

March 5, 2019

Gary Margadant
4042 Mount Veeder Road
Napa CA 94558

Commissioners
Napa County Planning Commission

re: DARMS LANE WINERY , Application for Winery User Permit **#P16- 00017 & VIEWSHED #P18-00152**

Please accept my comments concerning this winery application before the Commission on March 6, 2019.

This winery application is a good effort by Bartlet Engineering and Plans4Wine (Donna Oldford) who are experienced advocates for Winery Applicants.

My review subjects and comments are listed below and categorized by supporting documents provided with the Staff Review. These are my areas of concern and my conclusion follows my comments.

Condition of Approval, Doc B

page 4 Food may be provided by a licensed caterer or prepared on site in a permitted commercial kitchen. The condition of approval should reflect the Application statement which is the rule under which the winery is to receive approval. (see below)

Application: page 10 All food served with wine tastings and for wine marketing events will be catered.

Grading Spoils and Cave Spoils: page 14 Grading Spoils Disposal = On-Site Disposal. Neither the Application nor the COA mention the Disposal of the Cave Spoils. See the Application, Doc D below.

The COA & the Agency Approvals, the Drawings nor the discussion describe the reason for the water lines crossing the Blue Line Creek on the Eastern edge of the Vineyards and the Project Boundry, photos 47, 48.

Application Doc D

NO LISTING FOR CAVE SPOILS DISPOSAL. Napa County Codes requires Cave Spoils to be disposed of on the project site and shown on the plans.

GHG Reduction Potential - Missing applicant comments and proposals

BMP-3 No habitat restoration or new vegetation

BMP-5 No efforts to exceed title 24 energy efficiency standards: Build to CALGREEN Tier 2

BMP-7 No efforts to exceed title 24 energy efficiency standards: Build to CALGREEN Tier 1

BMP-13 No Connection to recycled water

BMP-15 No Low-impact development (LID) i.e. management of Storm Water

BMP-20 No Planting of shade trees within 40 feet of the south side of the building elevation

BMP-25 No effort to design and build to qualify for LEED

BMP-26 see BMP-27

BMP-27 No effort to certify as a Napa Green Winery nor Napa Green Land

BMP-28 No effort to use recycled materials.

No effort was made on all plans, to orientate the drawings with the same direction for the North Arrow and avoid confusing the public and the neighbors during review of these plans. If the orientation of the plans is shifted between views, the viewing public can become confused and unable to provide accurate observations and questions for the Commission. Printing the documents for table top viewing is a cost burden that is not acceptable for public review.

WAA Doc F

The Winery proposes to use 7 gallons of process water per gallon of wine produced, or 211,803 gallons per year, which is generally consumed over a 4 month period during crush. This is the high end of process water usage, and a conservative use would be more likely 5 or 4 gallons water/gallon of wine. This figure constitutes little effort to conserve process water. UC Davis is experimenting with a winery usage of 1 gallon of process water per gallon of wine and is a major goal for water conservation. Yet a modest goal for this proposed winery would be most welcome to show concern for the Groundwater supplies within the Darms Lane Neighborhood.

No heat and frost protection is planned with the use of sprinklers in the vineyard. They are probably using wind machines as shown in photos 8 and 9. Is this the only wind machine within the project boundary? These wind machines make constant noise similar to propeller planes at an airport.

The Yield test for the New Well was not completed by a certified testing firm, but by the Well Driller using an air lift method, which is highly inaccurate and is not considered a definitive test (the driller uses the air lift method to excavate the drilling spoils from the well shaft): See page 4 and 5. To use this yield rate in the Summary on page 9 presents an improper conclusion.

It is improbable for the applicant to have not had time to complete the well and test the vineyard well in the 3 years since starting the application process and the nine years since the completion of the New well. Bartlet Engineering and Plans4Wine (Donna Oldford) are quality outfits and should not have missed this effort or allowed the application to go forward without this information, which is critical to the WAA conclusion. Neither should the Planning Department nor Sean Trippi, the lead planner, have allowed this application to proceed without this information. The photos, 37 and 38, depict a new well, the vineyard well, photographed in June 2014.

Rain Recharge rates, page 4. If the vineyard has drain ties, 8' underground, then the recharge rate is highly diminished by the pumping out of the groundwater, discharged into the Eastern blue line creek or Dry Creek to the south.. There are drain tiles in the vineyard, see photo 40, but the extent of the drain tiles is not captured in the project documents. Also, the drain tiles are located just downhill of the Stormwater retention basin, and would tend to negate the Recharge ability of the Retention Basin. The project documents should indicate the extent of the drain tiles throughout the vineyards on the property included in the application? Where is the discharge from the drain tiles? How much water is removed from the Recharge calculations?

Also Note that the Drain Tiles are located on the upper gradient of the vineyard and will not be effective for the vineyard closer to the Eastern edge at the Blue Line Creek (photos 48, 47). This lower elevation is a prime location for more drain tiles not identified in the project documents nor mentioned in the Recharge Calculations.

The Retention Basin operation is not clearly discussed in the project documents. It is surrounded completely by high berms that would prevent the natural inflow of water from any area but the uphill hillside woodland. The discharge of the overflow standpipe is not indicated in the project documents. Does it direct the overflow into the East Side Creek?

