

Whitney, Karita

From: Whitney, Karita
Sent: Thursday, March 21, 2019 8:48 AM
To: - Board of Supervisors; Booher, Mary; Tran, Minh; Anderson, Laura; Morrison, David; Bordona, Brian; Brax, Jeffrey; Sharp, Leigh
Cc: Fuller, Lashun; Thepkaisone, Cesselea; Bledsoe, Teresa; Cortez, Nelson; Tijero, Jesus; Valdez, Jose (Louie); Morgan, Greg
Subject: 3/26/2019 BOS Agenda - Water Quality and Tree Protection Ordinance Correspondence

Below please find correspondence received from Ken Nerlove regarding the Water Quality and Tree Protection Ordinance scheduled for the March 26, 2019 BOS agenda.

(This is a Brown Act communication, please do not reply all)

From: Valdez, Jose (Louie)
Sent: Tuesday, March 19, 2019 1:43 PM
To: Whitney, Karita <Karita.Whitney@countyofnapa.org>; Morgan, Greg <Greg.Morgan@countyofnapa.org>
Subject: FW: WQTPO

Sent with BlackBerry Work
(www.blackberry.com)

From: Bordona, Brian <Brian.Bordona@countyofnapa.org>
Date: Tuesday, Mar 19, 2019, 13:03
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>
Subject: FW: WQTPO

From: GRAPEMAN 677 <grapeman677@gmail.com>
Sent: Tuesday, March 19, 2019 12:30 PM
To: Bordona, Brian <Brian.Bordona@countyofnapa.org>; david.morison@countyofnapa.org
Subject: WQTPO

To whom it may concern

I am opposed to the above proposed ordinance. The plan lacks study and I do not believe that all the information is in to make an intelligent decision. This ordinance has the potential to negatively affect the Napa Valley and the people who live and farm here.

I have farmed in the Napa Valley for 36 years. I am a good steward to the earth. I really think that the restrictions on the books now are sufficient. However, if you feel the need to add new restrictions, that is OK. However, before you do that, I suggest you make sure that you have all the facts correctly and that the decision is not taken lightly.

It effects all of the Napa Valley.

Respectfully,

Ken Nerlove
Grower/Owner
Elkhorn Peak Cellars



Attention: Napa County Board of Supervisors
Napa County Planning, Building & Environmental Services Department
1195 Third Street, Suite 210, Napa, California
(707) 259-8757

Subject: NVG Promotes Protection of Ag, Climate, and Environment

Dear Chair Gregory and Napa County Supervisors,

I write to you on behalf Napa Valley Grapegrowers, representing over 725 grower, vineyard manager, and associate members, with a shared mission of preserving and promoting Napa Valley vineyards. As an organization, we are rooted in education and, therefore, submit this letter to provide the County with ample context, in-the-field experience, and—where we feel it is needed—requests for clarification in order to promote smart policy decisions. In this way, we are happy to serve as a resource of information to the County and community members.

We also believe that it is important for the County to understand NVG's background and current level of engagement in advancing sustainability efforts in Napa County. Simply put, education in sustainability is NVG's 'bread and butter'; it is who we are as an organization. This is supported by the dozens of educational programs we deliver to Napa County growers each year centered on best farming practices. Through educational outreach, NVG advocates for preservation of ag land, responsible land stewardship, resource conservation, protection of water and air quality, preservation of habitat, respect for wildlife, and more. Our annual ROOTSTOCK Symposium, which has hosted over 2000 people, focuses on how better practices in the vineyard also make for better wine quality, and we are also the only organization in the country to host an Organic Winegrowing Conference, which happens bi-annually.

As we continue to look ahead and develop educational content, we see a real need for leadership when it comes to adapting Napa County vineyards to climate change. We view our involvement in this as embedded in NVG's mission and have already begun centering programming and educational tools on climate-smart farming techniques aimed at sequestering carbon and protecting soil health. Based on our experience, NVG believes that there are great gains to be had by continuing to improve how we as farmers manage lands, and that the protection and promotion of sustainable agricultural lands enhances the overall health of our local climate and environment. It is through this lens that NVG approaches any communitywide discussion related to conservation.

After significant feedback from members of the public, the Board is now tasked with vetting proposed changes to Napa County's Conservation Regulations via the Draft Water Quality & Tree Protection Ordinance. Since their inception, the Conservation Regulations have been nationally recognized as landmark legislation, forward-thinking and progressive. They have been a point of pride for Napa County legislators and the grapegrowing community since 1991. Napa County's Conservation Regulations were not written overnight but were the result of many difficult discussions and significant public participation. To this end, we are grateful to the County for the opportunity to comment on the Draft Ordinance and ask the County to consider the following areas of question and concern:

- Overlaying of proposed mandates
- Mitigation standards
- Limiting development footprint and pressures on existing ag land
- The Regional Water Board's Waste Discharge Requirements & other existing regulations
- Vineyards and carbon sequestration
- Economic impacts & the importance of protecting small farms, family operations and opportunities for young talent
- Additional clarifications

OVERLAYING OF PROPOSED MANDATES

NVG's Recommendations

The Board of Supervisors recognized during its previous discussion that many of the proposed standards listed in the Draft Ordinance work in conjunction with one another; therefore, it is important to piece requirements together in a thoughtful way. In doing so, NVG recommends the following:

- Strive for clarity in language and seek consistency with existing County and State regulations
- Promote responsible and sustainable vineyard development and protect existing ag land from pressures to yield to other types of development
- Vet proposed standards through the lens of maintaining site-specific flexibility
- Prioritize best biological and environmental outcomes
- Do not limit requirements to agricultural development; apply to all development
- Filter final recommendations through reference to specific goals--that is, clarify in what way new mandates improve upon what is already required
- Advocate for preservation of large, contiguous pieces of open space as opposed to fractured areas
- Continue to make time for those to weigh in whose livelihood may be impacted by these changes

Avoiding Fractured Development and Fractured Conservation Spaces

As currently drafted, NVG would like clarification that the combination of slope, canopy retention, and mitigation requirements will not inadvertently promote a more fractured development and conservation footprint. More fractured parcels lead to more roads, which are one of the greatest offenders when it comes to sediment erosion, and do not promote carbon sequestration efforts. Therefore, we do not want an unintended consequence of this proposed legislation to be that a road is allowed in areas that no longer allow for agricultural green spaces. This seems possible based on the list of exceptions included in the Draft Ordinance (*Page 17 Section 7*).

Avoiding Duplicative Standards

NVG would like clarification on how the 3:1 mitigation standard overlays with canopy retention in site-specific situations. For example, what would happen in the case of a completely forested property?

MITIGATION STANDARDS

Conservation Easements & Active River Restoration

As the County defines standards around mitigation, NVG encourages legislation that promotes Conservation Easements and active river restoration projects including on slopes above 30% and within stream setbacks.

Conservation Easements and river restoration projects have long been a part of Napa County's history of progressive conservation efforts and should be encouraged by the County as some of the most

environmentally beneficial mitigation standards. On the surface, it may be tempting to dismiss these approaches as the 'easy way out' of doing other forms of mitigation, but this is far from the truth. While landowners may gain tax benefits as well as the ability to comply with mitigation requirements, these incentives exist because the process of planning for a Conservation Easement or completing an active river restoration project is actually very complex and requires giving up rights to development beyond what is included in the Draft Ordinance.

Conservation Easements provide the following advantages on top of existing and proposed regulatory limits on development:

- Regulations protecting open space are changeable via initiative or other legislative processes, whereas Conservation Easements are in effect in perpetuity
- While the Draft Ordinance includes a lengthy list of exceptions (Page 17 Section 7) to limitations on slopes over 30% and within stream setbacks (including allowances for roads and other structures), Conservation easements require giving up these rights along with all other development rights
- At no additional costs to taxpayers, Conservation Easements ensure that an entity (i.e. land trusts) takes over responsibility for management of the land, which means enhanced supervision and protection of biologically and environmentally beneficial factors including areas with riparian habitat and sensitive and biodiverse plant and wildlife species
- More resources are available to landowners via partnership with entities like land trusts to monitor and mitigate environmental risks inherent to an area's natural state i.e. natural sediment erosion or lingering effects of natural disasters

Regarding the inclusion of active river restoration as a mitigation technique within stream setback areas, Napa County should consider the success of efforts such as the Rutherford Reach Project as a model. We know that there are still various properties along the Napa River, where even where there is no current development, previous land uses and/or natural sediment erosion and invasive species have hindered the health of the waterway. In these cases, it would be beneficial for the County to approve of active river restoration as appropriate mitigation within stream setback buffer zones.

Returning to the issue of fractured properties—these are also less attractive to entities like land trusts who seek larger, contiguous parcels to place in Conservation Easements. We request that Supervisors vet mitigation standards through the lens of maintaining larger, contiguous vineyard and conservation spaces.

Mitigation & Fire Prevention

Since the 2017 wildfires, Napa County growers are—more than ever—attuned to the need for fire prevention strategies that include forest management and incorporation of defensible space on their properties. To this end, the County should also consider proposed mitigation requirements in the context of promoting fire prevention. As written, the Draft Ordinance's mitigation ratio is currently proposed at 3:1, (Page 9 Section 2) in conjunction with an associated tiering structure, which preferentially treat on-site versus off-site mitigation (Page 9 Section 2). NVG encourages the Supervisors analyze the ordinance through the lens of fire-wise mitigation strategies, where simply increasing forest density on-site may not always be the preferred option.

Benefits of Current Standards: Site-specific Flexibility & Hierarchy Based on Biological Factors

As currently required, when an applicant submits a project proposal to the County, the pending ECP requires that a comprehensive survey be conducted to identify biological factors such as riparian corridors and the presence of native and/or sensitive species. This survey is conducted by County-approved experts and done throughout the property to determine the best possible footprint for the project. This site-specific approach has successfully changed project proposals for the better, where important biological factors were taken into consideration.

However, the current Draft Ordinance appears to remove some of this site-specific flexibility, by creating a hierarchy based on factors such as above or below 30% slope and on-site versus off-site, rather than on specific biological factors. NVG requests that the Board of Supervisors thoroughly vet this shift and encourages that the County instead base its hierarchy of protections on site-specific biological and environmental factors that also promote sustainable vineyard development.

LIMITING FUTURE DEVELOPMENT FOOTPRINT & PRESSURES ON AG LAND

Napa County must take a balanced, smart approach to growth. In doing so, NVG cautions the County from inadvertently putting existing ag land at risk. Napa County already claims some of the most restrictive development standards in the country. In reducing the over-all development footprint further, NVG has concerns that existing vineyard land will be forced to yield to other uses.

We urge the County to keep in mind the current rates of growth in the agricultural sector. For example, based on data from Napa County's Annual Crop Report, growth is slow when it comes to vineyards, which are increasing at a rate of less than a half of a percent on average, and vineyard planting is currently tracking well below the expectations written into the 2008 General Plan. NVG believes in continued smart and sustainable growth of responsibly-farmed agricultural land, and the environmental value it can provide communities.

We are concerned that the County is looking at making changes to existing regulations by increasing restrictions on plantable farmland, without due reference to the significant value that farmland provides to all of us. Furthermore, the state of California over the years, has witnessed that increases in overall commercial and housing development, without additional protections for agricultural land, will always result in the loss of farms. This was the impetus for the creation of the Napa County Agricultural Preserve.

Under pressures—regulatory, economic, or otherwise—agriculture always yields in favor to other more commercial or urban uses. These new proposed restrictions, are they to be applied countywide, mean that we will likely even see a decrease in agricultural land in our Agricultural Preserve.

During the Planning Commission meeting on February 20th, PPI, an engineering firm, presented data depicting significant potential loss of farmland as a result of the proposed amendments. Has the County thoroughly analyzed this potential loss of farmland, and have all landowners whose property may be affected been adequately notified by the County?

We implore the County to recommend a responsible and careful analysis of any proposed changes to present Conservation Regulations with utmost caution to unintended consequences, both economic and environmental, and, as per the recent Strategic Plan's mandate, that all decisions be based on solid data.

Protecting Track 1 & 2 Replants

As Napa County makes changes to current Conservation Regulations, NVG strongly encourages codifying current protections for both Track 1 and Track 2 replants. We recommend that the County consider incorporating language into County Code, as drafted and recommended by Napa County Farm Bureau.

In addition to this, we'd like the Board of Supervisors to consider including language that specifically allows for replants utilizing the Track 1 process, and not significantly gaining in size. For example, NVG supports the allowance of landowners to change row orientation, remove terracing and restore hillslopes and make other changes that significantly improve the sustainability of the project without significantly changing the footprint.

Effects of New Processes on Properties on Land Zoned for Agriculture

NVG would like clarification from the County as to whether there would have to be a new permitting process instituted for flat, valley floor vineyards as a result of the Draft Ordinance. Previously valley floor

properties without slopes could plant vineyards without going through the ECP process, as they are not in any way prone to sediment erosion. What would the application process and enforcement look like for properties such as this post-adoption of the Draft Ordinance, and does the County have the staffing and resources to handle this new process?

THE REGIONAL WATER BOARD'S WASTE DISCHARGE REQUIREMENTS (WDR) & OTHER EXISTING REGULATIONS

As Napa County develops the proposed Water Quality and Tree Protection Ordinance, NVG encourages decisionmakers to take into consideration the landscape of existing regulations to ensure consistency and lack of duplication to better facilitate compliance and enforcement.

As of July 2017, the Regional Water Board that oversees Napa County adopted new mandates for vineyards of 5 planted acres or more focused on increasing water security. Mandates include stream buffer zones, limitations to planting on hillslopes, watershed monitoring, and more. As of July 2018, Napa County growers were required to commit to enrolling and completing a certified farm plan with Water Board approved entity (i.e. LANDSMART, Fish Friendly Farming, or California Sustainable Winegrowing Alliance).

Napa County is not the only County where the Water Board is implementing a vineyard waiver to target sediment erosion. This is a statewide effort, with new rules being applied in counties across California. Furthermore, according to the Water Board, the stated purpose for the vineyard waiver, is not so much to prevent erosion from vineyards, which is covered by Napa County's current Conservation Regulations, but rather a means at capturing risks associated with rural roads that are often found on vineyard properties.

VINEYARDS AND CARBON SEQUESTRATION

There has been significant discussion with regard to the need to adapt Napa County to climate change, and NVG believes that ag land has a valuable role to play in achieving the County's collective climate goals. One of the greatest environmental benefits of agriculture comes from woody crops' inherent ability to sequester carbon in the soil. In this way, perennial cropping systems such as vineyards provide significant opportunities for managing the impacts of climate change locally. According the American Farmland Trust, ag land is responsible for 58 times fewer greenhouse gas emissions per acre than urban spaces.

As more and more research about effective land stewardship policies emerge, we are finding that vineyards are not only carbon neutral, but can be climate positive over the medium and long term. A vineyard's low nitrogen requirements, low water requirements, and ability to thrive in drought conditions make it a powerful tool in the toolbox for combating global warming — and the perfect agricultural product for Napa County.

Through smart carbon farming practices, we are also able to maximize these inherent benefits, to permanently store carbon in huge quantities in our managed lands throughout the county. These practices include mandated cover cropping strategies, judicious use of compost, and other key farming practices promoting soil health and preventing soil erosion. Oftentimes, there is no silver bullet; however, a series of adjustments like these, in all areas of a vineyard operation, have been proven effective.

ECONOMIC IMPACTS & THE IMPORTANCE OF PROTECTING SMALL FARMS, FAMILY OPERATIONS, AND OPPORTUNITIES FOR YOUNG TALENT

Whatever the result of this regulatory process, it is likely that smaller operations will be disproportionately impacted. Therefore, it is necessary that legislators build in certain protections for smaller farming operations and smaller parcels, family farms, and opportunities for future farmers.

Farming Costs on the Rise

The EIR for the Water Board's WDR predicted an 8% increase in costs for growers to comply. Informally, NVG is aware of small farming operations on the cusp of 5 planted acres (the minimum acreage subject to WDR compliance) that, unable to sustain the added financial burden, are choosing to pull out vineyards at a loss to their business and total Napa County ag land. Looking at the broader picture, members of NVG leadership have predicted a 30% increase in overall farming costs—including labor costs—over the next five years. This is significant and will no doubt put immense pressure on growers, and particularly growers with smaller, family operations and parcels. So, the County should be asking itself what any increase in regulatory costs will do to small family operations, many of whom, may be on the cusp of this tipping point. What will it mean for Napa County to lose them?

Long-Term & Significant Trends

A significant number of growers have begun leasing properties to larger professional companies that can handle the vast network of compliance mandates (i.e. WDR, FLC licensing, Pesticide applications, etc...). Leasing vineyards can be considered a stopgap for many property owners from outright selling their properties, when they care deeply and do not want to give up stewardship of the land.

On the other hand, Napa County has also seen an uptick in second homeowners that may or may not have as deep of a connection with the farming process. This has the potential to endanger the long-term protection of that land. For example, what happens when a vineyard or orchard does not return enough on the landowner's investment or fails to cover the property taxes? Farming gives way or yields in every scenario to a different land use more suited to a property owner's economic situation. In these cases, we will see that the 'highest and best use of the land' will switch from agriculture to the real estate value of the land.

Lastly, with additional regulatory burdens and costs, the barrier to entry continues to increase in Napa County. Consequently, many young, talented vineyard managers and winemakers working within the local industry have begun building brands elsewhere or not building them at all, for both economic reasons and the simple fact that there are fewer roadblocks to success in other comparable winegrowing regions. While it is difficult to quantify this last effect, it is easy to understand how losing young talent personally vested in Napa County is tied to the future stewardship of the land.

ADDITIONAL CLARIFICATIONS

NVG requests the following additional clarifications on the Draft Ordinance:

- Regarding the small vineyard exemption, does "5 acres" refer to 5 planted acres, as with the Water Board's WDR or the total parcel acreage? NVG believes this should read "5 planted acres". (Page 31 Section 17)
- Do mandates related to tree canopy, shrub, and grassland protection refer to all types of trees, regardless of status as native or beneficial? What about invasive species?
- In light of the lengthy list of exceptions included on page 17, do these rules really apply to "all development"?
- With regard to the effective date, please clarify what "complete" means with regard to applications in the pipeline, prior adopting the Draft Ordinance.
- Aerial photos from 2016 and 1993 (Page 9 Section 2) were not taken with this Draft Ordinance in mind, therefore, NVG encourages the County to take new, purpose-built and high resolution photos to align with the task of enforcing these specific regulations.

CONCLUSION

Napa County growers want to do their part and want to be part of a larger community that's doing its part. We want to see a countywide effort in realizing goals defined by Napa County's recently adopted Strategic Plan, such as "developing a balanced approach to growth based on data-informed decisions."

As an organization committed to agricultural preservation, once again, we urge the County to keep in mind the current rates of growth in the agricultural sector. For example, based on data from Napa County's Annual Crop Report, growth is slow when it comes to vineyards, which are increasing at a rate of less than a half of a percent on average, and vineyard planting is currently tracking well below the expectations written into the 2008 General Plan. Therefore, as we discuss future growth with the County, we hope that Supervisors will view Napa County growers as already engaged in efforts to maintain a measured, responsible approach to growth within developable areas of the County. Promoting smart and sustainable growth of responsibly-farmed agricultural land has and always will be a priority for NVG.

Sincerely,



Paul Goldberg
President, Napa Valley Grapegrowers



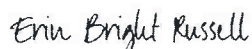
Garrett Buckland
NVG Executive Committee



Michael Silacci
NVG Executive Committee



Mary Maher
NVG Executive Committee



Erin Bright Russell
NVG Industry Issues Chair

Cc: Napa County Supervisors, CEO Minh Tran, Planning Director David Morrison, Brian Bordona

Whitney, Karita

From: Sharp, Leigh
Sent: Thursday, March 21, 2019 10:58 AM
To: Whitney, Karita; Morgan, Greg
Cc: Valdez, Jose (Louie)
Subject: FW: March 26th Meeting
Attachments: NVG Promotes Protection of Ag Climate and Environment - Updated Comments to Board of Supervisors 3.19.19.pdf

FYI -

From: Cortez, Nelson <Nelson.Cortez@countyofnapa.org>
Sent: Thursday, March 21, 2019 10:01 AM
To: Tran, Minh <Minh.Tran@countyofnapa.org>; Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>; Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Tijero, Jesus <Jesus.Tijero@countyofnapa.org>
Subject: FW: March 26th Meeting

FYI.

From: Diana Solari <nvfrco@gmail.com>
Sent: Thursday, March 21, 2019 9:21 AM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Cortez, Nelson <Nelson.Cortez@countyofnapa.org>; Tijero, Jesus <Jesus.Tijero@countyofnapa.org>
Subject: March 26th Meeting

To The Board of Supervisors,

We are one of the small family farmers mentioned in attached letter. We cannot attend the meeting on Tuesday and trust that Napa Valley Grape Growers will represent our interests in the way that we would ourselves. We are third generation Napa Valley grape growers and can bear witness to both the huge improvements in farming practices that have occurred over the last 60 years but also to the massive increase in time spent documenting for our bureaucrats our increasing good care of our land, and staff for that matter.

Please do us the courtesy of reading the attached letter as it expresses most if not all of our concerns about the proposed "Water and Tree" ordinance.

We especially urge a postponement of a vote until the Ordinance has been more carefully reviewed to address the many concerns we have, including areas of overlap and potential unintended consequences, with the Ordinance as written.

Thank you on behalf of me, my siblings and Solari Vineyards.

Diana Solari
Business Manager
Napa Valley Farm & Ranch

ph: 707.942.4342
fx: 707.942.9502



VINEYARD DESIGN
EROSION CONTROL
WATER DEVELOPMENT
DRAINAGE
PERMITTING
GPS/GIS

2800 Jefferson Street
Napa, California 94558
707-253-1806
www.ppiengineering.com

March 21, 2019

Board of Supervisors
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

Re: Draft Watershed and Tree Protection Ordinance

Dear Board of Supervisors,

We are writing today in regard to the revised Draft Watershed and Tree Protection Ordinance (Draft Ordinance) that was distributed on March 19, 2019.

In transmitting the revised Draft Ordinance, County staff stated that the only changes were to correct several formatting errors and to make non-substantive clerical edits. This is untrue. The revised Draft Ordinance contains at least one substantive change that was never discussed in public forums, as far as we know, and vastly alters the interpretation of the Draft Ordinance. In Section 18.108.030 the definition of vegetation canopy cover has been changed as shown below:

"Vegetation canopy cover" means the biotic communities classified as oak woodland, riparian oak woodland, or coniferous forest based on the current Manual of California Vegetation (MCV) and as described in the Napa County Baseline Data Report (2005 or as amended). crown area of a stand of trees (i.e., upper story vegetation) in a natural stand of vegetation. For the purposes of this chapter, canopy cover is the collective cover of a grouping of trees viewed from an aerial photograph of the latest edition on file with the department, where the tree stand is continuous. Single trees are not considered canopy cover.

First, this moves away from the long-established practice of protecting tree canopy based on an aerial photo, a methodology that has been used for decades. Frankly, this was one of the few parts of the Draft Ordinance that we, as Erosion Control Plan preparers, understood how to implement! But how is this language different, you might ask? It specifies three general habitat types: oak woodland, riparian oak woodland, and coniferous forests. This means that only designated biotic communities falling into one of those three categories are afforded protection via the Draft Ordinance. "Tree canopy" is often found in other habitat types and would no longer be protected. The phrases "tree canopy" and "vegetation canopy cover" have been talked to death at the Planning Commission and Board of Supervisors meetings and were clearly understood, so why was this change slipped in at the last minute? If it is the intent to limit the Ordinance to only those three land cover types instead of including all tree canopy, that intent has not been sufficiently explained to the public.

Second, is this wording stating that we have to use the generic County-wide mapping that was completed for the Baseline Data Report in 2004 via satellite imagery? That imagery is a wonderful resource for large-scale or general understanding of the County, but in our experience site-specific biological mapping

always results in refinements and changes to the habitat types. Will a biologist be allowed to update the data to match what is actually on the ground? Reliance on a ground-truthed biological map would be the only way to make this accurate, but this updated definition would prevent us from using the 2016 aerial photo to delineate vegetation canopy cover as specified in Section 18.108.020(C). The definition should remain as given in the January 19th and the February 20th versions of the Draft Ordinance.

A very similar change was made to the definition of the brush canopy provided in Section 18.108.030:

“Vegetation understory” means the biotic communities classified as chaparral/scrub, shrub land, grassland, rock outcrop or vegetated portions of wetlands based on the current Manual of California Vegetation (MCV) and as described in the Napa County Baseline Data Report (2005 or as amended), shrub or brush vegetation within a natural stand of vegetation that commonly grows to a height below established tree levels, and also includes associated annual and perennial herbaceous vegetation.

For similar reasons as listed above, in addition to excluding grasslands as specifically directed by the Board in the non-municipal watersheds, the definition should remain as given in the January 19th and the February 20th versions of the Draft Ordinance.

In addition to these substantive changes, we would like to call attention to several important items that have still not been clarified. On February 19, 2019 we submitted a letter asking several questions and making several requests to clarify language in the Draft Ordinance. A few items that we pointed out were incorporated. The largest and most important ones were not:

- A. As currently written, Section 18.108.020(C) requiring the 70/40 tree/shrub retention based on 2016 photo applies to ALL watersheds. Do projects in municipal watersheds have to somehow comply with retention based on both a 2016 and a 1993 aerial photo and parcel line? This must be clarified before the Draft Ordinance is adopted, as it is not clear enough to interpret one way or another, and will immediately need to be revised.
- B. Are 2016 parcel lines required in addition to the 2016 aerial photo for vegetation determination? If yes, can we use shapefiles from the County GIS database to generate the 2016 parcel lines? We have parcel line shapefiles from March and December of that year, neither matching the June 16, 2016 date stated in Section 18.108.020(C). Again, this must be clarified before the Draft Ordinance is adopted or it will immediately need to be revised.

We took the language of the earlier versions of the Draft Ordinance and applied it to an active Erosion Control Plan project that is currently being processed by County staff. We found at least three different ways that the Draft Ordinance could be plausibly interpreted. In the first, the project decreases by 24% compared to today's regulations. In the next interpretation, the project decreases by 17%. In the last potential interpretation, the project decreases by only 1%. We can provide details if you want them or have any questions – these are real numbers on a real project/parcel in this County. The March 19th version of the Draft Ordinance would provide yet another interpretation and different impact to the project.

This is the reality of what the rushed consideration of this ordinance is doing to property owners, planners, and professionals. Before the March 19th version of the revised Draft Ordinance, we had at a

Board of Supervisors
March 21, 2019
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minimum three different ways to interpret this. With the questions arising from the sudden and substantive changes to the vegetation canopy definition in the March 19th version, we are even more confused and have more questions than before.

Please slow down. Please fix these problems.

Respectfully,



James R. Bushey, P.E.
President



Rachel LeRoy
Vice President



Annalee Sanborn
Project Manager

cc: Planning Commission
Minh Tran
David Morrison
Brian Bordona

Whitney, Karita

From: Sharp, Leigh
Sent: Thursday, March 21, 2019 11:01 AM
To: Whitney, Karita; Morgan, Greg; Valdez, Jose (Louie)
Subject: FW: PPI Comments on 3/19 Revised Draft Ordinance
Attachments: 2019-03-21 PPI Comment Letter to Board.pdf

Not sure if you got this one but it looks like it was addressed to all board members.

Leigh

From: Bordona, Brian <Brian.Bordona@countyofnapa.org>
Sent: Thursday, March 21, 2019 10:59 AM
To: Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: PPI Comments on 3/19 Revised Draft Ordinance

From: Jim Bushey <JBushev@PPIEngineering.com>
Sent: Thursday, March 21, 2019 9:52 AM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>
Cc: Tran, Minh <Minh.Tran@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; joellegPC@gmail.com; Whitmer, David <Dave.Whitmer@countyofnapa.org>; anne.cottrell@lucene.com; Mazotti, Andrew <Andrew.Mazotti@countyofnapa.org>; JeriGillPC@outlook.com; Rachel LeRoy <RLeRoy@PPIEngineering.com>; Annalee Sanborn <ASanborn@PPIEngineering.com>
Subject: PPI Comments on 3/19 Revised Draft Ordinance

Dear Board of Supervisors:

Attached please find PPI Engineering's comment letter regarding the revised Draft Watershed and Tree Protection Ordinance that was released on Tuesday, March 19. We thank you in advance for consideration of our comments.

Regards,
Jim

James R. Bushey, P.E.
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napa valley vintners

March 18, 2019

Chairman Ryan Gregory
Napa County Board of Supervisors
1195 Third Street
Napa CA 94559

Re: Napa Valley Vintners Comments on the Proposed Draft Water Quality and Tree Protection Ordinance

Dear Chairman Gregory,

On behalf of the more than 550-member wineries of the Napa Valley Vintners (NVV), we are writing to comment on the current Draft Water Quality and Tree Protection Ordinance (Draft Ordinance). We want to thank the Board of Supervisors (Board) for its work on these important local issues and for the opportunity to provide feedback. The Board is following an open and transparent public process, seeking input from community stakeholders. This is the proper deliberative process to evaluate if new conservation regulations should be adopted in Napa County and we commend the Board for its leadership.

As you know, the NVV's mission is to promote, protect and enhance Napa Valley. We are guided by the vision that Napa Valley is the leading wine region in the world, preserved for future generations. Further, we are committed to the belief that this valley is and must be treated as a national treasure. This mission, vision and belief guide our actions as an organization.

As you also know, the Napa Valley wine industry has a long history of environmental stewardship, from the establishment of the Agricultural Preserve in 1968 to the creation of the WDO, from support of the hillside and viewshed ordinances to the adoption of comprehensive conservation regulations and most recently to the development of the Napa Green environmental certification programs. Today, Napa Green includes more than 70,000 acres, more than half of Napa County vineyards are certified, and 70% of the NVV's eligible members are participating. Our commitment to the land, to our community and to the continued preservation and economic viability of sustainable agriculture in the Napa Valley for future generations is unwavering. We approach the Draft Ordinance with these commitments in mind.

Since the County released the Draft Ordinance at the end of January, the NVV has undertaken a comprehensive review process. We assembled a task force of vintners who represent the diverse interests and viewpoints of our membership, with guidance provided by outside counsel. Recommendations from this task force were given to our Community and Industry Issues Committee (CIIC) for further consideration and revision. Recommendations from CIIC were then shared with vintner principals from each of our member wineries for further input. All of the feedback was then submitted to the NVV's Board of Directors for final review. The comments presented to you today reflect countless hours of careful deliberation from every level of our organization.

We would also like to acknowledge and thank the other industry organizations, the Napa County Farm Bureau, Napa Valley Grapegrowers, Coalition Napa Valley and Winegrowers of Napa County, for the comments they offered on the Draft Ordinance, which have further informed our deliberations.

Please note that the following comments neither endorse nor oppose the Draft Ordinance and that the NVV reserves the right to take a position once a final draft is available. The following comments are intended to inform the discussion, seek clarity and improve the Draft Ordinance:

1. Slopes

Code Section 18.108.060

If the Napa County Code (Code) is amended to prohibit new planting and/or structures on slopes of 30% or greater, unless exempt, as recommended by the Board, the NVV requests assurances that the exemptions will include items such as installation and maintenance of fencing, utilities, and access roads.

2. Municipal Reservoir Buffer

Code Section 13.28.040.A

Were the Code to be amended to create a minimum buffer around all municipal reservoirs, NVV could support the recommendation of the Napa County Planning Commission (Commission) to extend the buffer to 500 feet.

3. Wetland Definition

Were the definition of wetlands added to the Code, NVV could support Napa County staff's recommendation to adopt the federal definition of wetlands or the state definition depending on when and if the definition is updated by the California State Water Resources Control Board prior to adoption of an ordinance.

