



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 9/17/2008

Agenda Placement: 10C

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: John McDowell, Deputy Director - 299-1354
SUBJECT: One True Vine - Jayson Woodbridge Winery Quarterly Compliance Report

RECOMMENDATION

JAYSON WOODBRIDGE / ONE TRUE VINE - WINERY USE PERMIT #P04-0551-UP QUARTERLY COMPLIANCE REPORT

Request: Status report regarding compliance with Use Permit P04-0551-UP located at 565 Crystal Springs Road, St. Helena, CA. APN #021-072-044.

Staff Recommendation: No action necessary.

Staff Contact: John McDowell 299-1354

EXECUTIVE SUMMARY

Proposed Action: Information item, no action necessary.

Discussion: Attached is the current quarterly compliance report from the independent project monitor. The report indicates that no new issues have occurred since the previous quarterly report. However, creek landscaping which was supposed to have been installed in April apparently has not been authorized by the permittee to proceed, and remains incomplete. All other improvements are complete. Operations appear to be occurring within use permit parameters. The independent monitor's report incorrectly states that County staff did not respond to their single inquiry on outstanding issues. County staff did respond that the County was not aware of any new issues.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The status report is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

See attached status report for complete background details.

At present, only one outstanding construction item remains, which is the installation of creekside landscaping. It is unknown why the permittee has not authorized the landscaping to proceed. Staff has been in contact with the applicant's attorney who responded that he will provide a status at, or prior to the meeting.

The report also notes that this is the last report being prepared by the current independent outside monitor. The project conditions of approval require quarterly compliance reports to occur until April 2009. There is a provision that after one year (April 2007), if all of the improvements are complete, then the compliance reports can occur at a 6 month intervals. Given that only one project complete item remains, and the amount of work to install the landscaping is comparatively minimal, staff is anticipating that by the next quarterly report it may be time to shift to the 6 month interval. If this occurs, then there will be a compliance report in December and a final report the following April.

This compliance report is the last presently under contract to be completed by the current consultant. Since a minimum of two additional compliance reports will be necessary, staff will be working with the permittee to secure an independent consultant to complete the remaining reports. It should be noted that County Staff has found the work of the current independent monitor lacking. The report indicates that the independent monitor did not receive a County response to the sole inquiry they made while preparing the current report. Beside the fact that staff did respond with multiple emails and two unreturned phone calls, it appears that the company has changed their email addresses and the original project manager may no longer work for the organization. The entire point behind having an independent monitor, paid for by the applicant, was to reduce the monitoring demands placed on County staff. At this point, given the minimal amount of work that remains, it appears that it would be less work for staff to complete the quarterly report ourselves than to continuing relying on the services of the current monitor. Staff will work through this issue with the applicant prior to the December quarterly report.

SUPPORTING DOCUMENTS

A . Compliance Report

Napa County Planning Commission: Approve

Reviewed By: John McDowell