



January 31, 2006

President Jerry Hill and
Members of the Board of Supervisors
400 County Center
Redwood City, CA 94063

Re: Vineyard Ordinance

Dear President Hill and Honorable Supervisors,

There is an urgent need for a vineyard ordinance in San Mateo County. At the present time, the County has no clear and effective standards to control grading and clearing of land for development or expansion of vineyards, particularly on steep slopes, within or adjacent to sensitive habitats and in areas where drinking water supply and quality may be affected.

New vineyards have recently been developed on steep slopes and within sensitive habitat areas in the Skyline and La Honda areas. In Santa Clara County, a new vineyard and winery along Skyline caused neighbors to consider litigation over impacts to their groundwater wells. In Sonoma County, even forested lands are now being converted to vineyards; the same problem could occur here. We believe the trend to pioneer in less traditional areas for viticulture will continue as people seek niche markets or include a vineyard as a feature of a "gentleman farm" or "country estate". Serious potential environmental impacts and public health threats make a vineyard ordinance a matter that warrants your immediate attention:

Alpine Road Vineyards

One of the recently installed vineyards, owned by Alpine Road Vineyards, LLC, was the subject of enforcement actions in 2002 by San Mateo County, the Regional Water Quality Control Board, and CA Fish and Game. Without review and approval by these agencies, 26 acres of the site was graded in preparation for vineyard development. This illegal grading involved clearing of native Northern Coastal Scrub vegetation, elimination of two riparian/wetland stream courses, and grading on steep slopes of up to 65%.

The stream courses and riparian/wetland areas on the property form the headwaters of Tarwater Creek, a tributary to Pescadero Creek. Pescadero Creek provides spawning and rearing habitat for steelhead trout, a Federally protected species. Pescadero Creek has been declared impaired for excessive sediment, which is deleterious to salmonid and other aquatic species.

The grading for the Alpine Road Vineyards began late in the fall of 2001, and was not properly winterized prior to onset of the winter storms of 2001-02. There was significant erosion on the unprotected steep slopes with major sedimentation occurring downstream. The owners were required to remediate the site in 2002-03, at a cost of over \$500,000, and pay for off-site mitigation in Memorial Park.

This experience was a wake up call to the County. At the time the County approved the After-the Fact Grading Permit (July, 2003), Committee for Green Foothills requested that the County enact an ordinance that would address several issues: development on steep slopes (over 30%), protections for streams and riparian areas, and protections for oaks and other significant trees. The Planning Commission agreed there was an urgent need for a Vineyard Ordinance, but to date nothing has been done.

Clos de la Tech Vineyard

In 2002, the County issued a grading permit to Clos de la Tech Vineyard for excavation of three 300-foot deep caves into Langley Ridge for a winery on a 173-acre parcel adjacent to the community of La Honda. Most of the community water supply for the 1,000 residents of the Cuesta La Honda Guild emerges from several springs located at the base of an extremely steep slope at the edge of Clos de la Tech's property in the Woodhams Creek watershed. Part of the same property, within the adjacent watershed of Langley Creek, had already been planted with vineyards on very steep slopes (over 50%). Residents of La Honda were not notified of the permit application or the public hearings for the grading permit for the caves. They were naturally alarmed when blasting for the caves began. Their concerns increased when they learned that the winery and vineyard could involve drilling of groundwater wells that could affect their water supply. Moreover, planting and cultivation of vineyards on the steep slopes immediately above Tunnel Spring, the community's prime water source, could potentially cause runoff containing fertilizers, fungicides, pesticides, herbicides, and sediment and pollute their water source.

Rhys Vineyard

In 2005, the owners of Alpine Road Vineyards applied for a grading permit to operate a winery at a new vineyard they had installed along the east side of Skyline Boulevard in Santa Clara County. Drainage from this vineyard flows under Skyline Boulevard and then west into the upper watershed of Pescadero Creek. Neighbors of the vineyard were concerned that their groundwater drinking wells could be adversely affected by heavily-used wells for vineyard irrigation. Santa Clara, like San Mateo County, does not have adequate controls over vineyards and wineries, so the neighbors were in a difficult position. Ultimately they reached an agreement with Rhys representatives who chose to come to the table rather than face potential appeals. Although CGF was pleased with this outcome, we remain concerned that without adequate regulations, affected neighbors and environmental groups may have to resort to the courts to address health, safety, and environmental impacts of vineyard development.

In Sonoma and Napa Counties, the flourishing wine industry has raised community alarm over location and impacts of vineyards. Their Boards of Supervisors have already taken the initiative to address neighbor concerns and prevent environmental damage. We believe that Sonoma County's ordinance is a good model to apply here in San Mateo County.

We urge your Board to take action now, before there is a new spate of vineyards with no review and control of their location or impacts. Please direct Staff to expedite development of a vineyard ordinance.

Sincerely,

Lennie Roberts, Legislative Advocate
Committee for Green Foothills

cc: Lisa Grote, Planning Director
Members of the Planning Commission