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# Napa County Board of Supervisors

## Walt Ranch Vineyard ECP GHG Mitigation

P11-00205-ECPA

December 14, 2021



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## Project Approval

- *June 20, 2011* – Revised application filed, seeking to plant 356 acres of vineyard on 507 acres of disturbed land.
- *August 1, 2016* – Approval of 209-acre vineyard on 316 acres of disturbed land.
- *December 2016* – Board denied four appeals, addressing hundreds of grounds, certified the EIR and approved the project.
  - The EIR concluded that the Project would result in 105,753 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>e) in GHG emissions, largely resulting from tree removal.
  - The EIR concluded that mitigating 27,528 MTCO<sub>2</sub>e would reduce the impact to a less-than-significant level.



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## Legal Proceedings

- *January 2017* – Three petitions for writ of mandate filed
- *March 8, 2018* – Napa Superior Court denied all three petitions.
- *September 30, 2019* – Court of Appeals affirmed denial of 2 petitions, but held that GHG Mitigation was not supported by substantial evidence.
- *May 6, 2020* – Superior Court issues judgment and writ ordering the County to reconsider the GHG mitigation measures.



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## **GHG Mitigation**

- Final EIR required Applicant to set aside 248 acres of woodland to mitigate GHG emissions. Included in broader mitigation requiring 525 acres of woodland habitat to be preserved.
- The Court determined that unless the conservation easement protected land that was subject to development, it was not meaningful mitigation.
- Any preservation would have to include mapped woodland habitat on slopes less than 30 percent, and in areas outside the Milliken watershed.



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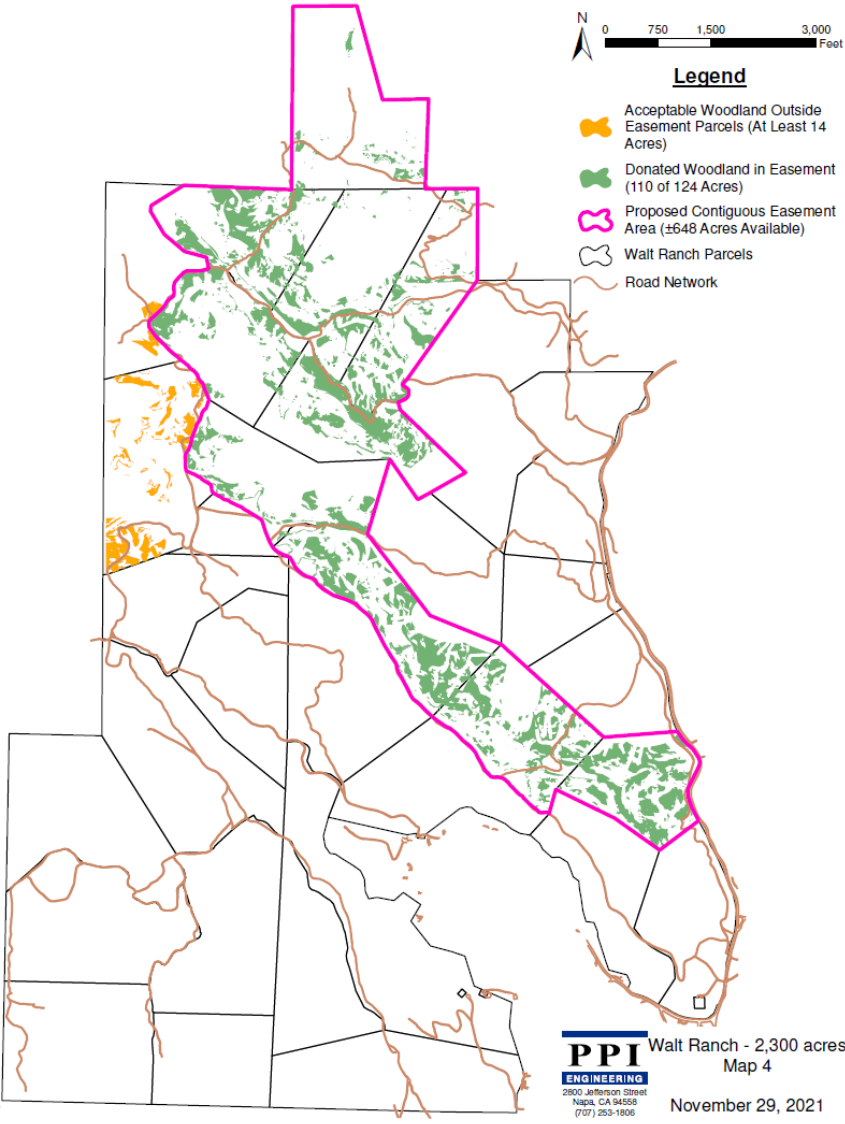
- The only issue before the Board:

