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A Commitment to Service

**Planning, Building & Environmental Services**

1195 Third Street, Suite 210  
Napa, CA 94559  
www.countyofnapa.org

**David Morrison**  
Director

## MEMORANDUM

To: Planning Commission Agenda Item 7B October 3, 2018	From: Don Barrella Project Planner
Date: September 26, 2018	Re: Anthem Winery 3454 Redwood Road APN 035-470-046 #P14-00320-UP et al

As indicated in the Planning Commission Staff Report for the referenced item (released on September 25, 2018), staff needed additional time to compile the comments letter received on the application and would be posted to the item on September 26<sup>th</sup>.

These comment letters are incorporated as 'Attachment V' to the referenced staff report and include comments received through September 25, 2018.

Comments received after September 25<sup>th</sup> will be provided to the Commission at the hearing.



# Correspondence

Through 9-25-2018

Anthem Winery P14-00320-MOD and Exception to Road and Street Standards,  
Variance P14-00321-VAR and Viewshed, and  
Agricultural Erosion Control Plan P14-00322-ECPA  
Planning Commission Hearing Date (Wednesday, October 3, 2018)

September 25, 2018

Donald Barrella, Planner III  
Napa County Planning, Building &  
Environmental Services Department  
1195 Third Street, Suite 210  
Napa, CA 94559

Dear Mr. Don Barrella and Esteemed Commissioners,

My wife and I live at 3075 Dry Creek Road in the county north of Napa proper. You are presently evaluating a major modification for our neighbors, the Arbuckles, and their winery, Anthem.

As an active member of the grapegrowing community, we are often commenting on our commitment to the industry, with special attention to the small family winery. We believe this is an endangered aspect of our valley, not to mention our history.

Sadly, we feel the Anthem winery application falls short of the environmentally sustainable standards to which we adhere. We have grave concerns about various impacts to our neighborhood and the environment we all enjoy, and attempt to support.

Our areas of concern are multiple. The first being available water in an area with few functioning wells, please be aware that every new well that actually provides water, ends up providing one fifth of the initial report within 2 or 3 years. Our ranch benefits from frontage on Dry Creek Road, which is the divider from Valley Floor to Hillside A.W. We have drilled 8 wells and currently have only one providing 6 gallons per minute. Our deepest venture was 925 feet that yielded 5 gallons per minute, but quickly dropped to ½ gallon per minute.

Other areas of concern are road access deficiencies, leading to fire safety issues, as well as disturbances of traffic due to limited turnouts on the lengthy proposed entry. **In fact the narrowness of the proposed new road will have an adverse effect on all traffic whether it be work force, winery and vineyard materials, grapes or visitors.**

The proposed visitation is well in excess of the median for wineries located within a mile radius. Not to mention the hours extending far into the night. While our Agricultural Watershed homesites appear remote, the impact of traffic, noise and groundwater depletion are enormous.

In sum, the vast majority of our concerns, stem from the unique desire to operate a “custom crush” facility in this Agricultural Watershed location. Most of our neighborhood concerns are exacerbated by this fact. The addition of 4 – 5 more wineries attempting to do business in this remote location accelerates all the aforementioned concerns.

The concerns we share as friends and neighbors are greatly abated by the mere retention of existing rights, amplified by reasonable "Pro Rata" expansion of visitation, with of course, consideration of hours of operation. We can live with, and support a small family winery in the Agricultural Watershed. An intensification of commercial activity is not only inconsistent with our General Plan, but is an affront to the form and intent of our venerable Agricultural Preserve, now celebrating its 50-year anniversary.

Please continue your support of our major industry – grapegrowing, and its subordinate industrial component, winemaking, and now sales. We only request you continue to apply scrutiny and discretion to the increasingly complex proposals you will face.

With eternal gratitude for your service,

Steve and Betsy Moulds  
Moulds Family Vineyard

Kathleen Acker  
5 Patriot Lane  
Napa, CA 94558

September 25, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,

Kathleen Acker

## Barrella, Donald

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**From:** Walt Brooks <brooksvineyard@sbcglobal.net>  
**Sent:** Tuesday, September 25, 2018 1:39 PM  
**To:** Barrella, Donald  
**Cc:** Walt Brooks  
**Subject:** Alternative analysis of Anthem Water balance using BMP  
**Attachments:** Anthem WAA summary final .pptx; Anthem WAA summary final .pdf

Don,

Enclosed as a powerpoint and as a PDF is a 9 chart viewgraph summary of our analysis of the Anthem water balance. If there are any questions please feel free to contact me. I will supply the appendices that back up the data and conclusions later this week. Thanks for working your guidance and assistance in locating the key data.

Best regards

Walt Brooks

Brooks Family Vineyard

3103 Dry Creek Road , Napa

707-337-3600

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# Comments on and modeling of Anthem Winery Water Availability Analysis

Dr. Walter Brooks

Sept. 2018

# Introduction

- Anthem Initial Water balance analysis revision made unreasonable assumptions about rain water capture, winery processing water capture and irrigation requirements for new vineyards
- The peer Review (LSCE) noted several of these problems and asked that the applicant justify the assumptions
- An Anthem Water balance analysis revision was submitted in June 2018 which made some changes but still makes unreasonable assumptions about the efficiency of rain water capture, winery processing water capture and irrigation requirements for new vineyards
- The model underestimates the water storage requirements and does not appear to separate the irrigation and processing rainwater streams
- The model contains several inconsistencies with the Tier 1 balance calculations
- ***This Dry Creek Road Alliance (DCRA) report is an attempt to use Research and Best Practices reported in the literature to estimate actual efficiencies of the systems proposed and to recalculate the water balance***



# Structure of the models

- Model was run for Drought year( 14”) and average(30”) Rainfall years
- Three sources of water
  - Wells-run 12 hrs/day 365 day/year
  - Rainwater Harvesting-ground and roof
  - Recovered winery process water
- Multiple Uses of water
  - Residence
  - Winery processing
  - Winery domestic
  - Winery landscape
  - Vineyard irrigation

# Changes in Anthem Assumptions

- Unrealistically Optimistic Assumptions in many categories of water use and collection by Anthem
  - Assume 100% **rainwater** collection-
    - Not supported by research, we modeled 90%
  - Assume 100% **winery process** collection and reuse-
    - Not supported by research, we modeled 90%
  - Assume **new vineyards irrigation** at 50% of county lowest G/L (0.25 versus 0.5 af/ac)
    - Assume unrealistic credit for Submerged Drip Irrigation (SDI)
    - Assume unrealistic and *unenforceable* credit for planting Sauvignon blanc
    - New acreage (0.64 ac) planted on Parcel 2 not accounted for in irrigation requirements
    - We modeled 80% of the county lowest G/L for irrigation and added in missing acres
  - Assumed **Residential water** at low end (.6 af/yr)
    - We modeled .75 af as used by Anthem in Tier 1 calculations
  - Sized **storage tanks** based on average rain year with evenly distributed rainfall
    - We sized tanks based on 2017/2018 average year with uneven rainfall
  - **Mixed rainwater capture** of ground runoff with roof runoff -
    - Anthem proposal calls out separating these streams. This impacts size of tanks and water treatment
    - We separated the systems and analyzed impact on storage
- *Our model attempts to utilize reported real world Best Management Practices*

# Assumptions common to both models

- Winery Domestic Water use
  - .33 af/year
- Winery Process Water use
  - .77af/year for 50,000 gallons
- Winery Landscape Irrigation
  - .82 af per year based on WELO
- Assumed **Wells** at twice normal year flow rate during droughts-not always possible but left
- Assumed no **Well** degradation over time-25-75% degradation in many local wells but left

# Model Comparisons

	Rain water	Winery process	Vine Irrig.	Home	Well 12 hr pump rate	Shortfall (gal)	Trucks*/ well %+
Anthem drought	100%	100%	.25 af/ac	.6 af	2.1gpm	0	0/0
Anthem Average	100%	100%	.25 af/ac	.6 af	1.1gpm	0	0/0
DCRA drought	90%	90%	.4af/ac	.75	2.1gpm	290,000	130/50%
DCRA average	90%	90%	.4af/ac	.75	1.1gpm	260,000	120/90%
Anthem Avg./ uneven	100%	100%	.25 af/ac	.6 af	1.1gpm	110,000	Tanks too small
DCRA 30"uneven	90%	90%	.4af/ac	.75	1.1gpm	327,000	

\* 2200 gallon trucks and %+ is percent increase in well pumping required

# Storage Tank Requirements

- Tank Size Requirement
  - Domestic needs 40,000 gallons of well storage in drought. Will need much more if wells are to be used to make up for shortfall in water recapture and rain
  - Reclaimed process needs 130,000 in average year but 150,000 gal in uneven year
  - Rainwater harvest needs 285,000 in average but 370,000K in uneven
    - 195K ground/175K roof
- Design Issues
  - Storage is under-designed for uneven rain years
  - Separation of irrigation versus winery processing water streams and storage needs clarification
    - WAA states that rainwater collected from ground will be treated separately
  - **520,000 gallon cistern is a 210 foot high 3500 sq. ft. storage container, ( think really large house)**

	Drought 14"	Average 30"	Uneven 30"
Well	<u>40K</u>	10	10
Winery process	135K	130K	<u>150K</u>
Rain water	140K	285K	<u>370K</u>
Total	315K 1 af	455K 1.3 af	520K 1.6 af

# Study Summary and Recommendations

- **Overall-Do not approve an increase from 30,00 to 50,000 gallons**
  - The Anthem analysis and water balance will not support a 50,000 gal winery and 3.2 new acres of new vineyards as presented
  - The Anthem proposed water system does not balance using industry best practices.
  - Proposed systems does not have adequate storage for water capture in a normal year with uneven rainfall
  - Even with proposed plantings Anthem has only 10% estate fruit
- **Cistern size and feasibility**-Additional analysis and feasibility is needed to verify the requirements for 1.6 af ( 500,000 gallons) of “cistern” storage. Was this accurately reflected in reports?
- **Parcel Dependencies**-Water from rooftops, wells and hard surfaces are exchanged between the two properties. The vineyards on parcel 2 are considered a key source of estate grapes for the project. If the project is impossible without major encumbrances on the adjoining parcel than the two parcels should be combined into a single property
- **Wells**: Require an extended test on well #8 to demonstrate feasibility of continuously pumping at 2 to 4 gpm 12 hours per day. Additional analysis is required to determine the additional well pumping required to make up for the missing process and rain water capture at 90%.
- **New Vineyards**- New vineyards cannot be planted until after the winery is completed or a new analysis is presented demonstrating that sufficient water resources exist to start the vineyard during construction of the winery.
- **10% estate fruit**- Without the new vineyards the applicant can only produce 10% estate fruit ( 3200 gallons on a 30,000 gallon permit

# Appendices

( to be delivered in person)

- A-1 Detailed printouts of all the model cases run
- A-2 List of all articles and interviews used to determine 90% efficiencies for water capture as Best Management Practices (BMP) baseline
- A-3 Articles and analysis used to determine 20% water requirement reduction versus 40% for Submerged Drip Irrigation
- A-4 List of issues in the initial Anthem model

William Keever  
11 Vineyard View Dr.  
Napa, CA 94558

September 25, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because I believe every business should have the ability to grow and prosper and I applaud their willingness to pursue a Use Permit modification to satisfy the Counties requirements.

Additionally, I understand that the Arbuckles, have thoughtfully incorporated many green, improved safety, and sustainable measures into their plans, exemplifying the type of project the Planning Commission should unanimously approve. By way of example, their proposed site improvements include:

- The proposal to use less water than they are currently permitted to use through substantial rainwater harvesting, recycling of winery process water, and installation of a water-efficient underground irrigation system. The proposed rainwater harvesting and reuse of process water (neither of which the winery is currently permitted to do) will more than offset the proposed winery's total water use in an average year. Anthem Winery will also utilize three of its existing wells, but proposes to substantially reduce its already permitted groundwater use. This water plan exemplifies a commendable planning and a commitment to sustainability.
- The plan to re-route the winery's driveway from Redwood Rd. to the Arbuckles' existing driveway at 3123 Dry Creek Rd., which has better access for emergency vehicles. The existing driveway at 3123 Dry Creek Rd. will be widened to two lanes and improved to enable fire trucks to access the Arbuckles' parcels, neighboring parcels, and a large portion of the hillside that they otherwise would have difficulty reaching in the event of an emergency. In addition, the planned driveway will provide a paved connection between Redwood Rd. and Dry Creek Rd. that will enable access to these roads and to neighboring parcels in emergencies such as fires, landslides, and earthquakes - a valuable benefit to the community.
- The proposal to build the wine production facility and caves into the hillside, minimizing the visibility and size of buildings to be located on the hilltop and the above-grade square footage required for wine production. This design also avoids removal of productive vineyards, ensures that no neighbor is located in close proximity to the winery, and moves noisy crush and production activities indoors instead of at the winery's current outdoor crush and fermentation areas.



- The plan to construct a certified Napa Green winery in addition to the existing Napa Green vineyards.
- The proposal to install solar rooftops on the production facility to supply electricity, and to implement numerous Best Management Practices and greenhouse gas reduction measures into their project plans, including plans for winery and vineyards processing wastewater onsite (i.e. no hold-and-haul), reuse of treated process wastewater to reduce groundwater use, an electric vehicle charging station, and energy and water saving winery equipment - none of which the winery currently is permitted to do.
- The proposal to encourage employees and customers to carpool or ride their bikes.

