

# Soda Canyon Road



**Mr. Yeoryios Apallas, Esq.**

# Intersection of Soda Canyon & Silverado Trail





# Winery Traffic: Soda Cyn & Silverado. Tr.

- ▶ Winery Visitation Permitted on SCR: 15,614/yr
- ▶ Winery Visitation Permitted on ST at SCR: 21,940/yr
- ▶ Total CURRENT Visitation at/near SCR/ST Intersection: **37,554/yr**
  
- ▶ Proposed Winery Visitation on SCR: 26,739/yr (18,846 from MPW)
- ▶ Proposed Winery Visitation on ST at SCR: 46,856/yr
- ▶ Total PROPOSED Visitation at/near SCR/ST Intersection: **73,595/yr**
  
- ▶ Total Winery Visitors at/near SCR/ST Intersection if ALL Approved: **111,149/yr**
- ▶ Percentage Increase Current to Future: **196%**

# SCR/ST ACCIDENTS

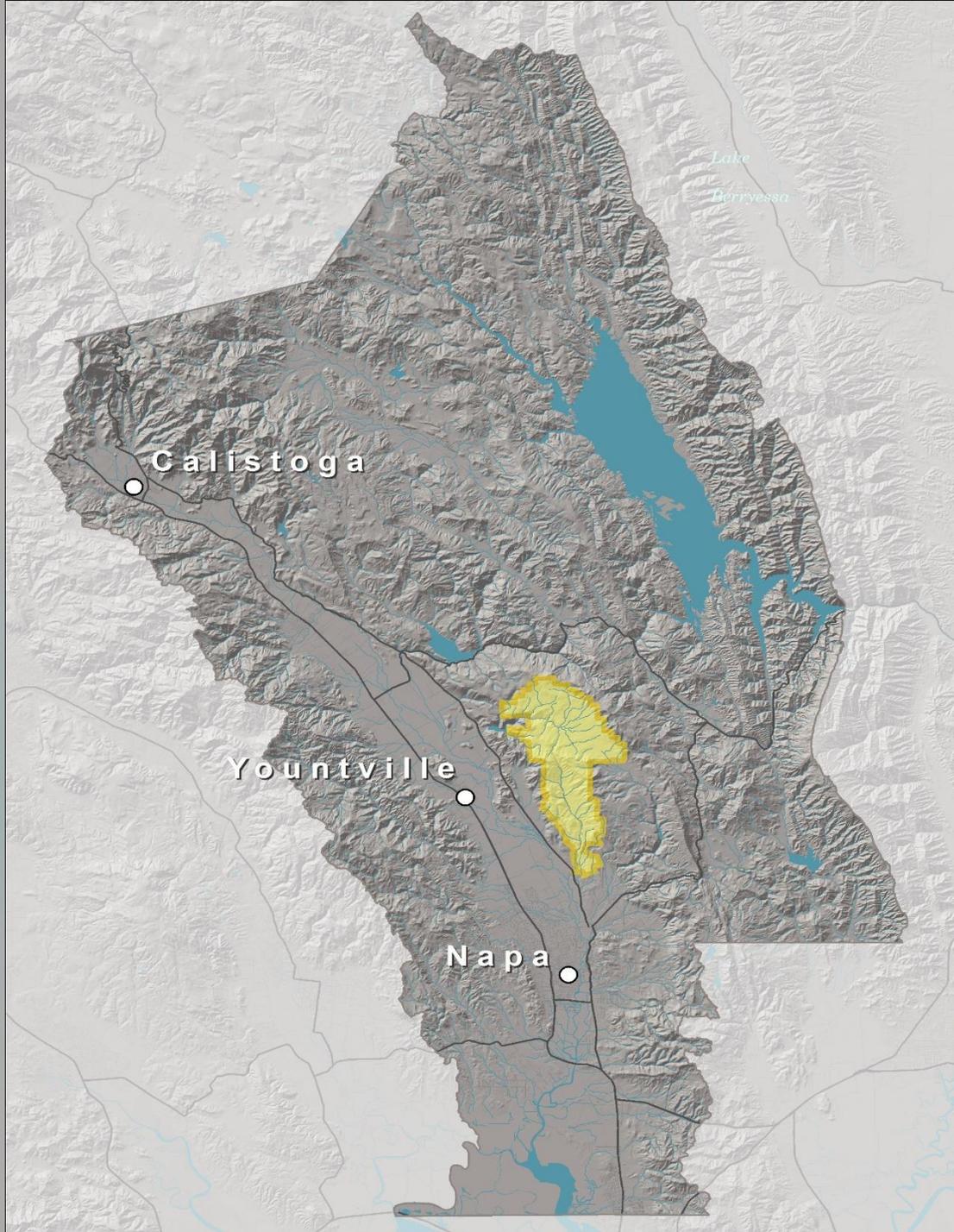
## CHP Incident Report: Jan 2013 – Apr. 2016 (39 Months)

### ▶ Total Number of Incidents: 36

- ▶ Number of 2 car collisions: 8
- ▶ Number of 1 car collisions: 10
- ▶ Driving Under Influence: 7
- ▶ Semi-Truck Stalls/Accidents: 2
- ▶ Fire: 1
- ▶ Daytime Incidents (7am-6pm): 22
- ▶ Nighttime Incidents (6pm-6am): 14
- ▶ Traffic Hazards: 2
- ▶ Reckless Driving: 3
- ▶ Animal in Roadway: 1
- ▶ 2 Car Speed Contest: 1

**Mr. Glenn Schreuder**

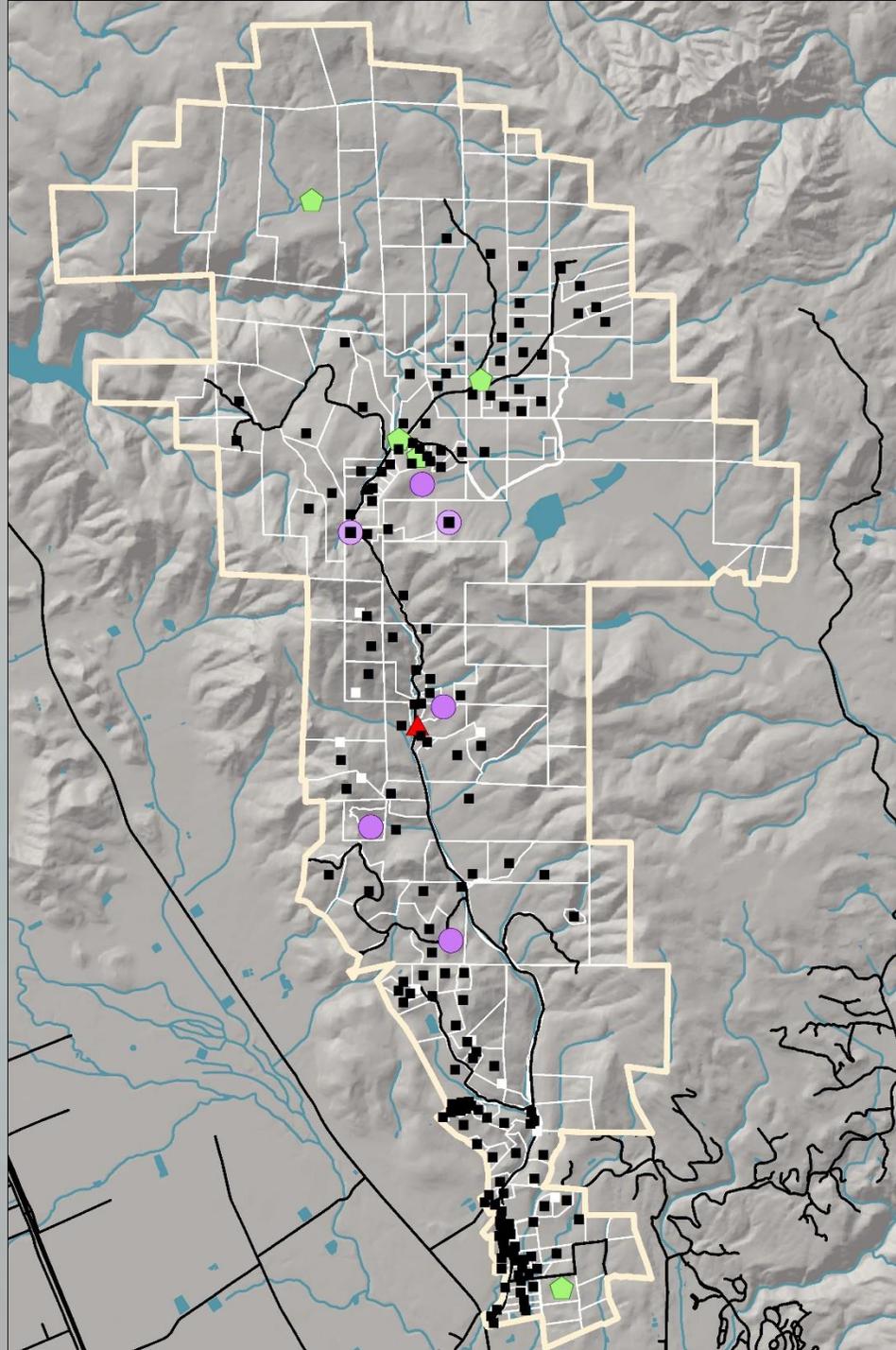
# Napa County showing Soda Canyon Road Service Area