4. Wetland Setbacks

Code Section 18.40.170.D

The NVV could support the Board recommendation for all development to conform to a 50-foot setback from wetlands were the Code to be amended.

5. Stream Definitions

The NVV supports the preservation of existing stream definitions and recommends the addition of language to include Class 3 equivalent streams were the Code to be amended.

6. Stream Setbacks

Agricultural-related access, such as tractor turnarounds, is a farming related necessity. Were the Code to be amended to specify a setback of 35 feet from Class 3 equivalent streams, the NVV would request that agricultural-related access within the setback be allowed during the defined “dry season.”

7. Tree Canopy Definition

Code Section 18.108.027

The NVV believes that the existing definition of a tree canopy is adequate.

8. Tree Canopy Retention and Enforcement Baseline

Code Section 18.108.027

The proposed increase in the tree canopy retention rate from 60% to 70% and the application to the entirety of the unincorporated county, combined with the proposed expansion of the tree removal mitigation ratio, is duplicative. It is unclear from the Draft Ordinance how the combined amendments would work in concert and be applied by Napa County staff. **Clarification on what restrictions are intended for canopy retention and mitigation and their associated environmental benefits and economic impacts are needed.** The NVV cannot comment further on retention rates, mitigation ratios or mitigation location until additional information is provided.

The NVV does not support the use of pre-2017 fire aerial photos for enforcement purposes. Current aerial photos should be used to reflect conditions at the time of ordinance adoption, should an ordinance be adopted. While the fire affected areas will regenerate eventually, it is unclear how long that will take and whether vegetation succession will change the character of the affected areas. The fire affected areas should be treated as a semi-permanent condition and current aerials should be used.

9. Shrub Canopy

Code Section 18.108.027

The NVV could support the recommendation of extending the 40% shrub canopy retention requirement for development in municipal watershed reservoirs to development in all unincorporated areas (excluding grassland retention outside of municipal watersheds) were the Code to be amended.

10. Tree Mitigation Ratio

Until more information is provided about how the tree canopy retention rate and mitigation ratio would be applied together, it is difficult to provide detailed comments on the mitigation ratio. Further, it is unclear which tree species would be subject to the proposed retention rate and mitigation ratio. The current policies focus on oak trees and habitats of limited distribution, so it is unclear how these existing policies interface with an new requirement for mitigating for all tree loss.

11. Mitigation Location

The NVV is unable to advise County regarding the proposed tiering structure for mitigation until clarity is provided regarding the application of mitigation ratios and retention rates and possible mitigation locations. For instance, it is unclear based on the language in the ordinance whether the canopy retention area can also be utilized to meet the tree mitigation ratio.

12. Ordinance Application

Were an ordinance to be adopted, NVV would support Napa County staff's recommendation that the new ordinance apply to new applications only. Applications that are in-process and which are "substantially complete" should not be subject to the new requirements.

13. Exemptions

a. Firebreaks

Fuel management and fire prevention improvements should continue to be exempt from any future ordinance, provided it is consistent with CalFire's prevailing jurisdiction.

b. Authorized Clearing

Forest management practices, including removal of downed, diseased, or dead trees; reducing threats to public safety; and alleviating hazardous conditions or public nuisances should continue to be exempt from any future ordinance.

c. *Fire Rebuild Structures*

All fire rebuild permits should be exempt from any future ordinance, provided they do not exceed 125% of the legal footprint of the destroyed structure.

d. *Vineyard Replants*

The NVV recommends that any change to the Code **should formally codify the existing practice of ministerial approval for Track II vineyard replants.**

e. *Five Acre Vineyard*

Vineyard development on slopes less than 15% should be exempt from any new ordinance, with a limit of once per legal lot.

Although the proposed changes are not subject to a Section 9111 report which would evaluate impacts, as could be requested through a ballot initiative, we believe that the proposed changes are extensive and would affect enough landowners to warrant a deeper investigation into the cumulative environmental benefits and economic impact of the proposed measures. We request that the Board direct county staff to provide this information to the Board and community prior to the continued consideration of the Draft Ordinance.

On behalf of the NVV Board of Directors and our membership, thank you again for the opportunity to provide constructive feedback on the current iteration of the Draft Ordinance. We look forward to reviewing the additional information requested and how Napa County addresses these issues in the next draft.

Sincerely,

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

David Pearson
CEO, Opus One
Chair, Napa Valley Vintners Board of Directors

Cc: Napa County Supervisors
NVV Board of Directors
Napa County Planning Commission
Minh Tran, Napa County CEO
David Morrison, Napa County Planning Director

Whitney, Karita

From: Jesse Ramer <jramer@napavintners.com>
Sent: Monday, March 18, 2019 11:39 AM
To: ClerkoftheBoard
Cc: Gregory, Ryan; Ramos, Belia; Pedroza, Alfredo; Dillon, Diane; Wagenknecht, Brad
Subject: Napa Valley Vintners Comment Letter re: draft Water Quality & Tree Protection Ordinance
Attachments: FINAL NVV BOD Comments Signed For Submission March 18.pdf

Greetings from the Napa Valley Vintners,

Thank you for your work on the draft Water Quality & Tree Protection Ordinance – attached please find the letter of comments from the NVV board of directors. We look forward to discussing these questions with you, thank you for making yourselves available to meet in-person this week.

-Jesse

JESSE RAMER

Community & Industry Relations Manager Napa Valley Vintners
707.968.4213 [facebook](#) [twitter](#) [instagram](#)

Auction Napa Valley - The American Wine Classic
Join us May 30th - June 2nd. [Tickets on sale now.](#)

CALIFORNIA WILDLIFE FOUNDATION
428 13th Street, Suite 10A
Oakland, CA 94612



WWW.CALIFORNIAWILDLIFEFOUNDATION.ORG
tel 510.208.4436
fax 510.368.9948

March 20, 2019

Ryan Gregory, Chair
Board of Supervisors
1195 Third Street, Suite 310
Napa, CA 94559

Transmitted via email: ryan.gregory@countyofnapa.org, jesus.tijero@countyofnapa.org,
clerkoftheboard@countyofnapa.org

RE: NAPA COUNTY WATER QUALITY AND TREE PROTECTION ZONING ORDINANCE AND
TEXT AMENDMENT

To the Honorable Supervisor Gregory and fellow members of the Board of Supervisors:

The California Oaks program of California Wildlife Foundation works to conserve oak ecosystems **because** of their critical role in sequestering carbon, maintaining healthy watersheds, providing wildlife habitat, and sustaining cultural values.

We commend the County for drafting an ordinance to protect oaks and other natural resources. Our letter dated February 19, 2018 to the Napa County Planning, Building, and Environmental Services **Department** conveys our input on the provisions of the ordinance that pertain to oak (members of *Quercus* genus) woodlands.

Current climatic trends, including net emissions—primarily because of fire—from California's **natural** areas, make it imperative that the regulations that emerge from this process enhance the resiliency of Napa's **natural** landscapes.¹ The cumulative loss of Napa County's natural infrastructure from recent devastating fires highlights the importance of your deliberations.

As the Board weighs the policy options, the acrimony engendered by differing viewpoints on how to best advance the interests of Napa County presents a challenge. The health and legitimacy of county **government** will be advanced if the ordinance conserves the natural infrastructure that will sustain the long-term environmental and economic vitality of Napa County.

Thank you for your consideration of our comments.

Sincerely,

Janet Cobb
Executive Officer
California Wildlife Foundation

Angela Moskow
Manager, California Oaks Coalition

¹ See Gonzalez. P., J.J. Battles, B.M. Collins, T. Robards, and D.S. Saah. 2015. Aboveground live carbon stock changes of California

Whitney, Karita

From: Angela Moskow <amoskow@californiaoaks.org>
Sent: Wednesday, March 20, 2019 12:52 PM
To: Gregory, Ryan; Tijero, Jesus; ClerkoftheBoard
Cc: Janet Cobb
Subject: NAPA COUNTY WATER QUALITY AND TREE PROTECTION ZONING ORDINANCE AND TEXT AMENDMENT
Attachments: CaliforniaOaksLetterNapaOrdinance3_20_19.pdf

The honorable Supervisor Gregory, Jesus Tijero, and Jose Luis Valdez,

Please find attached a letter from the California Oaks program of California Wildlife Foundation regarding the Napa County Water Quality and Tree Protection Zoning Ordinance and Text Amendment.

Best,

Angela Moskow

Angela Moskow
California Oaks Information Network Manager
California Wildlife Foundation/California Oaks
428 13th Street, Suite 10A
Oakland, CA 94612
www.californiaoaks.org
Office: (510) 763-0282
Mobile: (510) 610-4685

Whitney, Karita

From: Cortez, Nelson
Sent: Thursday, March 21, 2019 4:52 PM
To: Tran, Minh; Brax, Jeffrey; Morrison, David; Sharp, Leigh; Valdez, Jose (Louie); Whitney, Karita; Morgan, Greg; Anderson, Laura
Cc: Tijero, Jesus
Subject: FW: WQTPO Impact on Napa County Airport Property APN 057-040-007

FYI.

From: wolf1938@aol.com <wolf1938@aol.com>
Sent: Thursday, March 21, 2019 4:48 PM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>
Cc: my47packard@aol.com; amyritatwins@icloud.com; gregborge@comcast.net; foranimalssake2006@sbcglobal.net; mconklin@sentinelsoffreedom.org; wolf1938@aol.com; Cortez, Nelson <Nelson.Cortez@countyofnapa.org>; Tijero, Jesus <Jesus.Tijero@countyofnapa.org>
Subject: WQTPO Impact on Napa County Airport Property APN 057-040-007

To: The Napa Board of Supervisors;

Re: WQTPO Impact on Napa County Airport Property APN 057-040-007

I am writing this email in opposition to the enactment of the Water Quality and Tree Protection Ordinance (WQTPO) scheduled for enactment on March 26, 2019.

The owners of the 25.44 acres at the Napa County Airport would be greatly impacted financially by such a decree.

The damage you would inflict on us would make our property become virtually worthless and useless by imposing these restrictions and setbacks set forth in the WQTPO. We would not be able to protect and/or access our property and you would also be revoking all our property rights without compensation.

We beseech each and every one of you, The Napa Board of Supervisors to NOT ENACT this Very Damaging & Restrictive, Water Quality and Tree Protection Ordinance.

Please reconsider if you are voting to enact this WQTPO. Your actions alone will make and break peoples lives.

Thank you in advance for your opposing vote.

Larry G. Atkins, ETAL
503-680-7553
wolf1938@aol.com

Whitney, Karita

From: Cortez, Nelson
Sent: Friday, March 22, 2019 1:10 PM
To: Whitney, Karita; Morgan, Greg
Cc: Valdez, Jose (Louie)
Subject: FW: tree protection ordinance

From: Samuel Moose <moose.samuel0192@gmail.com>
Sent: Friday, March 22, 2019 1:00 PM
To: Cortez, Nelson <Nelson.Cortez@countyofnapa.org>
Subject: tree protection ordinance

I would like to urge my supervisor to not vote on this non scientific ordinance until further studies are done. There is no reason to pass this right now other than a loud vocal minority.

--

Cheers,

Sam Moose



North Bay Association of REALTORS®
625 Imperial Way, Suite 2 | Napa, CA 94559
475 Aviation Blvd., Suite, 220 | Santa Rosa, CA 95403
(707) 542-1579 | northbayrealtors.org

March 22, 2019

Napa County Board of Supervisors
Supervisor Ryan Gregory, Chair, District 2
1195 Third Street, Suite 305
Napa, CA 94559

RE: (Updated) Input on the Napa County Water Quality & Tree Protection Ordinance

Chair Gregory & Members of the Napa County Board of Supervisors,

On behalf of the North Bay Association of REALTORS®, I am writing to submit revised comments and questions on the draft Water Quality & Tree Protection Ordinance (WQTPO). Our primary concerns are focused on local, non-farming homeowners who can be profoundly impacted by public policy – oftentimes unintentionally.

As proposed, the WQTPO could strip property value and rights from homeowners, potentially rendering parcels un-buildable and un-improvable. **Single-family homes should be exempt from this ordinance - property owners should continue to be allowed to build or improve their single-family home in the unincorporated area.**

As this proposal moves forward, we implore you to consider the following:

1. **APPLICABILITY:** As proposed, this ordinance would have the following impacts on residential activity:
 - a. **New single-family homes and ADUs/accessory units** could not occur on a slope >30%; would require use permit for setback area
 - b. **Additions and remodels** could not occur on any slope >30%; would require use permit for setback area
 - c. **Ancillary activities (fences, driveways, decks, gardens)** could not occur on a slope >30%; would require use permit for setback area
 - d. **New roads to new structures** (even if structure is on a flat parcel) could not be built on slopes >30%.
2. **INTENT:** **Is it the intention of the Planning Commission and the Board of Supervisors, to restrict the creation/improvement of housing in the unincorporated area?** During the March 6 PC hearing, Commissioners expressed specific concerns about the WQTPO's impact on residential development and remodels. However, the emerging proposals continues to ban new development on slopes >30%, and most residential activity would be subject to a full use permit process in layers of ever-increasing setbacks. Under these terms, property can easily become un-buildable, un-improvable - stripping value, entitlements, and available land.
3. **BLANKET POLICY:** As proposed, the WQTPO treat all uses the same – single-family homes, wineries, and 200-acre vineyards are subject to the same limits. In fact, vineyards retain a 5-acre exemption, and few restrictions on replants – but single-family homes would be banned or severely limited in many areas.
4. **CUMULATIVE IMPACTS:** As written, the WQTPO would ban residential activity on slopes >30%, within 500-feet of reservoirs, within 50-feet of all wetlands, within 35-feet of all Class III streams (not yet mapped) - combined with increased canopy and brush requirements, these **layers upon layers** of new setbacks and resulting restrictions could render thousands of areas un-developable, un-improvable, and un-affordable.
5. **NOTIFICATION & ENGAGEMENT:** Regulatory changes of this scale should be presented in a meaningful way so that property owners may understand and respond. This ordinance has moved at lightening speed with little justification and significant conflict. Most residents are not engaged in the county planning process – please

consider taking the time needed to engage the range of impacted stakeholders – homeowners, landowners, real estate professionals, agricultural leaders, etc., and ensuring the notification of those impacted.

This proposal has emerged following years of intense political strife – and homeowners are once again caught in the crossfire. Please do not deprive property owners of legitimate use of their parcels or impose severe costs on those who choose to try to build and invest in Napa County.

And finally, as our housing shortage intensifies, Northern California governments are intentionally removing barriers to housing and homeownership – please continue that vital effort. The County already has ample authority to determine the suitability of residential projects and meet Napa’s housing and conservation demands now and in the future.

Thank you for considering our comments. Please consider us a partner as we seek solutions to our housing and conservation challenges in Napa County. Should you have any questions or opportunities for engagement, please contact Lisa Badenfort, Government Affairs Director, at (707) 542-1579, or lisa@northbayrealtors.org.

Respectfully,



Cynthia Turnbow, Chair
Local Government Relations Committee

cc:

Supervisor Brad Wagenknecht and Commissioner Joelle Gallagher - District 1
Supervisor Ryan Gregory and Commissioner Dave Whitmer - District 2
Supervisor Diane Dillon and Commissioner Anne Cottrell - District 3
Supervisor Alfredo Pedroza and Commissioner Andrew Mazotti - District 4
Supervisor Belia Ramos and Commissioner Jeri Hansen - District 5
David Morrison, Director of Planning, Building, and Environmental Services

The North Bay Association of REALTORS® is a four-county trade association representing over 3,500 real estate professionals and affiliates. We serve as an advocate for housing and homeownership, the preservation of property rights, and a thriving real estate economy. In addition to advocacy, we serve as a collaborator and resource to decision-makers and the public on the persistent quality of life issues facing the North Bay.

Whitney, Karita

From: Sharp, Leigh
Sent: Friday, March 22, 2019 4:18 PM
To: Whitney, Karita; Valdez, Jose (Louie); Morgan, Greg
Subject: FW: WQTPO Input - From North Bay Association of REALTORS®
Attachments: NC BOS Letter 032619.pdf

From: CEO Mailbox <ceo@countyofnapa.org>
Sent: Friday, March 22, 2019 3:55 PM
To: Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>
Cc: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>; Booher, Mary <Mary.Booher@countyofnapa.org>; Tran, Minh <Minh.Tran@countyofnapa.org>; Rattigan, Molly <Molly.Rattigan@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>
Subject: FW: WQTPO Input - From North Bay Association of REALTORS®

Please see the correspondence received today in the CEO Inbox (attached and provided below) which relates to the Water Quality & Tree Protection Ordinance (WQTPO).

Have a **GREAT** Day,

Marissa Murphy-Becerra, MPA
Training and Organizational Development Manager
County Executive Office
1195 Third Street, Third Floor
Napa, California 94559
Phone | 707.253.4477
Email | Marissa.Murphy-Becerra@countyofnapa.org



“Normality is a paved road: It’s comfortable to walk, but no flowers grow.” –Vincent Van Gogh

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From: Lisa Badenfort <lisa@northbayrealtors.org>
Sent: Friday, March 22, 2019 2:25 PM
Cc: Cynthia Turnbow <cynthia@cynthiaturnbow.com>; Lisa Badenfort <lisa@northbayrealtors.org>
Subject: WQTPO Input

Chair Gregory & Members of the Napa County Board of Supervisors,

On behalf of the North Bay Association of REALTORS®, I am writing to submit revised comments on the draft Water Quality & Tree Protection Ordinance (WQTPO). As proposed, local, non-farming homeowners will be severely impacted by the **limits on housing development** and **added approvals in multiple buffer areas**. New single-family homes, ADUs, home improvements/additions, plus new roads to new homes, would be banned in thousands of areas, and new/enhanced buffer areas will require use permits on residential activities small and large.

This proposal has emerged following years of intense political strife and homeowners are once again caught in the crossfire. Please do not deprive property owners of legitimate use of their parcels or impose severe costs on those who choose to try to build and invest in Napa County.

Thank you for hearing our concerns, and for your work on this important issue. Please consider us a partner as we seek solutions to our housing and conservation challenges in Napa County. Should you have any questions or opportunities for engagement, please contact me anytime.

Respectfully,
Lisa

Lisa Badenfort
North Bay Association of REALTORS®
Government Affairs Director
475 Aviation Boulevard, Suite 220
Santa Rosa, CA 95403
707-542-1579 (main)
707-636-4294 (mobile)
lisa@northbayrealtors.org

OUR MISSION

Protect private property rights
Promote the value of REALTORS®
Provide members tools for success

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Friday, March 22, 2019 5:23 PM
To: Gregory, Ryan; Ramos, Belia; Wagenknecht, Brad; 'Diane Dillon'; Pedroza, Alfredo
Cc: Tran, Minh; Brax, Jeffrey; Morrison, David; Sharp, Leigh; Booher, Mary; Whitney, Karita; Morgan, Greg
Subject: FW: Report of Dr. Amber Manfree
Attachments: Letter to Mr. Tran 3-22-2019.pdf; 2019_03_22_Policy_Analysis_Summary_Manfree_FINAL_with brief_secured 2.pdf

Members of the Board:

Please see the attached correspondence.

Sent with BlackBerry Work
(www.blackberry.com)

From: Cortez, Nelson <Nelson.Cortez@countyofnapa.org>
Date: Friday, Mar 22, 2019, 17:19
To: Whitney, Karita <Karita.Whitney@countyofnapa.org>, Morgan, Greg <Greg.Morgan@countyofnapa.org>, Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Report of Dr. Amber Manfree

Sent with BlackBerry Work
(www.blackberry.com)

From: Yeoryios Apallas <yapallas@gmail.com>
Date: Friday, Mar 22, 2019, 5:18 PM
To: Tran, Minh <Minh.Tran@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Morrison, David <David.Morrison@countyofnapa.org>, Tijero, Jesus <Jesus.Tijero@countyofnapa.org>, Cortez, Nelson <Nelson.Cortez@countyofnapa.org>
Cc: Yeoryios Apallas <yca@apallaslawgroup.com>
Subject: Re: Report of Dr. Amber Manfree

On Mar 22, 2019, at 5:04 PM, Yeoryios Apallas <yapallas@gmail.com> wrote:

<2019_03_22_Policy_Analysis_Summary_Manfree_FINAL_with brief_secured 2.pdf>
t, and may contain information that is a trade secret, proprietary, protected by the attorney work-product doctrine, subject to the attorney-client privilege, or is otherwise protected against unauthorized use or disclosure. This message and any file(s) or attachment(s) transmitted with it are transmitted based on a reasonable expectation of privacy consistent with ABA Formal Opinion No. 99-413. Any disclosure, distribution, copying, or use of this information by anyone other than the intended recipient, regardless of address or routing, is strictly prohibited. If you receive this message in error, please advise the sender by immediate reply and completely delete the original message (which includes your deleted items folder). Any tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for purposes of (i) avoiding penalties imposed under the United States Internal Revenue Code or (ii) promoting, marketing or recommending to

another person any tax-related matter addressed herein. TRANSMISSION OF THIS INFORMATION IS NOT INTENDED TO CREATE, AND RECEIPT DOES NOT CONSTITUTE, AN ATTORNEY-CLIENT RELATIONSHIP.

Please see attached correspondence from Mr. Apallas and the Manfree Report attached.

APALLAS LAW GROUP
YEORYIOS C. APALLAS
LAWYER AND COUNSELLOR AT LAW
4054 SILVERADO TRAIL
NAPA, CALIFORNIA 94558-1119
TELEPHONE: (707) 320-3806
EMAIL: YCA@APALLASLAWGROUP.COM

YEORYIOS C. APALLAS
LAWYER

March 22, 2018

Delivery by electronic mail to minh.tran@countyofnapa.org
& By Hand Delivery

Hon. Minh Tran
Chief Executive Officer
County of Napa
1195 Third Street, Room 310
Napa, CA 94559

Re: Submission of Dr. Amber Manfree's Report dated March 22, 2019 titled

Dear Mr. Tran:

I enclose Dr. Amber Manfree's report titled Napa County Conservation Policy-Existing Conditions and Proposed Policy Impacts, dated March 2019, and an executive summary thereof (collectively, Manfree Report or Report). Concurrently, we are sending the Manfree Report electronically to all members of the Board of Supervisors through their staff members, including key staff and legal personnel that have been "labouring in the vineyards oh these many months" regarding the particular subject covered by the Report.

Please take note that this document represents the work product of Dr. Manfree and is copyrighted. Any reproduction or dissemination of this document without the express written authorization of the author is strictly prohibited.

The County is granted a limited license to use the Manfree Report as a resource at its public hearing, which we understand will be held on March 26, 2019, commencing at 9:00 a.m. at the Board of Supervisors Third Floor Hearing Room. This limited license authorizes the Board of Supervisors to post the Manfree Report in the ordinary course of the Board's official business but for no other purpose.

We respectfully ask that you place an appropriate statement on the agenda item relating to this hearing which informs the public that the Report is subject to a limited license from the author for the specific purposes of the hearing and any copying, distribution, or other use outside this limited

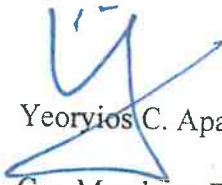
Hon. Minh Tran
Chief Executive Officer
County of Napa
Page 2 of 2

purpose is strictly prohibited without the prior and **express** written authorization of the author or her legal representative.

Dr. **Manfree** understands that her Report is being submitted as a resource document in connection with the execution of the county's official duties, and as such, may become widely read but hopefully not **disseminated** outside the limited license provided herein. We request, however, that the county exercise reasonable care and **prudence** in the distribution of the **Manfree** Report but not inconsistent with its public duties to make an informed and reasoned decision on the issue to which the **Manfree** Report refers.

Thank you for your continued cooperation in this matter.

Sincerely,



Yeoryios C. Apallas

Cc: Members, Board of Supervisors
Laura Anderson, Senior Deputy County Counsel
David Morrison, Director of Planning

Whitney, Karita

From: Cortez, Nelson
Sent: Friday, March 22, 2019 7:18 PM
To: Whitney, Karita; Valdez, Jose (Louie); Morgan, Greg; Sharp, Leigh; Brax, Jeffrey
Subject: FW: WQTPO

Sent with BlackBerry Work
(www.blackberry.com)

From: Igor Sill <igor.sill@gmail.com>
Date: Friday, Mar 22, 2019, 7:13 PM
To: joellegPC@gmail.com <joellegPC@gmail.com>, dave.witmer@countyofnapa.org <dave.witmer@countyofnapa.org>, anne.cottrell@lucene.com <anne.cottrell@lucene.com>, andrew.mazzotti@countyofnapa.org <andrew.mazzotti@countyofnapa.org>, jeriGillPC@outlook.com <jeriGillPC@outlook.com>, Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>, Dillon, Diane <Diane.DILLON@countyofnapa.org>, Tijero, Jesus <Jesus.Tijero@countyofnapa.org>, Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>, Ramos, Belia <Belia.Ramos@countyofnapa.org>, Cortez, Nelson <Nelson.Cortez@countyofnapa.org>
Subject: WQTPO

Dear Napa County Supervisor, I am writing to register my opinion on the Water Quality and Tree Protection Ordinance you are preparing to vote on March 26th.

I urge you NOT to support the ordinance as presented. I would encourage you to delay your decision and take the time to thoroughly assess the full economic impact the ordinance will have on the County and its property owners.

As I understand it, all improvements (water tanks, houses, driveways, landscaping, vineyards, etc.) will be prohibited on slopes of 30% or more (16.7 degrees). This means that all development will be prohibited on 172,000 acres or 32% of the 540,000 acres in Napa County.

Minimum setbacks governing class 1 and class 2 streams will be mandated at 135 ft on either side of a class 1 and 70 feet on either side of a class 2 stream. The law will be expanded to include class 3 streams, not currently recognized by the county and defined as "any indentation that has moved sediment to a class 1 or class 2 stream" with a mandated setback of 30 feet on either side. This is unbelievably unrealistic and onerous.

Currently, the County requires preservation of 60% of tree canopy with a mandate to replant oak trees removed at a 2:1 ratio in municipal watershed zones. The proposed WQTPO will go beyond the watershed and take in all unincorporated Napa Country. Canopy preservation would be expanded to 70% preservation with a 3:1 replanting ratio include replanting of not only oak trees but all trees. I have already forwarded you scientific evidence from Federal, State and Cal Fire that supports a very different approach to maintaining healthy trees and fire protection.

As a property tax paying citizen I am especially concerned with the proposed dramatic increase in the number of acres that will become unusable due to required conservation easements and/or deed restrictions.

Any ordinance mandating vegetation removal unless mandated by Cal-Fire or allowed by discretionary permit, is truly onerous.

Napa County already has the most restrictive agricultural regulations in California. Expanding these regulations further will make it extremely difficult for future generations to farm in Napa, period.

There are severe unintended consequences that will result from enacting this ordinance into law. The Country is exposing itself for numerous lawsuits from tax paying property owners with land that will be severely devalued should the WQTOP go into effect even to the extent that such an ordinance may jeopardize the current agricultural preserve because of lawsuits. Please work towards supporting agriculture as it is the economic engine that drives our Napa Valley economy. Thank you for taking the time to thoroughly understand the consequences of passing such legislation. Igor Sill, Vintner, 3380 Silverado Trail N, St Helena and 2929 Atlas Peak Rd, Napa, CA 94558

Whitney, Karita

From: Sharp, Leigh
Sent: Monday, March 25, 2019 8:19 AM
To: Whitney, Karita; Morgan, Greg
Subject: FW: Leadership and Protection

From: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Sent: Sunday, March 24, 2019 7:30 PM
To: Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Diane Dillon <diane@dianedillon.net>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>
Cc: Tran, Minh <Minh.Tran@countyofnapa.org>; Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Booher, Mary <Mary.Booher@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>
Subject: FW: Leadership and Protection

Members of the Board:

Good evening.

Please see the attached correspondence.

Sent with BlackBerry Work
(www.blackberry.com)

From: Debby Fortune <debbyfortune@gmail.com>
Date: Sunday, Mar 24, 2019, 19:21
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>, Ramos, Belia <Belia.Ramos@countyofnapa.org>
Subject: Leadership and Protection

Supervisors:

I beg of you to lead with the moral imperative you should have to protect the environment of this county.

Be a leader in adopting protections that are critical to our future. The first step is to adopt a far more serious version of the Water Quality and Tree protection ordinance that is now before you. Having watched pr attended all the meetings, both of the board of supervisors and the planning commission, I am stunned by the unwillingness to stand up to wine industry pressure.

The current iteration is unacceptable. A professional analysis of potential outcomes finds 27,800 acres, mostly oaks, is at risk of deforestation.

It is a sad replay of what happened with the Ag Preserve in 1968, but that board was willing to fight for protection.

The stakes are higher than ever, and you have all got to look deeper into your own potential legacies. What do you want to be remembered for? Falling for the pressure of the industry? And your campaign donors' wished? I would hope not.

Please, be willing to care for this county and its future. Lead California in adopting real protections that are desperately needed.

As a constituent in District 5, I do not feel that my voice is ever heard regarding my concerns. I am only one, but there are so many of us who feel abandoned as we see you favor developments and destruction over what neighbors want and need.

For once take the side of nature and locals over big money and manipulations for profit. We are getting very tired of being ignored, and watching our county fall more deeply into corporate wine industry control at every level.

Deborah Fortune Walton
26 Jacks Lane, Napa CA 94558

Whitney, Karita

From: Rattigan, Molly
Sent: Monday, March 25, 2019 8:03 AM
To: - Board of Supervisors
Cc: Tran, Minh; Brax, Jeffrey; Morrison, David; Sharp, Leigh; Valdez, Jose (Louie); Whitney, Karita; Morgan, Greg
Subject: FW: WQTPO, March 26 vote pending
Importance: High

Good Morning,

See below for an email David and I received over the weekend.

Thanks,

Molly Rattigan
Deputy County Executive Officer
County of Napa
1195 Third Street, Suite 310
Napa, CA 94559
(707)253-4112

From: Rick Aldine <rick@agajanian.com>
Sent: Sunday, March 24, 2019 10:51 PM
To: Morrison, David <David.Morrison@countyofnapa.org>; Rattigan, Molly <Molly.Rattigan@countyofnapa.org>
Subject: WQTPO, March 26 vote pending
Importance: High

To the honorable members of the Napa County Planning Department and the Napa County Board of Supervisors:

I am a large landowner in Pope Valley (60+ acres) and I also represent several hundred Napa County and North Coast grower-clients. On the personal side, I purchased my Pope Valley land with every last cent of liquid assets that I have accumulated over my 60 years of life. My intention when purchasing this property was and still is to develop at least ½ of it into high value winegrapes. In making this move, I planned my retirement, liquidated personal property and stock funds, secured long-term vineyard contracts, purchased equipment, etc. I changed the direction of the last quarter of my life to be able to utilize my property according to the reasonable rules of 2017-2018 Napa County vineyard development. It is absolutely unreasonable, unfair and completely irresponsible for the Napa County Planning Department and the Napa County Board of Supervisors to create “rules, restrictions, ordinances and County legislation” that not only goes against the will of the voters, but also considers all vineyard and residential development situations to be the same. It is unreasonable to take a “broadbrush” approach to our farmlands. It is unreasonable to lump my simple property, cattle grazing land with a few trees on it, in the same bucket as the oak & conifer forested hills of Napa Valley proper. It is unfair to confiscate aerable land from me without due compensation. If you vote to enact the onerous rules on land use that restrict my ability to use my land for income, how are you going to make me whole on my investment?