All of these highly sustainable measures make Anthem Winery's project one that should be strongly supported and approved. Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside.

It should also be noted that a small winery like the one the Arbuckles propose will only use slightly more water than a single-family residence, and will not have any significant impact on traffic. If anything, visitors to Anthem Winery will be decreasing traffic congestion on Highway 29 and Silverado Trail.

Thank you for your time and consideration of these important issues, and for the opportunity to express my views. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,

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

William Keever

## Barrella, Donald

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**From:** Walt Brooks <brooksvineyard@sbcglobal.net>  
**Sent:** Monday, September 24, 2018 7:47 PM  
**To:** Barrella, Donald  
**Cc:** Gallina, Charlene; Cottrell, Anne; Ginna Beharry; Dave and Jeannette Bader; Jeff Atlas; Steven Moulds; Betsy Moulds; Patricia Damery; Walt Brooks; Glenn Jackson; Paul Gridley; Lindsay Campbell; PATRICK MACKEN; Joseph Maldonado; Rachel Allen; Amanda Lazare; D. M.; David Timm; Sandy Clarke  
**Subject:** Public Comment letter on the Anthem Project from the Dry Creek neighbors  
**Attachments:** Anthem neighbor signatures.pdf

- To: Don Barrella
  - CC: Charlene Gallina, Anne Cottrell and Dry Creek neighbors
  - Dated: Sept. 23, 2018
  - Regarding: Anthem Winery Major Mod Request Project # P14-00320-UP
- From: Members of the Dry Creek Road Alliance (DCRA) and Neighbors of the Anthem Winery

Don,

As you know most of the neighbors on or near the Anthem Winery strongly object to the Anthem Major Mod Request. Many of us own vineyards and/or support other small wineries and vineyards in our neighborhood. We also understand a desire to modernize the Anthem Winery and to add some visitation and marketing to their permit. However our neighborhood has serious concerns that many of the items in the Anthem Major Mod request increase the intensity of use on the parcel, our hillside and the neighborhood to an unacceptable level.

- 1. Our hillside area west of Dry Creek Road has a history of water scarcity. Many of the parcels have had wells go dry and then difficulty in finding new drilling sites. In addition our wells have seen their pumping capacity reduced significantly over time and/or change with the recent earthquakes. We commend the Anthem owners for trying new technology to reduce their groundwater consumption however we will show via Dr. Brooks' water balance analysis that the design as stands is not sustainable and Anthem's expectations and calculations are unrealistic. While Anthem's wells will be monitored several of the neighbors have been unsuccessful in getting county enforcement with water compliance issues in our area, and thus the mitigation is insufficient.
- 2. The Anthem mod plan requests an increase in permitted production from 30K to 50K gal but this is not based on just their family winery needs. The Anthem winery is planned to support multiple wine labels only one of which is owned by the Arbuckles. This is an intensity of use that is not appropriate in the hillsides and AW and at this location. The amount of grapes on site when fully planted will supply only about 10-15% of the 50K gal. That means a majority of the intensity (grapes, bottles, visitors and events) would be in support of the other labels being processed on site. Their current 30K production permit is in line with the median production for a winery in the hillsides, which is 20K, and with the production of most of the wineries in the immediate area which are 25K or less.

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- 3. The driveway to the new winery is planned to be move to 3123 Dry Creek Road. There are several aspects of the proposed driveway that cannot meet current standards and so require Road exceptions. The road is very steep in spots and the width at certain points will not meet Cal Fire standards. The final design includes a one-lane bridge over a steep ravine without a turnout on one side and with only limited sighting capability. Given the recent fire in the Dry Creek and Mt. Veeder area we feel that the road is a danger to visitors and neighbors alike. In addition as most of the roadway width ends right on neighbors' property lines it is unclear how construction and maintenance will be done without trespassing on neighbors' properties. There is also a concern about erosion and changes to downstream water flows with the amount of hillside changes Anthem is requiring.

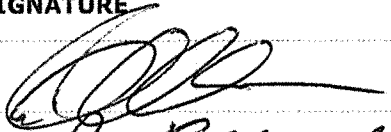

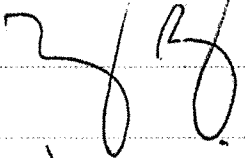
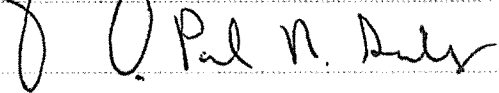
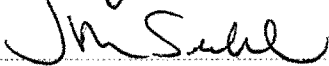
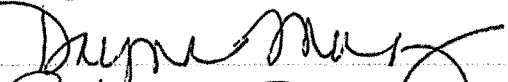
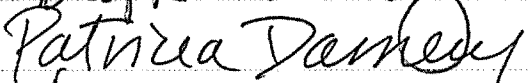


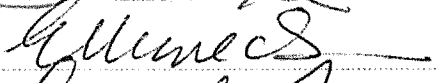
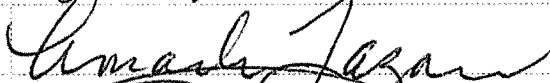

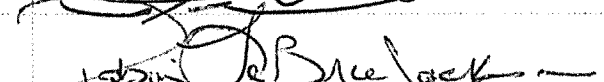
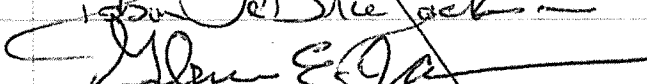

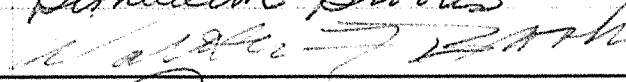
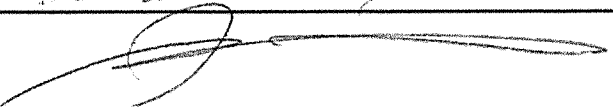
- 4. Anthem has requested a very large number of visitors per year and several very large marketing events. While the Arbuckles did talk with some of the neighbors and made some reductions in the visitation and event numbers we still feel that the amount requested is out of line for the location. The Anthem request is for over 15,000 visitors per year when the median for wineries in the hillsides is under 2,000. Many of Anthem's neighbors are close to the proposed visitor buildings or the access driveway, most of the driveway is directly on several neighbors' property lines. The visitation numbers are still too large for a hillside area and large events too big.

- 5. The Anthem marketing plan includes a request for events, some very large, to be allowed until midnight on weekends. Anthem contends large groups will be moved indoors after 10 pm but that is not a realistic or acceptable alternative. This part of their marketing plan must be denied/removed from the permit request. If Anthem is allowed events until midnight it will set a bad precedent that will cause more contention and division in our neighborhood and all the hillside communities. Sounds travel far in the hills, especially along the ridgeline, much further than they would down in the valley or near the highways. The noise and traffic will also impact a nearby wildlife corridor.

We think small family wineries can be good neighbors and with sustainable sizing still allow Napa to keep our hillsides rural and our AW protected in the true vision of the AG preserve. Unfortunately we cannot support this project as planned.

Regards,  
Dry Creek Road Alliance members and  
Neighbors as attached with scanned signatures and additional as listed below

Jeannette and Dave Bader - 3175 Dry Creek Rd.  
Patrick Macken and Joseph Maldonado - 3167 Dry Creek Rd.  
Rachel and Elgin Allen - 3277 Dry Creek Rd.

	A	B	C
1			
2	We the undersigned members of the Dry Creek Road Alliance and/or neighbors of the Anthem Winery declare that the above letter expresses our concerns with the Anthem Major Mod request		
3			
4	PRINTED NAME	STREET ADDRESS	SIGNATURE
5	PETER CAMPBELL	3255 DRY CREEK RD	
6	STEVE MOULDS	3075 DRY CREEK ROAD	
7	Ginna Beharney	1099 BAYVIEW AVE	
8	Paul Grudley	4601 Dry Creek Rd	
9	Joanie Seidel	4001 Dry Creek Rd	
10	Dayna Manning	3099 Dry Creek Road	
11	Patricia Damery	3185 Dry Creek Rd	
12	Donald Harms	3185 Dry Creek Rd	
13	Sandy Sparks Clarke, Trustee,	3163 Dry Creek Rd	
14	Betsy Moulds	3075 Dry Creek Rd	
15	Amanda Lazare	3102 Dry Creek Rd	
16	DAVID TIMM	3102 Dry Creek Rd	
17	Robin LeBrie-Jackson	3112 Dry Creek Rd	
18	Glenn E. Jack	3112 Dry Creek Rd	
19	Bernadette Brooks	3103 Dry Creek Rd	
20	Walt Brooks	3103 Dry Creek Rd	
	JEFF ATLAS	3173 DRY CREEK RD	



HARMS VINEYARDS & LAVENDER FIELDS

September 24, 2018

Dear Don Barrella,

We write this letter in regard to the application for a major modification and vineyard expansion for Anthem Winery. We live next door to the proposed project and share approximately 3000 feet of property line with the Arbuckle's and are members of the neighborhood group Dry Creek Road Alliance (DCRA). Many of our concerns and objections are delineated in the DCRA letter, but we specifically want to address the following issues:

### **Organic Certification**

We have been certified Biodynamic/organic by Demeter and Stellar Certification Services for 17 years, farming vineyards, growing and distilling lavender and other aromatics, and raising goats. Donald has grown grapes here since 1983. We chose to live above the valley floor for the quiet, beauty, and, importantly, health reasons. The air here is still clean enough for the usia to hang from the valley oaks, something that happens only in clean air. To bring in agricultural chemicals threatens my health as I have autoimmune issues, as well as our certification. Winds are often from the south (and the proposed Anthem vineyards) toward our home. State records hold that 50% of agricultural chemicals leave the site of application. To permit a vineyard within 100 feet of our home is to threaten our certification (some of our aromatics are around our home) and our health.

### **Recorded Tree Easement**

When we learned the Arbuckle's bought the parcel next to us, we immediately contacted them about their plans to protect the tree easement placed on both of our properties by the previous owner and us. The tree easement protects not only the mature trees in the easement but also the "meadow and forest conditions." In fact, the meadow is a rare oak savanna, one of the highest in elevation in the Napa Valley, and one of the few left. Its large valley oaks are several hundred years old. But a savanna is not the trees alone, but also the soils, flora and fauna. Deep ripping of the soils violently disturbs the microbial and mycelium life of the soil, all which support the continuance of an oak savanna, so important to the health of our watersheds. This savanna is also a significant animal corridor. Daily we watch coyotes, bobcats, barn owls and great horned,

as well as a variety of other birds hunting in the meadow, moving through it to an irrigation pond on our property. Vineyard fencing will block this movement.

We were repeatedly put off by the Arbuckle's in this discussion and then surprised in October 2014 when we learned they had obtained a permit for a vineyard in the savanna, including a portion which was in the tree easement. We had contacted Brian Bordona in 2010 shortly after the Arbuckle's bought the parcel and had checked in several times on the possible permitting of the vineyard. We were not notified by the County when the permitting was imminent, something I understood would happen as we are within 1000 feet of the vineyard. Arbuckle's now are asking for more permitted vineyard, some of which is also in the easement.

We strongly object to this expansion. Water up here is known to be very limited. Study neighboring well reports! Our own well is 3/4 mile away on the valley floor. If they plant what has already been permitted along with the additional request, it is not clear they have enough water to irrigate. So they will strongly impact an important oak savanna and then not have enough to irrigate the vines. We also have severe erosion that had developed in the last three years from drainage from their land —since they drilled a well and plumbed it.

We have spent several thousand dollars already addressing the issues of the tree easement. When I first learned of the permitted vineyard I yet again contacted Julie Arbuckle. She told me that she cared less about the vineyard, but her dream was the winery and asked me to support it, which I might have done until I saw the extent of what they were planning (and the DCRA letter more fully describes our objections to such a large project in this location). In December 2014, Julie Arbuckle stated that unless we supported their major modification, they would not honor the terms of the tree easement, nor negotiate the extent of it. Anticipating a law suit, we retained an attorney who contacted the previous owner who had written the easement (and the road easement as well) and obtained a signed affidavit as to the intentions of creating the tree easement, which was quickly rescinded by the previous owner when the Arbuckle's learned of it.

When the County permits projects which are burdened with recorded easements, saying those easements are civil matters and not to be considered in the permitting process, neighbors are pitted against neighbors in expensive lawsuits. Not only is this a strain on neighbors' finances in lawsuits, but it also creates a great deal of contention in a neighborhood.

### **Recorded Road Easement**

The Arbuckle's also ignored the recorded residential road easement over a neighbor's property in their plans to use the 3123 Dry Creek residential driveway for their commercial endeavors on a second parcel. The alternative plan to using this residential road easement for commercial purposes (illegal) is to build a one lane bridge in a 20 foot flag pole strip of land crossing a steep and fragile seasonal creek, which requires road exclusions. It also means building a retaining wall on our joint property line and clearing trees *on our property* for fire safety. We do not give

permission for trespass on our land to construct such a bridge nor for the clearing of trees or vegetation.

### **Quality of Life and Commercialization of the Ag Watershed Hillsides**

When a residential area is turned into a commercial enterprise with crushes for multiple growers/wineries, as this project as described will, commercial kitchens and food pairings, large events, some as late as midnight, the surrounding area and neighbors are strongly impacted. We still have quiet nights, no lights. Noises travel here. We can hear their children playing a parcel over and through a forested area. The proposed winery story poles are clearly visible from our parcel.

