

Friends of Mark West Watershed

Statement Regarding Proposed Cornell Winery, UPE03-0092, 420 Wappo Road,
Upper Mark West Watershed, Santa Rosa, APN 028-260-047

June 6, 2005

My name is Ray Krauss. I reside at 6969 St. Helena Road. I am here on behalf of the Friends of the Mark West Watershed. We are a watershed community dedicated to protecting, preserving and restoring the Mark West Creek and its watershed as a natural and community resource.

I've been asked to reiterate the position that we took before your planning commission to not oppose your approval of this permit. I also want to make clear that we are not in any way opposing Casey Caplinger's appeal. We share in common with Casey a deep concern for Mark West Creek and its watershed and have watched with Casey over the years as silt fills rearing pool, critical late season flows diminish and returning fish struggle to find suitable spawning gravels.

I won't restate the reasoning behind our position but rather give you a copy of our Planning Commission statement. I do want to state for the record that we appreciate the applicant's willingness to meet with our group and in particular to modify the application in response to some of the community's concerns. These modifications include a reduction in the winery capacity from 20,000 cases per year to 10,000, a capacity that more nearly mirrors the grape production from the site, and a commitment to try to incorporate the spoils from the wine cave excavation into the roads on the site and thus avoid what could be an extensive and dangerous haul on St. Helena Road. In addition, Guy Davis has agreed to work with the FMMW in the future to monitor well levels, water use and stream flow in the watershed in support of our efforts to understand the watershed's hydrology and to preserve adequate stream flow to support Steelhead and Coho spawning.

That being said, I want to hasten to add that our not opposing your approval of this permit does not in anyway mean that we endorse projects such as these in the watershed, but rather that we find ourselves shackled in our ability to effectively react to such projects.

I would like to take just a second to describe to you how the development of a project like this appears to its neighbors and watershed cohabitants.

1. First we hear that a long term resident has sold his property and is moving from the watershed.
2. The first physical change we see on the property is the arrival of a bunch of heavy equipment and the upgrading of its roads. That's OK, the new owners seem to have gotten a **grading permit** from the county and we are the kind of people that

- don't like to get our noses in other people's business. But we can't help but be curious about what the new owner intends to put on that property at the top end of a shared private road that requires such a fine road. After all, the previous owners made do with the existing driveway for at least 30 years!
3. Things are quite for a while and then one morning, the downhill neighbor looks out her kitchen window and sees flatbed trucks going down the hill carrying rounds of oak the size of her kitchen table. She cried. Turns out the new owners got a "**Conversion Permit**" from CDF. But there was certainly no apparent notice to any of the other property owners in the watershed. Fortunately, the new owner satiated his craving for vineyard with the conversion of only eight of the permitted 38 acres.
 4. A drilling rig appears next and a new well is drilled as authorized by a **well drilling permit** issued by the County Health department. Seems strange that no one has the opportunity to ask if the water use from this new well will diminish flows in Mark West Creek or even neighboring wells.
 5. That being done, an **erosion control plan** is obtained and 28-acres of new vineyard planted. Folks are told that approval of an erosion control plan does not require environmental review.
 6. Finally, after five years of new development on the property, the neighbors are told that they have the opportunity to comment to the County on the **Use Permit** for the project. What a letdown when we discover that the "project" under consideration is an 8,000 cubic-yard hole in the ground, an associated building and some wine making equipment. We are told that none of the environmental consequences of any of the prior permitted development projects needs or even can be considered in your decision today.

So, yes, we do not oppose your approval of this particular permit. Nor do we oppose Casey's appeal. But we would certainly like the opportunity to work with you and your staff to fix this dysfunctional approval process so that in the future, neighbors in the effected watershed can have the opportunity to participate in a meaningful way in the consideration of the entirety of the proposed land use changes that have the potential to impact the ecological functioning of Mark West Creek and its Watershed and its ability to continue to support Steelhead trout and Coho salmon.

In our group's deliberations about our position on this appeal, we also found ourselves shackled by a lack of the basic information that any person would reasonably need to formulate an informed opinion on the environmental changes potentially caused by approval of just the proposed permit let alone the entire project. I can't help but note that nowhere in your staff report does it mention that this proposal is located in the Mark West Watershed nor does it describe the condition of the watershed or its particular sensitivities to the disturbances associated with the project. The environmental mitigations and conditions assigned to this project are essentially the same as those imposed on a similar project located on an entirely flat, totally cultivated parcel located in the Alexander Valley. We are left to speculate on the overall project's impact on groundwater and stream flow because the permit only considers the winery's use, not the

irrigation of the vineyard. The CEQA review for the project is simply too generic to be very helpful.

The Friends of the Mark West Watershed are earnestly committed to being positive and constructive as we deal with these issues in our watershed. To that end we have just submitted a grant proposal to the Department of Fish and Game to develop a Mark West Watershed Stewardship Plan that will provide the information we and the County need to make truly informed decisions on these matters in the future based on reasonable knowledge of their real and particular environmental consequences. Furthermore we have been challenged to investigate how our watershed is put together and how it works so that we can articulate and document just how important the Mark West Watershed is to the survival of Coho and Steelhead and to meeting the protection goals for the entire Russian River Watershed, a matter that should be of considerable concern to Sonoma County and its Water Agency. I've included with our written comments a copy of that proposal and hope that you and your staff will take a look and consider endorsing our work.

So, in conclusion, no, the Friends of Mark West Watershed do not oppose your approval of this permit, but we hope to have the opportunity to work with you and PRMD to review and improve the approval process for projects such as these and to find a way of providing more effective opportunities for public participation. We can all do a better job of balancing the interests of the individual landowner with the interests of the environment and the community. Thank you for hearing our point of view on this matter.

Any Questions?