

Attachment 9
Appellant's Good Cause Request



03/29/2022

Sent via email

Ryan Gregory
Chairman
Napa County Board of Supervisors
1195 3rd Street, Ste. 310
Napa, CA 94559

Re: Request to Augment the Record for the Walt Ranch Appeal Hearing

Dear Chair Gregory:

The Center for Biological Diversity (the “Center”) requests that the documents discussed below be included in the documentary record that will inform the Board of Supervisors’ consideration of the Center’s appeal of the County’s approval of the Addendum to the Walt Ranch Vineyard Conversion EIR (hereinafter “Addendum”). Pursuant to section 2.88.090(B) of the County Code, and as discussed more fully below, good cause exists to include these documents in the administrative record for the appeal. The documents consist of a letter that responds directly to the revised mitigation proposal, submitted to the County by the Applicant on March 8, 2022, and reference material cited within the letter. The Center’s letter and supporting evidence are relevant to the newly revised mitigation proposal, and good cause exists for their inclusion.

The March 8 proposal makes substantial changes to the proposed mitigation that was approved by the Director on October 4, 2021. The Center’s appeal, and the appeal packet submitted in support thereof, addressed the Director’s approval of a mitigation plan that is no longer being considered in this proceeding. The good cause submission process represents the Center’s only opportunity to respond to the new information, and to provide evidence in support of that response, prior to the appeal hearing scheduled for April 19, 2022. The letter and attached references are offered to inform the Board’s consideration of the revised proposal, specifically the effectiveness of carbon sequestration via woodland preservation. In the interest of equity and informed, transparent decision making, the Center requests the Chair find good cause exists to include the letter and references in the record for this appeal.

The following nine documents are discussed in the letter and listed in the reference section. Full copies of the references can be downloaded from the following location:

https://centerforbiologicaldiversity.org/Eh5mCo_Q05MgkWfdv0fLoABKCSMn_Bq9VzjzF1RZU798w?e=GDSyCD

- A. Damschen et al. 2019
- B. Delaney et al. 2021 IPCC 2022
- C. de Paula et al. 2011
- D. IPCC 2022 *due to the size of the complete report, the summary is included in the document submission, and the full report is incorporated by reference
- E. Ma et al. 2017
- F. Sobral et al. 2017
- G. Watson et al. 2018
- H. Wekesa et al. 2016
- I. Yap et al. 2021

Thank you for considering the Center's request. The inclusion of these documents will better enable the Supervisors' understanding of the appeal issues. A full and complete record on appeal will also ensure that a comprehensive discussion of the mitigation proposal and the appeal's merits, so that all parties can be fully heard at the upcoming Board of Supervisors' hearing.

Sincerely,



Ross Middlemiss, Staff Attorney
Aruna Prabhala, Senior Attorney & Program Director
1212 Broadway, Suite #800
Oakland, CA 94612
Tel: (707) 599-2743
Rmiddlemiss@biologicaldiversity.org