-  Water bodies
-  Soda Cyn Rd service area



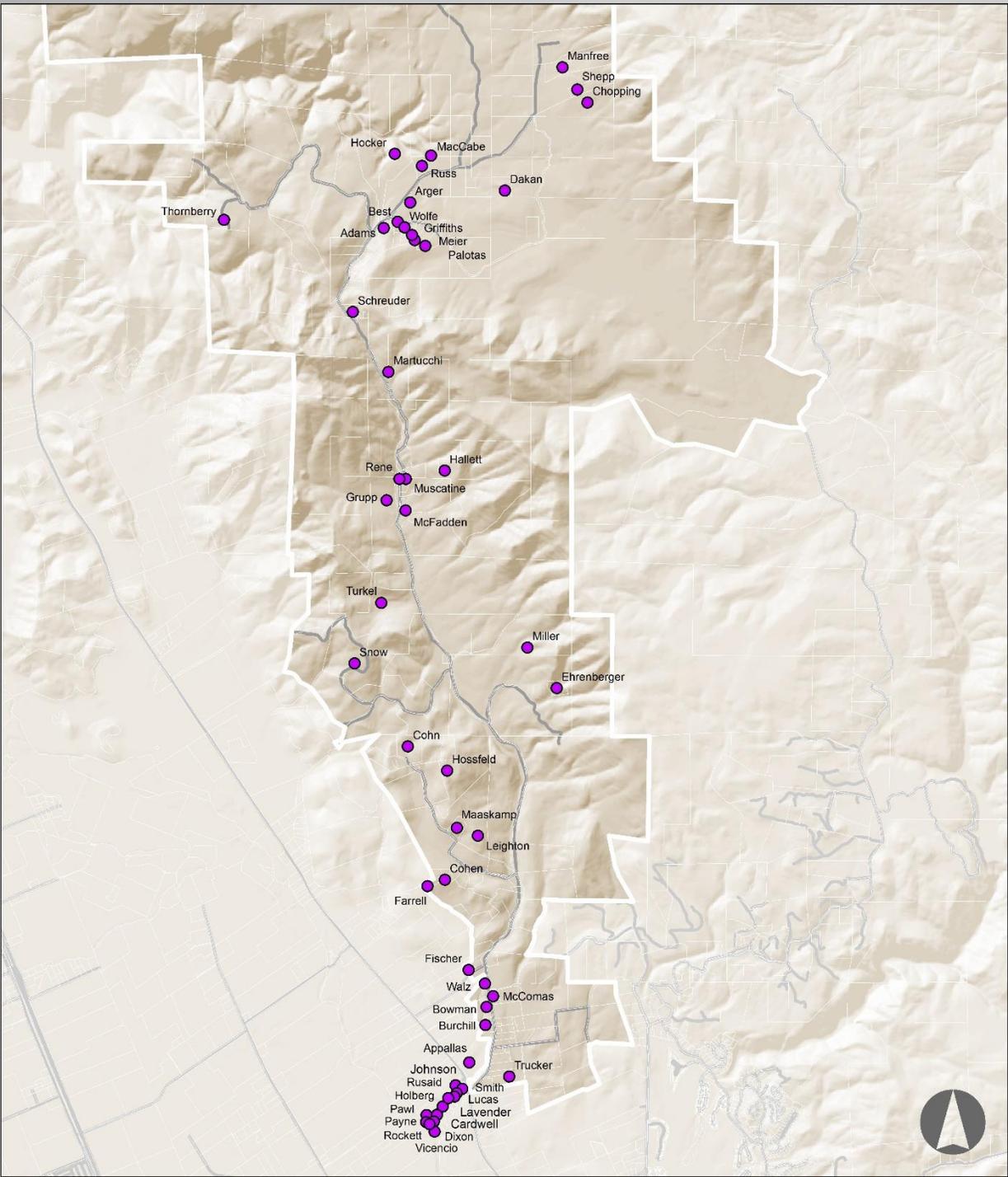
# 2015 Soda Canyon Road Residences



## Building type

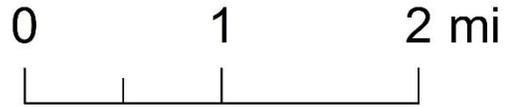
- Main residence (163)
- Second dwelling unit (14)
- Winery & main residence (2)
- Winery (4)
- ◆ Agricultural building (5)
- ▲ Fire station (1)





# Petition Signators Residing in the Greater Soda Canyon Area

As of July 19th, 2016



# Soda Canyon Road Conditions



▶ SCR mile 0.80

# Soda Canyon Road Conditions



▶ SCR mile 3.25

# Soda Canyon Road Conditions



▶ SCR mile 5.20 (Clear Day)

# Soda Canyon Road Conditions



▶ SCR mile 5.20 (Foggy Day)

# Soda Canyon Road Conditions



▶ SCR at mile 4.85 (Clear Day)

# Soda Canyon Road Conditions



▶ SCR mile 4.85 (Foggy Day)

# Soda Canyon Road Conditions



- ▶ **Flooding & Mudslide at mile 1.10**

# Walkers, Joggers, Cyclists



▶ SCR Cyclists at mile 4.65 (July 2, 2016)

**Mrs. Diane Shepp**

# Video: Vineyard Worker Caravan



# Traffic Accidents on SCR



- ▶ June 2015 Accident & Abandoned Car on Mountain Peak Property

# Traffic Accidents on SCR



- ▶ Car Accident at 2441 SCR (mile 4.30) – Sept. 2015

# Traffic Accidents on SCR



- ▶ Car accident at 2441 SCR (mile 4.30) – Sept. 2015

# Traffic Accidents on SCR



▶ Car accident at 2441 SCR (mile 4.30) – Sept. 2015

# Alcohol Consumption on SCR



# Alcohol Consumption on SCR



# Alcohol Consumption on SCR



**Mrs. Barbara Guggia**

# Soda Canyon Road - One Lane Bridge



▶ SCR mile 3.15

# Soda Canyon Road – Reckless Driving



▶ SCR mile 3.20

# Soda Canyon Road – Reckless Driving



▶ SCR mile 3.20

**Mrs. Draselle Muscatine**

# Soda Canyon Road Conditions



- ▶ SCR mile 3.95 – Hairpin Turn

# Soda Canyon Road Conditions



- ▶ SCR mile 4.30 (Sharp Turn/Steep Hill)

