

LAFCO PUBLIC COMMENTS

June 6, 2022

To: Local Agency Formation Commission

Prepared by: Yvonne Baginski, Resident, Napa County

Yvonnebaginski@gmail.com

I support the LAFCO staff recommendation to deny the requested Sphere of Influence Amendment for 1661 Green Island Rd.

My concern is mainly focusing on the premature conversion of agricultural land and how this issue, with forecasted climate crisis weather changes, could quickly catapult into a land grab fiasco with developers citing that any agricultural land in Napa County which is unable to grow premium grapes is vacant, blighted and should be rezoned. Agricultural land in Napa can grow more than just grapes. Also this is a beautiful open space, adjacent to the bike trail, and a state wildlife area. It provides beautiful views and recreational opportunities. Once developed, it will never return.

1. Currently, there is an initiative circulating in American Canyon to put this issue on the ballot. The initiative misleads with the opening paragraph stating that the City Attorney prepared the content of the ballot measure. While this is technically true, I was immediately confused on whether this was a city-sponsored initiative. The actual sponsor of this initiative, Ron Peterson, is buried in the small print. Other misleading statements include that this property is vacant and blighted. This is not a vacant property. There are currently 60 acres of vineyard planted on this property, which is specifically zoned for this purpose. It is also not blighted. Blight tends to bring up abandoned buildings, rats and other hazards. This is not true with this property.
2. There are several misleading statements in the documents and Attachments submitted to LAFCO that need further examination. There is doubt regarding the question on whether the land has become toxic for other agricultural commodities, as well as the how the soil has been deemed so high in salinity. My investigation is not complete, but I do wonder how saltwater intrusion has been faulted by both proximity to the Napa River, AND use the American Canyon Recycled Water. Saltwater intrusion, for example, does not happen on a slope, and much of the vineyard is located on a slope from the river. The property doesn't flood, or experience King Tides. Nor is there any well on sight, so groundwater is not pumped. So, how exactly is this saltwater intrusion happening? Is there a baseline of salinity from the time of the original purchase in 1996? Is there an annual record of increasing salinity? When did salinity start affecting the vineyard? Other vineyards (Bouchaine, for example), are planted very close to the Napa/Sonoma Marsh...are other vineyards planted near the Napa River and Marsh also experiencing salinity issues that would eventually mean pulling out the grapes, re-zoning and developing the land?

In 2018 and 2021, the testing by soil consultants hired by the owners pointed the finger of blame on salinity content to ACRW.

“It is probably the repeated use of ACRW in the vineyard that has caused this salinity, sodium and chloride problems in the vineyard,” according to Vineyard Soil Technologies, Sept, 2021.

I am stumped on this...there are comments made that the vineyard used both potable water and ACRW on the vines, but I have been unable to see records of how much of each kind, as well as total amounts on an annual basis. I did find that the vineyard signed a contract with ACRW in 1997, but did not actually start using the recycled water until 2005. So, what water did they use for those 8 years? Those must have the years they were planting the 130 acres. And, if the water “suddenly” became so saline, why did the owners try to sell the property in 2012 for \$18 million? (I believe the original purchase price was closer to \$4 million.)

While ACRW operators admit that the salt content of water varies according to the source on a daily basis, they also said that they give a heads up to GIV when the salt level is lower, so they can use the water, if needed. To date, I have been unable to review the records of ACRW use by GIV, but I did find in a 2019 report that GIV used 1.7 acre feet of water in the entire year, and most of that water was used in the month of September. I assume that was post harvest, since is it a practice of Napa vineyards to irrigate post harvest. One month of water use could make the soil too toxic? Doesn't make sense. Also, other vineyards built irrigation to hold the water until needed, GIV does not have an irrigation pond to store water. And, if they were finding the water toxic back in 2018, why were they still irrigating with it?