Is there substantial evidence on the record to conclude that the proposed mitigation, consisting of preservation of 124 acres of woodland habitat and planting 16,790 trees, will offset at least 27,528 MTCO<sub>2</sub>e?



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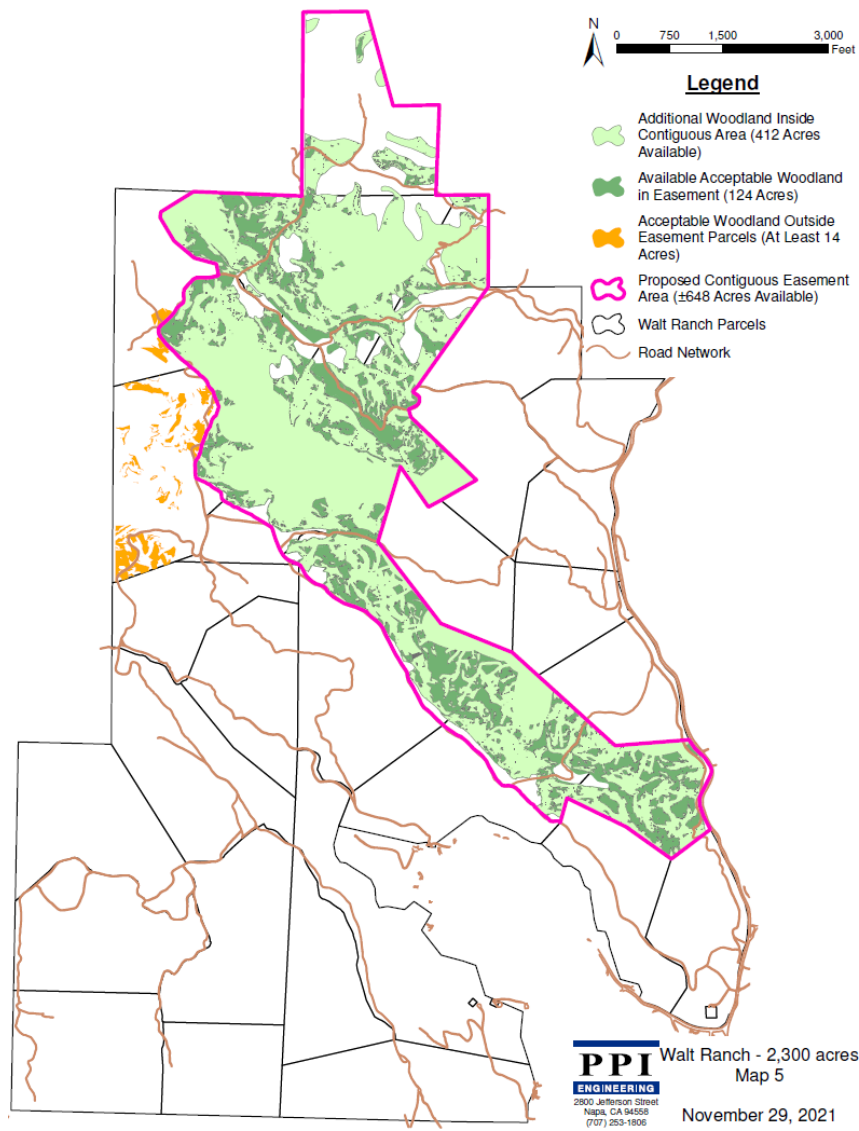
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FEIR Table 6-2: Walt Ranch GHG Construction Emissions

Proposed Project	GHG Emissions (MTCO <sub>2</sub> e)
Construction Activities	732
Tree Removal*	105,021 <sup>1</sup>
Total Construction GHG Emissions	105,753
GHG Emission Reduction Measures	
Preservation of 248 acres of Woodland	27,528 <sup>2</sup>
Construction GHG Emissions after Woodland Preservation Measures	78,225
Percent Reduction from Total Construction Emissions	26%

<sup>1</sup> Based on CalEEMod emissions factor for sequestration loss of 0.0367 MTCO<sub>2</sub>e/tree over 100 year for **28,616 trees**.

