

ANTHEM APPEAL

BY PATRICIA DAMERY

1.26.2021

Section iii of the 2010 revision of the Winery Definition Ordinance

...“to ensure that the intensity of winery activities is appropriately scaled, the County considers the remoteness of the location and the amount of wine to be produced at a facility when reviewing use permit proposals, and endeavors to ensure a direct relationship between access constraints and on-site marketing and visitation programs.”

..."given local context of the winery site, site constraints, water supply, the extent the site would need to be manipulated to provide adequate access and accommodate an expanded winery and visitation levels, and the requests and exceptions necessary to accommodate the expanded winery, this site may not be appropriate for a winery of the requested size and visitation level. " *Board Agenda Letter, September 1, 2020*

Commissioner Anne Cottrell, October 3, 2018

“I’m really concerned about the number of road exceptions that are being requested here. I think we undermine our own Road and Street Standards when we have so many exceptions proposed for a single stretch of road. I’m not sure what we’re left with if we have more exception than rule.”



Napa County Comprehensive Groundwater Monitoring Program

Commissioner Terry Scott, October 3, 2018

And, issues like water, again, we don't know what the aquifers are beneath these properties, or how they're intertwined. I can tell you that I'm very concerned when neighbors say that their wells are running dry.

Commissioner Anne Cottrell, February 5, 2020

But I continue to be concerned about water out at this site. ...we have a great Water Availability Analysis, but we also have a lot of information from neighbors who have told us about year-over-year, wide variability in well productivity.

Commissioner Joelle Gallagher, February 5, 2020

I like Commissioner Cottrell's idea around waiting on the ECP to see how the wells perform. I think it's important for us to continually remind ourselves that we're not talking about a 30,000-gallon winery that's currently producing on that site, we're talking about an entitlement, but it's not actually happening right now.



EARTHWORK ESTIMATES

LOCATION	CUT (C.Y.)	FILL (C.Y.)
CAVE	14,000	5,100
DRIVENWAY	1,000	2,800
PARKING	1,000	-
WINERY	9,300	12,000
SUBTOTAL	25,300	19,900
NET	5,400 C.Y. CUT	

1. EXCESS MATERIAL ON SITE AS CLOVER FIELD OFF-SITE LOCATION NAPA COUNTY
2. FILL PLACEMENTS GEOTECHNICAL
3. SPOILS PLACEMENTS PROGRESSIVE

calti@comcast.net

From: Barrella, Donald <Donald.BARRELLA@countyofnapa.org>
Sent: Thursday, September 17, 2020 12:48 PM
To: calti@comcast.net
Subject: FW: ANTHEM
Attachments: PC Plans Anthem 10 2018 for G Caloyannidis.pdf

Hi again - just in case

Don Barrella
707-299-1338

From: Barrella, Donald
Sent: Wednesday, September 16, 2020 2:06 PM
To: calti@comcast.net
Subject: RE: ANTHEM

Hi George,
My apologies for the delayed response.

As I have indicated in past communications, the fill areas are show on Plan Page 2.1, and cross sections that include caves, existing grade and proposed grade are shown on plan pages UP3.2 and UP3.3. All caves are anticipated to be bored with the exception of the possibly a small portion of the cave extension portal (see Elevation/Section 1 on Page UP3.3).

Attached are the referenced plan sheets, as well and Plan Sheet UP1.1 and the Cave Exhibit.

