Once-idyllic Napa becomes an environmental battleground.

To tourists cruising along California Highway 29, Napa County is a picture of bucolic serenity. It is particularly striking in the fall, when its famed grape vines turn a fiery yellow, contrasting with the bluish backdrop of the Mayacama Mountains, and the air smells of freshly crushed grapes.

In fact, this narrow valley is far from peaceful. Its fierce environmental and planning wars were chronicled in a 2002 book by author James Conaway, entitled *The Far Side of Eden: New Money, Old Land, and the Battle for Napa Valley*.

A recent battle over regulating hillside vineyard development near streams epitomizes the clashing forces at play in the valley, which contains some of the most prized vineyard soil on earth. Public meetings on the proposed rules drew so many people they had to be held at the county fairgrounds. And a planning consultant hired by the county to draft the rules says he was labeled a "communist" for his role in the project.

Last March, two setback ordinances, the one proposed by the county and a stricter version advocated by environmentalists, were turned down by county voters. The campaign against them was led by the Napa Valley Land Stewards Association, a recently formed property rights group that boasts 1,000 members.

"It's just been a firestorm here, absolutely a firestorm," says Stuart Smith, founder and general partner of Smith Madrone Vineyards and a leader of the Land Stewards organization, which opposed both ordinances. "A lot of enemies were made and a lot of things were said that were quite hurtful."

Too much?
The issue for many area residents is the expansion of the wine industry. A lot of people feel that it has become too much of a good thing, says Davie Pina, a fourth-generation Napa resident whose family company, Pina Vineyard Management, runs 40 vineyards in Napa and Sonoma counties. People "feel like we're going to put vineyards all over the valley. You're not going to see any trees, and we're going to destroy the river," he says.

The problems have been well publicized. In 1987, the California State Water Quality Control Board declared the Napa River "impaired" by sediment and bacteria. Fish runs in the river's feeder creeks have dwindled to a fraction of historical levels, and the board has identified the river as a priority for action.

Other issues include the traffic that often clogs two-lane Highway 29, the valley's main thoroughfare, and zooming real estate prices—so high, Pina says, that a single home site, never mind the house, may sell for $1 million.

"People always say, 'Don't become another Napa,'" says Kelly Hernandez, echoing those who complain that the region is simply too crowded and too commercialized. Hernandez works in the tasting room of Young's Vineyard, a winery in Amador County in the Sierra Nevada foothills, a lesser known wine-making region celebrated for its rich Zinfandel.

About five million tourists visit Napa's 260-plus vineyards every year; in 1988, there were only 186 vineyards. The growth is due in part to the influx of people who made a fortune in software or films in the economic boom years of the 1990s and who arrived in Napa with dreams of producing a wine with their name on it. With the valley floor occupied by established vineyards, they headed to the mountains, clearing forests to plant vines. Their extravagant, ridge-top "muscle" houses seemed...
to some locals a visible representation of how Napa was being ruined by its own success.

"Just go up Highway 29 and you can't miss them," says local environmental activist Chris Malan of these houses. "They're like big ships coming over the horizon." Malan and other leaders of the local Sierra Club chapter sued the county in 1999, contending it wasn't adequately scrutinizing hillside vineyard development. They claimed that the county had ignored a 1991 ordinance that required it to protect the Napa River watershed by curtailing the planting of hillside vineyards near creeks and streams.

**Letter of the law**

In a 2001 settlement, the county agreed to apply the strict environmental review standards of the California Environmental Quality Act to new vineyards in the hills, a step that drastically slowed the pace of hillside vineyard development.
The new procedures have irritated not just newcomers but some old timers as well. "If we want to replace our vineyards, we have to start months in advance and pay tens of thousands of dollars," complains Smith, who has long grown grapes in the hills outside the Napa Valley town of St. Helena. "Now, when you ask for a permit, you have to say where your workers are going to have lunch. What does that have to do with soil erosion?"

But to Chris Malan, the current policies don't go nearly far enough. "As long as you go through the hoops, a project is never denied in Napa County," she says. In 1998, Malan was appointed to the Napa River Watershed Task Force, a county-sponsored group charged with reaching consensus on hillside development and river protection issues. After two years of meetings, the group in September 2000 released recommendations that included rewriting the 1991 stream setback rules.

The resulting ordinance drafted by the county planning staff proposed increasing the setback for development along streams from 35 feet to as much as 150 feet, depending on a stream's size and flow. The ordinance contained various exemptions for small projects and existing vineyards.

Things started to get ugly when the county held its first public hearings on the proposed ordinance in the fall of 2002. Opponents, including the landowners who formed the Land Stewards Association, packed planning commission and board of supervisors meetings by the hundreds.

