



A Tradition of Stewardship
A Commitment to Service

MINUTES

NAPA COUNTY AGRICULTURAL PROTECTION ADVISOR COMMITTEE

1195 Third Street, Ste. 305

Tuesday June 8, 2015
9:00 A.M.

1. CALL TO ORDER/ROLL CALL

Committee Members in attendance:

Christina Benz, John Dunbar, Eve Kahn, Peter McCrea, Bruce Phillips, Stan Boyd, Sharon Gardner, Ted Hall, Jim Krider, Dan Mufson, Debra Dommen, Jeri Gill, Charles Hossom, Tony LeBlanc, Lucio Perez

Committee Members in absent:

David Graves, Oscar Renteria

Alternate Members in attendance:

Michelle Benvenuto, Carl Bunch, Bob Fiddaman, Rex Stultz, Jeff Dodd, Clay Gregory, Norma Tofanelli, Harvest Duhig, Gary Margadant, Peter White

Alternate Members absent:

Larry Bettinelli, Phil Blake

2. PLEDGE OF ALLEGIANCE

Jeff Dodd led the salute to the flag.

3. CITIZEN COMMENTS AND RECOMMENDATIONS

- *Patricia Damery: I am Patricia Damery, and I live at 3185 Dry Creek Road, in Napa County, where my husband and I are growers. I am also a Jungian psychoanalyst in private practice here in Napa. I want to read a quote from the psychiatrist and philosopher C. G. Jung, who wrote a great deal about balance with nature, whether that be our inner nature, which is the lion's share of my work with patients, or the natural world, where the lion's share of our work in farming. Jung stated, "The facts of nature cannot in the long run be violated. Penetrating and seeping through everything like water, they will undermine any system that fails to take them into account."*

If we fail to put first the facts of nature-the needs of a healthy environment-everything is undermined, including the economics of our Valley. Yet who will advocate for Nature? Director Morrison, as you so eloquently pointed out at the CEQA workshop on Saturday, CEQA, while an important and groundbreaking process, is not that advocate. As that ad on NPR says "Nature needs an attorney".

But potentially, Nature has you, APAC. That's how this all got started. You are in an unprecedented position of advising the Board of Supervisors, who does have the power to act on behalf of Nature. If we continue with the status quo, letting money drive the machine, as it appears to be doing now, the result

will be the further commercialization of our watersheds and further environmental degradation.

We have a tool already that is part of our General Plan, the Oak Woodland Management Plan, but it is voluntary. Advise making it mandatory. If we allow economic and business interests and fine wines to trump our fine forests and oak woodlands, nature still holds the final card. We need your bold leadership to go against business as usual. I ask you to make those bold recommendations to the people who can implement them.

- Norma Tofanelli: I'm speaking on the bigger picture issue. At the recent Planning Commission meeting where the visitation matrix was discussed (which is moving parallel with this discussion), Chair Hall had some very significant comments. I was very struck by them and I think that they should be shared with this committee because they apply here as well, in my opinion. He said "It was great to have the beginnings of a frame work but we need to look at the bigger picture. We need an appreciation of the big picture of what's going on in the valley before we can hope to solve its problems. Looking at 5 to 10% of the visitation isn't going to solve our problem. We have to look at the whole. We're spending a lot of time on the margins, in the perception that we are going to change something, but we have to look at the big picture and be ready to make some hard choices."

We just had some data released that brings up the elephant in the room. Visit Napa Valley has released their latest study from 2014 Visitation, and we see that visitors are up considerably and that VNV has been very successful. Annually, we receive 2.2 million visitors that are day trippers. That's 66% of the volume that is counted here, so I think one of the questions we have to ask if are going to look at the big picture (which we must) is; if we don't have the cities and counties addressing the county as a whole we are fragmented, and each part of this picture of cities and counties can be out of balance with each other. I think that's what we're seeing now. I think one of the overall questions we have to ask is "how do we keep tourism ancillary to agriculture? We need to not bring in so many tourist and so many visitors that we destroy the rural nature. That is the very reason people state repeatedly that they come here. I believe that is part of the big picture that must be addressed, and I thank Chair Hall for focusing on that because it helped me focus. Thank you.

- Mike Hackett- Angwin: I would like to point out a procedural change that I believe would assist the committee by allowing constructive criticism from the "public" during the meetings forthcoming. Currently the procedure has been to allow public testimony at the outset of each meeting with views NOT related to the subject of the specific meeting. All well and good, of course.

Later we get the words from County staff, followed by dialogue within the individual members who are assigned to the APAC. Typically then, motions are made, straw votes are taken, without any comments or suggestions from the citizens.

