational 7 days a week with up to 320 tourists/week. The additional traffic and noise every day in this rural area will impact the resident's quality of life. Marketing events will be allowed to proceed until 10 pm.

~Soda Canyon has a history of major fires. Because Soda Canyon Road is a dead end road, this is a major concern for the residents. With an increase in traffic, there could be an increase in the threat of wildland fires originating on or near the roadway.

For all the reasons listed above as well as many others, the County must deny this project or reduce the size to one that fits the rural environment and road conditions. Please protect the community's safety and preserve the quickly dwindling natural resources that Napa County has left, especially in the remote hillsides and watersheds.

Thank you for your consideration.

Sincerely,
Laurence Carr

McDowell, John

From: Michael Chilton <tahoeno4@gmail.com>
Sent: Monday, July 18, 2016 11:47 PM
To: McDowell, John
Subject: Mountain Peak Winery Use Permit #P1300320 Opposition

3239 39th Ave SW

Seattle WA 98116

July 18, 2016

John Mc Dowell, Deputy Planning Director, Napa County Planning

Building & Environmental Services Dept.

1195 Third Street Suite 210

Napa CA 94559

john.mcdowell@countyofnapa.org

Dear Deputy Planning Director McDowell:

I am writing this letter in regards to the Mountain Peak Winery Use Permit #P1300320 and request that my opposition to the approval of this use permit be entered upon the official record for this project. My family has lived and worked in the Soda Canyon community for over a hundred years, with my great grandmother graduating from the grammar school of the Soda Springs School District in 1911 and subsequently working at the Soda Springs Resort. Soda Canyon is a remote, pristine and unique part of Napa County. Unfortunately, what makes it unique is now being threatened by this ridiculously large and unnecessary project.

After having read and researched the scope of this project, I am surprised that it has even reached this point in the planning process. With a Board of Supervisors, Planning Commission, and a department full of qualified planners, how was this project allowed to proceed without at least some level of opposition from the Board? There are many reasons why this project is not appropriate for Soda Canyon; however, as someone who has spent a considerable amount of time on my family's property in Soda Canyon and as a working engineer, my main concerns revolve around the issues of safety and the environment.

As you are well aware, Soda Canyon Road is a very steep, windy, two lane country road that just barely meets the current needs of its residents and agricultural businesses. The increase of traffic due to the trucks, laborers, and supplies needed to build the Mountain Peak Winery would overwhelm this treacherous country road. If this winery is allowed to be built within its proposed size and scope, Soda Canyon Road would be further comprised by the additional tourists; estimated to be approximately 17,000 a year. In addition to the negative impact this would have on the road and the residents of Soda Canyon, you also have to consider the vineyard and winery workers who would make this country road their daily work commute and the addition of trucks and big rigs needed to maintain an enterprise this massive would compound the problem. As an engineer, the issue of safety is of utmost importance to me and the thought of an additional 17,000 individuals driving this road after wine tasting is a unnecessary liability. Individuals who drive this road have to be able to negotiate an unfamiliar, narrow country road that is winding, steep, often filled with wildlife, and that has no street lights. I can agree that not every tourist visiting a Soda Canyon winery will be intoxicated when they drive down the road and only hope that our visitors will be responsible and use designated drivers or a car service. Unfortunately we know that will not always be the case. During the daylight hours, the Soda Canyon visitors will have to share the road with workers, residents, big rigs, trucks, and vineyard equipment. For the visitors attending evening special events, they will have to drive an unfamiliar, unlighted, and treacherous two lane country road.

It goes without saying that fire is a significant safety concern for all those living and working in Soda Canyon. The canyon has a history of major fires and there is a burnt fence post on my family's property standing as evidence of a fire in the canyon before I was even born. As you know, Soda Canyon is a dead-end road and presents major issues for public safety in the case of fires or emergencies. I am aware of at least one incident where a big rig jack-knifed on the road and blocked traffic. In the case of an emergency, this situation could have been life-threatening and tragic for residents, workers, and visitors.

The second point I would like to make regarding my opposition to the Mountain Peak Winery project is centered on the negative impact this project would have on the Soda Canyon environment. How can a project of this size and scope not have a negative impact on the pristine and unique environment of Soda Canyon? It is my understanding the parcel has 28 acres of vineyards but yet Mountain Peak Winery is requesting to build a winery/caves/ tasting room that can accommodate an operation much larger than is needed to process 28 acres of vineyard. Mountain Peak Winery will be trucking in 600 tons of grapes and will build a cave that is the size of a Safeway. In addition to the damage done to build, dig, and construct this huge winery and event center, the stress on the existing water supplies will be comprised. The State of California is still experiencing a drought and to have such an industrial complex in a rural neighborhood is beyond reason. What measures will the County be taking to compensate the water supply of Soda Canyon if this project is completed?

Napa County is a very special place for me and my family. It is also loved and cherished by millions of visitors and is truly one of the most beautiful places on the planet. Unchecked and out of scale development is threatening to ruin this valley and I am asking the Planning Department and the Board of Supervisors to deny this project and keep the rural Napa Valley RURAL.

Sincerely,

McDowell, John

From: nebord@aol.com
Sent: Tuesday, July 19, 2016 1:19 AM
To: McDowell, John
Cc: Nebord@aol.com
Subject: opposition of Mountain Peak Winery -use permit request #P13-00320-UP

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

RE: Protesting/Opposing Mountain Peak Winery –Use Permit #P13-00320-UP

Dear Deputy Planning Director McDowell,

My name is Doug Christian and I have lived in the Soda Canyon/Foss Valley area since July of 1986. I have been a member of the Soda Canyon Volunteer Fire Department for 21 years , a career fire captain in a municipal fire department for nearly 20 years, and a Rescue Specialist with FEMA California Task Force 3 for 12 years.

I have concerns about the size of this project and the impact it will have on the safety of this community. The request to process 700 tons of grapes annually (100,000 gallons of wine) on a 28 acre vineyard that can support 84 tons of grapes (12,000 gallons of wine) seems way out of balance. Where will the extra 616 tons of grapes come from?

Soda Canyon Road is a narrow, steep, winding dead end road. As agriculture use has dramatically increased over the years, so has the traffic load. Permitting a project of this size would add potentially an additional 18,000 visitors/year to an already hazardous roadway. In an emergency event, these drivers create additional evacuation challenges to an already heavily used roadway. Due to the size and number of fire apparatus that respond to a fire, it is not uncommon for the roadway to become blocked or impassable with little or no vehicle turn around sites. Increased road congestion could delay emergency responders, and prevent expeditious evacuation of the residents/visitors from a hazardous area.

Also, the Soda Canyon area has seen several significant fires over the last few decades. Operational considerations to suppress a wildfire are the fire location in relation to the topography along with the fuel and weather. The weather constantly changes, the fuel typically gets more abundant without mitigation efforts, but topography is consistent. Chutes, gullies, and canyons are the most threatened locations to be during a fire event. Soda Canyon Road is located in an area just described, and is loaded with fuels that are much drier due to drought conditions. Visitors unfamiliar with these risks may pose a hazard to themselves, and the residents of the Soda Canyon area.

The Soda Canyon/Foss Valley community has seen many changes over the last 30 years, some good, and some less than good. I am not against reasonable and responsible development in our community, but after having read the permit request from Mountain Peak Winery, the magnitude of the impact on the environment, roads and our community does not seem reasonable, or responsible, and it is not a good location for a project of this size.

Thank you for the opportunity to voice my concerns, and your careful consideration of the Mountain Peak Winery request.

Sincerely,

McDowell, John

From: Shelle Wolfe <shelle@winedinevents.com>
Sent: Tuesday, July 19, 2016 7:32 AM
To: McDowell, John
Subject: OPPOSITION TO MOUNTAIN PEAK WINERY-USE PERMIT #P13-00320-UP

Dear Deputy Planning Director McDowell,

My name is Shelley Wolfe and live at 3240 Soda Canyon Road in Napa. We are Residence number TWO in the noise study...making us the 2nd closest residence to the proposed massive winery. I was determined to make this letter short and to the point... but once I started writing... it just couldn't happen that way.

I moved to Soda Canyon just about a year ago to GET AWAY FROM the expansion, growth and insane traffic in St Helena, where I owned a home for 16 years. I've been a Napa Valley resident for 20+ years.

This house and property seemed like the PERFECT place to be. Quiet, beautiful, peaceful and with great neighbors. Even though there are vineyards out here, and plenty of vineyard worker traffic, there are no wineries inviting a lot of noisy tourists. The visitation to Antica, just a couple hundred yards down my road... is minimal at best.

I was in contract to buy this Soda Canyon property when I heard about Mountain Peak, but I truly believed that the county would see the insanity of opening a 100,000 gallon winery out a 6 mile, two lane, steep, dangerous road. Could I be mistaken?

What is the problem with constructing a winery that fits the size of the land and potential grape growth appropriately? A boutique operation, using estate grown grapes with limited visitation. Instead, we have a non-resident investor attempting to build one of the larger production wineries in Napa Valley on a quiet, two lane, dead-end road. And you support that idea? Permit approvals should not be rubber stamped because they pass certain criteria. There are MANY mitigating circumstances here! You should be protecting US and our resources... not unbridled growth.

It is ridiculous to me that you would even consider something of this massive scope and magnitude out here in the middle of this tiny little valley. Based on what I have read and understand about the Planning Commission... there is nothing that seems to get in the way of excessive growth and winery permits. And with Mountain Peak, you would be setting a HUGE new precedent out here! 100,000 gallons on a 40 acre property, with terrible road access and close neighbors?

My next-door neighbor, Residence #1 on the Noise Study... the closest house to the proposed winery... has "Given up fighting the county". She is so disgusted by the rubber stamp attitude of the Planning Commissioners with new winery building that she won't even get involved any longer. Very sad to have tried for so many years to slow the growth out here with NO RESPONSE from the county.

My dad moved here from Grass Valley, CA last year and when I told him what was being proposed at Mountain Peak... he said "The County should have shut this down before the neighbors even had to get involved. The size of that winery is so out of proportion with the property! There is no way something like this would have gotten this far in Nevada County". And he is right... it shouldn't have to fall on the shoulders of the neighbors... it should be the Planning Commission that protects the residents and natural resources of Napa from this kind of out of scale building!

In addition to the fact that the project is way out of proportion with the land, the addition of 18,486 annual new visitors... 320 new tourists a week... who will travel our dangerous road, the additional big rigs to haul in AND OUT the necessary grapes to process 100,000 gallons, tour buses, and winery staff... noisy evening events, daily picnicking and drunk driving issues... **there is the issue of water!**

This precious little valley is already being drained of our drinking water... the thousands of acres of vineyards here, plus the mammoth processing at Antica... how much water do you think we have? When our wells run out... there is no turning back! You can't undo what you have done!!! Our well has gone down by 30% in the last 20 years... and now we are in a severe drought with loss of ground water... and you are considering approving a new 100,000 gallon winery?

I strongly oppose the Mountain Peak project. The County must deny this current project and reduce the size to one that fits the rural environment and road conditions. Please protect our community's safety and preserve the quickly dwindling natural resources that Napa has left, particularly in the remote hillsides.

And by the way, the 'noise study' only included an average of less than 5 minutes per hour of car doors, voices, and new traffic. A 4 second interruption of a car door, people talking and laughing... multiplied times 40 per day is not something you should take lightly, in an extremely quiet and remote area. This winery is also requesting the ability to host picnics. This gives the potential of 82 drunk people per day eating an outdoor meal? That is a lot longer than 5 minutes per hour! Does it take into account that we are in a tiny valley and voices and sounds can be heard everywhere? I can hear things all the way across the valley... not just 65 feet as the study implies.

I invite you to come and visit... to hear the 'nothing' that is out here during the day. To enjoy the peace and quiet... then think about 320 people a week coming out here to spoil it all. Nothing will be the same again... ever.

Sincerely,
Shelley Wolfe

McDowell, John

From: Melina Meru <melinameru@gmail.com>
Sent: Tuesday, July 19, 2016 8:37 AM
To: McDowell, John
Subject: OPPOSITION TO MOUNTAIN PEAK WINERY

July 19, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210, Napa, California 94559
Email: john.mcdowell@countyofnapa.org

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

Dear Deputy Planning Director McDowell,

My name is Melina Meru and live on Soda Canyon Road in Napa. I moved to Soda Canyon last September to GET AWAY FROM the crowds and traffic in Marin County where I was a resident for 40 years.

This area seemed like the PERFECT for retirement. Quiet, beautiful, and very peaceful. But now I understand that there is an enormous winery being considered just across the street?

I have not been here that long, but it truly seems that this winery is way out of proportion for the area and the road conditions. A small winery operation, using estate grown grapes with limited visitation would best suit the land.

Frankly, I'm appalled when I hear about the out of control growth that seems to occur in this valley. There seems to be no consideration of all of the traffic from one end to the other regardless of whether it is locals or tourists), the neighbors or natural resources.

I strongly oppose the Mountain Peak project. The County must deny this current project and reduce the size to one that fits the rural environment and road conditions.

In addition to the fact that the project is way out of proportion with the land, the addition of 18,486 annual new visitors carrying 320 new tourists a week who will travel our dangerous road, the additional big rigs to haul in AND OUT the necessary grapes to process, tour buses, and winery staff, noisy evening events, and drunk driving issues... there is the issue of water.

This precious little valley is already being drained of our drinking water... the thousands of acres of vineyards here, how much water do you think we have? When our wells run out... there is no turning back! You can't undo what you have done!!!

Please do not allow this winery use permit to pass as is. Reduce, reduce, reduce!

McDowell, John

From: Mui Ho <mui@muiho.com>
Sent: Tuesday, July 19, 2016 9:25 AM
To: McDowell, John
Cc: Bill Hocker; Diane Dame Shepp; Grupp Cindy; Dan McFadden
Subject: Mountain Peak Winery Permit Application

Dear Planning Director,

We are property owners adjacent to Mountain Peak Winery and we are appalled that a new entertainment/event winery of such size is proposed next to our house. This 25 employees establishment is not the family own winery which was characteristic of Napa Valley that we all love, it is big business - the kind of big corporate winery that is crowding out the traditional family owned wineries.

Our major worries are :

- 1 Noise pollution - the continuing industrial noise from the condensers and exhaust fans etc is not the usual farming noises like harvesting trucks happen during harvest time. It is continuous , 24 hours a day. This humming noise will pollute the whole area all the time and will destroy the serenity of our homes. That is the reason why cities have zoning laws, industries are zoned away from residential areas. Or in the event of highway noise, Cal Trans has 20 feet walls to protect the residents from the continuous traffic noise.
- 2 Well water - water from our wells have been drying up. With the new anticipated flushing from visitors in the new winery, the usage will be way above normal vineyard need. Our spring already disappeared. The massive earth moving to make the new caves and relocating the dirt will definitely change the natural water flow. The City shall bear responsibility to protect the existing neighbors.
- 3 Car traffic and safety issues - on this windy road, it is dangerous for all residents and their children to have so much more car traffics. Many of us residents have already had a few near missed accidents from workers coming down the hill at end of the day driving at fast speed. This mountain curving road is not designed for so much traffics and for large tourist buses.

Napa will lose its charm and livability if the City continues the approving of the making of these large corporate event wineries. Thank you for your attention.

Mui Ho

Mui Ho Architect
3460 Sodan Canyon Road
Napa California

510-644-2600
mui@muiho.com
www.muiho.com

July 19, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559
Email: john.mcdowell@countyofnapa.org
Fax: (707) 299-1358

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

Dear Deputy Planning Director McDowell,

My name is Steve Chilton and I reside on Soda Canyon Road, Napa, CA 94558. My wife and I constructed our home on a small acreage that has been in her family for nearly 100 years. While designing the house we worked around the 100+ year old oaks and Soda Creek. No oaks were removed for the house nor was the creek impacted. We practice positive environmental stewardship and expect the County and others on the Road to do the same. I strongly oppose the Mountain Peak project and request that you deny or significantly reduce this use permit for the following reasons.

- The size and scope of the project dictates that an Environmental Impact Report following the requirements of CEQA is mandatory. A negative declaration for a project this large and with its concurrent impacts upon water quality and quantity, wildlife, traffic, public safety, noise and vegetation cannot be supported by the facts. That the proponents have decided to proceed with this environmental disclosure document is an affront to county staff and the public.
- The permit request is for 100,000 gallons, which would require ~700 tons of grapes to satisfy. The project parcel has only 28 acres of planted vines, producing a maximum of ~80 tons of grapes per year (a mere 11% required to produce 100,000 gallons!). The staff report states that the additional tonnage will come from owned or under contract acreages nearby. Unfortunately "nearby" is not defined and could be on Silverado Trail. The County needs to identify where the grapes will come from in order to properly review a valid traffic report.
- As the County is aware of, Soda Canyon Road is narrow, steep in places, wet and foggy at times on the steepest section and used extensively by bicyclists. Deer and other wildlife frequently cross the road, especially at night. A hoard of tasters, leaving the event center at 10:00 PM after one last toast, must navigate this dark, unforgiving road without hitting a deer, a tree or a resident. It is only a matter of time.
- Fire danger is always discussed and seems to be dismissed by the County every time a project like this comes up. The risk of a man-caused fire on Soda Canyon Road is great now and with this project will become much worse. Cal Fire has sent extensive resources to the Canyon when there has been an incident and we applaud their efforts. As each fire season begins and continues through the summer and fall, other fires in the state drain our local resources. Cal Fires' ability to respond fully becomes more limited and the risk of a small car fire becoming an inescapable inferno becomes greater. Soda Canyon has a history of major fires. Because Soda Canyon Road is a dead-end road, there are significant public safety concerns with regard to fire, and all emergencies. There is essentially zero cell service on Soda Canyon Road, offering the potential of a small incident such as a vehicle accident, a tossed cigarette, or a jackknifed or otherwise stuck truck becoming a disaster that would impact the entire county.

- A routine tactic of developers and their consultants is to present a grossly over stated project and when confronted with opposition, to seemingly, reluctantly, reduce the project to 75 or even 50% of the initial proposal. I fully expect that to happen here, while keeping the visitor numbers high. Your planning department and planning director have seen this before and should not be fooled into believing this was not the proponents' intent all along. The project in its present form and when reduced will still qualify for the CEQA requirement of an EIR because there are unmitigatable, significant impacts to transportation, public safety and water quality and quantity.

For all of the reasons above, among many others, the County must deny this project and reduce the size to one that fits the rural environment and road conditions. Please protect our community's safety and preserve the quickly dwindling natural resources that Napa has left, particularly in the remote hillsides.

Sincerely,

Steve Chilton

McDowell, John

From: Geoff Ellsworth <geoffellsworth@yahoo.com>
Sent: Tuesday, July 19, 2016 9:28 AM
To: McDowell, John
Cc: Mike Basayne; Heather Phillips; Anne Cottrell; Terry Scott; Jeri Gill; Anthony Arger
Subject: re: Mountain Peak Winery proposal - Hearing July 20, 2016 -Use Permit P13-00320 - item 9A

I am opposed to the Mountain Peak Winery proposal - Use Permit P13-00320 as it fails to address Cumulative Impacts that this project would contribute to and would impact the health, welfare and safety of our citizens, Cumulative Impacts to both our community and our environment, including , but not limited to water, wildlife, noise, traffic, safety and chemical use, Cumulative Impacts growing with continued commercial winery/hospitality approvals along our rural roads and within our narrow valley and rural county.

I oppose this project as it is based on a flawed definition of the word agriculture, flawed both in its wording and the process by which it was installed in the 2008 Napa County General Plan Update.

I oppose this project as it is based on a Winery Definition Ordinance that was altered in 2010 without proper CEQA review or understanding by the public of the ramifications, including compromising the zoning of pre-existing landholders.

thank you
Geoff Ellsworth

16 Dogwood Court
Napa, CA 94558
July 19, 2016

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

RE: Mountain Peak Winery, Use Permit #P13-00320-UP

Dear Mr. McDowell,

I am strongly opposed to the issuing of the above Use Permit. I may not live on Soda Canyon Road but I can absolutely understand the resident's concerns about this expansion. This is a country road with residences, and allowing on-site sales, tours and tastings at the winery will only increase vehicular traffic in what is already a dangerous traffic situation. Soda Canyon Road is significantly degraded and not up to current standards for the type of traffic it carries on a daily basis. This could lead to an eventual increase in the number of vehicular accidents. The issue of overall safety for neighbors, local vehicles, bicyclists, runners, pedestrians and children should take precedence over allowing expansion of the winery.

I have driven to the end of Soda Canyon Road and once followed to the top a tank truck which was continually crossing the center line while negotiating the twists and turns of the road. I was praying it would not encounter a vehicle coming down the hill because I didn't want to witness an accident. As a resident of Circle Oaks who drives Hwy 121 several times a week from home, I have periodically encountered semi-trucks on the road, and there is a reason semi-trucks are not supposed to be on Hwy 121. Those trucks are unable to make the windy turns, and I have on numerous occasions in

the last 16 years have had to slam on my brakes because there's a truck on my side of the road trying to make a curve. I have also had this same problem with full size charter buses and very large RV's. And this is on a two lane State Highway which is maintained and in incredibly better shape than the country road that is Soda Canyon.

When I first moved to Circle Oaks, Hwy 121 had very little traffic and I would consider it rural. Today, however, it actually has commute hours thanks to the people who use Wooden Valley Road to avoid Jamieson Canyon to get to Napa Valley. I especially try not to drive home during the evening commute because those drivers are in such a rush after a day's work that they drive like maniacs. They tailgate, pass cars which is illegal that entire stretch of highway, cross the center line in the windy sections, and speed. All of us local drivers have horror stories of incidents we've witnessed. I can only imagine what the Soda Canyon residents will have to look forward to if there is increased traffic on their degraded road. They already have to deal with commute hours because of the current workers that are employed by all the vineyards the entire length of Soda Canyon Road. Tourist drivers unfamiliar with a road can be very dangerous to the local residents.

I am shocked that Mountain Peak is requesting to allow approximately 17,300 annual visitors. That road is NOT a highway, but a rural, residential road in dire need of maintenance and upgrading to current road standards. How can Napa County justify allowing so much tourist traffic to the very top of Soda Canyon Road? That number alone should be reduced tremendously. There is basically zero cell service on Soda Canyon Road, so the potential for a disastrous drunk driving incident is very real, along with the common jackknifed and stuck trucks.

California is suffering through an historic drought, and NOAA predictions for the upcoming year are for a La Nina, which means below average rainfall. How does Napa

County keep justifying permits for massive winery projects that demand enormous volumes of water? Residents are asked to conserve water, yet vineyard projects are granted all the water they ask for. This project is asking for three tanks totaling 220,000 gallons. How often will those tanks be filled? Will that be the monthly usage of water? Is Napa County going to protect the resident's water supply? Water monitoring needs to be mandatory for any new vineyard development or expansion. We can't extrapolate future water availability based on past water availability because climate change has made those records obsolete. The water issue is one of the most important aspects of any expansion or development in Napa Valley and the hills surrounding the valley. Water is life and it needs to be protected.

There could also be an increase in the threat of wildland fires originating on or near the roadway due to increased traffic. Fires have started from the careless tossing of a cigarette butt to flat tires causing sparks in dry grass. Both have occurred on the roads to Lake Berryessa since I have been living in Circle Oaks. Soda Canyon is not that distant as the crow flies from Circle Oaks, so any fire in their area could conceivably threaten my neighborhood. My neighbors and I hold our breaths during each fire season and don't really relax until the first soaking rains in the fall. Soda Canyon is a dead end road, and residents and visitors alike could be trapped if a fire starts anywhere below the peak. Visitors who are unfamiliar with the danger of their careless actions are a resident's greatest threat.

The homeowners chose to live on Soda Canyon Road for the peace and quiet of the area. Their lives will be severely impacted due to the noise and safety issues that will arise if this Use Permit is granted. As a resident of a rural neighborhood, I understand the threat to the quality of life and tranquility from vineyard/winery development encroaching more and more upon residential areas. I believe that Napa County needs

to be the steward of the land and protect the well being of its residents. It needs to stop issuing use permits for new vineyards without considering the cumulative impact on the environment, watersheds, and residents. Now is the time for Napa County to make the difficult decisions that can one day be looked upon as the turning point that preserved Napa Valley for future generations. The residents are the heart and soul of Napa Valley, not the corporate vineyards. Please do not grant this permit.

Thank you for your consideration.

Sincerely,

Lisa Hirayama

July 18, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559
Email: john.mcdowell@countyofnapa.org; Fax: (707) 299-1358

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

Dear Deputy Planning Director McDowell,

My name is Nicholas Arger and my family has owned our property at 3030 Soda Canyon Road, Napa, CA 94558 since 1997. When I first saw our property as a child with my father, I recall how struck we were by the seclusion and peacefulness of this area atop Soda Canyon Road. Over the years, I have come to appreciate how remote and quiet this area of Napa is, which is a reward for navigating the over 6 miles of narrow, treacherous road to get to it. As I continue to enjoy our neighborhood into my adulthood, it deeply troubles me that more and more development continues to occur in it. Specifically, I vehemently oppose the approval for the Mountain Peak project, which would also sit more than 6 miles up the Soda Canyon Road.

As an example of the area's remote location that I have experienced since I was a child, cell phone service is very poor starting within a mile up the road from the Silverado Trail. Not only has this been frustrating in communicating with my family due to lack of signal at our house or along the road, but it has also been a hazard given that on more than one occasion I have had to walk up the steep and dangerous parts of the road just to get to our house to communicate for help when car issues have arisen. The proposed size of the Mountain Peak project with the estimated 18,486 visitors per year (not including 19 full time workers and other service personnel) will strain this already dangerous, narrow road. Drunk driving crashes as well as other automotive accidents from wildlife that routinely cross the road, unfamiliarity of visiting drivers with the nature of the road, or simply the added presence of other drivers on the narrow road, all pose significant safety concerns for our community, including pedestrians and cyclists (who routinely also routinely use the road). These factors in isolation are troubling, but the additional lack of cell service to call for help is even more of a hazard. In addition, because Soda Canyon Road is a dead-end road, any fires that occur can potentially lead to blocking of the only egress from the area. What's more, the proposed permit of 100,000 gallons would require approximately 700 tons of grapes, but with only 25 acres of land that will be plantable after construction of the proposed project (producing a maximum of 75 tons of grapes per year or 11% of the total require output to reach 700 tons), big rig trucks will have to haul the difference, or approximately 625 tons of grapes INTO an agricultural area intended for vineyard cultivation. These trucks will not only have to overcome their own issues of scaling the narrow, steep road, but will also increase traffic delays and pose a significant safety concern for us in the community.

Aside from the safety issues from additional use of the road, my fear with developments such as the Mountain Peak project is that they destroy one of the most important aspects of this area, which has been its remote setting. The scale of this project will ruin the peace and serenity my family and our neighbors enjoy. With this number of visitors, and the 7 day per week permitted operation schedule, the 320 tourists per week would be a constant disturbance and marketing events would be allowed to go until 10 pm at night. The proposed 100,000 gallon winery will also stress our aquifer, not only from the growing of the grapes, but the amount of water required in wine production and for use by visitors. Given that we use a well system, I have deep trepidation over the water usage for my family and our neighbors, no matter what type of waste water treatments are installed, including the proposed LYVE system.

For all of these reasons, I agree with many others in our community that the County must deny this project in its current form and significantly reduce the size to one that fits the rural environment and road conditions. Please protect our community's safety and preserve the increasingly vanishing natural resources that Napa has left, particularly in its remote hillsides.

Sincerely,
Nicholas K. Arger, M.D.

McDowell, John

From: brandonianlocal6@aol.com
Sent: Tuesday, July 19, 2016 10:46 AM
To: McDowell, John
Subject: PROTESTING/OPPOSING MOUNTAIN PEAK WINERY-USE PERMIT #P13-00320-UP

July 19, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559
Email: john.mcdowell@countyofnapa.org
Fax: [\(707\) 299-1358](tel:(707)299-1358)

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

Dear Deputy Planning Director McDowell,

My name is Diana MacCabe Whited. I grew up at the top of Soda Canyon Road. My family owns two residences, Vivian (MacCabe) Manfree is my aunt at 3360 and Richard P. MacCabe is my brother at 3366. I implore you to decline or reduce the size of the Mountain Peak Winery project to protect the integrity of this rural area and to maintain a safe environment for its residents.

Soda Canyon will always be HOME to me. I just had the pleasure of celebrating my 46th birthday "up the hill." Yes, Soda Canyon is affectionately called "The Hill" by all residents I know.

Now, The Hill is threatened by massive 100,000 gallon/year wineries. Have you ever driven up Soda Canyon Road? Have you ever been stuck behind a big rig truck on the grade? Have you ever had an oncoming vehicle crossing over the double yellow line into your lane around a blind corner? Have you ever had to pull over at the mailboxes at 3265 Soda Canyon Road to wait for multitudes of vineyard workers to exit the dirt road so that you could get home after a long day of work? As residents, I assure you, we have all shared these experiences.

As rural Napa residents, our peaceful neighborhood is being overrun by winery activities. The sound of equipment operating at all hours of the day and well into the night disrupts the tranquility of our mountain home. Our family has slept out under the stars on our front porch for 4 generations, and now we have bright lights shining up the hillside preventing us from restful sleep. My daughter will never know the stars and the land as I have known it.

My daddy commuted 60 miles round trip from Soda Canyon to San Francisco daily, and then back again. "I'm just a mountain man making a living in the big city," he would fondly say. My father chose to give up precious hours of his life so that he could come home to The Hill and move rocks and clear brush.

There were no wineries on Soda Canyon Road in the 1940's when my grandparents settled the land at 3360. Soda Canyon was about as rural a place as you could find anywhere.

Sadly, Mountain Peak Winery intends to host 78 winery events a year. 320 visitors per week, partying until 10 pm. This will be an immense impact on all of us residents and severely limit the tranquil lifestyle we've enjoyed. This will endanger our lives as our small, windy, steep, dead-end mountain road becomes even more overcrowded.

Soda Canyon Road, "The Hill," can not sustain a 100,000 gallon winery. Again, Mr. McDowell, I urgently implore you to decline the Mountain Peak Winery Project and significantly reduce its size. The future and safety of our rural community is at stake.

Sincerely,
Diana MacCabe Whited

McDowell, John

From: Nicholas Arger <nicholas.arger@gmail.com>
Sent: Tuesday, July 19, 2016 12:06 PM
To: McDowell, John
Subject: RE: PROTESTING/OPPOSING MOUNTAIN PEAK WINERY-USE PERMIT #P13-00320-UP

I sent a pdf version of this later earlier today. I am sending this letter within the body of this email to ensure that you are able to receive it. Please confirm receipt of this email prior to 4:00 pm today.

July 18, 2016

John McDowell, Deputy Planning Director, Napa County Planning,

Building & Environmental Services Department

1195 Third Street, Suite 210

Napa, California 94559

Email: john.mcdowell@countyofnapa.org; Fax: (707) 299-1358

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

Dear Deputy Planning Director McDowell,

My name is Nicholas Arger and my family has owned our property at 3030 Soda Canyon Road, Napa, CA 94558 since 1997. When I first saw our property as a child with my father, I recall how struck we were by the seclusion and peacefulness of this area atop Soda Canyon Road. Over the years, I have come to appreciate how remote and quiet this area of Napa is, which is a reward for navigating the over 6 miles of narrow, treacherous road to get to it. As I continue to enjoy our neighborhood into my adulthood, it deeply troubles me that more and more development continues to occur in it. Specifically, I vehemently oppose the approval for the Mountain Peak project, which would also sit more than 6 miles up the Soda Canyon Road.

As an example of the area's remote location that I have experienced since I was a child, cell phone service is very poor starting within a mile up the road from the Silverado Trail. Not only has this been frustrating in communicating with my family due to lack of signal at our house or along the road, but it has also been a hazard given that on more than one occasion I have had to walk up the steep and dangerous parts of the road just to get to our house to communicate for help when car issues have arisen. The proposed size of the Mountain Peak project with the estimated 18,486 visitors per year (not including 19 full time workers and other service personnel) will strain this already dangerous, narrow road. Drunk driving crashes as well as other automotive accidents from wildlife that routinely cross the road, unfamiliarity of visiting drivers with the nature

of the road, or simply the added presence of other drivers on the narrow road, all pose significant safety concerns for our community, including pedestrians and cyclists (who routinely also routinely use the road). These factors in isolation are troubling, but the additional lack of cell service to call for help is even more of a hazard. In addition, because Soda Canyon Road is a dead-end road, any fires that occur can potentially lead to blocking of the only egress from the area. What's more, the proposed permit of 100,000 gallons would require approximately 700 tons of grapes, but with only 25 acres of land that will be plantable after construction of the proposed project (producing a maximum of 75 tons of grapes per year or 11% of the total require output to reach 700 tons), big rig trucks will have to haul the difference, or approximately 625 tons of grapes INTO an agricultural area intended for vineyard cultivation. These trucks will not only have to overcome their own issues of scaling the narrow, steep road, but will also increase traffic delays and pose a significant safety concern for us in the community.

Aside from the safety issues from additional use of the road, my fear with developments such as the Mountain Peak project is that they destroy one of the most important aspects of this area, which has been its remote setting. The scale of this project will ruin the peace and serenity my family and our neighbors enjoy. With this number of visitors, and the 7 day per week permitted operation schedule, the 320 tourists per week would be a constant disturbance and marketing events would be allowed to go until 10 pm at night. The proposed 100,000 gallon winery will also stress our aquifer, not only from the growing of the grapes, but the amount of water required in wine production and for use by visitors. Given that we use a well system, I have deep trepidation over the water usage for my family and our neighbors, no matter what type of waste water treatments are installed, including the proposed LYVE system.

For all of these reasons, I agree with many others in our community that the County must deny this project in its current form and significantly reduce the size to one that fits the rural environment and road conditions. Please protect our community's safety and preserve the increasingly vanishing natural resources that Napa has left, particularly in its remote hillsides.

Sincerely,

Nicholas K. Arger, M.D.