The basis for this argument about creek sedimentation and clear cutting of forests is sensationalized eco-guff from the land-grabbing environmentalists and the anti-competition vineyard oligarchs. Before you vote to create rules on private land use, you need to study the issues, the politics, the economics and the science behind it all. We believe that you have not done that enough to make reasonable, educated decisions on these matters. You are bowing to political pressure and you are rushing to judgement. Regarding “clear cutting”, this is an emotional term that has been used to

create an image and portray vineyardists removing all trees from our hills... which is absolute nonsense since 90% of the undeveloped hillsides are just that... impossible to develop and farm. Blaming agriculture for sedimentation is another emotional depiction that is not accurate. Soil is an agriculturist's asset. He & she will do everything possible to retain it and enhance it. If you believe that muddy waters originate from hillside vineyard activity, I challenge you to get out there and evaluate the situation for yourself. Follow the trail of muddy water during heavy rainfall. You will see that it originates from vehicle traffic... traffic not in vineyard rows, but traffic on dirt and gravel roadways. And road cuts... the road cuts made by County and CalTrans... cuts that have absolutely no erosion protection. Ask yourself why it is that muddy water and sedimentation occur in the headwaters (upstream of any vineyard, grazing or residential activity) of all the creeks and rivers that flow out to the bay.

You were elected to make the right decisions, not ill-educated political decisions. Responsible agriculture is and has been the basis for the beauty, wealth and success of this County. Don't demonize it. Don't hamstring it. Don't deny responsible property owners, like me, our right to use our property responsibly.

Please forward this letter to your fellow Department and Board members. Thank you.

Rick Aldine
North Coast Grape Supply Manager
Agajanian, Inc.
(707) 287-6073 cell
rick@agajanian.com



AGAJANIAN VINEYARDS
& WINE COMPANY

11060 Highway 41	2785 Napa Valley Corporate Drive
Madera, CA 93636	Napa, CA 94558
(559) 448-0558 Phone	(707) 252-4800 Phone
(559) 448-0565 Fax	(707) 252-4801 Fax
www.agajanian.com	

Whitney, Karita

From: Anderson, Laura
Sent: Monday, March 25, 2019 7:57 AM
To: Valdez, Jose (Louie); Whitney, Karita; Morgan, Greg
Cc: Brax, Jeffrey; Sharp, Leigh
Subject: FW: PowerPoint for March 26th 2019 BOS meeting
Attachments: IN DEFENSE OF SCIENCE.pptx

FYI

From: Samuel Moose <SMoose@PPIEngineering.com>
Sent: Monday, March 25, 2019 7:50 AM
To: Bledsoe, Teresa <Teresa.Bledsoe@countyofnapa.org>; Thepkaisone, Cesselea <Cesselea.Thepkaisone@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>
Cc: Morrison, David <David.Morrison@countyofnapa.org>; Jim Bushey <JBushey@PPIEngineering.com>; Rachel LeRoy <RLeRoy@PPIEngineering.com>
Subject: PowerPoint for March 26th 2019 BOS meeting

Hello,

Attached is a PowerPoint presentation to accompany my speech to the Board of Supervisors tomorrow. Teresa, please confirm that you received this.

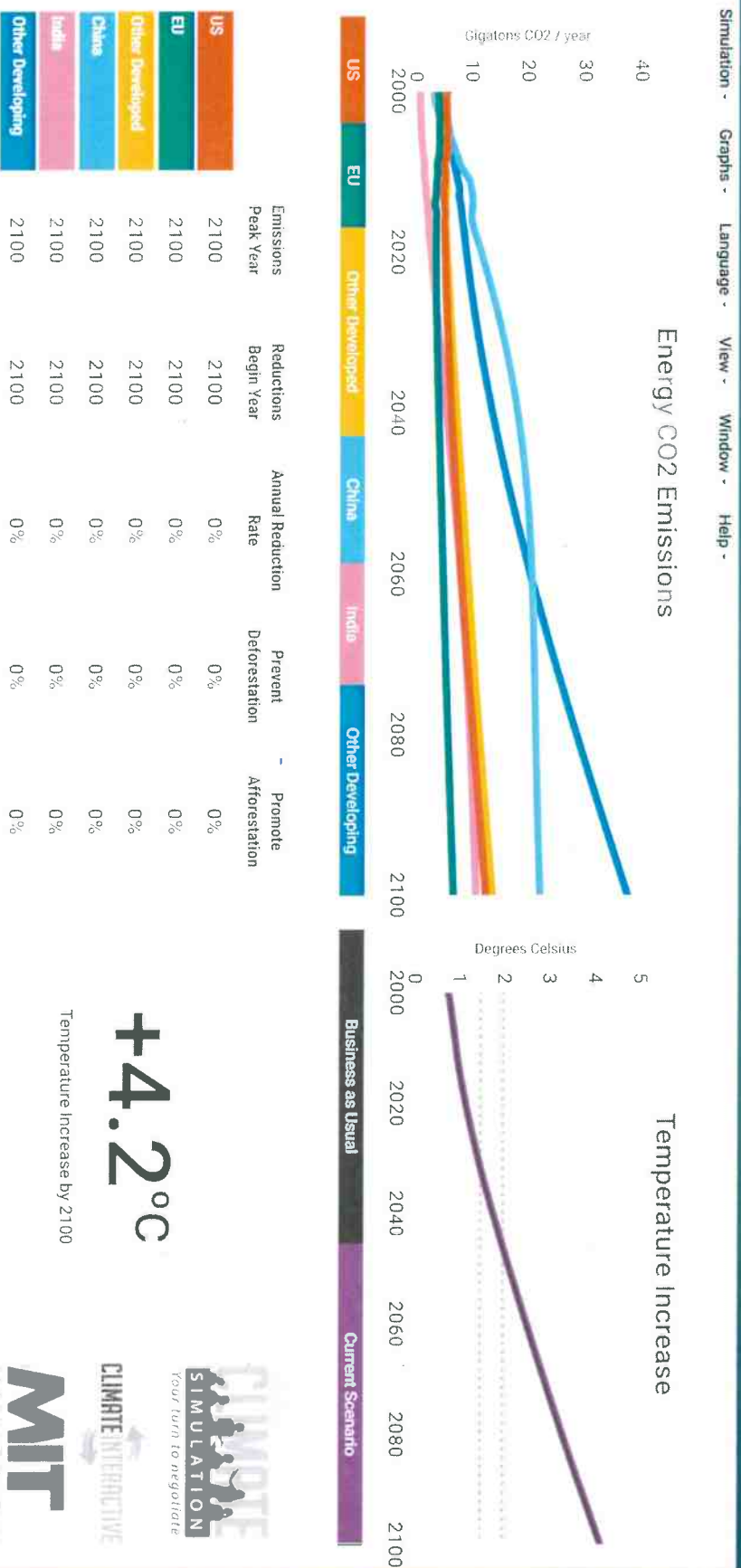
Thank you

Samuel Moose
smoose@ppiengineering.com
PPI Engineering, Inc.
2800 Jefferson Street
Napa, CA 94558
(707) 253-1806

IN DEFENSE OF SCIENCE

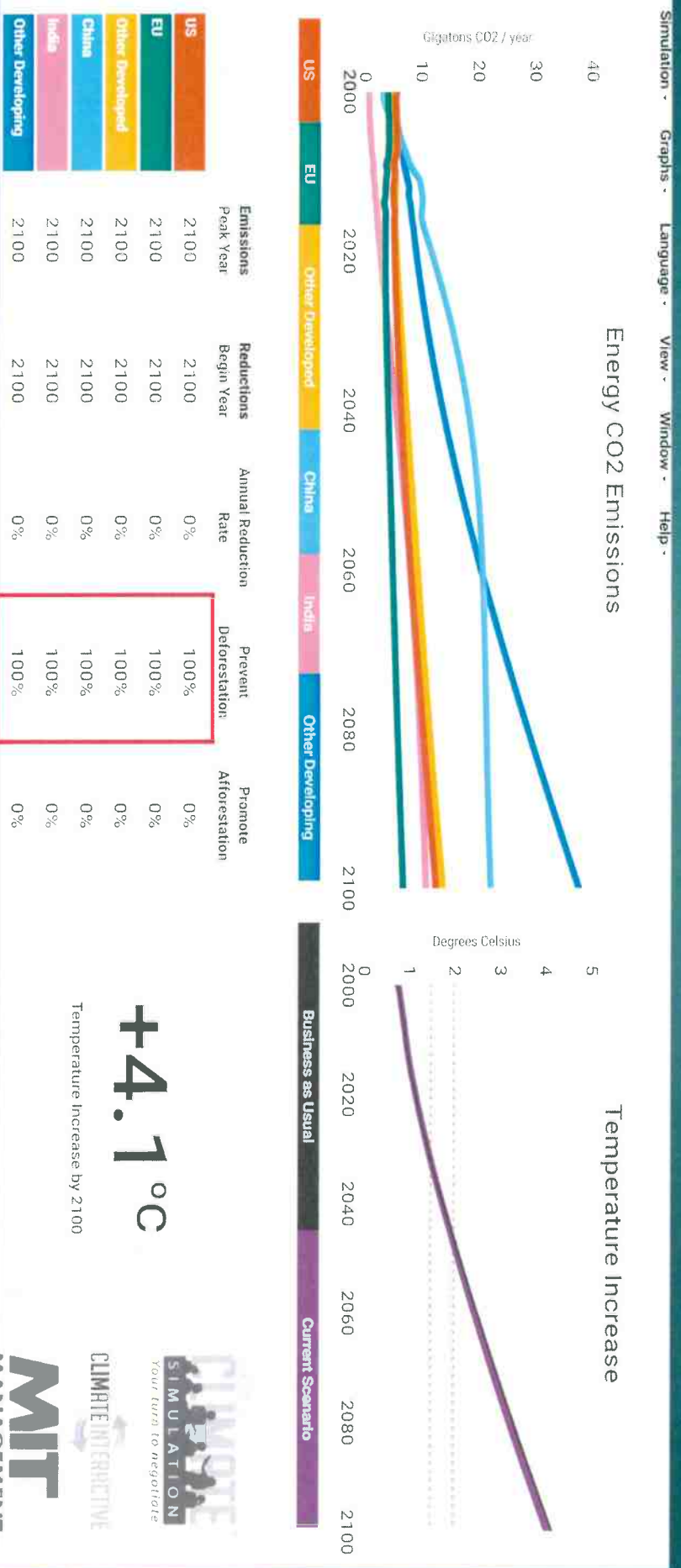


Business As Usual



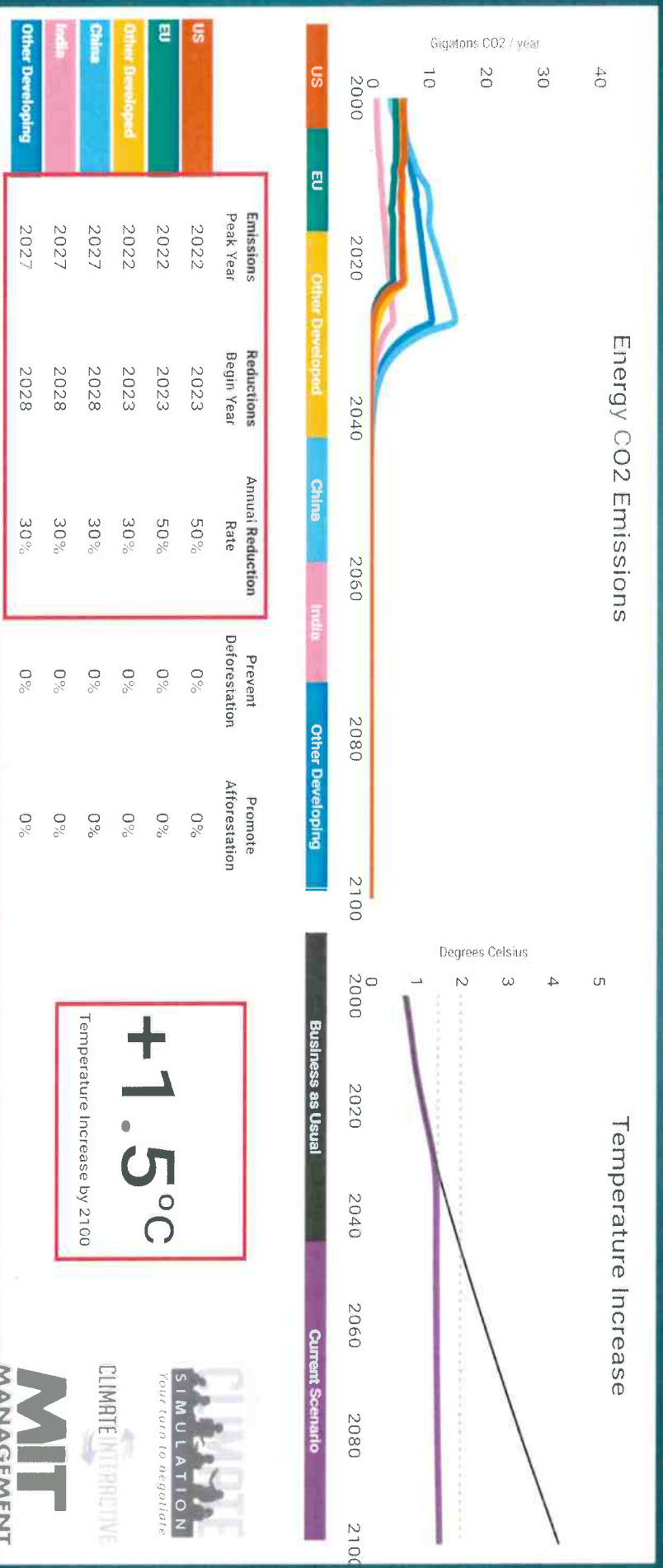
Source: C-ROADS." Climate Interactive, 16 Oct. 2017, www.climateinteractive.org/tools/c-roads/

Focus on Deforestation Scenario



Source: C-ROADS." Climate Interactive, 16 Oct. 2017, www.climateinteractive.org/tools/c-roads/

Focus on Emissions Scenario



Source: C-ROADS." Climate Interactive, 16 Oct. 2017, www.climateinteractive.org/tools/c-roads/

John Kirlin

March 23, 2019

Board of Supervisors
County of Napa California

RE: Proposed Water Quality & Tree Protection Ordinance

Dear Supervisors:

Please vote “no” on this proposed ordinance.

It increases risks of wildfires, is at odds with wildfire/forestry policies of the State of California, takes property, and is ambiguous. No evidence of contributions, or review, by scientists is visible in the public record of developing the proposed ordinance. It is also contrary to advice in *Living with Wildfire in Napa County*, which you sponsor.

1. Wildfires are THE land use problem in Napa County, as they are for much of California.

The October 2017 wildfires burned one-third of Napa County, forced evacuation of Calistoga and many rural areas and killed seven.

Napa County is a clear example of the challenges of land-use decisions at the wildland-urban interface, where wildfires occur regularly.

The *Strategic Plan* adopted in January 2019 and this proposed ordinance do not mention wildfire as a recurring feature of Napa County, nor do they seek to address wildfire risk. Instead, the proposed ordinance increases risks of intense wildfires by increasing vegetation.

Claims to protect water quality with the regulations of the proposed ordinance are advanced without recognition of effects of wildfires.

Increased erosion, mud flows and land slips are widely known risks after wildfires. Moreover, the Watershed Emergency Response Team (WERT) reports for the Atlas, Tubbs and Nuns fires each provided estimates of post fire erosion. This specific knowledge of effects of the 2017 fires in Napa County is not acknowledged. The Tubbs Fire WERT also includes a report on measurements after the Valley Fire in Lake County:

“The study being conducted at Boggs Mountain Demonstration State Forest after the 2015 Valley Fire provide post-fire erosion data. ... Initial observations indicate that these rates likely doubled or tripled during the second 2016-2017 winter season (i.e., 20-30 tons per acre).”
http://www.fire.ca.gov/communications/downloads/Watershed_reports/20171115_TubbsWERT.pdf page 34

2. Napa County’s choices are exactly the opposite of those pursued by the State of California in management of wildfire risks in forested areas. Governor Gavin Newsom recognized that California

needs to better manage wildfire risks, signing [executive order N-05-19](#) on his second day in office. Noting that “six of the top 10 most destructive fires in State history have occurred in the last two years...” Two of the fires cited — Tubbs and Nuns — burned in Napa. So too did Number 14— Atlas. The three fires burned a total of 72,633 acres in Napa County.

In response to N-05-19, CAL FIRE identified “administrative, regulatory and policy actions that can be taken in the next 12 months to begin systematically addressing community vulnerability and wildfire fuel buildup...” They also identified 35 highest priority fire risk reduction projects, including fuel breaks, fuel reduction and defensible zones.¹ On March 22, 2019, Governor Newsom proclaimed a State of Emergency suspending a number of state statutes, rules, regulations and requirements, plus other actions, to accelerate completion of the fire risk reduction projects.

3. Blanket prohibitions on improvements on slopes greater than 30% and new setback requirements for class 3 ephemeral streams affect vast areas of Napa County. The provisions are a taking of rights of current owners to use, improve and protect the value of their property.

Under the proposed ordinance, some properties could not be a site for a single-family residence or any other improvement.

A now unimproved property with no economic value from legally-possible improvements is worse than valueless because of liability risks inherent in ownership.

Additionally, there is no evidence of analyses of the distribution of the costs of pursuing claimed goals of the ordinance among all properties in Napa County. Improvements to properties which already include a residence, vineyard or other improvement, are prohibited on slopes greater than 30% or within new setbacks from ephemeral streams, inequitably reducing property values.

4. The Ordinance is also unintelligible because of conflicts and ambiguities. A reasonable land-owner cannot anticipate the ways in which provisions will be interpreted or applied. Additionally, the discretion assigned to the Director of Planning is not anchored in sufficient specific language. No property owner can anticipate how the discretion will be applied.

For example, the proposed Ordinance includes two discussions of “defensible space.”

¹ . California Department of Forestry and Fire Protection. Community Wildfire Prevention & Mitigation Report. In Response to Executive Order N-05-19. February 22, 2019 <http://www.fire.ca.gov/downloads/45-Day%20Report-FINAL.pdf>

The Section 18.108.030 definition:

“Defensible space” means the area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this definition is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, street names and building identification, and fuel modification measures.

The Section 18.850.050 exemption:

H. For existing legally constructed structures, the Creation and/or maintenance of defensible space or the implementation of fire management strategies consistent with the Napa County Fire Hazard Abatement Ordinance (County Code Chapter 8.36). In the event of a conflict between this chapter, Chapter 8.36, and/or Public Resources Code Section 4291, Chapter 8.36 shall control.

Chapter 8.36 is brief and becomes operational by incorporating standards of the Napa County Defensible Space Guidelines

<https://www.countyofnapa.org/DocumentCenter/View/825/Defensible-Space-Guidelines-PDF>

The standards promulgated are 30' fuel exclusion and 30-100' fuel reduction.

How will these sections be applied? The perimeter of defensible space in the definition is the parcel boundary, but, in the exemption, 100' from an existing structure. If the intention is to apply different policies to “proposed” vs. “existing” structures, why? Fires will not differentiate among structures now existing and those proposed in the future. A significant body of expert opinion recommends managing risk of fire risk well beyond 100' of structures, emphasizing variety in tree and shrub coverage and limiting opportunities of high-intensity crown fires to patches.² How could that approach be accommodated under the proposed Ordinance?

². For overview, recommendations and examples, see, Pacific Northwest Extension (OR, WA, ID)

https://knowyourforest.org/sites/default/files/documents/Reducing_Fire_Risk_full.pdf

A recent research article analyzing experience in Australia provides strong evidence of higher risk of full-coverage canopy – as intended by the proposed Ordinance – vs “patchy” canopy coverage:

<https://www.sciencedirect.com/science/article/pii/S0169204618300598>

John Kirlin

Any property owner turning to the guidance found in "*Living With Fire In Napa County*," published by the Napa Communities Firewise Foundation, sponsored by Napa County, CalFire, the City of Napa, Bay Area Air Quality Management District, Pacific Gas & Electric and more, would find advice inconsistent with the premises of this proposed ordinance and not allowable under the defensible space exemptions.³

Living with Fire in Napa County recommends defensible spaces of 150 feet plus for moderately steep (21-40%) or extremely steep (>40%) slopes. It also recommends "patchy" trees and vegetation, with distances of twice to six times canopy diameter between shrubs and 20' to 40' between canopies of trees. Charmingly, but distressingly, these recommendations are advanced as "...suggestions made by local firefighters with experience in protecting homes from wildfires. They do not take precedence over local ordinances..." This proposed ordinance does not comport with advice from firefighters developed through a County-sponsored process.

In conclusion, this Ordinance should be rejected. It is not needed, it increases risks of wildfires, is at odds with policies of the State of California, it takes property, and it is fatally ambiguous and intelligible.

It is also inconsistent with the best available science and advice based on local fire- fighting experience.

Please reject this ordinance. Address land uses recognizing the inevitability of wildfires. Use the best available science, engaging named science advisors. Enlist property owners in achieving a sustainable future for Napa County.

Sincerely,



John Kirlin

Dry Creek Road, Napa, CA 94558

Kirlin has owned rural properties in Napa for four decades. He is also an experienced professional in making and implementing public policies, serving as Executive Director of the Marine Life Protection Act Initiative (2005-07) and of Delta Vision (2007-08) for the State of California, as a consultant to governments, non-profits and firms, and an expert witness for and against the State of California. Dr. Kirlin has decades of experience analyzing, writing and teaching about public policies, especially focused on California.

³ . See: <http://www.napafirewise.org/Doc/Living%20w%20Fire%20Brochure%20.pdf>

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 10:00 AM
To: Whitney, Karita
Subject: FW: letter re Proposed Ordinance on Water Quality and Tree Protection, Board of Supervisors, 3.26.19
Attachments: Kirlin letter to Napa BOS re Proposed Ordinance-Mar 26-submitted.docx

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: jkirlin@comcast.net <jkirlin@comcast.net>
Sent: Sunday, March 24, 2019 8:39 PM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: letter re Proposed Ordinance on Water Quality and Tree Protection, Board of Supervisors, 3.26.19

Dear Clerk of the Board,

Please include the attached letter in the comments package for the Tuesday Board meeting.

I am unable to attend in person.

Thank you.

John

John Kirlin

916.952.7029

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:59 AM
To: Whitney, Karita
Subject: FW: Napa County Draft "Water Quality and Tree Protection Ordinance"

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Eric Fischer <fischer_eric@comcast.net>
Sent: Sunday, March 24, 2019 7:51 PM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: Napa County Draft "Water Quality and Tree Protection Ordinance"

March 22, 2019

Attention:
Clerk of the Board of Napa County Supervisors
Email: clerkoftheboard@countyofnapa.org

Subject: Napa County Draft "Water Quality and Tree Protection Ordinance" for adoption consideration by the Board of Supervisors on March 26, 2019

Dear Clerk of the Board of Supervisors,

My spouse and I are residents at 3061 Lake County Highway, Calistoga, in Napa County. We own 16 acres of land which we farm and sell grapes in the County. We invested a significant sum when we purchased our Napa County property in 2008. We pay high taxes and have created several good paying jobs, for the county, as a result of the farming that takes place on our property. We have worked very hard over the last 11 years to make this property viable.

I attended one of the county information meetings when an initial land use change ordinance was proposed to the voters. The meeting was loud, emotional and one sided as the folks that wanted the proposed change ordinance fairly

outnumbered the landowners. While the change ordinance was not passed by the Napa County voters, this new Proposed Water Quality and Tree Protection Ordinance under consideration takes land use challenges to a whole new level in Napa County. Those that do not own land or farm do not understand the challenges of farming and proper land use while achieving long term sustainability in the region. As currently proposed, the subject ordinance under consideration will dramatically affect the value of my property and residence in Napa County.

We all live in Napa County and must all get along – I believe that this is stated in the County Framework. I am certain that a reasonable set of revisions can be made that do not so dramatically affect a Napa County land owner's ability to farm / make use of his or her property / land. It is for this reason that I request that our supervisors and elected state leaders take a pause on this matter so that (1) more data can be gathered; (2) make further identification of where problems with existing regulations currently exist; and (3) more fully understand specific community issues so that we can work together to come up with a viable plan for all.

Thank you in advance for your action.

Best Regards,

Eric B. Fischer

Cell (925)-766-5813

fischer.eric@comcast.net

efischerawg@gmail.com

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:59 AM
To: Whitney, Karita
Subject: FW: Vote NO on WQTPO

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: glenn.c.rice@gmail.com <glenn.c.rice@gmail.com>
Sent: Sunday, March 24, 2019 12:55 PM
To: Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; bill@billdodd.com; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; repmikethompsonca05@mail.house.gov; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; joellegpc@gmail.com; Whitmer, David <Dave.Whitmer@countyofnapa.org>; Mazotti, Andrew <Andrew.Mazotti@countyofnapa.org>; anne.cottrell@lucene.com
Cc: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Vote NO on WQTPO

Dear Board of Supervisors;

I am a land owner in unincorporated Napa County. And I am the poster child of responsible vineyard development on 30% slope, having completed ~24 acres of hillside vineyard development under an ECP last year. There were no ecological calamities. There was no untoward soil erosion or run off in Napa streams. There were no serious problems. No neighbors complained. The vineyards actually served as a fire break in the 2017 fire. So your argument that anything on 30% slope is ecologically dangerous is simply wrong. Development should be on a case by case basis. Are the vineyards on the hillsides of Lake Geneva or the Rhine ecological water runoff disasters?!!!

This ordinance has no scientific or ecological precedent; vineyard development on hillsides, as I personally know, are tightly regulated. If an owner mismanages, there are consequences. But this ordinance goes well beyond any CEQA or ECP for vineyards. It impacts property rights of a huge number of Napa residents. **A 30% slope equals 16% degrees.** Do

you realize how many properties in Napa have a 16% slope? **IT IS ALMOST A QUARTER OF A MILLION ACRES!!** This is regulatory insanity.

This ordinance is directly contrary to the election results of Measure C. So the topic shouldn't even be on the Supervisors docket so soon after the election. Moreover this ordinance is MUCH MORE ONEROUS than Measure C. It's almost as if the Supervisors are being vindictive to those who voted against Measure C. How dare you overturn a democratic election? You are like Maduro in Venezuela--don't like the results? Just go around the electorate and ram a new law through.

Deed restrict any acreage for replanting? This is a truly preposterous idea. How dare the Supervisors remove my property rights or property rights of my heirs just for replanting my vines. This is outright land theft.

Finally, as someone who had significant damage in the fire of 2017, it is beyond comprehension that the supervisors are mandating limiting dry coyote brush vegetation removal, let alone increasing the regulation on tree culling for fire protection. No matter how you 'spin' it, the fact remains. You are negatively impacting our safety by increasing onerous regulatory burdens using metrics that you have come up with out of thin air (3 to 1 replant ratio) and which have no scientific basis. How can you look fire victims in the eye while ramming this ordinance through?

I am 62 years old, and I have never even read about such regulatory overreach and stupidity in any other jurisdiction in the world, let alone believe for a nanosecond that I would live through it. This will be the subject of an editorial in the Wall Street Journal for sure. I hope you will be proud because you will look like fools.

SHAME ON ALL OF YOU. My neighbors and I had no idea about this ridiculous ordinance, we are appalled that you are ramming the biggest property rights theft in US history through without appropriate public discourse following an election whose results were completely contrary to this ordinance, and we will fight it and reverse it. And we will vigorously fight your re-election if you vote for it. I have never seen our neighborhood so up in arms. If you vote for this, you are voting against a huge number of property owners and vineyard owners in Napa. Stop listening to the vocal and shrill minority of an absurd 'Napa Green New Deal' and listen to the (non-elite) farmers who have made Napa what it is.

Glenn Rice, Ph.D.
25 Quail Ridge Drive, Napa

Glenn C. Rice, Ph.D.
U.S.A.: (650) 333-1946
Ship/Satellite: (954)-499-5228

2700 Aqua Vista Blvd, Fort Lauderdale Florida

Quantum Limit Vineyards
25 Quail Ridge Drive, Napa, California
www.quantumlimitvineyards.com

M/V The World
To find location and time zone go to:
<http://www.marinetraffic.com/>
and search for "The World"
Direct: 954-499-5228
Ship's General No: (305) 622-6805 Ext 5000

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:59 AM
To: Whitney, Karita
Subject: FW: I wish to ask the board to please vote NO on WQTPO

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Bruce Stevens <bruce-s@pacbell.net>
Sent: Sunday, March 24, 2019 12:16 PM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: I wish to ask the board to please vote NO on WQTPO

3-24-19

To: Clerk of the Board of Supervisors

I ask the Board of Supervisors to Please vote no on the proposed Water Quality and Tree protection Ordinance (WQTPO).

Last election Measure C was defeated by Napa voters. Now it seems that the county wants to put in place a similar set of rules contrary to the wishes of the majority of voters.

I have read the proposed ordinance and do not understand the need for more regulations than we already have. I have lived in Napa since early 1978 and watched the Agg Preserve parcel size go from 40 acres to 80 acres and other limitations making it more difficult for land owners to utilize their property. I have also observed that wealthy property owners are still able to pay the ever increasing costs of engineering, and technical requirements of the county. The middle class property owners do not have the resources and are left out.

This ordinance will at a minimum make it more difficult and expensive for existing property owners to build a house on their property and in some cases make it impossible.

If it is more difficult or impossible for a property owner to utilize their property, the property will certainly be worth less or even **worthless**.

Will Napa county ever reflect this reduction in value brought about by WTPPO? I doubt it very much.

Where are the problems in the current regulations? There is a brief vague conclusion in the proposed ordinance that current regulations are not enough

I have read the proposed regulation. It is apparent Napa County has spent a great deal of time and money in its development but that is no reason to rush its passage. I see there have been recent public hearings. We were not made aware. This is serious business with very serious consequences for property owners.

Rural Property Owner

Bruce Stevens

116 Woodland Drive

Napa, Ca. 94558

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:59 AM
To: Whitney, Karita
Subject: FW: OPPOSITION TO PROPOSED: "Water Quality and Tree Protection Ordinance"

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Fritz Henshaw <fhhenshaw@sbcglobal.net>
Sent: Sunday, March 24, 2019 9:56 AM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Diane.Dillion@countyofnapa.org; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethompsonca05@mail.house.gov; BILL@BILLDODD.COM
Subject: OPPOSITION TO PROPOSED: "Water Quality and Tree Protection Ordinance"

To my Napa Board of Supervisors and my State Representatives,

I am shocked to learn of a pending ordinance that would greatly affect the use and value of my heritage forty acres owned for many generations here in the West Hills of Napa. I am Fritz Henshaw (fifth generation Californian) the owner of 1800 Grandview Drive, Napa, CA 94558. My land is mostly undeveloped with only a small home and out buildings, but the remaining acreage is mostly oak trees and some grass lands. I have **voluntarily** kept the property as a nature preserve allowing habitat for numerous wild animals, water fowl and fish. To just pass a law to effectively confiscate the majority of this land as undevelopable is **unfair**, against my free property rights and probably unconstitutional. Some day I may need to sell my property and to limit its use and thus value is wrong and I will fight it every way possible. I am surrounded on all four sides with fully developed housing or vineyards, so I am an island of open space that will be targeted unfairly by this ordinance.

You must take the time to look at all sides of the issue and come to a reasonable conclusion that does not target the few of us Napa landowners that own larger parcels of undeveloped land. Your action on this issue alone

will impact my future support and that of my family and friends. I will be following this proposed ordinance very closely and I urge your efforts to reject it as it stands now.