Don Barrella
707-299-1338

From: calti@comcast.net <calti@comcast.net>
Sent: Friday, September 11, 2020 1:42 PM
To: Barrella, Donald <Donald.BARRELLA@countyofnapa.org>
Subject: FW: ANTHEM

[External Email - Use Caution]

Dear Don,
Since I haven't had a response, am I to assume that there are no such drawings?
George

From: calti@comcast.net <calti@comcast.net>
Sent: Monday, August 31, 2020 1:35 PM
To: 'Barrella, Donald' <Donald.BARRELLA@countyofnapa.org>
Cc: pdamery@patriciadamery.com
Subject: ANTHEM

EXHIBIT 2

SQUARE FOOTAGE

FERMENTATION 1	4,000 SF
FERMENTATION 2	4,000 SF
BOTTLE ROOM TOTAL	2,833 SF
<i>Bottle Room</i>	988 SF
<i>Lab / Office</i>	222 SF
<i>Serv./Circul</i>	1,623 SF
CAVES	20,976 SF *
<i>Barrel Storage Caves</i>	18,331 SF
<i>Water Tank Cave</i>	2,645 SF
HOPITALITY TOTAL	3,328 SF
<i>Tasting Room</i>	1,508 SF
<i>Conf. Room</i>	538 SF
<i>Cave Tasting</i>	1,282 SF *
OFFICE/CATERING	1,186 SF
MECHANICAL TOTAL	1,383 SF
<i>Mech. 1 (in cave)</i>	395 SF *
<i>Mech. 2 (in cave)</i>	308 SF *
<i>Mech. 3</i>	680 SF
TOTAL	37,706 SF
Cave Extension	4,158 SF *
House Cave Extension	1,934 SF *
Total	43,798 SF