16 Dogwood Court
Napa, CA 94558
July 19, 2016

John McDowell, Deputy Planning Director
Building & Environmental Services Dept.
1195 Third Street, Suite 210
Napa, CA 94558

RE: Mountain Peak Winery, Use Permit #P13-00320-UP

Dear Mr. McDowell,

I am deeply concerned about the massive scope of the above Use Permit being sought by Mountain Peak Winery and sincerely believe it should not be approved. As a young adult, I am truly disturbed by the direction Napa County is taking with the continual granting of use permits for wineries with seemingly little regard for the surrounding residents and the environment. It appears that the County is unconcerned about diminishing natural resources, especially regarding water and mature trees.

I am very worried about what type of shape Napa County will be in with all this development under the guise of agriculture when I am raising my family in the future. I am unsure that I will even want to live in an area that doesn't value the environment or its residents.

One great irony is that California has lost 66 million trees due to the historic drought, heat and bark beetles since 2010, yet Napa County has no problem cutting down 24,000+ healthy, mature trees for the Walt Ranch development as well as other winery developments. With climate change and the presence of Sudden Oak Death in Napa County, every mature tree removed for a grape vine just tips the scale towards an environmental catastrophe.

I have lived in Circle Oaks all my life and I love the tranquility and beauty of the neighborhood. One of my biggest fears is wild fires and I have been here when a couple have burned nearby. I worry that the threat of fire will rise with the increase of

traffic and visitors who are unfamiliar with the Soda Canyon area and their fire risk. Negligent and inattentive actions can cause a fire that would forever change the area.

Climate change is a reality. Any person just has to watch the news everyday to see the incredible rainfall and flooding that is occurring this summer back east, in the midwest, the south and the southwest, but California gets nothing. The El Nino that California was counting on didn't materialize in 2015-16, and only average rainfall fell, leaving the state in its fifth year of drought. However, it appears that Napa County could care less about the drought because they keep granting use permits for massive winery developments like Mountain Peak. Please do not approve this permit.

Sincerely,
Linnea Carr

McDowell, John

From: Julie Arger <jarger@sbcglobal.net>
Sent: Tuesday, July 19, 2016 12:35 PM
To: McDowell, John
Subject: Mountain Peak Protest Letter

July 14, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559
Email: john.mcdowell@countyofnapa.org
Fax: (707) 299-1358

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

Dear Deputy Planning Director John McDowell:

My name is Julia Arger and I along with my husband purchased our property at 3030 Soda Canyon Road 19 years ago in 1997. I divide my time between my home in Reno and our vineyard home here in Napa. I currently am a Governor appointed Board member of the Nevada Arts Council, a state agency that oversees the awarding of Arts Grants to artists and arts organizations as well as Folk Life Grants, Arts Education Grants, and Visual Arts, Literary Arts and Performing Arts Fellowships. I have served for eight years, the past three as Board Chair. As Chair, I am a Commissioner on the Nevada Department of Tourism Commission. I understand and appreciate the significance of tourism. Our current marketing campaign in Nevada is "Don't Fence Me In." I hope a Napa Valley marketing campaign wouldn't dissolve into "Don't Run Me Off The Road." Tourism plays an important role in both places, but my passion for the Napa Valley is more personal. I spent my honeymoon here in 1975 and I fondly recall the scattered wineries and limited traffic on the valley floor. We bragged that we knew the tasting room manager at Inglenook, at Beaulieu, at Charles Krug and yes, had gone in the back room to meet "Mom and Papa Trinchero" at Sutter Home, who though Italian, reminded me of my Greek in laws and their spirited, lively, argumentative family business "theatre". On our honeymoon, Joe and Alice Heitz entertained us with a lunch at their home and we maintain our friendship with Alice today. The emphasis forty one years ago was definitely on grape growing and vineyards and NOT elaborate winery event centers that have become the trend today. If this is tourism, Napa is poised to destroy the authenticity of the Napa Experience. Traffic and high prices are already driving "tourists" to other wine areas, Paso Robles, Sonoma, Mendocino, Oregon and Washington that are more affordable and certainly less trafficked.

The Mountain Peak Winery proposal devotes extensive description of the landscape plan focusing primarily on marketing the property to the tourists. "As visitors emerge from Soda Canyon, the landscape opens to the Foss Valley and the watershed for Rector Canyon." The location commands "some of the most dramatic views of Napa north to Mt. St. Helena, west to Haystack, and east to Atlas Peak." The proposal provides careful descriptions of how the entire design concept is to impress the visitor creating a manufactured impression of the true "natural" setting. There will be nothing "natural" about creating a massive 100,000 gallon winery facility disguised as a winery event center. There will be 18,486 visitors a year with all the accompanying tourism events and activities and with the noise, potential for drunk drivers, stress on water resources, fire

20,000 gallon water tank for domestic supply will strain and drain our wells and water supply and those of our neighbors.

Finally, keep REMOTE hillside locations like Soda Canyon for grape growing and permit wine production and marketing activities at safe valley floor facilities. I embrace the natural beauty and unique character of the Napa Valley as much today as on my honeymoon in 1975. I also understand the natural evolution of growth, but that growth can and should be responsible, adhering to good common sense. A significant part of our dream is to leave a legacy for our children who have also built family memories here at our Soda Canyon home and vineyards. I spend extensive time each month here at our Napa working ranch and plan to continue to do so. This is home for me now and a place I know my children and their children will also call "home." Allowing a massive Winery Event Center in our remote Soda Canyon location will open the "floodgate" of similar winery projects in this remote hillside location as well as other similar locations in the Napa Valley. Again, approving this permit is an *INSULT TO COMMON SENSE*. Please deny the Mountain Peak Use Permit.

Sincerely,

Julia Arger

3030 Soda Canyon Road

Napa, CA 94558

PLEASE CONFIRM RECEIPT OF THIS EMAIL. THANK YOU

danger not to mention the constant activities of workers and employees at the site, there will be nothing but a few black oak trees to remind one of the true natural aspect of this setting.

Perhaps this over-sized tourism component is why the owners, have chosen not to reside at the Mountain Peak Winery location. In fact, their plan calls for the destruction of the lovely two story French Country home currently on the property. When we met with Mr. Rea early in the process, he said the owners did not plan to live on the property, but rather preferred purchasing a home in Marin County. In addition, the owners have made NO attempt to reach out to us, and we live directly across the road. We have never met them. I have also searched the Mountain Peak Project Statement and cannot find the owners name mentioned anywhere. Considering the entirety of the proposal and the mysterious absence of the owners, I can only conclude that this is strictly a financial business decision staging a massive tourism enterprise in the remote Napa hillside devoid of any personal care, regard or concern for the neighbors and our objections. Again, tourism does help drive the Napa Valley economy, but it can also destroy the experience in the long run. If a primary motivation is to generate revenue, perhaps adding a gambling element to the wine experience is in our future?

The outrageous size and scope of the Mountain Peak Use Permit proposal is an INSULT to common sense. First, the proposed winery location is a REMOTE location over 6 miles up a curvy, narrow, frequently foggy, dangerous rural road. Even local residents and workers familiar with the road witness trucks, vans and even mail trucks crossing the faded yellow road lines, risking head on collisions. Last week as I was driving home up Soda Canyon, I was forced to stop in front of the Volunteer Fire Station while a tractor trailer made several back and forth maneuvers across the road. Meanwhile a line of cars behind me as well as several vehicles coming down Soda Canyon were also forced to stop and wait. More cars and trucks using this narrow country road will result in even more frequent delays and congestion; allowing ANY visitation at a winery located in this remote area puts everyone, residents, workers and visitors alike at risk. Mountain Peak who is seeking approval for 18,486 wine tasting visitors on an annual basis defies all logic and threatens the safety of everyone including those potential visitors.

Let me be clear, I am not opposed to the Napa Valley Wine Industry. We chose to purchase our property 6.2 miles up Soda Canyon Road to realize a lifetime dream. Once we planted our vineyard in 1998, we momentarily considered adding a family winery, but quickly dismissed the idea as irresponsible because of our remote location. Instead, we chose to make and sell our wine at our small winery located on Inglewood Avenue in St. Helena. Today, we continue to support the Napa Valley wine industry. As grape growers, we are a part of this wine Industry. However, the expansive scope of the Mountain Peak winery project far exceeds any reasonable use of their 41.76-acre parcel. Mountain Peak who is seeking a permit to produce 100,000 of wine annually does not have the acreage on this parcel to produce the 700 tons of grapes annually that they are requesting. In fact, the absolute max their property can produce is approximately 75-80 tons which means they will be trucking in 616 tons of grapes not to mention the trucks needed to take the juice and/or bottled wine back down Soda Canyon Road.

Next, considering the REMOTE LOCATION, I am fearful of the extreme potential for fire given the added traffic and the fact that there is only ONE WAY IN and that same ONE WAY OUT down Soda Canyon Road. Any fire or medical emergency could put the affected people at risk if the road is blocked or not accessible. If Napa County leaders care about the safety of residents and workers you will deny the Mountain Peak Use Permit.

Considering the drought situation throughout California, allowing a 100 gallon winery will also stress the water resources in our area and suck these water resources no matter how elaborate a proposed LYVE wastewater treatment system sounds. Two (2) 100,000 gallon water tanks for vineyard irrigation and one (1)

McDowell, John

From: Julie Arger <jarger@sbcglobal.net>
Sent: Tuesday, July 19, 2016 2:03 PM
To: McDowell, John
Cc: Anthony Arger
Subject: Kosta M. Arger Mountain Peak Winery Protest Letter

July 15, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559
Email: john.mcdowell@countyofnapa.org
Fax: (707) 299-1358

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

Dear Deputy Planning Director John McDowell:

This letter is to confirm my objection and opposition to the Mountain Peak Winery Use permit on Soda Canyon Road. Our family has owned and managed our home and vineyard at 3030 Soda Canyon Road since 1997. I was also the head winemaker and a co-owner of a winery called Arger-Martucci Vineyards. We began the venture in 1998 and purchased our production facility and tasting room in St. Helena in 2000. When we developed our 39 acre parcel we chose to have our winery on the valley floor as we recognized Soda Canyon Road, in its condition at that time, 2000, was not suitable and could not handle additional traffic, especially after visitors consumed wine at a winery tasting room. We simply did not feel it was in the interest of our neighbors, or the residents of Soda Canyon to have extensive visitation and wine tasting at the end of a 6.2 mile winding road with its numerous inherent safety risks. Over the past 19 years since we purchased our Soda Canyon Road property, I have observed further development of vineyards and winery facilities on Soda Canyon Road which has further burdened the already "overtaxed" and totally inadequate infrastructure of this narrow, rural mountain road.

Furthermore, in addition to the inadequate road conditions, and the stresses placed on the hydrology, the fire threats and the increased noise levels are all incompatible with this remote area. Above all, I consider safety the most important factor, and adding an additional nearly 18,500 visitors per year plus the employees and commercial truck traffic will place everyone on Soda Canyon at risk.

I have met on two occasions with Mr. Rea and MS. Oldfeld and told them we could support a smaller, 12,000-16,000 gallon facility with NO visitation. A winery of this size would be compatible with that property's acreage, remote location and surrounding environs. In both meetings with them it is patently untrue and, frankly a lie that they offered any significant compromise. The only reasonable offer made was to move their

front gate entrance from the gravel road directly across from our gate, to the current entrance off of the county road. In fact, they were advised by the county and told by their consultant that their entrance should not be placed on the gravel/easement road in the first place.

Except for moving the entrance, Mr. Rea and Ms. Oldfeld have dismissed every opportunity for compromise and instead have chosen to be adversarial and to ignore the neighbors and property owners concerns. Furthermore, contrary to Mr. Rea's assertions, our property is not a "vacation home." This is another false misrepresentation he has continued to make. I have been coming to the Napa Valley since 1971, including working as a "cellar rat" at various wineries and chose to purchase land and develop vineyards in 1997. Our Soda Canyon Road property is a working, viable grape ranch which we started from bare land and today continue to supply grapes to wineries with our full time involvement. If I were to quantify the number of labor hours I have personally put into our property since 1997, it would be in the thousands.

While I have been a Cardiologist for the past 30 years in Northern Nevada and Northern California, I have also served on multiple Boards of Directors and Commissions including the National Board of Advisors for the U.C. Davis Medical School, the Nevada State Medical Association, a Commissioner for the Washoe County Airport Authority, the Reno Sparks Convention and Visitors Authority Board and a 20 year board member of the Renown Medical Center in Reno, Nevada, the largest, non-profit hospital system in the State of Nevada. In many years of such Board experience, I have never seen such an egregious disregard for public sentiment, public safety and public interest. You have received a litany of public opposition for this Mountain Peak project and several others recently, yet the County Planning Commission's continued support of such projects leaves one to believe there is allegiance to one and only one audience---support from developers and large corporate monied entities which serve to pressure your position. Putting it bluntly, this Mountain Peak Winery proposal is simply a large retail marketing and entertainment center placed in a remote mountain hillside location which is contrary to the intent of prior regulations, particularly the 2010 Winery Definition Ordinance.

Furthermore, it is false and misleading that Mountain Peak will grow 92% of grapes used on site. Their current acreage of 28 acres on site which will change to 25 acres when construction is finished, mounts to 75 tons, assuming 3 tons per acre is achieved which is high for this area on Atlas Peak. We have had our vineyards directly across the gravel road since 1998 and our average yield is 2 to 2.5 tons per acre per year. In addition, Mountain Peak is including a separate parcel they own as "on site." That vineyard is 84 acres. Even assuming a production of 3 tons per acre, that adds up to 252 tons which gives them a total of 327 tons. A 100,000 gallon production requires 700 tons of grapes. Their vineyard production, therefore, will satisfy only 47% of what the need to reach their proposed permit.

Obviously, over 370 tons will have to be brought from elsewhere, thus their projected figures to you are false and misleading. Transporting the added grapes will obviously impact further the traffic on Soda Canyon Road...where will the additional grapes come from? In short, the county is being "duped." You have accepted their figures and

assumptions at face value which are misleading and absurd when the "math" is truthfully calculated.

The Planning Department Commissioners and Board of Supervisors are violating the spirit of the Winery Definition Ordinance (WDO) regulation if they approve this permit. I vehemently oppose this development in its current form as do the majority of neighbors and property owners who live on Soda Canyon Road.

Kosta M. Arger, MD
Owner, Odyssey Vineyards
3030 Soda Canyon Road
Napa, CA 94558

Please confirm receipt of this email.

John McDowell, Deputy Planning Director
Napa County Planning, Building & Environmental Services Dept.
1195 Third St., Suite 210
Napa, CA 94559
Email: john.mcdowell@countyofnapa.org
Fax (707) 299-1258

RE: PROTESTING/OPPOSING MOUNTAIN PEAK WINERY-USE PERMIT #13-00320-UP

Dear Deputy Planning Director McDowell,

My Name is Cynthia Grupp and I live at 2367 Soda Canyon Rd., Napa, CA 94558. I'm writing to express my ardent opposition to the Mountain Peak project and request that you deny or significantly reduce this use permit.

Not only is the size and scope of the project out of proportion to the size of the parcel – over 103,000 SF coverage to 41.76 acres – to get there one has to travel 6 miles up a narrow, windy and steep (over 11% grade in areas) road.

My family moved to Soda Canyon from San Francisco in 1973. My husband and I wanted to raise our children in a safe and healthy, rural environment. We chose Napa County because it was rural and the 1968 Ag preserve promised to prevent urban sprawl. We chose Soda Canyon because it was a wild and beautiful backwater and the road was little traveled. Because our driveway was across the road from the Soda Canyon Volunteer Fire Dept. we joined the department and became fire fighters.

During the ten years that I was a member of the Soda Canyon Volunteer Fire Dept. and later Napa County Fire Dept. Station 13 there were two alcohol related fatal accidents on Soda Canyon Rd. In the 30 years since then, as vineyards were developed in Foss Valley and along Soda Canyon Rd, the traffic on the road has increased dramatically as have accidents. On at least two occasions in recent years vehicles have missed the blind, 90 degree turn south of my driveway and have gone off the road (there is no guard rail) and into the creek. On another occasion when a large truck barreling around that same curve nearly hit me head on, the truck driver's rationale for being in the middle of the road was that because of the narrowness of the road and the overhanging trees, it was necessary for large trucks to drive down the middle of the road.

The increase in traffic on the road has been caused by; trucks hauling earth moving and rock hammering equipment for putting in vineyards, trucks bringing pipes, trucks bringing vineyard materials, trucks bringing tanks of chemicals, trucks bringing tanks of fuel, trucks bringing gravel up the road and trucks bringing grapes down. Many of these trucks should not be on Soda Canyon Rd. They are too long, or too wide, or they have too heavy a load. Trucks breaking down or jack-knifing on the

upper sections of the road have blocked and effectively closed the road on more than one occasion. Soda Canyon Rd has no outlet. Every vehicle that makes it way up the road must come down again.

Permitting 18,486 visitors a year for MVP would put residents, workers and visitors at great risk. Soda Canyon Road is dangerous at the best of times. Add up to 320, wine tasting drivers a week, drivers who are unfamiliar with its twists and turns and the road can be deadly.

When I joined the fire department I was told by neighbors that the canyon was, "due to burn". There hadn't been a major fire in the canyon for over a decade and the history of the canyon, I learned, was that of major fires every 10 to 30 or so years. Past fires included one in 1913 that started in Capell Valley and with a five-mile wide head swept through Foss Valley and down Soda Canyon, surrounding the Napa Soda Springs sending resort guests fleeing for their lives. In 1944 another fire in the canyon burned the Soda Springs beyond restoration.

In 1981 the "big one" was the Atlas Peak fire. As with last summer's Valley Fire in Lake County, the Atlas Peak fire began with unbelievable speed, consuming over 23,000 acres in less than 12 hours. The intensity of the fire, started by arson and driven by local foehn winds on the tenth day of a heat wave, was fed by a fuel load of brush that had built up for almost 20 years since the last big fire in the canyon.

The geography of the canyon and the local foehn winds, which can go from perfectly calm one minute to gusts of 30 to 40 miles an hour the next, contribute to this areas potential for big fires. The radiant heat from a large fire burning on one side of the canyon will pre-heat the fuel on the opposite side so that the smallest spark carried by the wind driven fire, which will in fact create its own wind, can ignite the opposite side of the canyon. Structures can, and did in the Atlas Peak fire, ignite from the radiant heat while the head of the fire is still hundreds of feet away. The Atlas Peak fire destroyed over 30 homes on Soda Canyon and Atlas Peak Roads. It caused tens of millions of dollars in damage. Miraculously there were no lives lost in that fire.

Cal Fire has developed a Soda Canyon/Monticello Pre-attack Fire Plan, which states that it is designed to manage a wildfire that starts on a **normal day** during fire season and rapidly overwhelms mutual attack resources. It goes on to say that, "Fire history, fuels, topography and urban-interface issues indicate the potential for a large and damaging fire in the Soda Canyon/Monticello area." The plan, recognizing that Soda Canyon Road has only one way in or out, recommends that evacuation, if necessary, must be called for early. Hundreds of residents, vineyard workers and wine tasting visitors would need to make their way down this very steep (no guard rails), narrow and poorly maintained road while emergency vehicles make their way up. One accident or stalled vehicle could block the road completely and trap vehicles going in both directions. The pre-attack plans second option is to close the

road and call for everyone; residents, vineyard workers and visitors, to “shelter in place”.

That’s the plan for a “normal day”.

Every year, every fire season, Soda Canyon residents hold their breath during the “extraordinary days”. Days when the temperature is 90 to 105 degrees and the hot dry north wind has been blowing for several days already. Days when the fuel load is tinder dry and extremely high, because the last big fire was over 35 years ago. Days when a carelessly tossed cigarette, or an overheated car pulled off of the road onto the grass, or a minor car accident, or any number of incidents which on another day would be an insignificant event, spark a flame. Because most of Soda Canyon and Foss Valley are “Cell Phone Dead” zones, most likely those flames will have grown to significant fires before a 911 call can even be made. These are days when the Pre-attack fire plan can go back into its drawer because, among other issues, these are the days when wild-land fires could be burning in other parts of the county or state, taking all the additional resources that would be called up on a “normal day”.

Most wildland fires are started by people, either accidentally or intentionally. The proposed Mountain Peak Vineyard project will more than double the currently permitted winery visitors on Soda Canyon Road. These visitors, unlike the residents of Soda Canyon will not be aware of the extreme fire danger of the area. They will not be aware, before they take their first sip of wine, that they will potentially have to evacuate the canyon, driving back down the steep, windy road they just drove up to get to the winery, this time with a wildland fire raging behind them. They will not be aware that they could be potentially trapped at the winery for an untold amount of time should Cal Fire issue an order to shelter in place.

Again, permitting a winery/event center of the size and scope of MVP on Soda Canyon Road puts all of us at risk. For all of the above reasons, among others, the County must deny this project and reduce the size to one that fits this unique rural environment and road conditions.

Sincerely,

Cynthia Grupp

POB 2144
Yountville Ca 94599
July 18,2016

John Mc Dowell, Deputy Planning Director
Napa County Planning, Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, CA 94559

RE: Opposing Mountain Peak Winery-Use Permit #P13-00320-UP

Dear Deputy Planning Director McDowell,

Having been born and raised in Napa, I am proud of my Napa roots and feel fortunate to be able to return to the valley and build my dream home on property that has been in my family for almost 100 years. As a resident of Soda Canyon, I am extremely concerned with the Mountain Peak Winery proposal the Planning Department and Planning Commission will be reviewing and the significant detrimental impact this huge project will have on Soda Canyon, Napa County, and future tourism developments.

I love living in Soda Canyon. This rural agricultural community is a treasure. I enjoy my morning coffee while I watch deer grazing in my backyard on wild blackberries. At night the canyon is silent and it seems as if I can see and touch every star in the sky. My hard-working farming neighbors appreciate the unique growing climate and soil of the canyon that rewards them with a good harvest. The open spaces and undeveloped areas add the uniqueness of this remote community of rural agricultural community. After having reviewed the documents on this project, I am convinced that the Mountain Peak Winery is incompatible to the nature of the Soda Canyon district and in addition, it presents a significant danger to the environment, the residents, vineyard workers, and visitors. A commercial enterprise of this magnitude is much better suited for the valley floor, not a remote rural neighborhood. This is too important and there is too much at stake to routinely approve this proposal. I strongly oppose the Mountain Peak Winery proposal currently before the Planning Commission and encourage the board to be objective, consider all the facts, use common sense, and deny this proposal.

My personal connection to Soda Canyon aside, my opposition to the Mountain Peak Winery is based on the following factors.

- The size and scope of the project is totally incongruent with the actual size of the parcel, the number of planted vines on the property that will be processed, and the rural and isolated location of the project. The fact that grapes will be trucked in to be processed is insane. A commercial facility should be in the valley floor, in an industrial area, not on a remote country road. A winery and caves the size of a shopping mall at

the top of Soda Canyon is unnecessary and screams of out of control plans for tourism and marketing.

- Soda Canyon Road, with its steep grade, tight curves, limited pull outs and almost nonexistent shoulder width is a dangerous road. When you add to the mix drivers who are unfamiliar with the road, alcohol, wildlife and no street lights, you end up with a dangerous situation. Dry Creek Road on the west side of the valley is also a steep, winding two lane road that is similar in nature to Soda Canyon Road and there is a warning sign on that road. Although Mountain Peak claim the projected trips will occur outside of peak hours and employee shifts will be scheduled to occur outside of peak hours, we know there is no way this can be enforced. The county has no compliance program in place (other than self reporting) and if they are proposing 320 tourists a week, when this number is divided by seven days, that's potentially 45 tourists a day. Unless the tourists are going to be really into car-pooling, I can't figure out how this results in only four to six trips a day. Given the nature of vineyard management, I don't know how Mountain Peak Winery plans to schedule their workers so the workers commute won't occur during peak commute hours. Every morning I wake up to the sound of the vineyard workers racing up Soda Canyon Road from 5 AM to 5:30 AM and then racing down the road again in the afternoon, anytime between 3:00 PM and 4:30 PM. Will Mountain Peak Winery have a graveyard shift to comply with this proposal?
- Increased traffic is definitely an issue for the residents, workers, and families driving this road on a daily basis. However, there are other traffic issues that need to be considered centered around public safety issues, such as fire and access for emergency vehicles. Soda Canyon Road is a dead-end. One way in and only one way out. If a big-rig truck or farm management vehicle blocked the road, there could be life threatening problems. Fire danger in Soda Canyon is real and the inability of fire vehicles to access the road or for people to evacuate should be a concern for those in leadership positions in Napa County. The Mountain Peak Winery proposal would allow for increased tourists visits, in addition to full-time workers and an increase in trucks, big-rigs, and equipment. Not to mention the increase of traffic due to the construction process alone. I disagree the Mountain Peak Winery project will have a "less than significant impact" on traffic conditions. I invite the commission to grab a soda at the Soda Canyon Store and then sit for a couple hours in their car and monitor the existing traffic patterns.
- The quality of life for residents and visitors is threatened by such a massive project. Residents purchased homes and property because they wanted to live in a quiet, rural area. This will not be the case if the Mountain Peak Winery is allowed to be built. The neighbors living nearby will face years of construction activity, with noise and air pollution. This project, with the impact it will have not only during the construction phase but also with the on-going marketing and tourist events, will severely change the Soda Canyon community.

- If allowed to proceed, the impact to the environment goes without question. I am concerned with the quality and quantity of well water in the area, the watershed, groundwater depletion, and Rector Canyon.

As members of the Planning Commission, you have a very important decision before you. Although the Planning Department has submitted a report recommending the proposal be approved, I would urge the commission to “step up to the plate” and demonstrate leadership by protecting the natural resources of the valley and denying the proposal. Members of the commission and citizens alike have the power to keep the valley an “ agricultural treasure”, instead of an overdeveloped Disneyland for the vanity of wealth wine enthusiasts. I challenge the members of the commission to do the right thing and deny the Mountain Peak Winery proposal.

Sincerely,

Barbara Guggia

Glenn Schreuder
2882 Soda Canyon Road
Napa, CA 94558

July 19th, 2016

Re: Mountain Peak Winery, Use Permit # P13-00320-UP

Dear Mr. McDowell,

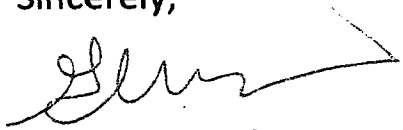
On behalf of the Soda Canyon group, I am forwarding peer reviews of the initial study's traffic report and noise assessment that we obtained from two qualified experts. We submit these under protest given the late provision of some of the supporting studies and information.

Please note both experts conclude that the analyses that the initial study relies on are flawed and do not accurately disclose the project's significant impacts.

The noise assessment also improperly defers study and mitigation of noise impacts to the future, after the project is already operational.

As we understand it, under CEQA if there is any substantial evidence that the project may have a significant impact on the environment, the County must prepare an EIR. In other words, if the County is presented with a "fair argument" that the project may have significant impacts, it should prepare an EIR even if the applicant's reports show the project will not have a significant effect. An EIR is plainly required here.

Sincerely,



Glenn Schreuder



SMITH ENGINEERING & MANAGEMENT

July 18, 2016

Soda Canyon Group
c/o Glenn Schreuder
2882 Soda Canyon Road
Napa, CA 94558

Subject: Mountain Peak Winery Initial Study/Proposed Mitigated

Dear Mr. Schreuder:

Per your request, I have reviewed the record in the proposal to develop a winery and tasting facility at the Mountain Peak vineyard on Soda Canyon Road in Napa County (the "Project"). The record I have reviewed includes, but is not limited to, the Initial Study prepared by the County (the "IS"), the supporting traffic impact report prepared by Crane Transportation Group (the "TTG report") and a draft peer review of the TTG report prepared by TJKM Associates. My qualifications to perform this review include registration as a Civil and Traffic Engineer in California and 48 years of consulting practice in traffic and transportation engineering. I have both prepared and reviewed the traffic and transportation components of numerous CEQA environmental documents and am familiar with traffic issues associated with development of winery and tasting facilities in Napa. My professional resume is attached herewith.

My current comments on the subject project follow.

1. The Findings of the Initial Study Do Not Reasonably Reflect the Conditions on Record With Respect to Traffic Safety Issues

The TTG report solely examined safety issues in the context of adequacy of sight distances at the Project driveways and concluded that sight lines and sight distance will be adequate as long as landscape in the vicinity is properly trimmed and maintained. However, the peer review considered safety issues on the

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whole of Soda Canyon Road to the Project site and made findings of significance. The peer review found that Soda Canyon Road, a two-lane dead-end road, has very narrow pavement and sinuous horizontal and vertical alignments. The lane widths vary between 9 and 11 feet with the segments with widths below 10 feet being less than the minimum standard of the California edition of the *Manual on Uniform Traffic Control Devices*. Moreover, at many locations, effective pavement width is rendered substandard or further reduced from standard by badly deteriorated pavement conditions. The situation is further compromised by open roadside drainage with ditches unprotected by guardrail or paved or safely traversable shoulder. These factors cause drivers in both directions to drive positioned toward the center of the roadway. The safety compromise inherent is compounded by the sinuous horizontal and vertical alignment that, combined with effects of roadside vegetation and terrain, limits sight distance and causes opposed drivers operating near the center of the road to be unable to see each other soon enough to avoid hazardous conflict.

The peer review also provides a detailed summary of accident experience. It found that in the brief 14 month period between 1-21-13 and 3-27-14, there were 57 motor vehicle crashes, an extraordinary number involving a minor roadway that carries very light traffic volume. In light of this evidence, the County must conduct a thorough analysis of the causal factors involved in the crashes and determine what needs to be done to mitigate the situation, before it can support the conclusion reached without apparent substantiation in the IS. That conclusion is obviously contrary to evidence on record that there are significant traffic safety impacts involved.

The peer review reports that existing annual winery visitors traveling on Soda Canyon Road is 22,372 and that the Mountain Peak Project would add another 18,500 visitors¹. In other words, the Project would increase the traffic of presumably unfamiliar visitors on the road by over 80 percent. This could significantly increase the crash incidence along Soda Canyon Road.

The condition regarding traffic safety in the IS reads "*Would the project substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections or incompatible uses (e.g. farm equipment)?)*" The evidence on the record overwhelmingly indicates it would. Reasonable compliance with the good faith effort to disclose impacts required by CEQA necessitates that the County's IS make the finding on this item of "Potentially Significant Impact" unless plausible mitigation were proposed which has not been the case to date.

Moreover, in the event a crash on Soda Canyon Road resulted in liability claims against the County, although the County would no doubt attempt to claim design

¹ These numbers do not include employees, shift workers, residents or service vehicles on Soda Canyon Road.

immunity due to the fact that the roadway predates modern design standards, the safety evidence on record in this matter could make the County liable for, while understanding the inherent design and safety defects of the road, knowingly approving a project that would significantly increase unfamiliar visitor traffic on Soda Canyon Road traffic and significantly incrementing truck traffic without acknowledging and mitigating the safety issues.

Producing 100,000 gallons of wine will require about 667 tons of grapes. The estate vineyards can be expected to produce about 160 tons. So the winery will have to import about 507 tons of grapes from elsewhere, and to comply with the 75 percent rule, all but about 167 tons will have to come from somewhere in Napa. In regard to truck traffic, the CTG report claims that the Project will reduce truck traffic on Soda Canyon Road because the imported grapes will come from immediately neighboring vineyards. However, we have seen nothing on record that the Project has letters of commitment from adjacent vineyards and there is a good probability that established vineyards already have commitments elsewhere. So to comply with the good faith effort to disclose impacts demanded by CEQA, the CTG report should have assumed that trucks carrying all of the imported grapes would travel the length of Soda Canyon Road from Silverado trail to and from Mountain Peak. So in considering the overall conclusion about the impact of the Project on the real safety issues that exist along Soda Canyon Road, the County should be disabused of the notion that the Project will somehow reduce truck traffic on that road. In sum, the information in the record as provided to us indicates the Mountain Peak Project certainly may, and likely would, have a significant impact on transportation safety along Soda Canyon Road.

2. The Intersection Evaluations In the CTG Report Failed to Consider Consequences of Queuing and Queue Storage.

The CTG report finds that the intersection of Soda Canyon Road with Silverado Trail already operates at deficient levels of service in the Friday and Saturday afternoon peaks, but concludes that because the Project does not add 1 percent to the total traffic at this location, the Project's impacts are less than significant. However, this conclusion does not consider the details of the geometry at that intersection or the impacts that changes in queueing resultant from small changes in traffic can have, given that geometry. The figure on the following page shows a scale aerial photo of the Silverado Trail / Soda Canyon Road intersection. Measurements show that if more than 4 vehicles are queued in the left turn pocket from southbound Silverado to northeasterly-bound Soda Canyon, the queued vehicles will start to extend into and obstruct the southbound Silverado through lane. If more than three vehicles queue in the southwesterly bound lane of Soda Canyon access and egress to the entries/exits to the Soda Canyon side of the Soda Canyon Store /Brookdale Vineyards parking will be blocked. Both of these situations have serious operational and safety

implications. And since the Friday and Saturday afternoon peak operations are already deficient at this location, it is probable that queues at the limits described



above already exist and that even small additions to traffic could seriously exacerbate the queues, causing a significant impact.

3. The CTG Report Compiles Project Trip Generation Vastly Lower Than If Compiled At Rates Ordinarily Recognized As Representative By Napa County. This Renders The CTG Reports' Conclusions About Level of Service and Project Traffic Impacts Inaccurate and Irrelevant

Based on information on employee, visitor special event staff and wine production totals contained in the CTG Report, we compiled the Mountain Peak Project trip generation per the rates and procedures detailed on the Winery Traffic Information / Trip Generation Sheet (the WTI / TGS) which is page 15 of the Napa County Planning, Building and Environmental Services Use Permit

Application. This page of the application contains various trip factors known to the County to be most representative of local winery traffic conditions. A copy of the completed sheet is inserted herein. The table below compares Mountain Peak Traffic compiled per the County's WTI /TGS sheet to the traffic estimated in the CTG Report.

