

Napa County

1195 THIRD STREET
SUITE 310
NAPA, CA 94559



Agenda

Wednesday, July 2, 2025

9:00 AM

**Board of Supervisors Chambers
1195 Third Street, Third Floor
Napa, CA 94559**

Planning Commission

District 1, Kara Brunzell (Vice-Chair)

District 2, Walter Brooks

District 3, Molly Moran Williams

District 4, Pete Richmond

District 5, Megan Dameron (Chair)

Brian D. Bordona, Director

Laura Anderson, County Counsel

Michael Parker, Planning Manager

Alexandria Quackenbush, Meeting Clerk

Angie Ramirez-Vega, Meeting Clerk

How to Watch or Listen to the Napa County Planning Commission Meetings

The Napa County Planning Commission will continue to meet pursuant to the annually adopted meeting calendar available at the following link:

<https://www.countyofnapa.org/DocumentCenter/View/35930/2025-Planning-Commission-Meeting-Calendar?bidId=>

The Napa County Planning Commission meets as specified in its adopted annual calendar on the first and third Wednesdays of the month at 9:00 A.M. at 1195 Third Street, Suite 310, Napa, California 94559. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Planning Commission. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Planning Commission's office no less than 72 hours prior to the meeting date by contacting (707) 253-4417 or meetingclerk@countyofnapa.org.

The Napa County Planning Commission realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Remote Zoom participation for members of the public is provided for convenience only. In the event that the Zoom connection malfunctions for any reason, the Planning Commission reserves the right to conduct the meeting without remote access.

Please watch or listen to the Planning Commission meeting in one of the following ways:

1. Attend in-person at the Board of Supervisors Chambers, 1195 Third Street, Napa, Third Floor.
2. Watch online at <https://napa.legistar.com/calendar.aspx> (click the "In Progress" link in the "Video" column).
3. Watch on Zoom using the attendee link: <https://countyofnapa.zoom.us/j/87621457786>. Make sure the browser is up-to-date.
4. Listen on Zoom by calling 1-669-900-6833 (Meeting ID: 876-2145-7786).
5. Watch on your TV - Napa Valley TV Channel 28.

If you are unable to attend the meeting in person and wish to submit a general public comment or a comment on a specific agenda item, please do the following:

1. Email your comment to meetingclerk@countyofnapa.org. Emails will not be read aloud but will still become part of the public record and shared with the Planning Commission.
2. Use the Zoom attendee link: <https://Countyofnapa.zoom.us/j/87621457786>. Make sure the browser is up-to-date. When the Chair calls for the item on which you wish to speak, click "raise hand". Please limit your remarks to three minutes.

3. Call the Zoom phone number: 1-669-900-6833. (Meeting ID: 876-2145-7786). When the Chair calls for the item on which you wish to speak, press *9 to raise hand. Please limit your remarks to three minutes.

****Please note that phone numbers in their entirety will be visible online while speakers are speaking****

For more information, please contact us via telephone at (707) 253-4417 or send an email to meetingclerk@countyofnapa.org

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE COMMISSION:

ON A MATTER ON THE AGENDA

Please proceed to the podium when the matter is called and, after receiving recognition from the Chair, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Commission, but is generally limited to three minutes.

ON A MATTER NOT ON THE AGENDA

Public comment is an opportunity for members of the public to speak on items that are not on the agenda but are within the subject matter jurisdiction of the Commission. Public comment is limited to three minutes per speaker, subject to the discretion of the Chair. Comments should be brief and focused, and speakers should be respectful of one another who may have different opinions. Please remember this meeting is being recorded and broadcast on live television. The County will not tolerate profanity, hate speech, abusive language, or threats. Also, while public input is appreciated, the Brown Act prohibits the Commission from taking any action on matters raised during public comment that are not on the agenda.

1. **CALL TO ORDER; ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN COMMENTS AND RECOMMENDATIONS**

The Commission invites Citizen comments and recommendations concerning current issues and future prospects of a planning nature which are within the jurisdiction of the Planning Commission. Anyone who wishes to speak to the Commission on such a matter, if it is not on the agenda, may do so at this time.

4. **APPROVAL OF MINUTES**

The Clerk of the Commission request approval of Minutes for the meeting held on:
June 4, 2025 (Commissioner Dameron was excused)

5. **AGENDA REVIEW**
6. **DISCLOSURES**
7. **PUBLIC HEARING ITEMS**

TESSERON NEW WINERY USE PERMIT APPLICATION NO.
P22-00309-UP

[25-1170](#)

CEQA STATUS: Consideration and possible adoption of a Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project could have potentially significant environmental impacts to Biological Resources, however, various Mitigation Measures and Conditions of Approval have been incorporated to reduce potential impacts to a less than significant level. The MND was circulated for public comment during the initial Public Hearing notice and Notice of Intent to Adopt a MND, which ran from March 13th, 2025, through April 15th, 2025; State Clearinghouse Number 2025030568. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

REQUEST: Approval of a Use Permit to allow a new winery with an annual production capacity of 20,000 gallons per year with the following characteristics:

- a. Construction of a new 14,729 square foot (sf) cut and cover Type I cave with a 2,750-sf covered crush pad, and a 348-sf covered mechanical equipment area with an enclosed trash/recycling area:
 - i. Included in the cave is a 3,645-sf fermentation dome room with a 32-foot-high ceiling;
 - ii. The caves and domes will be used for winemaking, fermentation, aging, barrel storage, bottling, case good storage; dry good storage, as well as shipping and receiving; the cave will also contain an office, lab and two restrooms.
 - iii. A retaining wall will be constructed uphill of the cave and will be 56 feet 6 inches in height.
- b. Excavation of approximately 20,000 cubic yards of spoils associated with the cave and construction of structure pads, all of the spoils will be distributed within the subject parcel or neighboring parcels under the same ownership, with spoils specifically occurring on APN 027-060-020-000 at various locations but outside of all required stream and ephemeral setbacks;
- c. Onsite parking for three (3) vehicles; one (1) handicapped, one (1) compact and one (1) standard;
- d. Up to one (1) full-time employee, and three (3) part-time employees;
- e. Installation of a 50,000-75,000-gallon Fire Protection Water Tank located on a parcel under the same ownership but within the

- jurisdiction of the County of Sonoma (this will require the submittal and approval of building permit from Sonoma);
- f. Upgrades to the existing wastewater system - with winery wastewater being collected, treated, and stored to be reused for irrigation onsite;
- g. Installation of a new onsite Septic System and identification of new reserve area;
- h. Removal of 15 native tree species, with replanting and permanent preservation of 45 trees;
- i. Use of an existing on-site spring, currently used for residential water use, that will become the water source for the winery while the residence will be served by an existing well; and
- j. Improvements to the existing paved driveway from Wall Road to ensure it meets Napa County Road and Street Standards.

No Tours and Tastings, or Visitations are proposed or being requested under this Use Permit; nor are Marketing events proposed. The cave will be a Type I Cave. The proposed winery facility is predominantly stepped into the existing hillside and will consist of the cut and cover cave, along with the covered crush pad and mechanical equipment area.

The winery is proposed on a 43.26-acre parcel located at 1000 Wall Road, Napa, on Assessor's Parcel Number APN 027-060-022-000. This parcel is part of a larger holding under the ownership of Tesseron Vineyards, which includes the primary parcel APN 027-060-022-000, as well as APNs: 027-060-020-000 (location of proposed soils disposal areas), 027-060-023-000 (location of existing vineyard), 027-060-024-000 (location of existing vineyard), 051-200-016-000 (parcel located in Sonoma County and location of proposed water storage tank) and 051-010-079-000 (parcel also located in Sonoma County no development or disturbance proposed).

STAFF RECOMMENDATION: Adopt the Mitigated Negative Declaration and approve the New Winery Use Permit (P22-00309), as conditioned.

STAFF CONTACT: Dana Morrison, Supervising Planner, (707) 253-4437 or dana.morrison@countyofnapa.org.

APPLICANT REPRESENTATIVE CONTACT: Jon M. Webb, New Albion California, (707) 290-6740 or jwebb@albionsurveys.com.

Attachments: [Attachment A Recommended Findings](#)
[Attachment B Recommended COAs and Division Approval Memos](#)
[Attachment C Initial Study Mitigated Negative Declaration](#)
[Attachment D Project Narrative, Application Submittal, Application Signatures.pdf](#)
[Attachment E Civil and Architectural Plans](#)
[Attachment F Water Availability Analysis \(WAA\) and Addenda](#)
[Attachment G Wastewater Feasibility Study](#)
[Attachment H Biological Resources Assessment](#)
[Attachment H.1 Northern Spotted Owl Assessment](#)
[Attachment H.2 Vegetation Retention Analysis](#)
[Attachment I Approval Letter for ECP 90-48](#)
[Attachment J Mitigation, Monitoring and Reporting Plan \(MMRP\)](#)
[Attachment K Winery Comparison Charts](#)
[Attachment L Public Comment](#)
[Attachment M Graphics](#)
[Attachment N Notices, Division and Agency Memos, and Correspondence](#)

8. ADMINISTRATIVE ITEMS - NONE

9. DIRECTOR OR DIRECTOR'S DESIGNEE REPORT

- DISCUSSION OF ITEMS FOR THE JULY 16, 2025 REGULAR MEETING
- BOARD OF SUPERVISORS ACTIONS
- OTHER DEPARTMENT ACTIVITIES
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

10. COMMISSIONER COMMENTS/COMMITTEE REPORTS

11. ADJOURNMENT

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 6/20/2025 BY 10:00 AM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

ALEXANDRIA QUACKENBUSH(By e-signature)
Alexandria Quackenbush, Clerk of the Commission



Napa County

Board Agenda Letter

1195 THIRD STREET
SUITE 310
NAPA, CA 94559
www.countyofnapa.org
Main: (707) 253-4580

Planning Commission

Agenda Date: 7/2/2025

File ID #: 25-1170

TO: Napa County Planning Commission
FROM: Brian D. Bordona, Director of Planning, Building & Environmental Services
REPORT BY: Dana Morrison, Supervising Planner - (707) 253-4437
SUBJECT: Tesseron New Winery-Use Permit No. P22-00309-UP

RECOMMENDATION

TESSERON NEW WINERY USE PERMIT APPLICATION NO. P22-00309-UP

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- d. Up to one (1) full-time employee, and three (3) part-time employees;

- e. Installation of a 50,000-75,000-gallon Fire Protection Water Tank located on a parcel under the same ownership but within the jurisdiction of the County of Sonoma (this will require the submittal and approval of building permit from Sonoma);
- f. Upgrades to the existing wastewater system - with winery wastewater being collected, treated, and stored to be reused for irrigation onsite;
- g. Installation of a new onsite Septic System and identification of new reserve area;
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EXECUTIVE SUMMARY

PROPOSED ACTIONS

That the Planning Commission:

1. Adopt the Mitigation, Monitoring and Reporting Plan, and Mitigated Negative Declaration based on Findings 1-7 in Attachment A; and
2. Approve the New Winery Use Permit No. P22-00309, based on recommended Findings 8-12 in Attachment A and subject to the Recommended Conditions of Approval (COA) in Attachment B.

Continuance:

The item was continued at the April 16th, 2025 hearing, as staff realized that the proposed driveway

improvements utilized an exemption option that had been allowed under the former County Road and Street Standards (RSS); however, this exemption option was removed with the 2023 update to the RSS. While the Engineering and Fire Division COAs did specifically note that the road would need to be updated to current RSS standards it was unclear if any exceptions (road, conservation regulations, etc.) would be required to complete this aspect of the project. As such, the item was continued so the applicant could revise the civil plans and demonstrate that the project access road could be built to current standards without triggering additional exceptions or CEQA review. The applicant has since provided updated plans, which were reviewed by County staff, and it was confirmed that the road can be widened to current RSS standards without the need for any exception requests or additional CEQA review.

Request:

The proposed winery will be located on one parcel (Winery Parcel APN 027-060-022-000) within a larger holding containing five (5) other parcels (APNs: 027-060-020-000, 027-060-023-000, 027-060-024-000 in Napa County and APNs 051-200-016-000 and 051-010-079-000 in Sonoma County).

The primary Winery Parcel (APN 027-060-022-000), proposed to contain the winery is developed with the following: a main residence, a barn, a garage, a pool, a tennis court, a solar panel array, a well, one 12,000 gallon concrete water tank, one (1) spring, access roads, and ~2.01 acres of vineyard. The adjacent parcels within the holding under the same ownership contain the following:

- APN -020 (Napa County): contains primarily open space with an access road, solar panels and a well;
- APN -023 (Napa County): contains a primary residence, two detached garages, a barn, a pool, access roads, and ~5.74 acres of vineyard;
- APN -024 (Napa County): contains access roads and 6.03 acres of vineyard;
- APN -016 (Sonoma County): contains access roads and 5.37 acres of vineyard; and
- APN -079 (Sonoma County): contains solar panels but is primarily open space

(see **Attachment E**).

The Winery Parcel (Primary APN: 027-060-022-000) includes the following approved structures: a barn (B97-01608), water tank (Building Permit 52814), garage (B01-01494), and the primary house (B97-00142). Not located on the primary parcel but located within the Tesson Vineyards holding parcel (027-060-023-000) contains an approved main dwelling and detached garage (Building Permit 53149 and 53150), a second detached garage and a barn (Building Permit 57340). The existing vineyards blocks are located on the primary parcel (027-060-022-000), as well as on APNs 027-060-023-000, 027-060-024-000, 051-200-016-000. A total of 21 acres were approved under Erosion Control Plan 90-48 (see Attachment I) and there are a total of 19.15 acres within the holding. No vineyards are proposed or required to be removed to implement the project.

Historically, water for the vineyard and residences within the holding were served by one of the existing on-site springs (see Attachment F). If approved, the vineyard and residence will have their water needs swapped to be served by one of the existing on-site wells. The new winery proposes to utilize the existing spring that formerly served the vineyard and residence to supply the winery operations. Process wastewater produced by the winery will also be used to irrigate on site landscaping and vineyard located within the holding.

Staff has reviewed the proposal and found it to be consistent with the Zoning Ordinance and applicable General Plan policies. Staff prepared a Mitigated Negative Declaration (see Attachment C) that evaluated the environmental impacts of the project and necessary Mitigation Measures (MMs) to ensure there is no significant impact to Biological Resources. With no significant environmental effects anticipated, as mitigated and conditioned, and with the project's consistency with adopted County policies and regulations, staff believes that the necessary findings for the project can be made and recommends approval of the New Winery Use Permit request as proposed and subject to conditions.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration (MND). According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts to Biological Resources as mitigated. The MND was published on the State Clearinghouse (No 2025030568) on 3/13/2025 and the review period ran through 4/15/2025. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5

BACKGROUND AND DISCUSSION

PROJECT INFORMATION:

Owner: Tesson Vineyards, c/o Alfred Tesson, 1000 Wall Road, (707) 638-2399, mb@invinovertasllc.com.

General Plan Land Use Designation: Agricultural Resource (AR)

Zoning District: Agricultural Watershed (AW)

Application Submittal: September 1, 2022; Resubmittals Received: April 20, 2023; January 25, 2024; July 5, 2024, and Continuance Resubmittal: April 23, 2025

Application deemed complete: July 5, 2024, and Continuance Resubmittal Deemed Complete: June 12, 2025

Parcel Size: 43.26 acres (APN 027-060-022-000)

Existing Development: A main residence, a barn, a garage, a tennis court, a solar panel array, one well, one 12,000 gallon concrete water tank, one (1) spring, approximately 2.01 acres of vineyard, and ranch roads.

State Clearing Housing No. 2025030568

WINERY CHARACTERISTICS

Winery Development Area: 0.08 acres or 3,726 sf

Winery Coverage: 1.22 acres or 53,134 sf, approximately 2.8% of the property. Prior to the updated civil plans winery coverage was 0.96 acres or 41,872 sf, which is approximately 2.2% of the property. The required additional earth work to widen the access road to current NCRSS standards is in substantial conformance with what was reviewed in the IS/MND.