A concerned Napa land owner,

Fritz Henshaw
fhhenshaw@sbcglobal.net

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:58 AM
To: Whitney, Karita
Subject: FW: For the Kids

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Glenn Cook <cookwinery@gmail.com>
Sent: Saturday, March 23, 2019 7:01 PM
To: Dillon, Diane <Diane.DILLON@countyofnapa.org>
Cc: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethompsonca05@mail.house.gov; bill@billdodd.com
Subject: For the Kids

Dear Diane,

We have four parcels of beautiful Napa Valley property which we have set aside for our next generation to enjoy. We have spent years teaching them to appreciate and preserve the natural richness of our home here in the valley. They understand the value of the gift, and they are committed to respecting its care.

Now, a heavy handed "Protection" ordinance is likely to rob them of the use of the property. The unintended result of the potentially well meaning but poorly researched and crafted "draft" change is likely to impose an overlay of such strict prohibitions as to prevent access and use of the land the kids call home.

We ask you to request further study into the need for the change, and into the incremental benefit it provides our wonderful valley.

Thank you,
The Cooks

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:58 AM
To: Whitney, Karita
Subject: FW: Opposition to water control and tree protection ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: David Conrady <davidconrady2@gmail.com>
Sent: Saturday, March 23, 2019 6:57 PM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Bella.Ramos@countyofnapa.org; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethomsonca05@mail.house.gov; Bill@billdodd.com
Cc: harvestvino@gmail.com; gbachich@sbcglobal.net; A brother **Jerry <cpf4867@yahoo.com>; Conrady David <DavidConrady2@gmail.com>
Subject: Opposition to water control and tree protection ordinance

Dear Board of Supervisors,
We STRONGLY OPPOSE the new water quality and tree ordinance. This piece of property has been in our family for 5 generations. We plan to build a home on it. We would like to request a PAUSE to gather data, and identify where the problems are in our current regulations.
It is disappointing that you the Board of Supervisors are not contacting the land owners yourselves and we had to hear this from other people.

Sincerely,
Trustee, Barbara L. Conrady
Beneficiary, David Conrady
Beneficiary, Gerald Conrady

Property information:

Assessment# 021-010-013-000

Acres: 151.15

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:58 AM
To: Whitney, Karita
Subject: FW: WQTPO

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office

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-----Original Message-----

From: Geoff Nelson <suisuncreek@gmail.com>
Sent: Saturday, March 23, 2019 5:13 PM
To: Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>
Cc: bill@billdodd.com; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethompsonca05@mail.house.gov
Subject: WQTPO

My wife and I are strong supporters, please pass!

Geoff Nelson
Suisun Creek Vineyards
30 Quail Ridge Dr.
Napa 94558

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:58 AM
To: Whitney, Karita
Subject: FW: Opposition to the Water Quality and Tree Protection Ordinance of Napa County

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office

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-----Original Message-----

From: Dan Rahmer <danrahmer@gmail.com>
Sent: Saturday, March 23, 2019 5:00 PM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Alfredo.Pedrosa@countyofnapa.org; Ramos, Belia <Belia.Ramos@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethompsonca05@mail.house.gov; BILL@billdodd.com
Subject: Opposition to the Water Quality and Tree Protection Ordinance of Napa County

Elected Officials,

I would like to voice my opposition to the above ordinance and encourage you all to consider the impact this could have on your constituents. As far as I know, there has not been any analysis of the impact of this ordinance to property owners and no notice sent to property owners.

At the very least, information should be provided to all Napa County property owners and an ordinance of this significance needs to be put to a vote by the people you are supposed to represent and not unilaterally adopted by the Board.

Thank you for your consideration,

Daniel F. Rahmer
6231 Gordon Valley Road, Napa, Ca. 94558

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:57 AM
To: Whitney, Karita
Subject: FW: Water Quality and Tree Protection Ordinance.....YIKES!!!!

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office

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-----Original Message-----

From: Sandra H. Hansen <sandyhansen1100@comcast.net>
Sent: Saturday, March 23, 2019 12:01 PM
To: Ramos, Belia <Belia.Ramos@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Alfred.Pedroza@countyofnapa.org; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethompsonca05@mail.house.gov; bill@billdodd.com
Subject: Water Quality and Tree Protection Ordinance.....YIKES!!!!

Dear Supervisors and those who represent me and my family,

The County needs to slow down the process of passing the Watershed Quality and Tree Protection Ordinance. We all want a healthy watershed which our current policies have produced. Changes in the laws need to be science based and evaluated rather than hurried through to satisfy those who proposed Measure C. This new "one size fits all" is not a good choice.

We have 40 acres on Western Hills a few miles north of St. Helena. It has been in our family 100 years. It is overgrown with madrone, manzanita, fir and pine trees. It is a continuous canopy and is prime for a fire. When our grandfather had it in the 1920's he kept the undergrowth under control and had areas of meadows that supported wildlife and wildflowers. The current conifer intrusion has resulted in an unhealthy forest. The meadow is gone.

We have begun to clean out some of the overgrowth and bring it back to what it was a century ago. Because these are all native plants, we fear the proposed ordinance would prevent us from good forest management. Just as an overgrown garden can't produce and thrive, neither can an overgrown forest.

It is our fear that we, along with other property owners , will be spending the next few years seeking expensive environmental impact reports and reviews to correct an erroneous and ambiguous ordinance resulting from a hastily driven process.

PLEASE slow down. Gather data. Identify the problems in our current regulations and address them. Don't assume that what works on the eastern hills applies to the western slopes as well. Work with the community and landholders to make our Napa Valley viable for all.

Thank you for taking this into consideration.

Sincerely,

Sandra Haroutunian Hansen

1100 Raymond Ave.

Napa, Ca 94559

Sandyhansen1100@comcast.net

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:57 AM
To: Whitney, Karita
Subject: FW: Water Quality and Tree Protection Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
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(707)-253-4196 Office



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From: Marguerite Capp <madcappster@gmail.com>
Sent: Saturday, March 23, 2019 10:23 AM
To: Bill <bill@eagleeyewine.com>; Glenn Rice <glenn.c.rice@gmail.com>; John And Sandy York <york@napanet.net>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; bill@billdodd.com; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; repmikethompsonca05@mail.house.gov; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>
Subject: Water Quality and Tree Protection Ordinance

My husband Daniel Capp's great great grandfather and his brothers and sister, including brother in law John York, his wife to be Frances Griffith and her brothers, all came to Napa together in 1845 in the Grigsby Ides wagon train, the first wagon train to make it intact over the Sierra. They settled this county assisting Dr. Bale in building the mill, fought in the Bear Flag Revolt, co founded St. Helena, built a fine house where they helped raise surviving children from the Donner Party, as well as their own children, after planting some of the first vineyards in Napa.

Our point here is that development and farming is in our dna and we've been stewards of the land, & our family has loved the land for 174 years, since before California became a state. Dan and I planted our first vineyard here in lower Wooden Valley in 1973, and slowly expanded our farming interests over the years. While we never formally got the organic designation for our vineyards, we treated them as such. If farmers don't truly care for the land and environment, than nobody does.

This ordinance suggests that we farmers and property owners either do not care about the environment, are incapable of doing what is right, or an ugly mixture of both. As stewards of the land, a title we proudly own, please know that we do care about our property. We also care about our future. We care about the future rights

of property owners to develop, plant and harmonize with the land. This onerous, judgmental and hideous travesty of an ordinance will only reward the wealthy in that future. Only the very rich will want to buy country property, and will no doubt be ready, willing, and able to offer us middle class landowners offers of a sizable discount for our now made worthless properties.

If there was any specific need for this ordinance, we might not be as shocked that the supervisors would consider it, but no such need has been presented to us in any form. Napa County already has some of the most carefully thought out and limiting regulations in California. Why do we even need this? And why is this being considered when not a year and a half ago a similar proposition was voted on throughout Napa County? Why would you go around the will of the people? Do you Supervisors believe that we're either too ignorant or too greedy to only want what's in our financial best interests and not what's good for the land? Or do you think that we don't care about what happens here in the future after we've died?

Do these environmentalists proposing these onerous regulations have a stake in what happens here in Napa? Are they landowners too? Or are they carpetbaggers here to educate us slower, backwards country Folk as to the error of our ways?

Please remember that our forbears helped start the Bear Flag Revolt in Napa County when an overreaching demand came from a government to abandon land, plants, animals, personal belongings, guns, and walk away from their future. That revolt changed everything in California. It could happen again today here.

Thank you for your consideration. Please vote NO on this ordinance.

Daniel and Marguerite Capp

--

Marguerite Capp

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:57 AM
To: Whitney, Karita
Subject: FW: water quality and tree protection ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Kelly Eoff <kellyeoff1@aol.com>
Sent: Saturday, March 23, 2019 6:33 AM
To: Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>
Cc: Ramos, Belia <Belia.Ramos@countyofnapa.org>
Subject: Fwd: water quality and tree protection ordinance

-----Original Message-----

From: Kelly Eoff <kellyeoff1@aol.com>
To: brad.wagenkecht <brad.wagenkecht@countyofnapa.org>
Cc: ryan.gregory <ryan.gregory@countyofnapa.org>
Sent: Sat, Mar 23, 2019 6:30 am
Subject: water quality and tree protection ordinance

We are owners of a small property 92+ acres in Napa County. We are asking you to pause to gather data, identify where the problems in our current regulations are, before deciding on this Water Quality and Tree Protection Ordinance.
Mike & Kelly Eoff

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 9:57 AM
To: Whitney, Karita
Subject: FW: Water Quality and Tree Protection Ordinance

FYI

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
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(707)-253-4196 Office



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From: reverdy@reverdyjohnson.com <reverdy@reverdyjohnson.com>
Sent: Friday, March 22, 2019 6:29 PM
To: Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Cc: Mike Thompson <repmikethompsonca05@mail.house.gov>; Bill Dodd <BILL@BILLDODD.COM>
Subject: Water Quality and Tree Protection Ordinance

Ladies and Gentlemen:

I have owned a 15-acre parcel fronting on and lying westerly of Pope Valley Road for the past 14 years, on which I farm a 5-acre vineyard and a 1-acre commercial peach orchard. Two years ago I purchased a contiguous upland parcel of 30 acres. My purpose in acquiring this hillside property was threefold: (1) to protect the source of natural drainage that feeds my irrigation and frost-protection reservoir, (2) to thin the existing impenetrable underbrush and tree cover and thereby lessen the significant risk of fire that could rapidly ladder up the easterly slopes of Howell Mountain to the residential areas of Angwin and Pacific Union College, and (3) to develop for vineyard purposes land suitable for such use, which appears to be not more than five acres.

On reviewing the County's draft Water Quality and Tree Protection Ordinance, I was deeply troubled by the lack of logic to support many of its provisions. I paid less attention to its details than I might, given the one-time exemption in Section 17 of the Ordinance for earthmoving activities on a parcel of not more than five-acres and a slope of less than 15%, which appeared to fit my circumstances . . . until I learned from my surveyor last week that the portions of my 30 acres of upland that are suitable for vineyard development are on slopes of 15% or more.

The present environmental regulations of the County remain in place for any exempt parcel irrespective of degree of slope. This means that if the provisions of an erosion control plan need to be more stringent above 15% slope than below, the proper regulatory response lies within the erosion control plan, not the arbitrary limitation of the exemption to slopes below 15%. If the County is to afford a one-time exemption for small vineyard development, the exemption needs to apply to all landowners, not just those with lands having a gradient of less than 15%.

I am not a professional forester, but I've been around farming and wood lots since I was 17 years old, and I know the attributes of a healthy forest. Dense tree canopy and understory is not conducive to woodlands health, nor is favoring preservation of one species in the County at the expense of diversity. (Where are the champions of the beautiful madrone and buckeye?) There is no logic to a 1:1 mitigation requirement where existing tree cover needs to be thinned for forest health as well as fire protection, much less a 2:1 or even 3:1 requirement. The County needs to get away from a one-size-fits-all approach to conservation issues. What may be proper in one area of the Ag Watershed district may be totally unnecessary or improper elsewhere.

If there is an immediate concern with lands in municipal watersheds, address that issue with appropriate regulation. But go back and rethink the new Ordinance in terms of avoiding its prospective damage to woodlands, agriculture and the legitimate interests of landowners. Keep in mind that there are 6,425 parcels of less than 160 acres in the County's Ag Watershed district, and more than 4,600 different owners of these parcels.

Reverdy Johnson

Red Hawk Vineyards, 6027 Pope Valley Road

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 10:01 AM
To: Whitney, Karita
Subject: FW: Tree Protection Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office

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-----Original Message-----

From: Doug Wirth <douglaswirth@gmail.com>
Sent: Monday, March 25, 2019 9:44 AM
To: Brad.Wagenknecht@napacounty.org; Ryan.Gregory@napacounty.org; Diane.Dillon@napacounty.org; Alfredo.Pedroza@napacounty.org; Ramos, Belia <Belia.Ramos@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethompsonca05@mail.house.gov; BILL@BILLDODD.COM
Cc: Harvestvino@gmail.com; Robert Wirth <rbwirth@wavecable.com>; Jim Wirth <jim.wirth@tricommercial.com>
Subject: Tree Protection Ordinance

Dear Supervisors: My family owns rangeland in eastern Napa County near Berryessa Peak. Fire burned the 1000 acre property on June 30, 2018, denuding slopes and canyons. Fire is the greatest cause of removal of natural vegetation, not human alterations. We don't need this proposed regulation which will impede economic development and do nothing to mitigate fire risk. Doug Wirth.

Sent from my iPhone

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 10:01 AM
To: Whitney, Karita
Subject: FW: Please vote no on the Water Quality and Tree Protection ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office

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-----Original Message-----

From: Jim Kateley <napadrycreek@me.com>
Sent: Monday, March 25, 2019 9:17 AM
To: Dillon, Diane <Diane.DILLON@countyofnapa.org>
Cc: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethompsonca05@mail.house.gov; bill@billdodd.com
Subject: Please vote no on the Water Quality and Tree Protection ordinance

Hon. Supervisor Dillon,

I write today to express my concern regarding the proposed Water Quality and Tree Protection ordinance proposed to be enacted by the board of supervisors in the March 26, 2019 meeting.

As a property owner in Unincorporated Napa County, and as a person who has been working diligently with the county of Napa for over 4 years to obtain a permit to complete a road, I find various tenets of the proposed ordinance to be of great concern. I urge you to not approve the ordinance as currently drafted. Please take the time to fully assess the implications of such actions by the county.

This proposal is very dense, and references other sections of county code that is not easily accessible, or makes references to requirements that appear impossible for a layperson to assess. For example, how would a property owner determine if the seasonal drainage on their property is a "Class 3 stream"?

Specifically

-Tree Canopy retention. Requiring 60% retention throughout the unincorporated areas is a blanket demand that doesn't take into consideration of individual property circumstances. It comes across as overly broad to dictate without input from the voters of the county.

-Tree Mitigation Ration. Per the January 29, 2019 Board of Supervisors meeting, Attachment B - Options and Staff Recommendations, county staff recommended to "Amend code to specify minimum 2:1 mitigation". In the March 6, 2019 Planning Commission meeting, the commission voted to recommend a minimum mitigation ratio of 3:1. Why did the Planning Commission disregard the recommendations of staff?

Both the Tree Canopy Retention and Tree Mitigation Changes seem significant enough to require input of the citizens of Napa County, which seemed to have been the point of Measure C in 2018. Which was rejected by the voters of the county, so how is this not ignoring the will of the voters?

-Effective Ordinance Date: I find the proposal to "Apply to existing incomplete..." applications *shocking*. How on earth does the county expect property owners to keep revising their projects under the onus of constantly changing requirements? As I noted above, I have been working for *4 years* to attempt to get the necessary permits for a road, and have had to incur delay and expense when the requirements have been changed on my project multiple times.

These, and other issues I see raised in the press lead me to request that you vote no on this ordinance.

Regards,
Jim Kateley
5700 Dry Creek Road
Napa, CA 94558
408 839-4513

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 10:01 AM
To: Whitney, Karita
Subject: FW: Comments for March 26 hearing

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



in Tradition of Honoring
a Commitment to Service

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From: Cynthia Hoy <cindy.a.hoy@gmail.com>
Sent: Monday, March 25, 2019 6:45 AM
To: Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; bill@billdodd.com; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; repmikethompsonca05@mail.house.gov; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>
Cc: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>
Subject: Comments for March 26 hearing

Dear Clerk of the Board,

I am unable to attend the meeting on March 26 regarding the Water Quality and Tree Protection Ordinance in person am hereby request my comments to be entered into the administrative recordings.

To the Napa County Board of Supervisors:

This letter is an urgent request for you to vote "NO" on the Water Quality and Tree Protection Ordinance as it is currently drafted.

As a property owner and vineyard developer in unincorporated are of Napa County, I am intimately familiar with the already stringently regulated processes involved with land development in Napa. The proposed changes are not only

unnecessary, but the negative impact will be born disproportionately by individual landowners to satisfy the misguided intentions of a handful of anti-growth proponents.

In familiarizing myself with this ordinance, I reviewed your FAQs, published on the County website.

FAQ#1- Why is the Board of Supervisors considering this ordinance?

- *"Several small groups have led attempts without benefit of broader public participation or transparency"*

How can you refer to the intense campaigning on both sides of Measure C as not broadly public? Did you miss the signs that were on practically every intersection over the entire County for many months preceding the election? Over 35,000 voters went to the polls AND the measure was defeated in June 2018-or only 6 months prior to the "evolution" of this "new" ordinance! What gives the BOS the right to overturn the results of a lawful election?

- *"None of them was successful and left the community strongly divided"*

Is this your answer to re-aligning a divided community? By ramrodding a similarly regulatory-laden ordinance with practically no public involvement and even less transparency?

- *"...the BOS decided that a larger and more open discussion was needed. ...the draft ordinance has evolved through three public hearings...attended by nearly 500 people including 150 invited speakers".*

So if we subtract the 150 invited speakers, a mere 350 participants (property owners? voters? out of town visitors? county employees?) or, **a shockingly paltry 1% of the total measure C voters or .25% of the total population of Napa County** by your own public admission were involved in these "larger and more open discussions"-and we don't even know if these participants included relevant property owners. **This data is from your own admission on your own website.**

- Finally, FAQ #1 ends with: *"This process has resulted in a comprehensive and detailed proposal that creates important advances in environmental protection, while balancing the need for economic growth and the rights of property owners."*

It may be clear how this ordinance will create "important advances in environmental protection". But where is the scientific evidence that these "important advances" are even necessary? Let's fast forward to FAQ #6:

"Cities, a town, and a private water company have expressed concerns that land use changes may affect domestic water supplies". Expressed concerns. May affect. Let that sink in! These potential "maybe" concerns are insufficient to justify the measures identified in this ordinance and the excessive cost for the landowner.

And what is the cost to the landowner? Again, let's check in with your FAQ #5:

"It would be highly speculative to make any general conclusions about what economic impact the proposed ordinance may have on individual property values or County revenue. "

Again, from your very own FAQs, from your published website, you admit that you do not know the cost of these changes to your individual property owners or even to the County! It is quite frankly incredulous that you believe, as stated:

- FAQ #2: *Is the process for this proposed ordinance moving too quickly? No.*

I submit that this process has in fact proceeded too quickly and without the appropriate dialog with and feedback from the property owners and residents of Napa County who will bear the most impact.

Please vote "NO" on Tuesday, and integrate the following points into any follow up consideration for environmental regulations;

- - Maintain the current language regarding building restrictions on land that is >30% slope. The current regulation of not building on these slopes without a use permit has been sufficient for development since it was introduced in 1991. Surrounding counties have entire developments successfully and safely built on such slopes and in fact, entire ancient civilizations were built on much steeper slopes and are still standing. Surely in the year 2019 we have the technology and know how to continue to do this in an environmentally friendly way.
 - Continue to allow property owners to create firebreaks by clearing out underbrush. Requiring a use permit or otherwise creating hurdles to property owners to manage firebreaks will result in increased fire hazards for all of us.
 - The conservatorship provision must be eliminated. Eminent domain has no place in a County ordinance. But at least in eminent domain the property owner is compensated by the federal agency that is taking the private land for public use. In this case, the county is in effect taking the land for public use and making the property worthless.
 - Eliminate the tertiary stream set back restrictions unless real data shows that this is a real threat to our drinking water.
 - Maintain the 2:1 replanting ratio-although 1:1 should be reconsidered until the actual 2:1 ratio has been shown by scientific methods to be necessary.
 - Any resubmission of these issues for consideration must be submitted to the public at large for discussion, feedback, and ultimate approval. Specific property owners of properties that have the potential to be devalued as the result of County actions must receive written communications regarding these issues well in advance of any resolution.

Clearly the County has not followed an appropriate due process with this ordinance. In fact, it suspiciously appears that the BOS is effecting an end run around the defeated Measure C. If this is not the case, then the BOS should be fully open to pausing the process and developing a more reasonable path forward.

I urgently request that the process be paused and the County develops a plan that **fairly**

"... creates important advances in environmental protection, while balancing the need for economic growth and the rights of property owners." (FAQ#1)

The current proposal is only half way to its goal. Please take the time required to achieve results fair for all.

Sincerely,

Cynthia Hoy, Ph.D, Director

Quantum Limit Vineyards, LLC.

25 Quail Ridge Dr.

Napa, CA 94558

650-740-3779

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 10:00 AM
To: Whitney, Karita
Subject: FW: Comments to Watershed Protection Ordinance for Napa Co. Board of Supervisors

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Jeff Baier <jeffb@napa.us>
Sent: Monday, March 25, 2019 1:01 AM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: Comments to Watershed Protection Ordinance for Napa Co. Board of Supervisors

Please send this to the Napa County Board of Supervisors
Comments to Proposed Watershed Protection Ordinance

1. Section 18.108.025 Title has the words "Intermittent/perennial streams".
This Section Para A. actually applies to all streams since they are all defined in Section 18.108.030, which includes "Ephemeral or intermittent stream". Para B refers to "the stream setback areas established below" which includes slope dependent stream setbacks. Para. B.1 just below has setbacks for Agricultural purposes. Para C. on the next page says the Para B.1. setbacks apply also for Residential and non Agricultural structures. So now we are back to the 150 ft. setbacks that the voters overthrew 15 years ago!!!!
Also, it is not real clear what Ephemeral or intermittent stream setbacks are. Are the setbacks just the 35 ft. minimum, or are they also as specified in the table above.
"Perennial" streams are not defined.
Also the 85, 105, 125, and 150 ft. setbacks were deleted in the copy I got just before the Planning commission meetings. There is no indication that they were added back in (no type other than black).

2. Section 18.108.050 Exemption V penalizes Fire Victims. I lost 2 sheds, one of 320 square ft., the other about the same size which may be too costly to rebuild. According to this exemption I could only

increase one shed by 80 square feet. I am on a 6 acre parcel, mostly sloping with essentially little to no area to rebuild. There is no logical reason to limit me to 80 square feet when I have room to expand an additional 300 square feet. We have no sheltered parking for 2 vehicles and have to store replaced equipment under tarps. Also there should not be a limit of one of these exceptions. And, if my Property had not been burned over by the Nunns fire, I could do larger additions to my structures as authorized by Exemption A. of this Section.

Please do not penalize fire victims

If I was rich and had a large 3000 square ft. shed and a large parcel that did not burn, I could make a new shed 750 square ft. larger.

This Ordinance really hurts the small land owner

Exemption C. allows earthmoving/grading for landscaping up to **ONE ACRE**.

Section 17, in the last paragraph, allows earthmoving for an agricultural project up to **FIVE ACRES** on slopes of less than 15 percent, but

I ONLY GET 80 SQUARE FEET!

Please do not approve this Ordinance as written. It needs a lot of more work and public input. It hurts too many small land owners.

Sincerely,

Jeff Baier

Mount Veeder

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 10:00 AM
To: Whitney, Karita
Subject: FW: 100 acre Napa property owner OPPOSED to any new Ordinances on Water Quality And Tree Protection

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Patrick@GrandoniFarms.com <Patrick@grandonifarms.com>
Sent: Monday, March 25, 2019 12:47 AM
To: joellegPC@gmail.com; Whitmer, David <Dave.Whitmer@countyofnapa.org>; anne.cottrell@lucene.com; Mazotti, Andrew <Andrew.Mazotti@countyofnapa.org>; JeriGillPC@outlook.com; Morrison, David <David.Morrison@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; bill@billed.com; repmikethompsonca05@mail.house.gov
Cc: patrick@grandonifarms.com
Subject: 100 acre Napa property owner OPPOSED to any new Ordinances on Water Quality And Tree Protection

I cannot attend the meeting on the 26th but wanted to voice my extreme opposition to any new Ordinances on Water Quality And Tree Protection. We already have too many restrictions. Measure C failed for a reason. Stop this nonsense. It's completely unnecessary. There WILL be retaliation by Napa land owners. We are not going to allow you to take our property rights away and reduce values! We are the ones who pay the taxes, NOT these environmental extremists.

Alfredo Pedroza, Ryan Gregory and Belia Ramos: your seats are on the line next March. Don't think we will forget how you support the Napa land owner on this matter.

Sincerely,

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 10:00 AM
To: Whitney, Karita
Subject: FW: Concern regarding the upcoming Water Quality and Tree Protection Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Sandeep Bhaarat <svd.bhaarat@gmail.com>
Sent: Sunday, March 24, 2019 11:21 PM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: Concern regarding the upcoming Water Quality and Tree Protection Ordinance

Hello.

I, Sandeep Dedage, am a land owner in Napa County 019-200-039-000.
I have come to know about Water Quality and Tree Protection Ordinance ([table here](#)).

Unfortunately I was not aware of this earlier and i am looking for more data as to how it impacts our county, the county economics and financial bottom line of the land owners. I am assessing this.

As it is, in the first impression it looks an alarming motion. I'd like to say no to the upcoming motion on 3/26 about this ordinance.

Thank you
S.V. Dedage

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 10:51 AM
To: Whitney, Karita
Subject: FW: Letter of opposition to proposed WQTPO

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Monday, Mar 25, 2019, 10:50
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Letter of opposition to proposed WQTPO

From: Ken Spickler <ken.spickler@gmail.com>
Sent: Saturday, March 23, 2019 5:24 PM
To: Morrison, David <David.Morrison@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>
Subject: Letter of opposition to proposed WQTPO

To whom it may concern,

I have learned the county supervisors are considering a new ordinance that would prohibit or severely restrict many activities on my property in Napa County. My family purchased 10 acres in the Coombsville area the mid-1970's, before the major explosion of vineyards in the area. The previous owners of the property had graded an area and prepared a new well at the top of the hill, but stopped short of getting construction started. My father had dreams to replace our late 19th century farm house (more of a shack at the time) with a new dwelling in that hilltop location, but work commitments and a focus on his young family delayed that dream. In my youth, I pictured that new home on top of the hill, overlooking the eastern and southern portions of the valley. Later, neighboring properties in incorporated City of Napa started building new homes along our property line at the top of that hill. Sadly, my father never built his dream home. The graded area sat vacant. My parents have now both passed away, having left the property to me and my family. We've dreamed of either building a home on that hill, or possibly growing crops of some sort in the spirit of the valley's agricultural history.

Then we found out about the Water Quality and Tree Protection Ordinance, or WQTPO, which would crush those dreams.

Should the supervisors vote to adopt the WQTPO, my family would effectively lose the use of a major portion of our property. Because most of the property is a hill, with slopes north and south, the restrictions created by the WQTPO would prevent us from doing any sort of development on the property. Beyond simple development, the ordinance would even prevent growing crops on land already zoned for agriculture. This goes against the state's "right to farm". The existing home on the land has relatively small value as it sits; virtually all value of the property is in the land itself. That property value would be slashed if the proposed restrictions

are enacted. As such, the restrictions in the proposed ordinance will have the effect of property confiscation because the vast majority of land would be prohibited from virtually all use beyond visual appearance.

Two years ago the electorate voted against measure C, which had several similarities with this ordinance. Though the measure failed by a small margin, it is my belief the primary support for the measure came from those in the city who would have been least-affected if the measure passed, not the property owners in the greater Napa County. Regardless of the margin of defeat, passing this ordinance would be a slap in the face of the majority of county residents that successfully defeated measure C.

I urge a "no" vote on the Water Quality and Tree Protection Ordinance.

Regards,
Ken Spickler, property owner
1400 Coombsville Rd.
Napa, CA 94558

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 10:51 AM
To: Whitney, Karita
Subject: FW: Water quality and tree ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Monday, Mar 25, 2019, 10:48
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Bordona, Brian <Brian.Bordona@countyofnapa.org>, Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Water quality and tree ordinance

-----Original Message-----

From: Pamela Zippel <pamelazippel@gmail.com>
Sent: Sunday, March 24, 2019 2:57 PM
To: Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>
Cc: Dillon, Diane <Diane.DILLON@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>
Subject: Water quality and tree ordinance

Dear Supervisors,

I urge you to please vote no on the water quality and tree protection ordinance it is a rewrite of the failed Measure C ordinance.

Thank you,

Pamela Zippel
600 Noah Court
Napa, Ca. 94558

Sent from my iPad

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 10:50 AM
To: Whitney, Karita
Subject: FW: Water Quality and Tree Protection Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Monday, Mar 25, 2019, 10:45
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Bordona, Brian <Brian.Bordona@countyofnapa.org>, Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Water Quality and Tree Protection Ordinance

From: Art Smart <artsmart3@netscape.net>
Sent: Monday, March 25, 2019 9:07 AM
To: Dillon, Diane <Diane.DILLON@countyofnapa.org>
Cc: Morrison, David <David.Morrison@countyofnapa.org>; artsmart3@netscape.net
Subject: Water Quality and Tree Protection Ordinance

I am forwarding my email from Feb 26, 2019 to David Morrison to you both, because I unfortunately used the wrong email address. Please read below, thanks.

Additionally I would like to add that the proposed ordinance will unfortunately cause the following negative results:

1. Less first line fire protection that cultivated vineyards provide, especially in hillside locations where there is nothing to stop a raging fire from advancing. (like in 1964)
2. Less fire protection because many land owners will be denied the ability to clear dangerous trees and brush that would help fuel fires.
3. Less fire protection because land owners will not be able to add water tanks to slopes greater than 30% and have substantial fire protection even if power were out.
4. Increasing stream setbacks, adding a stream setback to unclassified waterways and not allowing roadways on slopes greater than 30% slope will greatly reduce the amount of vineyards that can be planted and would make many properties virtually unbuildable and thus worthless.

I live in Rochester NY and own such a property just north of 2860 Lake County Hiway (parcel # 017-230-039-000) The dream of my children building there someday would be shattered but the financial impact on Napa County would also be substantial. Land appraisals would be reduced in value and many property owners would decide to simply stop paying taxes. In both ways Napa County would lose important revenue.

I urge you to vote no on this ordinance and find a better way to move forward.

Sincerely,

Art Smart

-----Original Message-----

From: Art Smart <artsmart3@netscape.net>

To: DavidMorrison <DavidMorrison@countyofnapa.org>

Cc: artsmart3 <artsmart3@netscape.net>; artsmart <artsmart@frontiernet.net>

Sent: Tue, Feb 26, 2019 11:30 am

Subject: Stream setbacks and land development

The Napa County Planning Commission is entrusted with this critically important issue. I would appreciate it if you would forward my email to the planning commission members.

My parents, Dr. Bret Smart and Dr. Gertrude Mitchell purchased property in the late 1950's at 2860 Lake County Hiway.(just north of Calistoga) Back then Calistoga was just a sleepy small town and the dominate agriculture crops were walnuts and prunes with some vineyards sprinkled in. Since then, Calistoga and all of Napa County has been transformed into a major tourist destination. Napa County vineyards and wineries led the way to put California on the map as a premier wine district.

Napa County grape growers and wineries are facing stiff competition from other California regions such as Sonoma and Monterey as well as Internationally. If potential growth is cut off in Napa County , the value of Napa County wines will decrease and tourists will go else where. Healthy expansion needs to be enabled in order for Napa County to thrive in the future.