**Mountain Peak Project Trip Generation Comparison:
 Winery Traffic Information / Trip Generation Sheet vs. Crane Transportation
 Group Report**

	WTI / TGS ¹	CTG Report
Weekday PM Peak		
Harvest	N/A	11 ²
Non-Harvest	49	11 ²
Saturday PM Peak		
Harvest	135	10 ²
Non-Harvest	60	10 ²
Largest Marketing Event	107	49 ³

1. Compiled per page 15 of Napa Co. Planning, Building and Environmental Services Use Permit Application using employee, visitor, special event staff and wine production totals contained in the CTG Report. Annual tons of grape on-haul estimated based on net tons required for 100,000 gallon production less tonnage produced by 40 acre estate vineyard.
2. Per CTG Report, Table 16.
3. Per CTG Report, Table 18. (CTG reports in Table 18 footnote that for maximum events some visitors will be shuttled from off-site parking areas like hotels.) Apparently the expectation is that about 63 visitors will be shuttled both ways.

As can be seen in the comparison table, the CTG Reports trip totals are vastly less than if compiled by the County's recognized trip rates – so much so that they can have no credibility. Since everything in the traffic analysis flows from the trip generation, this renders the findings of the CTG Report meaningless. The entire analysis should be redone using the County's authorized rates and procedures per page 15 of the Use Permit Application Form and the additional guidance on page 16 of the same document.

We note that if the WTI/TGS values are used, on a harvest Saturday, the Project comes within one trip of adding traffic to the Soda Canyon /Silverado Trail intersection that would exceed 1 percent of the existing traffic. Hence, for a variability of but one trip, the Project would be considered significantly impactful. Also, had a queuing analysis at this intersection been performed, the higher Project traffic values in the WTI/TGS sheet would surely have significantly altered queue overspill creating further hazardous conflict.

Winery Traffic Information / Trip Generation Sheet

Traffic during a Typical Weekday

Number of FT employees:	<u>19</u>	x 3.05 one-way trips per employee	=	<u>58</u>	daily trips.
Number of PT employees:	<u>4</u>	x 1.90 one-way trips per employee	=	<u>7.6</u>	daily trips.
Average number of weekday visitors:	<u>80</u>	/ 2.6 visitors per vehicle x 2 one-way trips	=	<u>61.5</u>	daily trips.
Gallons of production:	<u>100,000</u>	/ 1,000 x .009 truck trips daily ³ x 2 one-way trips	=	<u>1.8</u>	daily trips.
			Total =	<u>128.9</u>	daily trips.
			Number of total weekday trips x .38 =	<u>48.98</u>	PM peak trips.

Traffic during a Typical Saturday

Number of FT employees (on Saturdays):	<u>16</u>	x 3.05 one-way trips per employee	=	<u>48.8</u>	daily trips.
Number of PT employees (on Saturdays):	<u>0</u>	x 1.90 one-way trips per employee	=	<u>0</u>	daily trips.
Average number of weekend visitors:	<u>80</u>	/ 2.8 visitors per vehicle x 2 one-way trips	=	<u>57.14</u>	daily trips.
			Total =	<u>105.94</u>	daily trips.
			Number of total Saturday trips x .57 =	<u>60.3</u>	PM peak trips.

Traffic during a Crush Saturday

Number of FT employees (during crush):	<u>19</u>	x 3.05 one-way trips per employee	=	<u>58</u>	daily trips.
Number of PT employees (during crush):	<u>4</u>	x 1.90 one-way trips per employee	=	<u>7.6</u>	daily trips.
Average number of weekend visitors:	<u>80</u>	/ 2.8 visitors per vehicle x 2 one-way trips	=	<u>57.14</u>	daily trips.
Gallons of production:	<u>100,000</u>	/ 1,000 x .009 truck trips daily x 2 one-way trips	=	<u>1.8</u>	daily trips.
Avg. annual tons of grape on-haul:	<u>507</u>	x .11 truck trips daily ⁴ x 2 one-way trips	=	<u>111.54</u>	daily trips.
			Total =	<u>263.08</u>	daily trips.
			Number of total Saturday trips x .57 =	<u>134.57</u>	PM peak trips.

Largest Marketing Event- Additional Traffic

Number of event staff (largest event):	<u>7</u>	x 2 one-way trips per staff person	=	<u>14</u>	trips.
Number of visitors (largest event):	<u>125</u>	/ 2.8 visitors per vehicle x 2 one-way trips	=	<u>89</u>	trips.
Number of special event truck trips (largest event):	<u>2</u>	x 2 one-way trips	=	<u>4</u>	trips.
			Total	<u>107</u>	

³ Assumes 1.47 materials & supplies trips + 0.8 case goods trips per 1,000 gallons of production / 250 days per year (see *Traffic Information Sheet Addendum* for reference).
⁴ Assumes 4 tons per trip / 36 crush days per year (see *Traffic Information Sheet Addendum* for reference).

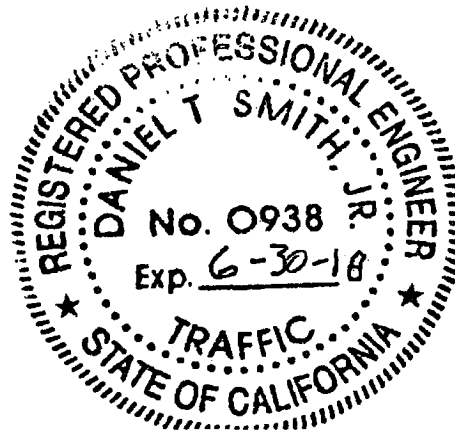
Mr. Glenn Schreuder
Soda Canyon Group
July 18, 2016
Page 7

4. Conclusion

This concludes my comments on the Mountain Peak Winery Initial Study transportation component and proposed Mitigated Negative Declaration. Based on the foregoing, I am convinced that the findings of the Initial Study are contrary to the record or inadequately supported and believe there is fair argument that a full Environmental Impact Report that focuses on the traffic safety issues involved should be prepared.

Sincerely,

Smith Engineering & Management
A California Corporation



Daniel T. Smith Jr., P.E.
President

Attachments:
Resume of Daniel T. Smith Jr., P.E.

Mr. Glenn Schreuder
Soda Canyon Group
July 18, 2016
Page 8

SMITH ENGINEERING & MANAGEMENT



DANIEL T. SMITH, Jr. President

EDUCATION

Bachelor of Science, Engineering and Applied Science, Yale University, 1967
Master of Science, Transportation Planning, University of California, Berkeley, 1968

PROFESSIONAL REGISTRATION

California No. 21913 (Civil) Nevada No. 7969 (Civil) Washington No. 29337 (Civil)
California No. 938 (Traffic) Arizona No. 22131 (Civil)

PROFESSIONAL EXPERIENCE

Smith Engineering & Management, 1993 to present, President.
DKS Associates, 1979 to 1993, Founder, Vice President, Principal Transportation Engineer.
De Leuw, Cather & Company, 1968 to 1979, Senior Transportation Planner.
Personal specialties and project experience include:

Litigation Consulting. Provides consultation, investigations and expert witness testimony in highway design, transit design and traffic engineering matters including condemnations involving transportation access issues; traffic accidents involving highway design or traffic engineering factors; land use and development matters involving access and transportation impacts; parking and other traffic and transportation matters.

Urban Corridor Studies/Alternatives Analysis. Principal-in-charge for State Route (SR) 102 Feasibility Study, a 35-mile freeway alignment study north of Sacramento. Consultant on I-280 Interstate Transfer Concept Program, San Francisco, an AA/EIS for completion of I-280, demolition of Embarcadero freeway, substitute light rail and commuter rail projects. Principal-in-charge, SR 238 corridor freeway/expressway design/environmental study, Hayward (Calif.) Project manager, Sacramento Northeast Area multi-modal transportation corridor study. Transportation planner for I-80N West Terminal Study, and Harbor Drive Traffic Study, Portland, Oregon. Project manager for design of surface segment of Woodward Corridor LRT, Detroit, Michigan. Directed staff on I-80 National Strategic Corridor Study (Sacramento-San Francisco), US 101-Sonoma freeway operations study, SR 92 freeway operations study, I-880 freeway operations study, SR 152 alignment studies, Sacramento RTD light rail systems study, Tasman Corridor LRT AA/EIS, Fremont-Warm Springs BART extension plan/EIR, SRs 70/99 freeway alternatives study, and Richmond Parkway (SR 93) design study.

Area Transportation Plans. Principal-in charge for transportation element of City of Los Angeles General Plan Framework, shaping nations largest city two decades into 21st century. Project manager for the transportation element of 300-acre Mission Bay development in downtown San Francisco. Mission Bay involves 7 million gsf office/commercial space, 8,500 dwelling units, and community facilities. Transportation features include relocation of commuter rail station; extension of MUNI-Metro LRT; a multi-modal terminal for LRT, commuter rail and local bus; removal of a quarter mile elevated freeway; replacement by new ramps and a boulevard; an internal roadway network overcoming constraints imposed by an internal tidal basin; freeway structures and rail facilities; and concept plans for 20,000 structured parking spaces. Principal-in-charge for circulation plan to accommodate 9 million gsf of office/commercial growth in downtown Bellevue (Wash.). Principal-in-charge for 64 acre, 2 million gsf multi-use complex for FMC adjacent to San Jose International Airport. Project manager for transportation element of Sacramento Capitol Area Plan for the state governmental complex, and for Downtown Sacramento Redevelopment Plan. Project manager for Napa (Calif.) General Plan Circulation Element and Downtown Riverfront Redevelopment Plan, on parking program for downtown Walnut Creek, on downtown transportation plan for San Mateo and redevelopment plan for downtown Mountain View (Calif.), for traffic circulation and safety plans for California cities of Davis, Pleasant Hill and Hayward, and for Salem, Oregon.

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Transportation Centers. Project manager for Daly City Intermodal Study which developed a \$7 million surface bus terminal, traffic access, parking and pedestrian circulation improvements at the Daly City BART station plus development of functional plans for a new BART station at Colma. Project manager for design of multi-modal terminal (commuter rail, light rail, bus) at Mission Bay, San Francisco. In Santa Clarita Long Range Transit Development Program, responsible for plan to relocate system's existing timed-transfer hub and development of three satellite transfer hubs. Performed airport ground transportation system evaluations for San Francisco International, Oakland International, Sea-Tac International, Oakland International, Los Angeles International, and San Diego Lindberg.

Campus Transportation. Campus transportation planning assignments for UC Davis, UC Berkeley, UC Santa Cruz and UC San Francisco Medical Center campuses; San Francisco State University, University of San Francisco; and the University of Alaska and others. Also developed master plans for institutional campuses including medical centers, headquarters complexes and research & development facilities.

Special Event Facilities. Evaluations and design studies for football/baseball stadiums, indoor sports arenas, horse and motor racing facilities, theme parks, fairgrounds and convention centers, ski complexes and destination resorts throughout western United States.

Parking. Parking programs and facilities for large area plans and individual sites including downtowns, special event facilities, university and institutional campuses and other large site developments; numerous parking feasibility and operations studies for parking structures and surface facilities; also, resident preferential parking.

Transportation System Management & Traffic Restraint. Project manager on FHWA program to develop techniques and guidelines for neighborhood street traffic limitation. Project manager for Berkeley, (Calif.), Neighborhood Traffic Study, pioneered application of traffic restraint techniques in the U.S. Developed residential traffic plans for Menlo Park, Santa Monica, Santa Cruz, Mill Valley, Oakland, Palo Alto, Piedmont, San Mateo County, Pasadena, Santa Ana and others. Participated in development of photo/radar speed enforcement device and experimented with speed humps. Co-author of Institute of Transportation Engineers reference publication on neighborhood traffic control.

Bicycle Facilities. Project manager to develop an FHWA manual for bicycle facility design and planning, on bikeway plans for Del Mar, (Calif.), the UC Davis and the City of Davis. Consultant to bikeway plans for Eugene, Oregon, Washington, D.C., Buffalo, New York, and Skokie, Illinois. Consultant to U.S. Bureau of Reclamation for development of hydraulically efficient, bicycle safe drainage inlets. Consultant on FHWA research on effective retrofits of undercrossing and overcrossing structures for bicyclists, pedestrians, and handicapped.

MEMBERSHIPS

Institute of Transportation Engineers Transportation Research Board

PUBLICATIONS AND AWARDS

Residential Street Design and Traffic Control, with W. Homburger *et al.* Prentice Hall, 1989.

Co-recipient, Progressive Architecture Citation, *Mission Bay Master Plan*, with I.M. Pei WRT Associated, 1984.

Residential Traffic Management, State of the Art Report, U.S. Department of Transportation, 1979.

Improving The Residential Street Environment, with Donald Appleyard *et al.*, U.S. Department of Transportation, 1979.

Strategic Concepts in Residential Neighborhood Traffic Control, International Symposium on Traffic Control Systems, Berkeley, California, 1979.

Planning and Design of Bicycle Facilities: Pitfalls and New Directions, Transportation Research Board, Research Record 570, 1976.

Co-recipient, Progressive Architecture Award, *Livable Urban Streets, San Francisco Bay Area and London*, with Donald Appleyard, 1979.



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18 July 2016

Soda Canyon Group
Attn: Mr. Glenn Schreuder
2882 Soda Canyon Road
Napa, California 94558

Subject: Mountain Peak Winery (Use Permit #P13—00320-UP)
Review of Noise Analysis

Dear Mr. Schreuder:

As requested, we have reviewed the noise analysis and the Initial Study/Negative Declaration (IS/ND) for the proposed project at Mountain Peak Winery in Napa County, California. This letter discusses elements of the IS/ND noise analysis that we find deficient in some way.

Wilson, Ihrig & Associates, Acoustical Consultants, has practiced exclusively in the field of acoustics since 1966. During our 50 years of operation, we have prepared hundreds of noise studies for Environmental Impact Reports and Statements. We have one of the largest technical laboratories in the acoustical consulting industry. We also utilize industry-standard acoustical programs such as Environmental Noise Model (ENM), Traffic Noise Model (TNM), SoundPLAN, and CADNA. In short, we are well qualified to prepare environmental noise studies and review studies prepared by others.

The documents we have reviewed and referenced are:

1. *Mountain Peak Winery, Napa County, CA – Environmental Noise Assessment*, Illingworth & Rodkin, Inc., May 3, 2016. (“Noise Assessment”)
2. *Appendix C, Initial Study Checklist, Mountain Peak Winery, Use Permit #P13-00320-UP*, County of Napa; Planning, Building, and Environmental Services Dept., 27 June 2016.

Issue #1: Noise analysis fails to identify exposure of persons to noise levels in excess of local standards

Table 3 of the Noise Assessment presents the ostensible time-delineated noise limits for the project obtained by applying the time-delineated noise standard adjustments in the Napa County Noise Ordinance to the baseline Exterior Noise Limits established in Table 8.16.070 of the Ordinance. We agree that these are applicable standards for most types of noise, however, as the Noise Assessment itself points out, another provision of the Noise Ordinance provides that:

In the event the alleged offensive noise . . . contains music or speech, the standard limits set forth in Tables 8.16.060 and 8.16.070 shall be reduced by five dB, but not lower than forty-five. [Napa Co. Code of Ordinances, Section 8.16.070(B)]

Table 9 of the Noise Assessment presents the estimated noise levels for special events which, as discussed in the paragraph preceding Table 9, are comprised of noise from music and raised conversation. Therefore, the limits presented in Table 9 of the Noise Assessment should all be 5 dB less than those presented in Table 3 of the Noise Assessment, though not below 45 dBA. In particular, the L_{50} daytime limit for speech and music should be 45 dBA. As the Noise Assessment's own calculations indicate, the expected L_{50} noise levels from special events at Residences 1 and 2 are 48 and 47 dBA, respectively. As these levels exceed a local standard, they comprise a significant noise impact of the proposed project.

Issue #2: Noise analysis fails to identify a substantial periodic increase in ambient noise levels above the existing levels

In addition to exceeding the local standard, the noise from large special events will fundamentally change the character of the neighborhood near the proposed operation. Quantitatively, this can be seen easily by comparing the special events noise estimates with the existing ambient noise levels as is done in Figure 1, below. In this figure, the colored solid lines show the existing ambient noise levels, and the colored dashed lines show the projected, special event noise levels. The colors – red, yellow, and blue – represent the three nearest residences. The solid black line is the correctly applied local noise ordinance limits for the various noise metrics. The key point here is that the L_{50} levels – the noise levels exceeded 30 minutes during the hour – are substantially higher than the existing ambient levels. The situation will be worst at Residence 1 where the special event noise level will be 20 dB higher than the ambient. As the Noise Assessment itself points out, “Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness over a fairly wide range of intensities”. [Noise Assessment at p. 2] This means a 20 dB increase is perceived as a quadrupling of loudness. At the other residences, the noise will be some 11 to 13 dB higher, somewhat more than a doubling of loudness.

As Figure 1 indicates, the noise from large gatherings of people is fairly consistent – that is why the dashed lines are fairly flat across the page. This means that during the special events, the soundscape at the neighbor's homes will be dominated by the special event noise. Because the

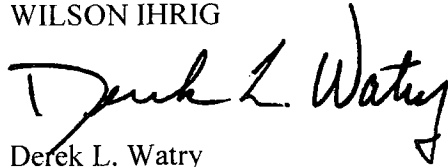
special events will cause substantial periodic increases in noise levels above the existing ambient noise levels, these noise levels also comprise a significant noise impact of the proposed project.

* * * * *

Please call us if you have any questions regarding this review.

Very truly yours,

WILSON IHRIG



Derek L. Watry
Principal

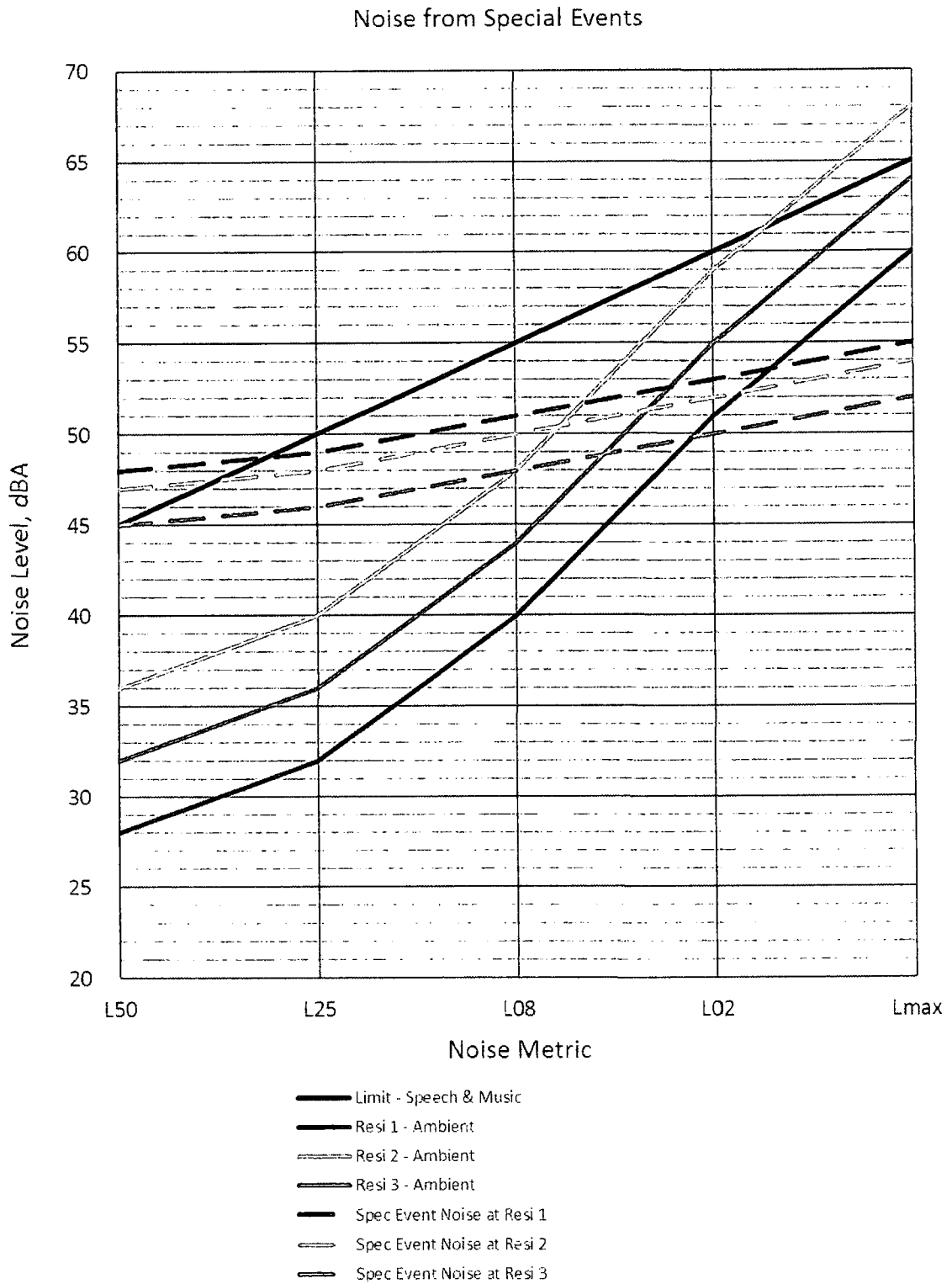


FIGURE 1 NOISE FROM SPECIAL EVENTS



WILSON IHRIG & ASSOCIATES
ACOUSTICAL AND VIBRATION CONSULTANTS

CALIFORNIA

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DEREK L. WATRY, M.S.

Experience

Wilson, Ihrig & Associates, Inc. (1992 to Present)

Principal

Mr. Watry is experienced in all aspects of environmental acoustics, including noise measurement and prediction, regulatory analysis, environmental impact assessment, and noise control design. He is well versed in the requirements of CEQA, and has both prepared and critiqued many environmental noise studies. Over the past 18 years, he has conducted numerous construction, traffic, HVAC, and industrial equipment noise projects, and has extensive experience with construction noise and vibration monitoring.

University of California, Berkeley (1988 - 1992)

Graduate Student, Research and Teaching Assistant

Teaching Assistant for "Fundamentals of Acoustics" course

Education

M.S. (1991) in Mechanical Engineering, University of California at Berkeley

B.S. (1988) in Mechanical Engineering, University of California at San Diego

M.B.A. (2000), Saint Mary's College of California, Moraga

Professional Associations

Member, Acoustical Society of America

Member, National Council of Acoustical Consultants

Academic Distinctions

Summa Cum Laude, Saint Mary's College of California (2000)

National Science Foundation Fellowship Recipient (1988 - 1991)

Summa Cum Laude, University of California, San Diego (1988)

Representative Projects

Patterson Ranch EIR, Fremont

Noise section of EIR for 428 acre project that included residential, educational, religious, community recreation, and commercial land uses.

Mare Island Dredged Material Disposal Facility EIR, Vallejo
EIR noise study for proposed disposal facility to be built next to residential neighborhood.

Silva Ranch Annexation EIR, King City
EIR noise study for development of new, large, primarily residential, district on the outskirts of King City.

525 Golden Gate Avenue Demolition, San Francisco
Noise and vibration monitoring and consultation during the demolition of multi-story office building next to Federal, State, and Municipal Court buildings in San Francisco.

Tyco Electronics Annual Noise Compliance Study, Menlo Park
Conducted annual noise compliance monitoring for Tyco Electronics in 2009 and 2010. Provided letter critiquing the regulatory requirements and recommending improvements.

Safeway Redevelopment, Sunnyvale
Noise study of store redevelopment including loading dock, trash compactor, parking lot, and rooftop HVAC equipment.

Safeway Redevelopment, Los Altos
Noise study of store redevelopment including loading dock, trash compactor, rooftop parking lot, rooftop HVAC equipment, and Foothill Expressway traffic noise.

Central Park Apartments Noise Study, Mountain View
Noise study for new residential building development. Major noise sources included Central Expressway and Caltrain.

465 N. Whisman Road, Mountain View
Noise control among suites in a low-rise office complex.

Caltrain Centralized Equipment Maintenance and Operations Facility, San Jose
Noise study of impacts for new maintenance and operations facility built next to existing residential neighborhood. Included analysis of 16 ft sound barrier wall.

Conoco-Phillips Refinery Noise Control, Rodeo
Environmental noise study and assessment of refinery noise at residential neighborhood.

Groth Winery HVAC Sound Barrier, Oakville
Design of sound barriers to control noise from rooftop HVAC equipment.

Dahl Booster Pump Station, Palo Alto
Design of sound barrier and specification of mufflers for pump station equipment.

McDowell, John

From: glensch@wildblue.net
Sent: Tuesday, July 19, 2016 2:58 PM
To: McDowell, John
Subject: Mountain Peak Winery P13-00320-UP Traffic and Noise Peer Reviews
Attachments: Mountain Peak Winery P13-00320-UP Traffic and Noise Peer Reviews 2016-07-19.pdf

Dear Mr. McDowell,

Attached please find Traffic and Noise Peer Reviews in regard to the above referenced project which comes before the Planning Commission tomorrow (Wednesday July, 20th, 2016).

Please confirm receipt of these documents by replying to this email.

Thank you very much for your assistance with this matter.

Sincerely, Glenn Schreuder

Planning Commission Hearing

Mountain Peak Winery

3265 Soda Canyon Road, Napa CA

Use Permit Number P13-00320-UP

Wednesday, July 20th, 2016

Introduction

Good day, my name is Glenn Schreuder and I live at 2882 Soda Canyon Road with my wife and my 16 year old daughter who just started driving.

My parents moved to Soda Canyon road in 1957 to escape the rapid growth that was occurring in the Bay Area and to raise my two older sisters and myself in an idyllic, rural setting. My dad taught high school science and mathematics at Napa High for over 30 years and my mother taught music to children.

My family has owned and lived continuously at our family residence on Soda Canyon Road for just under 60 years.

I grew up here on Soda Canyon Road until the age of 18 when I joined the armed forces.

I honorably served our country in the United States Air Force from 1984 to 1988 and then assumed a civilian role for the United States Space Command in the Silicon Valley. At the age of 28 I received my bachelor's degree in accounting and business in 1993, and in the same year I moved back to Napa and upper Soda Canyon.

I am a licensed Certified Public Accountant, not currently practicing public accounting. I have been a senior financial executive for a large employer here in Napa for just under 10 years. I worked in the wine industry in a similar financial capacity before my current position and I still have many friends and colleagues that work in the wine business. I have the utmost respect and appreciation for much of the wine industry and in particular I am a vigorous defender of the Agricultural Preserve of 1968 and the Jeffersonian ideals that the Ag. Preserve represents.

As an adult, I have lived and worked here in Napa since 1993. When my father Joseph Schreuder passed away in 2002, I moved my family back up to upper Soda Canyon to take care of my mother and to sheppard our family homestead into the next generation. My dad and the other fathers of Upper Soda Canyon built the Volunteer Fire Station in the early 1960's with their own hands in their spare time.

I am also engaged in community nonprofit work serving as the Treasurer for the Napa Youth Soccer League for the last 9 years and as Treasurer for a conservation non-profit, Protect Rural Napa, I helped form almost two years ago.

I am writing today to share with the Planning Commission what I know about the Upper Soda Canyon area and in specific, the condition of the road and why that information is relevant to the issues of public safety, public welfare and the quiet enjoyment of my family and my neighbors' property rights that have been implicated in this Planning Commission Hearing.

Background

When Soda Canyon Road was widened from a one lane road to a two lane road in the early 1960s it was built to serve what was then a very sparsely populated rural residential neighborhood. According to my mother and father, the road crew had to use explosives to blast out the rock face of the hillside on the big grade to widen the roadway. Based on approximately three decades of personal observation of the increase in vehicular traffic, it is quite clear the current roadway was not designed to handle the volume or type of vehicular traffic that it serves today.

Soda Canyon road was last fully repaved when I was in high school, circa 1980-1981. That was approximately 35 years ago. 35 YEARS. The roadway has degraded significantly due to age, over-use by heavy trucks, farm equipment and the high volume of ordinary vehicular traffic over that long span of time. The lack of any regular, programmatic or meaningful effort on the part of the county to upgrade or even just properly maintain the surface of the roadway has made this bad situation even worse.

Current condition of the roadway

As a direct consequence of the county's inattention to the road, most of it is in an abysmal state of disrepair. Based on my personal knowledge of the roadway which my family uses several times per day to get to and from town, there is clear and compelling evidence that the roadway is not up to contemporary road standards for the quantity and type of heavy traffic that it is currently tasked to carry. Further, the bumpy and uneven surface of the road results

in diminished vehicle control available to the driver compared to a road that is maintained to at least minimal modern standards. The roadway is so severely cracked and buckled in so many spots that it looks like a “patchwork quilt” that you would not expect to see in the storied Napa Valley but instead see in a third world country. In addition, the road is far too narrow in many locations to safely accommodate two-way traffic. I hope you never meet a heavy truck on one of the blind corners or overly narrow sections of road way because I have on multiple occasions and I would not wish that on anyone.

Heavy truck/industrial traffic

Approximately six months ago on my way to work one morning, I encountered a long 10 wheel container truck in the 2400 block of Soda Canyon Road (below the applicant’s proposed project) that was traveling up the road but still below the ‘big’ grade. The driver was having a very difficult time getting her truck around one particular tight corner and was blocking my forward progress so I stopped to help guide her around the narrow corner. As I did so, she asked me what’s up ahead and I said “well more of the same only it becomes very steep and winding”. I asked her if her truck was carrying a load and she said she wasn’t, so I recommended she gear down and go very slowly “but whatever you do, try not to stop as you may not be able to get going again on the steepest sections” as I have seen that happen on multiple occasions over the most recent few decades. Fortunately the road surface was dry, there was no thick fog and the wind was light. Any one of those things (or in combination) can make an already dangerous trip very treacherous for any vehicle let alone a high profile truck.

In recent years, there have also been at least two trucks that careened off the road and into the creek at the 90 degree corner down the hill from the Soda Canyon Fire Station. These accidents took out trees and severely cracked the edge of the roadway at that critical location.

Foggy and Rainy conditions

The danger of foggy conditions cannot be overstated. My family and I are acutely aware of the significant danger that ground fog, and actual clouds, can create. The elevation at the Fire Station is ~500 feet above mean sea level and the surrounding peaks are up to ~2,000 feet. When low clouds push northward from the San Francisco Bay, they tend to stack up against the hills, often creating a dense fog (technically clouds). Visibility can be as little as a few feet under these conditions. I have personally led a caravan of family members down Soda Canyon road at night after a Thanksgiving dinner. It is extremely hazardous when there are these ‘white out’ conditions on a twisting narrow road with a grade that winds down a steep canyon with no guardrails and you can barely make out the faded yellow centerline of the road. And these atmospheric conditions are not uncommon. We get them every year usually between the months of November and April, but also on foggy mornings like this past Monday morning.

For those visitors who are not familiar with Soda Canyon road, the danger simply cannot be overstated.

Often the fog is accompanied by rainy weather. The area surrounding the grade from below the fire station to our house gets approximately 2 times the rainfall that the valley floor gets. This is caused by rain clouds that come in from the south off the San Francisco bay and their northerly progress is slowed down by the approximately 2,000 foot mountain range. For example, last winter the valley floor received between 15" and 30" of rainfall depending on location, while the Department of Water Resources rain gauge on Atlas Peak recorded a whopping 38". I have seen flash flooding, rock slides and tens of cubic yards of rocks from the creek beds deposited on the roadway requiring heavy equipment to remove (1994). It is completely accurate to say that Upper Soda Canyon is subject to extremely rainy, windy and foggy conditions every year. Architects and engineers typically refer these significant environmental variables as a "difference in condition". Residents of Upper Soda Canyon refer to these conditions as "winter".

Bicycling on Soda Canyon road

In addition to multiple trips each day by large heavy trucks, bicyclists ride up and down Soda Canyon road to enjoy the beautiful native scenery and many come to challenge the big grade, which ranks as the 3rd most challenging steep grade in Napa County. The concern my family and I have is one of safety, the narrowness and lack of a paved shoulder forces even bicyclists riding single-file to ride near the center of the lane they are travelling in. This is again a function of the state of disrepair of the road itself, the road at its edges is generally in the worst condition causing bicyclists to tend to drift more to the middle of the road where the pavement is marginally better. This situation can make for some scary moments for drivers. Passing bicyclists on Soda Canyon Road can be a very dangerous proposition and almost always requires even a regular passenger car to cross the center dividing line of the road to safely pass a single bicyclist. **With the recent legislation requiring vehicles to give bicyclists a 3 foot clearance when passing, there is rarely a good spot to pass a bicyclist without violating driving laws that find themselves in mutual conflict on Soda Canyon road.** (Cal Veh. Code Sec. 217600). How can we, as residents and neighbors of Soda Canyon road, be placed in such an untenable set of circumstances by the people and agencies who are supposed to be protecting the public safety and welfare?

Last winter there was a new plot twist to the issue of bicyclists using Soda Canyon road for recreation. I was coming home from work one afternoon early this spring. Daylight savings had already taken effect, so it was dark at around 5:30pm. Up ahead I saw several shimmering lights. To my horror, there were bicyclists flying down the road toward me with bright LED headlights in the pitch black of an early winter night. I came to a complete stop as they passed

me just below where the firehouse is located. Not only where the lights harsh and blinding, there were three or four of them. I thought to myself, well there is a new plot twist: Bicyclists riding up and down Soda Canyon road, in the dark, during regular afternoon commute hours. It's one of those moments when you know intuitively something has changed.

I myself am a cyclist and used to ride up and down Soda Canyon. However, as a direct result of the increased traffic and other dangerous conditions, my personal bicycling habits have changed dramatically. I only ride at a certain time of day and never up or down the grade or in the narrow sections of roadway in the 2400 block of Soda Canyon road. Instead, I ride to the end of the road, or on the dirt road turn off around mile 6.2, but even that is becoming scary proposition as a result of the vineyard worker traffic. In short, my personal and my family's enjoyment of our property and its surroundings has clearly been impacted negatively.