Cave Size: 14,729 sf cut and cover cave

Production Capacity: 20,000-gallons per year

Accessory/Production Ratio: 462 sf accessory/ 17,363 sf production - approximately 2.7%

Number of Employees: one (1) full-time, three (3) part-time.

Visitation: None proposed.

Marketing Program Proposed: None proposed.

Days of Operation Proposed: Monday through Sunday

Hours of Operation: 9:00 AM - 5:00 PM

Parking Spaces: three (3)

Required yard setbacks: 20 feet

Existing yard setbacks: All existing and proposed winery development exceeds 20 feet from the property lines.

Required Road setback: Not applicable as access road to the winery is a private driveway.

Adjacent General Plan Designation / Zoning / Land Use:

North: Land under jurisdiction of the County of Sonoma.

South: Agriculture, Watershed and Open Space (AWOS) General Plan designation, Agricultural Watershed (AW) zoning - South of the project site is a 23.00-acre property developed with a single-family residence.

East: Agriculture, Watershed and Open Space (AWOS) General Plan designation, Agricultural Watershed (AW) zoning - east of the project site are APNs 027-060-020, -023 and -024 (224.00 acres, 42.23 acres, and 298.36 acres, respectively) consisting predominantly of open space but with some vineyard development on -023 and -024 as well as a single-family residence and various accessory structures on -023.

West: Land under the jurisdiction of the County of Sonoma including two APNs under the ownership of Tesson Vineyards (APNs 051-200-016-000 and 051-010-079-000). APN -016 contains existing vineyard and vineyard avenues and is the proposed location for the fire suppression water storage tank.

Nearby Wineries located within one mile of the project - There are no wineries approved or pending within one mile of the project (see **Attachment K**).

Code Compliance History: None. There are no open or pending code violations for the site. The County is not aware of any compliance issues on the property and no complaints have been filed.

DISCUSSION POINTS:

Winery Proposal - With this application, the applicant is seeking to develop a new 20,000 gallon per year winery. Primary access to the winery will be via a private driveway, accessed off Wall Road. The property is moderately sloped (± 5 -29% slope) with elevations on the property ranging from approximately 1,540 feet

above mean sea level (msl) to approximately 1,840 feet above msl.

The proposed cave will house both production and accessory uses (with accessory uses consisting solely of a winery office, janitors' closet, public hallway and the non-employee restroom). No tours, tastings or events are proposed or will be approved as part of this request. The winery will be a cut and cover Type 1 cave, and the roof will contain a dome, and only the skylight, located above the dome, will be visible while the rest of the structure will be covered with soil which will be reseeded with a native wildflower seed mix, and will eventually return to a natural, vegetated state with the added benefit of new pollinator habitat. Maximum height of the winery structure is 42 feet, though there will be a 56-foot 3 inch retaining wall located uphill of the proposed cave. The winery structures include areas for crush, fermentation, and barrel storage, as well as accessory areas such as winery offices and non-employee restrooms, a freestanding garbage disposal structure and a mechanical/storage area (see **Attachments D and E**).

Setbacks - The proposed project meets all applicable minimum setbacks. No variances are requested or required as part of the proposal.

Visitation/Marketing Program - No tours, tastings, visitation, or events are proposed as part of this project.

Traffic - No TIS was prepared for the project, however, a Trip Generation form was submitted as part of the application and it noted total daily trips for weekdays and weekends to be 11, which is well below the 110-trip threshold in the Governor's Office of Planning and Research guidelines and the County's TIS Guidelines and VMT screening criteria (see **Attachment D**). The Department of Public Works has reviewed the project and approved with no conditions. Per their workflow in the County Permit Management System on September 19, 2022 "Based on the trip generation worksheet provided along with the Use Permit Application, TIS report not warranted, left turn lane warrant analysis not warranted, no COA is applied". The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

Access/Parking - Access to the winery site will be provided by the existing driveway currently off Wall Road. Regarding road access, the project was submitted in 2022, and proposed road improvements were designed to meet the 2021 Road and Street Standards which allowed for an existing agricultural road with turnouts to be utilized. Both Engineering and Fire reviewed and recommended approval of the project in September and October 2022, respectively, and provided Conditions of Approval for the project. When finalizing the project for public hearing in April 2025 it was realized that the project, as Conditioned by the Engineering Division and Fire Divisions would need to improve the driveway access to current the 2023 Road and Street Standards, requiring a 22' wide access road. As such, the project was continued at the April 16 Planning Commission hearing so the applicant could provide updated civil plans demonstrating the project could meet the current RSS standards. A revised civil plan set was provided by applicant demonstrating that road could be improved to the required 22' width and that no RSS exception or exceptions to the Conservation Regulations are required. The updated plans were reviewed by both the Engineering Division and Fire Division and updated Condition of Approval Memos have been provided. The IS/MND had already analyzed the project assuming that current road and street standards would be met, and the applicant has demonstrated that this is achievable and will not require an exception, nor will the widening impact existing water courses. The revision does result in an additional 11,262 of disturbed area (winery coverage) or 2.8% of the parcel which is still less than county maximum allowance of 25% of the parcel. On-site parking is proposed for three (3) vehicles, consisting of one compact, one standard and one handicapped space.

Biology - The Project Area contains 7.2 acres of annual grassland, 1.3 acres of mixed oak woodland, 2.4 acres of disturbed or developed lands, and 0.1 acres of agricultural lands. There are no wetlands or drainages within

the footprint of the proposed development area and soil dispersal areas; there are three existing culverted drainages that cross under the access road which will be expanded to accommodate the widened access driveway. The Project will not substantially interfere with native wildlife species, wildlife corridors, and or native wildlife nursery sites. The Project will not significantly contribute to habitat loss or habitat fragmentation. No special-status species were observed during the reconnaissance level survey - additional surveys will also be required as noted in Biological Resource Assessment (**Attachment H**) were included as Mitigation Measures (MMs) in the MND, the Mitigation, Monitoring and Reporting Plan (MMRP - **Attachment J**), and also noted in the Recommended Conditions of Approval (**Attachment B**). A total of nine (9) Biological MMs were included (seven (7) were originally noted in the MND and two (2) additional MMs have been added at the request of CDFW, see end of **Attachment L** - Public Comment and **Attachment N** - Notices, Division and Agency Memos, and Correspondence) to ensure less than significant impacts to special status plants (MM BIO-1 and MM BIO-2), to crotch bumble bee (MM BIO-3), to Swainson's Hawk (MM BIO-4), nesting birds and raptors (MM BIO-5), to roosting bats (MM BIO-6), and northern spotted owl (MM-BIO 7). Additionally, a COA has been included to require the cave fill (cave roof) be reseeded with a native wildflower seed mix to help generate pollinator habitat, with the area being actively maintained (removal of noxious weed, invasives and non-native) and reseeded as needed. The project already includes reseeded of the soils dispersal area as part of the project. The California Department of Fish and Wildlife did have an opportunity to review the proposed project and provide comments on the MMs prior to circulation of the IS/MND, as well as during the official IS/MND 30-day comment and review period. They provided minor edits to the MMs and requested the inclusion of the additional Mitigation Measures noted below), which have also been included in the Recommended Conditions of Approval and in the MMRP (**Attachment B and J**).

CDFW Mitigation Measure - Streams and Riparian Areas: The owner shall implement the following conditions to minimize impacts to streams and riparian areas:

- a. Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA> ~~<[**CDFW Mitigation Measure - Clara's Milk Vetch: The owner/permittee shall implement the following measures to minimize impacts associated with Clara's Milk Vetch:**](https://urldefense.com/v3/_https://wildlife.ca.gov/Conservation/Environmental-. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources.</div><div data-bbox=)~~

- a. The permittee shall conduct surveys for Clara's Hunt's milk-vetch. Per CDFW's comments the permittee shall have a Qualified Biologist conduct botanical surveys during the appropriate blooming period and conditions for Clara Hunt's milk-vetch (*Astragalus*

claranus) at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (

<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>

<https://urldefense.com/v3/https://wildlife.ca.gov/Conservation/Survey->

) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.

The Project will result in temporary impacts to suitable habitat for special-status plants (bend-flowered fiddleneck, narrow-anthered brodiaea, congested-head hayfield tarweed, Jepson's leptosiphon, Cobb Mountain lupine, and Clara's Milk Vetch), as well as Swainson's hawk, common nesting birds and raptor, Pallid bat, Crotch bumble bee, and native trees. The 15 trees proposed for removal in the cave location will be replanted at a 3:1 ratio (45 trees replanted) on the subject parcel in the area noted on page C1 of the Civil and Architectural Plan (**Attachment E**). The Project has been designed to minimize permanent land conversion, and the Project will not significantly reduce habitat for local or regional special-status plants or animals as Mitigated and Conditioned.

Noise - The project would result in a temporary increase in noise levels during construction of the winery and related infrastructure. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise impacts or operational impacts. Since the nearest residence to the winery development area is approximately 1,200 feet to the south of the proposed winery development, there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval identified below would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described earlier in the report, land uses that surround the proposed parcel are predominantly agricultural (vineyards) but also include rural residences; of these land uses, the residential uses are considered the most sensitive to noise. Based on the standards in County Code Section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.). Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use). Noise from winery operations is generally limited and intermittent, meaning the sound level can vary during the day and over the course of the year, depending on the activities at the winery. The primary noise-generating activities are equipment associated with wineries including refrigeration equipment, bottling equipment, barrel washing, destemmers and press activities occurring during the harvest crush season, delivery trucks, and other vehicles.

The Napa County General Plan EIR indicates the average, or equivalent, sound level (Leq) for winery activities is 51dBA in the morning and 41dBA in the afternoon. Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes. Winery operations would occur between 9:00 a.m. and 5:00 p.m. (excluding harvest). The nearest off-site residence to the proposed winery is approximately 1,200 feet to the south of the proposed winery. Any outdoor equipment would be subject to the following standard conditions requiring that any exterior winery equipment be enclosed or muffled and maintained so as not to create a noise disturbance (COAs 4.16 and 6.6, **Attachment B**). Under the proposed project, no events are proposed.

The project would not result in a substantial temporary or permanent increase in noise levels or produce excessive ground borne vibration levels during construction. no blasting is proposed. Project operations were found to comply with the applicable Napa County noise limits, and no substantial permanent increase in noise levels was identified. The nearest off-site residence to the proposed winery development is ~1,200 feet - construction noise will be temporary in nature and additionally, no tours, tastings or events are proposed as part of the winery request. The winery is located in a compatible noise environment and the proposed project would not expose people to excessive noise levels associated with air traffic.

Wastewater - A Wastewater Feasibility Report was prepared in August 2022 by Applied Civil Engineering (see **Attachment G**). The project would require the construction of a new or expanded wastewater treatment system, the project and Report was reviewed by the Environmental Health Department, and they provided a Memo detailing their recommended Conditions of Approval which is attached to the end of Recommended COAs and Agency Approval Memos (**Attachment B**). However, as proposed the winery process wastewater will be collected, treated, stored, and used to irrigate onsite pastures in accordance with the California State Water Resources Control Board Winery General Order and therefore will not impact the existing septic system. The existing parcel is serviced by a pressure distribution type septic system. According to permit records the parcel contains a system that was designed for a peak flow of 1,200 gallons per day (gpd) for a residence with 10 potential bedrooms (a Use Permit request that was approved but never implemented). The leach field consists of 1,157 lineal feet (lf) of leach line located on a hillside below the driveway. The plans for the system prepared by Bartelt Engineering, indicate there are 3 - 1,500-gallon septic tanks and a 1,500-gallon dosing sump tank prior to the pressure distribution leach field. The predicted Combined Peak Sanitary Wastewater Flow for the proposed winery's operational characteristics and existing residence of 1,260 gpd is more than the design capacity of the existing wastewater disposal system (1,200 gpd). Therefore, to meet the extra 60 gpd capacity the existing system is proposed to be augmented by adding 5 feet to each of the existing 12 lines (60 lf total added resulting in 1,212 lf total). This will increase the capacity from 1,200 gpd to 1,272 gpd which will meet the needs of the proposed winery Use Permit and existing residential uses. An expanded reserve area consisting of 6,300 sf is proposed and as noted in the report is adequate to accommodate the expanded wastewater system.

With water and wastewater treatment facilities provided on-site, the proposed project requires no determination of service or will-serve letters from water or wastewater treatment service providers. The winery is proposed to include self-treating and self-retaining areas. Work areas of the proposed winery would be covered with a roof and plumbed to discharge runoff into the on-site wastewater treatment system, also with the intent to preserve stormwater quality. Grading for construction for the storm drain pipelines and wastewater treatment system improvements would occur concurrently with site grading associated with the winery construction, which would be subject to the dust suppression measures noted in the Mitigated Negative Declaration (see

Attachment C, Section III - Air Quality).

Groundwater Availability - A Groundwater Water Availability Analysis, dated August 2022 (see **Attachment F**) with Addenda dated April 25, July 5, 2024 and April 1, 2025 was prepared by Provost & Pritchard Consulting Group and Applied Civil Engineering, to determine the estimated water use of the existing development, the proposed project and water availability, and to assess potential drawdown impacts to neighboring wells and springs. There are approximately 19.5 acres of vineyard located within the holdings which are dry farmed. The proposed project will utilize an existing spring to supply water to the winery. Currently the spring provides water to the two residences, pools, accessory structures, and landscaping for the entire holding. If approved, the winery will be served by the spring while the residential water use will be swapped to be served by the existing well (Well No. 2) located on parcel 027-060-020-000 where the soils dispersal area is proposed. The original August 2, 2022 WAA notes that either of two wells within the holding will be utilized to serve the existing residential water demands. However, the applicant has identified, and a Condition of Approval (COA) is being included to specifically require that, the residential water demands utilize the well located on parcel 027-060-020-000 (Well No. 2). This is due to the fact that the well located on this parcel is not within 500 feet of any neighboring wells, nor within 1500 feet of a significant stream or a neighboring spring being utilized for domestic or agricultural use. The well has a pumping rate of 20 gallons per minute which would be able to handle the domestic water demands for the parcel. The Domestic Well Use Condition of Approval will ensure that the well that will be used for domestic water use within the holding does not negatively impact off-site wells or springs. Another Condition of Approval has been included specifically noting that no well water or surface water rights shall be used for winery operations and that if any other source of water is proposed or used for winery production or operations, it may trigger a Use Permit Modification or additional CEQA review (Recommended COAs Attachment B).

- Condition of Approval- Domestic Well:

The residential water uses for the holding shall be met by utilizing the existing well located on APN 027-060-020-000, and not the well located 027-060-022-000.

- Condition of Approval - Winery Water:

No well water or surface water rights shall be used for winery operations. The only approved water source for the winery is the spring as identified and discussed in the Staff Report and in the Mitigated Negative Declaration. If any other source of water is proposed or used for winery production or operations, it may trigger a Use Permit Modification or additional CEQA review.

There are two neighboring parcels, under separate ownership, one at APN 027-550-011-000 which is served by an existing spring, and APN 027-550-005-000 which is served by an existing well. However, the off-site well and spring are more than 2,800 feet from the identified project well located on 027-060-020-000 which has been conditioned to serve as the water use for Tesson holding residential uses.

The WAA April 1, 2025 addendum clarified that the vineyard irrigation use (the vineyard is dry farmed but during replants irrigation will be required during vine establishment) could be accommodated from Well No. 2. According to the original WAA the existing vineyards within the holding are watered via rainfall (dry farmed) with supplemental irrigation is provided from existing surface water rights but has only been utilized during new vine establishment. Staff has reviewed the existing water rights permit for the existing reservoir located on 027-060-020-000, and it notes that the parcel is permitted to divert 4.5 af/yr of water for stock watering, recreation, and fire protection, as well as domestic uses; with not more than 2.5 af/yr of the 4.5 af/yr allocation

withdrawn for domestic use. The approved ECP is from the 1991, and, as such is not as detailed as more recently approved ECPs, and the water source is not clearly identified. Report(s) of Licensee from 2016-2024, yearly reports submitted by the water rights license holder to the State Water Resources Control Board (SWRCB), demonstrate that no surface water has been utilized for vineyard irrigation; supporting the applicant's representations and the WAA statement that the vineyard is dry farmed. The 2010 Report of Licensee does indicate that surface water rights were utilized for vineyard irrigation when the vineyard was replanted; however, besides this one instance there is no indication or evidence that surface water rights have been utilized for vineyard irrigation for the past 14 years. The applicant/property owner is aware that replants are subject to Track II or Track I ECP replant process and that the source of water used for the vineyard will be evaluated at the time the applicant/property owner seeks to replant the vineyard. As noted earlier, the WAA April 1, 2025 Addendum did assess future replant water use at 0.4 AF/yr and found that Well No. 2 could support both the residential water demands and the new vine irrigation (as needed). The determination of whether use of surface water pursuant to a water rights permit is appropriate or allowed falls under the jurisdiction of the Water Board, not the County. The property owner and applicant are aware that future replants are subject to the ECP replant process.

