

May 31 2012
5102 Lyra ct.
Bakersfield Calif.

Members of the Calistoga City Council,

Dear Council members,

I am embarrassed to have to contact you regarding our drainage concerns. At the April 17th council meeting I was under the impression that we (the neighbors) were to work out the drainage. I met on Friday April 20th with Delta Engineering and discussed several options to move the drainage parallel to the Silverado trail and felt the discussion could lead to changes in the drainage direction. Since the April 17th council meeting I have met on site with Dan and Derik from the Public works dept and Andrew Simpson (Arden's engineer) and the consensus was that it was feasible and possible to move the drainage parallel to the Silverado Trail. In addition I met with Andrew Simpson and Jim Rose, Arden's attorney and again left with the impression that if CEQA was not reopened the drainage could be moved parallel to the Silverado Trail. The latest I can determine as of 3:00 P.M. May 31st is that there has been no effort to move the drainage 800 feet north to parallel the Silverado Trail. The drainage will enter the same ditch but 800 feet further north. The city staff has consistently ignored all comments about the Luvisi's drainage concerns and followed their original engineering studies. I sent a letter to the planning commission objecting to the statement "drainage has been mitigated" which was again ignored. It is unfortunate that the Luvisi's have no say in where the drainage water should flow thru our property. I understand that there are some concerns about changes forcing a CEQA review. If the drainage can't be worked out between agreeing parties then re-open CEQA, As the City council if this is what it takes then re-open CEQA.

I also take issue with the city engineer's comments of 24 April 2012.

1. Water will flow southeast through our vineyard not due south as stated in reports.
2. On the undisturbed vineyard land there is no way water will flow to the ditch city staff wants to use. Check the Terra Firma survey.
3. The current drainage that the city staff wants to use was conceived when the August Briggs winery was constructed. The access road in front of the proposed winery to the August Briggs winery has a 0.5% slope. That equals a 4ft drop in 800ft. A man made slope no way historic.
4. The idea that the drainage water has to use a lift pump is a scare tactic. During construction the slope can be modified to drain to the Silverado Trail, a portion of the water is already going there.
5. There is a 5ft drop from the corner of the property to the Luvisi ditch 800ft parallel to the Silverado trail. This is the south side; water already has the exact same flow on the north side of the Silverado trail. (Map attached)

I am not sure why city staff has been so locked in to this one option and not

working with the Luvisi ranch towards a mutually satisfactory solution. If there is some significant reason for the drainage to usurp our ditch, city staff has not conveyed it to me. It has been pretty much "this is the way it is going to be" suck it up and live with it. It is almost as if the city staff is reluctant to support a change in the outlet for the drainage, especially since this was discussed when the first drainage plan was released.

Again I am sorry to have to bring this to your attention but I am frustrated with working with city staff and Arden winery to resolve the drainage situation.

Sincerely
Don Luvisi
Luvisi Ranch.