Evidence of alcohol consumption on the Road

We have a neighbor who walks from upper Soda Canyon down to the fire house and then back up the steep grade each day for exercise. A couple years ago, he started picking up garbage along his daily route but found more and more beer bottles. He started "installing" them on top of the road markers as a not-so subtle reminder to all who pass that we have an existing problem with alcohol consumption on the roadway.

Wildlife Encounters

Encounters with deer and other smaller animals are common on the roadway. I have personally hit and killed two deer on the Soda Canyon Road over the years and our most recent encounter was where a large doe ran directly into the side of our 2009 Toyota Highlander, taking with it three body panels and causing about \$3,400 in damage to our newer car. Late last year my family and I saw a California black bear lope across the roadway at the 2100 block of Soda Canyon Road in broad day light (3:30pm, Saturday, November 7th). While bear encounters are quite rare, deer encounters are not rare at all and can end very badly if a driver has no direct experience with what steps to take while driving to minimize the chances of hitting a deer. This is a very real hazard and should be weighed carefully when considering increasing commercial traffic on such a remote, rural roadway that was originally intended and designed to serve a handful of rural residences and ranches not some improperly scaled international tourist destination.

Wildland fires and firestorms

In 1981, an arsonist set at least four fires on a hot and windy June day, setting Soda Canyon and Atlas Peak ablaze in a wind-drive inferno that was the biggest wild land fire story in the Bay Area history until the Oakland Hills fire of 1991. I was 16 years old and home alone at the time keeping an eye on things for my parents. They were attending the graduation of my oldest sister from UC Irvine. I was in town at the time I saw the smoke and high-tailed it up the hill to grab a few irreplaceable items before heading down the road with flames literally licking both sides of the road. The firestorm was driven by winds in excess of 60 mph and destroyed 64 homes including ours. When we came up to assess the total destruction a couple of days later, there were two firefighting "back-pumps" lying in our driveway. We were told by the fire officials that two volunteer firefighters were trying to save our house that they saw the flames approaching at 60mph+ from the northeast so they dropped their equipment and ran for their lives.

Before this devastating fire, we and the other neighbors didn't have an understanding of the ferocity and destruction such a firestorm can bring with it. The dynamics of the Valley fire in Lake County this last summer is case in point of what can easily happen to Upper Soda Canyon, the Rector Plateau, and neighboring Atlas Peak.

Besides this importance of these lesson and the emotional scars inflicted by the fire, I/we later learned there are species of native trees here that reproduce as a result of fire. It's a biological cycle common in many places in the West, and Soda Canyon road is no different, fires are part of the natural ecology here on Soda Canyon road. I think it's of vital importance to point out that if people were to be allowed to visit up here, they almost certainly will not be aware of these risks and may not have a lot of time to get out of harm's way when the next firestorm comes along. Based on the amount of growth and dead trees and foliage I see on a daily basis, we are due for another fire really at any time during the summer and fall months. Most fires start at the roadway. A carelessly flicked cigarette, a safety chain dragging, sparks from a hot, improperly maintained vehicle exhaust are all common causes. To allow yet another commercial tourism use in a rural, residential area that is prone to fire compounds the risks that existing and future residents are exposed to on a daily basis during fire season.

In Summation:

Factors that contribute to an unsafe condition

The following factors by themselves or in combination make for very dangerous conditions on Soda Canyon road for pedestrians, runners, bicyclists, motorcyclists, and just everyday moms pushing strollers who try to use the road just as a part of their simple daily lives:

- The general narrowness road way,
- The lack of a paved shoulder with white lines,
- The yellow center line is often times faded and routinely ignored,
- Blind corners and curves (poor sight lines),
- The bumpy and dilapidated condition of the cracked and crumbling roadway,
- Heavy usage by passenger vehicles, large, medium and regular-sized commercial trucks due to primarily to existing commercial uses,
- Rain & wind, rock slides, creeks that have been known to breach their banks sending water and river rocks over the roadway.
- Fog, and last but not least,
- The potential for wild land fires.

For the reasons I have stated above, I strongly urge the Planning Commission to deny the application requesting a use permit for such a large winery located at 3265 Soda Canyon Road. There is clear, sufficient and substantial evidence to find that this rural location that is served by only a narrow, winding, dilapidated, dead-end road in a box canyon is not a safe location for the average, unsuspecting tourists to come and drink wine and it's certainly not in the best interests of the safety of current and future residents of our rural neighborhood who are aware of the severe risks. It would certainly adversely affect my family's use and enjoyment of our property and in light of the fire danger and road safety, it would adversely affect the public safety and welfare.

As a final footnote, unfortunately for me personally, for me and my family this is not an abstract situation. This is very important to us. I mentioned at the beginning that our daughter, Jessica, is now 16 years old and a new driver. Like all us kids that grew up on Soda Canyon road, getting your driver's license is a big rite of passage. The ability to drive oneself to

school or soccer or band practice, or the movies and not be relegated to isolation from one's friends and teammates was a very big deal to us kids. It's no different with my daughter.

With everything I have shared with you today, I must share my personal fears of a roadway that is significantly more dangerous from when I was my daughter's age learning to drive with my mom sitting next to me.

I will also share with that our current plan is to enroll her in a professional driving school at the Sonoma County Raceway to try to help give her an additional defensive 'edge' as a result of the current dangers on Soda Canyon Road and also those that exist on the Silverado Trail which has enough issues of its own to be the subject of an entirely separate discussion and analysis.

Finally, I must share with you my family's decision to try to keep the family homestead in the family for at least another generation comes into serious question each time we meet a big truck on a blind corner, or when we encounter a bicyclist in our lane and an on-coming car at the same time, or the long caravan of primarily vineyard workers and other workmen that head up the road at dawn and back down in the afternoon at many times, crossing over the yellow line with unfortunate regularity.

At some point, there is this tipping point, a point of no return for a small road like Soda Canyon road. Many of the residents of Soda Canyon road believe we reached that point a while ago.

When enough residents fear the impracticality of decisions that are made by our local and state government institutions than we have confidence in those institutions, there is a real problem. I believe I speak for my neighbors when I say that we don't want this to end badly. We don't want to see some traffic-related tragedy that could have been prevented.

We don't want to see a resulting law that gets passed in Sacramento in the name of some young person full of hope and promise that perishes on a dangerous roadway as a result of ill-informed, ill-conceived planning decisions.

There is a choice to be made here. We can choose what is appropriate and safe for the conditions at hand. We can choose to start doing what is prudent and what is right for the majority. The road was widened over 50 years ago from a single to a two lane residential road. No one at the time could have predicted how intensely the road is being used today, and the County has not done anything meaningful to help improve this dangerous situation. However, today the Planning Commission has the authority to prevent further mistakes from being made, and hopefully more tragedies from happening.

To reiterate, I strenuously **OBJECT** to this project in the interest of public safety. I urge the Planning Commission to deny this very ambitious winery entertainment facility as proposed in such a preposterously remote location up a dangerously crumbling, narrow, winding roadway. If this winery were to be approved by the Planning Commission, the County is effectively giving the green light to opening up the flood gates for further commercial development of Upper Soda Canyon and the Rector Plateau and the tourist traffic that would create which is completely out of sync with, and against the will of, a significant majority of neighbors all along the Soda Canyon Road, Loma Vista and Chimney Rock/Ridge drive.

Sincerely,

A handwritten signature in black ink, appearing to read 'Glenn Schreuder', followed by a long horizontal line extending to the right.

Glenn Schreuder

2882 Soda Canyon Road

Napa, CA 94558

McDowell, John

From: glennsch@wildblue.net
Sent: Tuesday, July 19, 2016 2:52 PM
To: McDowell, John
Subject: Mountain Peak Winery, P13-00320-UP Letter from Resident Glenn Schreuder
Attachments: Mountain Peak Winery, P13-00320-UP Letter from Resident Glenn Schreuder 2016-07-19.pdf

Dear Mr. McDowell,

Please find attached my letter in opposition to the referenced proposed Use Permit.

Please share my letter with the Planning Commission prior to the Hearing tomorrow.

Thank you for your assistance in this matter.

Sincerely, Glenn Schreuder

July 18, 2016

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

Dear Mr. McDowell:

I have been a land owner on Soda Canyon Road for 10 + years and I'm writing to express my support of the proposed Mountain Peak Winery. Their proposed project is a good example of the kind of project that the Napa Valley should approve and welcome.

From the beginning in 2013, the owners have been very good at communicating with and wanting to support the neighborhood. In 2013 they sent letters to over 60 houses, inviting us to a BBQ to introduce themselves and their ideas. When the community mailboxes were run over by a truck, they paid to have the location moved to a safer spot on their own property and paid to construct a very beautiful and aesthetically appropriate mailbox structure which all the neighbors really like now. They also responded to neighbor concerns about the location of the proposed hospitality entrance on the easement access road and changed it to be on the main Soda Canyon Rd, in addition to reducing the production size of the caves by about 49%.

They converted the vineyards to organic farming which I appreciate. Also, after purchasing the property my friends who live next to their vineyard said it's the first time they've received calls from a vineyard owner asking the time they preferred the spraying be done, early at night or early in the morning.

Along with these examples, the fact that they're building the winery and barrel storage entirely underground in caves to protect the views and are targeting a LEED Platinum construction in order to maintain the lowest environmental footprint possible, is further proof to me that they are being responsible in both their thought process and execution of this project.

Since the project owns 112 planted acres on two vineyards in the immediate area, 100,000 gallons per year production seems a natural fit for that many vineyards.

For all these reasons, the Mountain Peak Winery project fits into both the letter and spirit of the law. I strongly encourage the Planning Commission to approve this project based on its merits and also because it sets an excellent example for the type of project welcome in the Napa Valley.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Penterman", with a long horizontal flourish extending to the right.

Brian Penterman

McDowell, John

From: Sheree Moorhead <ssherman@pentermanfarming.com>
Sent: Tuesday, July 19, 2016 3:27 PM
To: McDowell, John
Cc: Penterman Brian; Steven Rea (steven@mountainpeakvineyards.com)
Subject: Letter for Mtn. Peak
Attachments: Letter.pdf

Hi John,

I am sending this letter on behalf of my boss Brian Penterman. Please see attached.

Warmly,
Sheree



Sheree Moorhead
ssherman@pentermanfarming.com
PO Box 5930
Napa, Ca 94581
Office (707) 967-9977
Fax (707) 967-9990

Diane and Alan Shepp
3580 Soda Canyon Road
Napa, CA 94558
diane.dame.shepp@gmail.com

John McDowell
Deputy Planning Director
Napa County Planning, Building & Environmental Services Dept.
1195 Third Street, Suite 210
Napa, CA 94558
Email: john.McDowell@countyofnapa.org

RE: Letter of Opposition – Mountain Peak Winery – Use Permit #P13-00320-UP

Dear Deputy Planning Director McDowell,

Location, location, location. Location is the foremost consideration for any successful commercial development AND is absolutely KEY to our opposition of the establishment of the proposed Mountain Peak Winery (MPW) on Soda Canyon Road (SCR) that includes: proposed production of 100,000 gallons per year; ~33,424 sq ft of caves; ~8,046 sq ft of tasting and office space; 18,486 wine tasting visitors and generate 47,300 trips traversing SCR on an annual basis; with events throughout the year. The application inaccurately states [ie: CEQA Status] the project site would not have any potentially significant environmental impacts. The project also includes a request for an exception to the Napa County Road and Street Standards to increase the maximum slope on a portion of the commercial access road. Exceptions do not reflect the established code that was set into place for environmental, health and safety reasons.

A smaller-in-scope application for the same location was made ~fifteen (15) years ago by Krupp Bros. LLP, 2001 (File No. 01241-UP). We personally wrote several letters requesting denial of the application and have attached them to this letter. The Krupp winery application/proposal included a 48,000 gallon permit, 10,500 sf of caves and a total of approximately 2,320 visitors per year. The Krupp application was withdrawn, however it is relevant here. Although smaller in scope our reasons for denial were/are the same as for the MPW proposal, and made exacerbated by the dramatic increased usage of SCR by hundreds of vineyard workers each day; the recent proliferation of proposed winery development on SCR; and the total build-out of the surrounding Rector Watershed.

Location:

Rector Watershed: The proposed MPW is in the Rector Watershed – the most developed of all watersheds in Napa County with only a few hundred acres not planted in grapes; commensurate 100+ vineyard worker's cars per day, everyday, traveling SCR throughout the year.

Foss Valley: The proposed MPW is located in the remote Foss Valley, 6+ miles off the Silverado Trail at ~1,000 feet elevation, in an ancient caldera and Native American summer camping ground – quiet, remote, sound travels and bounces off the sides of the surrounding hills.

The nighttime sky is dark and full of stars, consistent with Napa County General Plan 2030 Goal: *SV-3, COMMUNITY CHARACTER In 2030, Napa County will retain its rural character Collectively, the goals, policies, and action items ensure that the rural character of Napa County will be retained and enhanced with spectacular views, ... and a dark nighttime sky.*

Proposed MPW events that will go on until 10pm will have the opposite effect on the rural character of our neighborhood and the night sky.

Significant Impacts

Blue Streams: The proposed MPW site/parcel is bordered on two sides by blue streams that drain into Rector Reservoir. The proposed MPW cave is disproportionately large for the location and site.

- MPW's initial proposed caves (65,000 sf) would have been the *largest in the county* by 9,700 sf.
- The current proposal (33,424 sf) would make them the 12th largest out of 175 county-wide permitted caves.
- **Cave spoils would be spread over 4 acres on the parcel, some as close as 100' to a blue line stream.**
- What happens with runoff from rain, the increased sedimentation and the deterioration of water quality in Rector Reservoir?
- Will the taxpayers again have to pay for a new water filtration system as they did in 2000, when similarly, land was cleared for vineyard development in the Rector Watershed?

Safety

Remote, SCR is a dead-end road with only one-way out. This is particularly important to take note of in emergency situations of which there have been progressively more each year.

SCR is a poorly maintained, dangerous, steep, two-lane rural road that experiences fog-related-zero-visibility, ice, flooding and mud/rockslides, in the winter. According to the California Department of Transportation's most recent road condition report, Napa County's rural roads are a 5 or less [meaning very poor]. In the 32 years we have lived on SCR, the road has never been improved [with the exception of a white line painted down the center and the occasional filled pothole].

SCR is in a high fire danger area AND already experiences the second highest number of "emergency incidents" in the county (fire/road/medical incidents), according to CalFire and as determined in the "*Final Report on the Napa County Fire Department*" issued by the 2007-2008 Grand Jury. Since the issuance of the Grand Jury report and to the best of my knowledge, there have been 117 emergency incidents reported by CalFire on SCR, and SCR remains the second highest emergency incident area in the County.

The proposed increase in MPW visitor users of SCR will mean an increase in fire hazard AND will create serious fire/emergency evacuation issues. There have been many times when my family and I have been stuck at our home to "shelter in place" when a fire or other emergency blocked our egress.

Specific Emergency Incidents

In the early evening of **November 2, 2011**, a fire broke out on SCR. We were at a friend's home in the hills off Green Valley Road for a reception. While out on the terrace enjoying the view up the valley I spotted the fire (some 10 miles away as the crow flies).

Needless to say, we immediately drove home, or tried to drive home, but the road was entirely blocked by emergency vehicles. We waited a couple of hours and were allowed to pass only with a CHP escort, and with the warning that once we were home, we would NOT be able to leave. We had no electricity that night and throughout the following day. We sheltered in place and hoped for the best.

On Thursday, **February 23, 2012** (just months after the previously mentioned fire) another fire broke out on SCR. This time we were home. We could smell the smoke and called CalFire. The dispatcher said the road was closed and blocked by emergency vehicles and that some residents were being evacuated. I told her we lived at the end of Soda Canyon. We were advised to "shelter in place" as there was no evacuation route available to us. IN OTHER WORDS WE WERE TRAPPED.

These are but 2 of the 117 **reported** emergency incidents on Soda Canyon in recent years. I can't help but think: *What would it be like for visitors of MPW, if, during their wine tasting, they were informed they could not leave...that they were trapped with no viable egress available to them? And what of the hundreds of vineyard workers stuck at the top of SCR because there is no escape route?*

Daily Caravans/ Vineyard worker traffic

Every day well over **100 cars** filled with vineyard workers drive up SCR. And every day, the 100+ vehicles of the vineyard workers drive down SCR. I have counted the cars on many occasions, at differing hours and days as I attempt to traverse SCR. More over, driving on SCR is a dangerous situation.

Dangerous driving

I have, unfortunately, been caught in the mass exodus of vineyard workers. On **June 5, 2015**, just before 4pm, I was leaving my home to drive down SCR to attend a meeting at a neighbor's home which is directly across from the entrance to Soda Canyon Volunteer Fire House.

There are at least 5 blind curves and a very steep decline on SCR between my home and my neighbor's. To ensure I was on time, I had to pull into the long line of worker cars exiting the vineyards. They are accustomed to driving much faster than what I consider to be safe, and, invariably their speed causes their cars to cross the center line and half-way into oncoming traffic. It is TERRIFYING for anyone on the road.

I kept my safe speed despite their tailing my rear bumper. A few hundred yards before my neighbor's home entrance, I turned on my blinker and slowed down to negotiate the hard 90 degree turn into her driveway. As I entered the driveway, the car behind me, full of vineyard workers, yelled some expletive, flashed a lewd finger gesture and sped away.

This is only one of many memorable and scary vehicle incidents that I have experienced on SCR in recent years.

Significant increases in daily traffic/congestion generated by the MPW, open for alcohol consumption 7 days/week, will potentially lead to increased traffic incidents and increased deterioration of an already poorly maintained, steep, windy, rural road.

MPW is seeking approval for **18,486 wine tasting visitors** on an annual basis. These wine tasting tourists will not know SCR and in all likelihood will have had one or several glasses of wine before driving down SCR. Inebriated individuals will most likely be navigating the road late into the evening, particularly on the weekends.

To put the figure of 18,486 visitors in perspective, Antica Winery, which is located a mile beyond MPW at the very end of the paved portion of SCR, has 1200 acres of land/vineyards and a 450,000-gallon permit, yet only has visitation rights for 5,200 visitors on an annual basis. By contrast, MPW has only 41 acres a small portion of which will be planted in vineyards after the project is completed, yet is seeking a 100,000-gallon permit and wants to have 17,298 visitors on an annual basis! The phrase 'over-stated, disproportionate need' comes to mind.

Napa County General Plan

County government's responsibility is to protect the health, welfare and safety of its residents. The Napa County General Plan was created to put those ideals into concrete form. In our mind, the proposed MPW winery application does not conform to the goals of the Napa County General Plan:

Goal CIR-2: The County's transportation system shall provide for safe and efficient movement on well-maintained roads throughout the County, meeting the needs of Napa County residents

Instead approval of the MPW application underscores the predictions of the Napa County General Plan:

CIR-7 CIRCULATION, Higher traffic volumes in the future will have a number of potential [negative] impacts on the quality of life in Napa County [no less so than on SCR].

... -Congested traffic ...make it more difficult for residents to move around the County and can make it harder for businesses, visitors and emergency vehicles.

-Higher traffic volumes also create more traffic noise.

We moved to Soda Canyon 32 years ago. We live 8 miles up SCR from the Silverado Trail. We were attracted by the remote, rural quietness, the dark skies at night filled with more stars than you can imagine. We raised our family here. We have watched the quality of life and quiet enjoyment of our neighborhood deteriorate with the build-out of the Rector Watershed.

As concerned, caring citizens of Napa County, we ask that you please do your due diligence and protect what is left of 'rural' Soda Canyon. Projects such as the proposed

MPW belongs on the valley floor. There are already too many large trucks (dump trucks, semi-trucks, double-loaders, tankers, etc.), and hundreds of vineyard workers each day on SCR. We don't need to add 18,000+ inebriated visitors traveling on a dangerous, dead-end, steep, rural road.

As proposed by the MPW application, on-site wine sales, tours, tasting, and marketing events *would interfere with the quiet enjoyment of our neighborhood* and pose **significant, long-term, public safety issues for my family, neighbors and the public.** Alcohol and a dangerous road do not mix well.

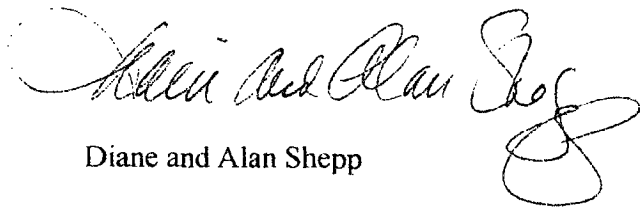
Location and all it's manifestations are key for consideration. Industrial-strength, tourist oriented projects of the scope and size of the proposed MPW belongs on the Valley floor... not in a remote location, on a dangerous, dead-end road. Exceptions as requested by MPW, are problematic and not acceptable.

In so many respects, the Napa Valley has become a vanity playground for investors who want to be able to own a Cabernet winery. They all claim to be unique but they're not. The long-term consequences of approval of the MPW application are many, with no reasonably positive potential or outcome for the rural residents of SCR and/or the Napa Valley.

When the good of the whole is placed before the good of the few, all are assured a sustainable future filled with abundance. We respectfully ask that you deny Mountain Peak Winery's proposed application.

Thank you.

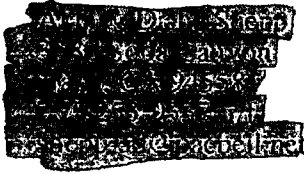
Sincerely,



Diane and Alan Shepp

Attached:

2 letters, re: the Krupp Bros., LLP Winery application, 2002, in separate file



December 16, 2002

Charles Wilson, Chair
Napa County Planning Department
1195 Third Street, Rm 210
Napa, CA 94559

re: application development permit, file # 01241-UP
Krupp Brothers LLC; submitted 11/20/01

and
Investigator Donnelly
Alcohol Beverage Control
50 D Street, Suite 130
Santa Rosa, CA 95404

re: Duplicate Permit Application
Krupp Brothers LLC
3265 Soda Canyon Rd, Napa, CA
Veraizon Cellars aka Stagecoach Vineyards


Dear Mr. Wilson and Mr. Donnelly,

We request that the application by Krupp Brothers LLC to build a winery on Soda Canyon Road, which would be accessed by a shared private road that has been in existence for over 100 years be denied. And we request that the Duplicate Permit Application to ABC, by same, be denied.

The historic nature of the private gravel road portion of Soda Canyon Road, includes mature oaks and stone walls, began when the homesteader John Grant, settled in this area in the late 1800's. The gravel road is now shared by 25 families. The portion of the gravel road which begins at the turnoff from the county road at the mailboxes and runs to the first creek is a deeded right of way of 40' in width. From the creek (near the Peters residence) to the end of the road it becomes a 40' prescriptive right of way. The maintenance of this road is and has been done by the "Soda Canyon Road Committee" which is composed of all the property owners who live on this private road. We have established a pro-rated schedule of annual fees for the property owners. The funds are used to replace gravel, trim trees and brush removal. The accounts have been maintained by our neighbors, George and Elaine Baker.

Our private road is inappropriate for commercial use. Since the Krupp Brothers LLC, aka Stagecoach Vineyards began their operations the increase of traffic has significantly factored into the deterioration of the road and has dramatically reduced the safety of children and pedestrians. We have enclosed a copy of a previous letter relating to the school bus safety issue. The increased traffic has also had a significant negative impact on the Soda Canyon county paved road that dead ends at the Atlas Peak Winery. Numerous times, large trucks hauling vineyard supplies and barrels have broken down at the steepest part of the road. In one case, an oversized vineyard truck caused a school bus with children, to back down the steepest and most dangerous section of Soda Canyon Road.

To avoid a reoccurrence of the above mentioned dangerous circumstance, several judgments were approved by the Court and issued by the Conservation, Development and Planning Department, Napa County, December 24, 1998: Mitigation Measure #11 (of 15 Mitigation Measures) states that *hauling by trucks on public roads shall not be allowed on Monday through Friday, between 7:00 AM - 9:00 AM and also between 2:00 PM - 4:00 PM on school days, to minimize hazardous conditions during school busing times.* However, it has been our experience, that mitigation measures by the Planning Department are nothing but hot air...never enforced no matter how many private complaints are made... simply because the County has only one person to investigate/enforce infractions of this type.



There have been several accidents on both the Soda Canyon county road and on our private gravel road caused by speeding and unlicensed vineyard workers who abandon their vehicle after an accident. It was agreed at our last road committee meeting to post a speed limit (12 MPH) and to install speed bumps for safety. Both have been abused by the winery workers and Krupp Brothers LLC who saw fit to remove our speed bumps to facilitate their workers and delivery/construction vehicles. The CHP will not respond to accidents on a "private" road. The question then, which law enforcement agency is legally responsible? and who ultimately is liable?

The County requirements for issuing a permit for the Krupp Winery would significantly change the nature, configuration and use of our private road. The 18' width requirement plus 2' shoulder width on both sides would require the removal of many mature oaks and historic stone walls. Please note that the width and shoulder requirements do not include footage necessary for ditches on both sides of the road, that are needed to channel the runoff of rain water. This would add another 4'-6' width to the county requirements.

The County may also consider the requirement of new bridges to span streams that cross the private road and a reconfiguration of the road where dangerous curves exist. One of the cross streams gets its runoff from the Atlas Peak Winery Reservoir. During times of heavy rain (like the past few days) the stream overflows across the gravel road. The runoff from the Atlas Peak reservoir was one of the 15 mitigation measures which the Whitbread consortium (now Atlas Peak Winery) was to address prior to their being issued a permit. We have no record of any enforcement of the those mitigation measures and obviously if there were, then the stream would not wash away the gravel road on a regular basis, as it did again these past few days. Yet another mitigation measure not enforced.

We intend to keep our 100+ year, historic private road as a private road and do not want the County to abridge our right to do so for the sake of an ill conceived commercial winery. Winery tours, tastings, wine sales and special events, even if "private and by invitation only" pose unsafe, hazardous and inappropriate traffic on a private, communally owned gravel road. And there is the question of liability in the event of a vehicular accident on the private gravel road?

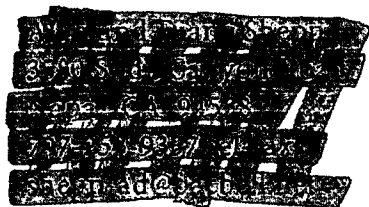
In a recent conversation with Kate Dargan of NCFD/CDF, she stated that Krupp has requested exemption from County requirements for certain portions of the road. We insist that no exemptions be approved. We are also concerned about pending Stream Set-back regulations and what effect they will have on Krupp's winery application

We are not asking for mitigation measures that have proven to be ignored paperwork and unenforceable. We ask the County to deny the Krupp Brothers LLC application for a winery on Soda Canyon Road. We also ask that the application for a duplicate permit from ABC, by Krupp Brothers LLC, be denied for many of the above same reasons because we believe that Krupp Brothers LLC will eventually transfer the ABC Duplicate permit if their winery permit is approved.

Sincerely,


Alan D. Krupp

enc. ltr, 2/13/02 to Jim King, Chair Planning Commission
cc: Dianne Dillon, District 3 Supervisor
Steve Lederer, Napa County Planning Department
Kate Dargan, NCFD/CDF



13 February 2002

Jim King, Chair
Planning Commission
1195 Coombs Street
Napa, CA 94559

re: application development permit, file no. 01241-UP;
Krupp Brothers LLC; submitted 11/20/01

Dear Mr. King,

Our children's school bus was late this morning in picking them up because the school bus was stuck behind a large lumber truck coming up the steep grade of Soda Canyon Road. And as it turns out the load of lumber was being delivered to Jan Krupp's Stagecoach Vineyard site...where it is our understanding they have already begun to build a winery, the permit for which has not been approved!

Further, to the best of our knowledge approximately 10-12 people have been living at the vineyard/proposed winery site for several years in an old converted barn/warehouse and half a dozen trailers. We presume these are legal residences and the proper permits from environmental health have been issued and would like to know if there is to be an increase in residences.

Mr. Krupp claims in his application that the two miles of dirt/gravel road (from the paved Soda Canyon Road to his proposed winery) is his "private driveway". In reality, he has shared the use of this road with approximately twenty five (25) neighbors. The dirt/gravel road has been "shared-access" for one hundred plus (100+) years by those who live here.

The current dirt/gravel road is a one-lane country road, winding around and through trees, narrow in places, with an occasional wide space for two vehicles to pass. During the winter, the road is pocked with many pot-holes and occasionally washed away by winter storms. We, the neighbors of Soda Canyon Road meet several times a year to plan the maintenance and repair of the road. We have spent many hours and thousands of dollars over the years maintaining the road and saving as many trees as possible.

Mr. Krupp may have a right-of-way along the dirt/gravel road just as we all do. However Mr. Krupp's right-of-way is for access to a vineyard not a winery. The difference in use and the ramifications of that difference pose many questions that have not yet been addressed in the permit process. What of the trees? Does the dirt road need to be widened? Does the dirt road need to be improved? If so to what degree? And if so at whose expense? Who will maintain the widened road? Who will be liable in the event of an accident considering the increased public use of the road? Who do we call in the event of an accident, the County Sheriff or Highway Patrol? Will the County be taking over the maintenance of the dirt road, in the event the winery is permitted thereby encouraging increased public use of our private road? If a permit is granted for the winery what mitigation on the use of the road and winery access is projected such as turnouts and speed bumps to curtail the winery workers speeding on the road, which they already do blatantly disregarding the posted speed signs. We also expect that heavy truck traffic be restricted to hours when the school buses are not on the road.

In terms of increased use, what about the paved portion of Soda Canyon Road? We, the neighbors have witnessed a dramatic increase in use due to increased vineyard development with an equal increase in vehicle accidents; large trucks unable to make it up the steep grade - stalling - blocking the road for substantial amounts of time; large trucks unable to make the turns without taking up both lanes - blocking the road. And in one incident, the school bus having to back down the steepest portion so that a large delivery truck could pass down the road.

And what of hillside development? We thought there were new statutes that restricted building, or is that just for residences? Are wineries exempt?

These are but a few of the issues that concern us. We respectfully request that you closely scrutinize the Krupp Brothers LLC application for a winery, take into consideration the issues that concern us and most of our neighbors and deny the permit.

Thank you.

Sincerely,



McDowell, John

From: Diane Dame Shepp <diane.dame.shepp@gmail.com>
Sent: Tuesday, July 19, 2016 3:29 PM
To: McDowell, John
Cc: Bill Hocker; Cynthia Grupp; Amber M; Daniel McFadden
Subject: Mountain Peak Winery application - use permit #P13-00320-UP
Attachments: MPW 7.2016 Shepp.pdf; Shepp Protest Against Krupp Winery Permit Application 12.16.2002.pdf

Mr. McDowell,

Please find attached our letter of opposition to the Mountain Peak Winery application and a separate file of our 2002 opposition to a similar application by Krupp Bros. LLP for the same property. Please include these in the administrative record for the Planning Commission hearing tomorrow.

Thank you.

Diane and Alan Shepp

--

Diane Shepp

"Don't only practice your art, but force your way into its secrets, for it and knowledge can raise men [humankind] to the divine." Ludwig van Beethoven

The Earth without 'Art' is just "EH".

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.

July 15, 2016

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, CA 94559
Email: john.mcdowell@countyofnapa.org
Fax: (707) 299-1358

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

Dear Deputy Planning Director McDowell,

My name is Katarena Arger and my family owns our home and vineyards at 3030 Soda Canyon Road, Napa, CA 94558. Our driveway is located on the right side of the narrow, one-lane gravel road directly across from 3265 Soda Canyon Road and the entrance to Mountain Peak Winery. My family purchased our property on Soda Canyon Road in 1997 to grow grapes and live in a quiet, rural area and be away from the expansion and rapid development of the Napa Valley floor. It seems that the development we sought to avoid is trying to follow us into the outer most reaches of the Napa mountains. I vehemently oppose the Mountain Peak project below and humbly request that you deny or significantly reduce this use permit for the following reasons.

Our quaint, residential, single-family home and modest vineyard is approximately equal in size and capacity to the current Mountain Peak Vineyard property. We have 39 acres total with approximately 17 planted with vines. The Mountain Peak property is a 41.76-acre parcel with 28 acres of planted vines. The requested permit for Mountain Peak Winery for 100,000 gallons would require approximately 700 tons of grapes to satisfy, which the parcel is only capable of producing around 80 tons of grapes per year. This means over 620 tons of grapes will have to be trucked in and out each year! It is my contention that the size and scope of the Mountain Peak project is unrealistic and way out of proportion with the size of the parcel. Its remote location also presents numerous problems and hazards for the Soda Canyon community.

Our driveway is 6.2 miles up Soda Canyon Road, just beyond the entrance to the Mountain Peak property. Soda Canyon Road is narrow, steep, winding, dangerous, often foggy, and teeming with wildlife. It is not uncommon to have to stop for deer, coyotes, raccoons, wild turkeys, mountain lions and other large animals to avoid an accident. Visibility on Soda Canyon Road is regularly impaired due to fog and can easily become slick as a result of moisture and condensation. In winter, Soda Canyon Road can ice over in places and is treacherous. These naturally occurring perils in our remote area are compounded by the presence of current residents and workers.

Soda Canyon Road dead-ends beyond our home with no other access points. There are MAJOR public safety concerns with regard to all emergencies; especially fire given Soda Canyon has a history of major fires. For example, over 10 years ago when I was working at our family owned winery in St. Helena and living full time on Soda Canyon there was a fire that necessitated the closing of Soda Canyon Road to ALL non-emergency vehicles. I was restricted from accessing

our home and had to wait late into the night on the valley floor before the road was clear. Had I been home, I would have been trapped. This was over a decade ago before the current level of traffic.