The project spring, located at the southwestern end of the property, is currently used to provide domestic water supply to the on-site residences, and has been the primary water source for the residences for many years. The current and historical residential demands for the holding have been estimated to be 1.35 acre-feet/year. With project development, the residential water use will be shifted to Well No 2 (this is also a Condition of Approval) located on APN 027-060-020-000 and said well will also be utilized for temporary new vine irrigation use; the spring will be used solely for winery demands. The winery demands from the spring are estimated to be 0.5 acre-feet/year. Hence, future use will result in lower demands on the spring compared to existing (current spring demands = 1.35 AF/yr, future demands = 0.5 AF/yr. No efforts will be made to modify or enhance the spring to increase yield. Using water that naturally flows out of the spring cannot contribute to the additional depletion of the spring, reduce the spring yield, or have a significant impact on the aquifer. The spring has not been observed by Tesson vineyard staff or property owners to flow off the estate parcels, or flow to any creek, river, wetland or other water body. As use of the spring (at a high demand) is the existing baseline condition, the proposed project with a more than 50% reduction in spring water demand should not have a significant impact on ground or surface water resource in the vicinity.

As noted above, the total water use for the winery includes employee uses, process water, and water for wine production, and is estimated to be 0.5 AF/yr. All the water will come from the spring located at the southern end of the property (see **Attachment E** and **F**). The WAA, prepared before the 10-year PRISM data became the standard used a Normal Year and Dry Year Rainfall of 33.1 inches and 8.7 inches, respectively. The 10-year prism data was provided from Applied Civil Engineering dated July 5, 2024, and updated with the April 1, 2025 addendum; the 10-year PRISM data varies across the entire holdings but averages approximately 35.5 inches per year. According to said addendum, the Normal Year estimate used in the WAA was conservative compared to the 10-year PRISM data. For the 607.85 acre holding, using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, the recharge is 89.0 AF/yr (compared to 84 AF/yr in the WAA for Normal Year and 22 AF/yr for Dry Year]. For the new residential well parcel (APN: 027-060-020-000) a future water demand of 1.75 AF/yr is anticipated, for domestic water use and new vine irrigation. The recharge for this 215.1 acre parcel exceeds the demand of 1.75 AF/yr. For the 43.26 acre winery parcel, using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA April 1, 2025 Addendum, the recharge is 7.0 AF/yr (compared to 6.0 AF/yr in the WAA for Normal Year and 1.6 AF/yr for Dry Year). This demonstrates that just the recharge on the winery parcel (7.0 AF/yr) is more than 3 times the estimated demand for the new

winery use (0.5 AF/yr). Additionally, the total demand for all of the existing and proposed uses within the holding (2.25 AF/yr) is almost 40 times the estimated demand. As such, there should be adequate water on-site to provide for both the existing and proposed water uses and impacts would be less than significant.

Grape Sourcing - The project site will have approximately 19.5 acres of vineyards once the winery is constructed. The winery operator, through the use permit application, has indicated that they intend to maintain compliance with the 75% Napa Valley grape source requirement; furthermore 100% of the estate grapes will be used for winery production. The recommended conditions of approval include a requirement for compliance with the 75% grape sourcing rule (COA No. 4.6 - **Attachment B**).

PUBLIC COMMENTS:

As of the release of this staff report (6/20/2025) 10 comments have been received regarding this proposed winery development project (**Attachment L**). One comment letter from CDFW, eight comments of support and one comment in opposition of the project.

DECISION MAKING OPTIONS:

As noted in the Executive Summary Section above, staff is recommending approval of the project with conditions of approval as described in Option 1 below. Decision making options also include a no project alternative.

Option 1 - Applicant's Proposal (Staff Recommendation)

Disposition - This option would result in approval of a new 20,000-gallon per year winery. Staff recommends this option as the request is consistent with the Zoning Ordinance, applicable General Plan policies, and other County regulations. Furthermore, the modification does not increase groundwater demand over existing levels. There will be no significant environmental impacts, as mitigated, due to the new winery development, as discussed in the Mitigated Negative Declaration.

Action Required - Follow the proposed action listed in Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at time motion is made. This option has been analyzed for its environmental impacts, which were found to be less than significant.

Option 2 - Deny Proposed Project

Disposition - In the event the Commission determines that the project does not, or cannot meet the required findings for the granting of the Use Permit, Commissioners should identify what aspect or aspects of the project are in conflict with the required findings. State Law requires the Commission to adopt findings, based on the General Plan and County Code, setting forth why the proposed Use Permit request is not being approved.

Action Required - Commission would make a motion to deny the project.

Option 3 - Continuance Option

The Commission may continue an item to a future hearing date at its own discretion.

ATTACHMENTS:

- Recommended Findings (**Attachment A**)
- Recommended Conditions of Approval and Agency Approval Memos (**Attachment B**)
- Initial Study/Mitigated Negative Declaration (**Attachment C**)
- Project Narrative, Application Submittal, Application Signatures (**Attachment D**).
- Civil and Architectural Plan Sets (**Attachment E**)
- WAA and WAA Addendums (**Attachment F**)
- Wastewater Feasibility Study (**Attachment G**)
- Biological Resources Assessment (**Attachment H**).
- Northern Spotted Owl Assessment (**Attachment H.1**)
- Vegetation Retention Analysis (**Attachment H.2**)
- Approval Letter Erosion Control Plan 90-48 (**Attachment I**)
- Mitigation, Monitoring and Reporting Plan - MMRP (**Attachment J**)
- Winery Comparison Table (**Attachment K**)
- Public Comments (**Attachment L**)
- Graphics (**Attachment M**)
- Notices, Division and Agency Memos, and Correspondence (**Attachment N**)

“A”

Recommended Findings

PLANNING COMMISSION HEARING – JULY 2, 2025
RECOMMENDED FINDINGS

TESSERON NEW WINERY USE PERMIT

P22-00309-NEW

1000 WALL ROAD, ST HELENA, CA, 94558

Primary APN 027-060-022-000 (Winery Parcel);

Holding APNs: 027-060-020-000 (soil dispersal area and new residential well),

027-060-023-000 (existing vineyard and open space),

027-060-024-000 (existing vineyard and open space) in Napa County and APNs

051-200-016-000 (existing vineyard and proposed water storage fire suppression tank)

and 051-010-079-000 (existing vineyard and open space) in Sonoma County

ENVIRONMENTAL:

The Planning Commission (Commission) has received and reviewed the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and finds that:

1. The Planning Commission has read and considered the Initial Study/Mitigated Negative Declaration prior to taking action on said Initial Study/Mitigated Negative Declaration and the proposed project.
2. The Initial Study/Mitigated Negative Declaration is based on independent judgment exercised by the Planning Commission.
3. The Initial Study/Mitigated Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act (CEQA).
4. There is no substantial evidence in the record as a whole, that the project with mitigation will have a significant effect on the environment.
5. There is no evidence, in considering the record as a whole that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.
6. The site of this proposed project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5 and is not within the

boundaries of any airport land use plan.

7. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Second Floor, Napa, California.

PLANNING AND ZONING ANALYSIS:

USE PERMIT:

The Commission has reviewed the use permit major modification request in accordance with the requirements of the Napa County Code §18.124.070 and makes the following findings:

8. The Commission has the power to issue a Use Permit under the Zoning Regulations in effect as applied to property.

Analysis: The project is consistent with the Agricultural Watershed (AW) zoning district regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.20.030) are permitted in the AW district with an approved use permit. The project, as conditioned, complies with the Napa County Winery Definition Ordinance (Ord. No. 947, 1990) and all other requirements of the Napa County Zoning Ordinance (Title 18, Napa County Code) as applicable.

9. The procedural requirements for a Use Permit set forth in Chapter 18.124 of the Napa County Code (zoning regulations) have been met.

Analysis: The New Winery Use Permit has been appropriately filed and noticed and public hearing requirements have been met. The hearing notice and Notice of Intent to adopt an Initial Study/Mitigated Negative Declaration were posted on March 13, 2025, and copies were forwarded to the appropriate persons on the mailing list. The public comment period ran from March 13, 2025, to April 15, 2025.

10. The grant of the Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Granting the New Winery Use Permit for the project, as proposed and conditioned, will not adversely affect the health, safety, or welfare of the County.

Various County divisions and departments have reviewed the project and commented regarding site access, parking, water and wastewater disposal systems, building permits, and fire protection. Conditions of Approval are recommended which will incorporate County comments into the project to ensure the protection of the public health, safety, and welfare is maintained during construction and operation of the project.

11. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan and any applicable specific plan.

Analysis: Compliance with the Zoning Ordinance

The project is consistent with the Agricultural Watershed (AW) zoning district regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.20.020) are permitted in the AW District with an approved use permit.

The winery is not subject to the 600-foot road setback from any state highway, Silverado Trail or any arterial county road (18.104.220.A.1). The proposed winery is located outside of all required setbacks.

Analysis: Compliance with the General Plan

As proposed and as conditioned, the requested New Winery Use Permit is consistent with the overall goals and objectives of the 2008 General Plan. The General Plan land use designation for the subject parcel is Agriculture Resource (AR).

General Plan Agricultural Preservation and Land Use Goal AG/LU-1 guides the County to “preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.” General Plan Goal AG/LU-3 states that the County should “support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.” Goal AG/LU-3 and Policy AG/LU-2 recognize wineries as agricultural uses.

The approved use of the property for fermenting and processing of grape juice into wine supports the economic viability of agriculture within the County, consistent with Goal AG/LU-3 and Policy AG/LU-4 (“The County will reserve agricultural lands for agricultural use including land used for grazing and watershed/open space...”). By allowing the expansion of the existing agricultural use, the requested New Winery Use Permit supports the economic viability of both the vineyard and agricultural product processing uses on the property, consistent with Economic

Development Goal E-1 and Policy E-1.

The “Right to Farm” is recognized throughout the General Plan and is specifically called out in Policy AG/LU-15 and in the County Code. “Right to Farm” provisions ensure that agriculture remains the primary land use in Napa County and is not threatened by potentially competing uses or neighbor complaints. Napa County’s adopted General Plan reinforces the County’s long-standing commitment to agricultural preservation, urban centered growth, and resource conservation.

Applicable Napa County General Plan goals and policies:

Goal AG/LU-1: Preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.

Goal AG/LU-3: Support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.

Policy AG/LU-2: “Agriculture” is defined as the raising of crops, trees, and livestock; the production and processing of agricultural products; and related marketing, sales and other accessory uses. Agriculture also includes farm management businesses and farm worker housing.

Policy AG/LU-4: The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space, except for those lands which are shown on the Land Use Map as planned for urban development.

Policy AG/LU-8: The County’s minimum agricultural parcel sizes shall ensure that agricultural areas can be maintained as economic units.

Policy AG/LU-15: The County affirms and shall protect the right of agricultural operators in designated agricultural areas to commence and continue their agricultural practices (a “right to farm”), even though established urban uses in the general area may foster complaints against those agricultural practices. The “right to farm” shall encompass the processing of agricultural products and other activities inherent in the definition of agriculture provided in Policy AG/LU-2.

Goal CON-10: Conserve, enhance and manage water resources on a sustainable basis to attempt to ensure that sufficient amounts of water will be available for the uses allowed by this General Plan, for the natural environment, and for future generations.

Goal CON-11: Prioritize the use of available groundwater for agricultural and rural residential uses rather than for urbanized areas and ensure that land use decisions recognize the long-term availability and value of water resources in Napa County.

Policy CON-53: The County shall ensure that the intensity and timing of new development are consistent with the capacity of water supplies and protect groundwater and other water supplies by requiring all applicants for discretionary projects to demonstrate the availability of an adequate water supply prior to approval. Depending on the site location and the specific circumstances, adequate demonstration of availability may include evidence or calculation of groundwater availability via an appropriate hydrogeologic analysis or may be satisfied by compliance with County Code “fair-share” provisions or applicable State law. In some areas, evidence may be provided through coordination with applicable municipalities and public and private water purveyors to verify water supply sufficiency.

Policy CON-54: The County shall maintain or enhance infiltration and recharge of groundwater aquifers by requiring all projects in designated groundwater deficient areas as identified in the County’s groundwater ordinance (County Code Chapter 13.15) be designed (at minimum) to maintain a site’s predevelopment groundwater recharge potential, to the extent feasible, by minimizing impervious surfaces and promoting recharge (e.g., via the use of water retention/detention structures, use of permeable paving materials, bio- swales, water gardens, cisterns, and other best management practices).

Policy CON-55: The County shall consider existing water uses during the review of new water uses associated with discretionary projects, and where hydrogeologic studies have shown that the new water uses will cause significant adverse well interference or substantial reductions in groundwater discharge to surface waters that would alter critical flows

to sustain riparian habitat and fisheries or exacerbate conditions of overdraft, the County shall curtail those new or expanded water uses.

Policy CON-60.5: All aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems should be designed to reduce water demand, retain runoff, decrease flooding, and recharge groundwater.

Policy CON-72: The County shall seek to reduce the energy impacts from new buildings by applying Title 24 energy standards as required by law and providing information to the public and builders on available energy conservation techniques, products, and methods available to exceed those standards by 15 percent or more.

Policy CON-77: All new discretionary projects shall be evaluated to determine potential significant project-specific air quality impacts and shall be required to incorporate appropriate design, construction, and operational features to reduce emissions of criteria pollutants regulated by the state and federal governments below the applicable significance standard(s) or implement alternate and equally effective mitigation strategies consistent with BAAQMD's air quality improvement programs to reduce emissions. In addition to these policies, the County's land use policies discourage scattered development which contributes to continued dependence on the private automobile as the only means of convenient transportation. The County's land use policies also contribute to efforts to reduce air pollution.

Policy CON-81: The County shall require dust control measures to be applied to construction projects consistent with measures recommended for use by the Bay Area Air Quality Management District (BAAQMD).

Goal E-1: Maintain and enhance the economic viability of agriculture.

Policy E-1: The County's economic development will focus on ensuring the continued viability of agriculture in Napa County.

Policy SAF-20: All new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment as to:

- 1) Adequacy of water supply.
- 2) Site design for fire department access in and around structures.
- 3) Ability for a safe and efficient fire department response.
- 4) Traffic flow and ingress/egress for residents and emergency vehicles.
- 5) Site-specific built-in fire protection.
- 6) Potential impacts to emergency services and fire department response.

12. That the proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Sections 13.15.070 or 13.15.080 of the County Code.

Analysis: The project is consistent with General Plan Conservation Policies CON-53 and CON-55, which require that applicants, who are seeking discretionary land use approvals, prove that adequate water supplies are available to serve the proposed use without causing significant negative impacts to shared groundwater resources.

The winery property is NOT located within the groundwater basin boundary set by the California Department of Water Resources, which was studied and evaluated by the County's Groundwater Sustainability Agency (GSA).