* Notes area within the caves,
the Total area of the caves = 29,053SF

EXHIBIT 3

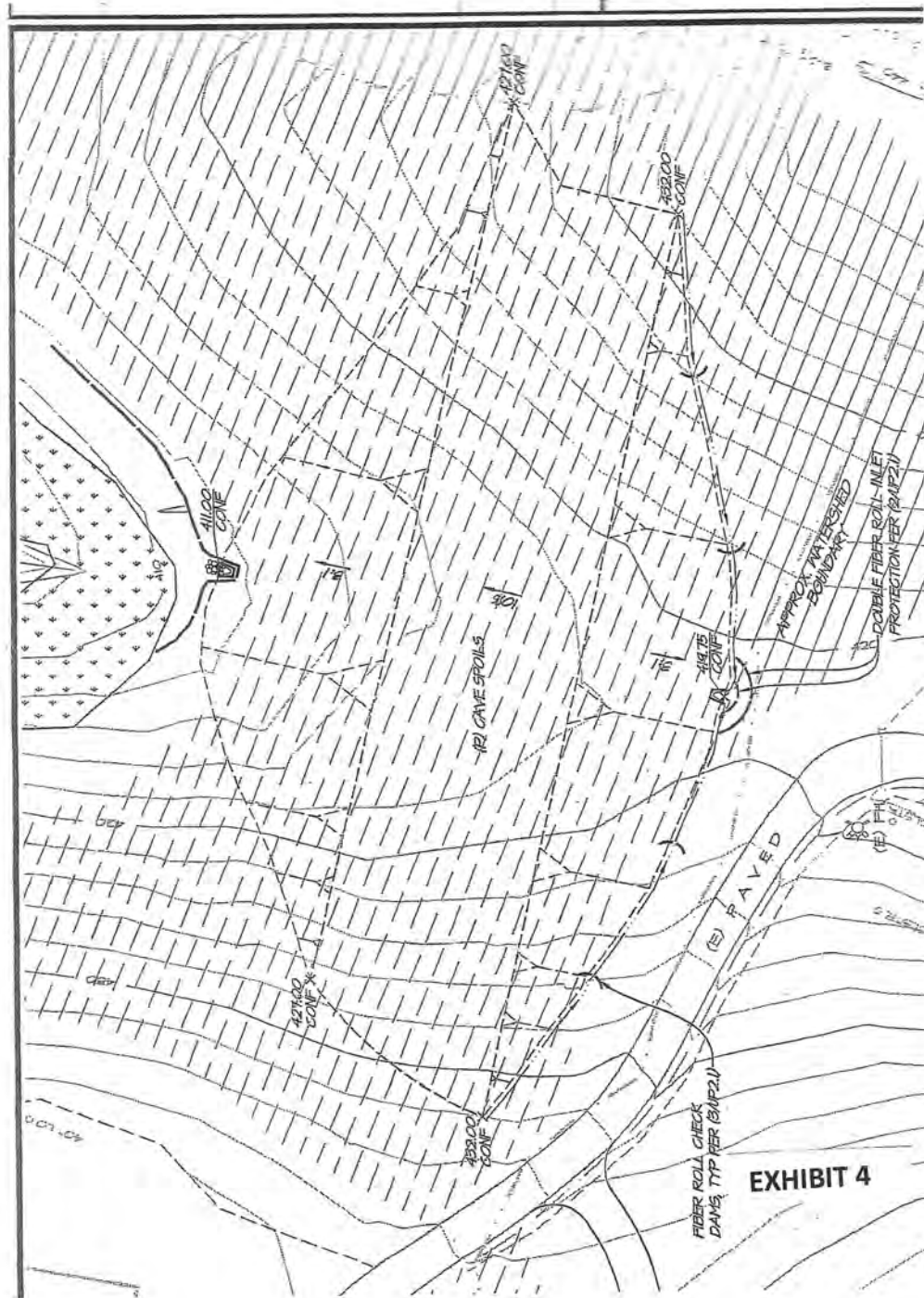


EXHIBIT 4



on/off switch (or switches) located where they would be convenient to access, and could be activated quickly. As proposed, on-site personnel would direct traffic to exit via Redwood Road verbally, as well as with the signing. To ensure that personnel were able to react quickly and appropriately to an emergency, preparation of written procedures and routine training of staff are suggested.

Impacts Associated with Construction Traffic

The project as proposed is expected to add 56 new daily trips to Dry Creek Road, including one daily truck trip, with 19 trips during the weekday p.m. peak hour and 29 trips during the weekend midday peak hour. However, before the new winery will open, the access road off of Dry Creek Road as well as the septic system on-site will be upgraded. The project is anticipating two to six truck trips per day on Dry Creek Road during construction and due to removal of some cave spoils. While truck traffic will generally occur prior to expansion of uses on the site that will generate more daily trips than the two to six associated with the construction, enduring the latter part of the construction period, the new winery will be open for visitation so the total daily trips could be slightly higher at 58 to 62, assuming peak visitation this short period. Despite the slight change in daily trips, it is anticipated that truck trips related to winery construction would occur outside of peak hours, and not affect typical morning commute or evening commute traffic, so even with the overlap of both the visitor/employee trips and construction truck trips, there are still expected to be 19 weekday p.m. peak hour trips and 29 weekend p.m. peak hour trips. No change to the analysis is therefore necessary to reflect conditions during construction and the conclusions and recommendations in our report remain unchanged.

Conclusions and Recommendations

- The proposed project would generate an average of 56 trips daily, including 19 weekday p.m. peak hour trips and 29 Saturday midday peak hour trips. After accounting for the existing trips to and from Anthem Winery, the project is expected to generate 50 net new trips daily, including 17 during the p.m. peak hour and 27 net new trips during the Saturday midday peak hour.
- The Woolls Ranch Winery would generate an average of 65 new trips daily, including 26 weekday p.m. peak hour trips and 31 Saturday midday peak hour trips onto Redwood Road.
- The combined Anthem and Woolls Ranch wineries would add an average of 62 new trips daily onto Redwood Road, including 25 weekday p.m. peak hour trips and 30 Saturday midday peak hour trips. The project would add an average of 56 trips daily to Dry Creek Road, including 19 trips during the weekday p.m. peak hour and 29 trips during the Saturday midday peak hour.
- Under Future and Future plus Project conditions, the Dry Creek Road study segment is expected to operate at LOS C and the Redwood Road study segment is expected to operate at LOS B in the eastbound direction and LOS D in the westbound direction.
- Installation of a left-turn lane is not warranted at the Dry Creek Road project driveway.
- The existing driveways will provide sufficient emergency access to and from the project site with the installation of yield signs, as proposed.