Back in September 1964 our home in Calistoga was wiped out by the wild fire. Today the threat of raging wild fires in Napa County has grown tremendously and the risks are great. Vineyards offer an excellent defense against this total destruction. Allowing vineyards on more slopes could convert properties from fire enhancers to fire detractors. Perhaps the impending fire risk of a property should be factored into the determination of what slope level should be allowed.

Similarly, not all class II streams are equal. Some only flow after rains and are dry for six months or more, others flow more often. If there were more stream classifications, then setbacks could be reduced for the smaller intermittent streams. Similarly, distinctions between dense forests and limited tree canopies with much grass lands could also be made.

I urge you to enable healthy land development with excellent wild fire defenses while balancing the most critical environmental issue.

Sincerely,

Art Smart

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 10:58 AM
To: Whitney, Karita
Subject: FW: Subject: Housing & the Water/Tree Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Monday, Mar 25, 2019, 10:56
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Bordona, Brian <Brian.Bordona@countyofnapa.org>, Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Subject: Housing & the Water/Tree Ordinance

From: Ted Stumpf <tedstumpf@windermere.com>
Sent: Thursday, March 21, 2019 5:26 PM
To: Ramos, Belia <Belia.Ramos@countyofnapa.org>
Cc: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Subject: Housing & the Water/Tree Ordinance

Commissioner Ramos,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. **Once again, we are caught in the crossfire in the battle over vineyard development.** We have seen three ballot initiatives and constant conflict over vineyards for many years now - single-family homes are not a threat, but included in this sweeping proposal. Subjecting single-family homes to slope limits, ever-increasing setbacks, use permit requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

Single-family homes should be exempt from this ordinance - owners should continue to be allowed to build and improve single-family homes in the unincorporated area. Please do not let homeowners become casualties when this ordinance comes before you.

Furthermore, local governments have been working tirelessly to **eliminate barriers to housing and homeownership.** Please support local homeowners and a strong housing industry for Napa County.

Thank you for considering my comments and for your leadership on this important issue.



Ted Stumpf | REALTOR
Sincere Professional Partnership

707-246-9825

TedStumpf@windermere.com

RealtorTedNapa.com

DRE# 02020069



Windermere Napa Valley Properties

1030 Third Street

Napa, CA 94558

View all of the Lesti Team Listings [HERE!](#)

Subject: Housing & the Water/Tree Ordinance


Supervisor Diane Dillon,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. **Once again, we are caught in the crossfire in the battle over vineyard development.** We have seen three ballot initiatives and constant conflict over vineyards for many years now – single-family homes are not a threat, but included in this sweeping proposal. Subjecting single-family homes to slope limits, ever-increasing setbacks, use permit requirements, etc., strips value and property rights from owner, potentially rendering parcels un-buildable or un-improvable.

Single-family homes should be exempt from this ordinance – owners should continue to be allowed to build and improve single-family homes in unincorporated area. Please do not let homeowners become casualties when this ordinance comes before you.

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Thank you for considering my comments and for your leadership on this important issue.



Petra Hartman-Agapoff

Whitney, Karita

From: Sharp, Leigh
Sent: Monday, March 25, 2019 11:14 AM
To: Whitney, Karita; Morgan, Greg
Cc: Valdez, Jose (Louie)
Subject: FW: Inbound Fax from: 1-707-965-2819 at: 03/24/2019 14:07:16
Attachments: 348162390-270585820.pdf

From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 10:50 AM
To: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Inbound Fax from: 1-707-965-2819 at: 03/24/2019 14:07:16

From: Petra Hartman <petraagape9@gmail.com>
Sent: Sunday, March 24, 2019 2:14 PM
To: Dillon, Diane <Diane.DILLON@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>
Subject: Fwd: Inbound Fax from: 1-707-965-2819 at: 03/24/2019 14:07:16

I am including all of you on this email.

Thank you,
Petra Hartman

Petra Hartman

GREEN KEY Real Estate

Napa Valley Connection

707-965-2819 Home Office

707-637-8275 eFax

DRE License #00891392

petraagape9@gmail.com

petra@greenkeyrealestate.com

www.greenkeyrealestate.com

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From: RapidFAX Notifications <reports@rapidfax.com>

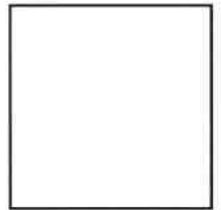
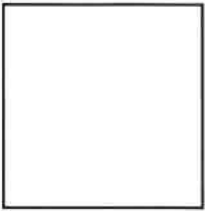
Date: Sun, Mar 24, 2019 at 2:08 PM

Subject: Inbound Fax from: 1-707-965-2819 at: 03/24/2019 14:07:16

To: <petraagape9@gmail.com>

A fax has been received.

MCFID = 76961049
Time Received = 03/24/2019 14:07:16 PST
Fax Number = 7076378275
ANI = 1-707-965-2819
Number of Pages = 1
CSID = unknown
Fax Status Code = Successful

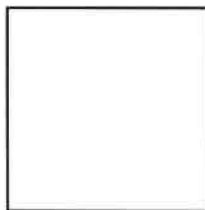


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Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 11:24 AM
To: Whitney, Karita
Subject: FW: Housing & the Water/Tree Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 11:23 AM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>; Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Housing & the Water/Tree Ordinance

From: Jamie Johnson Cook <j.cook@ggsir.com>
Sent: Thursday, March 21, 2019 2:11 PM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>
Subject: Housing & the Water/Tree Ordinance

Dear Mr. Wagenknecht and Mr. Morrison,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County.

Once again, we are caught in the crossfire in the battle over vineyard development. We have seen three ballot initiatives and constant conflict over vineyards for many years now

single family homes are not a threat, but included in this sweeping proposal. Subjecting single family homes to slope limits, ever increasing setbacks, use permit requirements, etc. strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable. Single-family homes should be exempt from this ordinance—owners should continue to be allowed to build and improve single-family homes in the unincorporated area. Please do not let homeowners become casualties when this ordinance comes before you.

Furthermore, local governments have been working tirelessly to eliminate barriers to housing and home ownership. Please support local homeowners and a strong housing industry for Napa County.

Thank you for considering my comments and for your leadership on this important issue.

Sincerely,
Jamie Johnson Cook

Jamie Johnson Cook
Golden Gate Sotheby's International Realty
Cell/Text: 707.337.0676
j.cook@ggsir.com
DRE# 01708133
ConnieAndJamie.com

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 11:25 AM
To: Whitney, Karita
Subject: RE: Napa County Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 11:24 AM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Napa County Ordinance

From: Mary Holder <mholder@hedgerowproperty.com>
Sent: Thursday, March 21, 2019 1:09 PM
To: Morrison, David <David.Morrison@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>
Cc: Dillon, Diane <Diane.DILLON@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>
Subject: Napa County Ordinance

Subject: Housing & the Water/Tree Ordinance

Dear County of Napa,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. **Once again, we are caught in the crossfire in the battle over vineyard development.** We have seen three ballot initiatives and constant conflict over vineyards for many

years now – single-family homes are not a threat, but included in this sweeping proposal. Subjecting single-family homes to slope limits, ever-increasing setbacks, use permit requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

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Furthermore, local governments have been working tirelessly to **eliminate barriers to housing and homeownership**. Please support local homeowners and a strong housing industry for Napa County.

On a personal note:

I find it rather distasteful that The County would approve large scale projects such as Walt Ranch that do not fit inside this “New” ordinance and then come back after project approval with an ordinance that unfairly restricts the rights of the smaller property owners. What appears to be happening is the larger property owners have theirs and by restricting the smaller property owners the larger property owner’s A) do not have to comply with the ordinance as their projects so conveniently received approval prior to the adoption of the ordinance and B) the larger property owners property increase in value due to limited inventory because the smaller property owners cannot make the same improvements.

This proposed ordinance is blatant and pathetic. ALL property owners should have the same rights when developing their properties. If the larger property owners are allowed to work around such restrictions, then ALL property owners should have the same opportunity.

Thank you

Mary Holder

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 11:25 AM
To: Whitney, Karita
Subject: FW: Housing & the Water/Tree Ordinance
Attachments: doc04844520190321114937.pdf

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 11:25 AM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Housing & the Water/Tree Ordinance

From: Cheri Stanley <cstanleyhomes@hotmail.com>
Sent: Thursday, March 21, 2019 12:55 PM
To: Morrison, David <David.Morrison@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>
Subject: Housing & the Water/Tree Ordinance

Mr. Morrison & Mr. Pedroza,

Please see attached document in protest of the back door deal that is attempting to be past that will effect the real estate market for property owners and the real estate profession for years to come. I stand in complete opposition to this lame attempt to re-invent the "Measure C" that was not passed in our recent election.

Please do what you can to oppose this ordinance.

Regards,

Cheri Stanley
Calbre#01368787
Sotheby's International Realty
C:(707)287-6927
cstanleyhomes@hotmail.com
cheristanley.com

From: cheristanleyhomes@gmail.com <cheristanleyhomes@gmail.com>
Sent: Thursday, March 21, 2019 12:49 PM
To: cstanleyhomes@hotmail.com
Subject: Scan for Cheri

Do Not reply

PLEASE TAKE A FEW MINUTES TO EMAIL YOUR SUPERVISOR. CONTACT INFO BELOW.

Subject: Housing & the Water/Tree Ordinance

Commissioner Alfredo Pedroza,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. **Once again, we are caught in the crossfire in the battle over vineyard development.** We have seen three ballot initiatives and constant conflict over vineyards for many years now – single-family homes are not a threat, but included in this sweeping proposal. Subjecting single-family homes to slope limits, ever-increasing setbacks, use permit requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

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Furthermore, local governments have been working tirelessly to **eliminate barriers to housing and homeownership.** Please support local homeowners and a strong housing industry for Napa County.

Thank you for considering my comments and for your leadership on this important issue.

Cheri Stanley

PLEASE INCLUDE DIRECTOR MORRISON AND YOUR SUPERVISOR ON YOUR EMAIL.

Not sure what district you're in? Look it up [HERE](#).

Director: David Morrison

david.morrison@countyofnapa.org

District 1: Supervisor Brad Wagenknecht

brad.wagenknecht@countyofnapa.org

District 2: Supervisor Ryan Gregory (chair)

ryan.gregory@countyofnapa.org

District 3: Supervisor Diane Dillon

diane.dillon@countyofnapa.org

District 4: Supervisor Alfredo Pedroza

alfredo.pedroza@countyofnapa.org

District 5: Supervisor Belia Ramos

belia.ramos@countyofnapa.org

Whitney, Karita

From: Sharp, Leigh
Sent: Monday, March 25, 2019 11:27 AM
To: Whitney, Karita; Morgan, Greg
Subject: FW: Housing and the Water/Tree Ordinance

Leigh K Sharp
Management Analyst
County Executive Office
1195 Third Street, Suite 310
Napa, CA 94559
(707) 253-4825

From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 11:25 AM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Housing and the Water/Tree Ordinance

From: Michelle Cherry <mcherry@cbnapavalley.com>
Sent: Thursday, March 21, 2019 12:09 PM
To: Ramos, Belia <Belia.Ramos@countyofnapa.org>
Cc: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Housing and the Water/Tree Ordinance

Commissioner Belia Ramos,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. **Once again, we are caught in the crossfire in the battle over vineyard development.** We have seen three ballot initiatives and constant conflict over vineyards for many years now – single-family homes are not a threat, but included in this sweeping proposal. Subjecting single-family homes to slope limits, ever-increasing setbacks, use permit requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

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Thank you for considering my comments and for your leadership on this important issue.

Best Regards,

Michelle Cherry, Realtor®
DRE # 01747474
Coldwell Banker Brokers of the Valley
707-812-0919 (Cellular)
<http://www.agentcherry.com>

Residential Address:
1030 East Avenue
Napa, CA 94559

Whitney, Karita

From: Tijero, Jesus
Sent: Monday, March 25, 2019 12:01 PM
To: Valdez, Jose (Louie)
Cc: Whitney, Karita; Morgan, Greg; Cortez, Nelson
Subject: FW: Vote NO On Watershed Protection Ordinance

Forwarding another email to the Board regarding the Watershed Ordinance.

Jesus Tijero
Staff Assistant BOS
Napa County
Office: 707-253-6170
Cell: 707-363-7467



From: morgan morgan <m2morgan@hotmail.com>
Sent: Monday, March 25, 2019 11:57 AM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Tijero, Jesus <Jesus.Tijero@countyofnapa.org>; Cortez, Nelson <Nelson.Cortez@countyofnapa.org>
Cc: Phil Lamoreaux <pal@lamoreauxp.com>
Subject: Vote NO On Watershed Protection Ordinance

Dear Board of Supervisors:

We the people (whom you represent) voted on Prop C last fall. It was contentious but our voices were heard in the democratic process that we hold dear. We voted NO.

It is offensive to us that you choose to over-rule the time-honored democratic process and bend to the wishes of a vociferous few.

Please Vote NO on this new ordinance and respect the people's voice.

Sincerely,

Phillip A. Lamoreaux & Morgan Morgan
Oak Knoll Ranch/Lamoreaux Vineyards
(707) 226-6515
(415) 640-6535 cell

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 12:02 PM
To: Whitney, Karita
Subject: FW: WQ &TP Ordinance: Uncompensated Taking without documented need or benefit

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Aidan Costello <aidan.costello@gmail.com>
Sent: Monday, March 25, 2019 10:57 AM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; repmikethompsonca05@mail.house.gov; BILL@billdodd.com; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: WQ &TP Ordinance: Uncompensated Taking without documented need or benefit

Dear Napa County Board of Supervisors and Interested Officials:

As a Napa county homeowner and rural land owner, I am very concerned by both the content and the approach taken by the County to push forth your proposed Water Quality and Tree Protection Ordinance (WQTPO), and urge you to stop what amounts to an uncompensated taking of property owners' primary financial assets.

I am concerned by the content of the ordinance in that it appears for all intent and purpose to be an even more aggressive scheme than what voters resounding shouted down as Measures O and P in 2004, while completely failing once again to recognize land owners' concerns about the loss of value to their property. In their contemptuous FAQ response posted to the County website, County Staff downplay and obfuscate the entire issue of cost and loss of value, as I quote:

"It would be highly speculative to make any general conclusions about what economic impact the proposed ordinance may have on individual property values or County revenue. Application of the draft ordinance will be

unique to each parcel, habitat, watershed, and development proposal. There are thousands of parcels in the unincorporated area and the impact of the draft ordinance will vary."

In other words, they haven't really examined the question in any detail. They can only "speculate" as to how my property, my main financial asset, the reservoir into which I have poured my life's savings, might be destroyed. Apparently I am supposed to take comfort in their admission that I will only one of "thousands" impacted by their capricious actions. If this were even for some quantifiable greater good, I might be more open to hearing more, but not with this approach and attitude, thank you very much.

As mentioned previously then, the whole approach to passing this ordinance by the County is as disturbing as the "your cost is not my concern" attitude evidenced toward us evil, backward parcel owners. Perhaps current staff and officials haven't been on the taxpayers' payroll long enough to remember that the extreme conservationist group-think within County corridors does not represent the will of the voters. Otherwise they would realize that this is a big deal to a lot of people, and cannot simply be shut down after a few perfunctory and unproductive, not to mention unadvertised, stakeholder meetings. Their response to concerns this process is rushed, as quoted from the FAQ, voices County government's frustration with not being able to simply dictate their will to us lowly masses and move on. Here's an example of how to be offensive and arrogant:

"The debate over water quality and tree protection has been ongoing since the Water, Forest and Oak Woodland Protection Initiative of 2016 was drafted in 2016. Over the past three years, it has consumed vast amounts of time and energy from both the public and county resources. Individuals and community groups have had many opportunities to express their opinions and state their positions. Final action on the proposed ordinance will allow the County and community to address other pressing issues that deserve our collective attention, including traffic congestion, affordable housing, and regional climate change."

The fact that a debate is necessary means the issue is not simple. Having "had many opportunities to express their opinions" is Staff-speak for "we held a few meetings without advertising broadly to the community the purpose or impact. We pretended to listen, with bored eye-rolls as a few activist property owners told us what we didn't care to hear. Then we did what we wanted anyway, because we know better they just don't understand how we're trying to help them."

I urge you to refer this proposed ordinance back into a legitimate fact-finding phase that sizes up the real costs and impacts to property owners. Then we will have the facts and figures, both for costs as well as quantifiable public benefits, needed to engage the public in an open, well-advertised and transparent process. Perhaps to avoid conflicts of interest, put the result to a vote of the people as a ballot proposition for the next voting cycle.

Thank you in advance for your consideration.

Sincerely,
Aidan Costello
2600 Chiles Pope Valley Road
St. Helena, CA 94574

Whitney, Karita

From: Sharp, Leigh
Sent: Monday, March 25, 2019 2:43 PM
To: Whitney, Karita; Morgan, Greg
Subject: FW: Proposed Ordinance

From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 1:26 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>; Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Proposed Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Walter Auerbach <wauerbach@auerbachengineering.com>
Date: Monday, Mar 25, 2019, 1:20 PM
To: Morrison, David <David.Morrison@countyofnapa.org>
Subject: RE: Proposed Ordinance

Mr. Morrison. Should I be directing my inquiry below to someone else?

Wally Auerbach

From: Walter Auerbach
Sent: Monday, March 18, 2019 3:07 PM
To: david.morrison@countyofnapa.org
Subject: Proposed Ordinance

Mr. Morrison,

I just received something in the mail about a proposed Water Quality and Tree Protection Ordinance. This was sent to us not by Napa County to its taxpayers, but by a property rights advocate alerting us to potentially significant changes that will affect the use of our property. I see it has been going through hearings for some time now. As a non-resident property owner I am sad to see that this has progressed so far before we heard anything about it from Napa County.

We own a lot in the Berryessa Highlands, purchased in the 1960's, that was passed on to my kids from their grandparents. We eagerly supported the assessment district for sewer and water service so we could be afforded the opportunity to build someday. That was an

expensive position, but it was necessary to protect our rights. Our family has paid taxes on this land faithfully for 50 years.

I am unable to determine if this proposed ordinance will have a negative effect on our ability to build a home. We know the lot is relatively steep, but we don't know if it's more than 30%, or if it could be affected by setbacks or other new provisions in the ordinance. Does the County have any resources that would allow us to determine the effect this ordinance will have on us? Or do we need to go hire a surveyor or engineer to make this determination?

Certainly if the lot ends up unbuildable we will stop paying taxes on it immediately. The water and sewer assessment is already very close to the value of the land, so that won't be a difficult decision.

Thanks for your anticipated reply.

Walter R. Auerbach, P.E.

President

Auerbach Engineering Corp.

Ph: (530) 214-3097

C: (530) 448-1231

Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 2:05 PM
To: Whitney, Karita
Subject: FW: Proposed WQATP Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office

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-----Original Message-----

From: Fred Chopping <sgs1frc@sbcglobal.net>
Sent: Monday, March 25, 2019 1:37 PM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: Proposed WQATP Ordinance

Dear Clerk of the Board,

As a property owner and life long resident of Napa County I'd like you to put on record that I'm opposed to this proposed ordinance. I'm very disappointed in the fact that after we as a community voted against the poorly written Measure C that the Board is doing an end run around the voters to satisfy the losers of that ballot measure and maybe the political agenda of our Congressman.

This seems like an authoritarian government approach and not one approved in America for dealing with controversial issues. This was put to a vote of the people already and anything short of another vote will further divide our community and take substantial time and energy on the part of the county in the months and perhaps years ahead to defend and or implement. Energy and time I might add that will far exceed that which has been spent since 2016.

The solution for being able to move onto pressing issues that our leaders are facing is unquestionably for the Board to vote against this proposed ordinance and end the debate.

Please copy each Board member and Mr. Morrison, the planning director on my feeling. I don't have time to go into all the details of how this would negatively affect my family and friends but you can rest assured, it would be greater than we are willing to bear.

Fred Chopping
1063 Century Ct.
Napa, CA 94558

Whitney, Karita

From: Tijero, Jesus
Sent: Monday, March 25, 2019 2:04 PM
To: Valdez, Jose (Louie)
Cc: Whitney, Karita; Morgan, Greg
Subject: FW: STOP WQTPO - Fraudulent and Unconsitutional

Please see below.

Jesus Tijero
Staff Assistant BOS
Napa County
Office: 707-253-6170
Cell: 707-363-7467



A Tradition of Stewardship
A Commitment to Service

From: stephen mcpherson <steve@promisewine.com>
Sent: Monday, March 25, 2019 12:53 PM
To: Tijero, Jesus <Jesus.Tijero@countyofnapa.org>
Subject: STOP WQTPO - Fraudulent and Unconsitutional

Dear Jesus,

I am writing to voice my opinion on the Water Quality and Tree Protection Ordinance which Napa County is scheduled to vote on March 26th.

We urgently need you and the other supervisors to NOT support the ordinance.

Measure C was voted on democratically and did not pass. This ordinance is a unconstitutional end-run attempt to push through unfair codes based on fraudulent claims lacking any scientific backing.

The county needs to take the time to truly understand the full economic impact the ordinance will have on the County. There are countless unintended consequences that will result from putting this ordinance into law.

Let's be transparent and reveal the charade that ANDY BECKSTOFFER is financially backing this ordinance as he did measure C on a claim of protecting water quality. Andy Beckstoffer has poured hundreds of thousands of gallons of ROUND-UP (This is what YOU should be considered with) in the aquifers and water supplies of Napa Valley for years. It is a proven carcinogen and toxic hazard. Monsanto just lost it the Supreme Court and will now held accountable for the death and devastation it has caused for decades. Others who have sat by and used it and supported legistatltion allowing it will also now be held accountable. Andy supports the WQTPO for one reason GREED. If it passes then his vineyards will go up in value.

The county is setting itself up for lawsuits from private property owners with land that will be devalued due to the ordinance. Its unconstitutional to take land from someone without paying fair market value. Our Federal laws are very clear on EMINENT DOMAIN.

AS A VALUABLE CA TAX PAYER, THIS ORDINANCE IS TAKING AWAY MY RIGHTS AS A HOME OWNER AND DEVALUING MY PROPERTY. IT IS NOTHING SHORT OF CRIMINAL AND ALONG WITH THE OTHER LANDOWNERS EFFECTED WE INTEND TO FIGHT THIS LEGALLY AND HOLD THOSE IN SUPPORT OF THIS TYRANNY ACCOUNTABLE AND LIABLE.

The sense of urgency to put this into law to avoid another ballot initiative is NOT a valid reason to push through legislation, which will have grave consequences on all land owners in the unincorporated areas of Napa County, NOT TO MENTION NAPA GENERATIONS TO COME!!

Thank you for taking the thoughtful time to exercise your position to **thoroughly** understand the consequences of hastily passing legislation that is poised to erode Napa County. FOREVER!

Sincerely, Stephen McPherson

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 10:24 AM
To: Whitney, Karita
Subject: FW: Napa RCD comments on Draft Ordinance
Attachments: RCD Letter for Draft Water Quality & Tree Ordinance.pdf

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Tuesday, Mar 26, 2019, 09:05
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: Napa RCD comments on Draft Ordinance

From: Lucas Patzek <lucas@naparcd.org>
Sent: Tuesday, March 26, 2019 9:01 AM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>
Cc: 'Jim Lincoln' <JimL@beckstoffervineyards.com>; Ashley Anderson (ashley@cainfive.com) <ashley@cainfive.com>
Subject: Napa RCD comments on Draft Ordinance

Dear David Morrison,

The draft Water Quality & Tree Protection Ordinance was analyzed by Napa RCD's technical staff and discussed by its Board of Directors, and we wish to share a couple key points that emerged from these discussions in the attached letter. Additionally, Napa RCD staff have met with County staff several times to provide feedback on the draft ordinance, and we welcome the opportunity to do so again when needed.

Sincerely,
Lucas

Lucas Patzek, Ph.D.
Executive Director
[Napa County Resource Conservation District](#)
1303 Jefferson Street, Suite 500B, Napa, CA 94559
707-690-3119, lucas@naparcd.org



Napa County Resource Conservation District
1303 Jefferson St., Ste. 500B
Napa, California 94559
Phone: (707) 252-4189
www.NapaRCD.org

March 24, 2019

David Morrison, Director
Napa County Planning, Building and Environmental Services Department
1195 Third Street, Suite 210, Napa, California

Dear Mr. Morrison,

I am writing on behalf of the Napa County Resource Conservation District (NCRCD) to comment on the draft Napa County Water Quality & Tree Protection Ordinance. The NCRCD was established as a special district in 1945 to make conservation happen on-the-ground by partnering with residents on a voluntary basis to care for Napa County's land, water, soil, and other natural resources. Our long-standing partnership with Napa County and other local jurisdictions has allowed us to more effectively deliver critical educational, technical, and financial programs and resources to our community. While we are a non-regulatory agency, NCRCD has since its inception provided science-based guidance to government officials crafting environmental and land use regulations. We do this so that regulations are appropriately informed by scientific evidence in our areas of expertise. As relating to the draft ordinance those areas include: habitat enhancement, sediment reduction and erosion control, water quality protection, and groundwater recharge.

The draft ordinance was analyzed by NCRCD's technical staff and discussed by the Board of Directors, and we wish to share a couple key points that emerged from these discussions. Additionally, NCRCD staff have met with County staff several times to provide feedback on the draft ordinance, and we welcome the opportunity to do so again when needed.

Firstly, we have identified some definitions within the draft ordinance and the related Resolution No. 94-19 which are unclear or incorrect, and we outline these along with recommended revisions in Appendix A.

Secondly, we have identified some elements of the draft ordinance and the related Resolution No. 94-19 that would benefit from additional discussion concerning how our current understanding of the science may influence different outcomes, and we share these in Appendix B.

Thirdly, we wish to highlight those programmatic collaborations between the County and the NCRCD that have advanced water quality and tree protection goals by nonregulatory means. The NCRCD enters into agreements with County departments on an annual basis to lend our expertise and community connections to support a range of conservation and education programs, and we list some of these in Appendix C.

Sincerely,

Lucas Patzek
Executive Director



Appendix A

Clarifying or correcting definitions included in the Draft Ordinance and Resolution No. 94-19.

1. Referenced in and related to the draft ordinance is Resolution No. 94-19. The “Resource Conservation District” is named several times in this Resolution and described as having a role that is no longer relevant or correct. Exhibit A, Item 3 (General Land Clearing) and Exhibit B, Item C-3 (Scale and Contour Intervals for Erosion Control Plans) establishes that the NCRCD judge the acceptability of contour intervals used for Erosion Control Plans. The NCRCD no longer participates in pre-project planning or reviews of Erosion Control Plans for technical adequacy, so we request that this Resolution be amended to remove reference to the Resource Conservation District from the Resolution.
2. Section 18.108.135 references “the National Resource Conservation Service (NRCS, formerly the SCS)” and Section 18.108.140 references “the Federal Resource Conservation Service.” These references should be corrected to read the “USDA Natural Resources Conservation Service (USDA-NRCS)”, which is the current name for the federal agency. For references prior to 1993, such as for printed soil surveys, the reference should be “USDA Soil Conservation Service (USDA-SCS)”.
3. Section 18.108.010 of the draft ordinance references “no development buffers”, and we suggest this be revised to “no-development buffers”.
4. Section 18.108.040 states that “the proposed development does not result in a net increase in soil loss and runoff.” This phrasing is difficult to understand, and we wonder if the true intent of this statement is better reflected in this suggested revision: “the proposed development does not result in a net increase in soil loss or runoff.”
5. Section 18.108.080 references a “certified professional soil erosion and sediment control specialist (CPSESCS), or a soil conservation service employee working under the direction of a CPSESCS”. “CPSESCS” should be corrected to “Certified Professional in Erosion and sediment Control (CPESC)” and “soil conservation service employee” should be corrected to “USDA Natural Resources Conservation Service employee”.
6. Section 18.108.135 requires that the “ground cover monitoring shall follow the procedures promulgated by the National Resource Conservation Service (NRCS, formerly the SCS) for determining rangeland condition for hydrologic assessment.” We suggest that you name a specific monitoring protocol, such as the Line-Point Intercept method as described in Technical Reference 1734-6, “Interpreting Indicators of Rangeland Health” by the Bureau of Land Management.
7. Section 18.108.140 references “the Napa County Soil Survey prepared by the Federal Resource Conservation Service”. The correct reference should be: “the Soil Survey of Napa County, California, USDA Soil Conservation Service, 1978 or a current on-line USDA-NRCS resource available here: <https://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>.”
8. The draft ordinance establishes that stream setbacks are to “be measured from the top of the bank or ordinary high water mark on both sides of the stream.” We suggest that Section 18.108.030 provide definitions for “top of bank” and “ordinary high water mark” based on those in common use. We wish to point out that “ordinary high water mark” has an established federal definition, while “top of bank” does not and is much more difficult to clearly and consistently define.



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1303 Jefferson St., Ste. 500B
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9. Section 18.108.030 defines “hydrophilic vegetation.” We suggest referencing Obligate (OBL), Facultative Wetland (FACW), and Facultative (FAC) species as listed in the National Wetland Plant List.
10. Section 18.108.030 defines “qualified professional biologist” and includes in the definition an individual who has “certification by the U.S. Army Corps of Engineers in wetland delineation for wetland assessments and wetland delineation studies or maps.” We are not aware of any such certification, so we recommend County staff verify with the U.S. Army Corps of Engineers.
11. Section 18.108.030 defines “watershed”, but this term is very rarely used within the language of the draft ordinance. Instead we observe that the term “drainage” is used predominantly throughout the draft ordinance seemingly in lieu of the term “watershed”. Increased clarity would be achieved either by providing a definition of the term “drainage” and using it consistently throughout the draft ordinance, or by replacing “drainage” with “watershed” throughout the draft ordinance.
12. Section 18.108.030 defines “chaparral” as “a shrubland dominated by species having evergreen, leathery leaves such as chamise, manzanita, or scrub oaks.” It would be useful to name the listed plant species using binomial nomenclature (i.e., Latin names), as “scrub oak” is a term applied commonly to several different species.



Appendix B

Features of the Draft Ordinance and Resolution No. 94-19 that would benefit from additional discussion as to science-based goals and outcomes.

1. The draft ordinance establishes that stream setbacks are to “be measured from the top of the bank or ordinary high water mark on both sides of the stream.” We recommend an analysis be performed of the conservation outcomes (e.g., location of the vegetation outboard dripline) that result from designing the smallest setback as allowed by the current version of the draft ordinance versus requiring that a setback line “be measured from the top of bank or ordinary high water mark, whichever is greater.” In a scenario where there exists a deeply incised stream channel, a setback designed according to the ordinary high water mark could be significantly smaller than one designed from the top of bank, and as such it would significantly reduce riparian vegetation cover and increase the risk of water quality degradation. We understand the need for some flexibility in the regulations when it comes to characterizing the contours of a watercourse, but we want to point out that the same setback distance can result in quite different conservation outcomes depending on the methodology employed.
2. The draft ordinance does not use the watercourse class definitions used by California’s state agencies (i.e., Class I, II, III, IV streams) which classify watercourse types in part according to the presence of aquatic life. As such, stream setback requirements are defined by slope only and do not consider which watercourses contain fish and/or other aquatic life. There are many refereed scientific publications on the relationship between stream buffer widths and various ecological functions. Napa County commissioned a literature review on this subject in 2002 by Jones & Stokes (i.e., Stream Setback Technical Memo). It would be useful to update this Memo with the relevant studies that have been published over the past seventeen years. It would be useful to review how setback distances relate to ecosystem goals or habitat preservation and enhancement based on an updated review of the scientific literature. It is a complicated task to balance conservation goals with economic ones in the case of stream setback distances, but it is a topic that warrants further discussion informed by our best understanding of the science.
3. The definition for “vegetation canopy cover” in the draft ordinance appears to exclude oak savanna tree cover and discontinuous groupings/copses of trees. Additional review and discussion of the ecological and hydrologic benefits conferred by these prevalent ecotypes would be useful, and it may be beneficial to revise the “vegetation canopy cover” definition to be inclusive of these ecotypes.
4. Replanting of existing legally planted vineyards on slopes of less than five percent is not covered in this ordinance and it is not clear if it requires notification of County planning staff. In our experience some property owners do not have an adequate understanding of the regulations governing such replants, so preventable violations due to ignorance of the law can occur. Requiring that developers notify County planning staff of their intention to replant such vineyards would provide an important opportunity to educate the developers about the legal guidelines to minimize violations and better preserve the county’s natural resources. Our recommendation is only that County planning staff provide a standardized set of information about the regulations governing the vineyard replant upon notification from the property owner.