A Groundwater Water Availability Analysis, dated August 2022 (see **Attachment F**) with Addenda dated April 25, July 5, 2024 and April 1, 2025 was prepared by Provost & Pritchard Consulting Group and Applied Civil Engineering, to determine the estimated water use of the existing development, the proposed project and water availability, and to assess potential drawdown impacts to neighboring wells and springs. There are approximately 19.5 acres of vineyard located within the holding which are dry farmed. The proposed project will utilize an existing spring to supply water to the winery. Currently the spring provides water to the two residences, pools, accessory structures, and landscaping for the entire holding. If approved, the winery will be served by the spring while the residential water use will be swapped to be served by the existing well (Well No. 2) located on parcel 027-060-020-000

where the soils dispersal area is proposed. The original August 2, 2022 WAA notes that either of two wells within the holding will be utilized to serve the existing residential water demands. However, the applicant has identified, and a Condition of Approval (COA) is being included to specifically require that, the residential water demands utilize the well located on parcel 027-060-020-000 (Well No. 2). This is due to the fact that the well located on this parcel is not within 500 feet of any neighboring wells, nor within 1500 feet of a significant stream or a neighboring spring being utilized for domestic or agricultural use. The well has a pumping rate of 20 gallons per minute which would be able to handle the domestic water demands for the parcel. The Domestic Well Use Condition of Approval will ensure that the well that will be used for domestic water use within the holding does not negatively impact off-site wells or springs. Another Condition of Approval has been included specifically noting that no well water or surface water rights shall be used for winery operations and that if any other source of water is proposed or used for winery production or operations, it may trigger a Use Permit Modification or additional CEQA review (Recommended COAs Attachment B). The WAA April 1, 2025 addendum clarified that the vineyard irrigation use (the vineyard is dry farmed but during replants irrigation will be required during vine establishment) could be accommodated from Well No. 2

There are two neighboring parcels, under separate ownership, one at APN 027-550-011-000 which is served by an existing spring, and APN 027-550-005-000 which served by an existing well. However, the off-site well and spring are more than ~2,800 feet from the identified project well located on 027-060-020-000 which has been conditioned to serve as the water use for Tesson holding residential uses.

The project spring, located at the southwestern end of the property, is currently used to provide domestic water supply to the on-site residences, and has been the primary water source for the residences for many years. The current and historical residential demands for the holding have been estimated to be 1.35 acre-feet/year. With project development, the residential water use will be shifted to one of existing on-site domestic wells located on APN 027-060-020-000, and the spring will be used solely for winery demands. The winery demands from the spring are estimated to be 0.5 acre-feet/year. Hence, future use will result in lower demands on the spring. No efforts will be made to modify or enhance the spring to increase yield. Using water that naturally flows out of the spring cannot contribute to the additional depletion of the spring, reduce the spring yield, or have a significant impact on the aquifer. The spring has not been observed by Tesson vineyard staff or property owners to flow off the estate parcels, or flow to any creek, river, wetland or other water body. The flow from the spring is relatively small and has only been observed

to create a saturated wet spot in the vicinity of the spring outlet. As use of the spring (at a high demand) is the existing baseline condition, the proposed project with a more than 50% reduction in spring water demand should not have a significant impact on ground or surface water resource in the vicinity.

As noted above, the total water use for the winery includes employee uses, process water, and water for wine production, and is estimated to be 0.5 AF/yr. All of the water will come from the spring located at the southern end of the property (see **Attachment E and F**). The WAA, prepared before the 10-year PRISM data became the standard used a Normal Year and Dry Year Rainfall analysis of 33.1 inches and 8.7 inches, respectively. The 10-year prism data was requested provided at a later date from Applied Civil Engineering; the 10-year PRISM data varies across the entire holdings but averages approximately 35.5 inches per year. According to the addendum from Applied Civil and April 1, 2025 Addendum, the Normal Year estimate used in the WAA was conservative compared to the 10-year PRISM data. For the 607.85 acre holding, using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, the recharge is 89.0 AF/yr (compared to 84 AF/yr in the WAA for Normal Year and 22 AF/yr for Dry Year]. For the 43.26 acre winery parcel, using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, the recharge is 7.0 AF/yr (compared to 6.0 AF/yr in the WAA for Normal Year and 1.6 AF/yr for Dry Year). This demonstrates that just the recharge on the winery parcel (7 AF/yr) is more than 3 times the estimated demand for all of the existing and proposed uses on all parcels (0.5 AF/yr for winery demands + 1.35 AF/yr for residential demands + 0.4 AF/yr for irrigation demands = 2.25) and that the recharge on the entire holding (89.0 AF/yr) is nearly 40 times the estimated demand. The recharge for the holdings within Napa County is 89.0 AF/yr (wet), while the recharge for the individual parcel is 7.0 AF/yr. The estimated total water demand of 2.25 AF/yr is less than both the individual parcel recharge and the overall holdings recharge. As such, there should be adequate water on-site to provide for both the existing and proposed water uses and impacts would be less than significant.

The requested New Winery Use Permit is consistent with General Plan Goals CON-10 and CON-11, as well as the policies mentioned above that support reservation and sustainable use of groundwater for agricultural and related purposes.

“B”

Recommended Conditions of Approval

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025

PLANNING COMMISSION HEARING – JULY 2, 2025
RECOMMENDED CONDITIONS OF APPROVAL

TESSERON WINERY

P22-00309-UP

1000 WALL ROAD, ST HELENA, CA, 94574

Primary APN 027-060-022-000 (Winery Parcel);

Holding APNS:

027-060-020-000 (soil dispersal area and new residential well),

027-060-023-000 (existing vineyard and open space),

027-060-024-000 (existing vineyard and open space) in Napa County and

051-200-016-000 (existing vineyard and proposed water storage fire suppression tank)

and 051-010-079-000 (existing vineyard and open space) in Sonoma County

This permit encompasses and shall be limited to the project commonly known as Tesseron Winery, located at APN 037-060-022-000. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as “Reserved” and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

This Use Permit No. P22-00309 encompasses and shall be limited to:

- 1.1 Approval of a new winery with an annual production capacity of 20,000 gallons per year consisting of the following:
 - a. Construction of a new 14,729 square foot (sf) cut and cover Type I cave with a 2,750-sf covered crush pad and a 348-sf covered mechanical equipment area with an enclosed trash/recycling area:
 - i. Included in the cave is a 3,645-sf fermentation dome room with a 32-foot-high ceiling;

- ii. The caves and domes will be used for winemaking, fermentation, aging, barrel storage, bottling, case good storage; dry good storage, as well as shipping and receiving; the cave will also contain an office, lab and two restrooms.
 - iii. A retaining wall will be constructed uphill of the cave and will be 56 feet 6 inches in height.
- b. Excavation of approximately 20,000 cubic yards of spoils associated with the cave and construction of structure pads, all of the spoils will be distributed within the subject parcel or neighboring parcels under the same ownership, with spoils specifically occurring on APN 027-060-020-000 at various locations but outside of all required stream and ephemeral setbacks;
- c. Onsite parking for three (3) vehicles; one (1) handicapped, one (1) compact and one (1) standard;
- d. Up to one (1) full-time employee, and three (3) part-time employees;
- e. Installation of a 50,000-75,000-gallon Fire Protection Water Tank located on a parcel under the same ownership but within the jurisdiction of the County of Sonoma (this will require the submittal and approval of building permit from Sonoma);
- f. Upgrades to the existing wastewater system – with winery wastewater being collected, treated, and stored to be reused for irrigation onsite;
- g. Installation of a new onsite Septic System and identification of new reserve area;
- h. Removal of 15 native tree species, with replanting and permanent preservation of 45 trees;
- i. Use of an existing on-site spring, currently used for residential water use, that will become the water source for the winery while the residence will be served by an existing well; and
- j. Improvements to the existing paved driveway from Wall Road to ensure it meets Napa County Road and Street Standards.

No Tours and Tastings, or Visitations or Marketing Events are approved under this Use Permit.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or change in winery use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 MONITORING COSTS

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions of approval and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing may occur at a winery only where such activities are accessory and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility."

Tours and tastings (defined below) may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant.

Retail sales of wine shall be permitted as set forth in the County Code.

4.2 TOURS AND TASTINGS/VISITATION

Tours and tastings shall be by appointment only and shall be limited to the following:

- a. NO TOURS AND TASTINGS ARE APPROVED AS PART OF THIS USE PERMIT

"Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings.

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building, and Environmental Services (PBES) Department upon request.

4.3 MARKETING

Marketing events shall be limited to the following:

- a. NO MARKETING EVENTS ARE APPROVED AS PART OF THIS USE PERMIT.

"Marketing of wine" means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as "marketing of wine" if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery's Use Permit. To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of cost recovery, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event's non-wine-related content, and the intensity of the overall marketing plan (County Code).

All marketing event activity, excluding quiet clean-up, shall cease by 10:00 p.m. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

Auction Napa Valley (ANV) events need not be included in a participating winery's marketing plan because they are covered by ANV's Category 5 Temporary Permit. The winery may utilize any ANV event authorized in this permit for another charitable event of similar size.

4.4 ON-PREMISES CONSUMPTION [RESERVED]

4.5 RESIDENCE OR NON-WINERY STRUCTURES

Unless specifically authorized by this permit or a previously approved permit, the existing primary residence, barn and garage on the primary winery parcel (APN 027-060-022-000), as well as the 2nd residence, garages, barns and various accessory structures (APN 027-060-023-000) shall not be used for commercial purposes or in conjunction with the operation of the winery. If the residence is rented, it shall only be rented for periods of 30 days or more, pursuant to the County Code.

4.6 GRAPE SOURCE

At least 75% of the grapes used to make the winery's still wine or the still wine used by the winery to make sparkling wine shall be grown within Napa County. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the PBES Department upon request, but shall be considered proprietary information and not available to the public.

4.7 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (use permits and modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB), and California Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In Final Conditions of Approval Page 7 of 18 Ellman Family Winery (P18-00249-UP) the event the required ABC and/or TTB permits and/or licenses are suspended or revoked, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are reinstated.

Visitation log books, visitor reports, custom crush client records, and any additional documentation determined by Staff to be necessary to evaluate compliance may be requested by the County for any code compliance. The permittee (and their successors) shall be required to participate fully in the winery code compliance review process.

4.8 RENTAL/LEASING

No winery facilities, or portions thereof, including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons producing and/or storing wine at the winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this Permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

4.9 GROUND WATER MANAGEMENT – WELLS [RESERVED]

4.10 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

4.11 TRAFFIC

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (4:00 to 6:00 p.m. on weekdays and 1:00 to 3:00 p.m. on Saturdays and Sundays). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

4.12 PARKING

The location of visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads.

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use of occupancy of an existing building unless the building is made to comply with the requirements of the current CBC for a new building.

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES [RESERVED]

4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM

The installation, operation and maintenance of the process wastewater ponds shall be in conformance with the Napa County Mosquito Abatement District's program for eliminating mosquito sources and managing mosquito-breeding areas in order to reduce mosquitoes to a tolerable and healthful level.

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.
- b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.
- c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differ from the approved building permit. Highly reflective surfaces are prohibited.
- d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS

Temporary off-site signage, such as "A-Frame" signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions, as applicable,

as stated in their Memorandum dated May 21, 2025.

- b. Fire Department operational conditions, as applicable, as stated in their Inter-Office Memo dated June 12, 2025.
- c. Environmental Health Department operational conditions, as applicable, as stated in the their Memo dated April 3, 2025.
- d. Building Department operational conditions, as applicable, as stated in their Memo dated May 23, 2023.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those County Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify this permit.

4.19 OPERATIONAL MITIGATION MEASURES [RESERVED]

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

a. Winery Water:

No well water shall be used for winery operations. The only approved water source for the winery is the spring as identified and discussed in the Water Availability Analysis Addendum dated April 1, 2025. If any other source of water is proposed or used for winery production, it may trigger a Use Permit Modification or additional CEQA review

b. Domestic Well:

The residential water uses for the holding shall be met by utilizing the existing well located on APN 027-060-020-000, and not the well located 027-060-022-000. Prior to project Construction and Implementation, the applicant/property owner shall prepare a revised WAA to clearly identify the well located on APN 027-060-020-000 as the primary domestic well for the residential uses within the Tessoron holding and clearly demonstrate that the proposed water use can be met by the wells current design.

c. Pollinator Habitat –

Post project the owner/permittee shall reseed the cave fill (cave roof) with a native wildflower seed mix to create pollinator habitat for various pollinator species, including bumble bees and butterflies. This area shall be actively maintained. Noxious weeds and non-native being shall be removed as

necessary, to ensure the establishment of native wildflowers, and reseeding of native wildlife mix shall occur as needed to ensure the area remains as viable pollinator habitat.

4.21 PREVIOUS CONDITIONS [RESERVED]

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division plan review, construction and preoccupancy conditions, as applicable, as stated in their Memorandum dated May 21, 2025.
- b. Fire Department plan review, construction and preoccupancy conditions, as applicable, as stated in their Inter-Office Memo dated July 12, 2025.

- c. Environmental Health Department plan review, construction and preoccupancy conditions, as applicable, as stated in the their Memo dated April 3, 2025.
- d. Building Department plan review, construction and preoccupancy conditions, as applicable, as stated in their Memo dated May 23, 2023.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those County Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the permit.

6.2 BUILDING DIVISION – GENERAL CONDITIONS

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a “J” number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.
- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and

shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.

6.4 LANDSCAPING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division’s review and approval prior to the issuance of any building permit associated with this Use Permit. The plan shall be prepared pursuant to the County’s Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
- b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner’s office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. No trees greater than 6” diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division’s review and approval. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.
- d. Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of

the surrounding site-specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

- a. Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.
- b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.
- c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.8 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

6.9 HISTORIC RESOURCES [RESERVED]

6.10 DEMOLITION ACTIVITIES [RESERVED]

- 6.11 VIEWSHED – EXECUTION OF USE RESTRICTION [RESERVED]
- 6.12 PERMIT PREREQUISITE MITIGATION MEASURES [RESERVED]
- 6.13 PARCEL CHANGE REQUIREMENTS [RESERVED]
- 6.14 FINAL MAPS [RESERVED]
- 6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS
 - a. Pollinator Habitat:
 - 1. Post project the owner/permittee shall reseed the cave fill (cave roof) with a native wildflower seed mix to create pollinator habitat for various pollinator species, including bumble bees and butterflies. This area shall be actively maintained for three years with noxious weeds and non-native being removed. The area shall be reseeded as necessary to ensure the establishment of native wildflowers.
 - b. Tree Protection:
 - 1. The owner/permittee shall ensure that trees located within 100 feet of the proposed winery cave development are protected during construction using barricades or other appropriate means, such as the placement of construction fencing, placed at the outboard drip lines of applicable trees. No earth moving shall occur within the protected areas.
 - c. Preservation of Tree Replanting: The owner/permittee shall record a permanent preservation area to achieve consistency with the Napa County Conservation Regulations Sections 18.108.020.D and E:
 - 1. The tree replant area as detailed in the Civil and Architectural Plan Set Page C1 – Dated April 22, 2025 shall be deed restricted or placed under a permanent preservation easement or other means of permanent protection. Land placed in protection shall be restricted from development and other uses that would degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or urban development and excessive off-road vehicle use that increases erosion) and should be otherwise restricted by the existing goals and policies of Napa County. The Owner/Permittee shall record the deed restriction or conservation easement prior to construction or within 90 days of project approval, whichever comes first.

2. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P22-00309 shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval, that includes at a minimum, the locations where replacement trees will be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. Any replaced trees shall be monitored for at least three years to ensure an 80 percent survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the project.
- d. Stream Protection: The applicant/owner shall implement the following measures to prevent the inadvertent encroachment into specified stream setbacks during construction and implementation of the proposed project:
 1. The location of ephemeral stream and pond setbacks shall be clearly demarcated in the field with temporary construction fencing, which shall be placed at the outermost edge of required setbacks shown on the project plans. Prior to any earthmoving activities, temporary fencing shall be installed: the precise locations of said fences shall be inspected and approved by the Planning Division prior to any earthmoving and/or development activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated areas for the duration of erosion
- e. CDFW Mitigation Measure- Impacts to Streams and Riparian Areas – Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may

include additional avoidance and minimize measures to protect fish and wildlife resources.