ANTHEM

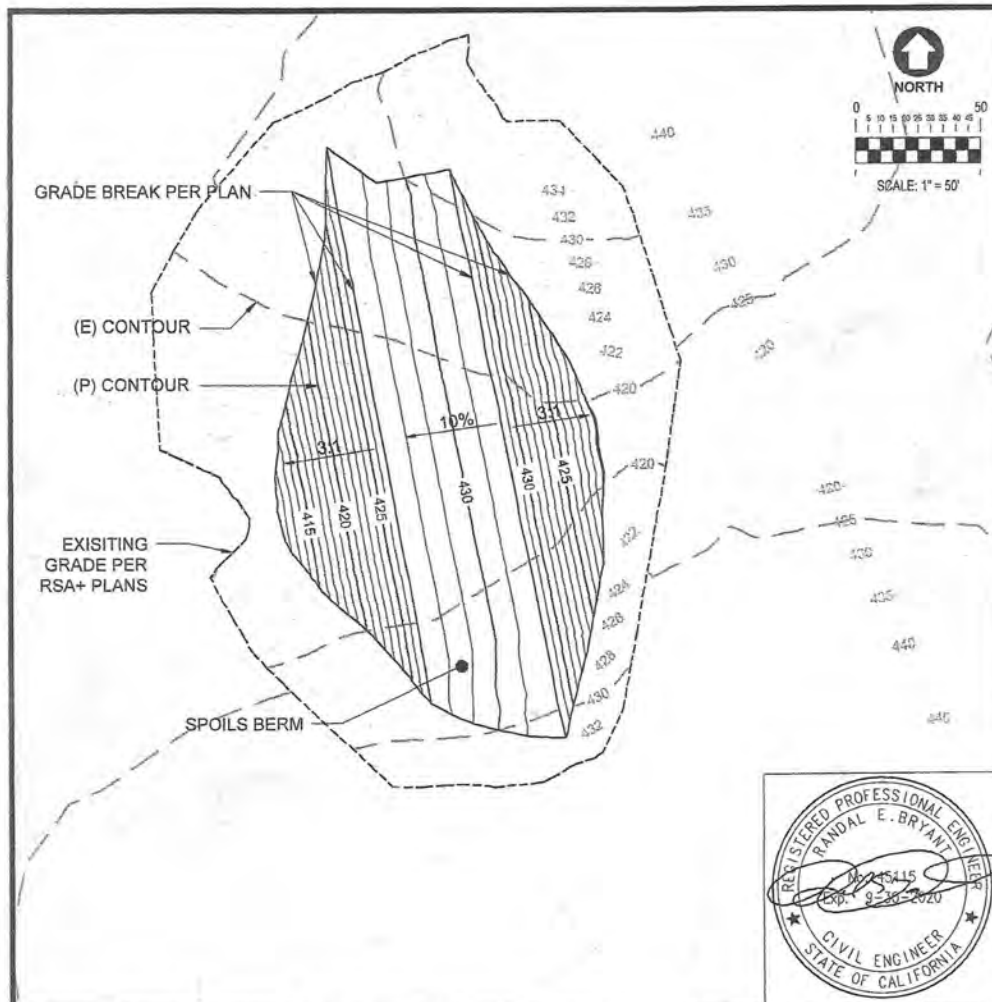
OPTIMUM SOILS EXPORT MODEL

6 TEN-WHEEL TRUCKS/ 3 HOUR ROUNDTrip FROM SITE TO THE CLOVER FLAT
DUMP
OR OTHER LIKELY CANYON

LOAD (no overtime)	LOAD	LOAD & DISPATCH
(1) 7:00 AM	(1) 10:00 AM	(1) 1:00 PM
(2) 7:30 AM	(2) 10:30 AM	(2) 1:30 PM
(3) 8:00 AM	(3) 11:00 AM	(3) 2:00 PM
(4) 8:30 AM	(4) 12:00 PM	(4) 2:30 PM
(5) 9:00 AM	(5) 12:30 PM	(5) 3:00 PM
(6) 9:30 AM	(6) 1:00 PM DISPATCH	

17 LOADS TOTAL

29 TRIPS



EXISTING AND FINISH GRADE INFORMATION IN THE REGION DELINEATED ABOVE IS PER THE ANTHEM WINERY GRADING & EROSION CONTROL PLAN BY RSA+ DATED 6/5/2018. EXISTING GRADE OUTSIDE OF REGION IS SHOWN AT 5' CONTOURS PER THE NAPA COUNTY 2003 LIDAR AERIAL SURVEY.

