

Attachment 14

Proposed Mitigation Measure 6-1
Previous Staff Recommendation

REVISED MITIGATION MEASURE 6-1

Mitigation Measure 6-1: In order to offset the construction emissions from development of the Proposed Project, the Applicant shall place in permanent protection no less than 124 acres of woodland habitat. The land to be protected under this measure shall consist of not less than 110 acres of suitable woodland habitat located within the parcels shown in Figure 1, attached to the Applicant's May 5, 2021, letter to the County, and not less than ~~35~~ 14 acres of suitable woodland habitat ~~located elsewhere on the Property~~ located in the area shown in Map 4 of the Applicant's November 29, 2021, submittal. To be suitable, the area within the easement shall be mapped woodland habitat, less than 30% slope, ~~and~~ outside of Milliken Creek watershed, and not subject to a conservation easement under Mitigation Measure 4.2-16. All acreage designated for preservation shall be identified as such in a conservation easement with an accredited land trust organization. Land placed in protection shall be restricted from development and other uses that would potentially degrade the quality of the habitat (including, but not limited to, conversion to other land uses such as agriculture, residential, or urban development, and excessive off-road vehicle use that increases erosion), and should otherwise be restricted by the existing goals and policies of Napa County.

The conservation easement shall be prepared in a form acceptable to County Counsel and entered into and recorded with the Napa County Recorder's office prior to any ground disturbing activities, grading or vegetation removal, or within 12 months of project approval, whichever occurs first.

Any request by the permittee for an extension of time to record the conservation easement shall be considered by the Planning Director and shall be submitted to Napa County prior to the 12 month deadline, and shall provide sufficient justification for the extension.

In addition, the Applicant shall plant not less than 16,790 oak trees within areas of land protected by conservation easement as identified in this or other mitigation measures applicable to the Project. ~~The Applicant shall further plant an additional 16,790 trees elsewhere on the Property, for a total of 33,580 oak trees.~~

~~The measures set forth above shall apply in the event the County adopts this measure, and no administrative appeal of the Director's decision is filed, and no opposition or challenge to this decision is filed with the Court. In the event of such an appeal, opposition, or challenge, the measures set forth above shall still be carried out, subject to the following revision: The number of oak tree seedlings to be planted shall be not less than 16,790 trees, planted within areas of land protected by conservation easement as identified in this or other mitigation measures applicable to the Project. No additional tree planting shall be required pursuant to this Measure.~~

The tree planting program shall be carried out as described in the Walt Ranch Erosion Control Plan: Greenhouse Gas Mitigation Report (Ascent Environmental, April 2021).

The trees shall be monitored and replanted as necessary to show a survival rate of not less than 80% after ~~five~~ seven years. Thereafter, the Applicant shall not undertake any actions to degrade the condition of the trees or to diminish their habitat.

The Biological Resource Management Plan shall be revised to incorporate the conservation easement and tree planting program required by this mitigation measure.