### **Earthquake Fault**

My husband and I were told by the USGS (who requested to visit us on site in the fall of 2014 and pointed out the fault) that the south Napa fault ends between our home and our goat barn, stretching south through the savanna and Arbuckle's parcel. You could see the dent for two or three years. It extends by one of their newly drilled wells (Well 6 in the WAA, very near our property line). When the well was being drilled after the quake in 2014, I asked the driller about the wisdom of drilling so near a fault, and he said, simply, he wouldn't recommend it. The viability of this well is at best questionable, being in the hillsides, already questionable, and so near or on a fault. Hillside aquifers are different from those on the valley floor, often pockets that are not necessarily replenished.

### **Driveway Safety**

A one way driveway to such a commercial project without the ability to pass is a danger to the drivers. Our neighbors on the driveway right next to this one, equally as steep and narrow, totaled both their cars a head-on collision with each other. In Anthem's case, people drinking and driving are not the most alert and this adds greater danger.

### **Road Safety**

Already Dry Creek Road is dangerous. Our property is bisected by the road, our well site on the east side, our homes, on the west. To cross the road is a risk! People speed by. In fact, one of our neighbors was killed in front of our small house by the road some years ago when her spooked horse threw her. The Peggy Herman Neurological Center in Napa was donated by her family in her honor. It is extremely important the traffic not be encouraged and increased on this road.

### **Fire Danger**

Living in the hillsides, we accept a risk. We have a oneway driveway ourselves, with the required turnouts. But to increase the numbers of people on this hillside unduly increases risk for all of us. We did have a fire some years ago and firefighters were brought in by helicopter.

Our experience is also that visitors are much less cautious than residents with cigarettes, etc. More people up here is more risk of fire.

### **Our Ask**

We ask that visitation be kept to a minimum, at most 2000 a year, the average of similar hillside wineries; that the original entitlement of 30,000 gallons be held, which is still 10,000 gallons above the average for hillside vineyards and still cannot be met with even a planted out vineyard; and that a limitation be put on only one label in this location, Anthem's label. Please do not allow for variances and road exclusions, as this is a remote location and such a project should not be shoe-horned into it. And importantly, please do not permit more vineyards until it is clear that there is enough water to irrigate all of the vineyards yet to be planted as well as the water to the winery— a huge, yet unanswered issue according to hydrologists and the calculations of physicist Walter Brooks, which he is submitting.

***We also implore the county to insist civil matters such as tree and road easements be resolved before any more permits are granted.***

We ask that you not recommend this project to be permitted as stands.

Sincerely,

Patricia Damery and Donald Harms



## Barrella, Donald

---

**From:** Amanda Lazare <lazare.amanda@gmail.com>  
**Sent:** Monday, September 24, 2018 4:00 PM  
**To:** Barrella, Donald  
**Subject:** Anthem Winery Proposal, Comments from a Concerned Neighbor

Dear Mr. Barrella,

My husband Dave and I live at 3102 Dry Creek Road. We're on the S curve, approximately 400 feet from the proposed driveway entrance to Anthem Winery. Like many of our neighbors, we're worried about the impact an expanded Anthem winery and event center would have on our community. A particular concern of ours is the prospect of additional traffic on Dry Creek Road, traffic that is likely to include heavy equipment, tour buses for wine tastings and events, and drivers unfamiliar with this stretch of road.

I've owned our home for over 18 years. One of the things I love about our stretch of Dry Creek Road is that it's a real neighborhood. We know most of our neighbors well (we and many others are grape growers), and we look out for each other. That hasn't changed over the years. I also love that our neighborhood, with its proximity to Alston Park, is full of walkers, runners, and cyclists. I take a walk on our road nearly every day.

We've observed that Dry Creek Road has become much more dangerous over the past five years. It's become a heavily traveled road in part because, we believe, commuters use Dry Creek to avoid traffic and stoplights on Highway 29. Because there are no stop signs on Dry Creek at Linda Vista or Orchard Avenue, many drivers go very, very fast, even around the S curve. Crossing the street to get to our mailbox can be a scary proposition. I have to listen carefully and run as fast as I can.

We've seen several car accidents on the S curve over the years. One occurred just a few months ago. Once, an SUV drove off the road, through our fence, and landed on its side in our yard (talk about NIMBY!).

We fear that an expanded Anthem Winery with an entrance on Dry Creek Road will make an existing problem much worse. It is hard to imagine that this residential driveway, and the access to it from Dry Creek, is appropriate for such a large winery operation.

Anthem's expansion plan includes additional employees, daily tours and tastings, dozens of marketing events per year, and trucking in grapes from multiple locations. Injecting such a large commercial operation into what is essentially a rural residential neighborhood is in our view highly inappropriate.

Thank you for taking our concerns into consideration.

Amanda Lazare

Jeff Andrews  
1058 Alpine Court  
Napa, CA 94558

September 24, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

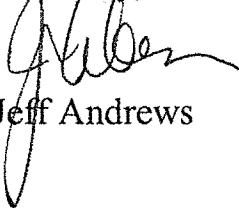
RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

As a fourth generation Napa County resident I'm writing in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I have known the Arbuckles for over 10 years and submit to you the following letter. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,



Jeff Andrews

John Boich  
651 Wall Road  
Napa, CA 94558

September 22, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

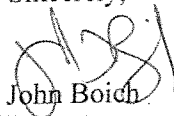
RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a resident of Napa County and a neighbor of Anthem Winery in the Mt. Veeder Appellation, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should approve. The Arbuckles have incorporated many sustainable and improved safety measures into their plans, including rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and I agree and hope to keep it that way. The Arbuckles' planning focuses on the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,

  
John Boich

Karen Crouse  
Mount Veeder Magic Vineyards  
3379 Solano Avenue, Suite 220  
Napa, CA 94558

September 20, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

**RE: In Support of Anthem Winery's Application to Modify Its Use Permit**

Dear Commissioners,

I am a resident of Napa County and a neighbor of Anthem Winery in the Mount Veeder Appellation, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit.

I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week.

I support Julie and Justin Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,  
Karen Crouse

To: Don Barrella  
Dated: Sept. 19, 2018  
From: Bernadette Brooks  
3103 Dry Creek Rd. Napa, CA 94558

Public Comments to Anthem Project # P14-00320-MOD Initial Study contents

Don,

After much studying of the Anthem Winery documents I have concerns and issues regarding the County's review that the Anthem Water Availability Analysis (WAA) is adequate and with the Initial Study finding that the project with the mitigations in place does not cause significant impact.

My comments cover two main areas:

- Several recommendations from either Luhdorff & Scalmanini Consulting Engineers (LSCE) in their Peer Review Comments dated Jan. 22, 2018 or the Dept. Public Works document dated Aug. 14, 2018 are missing or not clearly stated in the mitigations in the Initial Study report. These are critical as they regard issues or potential issues that must be mitigated to ensure that the Anthem water usage is as proposed and sustainable.
- 
- Other issues or comments on are details of the Initial Study not related to the WAA
- but that need to be clarified or addressed regarding the description and request of the project.
- 

My comments below refer to the following documents:

- Mitigation measures recommended by Luhdorff & Scalmanini Consulting Engineers (LSCE) in their Peer Review Comments dated Jan. 22, 2018
- Mitigation measures recommended by the Napa County Dept. of Public Works (DPW) document dated Aug. 14, 2018 as review of the Anthem WAA responses from Richard C. Slade (RCS) dated March 23, 2018-
- Mitigation measures listed in the Anthem Winery Initial Study Report under section IX Hydrology and Water Quality
- Statements in the Anthem Winery Project Statement Amended Winery Use Permit dated Aug. 29, 2017

WAA related Comments :

- The LSCE recommendation #1 requesting additional documentation for the historical and current performance data of Anthem project wells confirmed use in recent years by Anthem of water from project Well 8. Per DPW this contradicts Anthem's contention in the Draft Addendum to the WAA, dated Oct. 19, 2017, that "Well 8 was drilled and constructed to help support the proposed project, and is not needed to meet existing water demands". There should be a mitigation to separate Well 8 from use for non-project needs as it is the main groundwater source for this project. Also note that the historical reported groundwater pumping volumes through Feb. 2018 highlight relatively limited capacity of the project wells. This does not bode well for pumping capacity in more difficult water years as last year was a "normal" rainfall year.
- 
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- The LSCE recommendation #3 peer review highlights that assumptions in the WAA models do not anticipate losses in recycled and recaptured water systems. DPW notes that RSA+ responded that infrastructure and operational Best Management Practices would minimize losses. However the WAA models assume 100% recapture of rainwater and winery processed water, this is unachievable. I do not see any mitigation requiring a change in calculations based on industry research for valid recovery % assumptions or requiring Anthem to use figures closer to the county guidelines for their WAA which would show significant water deficits for realistic cases (see Dr. Walt Brooks' report).
- 
- 
- The LSCE recommendation #3B and #3D state that the complexity of the water transfers across parcels and detailed storage requirements/design must be documented before any permit can be granted. I see a mitigation to say this must be done but it does not state that the documentation must be complete/approved before construction can begin. Per the Initial Study Item 10 Project description part 1.m (page 2) the storage planned may not be sufficient in uneven rainfall years. This must be reconciled and new design approved before construction begins especially because much of the water storage is planned for under the caves and cannot easily be adjusted once construction begins.
- 
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- The LSCE recommendation #3C is not included in the Initial Study mitigations. The recommendation requested a mitigation that would require that all the water capture and storage systems be in place and fully operational before any more vineyards be planted. This mitigation is key as the WAA points out that the water for new vineyard irrigation is to come only from direct rainwater, captured rainwater and recycled winery-processed water. The irrigation for fragile new vines can only happen after these systems are in place. New vineyard planting needs to be clearly stated in the mitigations as a phase of construction after the necessary components for water capture/storage are functioning.
- 
- 
- The LSCE recommendation #7 and DPW condition 4.20 e are not clearly stated in the Initial Study mitigations. This recommendation wanted a statement that any sources not evaluated in Anthem's WAA were unavailable to the project going forward. The recommendation means that non-project wells and trucked in water could not be used to support the Anthem water needs in the future without additional permits. This is a necessary mitigation because of the complex water system and limited well capacity being relied upon for this project.
- 
- 
- DPW condition 6.15 requiring a Groundwater Demand Management Program be established is not clearly listed in the Initial Study. The Study does refer to the DPW conditions but should be bulleted in the Initial Study document as well for clarity.
- 
- DPW has contradictory statements. Section 6.15 item a.9.9 which states "all required water meters shall be installed and all groundwater usage monitoring required ... shall commence prior to final occupancy" but 6.15 item a.4 states that since "groundwater consuming activity already exists on the properties, meter installation and monitoring should begin immediately." This needs to be clarified.
- 
-

- The recommendations by LSCE and DPW are critical mitigations but the related WAA Initial Study mitigations are missing or unclear. Additional mitigations and clarifications are needed to prevent water issues on the Anthem site. Per the Dr. Brooks report using the Anthem WAA model but with defensible assumptions there is every indication that the property and plan cannot support the winery and vines as proposed in anything but a perfect scenario. While the effort to use water-saving technology is laudable this project and the complexity of the water sourcing will inevitably be a Napa County groundwater use compliance issue.

Other project request/description comments:

- 
- In the Anthem Winery Project Statement Amended Winery Use Permit Anthem requests that during its construction phase(s) that Anthem be allowed to have a temporary tasting room in its old facility. There is no mention of any specific amounts of visitation or events or hours. Detailed documentation is necessary in the Initial Study if this is to be allowed via a temporary permit.
- 
- In the Anthem Winery Project Statement Amended Winery Use Permit Anthem requests permission for on premise consumption of wine from 10 am – 6 pm for tastings 7 days a week but then asks for marketing events until 10 pm weekdays and midnight weekends. This is confusing and needs to be clarified.
- 
- In the Initial Study it is states that all food will be catered but in the Amended Project Statement Anthem it just says there will be food service. In a previous document Anthem described the project having a full commercial kitchen. This needs to be clarified.
- 
- For ease of understanding the number of oak trees that are part of the 60 trees being removed should be spelled out in the Initial Study.
- 
- The Initial Study states that the project requests events, some very large, to be allowed until midnight on weekends. This should not be granted. While Anthem contends large groups will be moved indoors after 10 pm that is not a realistic or a suitable alternative. This event allowance must be removed from the permit request. If allowed this sets a bad precedent for all future winery projects (distillery and cannabis projects too). Any expansion of event hour allowances will cause more contention and division in our community many of whom already see wineries as “event centers”.

In conclusion, the WAA needs realistic and sustainable scenarios, the LSCE and DPW recommended mitigations need to be added or clarified in the Initial Study and the issues in the Initial Study versus the Anthem Project description need to be resolved. The project cannot be accepted as is.

If you have any questions feel free to contact me. Thank you for your time and diligence on this complex project.

Best Regards,  
Bernadette Brooks  
(408) 314-1991

September 19, 2018

Napa County Planning Commissioners

c/o Donald Barrella

1195 Third Street, Room 210

Napa, CA 94559

Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a resident of Napa County as well as a sixth generation St. Helena Native and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,

Jessica Jimenez Smith  
St. Helena Wine Center



September 19, 2018

Napa County Planning Commissioners

c/o Donald Barrella

1195 Third Street, Room 210

Napa, CA 94559

Donald.Barrella@countyofnapa.org

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Sincerely,

Jessica Jimenez Smith  
St. Helena Wine Center

Scott & Dianna Messenger  
25 N Newport Drive  
Napa, CA 94559

September 19, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

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Sincerely,

Scott & Dianna Messenger

## Barrella, Donald

---

**From:** Amy Jullien <ajullien@hroptions.com>  
**Sent:** Tuesday, September 18, 2018 4:20 PM  
**To:** Barrella, Donald  
**Subject:** Anthem Winery Plan Permit

Hello Don.