BERM QUANTITIES EXHIBIT

SCALE: 1" = 50'

SPOILS BERM QUANTITIES

TOTAL VOLUME	5060± YD ³
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JOB #1604

DATE 08/17/2020



PHONE: 707 963 8638
345 LA FATA STREET
SUITE F - PO BOX 113
ST HELENA, CA 94574

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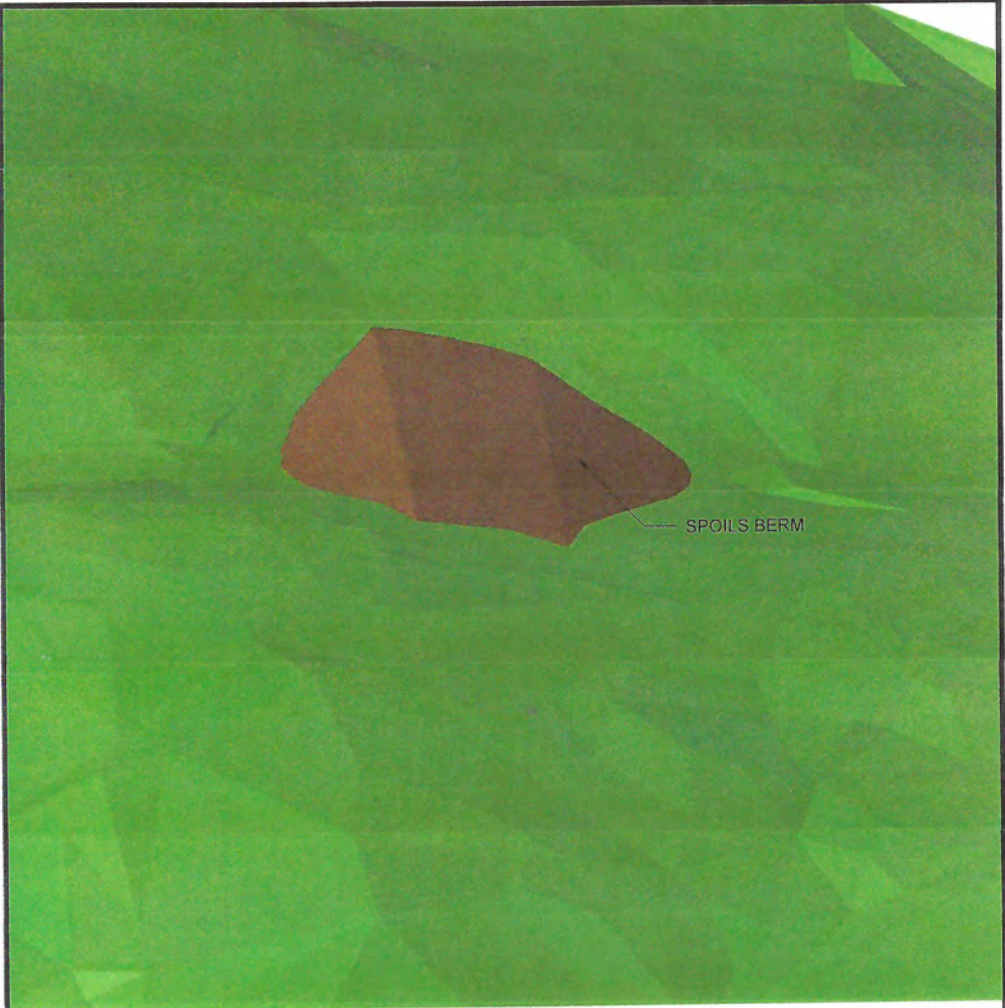
**SPOILS BERM
FOR
ANTHEM WINERY
A.P.N. 035-460-038**