**Cpt. Anne Palotas**

# Trucks on SCR

SCR mile 4.40



# Trucks on SCR



▶ SCR mile 3.15

# Trucks on SCR



▶ SCR mile 1.10

# Trucks on SCR



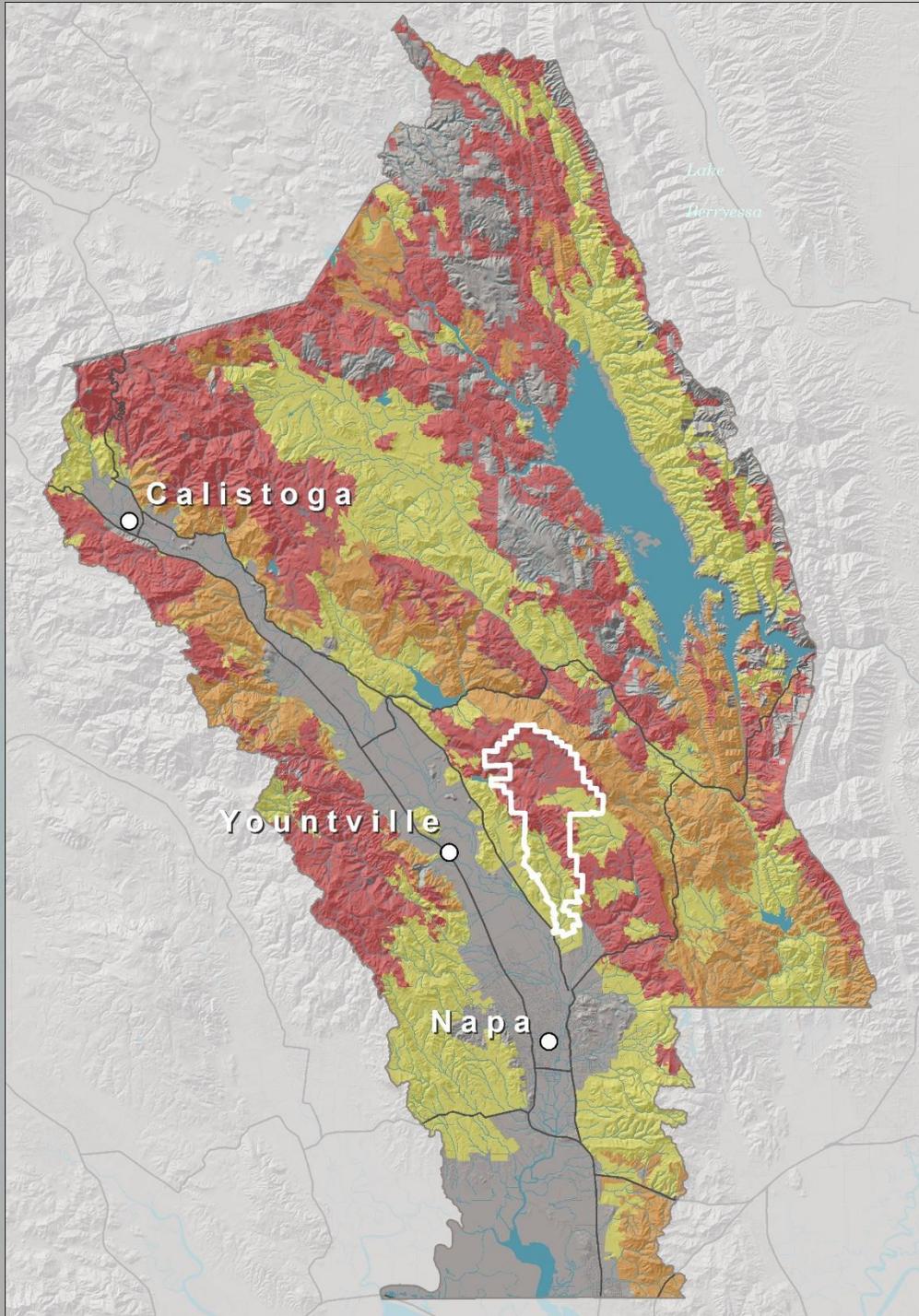
- ▶ Semi-Truck blocking SCR at mile 4.95

# Video – Semi-Truck on SCR



**Mrs. Cynthia Grupp**

# Napa County showing Fire Hazard Severity Zones and Soda Canyon Road Service Area



 Soda Cyn Rd service area

 Water bodies

## Fire hazard severity zone

 Moderate

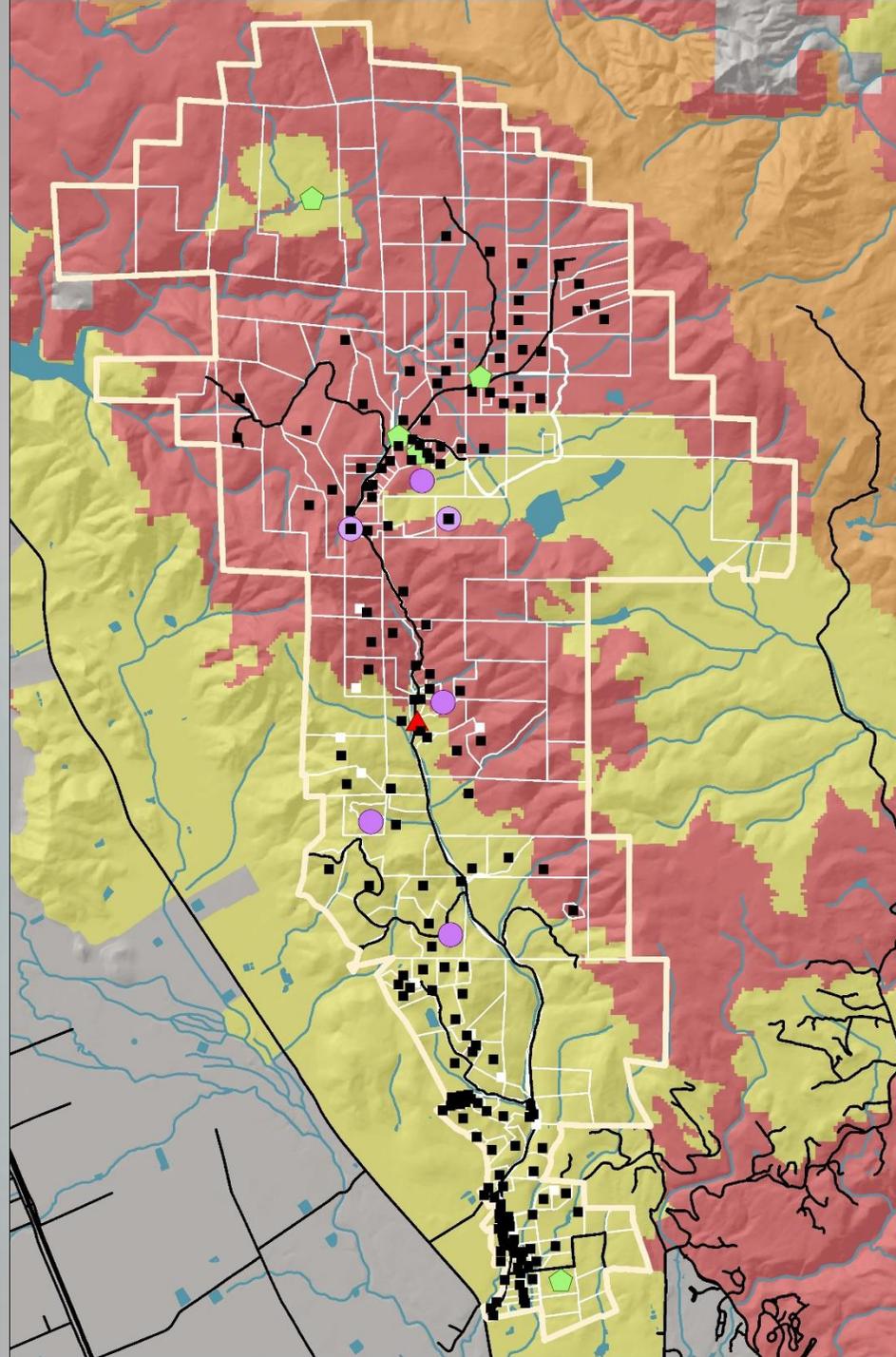
 High

 Very High

0 10 20  
mi



# Fire Hazard Severity Zones and Residences



## Building type

- Main residence
- Second dwelling unit
- ◼ Winery & main residence
- Winery
- ⬠ Agricultural building
- ▲ Fire station