I am a Napa resident, living in the Redwood Estates part of town. I am writing to you with support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit.

They shared with me their plans which I believe are reasonable and well thought out. In fact, they are incredibly progressive with their sustainability planning regarding the farming.

I am a huge advocate of small business development and I support their initiative. Their development of their wine business is as traditional to the Valley as it gets. I would urge the planning commission to approve their efforts after your due diligence is complete.

Let's help this family grow their business! Their growth can help provide more work as well as good land utilization.

Best regards,  
Amy Jullien  
3600 Argyle st.  
Napa CA 94558  
Cell: 925-285-2976

--

Amy Jullien | Vice President |   

925-265-8705 direct | 925-285-2976 cell | HR Options | [www.hroptions.com](http://www.hroptions.com)

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Progeny Winery  
P.O. Box 923, Angwin, CA 94508  
(707) 257-9001 | [info@progenywinery.com](mailto:info@progenywinery.com)

September 18<sup>th</sup>, 2018

Napa County Commissioners  
c/o Donald Barella  
1195 Third Street, Room 210  
Napa, CA 94559

RECEIVED  
SEP 21 2018  
AQ  
Napa County Planning & Building  
3 ENCLAVE COURT SUITE 200

Re: Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

As an owner of Progeny Winery, kindly allow me to submit this letter whole heartedly in support of Anthem's Application. The Arbuckles have spent considerable time with me to explain the scope of the modification and the architectural plans for the construction. I feel quite familiar with what they hope to accomplish. This thoughtfully developed plan presents exactly the type of project that will enhance the Napa Valley, and Mt. Veeder particularly, while augmenting our fire safety protection and water resources. Anthem also carefully considered their neighbors with a design that negates intrusion on the well-being of others. Please support their Application by giving it your unanimous approval.

My work as President of the Mt. Veeder Appellation Council (MVAC) provides me a unique background to speak about several aspects of this submission. While the MVAC does not take formal positions on these matters, I can say that the organization attempts to promote the grower and winemaker members, while acting as good stewards of our beautiful Mt. Veeder lands. During the last six years I've served on the Board, we continuously discuss the fact that our geography makes difficult any visitation to our AVA. Similarly, very few producers have visitation permits. As a result, visitors make a trip up Redwood Road, visit one property or two, then return to Highway 29-adding to the traffic congestion. By

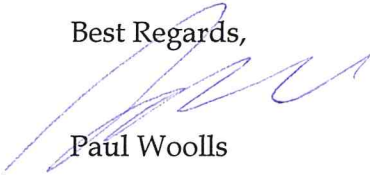
allowing Anthem to increase visitation, those guests will be able to combine their planned visits and spend a day on the mountain-thus removing them from the valley floor traffic pattern. Consumers will benefit as well, by learning more about the exceptional wines of our AVA.

During the permitting process for Progeny, I became well acquainted with the issues regarding water availability. The Arbuckles' plan artfully addresses the need for conservation of this scarce resource. By capturing rain water and recycling, they have improved their water usage when compared to their current system. Anthem deserves to be commended for these water savings.

Finally, the fire safety aspect of this project accomplishes a critical function, so recently reinforced as essential to our survival. Mt. Veeder presents several tricky issues for our firefighters. Too many long, narrow roads run through steep and rugged terrain. To have another safe passage between Dry Creek Road and Redwood Road may someday save lives and improve Cal Fire's ability to protect homes in our area. Denial of this improvement would be tragic if someone trapped by fire could not evacuate safely.

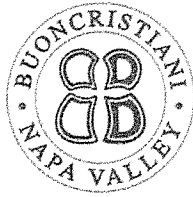
Again, Anthem merits and deserves your positive consideration of their proposal. Regrettably, out of County travel precludes me from voicing my views personally at the hearing. Otherwise, I'd be standing and speaking about how important and beneficial this project will be to the members of our Mt. Veeder, and the Napa Valley communities. Please give Anthem your unanimous approval.

Best Regards,



Paul Woolls  
Proprietor  
Progeny Winery





BUONCRISTIANI  
FAMILY WINERY

---

September 17, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,

Matthew Buoncrisiani  
Co-Founder/Managing Partner  
Buoncrisiani Wine Co., LLC

**Barrella, Donald**

---

**From:** Rita Han <ritaghan@yahoo.com>  
**Sent:** Monday, September 17, 2018 10:14 PM  
**To:** Barrella, Donald  
**Subject:** Anthem Winery's Application to Modify Its Use Permit

Rita Gregory Han

2106 W. Lincoln Ave.

Napa, CA 94558

September 17, 2018

Napa County Planning Commissioners

c/o Donald Barrella

1195 Third Street, Room 210

Napa, CA 94559

Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery

process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,

Rita Gregory Han



Susan Wilsey  
973 Capitola Drive  
Napa, CA 94559

September 17, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

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Sincerely,

Susan Wilsey

*Rich & Debbie Izzi  
4197 Big Ranch Road  
Napa, CA 94558  
415-971-3646*

September 17, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

We are full time Napa residents and have owned our property on Big Ranch Road since 2000. We are writing in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. We have known the Arbuckles for many years. They are active members and strong contributors to our Napa church, school and swim team. I'm completely confident that their plan to modify their existing Winery will be executed thoughtfully and will enhance the Napa experience for both locals and visitors.

I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

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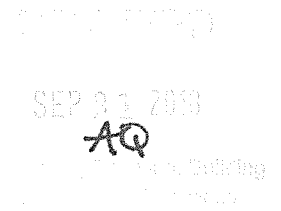
Sincerely,

Rich & Debbie Izzi

Lupe Brandon  
3160 Kingston Ave.  
Napa, CA 94558

September 14, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org



RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident and neighbor of Anthem Winery, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

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Sincerely,

Guadalupe P. Brandon

James Konrad &  
Saskia RJ Thiadens  
1917 Waverly Street  
Napa CA 94558

September 14, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

We reside in Napa County and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

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Sincerely,

James G. Konrad, M.D.

James G. Konrad & Saskia R.J. Thiadens

Saskia R.J. Thiadens

Nader Wassef  
3723 Beartooth Lane East,  
Napa, CA 94558

September 14, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RECEIVED

SEP 20 2018

AQ

Napa County Planning, Building  
& Environmental Services

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

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Sincerely,



Nader Wassef  
707-266-6432

Katarzyna Krawczyk  
3723 Beartooth Lane East,  
Napa, CA 94558

September 14, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

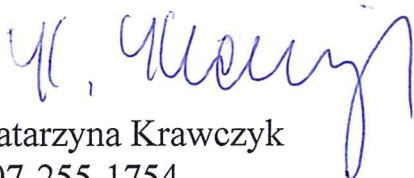
RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

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Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,



Katarzyna Krawczyk  
707-255-1754

David and Lisa Schuemann  
1135 Soda Canyon Rd  
Napa, CA 94558

September 14, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

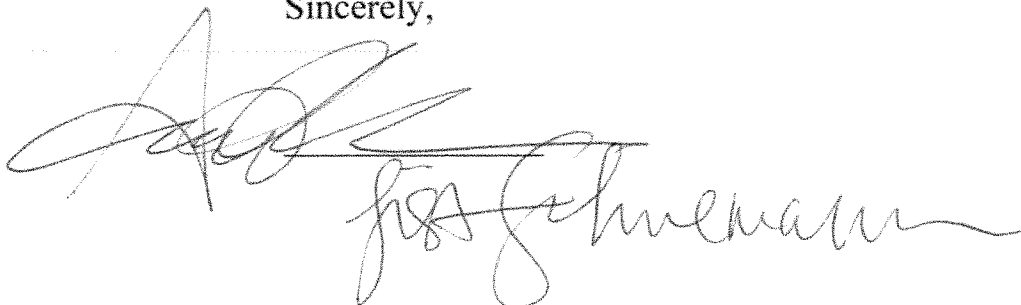
RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

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Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Schuemann", written over a horizontal line. The signature is fluid and cursive.

Steve and Suzie Reynolds  
3266 Silverado Trail  
Napa, CA 94558

RECEIVED

SEP 23 2018

AQ

Napa County Planning, Public Works  
& Environmental Services

September 13, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

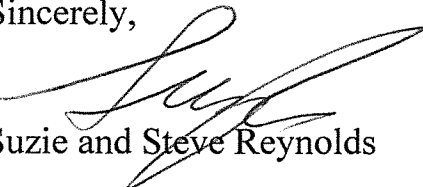
RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a resident of Napa County and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,



Suzie and Steve Reynolds



Doug Boeschen  
3242 Silverado Trail North  
St. Helena, CA 94574

September 13, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident and vintner, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events. I support the Arbuckles' application in part because they have incorporated many sustainable measures into their plans, including rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I hope the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their project.

Sincerely,

---

Doug Boeschen  
General Manager, Boeschen Vineyards

Tonya Fuller  
15 Riverton Court  
Napa, CA 94558

September 14th, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RECEIVED

SEP 17 2018

AG  
Napa County Planning, Building  
& Environmental Services

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident and neighbor of Anthem Winery, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

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Sincerely,



Isabel Deeik  
50 Lighthouse Ct.  
Napa, Ca 94559

September 10, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RECEIVED

SEP 13 2018

AQ

Napa County Planning, Building  
& Environmental Services

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

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Sincerely,



Isabel Deeik\_

September 12, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

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Yours truly,



Tony Baldini  
President, Hahn Family Wines  
118 Luke Drive  
Napa CA 94558

Joseph Russell  
1107 La Grande Avenue  
Napa, CA 94558

September 12, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

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Sincerely,

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

Joseph Russell

Bruce & Jill McLean  
5160 Wild Horse Valley Rd  
Napa, CA 94558

September 10, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

We are Napa County residents, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. We understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. We support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

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Sincerely,

Bruce & Jill McLean

**Barrella, Donald**

---

**From:** Jackie d <napajackie@gmail.com>  
**Sent:** Monday, September 10, 2018 7:39 PM  
**To:** Barrella, Donald  
**Subject:** Letter of SUpport Arbuckle Winery

Jacqueline & Vincent D'Adamo  
3879 Klamath Court  
Napa, CA 04558

September 10, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
[Donald.Barrella@countyofnapa.org](mailto:Donald.Barrella@countyofnapa.org)

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

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Sincerely,

Jacqueline & Vincent D'Adamo

Julie Grizzle  
2552 Napier Court  
Napa, CA 94558

September 11, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

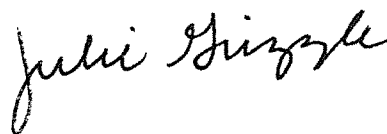
RE: In Support of Anthem Winery's Application to Modify Its Use Permit

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Sincerely,

A handwritten signature in cursive script that reads "Julie Grizzle". The signature is written in black ink and is positioned below the typed name "Julie Grizzle".



John Garaventa  
4014 Tall Grass Drive  
Napa, CA 94558

September 10, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,

John Garaventa

Dana D. Garaventa  
4014 Tall Grass Drive  
Napa, CA 94558

September 10, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: In Support of Anthem Winery's Application to Modify Its Use Permit

Dear Commissioners,

I am a Napa County resident, and write in support of Julie and Justin Arbuckle's application to modify Anthem Winery's Use Permit. I understand that the Arbuckles are applying to modify their existing Winery Use Permit to: 1) build a larger winery facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. I support the Arbuckles' application because it exemplifies the type of project the Planning Commission should unanimously approve. Specifically, the Arbuckles have incorporated many sustainable and improved safety measures into their plans, including but not limited to: rainwater harvesting, recycling of winery process water, solar rooftops, an improved access road, planned Napa Green certification, and electric vehicle charging.

Napa County's General Plan is clear that agriculture is the highest and best use of land, and the Arbuckles' careful planning maximizes the agricultural use of their land, and at the same time, reduces their approved water usage and improves emergency ingress and egress to and from the surrounding hillside. I sincerely hope that the Planning Commission grants Anthem Winery's application to modify its use permit so that the Arbuckles can proceed with their small winery project.

Sincerely,

A handwritten signature in cursive script that reads "Dana Garaventa". The signature is written in black ink and is positioned below the typed name "Dana Garaventa".

Dustin J. Mowe  
130 Maximilian Way  
Napa, CA 94558

September 6, 2018

Napa County Planning Commissioners  
c/o Donald Barrella  
1195 Third Street, Room 210  
Napa, CA 94559  
Donald.Barrella@countyofnapa.org

RE: Use Permit Modification: Anthem Winery

Dear Commissioners,

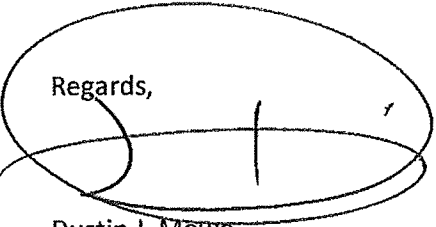
As a Napa resident, I am pleased to offer my support of the pending application to modify the Winery Use Permit for Anthem Winery. I understand that Julie and Justin Arbuckle are applying to modify their existing Winery Use Permit to: 1) expand the winery's physical facility; 2) increase wine production from 30,000 to 50,000 gallons; and 3) allow appointment-only tastings and occasional events rather than only five tastings each week.