- f. The Permittee shall complete all applicable mitigation measures noted in the Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program (BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, and BIO-7, and CDFW Impacts to Streams and Riparian Areas COA prior to project implementation).
 1. In addition to the above stated Biological Mitigation Measures the permittee shall also conduct surveys for Clara's Hunt's milk-vetch. Per CDFW's comments the permittee shall have a Qualified Biologist conduct botanical surveys during the appropriate blooming period and conditions for Clara Hunt's milk-vetch (*Astragalus claranus*) at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.
- g. The project will be required to comply with the recently adopted version of CALGreen Tier 2. The Permittee shall implement all required CALGreen Tier 2 requirements, and this shall be reviewed and implemented at the time of construction through adherence to the California Building Code.
- h. Comply with all Engineering, Fire Division, Environmental Health and Building project permitting COAs, as applicable, as detailed in the applicable divisions COA memos.

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS

Please contact Engineering Services with any questions regarding the following.

- a. **GRADING AND SPOILS**
All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. All grading and

spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director.

b. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.

All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All

equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. STORM WATER CONTROL

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the California Regional Water Quality Control Board.

7.2 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur

daily between the hours of 8 am to 5 pm.

7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL

a. Pollinator Habitat:

1. Post project the owner/permittee shall reseed the cave fill (cave roof) with a native wildflower seed mix to create pollinator habitat for various pollinator species, including bumble bees and butterflies. This area shall be actively maintained for three years with noxious weeds and non-native being removed. The area shall be reseeded as necessary to ensure the establishment of native wildflowers.

b. Tree Protection:

1. The owner/permittee shall ensure that trees located within 100 feet of the proposed winery cave development are protected during construction using barricades or other appropriate means, such as the placement of construction fencing, placed at the outboard drip lines of applicable trees. No earth moving shall occur within the protected areas.

c. Preservation of Tree Replanting: The owner/permittee shall record a permanent preservation area to achieve consistency with the Napa County Conservation Regulations Sections 18.108.020.D and E:

1. The tree replant area as detailed in the Civil and Architectural Plan Set Page C1 – Dated April 22, 2025 shall be deed restricted or placed under a permanent preservation easement or other means of permanent protection. Land placed in protection shall be restricted from development and other uses that would degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or urban development and excessive off-road vehicle use that increases erosion) and should be otherwise restricted by the existing goals and policies of Napa County. The Owner/Permittee shall record the deed restriction or conservation easement prior to construction or within 90 days of project approval, whichever comes first.
2. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P22-00309 shall be

replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval, that includes at a minimum, the locations where replacement trees will be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. Any replaced trees shall be monitored for at least three years to ensure an 80 percent survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the project.

- d. Stream Protection: The applicant/owner shall implement the following measures to prevent the inadvertent encroachment into specified stream setbacks during construction and implementation of the proposed project:
 - 1. The location of ephemeral stream and pond setbacks shall be clearly demarcated in the field with temporary construction fencing, which shall be placed at the outermost edge of required setbacks shown on the project plans. Prior to any earthmoving activities, temporary fencing shall be installed: the precise locations of said fences shall be inspected and approved by the Planning Division prior to any earthmoving and/or development activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated areas for the duration of erosion
- e. CDFW Condition of Approval - Impacts to Streams and Riparian Areas – Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources.

- f. The Permittee shall complete all applicable mitigation measures noted in the Mitigated Negative Declaration (BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, and BIO-7 prior to project implementation).
 1. In addition to the above stated Biological Mitigation Measures the permittee shall also conduct surveys for Clara's Hunt's milk-vetch. Per CDFW's comments the permittee shall have a Qualified Biologist conduct botanical surveys during the appropriate blooming period and conditions for Clara Hunt's milk-vetch (*Astragalus claranus*) at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.
- g. The project will be required to comply with the recently adopted version of CALGreen Tier 2. The Permittee shall implement all required CALGreen Tier 2 requirements, and this shall be reviewed and implemented at the time of construction through adherence to the California Building Code.
- h. Comply with all Engineering, Fire Division, Environmental Health and Building project permitting COAs, as applicable, as detailed in the applicable divisions COA memos.

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow the commencement of production activities prior to completion of all project improvements. Permittee shall comply with the following before a TCO is granted:

8.1 TEMPORARY OCCUPANCY

All life and safety conditions shall be addressed prior to issuance of a TCO by the County Building Official. TCOs shall not be used for the occupancy of hospitality buildings and shall not exceed the maximum time allowed by the County Code which is 180 days. Departments and/or agencies with jurisdiction over the project are authorized as part of the TCO process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

9.0 **FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES**

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence.

9.1 **FINAL OCCUPANCY**

All project improvements, including compliance with applicable codes, conditions, and requirements of all Departments and Agencies with jurisdiction over the project, shall be completed.

9.2 **SIGNS**

Detailed plans, including elevations, materials, color, and lighting for any winery identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this permit approval. All signs shall meet the design standards as set forth in the County Code. Any off-site signs allowed shall be in conformance with the County Code.

9.3 **GATES/ENTRY STRUCTURES**

Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Fire Department to assure that the design allows large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required pursuant to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this permit approval.

9.4 **LANDSCAPING**

A Landscaping shall be prepared and submitted as part of the Building Permit, said landscaping shall be installed with said landscaping plan once reviewed and approved by the Planning Division.

9.5 **ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS [RESERVED]**

9.6 **DEMOLITION ACTIVITIES [RESERVED]**

9.7 **GRADING SPOILS**

All spoils shall be removed in accordance with the approved grading permit

and/or building permit.

9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A
FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL
CERTIFICATE OF OCCUPANCY

- a. Comply with all Engineering, Fire Division, Environmental Health and
Building COAs required prior to final certification of occupancy, as applicable,
as detailed in the applicable divisions COA memos.



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Brian D Bordona
Director

MEMORANDUM

To:	Dana Morrison, Planning	From:	Raulton Haye, Engineering
Date:	May 21, 2025	Re:	P22-00309 Tesseron Vineyards Winery APN: 027-060-020

The Engineering Division has reviewed the use permit application P22-00309 for the proposed winery located on assessor's parcel number 027-060-020. Based upon the information provided in the application, Engineering finds the application complete and recommends the following conditions of approval:

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

1. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

PREREQUISITES FOR ISSUANCE OF PERMITS

2. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.
3. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) prior to the commencement of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.

4. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
5. Prior to issuance of a building permit the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.
6. Prior to issuance of a building permit the owner shall prepare a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
7. Prior to issuance of a building permit, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. Before final occupancy the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES DURING PROJECT CONSTRUCTION

8. Required on-site pre-construction meeting with the Napa County PBES Engineering Division prior to start of construction.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

9. All roadway improvements shall be completed prior to execution of any new entitlements approved under this Use Permit. ** If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

10. Operations and Maintenance Agreement for post construction Stormwater facilities must be legally recorded.
11. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Raulton Haye from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)253-4621 or by email at Raulton.Haye@countvofnapa.org



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Napa, CA 94559
www.countyofnapa.org
Main: (707) 299-1484

Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

TO:	Planning Department	DATE:	6/12/2025
FROM:	Jason Downs, Fire Marshal	PERMIT #	P22-00309
SUBJECT:	Tesseron Winery	APN:	027-060-022-000

The Napa County Fire Marshal's Office has reviewed the submittal package for the above-proposed project. The Fire Marshal approves the project as submitted with the following conditions of approval:

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes, and ordinances at the time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested, and finalized.
3. Where conditions listed in 2022 California Fire Code Section 105 are proposed, separate permits will be required before Building Permit issuance for:
 1. Automatic fire-extinguishing systems
 2. Fire alarm and detection systems and related equipment
 3. Fire pumps and related equipment
 4. Private Fire service mains and their appurtenances
 5. Standpipe systems
 6. High-piled combustible storage
 7. Gates and barricades across fire apparatus access roads
 8. Emergency responder radio coverage systems
4. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards
5. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.



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Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

6. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
7. Roadways shall be a minimum of 20 feet in width with a 2-foot shoulder and 15-foot vertical clearance.
8. Turnarounds are required on driveways and dead-end roadways.
9. Grades for all roadways and driveways shall not exceed 16 percent. The roadway grade may exceed 16 percent, not to exceed 20 percent, provided the provisions outlined in the NCRSS are met.
10. Roadway radius shall not have an inside radius of less than 50 feet. An additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
11. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards, and CA Fire Safe Regulations for projects within SRA.
12. Commercial - Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with California Fire Code Appendix B and the Napa County Municipal Code.
13. Commercial - Approved pressurized hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested, and maintained per NFPA 24.
14. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.



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Fire Marshal

Napa County Fire Department Conditions of Approval

15. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24 for the installation of Underground Fire Protection Mains
16. An automatic fire sprinkler system shall be installed by provisions outlined in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
17. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware, and exit illumination.
18. Emergency Responder Radio Coverage in New Buildings: All new buildings may be required to provide approved emergency responder radio coverage within the building. This requirement will be determined by the Fire Code Official based on the existing coverage levels of the jurisdiction's public safety communication systems at the exterior of the building. The purpose of this provision is to ensure that emergency responders have adequate radio signal strength throughout the building during emergency operations.
19. The permittee shall provide and maintain a minimum 100-foot defensible space around all structures, in compliance with the Napa County Defensible Space Ordinance, the Napa County Fire Marshal's Defensible Space Guidelines, and California Public Resources Code Section 4291, as applicable. Defensible space shall be established prior to final project approval or occupancy and maintained in a fire-safe condition for the life of the project, subject to inspection by the Napa County Fire Marshal's Office.
20. The permittee shall provide and maintain a minimum 10-foot defensible space on both sides of all roadways, driveways, and access routes leading to the facility, measured from the edge of the roadway surface. This defensible space shall comply with the Napa County Defensible Space Ordinance and the Fire Marshal's Defensible Space Guidelines, and shall be maintained in a fire-safe condition at all times, subject to inspection and verification by the Napa County Fire Marshal's Office.



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Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

Please note the conditions of approval noted above are based on the Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any further questions please contact me at (707) 299-1467 or email me at jason.downs@countyofnapa.org



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Brian Bordona
Director

MEMORANDUM

To: Dana Morrison	From: Armeda Simpson-Van Dam
Date: 4/3/2025	Re: Use Permit Application for Tesseron Located at 1000 Wall Rd, Napa Assessor Parcel # 027-060-022 Permit# P22-00309

Environmental Health Division staff has reviewed an application for the Tesseron New Winery Project. This Division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. General Waste Discharge Requirements for Winery Process Water were adopted by the State Water Quality Control Board in January 2021, as such the applicant shall enroll for coverage under the General Order by January 2024 or at the time the process wastewater system is approved and constructed whichever occurs first.
2. Permit(s) to construct or modify the wastewater treatment system(s) must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.
3. All wells and/or water sources must be in working order and approved by our department. If any well(s) are to be destroyed, a well destruction permit must be obtained by a licensed well driller, from this Division.
4. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal. The designated area shall remain available and be properly maintained for its intended use.

During construction and/or prior to final occupancy:

5. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

6. The use of the wastewater absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
7. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
8. The proposed water system to serve this project is not currently required to be regulated as a small public water system by this Division under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy at this time. The applicant will be required to provide minimal information on the water system prior to approval of a building permit, and may wish to retain the services of a consultant in this matter.



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Brian Bordona
Interim Director

MEMORANDUM

To: Dana Morrison, Planning Division	From: Stacie Gutierrez, Building Division
Date: 5/23/2023	Re: Use Permit Application for Tesseron Located at 1000 Wall Rd, Napa Assessor Parcel # 027-060-022 Permit# P22-00309

The Building Division staff has reviewed an application for the Tesseron New Winery Project. This Division has no objection to approval of the application with the following conditions of approval:

1. The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.
2. The plans provided for the application do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.
3. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, "only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit". The codes adopted at this time are 2019 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.
4. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities a separate demolition permit will be required from the

Napa County Building Division prior to the removal. Please note the applicant will be required to provide a "J" number from the Bay Area Quality Management District at the time the applicant applies for a demolition permit if applicable.

5. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public. At the time of Permit Submittal your design professional shall submit plans for egress and accessibility for review.
6. Outdoor assembly use areas are required to be accessible per scoping requirements found in Chapter 11B of the California Building Code. Increase in parking spaces will trigger additional accessible parking spaces.
7. If your marketing plan is proposing events please be aware that no events will be allowed in portions of the building that are not permitted under the Assembly occupancy requirements, this includes fermentation and barrel rooms. Please keep this in mind when you planning your footprint and applying for the building permits
8. Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707) 299-1337.
9. All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Design Professional, such as an Architect and/or Engineer in accordance with California Business and Professions Code Chapter 3, and the California Building Code, Chapter 1.

“C”

Initial Study/Mitigated Negative Declaration

Tesseron Winery P22-00309
Planning Commission Hearing
Date July 2, 2025

**COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STREET SUITE 210
NAPA, CA 94559
(707) 253-4417**

**Initial Study Checklist
(form updated January 2019)**

1. **Project Title:** Tesseron Vineyards Winery, Use Permit #P22-00309-UP
2. **Property Owner:** Tesseron Vineyards, c/o Alfred Tesseron, P.O. Box 46, Saint Helena Ca 94574-0046, 707-638-2399, mb@invinoeritasllc.com
3. **County Contact Person, Phone Number and email:** Dana Morrison, Supervising Planner, Planning, Building, and Environmental Services, 1195 Third Street, Second Floor, Napa, CA 94559, 707 253 4437, dana.morrison@countyofnapa.org
4. **Project Location and Assessor's Parcel Number (APN):** 1000 Wall Road, Napa; primary APN 027-060-022-000 (location of proposed winery and tree mitigation area, and location of some of the existing vineyard); holding also contains the following APNs which are under the ownership of the applicant – Tesseron Vineyards: 027-060-020-000 (location of proposed soils disposal areas), 027-060-023-000 (location of existing vineyard), 027-060-024-000 (location of existing vineyard), 051-200-016 (parcel located in Sonoma County and location of proposed water storage tank) and finally and 051-010-079 (parcel also located in Sonoma County no development or disturbance proposed).

Section 23, Township 7 North, Range 6 West, MDM

Acreage: 43.26 acres

5. **Project sponsor's name and address:** Jon Webb, Albion Surveys, 1113 Hunt Avenue, St. Helena, Ca 94574, 707-290-6740, jwebb@albionsurveys.com
6. **General Plan description:** Agriculture, Watershed and Open Space (AWOS)
7. **Zoning:** Agricultural Watershed (AW)
8. **Background/Project History:**

Tesseron Vineyards owns six parcels located at the end of Wall Road, four of the parcels are located in Napa County and two are located in Sonoma County (see Attachment E). On the primary parcel (43.26 acres) where the winery development will occur (APN 027-060-022) various building permits have been approved and the parcel is currently developed with a main residence, a barn, a tennis court, a pool, a well, approximately 2.01 acres of vineyard approved under ECP 90-48 (Erosion Control Plan for 21 acres of vineyard approved in 1991, see Attachment I), the existing spring (currently used to provide water to both residences within the larger holding) and existing roads to access the various structures. There are five other APNs under the ownership of Tesseron Vineyards 027-060-020-000 (224 acres), 027-060-023-000 (42.23 acres), 027-060-024-000 (298.36), 051-200-016-000 (24 acres) and 051-010-079-000 (22 acres). APN 027-060-020-000 (proposed location for soil disposal area) contains a garage, an existing reservoir, a well, solar panels and access roads. APN 027-060-023-000 contains the 2nd primary residence, a garage, a pool and a barn, as well as access roads and portions (approximately 5.74 acres) of the existing vineyard approved under ECP 90-48. APN 027-060-024-000 contains access roads in addition to portions (approximately 6.03 acres) of the existing vineyard approved under ECP 90-48. APN 051-200-016 is located in Sonoma County, and it contains approximately 5.37 acres of vineyard, access roads and is proposed to house the fire suppression water storage tank. The final parcel in the holding is APN 051-010-079 and is also located in Sonoma County, the parcel contains solar panels and no development or disturbance associated with the winery development is proposed to occur on this parcel. Total ECP acreage in holding is 2.01 (APN -022) + 5.74 (APN -023) + 6.03 (APN -024) + 5.37 (APN -016) = 19.15 acres.