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Appendix C

Recent collaborations between the NCRCD and County on conservation and education programs.

Environmental Monitoring Program	
What we are doing?	<ul style="list-style-type: none"> • Fish monitoring: <ul style="list-style-type: none"> ○ Since 2009, we have conducted steelhead and salmon monitoring in the Napa River watershed. ○ The program has been a collaborative effort with support from a broad group of local, state, and federal agencies as well as local conservation organizations and citizen volunteers. ○ The purpose of our monitoring and research is to provide science-based information to all stakeholders involved in resource management and steelhead and salmon recovery. ○ Our program is one of the only existing long-term datasets for streams of the San Francisco Bay region, making it especially valuable. ○ We engage volunteers to support the operation of the rotary screw trap and provide education on fish ecology to kids and the general public. • Streamflow & trash monitoring: <ul style="list-style-type: none"> ○ Providing initial guidance to the County on the development of a Citizen Science Stream Flow & Trash tool ○ Beginning to evaluate publicly-accessible viewing sites where citizen monitoring can occur. ○ Designing a multi-year citizen-science project to inform stream improvement efforts.
What are our goals for the next 2 years?	<ul style="list-style-type: none"> • Fish monitoring – At a minimum we aim to keep our current level of monitoring using a rotary screw trap in the Napa River along with spawner surveys. Ideally, we would supplement the base level of monitoring with genetic analysis, increased coverage of the watershed, and additional sampling methods. • Streamflow monitoring – Launch a citizen-science project to inform stream improvement efforts. A network of volunteers will be organized and equipped with the methods and tools needed to make regular stream observations at publicly accessible sites throughout the Napa River watershed. Observations will be made for several years. The results will help identify priority reaches for restoration or water conservation efforts and improve aquatic habitat quantity estimates.
Re-Oaking Program	
What we are doing?	<ul style="list-style-type: none"> • We provide volunteer tree-planting and woodland restoration opportunities



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	<p>for kids and the general public.</p> <ul style="list-style-type: none"> • We do education programming in schools on the value of oak woodlands and related environmental issues. • We have a volunteer monitoring (i.e., citizen science) program to help us track the success of planting and restoration efforts. • We are embarking on a strategic planning process to provide us with a deeper analysis of historical oak woodlands in the North Bay and where restoration opportunities exist.
What are our goals for the next 2 years?	<ul style="list-style-type: none"> • Complete the Re-Oak North Bay Strategy to guide us in the restoration of historical oak woodlands and their sustainability. • Provide every high school in Napa County with an opportunity to participate in the program. • Update volunteer program guidelines and processes to scale and improve tree-planting and monitoring efforts. • Plant more trees!
Wildfire Preparedness Program	
What we are doing?	<ul style="list-style-type: none"> • Conducting site visits to fire-impacted properties to assess damage and to provide planning assistance for practices to reduce erosion impacts and manage vegetation. • Conducting workshops related to post-fire recovery practices and performing other forms of outreach to engaged in fire recovery. • Conducting a wildfire preparedness needs assessment focused on Fire Safe Councils, Napa Firewise Foundation, CalFire and others.
What are our goals for the next 2 years?	<ul style="list-style-type: none"> • Hire a technical forestry expert to provide technical advice and planning services for owners of forest lands to facilitate beneficial forest management, watershed fire recovery, fire prevention/preparedness, habitat restoration, and watershed stewardship. • Conduct outreach and build relationships with private and public landowners, Fire Safe Councils, the Napa Firewise Foundation, and the representatives of local, state and federal resource agencies to advance forest health and wildfire preparedness goals.

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 10:24 AM
To: Whitney, Karita
Subject: FW: Water Quality

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Tuesday, Mar 26, 2019, 10:01
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: Water Quality

From: jen nolan <jennolan3@gmail.com>
Sent: Tuesday, March 26, 2019 10:01 AM
To: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Water Quality

Mr. Morrison,

Please protect our watershed.

As a Napa resident and former ranch manager, I am keenly aware of the dangers of groundwater contamination by fertilizers and pesticides.

I also had the misfortune of drinking tap water drawn from Lake Hennessy that tasted of mold because the lake level had fallen very low last summer.

I was advised that the Water Department reverted to the Lake Merced water supply because of this problem.

It's unfortunate that we cannot maintain an adequate watershed locally during a drought.
We need a better long-term solution.

Thank you for your work.

Jennifer Nolan

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 10:24 AM
To: Whitney, Karita
Subject: FW: Housing & the Water/Tree Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Tuesday, Mar 26, 2019, 09:18
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: Housing & the Water/Tree Ordinance

From: Crystal Tynan <crystal@napavalleyagent.com>
Sent: Tuesday, March 26, 2019 9:17 AM
To: Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>
Subject: Housing & the Water/Tree Ordinance

Commissioner Pedroza,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. **Once again, we are caught in the crossfire in the battle over vineyard development.** We have seen three ballot initiatives and constant conflict over vineyards for many years now – single-family homes are not a threat but included in this sweeping proposal. Subjecting single-family homes to slope limits, ever-increasing setbacks, use permit requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

Single-family homes should be exempt from this ordinance – owners should continue to be allowed to build and improve single-family homes in the unincorporated area. Please do not let homeowners become casualties when this ordinance comes before you.

Furthermore, local governments have been working tirelessly to **eliminate barriers to housing and homeownership**. Please support local homeowners and a strong housing industry for Napa County.

Thank you for considering my comments and for your leadership on this important issue.

CRYSTAL TYNAN | Sales Associate
Golden Gate Sotheby's International Realty
crystal@napavalleyagent.com
www.napavalleyagent.com
707-501-0075
CalBRE02019703

PS: The biggest compliment I can receive is a referral. [Click here](#) to help your friend have a smoother real estate transaction.

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 10:23 AM
To: Whitney, Karita
Subject: FW: The Water Quality and Tree Protection Ordinance that is before you is deeply flawed

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Tuesday, Mar 26, 2019, 07:48
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: The Water Quality and Tree Protection Ordinance that is before you is deeply flawed

Sent with BlackBerry Work
(www.blackberry.com)

From: Jason Keever <jason@keevervineyards.com>
Date: Tuesday, Mar 26, 2019, 7:42 AM
To: Morrison, David <David.Morrison@countyofnapa.org>
Subject: The Water Quality and Tree Protection Ordinance that is before you is deeply flawed

March 26, 2019

Dear Mr. Morrison,

The Water Quality and Tree Protection Ordinance that is before you is deeply flawed and is dividing Napa. I am writing to ask for leadership. I am writing to ask you to stand up and say that climate change is real, that traffic is real, and that we all need clean water, but that this ordinance does not effectively protect the environment, or reduce traffic, or protect our water supply. Please stop this ordinance, discard it entirely, and start working with local farmers to create something based on real research, and real experience, that will protect our water, the people of Napa, and our Ag Preserve which is the heart of Napa Valley.

We need to act to protect our environment. There is a strong movement that wants to protect our rivers and creeks. They are vintners and farmers and they have Napa Green signs and Fish Friendly Farming signs just like we do at our vineyard. The vast majority of family farms are the best friends the watersheds could have.

We need to listen to the community that believes we have too much traffic. Personally, I think we have far, far less traffic than elsewhere in the Bay Area and suburban California as a whole. But, please note that is my perception and opinion, it is not based on any actual traffic studies. The ordinance before you will only reduce traffic by reducing jobs. Instead of working against the industry that provides us with so much prosperity, ask them for some solutions. You have their attention – trust me.

There is not enough evidence to show current good farming practices are harming our water. The Napa River has been recommended to be removed from the EPA impaired list for nutrient contamination. Fish stocks are improving in the river. This shows current ordinances are working. There is at least one ongoing study that looks specifically at reservoir health. This will provide critical data that must be considered for any watershed ordinance.

We all need to work together to protect our environment. We all want to protect our water supply. This ordinance does not achieve those goals. This only harms our industry, our people, and our Ag Preserve. Please put an end to this and start something that will address the concerns of Napa.

Thank you for your time.

Jason Z. Keever
1140 Raymond Avenue
Napa, CA 94559

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 10:23 AM
To: Whitney, Karita
Subject: FW: Housing & the Water/Tree Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Tuesday, Mar 26, 2019, 07:47
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: Housing & the Water/Tree Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Dwain Bitter <d.bitter@ggsir.com>
Date: Tuesday, Mar 26, 2019, 7:38 AM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>
Cc: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Housing & the Water/Tree Ordinance

Supervisor Wagenknecht,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County.

Once again, we are caught in the crossfire in the battle over vineyard development.

As proposed, new homes, ADUs, additions, plus new roads to new homes, would be banned in thousands of areas, and new/enhanced buffer areas will require use permits on residential activities small and large. Subjecting single-family homes to slope limits, layers of new and expanded setbacks, use permit requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

Single-family homes should be exempt from this ordinance – owners should continue to be allowed to build and improve single-family homes in the unincorporated area. Please do not let homeowners become casualties when this ordinance comes before you.

Thank you for considering my comments and for your leadership on this important issue.

Dwain

Dwain Bitter

Golden Gate Sotheby's International Realty

Mobile: 707 492-5448

Email: d.bitter@ggsir.com

California BRE # 01968618

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 7:41 AM
To: Whitney, Karita
Subject: FW: Water and tree protection

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
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(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Tuesday, March 26, 2019 7:30 AM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: Water and tree protection

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(www.blackberry.com)

From: ellen sabine <esabine@sonic.net>
Date: Tuesday, Mar 26, 2019, 7:23 AM
To: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Water and tree protection

Hello Mr. Morrison,

New or expanded wineries can bring more money to just a few people.

Every one of us needs a readily available and clean water supply. This is true now and always.

Please consider the needs of all of us versus the wishes of a few when planning for water and tree protection in Napa County.

It is likely that my note speaks for thousands of other residents who don't know how or aren't comfortable contacting county staff or supervisors.

Thank you,

Ellen Sabine, Napa

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 7:41 AM
To: Whitney, Karita
Subject: FW: Housing & the Water/ Tree Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Tuesday, March 26, 2019 6:01 AM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: Housing & the Water/ Tree Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Ryan Gourd <ryan.gourd@gmail.com>
Date: Tuesday, Mar 26, 2019, 6:00 AM
To: Dillon, Diane <Diane.DILLON@countyofnapa.org>
Cc: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Housing & the Water/ Tree Ordinance

Supervisor Dillon,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. **Once again, we are caught in the crossfire in the battle over vineyard development.**

As proposed, new homes, ADUs, additions, plus new roads to new homes, would be banned in thousands of areas, and new/enhanced buffer areas will require use permits on residential activities small and large. Subjecting single-family homes to slope limits, layers of new and expanded setbacks, use permit requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

Single family homes should be exempt from this ordinance –owners should continue to be allowed to build and improve single-family homes in the unincorporated area. Please do not let homeowners become casualties when this ordinance comes before you.

Thank you for considering my comments and for your leadership on this important issue.

Thank you,

Ryan

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 7:41 AM
To: Whitney, Karita
Subject: FW: comment on Water Quality and Tree Protection Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office

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-----Original Message-----

From: Charlotte Williams <cdevorak@sonic.net>
Sent: Monday, March 25, 2019 10:47 PM
To: Dillon, Diane <Diane.DILLON@countyofnapa.org>; Alfredo Pedroza <Alfred.Pedroza@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>
Cc: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>
Subject: comment on Water Quality and Tree Protection Ordinance

Dear Napa County Board of Supervisors,

I implore you to cast aside all nihilistic, despairing and cynical attitudes. Please embrace the growing consciousness of the urgent need for environmental first aid and restoration.

We have all experienced the relatively new more frequent and heavier rains, longer and hotter heat spells, hurricane force winds, and fire storms. Sea level rise is already affecting property values. We have entered a period of climate crisis. What will you do to lead us out of it?

For all of us who can observe and recognize this changed climate it is necessary to take whatever action possible to halt the damage to, and actively repair, this planet.

The oak woodlands, the watersheds of Napa County are small in relation to the whole planet but each place is distinct and capable of bestowing grand and cumulative benefits. This place -- the land -- has provided some with fame and wealth. But with detriment to the native life, soil, waterways and air. It is time to do things differently, to employ the

new methods of holistic management and regenerative agriculture so that the way we treat this land leads to benefit for all.

Please do your utmost, lead strongly and remarkably, to create an extraordinary Water Quality and Tree Protection Ordinance, one that will protect the forests and watersheds and allow Napa County to flourish in this fragile era of climate change.

As Albert Einstein said: No problem can be solved by the same consciousness that created it.

It's time for change.

Thank you.

--

Charlotte Helen Williams
707-889-1788
cdevorak@sonic.net

This email has been checked for viruses by Avast antivirus software.

[https://urldefense.proofpoint.com/v2/url?u=https-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_antivirus&d=DwIDaQ&c=yU98RTqmkHZnyr3K3nExYR0AsYvCxdg1GRVyYwwHmM0&r=CGZ-L8miNdHK_JSu8Np699zzeIO1LmB09irPxtbhDfg&m=XB_2bio6fmMgboKmQwhPSdwWzkWn73k7n_we3kQeP00&s=2_haPHeo8hIFB61vCZNquAq2m8lrWk9mPJ1kkAutL70&e=)

[3A__www.avast.com_antivirus&d=DwIDaQ&c=yU98RTqmkHZnyr3K3nExYR0AsYvCxdg1GRVyYwwHmM0&r=CGZ-L8miNdHK_JSu8Np699zzeIO1LmB09irPxtbhDfg&m=XB_2bio6fmMgboKmQwhPSdwWzkWn73k7n_we3kQeP00&s=2_haPHeo8hIFB61vCZNquAq2m8lrWk9mPJ1kkAutL70&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_antivirus&d=DwIDaQ&c=yU98RTqmkHZnyr3K3nExYR0AsYvCxdg1GRVyYwwHmM0&r=CGZ-L8miNdHK_JSu8Np699zzeIO1LmB09irPxtbhDfg&m=XB_2bio6fmMgboKmQwhPSdwWzkWn73k7n_we3kQeP00&s=2_haPHeo8hIFB61vCZNquAq2m8lrWk9mPJ1kkAutL70&e=)

Whitney, Karita

From: Tijero, Jesus
Sent: Tuesday, March 26, 2019 7:52 AM
To: Valdez, Jose (Louie)
Cc: Whitney, Karita; Morgan, Greg
Subject: FW: Water Quality and Tree Protection Ordinance

Watershed

Jesus Tijero
Staff Assistant BOS
Napa County
Office: 707-253-6170
Cell: 707-363-7467

-----Original Message-----

From: Eve Ryser <everyser@gmail.com>
Sent: Monday, March 25, 2019 11:46 PM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>
Cc: Tijero, Jesus <Jesus.Tijero@countyofnapa.org>
Subject: Water Quality and Tree Protection Ordinance

Dear Mr. Wagenknecht,

While I will be unable to attend tomorrow morning's Board meeting, I am writing to urge you to act to protect our environment in this time of unstable, changing climate.

We are already experiencing new weather extremes and the deadly, costly and heartbreaking destruction those extremes leave in their wake. Our valley has experienced rampant development which has already irreparably changed the landscape of our beautiful valley, imperiling our watersheds and woodlands and leaving us more and more vulnerable to fires, landslides, erosion, tainted water and loss of habitat for our native species.

Our watersheds oak woodlands and forests have been under attack by developers who have succeeded in convincing those in power to prioritize money, corporate power and political expediency over protecting our environment. As Supervisor, you have the power to prioritize the safety, security and beauty of our valley by supporting an ordinance that provides maximal protection to our environment. There is a widespread misinformation campaign underway, funded by private property rights advocates and a wealthy (and already widespread and powerful) wine industry.

Please, for the longterm health and lasting beauty of our valley, do not be swayed by this greed-driven propaganda. The current, watered down version of the ordinance leaves more than 25,000 acres of oak woodlands at risk of deforestation. These precious resources are essential, irreplaceable, and at risk. This kind of deforestation will negatively affect the beauty, health and integrity of our gorgeous home.

PLEASE ACT ON OUR BEHALF TO SUPPORT THE STRONGEST POSSIBLE PROTECTIONS FOR OUR WATER QUALITY AND OUR REMAINING TREES.

Sincerely,

Eve Ryser
1045 Foster Rd.
Napa, CA 94558
(707) 479-2253

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 7:41 AM
To: Whitney, Karita
Subject: FW: Vote NO on the proposed ordinance tomorrow

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 10:33 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Vote NO on the proposed ordinance tomorrow

Sent with BlackBerry Work
(www.blackberry.com)

From: Marguerite Capp <madcappster@gmail.com>
Date: Monday, Mar 25, 2019, 10:31 PM
To: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Vote NO on the proposed ordinance tomorrow

My husband Daniel Capp's great great grandfather and his brothers and sister, including brother in law John York, his wife to be Frances Griffith and her brothers, all came to Napa together in 1845 in the Grigsby Ides wagon train, the first wagon train to make it intact over the Sierra. They settled this county assisting Dr. Bale in building the mill, fought in the Bear Flag Revolt, co founded St. Helena,

built a fine house where they helped raise surviving children from the Donner Party, as well as their own children, after planting some of the first vineyards in Napa.

Our point here is that development and farming is in our dna and we've been stewards of the land, & our family has loved the land for 174 years, since before California became a state. Dan and I planted our first vineyard here in lower Wooden Valley in 1973, and slowly expanded our farming interests over the years. While we never formally got the organic designation for our vineyards, we treated them as such. If farmers don't truly care for the land and environment, than nobody does.

This ordinance suggests that we farmers and property owners either do not care about the environment, are incapable of doing what is right, or an ugly mixture of both. As stewards of the land, a title we proudly own, please know that we do care about our property. We also care about our future. We care about the future rights of property owners to develop, plant and harmonize with the land. This onerous, judgmental and hideous travesty of an ordinance will only reward the wealthy in that future. Only the very rich will want to buy country property, and will no doubt be ready, willing, and able to offer us middle class landowners offers of a sizable discount for our now made worthless properties.

If there was any specific need for this ordinance, we might not be as shocked that the supervisors would consider it, but no such need has been presented to us in any form. Napa County already has some of the most carefully thought out and limiting regulations in California. Why do we even need this? And why is this being considered when not a year and a half ago a similar proposition was voted on throughout Napa County? Why would you go around the will of the people? Do you Supervisors believe that we're either too ignorant or too greedy to only want what's in our financial best interests and not what's good for the land? Or do you think that we don't care about what happens here in the future after we've died?

Do these environmentalists proposing these onerous regulations have a stake in what happens here in Napa? Are they landowners too? Or are they carpetbaggers here to educate us slower, backwards country Folk as to the error of our ways?

Please remember that our forbears helped start the Bear Flag Revolt in Napa County when an overreaching demand came from a government to abandon land, plants, animals, personal belongings, guns, and walk away from their future. That revolt changed everything in California. It could happen again today here.

Thank you for your consideration. Please vote NO on this ordinance.

Daniel and Marguerite Capp

--

Marguerite Capp

--

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 7:39 AM
To: Whitney, Karita
Subject: FW: housing and water/tree ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 5:32 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: housing and water/tree ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: brad oldenbrook <brad@ehllc.co>
Date: Monday, Mar 25, 2019, 5:29 PM
Subject: housing and water/tree ordinance

Single

-

family homes

should

be exempt from this ordinance

—

owners should

continue to be allowed to build

and

improv

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family home

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in

the unincorporated area

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Please do not let homeowners become casualties when

this ordinance comes before you.

Single

-

family homes

should

be exempt from this ordinance

—

owners should

continue to be allowed to build

and

improv

e single

-

family home

s

in

the unincorporated area

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Please do not let homeowners become casualties when

this ordinance comes before you.

Please know I am adamantly against the vineyard battle extending and somehow effecting single family residential homes or improvements on single family homes in the unincorporated areas of Napa County.

Brad Oldenbrook
1120 Darms Lane, LLC
1120 Darms Lane, Napa, CA

Brad Oldenbrook / Managing Partner
brad@ehllc.co / m 415.867.9595



485 Magnolia Ave, Larkspur, CA 94939

o 415.777.9595 f 415.329.1561 www.ehllc.co

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 7:40 AM
To: Whitney, Karita
Subject: FW: Water Quality + Tree Protection Ordinance Comment

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office

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-----Original Message-----

From: Lori Stelling <lori.stelling@me.com>
Sent: Monday, March 25, 2019 6:53 PM
To: Dillon, Diane <Diane.DILLON@countyofnapa.org>
Cc: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>
Subject: Water Quality + Tree Protection Ordinance Comment

Dear Supervisor Dillon,

As I've written multiple times as well as spoken at the BOS meeting back in January on this and other climate-related issues, I hesitated to write again but am doing so on behalf of my child and all children who are too young to advocate for their future, which is at risk.

Thank you for speaking out on the fact that mitigation for lands which are already protected is no additional protection at all. I am your constituent and I cannot urge you strongly enough to take appropriate action tomorrow in creating protections that are in alignment with the truth of the climate emergency we currently find ourselves in. To do anything less than create a 3:1 mitigation on land at risk for development and oak removal of no more than 795 acres, would be beyond insufficient in today's world and would illustrate that Napa County has no interest in doing its part to remedy the climate crisis and protect the health and well-being of it's citizens and ecosystems.

Just a couple of weeks back, yet another report came out of the United Nations entitled "The UN environment's sixth Global Environment Outlook (2019)": https://urldefense.proofpoint.com/v2/url?u=https-3A__www.unenvironment.org_resources_global-2Denvironment-2Doutlook-2D6&d=DwlFaQ&c=yU98RTqmkHZnyr3K3nExYR0AsYvCxdg1GRVyYwwHmM0&r=CGZ-

L8miNdHK_JSu8Np699zzelO1LmB09irPxtbhDfg&m=GZaPpl43CNJEmB0KyI3gDlpcH9GObHbuc48EYt_01fw&s=WVBNiLt008laeQqGk98PgsKxa1ARqA09OW0YxK4GDR8&e= I have not had the opportunity to read this report in detail yet, but I urge you to read it, as well as last Fall's IPCC and National Climate Assessment Reports, if you haven't done so already. There is absolutely no time to lose. We must educate ourselves and act now.

I know half a dozen people, including two families from my child's class, who lost everything in the October 2017 wildfires. I manage a health condition that is worsened by pollutants in the water I drink and the air I breathe. As a parent, I am deeply concerned about my child's future and the health of all life on this planet. I urge you to stand on the right side of history tomorrow and choose: 3:1 mitigation on land at risk for development and no more than 795 acres of oak woodland removal.

Thank you for your time.

Sincerely,
Lori Stelling

Whitney, Karita

From: Sharp, Leigh
Sent: Monday, March 25, 2019 8:36 PM
To: Valdez, Jose (Louie); Whitney, Karita; Morgan, Greg
Subject: FW: Water Quality and Tree Protection Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Monday, Mar 25, 2019, 8:05 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Bordona, Brian <Brian.Bordona@countyofnapa.org>, Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Water Quality and Tree Protection Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Nancy Bradford <nancyannbradford@gmail.com>
Date: Monday, Mar 25, 2019, 7:45 PM
To: Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>, Morrison, David <David.Morrison@countyofnapa.org>
Subject: Water Quality and Tree Protection Ordinance

Dear Supervisor Pedroza,

Although the Planning Commission has dismantled much of the original protections for water quality and tree protection, the final decisions for the ordinance to protect our hillsides and watersheds are up to you Mr. Pedroza and the Board of Supervisors.

I ask you to act for our environment in this time of rapid and unprecedented climate change in human history.

Nancy Bradford

Whitney, Karita

From: Sharp, Leigh
Sent: Monday, March 25, 2019 7:56 PM
To: Valdez, Jose (Louie); Whitney, Karita; Morgan, Greg
Subject: FW: Housing & the Water/Tree Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Monday, Mar 25, 2019, 7:37 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Bordona, Brian <Brian.Bordona@countyofnapa.org>, Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Housing & the Water/Tree Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Gary Prince <garynapare@sbcglobal.net>
Date: Monday, Mar 25, 2019, 7:36 PM
To: Gregory, Ryan <Ryan.Gregory@countyofnapa.org>
Cc: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Housing & the Water/Tree Ordinance

Supervisor Gregory,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. **Once again, we are caught in the crossfire in the battle over vineyard development.**

As proposed, new homes, ADUs, additions, plus new roads to new homes would be banned in thousands of areas, and new/enhanced buffer areas will require use permits on residential activities small and large. Subjecting single-family homes to slope limits, layers of new and expanded setbacks, use permit requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

Single-family homes should be exempt from this ordinance – owners should continue to be allowed to build and improve single-family homes in the unincorporated area. Please do not let homeowners become casualties when this ordinance comes before you.

Thank you for considering my comments and for your leadership on this important issue.

Gary Prince, REALTOR^(R)
Windermere Napa Valley Properties
Cell: 707-227-7282
BRE# 01735857

www.garyprince.withwre.com

See my Reviews on Zillow:

<http://www.zillow.com/profile/Gary-Prince1/Reviews/?scrnnm=Gary%20Prince1>

Whitney, Karita

From: Sharp, Leigh
Sent: Monday, March 25, 2019 7:55 PM
To: Valdez, Jose (Louie); Whitney, Karita; Morgan, Greg
Subject: FW: Housing & the Water/Tree Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Monday, Mar 25, 2019, 7:36 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Bordona, Brian <Brian.Bordona@countyofnapa.org>, Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Housing & the Water/Tree Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Laurie Buurma <laurie.buurma@compass.com>
Date: Monday, Mar 25, 2019, 7:09 PM
To: Gregory, Ryan <Ryan.Gregory@countyofnapa.org>, Morrison, David <David.Morrison@countyofnapa.org>
Subject: Housing & the Water/Tree Ordinance

Supervisor Ryan Gregory,
and Director David Morrison,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. Once again, we are caught in the cross fire in the battle over vineyard development! We have seen three ballot initiatives and constant conflict over vineyards for many years now - single family homes are not a threat, but included in this sweeping proposal. Subjecting singles family homes to slope limits, ever-increasing setbacks, use permit requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

SINGLE-FAMILY HOMES SHOULD BE EXEMPT FROM THIS ORDINANCE. OWNERS SHOULD CONTINUE TO BE ALLOWED TO BUILD AND IMPROVE SINGLE FAMILY HOMES IN THE UNINCORPORATED AREA. PLEASE DO NOT LET HOMEOWNERS BECOME CASUALTIES WHEN THIS ORDINANCE COMES BEFORE YOU.

Furthermore, local governments have been working tirelessly to eliminate barriers to housing and homeownership. Please support local homeowners and a strong housing industry for Napa County!

Thank you for considering my comments and for your leadership on this important issue.

Laurie Buurma

Laurie Buurma
Real Estate Professional
Compass ~ Napa Valley

Cell (707)-337-4329
www.realestateinnapa.com
License # 01271127

1300 First St, Ste 462
Napa, CA 94559

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Connecticut

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Florida
Georgia

Illinois
Maryland
Massachusetts

New Jersey
New York
Pennsylvania

Tennessee
Texas
Virginia

Washington
Washington, DC

North Bay, CA

/ / / / — COMPASS

I have not or will not verify or investigate the information supplied by third parties.

Whitney, Karita

From: Sharp, Leigh
Sent: Monday, March 25, 2019 6:31 PM
To: Whitney, Karita; Morgan, Greg; Valdez, Jose (Louie)
Subject: FW: Water Quality

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Monday, Mar 25, 2019, 5:47 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Bordona, Brian <Brian.Bordona@countyofnapa.org>, Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Water Quality

Sent with BlackBerry Work
(www.blackberry.com)

From: Sharon Parham <parhamdesign@earthlink.net>
Date: Monday, Mar 25, 2019, 5:37 PM
To: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Water Quality

To David Morrison,

I cannot attend the meeting tomorrow am, but I am writing to urge to protect our trees and water quality.

I think the citizens of Napa made our wishes known with Measure C.

Please prevent any more deforestation.

Thank you.

Sharon Parham
3110 Encanto, Napa

Whitney, Karita

From: Cortez, Nelson
Sent: Monday, March 25, 2019 5:09 PM
To: Whitney, Karita; Valdez, Jose (Louie); Sharp, Leigh; Brax, Jeffrey
Cc: Tijero, Jesus
Subject: FW: Water quality and Tree Conservation Ordinance

From: Eric Lamb <ericl@dpr.com>
Sent: Monday, March 25, 2019 5:08 PM
To: Morrison, David <David.Morrison@countyofnapa.org>
Cc: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Cortez, Nelson <Nelson.Cortez@countyofnapa.org>; Tijero, Jesus <Jesus.Tijero@countyofnapa.org>; bill@billdodd.com; Eric Lamb <ericl@dpr.com>
Subject: Water quality and Tree Conservation Ordinance

Dear County Board of Supervisors,

I am writing to express concern about the proposed ordinance under consideration at your meeting.

We have a truly unique environment here in Napa County that is supported by the Agricultural Preserve that has served us very well. We have a beautiful county with a great balance of open space and vineyards that enhance our environment. I consider the grape growers in this county as stewards of unique land resource that provides us the resources for many other things. Our vineyard allows us to have the resources to construct water and soil conservation projects and plant additional trees on our property.

This ordinance is confusing and feels rushed. It is not clear to me what is the problem it is trying to solve given our current positive situation? The growth of vineyard land locally is so small, it seems very unusual to suggest further restrictions for agriculture.

I would like to express my opposition to this ordinance as drafted.

Regards,

Eric R. Lamb | **Lamb Family Vineyards**
| M: 415-990-8934
Wooden Valley, Napa County

Whitney, Karita

From: Sharp, Leigh
Sent: Monday, March 25, 2019 6:29 PM
To: Whitney, Karita; Valdez, Jose (Louie); Morgan, Greg
Subject: FW: Water Quality and Tree Protection Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Morrison, David <David.Morrison@countyofnapa.org>
Date: Monday, Mar 25, 2019, 5:30 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>, Anderson, Laura <Laura.Anderson@countyofnapa.org>, Bordona, Brian <Brian.Bordona@countyofnapa.org>, Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Water Quality and Tree Protection Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Patricia Damery <pdamery@patriciadamery.com>
Date: Monday, Mar 25, 2019, 5:06 PM
To: Dillon, Diane <Diane.DILLON@countyofnapa.org>, Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>, Gregory, Ryan <Ryan.Gregory@countyofnapa.org>, Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>, Ramos, Belia <Belia.Ramos@countyofnapa.org>
Cc: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Water Quality and Tree Protection Ordinance

Dear Supervisors,

I have written to you and made public comment on the draft ordinance that is before you tomorrow, and I have voiced my concerns about how it has been eroded by the Planning Commission. However, I am writing about the series of e-mails and letters that I am receiving as a AW zoned property owner, from the property rights folks (George Bachich) and so-called small family winery group (Harvest Duhig). The letters are full of misinformation, threats for what happens if you pass the ordinance (in Bachich's case) and fear mongering.