Presently Soda Canyon Road is strained to handle the already busy commute hours with hundreds of vineyard worker cars coming and going, plus the prevalent big rigs. It is not uncommon to have to pull over to the side of the road to allow enough space for these large vehicles to squeeze past. Adding 18,486 tourists, plus 19 more full time workers, more trucks and equipment to this already over-burdened and dangerous road is inconceivable. Large trucks are regularly stuck along Soda Canyon Road because it is narrow, steep, and snakes up the mountainside. There is no shoulder and limited protection from hazardous and potentially fatal drop-offs. The road is also perilous from debris recurrently tumbling down the cliffs and invariable potholes and deterioration caused by the existing high level of traffic on an already poorly maintained road.

There is essentially zero cell phone service on Soda Canyon Road, offering the potential for disaster in the likely event of an accident. Global Positioning Services (GPS) is unreliable and inaccurate, a serious hindrance for visitors. Imagine hundreds of tourists each week lost and meandering up and down a dangerous road. Add the likelihood of these visitors being intoxicated, drunk while driving causing accidents and the danger to current residents increases exponentially. Mountain Peak Winery would be open for alcohol consumption seven days a week from 10:00 am until 6:00 pm and 78 evening per year until 10:00 pm. Having personally managed a Napa Valley tasting room for over five years, I know firsthand the odds of intoxication at a full service tasting room such as the facility Mountain Peak is projected to be. Furthermore, it is my experience that wineries open late are specifically targeted by tourists to continue their imbibing of alcohol! The probability of drunk driving on this dangerous road in our remote area is a DANGER to all of us living on Soda Canyon Road.

In addition to my safety threatened by the high volume of traffic Mountain Peak Winery will add, the peace and tranquility we chose by purchasing property in the Soda Canyon mountain area is being threatened. With 78 annual marketing events each year going until 10:00 at night and the 18,486 new annual visitors coming and going every day, the noise and congestion is incompatible with our rural area. Additionally, our home is located adjacent to the Mountain Peak property. There is no way I will not be negatively impacted by the noise, dust and volume of people expected to converge at the very top of Soda Canyon road at their proposed site.

For all of the reasons above, among many others, the County must deny this project or at least reduce the size to one that fits the rural environment and road conditions. Please protect our community's safety and preserve the quickly dwindling natural resources that Napa has left, particularly in the remote hillsides.

Sincerely,
Katarena Arger

McDowell, John

From: Bill Hocker <bill@wmhocker.org>
Sent: Tuesday, July 19, 2016 4:06 PM
To: napacommissioner@yahoo.com; anne.cottrell@lucene.com; terry scott;
JeriGillPC@outlook.com; napacommissioner@yahoo.com
Cc: McDowell, John
Subject: Mountain Peak Vineyards letter of concern

To: Napa County Planning Commissioners
Michael Basayne
Heather Phillips
Anne Cottrell
Terry Scott
Jeri Gill District
Re: Mountain Peak Vineyards, Use Permit P13-00320

7/19/16

Commissioners,

I am Bill Hocker. My wife and I have a property and home just downhill from the proposed Mountain Peak winery site. We have been there for 22 years. Perhaps like other residents of homes that surround Jan Krupp's former estate, we have concerns about the impacts of the construction and operation of a large commercial tourism facility within the center of what has been, until now, a remote, silent, dark, residential-agricultural neighborhood. We are concerned about the inappropriate scale of the winery and the inappropriate amount of tourism in this remote place.

As with everyone on the road, we are concerned about the 6 mile road that winds up to the site. We worry that heavy construction equipment will further degrade an already degraded road. We are concerned that the additional traffic generated by the project (a 30% increase in traffic at the top of the road) will make an already hazardous road more hazardous.

As immediate neighbors, we are concerned about water. Does a new 100,000 g/y winery with more than 100 people on the site each day really only increase current water use by 15%? How will the water use be monitored to insure that water is not depleted from neighbors wells? As one of the closest neighboring wells, in an age of global warming, we're very concerned about our well and those of our neighbors going dry.

We are concerned about the massive amount of earth to be moved - enough to cover a football field 20 feet high. We're concerned about the dust covering our properties and the grumbling and beeping of heavy equipment for a year or more. And we're concerned about the spillage and erosion of the dirt at the property boundaries and into the two blue line creeks adjacent to the earthworks. We're concerned about the equipment and trucks that will be parked around our entry gate next to the project back gate, already a parking lot when vineyard crews are at work.

We're concerned about changes in water flow from the construction of the caves, the large new areas of fill, the redirected storm water on the site. The spring to our pond now dries up most of the year as a result, we guess, of drainage efforts in the former Krupp vineyard. We're concerned that the project's storm water pond, separated from our creek by an access road to part of our property, may impact the stability of that road. And we're concerned about the effluent from the leach field serving 100 visitors a day as it makes its way across our property to the creek.

We are concerned about the waste water treatment plant proposed on our property line, an industrial facility looming over our meadows with two 100,000 gal, 25 ft high storage tanks, several smaller tanks and a container cargo sized Lyve

processor all linked with motors and pumps operating continuously. We are concerned about its ugliness and about its noise.

We are concerned about the noise of cave ventilation fans always humming, and the noise of trucks using the steep service road, and the noise of cars and vans coming and going in the parking lot, and the noise of group revelry and clinking tableware and speeches long into the night. In our remote neighborhood, absent a breeze, your ears begin to ring, straining to hear sound. Noises travel a great distance here. We're concerned about noise.

We are concerned about the sweep of headlights from the parking lot, and of the outdoor lights needed for a commercial/industrial facility and for events, and of the glow from the large glass windows all projecting out into the pitch black night. In our neighborhood you can still see the milky way and satellites passing overhead. And tractor lights miles away. We're concerned about light.

And we are also concerned about the precedent this project sets: about the other corporations and plutocrats who wish to commercialize the remoteness of our neighborhood and the rural character of Soda Canyon Road as a tourism experience. How many more entrepreneurs will be encouraged by this project? How many tour buses will it take before the remoteness and rural character are gone?

And we are concerned about what we are not yet concerned about. The remoteness of Soda Canyon Road is special in an urban world. The changes in its character and to our lives here, created by the introduction of this substantial commercial enterprise, are truly more than we can possibly imagine. We're concerned about that.

Given these concerns, we feel that it is not possible to support the construction of this project and would respectfully ask that you refuse this application. Thank you.

Bill Hocker and Mui Ho
3460 Soda Canyon Road
Napa

Amber Manfree
3360 Soda Canyon Road
Napa, CA 94558
admanfree@ucdavis.edu

July 19, 2016

John McDowell, Deputy Planning Director
Napa County Planning, Building, and Environmental Services Department
1195 Third Street Suite 210
Napa, CA 94559

Re: Opposition to Mountain Peak Winery - Use Permit Application #P13-00320-UP

Dear Mr. McDowell,

My name is Amber Manfree and I live at 3360 Soda Canyon Road. My family has been part of the community here since the early 1940s, and I have lived at the family home on and off throughout my life. I am presently assisting my grandmother so she can continue to live in her life-long home as she ages. In 2014 I earned my PhD in Geography at UC Davis with an emphasis in landscape change. My Masters degree is also in Geography with an emphasis in plant ecology. Before pursuing graduate studies I earned a Bachelor of Arts in Environmental Studies from Sonoma State University (1999).

The Mountain Peak project proposal should be rejected by Napa County primarily because the remote rural location is inappropriate for the business plan outlined. As proposed, the project would cause significant negative impacts on the safety, noise, and rural character of the neighborhood. There also may be significant impacts on groundwater and environmental resources on adjacent lands which warrant further attention.

I live in the second to last house on Soda Canyon Road, two miles past the applicant's site. In this location, every change along the eight miles between Silverado trail and our doorstep is something we see and experience. In the early 1980s, our house was surrounded by wildlands with an expansive wilderness stretching off to the northeast. The valley is small and quiet enough that noise carries for miles. At night, the silence is stunning.

Residents in our neighborhood are few and quiet, and tend to stay for a long time. We socialize, work together, and look out for one another. There are neighbors, now in their eighties, who helped build our family home when they were in high school. So far, those who have planted grapes here have forgone tourism-oriented business models. The shift to an agricultural landscape has negatively impacted our safety, the noise and dust levels, and the quality of the road, but at least we have managed to retain a sense of social cohesion. This has a lot to do with the fact that the place has not been overrun by tourists.

I have enjoyed this quiet, rural living experience and would like to continue on this way. It's not for everyone, and I'm not asking that you feel the same as I do; rather I am asking that you respect my pursuit of happiness and right to the peaceful enjoyment of my home, and that you honor that by rejecting the Mountain Peak Winery project for the reasons outlined below.

Scale and Scope

The proposed project is out of keeping with current land uses in the immediate area and will substantially increase activity, noise, and disturbance in the area. The applicant wishes to operate an industrial-scale winery with an inordinately large tourist component (over 18,000 visitors per year). Every adjacent parcel is residential. Antica, the nearest large winery, is set into a hill on a 700 acre parcel, surrounded by another 524 acres that they own, with a significantly greater buffer between itself and residences. Antica is only permitted for 4,500 visits per year and, while Antica is permitted to produce more wine than the applicant hopes to, they own 570 acres of vineyards and produce enough grapes to support substantial production. In order for Mountain Peak to produce 100,000 gallons of wine, they will have to truck in an immense quantity of grapes or juice, exacerbating their impacts on traffic, noise, and quiet enjoyment experienced by their residential neighbors. Even if they can source grapes from other parcels in upper Soda Canyon, those trucks will be on roads shared with dozens of residents.

Tourist-oriented venues should be located in places with good roads and access to a variety of services. To locate a wine tasting facility on a location like this is a disservice both to the tourist and every resident along the length of the road. The road is dangerous, with many blind corners, potholes, animals, and large vehicles. I have driven the road regularly since 1997, and ridden as a passenger long before that, and have encountered situations ranging from stubborn burros and feral pigs to aggressive dogs, cyclists in tight spots, semi trucks which cannot stay within the lines to stalled buses (including the school bus I rode in the mid-1980s), and fires shutting down all traffic (twice in my lifetime). The addition of alcohol-imbibing persons unfamiliar with the road is not something I would like to add to the list of nuisances and dangers. It also means that these kinds of scenarios will be playing out with thousands of drivers inexperienced with our windy, narrow road every year.

Over the past 25 years or so, about 2,000 acres of new vineyards have been planted in the Soda and Rector Creek watersheds. Traffic has increased dramatically and the wear and tear on the road is a problem. There is simply no justification for adding 30% more traffic to this already ill-maintained roadway for what is essentially for a factory with a small theme park being constructed in a rural residential setting.

Species

The project site is adjacent to a blueline creek on the western side and is bisected by a blueline creek on the eastern side. Both are tributaries to Rector Canyon with confluences 1,700 feet and 1,900 feet from the parcel, respectively. Development and land use practices on this parcel affect conditions in Rector Creek, for better or worse.

Rector Canyon is an unexpected oasis in a sea of chaparral, with numerous large, deep plunge pools and groundwater-fed perennial flow providing habitat for a wide array of native species, particularly those that require undisturbed and high-quality habitat. I have hiked Rector Creek consistently for the past twenty years and have observed changes stemming from development in the watershed.

Rector Creek provides excellent salmonid habitat with rainbow trout (*Oncorhynchus mykiss*) always present beginning in what residents call the "first pool" and continuing to Rector Reservoir. Rainbow trout require cool (15° - 18°C optimal), clear, fast-flowing permanent water and are sensitive to competition and predation by nonnative invasive species. Genetic dilution by rainbow trout stocked from hatcheries is a major conservation issue (Moyle 2002).

Rainbow trout are persisting as a wild population in this creek both up and downstream of probable natural fish passage barriers in Rector Canyon, despite having been dam-locked since the 1950s. Rainbow trout were stocked in the reservoir in the 1980's but no trout have been stocked there at least since 2001. There is evidence that they persist and reproduce in the reservoir (Manfred Kittel, personal communication). Rainbow trout in Rector Canyon, particularly the ones found upstream of natural barriers, may be a relict population genetically.

Rector Creek is also habitat for yellow-legged frog (*Rana boylei*), a special status species as listed below (see California Herps webpage: <http://www.californiaherps.com/frogs/pages/r.boylei.html>).

Organization	Status Listing	
NatureServe Global Ranking	G3	Vulnerable—At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.
NatureServe State Ranking	S3	Vulnerable in the state due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation from the state.
California Department of Fish and Wildlife	SSC	Species of Special Concern
Bureau of Land Management	S	Sensitive
USDA Forest Service	S	Sensitive
IUCN	NT	Near Threatened

The yellow-legged frog requires high water quality, non-scouring flow conditions while eggs and tadpoles are maturing, and is sensitive to predation and competition from alien invasive species such as bullfrogs (*Lithobates catesbeianus* or *Rana catesbeian*), crayfish, sunfishes, and black bass. Pesticides from the agricultural fields have been identified as a likely threat to this species. Habitat loss, increased susceptibility to disease due to worsening environmental conditions, introduced crayfish, and stream alteration are also threats.

Rector Creek presently provides the kind of high quality riparian habitat that Napa County is spending large sums of money to restore in nearby locations. By all measures, it is preferable to prevent destruction rather than rehabilitate damaged habitat.

Broad-scale landscape conversion has brought about negative consequences for the system. Alien invasive species including bullfrog, sunfishes, and black bass began to appear in Rector Creek and the tributary that bisects the Mountain Peak property for the first time in 2013. Presumably these fish species are moving in from vineyard ponds and irrigation facilities, where have been purposefully introduced for sport and where bullfrogs thrive in eutrophic aquatic habitat. All of these species prey on and compete with desirable natives species such as rainbow trout, yellow-legged frog, Western toad (*Anaxyrus boreas*), California giant salamander (*Dicamptodon ensatus*), roughskin newt (*Taricha granulosa*), and California newt (*Taricha torosa*).

The applicant proposes to construct a stormwater detention pond located only 100 feet from a blueline tributary to Rector Canyon. This pond will inevitably attract aquatic invasive species, particularly bullfrogs and plant species (e.g., water primrose (*Ludwigia hexapetala*) has been a prolific invader in Napa County recently), and these issues are not addressed in planning documents.

The aquatic invaders listed are indicators of habitats that have been degraded and/or are in close proximity to extensive development. That they are recently appearing in Rector Canyon indicates a

tipping point in environmental quality. The proposed project should be considered in the context of surrounding land use and the state-of-the-system today as cumulative impacts are a factor in this area, and biotic indicators suggest that the ecosystem is becoming less resilient. This would mean that impacts of new activities have relatively more impact than the same activities would if the system were not already damaged.

Applicant environmentally insensitive

Emergency and enforcement services are a minimum half hour drive away from the project site, and there are no police patrols or routine checking-up on general safety and well-being. The only routine enforcement method is NSIB flyovers by the sheriff looking for marijuana grows. Any kind of disturbance, infringement, or noncompliance must be reported, and the common experience is that, even when enforcement officials do manage to locate the place with the issue, follow-up doesn't happen unless a resident takes it upon themselves to prod the process along. The remoteness of the neighborhood puts it "out of sight" and makes it possible for bad actors to get away with things that would never be allowed to happen in a city or on the floor of Napa Valley.

Shortly after assuming control of the property, project applicant bulldozed the creekbed of the blueline stream that bisects their property to create a road from one side of the creek to the other, removing rocks and vegetation from within the required stream setback as well as the bed of the creek (see photo). In reported this to the county on August 28th, 2013. After numerous emails and a phone calls, I received the follow-up information below in an email exchange with Patrick C. Ryan, Assistant Engineer, County of Napa, Engineering and Conservation Division on December 2nd, 2013.

Excerpt from email exchange:

"County Staff had an opportunity to visit the site and as you might expected [sic] we did see the current property owner utilizing some unauthorized vineyard avenues within the creek setback. As part of this divisions [sic] enforcement response the property owner was order [sic] to stop all vehicle traffic within the creek setback and to establish barricades at the creek crossing to prohibit use."

I sent two follow-up emails with inquiries about a similar incident at a separate parcel the same staff person and received no response. When attempting to transmit information and digital content about these incidents, county staff failed to appear at a scheduled meeting. If I had been able to have a continuing conversation, I would have stressed that the rocks removed from the creekbed needed to be pushed back into the creek to prevent increases in erosion and turbidity. The rocks are still sitting in a pile beside the creek.

One of the first things the applicant did upon assuming management was to violate environmental protections. I took it upon myself to report the issue and had a disappointingly poor experience requesting follow-up from the County. Two and a half years later, the rocks have not been returned to the creek and as far as I can tell the County has not checked on whether or how mitigation measures were taken.

If the applicant thought they could "get away with it" right from the start, and their only repercussion was a weak response from the County, what will they do if the county gives them a green light for a massive winery project?

The remoteness of the project site means that County oversight is unlikely to occur regularly, if at all. This unfairly places the burden of understanding civil and environmental protections and advocating for enforcement on residents. Citizen monitoring and reporting on neighbors' property management practices is the worst possible way to implement policies, as it creates acrimony and division in our community. It is likely that people see things going wrong but do not report them due to concerns over harm to interpersonal relationships. Having county staff fail to respond adequately (or at all) when they are alerted of problems, as in my experience described above, means that civil and environmental policies are likely not achieving the outcomes intended, particularly as property managers may become accustomed to getting away with noncompliance over time.

Abiotic conditions

Mountain Peak proposes to bury cave spoils in two locations on their property. These locations are 100 feet and 260 feet from adjacent waterways. Erosion and slumping into creek - even minor erosion - may affect habitat quality and this should be more carefully considered. Light, tourist traffic, and industrial-scale production activity will be disruptive to animals for as long as the facility is operated. Blasting noise during cave construction will be disruptive to animals, especially birds, who rely on song for mating and communication. Blasting noises are one of the primary methods for disbanding unwanted rookeries, so there is every reason to expect that this impact will be significant.

Water budget for site

Climate history in the San Francisco Bay region is characterized by long-term precipitation regimes either higher or lower than average tending to last hundreds of years (Malamud-Roam 2007). Since the gold rush, we have been experiencing a wetter-than-average climate regime. Characterizing the low precipitation totals observed in the past few years as a "drought" may be accurate, or it may be wishful thinking as we slip into a new climate regime. Climate change is expected to produce more extreme weather conditions, both wet and dry, over the near and long term.

In relation to the applicant's project proposal, the possibility of a long-term lower precipitation regime or flashier conditions should be taken into account in water budgeting for the site. The quality of rainfall - whether occurring in intense infrequent storms or in slow-moving, steady precipitation - impacts potential groundwater recharge.

The applicant plans to rely predominantly on groundwater for irrigation and domestic supplies to yield ± 16.5 acre-feet of water annually. The groundwater report brackets recharge at a quantity roughly equivalent to anticipated demand, but this does not take into consideration recharge under reasonably likely flashier or drier long-term climate scenarios. Groundwater depletion due to agricultural irrigation is a very real concern in Napa County and state-wide. With numerous families living nearby who have wells shallower than the applicants, water demand on this site deserves careful scrutiny, as the applicant indicates that they plan to use about as much water as the site can steadily produce when precipitation is average or above-average. Under drier long-term conditions, which are well within the range of possibility, the applicant would be using more water than could be recharged annually, and could draw water away from adjacent wells.

While the applicant plans to protect their own water supply from surface flow contamination by installing a 50-foot sanitary seal that meets state and county standards for a public supply well, no attention is given to the potential water quality impacts due to the potential for surface water to flow into the wells of adjacent down-slope landowners.

Another condition to consider in relation to the applicant's groundwater use proposal is that the site is located near a perennial creek providing habitat for sensitive and desirable species. This creek is groundwater fed, with water seeping from the canyon walls year-round. This flow is the only inflow during summer, and is critical for the health of the riparian system. If the applicant continually draws an amount of groundwater approximately equivalent with recharge, the riparian system may be impacted by reduced subsurface flow.

The groundwater report states that projected water use will be slightly more than existing water use, which could perhaps be seen as bolstering their claim that their groundwater draw is acceptable, but it should be noted that all of the issues raised here apply to practices by the former owner as well. It is noted that the groundwater report available to the public at this time is in draft form, and is incomplete.

Summary

The Mountain Peak proposal is out-of-step with the character of upper Soda Canyon Road. Residents have opposed numerous projects over the years for the same reason, and it would be nice for a change if planning authorities took to heart the effect their decisions have on our everyday lives. Traffic, noise, environmental impacts and on and on - anyone who considers this "progress" is misguided. Poor governance is creating tension in our small community.

The riparian system adjacent to the site shows signs of being at a tipping point ecologically. Activities at the Mountain Peak parcel are therefore more likely to have significant negative environmental impacts. The potential for harm should be investigated further, taking into consideration cumulative impacts.

Groundwater supplies are a finite resource. About 1,500 acres of vineyard have been planted in the Rector watershed and more permit applications are on the table today. I am concerned about our water supply, as are many of my neighbors. Given how vineyard expansion in eastern Napa was managed, we have good reason to expect that the County is not providing enough oversight to assure our well-being. Both climate change and regional climate trends could mean that drought is "the new normal," and this should be considered explicitly by the applicant and Napa County.

Planning decisions have real, lasting impact on the environment and residents' quality of life and quiet enjoyment of their homes. I hope you will preserve the rural character and intact riparian systems of upper Soda Canyon Road and reject the Mountain Peak Winery proposal.

Sincerely,

Amber Manfree

Soda Creek Vineyards
4054 Silverado Trail
Napa, California 94558
Telephone (707) 224-1886

Nancy K. Apallas
Yeoryios C. Apallas
Proprietors

By Hand Delivery and Email David.Morrison@countvofnapa.org;
& john.mcdowell@countvofnapa.org

Napa County Planning Commission
David Morrison, Director
John McDowell, Deputy Planning Director
Napa County Planning, Building, etc. Department
1195 Third Street, Suite 210
Napa, CA 94559

Re: Mountain Peak Winery Use Permit No. P13-00320-UP
Hearing Date: July 20, 2016, at 9:00 A.M

Dear Messrs. Morrison and McDowell:

I write this letter to express my views about Mountain Peak Winery on Soda Canyon Road.

I was born and raised on Soda Canyon Road and until 1973 continued to live at my parents' home close to the intersection of Soda Canyon Road and Silverado Trail. My family moved to its Soda Canyon Road location in 1943 and continues to call it home today. During my absence from the Valley, I attended UC Davis, raised a family in Marin County and in 2007, my husband, Yeoryios and I and our three children returned to the 25 acre "ancestral home site" and planted a vineyard, built our home, and now are helping raise our first grandson and hopefully our second that is on its way.

As a native of Napa Valley, over the past fifty-five years, I have seen many, many changes in the Valley's agricultural use, its intensity of development, and its tremendous traffic growth.

I recall that when I was growing up, my sisters and brothers and I knew the Valley more as a prune and walnut growing region and secondarily as a grape growing region. Travelling up and down the Trail today, you can see the few remnants of Napa Valley's agricultural past. And I recall the Trail

as a narrow two lane country road with little traffic. Soda Canyon, the road on which my family lived (and my siblings still live), was even smaller in width and was sprinkled with just a few homes on its first few hundred yards northeastward. In fact, the old Soda Creek stone bridge over which the Trail traveled is now on our property and I am amazed at how such a narrow bridge carried two way traffic. The small nature of the Canyon community allowed us all to know our neighbors and make good friends and we all looked after each other. The Keigs which were directly across the Trail from Soda Canyon Road (currently the proposed Corona Winery) were lifetime friends of ours.

My, my how the Valley has progressed in the intervening 50 years, and how the Trail and Soda Canyon have inalterably changed. Traffic, fire safety, and noise have grown almost exponentially over these past fifty years. On a daily basis, we now see on the Trail backups during "commute hours" starting as far west as near Saint Helena's Pope Street to as far southeast as Oak Knoll. The traffic on Soda Canyon Road is not any better. Trying to get out of my sister's driveway which exits onto Soda Canyon Road just northeast of the Trail is a white knuckle experience particularly during the "commute hours". Sometimes I just give up, pull back into my sister's driveway and wait until the access is safe and clear to back up and continue home. The wait can be as long as twenty minutes.

The noise from Soda Canyon Road and the Trail have also grown considerably. In the past several years since we built our home, the noise from trucks and tour buses travelling on the Trail has become mind numbing. Our home is at least 1000 feet from the centerline of the Trail, and an even greater distance from the centerline of Soda Canyon Road. At times the combined traffic noise from both the Trail and Soda Canyon are unbelievable and require us to close our windows at night. It seems that it was very different just about seven years ago, but I suppose that is the ugly underbelly of growth.

Noise and traffic will only be increased with upcoming development at or around Soda Canyon Road and the Trail, and at the top of Soda Canyon. Already several approved projects will add some 45,000 annual trips on the Trail. Pending projects such as Mountain Peak Vineyards, Sam Jasper Winery, Grassi Family Winery, Beau Vigne Winery, and the expansion of Reynolds Family Winery, will add a total of 120,000 annual trips, or potentially an increase at the Road and the Trail of 198 per cent. Surely, such a dramatic increase in traffic must require a full blown environmental

impact statement to address the traffic, noise and ancillary environmental issues such as air quality denigration, cumulative impacts, etc.

I am most concerned about the Mountain Peak Winery project that will have environmental and quality of life issues up and down the Soda Canyon Road and the Silverado Trail. I am proud to say that we grow grapes and sell them to established wineries. So, as a matter of policy, we are not opposed to wineries of an appropriate scale being sited within Mountain Peak's vineyards. But the Mountain Peak Winery project is more than a winery producing facility. It is an event center first and a winery second. How else can one explain the disproportionately large caves, the aspirational annual production of 100,000 gallons of wine on a 41.7 acre parcel with 28 producing acres when completed? How else can one explain 200,000 gallon water tanks and deep wells that will draw down the limited water availability from this fragile ecosystem on top of Soda Canyon Road? How else can one explain 16,640 visitors a year and 78 special marketing events, a full service outdoor picnic area, a full commercial kitchen, over 26 parking spaces and 33,000 square feet of caves? And that's not all. Fire and emergency vehicles sharing this two lane country road with huge trucks pulling flatbeds laden with grapes can be disastrous for the citizens living on the Road. You may know that the Canyon is a high fire danger area and we already experienced major fires in 2011 in Loma Vista and Soda Canyon, not to mention the Atlas Peak fire.

Although the wine industry is very important to the economic progress of the Valley, we have to ask ourselves, "Yes, but at what cost to our safety and our quality of life?"

In closing I want to point out again that we are not opposed to an appropriately sized facility at the Mountain Peak Winery site, but more analysis is required to determine what that size should be. For example, one has to question whether Mountain Peak can truly produce 92% of its grapes for a 100,000 gallon facility at its site of 28 acres or even 68 acres. Given what we know about production on top of Soda Canyon Road, the highest grape production/per acre is three tons. Thus, a proprietor can expect a maximum of 204 tons from 68 acres, given historical production levels. This tonnage will produce 20,000 to 25,000 gallons. Where will the rest of the wine come from? Where indeed! Probably loaded on 18 wheel truck trailers that will travel up and down the narrow Soda Canyon Road. This will worsen an already dangerous road situation and make ripe an environment for traffic jams and accidents.

Napa County Planning Commission
June 19, 2016
Page 4 of 4

At bottom, I would support a winery at the Mountain Peak Vineyard site that is of appropriate scale and size to accommodate its 204 ton (or less) grape production and does not increase overall traffic and noise that is appropriate to such production. The production numbers suggest that it should be a winery that can accommodate approximately four to six thousand annual visitors and caves and wine production facilities appropriate to the 204 tons of grapes.

Sincerely,

A handwritten signature in cursive script that reads "Nancy K. Apallas". The signature is written in black ink and is positioned above the printed name.

Nancy K. Apallas

July 19, 2016

Melanie Johnston Hammaker
1035 Soda Canyon Road
Napa, California 94558

Napa County Planning Commission
David Morrison, Director
John McDowell, Deputy Planning Director
Napa County Planning, Building, etc. Department
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. Morrison,

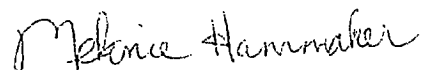
I am writing to voice my concerns about a very large winery project that is proposed to be built at the top of Soda Canyon Road—Mountain Peak Winery.

I have lived my entire life on Soda Canyon Road. I have seen many changes to the road and personally experienced traffic accidents that occurred outside my door at 1035 Soda Canyon Road. In one case, my telephone pole was taken out by a drunk driver. In another case my fence was taken out. In yet another accident my sister's fence was taken out as well. She lives just next door to me at 1045 Soda Canyon Road. Numerous other accidents taking out my mailbox and trees have occurred over the 60 plus years that I have lived on the Soda Canyon Road. My sister, who lives on Silverado Trail about 2000 feet from the Soda Canyon Store missed being hit several times by speeding cars coming down Soda Canyon Road, while trying to enter or exit my drive way.

Traffic has not only gotten more dangerous, but also has gotten much heavier. At times I am a prisoner in my home. In the afternoons, particularly during harvest and summer farming activity, the traffic stacks up on Soda Canyon Road up and past my driveway (about 700 feet from the Silverado Trail intersection) and I have to wait until traffic clears up—usually in twenty minutes or so. Another winery up the Canyon will only add to traffic congestion. What, with the other wineries that are planned around my house—for example the Grassi Winery is right across from my driveway—the situation with my ability to freely come in and out of my house is going to get even worse.

Please do not allow this winery to make my lifelong family home inaccessible. Please reject this proposal and ask the owners of the project to go back to the drawing board and keep in mind the citizens' concerns as they scale down their project. In the old days, none of us could ever fathom a single winery on Soda Canyon Road. Yes, times change but enough is enough!

Sincerely,



Melanie Johnston Hammaker

McDowell, John

From: richmaccabe@yahoo.com
Sent: Tuesday, July 19, 2016 4:55 PM
To: McDowell, John
Subject: Mtn Peak winery protest

To whom it may concern (albeit very little)

Firstly, let me state that if so disposed, I could write at some length on this matter. But as I do not wish to get overly emotional, I will be brief. Trust though when I say this runs very deep indeed.

I was all but born on this mountain and did much of my growing up here. Words cannot convey my dismay and sadness at the changes inflicted these last decades.

What is now proposed however is not a change of degree, not simply another vineyard, not simply another tearing out of trees and rocks, not simply a matter of wires and posts and tractors and traffic and spraying at all hours and noise. No, what is proposed is a fundamental change in kind. An invasion of tourists and the establishment of an ongoing commercial entertainment enterprise into the very heart of the upper basin. Incessant parties and noise, endless busses coming and going, filled with people who don't live here and give little care for their impact. I live within earshot of this proposed curse. I am not looking forward to it. If approved it will change the very character of Soda Canyon forever. Permanently and very much for the worse. Were I in your shoes, I would see as my first responsibility the sacred duty to protect the way of life of existing residents, of those who grew up here, of those who have roots here. Who are part of its history. Not those who arrive late and on a whim with their big checkbooks and big plans. By heaven's grace I have claim to sixteen acres of this hallowed land, and you cannot know the depths to which I love every square foot of it. But to these people? It's a balance sheet. Nothing more. They are bent on exploitation and care nothing of the destruction. Watershed? No, Dollarshed. For I know that is all that matters. For all that I am simply at the mercy of your wisdom. As are my neighbors. I have not much hope for an outcome to my liking.

Nevertheless, I do thank you for your time.

Respectfully,
R.P. MacCabe
3366 Soda Canyon Road
Napa CA 94558

McDowell, John

From: Paul Bartelt <PaulB@barteltengineering.com>
Sent: Tuesday, July 19, 2016 5:30 PM
To: McDowell, John; Gallina, Charlene
Cc: 'Donna Oldford (dboldford@aol.com)'; Steven Rea
Subject: Mtn. Peak Winery 60/40 question

John:

At the request of Donna Oldford I have been asked to address the issue of 60/40 coverage compliance for the Mountain Peak Winery project.

This project does lie within a municipal watershed, however the 60/40 coverage issue does not apply here due to the existing condition of the site. The site is primarily vineyard with an existing residence and an agricultural office, all of which have been approved and/or permitted by your office. The proposed winery development occurs in areas that have been developed in the past. We are not removing any additional tree canopy or brush/grassland. Therefore we have maintained the status quo, thus no need for any 60/40 calculations.

Paul N. Bartelt, P.E.
Principal Engineer

Bartelt Engineering
1303 Jefferson Street, 200 B
Napa, CA 94559

707.258.1301 telephone
paulb@barteltengineering.com

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McDowell, John

From: Anthony Arger <anthony.arger@gmail.com>
Sent: Tuesday, July 19, 2016 6:14 PM
To: McDowell, John
Subject: Mountain Peak - Additional Petitions
Attachments: Signed Petition - Arie Barendrecht.pdf; Signed Petition - Katarena Arger and others.pdf;
Signed Petition - Randy Katz.pdf

Dear Mr. McDowell,

Attached please find additional petitions I just saw in my inbox. I will bring hardcopies tomorrow morning.

Thank You,
Anthony


--

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

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

**PETITION OPPOSING THE ISSUANCE OF PROPOSED USE PERMIT # P13-00320-UP
TO MOUNTAIN PEAK WINERY
(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)**

~ The undersigned Soda Canyon/Loma Vista area neighbors and other concerned citizens oppose Mountain Peak Winery proposed Use Permit # P13-00320-UP. We feel strongly that approval of the use permit application for a 100,000 gallon winery would cause significant adverse impacts to our remote and rural neighborhood, including but not limited to, the health and safety of the residents and visitors, due to increased traffic from tens of thousands of winery visitors and accidents arising therefrom, an increased fire risk in a high fire danger area, an increase in noise levels, as well as significant environmental impacts, including but not limited to the probability of local groundwater pollution and depletion, disruption of local plant and animal species, and the possibility of disturbing archaeological sites including remains and remnants from Native American populations indigenous to Napa that spent summers on Atlas Peak . In addition to the increase in traffic resulting from winery employees and vendors, the proposed public tours, tastings, and industry marketing events are expected to bring tens of thousands of visitors to our quiet peaceful neighborhood each year. The site is located in a remote rural high fire danger area served by a single narrow, winding, dead-end road. We respectfully request that the Planning Commission and the Board of Supervisors protect our remote and rural neighborhood by denying the use permit requested by Mountain Peak Winery or at least imposing significant and meaningful restrictions on this project.