Between 2008-2104, GIV used a total of 68.13 af/yr. I was unable to compare this to other vineyards in the area, but I do question whether use of ACRW was exclusive, or whether potable water was supplemented. I also don't know when the entire vineyard was planted...some vines were planted earlier than others. From walking the vineyard, it's obvious that some vines are younger than others.

The bigger question is whether ACRW is truly of such a high saline content that it makes soil toxic for any agriculture. GIV is the only agricultural use of ACRW in American Canyon. However, recycled water from other sources is used on vineyards throughout Napa and Sonoma Counties. ACRW is also used for local landscaping, gardens, etc...should people be warned that using this water could mean they are poisoning their soil for future use? Is this a red flag?

A two -year study by the UC-Davis Cooperative Extension researchers found that vineyards in Napa County irrigated with reclaimed wastewater showed no buildup of salinity or ion toxicity after 8 years. Results indicate that the quality of the recycled water is suitable for irrigation, and also that long-term accumulation of salts and toxic ions have not occurred in the vineyards studied and are unlikely to occur. Nutrients in the recycled water may be beneficial to vineyards, through the levels of nitrogen may need to be reduced by planting cover crops in some vineyards.

In a CNBC article published on May 15, 2015, American Canyon City Manager Jason Holley is quoted, "I think the industry, vineyard managers and vineyard owners, recognize that it's perfectly acceptable and a great alternative."

Apparently, GIV, the only user of ACRW, doesn't think so now. In fact, they are saying that their soil is now in a death spiral due to their use of this water. How will this bode for the industry at large?

So, there are many questions on whether the ACRW caused the salinity. Or, whether salinated soil can be mitigated. The UC study also found that "about 80 percent of the salt that accumulated in the top three feet of the soil can be effectively removed each year through leaching by rain alone. The prediction assumes that the soil profile is replenished with irrigation water before winter rains occur. It is therefore advisable for growers to apply a postseason irrigation in late fall to return soil in the crop root zone to field capacity so winter leaching is more effective. Post harvest irrigation is already a standard practice in many Napa Valley vineyards/

Was it possible that the soil on this property might have always been limited with ability to grow a vineyard? The letter from Ed Farver, owner states GIV owners "soon realized some of the planted area could not support vineyards." What does he mean by "soon realized?" Soil testing didn't occur until 2018, after they had attempted to sell the property at a premium cost (2012). And, if some of the planted area couldn't support vineyard, could the rest?

There is also a reference to a Crop Care report which was provided to UBS investors on the condition of the crop in 2016. This Crop Care report is not included in the LAFCO documents, but apparently was instrumental in Mumm no longer buying grapes from GIV. The comments made on the "condition of the vineyard," are not specific to salinity. What did the Crop Care report say?

The LAFCO document contains photos of what is claimed to be damaged and blighted leaves and vines in the vineyard. The photos were taken in September, 2021...post harvest and as the vines were getting ready to drop leaves for the autumn. In May, 2022, photos of the vineyards portray healthy, robust vines with clusters of young grapes. A portion of the vineyard has already been destroyed, with the owners saying that they are removing the rest of the vineyard in the "near future." There are no records of tonnage or quality of grapes harvested in the LAFCO documents. Or, data showing any decline in harvest due to salinity.

I could find little evidence that this property was, as claimed by the owners, "historically vineyard property." I understand that the owners planted 130 acres in vines. I don't know whether this was a first time effort of vineyard. Couldn't verify.

There are lots of questions regarding some of the claims made in the documents. And, there is concern about taking this wild and open space and putting in warehouses so close to the

shoreline. This is an ecologically diverse county property and zoning should be continued as currently designated.

One last point, GIV couldn't sell the property as vineyard property...they marketed the land through vineyard brokers only. Perhaps this land is not now, or ever was, suitable for exclusive vineyard use. This land was not marketed as farm or ag land. This doesn't mean that it should be paved over, and built on. There are other uses that could be considered.

Finally, the claim that "American Canyon has very little vacant or underutilized land for infill purposes," is unsubstantiated. There is a piece of private property, 1.75 acres, right across the street for sale...and there are numerous parcels along Devlin Rd still vacant. Does anyone keep an inventory?