I am worried for our democratic process in Napa County. Are we on the edge of a chaos that will last a very long time? Perhaps. But one way or the other, I hope you exercise leadership tomorrow in protecting our water and environment. This ordinance is only a small step in that direction.

Then I hope you make good on Diane Dillon's suggestion that you meet with the Planning Commissioners, forging a way to work together. This process, to me, has been unnecessarily messy and has resulted in a dangerously inflamed division. Property owners do not necessarily act with the greater good in mind, and small farmers and wineries are sadly at risk of becoming institutions of the past. The ordinance cannot address those issues.

Sincerely,
Patricia Damery

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 5:01 PM
To: Whitney, Karita
Subject: FW: Water Quality and Tree Protection Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Ramos, Belia <Belia.Ramos@countyofnapa.org>
Sent: Monday, March 25, 2019 4:57 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: Water Quality and Tree Protection Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Karl Johnson <karl.johnson3@gmail.com>
Date: Monday, Mar 25, 2019, 12:35 PM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>, Gregory, Ryan <Ryan.Gregory@countyofnapa.org>, Dillon, Diane <Diane.DILLON@countyofnapa.org>, alfredo@apedroza.com <alfredo@apedroza.com>, Ramos, Belia <Belia.Ramos@countyofnapa.org>
Subject: Water Quality and Tree Protection Ordinance

Dear Napa County Supervisors,
I'm writing to protest the lack of protection for water and trees in this ordinance. The title is very misleading, given the ordinance allows up to 27,800 acres to be deforested compared to the under 800 acre limit in Measure C.

This ordinance, as is, is shamefully misleading; the ordinance does not protect our county's water quality, watershed and trees.

I respectfully request the Napa County Board of Supervisors not approve Water Quality and Tree Protection Ordinance and require a new draft that limits the deforested acres to 800 or less.

This kind of leadership and the prospective to guard our agriculture preserve and reduce our contribution to Global Warming is needed now.

Thank you

--

Best Regards,

Karl Johnson

650-255-6867

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 5:01 PM
To: Whitney, Karita
Subject: FW: Climate Emergency Protections

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Ramos, Belia <Belia.Ramos@countyofnapa.org>
Sent: Monday, March 25, 2019 4:57 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: Climate Emergency Protections

Sent with BlackBerry Work
(www.blackberry.com)

From: Kit Long <kittylong00@gmail.com>
Date: Monday, Mar 25, 2019, 12:49 PM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>, Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>, Dillon, Diane <Diane.DILLON@countyofnapa.org>, Ramos, Belia <Belia.Ramos@countyofnapa.org>, Gregory, Ryan <Ryan.Gregory@countyofnapa.org>
Subject: Climate Emergency Protections

I am asking for your strong leadership in changing course to protect our oaks and watershed. This issue is, for both sides, miserably divisive. For me it is also disheartening, as it is a symbol of the lack of understanding regarding our climate emergency. I believed, after talking with most of you, that you are aware of the emergency and the need for immediate actions. For others who apparently don't see the connection between their desire for more development and protecting our natural environment in order to avoid drastic warming, only your actions and words will make the difference that the IPCC calls for: "unprecedented" actions — unlike any we have seen before. The warming climate and resulting losses will support your

leadership now as we face more catastrophes before we change course. Strong actions now will reduce those future disasters and economic losses.

I urge you to use your understanding to inform our citizens of why you think the strong protections* are needed and needed *now*. We have no time to wait for oaks to grow into systems that sequester carbon for free. Though protections in Napa are an infinitesimal amount of the sequestration needed, your leadership will give hope and inspiration. I ask you to use this opportunity to move forward with positive momentum in the face of these daunting challenges.

At the very least, consider Michelle Benvenuto's idea of a stakeholders group to let folks cool off and get educated about the most reasonable compromises on both sides. And pass the Climate Emergency Resolution so you have a tool to use in talking about our goals for protecting our Valley and its citizens.

Thank you,

Kit Long

*Where forest removal cannot be avoided, 3:1 mitigation should be required on land at risk for development, as opposed to mitigation in areas not at risk and already off-limits to development, such as steep slopes.

*An oak removal limit of 795 acres.

Whitney, Karita

From: Tuteur, John
Sent: Monday, March 25, 2019 4:39 PM
To: Valdez, Jose (Louie)
Cc: Morgan, Greg; Whitney, Karita
Subject: FW: STOP WQTPO - Fraudulent and Unconstitutional

Please add to correspondence for the Board, Louie and COTB team. Thanks, JT

From: Recorder-Clerk Mailbox <Recorder-ClerkMB@countyofnapa.org>
Sent: Monday, March 25, 2019 3:53 PM
To: Tuteur, John <John.Tuteur@countyofnapa.org>
Subject: FW: STOP WQTPO - Fraudulent and Unconstitutional

John,

I am forwarding this email that was in the Recorder Mail Box.

If you have any questions, or need assistance, please do not hesitate to contact us.

Thank you,

LaVanda Schneider
Assessment Records Supervisor
For John Tuteur, Napa County Assessor-Recorder-Clerk

1127 First Street, Suite A
Napa, CA 94559
707-299-1370 direct
707-253-4105 main
lavanda.schneider@countyofnapa.org

From: stephen mcpherson <steve@promisewine.com>
Sent: Monday, March 25, 2019 12:50 PM
To: Recorder-Clerk Mailbox <Recorder-ClerkMB@countyofnapa.org>
Subject: STOP WQTPO - Fraudulent and Unconstitutional

Dear Clerk,

I am writing to voice my opinion on the Water Quality and Tree Protection Ordinance which Napa County is scheduled to vote on March 26th.

We urgently need you and the other supervisors to NOT support the ordinance.

Measure C was voted on democratically and did not pass. This ordinance is a unconstitutional end-run attempt to push through unfair codes based on fraudulent claims lacking any scientific backing.

The county needs to take the time to truly understand the full economic impact the ordinance will have on the County. There are countless unintended consequences that will result from putting this ordinance into law.

Let's be transparent and reveal the charade that ANDY BECKSTOFFER is financially backing this ordinance as he did measure C on a claim of protecting water quality. Andy Beckstoffer has poured hundreds of thousands of gallons of **ROUND-UP (This is what YOU should be considered with)** in the aquifers and water supplies of Napa Valley for years. It is a proven carcinogen and toxic hazard. Monsanto just lost it the Supreme Court and will now held accountable for the death and devastation it has caused for decades. Others who have sat by and used it and supported legislation allowing it will also now be held accountable. Andy supports the WQTPO for one reason GREED. If it passes then his vineyards will go up in value.

The county is setting itself up for lawsuits from private property owners with land that will be devalued due to the ordinance. Its unconstitutional to take land from someone without paying fair market value. Our Federal laws are very clear on EMINENT DOMAIN.

AS A VALUABLE CA TAX PAYER, THIS ORDINANCE IS TAKING AWAY MY RIGHTS AS A HOME OWNER AND DEVALUING MY PROPERTY. IT IS NOTHING SHORT OF CRIMINAL AND ALONG WITH THE OTHER LANDOWNERS EFFECTED WE INTEND TO FIGHT THIS LEGALLY AND HOLD THOSE IN SUPPORT OF THIS TYRANNY ACCOUNTABLE AND LIABLE.

The sense of urgency to put this into law to avoid another ballot initiative is NOT a valid reason to push through legislation, which will have grave consequences on all land owners in the unincorporated areas of Napa County, NOT TO MENTION NAPA GENERATIONS TO COME!!

Thank you for taking the thoughtful time to exercise your position to **thoroughly** understand the consequences of hastily passing legislation that is poised to erode Napa County. FOREVER!

Sincerely, Stephen McPherson

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 4:22 PM
To: Whitney, Karita
Subject: FW: Water Quality

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 4:19 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Water Quality

From: Mary Steinbacher <mary@marysteinbacher.com>
Sent: Monday, March 25, 2019 4:18 PM
To: Morrison, David <David.Morrison@countyofnapa.org>
Subject: Water Quality

Hello David,

Please consider all that is at stake here with his motion. Our environment, our homes and many of our families all live and work here in the valley and loosing any more land would be a slap in the face to Mother Nature.

Thank you for caring for all of us.

With my most sincere regards,

Mary Steinbacher

MARY STEINBACHER Photography...*the art of life*
Napa California
707-255-1516

mary@marysteinbacher.com

<http://www.marysteinbacher.com>



YOCHA DEHE
CULTURAL RESOURCES

RECEIVED

MAR 25 2019

Napa County Planning, Building
& Environmental Services

March 7, 2019

Napa County
Planning, Building and Environmental Services
Attn: David Morrison, Director
1195 Third Street, Suite 210
Napa, CA 94559

RE: Water Quality and Tree Protection Zoning Ordinance and Text Amendment

Dear Mr. Morrison:

Thank you for your project notification regarding cultural information on or near the proposed Water Quality and Tree Protection Zoning Ordinance and Text Amendment Project, Napa County. We appreciate your effort to contact us and wish to respond.

The Cultural Resources Department has reviewed the project and concluded that it is within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we have a cultural interest and authority in the proposed project area and would like to continue to receive updates on the project.

Should you have any questions, please contact the following individual:

Kristin Jensen, CRD Administrative Assistant
Yocha Dehe Wintun Nation
Office: (530) 796-0105
Email: kjensen@yochadehe-nsn.gov

Please refer to identification number YD - 02222019-02 in any correspondence concerning this project.

Thank you for providing us the opportunity to comment.

Sincerely,

Burnam Lowell, Sr.
Tribal Historic Preservation Officer

Whitney, Karita

From: Sharp, Leigh
Sent: Monday, March 25, 2019 4:37 PM
To: Whitney, Karita; Morgan, Greg
Subject: FW: Yocha Dehe comments on Water Quality ant Tree Protection Ordinance
Attachments: doc15626920190325163102.pdf

Leigh K Sharp
Management Analyst
County Executive Office
1195 Third Street, Suite 310
Napa, CA 94559
(707) 253-4825

From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 4:32 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: Yocha Dehe comments on Water Quality ant Tree Protection Ordinance

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 4:22 PM
To: Whitney, Karita
Subject: FW: Watershed Protection Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 4:17 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: Watershed Protection Ordinance

From: Susanne von Rosenberg <susanne@gaiainc.com>
Sent: Monday, March 25, 2019 4:08 PM
To: Morrison, David <David.Morrison@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>
Cc: Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>
Subject: Watershed Protection Ordinance

Dear Belia and David – I want to go on record as strongly support the adoption of the ordinance being heard tomorrow, with a proviso that the ordinance should retain the across-the-board 3:1 mitigation ratio (i.e., rather than the mixed ratio compromise recommended by the Planning Commission). I also request that the Board direct staff to implement Commissioner Cottrell's recommendation of a systematic program for mitigation acreage in conservation tracts managed under the auspices of the Parks and Open Space District.

Thanks - Susanne

Susanne von Rosenberg, P.E.

Principal
GAIA Consulting, Inc.
2168 Penny Lane
Napa, Ca 94559
(707) 253-9456
(707) 253-9673 (fax)
(510) 774-9085 (cell)

Please consider donating to Northern California Fire Relief:

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<https://donatenow.networkforgood.org/1431417>

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Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 3:30 PM
To: Whitney, Karita
Subject: FW: Housing and Water/Tree Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 3:29 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Housing and Water/Tree Ordinance

Sent with BlackBerry Work
(www.blackberry.com)

From: Terry Bremer <terry@cbsonoma.com>
Date: Monday, Mar 25, 2019, 3:26 PM
To: Morrison, David <David.Morrison@countyofnapa.org>, Dillon, Diane <Diane.DILLON@countyofnapa.org>
Subject: Housing and Water/Tree Ordinance

Dear Supervisor Dillon and Director Morrison,

As a constituent and local real estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. Once again, we are caught in the crossfire in the battle over vineyard development. As proposed, new homes, ADUs, additions, plus new roads to new homes, would be banned in thousands of areas, and new/enhanced buffer areas will

require use permits on residential activities small and large. Subjecting single-family homes to slope limits, layers of new and expanded setbacks, use permit requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

Single-family homes should be exempt from this ordinance - owners should continue to be allowed to build and improve single-family homes in the unincorporated area. Please do not let homeowners become casualties when this ordinance comes before you.

Thank you for considering my comments and for your leadership on this important issue.

Respectfully,

Terry Bremer Allison

Lic. #01426222

Manager, Coldwell Banker Brokers of the Valley and Resident of Yountville, CA

Desk: (707)939-2626 Mobile: (707)287-7156

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Monday, March 25, 2019 3:59 PM
To: Whitney, Karita
Subject: FW: Housing & the Water/TreeOrdinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Monday, March 25, 2019 3:58 PM
To: Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Cc: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Subject: FW: Housing & the Water/TreeOrdinance

From: Avi Strugo <astrugo@cbnapavalley.com>
Sent: Monday, March 25, 2019 3:56 PM
To: Morrison, David <David.Morrison@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>
Cc: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>
Subject: Housing & the Water/TreeOrdinance

Dear Supervisor Ramos And Director Morrison:

Thank you for your help. I appreciate it. As a constituent and local Real Estate professional, I have significant concerns about how the Water Quality & Tree Protection Ordinance will impact homeowners and housing in Napa County. Once again we are caught in a crossfire in the battle over vineyard development.

As proposed, new homes, ADUs, additions, plus new roads to new homes, would be banned in thousands of areas and new enhanced buffer areas will require use permits on residential activities small and large. Subjecting single family homes to slope limits, layers of new and expanded setbacks, use permits requirements, etc., strips value and property rights from owners, potentially rendering parcels un-buildable or un-improvable.

Single-family homes should be exempt from this ordinance - owners should continue to be allowed to build and improve single-family homes in the un-incorporated area. Please do not let homeowners become casualties when this ordinance comes before you.

Thank you for considering my comments and for your leadership on this important issue.

Thank you again

constitnty

Once again, we are

caught in the crossfire in

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As

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Please do no

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Thank y

ou for considering my comments and for your leadership on this importan

t issue.

Avi Strugo

(707) 337-5614

License# 01408961

International President Elite

Global Luxury Specialist,

Certified Negotiation Expert,

Certified Residential Specialist, SRES, SFR

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BROKERS OF THE VALLEY



Whitney, Karita

From: ClerkoftheBoard
Sent: Monday, March 25, 2019 3:30 PM
To: Whitney, Karita
Subject: FW: WQ&TP Ordinance liabilities for Napa County.

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Steve Burgess <steve@burgesscellars.com>
Sent: Monday, March 25, 2019 3:12 PM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>
Cc: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethompsonca05@mail.house.gov; bill@billdodd.com; shana.jones@fire.ca.gov
Subject: WQ&TP Ordinance liabilities for Napa County.

Dear Supervisors,

There are a few problems with the WQ&TP ordinance that haven't yet been noted/addressed as far as I can tell. To save Napa County and its residents a lot of time & money, and most importantly, forward progress on true environmental causes, I am compelled to bring them up. My qualifications include, but are not limited to being a farmer and environmentalist, a former Greenpeace member, outdoorsman, a former high school earth science educator, a Cal Poly Agricultural Engineering Technology graduate (which includes soil science,) and a NCFD volunteer fire fighter. I am a Napa native, and have seen more changes to this beautiful valley than I care for, but the WQ&TP ordinance is no solution AS IS. In general, the canopy rates, and defensible space philosophies, assumptions, and wordings are flawed.

1) PG&E and their countless sub-contractors have been (thankfully) removing "canopy" from their easements again. These mustn't be counted towards the total canopy measurements without financial compensation for the

land owner's loss of useable land. If this land grab is uncompensated, then it is ILLIGAL EMINENT DOMAIN. Further, much of this canopy was removed back in the early 1900s when the utilities were first installed, then not maintained. Any utility-based canopy losses and defensible space canopy losses must be excepted.

2) The way the ordinance is written, it requires a static scenario of our unhealthy, unbalanced, and snag-laden forests. Instead of using "pre-European settler models" of our forests, the ordinance is using "mismanaged for 150 years models." The excessive fuel loads and lack of biodiversity we have now needs turned around and restored, not "preserved" or even further degraded. The UNINTENDED CONSEQUENCES of excessive canopy requirements will compound our existing problems in the WUI and for wildlife. (Please recall, early Europeans marveled at how they could "ride three horses abreast" through the woods here. Fish, bear, elk, fowl were plentiful. Riding three horses abreast cannot be done now except after fires or proper land management.) A professional forester in our area quoted that tree and shrub density was over twice as dense as healthy balance, this ordinance maintains that fuel load and tree stress level. See also:

https://napavalleyregister.com/opinion/letters/your-turn-napa-has-too-many-trees/article_d01a863d-7512-50f7-820e-ed32f4b83630.html

3) The way the ordinance is written, it creates another UNFUNDED MANDATE for CAL FIRE to visit, study, diagnose, document, report, prescribe, and regulate canopy thinning for fuel reduction, fire breaks, and wildlife habitat. Who will fund the additional staff at CAL FIRE to go from door to door and prescribe BMPs? This ordinance forces them to do so. Property owners will be demanding these reports to allow their work to proceed. Will the State billback Napa County for these extra services? If 6 full-time inspectors are needed, expenses will easily hit \$1M per year for these additional services. What if a team of 30 is needed? \$5M annually? This ordinance is going to cost all land owners and CAL FIRE a lot of money.

4) If the ordinance is used as EX POST FACTO law, which would take value and utility from lands of good people doing good things legally and rightfully, the County could face lawsuits at the State and Federal level, costing the Napa County taxpayers millions. All punitive and land-use aspects of the ordinance must account for this pitfall.

This ordinance was written in haste, and as is, a wolf in sheep's clothing- it will hurt the environment, Napa County, and its residents. Back to the drawing board.

Sincerely,
Steven Burgess
"Class of '72"



MICHAEL RUPPRECHT
LAW

RECEIVED

MAR 25 2019

NAPA COUNTY
EXECUTIVE OFFICE

March 25, 2019

Napa County Board of Supervisors

Re: March 26, 2019 Agenda item 9B

Dear Supervisors:

This office represents Raja Development, Inc. My client has been doing business in Napa County for over 50 years and owns approximately 1500 acres in the Chiles Valley area. My comments that I wish the Board to consider focus on:

-The recommendation to prohibit new planting and structures on slopes over 30%.

In general, agricultural activities are not subject to County discretionary approval, however, pursuant to Chapter 18.108 of the Napa County Code there is a current requirement requiring approvals for agricultural projects involving grading and earthmoving activities on slopes over 5%. These plans of course are subject to review and process under CEQA. The County's current proposal appears to grandfathering in existing vineyards on slopes over 30% but prohibiting them in the future. That is an unnecessary restriction. We believe that the existing ordinance is adequate to address issues of soil erosion, tree protection, water quality and availability. In the case of our client, it is an unreasonable restraint on our client's ability to utilize its property and enable our client to mitigate impacts from agricultural development or limited residential use. This appears to be a plan to eliminate the will of the voters.

We understand that water security is a priority for the County for a variety of reasons. We believe that our client's property will not impact the groundwater or violate the Clean Water Act. If a vineyard is managed under practices that replenish aquifers, minimize soil erosion and protect waterways then why is there the need for a restriction on slopes over 30%? Arbitrary restrictions such as this amount to a taking of property without an overwhelming legal reason to do so. We believe that Napa County presently has adequate laws as well as State laws that protect the landscape and environment of Napa County. A landowner should have the right to convert their land to a profitable use.

Landowners who have slopes over 30% are receiving unequal treatment in your proposed revision to the ordinance. If the board is inclined to enact changes to the ordinance our client requests that the restriction prohibiting new planning instructions on slopes over 30% be eliminated from any change.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael Rupprecht", with a stylized, flowing script.

Michael Rupprecht

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 11:35 AM
To: Whitney, Karita
Subject: FW: Water Quality and Tree Protection

Sent with BlackBerry Work
(www.blackberry.com)

From: Nancy McCoy Blotzke <nancymccoy@sonic.net>
Date: Tuesday, Mar 26, 2019, 11:33
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>, Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: Water Quality and Tree Protection

Dear Brad,

You are hearing much from people who are claiming their property rights give them special privileges.

Does the fact that one is fortunate enough to own property in Napa County, give one the right to do things that negatively impact the wellbeing of the community and the world?

What are property rights? What about slave owners in the early 1800s? What about their “investment”? Did their property rights make it okay to hold humans in bondage? What about the property rights of the man who has acres of tires which catch fire? What about the “property rights” of real estate developers who expected to have a big return on their investment before the Ag Preserve was enacted? The fight for the Ag Preserve 50 years ago was a direct confrontation to property rights. Realtors expected to become wealthy by dividing and selling their property. Then, just as now, those who oppose regulations were claiming that restrictions would destroy the Valley’s economy. But because of the Ag Preserve we were able to prevent the valley from becoming a Silicone Valley, and we were able to make agriculture affordable for farmers.

Now we are at another crossroads. The Ag Preserve is being used as an excuse by the wealthy, to put agriculture where it was never meant to be. A few people are claiming that their property rights should supersede the wellbeing of the rest of our county’s citizens and the world. Nothing is preventing parents from passing what they already have to their children and nothing is preventing those children from following in their parent’s footsteps on that property as it is. (even though it does not meet stricter standards),

We are facing a climate emergency. Do we really want to say that anyone’s children (rural property owners or city dwellers), or the rich developers should continue to have the right to 1) destroy forests and natural land--the most valuable source of carbon sequestration that we have in this time of a climate emergency, 2) remove habitat for endangered species 3) threaten the water that feeds the cities and some of their very own wells? Agriculture is at risk without these regulations.

If people are fortunate enough to have property in this beautiful valley, why not keep it pristine? What a much more beautiful gift to give their children—especially because they will surely be asking why their parents did not do everything they could to prevent the climate catastrophe that looms in their future.

The proposed measure before you that would allow 27,800 acres of woodland to be deforested is unacceptable. Mitigation on already protected land is unacceptable.

You can make a much wiser decision today

---Knowing that today's children and grandchildren depend on the urgent action necessary to preserve what is left of this valley and the climate that allows it to be so beautiful and productive.

--Understanding the need and the science to preserve water for agriculture and unpolluted drinking water for all citizens.

--Recognizing the unprecedented need to preserve every bit of carbon sequestration we now have in our trees and natural lands.

Thank you for taking a stand for the environment and for future generations.

Sincerely,
Nancy McCoy-Blotzke

03/25/19

To
Board of Supervisors:

I condone the Conservation of what remains of both the West & East side of Napa Valley.

The so called "brush" as well as "tree canopy" are vital to our ecosystem, climate, and environment.

Stream set backs need to be preserved as Nature plays an unpredictable part in the County.

Therefore, how to regulate precious land is a problem not to be taken lightly.

We, as responsible stewards of the land, must take responsible action. - What is left of Napa County for future generations to explore, enjoy, and care for? All of us are!

Thank you -

Claire M. Camp.
Mirabile Ranch

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MAR 26 2019

COUNTY OF NAPA
EXECUTIVE OFFICE

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MAR 26 2019

COUNTY OF NAPA
EXECUTIVE OFFICE

March 26, 2019

To: Napa County Board of Supervisors

From: George G. Watson, St. Helena

The ordinance on page 5 states that the BOS directed staff to prepare an ordinance that would implement the several various setbacks and include various exceptions, including item (14), to exempt vineyards of less than 5 acres on slopes of 15% or less from the ordinance requirements. The as-drafted ordinance does not include this exemption and thus does not comply with BOS direction. Has anyone checked the ordinance for exact compliance with the BOS stated requirements and notified the BOS of the differences?

A handwritten signature in blue ink, appearing to read "G. Watson", with a long horizontal line extending to the right.

Whitney, Karita

From: Valdez, Jose (Louie)
Sent: Tuesday, March 26, 2019 12:33 PM
To: Whitney, Karita
Subject: FW: Buckland March 26 BOS Comments
Attachments: BOS March 26th Buckland comments.pdf

Importance: High

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Morrison, David <David.Morrison@countyofnapa.org>
Sent: Tuesday, March 26, 2019 12:13 PM
To: Brax, Jeffrey <Jeffrey.Brax@countyofnapa.org>; Anderson, Laura <Laura.Anderson@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>; Sharp, Leigh <Leigh.Sharp@countyofnapa.org>
Cc: Tran, Minh <Minh.Tran@countyofnapa.org>; Valdez, Jose (Louie) <Jose.Valdez@countyofnapa.org>
Subject: FW: Buckland March 26 BOS Comments
Importance: High

From: Garrett L Buckland <garrett@premierevit.com>
Sent: Tuesday, March 26, 2019 11:55 AM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>
Cc: 'Molly Williams' <mwilliams@napagrowers.org>
Subject: Buckland March 26 BOS Comments
Importance: High

Chair Gregory,

I was unable to give comments directly today, due to the large volume of attendees.
Please find my attached comments to be added to the record regarding the WQTPO being proposed.

Thanks,

Garrett

Garrett Buckland
Partner
Premiere Viticultural Services
P.O Box 10880
Napa, CA. 94581
(707) 974-1706

Dear Napa County Board of Supervisors,

I'm commenting today via email due to the overwhelming attendance at the March 26th BOS meeting; the inability to spend all day at the meeting, and complexity in finding parking. Please consider my comments for inclusion into the record as public comment.

I would like to point out some items that have not yet been thoroughly discussed at prior meetings by the BOS or the planning commission.

Impacts of the WQTPO on future property tax revenue; the future impact on schools, the general fund, and fire management resources.

By enacting this ordinance there are real consequences for many rural properties in the county. How many properties would be ineligible for adding value to their properties? Has this been evaluated?

The general plan calls for rules and regulations to be applied that are equitable and fair. The general plan calls for Agricultural uses on most zoning designations to be the "highest and best use" of the land, and the only commercial activity allowed in these zoning districts without a use permit. Does the WQTPO conflict with the general plan language when many rural properties would be unable to have commercial agricultural activity adding significant value to their land? Cattle grazing is not an economically viable use for many rural Napa County properties, and is a use that can be in direct conflict with the goals of the WQTPO and the goals of reducing sediment in our waterways.

- Vineyards play a tremendous role in funding the activities of our County and State Governments; this fact cannot be denied. The American Farmland Trust tallies the net impact of tax revenue by type of land use with a metric Cost of Community Services (COCS). The median COCS for all of these studies conducted across the country are:
 - Residential land use: \$1.16
 - Agriculture, Working Lands and Open Space: \$0.35
 - Commercial and Industrial: \$0.29

In short, residential land uses do not pay for their services, so we are left to rely on businesses to pick up the deficit. If agriculture, such as vineyard land, is not allowed to exist on some parcels, do those parcels become only a burden on the rest of the County? Do all other rural parcels in the County have to pay for this deficit in services into the future? Does this burden reside solely on the properties that have already reached their "build out" conditions? Will significant fire suppression dollars be spent on these areas that not be recovered? Will the county deviate from the general plan in the future and encourage commercial/industrial growth to fill in shortfalls in revenue?

The tax roll in 2017 was worth \$37.462 billion, this is a significant number for our small county. This is a direct result of agriculture and its value added to Napa County. Considering that vineyards only occupy 9% of Napa County land this number is remarkable but is it enough to keep us running for the next 30 years? The General plan EIR looked at this, and the target of 10,000 additional acres of vineyard land was evaluated for the economic impact. How does the WQTPO contradict the General plan EIR? Has this been evaluated?

I've included a handful of properties and their tax bill for the year so you can see the impact firsthand on what a vineyard can do for the finances of Napa County.

In addition to the below examples of properties and their tax revenues, please see three different articles that highlight the continued value that agriculture plays in Napa County.

https://napavalleyregister.com/wine/napa-valley-grapegrowers-report-climate-benefits-of-ag-land/article_c944005f-dea2-5fdf-a108-37298a2bdfce.html?utm_campaign=website&utm_source=sendgrid.com&utm_medium=email

https://napavalleyregister.com/wine/renewing-a-commitment-to-the-ag-preserve/article_dac97f22-924e-5a1c-8401-c8de3875fd74.html?utm_campaign=website&utm_source=sendgrid.com&utm_medium=email

https://napavalleyregister.com/wine/the-economics-of-ag-land/article_0da9e41e-6635-592f-a3ca-92bbbb7f7e9e.html?utm_campaign=website&utm_source=sendgrid.com&utm_medium=email

In summary, In addition to evaluating the economic impacts for the term of the current General Plan, I ask that you reconsider passing this ordinance and renew your commitment to “agriculture is the highest best use of the land”.

Thank you for your consideration.

Sincerely,

Garrett Buckland

Hedgeside Ave.



2018 Property Tax Payment \$173,841/year



Burned in 2017

2018 Property Tax Payment \$335,786/year



Burned in 2017

2018 Property tax payment \$24,763/year



Burned in 2017

2018 Property Tax Payment \$24.86 Land trust parcel



Soda Canyon property, Burned in 2017, significant burn liability

2018 Property Tax Payment \$1,060/year



Burned up to vineyards in 2017

2018 Property tax payment \$256,589/year

Whitney, Karita

From: Cortez, Nelson
Sent: Tuesday, March 26, 2019 1:41 PM
To: Whitney, Karita; Valdez, Jose (Louie); Morgan, Greg; Sharp, Leigh; Brax, Jeffrey
Cc: Tijero, Jesus
Subject: FW: Water Quality and Tree Protection Ordinance - Public Comment

Fyi.

From: Randy Bryant <randy@rebengineering.com>
Sent: Tuesday, March 26, 2019 1:32 PM
To: Morrison, David <David.Morrison@countyofnapa.org>
Cc: Tijero, Jesus <Jesus.Tijero@countyofnapa.org>; Cortez, Nelson <Nelson.Cortez@countyofnapa.org>
Subject: Water Quality and Tree Protection Ordinance - Public Comment

Dear David Morrison, and Board of Supervisors:

I live and work in the Napa Valley, and would like to share my comments with the Board of Supervisors about the subject ordinance.

After waiting all morning today to speak I found that I had to leave the hearing after lunch to take care of other business.

The subject ordinance should not be approved, as we currently have sufficient regulations in place to preserve the environment. I believe it would be more helpful to have a forest management set of guidelines, than a tree protection regulation, so that fires like we have been experiencing can be averted. If the County thinks tree protection is important, then it should be limited to century oaks and heritage trees. These should have arborist oversight to consider their care and management. The forests are already too dense and full of ladder fuels, and property owners should be encouraged to clean up their forest lands. I have heard it said that a 300' buffer would be more appropriate for a fire safe zone than only 100'.

In regards to water quality, current regulations are very restrictive, and sufficient. With the erosion control measures, BASMA, and other Local, State, & Federal regulations in place at this time, I see no need to have additional more restrictive regulations. Should the County wish to be more considerate of municipal watersheds, they could include a review by City agencies of plans that propose development in those watersheds. City comments could then be considered in the approval process for those projects.

As for development of lands on slopes greater than 30%, the current hillside ordinance already address this. I have had one project approved on slopes over 30%, of the nearly 1500 projects that we have worked on in the Napa Valley. That project took 10 years to approve, and is a testimony to how good the current regulations are which limit development on hillsides with steep slopes. Given that we want to create more housing for future generations, I think that regulations could stand to be loosened up for residential development to allow some hillside development of lands where there are no alternatives.

Please consider these comments our most honorable Board of Supervisors, and help us manage the forests of the Napa Valley along with ways to allow for more housing. This doesn't happen by merely stopping the cutting of trees, and creating setbacks to water courses. The real problem to tackle is traffic, and how it impacts our daily lives.

Thank you for your consideration of my comments.

Sincerely,

Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.
P.O. Box 113
Saint Helena, CA 94574
(707) 815-0975 Cell
(707) 963-8638 Office
(707) 963-2346 Fax
Randy@rebengineering.com

Napa County Board of Supervisors meeting
Tuesday, March 26, 2019

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MAR 26 2019

Comments by: LouAnn Best

Topic: biodiversity loss; Rector watershed case study

COUNTY OF NAPA
EXECUTIVE OFFICE

Hello, my name is LouAnn Best. I live at 3260 Soda Canyon Road. I was 3 years old in 1975 when my parents purchased their home that I grew up in. I have seen so many changes through the years.