<sup>2</sup> Based on CalEEMod emissions factor for land use change of 111 MTCO<sub>2</sub>e/acre for an estimated 248 acres.

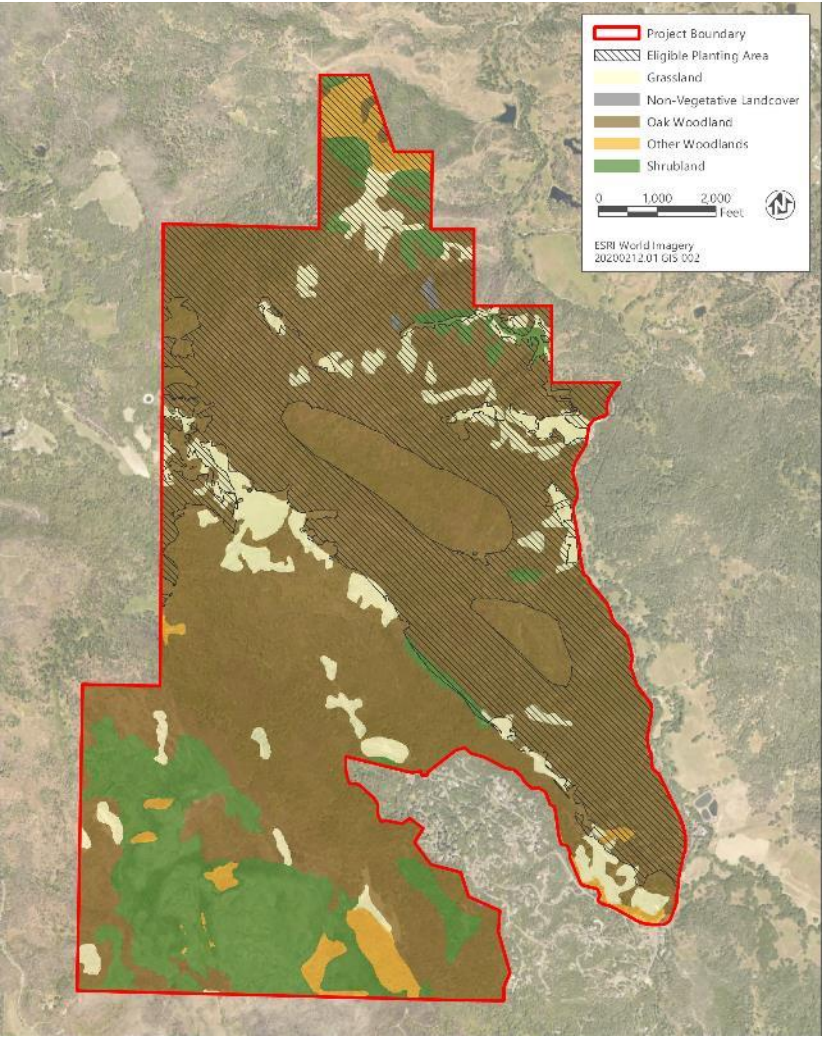
\* As approved, the project would remove **14,281 trees**.