These are my thoughts for now, I have several calls out for commentary and am waiting for responses, so maybe some of these questions will be answered by the time of the public hearing.

Thank you for your time in reading this.

Attachments: GIV photographs, May 29, 2022

From: [Yvonne Baginski](#)
To: [Freeman, Brendon](#)
Subject: Photos of GIV May, 2022
Date: Thursday, June 2, 2022 6:44:26 PM

[External Email - Use Caution]









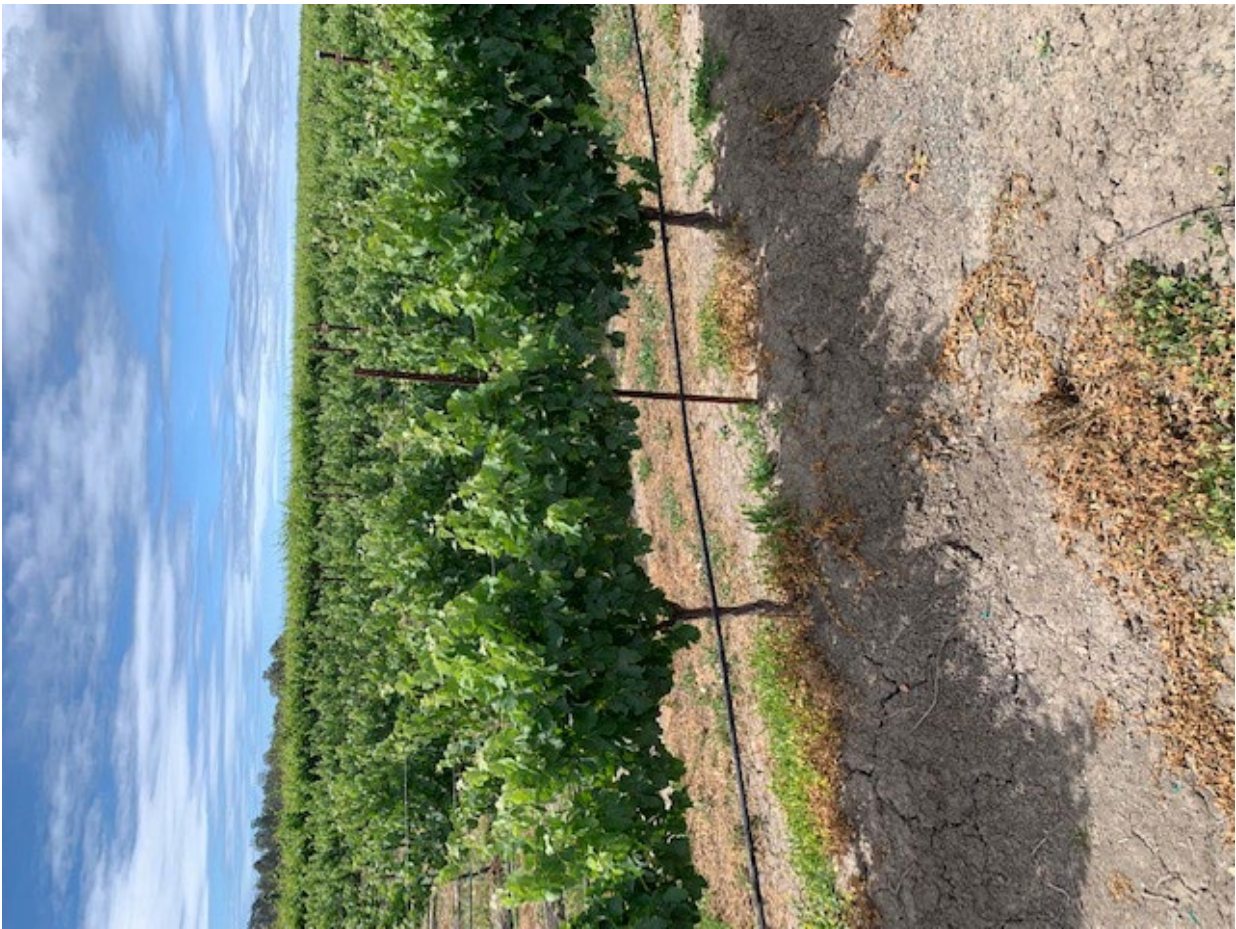


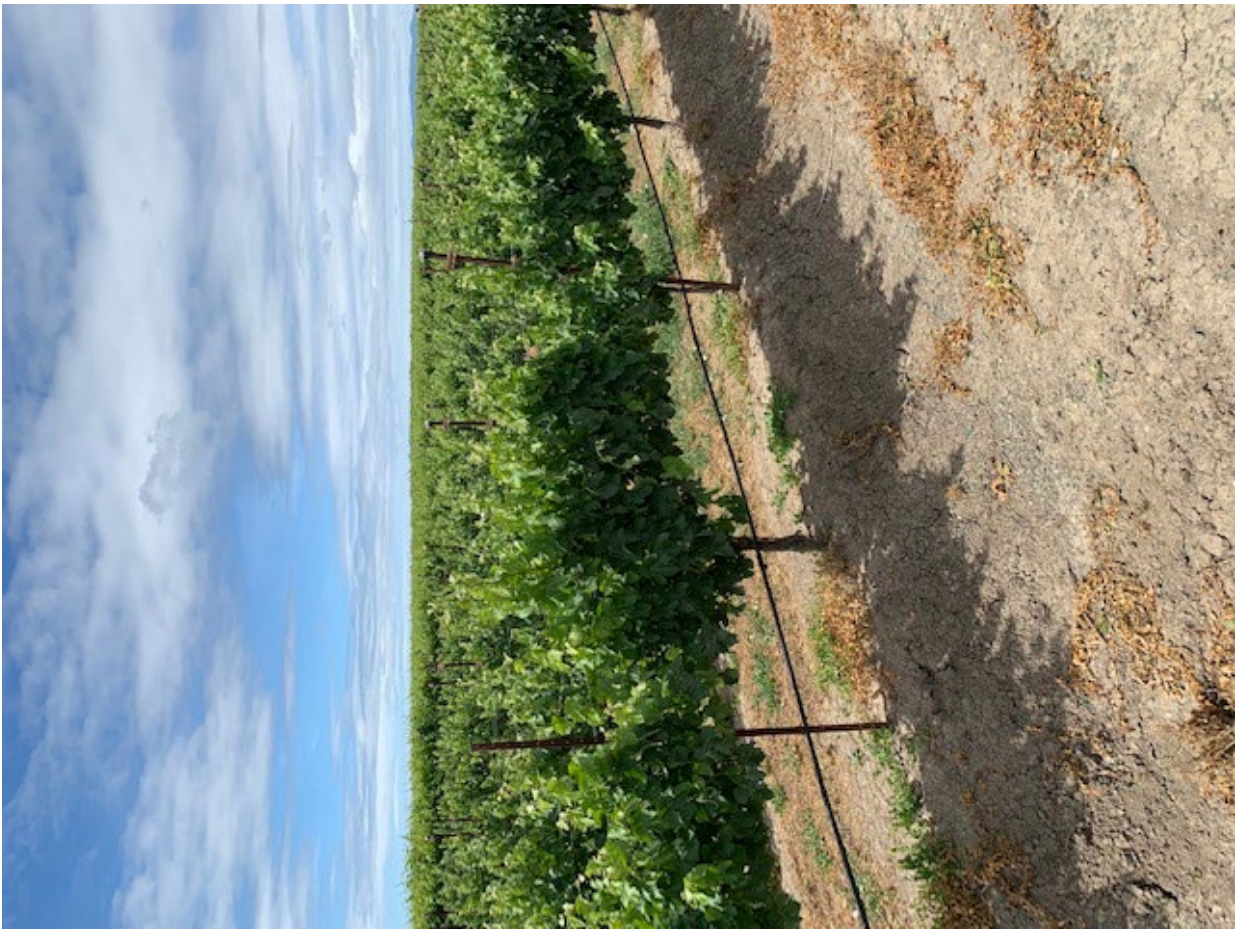


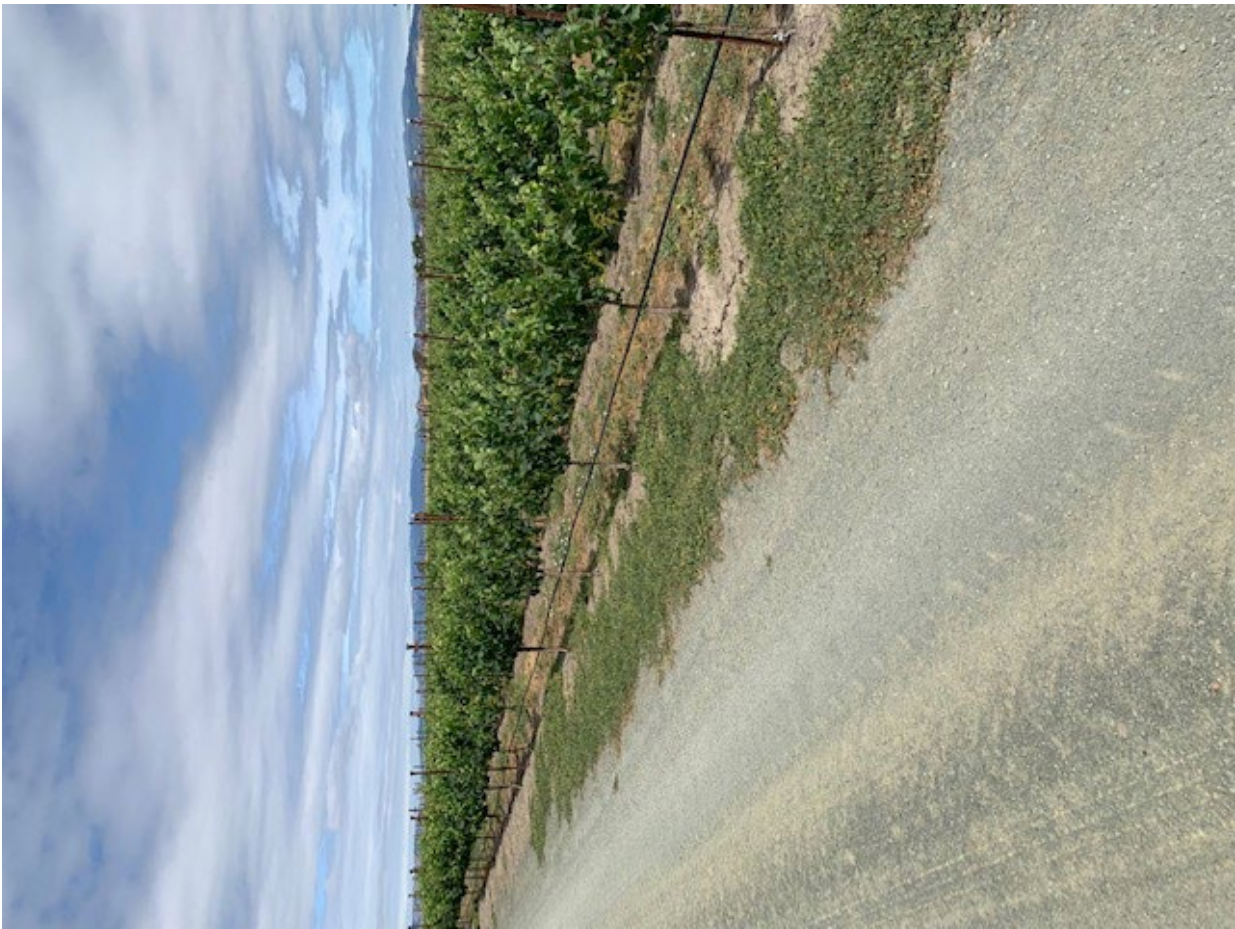