Today I'll be giving an example of how biodiversity loss happens with conversion of wildland to vineyard in Napa County.

1,500 acres of trees, shrub, and grassland have been converted to vineyard in Rector watershed since the late 1980s. That's about 20% of the area; the highest percentage of any water supply watershed in Napa County (Manfree 2019).

Before vineyards... mule deer, jack rabbits and many other wildlife were abundant.

Until the 1990s, there was a herd seen of about 40 to 60 mule deer in the meadows and woodlands. It was common to see two or three jack rabbits running around our property. Red-tailed hawks and other predators were seen daily.

Now, the meadows and woodlands have mostly been converted to agriculture, leaving the deer without food and migration routes. Deer found eating grape vines may be legally shot with a depredation permit. But let's face it - Rector plateau is not patrolled, and the game warden wouldn't know if deer were being shot. In the early 2000s, there was a rumor that vineyard workers boasted that they had shot 60 deer. That was the entire herd! Mule deer are now extremely rare.

Jack rabbits were also common in Rector watershed before vineyards. They are now uncommon. Rabbits are trapped and killed at vineyards and their meadow and woodland habitat has been taken away.

When you take habitat away, animals don't simply move over to adjacent habitat and thrive. They compete for territory with animals that were already there and not all survive.

With deer and rabbits gone, predators don't have much to eat, and they are now a rare sight.

On the flipside, starlings were once rare in Rector, but they've moved in along with vineyards. Starlings are a non-native bird that out-competes smaller native birds for nest sites and food (Koenig 2003).

Vineyard ponds provide habitat for invasive bullfrogs, sunfish, and bass. In storm events, these aquatic invaders wash into creeks, where they eat young native amphibians and compete with them for food (Kupferberg 1997).

There is no wildlife monitoring in Rector watershed. These biodiversity losses have occurred without any documentation. But just because we aren't tallying on paper, doesn't mean we aren't losing species.

Biodiversity loss is a real threat, and conversion of wildlands to vineyards is a leading cause. We need to do a better job. I urge you to protect biodiversity by adopting policy that requires all mitigation be done in areas unprotected by existing rules.

References

Manfree, A.M. 2019. Napa County Conservation Policy: Existing Conditions and Proposed Policy Impacts. Comment to Board of Supervisors, March 2019.

Koenig, W. D. 2003. European Starlings and Their Effect on Native Cavity-Nesting Birds. *Conservation Biology*, 17: 1134-1140. doi:10.1046/j.1523-1739.2003.02262.x

Kupferberg, S. J. 1997. Bullfrog (*Rana catesbeiana*) invasion of a California river: The role of larval competition. *Ecology*, 78: 1736-1751. Doi: 10.1890/0012-9658(1997)078[1736:BRCIOA]2.0.CO;2

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Napa County Board of Supervisors meeting

Tuesday, March 26, 2019

MAR 26 2019

COUNTY OF NAPA
EXECUTIVE OFFICE

Comments by: Amber Manfree, PhD, on behalf of GVRA

Topic: Current policy conditions compared to proposed conditions

My name is Amber Manfree. I am a Napa resident with a doctorate in Geography. My specialty is landscape change. Today I will discuss the results of an analysis I completed for Growers/Vintners for Responsible Agriculture that compares impacts of existing policy to proposals suggested over the past couple of months.

Here is our situation: in Napa County, the valley floors have been developed. Most parcels with developable acreage are in the hills. Most of those parcels have some slopes and stream areas that are already off-limits to development due to the Hillside Ordinance.

Currently, land owners converting wildlands to ag often count trees on slopes over 30% and in stream setbacks toward their conservation goals of 2:1 oak mitigation county-wide and 60/40 retention in the watersheds. Double-counting means that only 10 to 20% of supposed "conservation" from the 2:1 rule and 60/40 actually saves additional trees or shrublands over what is already protected by slope and stream setback rules.

Oaks make up over 70% of developable forest area in Napa. Extending protection to other trees is good, but it's important to understand that oaks are the bellwether. Unless we substantially improve protections for our oaks, we don't get a meaningful increase in overall forest conservation. That means we have to do a lot better than the existing 2:1 mitigation rule.

Current rules leave more than 34,400 acres of forest at risk of development. The proposed 3:1 policy with mitigation allowed on undevelopable areas would leave 27,800 acres of forest at-risk, only increasing canopy protection by 4% county-wide.

A 2:1 mitigation policy without mitigation on undevelopable land would leave about 14,600 acres of canopy at risk of deforestation.

Instead, adopt a rule that 3:1 mitigation of forests and - most importantly - requires that mitigation be done on developable land only. This would increase canopy protection by 14% over current conditions, bringing canopy at-risk of deforestation down to about 10,900 acres.

To protect our water supplies, I don't recommend linear setbacks from reservoirs, but I do recommend maximizing tree protection and setting aside more shrub and grassland because these are major land cover types in water supply watersheds. Monitoring water quality with field data collection and developing hydrologic models would also be helpful.

In closing, climate change, biodiversity loss, and water pollution are real threats in Napa. We need to do our part to stabilize the climate and stop biodiversity loss. We need to stop allowing mitigation in undevelopable areas. Today, you have a precious opportunity to take meaningful action. I urge you to protect our trees, our water, and the value of our existing crop lands by doing what is in your power to address these problems.

California Native Plant Society

To: Napa County Board of Supervisors
c/o Jose Luis Valdez, Clerk of the Board
1195 Third Street, Suite 310
Napa, CA 94559
707-253-4380

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MAR 26 2019

COUNTY OF NAPA
EXECUTIVE OFFICE


Thank you for allowing me to speak,

I am here as a representative of the California Native Plant Society. I have heard that remarks abounding about a lack of a problem and no need for a solution. At least 32 native plant species that were here historically no longer grow in Napa County. Over 90% of Napa County's Valley Oak Savannah has been removed and as much as 95% of the wetlands have been lost. In the 43 years that I have been studying the flora of Napa County, scores of plant species have declined by 60-90%. As a field botanist doing plant cover monitoring, it is not uncommon to see native plants reduced to 0 to 10 % of the plant cover within our grasslands. There is a tragedy and a problem!

I don't know that the current proposed regulations are the best solution but they are a step in the right direction. We must find a way to preserve our livelihoods while at the same time protecting our environment from overdevelopment. Many studies have found that fragmentation of habitats prevent survival of species. Plant and animal populations can't interact and adjust to changes when this occurs. Tree removal limits helps to address the problem of fragmentation.

We are facing an existential threat, climate change, and we all saw the effects of the 2017 fires. I have seen a home built 80% from stone sitting in the middle of 90 acres of vineyards that was burnt to the ground. Times have changed and we need to think differently about solutions. Land use policies have to be created that takes everyone's interests in the environment in mind while also providing a sustainable economic future. The current regulations are not doing that. Yes, we may have slowed erosion, but we are not protecting water quality enough and we are not protecting species diversity in our land use regulations. It is great to protect the rare species but we can't drive the common species into rarity.

I applaud the measures to set watershed limits on development. We need to find a way to prevent erosion into the small feeder streams. We need to recognize diversity at both the species and community level in the policies. This set of proposals places lower value in Brushland communities which support greater diversity and this plan ignores the herbaceous or grassland communities entirely. We, as individuals can't survive in isolation and the species around us can't either. This is becoming apparent within local vegetation communities. Let's do the right thing for each other because our communities will fail eventually if we don't.


Jake Ruygt

Conservation Chairman,
Napa Valley Chapter, California Native Plant Society
2201 Imola Ave., Napa



Dedicated to the preservation of California native flora



Whitney, Karita

From: Cortez, Nelson
Sent: Wednesday, March 27, 2019 2:30 PM
To: Pedroza, Alfredo
Cc: Whitney, Karita; Valdez, Jose (Louie)
Subject: FW: Watershed Protection Ord. Proposal

From: Peter <pjuve@aol.com>
Sent: Wednesday, March 27, 2019 9:32 AM
To: Cortez, Nelson <Nelson.Cortez@countyofnapa.org>
Subject: Watershed Protection Ord. Proposal

This note is to inform my supervisor that I am opposed to the proposed changes to the Watershed Protection Ordinance under consideration. Some but not all of my reasons are: 1. Further consideration of such an ordinance ignores the will of the voters, 2. the impression if not the fact of a minority imposing its views on the majority after a defeat at the polls, 3. the over regulation of human activity and endeavor by local government when current regulations are effective, and 4. the lack of a stated and document local problem which needs to be addressed.

I ask that the supervisor reject the proposed ordinance.

Thank you for your time and attention to my opinion.

With all due respect and thanks for your public service,

Peter Juve
1047 Ross Circle
Napa, CA 94558

Sent from [Mail](#) for Windows 10

Whitney, Karita

From: ClerkoftheBoard
Sent: Wednesday, March 27, 2019 3:16 PM
To: Whitney, Karita
Subject: FW: Water Quality and Tree Protection Ordinance
Attachments: Napa Valley Register Article.pdf

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Jacqueline O'Neil <jacque.oneil@oneiltaxteam.com>
Sent: Tuesday, March 26, 2019 2:00 PM
To: Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Alfredo.Peddroza@countyofnapa.org; Ramos, Belia <Belia.Ramos@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; Repmikethompsonca05@mail.house.gov; Bill@billdodd.com; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>
Subject: Water Quality and Tree Protection Ordinance

March 26, 2019

Water Quality and Tree Protection Ordinance

Board of Supervisors
D1. Brad Wagenknecht
D2. Ryan Gregory
D3. Diane Dillon
D4. Alfredo Pedroza
D5. Belia Ramos
Clerk of the BOS
Mike Thompson.
Bill Dodd

Brad.Wagenknecht@countyofnapa.org
Ryan.Gregory@countyofnapa.org
Diane.Dillon@countyofnapa.org
Alfredo.Peddroza@countyofnapa.org
Belia.Ramos@countyofnapa.org
clerkoftheboard@countyofnapa.org
Repmikethompsonca05@mail.house.gov

Bill@Billdodd.com

Dear Board or Representative:

I am a homeowner who has property in Calistoga, CA. In the past 3 years – we have had the most incredible mixed messages from the County of Napa with respect to our tree preservation and management. It is unbelievable how it appears that this county is making decisions that negatively impact our residents without sufficient notice, environmental study or discussion.

I am writing you about the proposed Water Quality and Tree Protection Ordinance that is now being discussed in this county. From the information I can find (not much), it seems that there is no identifiable environmental problem that this highly restrictive Ordinance will solve – in fact, just the opposite according to PGE and the “experts” that I’ve spoken with on the issue of Tree Management.

I am in a legal dispute with PGE because they have removed over 1,000 of my beautiful live Oak Trees – without my permission and against my **STRONG OPPOSITION**. Contrary to the arguments that Napa County is making with respect to this ordinance, Napa County has allowed large corporations like PG&E to rape private land in the County at will and without any regard for erosion control, garbage and brush clearing. I am shocked and amazed that the County now wants to restrict those same landowners from managing their own property – really???

Here is the story on my issue (some of you have heard from me already – but I never heard back):

On or about August 9, 2018, without our permission or knowledge, PGE came onto our private property and cleared about 200,000 square feet of extreme sloping land. There was no erosion control performed. Instead, logs, trash, cans, a broken fence and destroyed gate were left.

On or about September 22, 2018, we arrived back home to find this disaster. We immediately contacted PGE who told us that they had the right to be there and that we (**and Napa County**) had given permission. **WRONG**. There was no knowledge and no permission from me for PGE to cut down over 1,000 of our live oak trees. In fact, because of PGEs lack of concern or attention, I contacted the Calistoga paper and Cynthia Sweeney, the editor, immediately came for a visit and wrote an article because, they too, were terribly concerned and horrified by this action. See October 3, 2018 article attached hereto.

Now – here is where the County comes back in . . .

I contacted every person I could find in Calistoga and Napa County to address this horrifying activity that occurred on my property. Those people include, but are not limited to: Mike Zimmer, Diane Dillon, Patrick Ryan, and Brian Bordona. All of these people seemed concerned but none of them had any advice for me and certainly did not appear to believe that the removal of over 1,000 trees on an extreme slope on my private property was urgent, or even important. I never heard back from any of these people about the remediation and who is going to fix the landslides that occur as a result of this mess??

AND – subsequent to this period of angst when I called and tried to get some sort of resolution from either the County of Napa or PG&E, PG&E contractors came back when I was away around Christmas time and cleared another 500 trees or so – **YES**. That happened. **AFTER** the article, my angry upset calls and notice to the County. **Yes** – they removed another immense portion of my forest.

The “science” surrounding the reason that Napa County has allowed this atrocity to occur is for Fire Safety. I have been told definitively that vineyards and cleared land stop fires. **VINEYARDS STOP FIRES**. Not one of the Napa County Representatives or Environmental Experts called me or helped me or seemed to believe that the actions of PG&E to my property were detrimental to the County Environment – quite the contrary by their actions. Why would Napa County now decide to not allow vineyards to be planted on the Napa hillsides when they are going to preserve water (vineyards take less water than a forest) and prevent or stop fires????

It sure seems to me that this Ordinance being proposed is to prevent private citizens and taxpayers of Napa County from protecting their property and putting in agriculture that will aid in fire prevention. Really?

However, Napa County is very fine with allowing a big Corporation (PG&E) to clear cut on private property all over the county. Really???

That sure seems like a problem to me – don't you agree????

It might make sense to do some more research before signing on to an Ordinance that is unsound, discriminatory and most probably detrimental to the environment that we are trying to protect.

If I can assist or you have any questions, please call me at the above number. We thank you in advance for your attention to this very serious matter that affects me and my property at Jericho Ridge.

Jacqueline O'Neil

A T T A C H M E N T

2/12/2019

Calistoga property owner 'startled' by PG&E tree work | Local News | napavalleyregister.com

BREAKING Napa County, Bremer Family Winery reach lawsuit settlement

https://napavalleyregister.com/news/local/calistoga-property-owner-startled-by-pg-e-tree-work/article_515d7083-acf1-5355-814c-f3f814af8591.html

Utilities

Calistoga property owner 'startled' by PG&E tree work

Cynthia Sweeney csweeney@weeklycalistogan.com Oct 3, 2018

TRY 1 MONTH FOR 99¢



Jacque O'Neil says PG&E cut down about 1,000 trees on her 40-acre property on Old Lawley Toll Road in Calistoga.

Cynthia Sweeney photos/THE WEEKLY CALISTOGAN

https://napavalleyregister.com/news/local/calistoga-property-owner-startled-by-pg-e-tree-work/article_515d7083-acf1-5355-814c-f3f814af8591.html

CALISTOGA — PG&E has been cutting down trees in Napa County in extreme fire-threat areas, and while the measures are necessary under state and federal guidelines, and no one wants a repeat of last year's wildfires, at least a few property owners are aghast at the results.

Jacque O'Neil now has what she calls a "ski run" down her property. In August, the electric company cut down what she says are some 1,000 trees on her and her husband's 40-acre property about two miles up Old Lawley Toll Road in Calistoga.

"They didn't ask permission, they left debris everywhere, tore down fencing and a gate, and have decimated my property. This is atrocious," she said.

Dale Bleacher and his wife, Marla, own Jericho Canyon Vineyard, on 135 acres, across Old Lawley Toll Road from O'Neil. That property has also been affected by the tree cutting.

Bleacher called the severity of the tree cutting "startling. It was several thousand feet." However, "In light of last year's wildfires I didn't object. Essentially it's a firebreak."

The power lines that run through the O'Neil and Bleacher properties are transmission lines, which are of higher voltage than other lines and fall under federal standards, not the state's, said PG&E spokesperson Deanna Contreras.

"They come with completely different guidelines and require different kind of work than other power lines," she said.

Thus, PG&E is partnering with customers to create 80-foot fire defense zones around lines in extreme fire-threat areas.

"Cal Fire actually recommends more but our goal width is 80 feet, especially along transmission lines," Contreras said.

O'Neil also said the area where the trees were cut is littered with beer cans and water bottles. A fence and gate were destroyed, leaving the O'Neil's hobby vineyard open to deer, turkeys, and other animals.

"It's so disrespectful," she said.

Bleecher also has an issue with the way some trees have been cut.

"They're butchered and made to look pretty ugly. They might as well cut everything down. It looks like they are cutting any tree that, if it fell, would fall on a power line. I don't agree with everything (they are doing) but anything to reduce fire danger is a plus," he said.

O'Neil also complained about the lack of communication regarding the tree work from PG&E.

The O'Neils were away when the tree work was done in August, and returned in late September. When Jacque O'Neil discovered the clearing on the property, she said she left three messages with PG&E which were not returned.

Contreras said the company was in contact with O'Neil's husband, Patrick, and discussed the nature of the work to be done earlier this year.

Bleecher said that the electric company had been in contact with him, so he was aware that the work would be taking place.

"They were definitely in communication with me," he said, also noting he has seen many tree-cutting trucks in the area.

"For the safety of the area, we worked with the (O'Neil) land owner and he agreed to the additional work that does go beyond state and federal standards," Contreras said. "As part of the voluntary agreement, PG&E cut up the logs into firewood, at the customer's request. This is for wildfire safety in high fire threat areas."

"There is one other property along the transmission line in which PG&E is reaching out to the customer for the fire defense zone work. Other than that, we are done in this area," Contreras said.

The tree clearing on this portion of road will also create another problem when the rains come, O'Neil said.

"This is going to create the biggest watershed in the spring. The whole road is going to be a problem," she said.

You can reach Cynthia Sweeney at csweeney@weeklycalistogan.com or 942-4035.

MORE INFORMATION

 +2



PG&E comes to Napa County for feisty Angwin fire danger meeting

Whitney, Karita

From: ClerkoftheBoard
Sent: Wednesday, March 27, 2019 3:16 PM
To: Whitney, Karita
Subject: FW: Draft of "Water Quality and Tree Protection Ordinance"

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Mary Jo Johnston <mwisne5969@aol.com>
Sent: Tuesday, March 26, 2019 11:52 AM
To: Brad.Wagenknect@countyofnapa.org; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethompsonca05@mail.house.gov; BILL@BILLDODD.COM
Subject: Draft of "Water Quality and Tree Protection Ordinance"

Dear Supervisors/Clerk of the Board//Thompson/Dodd:

Anti-growth, anti-agriculture sectors of our community have fast-tracked a proposed ordinance which lacks an identifiable environmental problem that it will solve. County leadership has not provided any analysis on the final impact this will have on property values, and the resulting negative impact to the General Fund. We request a pause to gather data, identify where the problems in our current regulations are, and work together to continue to make our community viable for all.

Thank you for your consideration and good judgement on this issue.

Sincerely,

Drs. Charles and Mary Jo Johnston
5326 Petrified Forest Rd.
Calistoga, CA 94515
707 942-6393

Whitney, Karita

From: ClerkoftheBoard
Sent: Wednesday, March 27, 2019 3:17 PM
To: Whitney, Karita
Subject: FW: No to WQTPO
Importance: High

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: David Ehrenberger <drehrenberger@gmail.com>
Sent: Tuesday, March 26, 2019 3:09 PM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: No to WQTPO
Importance: High

Dear Clerk of the Board,
As a land owner in Napa County, I send this email in **strong opposition to the proposed Water Quality and Tree Protection Ordinance** under consideration by the Board of Supervisors. This ordinance, if approved, will have devastating impacts on the economy of Napa County.

The County is basically proposing to forbid any construction on the west and the east sides of Napa Valley, plus many of the interior hills. In addition to dramatically and negatively impacting property values, this ordinance would have major implications for any landowner—including myself—architect, contractor, landscaper, subcontractor, real estate broker, and ultimately the owner of any house in Napa County. You can't hit the economy with a sledge hammer without damaging all aspects of that economy. When you couple the degree restrictions for future building with forbidding any new construction within 65 feet of rivulets that flow down the hills after a winter rainstorm, the County is will dramatically and capriciously reduce any future construction in the valley. Furthermore, this ordinance essentially forbids me and property owners across the Valley from acting to protect our properties from fire dangers.

Finally, although this proposed ordinance affects tens of thousands of acres, it has been proposed with **no Environmental Impact Report** and, even worse, not the slightest notice to the thousands of affected property owners.

I respectfully request my opposition to this ordinance under consideration today at the Board of Supervisors (I am currently out of State and cannot attend).

Thank you.

David

David Ehrenberger
303 641 8753

Whitney, Karita

From: ClerkoftheBoard
Sent: Wednesday, March 27, 2019 3:15 PM
To: Whitney, Karita
Subject: FW: Water Quality and Tree Protection Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Eve Ryser <everyser@gmail.com>
Sent: Tuesday, March 26, 2019 12:00 AM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: Water Quality and Tree Protection Ordinance

Dear Napa Board of Supervisors,

I am a nineteen year resident of Napa, a homeowner, and a parent raising my children in this community.

I am writing to express my deep concern about the environmental destruction that has already occurred in our valley, and my sincere belief that we MUST impose effective limits to development in order to protect our watershed and woodlands.

We are already experiencing new weather extremes and the deadly, costly and heartbreaking destruction those extremes leave in their wake. Our valley has experienced rampant development which has already irreparably changed the landscape of our beautiful valley, imperiling our watersheds and woodlands and leaving us more and more vulnerable to fires, landslides, erosion, tainted water and loss of habitat for our native species.

Our watersheds oak woodlands and forests have been under attack by developers who have succeeded in convincing those in power to prioritize profits, corporate power and political expediency over protecting our environment.

As our elected Supervisors, you have the power and the responsibility to prioritize the safety, security and beauty of our valley by supporting an ordinance that provides MAXIMAL protection to our environment and our natural resources.

There has been a widespread misinformation campaign underway, funded by private property rights advocates and a wealthy (and already far reaching and incredibly powerful) wine industry. I am writing to prevail upon you, for the longterm health and lasting beauty of our valley, to not be swayed by this greed-driven propaganda.

The current, watered down version of this ordinance leaves more than 25,000 acres of oak woodlands at risk of deforestation. This is unacceptable. These precious resources are essential, irreplaceable, and imperiled. This kind of deforestation will negatively affect the aesthetics, health and integrity of our beautiful valley. It is time to take the long view and prioritize the protection our environment and our natural resources.

PLEASE ACT ON OUR BEHALF TO SUPPORT THE STRONGEST POSSIBLE PROTECTIONS FOR OUR WATER QUALITY AND OUR REMAINING TREES.

I thank you. My children and future generations of Napers thank you.

Sincerely,

Eve Ryser
1045 Foster Rd.
Napa, CA

Whitney, Karita

From: ClerkoftheBoard
Sent: Wednesday, March 27, 2019 3:15 PM
To: Whitney, Karita
Subject: FW: Water Quality and Tree Protection Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Ken & Alice Green <kenalice@sbcglobal.net>
Sent: Tuesday, March 26, 2019 7:55 AM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: Water Quality and Tree Protection Ordinance

Why is the board considering this again, it failed a recent election. We don't need more, stricter regulations. All the arguments have been heard over and over, I don't need to repeat them again here. My wife and I own property that would be affected and we don't expect to develop the property, but would lose options and value. Do any of the supervisors own land that would be affected?

Ken Green
Calistoga

Whitney, Karita

From: ClerkoftheBoard
Sent: Wednesday, March 27, 2019 3:15 PM
To: Whitney, Karita
Subject: FW: Please Delay Vote on Water Quality and Tree Protection Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: barbara@domainegros.com <barbara@domainegros.com>
Sent: Tuesday, March 26, 2019 8:08 AM
To: Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: Please Delay Vote on Water Quality and Tree Protection Ordinance

Mr. Pedroza and Clerk of the Board of Supervisors:

My husband and I own approximately 43 acres at 2843 Atlas Peak.

I am writing to request that the Board of Supervisors delay the vote on the Water Quality and Tree Protection Ordinance to allow additional data to be collected and to enable a better understanding of how this ordinance would impact the constituents in your district and throughout Napa County.

I apologize for not contacting you sooner, but I only learned of this ordinance and its potential impact yesterday.

While I appreciate the desire to maintain the Napa Valley's beauty and prevent its overdevelopment, I believe we all must consider the ramifications of passing such an ordinance without adequate notice to landowners and ample consideration of all elements it affects.

Thank you for your consideration.

Sincerely,
Barbara Gros

Whitney, Karita

From: ClerkoftheBoard
Sent: Wednesday, March 27, 2019 3:16 PM
To: Whitney, Karita
Subject: FW: Mar 26,2018 9:00 am hearing
Attachments: supervisors letter3.txt

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Charles Baker <chas2112003@gmail.com>
Sent: Tuesday, March 26, 2019 11:37 AM
To: ClerkoftheBoard <clerkoftheboard@countyofnapa.org>
Subject: Mar 26,2018 9:00 am hearing

supervisors letter3.txt

Charles Baker
March 26, 2018
1678 Green Island Rd.
American Canyon, Ca. 94503

To: Napa County Board Of Supervisors and Clerk Of The Board

Re: Proposed Water Quality and Tree Protection Act

Dear Supervisors and Clerk of the Board,

I am writing this letter to you today to voice my concerns over the above mentioned proposed ordinance. As far as I can see at the moment, this seems to be a poorly crafted ordinance. It's not taking into account the problems likely to occur as a result of limiting the removal of vegetation from properties. Have we already forgotten the wildfires of two years ago in Napa County, and the fact that California in general has a huge wild fire problem? I have not, I was a victim, and our family is still trying to recover. After these fires the State and Federal Governments called for increased abatement of vegetation from both private and public properties, Not Limiting the Removal. Vegetation Alive or dead burns, as I am now painfully aware. I also realize, as the population grows in cities or rural properties they are more susceptible to wild fires. This is due to infrastructure failures, careless citizens, and a host of other reasons. I would think that protecting the environment is much more likely to be accomplished by preventing catastrophic wildfires than your ordinance. This is just one of the problems I have with the proposed ordinance. I firmly believe that the ordinances already in force in Napa County more than protect the environment, and that more limitations and greater setbacks would be counter productive, allowing only the richest of land owners, and developers the ability to develop properties in Napa County.

I was told by The Clerk Of The Board today that this letter would be the same as if I had spoken at the hearing, thus preserving my future right to raise objections.

Thank you for your time.

Sincerely
Charles Baker

Whitney, Karita

From: ClerkoftheBoard
Sent: Wednesday, March 27, 2019 3:14 PM
To: Whitney, Karita
Subject: FW: Vote No on WQTPC

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office



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From: Peter Rauenbuehler <pbrmac@gmail.com>
Sent: Monday, March 25, 2019 9:21 PM
To: Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; Ramos, Belia <Belia.Ramos@countyofnapa.org>; bill@billdodd.com; Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; repmikethompsonca05@mail.house.gov; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; joellegpc@gmail.com; Whitmer, David <Dave.Whitmer@countyofnapa.org>; Mazotti, Andrew <Andrew.Mazotti@countyofnapa.org>; anne.cottrell@lucene.com
Cc: david.morrison@countyofnaoa.org
Subject: Vote No on WQTPC

Dear Napa Board of Supervisors,

My wife and I purchased country property in Napa over 10 years. We love our house and the acreage on Wild Horse Valley Road. As stewards of our property, we take our responsibility very seriously and want to protect it for our future generations. Our house survived the Twin Sisters fire as well as the 2017 fire, yet we sustained much damage to the water system, trees, vegetation, etc. the beautiful forested rolling hills will take many years to replace. As small land owners we oppose the proposed restrictions to our property as no one cares more than us to care for our property.

Please vote no on WQTPC. Napa County is the most over regulated county in all of California. Measure C was voted down as it was not in the best interest in Napa county nor the property owners in Napa. Please don't let the big vineyard owners dictate how we should manage our property. Having suffered significant damage from

the 2017 fire, no one has reached out to help us deal with the aftermath. Fire protection should be the most important aspect for property owners given our history with fires. Property owners must have sufficient water and ability to clear dead trees and brush without having additional restrictions being imposed. Replanting burned trees at a 3:1 ration will only increase the potential for more devastating fires in the future.

Please consider your vote and the needs of property owners still dealing with the aftermath of the 2017 fire.

Sincerely,

Peter Rauenbuehler
8300 Wild Horse Valley Road
Napa, CA

Whitney, Karita

From: ClerkoftheBoard
Sent: Wednesday, March 27, 2019 3:14 PM
To: Whitney, Karita
Subject: FW: Caution and study suggested on Water Quality and Tree Protection Ordinance

Louie Valdez
Administrative Manager –
Clerk of the Board of Supervisors
County of Napa, CA
1195 3rd St., 3rd Floor
Napa, CA 94559
(707)-253-4196 Office

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-----Original Message-----

From: Harold <harold@hoogasian.com>
Sent: Monday, March 25, 2019 11:28 PM
To: Wagenknecht, Brad <BRAD.WAGENKNECHT@countyofnapa.org>; Gregory, Ryan <Ryan.Gregory@countyofnapa.org>; Dillon, Diane <Diane.DILLON@countyofnapa.org>; Pedroza, Alfredo <Alfredo.Pedroza@countyofnapa.org>; bella.ramos@countyofnapa.org; ClerkoftheBoard <clerkoftheboard@countyofnapa.org>; repmikethompsonmca05@mail.house.gov
Cc: bill@billdodd.com; harvestvino@gmail.com
Subject: Caution and study suggested on Water Quality and Tree Protection Ordinance

To Those (apparently) Who seek More Power over my property:

Our family has owned 56 acres of native land in Aenta Springs since the summer of 1970. As its sole owner now, I urge restraint and caution on the proposed Ordinance. We need to slow the brakes on this just as we slowed the brakes on Solano County when, in the last century, that government entity tried to gain control over property under private ownership.

Remember Half Moon Bay... Be forewarned: no unjust takings!

Harold

Harold M. Hoogasian, President
Hoogasian Flowers, Inc.
615 Seventh Street
San Francisco, California 94103-5691
415-229-2732 or 1(800) BAY-AREA

fax 415-229-2700
harold@hoogasian.com

This is The Day that The Lord Hath Made.
Let us Rejoice and Be glad in it!

The Four Way Test
of the Things We Think Say or Do:
Is It The Truth?
Is It Fair To All Concerned?
Will It Build Goodwill and Better Friendships?
Will It Be Beneficial To All Concerned?

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Positive Thoughts and Peace, Always!

Whitney, Karita

From: Jim Kateley <napadrycreek@me.com>
Sent: Tuesday, March 26, 2019 5:16 PM
To: Dillon, Diane; Gregory, Ryan; Pedroza, Alfredo; Wagenknecht, Brad; Ramos, Belia
Cc: ClerkoftheBoard
Subject: 9B Mar-26-2019 "final" draft comment

Hello there,

As I've been able to follow today's proceedings online (I had to leave to get back to work), I want to again urge you to amend the draft ordinance effective date to be "set a date in the future to allow transition period for potential applicants", or only apply to permits applied for after the ordinance is in effect.

To be clear, any permit application that has already been submitted and accepted by the county should be bound only by the regulations and ordinances that were in effect at the time of the permit application.

It is massively disingenuous of the county to constantly "change the rules" to property owners who are attempting legal work on their property to constantly change the requirements. As I mentioned in my public comments, the Roads and Standards have change 5 times in the past two years. It is a great financial burden to have to constantly change an already submitted permit application, and in (at least my case) driving the requirements to making a given project unviable. For conditions that there was no way to anticipate.

The proposed "substantially complete..." change is far too subjective by the county planning department, and is unactionable by the applicant.

Regards,
Jim Kateley
5700 Dry Creek Road
Napa, CA 94558