Austin McInerny, AICP, a Berkeley-based planning consultant hired to help write the new rules, says he was shocked at the intensity of the reaction. "The ordinance was only implementing what a task force that had met over 30 times developed. But we were singled out as radical environmentalists from outside the county," he says.

McInerny notes that the proposed ordinance was aimed not just at reducing sediment flow into streams but also at protecting riparian habitat. Leaving trees along stream banks also shades the water, protecting steelhead and salmon. "If you don't have a canopy over the stream," he says, "the water temperature rises to a point where it impairs a fish's ability to reproduce."

Michael Napolitano, a geologist with the San Francisco Regional Water Quality Control Board, the regional arm of the state water board, agrees that the 35-foot setbacks established in 1991 are inadequate to protect Chinook salmon and steelhead trout, a federally listed endangered species. "If you wanted to protect salmon or steelhead, you'd want a wider setback than that," he says.

Nevertheless, the Land Stewards group collected signatures to force a public vote on the county's proposed ordinance rather than allowing the supervisors simply to adopt it themselves. The ordinance became Measure P on the March 2004 ballot.

Property rights advocates weren't the only ones unhappy with the county ordinance. A group of environmentalists, including Malan, thought it wasn't stringent enough. They gathered signatures for a rival initiative, Measure O, which would have required 1,000-feet setbacks from streams, vernal pools, and wetlands.

The vote
Measure P had the support of major wine-growing groups, four out of five members of the Napa County Board of Supervisors, and U.S. Rep. Mike Thompson, a Democrat from St. Helena. Nevertheless, it was rejected by 65 percent of the voters in the March election. Measure O went down by an even wider margin, with 73 percent of people voting no.

While there are some signs that voters may have been confused by the dueling technical ordinances, Smith, the Land Stewards member, sees the vote as a victory for Napa's identity as a winegrowing region, not a wilderness. That identity dates back to the region's decision in 1968 to designate itself the nation's first agricultural preserve, a policy that limited the subdivision of lots and is credited with preventing Napa from becoming another Bay Area suburb.

Smith calls the March election "the most stunning in 35 years," noting that an environmentally-minded member of the board of supervisors was replaced with a Land Stewards supporter. "The problem we've had until recently is that the board didn't have the courage to stand up for agriculture," he says. "Growing grapes in the mountains may be unique, but it's still agriculture."

Measure O, he maintains, would have imposed setbacks so extreme that it was just "whacked out," and the more modest Measure P was inherently unfair because it exempted existing vineyards, including the powerful interests on the Napa Valley floor.

Both Smith and Malan, the environmental activist, say their groups were drained by the fight over measures P and O.

Malan says she and a band of supporters have temporarily backed off from countywide efforts and are focusing on fighting particu-
A healthy stream contrasts with flooded vineyard (below). Winegrowers in the valley are banking on river-restoration programs.

Particularly objectionable projects. “Many of us who were involved in the Measure O campaign decided we needed to take a rest,” she says.

Voluntary measures
Some winegrowers in the valley hope voluntary river restoration programs will do the trick. In the Rutherford area, a 4.5-mile stretch of the Napa River is eating away portions of some growers’ properties, says Pina, the vineyard manager and president of the Rutherford Dust Society, an association of growers.

“In some cases, [the river] is getting really near the vines,” he says. Three years ago, the society embarked on a project to restore its portion of the river. Over the years, researchers concluded, the channelized river had literally been shoveling down, digging itself a deeper bed. The banks became steeper and started to collapse.

Pina says he hopes the society’s attempt to broaden the channel will serve as a model for voluntary river restoration. “We already have some of the Oakville vintners joining us,” he says. “I’m hoping it goes through the whole valley.”

Smith agrees. He recently helped to bring together a group of environmentalists, growers, and federal agriculture officials to form a voluntary stewardship group. “Napa County doesn’t need any more environmental wars,” he says. “They are very destructive, and they ultimately threaten the viability of the valley.”

If growers and environmentalists can’t reach consensus, they may face new requirements handed down by the regional water board, which has identified the Napa River as a high priority for action. “We’re in the process of developing a plan that may include both regulatory requirements and voluntary measures,” says Napolitano. “At this point, it’s hard to say what the mixture will be.”

Pina, the vineyard manager, is hoping that community initiatives like the one being carried out by the Rutherford Dust Society will provide a solution and keep regulators from simply imposing new rules. “Our plan is to dovetail right into [river restoration],” he says. “They don’t have to come in with a hammer.”

Mary Lynne Vellinga is a reporter for the Sacramento Bee.