Only after the APAC has deliberated and formed its decisions, does the public get an opportunity to give voice to the issues at hand. This is not the way either the BOS or PC run their meetings. Last week, the "noon, witching hour" was upon us, and public comments were almost shut out. Only after County Counsel advised otherwise, were citizens allowed to "weigh in" with their comments. My suggestion is to allow the public to speak to the issues at hand, before votes are taken and certainly before the day's agenda is completed.

- Ginna Beharry- Dry Creek Rd, Napa : With regard to the bigger picture I would like to suggest that somehow industry groups; Sustainable Napa, Vision 2050, get together and fund a consultant that would hold a public forum on sustainable growth. I think we are operating somewhat in the dark. With all due respect to the General Plan, I don't know that it really focused as much on sustainable growth as we feel

we might need to now. I would also like, at some point, for the attorneys to address the legality of permanently restricting small winery operations. I do not believe that is currently a legal restriction and I don't know what we have to do to make that a legal option.

- Kelly Anderson-Angwin: When we started this procedure I talked to Melissa Frost about how would we record what happened here, and I thought we were going to put it on video once we got back in this building. I would like to know from the Chair, if that is something that is actually being done; if we are video recording these meetings.

I do want to say that this weekend and the Wine Auction was a really good example of what, in a sense, is happening. We have the individual with the world's biggest motor yacht here, we have people with the wealth of the world here, and these are the type of people that don't really have resource limitations in their mindset. So they come here and they see how beautiful it is and want to be part of the club and live here. But to get that fantastic view, they need a new road access; build in an area that has no water; cut down oak woodlands and disturb watersheds. These are the things that this committee has to look at.

Who is coming here and how do they view our resource; as something that they exploit or as part of their ego persona. Not everyone is Harvest Duhig that cares and understands the fragility of our resource, and I feel like there are people sitting on this committee who are actually saying to us right now that they don't see the problem. I think you need to move off that little mushroom that you're sitting on, saying everything is okay, because it's not okay.

Your neighbors, the folks within your committees, your vintners, your growers, your resource managers, your government agencies, are telling you things can't continue the way they are going. You have to make some meaningful changes otherwise we will have wasted this summer and will go to the Board and will do that "he said she said" like we did on the general plan steering committee. It will be a waste of time. I'd like to see some real honesty (not just protecting your own pocketbook or your own industry) but to come forward and make some meaningful changes.

- Rex Stultz- Napa Valley Vintners: With the mention of Auction Napa Valley a second ago, I thought I would pause from all the "doom and gloom and the sky is falling", and say that something really cool happened this weekend. Auction Napa Valley brought in another \$15.8 million dollars for our community, which is pretty awesome when you think about it. That's a big number; \$15.8 million dollars.

Not everything is awful in the Napa Valley, not everything is awful in the Napa Valley wine industry, it's a pretty cool thing and it doesn't just happen. It's a lot of work and I would like to publicly recognize the Opus One team who was honorary Chair this year and their steering committee, and we are quite fortunate that very wealthy people come in from all over the world to experience Napa Valley wines. Without that, the auction wouldn't exist and it wouldn't happen. Where does that money go? That money goes to healthcare in our community; to the St. Helena Hospital, to the Queen of the Valley Hospital, Clinic Ole, other healthcare charities, and many, many youth development oriented organizations in the valley. It's a pretty cool thing, and we have a better community for it. It's not just the Opus One team and the Auction Napa Valley steering committee; there are about 700 people in our community that volunteer and some take time off of work to volunteer at the auction. The auction would not happen without those folks.

Last, but not least, hundreds of generous donations from the vintners themselves are what go into those lots and that's the kind of magic that it takes to have all that come together and our community is the better for it.

