



Round Hill Cellars d/b/a Rutherford Ranch Winery

Appeal by Water Audit California

Major Modification P19-00126 and Use Permit Exception to
Conservation Regulations P23-00145



RUTHERFORD
Ranch

Rutherford Ranch Winery

Introduction by Applicant/Owner:

- Rutherford Ranch is a family owned and operated business since 1978
- Business opportunities and challenges
- Background re original use permit and amnesty application

	Permitted Use	Existing Use as of 2018 (Pre-Amnesty)	Use in 2019 Modification Application P19-00126 (Proposed)	Approved (After Working With Planning Commission)
Production	1,250,000 gpy	No change	No change	No change
Visitation	50 guests / day	Peak 265 guests / day 185 guests / day (average per week)	250 guests / day	Peak 250 guests / day 170 guests / day (average per week Nov. – Apr.) 214 guests / day (average per week May – Oct.) (No visitation during large events.)
Marketing Events	0	65 events	36 events	36 events
Employees	28 FT / 3 PT	43 FT / 2 PT	58 FT / 5 PT	58 FT / 5 PT

Rutherford Ranch Winery

Presentation by Gina Giacone, Summit Engineering:

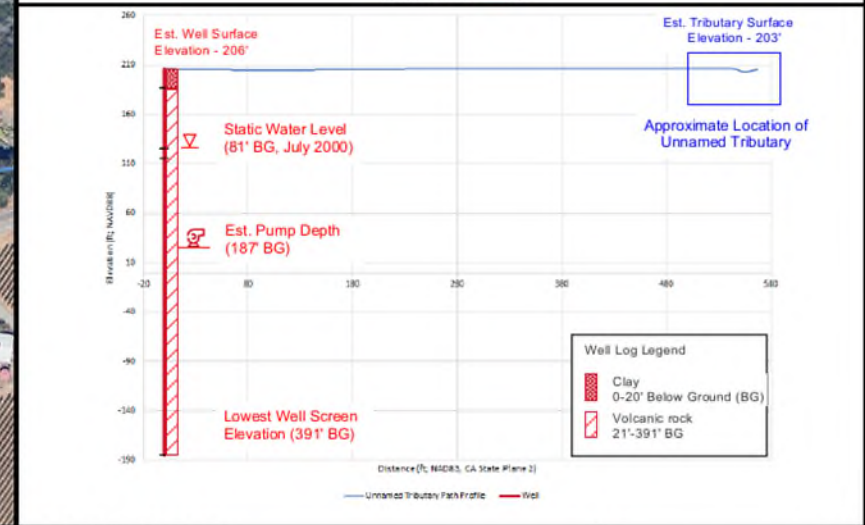
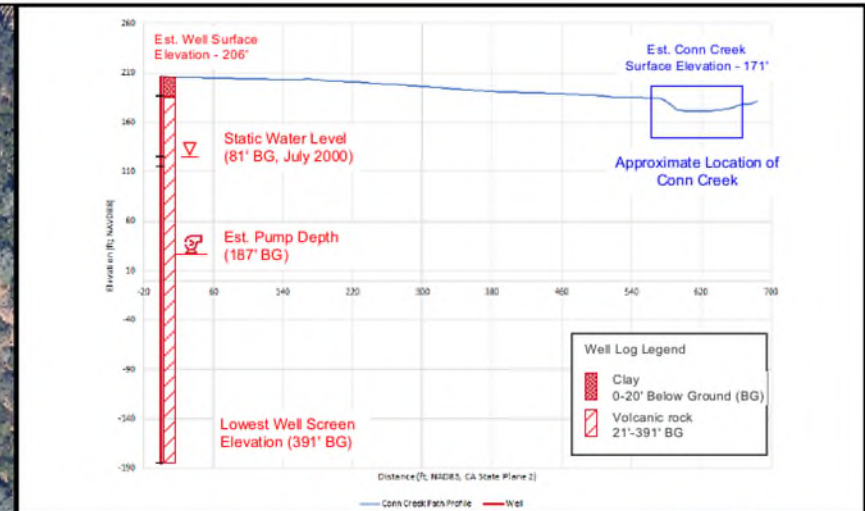
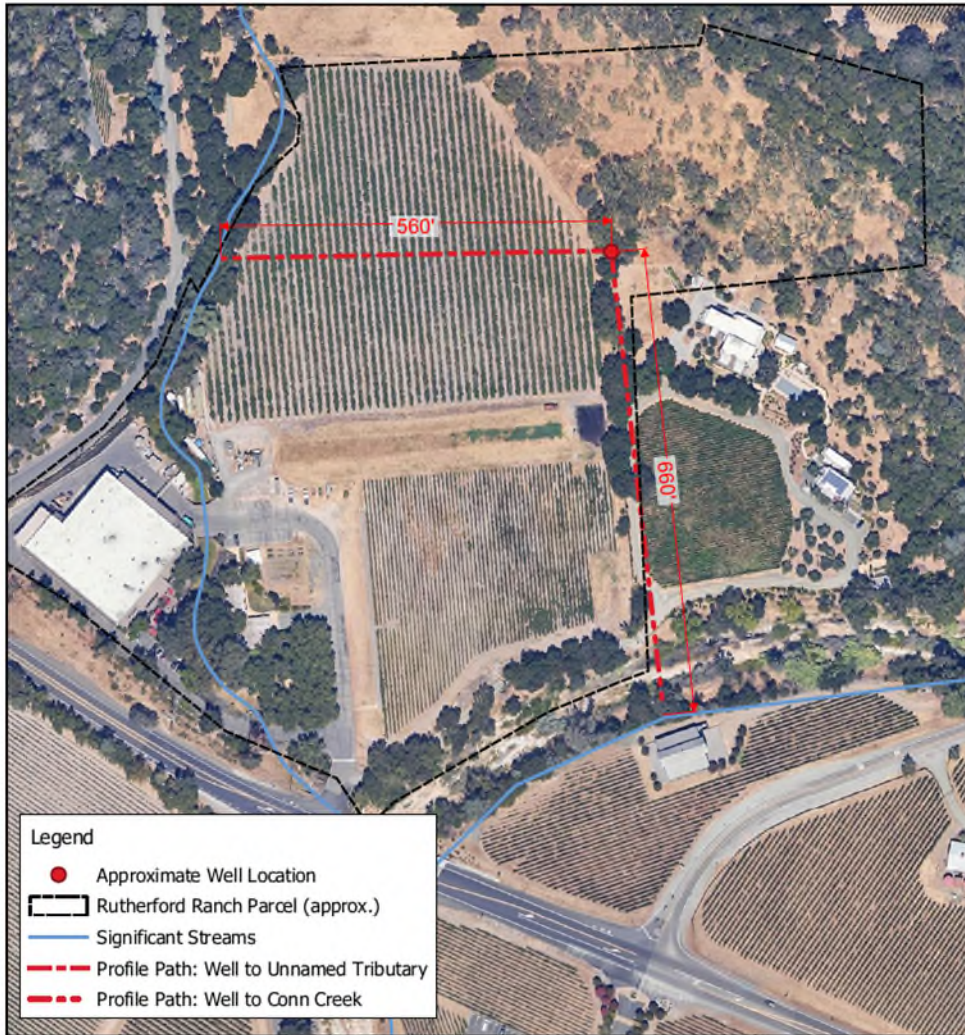
- Background and credentials of Summit Engineering
- Preparation of Water Availability Analysis
- Water reduction explanation
- Project meets County objectives