9. **Description of Project:**
Request for approval of a Use Permit to allow a new winery with an annual production capacity of 20,000 gallons per year with the following characteristics:

- a. Construction of a new 14,729 square foot (sf) cut and cover Type I cave with a 2,750-sf covered crush pad and a 348-sf covered mechanical equipment area with an enclosed trash/recycling area:
 - i. Included in the cave is a 3,645-sf fermentation dome room with a 32-foot-high ceiling;
 - ii. The caves and domes will be used for winemaking, fermentation, aging, barrel storage, bottling, case good storage; dry good storage, as well as shipping and receiving; the cave will also contain an office, lab and two restrooms.
 - iii. A retaining wall will be constructed uphill of the cave and will be 56 feet 6 inches in height.
- b. Excavation of approximately 20,000 cubic yards of spoils associated with the cave and construction of structure pads, all of the spoils will be distributed within the subject parcel or neighboring parcels under the same ownership, with spoils specifically occurring on APN 027-060-020 at various locations but outside of all required stream and ephemeral setbacks;
- c. Onsite parking for three (3) vehicles; one (1) handicapped, one (1) compact and one (1) standard;
- d. Up to one (1) full-time employee, and three (3) part-time employees;
- e. Installation of a 50,000-75,000-gallon Fire Protection Water Tank located on a parcel under the same ownership but within the jurisdiction of the County of Sonoma (this will require the submittal and approval of building permit from Sonoma);
- f. Upgrades to the existing wastewater system – with winery wastewater being collected, treated, and stored to be reused for irrigation onsite;
- g. Installation of a new onsite Septic System and identification of new reserve area;
- h. Removal of 15 native tree species, with replanting and permanent preservation of 45 trees;
- i. Use of an existing on-site spring, currently used for residential water use, that will become the water source for the winery while the residence will be served by an existing well within the holding;
- j. Improvements to the existing paved driveway from Wall Road to ensure it meets Napa County Road and Street Standards.

No Tours and Tastings, or Visitations are proposed or being requested under this Use Permit; nor are Marketing events proposed. The proposed winery facility is predominantly stepped into the existing hillside and will consist of the cut and cover cave, along with the covered crush pad and mechanical equipment area.

10. **Describe the environmental setting and surrounding land uses.**

The approximately 43.26 acres parcel is located at 1000 Wall Road on the western side of Napa County at the border with Sonoma County. The property abuts the end of Wall Road, a County maintained and viewshed road, but there is a gated driveway at the end of Wall Road, after which access to holding is through a private driveway. The property is located on the west side of the Mayacamas Mountains ridgeline at the border of Sonoma and Napa County. Slopes on the parcel range from 0 percent (%) to over 50%, slopes within the proposed development areas range from 0% to 29%. In addition to this parcel, the property owners also own three (3) neighboring parcels located within Napa County (APNs: 027-060-020, 027-060-023, 027-060-024) and an additional two (2) parcels which are located within the County of Sonoma (APNs: 051-200-016 and 051-010-079). Within the holding there are 19.15 acres of vineyards. All of the grapes from the 19.15 acres of vineyard will be processed at the proposed winery. The proposed winery will utilize the existing 25-kilowatt photovoltaic array located on one of the adjacent properties, under the same ownership.

The surrounding land uses consist primarily of large parcels containing predominantly open space, many of which are under the ownership of the State of California, in addition some parcels contain vineyards and some residential uses. There are no County designated Significant Streams located on the main project parcel (027-060-022-000) on which the future winery is proposed, however, there are a number of ephemeral drainages located on the parcel and there is an identified blue line stream, as well as ephemerals, on the adjacent parcels under the same ownership (027-060-020 and -023). The County GIS layers shows an ephemeral stream as running through the proposed location of the new winery; however, staff was able to confirm during the November 2022 site visit that there was no channelization or riparian vegetation associated with this "identified" ephemeral and therefore did not meet the definition. The Tesseron holding contains two main residences, two pools, a barn, three garages, a tennis court, two solar panel arrays, two wells, a developed spring, one water tank, a private driveway, ranch roads, and approximately 19.15 acres of vineyard. The specific project parcel contains a residence, pool, garage, barn, well, developed spring, private driveway, landscaping and approximately 2.01 acres of vineyard.

According to the County of Napa GIS system the parcel contains a mix of grassland, mixed oak woodland, agricultural land and developed/disturbed area. The Biological Assessment analyzed 11 acres of the parcel, the Study Area - areas that will be impacted by the proposed winery development. Within the 11 acre Study Area there are 7.3 acres of grassland, 1.3 acres of mixed oak woodland, 2.4 acres of disturbed/developed land, and 0.1 acres of agricultural land. The project would remove 1.3 acres of mixed oak woodland (to widen the road to Napa County Road and Street Standards (NCRSS)), install the proposed cut and cover cave that will serve as the winery, and installation of the new water tanks. The project includes the replanting of 1.3 acres of mixed oak woodland to replace the trees that will need to be removed. The proposed project will result in temporary impacts to the existing grassland, but there is no permanent conversion of grassland occurring, however, three potential spoils disposal areas have been identified where soils excavated from the cave location will be spread in low stockpiles; stockpiles will avoid any identified sensitive species, however, there are mitigations proposed in the instance where avoidance is not feasible and areas for said mitigation and preservation have been identified in Biological Assessment. The stockpile dispersal areas will be reseeded with a native seed mix and allowed to return to annual

grassland.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement). The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, and an encroachment permit, in addition to meeting CalFire standards. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.

Responsible (R) and Trustee (T) Agencies

California Department of Fish and Wildlife (CDFW) (T)
Air Resources Board (R)
Regional Water Quality Control Board (Regional Water Board) (R)
California Department of Forestry and Fire Protection (T)
State Water Resources Control Board (R)
County of Sonoma

Other Agencies Contacted

Middletown Rancheria
Mishewal Wappo Tribe of Alexander Valley
Yocha Dehe Wintun Nation

12. **Tribal Cultural Resources.** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.?

AB52 letters were sent to the local Tribes (Mishewal Wapp, Yocha Dehe Wintun Nation, and Middletown Rancheria) on February 16, 2023. As of the preparation of this Initial Study no responses from the tribes have been received and, as such, the comment period is considered closed.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

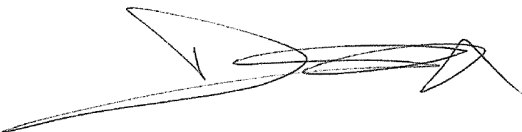
The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted and filed by the applicant in conjunction with Use Permit #P22-00309-NEW as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559, or <https://pbes.cloud/index.php/s/r3JKozkwqa6cjzX>.

- Recommended Findings (**Attachment A – not included** – to be provided upon release of the staff report and agenda packet)
- Recommended Conditions of Approval (**Attachment B – not included** – to be provided upon release of the staff report and agenda packet)
- Mitigated Negative Declaration (**Attachment C – this document**)
- Project Narrative and Application Submittal Materials (**Attachment D**).
- Civil and Architectural Plan Sets (**Attachment E**)
- Water Availability Analysis WAA and Addenda (**Attachment F**)
- Wastewater Feasibility Study (**Attachment G**)
- Biological Resources Assessment (**Attachment H**).
- Northern Spotted Owl Assessment (**Attachment H.1**)
- Vegetation Retention Analysis (**Attachment H.2**)
- Approval Letter Erosion Control Plan #90-48 (**Attachment I**)
- Graphics (**Attachment J**)
- Winery Comparison Table (**Attachment K**)
- Archaeological Resource Service (**contents confidential – not included**)
- Site inspection conducted by Napa County Engineering and Conservation Division staff on November 15, 2022.
- Napa County Geographic Information System (GIS) sensitivity maps/layers.

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a (SUBSEQUENT) NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A (SUBSEQUENT) MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

3/12/2025

Date

Name: Dana Morrison
Napa County
Planning, Building and Environmental Services Department

I.	AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b.

Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the **Environmental Setting and Surrounding Land Uses** section above, the project site is defined by a mix of vineyard, miscellaneous structures, residential uses and open space. The project would not result in a substantial damage to scenic resources, including trees and rock outcroppings, or substantially degrade the visual character or quality of the site and its surroundings. Wall Road is identified as a Viewshed Road. However, as confirmed by the site visit conducted by staff on November 15, 2022, based on existing topography and vegetation the proposed winery is not visible from the publicly accessible portions of Wall Road or any other designated viewshed road. Additionally, once constructed the majority of the winery facility will not be visible as it will be located in a cave which, other than the skylight, will have a roof that will be reseeded and return to a naturally revegetated state. The project is the development of a new winery facility and associated winery infrastructure, compliant with the County General Plan and typical of land uses in the Napa Valley area. Due to this, there will be no impact to a scenic vista if the project is approved.

c.

The proposed new winery consists of a new cut and cover cave winery which will consist of a 14,729 sf, a 2,750-sf covered crush pad, a 348-sf covered mechanical equipment area as well as an enclosed refuse/recycling area and onsite parking for 3 (three) vehicles. The new winery will be subterranean, as such once cover has been placed and area has been replanted the winery will not be visible. The winery is further screened by exiting vegetation and the existing barn which will remain. Due to this, there will be no impact to public views if the project is approved.

d.

Although the site is currently developed with an existing residence and outbuildings, the proposed new winery building may result in the installation of additional lighting that may have the potential to impact nighttime views. The closest off-site residences, not under the same ownership, are approximately 1,175 feet to the south and 1,300 feet to the southeast of the proposed winery cave. Pursuant to standard Napa County conditions of approval for wineries, outdoor lighting will be required to be shielded and directed downward, with only low-level lighting allowed in parking areas. As designed, and as subject to the standard conditions of approval, below, the project will not have a significant impact resulting from new sources of outside lighting.

6.3 LIGHTING – PLAN SUBMITTAL

- a. *Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.*
- b. *All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall*

incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No floodlighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.

Mitigation Measures:

None required.

II.	AGRICULTURE AND FOREST RESOURCES. ¹ Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/e.
The California Department of Conservation District map designates the property as "Other Land". The proposed project would not conflict with existing zoning for agricultural uses. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. Thus, the proposed project would not result in a significant impact with respect to conversion of farmland. No vines will be removed to facilitate construction of the proposed winery. There are no other changes included in this proposal that would result in the conversion of Farmland.

¹ "Forest land" is defined by the State as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." (Public Resources Code Section 12220(g)) The Napa County General Plan anticipates and does not preclude conversion of some "forest land" to agricultural use, and the program-level EIR for the 2008 General Plan Update analyzed the impacts of up to 12,500 acres of vineyard development between 2005 and 2030, with the assumption that some of this development would occur on "forest land." In that analysis specifically, and in the County's view generally, the conversion of forest land to agricultural use would constitute a potentially significant impact only if there were resulting significant impacts to sensitive species, biodiversity, wildlife movement, sensitive biotic communities listed by the California Department of Fish and Wildlife, water quality, or other environmental resources addressed in this checklist.

b.

The County's zoning of the property is AW (Agricultural Watershed), and the General Plan land use designation of the property is Agriculture, Watershed and Open Space (AWOS). The proposed winery is consistent with the property's zoning, as Napa County Code Section and 18.20.030 lists wineries and related, accessory uses as conditionally permitted in the AW Districts. General Plan Policy AG/LU-20 also identifies processing of agricultural products (grape crushing/winemaking) as a use that is consistent with the AWOS land use designation. There is no Williamson Act contract applicable to this property. As such, there would be no impact as a result of the proposed project.

c/d.

The project site is zoned AW (Agricultural Watershed) which allows wineries upon grant of a use permit. According to the Napa County Environmental resource maps (based on the following layers – Agriculture, Annual Grassland, Chamise Alliance, Oak Woodland, and Mixed Oak) the project site does not contain lands classified as forest or timberland. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. As such, there would be no impact as a result of the proposed project.

Mitigation Measures:

None required.

III.	AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

On June 2, 2010, the Bay Area Air Quality Management District's (BAAQMD) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act. These Thresholds are designed to establish the level at which BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on BAAQMD's website and included in BAAQMD's updated CEQA Guidelines (updated May 2012). The Thresholds are advisory and may be followed by local agencies at their own discretion.

The thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of the Thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

In view of the Supreme Court's opinion, local agencies may rely on Thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a decision about the project. However, the Thresholds are not mandatory, and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the

Bay Area, but do not commit local governments or BAAQMD to any specific course of regulatory action.

BAAQMD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

a-b.

The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or PM_{2.5}, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM_{2.5} occasionally does reach unhealthy concentrations. There are multiple reasons for PM_{2.5} exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM_{2.5} within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM_{2.5} levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, *In Your Community: Napa County*, April 2016)

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NO_x and ROG), carbon monoxide (CO), nitrogen dioxide (NO₂), and suspended particulate matter (PM₁₀ and PM_{2.5}). Other criteria pollutants, such as lead and sulfur dioxide (SO₂), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

BAAQMD has not officially recommended the use of its thresholds in CEQA analyses and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. BAAQMD also states that lead agencies need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they include in the administrative record of the CEQA document. One resource BAAQMD provides as a reference for determining appropriate thresholds is the *California Environmental Quality Act Air Quality Guidelines* developed by its staff in 2010 and as updated through May 2017. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. Given the size of the entire project, which is approximately ~17,800 sf of enclosed floor area [~0.40 acres] (cut and cover cave with offices, manufacturing, productions and storage, as well as restrooms) compared to the BAAQMD's screening criterion of 47,000 sf (high quality restaurant) and 541,000 sf (general light industry) for NO_x (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high-quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.) The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

c.

Because there is approximately 844.01 sf of proposed floor area dedicated to administrative uses, approximately 16,633.09 sf of floor area dedicated to production (which includes a 2,750 sf outdoor crush pad area) when compared to the BAAQMD's screening criteria of 541,000 sf for general industrial, and compared to the BAAQMD's screening criterion of 47,000 sf for high quality restaurants, the project would not significantly impact air quality and does not require further study (BAAQMD CEQA Guidelines, May 2017 Pages 3-2 & 3-3.) Given the size of the proposed project (~17,800) compared to the BAAQMD's screening criterion of 47,000 (high quality restaurant) and 541,000 sf (general light industry) for NO_x (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please note: a high-quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which

generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.)

The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts.

d.

In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for the proposed winery buildings, parking areas, cave tunnels and associated site improvements. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

- 1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints.
The BAAQMD's phone number shall also be visible.*
- 2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
- 3. Cover all haul trucks transporting soil, sand, or other loose material off-site.*
- 4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
- 5. All vehicle speeds on unpaved roads shall be limited to 15 mph.*
- 6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
- 7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.*
- 8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.*

Furthermore, while earthmoving and construction on the site would generate dust particulates in the short-term, the impact would be less than significant with dust control measures as specified in Napa County's standard condition of approval relating to dust:

7.1 SITE IMPROVEMENTS

b. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. The closest residence is approximately 1,175 feet to the south with another nearby residence located approximately 1,300 feet to the southeast of the proposed winery buildings. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures:

None required.

IV.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The following were utilized in this analysis and are incorporated herein by reference and available in the project file for review.

1. Biological Resources Assessment for Tesserone Vineyards Winery. Madrone Ecological Consulting, LLC (Madrone). 2023, updated 2024.
2. NSO survey 2022

Additionally, the following Napa County Geographic Information System (GIS) Sensitivity Maps/layers were utilized in this biological resources assessment: Sensitive biotic vegetation groups, U.S. Fish and Wildlife (USFWS) Critical Habitat, California Natural Diversity Database (CNDDB), Owl Habitat, Wetlands and Vernal Pools, Vegetation, Soil types, U.S. Geological Survey Quadrangle (DRG), and Aerial Photos.

A list of special-status plant and animal species that have the potential to occur within the vicinity of the project site was compiled based on data in the California Natural Diversity Database (CNDDB) and California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS, 2023) for Rutherford and the eight surrounding quadrangles USGS 7.5- minute topographic quadrangles, as well as personal communication with CDFW personnel, citizen science databases such as ebird and inaturalist, VegCamp maps, and the Napa County *Baseline Data Report* (Napa County, 2005). The U.S. Fish and Wildlife Service (USFWS) list of

endangered and threatened species and Critical Habitat record was also searched for the project site (USFWS, 2023) The CNDDDB Spotted Owl Observations Database (CNDDDB 2023) and Western Bat Working Group (WBWG) Species Matrix (WBWG 2023).