The Arbuckles' application exemplifies the type of project the Napa County Planning Commission should unanimously approve as they have incorporated sustainability efforts such as rainwater harvesting, recycling of winery process water, solar rooftops, and electric vehicle charging. Future plans also call for achieving Napa Green certification. Furthermore, the plan involves improvements to the winery access road.

The Arbuckles' current and future careful planning maximizes the agricultural use of their land, while reducing their water and energy usage and improving emergency access to and from the surrounding hillside, and clearly confirms the Napa County General Plan imperative that agriculture is the highest and best use of land.

I sincerely hope that the Planning Commission grants the application to modify the Winery Use Permit for Anthem Winery so that the Arbuckles may proceed with their small winery project.

Regards,



Dustin J. Mowe

RECEIVED

SEP 10 2018

Napa County Planning, Building  
& Environmental Services

Justin and Julie Arbuckle  
3454 Redwood Rd.  
Napa, CA 94558  
(707) 227-0722

August 30, 2018

RE: Application to Modify our Winery Use Permit

Dear Neighbor,

We are applying to modify our winery's use permit, and are scheduled to have it evaluated by the Planning Commission on October 3, 2018 (Anthem Winery Use Permit #P14-00320-UP). In sum, we are applying to: 1) build a larger winery facility; 2) increase our wine production from 30,000 to 50,000 gallons; and 3) allow tastings by appointment and occasional events instead of just 5 tastings a week. Both before and after we submitted our application to Napa County, we incorporated many sustainable, green, and improved safety measures into our plans. For example, our proposed site improvements include:


- The plan to re-route our winery's driveway from Redwood Rd. to our existing driveway at 3123 Dry Creek Rd., which has better access for emergency vehicles. The existing driveway at 3123 Dry Creek Rd. will be widened to two lanes and improved to enable fire trucks to access our parcels, neighboring parcels, and a large portion of the hillside that they otherwise would have difficulty reaching in the event of an emergency. In addition, the planned driveway will provide a paved connection between Redwood Rd. and Dry Creek Rd. that will enable fire truck, PG&E, and neighbor access to these roads in emergencies such as fires, landslides, and earthquakes. As you may be aware, we have allowed neighbors and PG&E to utilize our driveways for emergency egress and ingress during past fires and landslides, but they are not currently connected and require four-wheel drive through a vineyard avenue.
- The proposal to use less water than we are currently permitted to use through substantial rainwater harvesting, recycling of winery process water, and installation of a water-efficient underground irrigation system. The proposed rainwater harvesting and reuse of process water (neither of which we are currently permitted to do) will more than offset our proposed winery's total water use in an average year. Anthem Winery will also utilize three of our existing wells, but proposes to substantially reduce our already permitted groundwater use.
- The proposal to build our wine production facility and caves into the hillside,

minimizing the visibility and size of buildings on the hilltop and the above-grade square footage required for wine production. This design also avoids removal of productive vineyards, ensures that no neighbor is located in close proximity to our winery, and moves noisy crush and production activities indoors instead of at our winery's current outdoor crush and fermentation areas.

- The plan to construct a certified Napa Green winery in addition to our existing Napa Green vineyards.
- The proposal to install solar rooftops on the production facility to supply electricity, and to implement numerous Best Management Practices and greenhouse gas reduction measures into our project plans, including plans for winery and vineyards processing wastewater onsite (i.e. no hold-and-haul), reuse of treated process wastewater to reduce groundwater use, an electric vehicle charging station, and energy and water saving winery equipment - none of which our winery currently is permitted to do.
- The proposal to encourage employees and customers to carpool or ride their bikes, and to host a maximum of 32 persons per day for weekday tastings by appointment (average of 0-4 persons per hour), and a maximum of 48 persons per day for weekend tastings by appointment (average of 0-6 persons per hour).

We hope you agree that our proposed improvements make our application one that the Planning Commission should approve, and would be honored to have you support our project. We also understand if you have questions and would very much appreciate the chance to talk with you about them. Please do call us at the number above if you have any questions, or are willing to sign a letter in support of our project.

Sincerely,



Julie Arbuckle

PAUL K. ROWE  
3109 Dry Creek Road  
Napa, CA 94558  
pkrowe@wlrk.com

August 21, 2017

RECEIVED

AUG 22 2017

Napa County Planning, Building  
& Environmental Services

Mr. Steve Lederer, Director  
Napa County Department of Public Works  
[steven.lederer@countyofnapa.org](mailto:steven.lederer@countyofnapa.org)

Mr. David Morrison, Planning Director  
Napa County Planning Department  
[david.morrison@countyofnapa.org](mailto:david.morrison@countyofnapa.org)

Re: Anthem Winery#P14-00320 Request for  
Exceptions to Road and Street Standards

Dear Mr. Lederer and Mr. Morrison:

I am the owner of 3109 Dry Creek Road (APN 035-460-024), which is adjacent to Anthem Winery.

Anthem has applied to modify its use permit to enlarge production and increase marketing events and visitors. The winery is also seeking to abandon its existing access from Redwood Road and to create new access from Dry Creek Road, utilizing a 20-foot wide flagpole portion of its property. Because the proposed Dry Creek Road access does not comply with local requirements, Anthem has requested numerous exceptions to Napa County Road and Street Standards.

The Anthem project consists of two parcels, designated APN 035-460-038 (Parcel A) and APN 035-470-046 (Parcel B). The winery's plans for the proposed new access road include two alternatives where the flagpole attaches to the flag. Option 1 utilizes an easement over my property; option 2 remains within the flagpole owned by the winery or its principals.

The easement was created in 1995 by the previous owners of my property for the construction of a driveway to serve a family member's residence on Parcel A. The easement is for the benefit of Parcel A only, and may not be used to access Parcel B, where the expanded Anthem Winery will be located. Moreover, the easement is for a residential driveway. Any use by winery and tourist traffic would constitute an impermissible overburdening of the easement.

Because I cherish the rural nature of my property, I will not agree to any modification of the easement that would allow it to be used for such traffic. It is therefore disingenuous for the winery to submit road plans that include the easement. The County must disregard the winery's option 1.

Mr. Steve Lederer  
Mr. David Morrison  
August 21, 2017  
Page Two

Option 2 requires the winery to cross a very steep area, known as the gully, where the flagpole portion of its property joins the flag. The plans call for the construction of a 60-foot bridge. The proposed bridge will be less than 20-feet wide, making it a one-way bridge under state fire safety regulations. Those regulations provide that the County may authorize a one-way bridge by way of exception, provided the bridge has a turnout at both ends. Napa County imposes an identical requirement.

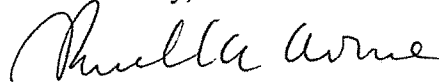
In requesting an exception to allow for the one-way bridge, the winery states that it will utilize the easement over my property to provide a 22-foot wide turnout on the downhill side of the bridge. It is obvious, however, that the easement cannot accommodate a turnout that complies with applicable standards. Anthem's plans incorrectly show the easement area to be 40 feet wide. The deed cited by the winery as the basis for the claimed width (1996-014263) was superseded by a subsequent amendment (1996-026341), which limits the easement for all purposes to conform to the driveway "as built" on the date of the amendment. The driveway as built is less than 20 feet wide. Thus, a turnout cannot possibly fit within the easement area, and it is misleading for the winery to have suggested otherwise.

Use as a turnout is incompatible with the easement for two reasons: first, because the easement is appurtenant to Parcel A, while the turnout would serve Parcel B as well; and, second, because the turnout will serve the winery, although the easement is intended as a residential driveway only.

Given that I was never consulted about this proposed use of my property, and that I have no intention of consenting to it, I am surprised that Anthem has submitted plans without informing the County that there is no prospect of my agreeing to them.

In sum, Anthem's turnout proposal is incompatible with the existing easement, and I will not allow the easement area of my property to be used for a winery turnout or for access to the winery. I request that the County exclude any such proposals from consideration. Because Anthem Winery cannot create turnouts at both ends of its one-way bridge, it will need to find another way to meet fire safety standards or abandon its bridge proposal altogether.

Sincerely,



Paul K. Rowe

cc: Ryan Patrick, Public Works Department ([patrick.ryan@countyofnapa.org](mailto:patrick.ryan@countyofnapa.org))  
Don Barrella, Planning Department ([donald@barrella@countyofnapa.org](mailto:donald@barrella@countyofnapa.org))  
James Bale, Fire Department ([james.bale@countyofnapa.org](mailto:james.bale@countyofnapa.org))

**From:** [Julie Arbuckle](#)  
**To:** [Walt Brooks](#); [Justin & Julie Arbuckle](#)  
**Cc:** [Ginna Beharry](#); [Betsy Moulds](#); [Liz Christensen](#); [Patricia Damery](#); [Jeff Atlas](#); [Barrella, Donald](#)  
**Subject:** Re: Neighbor Meeting Feedback  
**Date:** Wednesday, April 26, 2017 11:51:04 AM

---

Bernie,

Thank you very much for the follow-up and summary of your group's concerns regarding our project. We very much appreciate the time you all took to meet with Justin and I on March 19 to discuss our winery's use permit modification.

Your email mentioned that you have not had time to review the newly submitted WAA. As this lengthy process moves forward, we hope your group will review that report and our other application materials. Our view is that we are a small family winery by any definition, and our winery use permit modification does not propose to change that. Based on our numerous discussions with your group over the past two years, we have made several specific changes to our application in hope of addressing your concerns regarding water, our road, and our visitation and marketing plan. Although we may disagree on some issues, we hope that our open lines of communication will help us to better understand each other because we will be neighbors long after this process is completed.

Thanks again,  
Julie and Justin Arbuckle

On Tuesday, April 18, 2017 9:54 PM, Walt Brooks <[brooksvineyard@sbcglobal.net](mailto:brooksvineyard@sbcglobal.net)> wrote:

Hi Julie and Justin,

Sorry for the delayed response to our meeting on 3/19 . As was evident at the meeting the core group of your neighbors is still concerned about the size and impact your project will have on our watershed and neighborhood. As we said our concerns fall into four key areas:



### 1. Impact on our local water sources and on the watershed

- While we have not had time to read your newly submitted WAA we know all your surrounding neighbors have had water/well issues. The water supplies in this area and the quality/useability of the water can be very unpredictable. We know that you had to truck in water in the past even before your planned expansion so you know how difficult sourcing water can be in our area. While we appreciate your efforts at water conservation we are still concerned that your hydrologist Slade has had projections in several other projects before yours (Carneros Inn and Wools Ranch) that subsequently had problems so somehow the WAA does not always reflect the reality of the situation.

### 2. Safety and impact of the entrance/driveway

- The road even after all the work to enhance it will still be narrow, steep and have no intervisibility in spots. This will be an issue of safe egress in case of fire or emergencies like earthquakes. The road will be difficult for heavy trucks to handle safely.

### 3. Size of the project and number of evening/marketing events

- We feel that a small, family-sized winery (which you have permitted already at 30 K gallons) with some direct marketing is appropriate for the area. However a 50 K gallon facility that provides for multiple brands requires more intensity to the parcel than we feel is appropriate especially in the watershed. As the size permitted grows so does the size of marketing. You have requested events every other weekend, some very large and many in the late evenings. Visitation and small events during daytime hours is much more appropriate. The lights and sounds especially carry in the hillside and impact those that surround you as well as the wildlife.

### 4. Impact on neighborhood

- The driveway, if we understand the plans, includes a bridge and high retaining walls constructed on or very near to neighbor's property lines.  
- While the total volume on Dry Creek Road may not be considered an issue by county rules of thumb we know that DCR is used extensively by bicyclists, joggers and walkers. These folks are mostly locals, many coming up from Alston Park, to enjoy a relatively quiet part of the county. Your large visitation request will have an impact on all the locals as well as your neighbors.

We discussed your request for input and suggestions with the larger group at the Dry Creek Road Alliance meeting on April 1st. The input from the wider group was basically the same as from the core group, that the scale of what you propose is too large for the neighborhood and the AW ridgeline. We do hope that you can find a way to be successful on a smaller and truly family-sized scale and thus reduce the impact on your

neighbors and our shared watershed. Once the watershed, hillside and neighborhood are adversely impacted we cannot go back. Thank you for meeting with us and soliciting our feedback.

Best Regards,

Bernie Brooks, Jeff Atlas, Patricia Damery, Betsy Moulds, Ginna BeHarry  
and the DCRA neighbor members

## Barrella, Donald

---

**From:** Patricia Damery <pdamery@patriciadamery.com>  
**Sent:** Tuesday, May 17, 2016 8:57 AM  
**To:** Morrison, David  
**Cc:** Barrella, Donald; Luce, Mark; Dillon, Diane; Wagenknecht, Brad; Pedroza, Alfredo; Caldwell, Keith; Heather Phillips; anne.cottrell@lucene.com; napacommissioner@yahoo.com; terry scott; Jeri Gill; McDowell, John  
**Subject:** County response to legally recorded easements  
**Categories:** Green Category

Dear David Morrison,

I am writing about my increasing concerns about our neighborhood.

My husband and I share a property line with the Arbuckle's (Anthem Winery), and as issues have warmed up, we, as well as others, have had to retain an attorney. Of course, this only polarizes the issues, but Julie Arbuckle *is* an attorney, and a very aggressive one at that.