## Fire hazard severity

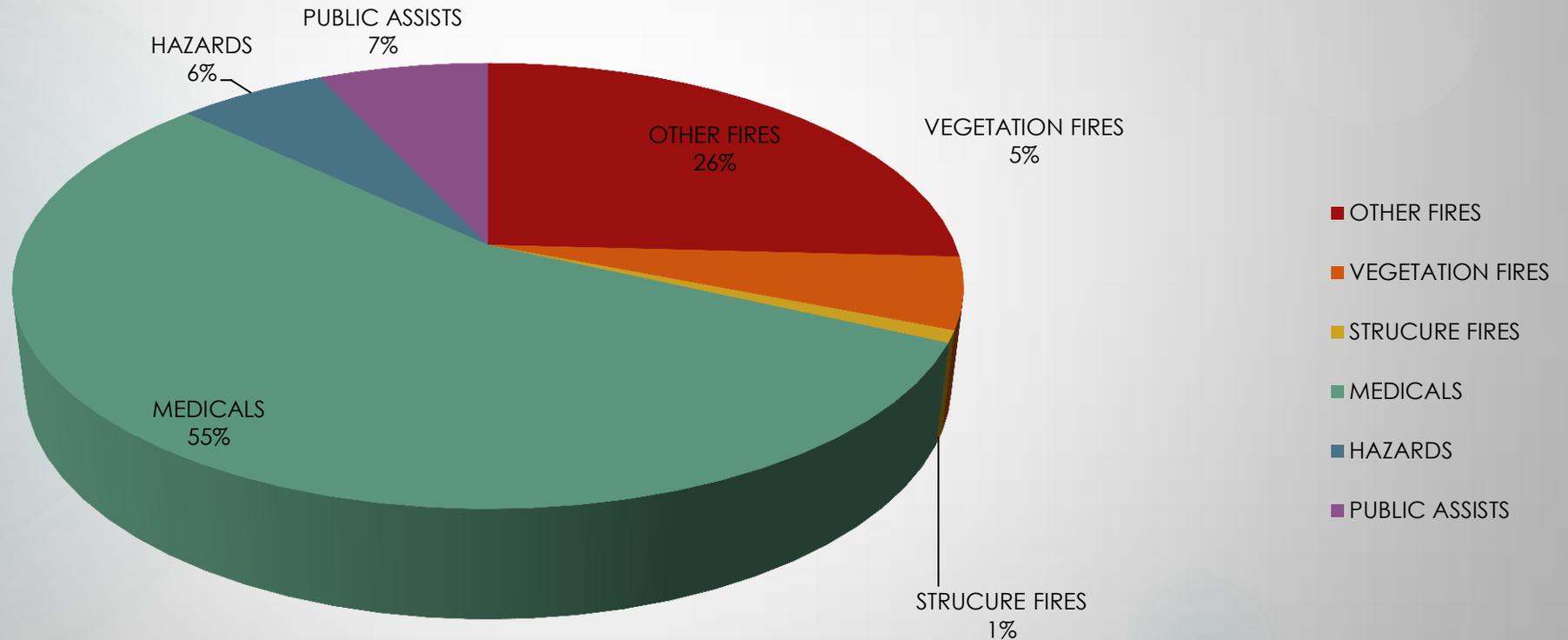
- Moderate
- High
- Very High

0 1 2 mi

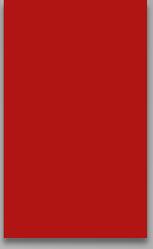


# CALFIRE CALLS FOR SODA CANYON 2011-2014

OTHER FIRES	VEGETATION FIRES	STRUCURE FIRES	MEDICALS	HAZARDS	PUBLIC ASSISTS	TOTALS
30	6	1	64	7	8	116



# CalFire Soda Canyon/Monticello Pre-Attack Fire Plan

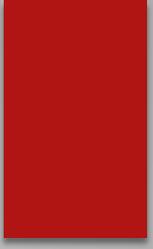


- ▶ “There are a wide range of fuels in the Soda Canyon/Monticello Area. Fuels range from grass/oak woodland to 15-50 year old chaparral with some stands of decadent brush over 50 years old. Due to fire suppression and lack of aggressive wildland fuels management, both the vertical arrangement and horizontal continuity of fuels will promote rapid fire growth. These same conditions will also hinder conventional fire suppression tactics.”
- ▶ “The Soda Canyon/Monticello Area consists of numerous structures ranging from small to very large wineries, caves, and trailers. Most have outbuildings that may contain hazardous materials such as fuel, ammunition, pesticides, insecticides, herbicides, fertilizers and controlled substances.”
- ▶ **“Elevations within the Soda Canyon/Monticello Area range between 0 and 80% slope. . . Vineyards and other manmade features provide a network of barriers that will need to be connected to create an effective fireline. The two wide canyons provide the opportunity for wind to be funneled, even under local wind conditions.”**

# CalFire Soda Canyon/Monticello Pre-Attack Fire Plan

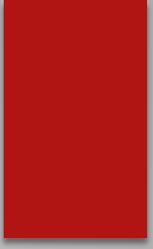
- ▶ “The early designation and use of incident facilities such as Staging Areas and early evacuation is critical due to the poor road network servicing area. **The roads will quickly become congested** if an effective traffic control plan is not established by cooperating law enforcement agencies and public works departments.”
- ▶ “An adequate facility to support an incident does not exist within the Soda Canyon/Monticello Area.”
- ▶ “If evacuation is necessary, it needs to be **ORDERED EARLY... Residents should be discouraged from using their normal travel patterns if that takes them closer to the incident. If the incident or associated emergency responder equipment compromises the travel routes, then sheltering in place or use of vineyards may be the best option.**”
- ▶ “Depending on the location of the fire, the primary evacuation routes are the main paved roads of Soda Canyon Rd.”

# CalFire Soda Canyon/Monticello Pre-Attack Fire Plan



- ▶ **“Most bridges have not been engineered, tested or rated for fire engines. Inspect every bridge before crossing!”**
- ▶ “Many of the structures have an address of the nearest paved road, but are in fact located on long, narrow, driveways, well off the road. Fire engines may have limited access and turnaround space due to narrow roads and overhanging trees. Many are located mid-slope.”
- ▶ “There are no water distribution systems in the Soda Canyon/Monticello Area...Residences use wells with on-site water storage.”