SHEET TITLE:

EXHIBIT

EXHIBIT 7

1 OF 4 SHEETS



SPOILS BERM

**3D VIEW BERM
QUANTITIES EXHIBIT
(SOUTH VIEW)**

JOB #1604 DATE 08/17/2020

**R
E
B**

CIVIL AND
STRUCTURAL
ENGINEERING
SURVEYING AND
LAND PLANNING

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**SPOILS BERM
FOR
ANTHEM WINERY
A.P.N. 035-460-038**

SHEET TITLE:

3D RENDER 2

EXHIBIT 7

2 OF 4 SHEETS

	RSA* CONSULTING CIVIL ENGINEERS + SURVEYORS +		SERVING CALIFORNIA SINCE 1980		1515 FOURTH STREET NAPA, CALIFORNIA 94559 FAX 707 252-4966 OFFICE 707 252-3301
	HUGH LINN, PE, QSD, QSP PRINCIPAL + PRESIDENT	RYAN GREGORY, PE PRINCIPAL + VICE PRESIDENT	CHRISTOPHER TIBBITS, PE, LS PRINCIPAL + VICE PRESIDENT		
	707 252.3301 RSACivil.com	hlinn@RSACivil.com	rgregory@RSACivil.com	ctibbits@RSACivil.com	

#4111010.0
December 1, 2015

Donald Barrella
Napa County Planning, Building, and Environmental Services
1195 Third Street, Suite 201
Napa, CA 94559



RE: Anthem Winery – APN: 035-460-038-000
Cave Spoils Placement

Dear Donald:

RSA* has evaluated the placement of cave spoils, as proposed in the Use Permit Modification in relationship to runoff and erosion control performance standards call for in the Vineyard Erosion Control Plan, (VECP P12-00401). We examined potential changes in drainage patterns on the land, including whether the grading modifications and placement of cave spoils might accelerate runoff or lead to an increase in soil erosion.

Grading plans for the Use Permit Modification require minor modifications to the land surface. Plans were drawn with the intent that the original watershed boundary be maintained to insure that runoff discharge is not redirected. **Cave spoil fill areas will result in minor changes to terrain**, involving short slope lengths that will not increase the time of concentration for storm runoff to any measurable degree.

Grading Plans call for the field location to first be stripped of **2 feet of native soil cover**. The cave spoils will then be keyed into the subgrade and compacted in lifts. **Stockpiled native soils will be returned and placed on top of the cave spoils to the specified grade**. The finished surface of the spoils will be lightly scarified prior to soil topping to prevent creation of an abrupt transition between compacted spoils and native topsoil. The returned native soil will then be lightly cat-walked to avoid compaction, so that vines and cover crops can take root.

The NRCS Napa County Soil Survey mapping indicates that native soils are 133 Fagan clay loams. These soils are clay loam and clay soil textures to the 24 inch depth that the profile will be stripped to. Given the relatively fine textures and moderate drainage characteristics of these soils, they are inherently fertile, exhibit good moisture holding capacity, and typically provide for rapid vegetative cover establishment.

The soil will be seeded with the VECP specified cover crop, fertilized, and then straw-mulched for initial erosion control. With these treatments, the modified land surface will meet the VECP Universal Soil Loss Equation cover requirements. We also expect that the County/ RCD yearly inspections will assist our Client in continuing to meet the erosion control standards and cover requirements called for in the VECP.

EXHIBIT 8

Anthem Appeal Water Availability Analysis and Implications

Dr. Walter Brooks

Background

- To frame the issues it is necessary to remember :
 - While permitted, there has never been a functioning winery processing 30,000 gallons of wine on this property
 - The proposal includes doubling the number of planted acres
 - The proposal includes winery tasting and marketing events that have never been allowed in the past

These are all demands on the available water that have never been tested.