Signature: 
Print Name: Arie Barendrecht
Address: 1916 Brentwood Dr
City, State, Zip: Fullerton, CA, 92831
e-mail arie.barendrecht@gmail.com

Signature: _____
Print Name: _____
Address: _____
City, State, Zip _____
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

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Print Name: _____
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Signature: 
Print Name: RANDALL KATZ
Address: 1543 VALLEJO ST.
City, State, Zip: SAN FRANCISCO, CA 94109
e-mail: REKATZ49@YAHOO.COM

Signature: _____
Print Name: _____
Address: _____
City, State, Zip _____
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

Signature: _____
Print Name: _____
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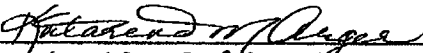
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Print Name: _____
Address: _____
City, State, Zip _____
e-mail _____


TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS
PETITION OPPOSING THE ISSUANCE OF PROPOSED USE PERMIT # P13-00320-UP
TO MOUNTAIN PEAK WINERY
(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)


~ The undersigned Soda Canyon/Loma Vista area neighbors and other concerned citizens oppose Mountain Peak Winery proposed Use Permit # P13-00320-UP. We feel strongly that approval of the use permit application for a 100,000 gallon winery would cause significant adverse impacts to our remote and rural neighborhood, including but not limited to, the health and safety of the residents and visitors, due to increased traffic from tens of thousands of winery visitors and accidents arising therefrom, an increased fire risk in a high fire danger area, an increase in noise levels, as well as significant environmental impacts, including but not limited to the probability of local groundwater pollution and depletion, disruption of local plant and animal species, and the possibility of disturbing archaeological sites including remains and remnants from Native American populations indigenous to Napa that spent summers on Atlas Peak. In addition to the increase in traffic resulting from winery employees and vendors, the proposed public tours, tastings, and industry marketing events are expected to bring tens of thousands of visitors to our quiet peaceful neighborhood each year. The site is located in a remote rural high fire danger area served by a single narrow, winding, dead-end road. We respectfully request that the Planning Commission and the Board of Supervisors protect our remote and rural neighborhood by denying the use permit requested by Mountain Peak Winery or at least imposing significant and meaningful restrictions on this project.


Signature: 
 Print Name: KATARENA ARGER
 Address: 3030 SODA CANYON ROAD
 City, State, Zip: NAPA, CA 94558
 e-mail Katarena.arger@gmail.com

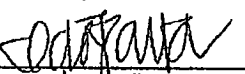
Signature: 
 Print Name: Lauren Trompeter
 Address: 1026 Sapphire St
 City, State, Zip: San Diego, CA 92109
 e-mail lartromp@indiana.edu


Signature: 
 Print Name: ALEXINA CLARKE
 Address: 404 HIDEWAY DR.
 City, State, Zip: Alameda CA 94501
 e-mail alexina@mail.sfsu.edu

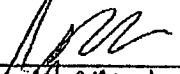
Signature: 
 Print Name: ALFONSO ESPINOSA
 Address: 3755 7th AVE
 City, State, Zip: SAN DIEGO, CA 92103
 e-mail aesandiego@yahoo.com

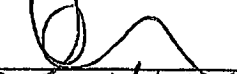
Signature: 
 Print Name: Gabrielle Clarke
 Address: GabrielleClarke@gmail.com
 City, State, Zip: 2380 California St
 e-mail San Francisco CA 94115

Signature: 
 Print Name: ERIN ALCANTARA
 Address: 1865 MENDOTA ST
 City, State, Zip: SD CA 92106
 e-mail erinalc@aol.com

Signature: 
 Print Name: Ida Fariba
 Address: 8228 Cichlid Way
 City, State, Zip: MD, CA, 92129
 e-mail ida.fariba@yahoo.com

Signature: 
 Print Name: Andrea Marx
 Address: 6881 Glenray St
 City, State, Zip: San Diego CA 92120
 e-mail mo.iris.amars@gmail.com

Signature: 
 Print Name: Anna Jean Berman
 Address: 1195 Lee Way
 City, State, Zip: SD, CA 92126
 e-mail anna.jean.berman@gmail.com

Signature: 
 Print Name: ANGELINA AHRENDT
 Address: 5524 DUNMONT STREET
 City, State, Zip: SAN DIEGO, CA 92105
 e-mail angelina.ahrendt@ymail.com

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

PETITION OPPOSING THE ISSUANCE OF PROPOSED USE PERMIT # P13-00320-UP
TO MOUNTAIN PEAK WINERY

(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)

~ The undersigned Soda Canyon/Loma Vista area neighbors and other concerned citizens oppose Mountain Peak Winery proposed Use Permit # P13-00320-UP. We feel strongly that approval of the use permit application for a 100,000 gallon winery would cause significant adverse impacts to our remote and rural neighborhood, including but not limited to, the health and safety of the residents and visitors, due to increased traffic from tens of thousands of winery visitors and accidents arising therefrom, an increased fire risk in a high fire danger area, an increase in noise levels, as well as significant environmental impacts, including but not limited to the probability of local groundwater pollution and depletion, disruption of local plant and animal species, and the possibility of disturbing archaeological sites including remains and remnants from Native American populations indigenous to Napa that spent summers on Atlas Peak. In addition to the increase in traffic resulting from winery employees and vendors, the proposed public tours, tastings, and industry marketing events are expected to bring tens of thousands of visitors to our quiet peaceful neighborhood each year. The site is located in a remote rural high fire danger area served by a single narrow, winding, dead-end road. We respectfully request that the Planning Commission and the Board of Supervisors protect our remote and rural neighborhood by denying the use permit requested by Mountain Peak Winery or at least imposing significant and meaningful restrictions on this project.

Signature: [Signature]
Print Name: Skylar White
Address: 6245 Stanley Ave, E
City, State, Zip: San Diego, CA 92115
e-mail: skylashae@yahoo.com

Signature: [Signature]
Print Name: Allegra Jaro
Address: 4070 Alabama St
City, State, Zip: San Diego, CA 92104
e-mail: allegra-jaro@yahoo.com

Signature: [Signature]
Print Name: Courtney Ponder
Address: 34136 Starpoint St
City, State, Zip: Temecula, CA 92592
e-mail: courtlopez@hotmail.com

Signature: [Signature]
Print Name: ALEXIS WIMER
Address: 67164 SUNNY BRAE DR
City, State, Zip: SD, CA, 92119
e-mail: alexiswimer@gmail.com

Signature: [Signature]
Print Name: Alexandra Roberts
Address: 688 13th St
City, State, Zip: San Diego CA 92101
e-mail: alexandras.corrine@gmail.com

Signature: [Signature]
Print Name: Margot Fux Kahn
Address: 65164 Carminto Northland
City, State, Zip: La Jolla, CA 92037
e-mail: margot.fuxkahn@gmail.com

Signature: [Signature]
Print Name: Holly Talcott
Address: 9100 Ellingham St
City, State, Zip: San Diego CA
e-mail: hollytalcott@yahoo.com


Signature: [Signature]
Print Name: Jennifer Loi
Address: 1020 Grass Valley Road
City, State, Zip: Chula Vista, CA 91913
e-mail: jennifer.c.loi@gmail.com

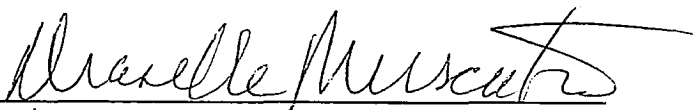
Signature: [Signature]
Print Name: Bernadette Enajo
Address: 114 Arroyo Dr.
City, State, Zip: San Diego, CA 92103
e-mail: bernadette.enajo@gmail.com

Signature: [Signature]
Print Name: Mariah McQueen
Address: 1164 Manzanita Dr.
City, State, Zip: San Diego, CA 92105
e-mail: crazydancer1224@aol.com

PETITION TO NAPA COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS

The undersigned Soda Canyon/Loma Vista area neighbors and other concerned citizens oppose Mountain Peak Vineyards, LLC proposed Use Permit # P13-00320. We feel strongly that approval of the use permit application for a 100,000 gallon winery would cause significant adverse impacts to our neighborhood, including but not limited to the health and safety of the residents and visitors, due to increased traffic and increased winery visitors, an increased fire risk in a high fire danger area, increase in noise levels, as well as significant environmental impacts, including but not limited to the high probability of local groundwater depletion. In addition to the increase in traffic resulting from winery employees and vendors, the proposed public tours, tastings, and industry marketing events are expected to bring tens of thousands of visitors to our quiet peaceful neighborhood each year. The site is located in a remote rural high fire danger area served by a single narrow, winding, dead-end road. We respectfully request that the Planning Commission and the Board of Supervisors protect our remote and rural neighborhood by denying the use permit requested by Mountain Peak Vineyards, LLC or at least imposing significant and meaningful restrictions on this project.

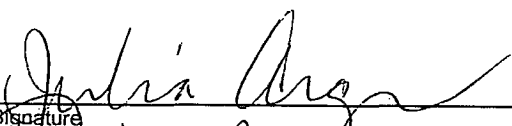

Signature
Susan Burchill
Printed Name
1145 Soda Canyon Rd
Address
Napa CA 94558 6/11/16
City, State, Zip Date

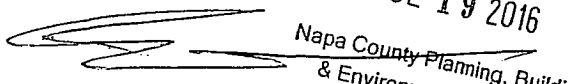

Signature
Draselle Muscatine
Printed Name
2410 Soda Canyon Rd.
Address
Napa, CA 94558 6-11-16
City, State, Zip Date

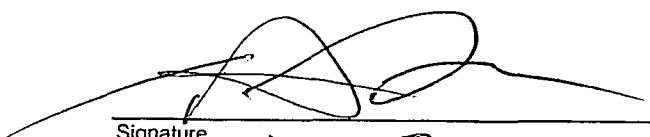
RECEIVED

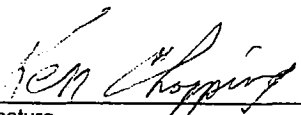
JUL 19 2016

Napa County Planning, Building & Environmental Services


Signature
Julia ARGER
Printed Name
3020 Soda Canyon Rd.
Address
NAPA, CA, 94558 6/11/16
City, State, Zip Date


Signature
Edmund Ian Grant
Printed Name
2411 Soda Canyon Rd
Address
Napa CA 94558 6/11/16
City, State, Zip Date


Signature
Cynthia Grupp
Printed Name
2367 Soda Canyon Rd
Address
Napa, CA 94558
City, State, Zip Date


Signature
Ken Chopping
Printed Name
3576 Soda Canyon Rd
Address
Napa Ca 94558 6/11/16
City, State, Zip Date

PETITION TO NAPA COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS

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Diana C. Whited
 Signature
Diana C. Whited
 Printed Name
157 Boldec Ct
 Address
San Pablo, CA 94806
 City, State, Zip Date

KRB DEPR
 Signature
KRB DEPR
 Printed Name
3495 Soda Canyon Rd.
 Address
Napa Ca 94558
 City, State, Zip Date

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JUL 19 2016

Napa County Planning, Building & Environmental Services

Fred A. Walz
 Signature
Fred A. Walz
 Printed Name
1223 Soda Canyon Rd
 Address
Napa 94558
 City, State, Zip Date

Shelley Wolfe
 Signature
Shelley Wolfe
 Printed Name
3240 SODA CANYON RD
 Address
NAPA 94558
 City, State, Zip Date

Jack Martin
 Signature
JACK MARTIN
 Printed Name
3240 SODA CANYON Rd
 Address
NAPA CA 94558
 City, State, Zip Date

Melina Meru
 Signature
MELINA MERU
 Printed Name
3240 SODA CANYON Rd.
 Address
NAPA, CA. 94558
 City, State, Zip Date

PETITION TO NAPA COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS

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Lauren Muscatine
 Signature
Lauren Muscatine
 Printed Name
4417 Tanglewood Way
 Address
Napa, CA 94558 6/11/16
 City, State, Zip Date

Darren G. Leighton
 Signature
Darren G. Leighton
 Printed Name
1166 Loma Vista Dr
 Address
Napa, CA 94558 6/11/16
 City, State, Zip Date

RECEIVED

JUL 19 2016

Napa County Planning Building
& Environmental Services

Sharon Lavender
 Signature
Sharon Lavender
 Printed Name
1033 Petra Dr.
 Address
Napa, CA 94558 6/11/2016
 City, State, Zip Date

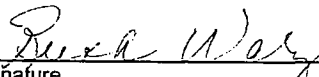
Joan Harrison Cohn
 Signature
JOAN HARRISON COHN
 Printed Name
1355 LOMA VISTA DR
 Address
Napa CA 94558 6-11-16
 City, State, Zip Date

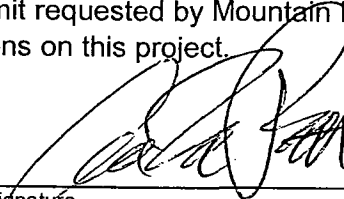
Lee Trucker
 Signature
Lee Trucker
 Printed Name
1044 Loma Vista
 Address
NAPA CA 94558
 City, State, Zip Date

Gardner Leighton
 Signature
Gardner Leighton
 Printed Name
1166 Loma Vista Dr.
 Address
Napa, CA 94558
 City, State, Zip Date

PETITION TO NAPA COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS

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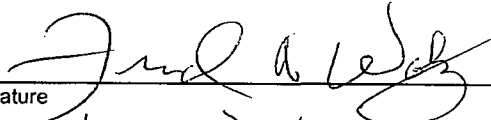

 Signature
 RUTH WALZ
 Printed Name
 1223 SODA CANYON RD.
 Address
 NAPA CA 94558 6/11/2016
 City, State, Zip Date

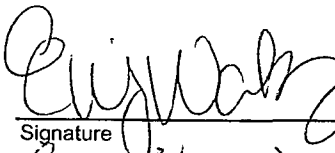

 Signature
 Aune Palotas
 Printed Name
 3354 Soda Canyon Rd
 Address
 Napa, CA 94558 6/11/2016
 City, State, Zip Date


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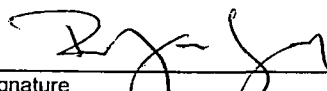
JUL 19 2016

Napa County Planning, Building
& Environmental Services


 Signature
 Fred A. Walz
 Printed Name
 1223 Soda Canyon Rd
 Address
 Napa Ca 94558
 City, State, Zip Date



 Signature
 Emily Walz
 Printed Name
 1223 Soda Canyon RD
 Address
 NAPA CA 94558
 City, State, Zip Date

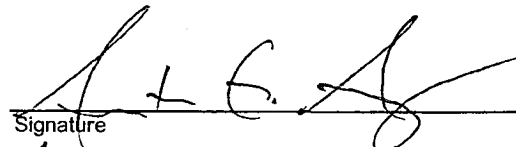

 Signature
 DAVID GRIFFITH/LAUREN
 Printed Name
 3356 SODACANYON RD.
 Address
 NAPA. CA 94558 6/11/16
 City, State, Zip Date


 Signature
 RYAN GRIFFITH
 Printed Name
 3356 SODA CANYON RD.
 Address
 NAPA, CA 94558 6/11/16
 City, State, Zip Date

PETITION TO NAPA COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS

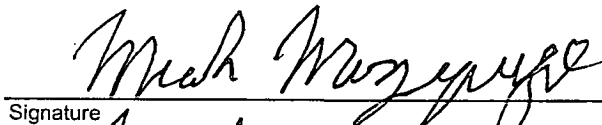
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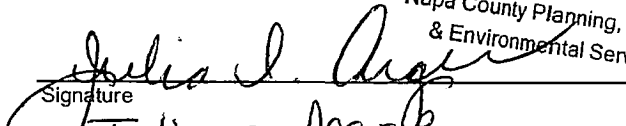

Signature
Nicholas Arger
Printed Name
3030 Soda Canyon Road
Address
Napa, CA 94558 6/11/2016
City, State, Zip Date

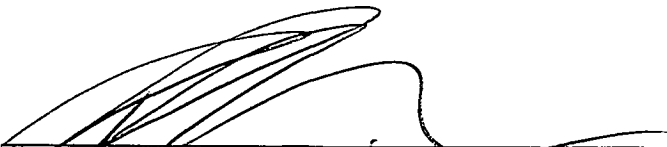

Signature
Anthony G. Arger
Printed Name
3030 Soda Canyon Rd.
Address
Napa, CA 94558 6/11/16
City, State, Zip Date


RECEIVED
JUL 19 2016

Napa County Planning, Building & Environmental Services


Signature
Meah Mozguz
Printed Name
3354 Soda Canyon Road
Address
Napa, CA 94558 6/11/16
City, State, Zip Date

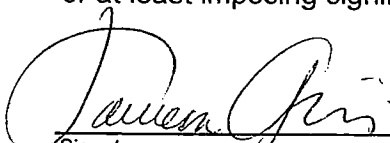

Signature
Julia I. Arger
Printed Name
3030 Soda Canyon Road
Address
NAPA, CA 94558
City, State, Zip Date

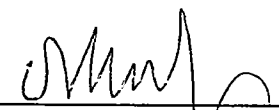

Signature
Phillip Dahan
Printed Name
3520 Soda Canyon Rd.
Address
Napa, CA 94558
City, State, Zip Date


Signature
Linda Savoie
Printed Name
3520 Soda Canyon Rd.
Address
NAPA, CA 94558
City, State, Zip Date

PETITION TO NAPA COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS

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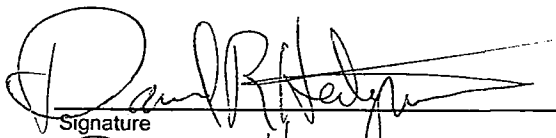

 Signature
 LAURA GRIFFITHS
 Printed Name
 3350 SODA CANYON RD.
 Address
 NAPA, CA 94558 6/11/16
 City, State, Zip Date

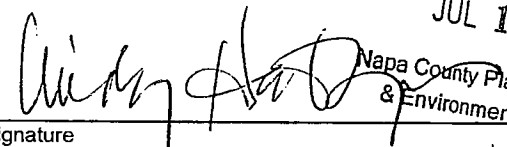

 Signature
 Daniel Mufson
 Printed Name
 1877 Atlas Peak Road
 Address
 Napa CA 94558 6/11/16
 City, State, Zip Date

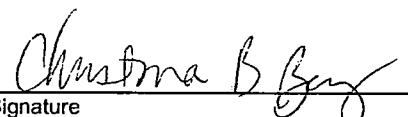
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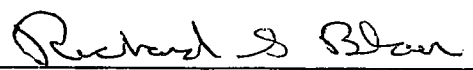
JUL 19 2016

Napa County Planning, Building & Environmental Services


 Signature
 DAVID HEITZMAN
 Printed Name
 23 ROCKROSE CT.
 Address
 NAPA, CA 94558 6/11/16
 City, State, Zip Date


 Signature
 CINDY HEITZMAN
 Printed Name
 23 Rockrose Ct.
 Address
 Napa, CA 94558 6/11/16
 City, State, Zip Date


 Signature
 Christina B. Benz
 Printed Name
 315 Greenbach St.
 Address
 Napa, CA 94559 6/11/16
 City, State, Zip Date


 Signature
 Richard S Blair
 Printed Name
 2146 Penny Ln
 Address
 Napa CA 94559 6/11/16
 City, State, Zip Date

PETITION TO NAPA COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS

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Beverlee Simboli McFadden
Signature
BEVERLEE SIMBOLI McFADDEN
Printed Name
2362 SODA CANYON RD.
Address
NAPA CA 94556 6-11-16
City, State, Zip Date

Kathy Felch
Signature
KATHY FELCH
Printed Name
2196 PENNY LANE
Address
NAPA, CA 94559 6-11-16
City, State, Zip Date

RECEIVED

JUL 19 2016

Napa County Planning, Building & Environmental Services

Debra Manfree
Signature
Debra Manfree
Printed Name
3360 Soda Canyon Rd.
Address
Napa CA 94558
City, State, Zip
6-11-16
Date

Gail Thornberry
Signature
Gail Thornberry
Printed Name
3235 Soda Canyon Road
Address
Napa, CA 94558 6-11-16
City, State, Zip Date

Richard P. Thornberry
Signature
RICHARD P. THORNBERY
Printed Name
3235 SODA CANYON ROAD
Address
NAPA, CA 94558 6/11/16
City, State, Zip Date

Signature

Printed Name

Address

City, State, Zip Date

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

PETITION OPPOSING THE ISSUANCE OF PROPOSED USE PERMIT # P13-00320-UP TO MOUNTAIN PEAK WINERY

(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)

The undersigned Soda Canyon/Loma Vista area neighbors and other concerned citizens oppose Mountain Peak Winery proposed Use Permit # P13-00320-UP. We feel strongly that approval of the use permit application for a 100,000 gallon winery would cause significant adverse impacts to our remote and rural neighborhood, including but not limited to, the health and safety of the residents and visitors, due to increased traffic from tens of thousands of winery visitors and accidents arising therefrom, an increased fire risk in a high fire danger area, an increase in noise levels, as well as significant environmental impacts, including but not limited to the probability of local groundwater pollution and depletion, disruption of local plant and animal species, and the possibility of disturbing archaeological sites including remains and remnants from Native American populations indigenous to Napa that spent summers on Atlas Peak. In addition to the increase in traffic resulting from winery employees and vendors, the proposed public tours, tastings, and industry marketing events are expected to bring tens of thousands of visitors to our quiet peaceful neighborhood each year. The site is located in a remote rural high fire danger area served by a single narrow, winding, dead-end road. We respectfully request that the Planning Commission and the Board of Supervisors protect our remote and rural neighborhood by denying the use permit requested by Mountain Peak Winery or at least imposing significant and meaningful restrictions on this project.

Signature: Carolyn Hackett
Print Name: Carolyn Hackett
Address: 282 S. White Cottage Rd.
City, State, Zip: Angwin, Ca. 94508
e-mail: chackett60@gmail.com

Signature: Christina Aranguen
Print Name: Christina Aranguen
Address: 157 Jernov Drive
City, State, Zip: Petisotoga, CA. 95926
e-mail: jlduo@earthlink.net

Signature: THORNTON E. BUNCH, V
Print Name: THORNTON E. BUNCH, V
Address: 351 WALL TOWN
City, State, Zip: NAPA CA 94558
e-mail: cme_bunch@msn.com

Signature: Richard A Cannon
Print Name: Richard A Cannon
Address: 153 RIDGECREST DR
City, State, Zip: NAPA CA 94558
e-mail: CANZIC6970@HOTMAIL.COM

Signature: Stanley Thompson-Short
Print Name: Stanley Thompson-Short
Address: 3 Glenwood Dr.
City, State, Zip: Napa, CA 94559
e-mail: ts1ucanus@yahoo.com

Signature: GEORGIOS C APALLAS
Print Name: GEORGIOS C APALLAS
Address: 4054 SILVERADO TRL
City, State, Zip: NAPA 94558
e-mail: yca@apalladawinery.com

Signature: Amber Manfree
Print Name: Amber Manfree
Address: 3360 Soda Canyon Rd.
City, State, Zip: Napa, CA 94558
e-mail: admanfree@ucdavis.edu

Signature: WM HOCKER
Print Name: WM HOCKER
Address: 3460 SODA CTN RD
City, State, Zip: NAPA CA 94558
e-mail: bill@wmhocker.org

Signature: MUI HO
Print Name: MUI HO
Address: 3460 SODA CANYON RD
City, State, Zip: NAPA CA 94558
e-mail: mui@muiho.com

Signature:
Print Name:
Address:
City, State, Zip:
e-mail:
Napa County Planning, Building & Environmental Services

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TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

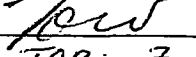
**PETITION OPPOSING THE ISSUANCE OF PROPOSED USE PERMIT # P13-00320-UP
TO MOUNTAIN PEAK WINERY**

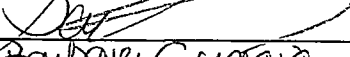
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Signature: 
Print Name: Sarah Walz
Address: 1180 Soda Canyon Rd.
City, State, Zip: Napa CA 94558
e-mail: sarahewalz@sbcglobal.net

Signature: 
Print Name: JEFF SCHMITT
Address: 1180 SODACANYON RD.
City, State, Zip: NAPA CA 94558
e-mail: SODACANYONS@SBCGLOBAL.NET

Signature: 
Print Name: TORI FERRELL
Address: 1178 SODA CANYON RD
City, State, Zip: NAPA CA 94558
e-mail: tferrell66@gmail.com

Signature: 
Print Name: Tahmeena Gujarik
Address: 903 # 2149
City, State, Zip: Yountville CA 94599
e-mail: tahmeena@gmail.com

Signature: 
Print Name: Anne Palotas
Address: 3354 Soda Canyon Rd
City, State, Zip: Napa, CA 94558
e-mail: fpalotas@icloud.com

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

Signature: _____
Print Name: _____
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Print Name: _____
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City, State, Zip: _____
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Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

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JUL 19 2016
Napa County Planning, Building
& Environmental Services

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

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(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)**

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Signature: Brenda Barbosa
Print Name: Brenda Barbosa
Address: 1362 Soda Canyon Rd
City, State, Zip: Napa CA 94558
e-mail _____

Signature: Zia Shepp
Print Name: Zia Shepp
Address: 3580 Soda Canyon Road
City, State, Zip: Napa, CA 94558
e-mail Zfshepp@gmail.com

Signature: Eve Kahn
Print Name: EVE KAHN
Address: 3485 Twin Oaks Ct
City, State, Zip: Napa, CA 94558
e-mail evkahne@yahoo.com

Signature: Charlotte Doerner
Print Name: Charlotte Doerner
Address: 3584 Soda Canyon Rd.
City, State, Zip: Napa, CA 94558
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip _____
e-mail _____

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Signature: _____
Print Name: _____
Address: Napa County Planning, Building & Environmental Services
City, State, Zip _____
e-mail _____

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Print Name: _____
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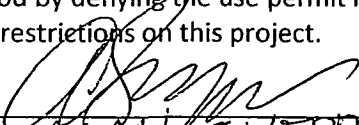
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TO MOUNTAIN PEAK WINERY**

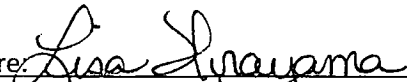
(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)

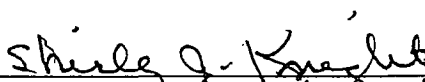
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Signature: 
Print Name: ALAN SHEPP
Address: 3580 SODA CANYON
City, State, Zip: NAPA CA 94558
e-mail

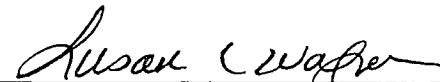
Signature: 
Print Name: ALEX SLOAN
Address: 3580 SODA CANYON RD
City, State, Zip: NAPA, CA 94558
e-mail

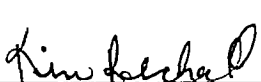
Signature: 
Print Name: LISA Hirayama
Address: 116 Dogwood Ct
City, State, Zip: Napa, CA 94558
e-mail


Signature: 
Print Name: Shirley J. Knight
Address: 3218 Newark Dr.
City, State, Zip: Napa, CA 94558
e-mail


Signature: 
Print Name: LAWRENCE CASAN
Address: 116 DOGWOOD CT.
City, State, Zip: NAPA, CA
e-mail

Signature: 
Print Name: JOHN MATSON
Address: 37 SUNNYHILL LN
City, State, Zip: NAPA CA 94558
e-mail

Signature: 
Print Name: SUSAN C WAGNER
Address: 166 PALMER DRIVE
City, State, Zip: NAPA CA 94558
e-mail svezee@19@yahoo.com

Signature: 
Print Name: Kim Richard
Address: 3074 Stadium Ave
City, State, Zip: Napa Ca 94550
e-mail KimLRichard@hotmail.com

Signature: 
Print Name: David Lapp
Address: 2034 Morlan Dr
City, State, Zip: Napa Ca 94558
e-mail

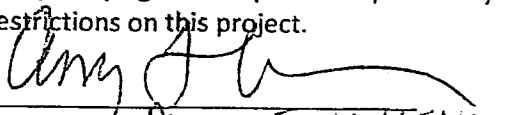
Signature: 
Print Name: Harris Nussbaum
Address: 3170 Mt. Veeder Rd
City, State, Zip: Napa 94558
e-mail nussbaum@napanet.net

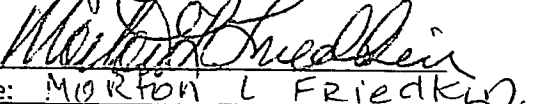
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**PETITION OPPOSING THE ISSUANCE OF PROPOSED USE PERMIT # P13-00320-UP
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(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)

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Signature: 
Print Name: Amy Friedkin
Address: 1320 Soda Canyon
City, State, Zip: Napa CA 94558
e-mail: amy@friedkin.net

Signature: 
Print Name: MORTON L FRIEDKIN
Address: 1320 Soda Canyon Rd
City, State, Zip: Napa CA 94558
e-mail: mlf@friedkin.net

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

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Signature: Bielicka
Print Name: MAGDA BIELICKA
Address: 1322 SODA CANYON RD
City, State, Zip: NAPA, CA 94558
e-mail magde@frgroup.com

Signature: Wiktor Sobierajski
Print Name: WIKTOR SOBIERAJSKI
Address: 1322 SODA CANYON RD.
City, State, Zip: NAPA CA 94558
e-mail wiktor@frgroup.com

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

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Print Name: _____
Address: _____
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Napa County Planning, Building
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Signature: *Fletcher Benton*
Print Name: FLETCHER BENTON
Address: 3398 SODA CANYON CA.
City, State, Zip: NAPA 94558
e-mail FLETCHER.BENTON@SONIC.NET

Signature: *Roberta Benton*
Print Name: ROBERTA BENTON
Address: 3398 SODA CANYON RD
City, State, Zip: NAPA, CA 94558
e-mail ROBERTA.BENTON2@GMAIL.COM

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
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Signature: [Signature]
 Print Name: ASHUE BENTON
 Address: 3398 SODA CANYON RD
 City, State, Zip: NAPA, CA 94599
 e-mail _____

Signature: [Signature]
 Print Name: CHARA BURNETT
 Address: 2171 BYRON ST
 City, State, Zip: PALO ALTO CA 94301
 e-mail chara.burnett@comcast.com

Signature: [Signature]
 Print Name: ZACHARY SMITH
 Address: # 3398 SODA CANYON RD
 City, State, Zip: NAPA, CA 94599
 e-mail _____

Signature: [Signature]
 Print Name: ELIZABETH MIER
 Address: 3398 SODA CANYON RD
 City, State, Zip: NAPA CA 94599
 e-mail LIZ.MIER@COMCAST.COM

Signature: [Signature]
 Print Name: RETNA THOMPSON
 Address: 154 PALO ALTO AVE
 City, State, Zip: PALO ALTO, CA 94301
 e-mail _____

Signature: _____
 Print Name: _____
 Address: _____
 City, State, Zip: _____
 e-mail _____

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 JUL 19 2016
 Napa County Planning, Building
 & Environmental Services

Signature: [Signature]
 Print Name: Scott Thomas
 Address: 1154 PALO ALTO AVE
 City, State, Zip: PALO ALTO CA 94301
 e-mail _____

Signature: _____
 Print Name: _____
 Address: _____
 City, State, Zip: _____
 e-mail _____

Signature: [Signature]
 Print Name: ZACK SMITH
 Address: 3398 SODA CYN
 City, State, Zip: NAPA CA
 e-mail SMITH@MOUNTAINPEAKWINERY.COM

Signature: _____
 Print Name: _____
 Address: _____
 City, State, Zip: _____
 e-mail _____

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS
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Signature: Nicholas Arger
 Print Name: Nicholas Arger
 Address: 3030 Soda Canyon Road
 City, State, Zip: Napa, CA 94558
 e-mail nicholas.arger@gmail.com

Signature: Anthony G. Arger
 Print Name: Anthony G. Arger
 Address: 3030 Soda Canyon Road
 City, State, Zip: Napa, CA 94558
 e-mail _____

Signature: Julia I. Arger
 Print Name: JULIA I. ARGER
 Address: 3030 Soda Canyon Road
 City, State, Zip: NAPA, CA 94558
 e-mail _____

Signature: Krista M. Arger
 Print Name: KRISTA M. ARGER, MD
 Address: 3030 Soda Canyon Rd
 City, State, Zip: NAPA, CA 94558
 e-mail _____

Signature: _____
 Print Name: _____
 Address: _____
 City, State, Zip: _____
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Signature: _____
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 Napa County Planning, Building
 & Environmental Services

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

PETITION OPPOSING THE ISSUANCE OF PROPOSED USE PERMIT # P13-00320-UP
TO MOUNTAIN PEAK WINERY

(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)

The undersigned Soda Canyon/Loma Vista area neighbors and other concerned citizens oppose Mountain Peak Winery proposed Use Permit # P13-00320-UP. We feel strongly that approval of the use permit application for a 100,000 gallon winery would cause significant adverse impacts to our remote and rural neighborhood, including but not limited to, the health and safety of the residents and visitors, due to increased traffic from tens of thousands of winery visitors and accidents arising therefrom, an increased fire risk in a high fire danger area, an increase in noise levels, as well as significant environmental impacts, including but not limited to the probability of local groundwater pollution and depletion, disruption of local plant and animal species, and the possibility of disturbing archaeological sites including remains and remnants from Native American populations indigenous to Napa that spent summers on Atlas Peak. In addition to the increase in traffic resulting from winery employees and vendors, the proposed public tours, tastings, and industry marketing events are expected to bring tens of thousands of visitors to our quiet peaceful neighborhood each year. The site is located in a remote rural high fire danger area served by a single narrow, winding, dead-end road. We respectfully request that the Planning Commission and the Board of Supervisors protect our remote and rural neighborhood by denying the use permit requested by Mountain Peak Winery or at least imposing significant and meaningful restrictions on this project.

