

**Fuller, Lashun**

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**Subject:** Hobbs Use Permit

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**From:** Paul Frank [<mailto:paul@paulfrankemail.com>]

**Sent:** Saturday, September 30, 2017 11:14 AM

**To:** Hade, Jason

**Subject:** RE: Hobbs Use Permit

Dear Mr. Hade;

RE: Paul Hobbs Nathan Coombs Winery Use Permit #P15-00128

As a resident of a neighboring property to the subject property application, I would like to offer the following observations and remarks relevant to the application.

I have known Paul Hobbs for approximately twenty years both professionally and as a friend. During this time, I have become familiar with his remarkable expertise and integrity in vineyard and winery operations alike. His focus on quality has always been unwavering and his proposed winery operation in Coombsville is certain to add to the quality reputation of our AVA and the value of our properties.

In addition, his integrity, vision, and global reputation as an industry leader bring benefit to our community; my wife and I welcome his project and support this application.

Susan and Paul Frank

2059 Curry Lane

Napa, CA 94559

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**From:** [Hade, Jason](#)  
**To:** [Fuller, Lashun](#)  
**Cc:** [Smith, Vincent \(PBES\)](#); [Gallina, Charlene](#); [Apallas, Chris](#); [Anderson, Laura](#)  
**Subject:** FW: Comments on Hobbs Winery IS/ND and Use Permit  
**Date:** Tuesday, October 03, 2017 4:37:51 PM

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**From:** Susanne von Rosenberg [mailto:susanne@gaiainc.com]  
**Sent:** Tuesday, October 03, 2017 4:24 PM  
**To:** Hade, Jason  
**Cc:** kfelch@adkinsfelchllp.com  
**Subject:** Comments on Hobbs Winery IS/ND and Use Permit

Dear Jason, in accordance with the public comment period provisions for the proposed Hobbs Winery, I have concerns/comments as outlined below. I look forward to seeing an adequate CEQA analysis and updated conditions of approval in the future. Please confirm that you have received this email.

Comments on Findings:

Findings cannot be made because the CEQA analysis is inadequate as described below.

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General: this should have been a mitigated Negative Declaration, as there are multiple potentially significant project-related impacts, as well as numerous potential cumulative impacts that were not adequately addressed.

1. Project Description:

The following general items need to be corrected in the project description AND Use Permit/Conditions of Approval, as applicable:

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  - b. Also, the Hobbs information indicates that there would be 5 full-time employees non-harvest, and 7 during harvest. The project description indicates 9. This must be corrected.
  - c. There are multiple exceptions to impact control measures for harvest time. Harvest time must be defined as consisting solely of harvest activities at the winery location, not harvest season as it defined for the Napa Valley in general. Please make that clarification in any location where the term is used, including the Conditions of Approval.
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defined as consisting solely of harvest activities at the winery location, not harvest season as it defined for the Napa Valley in general.

3. Air Quality – the County must provide a direct contact for air quality complaints, since BAAQMD is not able to respond in a timely manner (as evidenced by numerous complaints issued relative to dust generation at Syar for which the appointed BAAQMD contact either failed to appear, or required more than 1.5 hours to appear, which makes it impossible to have a substantiated complaint). The name of that person and his/her contact information should be posted at on a sign visible from the street.
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5. Wastewater Treatment: Will be provided later today or at hearing tomorrow.
6. Groundwater: the Water Availability Analysis “conjures” water by assuming that the water use for irrigation will decline relative to the baseline, based on only two years of data, which had water use variations within the range of the allegedly reduced water use. In fact, there would be a slight decrease in water use as a result of the removal of 1.41 acres of vineyard, but that would not offset the NEW use by the winery. A separate permit is required to allow the winery to extract water above the existing baseline, or additional vineyard acreage must be removed so that the water use does not exceed the baseline. It should also be noted that the water use in the vineyard in 2014 and 2015 (which were used to modify the baseline) included a removal/replant period for a portion of the vineyard, and smaller plants generally require less water.
7. Noise: The noise analysis is grossly understates the potential impact, in that it assumes that it is acceptable to increase existing noise levels from a low, peaceful level to a much higher level (up to 13 dBA increase) because the County noise ordinance allows these higher noise levels in rural areas. In fact, the typical threshold of significance for noise impacts is an increase of 5 dBA, and in noise sensitive areas, it is typically 3 dBA. To preserve the peaceful,