Source of Demand	Permitted (ac-ft)	Existing (ac-ft)	Proposed (ac-ft)
Winery Production	6.1	6.1	4.9
Winery Domestic Use	0.9	0.9	2.0
Winery Irrigation	1.3	1.3	1.2
Partial Vineyard Irrigation	4.3	4.3	4.3
Olive Grove Irrigation	1.7	1.7	1.7
Total	14.4	14.4	14.1

Reduction from cooling tower and steam sanitization

Reduction from broadcast spray to drip irrigation

Hydraulic Diagram



PROJECT NO. 201819Z
 DATE 2024-02-01
 BASEMAP Google Earth 2024

SITE PLAN AND ELEVATION PROFILE
RUTHERFORD RANCH WINERY
 1680 SILVERADO TRAIL
 RUTHERFORD, CA
 APN 030-300-030

SUMMIT
 Summit Engineering, Inc.
 575 W. College Ave., Suite 201 • Santa Rosa, CA 95401
 707-521-0775 • www.summit-sr.com

Rutherford Ranch Winery Use Permit & CEQA Process

Presentation by Farella Braun + Martel LLP:

- In March of 2019, the winery filed a **use permit modification** (P19-00126), seeking recognition of the following uses:
 - A peak of **250 visitors per day**
 - 58 full-time and 5 part-time employees
 - 36 marketing events per year (down from 65 events)
 - (No increase in wine production)
- To offset domestic water demand, Rutherford Ranch proposed multiple **water saving measures** for its winery water demand (*i.e.*, convert cooling tower to air-cooled system, implement steam sanitization processes, convert landscaping to drip irrigation).
- This resulted in **No Net Increase** in water use. In fact, water demand was reduced from **14.4 to 14.1** afy.

Rutherford Ranch Winery Appeal

- At the hearing, the winery offered to reduce visitation to an average of **170 guests** per day between November and April, and an average of **214 guests** per day between May and October.
- The previous existing baseline had been 185 visitors per day average, with 265 peak. Thus, the approved modification was **less than the previous baseline**.
- The Commission approved the winery **unanimously**, finding **no evidence of hydraulic connection** between the well and the creek.

Rutherford Ranch Winery Appeal

Issues on Appeal:

- Water Use: at the time of the application, the County determined the project **did not require a Tier 3 analysis** because it **reduced** groundwater use.
- Public Trust Doctrine: after evaluating the distance from the well to the creek and the elevation difference, Summit Engineering opined that a **connection was unlikely due to the elevation changes** between them. The County concurred with this analysis. (see Attachment B to Board Staff Report)
- Other arguments by Appellant (Neg Dec v. Mitigated Neg Dec) mischaracterize the record and/or are meritless

Rutherford Ranch Winery Appeal

- Recent change in County policy and response to same
 - “Equivalent analysis” by Summit Engineering
 - Other responses: reduction in volume and flow
- Concluding Remarks

Questions



Rutherford Ranch Winery does not waive, and expressly reserves, all rights, claims, and defenses arising out of, relating to, or in connection with its Major Modification P19-00126 and Use Permit Exception to Conservation Regulations P23-00145, including, without limitation, the retroactive application County Counsel's memorandum entitled *Application of Public Trust Doctrine to Projects Dependent on Groundwater*, dated January 10, 2024.