# CalFire Soda Canyon/Monticello Pre-Attack Fire Plan



- ▶ “The most significant fire in the Soda Canyon/Monticello Area was the 1981 Atlas Peak fire[, which] burned approximately 23,000 acres over two days in late June. Several other fires have occurred in recent years including the October 2006 Atlas Fire and July 2007 Peak Fire. Both of these fires burned around numerous structures and required a significant commitment of resources.”
- ▶ **“Fire history, fuels, topography and urban-interface issues indicate the potential for a large and damaging fire in the Soda Canyon/Monticello Area.”**

**Mr. David Hallett**

# May 2003 Fire on SCR



# May 2003 Fire on SCR



# May 2003 Fire on SCR



# Aug. 2005 Fire on SCR



# Aug. 2005 on SCR



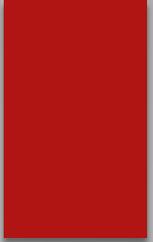
# Aug. 2005 Fire on SCR



**Mrs. Julia Arger**



# Mountain Peak Winery Proposal



- ▶ **Production:** 100,000 gallons production/yr
- ▶ **Caves:** 33,424 sf of caves (large Safeway store!)
- ▶ **Annual Visitation:** 18,486 visitors per year
- ▶ **Marketing Events:** 78 (lasting until 10pm!)
- ▶ **Vehicle Trips:** ~47,300 per year
- ▶ **Water Use:** ~15,000 gallons per day

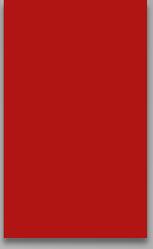
# Mountain Peak Visitation



<b>Mountain Peak Winery Annual Visitation Figures</b>	
<b>Visitation Category</b>	<b># People</b>
<b>Annual Daytime Visitors</b> (320/week x 52 weeks)	16,640
<b>Monthly Marketing Event</b> (3 Events, 12 people x 12 months)	432
<b>Monthly Marketing Event</b> (3 Events, 24 people x 12 months)	864
<b>Annual Marketing Events</b> (4 Events, 75 people)	300
<b>Annual Marketing Events</b> (2 Events, 125 people)	250
<b>Annual Grand Total Visitors</b>	<b>18,486</b>

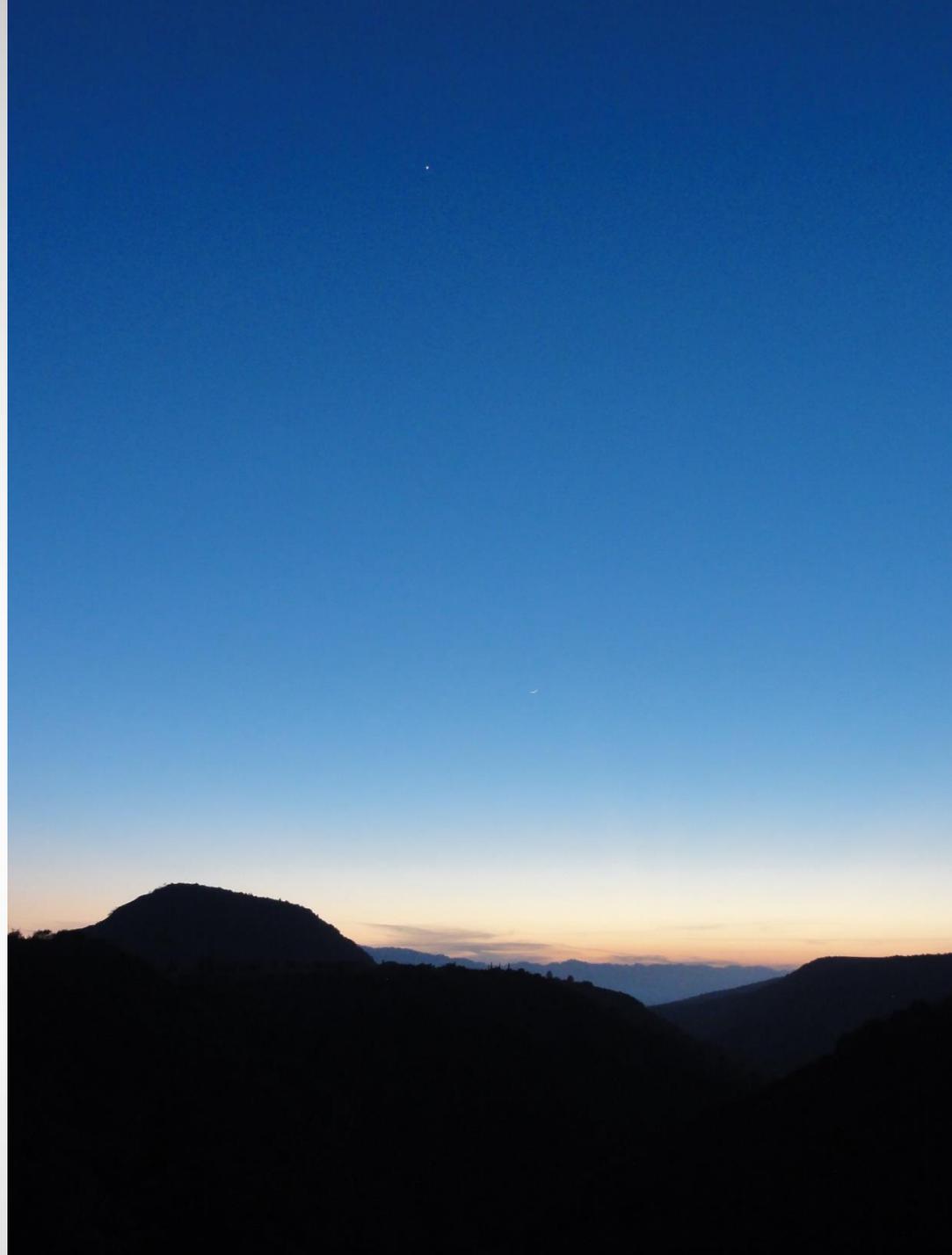
**Mr. Bill Hocker**

# *Quiet Enjoyment*



*“One’s right to the undisturbed use and enjoyment of their property.”*

# Rector Canyon at Sunset



**Dr. Kosta M. Arger, M.D.**

# Mountain Peak's “92% on-site Production”

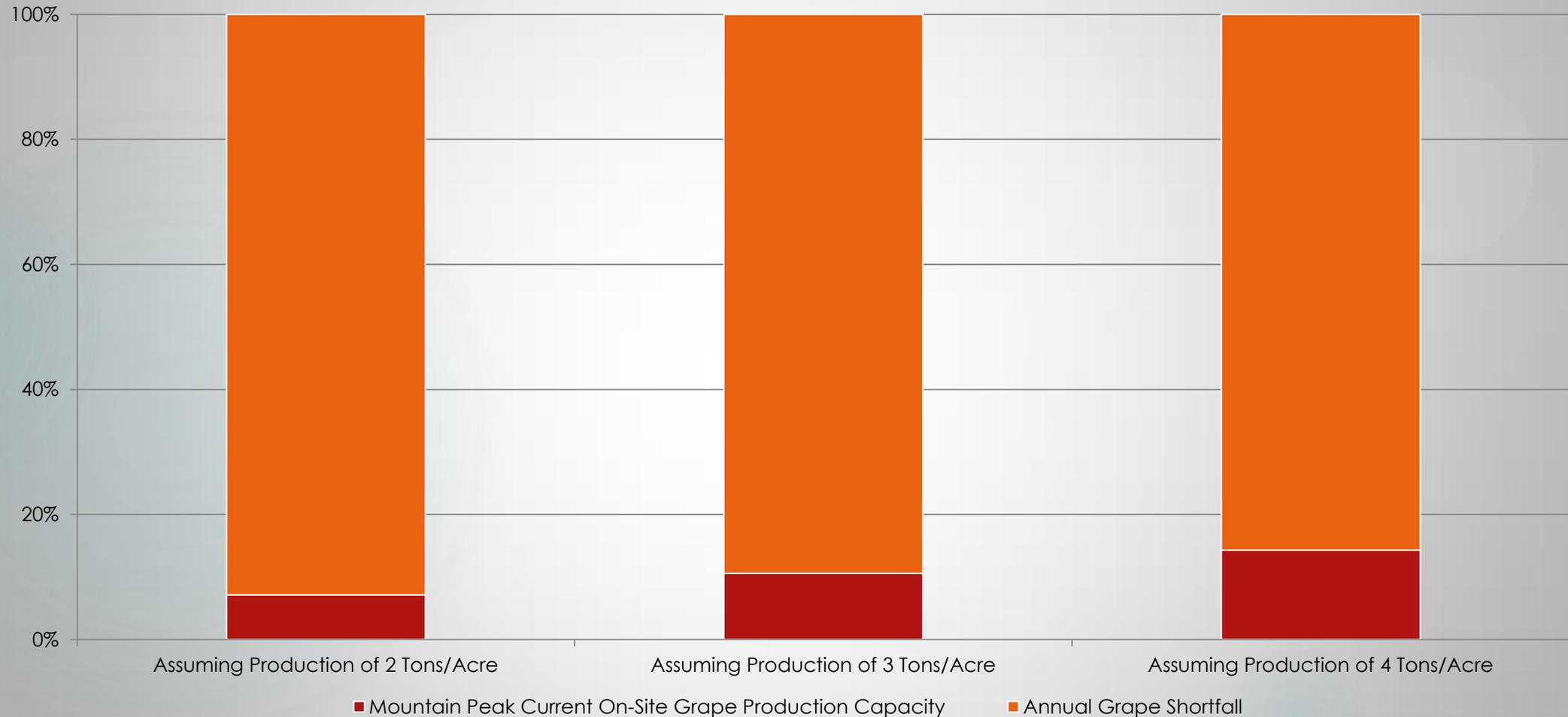
- ▶ 100,000 gallons = ~700 tons of grapes
- ▶ Mountain Peak Parcel: 41 Acres
- ▶ Plantable Vineyards Post-Construction: 25 Acres
- ▶ Average Yield on Atlas Peak: 2-2.5 tons, 3 tons at best
- ▶ Max Tons from Mountain Peak Parcel: 75 tons or 11% on-site production
- ▶ Annual SHORTFALL: ~625 tons
  