Signature: [Signature]
Print Name: ELIZABETH J. ELMER
Address: 1990 Soda Canyon Rd
City, State, Zip: Napa, CA 94558
e-mail: ELMERE@SCLC.COM

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

Signature: [Signature]
Print Name: 1990 Soda Canyon Rd
Address: PENDELPE LYNKENDALL
City, State, Zip: NAPA CA 94558
e-mail: Penelope.Kendall@att.com

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

Signature: [Signature]
Print Name: DIANE SHEPP
Address: 1575 3rd St
City, State, Zip: Napa CA 94558
e-mail: DSHEPP@SCLC.COM

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

Signature: [Signature]
Print Name: M. Marshall
Address: 1011 Millington St
City, State, Zip: Napa CA 94558
e-mail: _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

Signature: [Signature]
Print Name: Gregory Archer
Address: 1990 Soda Canyon Rd
City, State, Zip: Napa, CA 94558
e-mail: _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

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JUL 19 2016

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& Environmental Services

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Signature: [Signature]
Print Name: DAVID HALLET
Address: 2444 SODA CANYON ROAD
City, State, Zip: NAPA, CA 94558
e-mail: DAVIDHALLET@GMAIL.COM

Signature: [Signature]
Print Name: LYNAE HALLET
Address: 2444 SODA CANYON ROAD
City, State, Zip: NAPA, CA 94558
e-mail: _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
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Signature: _____
Print Name: _____
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JUL 19 2016

Signature: [Signature]
Print Name: GARY MARGADANT
Address: 4042 Mt. Veeder Rd
City, State, Zip: Napa CA 94558
e-mail: gmargadant@gmail.com

Signature: [Signature]
Print Name: Bernadette Brooks
Address: 303 Dry Creek Rd
City, State, Zip: Napa, CA 94553
e-mail: brooks.vineyard@sbcglobal.net

Signature: [Signature]
Print Name: Jim Wilson
Address: 5000 Monticello Rd.
City, State, Zip: Napa CA 94558
e-mail: jp.laudatosi@gmail.com

Signature: [Signature]
Print Name: KATHY FELCH
Address: 2196 Penny Lane
City, State, Zip: Napa CA 94559
e-mail: kfelch@adkinsfelchllp.com

Signature: [Signature]
Print Name: PAVLO HEITZMAN
Address: 23 Rockrose Ct.
City, State, Zip: NAPA, CA 94558
e-mail: napaguitar@gmail.com

Signature: [Signature]
Print Name: LINDA KERR
Address: 1628 SEMINARY ST
City, State, Zip: NAPA, CA 94559
e-mail: KERR.L@ATT.NET

Signature: [Signature]
Print Name: Daniel Mufson
Address: 1877 Atlas Peak Road
City, State, Zip: Napa, CA, 94558
e-mail: dan@apotherx.com

Signature: [Signature]
Print Name: DIANE SHERO
Address: 3580 SODA CANYON RD
City, State, Zip: NAPA CA 94558
e-mail: chane.diane.shero@gmail.com

Signature: [Signature]
Print Name: Christina B Benz
Address: 315 Greenbach St.
City, State, Zip: Napa, CA 94559
e-mail: christinabbenz@gmail.com

Signature: [Signature]
Print Name: Cynthia Grupp
Address: 2367 Soda Canyon Rd
City, State, Zip: Napa, CA 94558
e-mail: CFGrupp@gmail.com

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

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Signature: *Kenneth E. Chopping*
Print Name: Kenneth E. Chopping
Address: 3576 Soda Canyon Rd
City, State, Zip: Napa Ca 94558
e-mail: Redrock1@DIRECTV.net

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail: _____

Napa County Planning, Building
& Environmental Services

Signature: _____
Print Name: _____
Address: _____
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Signature: *Lynn Maaskamp*
Print Name: Lynn Maaskamp
Address: 1174 Loma Vista Dr
City, State, Zip: Napa, CA 94558
e-mail lmaaskamp@hotmail.com

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

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JUL 19 2016

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& Environmental Services

Signature: _____
Print Name: _____
Address: _____
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City, State, Zip: _____
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Henrietta Cohen
 Signature
HENRIETTA COHEN
 Printed Name
1044 LOMA VISTA DR
 Address
Napa, CA 94558 6/11/16
 City, State, Zip Date

Jerry Cohen
 Signature
JERRY COHEN
 Printed Name
1355 LOMA VISTA
 Address
NAPA 94558 6/11/16
 City, State, Zip Date

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JUL 19 2016

Napa County Planning, Building & Environmental Services

Harris Nussbaum
 Signature
Harris Nussbaum
 Printed Name
3170 Mt. Veeder Rd
 Address
Napa, CA 94558 6/14/16
 City, State, Zip Date

Johanna Muth
 Signature
Johanna Muth
 Printed Name
3170 Mt Veeder Rd.
 Address
Napa CA 94558
 City, State, Zip Date

Gary Margadant
 Signature
GARY MARGADANT
 Printed Name
4042 Mt. Veeder
 Address
Napa 6/11/16 94558
 City, State, Zip Date

Pauline Tofanello
 Signature
Pauline Tofanello
 Printed Name
1076 Dunsmuir Lane
 Address
Calistoga Calif 94515 6/11/16
 City, State, Zip Date

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David Lucas
Signature

David Lucas
Printed Name

1019 Petric Dr
Address

Napa Ca 94558
City, State, Zip Date
6/26/16

Edward Johnston
Signature

Napa County Planning, Building
& Environmental Services

EDWARD JOHNSTON
Printed Name

1022 PETRA DR
Address

Napa Ca 94558
City, State, Zip Date
6/26/16

Chris Smith
Signature

Chris Smith
Printed Name

1048 Petra Dr.
Address

Napa CA 94558
City, State, Zip Date
6/26/16

Nancy Hogberg
Signature

Nancy Hogberg
Printed Name

1104 Petra Dr.
Address

Napa, CA 94558
City, State, Zip Date
6-26-16

Alan + Mary Ann Cardwell
Signature

ALAN + MARY ANN CARDWELL
Printed Name

1122 PETRA DR.
Address

NAPA, CA 94558
City, State, Zip Date
6/26/16

Penelope A Paul
Signature

Penelope A. PAWL
Printed Name

1142 Petra DR
Address

NAPA, CA 94558
City, State, Zip Date
6-26-16

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Louise Vicencio
 Signature
LOUISE VICENCIO
 Printed Name
1141 Petra Dr
 Address
Napa CA 94558 6/26/16
 City, State, Zip Date

Lonnie Payne
 Signature
Lonnie Payne
 Printed Name
1151 Petra Dr
 Address
NAPA, CA 94558 6/26/16
 City, State, Zip Date

Napa County Planning, Building & Environmental Services

Bruce Clark
 Signature
BRUCE CLARK
 Printed Name
1151 PETRA DR
 Address
NAPA CA 94558 6/26/16
 City, State, Zip Date

Barbara Dixon
 Signature
Barbara Dixon
 Printed Name
1157 Petra Dr.
 Address
Napa, Ca. 94558 6/26/16
 City, State, Zip Date

James Rockett
 Signature
JAMES ROCKETT
 Printed Name
1152 PETRA
 Address
NAPA 6/26/16
 City, State, Zip Date

Barbara Rockett
 Signature
Barbara Rockett
 Printed Name
1152 Petra Dr.
 Address
NAPA, CA 94558 6/26/16
 City, State, Zip Date

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Mike Reistad
 Signature
Mike Luma
 Printed Name
1039 Petra Dr
 Address
Napa 94559 6/26/16
 City, State, Zip Date

RECEIVED
JUL 19 2016
 Napa County Planning, Building
 & Environmental Services

 Signature

 Printed Name

 Address

 City, State, Zip Date

Sharon Lavender
 Signature
Sharon Lavender
 Printed Name
1033 Petra Dr.
 Address
Napa, CA 6/26/2016
 City, State, Zip Date

 Signature

 Printed Name

 Address

 City, State, Zip Date

 Signature

 Printed Name

 Address

 City, State, Zip Date

 Signature

 Printed Name

 Address

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Signature: *John M. Hackett*
Print Name: JOHN M. HACKETT
Address: 282 WHITE COTTAGE RD
City, State, Zip: ANGWIN, CA 94558
e-mail mhackett54@gmail.com

Signature: _____
Print Name: JUL 19 2016
Address: _____
City, State, Zip: Napa County Planning, Building
& Environmental Services
e-mail _____

Signature: *Ron Rhynd*
Print Name: RON RHYND
Address: 1610 Muller Dr
City, State, Zip: NAPA, CA 94559
e-mail rer@interx.net

Signature: _____
Print Name: _____
Address: _____
City, State, Zip _____
e-mail _____

Signature: *Joyce Black Sears*
Print Name: Joyce Black Sears
Address: 11114 Summit St Dr
City, State, Zip: Angwin Ca 94508
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip _____
e-mail _____

Signature: *Julia Winiarski*
Print Name: JULIA WINIARSKI
Address: 9 BONITA AVE
City, State, Zip: NAPA CA 94559
e-mail 108julia@gmail.com

Signature: _____
Print Name: _____
Address: _____
City, State, Zip _____
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip _____
e-mail _____

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Signature: Tower C. Snow Jr
 Print Name: Tower C. Snow, Jr.
 Address: 177 Ridge Drive
 City, State, Zip: Napa, CA 94558
 e-mail Tower.snow@gmail.com

Signature: _____
 Print Name: _____
 Address: _____
 City, State, Zip _____
 e-mail _____

RECEIVED
 JUL 19 2016
 Napa County Planning, Building
 & Environmental Services

Signature: Morgan Snow
 Print Name: Morgan A. Snow
 Address: Same as above.
 City, State, Zip: _____
 e-mail _____

Signature: _____
 Print Name: _____
 Address: _____
 City, State, Zip _____
 e-mail _____

Signature: _____
 Print Name: _____
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(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)**

~ The undersigned Soda Canyon/Loma Vista area neighbors and other concerned citizens oppose Mountain Peak Winery proposed Use Permit # P13-00320-UP. We feel strongly that approval of the use permit application for a 100,000 gallon winery would cause significant adverse impacts to our remote and rural neighborhood, including but not limited to, the health and safety of the residents and visitors, due to increased traffic from tens of thousands of winery visitors and accidents arising therefrom, an increased fire risk in a high fire danger area, an increase in noise levels, as well as significant environmental impacts, including but not limited to the probability of local groundwater pollution and depletion, disruption of local plant and animal species, and the possibility of disturbing archaeological sites including remains and remnants from Native American populations indigenous to Napa that spent summers on Atlas Peak. In addition to the increase in traffic resulting from winery employees and vendors, the proposed public tours, tastings, and industry marketing events are expected to bring tens of thousands of visitors to our quiet peaceful neighborhood each year. The site is located in a remote rural high fire danger area served by a single narrow, winding, dead-end road. We respectfully request that the Planning Commission and the Board of Supervisors protect our remote and rural neighborhood by denying the use permit requested by Mountain Peak Winery or at least imposing significant and meaningful restrictions on this project.

Signature: *Victor Dutton*
Print Name: VICTOR DUTTON
Address: 1117 Mt. Geronimo Ave
City, State, Zip: Napa CA 94558
e-mail _____

Signature: *Ryan Silva*
Print Name: RYAN SILVA
Address: 4405 Rockwood Ave
City, State, Zip: Napa, CA 94558
e-mail _____

Signature: *Austin Benken*
Print Name: Austin Benken
Address: 276 Brown apt 12
City, State, Zip: Napa CA 94558
e-mail _____

Signature: *Monroe Schacht*
Print Name: Monroe Schacht
Address: 2247 Clipper Ct
City, State, Zip: Fairfield, CA, 94534
e-mail ~~MSCHA~~

Signature: *Wayne Seaman*
Print Name: WAYNE SEAMAN
Address: 1164 Loma Vista Dr
City, State, Zip: Napa CA 94558
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

RECEIVED

JUL 10 2016

Napa County Planning, Building
& Environmental Services

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

Signature: _____
Print Name: _____
Address: _____
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Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

PETITION OPPOSING THE ISSUANCE OF PROPOSED USE PERMIT # P13-00320-UP TO MOUNTAIN PEAK WINERY

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Signature: Martha J. Hussey RECEIVED Signature: Terry M. Malin
Print Name: MARTHA J. HUSSEY Print Name: TERRY M. MALIN
Address: 3156 BROWNS VLY RD Address: 3291 Vichy Ave
City, State, Zip: NAPA CA 94558 City, State, Zip NAPA CA 94558
e-mail JHUSSEY123@AOL.COM e-mail TMMALIN@COMCAST.NET

Signature: Pam Hewitt Signature: Celia Cummings
Print Name: PAM HEWITT Print Name: CELIA CUMMINGS
Address: 2155 MONTECELLO RD Address: P.O. BOX 622
City, State, Zip: NAPA, CA 94558 City, State, Zip ST. HELENA
e-mail e-mail

Signature: Lodie Borroughs Signature: Melissa Cortez
Print Name: LODIE BORROUGHS Print Name: melissa Cortez
Address: 211 KNOX PL Address: 1710 D ST.
City, State, Zip: ST. HELENA CA City, State, Zip Napa CA 94559
e-mail e-mail

Signature: Jane Kelly Signature: Tim Cal
Print Name: Jane Kelly Print Name: Tim Cal
Address: 194 SILVERADO SPRINGS DR Address: #11 JACKS Lane
City, State, Zip: Napa, CA 94558 City, State, Zip Napa CA 94558
e-mail e-mail timothy101@yahoo.com

Signature: Barbara Leverette Signature: Virginia Davis
Print Name: BARBARA LEVERETTE Print Name: Virginia Davis
Address: 24 Burning Tree Address: 1696 Rainier Ave
City, State, Zip: Napa CA City, State, Zip Napa, CA 94558
e-mail e-mail

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

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TO MOUNTAIN PEAK WINERY**

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RECEIVED
JUL 19 2010
Napa County Planning & Environmental Services

Signature: [Signature]
Print Name: LORI SAX
Address: 1133 Hedgeside
City, State, Zip: Napa CA 94558
e-mail: LSax4@aol.com

Signature: [Signature]
Print Name: Chris Stuller
Address: 1371 SALVADOR AVE
City, State, Zip: NAPA CA 94558

Signature: [Signature]
Print Name: ROBERT J. COWLEY
Address: 1195 OLIVE HILL LANE
City, State, Zip: NAPA CA 94558
e-mail: BOB & BETTY COWLEY@ATT.NET

Signature: [Signature]
Print Name: Pepe Tando
Address: 2851 Atlas Peak Rd
City, State, Zip: napa ca 94558
e-mail: _____

Signature: [Signature]
Print Name: JACKIE PELAVIN
Address: 91 SYAR DR.
City, State, Zip: Napa CA 94558
e-mail: pelavinj@hotmail.com

Signature: [Signature]
Print Name: Michelle Wilson
Address: 1426 Coombsville Rd
City, State, Zip: Napa, CA 94558
e-mail: _____

Signature: [Signature]
Print Name: GARY A THOMPSON
Address: 34 HAHNEMANN WAY
City, State, Zip: NAPA CA 94558
e-mail: GARY12@GMAIL.COM

Signature: [Signature]
Print Name: Patricia Hatten
Address: 171 Ridgcrest Dr.
City, State, Zip: Napa, CA 94558
e-mail: jacksmom2007@hotmail.com

Signature: [Signature]
Print Name: DAVID PELAVIA
Address: 91 SYAR DRIVE
City, State, Zip: NAPA CA 94558
e-mail: pelavia2@gmail.com

Signature: [Signature]
Print Name: [Signature]
Address: 767 PUEBLO AVE
City, State, Zip: NAPA, CA 94558
e-mail: JUNE 707@yahoo.com

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

**PETITION OPPOSING THE ISSUANCE OF PROPOSED USE PERMIT # P13-00320-UP
TO MOUNTAIN PEAK WINERY
(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)**

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Signature: Mary Ann Moss
Print Name: MARY ANN MOSS
Address: 40 CALBERTSON CT
City, State, Zip: NAPA CA 94558
e-mail 2219KCAZ@GMAIL.COM

Signature: Allan T. Moss
Print Name: Allan T. MOSS
Address: 40 Culbertson Court
City, State, Zip: Napa, CA 94558
e-mail Declined

Signature: Judy Zacharias
Print Name: Judy Zacharias
Address: 94 Sierra Vista
City, State, Zip: American Cyn CA
e-mail jlzachs@aol

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
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Signature: _____
Print Name: _____
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Print Name: _____
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City, State, Zip: _____
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RECEIVED
JUL 19 2016
Napa County Planning, Building
& Environmental Services

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Signature: Sharlona Shurtz
Print Name: Sharlona Shurtz
Address: 2051 Russell St.
City, State, Zip: Napa CA 94559
e-mail _____

Signature: Jacqueline Kollar
Print Name: Jacqueline Kollar
Address: 196 Olive Hill Ln.
City, State, Zip: Napa, CA 94558
e-mail: bjspetalpushers@att.net

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JUL 19 2016

Signature: Richard Bara
Print Name: RICHARD BARA
Address: 2742 SOSCOT AVE
City, State, Zip: NAPA 94559
e-mail _____

Napa County Planning, Building
& Environmental Services

Signature: Kristi Johnston
Print Name: Kristi Johnston
Address: 2411 Soda Canyon Rd
City, State, Zip: Napa CA 94558
e-mail _____

Signature: George Nelms
Print Name: GEORGE NELMS
Address: 125 BURGUNDY CIR
City, State, Zip: YOUNTVILLE CA
e-mail _____

Signature: George Gonzalez
Print Name: GEORGE GONZALEZ
Address: 2440 Soda Canyon Rd
City, State, Zip: 94558
e-mail _____

Signature: Margaret Schbever
Print Name: Margaret Schbever
Address: 1255 Steele Canyon Rd
City, State, Zip: Napa, 94558
e-mail _____

Signature: Nancy Borden
Print Name: Nancy Borden
Address: 2440 Soda Canyon Rd.
City, State, Zip: Napa, CA 94558
e-mail _____

Signature: Pamela J. Bright
Print Name: PAMELA J. BRIGHT
Address: 397 Casswall
City, State, Zip: NAPA, CA 94558
e-mail _____

Signature: Tom Muscattine
Print Name: TOM MUSCATTINE
Address: 2710 Soda Canyon Rd
City, State, Zip: Napa CA 94558
e-mail _____

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS
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Signature: *Julie Crawford*
 Print Name: JULIE CRAWFORD
 Address: 55 NEWPORT DR
 City, State, Zip: NAPA 94559
 e-mail JMPEACOCK@SBCCGLOBAL.NET

Signature: *Ellen M. Reich*
 Print Name: Ellen M. Reich
 Address: 986 Salvador Ave.
 City, State, Zip: Napa CA 94558
 e-mail ellen@fortunatibezards.com

Signature: *Diane Flye*
 Print Name: Diane Flye
 Address: 1086 La Londe
 City, State, Zip: Napa 94558
 e-mail DianeFlye@yahoo.com

Signature: *Jack Martin*
 Print Name: JACK MARTIN
 Address: 3240 Soda Canyon
 City, State, Zip: Napa
 e-mail martinsidea@yahoo.com

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Napa County Planning, Building
& Environmental Services

Signature: *Melina Meru*
 Print Name: MELINA MERU
 Address: 3240 Soda Canyon Rd.
 City, State, Zip: Napa, CA 94558
 e-mail melinameru@gmail.com

Signature: _____
 Print Name: _____
 Address: _____
 City, State, Zip _____
 e-mail _____

Signature: *Ellen Kierul*
 Print Name: Ellen Kierul
 Address: 1220 Edwards
 City, State, Zip: St Helena CA 94574
 e-mail ekierul@earthlink.net

Signature: _____
 Print Name: _____
 Address: _____
 City, State, Zip _____
 e-mail _____

Signature: _____
 Print Name: _____
 Address: _____
 City, State, Zip: _____
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 Print Name: _____
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Signature: Melanie Hammaker
Print Name: MELANIE HAMMAKER
Address: 1035 SODA CANYON RD
City, State, Zip: NAPA CA 94558
e-mail melandave@stcglobal.net

Signature: David S. Hammaker
Print Name: DAVID S. HAMMAKER
Address: 1035 SODA CANYON RD
City, State, Zip: NAPA, CA 94558
e-mail _____

Signature: Janett L Johnston
Print Name: JANETT L JOHNSTON
Address: 1045 SODA CANYON RD
City, State, Zip: NAPA, CA 94558
e-mail _____

Signature: Virginia Hall
Print Name: Virginia Hall
Address: 1005 Soda Canyon RD
City, State, Zip: Napa CA 94558
e-mail _____

Signature: Andrew Hall
Print Name: Andrew Hall
Address: 1005 Soda Canyon RD
City, State, Zip: Napa CA 94558
e-mail _____

JUL 19 2016
Napa County Planning, Building & Environmental Services

Signature: Dennis Cole
Print Name: Dennis Cole
Address: 1511 Mendocino Ave
City, State, Zip: Napa Ca 94558
e-mail _____

Signature: Linda Perez
Print Name: Linda Perez
Address: 3516 Jefferson
City, State, Zip: Napa, CA 94558
e-mail _____

Signature: Edgar Cortez
Print Name: Edgar Cortez
Address: 3257 Von Anit Ranch Rd
City, State, Zip: Napa Ca 94558
e-mail _____

Signature: Michael Smith
Print Name: Michael Smith
Address: 533 Social Ave #321
City, State, Zip: Napa, CA 94559
e-mail _____

Signature: Jennifer Garcia
Print Name: Jennifer Garcia
Address: 137 Freeway Dr.
City, State, Zip: Napa, CA 94558
e-mail _____

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Signature: Marial Garcia
Print Name: MARIAH GARCEA
Address: 137 FREEWAY DR.
City, State, Zip: NAPA CA 94558
e-mail _____

Signature: Eloy Lopez
Print Name: ELOY LOPEZ
Address: 1448 Hemlock St
City, State, Zip: Napa CA 94559
e-mail _____

Signature: Agripin Trimez
Print Name: Agripin Trimez
Address: 1979 Kansas Ct
City, State, Zip: Napa CA 94559
e-mail _____

Signature: BC
Print Name: Brian Conroy
Address: 354 Rio Del Mar
City, State, Zip: A.C CA 94503
e-mail BCconroy@gmail.com

Signature: Orlando Bosarin
Print Name: Orlando Bosarin
Address: 2461 Pacific St.
City, State, Zip: Napa, Ca 94558
e-mail _____

Signature: Ciera Johnson
Print Name: Ciera Johnson
Address: 3529 White Cliff Circle
City, State, Zip: Napa CA 94558
e-mail _____

Signature: Taylor Starnick
Print Name: Taylor Starnick
Address: 2910 Monticello Rd
City, State, Zip: Napa Ca. 94558
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: Napa County Planning, Building & Environmental Services
e-mail _____

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JUL 19 2016

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
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Signature: Nancy K. Apallas
Print Name: NANCY K. APALLAS
Address: 4054 SILVERADO TRAIL
City, State, Zip: NAPA, CA 94558
e-mail nkapallas@gmail.com

Signature: Nick Apallas
Print Name: Nick Apallas
Address: 4054 Silverado Trl.
City, State, Zip: Napa, CA 94558
e-mail napallas@att.net

Signature: Diana Clark
Print Name: 4050 Silverado Trail
Address: Napa
City, State, Zip: CA 94558
e-mail _____

Signature: _____
Print Name: _____
Address: _____
City, State, Zip: _____
e-mail _____

Signature: _____
Print Name: _____
Address: _____
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Print Name: _____
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Print Name: _____
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RECEIVED

16 July, 2016

JUL 19 2016
Napa County Planning, Building
& Environmental Services

Dear Mr. McDowell,

I am greatly concerned about the scope and intentions of Mountain Peak, the proposed winery, at the top of Soda Canyon Road. The road itself is poorly maintained and the last two upper miles have many curves and are steep. Not suited to people who have been winetasting. The fact that they want to make more juice than their property can produce means that this poor little road will have grapes being hauled to their winery, adding to the already overloaded traffic and wear and tear on the road. Keeping it restricted to what their land can bear, makes more sense.

The relatively recent boom in industrial-scale wine grape production in a historically rural, residential area is causing quality-of-life issues for residents and serious safety hazards for all users of the road. I live about four miles up the road and have lived there for 17 years. About 600 feet down the road is a blind curve that has caused speeding cars and trucks to miss the turn and land in the creek bed. I have personally seen, at two separate times, a vehicle sitting in the ditch. My driveway is where the road starts to steeply rise causing trucks to shift gears. Many times, they have to stop in front of my driveway, pull a stone off my rock wall, stick it behind their tire, and leave the rock on the road for me to pick up. Not only is this a dangerous road for cars and trucks but these heavily loaded vehicles add to the deterioration of an already poorly maintained road. This is not an easy road to drive but just because of its twists and turns and steeply rising incline this road attracts bicyclists which only adds to the danger.

However, there is a bigger problem beyond this particular winery. Napa Valley itself is overloaded and what was once rural is now overwhelmed with corporate grape production. I fear that allowing this proposal, as it stands, will be the opening of Pandora's Box. All the other wineries in Soda Canyon will now feel entitled to their share.

I urge you to reduce the scope of this project to match on-site grape production and greatly reduce or eliminate visitation privilege because it would negatively impact safety, road surface, and, last but not least, the quality of life for residents and guest in Soda Canyon. I realize that this is also an emotional issue. But it is emotional because it matters so much.

Draselle Muscatine
Muscatine Vineyard
2410 Soda Canyon Road
707-265-8237

RECEIVED
JUL 19 2016
Napa County Planning, Building
& Environmental Services

07/19/16

Dear Board of Supervisors and Planning Commissioners:

Where is it written that it is ok for an oversized commercial event center to invade a quiet, remote, rural, residential/ agricultural community?

Where is it written that it is ok to disrupt the lives of those who have chosen to live in a peaceful, remote, rural setting, solely for commercial gain, at the expense of not only, those who live in proximity to the proposed event center, but everyone who lives on the 6+ miles of the communal road, and its tributaries.

Where is it written that the interests of the individuals, and the neighborhood community they form, take second place to the interests of a corporation and the corporation's wishes and desires?

Where is it written that the resources of any one community can be used with impunity by those that seek to invade?

The proposed Mountain Peak Winery, 3265 Soda Canyon Road, use permit #P13-00320-UP, revised as of March 15, 2016, does just that.

The scope of the project, quotes from the County of Napa public notice of the planning Commission Hearing and notice of intent to adopt a negative declaration for Mountain Peak Winery, use permit #P13-00320-Up, for Wednesday, July 20, 2016.

"100,000 gallons of wine per year, 18,486 visitors per year, or 80 visitors per day/or max. 320 visitors per week from 10am to 6pm, 7 days a week, plus 78 marketing events per year, ranging from 12 to 125 visitors/event which are from 10am-10pm, which averages out to 1.5 events per week, full service tasting room, office, and outdoor terrace area open 7 days per week 10-6pm. A full size commercial kitchen for catering any/all marketing and tasting events.

AND, the consumption of wines produced on site in the tasting room and outdoor terrace in accordance with the Business and Professions code Sections 23358, 23390 and 23396.5." And, "the application requests approval of Assembly Bill 2004 "Picnic" Ordinance allowing the consumption of alcoholic beverages on-site in specified areas,"

That means that one can imbibe the requisite 4 oz. of wine allowed at a tasting, and then buy a bottle or more, and consume on site. Even if shared with friend/friends, it is sobering to imagine, a person then getting behind the wheel of a vehicle, and heading down that steep, narrow, winding canyon road, in many places with blind curves and steep cliff areas, for a harrowing 6.1 miles to the intersection of Silverado Trail, and to who knows where .

A CHP, California Highway patrol Incident Report Summary (1/21/13 to 4/11/16) stated that there were 36 incidents in that time period. 1 animal hazard, a deer in roadway, 3 traffic hazards: a semi-truck trailer partially blocking right lane around a blind corner, lots of vans (near the intersection of Soda

From: nodcwy <nodcwy@aol.com>
To: nodcwy <nodcwy@aol.com>
Subject: Mountain Peak Winery
Date: Mon, Jul 18, 2016 1:03 pm

RECEIVED
JUL 18 2016
Napa County Planning, Building
& Environmental Services

Dear Mr. McDowell

I am submitting my opposition of the proposed Mountain Peak Winery. I'm not sure if you have seen the sample letter opposing MPW ? All of the statements in it are correct . This will not benefit the locals ,The money goes to someone not living here. To see how bad this location is for a Winery hosting tasting's. I would like to have the planning commission drive to the proposed location between four and four thirty to see the traffic . depending on the season ,pruning ,budding ,harvesting it gets heavier . My son and I bought twenty acres in 1985 a mile down the gravel road from where they want to put the winery. No grapes, normally quite .I drove this road twice a day for more than forty years , My son who is a captain in the Santa Clara fire dept. and the Chief of the Soda Canyon fire dept. Still drives it on duty days .I have seen many accidents and situations on this steep twisting road .Trees falling across the road animals being hit , trucks tipped over ,bad visibility ,in the winter .The county road crew puts sand on the road for ice conditions . I myself have driven off the road in the fog and I am very familiar with the conditions. The field workers do not pay attention to the double line or the blind corners .I have had to wait for over forty cars with two to three workers in them on the single lane road to my home . There are no more good old days. Anyway a winery at this location is a very bad idea.

Sincerely
Don Christian

TO: THE NAPA COUNTY PLANNING COMMISSION & BOARD OF SUPERVISORS

**PETITION OPPOSING THE ISSUANCE OF PROPOSED USE PERMIT # P13-00320-UP
TO MOUNTAIN PEAK WINERY**

(Located at 3265 Soda Canyon Road, Napa, CA; APN: 032-500-033)

~ The undersigned Soda Canyon/Loma Vista area neighbors and other concerned citizens oppose Mountain Peak Winery proposed Use Permit # P13-00320-UP. We feel strongly that approval of the use permit application for a 100,000 gallon winery would cause significant adverse impacts to our remote and rural neighborhood, including but not limited to, the health and safety of the residents and visitors, due to increased traffic from tens of thousands of winery visitors and accidents arising therefrom, an increased fire risk in a high fire danger area, an increase in noise levels, as well as significant environmental impacts, including but not limited to the probability of local groundwater pollution and depletion, disruption of local plant and animal species, and the possibility of disturbing archaeological sites including remains and remnants from Native American populations indigenous to Napa that spent summers on Atlas Peak. In addition to the increase in traffic resulting from winery employees and vendors, the proposed public tours, tastings, and industry marketing events are expected to bring tens of thousands of visitors to our quiet peaceful neighborhood each year. The site is located in a remote rural high fire danger area served by a single narrow, winding, dead-end road. We respectfully request that the Planning Commission and the Board of Supervisors protect our remote and rural neighborhood by denying the use permit requested by Mountain Peak Winery or at least imposing significant and meaningful restrictions on this project.

Signature: David Christian
Print Name: David Christian
Address: 3510 Soda Canyon Rd
City, State, Zip: Napa Co. 94558
e-mail: NOB2004@AOL.COM

Signature: Carol A Boykin
Print Name: Carol A Boykin
Address: 1127 Star Trek Ln
City, State, Zip: Napa, Ca 94558
e-mail: Carol.Boykin@att.com

Signature: James W. Davis
Print Name: JAMES W. DAVIS
Address: 3625 RUSTON LN.
City, State, Zip: NAPA, CALIF 94558
e-mail:

Signature: Dina Giannini
Print Name: Dina Giannini
Address: 2952 Pinewood Dr.
City, State, Zip: Napa Ca 94558
e-mail: rgandg@earthlink.net

Signature: William Martin
Print Name: WILLIAM MARTIN
Address: 3610 HARNESS ST.
City, State, Zip: NAPA CA 94558
e-mail:

Signature: Rosalie Giannini
Print Name: Rosalie Giannini
Address: 2952 Pinewood Dr.
City, State, Zip: Napa Ca 94558
e-mail: rgandg@earthlink.net

Signature: Carole Martin
Print Name: Carole Martin
Address: 3610 HARNESS ST.
City, State, Zip: Napa Ca 94558
e-mail: martin.carole@ymail.com

Signature: Sally Seeler
Print Name: Sally Seeler
Address: 2046 Waverly St
City, State, Zip: NAPA, CA 94557
e-mail:

Signature: William E. Shaw
Print Name: William E Shaw
Address: 1090 Cayetano Dr
City, State, Zip: Napa Ca 94559
e-mail:

Signature:
Print Name:
Address:
City, State, Zip:
e-mail:

*****This is a sample letter to give you some facts and talking points.
Please make YOUR letter personal, with your issues and opinions...*****

[July XX, 2016] – NOTE THAT LETTERS MUST BE RECEIVED (mail/email/fax) at the COUNTY BY 4:45PM ON **JULY 19, 2016!!**

John McDowell, Deputy Planning Director, Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559
Email: john.mcdowell@countyofnapa.org
Fax: (707) 299-1358

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

Dear Deputy Planning Director McDowell,

[My name is Joe Chestnut and I live at 3510 Soda Canyon Napa, CA 94558. I moved to (Soda Canyon / Loma Vista / Chimney Rock / Petra Road) in (YEAR) to live in a quiet, rural area and escape the massive development of (Name of Big City). It seems that such a development is trying to follow me into the outer most reaches of the Napa mountains. I strongly oppose the Mountain Peak project below and humbly request that you deny or significantly reduce this use permit for the following reasons.] – **Make this your own letter!**

Choose/add any facts that fit your personal issues/opinions regarding the Mountain Peak Winery project:

- The size and scope of the project is way out of proportion with the size of the parcel and remote location. Soda Canyon Road is narrow, steep, winding, dangerous, dead-ends, often foggy, and is filled with wildlife.
- Current residents and workers will all be overwhelmed with the 17,298 anticipated new annual visitors plus additional big rig trucks hauling grapes, wine shipments, and construction equipment along this road. Potentially drunk drivers on this steep, curvy road are a danger to all of us.
- Requested permit is for 100,000 gallons, which would require ~700 tons of grapes to satisfy. The project parcel has only 28 acres of planted vines, producing a maximum of ~80 tons of grapes per year (a mere 11% required to produce 100,000 gallons!). Big rig trucks would be required to haul the additional ~620 tons of grapes up and down SCR!
- Large trucks are regularly stuck along Soda Canyon because it is narrow & steep, causing accidents and traffic delays!
- There is a major drought throughout California. Allowing a 100-gallon winery and event center will severely stress the limited water resources in our area and potentially suck the water resources dry no matter how elaborate a proposed LYVE wastewater treatment system sounds.
- Winery would be operational 7 days a week with up to 320 tourists/week, creating additional traffic and noise EVERY day in this rural area with no days off to enjoy the quiet. **Marketing events go until 10pm!**
- The peace and tranquility that I chose by moving into the mountains is being threatened. There are already busy commute hours with hundreds of vineyard worker cars coming and going, plus the prevalent big rigs. Adding 17,298 tourists, plus 19 more full time workers, more trucks and equipment to this busy/dangerous road is a bad idea!
- Soda Canyon has history of major fires. Because Soda Canyon Road is a dead-end road, there are MAJOR public safety concerns with regard to fire, and all emergencies for that matter. There is essentially zero cell service on Soda Canyon Road, offering the potential for disaster for **drunk driver incidents**, and the common jackknifed & stuck trucks.