- *Clay Gregory-Visit Napa Valley: I wanted to thank Norma for mentioning our new Visitor Profile Study and Economic Impact of Tourism Study and put some things into perspective because I think for some reason folks feel like there are 10 times more visitors than there ever were. The reality is there are 12 % more visitors in 2014 over what there were in 2012. More than 50% of those incremental visitors came from outside the US, which for the Napa Valley is a great thing in terms of exposure and prestige. To put this in an even bigger context, if you go back to 2005 in the Napa Valley there were 3.0 million visitors and in 2014 we had 3.3, so only 10% up from where we were in 2005. One other part is that we have been very strategic about how to market the valley; we are focused on low season which is growing faster than high season, we are focused on weekdays which are growing more quickly than weekends, and we're focused on group business which happens during the week versus leisure travelers. Things are not doom and gloom on the tourism world either.*
- *Rudy von Strasser- von Strasser Winery: There are two things I'd like to talk about: that economic study, as well as, that this is the first time I've seen a real hard number on what the average Napa Valley visitor spends on wine that is in there. The number, I don't have it in front of me-is something like \$100. I hope that this committee, when they decide or make a recommendation on visitation numbers for wineries or new winery permits, looks at that and comes up with the number that's not a round number or a divisible number. It's a number that has to make some kind of economic sense. It doesn't make sense to permit wineries that can't conduct their business. It's better to permit fewer wineries and allow them to be successful. That's a number that hasn't been thrown out here. How much does the average visitor spend? If someone gets 10 visitors a week and they're spending \$1000, they're not going to be able to build a winery, so I hope that number is a number that is being used. That's the main thing I wanted to talk about.*
- *Rob Mondavi: I was born here in the Napa Valley, at the Queen of the Valley Hospital on October 27, 1971. We are four generations deep in this valley and a fifth that's here now. I remember hearing the tales of when they used to have cattle drives down Main Street in St. Helena. I can remember seeing fewer vineyards in the valley and more prune orchards. I remember a time when the French Laundry would have been considered a laundry. I also remember the roads back then weren't so great, and I remember people scoffed at the idea of living in the countryside. Now, this is a great Valley and it has been preserved because our forefathers recognized that the agricultural preserve was important to the continuation of the spirit of Napa Valley and to the preservation of wine. I love the seal right behind every one of you here- it's grapes, it's agriculture, and that means wine. My concerns about where we are going today are that we are asking questions and analyzing business in a very minute time frame. This industry wasn't built overnight, this took generations to build. When my grandfather and my father started Robert Mondavi winery it was one of the first since the repeal of Prohibition, and just a few short years later, here we are. There were bets on when Robert Mondavi Winery would go out of business and fortunately that didn't happen. Every vintner that comes here and every person that's moved to this community, whether it was wine related or quality of life, together they have built something special. The WDO is in place and it has done a very good job. We respect the TTB laws and following the 75% rule and we have also protected our Valley. We have a beautiful place here. What we have is working. We have some outliers and some bad apples like any community that need to be reined in and need to be monitored. I am very supportive of that but we also need to be mindful of the choices and the discussions they we're having today can have catastrophic*

impacts if we are not careful. Catastrophic impacts that can break this valley.

If, we are not allowed as Vintner's, to have guests, to sell wine, to choose where we buy grapes from, and to choose where and how we create our wines, we will not be able to make the same quality wines and have the same ability to keep this valley going. What we are talking about here is a restraint of trade, a restraint of our rights, and a restraint of everything that has made this valley special. So be careful of what we discuss, be careful of looking long-term. Not just a few years but generationally. I love this valley, my son loves it, and my family loves it. Our family, every side of it, is here to support this and I thank you for asking the questions, but I want to make sure that we look at the facts and quantifiable data and long-term results before any decisions are made, So thank you.

4. APPROVAL OF MINUTES

Minutes for the May 28, 2015 meeting were approved as presented.

5. SECRETARY-DIRECTOR'S REPORT

David Morrison gave the report.

6. ADMINISTRATIVE ITEMS

A. RECOMMENDATION

This meeting is being conducted by the Agricultural Protection Advisory Committee and County staff to allow for input, discussion, and tentative recommendation regarding proposals for amending the County Zoning Code. The focus of this meeting concerns the range and/or intensity of winery-related uses in the Agricultural Zones, including but not limited to: (1) the minimum parcel size for establishing new wineries; (2) the net loss of vineyards associated with winery development and/or expansion; (3) the role of estate grapes in winery production; and (4) other amendments related to the topic.

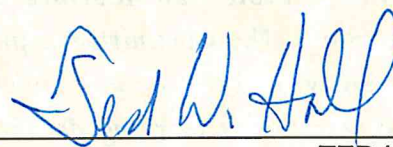
The Agricultural Protection Advisory Committee received the staff presentation and accepted public testimony. The Committee requested staff to prepare a framework for reviewing the appropriate range and intensity of winery uses on agriculturally zoned parcels. The Committee asked staff to provide working definitions to clearly agricultural and accessory uses. The Committee also directed staff to discuss self-certification as a part of the code enforcement program. Finally, it was requested that staff provide a copy of the view shed ordinance. Staff recommended that any proposals from the Committee or public on these issues be received in writing by close of business day on Monday, June 15, 2015 for the June 22, 2015 packet.

7. COMMITTEE REPORTS

8. FUTURE AGENDA ITEMS

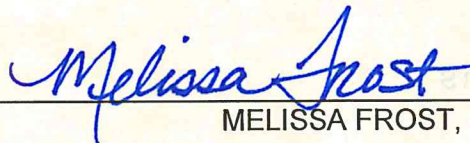
9. ADJOURNMENT

Meeting was adjourned to the regular APAC Meeting of June 22, 2015.



TED HALL, Chairperson

ATTEST: DAVID MORRISON, Secretary-Director



MELISSA FROST, Clerk of the Committee