

My name is Herman Froeb, my property is adjacent to the Bremers. I've worked in wine production since 1980 and have held the positions from Winemaker to Harvest Worker. I grow grapes, and had my own label for several years. I've had a front seat on the evolution of the Napa Valley Agricultural Preservation Act, the Hillside Ordinance, the Winery definition legislation, the creation of the Agricultural Residential zone, and knew and know many of the visionary people that pioneered these legislations. Volker Eisle, Tom Burgess, Joe Phelps, Warren Winarski, Nathan Fay, Randy Dunn, to name a few. The conflicts brought by change underscores the historical importance of your decision today.

Last time that I spoke to you I used the descriptor appalled to describe the Napa County's regulatory history of the Bremer Family Winery. As a Deer Park community member that has endured their never ending construction, earth moving, dust, the long limos, buses, and untarped trucks coming and going, and the attendant traffic safety issues, a more accurate description of me is now outraged, outraged at the bungling and inability, the waste of time and money of Napa County taxpayers to rein in the Bremer's outrageous flouting of Napa County's regulations, and a slap to the face for the rest of law abiding wineries. The building of a restroom on the bank of the stream-- unreal. These folks are "bad actors", you know it, I know it, and your decision should represent our public trust.

I'm also outraged that my voice and participation as a citizen apparently has no weight. (I've printed copies of communications for you) Before one shovel of dirt was moved, I politely suggested to the County that the proposed project was complex, involved vigorous seasonal streams, a spring, and did the Department of Fish and Wildlife know about this project? Later when the California Regional Water Quality Control Board received comments for the tentative Cleanup and Abatement order I wrote "The importance of the State Water Quality Board's involvement in this Napa County Problem cannot be understated. The Napa County Board of Supervisors and their Planning Department have been ineffectual and stymied by the Bremers as the work proceeded."

I also noted the conflict of Napa providing dirt beyond that permitted, and I guessed that "Napa County would prefer to leave this project as is, allow compensatory mitigation at another site, and refill their coffer with accrued fines and penalties. And my guess is that is exactly what the Bremers anticipated when their choice was made to ignore their permitted work guidelines and specifications, was to pay any future fines, and move on."

And this is exactly what is occurring right now. The Bremers now have permission for visitors, events, and are now asking for variance for the very items Napa County took the Bremers to court for. Just to avoid the appearance of impropriety, to fulfill your appointment to serve the public trust, let alone the signal you send to Napa County, you commissioners need to make the right decisions, Link all of their projects together, and stop granting these folks permits because of their record of past performance failure. The fairy tale of "the Golden Permit" should be over. These decisions today are not "water under the bridge." Yes, I am here today as a concerned citizen.