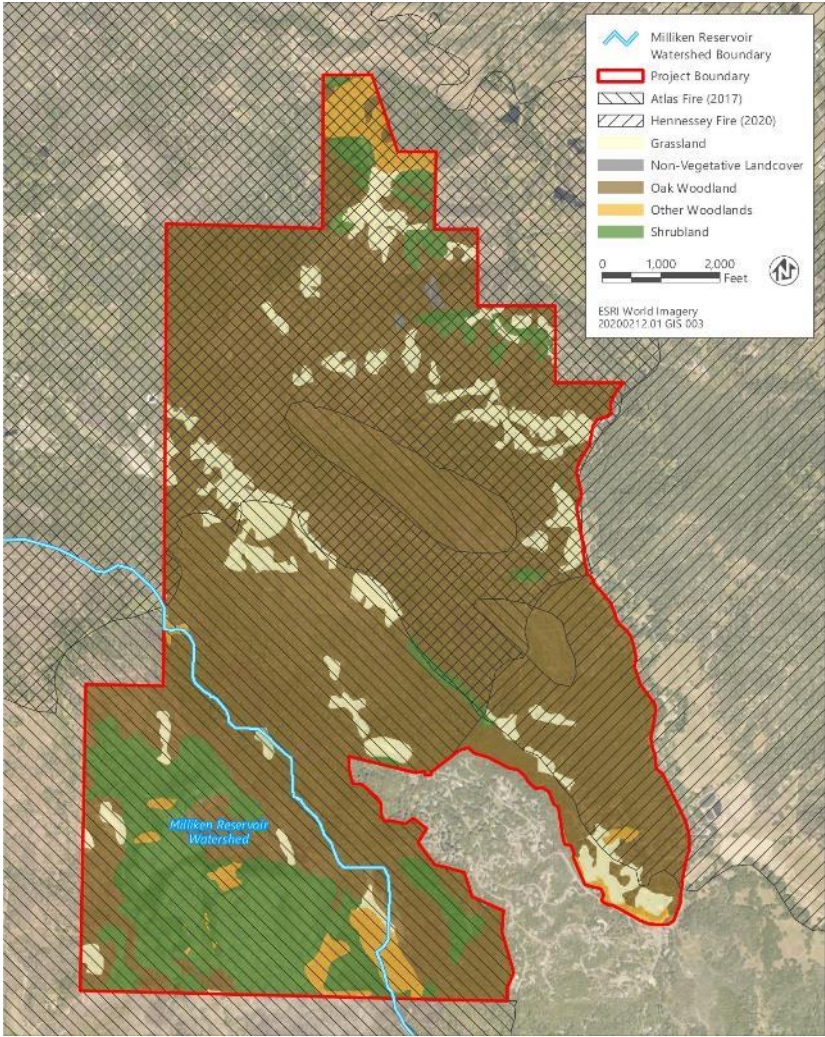


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Eligible Planting Areas



Burned Areas in 2017 and 2020



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Ascent Memo Table 2: Burned Areas by Original Vegetation Types

	Area Burned in the Hennessey Fire (2020)		Burn Areas Eligible for Planting*	
Original Landcover	Acres	Percent of Total	Acres	Percent of Total
Oak Woodland	954	85%	901	88%
Shrubland and Grassland	165	15%	122	12%
Non-Vegetative Landcover	3	<1%	0	0%
Total	1,122	100%	1,023	100%

\*Excludes areas within planned conservation areas, proposed vineyard development, and non-vegetative landcover.

Approximately 50% of trees in burned areas eligible for replanting unlikely to survive.  
If 50% survive, total area for eligible planting  $\approx$  450 acres.



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## Tree Planting Summary

	Value
Emissions to be Offset through Replanting	27,528 MTCO <sub>2</sub> e
Project Lifetime	30 years
Annual Emissions to be Offset	918 MTCO <sub>2</sub> e/year
Average Annual Tree Sequestration Rate*†	0.055 MTCO <sub>2</sub> /tree/year
Number of Trees Needed to Offset	16,790
Tree Replanting Density	200 trees/acre
Acres Needed for Replanting	84 acres
Tree Lifetime	99 years‡
Emissions to be Offset over Tree Lifetime	90,882 MTCO <sub>2</sub> e

\* Based on variety and distribution of trees on the project area affected by wildfires. Includes species of Oak, Madrone, and Maple.

† Assumes a tree survival rate of 80%, consistent with BRMP.

‡ 99 years is the maximum tree lifetime in the modeling software used (USDA Forest Service’s i-Tree Planting).





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## **Board Options and Staff Recommendation**

1. Grant appeal and overturn Director's decision.
2. Deny appeal and approve GHG mitigation, with or without modification.
3. Refer the issue back to Director with instructions.

*Staff recommends denial of the appeal and approval of the revised GHG mitigation with modifications, as identified in the staff report.*