rural nature of the immediate neighborhood, the lower threshold should be used. Furthermore, for residents along 4<sup>th</sup> Ave, existing noise levels already EXCEED the acceptable noise standards (per Table 3 in the Noise Study), and therefore ANY increase in noise would be considered significant. In addition, the document fails to address the cumulative noise effects of this winery added to the numerous increases in noise sources allowed by the County in this area in the recent past. These include the large increase in the number of flights passing overhead (as well as a huge increase in the average size of the aircraft), recent permitting of Syar expansion, and the Coombsville appellation, which has led to a large increase of traffic on Imola Road/4<sup>th</sup> Avenue, and the associated increase in noise. The County MUST address cumulative impacts in its CEQA documents, and more importantly, in its planning and implementation activities. Although this winery may only have a small contribution to increased noise levels in the area, the conceptual basis for cumulative impacts underlying CEQA is that a very minor addition to an accumulation of other previous impacts, can pass the threshold of significance (e.g., one more house, added to 100 previously permitted houses, can trigger the threshold). The County is currently on a path of incremental destruction, where any one decision does not appear to result in a significant impact, but where in the aggregate the noise, traffic, and other environmental effects are substantial and absolutely significant. Unless cumulative impacts are fully evaluated in this document and appropriate mitigation measures are proposed, the CEQA analysis is inadequate. Similarly, while it may not appear to be that disruptive to have 4 marketing events per year disrupt ones peaceful weekends, that is four more weekends of disturbance each year (in addition to the disturbances already associated with events at Skyline Park, street events such as runs, and BottleRock, among others). That is unacceptable. There also needs to be a contact person with the authority to stop work if construction noise does not comply with applicable standards. This need is based on the community's experience with recent public construction. There was ample evidence of the noise ordinance not being complied with when the recycled water pipeline was constructed. For example, while work on public roads did not occur until 7AM, the contractor began its operations, including warming up equipment and loading/unloading supplies within the staging area at 6 AM or earlier. This, too, is construction noise, and is not permissible. Furthermore, there should be consequences for the failure to comply with the noise ordinance, such as further restrictions in work hours. If any marketing events are permitted, they should only be permitted on days that coincide with other scheduled events at Skyline Park, to prevent repeated disturbances to the neighborhood. Noise monitoring should be required to ensure that noise from winery operations, including any events, does not increase the noise level more than 3 dBA at the property boundary.

8. Population and Housing: The same comment regarding cumulative impacts applies. It is a mystery to me how anyone can suppose that the County's current efforts with regard to providing adequate workforce housing can be considered acceptable. There is a clearly a significant cumulative impact that is NOT adequately addressed by the provisions of the 2008 General Plan and the housing impact mitigation fee, or we would have much more affordable housing in the County in proximity to where workers are actually working. While I realize that this winery project cannot be made responsible for providing worker housing, the CEQA document should at least be honest and show that there is a significant,

unavoidable impact with regarding to population and housing.

9. Traffic: The same comment regarding cumulative impacts applies as for noise. There has been a large increase in traffic on Imola/4<sup>th</sup> Ave, and just because traffic conditions on Imola/4<sup>th</sup> has not deteriorated to LOS D (which is a ridiculous standard for a rural country road that primarily serves a very low density human use area), as stated in the traffic study, this does not make the continuous increase in traffic on Imola/4<sup>th</sup> Ave acceptable. As stated earlier, there has been a very substantial increase in traffic since the Coombsville appellation was approved. The traffic generated by this project, and any other winery project in the Coombsville area, must be considered in light of this increase, and the County has an obligation to understand and mitigate for this increase in traffic that now results in very noticeable traffic noise as early as 5 AM on weekdays. Again, absent the cumulative impact analysis, the CEQA document is inadequate.

Comments on Use Permit/Conditions of Approval (COAs)

1. Comments on the IS/ND that are pertinent to the COAs are hereby also made for the COAs, for example, the comments on lighting and noise.
2. Any logs used to document compliance with the COAs shall be made available for public review. This is important because the County's compliance monitoring effort is grossly inadequate, and there is a compelling public interest in and right to ensure that COAs are met.
3. There is no timeframe in the COAs for when Phase 2 of the winery would be constructed. Since it is impossible to foresee what environmental and other conditions would be in effect at the time of any such expansion, the environmental analysis cannot be completed for Phase 2. Either the Use Permit must incorporate a time by which Phase 2 must be constructed (within the next 5 years), or Phase 2 must be removed from the Use Permit.

Cordially – Susanne von Rosenberg

Susanne von Rosenberg, P.E.  
Principal  
GAIA Consulting, Inc.  
2168 Penny Lane  
Napa, Ca 94559  
(707) 253-9456  
(707) 253-9673 (fax)  
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**Subject:** FW: Comments on Hobbs Winery IS/ND and Use Permit  
**Date:** Tuesday, October 03, 2017 4:43:47 PM

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**Sent:** Tuesday, October 03, 2017 4:42 PM  
**To:** Hade, Jason  
**Cc:** [kfelch@adkinsfelchllp.com](mailto:kfelch@adkinsfelchllp.com)  
**Subject:** RE: Comments on Hobbs Winery IS/ND and Use Permit

Hi Jason – I'm supplementing the comments I send you a few minutes ago with the following comments on the Wastewater Feasibility Analysis

- 1) I'm concerned about how close the leach field is to the ephemeral creek. The creek feeds two year-round ponds, and any increase in organic matter in the water in the ephemeral creek would have an adverse effect on those ponds (which already experience water quality challenges during the dry season due to the lack of dry season recharge).
- 2) The wastewater treatment feasibility analysis assumes that in Phase 2 process waste water would be generated during a 60-day harvest period, yet we were told by Paul Hobbs and Steve Martin Associates at the neighborhood meeting that the harvest season typically is 5 – 7 days long, and often less. This is of concern for two reasons: either the potential effects of the harvest season (noise, light, traffic) are much substantial than disclosed in the IS/ND, and more substantial mitigation measures must be put in place, or the process water production is much greater than projected in the wastewater treatment feasibility analysis, in which case the waste water treatment system as conceived is inadequate. This concern needs to be addressed.
- 3) How will odors from the process waste water being aerated in the "existing pond" (the reservoir near the winery site?) be controlled?
- 4) The feasibility study describes grease and oil from essential oil production, which is not disclosed in any other document. Therefore, the CEQA analysis is inadequate.

Cordially,  
Susanne von Rosenberg

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**Sent:** Tuesday, October 03, 2017 4:24 PM  
**To:** 'jason.hade@countyofnapa.org'  
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