- ▶ Mountain Peak Separate Parcel: 84 Acres
- ▶ Max Tons from both Parcels: 325 tons or 47% on-site production
- ▶ Annual SHORTFALL: 475 tons

# “92% on-site Production”

Mountain Peak Winery On-Site (APN 032-500-033) Grape Production Chart & Grape Hauling Realities				
	Tons of Grapes			
Maximum Plantable Acres on APN 032-500-033 After Construction	25			
Mountain Peak Requested Permit Size (Converted to Max Tons of grapes needed to produce 100,000 gal of wine)	700			
	Mountain Peak Current On-Site Grape Production Capacity (Tons)	Mountain Peak Current On-Site Grape Production Capacity (as a Percentage)	Annual Grape Shortfall (Tons)	Annual Grape Shortfall (as a Percentage)
Assuming Production of 2 Tons/Acre	50	7%	650	93%
Assuming Production of 2.5 Tons/Acre	62.5	9%	637.5	91%
Assuming Production of 3 Tons/Acre	75	11%	625	89%
Assuming Production of 3.5 Tons/Acre	98	14%	602	86%
Assuming Production of 4 Tons/Acre	100	14%	600	86%
Number of Trucks Required to Transport Grapes to Mountain Peak Winery Annually				
Grape Truck/Transport Hauling Capacity	Tons of Grapes (per truck)	# Trucks Needed to Transport Annual Grape Shortfall if 2 Tons/Acre	# Trucks Needed to Transport Annual Grape Shortfall if 3 Tons/Acre	# Trucks Needed to Transport Annual Grape Shortfall if 4 Tons/Acre
Small Grape Transport (Dumptruck) - Max Hauling Capacity:	6	108	104	100
Large Grape Transport (Semi/Tractor-Trailer) - Max Hauling Capacity:	24	27	26	25
Date: July 12, 2016				
Data Compiled by: Amber Manfree, PhD				
(Sources: Napa County Winery Database, Napa County Documents, & Soda Canyon Road Vineyard Financials)				

# “92% on-site Production”

## MPW On-site Grape Production vs. Quantity Needed for Planned Wine Production



**Dr. Amber Manfree, PhD**

# Environmental Impacts



# Environmental Impacts



# Environmental Impacts



**Mrs. Doreen Leighton**

# Mountain Peak's Water Usage

- ▶ **Water Tanks: 2, 100,000 gallon water tanks**
- ▶ **Water Use Per Day: 15,000 gallons**
- ▶ **Water Use Per Year: 5,500,000 gallons (~280 swimming pools)**
  
- ▶ **Effects on local watershed**
  - ▶ **Wells will go dry**
  - ▶ **Rector Canyon feeds Rector Reservoir – Yountville water source**
  
- ▶ **Wools Ranch Well Monitors**

**Dr. Nicholas Arger, M.D.**

# Resolution No. 2010-48, Section III (“2010 Amendment”)

## III. The Appropriate Intensity of Marketing Programs

- ▶ “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.**”

# Remoteness of Atlas Peak

- ▶ **No cell phone reception**
- ▶ **Limited GPS functionality**
- ▶ **Every property is on septic**
- ▶ **Every property is on wells**
- ▶ **Literally NO Sound, particularly at night (when MPW wants 78 events!)**

**Dr. Daniel McFadden, PhD**

# Direct to Consumer (DTC): A Flawed Economic Model

- ▶ If Wineries “need” DTC to survive, basic economic theory suggests that the market is over saturated with wineries
- ▶ By caving to demands for the DTC model, the County is effectively subsidizing the wine industry to its own detriment
- ▶ If wineries cannot make it on their, they should be allowed to fail
- ▶ If wineries are continuously put on life support through the DTC model, the Napa Valley brand is diminished

**Mr. Anthony Arger, Esq.**

# Precedent on Upper Soda Canyon

## ▶ **1. Krupp Winery (01241-UP)**

- ▶ **Location: Applied at 3265 Soda Canyon Road in Nov. 2001**
- ▶ **Land Size: 48 acres**
- ▶ **Annual Production: 48,000 gallons**
- ▶ **Caves: 10,500 sf**
- ▶ **Annual Visitation: 2,320 visitors**
- ▶ **Permit Status: Withdrawn b/c of neighbor outrage**

# Precedent on Upper Soda Canyon

- ▶ **2. Astrale e Terra/Meadowrock (SW-118889-UP)**
  - ▶ **Location: 3148 SCR (0.4 miles from Mountain Peak)**
  - ▶ **Land Size: 63 acres**
  - ▶ **Planted Vineyards: 33 acres**
  - ▶ **Annual Production: 20,000 gallons**
  - ▶ **Caves: 0**
  - ▶ **Annual Visitation: 52 (reduced to 0 by the Dept. Alcoholic Bev. Control)**
  - ▶ **Permit Status: Active**

# Precedent on Upper Soda Canyon

## ▶ **Astrale e Terra – ABC Dispute**

▶ Hearing: 1999

### ▶ **ABC Factual Determination:**

▶ “Evidence established that increased traffic on SCR would interfere with the quiet enjoyment of nearby residences”

▶ Evidence established that increased traffic on SCR would aggravate a traffic problem on a problematic roadway that serves Applicant, nearby residents and two other vineyards”

### ▶ **ABC Decision: Placed 2 conditions on the License**

▶ “No winetasting or tasting by appointment shall be permitted at this location”

▶ “No retail sales of alcoholic beverages to walk-in customers shall be permitted at this location”

# Traffic Increase Since 1999

## Vineyard Worker & Winery Visitor Traffic on Soda Canyon Road & Silverado Trail

### Soda Canyon Road Vineyard Worker Visit Calculations

Average Number of Vineyard Worker Visits to Farm 20 Acres of Vineyards on Soda Canyon Road Per Year	400
Average Number of Vineyard Worker Visits to Farm 1 Acre of Vineyard on Soda Canyon Road Per Year (400 workers/20 acres)	20

Year	No. Acres Existing		Total Worker Visits (20 worker visits x No. Acres)
1998	1,225		24,500
2010	1,956	(1,125 + 731 acres planted since 1998)	39,120
2015	2,072	(1,956 + 116 acres planted since 2010)	41,440