The Project Area contains 7.2 acres of annual grassland, 1.3 acres of mixed oak woodland, 2.4 acres of disturbed or developed lands, and 0.1 acres of agricultural lands. There are no wetlands or drainages within the footprint of the proposed development area and potential waters are limited to an ephemeral drainage that crosses under the access road. The Project will not substantially interfere with native wildlife species, wildlife corridors, and or native wildlife nursery sites. The Project will not significantly contribute to habitat loss or habitat fragmentation. No special-status species were observed during the reconnaissance level survey. The Project will result in temporary impacts to suitable habitat for special-status plants (bend-flowered fiddleneck, narrow-anthered brodiaea, congested-head hayfield tarweed, Jepson's leptosiphon and Cobb Mountain lupine), as well as Swainson's hawk, common nesting birds, Pallid bat, Crotch bumble bee, and native trees. The Project has been designed to minimize permanent land conversion, and the Project will not significantly reduce habitat for local or regional special-status plants or animals.

a/b.

Special Status Plants:

Based upon a review of the resource databases, 54 special-status plant species have the potential to occur in the vicinity of the project site. However, the vast majority of these have a low occurrence potential or not habitat present. However, five (5) of these plants have a moderate to high potential to occur within the project site. The Project Area contained suitable habitat for the following special status plant species; 1) bend-flowered fiddleneck, 2) narrow-anthered brodiaea, 3) congested-head tarweed, 4) Jepson's leptosiphon, and 5) Cobb Mountain lupine.

Bend-flowered fiddleneck: This annual herb is found in valley and foothill grasslands, cismontane woodlands, and coastal bluff scrub. This plant occurs at elevations between 10 and 1,640 feet, and blooms from March through June. The annual grasslands within the Study Area represent suitable habitat for this species.

Narrow-anthered brodiaea: It is a perennial herbaceous species that occurs in broad-leaved upland forest, chaparral, cismontane woodland, lower montane coniferous forests, and valley and foothill grassland between 360 and 3,000 feet. Narrow-anthered brodiaea blooms from May through July and has been found on volcanic soils. The disturbed annual grassland and Valley oak woodland throughout the Study Area provide suitable habitat for this species.

Congested-head hayfield tarweed: This annual herb is found in valley and foothill grassland and sometimes occurs on roadsides. This plant occurs at elevations between 65 feet and 1,835 feet, and blooms from April through November (CNPS 2023). The Annual California annual grasslands throughout the Study Area represent suitable habitat for this species. This species was not observed during the 2023 reconnaissance level survey of the site, which was conducted during the blooming season. The closely related Woodrush tarweed (*Hemizonia congesta* ssp. *luzulifolia*) was in bloom and identified during this survey.

Jepson's leptosiphon: This annual herb is found in chaparral, cismontane woodland, and valley and foothill grassland within occasional volcanic microhabitats. Jepson's leptosiphon occurs at elevations between 930 and 1,640 feet, and blooms from March through May. The annual grasslands within the Study Area represent suitable habitat for this species.

Cobb Mountain lupine: This perennial herb is found in various habitats including broadleaved upland forest, chaparral, cismontane woodland, lower montane coniferous forest and is known to colonize disturbed sites. Cobb Mountain lupine is found between approximately 900 and 5,050 feet in elevation and blooms from March through June. Mixed oak woodlands and annual grasslands within the Study Area represent suitable habitat for this species.

The vegetation communities proposed for impact represent suitable habitat for a bend-flowered fiddleneck, narrow-anthered brodiaea, congested-head hayfield tarweed, Jepson's leptosiphon and Cobb Mountain lupine. If present, direct impacts to these species would result from ground disturbance associated within construction. As permanent conversion of habitats will be minimal, effects are expected to be temporal. While these species have not been documented in the Study Area, protocol-level special status plant surveys have not yet been conducted.

To ensure there is no significant impacts to the 5 above noted plants, mitigation measures are being included to require special-status plant surveys to be conducted during the blooming period for the target species in areas proposed for impact prior to commencement of construction or earth disturbance. Areas proposed for impact shall include all areas of temporary and permanent ground disturbance as well as any proposed spoils locations. The special-status plant surveys shall be conducted in accordance with the Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants (USFWS 1996), the Botanical Survey Guidelines of the California Native Plant Society (CNPS 2001), and Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018). These protocols require conducting surveys at the appropriate time of year, when plants are identifiable and in bloom and/or in

fruit (which often includes multiple visits to capture blooming and/or fruiting periods for all target plants), and includes ensuring that habitats are not disturbed prior to the survey so that any plants that are present may be documented. If no special-status plant species are found, no further mitigation would be required.

Multiple potential spoils sites have been identified for potential use, so the final location can be adjusted based on the findings of the protocol level surveys. If special-status species are identified during the surveys then that area would be avoided, and an avoidance zone developed in consultation with USFWS or CDFW, as applicable. This is the preferred method (avoidance). If, after the necessary surveys are conducted, it is determined that any impacts (direct or indirect) would occur to special-status plants, the applicant shall develop a Special-Status Plant Mitigation Plan (SSPMS). This Plan shall be approved by the County, as well as USFWS or CDFW (as appropriate based on listing status) prior to the issuance of a grading permit. The plan will include information relocation or translocation (via seed collection or direct plant translocation as detailed in the mitigation measures below.

The project shall include the following Mitigation Measures to ensure less than significant impacts to potential special status plants:

Mitigation Measure BIO-1: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to bent-flowered fiddleneck, congested-head hayfield tarweed and jepson's leptosiphon:

- a. Special-status plant surveys shall be conducted for bent-flowered fiddleneck (bloom March-June), congested-head tarweed (bloom April-October) and Jepson's leptosiphon (bloom April-May), during the blooming period for the target species in areas proposed for impact prior to commencement of construction. If no special-status plant species are found, no further mitigation shall be required. If special-status plants are found and will be impacted, then a Special-Status Plant Mitigation Plan shall be prepared and approved by the County and CDFW and/or USFWS (as applicable based on listing status). These three species have been identified as being viable for mitigation via seed collection. Mitigation options are preservation/avoidance (preferred) and relocation/translocation (only if preservation/avoidance is not feasible or is unavoidable) via seed collection and the specific requirements for each option are detailed below:

1. **Preservation:**

- i. The applicant shall identify one or more existing, unprotected populations of the special-status plant that will be impacted by the Project in the Project vicinity and protect this population in perpetuity by establishing a preserve on the land that supports those populations. As this option would preserve an existing, established population, there would be no temporal loss, and low risk of failure. As a result, the required mitigation ratio for this option would be 1:1.
- ii. The applicant shall submit prepare and submit a Special Status Plant Mitigation Plan (SSPMS) for approval by the County and/or USFWS/CDFW (as appropriate based on listing status, if any).
- iii. The mitigation area(s) shall be protected by a recorded mitigation easement or deed restriction and managed in accordance with the long-term management detailed in the SSPMS that maintains the habitats the mitigation easement was established to protect (including the special-status plants).
- iv. A preserve management endowment or sufficient annual management funding as approved by the County or regulating agency shall be established to fund the long-term management outlined in the long-term management plan. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan. This option may be implemented at a mitigation/conservation bank if the target plant species is present at the bank, and the Special- Status Plant Mitigation Plan shall describe how the purchase of bank credits translates into appropriate 1:1 preservation.

2. **Relocation or Translocation via seed collection:**

- i. The applicant shall mitigate impacts by establishment of a new special-status plant population or expansion of an existing special-status plant population. The proposed mitigation area may be on-site or off-site (on adjacent parcels located in the same holding with appropriate habitat, translocation options are identified in the Bio Report, see page 99).
- ii. The establishment area shall be permanently protected by the recordation of a mitigation easement or deed restriction, and a long-term management plan that maintains the habitats that the mitigation easement was established to protect, and include the establishment of a preserve management endowment, or sufficient annual management funding shall be detailed in the SSPMS prepared and approved by the County or other applicable regulating agency.
- iii. The applicant shall locate and protect the mitigation area(s), translocate seeds to the

mitigation area(s), monitor the translocated/relocated seeds for a minimum of five years, and meet established success criteria as detailed in the SSPMS. If the conditions are suitable, this could occur in the native tree planting area or California grassland areas that will be revegetated post construction.

- iv. The minimum success criterion for this option shall be 3:1 [updated per CDFW comments] replacement of directly impacted plants and 3:1 [updated per CDFW comments] replacement for indirectly impacted plants with year five of monitoring. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan.
- v. If the success criteria are not met, then additional habitat shall be set aside as set forth under the Preservation Mitigation Option (above) or as agreed upon by the County and/or USFWS/CDFW, as appropriate. Because population sizes for annual plants can vary widely from year to year, for the Relocation or Translocation Option, population counts or acreage mapping shall be conducted in the last two years of monitoring, and the highest count or acreage shall be at least equivalent to the number of required replacement plants.

Mitigation Measure BIO-2: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to narrow-anthered brodiaea and cobb mountain lupine:

- a. Special-status plant surveys shall be conducted for narrow-anthered brodiaea (bloom May-July), and Cobb Mountain lupine (March-June) during the blooming period for the target species in areas proposed for impact prior to commencement of construction. If no special-status plant species are found, no further mitigation would be required. If special-status plants are found and will be impacted, then a Special-Status Plant Mitigation Plan shall be prepared and approved by the County and CDFW and/or USFWS (as applicable based on listing status). These two species have been identified as being viable for mitigation via transplantation/relocation. Mitigation options are preservation/avoidance (preferred) and relocation/translocation (only if preservation/avoidance is not feasible or is unavoidable) via seed collection and the specific requirements for each option are detailed below:

1. Preservation:

- i. The applicant shall identify one or more existing, unprotected populations of the special-status plant that will be impacted by the Project in the Project vicinity and protect this population in perpetuity by establishing a preserve on the land that supports those populations. As this option would preserve an existing, established population, there would be no temporal loss, and low risk of failure. As a result, the required mitigation ratio for this option would be 1:1.
- ii. The applicant shall submit prepare and submit a Special Status Plant Mitigation Plan (SSPMS) for approval by the County and/or USFWS/CDFW (as appropriate based on listing status, if any).
- iii. The mitigation area(s) shall be protected by a recorded conservation easement or deed restriction and managed in accordance with the long-term management detailed in the SSPMS that maintains the habitats the conservation easement was established to protect (including the special-status plants).
- iv. A preserve management endowment or sufficient annual management funding as approved by the County or regulating agency shall be established to fund the long-term management outlined in the long-term management plan. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan. This option may be implemented at a mitigation/conservation bank if the target plant species is present at the bank, and the Special- Status Plant Mitigation Plan shall describe how the purchase of bank credits translates into appropriate 1:1 preservation.

2. Relocation or Translocation:

- i. The applicant shall mitigate impacts by establishment of a new special-status plant population or expansion of an existing special-status plant population. The proposed mitigation area may be on-site or off-site.
- ii. The establishment area shall be permanently protected by the recordation of a conservation easement or deed restriction, and a long-term management plan that maintains the habitats that the conservation easement was established to protect, and include the establishment of a preserve management endowment, or sufficient annual management funding shall be detailed in the SSPMS prepared and approved by the County or other applicable regulating agency.

- iii. The applicant shall locate and protect the mitigation area(s), translocate/relocate plants to the mitigation area(s), monitor the translocated/relocated plants for a minimum of five years, and meet established success criteria as detailed in the SSPMS. If the conditions are suitable, this could occur in the native tree planting area or California grassland areas that will be revegetated post construction.
- iv. The minimum success criterion for this option shall be **3:1 [updated per CDFW comments]** replacement of directly impacted plants and **3:1 [updated per CDFW comments]** replacement for indirectly impacted plants with year five of monitoring. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the SSPMS.
- v. If the success criteria are not met, then additional habitat shall be set aside as set forth under the Preservation Mitigation Option (above) or as agreed upon by the County and/or USFWS/CDFW, as appropriate. Because population sizes for annual plants can vary widely from year to year, for the Relocation or Translocation Option, population counts or acreage mapping shall be conducted in the last two years of monitoring, and the highest count or acreage shall be at least equivalent to the number of required replacement plants.

As mitigated the proposed project would not result in the removal of special-status plant species or their habitat, and would be consistent with the following Napa County General Plan Conservation Element Goals and Policies and Zoning Ordinance: General Plan Goal CON-2² because it would assist in maintaining the existing level of biodiversity in the County, as well as contribute to minimization of potential cumulative impacts associated with the loss of special-status plant species and associated habitat due to development; Goal CON-3³ as it would protect the continued presence of special-status plant species or habitat; Policy CON-13⁴ in that impacts to special-status habitat would be avoided or mitigated through transplantation or reseedling; Policy CON-17⁵ because the removal and disturbance of a sensitive natural plant community that contains special-status plant species would be prevented; and, the purpose and intent of the Conservation Regulations (NCC Chapter 18.108) in that it would preserve natural habitat or existing vegetation, and would not adversely affects sensitive, rare, threatened or endangered plants.

Special-Status Animals:

Based upon a review of the resource databases listed, 17 special-status animal species have the potential to occur in the vicinity of the project site. Three of these species; crotch bumble bee (*bombus crotchii*), swainson's hawk (*buteo swainsoni*) and pallid bat (*Antrozous pallidus*) have a potential to occur within the project site and are discussed in further detail below. Additionally, according to the Napa County GIS database the parcel is located within identified potential Northern Spotted Owl habitat.

Crotch Bumble Bee: Crotch bumble bee has a limited distribution in southwestern North America. This species occurs primarily in California, including the Mediterranean region, Pacific Coast, West Desert, Great Valley, and adjacent foothills through most of southwestern California. It also occurs in Mexico (Baja California and Baja California Sur) and has been documented in southwest Nevada, near the California border. In California, *B. crochii* inhabits open grasslands and scrub habitats. This species occurs primarily in California including the Mediterranean region, Pacific Coast, Western Desert, Great Valley, and adjacent foothills through most of southwestern California. This species was historically common in the Central Valley of California, but now appears to be absent from most of it, especially in the center of its historic range. While this species does not appear within the vicinity on the records search, little documentation is available for bumble bees and the Study Area is within the current range of the species.

Swainson's Hawk: Swainson's hawk is a raptor species that is not federally listed, but is listed as threatened by CDFW. Breeding pairs typically nest in tall trees associated with riparian corridors, and forage in grassland, irrigated pasture, and cropland with a high density of rodents. The Central Valley populations breed and nest in the late spring through early summer before migrating to Central and

² Goal CON-2: Maintain and enhance the existing level of biodiversity.

³ Goal CON-3: Protect the continued presence of special-status species, including special-status plants, special-status wildlife, and their habitats, and comply with all applicable state, federal, or local laws or regulations.

⁴ Policy CON-13: The County shall require that all discretionary residential, commercial, industrial, recreational, agricultural, and water development projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and habitat supporting special-status species to the extent feasible. Where impacts to wildlife and special-status species cannot be avoided, projects shall include effective mitigation measures and management plans including provisions to: Provide protection for habitat supporting special-status species through buffering or other means.

⁵ Policy CON 17: Preserve and protect native grasslands, serpentine grasslands, mixed serpentine chaparral, and other sensitive biotic communities and habitats of limited distribution. The County, in its discretion, shall require mitigation that results in the following standards: Prevent removal or disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species.

South America for the winter. The annual grasslands throughout the Study Area represent suitable foraging habitat for Swainson's hawk, and the trees within the Study Area provide suitable nesting habitat. The nearest documented Swainson's hawk nest is known from CNDDDB occurrence 2268, documented in 2013 approximately 4.5 miles east of the Study Area in an oak tree along the Napa River.