However, there is a way the County has played into this, and that is by not acknowledging legally recorded easements in considering/permitting projects. Already, without our knowledge, a vineyard was permitted (not yet planted) in a legally recorded tree easement made with our former neighbor, an easement that protects "the forest and meadow conditions" as well as the trees, the savanna protected, described by the oak people as the highest known oak savanna in Napa.

The Arbuckle's are choosing to deny the extent of this easement. They won't cut the big trees in the easement, but the rest "is a great place for a great cab". This places us in the position of filing an injunction if they proceed, as they are really not into negotiating in any real way. This may well cost us \$100,000 to \$200,000, or more, if we lose. And the new application is asking for another 1.2 acres, also partly in the tree easement and in a very environmentally sensitive area.

A simple solution is to require that easement issues be settled before any county permitting can happen. This would have saved the expense to all of us of the Arbuckle's ignoring another legally recorded easement, the road easement and conditions with Paul Rowe. I know this is expensive for the Arbuckle's as well, but as our attorney stated, when you have that much money, it doesn't matter a great deal. We don't have that kind of money, and several of us in the neighborhood do not. In addition, one "expense" that has definitely occurred, and will be very hard to mitigate, is the fracturing of our neighborhood's relationships with the Arbuckle's. We are living with great deal of conflict.

We are told by the County that the easement is a civil issue, and that we have to settle that in court if we can't with the Arbuckle's. The County's ignoring these kinds of legally recorded easements only sets us citizens up for a great deal of time and expense, as well as the applicants. However, as applicants are increasingly very wealthy and/or backed by corporate funds, we need government to take a more active role in protecting us, in leveling the fighting ground, so to speak. Otherwise, Big Money has a great advantage.

Thank you for your time here.

Sincerely,  
Patricia Damery

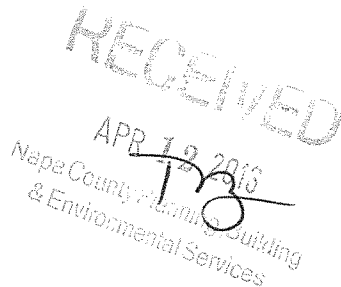
PAUL K. ROWE  
840 PARK AVENUE, #4-B  
NEW YORK, NY 10075

PKROWE@WLRK.COM

April 6, 2016

**CERTIFIED MAIL**

Donald Barrella  
Email: [Donald.barrella@countyofnapa.org](mailto:Donald.barrella@countyofnapa.org)  
Napa County Planning Department  
1195 Third Street, Second Floor  
Napa, California 94559



Julie and Justin Arbuckle  
3454-56 Redwood Rd./3123 Dry Creek Rd.  
APN 035-470-046 & 035-460-038  
Napa County Planning Department Application No. P13-00320

Dear Mr. Barrella:

I write you regarding the application for Project No. P13-00320 submitted to the Napa County Planning Department by my western neighbors, Julie and Justin Arbuckle, for construction of a commercial winery on their two parcels of residential property (addresses and assessor's parcel numbers identified above).

I understand that the Arbuckles plan to use an existing easement over my property as part of their plan to give visitors to their winery access from Dry Creek Road. It appears that such use would overburden the existing easement and therefore cannot be permitted absent my consent or agreement to an easement amendment, which I do not intend to grant.

The Arbuckles' property is comprised of two parcels, APN 035-470-046 ("Lot A") and 035-460-038 ("Lot B"). They each have primary driveways for ingress and egress on Redwood Road. Lot B contains a small strip of land with a driveway that is largely adjacent to, and to the north of my property, and which links the body of Lot B with Dry Creek Road. A portion of the driveway passes over the northwesterly edge of my property pursuant to the terms of a recorded easement. I understand that the Arbuckles are proposing, as part of their development plan to make this narrow drive the main artery for ingress and egress to both parcels, Lot A and Lot B.

In 1995, my predecessor-in-interest granted the easement to the then-owner of property identified as APN 035-460-011, which is contained within Lot B. The grant of easement was recorded on December 28, 1995 as Document Number 1995-029201 in the official records of Napa County and was amended on June 11, 1996 by Document Number 1996-014263

and on October 30, 1996 by Document Number 1996-026341. For your convenience, I include copies of the easement documents with this letter. These documents create an easement for a single-lane, dirt driveway, as it was constructed in 1996. The easement was to provide ingress/egress to a single family residence located on the portion of land that was previously identified as APN 035-460-011 and is now within Lot B. The point is, it was not granted for ingress into Lot A, and may not be used for ingress into Lot A.

I understand that the Arbuckles now propose to change and expand the use of the easement to access a commercial winery, with additional use as an event venue. The new winery is to be constructed on Lot A. I understand that this constitutes an impermissible surcharge on the easement. The right of ingress/egress over my property granted in the easement documents does not provide a right for Lot A to use the easement for any purpose.

In addition, the easement documents do not allow the type and volume of traffic that would necessarily flow from the Arbuckle's proposed commercial operations. The 1996 Second Amendment states that the "easement . . . is limited to the Roadway as it now exists." In 1996 and thereafter the road was used for occasional residential traffic to a private residence. I understand that use for winery access will increase the traffic volume enormously. Using the road for commercial traffic such as is required for a winery, and for winery visitors, is not consistent with the language of the easement documents. Accordingly, such expansion of the rights of the dominant estate is not permitted. I also do not understand how the easement can provide the physical width needed to meet *Napa County Road Standards*, which I am informed require 20 foot wide roads for commercial wineries.

It appears that the Arbuckles' plan to use the easement driveway for access to Lot A would violate the terms of the easement and California law governing easements, for at least two independent reasons: first, because the easement only permits carriage of traffic to Lot B, but the plan provides for carriage to Lot A; and, second, because the Arbuckles' plan would substantially change the use for which the easement was granted in a manner that oppresses the servient estate (mine). For both these reasons, the Arbuckles' plans would impermissibly infringe on my rights as the successor-in-interest to the grantor of the easement, by overburdening or surcharging the easement. See Cal. Civ. Code. Sec. 811; *Scruby v. Vintage Grapevine, Inc.* (1995) 37 Cal. App. 4th 697, 702; *Wall v. Rudolph* (1961), 198 Cal. App. 2d 684, 692; *Reichardt v. Hoffman* (1997) 52 Cal. App. 4th 754; *McCarty v. Wallace* (1963), 212 Cal. App. 2d 39, 45. I understand that there may be additional bases on which I might contest the proposed use of the easement as planned, but I believe these two points are the ones likeliest to be most relevant to your purposes.

I understand that the Planning Department prefers to avoid involvement with civil disputes as much as possible. Given that the Arbuckle's plan depends on the use of the easement, however, I felt it best to advise you of the limited use which the easement over my property provides before any approvals are given, since this particular issue impacts the overall viability of the Arbuckles' current proposal, as I understand it.

Donald Barrella  
Napa County Planning Department  
Page 3

Please direct any correspondence concerning the foregoing to me at the New York City address given above, and NOT to my Napa address. I can be reached via email at PKRowe@WLRK.com or by phone at (212) 403-1210.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Paul W. Rowe". The signature is written in black ink and is positioned to the right of the typed name "Paul W. Rowe".



1995 029201  
OFFICIAL RECORDS OF  
NAPA COUNTY  
H. KATHLEEN BONDS

Prepared by and return to:

Richard Lemon  
Dickenson, Peatman & Fogarty  
809 Coombs Street  
Napa, CA 94559

AT REQUEST OF: FIRST AMERICAN TITLE  
12/28/1995 01:51 PM  
Fee: \$ 28.00 Pgs: 8  
TT : \$ .00

Mail Tax Statements to:

Richard Lemon  
809 Coombs Street  
Napa, CA 94559

Documentary Transfer Tax \$ 0.00  
-- Computed on full value of Property Conveyed, or  
-- Computed on full value less liens & encumbrances  
remaining thereon at time of sale.  
THE UNDERSIGNED HEREBY DECLARES  
Signature of declarant or agent determining tax

GRANT OF EASEMENTS

This Grant is executed and delivered on this 6th day of December, 1995.

R E C I T A L S

The undersigned Kenneth R. Daly and Ingeborg T. Daly ("Grantors") own that real property (the "Front Parcel") described on the exhibit attached hereto marked "Front Property". The Front Parcel adjoins that parcel of real property (the "Back Parcel") owned by James D. Daly and Sharon E. Daly ("Grantees") described on the exhibit marked "Back Parcel". Grantees have entered into an agreement with Richard Lemon and Mary L. McDonald ("Buyers") to sell to Buyers the Back Parcel, a condition to the completion of which sale is the obtaining of recorded easements and rights over the Front Parcel in order to construct and maintain a driveway from Dry Creek Road up the flagpole portion of the Back Parcel to the main body of the Back Parcel which lies to the west of the Front Parcel. Because the flagpole portion of the Back Parcel extends from Dry Creek Road up hilly terrain, it is not practical to build the driveway solely within the fee area of the Back Parcel.

Therefore, in consideration of payment made by Buyers, Grantors have agreed to grant to Grantees for their benefit and for the benefit of all successors in interest in the Back Parcel including Buyers, those easements required for the construction, use and maintenance of a driveway in compliance with good engineering practices and applicable county standards.

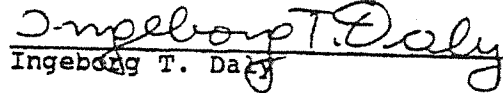
NOW, THEREFORE, the undersigned hereby grant to Grantees and to their successors in interest in the Back Parcel or any part thereof, the following easements appurtenant to the Back Parcel:

1. Driveway. An easement to construct, use and maintain a driveway over that portion of the Front Parcel which is described on Exhibit 1-A and Exhibit 1-B attached hereto. It is understood that approximately 25 grape vines will be removed within the area described in Exhibit 1-A in order to construct and maintain the driveway. It is understood that certain trees and other growth will be removed within the area described on Exhibit 1-B hereto in order to construct and maintain the driveway.

2. Temporary Construction Limit. An easement during the time of construction of the driveway over that portion of the Front Parcel described on Exhibit 2 attached hereto in order to move and restore earth which is displaced from the driveway construction. The easement described in this Section 2 shall expire upon completion of the driveway construction and is conditioned upon the beneficiaries of this easement using their best efforts to replace the top soil within the easement which may have been moved or disturbed as a result of the construction process.

"GRANTORS"

  
Kenneth R. Daly

  
Ingeborg T. Daly



STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF NAPA )

On December 6, 1995, before me, Sheila Weintraub, a Notary Public in and for the State of California, personally appeared Kenneth R. Daly, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



*Sheila Weintraub*  
NOTARY'S SIGNATURE

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF NAPA )

On December 6, 1995, before me, Sheila Weintraub, a Notary Public in and for the State of California, personally appeared Ingeborg T. Daly, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



*Sheila Weintraub*  
NOTARY'S SIGNATURE

"Front Property"

All that certain real property situate in the County of Napa, State of California, described as follows:

BEGINNING at a rebar monument at the Northwest corner of the tract conveyed to Kathy E. Thomas by Deed of record in Book 1617 at page 775 of Official Records of Napa County and shown on the map of record in Book 27 of Surveys at page 24, in the office of the Napa County Recorder; thence following the Thomas line North 67° 42' 30" East 1655.80 feet to a rebar monument marking the Westerly line of Dry Creek Road; thence North 23° 30' 00" West, 189.85 feet to a rebar monument; then North 27° 50' 49" West, 243.69 feet to a rebar monument; thence South 67° 30' 00" West, 1634.65 feet to a point in a small creek which bears North 23° 09' 26" West and is distant 10.00 feet from a rebar monument; thence South 23° 09' 26" East, 426.46 feet to the point of beginning.

APN 035-460-024

"BACK PARCEL"

BEGINNING on the line between the old Jackson Gridley tract of land and the tract formerly owned by E. C. Webber, North 67° 42' 30" East, 132.00 feet from the Northwest corner of the last named tract; thence North 23° 09' 26" West, 719.96 feet; thence North 67° 30' 00" East 1634.65 feet to the Westerly line of Dry Creek Road; thence North 27° 50' 49" West 20.09 feet to a rebar monument; thence South 67° 30' 00" West, 1633.01 feet to a rebar monument on the West bank of a small creek; thence South 67° 30' 00" West, 801.43 feet to an oak tree, 24 inches in diameter at an angle in the fence; thence South 67° 19' 02" West 277.17 feet; thence North 72° 59' 42" West 1028.6 feet, more or less, to the point of intersection with the Easterly line of the tract of land now or formerly owned by Mrs. W.B. Pieratt, said point of intersection bears South 44° 45' East 367.00 feet from the most Northern corner of that certain tract of land described as Exhibit "A" in the Amended Certificate of Compliance document recorded May 29, 1990 in Book 1742 at page 207 of Official Records of Napa County; thence along the Northerly and Easterly lines of the tract of land conveyed to William West by Deed recorded in Book 2 at page 337 of Official Records of Napa County, South 44° 45' East 491 feet; thence North 87° 00' East, 250.14 feet; thence South 28° 00' East, 49.50 feet; thence South 62° 45' East 117.48 feet; thence South 56° 00' East, 105.60 feet; thence South 9° 00' East, 84.48 feet; thence North 88° 30' East, 149.16 feet; thence South 75° 00' East 79.2 feet, more or less, to the center of the main branch of Napa Creek; thence down the middle of said creek to the Northwest corner of the tract conveyed to Stanley E. Wood by Deed of record in Book 725 at page 234 of Official Records of Napa County; thence following Wood's line, North 67° 42' 30" East, 1056 feet, more or less, to the point of beginning.