### Accessed by Soda Canyon Road: Winery Visitors

Year	Winery Visitors Permitted
1999	5,772
2015	15,614
Proposed Visitors: Grassi, MPW, & Relic	26,739
Total Future/Pending (Existing + Relic, MPV, Grassi Proposed)	42,353

### Accessed by Silverado Trail at Intersection with Soda Canyon Road: Winery Visitors

Year	Winery Visitors Permitted
1999	18,200
2015	21,940
Proposed Visitors: Beau Vigne, Corona, Reynolds Expansion, Sam Jasper	46,856
Total Future/Pending (Existing + BV, Corona, Reynolds, Sam Jasper Proposed)	68,796

### Combined Vineyard Worker & Winery Visitors at Intersection of Silverado Trail & Soda Canyon Road

Year	Vineyard Worker Traffic & Winery Visitors
1999	48,472
2015	78,994
Existing Vnyd Workers + Existing Winery Visitors + ALL Proposed Winery Visitors	152,589
<b>Increase from Existing Traffic to Future Total if All Approved (as a percentage)</b>	93%

# Precedent on Upper Soda Canyon

## ▶ **3. Antica (U-488687)**

- ▶ **Location: 3700 SCR (0.5 miles from Mountain Peak)**
- ▶ **Land Size: 1,223 acres**
- ▶ **Planted Vineyards: 570 acres**
- ▶ **Annual Production: 450,000 gallons**
- ▶ **Caves: 36,000**
- ▶ **Annual Visitation: 5,200**
- ▶ **Permit Status: Active**

# Mountain Peak Scaled to Astrale e Terra

## Comparison Chart: Astrale e Terra Winery vs. Mountain Peak Winery

	Size (Acres)	Plantable Vineyards (Existing Acres Antica) (Post-Construction Acres MPW)	Estimated On-Site Vineyard Production (Tons, assuming 3 tons/acre)	Production (Gallons)	Cave Size (SF)	Visitors (Annual)
<b>Astrale e Terra Winery Actual Figures</b>	<b>63</b>	<b>33</b>	<b>99</b>	<b>20,000</b>	<b>0</b>	<b>0</b>
<b>MPW Production Request</b>	<b>41</b>	<b>25</b>	<b>75</b>	<b>100,000</b>	<b>33,424</b>	<b>18,846</b>
MPW Scaled to On-Site Grape Production Capacity	41	25	75	10,714	0	0
MPW Scaled to On-Site Grape Production Capacity + 25% Outside Grape Sourcing	41	25	100	14,286	0	0
MPW Scaled to Astrale e Terra Winery Land Area	41	25		12,997	0	0
MPW Scaled to Astrale e Terra Vineyard Area	41	25		15,150	0	0

# Mountain Peak Scaled to Antica



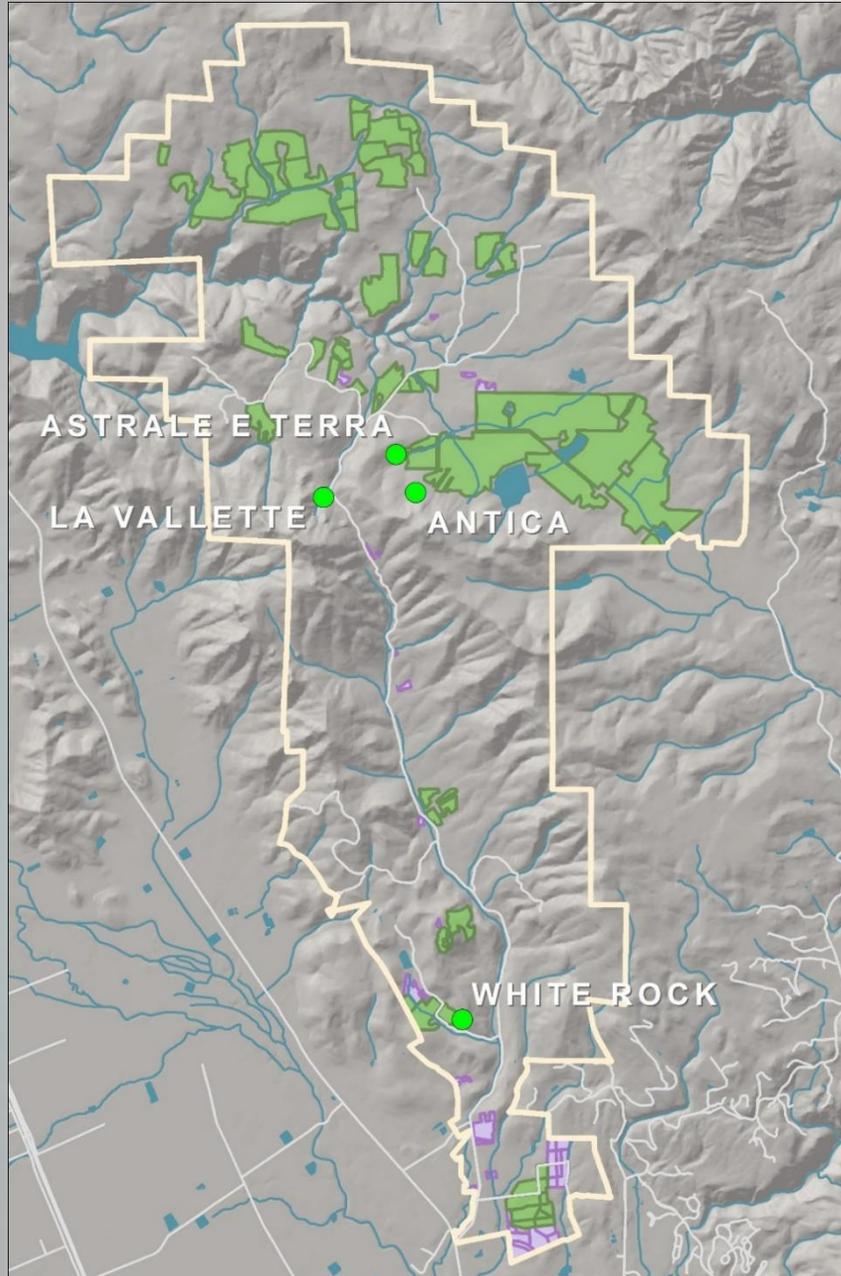
Comparison Chart: Antica Winery vs. Mountain Peak Winery						
	Size (Acres)	Plantable Vineyards (Existing Acres Antica) (Post-Construction Acres MPW)	Estimated On-Site Vineyard Production (Tons, assuming 3 tons/acre)	Production (Gallons)	Cave Size (SF)	Visitors (Annual)
<b>Antica Winery Actual Figures</b>	<b>1223</b>	<b>570</b>	<b>1710</b>	<b>450,000</b>	<b>36,000</b>	<b>5,200</b>
<b>MPW Production Request</b>	<b>41</b>	<b>25</b>	<b>75</b>	<b>100,000</b>	<b>33,424</b>	<b>18,846</b>
MPW Scaled to On-Site Grape Production Capacity	41	25	75	10,714	857	124
MPW Scaled to On-Site Grape Production Capacity + 25% Outside Grape Sourcing	41	25	100	14,286	1,143	165
MPW Scaled to Antica Winery Land Area	41	25		15,088	1,189	178
MPW Scaled to Antica Vineyard Area	41	25		19,725	1,575	225
<b>Date: July 12, 2016</b>						
<b>Data Compiled by: Amber Manfree, PhD</b>						
<b>(Sources: Napa County Winery Database, Napa County Documents)</b>						

# Conclusion

- ▶ **Mountain Peak Appropriate Size**
  - ▶ **Annual Production: 12,000 – 20,000 gallons**
  - ▶ **Caves: 1,200 to 1,600 sf**
  - ▶ **Annual Visitation: 0 visitors**