What about the discharge for the Drain tile pumping? This very diversion of the hillside drainage will reduce the vineyard recharge since the drainage would normally flow into the vineyard.

The three studies referenced in the Recharge discussion did not account for localized drainage that would alter the Recharge Rate for the project location as mentioned above. Woolls Ranch is on a ridge back of a hill and does not use drain tiles nor a Stormwater Retention basin that would alter the Recharge capacity of the vineyards.

Water Quality, page 5. Again, there is no excuse for this vital Quality testing of the Groundwater to be missing in this examination of the applicability of the water for vineyard and domestic usage. Why Bartlet and Plans4Wine again failed to make this effort before submitting the application is an unreasonable error. Why did the lead planner allow this application to go forward without this information. If the Water Quality is unsuitable for irrigation or domestic use the quality is a major determinant of the WAA requirement for this application.

Consider Woolls Ranch as an example of poor water quality and mismanagement by the owner. The main irrigation well for the Woolls Ranch tested, upon well completion, with a high level of Boron in concentrations detrimental to the long term longevity of the vineyard vines. Yet the vineyard was irrigated with this water and caused enormous problems in the Vineyard. Why this water quality problem was not recognized or dealt with by the owner or the Planning Department during the application process is unknown, but the amount of water available for irrigation was highly diminished by this Boron contamination.

WASTEWATER FEASIBILITY STUDY, Doc G

There is no coordination between the Drawings for the Cave and Septic Location, the Test Pit locations, the previous location of the septic system, the old residence and the location of the new Tasting Room and Office. The distance between the proposed septic field and this new structure is not noted on the drawings nor is the relationship between conditions depicted on the different drawings. This needs to be clarified, especially for the COA.

The Test Pits drawing and records were completed in November 1998 for a projected wastewater flow of 50,000 gallons/year and required a 6 hole (test pit) evaluation. Test hole #4 was found to be a poor area not to be used. Test pits 5,6 and 7 were located over 435 away from pits 1,2,3. Also, the pit discussion mentioned that size constraints in the area tested may limit the size of the project. The Sanitary Wastewater flow for the new project far exceeds the original flow estimate. These points were not discussed in the WW document nor included in the conditions of approval.

WINERY COMPARISON, Doc L

This winery total yearly visitors is 9214, yet the closest wineries of equal production (30,000 gal) are listed at 7750, 7254 and 5700 yearly visitors. Why is the planning department allowing the higher figure is unreasonable. True that GooseCross, Joseph, Beautiful Day and Castellucci are higher, but the chart does not make any reference to pre WDO Wineries that might be the reason for such high numbers. Why should Darms lane have a much higher annual visitation than the Average or Median of all the other 30,000 gal wineries, especially when they include those of exceptional high numbers that are unqualified by explanation.

Darms lane winery is accessed by the full length of Darms Lane, a somewhat Rural Residential Area with residents in relatively close proximity. Certainly this fact should preclude any visitation numbers higher than the Average or Median numbers of other similar wineries.

CONCLUSION TO COMMENTS:

There are a lot of questions to be answered in response to my review, especially where the information would be available in the COA (Conditions of Approval), the document most likely to be reviewed in the future during compliance review of this Winery. This is a critical omission by the planning department and the applicant (via consultants) that would normally signal any future question of compliance concerning the Winery Operations.

I suggest that the Planning Commission continue this examination of the application to a later date to allow the applicant to provide the missing documentation, especially the WAA Doc F and the WasteWater Feasibility Study Doc G and the discrepancies within the Winery Comparison Doc L.

These are critical areas within the Darms Lane Neighborhood that need to be clarified.

Best, Gary

From: [Valdez, Jose \(Louie\)](#)
To: [Fuller, Lashun](#)
Subject: FW: Darms Lane Winery - comments
Date: Wednesday, March 06, 2019 7:52:34 AM

FYI

Louie Valdez
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From: Charlotte Williams <cdevorak@sonic.net>
Sent: Tuesday, March 5, 2019 11:12 PM
To: Whitmer, David <Dave.Whitmer@countyofnapa.org>; joellegPC@gmail.com;
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JeriGillPC@outlook.com
Cc: Morrison, David <David.Morrison@countyofnapa.org>; Valdez, Jose (Louie)
<Jose.Valdez@countyofnapa.org>
Subject: Darms Lane Winery - comments

Dear Planning Commission,
Re: Darms Lane Winery

Individuals in the industry continue to run roughshod over their neighbors. Similar to a juggernaut bent on destruction for the sake of profit it disrupts whole neighborhoods so that a dream can be made real. A dream for some becomes a nightmare for many others. What is wrong with people that they should make plans for their property that so radically and negatively affect the whole neighborhood? Have we so lost our common decency that we no longer understand that our neighbors have a right to peace at their own homes? With little or no notice neighbors must hurry to analyze information and assemble a defense against an attack on their neighborhood and their homes. Our elected and appointed officials are the first line of defense for the citizenry. We look to you to examine the data closely and

provide a fair decision on the appropriateness and correctness of this application.
Please take into close consideration the problems with and deficiencies in the application that have been documented by my colleagues Kathy Felch and Gary Margadant and others.
Please require the applicant to take this project back to the drawing board and encourage them to engage all the neighbors in serious discussions about what everyone can live with.

Thank you.

Sincerely,

--

Charlotte Helen Williams, president Napa Vision 2050
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