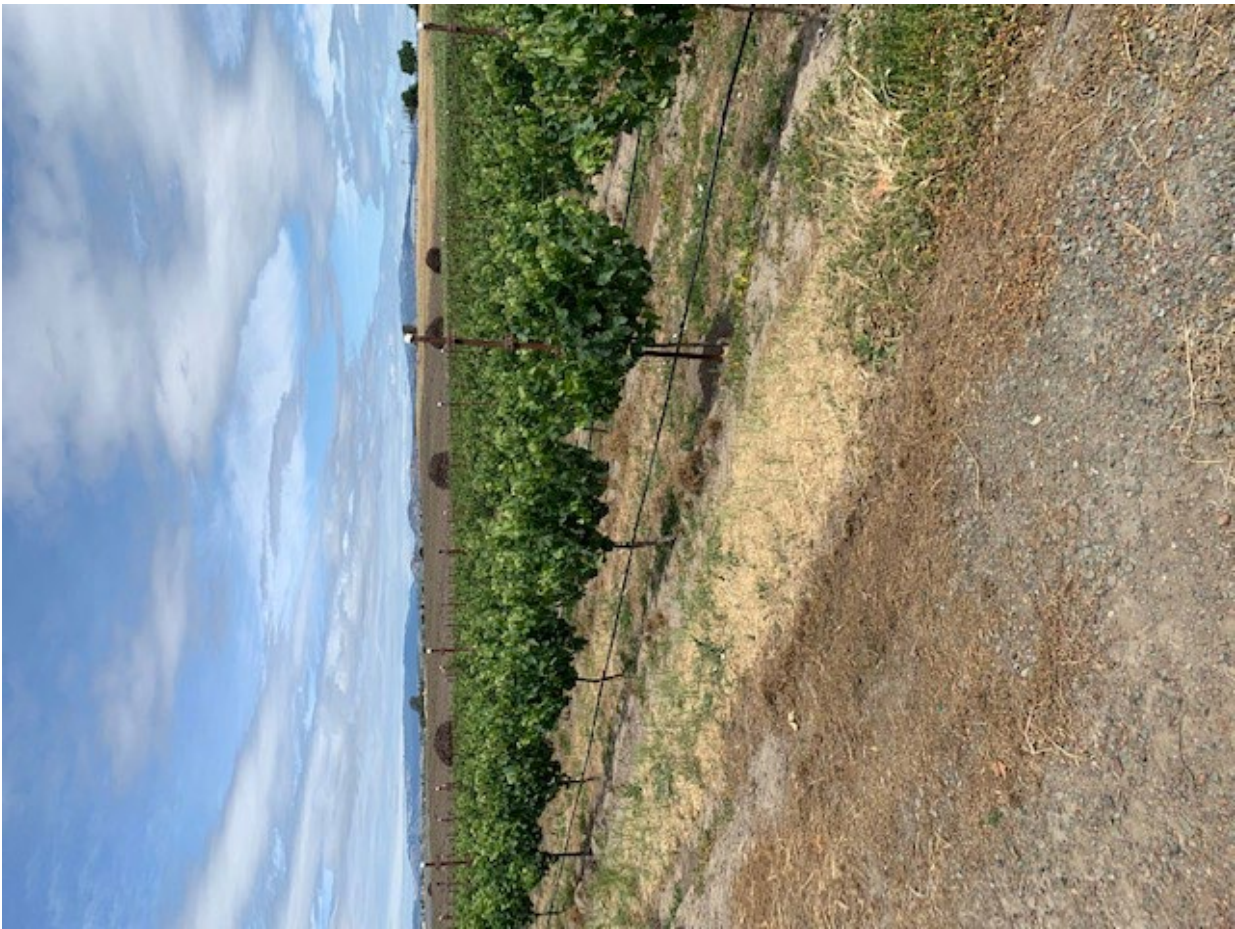




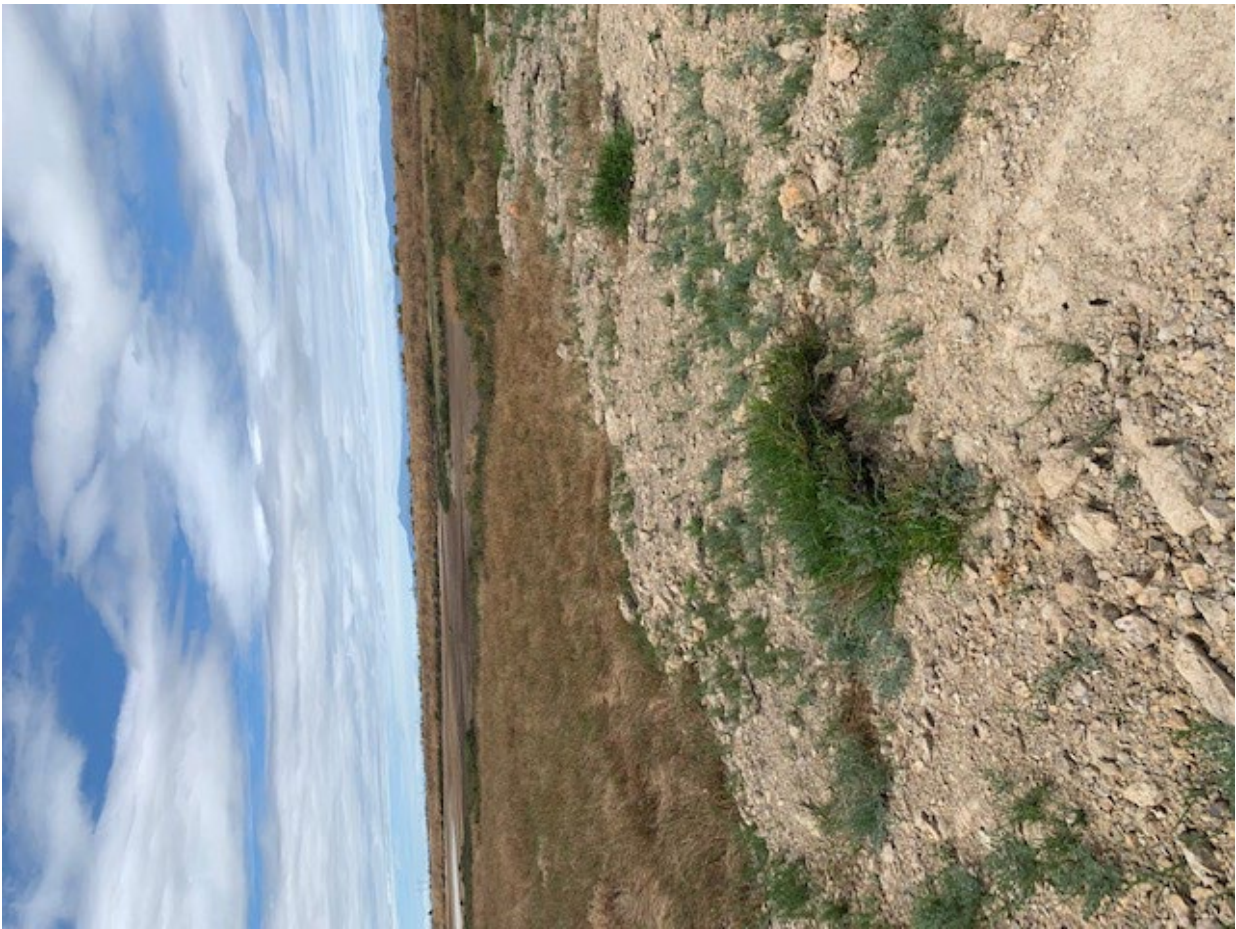






















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