# Existing Vineyard in 1999



## 1999 Soda Canyon Road Vineyards and Wineries

### Wineries

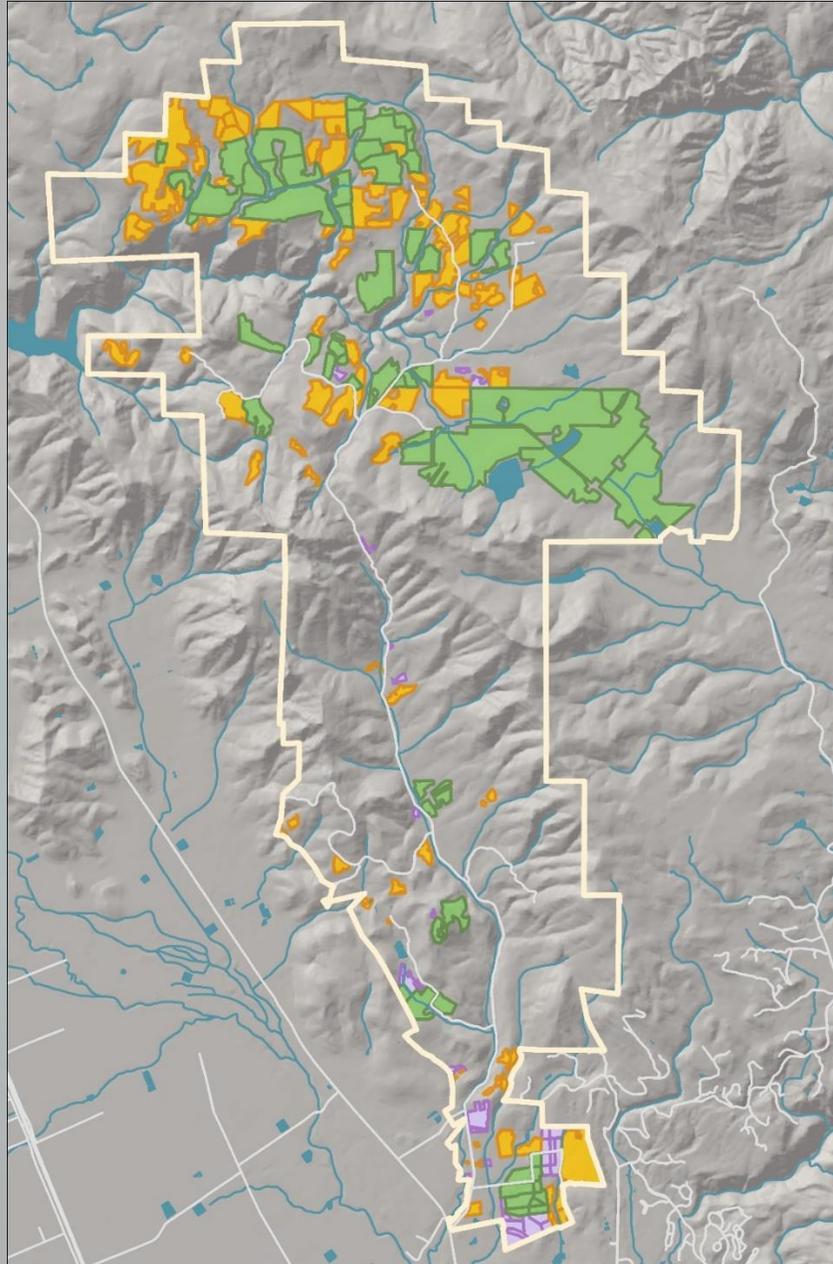
- Established before 1999

### 1999 vineyards

- Vineyard in 1998 (1225 ac)
- Unclassified in 1998 (100 ac)



# Existing Vineyard in 2015



## 1999 to 2015 Soda Canyon Road Change in Vineyards

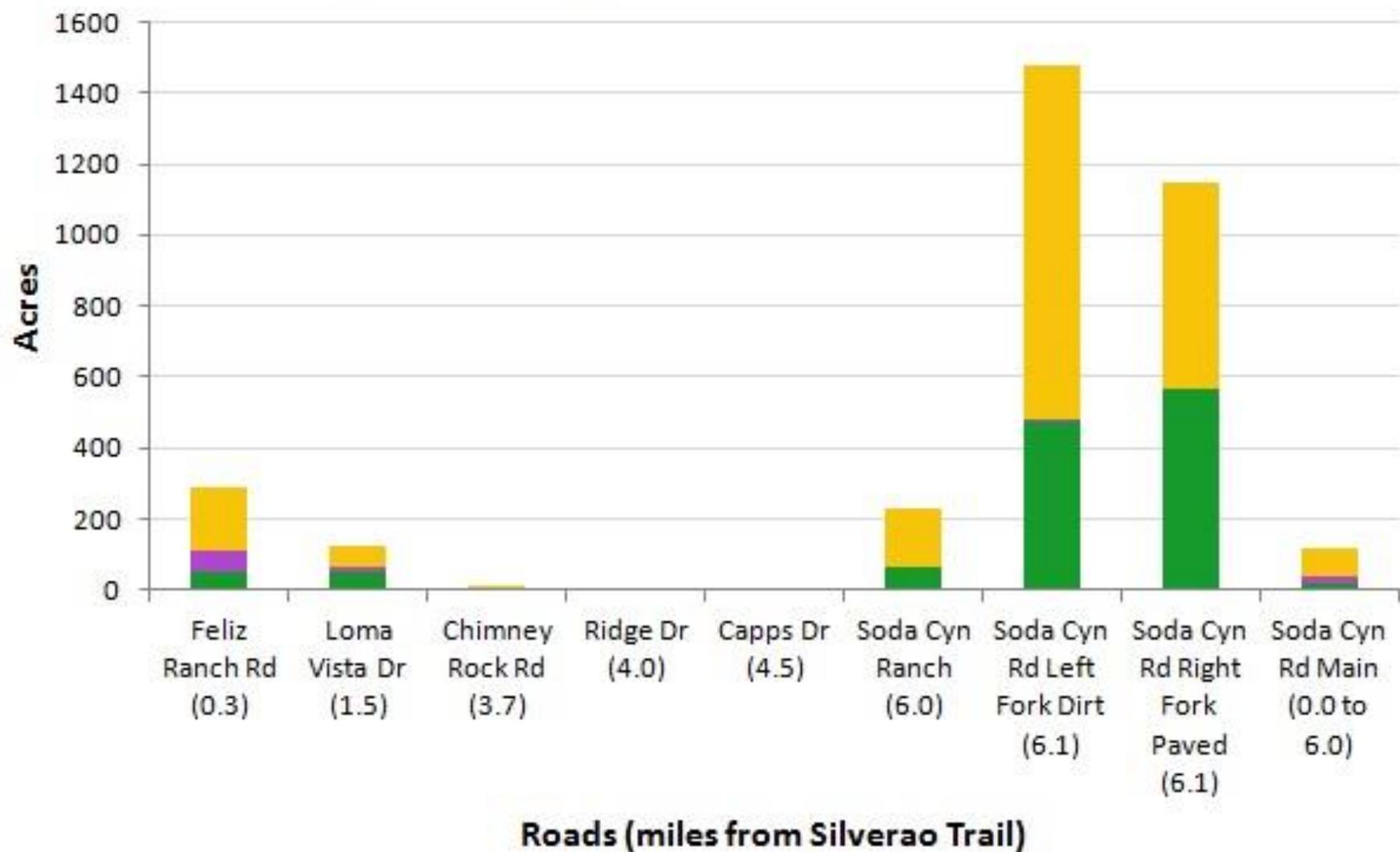
### Vineyard change 1999 to 2015

-  Vineyard in 1998 and 2015 (1225 ac)
-  New vineyard since 1998 (747 ac)
-  Unclassified in 1998;  
vineyard in 2015 (100 ac)



# Soda Canyon Road Service Area

## Vineyard Acreage Increase 1999 to 2015



■ Vineyard in 1998 and 2015   
 ■ Unclassified in 1998; vineyard in 2015   
 ■ New vineyard since 1998