Mark West Creek dispute pits water vs. wine

Neighbors object to proposed winery plan, fearing habitat damage, greater risk of landslides

CHRISTOPHER CHUNG / The Press Democrat
Betty and Jim Doerksen are protesting a plan to construct an 18,000-square-foot winery, which they believe will decrease the flow of Mark West Creek and diminish habitat quality through their property.

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Inside Jim and Betty Doerksen's century-old farmhouse on St. Helena Road, stacks of paper and aerial photos are spread across a dining room table, beneath an antique rifle mounted on the wall.

HEARING TODAY
The Board of Zoning Adjustments will hear a request by Henry Cornell to build a winery and storage cave just off St. Helena Road. He seeks a use permit.
When: 1 p.m. today
Where: Board of Zoning Adjustments, 2550 Ventura Ave., Santa Rosa

The setting reflects the couple's battle with a Wall Street executive who wants to build an 18,000-square-foot winery and 8,000-square-foot storage cave in the hills above their home.

The Doerksens, and many of their neighbors who live in the forested enclave northeast of Santa Rosa, fear the winery and the vines will further deplete water levels in Mark West Creek, increase the risk of landslides and bring unwanted traffic to the area.

To underscore his concern, Jim Doerksen, 69, posted a sign on a tree so that all who drive the curvy two-lane road are aware of the controversy: "Vineyards Suck!!! Water," it reads.

The fight, which includes a key hearing today before Sonoma County planners on whether to grant the winery's use permit, is the latest involving well-heeled vintners who seek Sonoma County cache and neighbors who fear grapes are wrecking their way of life.

The winery plan submitted by Henry Cornell, a managing director for the global investment banking and securities firm Goldman Sachs, is the second brought by a wealthy vintner in the area.

The other is from Jess Jackson, the billionaire owner of the Kendall-Jackson wine empire, who hopes to place an artisan winery and tasting room on Highway 128 near Franz Valley Road.

That plan also has drawn neighborhood protest, primarily over Jackson's desire to operate a tasting room at the site.

These protests more broadly signal growing concern over the effect wineries and vineyards have on the quality of life in rural environs. But because vineyards are exempt from environmental review, the focus of these battles has been on the construction of wineries -- and on those who submit the plans.

"It's all they (opponents) have," said David Hardy, supervising planner of the county's Permit and Resource Management Department. "It's the only thing they get a public notice for."

St. Helena Road residents say they are worried Cornell's plans will endanger sensitive habitats by putting more sediment into Mark West Creek, which originates about six miles west of St. Helena and meanders for miles before emptying into the Russian River near Steelhead Beach.

The creek is one of only a few tributaries of the Russian River that still supports a healthy population of endangered steelhead trout. But Doerksen, whose deck overlooks the creek, said he sees fewer and fewer steelhead and salmonoids with each passing year.

"We say, 'OK, there's going to be a good flow because we've had lots of rain.' Wrong. It's always the worst year ever," he said inside his home, where wood cracked in a fireplace.

On the flip side, Doerksen said he tried to buy flood insurance for his home this year for the first time. He blames the high water flow on erosion from vineyards replacing redwoods, Douglas fir and other native trees.

In September, he rented a plane and took aerial photos of the 40-acre parcel where Cornell hopes to build his winery. The photos show bald land surrounded by trees.

"We were absolutely flabbergasted by what we saw when we got up there," he said. "You think that it's a 10-acre
winery, and there's all these vineyards up there."

The battle has gotten personal. Doerkson's neighbor, retired criminal defense attorney Steve Krimel, spared no words in describing his feelings about Cornell, who he said he's never met.

"He brought with him no sense of community values or what's important to people in this valley," Krimel said. "He brought with him a way of business that he is comfortable with on Wall Street, which is, 'Kick them when they're down.'"

Cornell did not return a phone call left at his New York office.

Guy Davis, a Healdsburg winemaker who is representing Cornell, was traveling Wednesday but issued a statement that took issue with the way Cornell and his plans have been portrayed.

"This small winery project is opposed by some area residents who believe that Mark West Creek has been impacted by vineyard activities in the region," Davis' statement said. "Ironically, while Cornell Farms enjoys the same riparian rights to take water directly from Mark West Creek as many of the opponents, Cornell declines to do so, while some of the opponents draw water directly from the creek year-round, despite their impact on the creek."

Davis said the proposed winery will be solar powered, make extensive use of recycled materials and is designed to utilize less water "than any winery of its size in North America."

County planners originally approved Cornell's plans in 2005. The Board of Supervisors unanimously upheld that judgment after opponents filed an appeal.

Cornell withdrew that application, however, after he bought an adjacent parcel where he hopes to place his winery. Today's 1 p.m. hearing before the Board of Zoning Adjustments will be for that use permit.

County staff members have urged approval of the permit, saying the winery meets zoning regulations and will not harm the environment.

The staff report conceded the winery site is within an area of "high to moderate potential" for landslides. But it stated those issues can be overcome so long as Cornell abides by recommendations in a geotechnical study.

Hardy rejected calls made by opponents for the winery plans to be reviewed in a more restrictive environmental impact report.

"The winery is going to use about as much water as a single-family dwelling," Hardy said. "It's a little difficult, given the facts in the record to date, to make the argument that it's a potentially significant impact that would trigger an environmental impact report."

In October, county supervisors rejected a request from environmentalists and the state's wildlife agency to require farmers to undertake environmental studies and public review when planting orchards and vineyards.

Supervisors instead are working on crafting a grading ordinance that would provide stream and wetlands protections when work is done on orchards and vineyards. The law still wouldn't force farmers to do studies and public review as required by the California Environmental Quality Act.

Opponents of winery and vineyard expansion say they are undeterred.

"We have to do anything and everything we can to restore an eco-balance here," Krimel said. "The primary recipients of finger-pointing are the wineries, but they are not alone. Others are responsible, too."

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