APN: 035-460-011

6

EXHIBIT 1-A

All that real property situate in the County of Napa, State of California, more particularly described as follows:

Beginning at the most Northern corner of that certain 16.26 acre parcel of land as shown on Map Number 4317 entitled, "Record of Survey of the Lands of James D. Daly, et. al.", recorded February 2, 1990 and filed in Book 27 of Surveys, at Page 24, Official Records of Napa County, said corner also being in the Western line of Dry Creek Road and running thence along the Northeast line of said 16.26 acre parcel, being the same as said Western line, South 27° 50' 49" East 19.00 feet; thence leaving said Northeast line and said Western line, South 70° 35' 48" West 59.6 feet and south 82° 23' 21" West 61.1 feet, more or less, to the Northwest line of said 16.26 acre parcel; thence along said Northwest line, North 67° 30' 00" East 116.75 feet to the Point of Beginning.



EXHIBIT 1-B

All that real property situate in the County of Napa, State of California, more particularly described as follows:

Beginning at a point on the Northwest line of that certain 16.26 acre parcel of land as shown on Map Number 4317 entitled, "Record of Survey of the Lands of James D. Daly, et. al.", recorded February 2, 1990 and filed in Book 27 of Surveys, at Page 24, Official Records of Napa County, said point being North 67° 30' 00" East 98.55 feet thereon from the most Western corner thereof and running thence along said Northwest line, North 67° 30' 00" East 52.09 feet; thence leaving said line, South 17° 20' 00" West 135.2 feet; thence South 56° 35' 00" West 63.8 feet, more or less, to the Southwest line of said 16.26 acre parcel; thence along said Southwest line, North 23° 09' 26" West 40.65 feet; thence leaving said Southwest line North 56° 35' 00" East 42.3 feet and North 17° 20' 00" East 87.6 feet, more or less, to the Point of Beginning.

END OF DOCUMENT

EXHIBIT 2

All that real property situate in the County of Napa, State of California, more particularly described as follows:

Beginning at a point on the Northwest line of that certain 16.26 acre parcel of land as shown on Map Number 4317 entitled, "Record of Survey of the Lands of James D. Daly, et. al.", recorded February 2, 1990 and filed in Book 27 of Surveys, at Page 24, Official Records of Napa County, said point being North 67° 30' 00" East 85.82 feet thereon from the most Western corner thereof and running thence along said Northwest line, North 67° 30' 00" East 838.78 feet; thence leaving said line, South 22° 30' 00" East 51.5 feet; thence South 66° 44' 56" West 569.6; thence South 84° 20' 00" West 118.9 feet; thence South 67° 50' 00" West 97.0 feet; thence South 17° 20' 00" West 100.0 feet; thence South 56° 35' 00" West 80.0 feet, more or less, to the Southwest line of said 16.26 acre parcel; thence along said Southwest line, North 23° 09' 26" West 50.81 feet; thence leaving said Southwest line North 56° 35' 00" East 37.0 feet and North 17° 20' 00" East 75.7 feet, more or less, to the Point of Beginning.

Prepared by and return to:

Richard Lemon  
Dickenson, Peatman & Fogarty  
809 Coombs Street  
Napa, CA 94559

Mail Tax Statements to:

Richard Lemon  
809 Coombs Street  
Napa, CA 94559

-----

AMENDMENT TO GRANT OF EASEMENTS

This Amendment affects and amends that Grant of Easements dated December 6th, 1995, recorded as Document 1995-029201 in the Official Records of Napa County, California.

In order feasibly to construct the driveway contemplated in the Grant of Easements, it is necessary that the easement described in Exhibit 1-B of the Grant of Easements be amended and restated as set forth on Exhibit 1-B attached to this Amendment. Except as so modified, the Grant of Easements remains in full force and effect.

"GRANTORS"

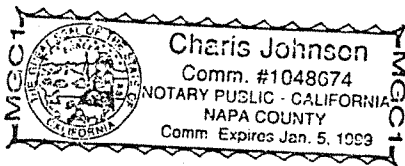
  
Kenneth R. Daly

  
Ingeborg T. Daly

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF NAPA )

On June 7, 1996, before me,  
Kenneth R. Daly, a Notary Public in and for the  
State of California, personally appeared KENNETH R. DALY,  
personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed  
to the within instrument and acknowledged to me that he executed  
the same in his authorized capacity, and that by his signature on  
the instrument the person, or the entity upon behalf of which the  
person acted, executed the instrument.

WITNESS my hand and official seal.

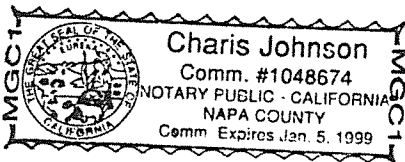


Charis Johnson  
NOTARY'S SIGNATURE

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF NAPA )

On June 7, 1996, before me,  
Ingeborg T. Daly, a Notary Public in and for the  
State of California, personally appeared INGEBORG T. DALY,  
personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed  
to the within instrument and acknowledged to me that she executed  
the same in her authorized capacity, and that by her signature on  
the instrument the person, or the entity upon behalf of which the  
person acted, executed the instrument.

WITNESS my hand and official seal.



Charis Johnson  
NOTARY'S SIGNATURE



EXHIBIT 1-B

All that real property situate in the County of Napa, State of California, more particularly described as follows:

Beginning at a point on the Northwest line of that certain 16.26 acre parcel of land as shown on Map Number 4317 entitled, "Record of Survey of the Lands of James D. Daly, et. al.", recorded February 2, 1990 and filed in Book 27 of Surveys, at Page 24, Official Records of Napa County, said point being North 67° 30' 00" East 134.90 feet thereon from the most Western corner thereof and running thence along said Northwest line, North 67° 30' 00" East 55.6 feet; thence leaving said line, South 29° 14' 38" West 17.4 feet; thence South 2° 39' 54" East 10.2 feet; thence South 28° 40' 21" West 27.9 feet; thence South 26° 22' 43" West 22.0 feet; thence South 16° 04' 33" West 70.4 feet; thence South 41° 08' 52" West 40.6 feet; thence South 49° 02' 26" West 55.6 feet, more or less, to the Southwest line of said 16.26 acre parcel; thence along said Southwest line, North 23° 09' 26" West 42.0 feet; thence leaving said Southwest line North 49° 02' 26" East 39.9 feet; thence North 41° 08' 52" East 28.9 feet; thence North 16° 04' 33" East 65.1 feet; thence North 26° 22' 43" East 26.5 feet; thence North 28° 40' 21" East 11.5 feet, more or less, to the Point of Beginning.



1996 026341  
OFFICIAL RECORDS OF  
NAPA COUNTY  
H. KATHLEEN BONDS

Prepared by and return to:

Richard Lemon  
Dickenson, Peatman & Fogarty  
809 Coombs Street  
Napa, CA 94559

AT REQUEST OF: RICHARD LEMON  
10/30/1996 02:44 PM  
Fee: \$ 22.00 Pgs: 6  
TT: \$ .00

Mail Tax Statements to:

Richard Lemon  
809 Coombs Street  
Napa, CA 94559

IVB VAC

-----  
**SECOND AMENDMENT TO GRANT OF EASEMENTS**

This Second Amendment affects and amends that Grant of Easements dated December 6, 1995, recorded as Document 1995-029201 in the Official Records of Napa County, California and that Amendment to Grant of Easements dated June 7, 1996 and recorded as Document 1996-014263 in the Official Records of Napa County, California.

In the Grant of Easements and Amendment to Grant of Easements described above, an easement was granted by Kenneth R. Daly and Ingeborg T. Daly ("Grantors") over their property described as the "Front Property" (and more particularly described on Exhibit A attached hereto). Richard Lemon and Mary L. McDonald ("Buyers") purchased the property referred to as the "Back Parcel" (and which is more particularly described on Exhibit B attached hereto). Buyers constructed a roadway from Dry Creek Road to the main body of the Back Parcel with the understanding and intention that the roadway would stay within the fee portion of the Back Parcel and the easement granted by the Grant of Easements and Amendment to Grant of Easements. However, during the construction of that road, portions of the roadway, and slopes leading to and necessary for the roadway intruded into the Front Parcel beyond the granted easement. Grantors and Buyers have reached an agreement concerning the modification of that roadway easement in consideration of Buyers granting to Grantors an access easement to the northwest corner of the Front Parcel which is separated from the remainder of the Front Parcel by Buyers' roadway.

1. Modification of Roadway Easement. The easement described in the Grant of Easements and the Amendment to Grant of Easements is hereby modified to that configuration and area which corresponds with the roadway, turnouts and slopes as constructed by Buyers

through this date (the "Roadway"). The Roadway is within the easement granted in the Grant of Easements as hereby modified. The easement as so modified is limited to the Roadway as it now exists and it is not intended or agreed that the easement include any area in the Front Parcel except that now occupied by the Roadway.

2. Access Easement. The Roadway cuts across the northwest corner of the Front Parcel so that there exists a roughly triangular piece of the Front Parcel northwest of the Roadway (having a northerly line of about 150 feet along the border between the Front Parcel and the flagpole portion of the Back Parcel and a westerly line of approximately 200 feet along the boundary between the Front Parcel and the Back Parcel) (which area is called the "Gully"). Buyers hereby grant to Grantors (and their successors in interest in the Front Parcel), an easement for access to the Gully. Such easement is both across the Roadway where it adjoins the Gully and for use over and across the flagpole fee portion of the Back Parcel as it adjoins the Gully. The purpose of the easement is to provide access to Grantors to use the Gully for any purpose or use now permitted under applicable law.

"GRANTORS"

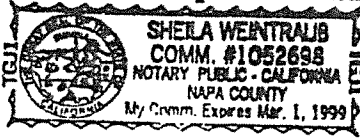
Kenneth R. Daly  
Kenneth R. Daly  
Ingeborg T. Daly  
Ingeborg T. Daly

Mary L. McDonald  
Mary L. McDonald  
C. Richard Deyon  
C. Richard Deyon

STATE OF CALIFORNIA )  
COUNTY OF NAPA ) SS.

On October 17, 1996, before me, Sheila Weintroub, a Notary Public in and for the State of California, personally appeared KENNETH R. DALY, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

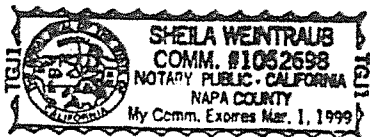


Sheila Weintroub  
NOTARY'S SIGNATURE

STATE OF CALIFORNIA )  
COUNTY OF NAPA ) SS.

On October 17, 1996, before me, Sheila Weintroub, a Notary Public in and for the State of California, personally appeared INGEBORG T. DALY, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

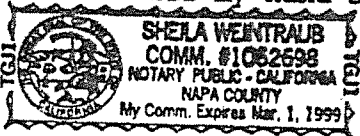


Sheila Weintroub  
NOTARY'S SIGNATURE

STATE OF CALIFORNIA )  
COUNTY OF NAPA ) SS.

On October 17, 1996, before me, Sheila Weintraub, a Notary Public in and for the State of California, personally appeared MARY L. McDONALD, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

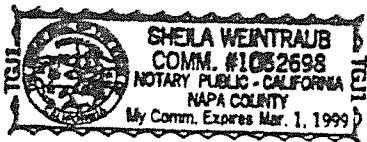


Sheila Weintraub  
NOTARY'S SIGNATURE

STATE OF CALIFORNIA )  
COUNTY OF NAPA ) SS.

On October 17, 1996, before me, Sheila Weintraub, a Notary Public in and for the State of California, personally appeared C. RICHARD LEMON, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Sheila Weintraub  
NOTARY'S SIGNATURE

EXHIBIT A

"Front Property"

All that certain real property situate in the County of Napa, State of California, described as follows:

BEGINNING at a rebar monument at the Northwest corner of the tract conveyed to Kathy E. Thomas by Deed of record in Book 1617 at page 775 of Official Records of Napa County and shown on the map of record in Book 27 of Surveys at page 24, in the office of the Napa County Recorder; thence following the Thomas line North 67° 42' 30" East 1655.80 feet to a rebar monument marking the Westerly line of Dry Creek Road; thence North 23° 30' 00" West, 243.69 feet to a rebar monument; thence South 67° 30' 00" West, 1634.65 feet to a point in a small creek which bears North 23° 09' 26" West and is distant 10.00 feet from a rebar monument; thence South 23° 09' 26" East, 426.46 feet to the point of beginning.

APN 035-460-024

END OF DOCUMENT

EXHIBIT B

"Back Parcel"

BEGINNING on the line between the old Jackson Gridley tract of land and the tract formerly owned by E.C. Webber, North 67° 42' 30" East, 132.00 feet from the Northwest corner of the last named tract; then North 23° 09' 26" West, 719.96 feet; thence North 67° 30' 00" East, 1634.65 feet to the Westerly line of Dry Creek Road; thence North 27° 50' 49" West 20.09 feet to a rebar monument; then South 67° 30' 00" West, 1633.01 feet to a rebar monument on the West bank of a small creek; thence South 67° 30' 00" West, 801.43 feet to an oak tree, 24 inches in diameter at an angle in the fence; then South 67° 19' 02" West 277.17 feet; thence North 72° 59' 42" West 1028.6 feet, more or less, to the point of intersection with the Easterly line of the tract of land now or formerly owned by Mrs. W. B. Pieratt, said point of intersection bears South 44° 45' East 367.00 feet from the most Northern corner of that certain tract of land described as Exhibit "A" in the Amended Certificate of Compliance document recorded May 29, 1990 in Book 1742 at page 207 of Official Records of Napa County; thence along the Northerly and Easterly lines of the tract of land conveyed to william West by Deed recorded in Book 2 at page 337 of Official Records of Napa county, South 44° 45' East 491 feet; thence North 87° 00' East, 250.14 feet; thence South 28° 00' East, 49.50 feet; thence South 62° 45' East 117.48 feet; thence South 56° 00' East, 105.60 feet; thence South 9° 00' East, 84.48 feet; thence North 88° 30' East, 149.16 feet; thence South 75° 00' East 79.2 feet, more or less, to the center of the main branch of Napa Creek; thence down the middle of said creek to the Northwest corner of the tract conveyed to Stanley E. Wood by Deed of record in Book 725 at page 234 of Official Records of Napa County; thence following Wood's line, North 67° 42' 30" East, 1056 feet, more or less, to the point of beginning.