Overview

- The proposed approach to Water Availability is marginally adequate to support the proposed winery, vineyard, landscaping and residence development on the parcels.
- The fragility of the plan was highlighted by:
 - Dept. of Public Works analysis - 8/14/18
 - Luhdorff & Scalmanini Peer Review – 1/22/18
- The WAA still asserts that substantial decreases in irrigation requirements can be achieved based on varietal selection and subsurface irrigation
 - Both of these are controversial and not firmly supported in the literature

Overview-2

- The proposed systems will not work in drought years
 - At the last Planning Commission hearing the applicants stated that in drought years they would use the available water for the winery and that they would dry farm the vineyards if necessary.
 - This has implications for the quality and quantity of the estate fruit that is produced and the quantities of grapes that would need to be purchased and hauled onto the site.
 - Long term climate models indicate that Northern California can expect lower than normal rainfall for the foreseeable future (AAAS, Science , April 2020, “.... Northwest Megadrought”)

Rainwater Capture and Winery Wastewater Recycling

- The proposed water capture system is critically dependent not only on average rainfall but also the distribution over time of the rainfall since storage capacity is limited.
- We developed an independent model and demonstrated that the proposed system would be inadequate in 2017 based on the distribution of rainfall even though total rainfall for that year was normal.
- Since that initial analysis both 2019 and 2020 were years that, based on our analysis, the proposed system would fail to meet the water requirements of the winery and vineyards

Groundwater Systems

- The groundwater situation in the larger area surrounding Anthem is highly problematic
- The Anthem network of minimally performing wells will be highly stressed and still fail to meet the water requirements in drought years
- Anthem proposes a high duty cycle 365 days a year on 7 wells to supply the houses, winery, landscaping and vineyards on the property. If one of the project wells fails and a new spot for water can not be found will one of the other non-project wells need to be utilized? Will the residencies then claim they need trucked in water?
- Real world data from the 5 immediately surrounding properties indicate numerous difficulties in finding water as well as data from the wider area.
 - A number of dry wells have been dug, 40% were dry or failed quickly
 - For the successful wells decreases of 30-50% in productivity of the wells when used to provide irrigation are the norm.

Water Availability Analysis only works

IF:

- We get normal rainfall, and it arrives in a pattern similar to the model provided by the county.
- Advanced rainwater and winery wastewater recapture systems work at 80-90% efficiency
- Subsurface irrigation systems work reliably and perform at the SOA
- The correct low water demand grape varieties are planted.
- There is no degradation in the output of the wells even though they are operated at high duty cycle 24/7

Conclusion

- This design requires State of the Art operation in 3 relatively advanced water-saving technologies and a robustness in the ground water production over time that has not been experienced by any of the neighbors.
- Despite a restriction on hauling water the potential shared use of water for domestic and winery, vineyard, landscape and residences would make it hard to determine when water hauling was due to issues with the winery versus domestic use and the hauling of water is always allowed for health and safety for domestic use.

Recommendations

- Return to Planning Department with a requirement that a plan be submitted for a winery, cave, visitor center and water system consistent with the approved 30K Gal. permit not a design for a 50K+ Gal. winery
 - Consider a phased development
 - Phase I
 - Vineyards and agriculture is the “highest and best use” of the land so allow the development and planting of the proposed acreage while respecting the existing tree easements Use the current network of wells to provide the irrigation.
 - Phase II
 - If after 3 years, the groundwater system is in balance and has the required excess capacity that can be augmented with the rainwater capture then build out a 30,000 gallon winery.
 - Phase III
 - After 5 years If the new technology for the winery/vineyard water balance has enough excess capacity then allow visitation and tastings commensurate with the water availability.
- * In all phases monitor the water systems(well/rainwater capture /recycled) for total output and degradation and compare to projected use in the plan .*