For all of the reasons above, among many others, **the County must deny this project and reduce the size to one that fits the rural environment and road conditions.** Please protect our community's safety and preserve the quickly dwindling natural resources that Napa has left, particularly in the remote hillsides.

Sincerely,
XXXXXXXX XXXXXXXX

Lou Ann Best
3260 Soda Canyon Road
Napa, CA 94558

July 18, 2016

John McDowell, Deputy Planning Director
Napa County Planning, Building, and Environmental Services Department
1195 Third Street Suite 210
Napa, CA 94559

RECEIVED
JUL 19 2016
Napa County Planning, Building
& Environmental Services

Re: Protesting/Opposing Mountain Peak Winery- Use Permit # P13-00320-UP

Dear Deputy Planning Director McDowell,

My name is Lou Ann Best, I grew up on Soda Canyon from the time I was 3 years old (1974). Now, at the age of 44, I am moving back home because of complications from a recent liver transplant.

My liver transplant was done on February 9th, 2015. I was so sick that Stanford Hospital almost didn't give me a liver. My family convinced the doctors that I would pull through and luckily I did, but it wasn't without a fight. Two days after my surgery I fell into a sleep for a one month. During that month I had many complications, including Respiratory failure (I almost died). To date, I still go to the hospital for complications and my liver enzymes are still abnormal; 3-4 weeks ago I was Hospitalized with internal bleeding; I am anemic; 2 weeks ago my General Practitioner doctor told me that, even after my transplant, my liver is critical; I currently have asthma and, again, it almost took my life during my one month of sleeping (Respiratory Failure).

Please consider, while reading this letter, how you would want yourself or someone in your family to be treated if you were going through difficult health issues. Would you find it acceptable to have the county approve two years of heavy construction involving noise, dust, traffic, and potential water availability and quality impacts right next door? And, following that, heavy tourism and industrial wine production? I live less than 200 yards from the Mountain Peak site.

My concern is heightened because, since vineyards and wineries have been introduced to Soda Canyon, my father and three of our nearby neighbors were diagnosed with cancer. Sadly, out of the four diagnosed, only one neighbor survived. I lost my Dad in October 2013, when I needed him the most in my life.

Due to my health, it is very important that I am in a place with clean drinking water, clean air and most of all a quiet environment. With the proposed Mountain Peak Winery site plans, involving dust, noise pollution, and a highly active winery I do not see how I can make a full recovery. I am already experiencing side effects from air pollution and stress from the noise of tractors that spray sulfur and other chemicals at all hours of the day and night. The blasting activities associated with cave excavation could potentially put me into the hospital, or be fatal. There are a number of people living nearby who are in delicate health that could all be affected, my mother (who has COPD) included.

Our well is about 110 ft deep. Mountain Peak plans to use 16 to 17 acre-feet of water per year with wells located 1,500 feet away from ours. The decision made today will affect my water resources in the

future. When the water is gone, it will be too late to get it back. Again, would you be willing to take this risk if your water supply was the one being affected?

The factors of road quality and safety are also a concern for me. Semi trucks haul wine, grapes, and supplies up and down the mountain. I've personally already had one near head-on collision because a semi-truck was too long to get around a blind corner without crossing into the other lane (see photos). I've encountered trucks unable to fit in their lane countless times. The trucks are too big for the road and take up half of my lane, leaving me nowhere to go so I have to brake hard and veer as close to the shoulder as I dare. It is only a matter of time before these trucks push somebody off the road and into the steep canyon. Additionally, it is not acceptable to have potentially intoxicated tourists driving down an already dangerous road under any circumstances.

The road currently has damage and is not being maintained properly. The damage done to the roads between the many trucks and visitors with this project would be tremendous. Who will be responsible for this? People using the road for industrial purposes should be held accountable for the damage they are doing instead of taxpayers footing the bill. If for some reason this project is approved, the developer should be required to pay an amount proportional with the traffic they bring onto the road.

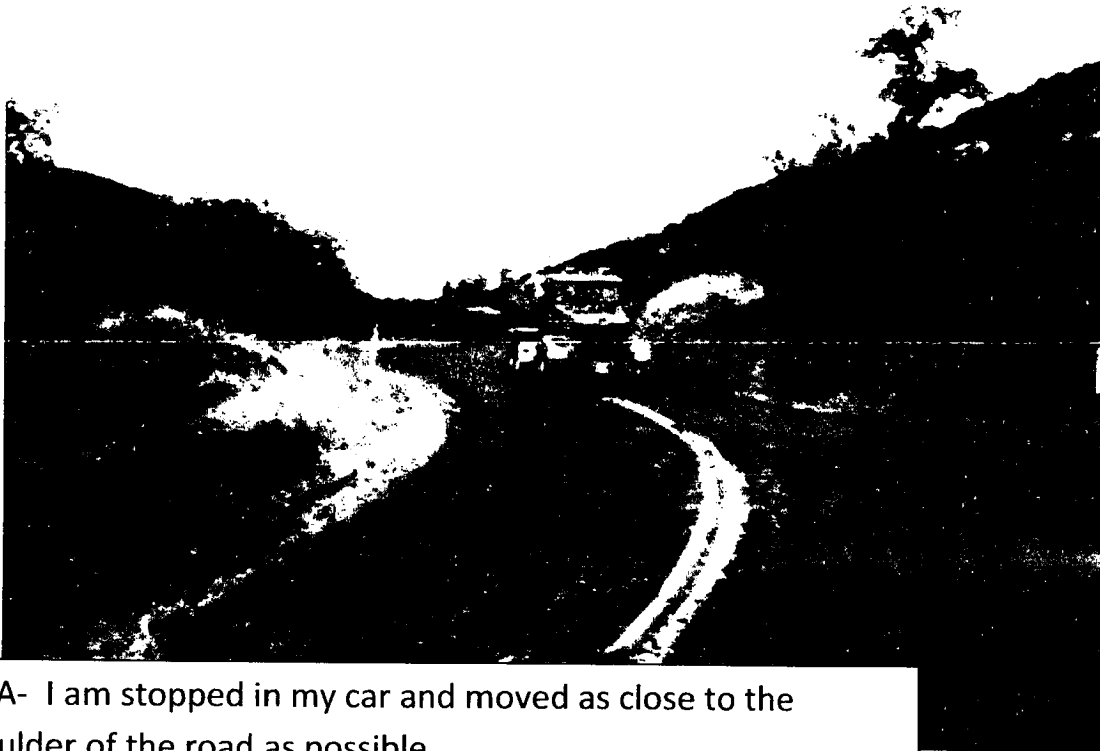
The house my parents purchased is a family home and they chose it because Soda Canyon was natural and undeveloped (see photo). As an adult I've seen wildlife become increasingly scarce as vineyards and wineries have moved in and expanded. It is clear that these projects are having negative environmental impacts.

I have been having health issues for the past nine years and fighting to live since 2014, and really want to be able to return to my family home and enjoy my life in peace. Mountain Peak's proposal would negatively impact my healing process, my quiet enjoyment of my home, worsen road safety conditions for all residents and visitors, and compromise my water supply. Due to the issues described here, I am requesting that the project be denied.

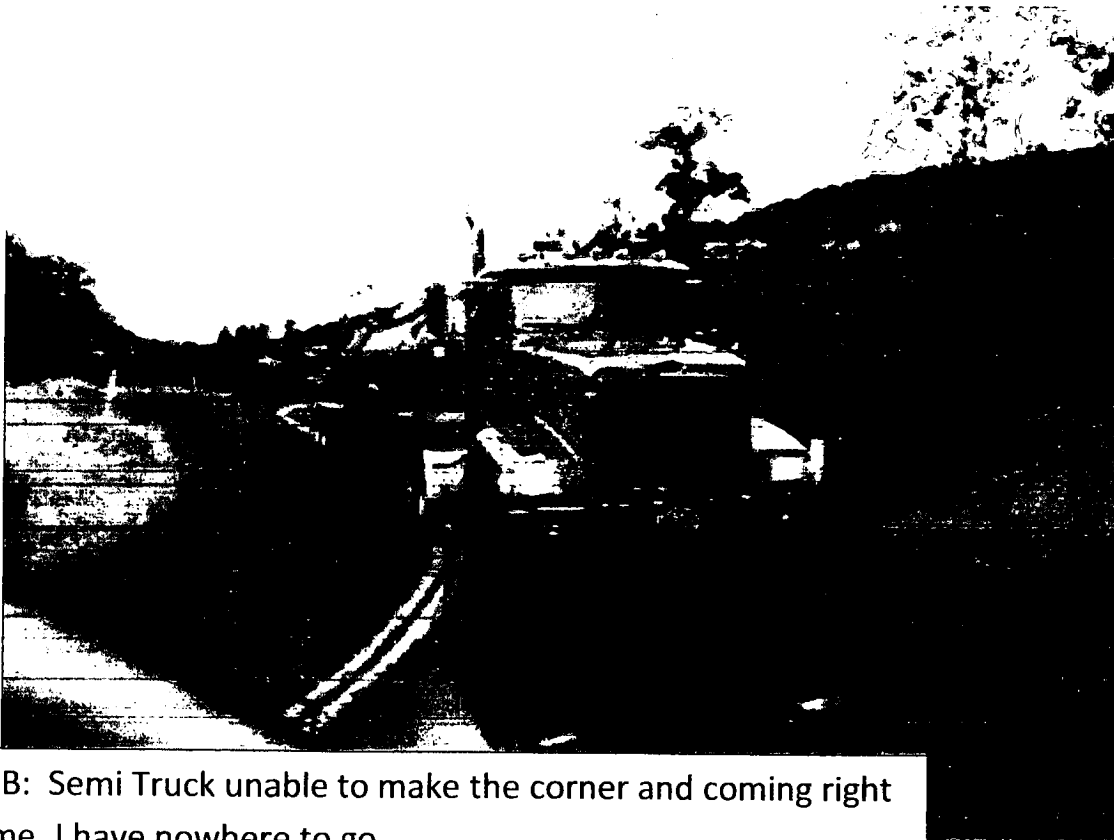
Sincerely,

A handwritten signature in black ink that reads "Lou Ann Best". The signature is written in a cursive, flowing style.

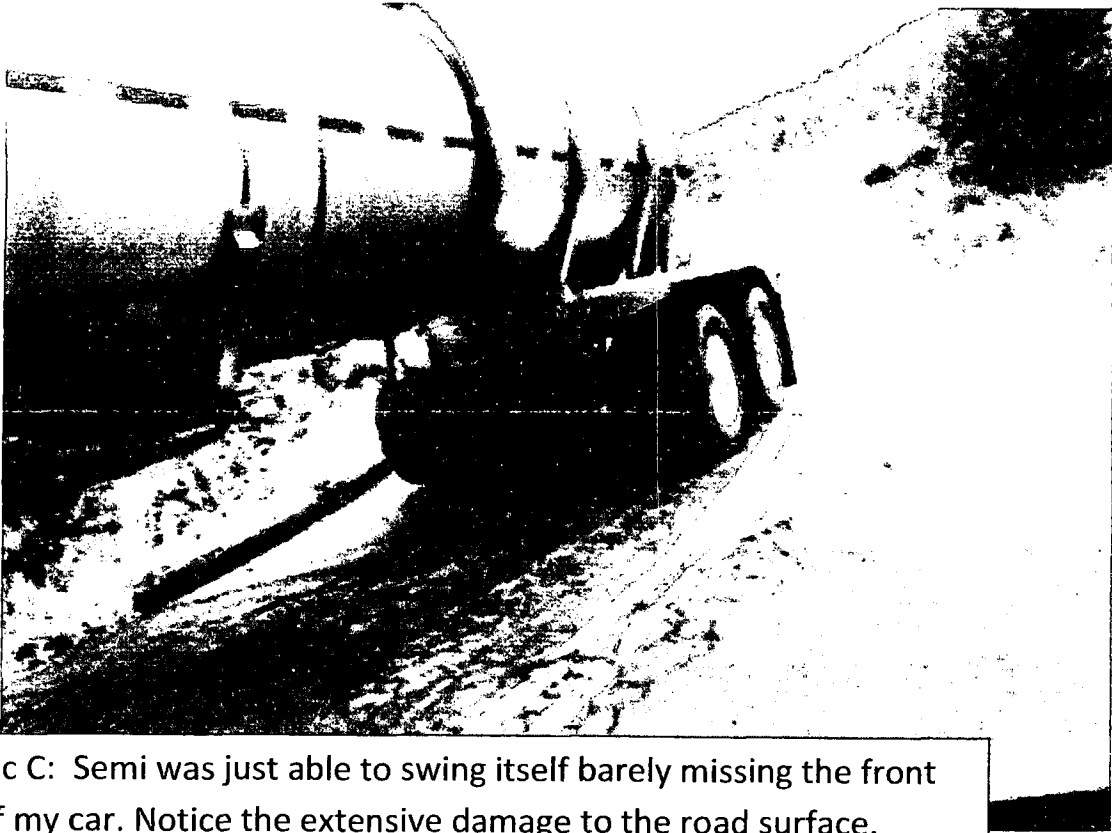
Lou Ann Best



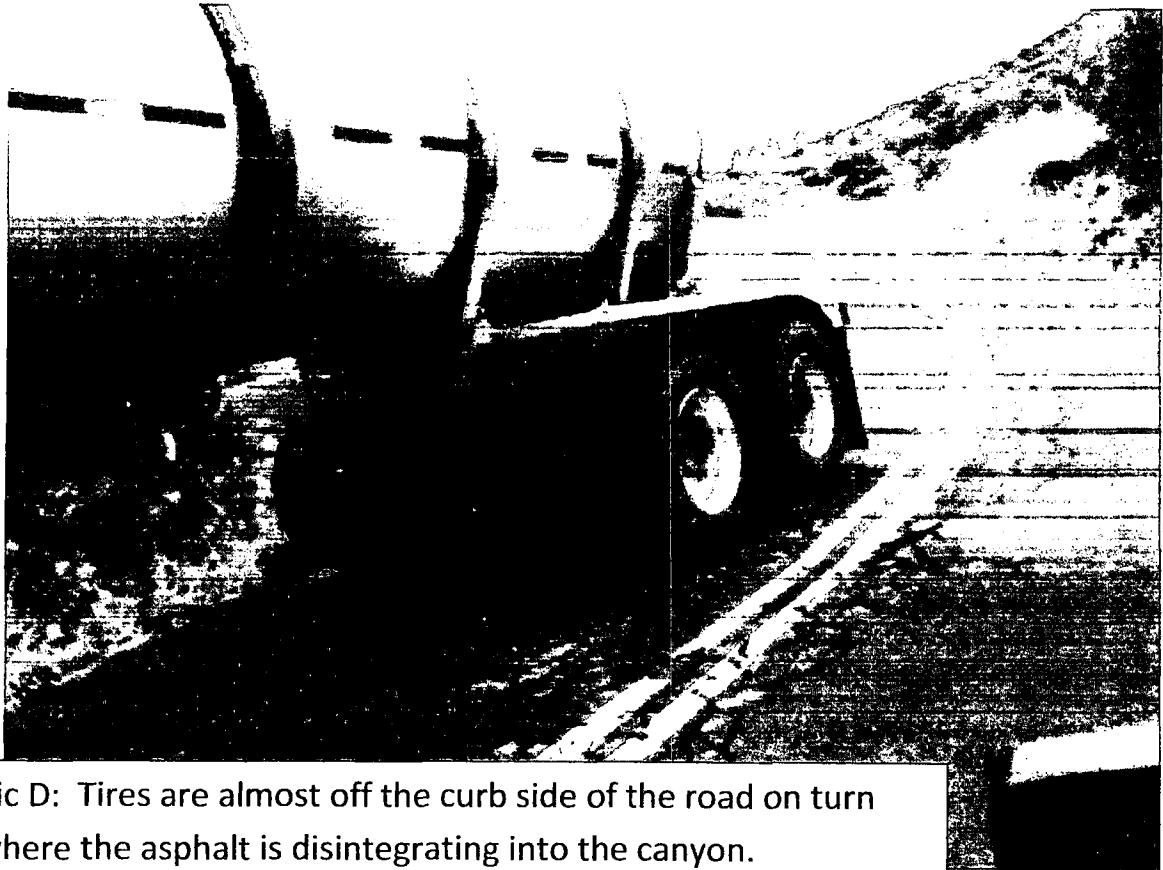
Pic A- I am stopped in my car and moved as close to the shoulder of the road as possible.



Pic B: Semi Truck unable to make the corner and coming right at me. I have nowhere to go.



Pic C: Semi was just able to swing itself barely missing the front of my car. Notice the extensive damage to the road surface.



Pic D: Tires are almost off the curb side of the road on turn where the asphalt is disintegrating into the canyon.

THIS PHOTO WAS TAKEN UNDER 1960. THIS WINDSUCKER IS WHY WE



MOVED TO DORA CANYON, WE ARE A SMALL COMMUNITY

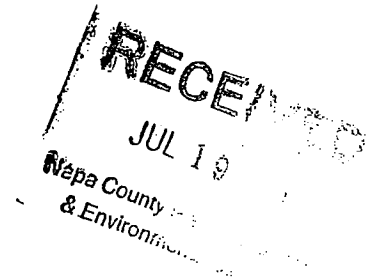
NOT A RUDIC HOMES

Vivian Manfree
3360 Soda Canyon Road
Napa, CA 94558

Mike Russ
3265 Soda Cyn. Rd.
Napa, CA 94558

July 18, 2016

John McDowell, Deputy Planning Director
Napa County Planning, Building, and Environmental Services Department
1195 Third Street Suite 210
Napa, CA 94559



Re: Protesting/Opposing Mountain Peak Winery- Use Permit # P13-00320-UP

Dear Deputy Planning Director McDowell,

My name is Vivian Manfree. I have been part of the Soda Canyon Road community since 1940. I am against the development of Mountain Peak Winery. I live at 3360 Soda Canyon Road and I believe a development of this type has no place here.

Our road limits access to our area. We cannot tolerate thousands of visitors in our rural community. When you have a business, it should be in town where the customers are. Wineries should be where road access is good, and this is simply not a suitable location.

We need open space for animals and trees.

Sincerely,

Vivian Manfree

Mike Russ

Vivian L. Manfree + Family + Mike Russ

Andy Adams
Todd Adams
3200 Soda Canyon Road
Napa, CA 94558

RECEIVED
JUL 19 2016
Napa County Planning, Building
& Environmental Services

July 18, 2016

John McDowell, Deputy Planning Director
Napa County Planning, Building, and Environmental Services Department
1195 Third Street Suite 210
Napa, CA 94559

Re: Protesting/Opposing Mountain Peak Winery- Use Permit # P13-00320-UP

Dear Deputy Planning Director McDowell,

Our names are Andy and Todd Adams. We grew up at 3200 Soda Canyon Road, where our mother still lives. Our family home is located directly across the street from Mountain Peak Winery site. We oppose the Mountain Peak project or any commercial wineries in this location because they use too much water for the supply available. This project would set a dangerous precedent for the area and open the door to additional wineries. Increasing demand for water when there will eventually not be enough to meet everyone's needs.

If this project is constructed and our well runs dry, we want a guarantee that either the project operator or Napa County will cover all expenses associated with constructing a new well. Our property is managed by our mother who lives on a fixed income. We cannot afford, and should not be expected to cover this expense, which will eventually become an issue considering the amount of water the applicant proposes to use.

Although, with all due respect Sir, your decision is our future. The decision made today is not for us, the consequence or improvement is for our grand children. Let it be for them not us for our moment.

Sincerely,

Todd Adams
Andy Adams
Andy Adams and
Todd Adams

Debra Manfree
3360 Soda Canyon Road
Napa, CA 94558

July 18, 2016

John McDowell, Deputy Planning Director
Napa County Planning, Building, and Environmental Services Department
1195 Third Street Suite 210
Napa, CA 94559

RECEIVED
JUL 19 2016
Napa County Planning, Building
& Environmental Services

Re: Protesting/Opposing Mountain Peak Winery- Use Permit # P13-00320-UP

Dear Deputy Planning Director McDowell,

I am writing to let you know that I am against the development of the Mountain Peak Winery. I live at 3360 Soda Canyon Road and I believe a development of this type does not belong in a remote section of the watershed right on the rim of Rector Canyon. Our family has made our home here since the 1940s.

Rector Canyon is currently a pristine waterway with an amazing diversity of plants and animals. The walls of the canyon are lined with ferns and mosses. The clear waters are habitat for wildlife. I have seen pacific giant salamanders over 2 feet long living in the pools. There are amazing waterfalls with water running year round. One waterfall is so big you can stand under it and get showered like in the pictures of paradise. I think this canyon should be viewed as a heritage site and Napa County should protect the area because of the incredible beauty that exists in Rector Canyon.

I also believe that all the people who are to make the decision to allow this canyon to be destroyed by the Mountain Peak development should take a hike to Rector Canyon to see for themselves the amazing natural beauty right here in Napa County. This important area should be protected and not be destroyed by commercial developments that do not belong in a sensitive watershed.

Also I would like to know why Napa County wants to allow this developer to come here and blast extensive caves, build parking lots, and have thousands of visitors every year in this remote section of the watershed. The owner, who has never made any effort to see us, and who we understand plans to live outside Napa County, has no regard for our environment here. This company is only here to make a profit. The surrounding neighbors, animals and native species are just in the way for them. The profits they make as they destroy our area will not benefit our rural community. They have no ties to this land or preserving the area for the future.

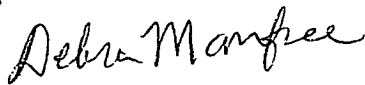
The road up Soda Canyon has a very steep grade. Many people will tell you it is dangerous. You need to listen to this important information because the people who live here know what they are talking about. I have had several near death experiences on the grade. I will tell you about three.

- On September 25 2011 I was on a trip to town and there was a mist that day. This was the first moisture since spring time and the road was slick. I was not driving over the speed limit and I know the road very well. When I tried to brake going down the grade, the back wheels slid out and my truck went over the cliff. Somehow I survived, but my truck was totaled.

- This spring I was driving down the grade and as I came around the blind curve at 2500 Soda Canyon there was a semi-truck coming up the grade more than a foot over the yellow center line. My vehicle was just inches from being pushed off the cliff. When a large vehicle makes the turn at that spot in the road there is no possible way for them to stay on their side of the road. This creates a very dangerous situation for anyone coming down hill as there is no way to see around the curve.
- In winter 2012 there was a heavy frost one morning. I had to scrape the ice off of the window of the car. I was on the way to bring my son to school. When we got to the grade it was covered in a sheet of ice and it was terrifying to go downhill on sheer ice.

The road is not suitable for large vehicles, which are already creating unacceptably dangerous conditions at current traffic levels. The proposed winery would produce 100,000 gallons of wine per year and have numerous marketing events, all of which will increase large vehicle traffic. Approving a development like this in this location is not responsible. This Mountain Peak development does not belong here on Soda Canyon Road. I hope you will listen to the people and not allow this developer to destroy this area.

Sincerely,

A handwritten signature in cursive script that reads "Debra Manfree". The signature is written in black ink and is positioned below the word "Sincerely,".

Debra Manfree

RECEIVED

7-17-2016

Planning Commission and Board of Supervisors

JUL 18 2016

Napa County Planning, Building
& Environmental Services

The following is a brief summary of my concerns regarding the proposed Mountain Peak Winery to be located at 3265 Soda Canyon Road. On parcel APN 032-500-033.

We live on Loma Vista Dr. and use Soda Canyon Road to access our home.

My main concern is the additional use on Soda Canyon Road. A very narrow mountain road with many curves. This rises from 71 feet at Silverado Trail to a high point of 1500 feet and then back down to the cave site at 1350 ft. An elevation gain of 1430 feet over one of the most challenging roads in Napa County.

The projected total of visitors and employees would total 23,426 a year, assuming the employees only worked a 5 day week. All of them using Soda Canyon Road, the only access road.

As visitors will be sampling wine and can also purchase and consume wine on premises, it's just a matter of time before some driver misjudges and ends up in one of the canyons. Thus creating a very real possibility of a wildland fire in an area that is very difficult for fire fighters.

The fact that there will be Marketing events that will go until 10PM at night will add the additional challenge of navigating the road in the dark.

As the 28 acre parcel is only sufficient to produce about 10,000 gallons of wine the additional grapes will have to be trucked up Soda Canyon Road. And the wine produced will have to be trucked back down. This will be a real test drivers and equipment.

I would suggest that that the Board of Supervisors have a field trip some afternoon when the vineyard workers get off work. The road race down the hill and the back up at Silverado Trail tells it's own story.

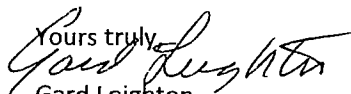
Who will pay to maintain the road. You got it. The local taxpayers.

Another primary concern is the amount of water that will be used. A concern as we are down the hill and water has a tendency to run in that direction. I am including a copy of a letter from Imboden Pump who installed our water system when we built in 1978.

We drilled to a depth of 415 feet and dropped the pump to 336 feet. 25 years later we had to replace the pipe and dropped the pump to the bottom. This was necessary as the water table had dropped dramatically. We were told a drop of 45 feet in 25 years.

I sincerely hope that the Planning commission and the Board of Supervisors will either cut back the allowed gallons per year to a more appropriate 10,000 gallons and lower the allowed visitors, or deny the permit.

A winery of this size and event center in that location is inappropriate and some serious thought should be exercised before it is allowed to proceed.

Yours truly,

Gard Leighton
1166 Loma Vista Dr.

IMBODEN PUMP

SINCE 1946

1030 PUEBLO AVENUE • NAPA, CALIFORNIA 94558
(707) 252-6493 • LIC. # 404594
FAX (707) 226-1580

August 8, 2003

Gardner Leighton
1166 Loma Vista Dr.
Napa, CA 94558

Gard,

This letter is in response to your inquiry about the service that was recently performed at your location.

The old pipe that was down your well did not meet our standards for reuse. It was rusty and generally in poor condition. We replaced it with 415' of brand new 1 ¼ galvanized pipe.

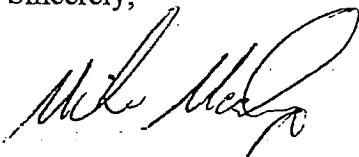
The old pump was set at 336'.

The new pump is set at 415'.

The "buzzing" that you hear coming from your circuit breaker originates in the contactor. Unfortunately, it is part of the contactor's normal operation and, therefore, something that you will have to deal with. We would be happy to install a new one but it will almost certainly perform the same way.

Please don't hesitate to contact us if you have further questions.

Sincerely,

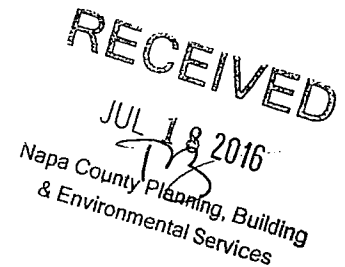


Mike Mealey
Imboden Pump

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

July 12, 2016

Re: Protesting/Opposing Mountain Peak Winery-Use Permit #13-00320-UP



Dear Deputy Planning Director McDowell:

My name is Mary Jane Stevens and I live at 3396 Soda Canyon Road, Napa, CA 94558 which is very close to the project I am protesting. I moved to the end of Soda Canyon Road to escape the massive development that was once the Reno family home on Brown's Valley Road which was turned from one home into an entire development in the Brown's Valley neighborhood in Napa. I was looking for peace, quiet, limited traffic and less construction. I thought surely at the top end of Soda Canyon I would never have a duplicate of that experience. It looks like I may have been wrong. I strongly oppose the Mountain Peak project and strongly request that you deny or greatly reduce the size of the use permit for this project.

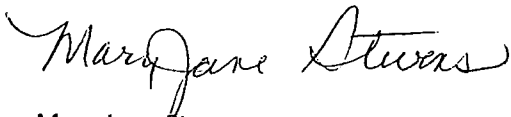
The two lane road is of great concern to me. It is poorly maintained, has no guardrail to prevent cars going off the edge of the steep part of the road. There is so much vegetation on either side of the road that big rigs often drive down the center of the road to avoid hitting the trees with the trailers. There's nothing worse than coming around a corner only to stare into the grill of a big rig coming at your car. It happens all the time. There is NO shoulder for the most part on this road so there is no place to go if a car coming the other way crosses the line. Big rigs constantly get stuck on the steepest part of the road and often break down. This project will add to the truck traffic bringing grapes up the hill, because they do not have enough land to grow enough grapes to make wine, and wine down the hill. Because the road is so narrow, steep, windy and full of pot holes and uneven pavement cars also cross the yellow line all the time. I can't imagine adding to the traffic people who have been tasting wine all day and are unfamiliar with the road or busses full of people being driven by drivers unfamiliar with the road. It just does not make sense for the safety of resident, workers or visitors.

The agricultural preserve is being turned into party central because of these wineries and I don't believe that is what was intended. Residents should be allowed to enjoy peace and quiet and not have to put up with noise contamination seven days a week. How would you like it if the property on your block was allowed to have noisy events when you purchased your property for the peace and quiet of rural living.

Fire is of great concern in Soda Canyon as is getting emergency services to the area. We have no cell service and if problems are caused by the additional stress on the environment people using the road may not be able to get help.

Please deny this use permit and make them scale down the project to a reasonable size for the rural area. The safety and peace of mind of the residents you serve depends on it. This is our valley and I hope you will do what's right for the residents not the business interests from out of the area. Often in the past few years we residents have been made to feel that we don't count, that the planning department is only interested tax dollars and fees generated by these types of projects. That's not right. Please do the right thing.

Sincerely,

A handwritten signature in cursive script that reads "Mary Jane Stevens". The signature is written in black ink and is positioned above the printed name.

Mary Jane Stevens

7-15-16
RECEIVED

JUL 18 2016

Napa County Planning, Building
& Environmental Services

Dear Deputy Planning Director
McDowell; Napa County Planning Com.

My name is Susan Hassfeld
and I own Hassfeld Vineyards
at 1250 Loma Vista Dr. Napa 94558
I have been here since
1981 with my 22 acre vineyard.
During the last 38 years
I have seen so much develop-
ment here in Napa. Our wish
is to remain rural as much
as possible. Soda Canyon
Road has terrible holes in
the road, very little maintenance
on it and the traffic is
already bad. At 4:00 pm
you cannot even get out
of Soda Canyon with the
traffic coming down the
Valley. Workers coming
down Soda Canyon drink
and speed past Loma Vista
and there have been a
few accidents at this

cross road. why are we
so eager to sell out our
valley to foreign interests
Commercial development
is not what this valley
was all about. It was
old farming families
that have been driven
out by "the big boys
enough already its like
disney land around here.
and so much wasted
money in downtown
develop our roads, our
schools and small business
have gone to hell. Stop
and realize ~~that~~ us small
people are tired of all
this develop^{ment} and this one
in particular Mountain
peak is not ~~necessary~~
wanted. I'm an old farmer
and like us to remain
rural without crowds down
our roads and buses everywhere

We do not need Asian 2
people in buses coming
up an old and dangerous
road Soda Canyon, for the
profits of one person versus
the people and their
families that live here.
The noise, the fumes,
all for the sake of someone's
profits.

please help us
retain our peace at least
in this small part of
Naples we deserve to be treated
better

Susan Webb Hesselgeld
owner: Hesselgeld Vineyards

Keep the buses out
of Soda Canyon leave
us in peace!

I pay my taxes and get
very little back for it.

RECEIVED
JUL 18 2016
Napa County Planning, Building
& Environmental Services

July 16, 2016

John McDowell
Deputy Planning Director
1195 Third St. Suite 210
Napa, CA 94559

Dear Mr McDowell:

Upon opening the Napa County Recycling & Waster Service envelope, I noticed the flyer "State Water Waste Prohibitions." This notice was updated June, 2016, stating the "drought has eased, but please." Of the five items listed one statement read: "Do not overwater lawns and gardens to the point of excess flowing runoff." I can do this. As a matter of fact, I have not used my sprinkling system since 2013. I am on a well that is 200 ft deep. For the last couple of years, I have been wondering if I will soon need a new and deeper well, which cost \$55.00 a foot. I was thinking of a 400 ft well which most neighbors now have on Petra Drive. This would be a cost of \$22,000. Water is a most precious commodity, and with four years of drought, we need to be most cautious.

On July 20, 2016, I am appalled to see Mountain Peak Vineyards, 3265 Soda Canyon Road, seeking a new use permit to produce 100,000 gal/yr. This volume of production would in no way conserve water for future generations. Humans can't live without water. Animals need water. Crops need water. Napa doesn't need an infinite supply of wine. Napa needs to protect our environment for future generations.

Very truly yours,



Sharon Lavender
1033 Petra Dr.
Napa, CA 94558