APN 035-460-011

Don Barella copy



Julie and Justin Arbuckle  
Anthem Winery and Vineyards, LLC  
3454 Redwood Road  
Napa Ca. 94558

March 18, 2015

Dear Julie and Justin,

We want to restate our offer to resolve our differences concerning the Tree Easement we have adjacent to our home and your adjacent planned vineyard installation.

In our last conversation at the site I recall Justin saying that you would consider a set back of 25 feet of planting from the property line. Our offer to settle this with a 100 foot setback was prompted by that discussion at the site. We continue to offer to settle based on 100' as we could live with that in view of the possibility of overspray of herbicides and pesticides adjacent our home and our Certified Organic lavender there.

If our offer to mediate is not acceptable to you we will proceed with a legal enforcement of the protection of the Tree Easement meadow as is stipulated in the recorded easement. The Tree Easement as offered and drawn up by Dick Lemon was expressly for the purpose of protecting our privacy in the Meadow.

We want to avoid expense and time involved in a legal proceeding. You have proposed a settlement in exchange for our support of your new application for expanded vineyards, winery and your visitors program. We responded that the new application you made shows vineyards in our heavily forested Tree Easement; which of itself makes it impossible for us to support the recent application. In addition, as you are now well aware, there are more general concerns which we share with our neighbors for such commercial development in the Napa residential hillside areas.

We continue to hope for a settlement of the vineyard plans you now have.

Yours truly,

  
Donald and Patricia

Copy: Don Barella, Planning Department, Napa County



## Barrella, Donald

---

**From:** Patricia Damery <pdamery@patriciadamery.com>  
**Sent:** Sunday, January 18, 2015 11:33 AM  
**To:** Barrella, Donald  
**Subject:** Re: Missing Letter  
**Attachments:** Arbuckle Letter to Harms, 121214.pdf

RECEIVED

JAN 20 2015

Napa County Planning, Building  
& Environmental Services

I forgot to attach the letter!

> On Jan 18, 2015, at 11:30 AM, Patricia Damery <pdamery@patriciadamery.com> wrote:

>

> Dear Don,

>

> Ginna Beharry and Walt Brooks met with you on Friday and mentioned that the December 12, 2014 correspondence from the Arbuckles was not in the file. Perhaps it got filed somewhere else or somehow mysteriously disappeared. I am attaching the letter and would like to make sure it gets included in the private file.

>

> I also want to clarify: is the extension of the yet-to-be-planted vineyard also open to an EIR and erosion control? Is the approval contingent on a hydrology report? Wells up here go dry.

>

> Thanks!

> Patricia Damery

Justin and Julie Arbuckle  
Anthem Winery and Vineyards, LLC  
3454 Redwood Rd.  
Napa, CA 94558

December 12, 2014

VIA EMAIL AND PERSONAL DELIVERY

Donald Harms and Patricia Damery  
1020 Clinton Street #206  
Napa, CA 94559

RECEIVED

JAN 20 2015

Napa County Planning, Building  
& Environmental Services

Dear Donald and Patricia,

We received your December 10 letter and are surprised by its substance for several reasons.

First, Julie left the site meeting with you on November 21 with the impression that it was a good, productive, and collaborative meeting. As she explained in the meeting, we very much want to be good neighbors, to be respectful of your concerns, and to attempt to work through your concerns so that some compromise can be reached even if not legally required. When the meeting ended, Donald stated he would get us a proposal, so that is what we thought would be in your letter. Instead, your letter states you may resort to legal action if we don't get back to you within 10 days, which sets a very different tone for our discussions.

Second, we have been and will continue to be forthcoming with you, which is why Julie provided you with a copy of our Project Statement we recently submitted to the County describing in detail our pending winery use permit modification request and request to plant a small additional vineyard block pursuant to an erosion control plan. Julie also explained when she met with you on November 21 that we were applying to extend the short already approved vineyard rows within the tree easement. Additionally, at all times since even before we purchased 3123 Dry Creek Rd., we have been forthcoming with you about our plan to eventually plant vines in the tree easement. We greatly need additional vineyards in order to ensure the success and continued growth of our winery.

Third, the tree easement does not prohibit planting vines. It states "[n]o building or other structures . . . shall be constructed or maintained" in the easement, and that "[n]one of the existing mature oak trees located within the Tree Easement shall be removed or excessively cut." (Paragraphs 1 and 2). Neither of these prohibitions apply to planting vines.

Fourth, we do not intend to plant vines within the tree easement until after our winery use permit is modified, and therefore, we currently have no need for any deer fence. Thus, your prior claim that we hired a contractor to install a deer fence

is incorrect. Likewise, Julie never stated we are going to hold off on installing a deer fence until we can come to a mutual agreement about the location, and deer fencing was not discussed during her site meeting with you. Nevertheless, we remain willing to discuss deer fencing location and options with you now, or before we plant vines within the tree easement, which won't be for another one to three years.

Because it seems important to you to attempt to reach an agreement regarding deer fencing and vines within the tree easement in the near future, please let us know what you propose. As Julie mentioned in the site meeting, although we are not legally required to do so, we would be willing to set back our vineyards 25 feet (or a bit more) from your lavender garden to avoid any problems with your organic certification if you are willing to write us a substantive letter in support of our winery use permit modification application, and our application is ultimately approved. The ability to build a larger winery building and tasting room are very important to us and our dream of operating a beautiful and successful winery. Planting additional vineyards are a crucial part of this dream and will help support it for years to come. Nevertheless and although not legally required, we remain willing to discuss the possibility of a reasonable setback for vines within the tree easement.

Justin left Donald a voice mail this evening. We were planning to come by tomorrow afternoon to drop off some holiday treats as we have done in years past, so perhaps we can further discuss these issues then. If that will not work, please let us know when would be a good time.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin and Julie Arbuckle", with a long horizontal flourish extending to the right.

Justin and Julie Arbuckle

# Concerns with Anthem Winery Proposal

Walt and Bernadette Brooks

3103 Dry Creek Road

1/16/2015

**RECEIVED**

JAN 16 2015

Napa County Planning, Building  
& Environmental Services

**RECEIVED**

JAN 6 1 2015

Napa County Planning, Building  
& Environmental Services

# Categories of concern

- Road Variance: Road does not meet WDO commercial road regulations for personnel and fire safety
- Traffic safety: Commercial trucks and logistics would turn off curvy area of Dry Creek rd onto steep narrow driveway
- Permit type: New versus Extension
- Setback variance to road for multiple parcels
- Expansion to 50,000 gallons to support multiple winery projects
- Water resources to support acres of vineyard, winery and visitor center
- Neighborhood concerns

# Entrance Road Safety

- Current Dry Creek road driveway
  - 9-12 feet wide with 5-21% grade
  - No ability to meet 18 foot standard with 2 foot drivable shoulder for commercial use
  - Steep grades onto multiple properties and lack of rip-rap swale are erosion problem
  - Well on road
    - has been drilled with 1 foot of tarmac inside of drivable shoulder
    - Well head is 6-8 “ above ground
    - Well head is not protected by berms from road runoff contamination
    - This well is in line with wells on Rowe and Brooks properties
  - Easement over Rowe property was granted for residential access
- Variance bad precedence for Napa especially in AW

# Winery Permit Application type

- Proposal
  - New parcel
  - New road access
  - New winery
  - New marketing with major events with dining rooms and kitchen
  - New Caves
  - New Visitor center
- *This is not a extension of current permit for Redwood road winery*

# Variance to road setback

- Owners are maintaining parcels as separate entities
- Argue that they own both and they want to grant themselves an easement for road setback
- *This is not allowed with water rights and does not seem appropriate for road and property line setback since current or future owners could resell parcels*



# Expansion to 50,000 gallons

- Not using the current permit
  - current 1000 cases per year 10,000 plus cases
  - If they plant out to 10 acres they could produce 2000 cases of estate.
  - Without an expansion they are permitted to produce 4 times more than their estate
- Rational for expansion is to allow their winemaker to bring several of his projects into their winery
  - If rotating bond Type 2 projects are planned should they be part of the proposal
  - *Is custom crush in the hillside Ag watershed the appropriate place for custom crush facilities?*

# Water

- Assert in proposal that they have enough water
- Last year multiple water trucks were seen delivering water which indicates current sources are inadequate for 6 acre vineyard
- Planned Addition of
  - Winery
  - Tasting room
- *Expansion is not consistent with water availability on the hillside*

# Neighborhood Concerns

- Noise and Light pollution
  - 300 visitors per week, 100 person weekend events  
2 -300 person parties till 10- midnight
  - Traffic on road which passes within close proximity of 5 neighbors with cars or truck every 5-10 minutes
- Dry Creek Road Traffic Volume and Safety
- View-shed issues associated with siteing of winery and visitors center

## Barrella, Donald

---

**From:** Matt Pope <matt pope384@gmail.com>  
**Sent:** Thursday, January 08, 2015 12:52 PM  
**To:** Frost, Melissa; McDowell, John  
**Subject:** Fwd: Anthem Winery Public Comment

----- Forwarded message -----

**From:** Patricia Damery <pdamery@patriciadamery.com>  
**Date:** Thu, Jan 8, 2015 at 8:03 AM  
**Subject:** Anthem Winery Public Comment  
**To:** [matt pope384@gmail.com](mailto:matt pope384@gmail.com)

Dear Commissioner Pope:

I want to put in print most of my open comments to the Commission Meeting on January 7, 2015. I celebrate your move to have public forums over the next year to discuss these land use issues which are becoming so important for our survival.

My husband, Donald Harms and I live at 3185 Dry Creek Rd. We are a certified Biodynamic organic ranch growing grapes, lavender and other aromatics, and some fruit. Most of our ranch is forested and rugged. We share a property line with our neighbors which has a tree easement protecting a portion of one of the few remaining oak savannas in our Napa Valley. This consists not only of huge old Valley Oaks but native grasses and plants and many animals. To them, this looks like a good place for vines; to us, we see a vital part of an ecology that helps sustain a healthy watershed.

There are so many issues to address and I will continue to be in contact with you and the Board of Supervisors. But today I want to voice my sincere wish that as we all move forward in 2015, that our county government in its many facets will work with citizen groups, several which have worked long and hard, some which are just now forming, to develop guidelines that protect the agricultural preserve but also the watersheds.

Watersheds are like mothers. When mothers are healthy and functioning properly, the children flourish. The mother for the most part is invisible, taken for granted. That was always my wish as mother: that my sons could take me for granted! But when the mother is sick or depleted, she's noticed. The children suffer.

In the case of watersheds, if we ignore the importance of our watersheds, if we don't maintain the conditions that provide healthy watersheds, and restore those which have been depleted, our water is at risk. Water is our lifeblood. It is what unites us. It is the commons, belonging to no one person, but to all of us.

In my husband's and my own situation, if we look at that oak savanna and see open space for vines, drill wells, and several wells, because they're not great wells, if the water is sucked up for new vines and expansion of a winery (Anthem winery), we are depleting an important part of a watershed. And believe me, in this drought, our trees are suffering. Way too many are dying or are sick, stressed by lack of water. Oak savannas and woodlands and all the plants and animals that are part of those communities are a vital part of our watersheds. The Native Americans maintained these hillsides for centuries, but a lot of that knowledge has been lost with them. These watersheds need study and protection and, yes, in many cases, restoration, certainly not exploitation for farming. In an Ag Preserve some things should be protected, and if they are not, we will all suffer the consequences. Water unites us, water reminds us that we are of one piece. Fire will do this too.

Respectfully yours,  
Patricia Damery

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Save a Life: Spay/Neuter and Adopt!

## Barrella, Donald

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**From:** NORMNapa@aol.com  
**Sent:** Thursday, January 08, 2015 9:31 AM  
**To:** Barrella, Donald  
**Subject:** Anthem Project

Mr. Barrella:

I live at 3163 Dry Creek Rd. My property borders the road in question to the Anthem property. My house located approximately 40 ft from that road. Increased traffic would impact our lives. I have lived here since 1979 so I have seen many changes on Dry Creek road. I know we live in the wine country, but enough is enough. Also, I understand the applicant wishes to increase the capacity of the winery, this will put an additional strain on our already stressed ground water. This past summer we had a parade of water trucks running up and down the road, apparently their well had gone dry. Their well is located 10-12 feet from my property line. The applicant has a much closer driveway from the Redwood side of their property, so its not a case of not being able to access the winery.

I,m a supporter of owners property rights, however those rights do not extend beyond their own borders, the enhancement of their property should not be at the expense of the neighboring property. Your careful consideration to the applicants request will be appreciated taking into account the neighbors opposition.

Norman Sparby