Pallid Bat: Pallid bat is not federally or state listed, but is considered a CDFW species of special concern, and is classified by the WBWG as a High priority species. It favors roosting sites in crevices in rock outcrops, caves, abandoned mines, hollow trees, and human-made structures such as barns, attics, and sheds. Though pallid bats are gregarious, they tend to group in smaller colonies of 10 to 100 individuals. It is a nocturnal hunter and captures prey in flight, but unlike most American bats, the species has been observed foraging for flightless insects, which it seizes after landing (WBWG 2023). Tree hollows and exfoliating bark on trees, barns, and sheds throughout the Study Area represent suitable roosting habitat for pallid bat. Pallid bat has not been documented in the CNDDDB within 5 miles of the Study Area.

Soil distribution in California grasslands associated with the disposal of spoils would result in the temporary disturbance of 7.3 acres of potential crotch bumble bee foraging habitat. As no permanent conversion of California grasslands are proposed, these effects are expected to be temporal. However, as Crotch bumble bee is a candidate for listing under the CESA, impacts to individual bumble bees may be considered a significant impact. To reduce potentially direct and indirect significant impacts to crotch bumble bees to a less-than-significant level, **Mitigation Measure BIO-3** would be implemented. However, to further reduce long-term impacts the applicant proposes to reseed the top of the cave with a native wildflower seed mix thereby creating additional foraging habitat for pollinators post project. This area will be maintained (removal of noxious weeds and invasives) and reseeded as required to maintain the area as pollinator habitat. This has been included as a Condition of Approval and is detailed further below.

Mitigation Measure BIO-3: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to crotch bumble bees:

- a. Initial ground-disturbing work (e.g., grading, vegetation removal, staging) shall take place between September 1st and March 31st (i.e., outside the colony active period), if feasible, to avoid impacts on nesting special status bumble bees.
- b. If completing all initial ground-disturbing work between September 1st and March 31st is not feasible, then a senior level biologist with 10 or more years of experience conducting biological resource surveys within California will conduct a pre-construction survey for bumble bees in the area proposed for impact no more than 14 days prior to the commencement of construction activities. The survey will occur during the period from one hour after sunrise (> 65F and < 90F with low wind and no rain) to two hours before sunset. If the timing of the start of construction makes the survey infeasible due to the temperature requirements, the surveying biologist shall select the most appropriate days based on the National Weather Service seven-day forecast, and shall survey at a time of day that is closest to the temperature range stated above. The survey duration shall be commensurate with the extent of suitable floral resources (which represent foraging habitat) present at or within the area proposed for impact and the level of effort shall be based on the metric of a minimum of one person-hour of searching per three acres of suitable floral resources/foraging habitat. A meandering pedestrian survey shall be conducted throughout the area proposed for impact in order to identify patches of suitable floral resources. Suitable floral resources for Crotch's bumble bee include species in the following families: Apocynaceae, Asteraceae, Boraginaceae, Fabaceae, and Lamiaceae. Suitable floral resources for western bumble bee include species in the following families: Asteraceae, Fabaceae, Rhamnaceae, and Rosaceae, as well as plants in the genera *Eriogonum* and *Penstemon*.
- c. At a minimum, pre-construction survey methods should include the following:
 - Search areas with floral resources for foraging bumble bees. Observed foraging activity may indicate a nest is nearby, and therefore, the survey duration shall be increased when foraging bumble bees are present.
 - If bumble bees are observed, attempt to identify the species by taking a picture.
 - If special-status bumble bees are observed, watch any special-status bumble bees present and observe their flight patterns. Attempt to track their movements between foraging areas and the nest.
 - Visually look for nest entrances. Observe burrows, any other underground cavities, logs, or other possible nesting habitat.
 - If floral resources or other vegetation preclude observance of the nest, small areas of vegetation may be removed via hand removal, line trimming, or mowing to a height of no less than 4 inches to assist with locating the nest.
 - Look for concentrated special-status bumble bee activity.
 - Listen for the humming of a nest colony.
- d. The biologist conducting the survey shall record when the survey was conducted, a general description of any suitable foraging habitat/floral resources present, a description of observed bumble bee activity, a description of any

vegetation removed to facilitate the survey, and their determination of if the survey observations suggest a special status bumble bee nest(s) may be present or if construction activities could otherwise harm the species. The report shall be submitted to the County prior to the commencement of construction activities. If no special status bumble bees are located during the pre-construction survey or the bumble bees located are definitively determined not to be special status, then no further mitigation or coordination with CDFW is required.

- e. If any sign(s) of a bumble bee nest is observed, and if it cannot be established the species present is not a special-status bumble bee, then construction will not commence until either 1) the positive identification of the bumble bees present as common (i.e., not special status) is completed by an experienced bumble bee taxonomist or 2) the completion of coordination with CDFW to identify appropriate mitigation measures, which may include but not be limited to: waiting until the colony active season ends, establishment of nest buffers, or obtaining an Incidental Take Permit from CDFW.
- f. It is recommended that project applicant also survey their project impact areas the year before construction begins in order to avoid potential last-minute delays associated with identifying special status bumble bees on-site immediately prior to construction activities. To be most effective, this optional survey should follow the protocol outlined above.
- g. If, after coordination with CDFW, impacts to special status bees cannot be avoided, the applicant shall obtain an Incidental Take Permit (ITP) from CDFW prior to County approval of permits authorizing construction, and the applicant shall implement all avoidance measures included in the ITP. Mitigation required by the ITP may include but will not be limited to, the Project Applicant translocating nesting substrate in accordance with the latest scientific research to another suitable location (i.e., a location that supports similar or better floral resources as the impact area), enhancing floral resources on areas of the Project site that will remain appropriate habitat, worker awareness training, and/or other measures specified by CDFW.

A Condition of Approval is also proposed to require that post project the cave fill be reseeded with native wildflower seed mix and maintained (through removal of noxious weeds and non-native species).

Pollinator Habitat – Condition of Approval: Post project the owner/permittee shall reseed the cave fill (cave roof) with a native wildflower seed mix to create pollinator habitat for various pollinator species, including bumble bees and butterflies. This area shall be actively maintained. Noxious weeds and non-native being shall be removed as necessary, to ensure the establishment of native wildflowers, and reseeded of native wildlife mix shall occur as needed to ensure the area remains as viable pollinator habitat.

Construction activities and removal of trees within the Project area could destroy nest or disturb nesting Swainson's hawk, if present. As Swainson's hawk is listed under CESA, take of the species may be considered a significant impact. No permanent loss of Swainson's hawk foraging habitat is anticipated as impacts to California grassland will be temporal. However, to ensure there are no significant impacts to nesting Swainson's hawks the following nesting survey mitigation measure, **Mitigation Measure BIO-4**, would be implemented.

Mitigation Measure BIO-4: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance Swainson's Hawks:

- a. If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to August 31), prior to beginning work on this Project, Swainson's hawk surveys shall be conducted by a qualified biologist with experience surveying for and detecting the species pursuant to the *Recommended timing and methodology for Swainson's Hawk Nesting Surveys in California's Central Valley Swainson's Hawk* (2000)2 survey protocol, within 0.5-mile of the Project site each year that Project activities occur. Pursuant to the above survey protocol, surveys shall be completed for at least the two survey periods immediately prior to a Project's initiation. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 1 and August 31 each year. If the qualified biologist identifies nesting Swainson's hawks, the Project shall implement a 0.5-mile no-disturbance buffer zone around the nest, unless otherwise approved in writing by CDFW. Project activities shall be prohibited within the buffer zone between March 1 and August 31, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP.

Construction activities and removal of trees within the Project Area could also potentially impact other nesting bird species. To reduce potentially direct and indirect significant impacts on nesting birds to a less-than-significant level, **Mitigation Measure BIO-5** would be implemented.

Mitigation Measure BIO-5: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

- a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as

knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds within all suitable habitat in the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.

- b. After commencement of work if there is a period of no work activity of seven days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
- c. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County Conservation Division and the USFWS and/or CDFW.
- d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.
- e. Alternative methods aimed at flushing out nesting birds prior to preconstruction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

Construction activities and removal of trees within the Project Area could also potentially impact roosting bats. To reduce potentially direct and indirect significant impacts on roosting bats to a less-than-significant level, **Mitigation Measure BIO-6** would be implemented.

Mitigation Measure BIO-6: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of roosting bats consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

- a. **Roosting Bat Habitat Assessment and Surveys:** Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species). If suitable habitat trees are found, or bats are observed, mitigation measure BIO-6.b, below, shall be implemented.
- b. **Roosting Bat Tree Protections:** If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: 1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or 2) tree trimming and tree removal occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed.

Northern Spotted Owl

According to the Napa County GIS Sensitivity Maps (Owl Habitat layer) the project site is located within potential Northern spotted owl (NSO) habitat. The Project Area is currently developed with the existing residence, pool, barn, garage, landscaping, vineyards, driveway and ranch roads. Physical improvements include driveway widening, a new process waste treatment system, a new fire protection water tank, and a cut and cover cave. The physical improvements are proposed to occur between the existing residence and barn which are already developed areas of the site. No development is proposed within the more natural undisturbed areas of the larger holding. According to the Napa County Environmental Resource Maps (based on the following layers – Natural Diversity Database (CNDDB) and US Fish and Wildlife Critical Habitat) and the Biological Resource Assessment prepared by Madrone Ecological Consulting (January 2024) no known candidate, sensitive, or special status species have been identified as occurring within the project boundaries: except, as noted above, that the existing project is located at the edge of identified northern spotted owl habitat (NSO). A NSO Assessment was prepared for the project and determined that there were no known or confirmed surveys of owls in the surrounding area (see **Attachment H.2**). However, there was suitable habitat identified within ¼ mile of the proposed project and as such a Mitigation Measure is proposed to require disturbance-only NSO surveys prior to project implementation

or seasonal restrictions for removing trees between Feb 1st and July 9th. With mitigations, the project would not have a substantial adverse effect on any special status species, or species of particular concern, as there are none identified in the project area.

Based on other surveys, NSO nest, roost, and feed in a variety of habitat types and forest stand conditions. Tree species used for these activities include western hemlock, Douglas-fir, redwood, ponderosa pine, and western red cedar; while habitat types used include mixed evergreen forests, mixed coniferous forests, Douglas-fir/hardwood mixed forests, evergreen hardwood forests, pine-oak mixed forests, and riparian corridors. Steep, rocky canyons are occasionally used for nesting, roosting, and feeding in different parts of the NSO range. The project site is mapped as primarily mixed oak and oak woodland, as well as some grassland and agriculture. There are no steep, rocky canyons or riparian corridors on the project site (there are riparian areas on other portions of the holding but not on the parcel proposed for winery development).

Most observations of habitat use by NSOs are in areas having some elements of old-growth or mature forest; the area proposed for development does not consist of old growth or mature forest. NSOs generally use forests with the utmost complexity and structure. There are portion within the holding where woodland occurs, but as noted earlier this is dominated by oak and mixed oak woodland. Roost sites selected by NSOs generally consist of dense vegetation characterized by high canopy closure, large-DBH (diameter at breast height) trees, and multiple canopy layers. These conditions do not exist on the parcel proposed for the winery development. To reduce potentially direct and indirect significant impacts to NSOs to a less-than-significant level, **Mitigation Measure BIO-7** would be implemented.

Mitigation Measure BIO-7: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to NSO:

1. If project implementation occurs between February 1 and July 9 then no mitigation is required.
2. If project implementation occurs outside of February 1-July 9 then a qualified biologist shall provide an assessment of potential NSO nesting habitat within the Project area and a 0.25 mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that NSO nesting habitat is present, then no Project activities within 0.25 miles of potential NSO nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts NSO surveys following the U.S. Fish and Wildlife Service (USFWS) Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding NSO are detected during surveys, a 0.25 mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.
3. Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.
4. If take of NSO cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal Endangered Species Act.

A Condition of Approval is also proposed to require that trees located in the immediate vicinity (100 feet) of the proposed development that are not identified for removal have construction fencing placed around the drip lines to reduce any damage or inadvertent removal during the construction process. If any trees not slated for removal are lost, then the applicant shall replace said trees at a 2:1 ratio as detailed in the Condition of Approval below.

Tree Protection – Condition of Approval:

1. The owner/permittee shall ensure that trees located within 100 feet of the proposed winery cave development are protected during construction using barricades or other appropriate means, such as the placement of construction fencing, placed at the outboard drip lines of applicable trees. No earth moving shall occur within the protected areas.
2. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P22-00309 shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval, that includes at a minimum, the locations where replacement trees will be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. Any replaced trees shall be monitored for at least three years to ensure an 80 percent survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the project.

The project is preserving more than 70% of the existing tree canopy on site and within the holding, and as such the project is consistent with 18.108.020.C. A Condition of Approval has also been included to require the permanent preservation of the 45 trees proposed for planting to mitigated for the removal of vegetation at the cave site, consistent with 18.108.020 D + E.

Preservation of Tree Replanting Area– Condition of Approval:

1. The owner/permittee shall record a permanent preservation deed restriction for area of the tree replant area as detailed in **Attachment E**. Land placed in protected tree replant area shall be restricted from development and other uses that would degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or urban development and excessive off-road vehicle use that increases erosion) and should be otherwise restricted by the existing goals and policies of Napa County. The Owner/Permittee shall record the deed restriction or permanent protective easement prior to construction or within 90 days of project approval, whichever comes first.
2. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P22-00309 shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval, that includes at a minimum, the locations where replacement trees will be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. Any replaced trees shall be monitored for at least three years to ensure an 80 percent survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the project.

Based on the limited location of site improvements and proposed mitigation measures it is unlikely that the proposed project would have a substantial adverse effect on any candidate, sensitive or special status species, or that it would have a substantial adverse effect on sensitive natural communities. The historic use of the area, absence of serpentine or serpentinite soils, lack of vernal pools, or wetlands, and vegetation associated with sensitive species reasonably precludes the presence of special-status species within the project site.

The Napa County Baseline Data Report defines Biotic communities as the characteristic assemblages of plants and animals that are found in a given range of soil, climate, and topographic conditions across a region. Riparian vegetation is recognized as a sensitive habitat type. The sensitive habitat types identified by the CNDDDB for the quadrangle and surrounding quadrangles are the following; Coastal and Valley Freshwater Marsh, Northern Hardpan Vernal Pool Northern Vernal Pool and Valley Needle Grass Grassland. The above referenced habitat types are not present within the vicinity of the proposed project development area and no work, staging or debris are proposed to be located within any of these above identified habitat types. Impacts would be less than significant with mitigations incorporated.

c.

According to the Napa County Environmental Resource Maps (based on the following layers – wetlands & vernal pools) there are no wetlands on or near the property that would be affected by this project. The cave will be developed in an area which is not near any ephemeral, stream, wetland or reservoir. No development is proposed within the County stream setbacks for creeks or ephemerals located on the subject parcel or within the larger holding. While the winery would utilize water sourced from an existing spring – this spring is already utilized for residential water use so there are no changes in spring water use compared to existing conditions. The proposed project includes stormwater and sediment control measures to deter sediment from entering the creek. The project will not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means, as such impacts will be less than significant.

The proposed project has been designed to include minimum 35-foot stream setbacks from the ephemeral/intermittent streams and drainage swales/channels on the subject property, in conformance with County Code Section 18.108.025 (General provisions – Intermittent/perennial streams). Therefore, the project has been designed to provide setbacks from aquatic features (i.e. ephemeral streams and ponds) creek setbacks consistent with code requirements. Furthermore, project approval, if granted, would be subject to the following standard conditions to prevent the potential encroachment into stream and wetland setbacks required pursuant to Section 18.108.025 and Section 18.108.026, further protecting these aquatic resources during project implementation and operation resulting in a less than significant impact.

Stream Protection – Standard Conditions: The applicant/owner shall implement the following measures to prevent the inadvertent encroachment into specified stream setbacks during construction and implementation of the proposed project:

1. The location of ephemeral stream and pond setbacks shall be clearly demarcated in the field with temporary construction fencing, which shall be placed at the outermost edge of required setbacks shown on the project plans. Prior to any earthmoving activities, temporary fencing shall be installed: the precise locations of said fences shall be inspected and approved by the Planning Division prior to any earthmoving and/or development activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated areas for the duration of erosion

The California Department of Fish and Wildlife had an opportunity to review the proposed mitigation measures for the project and requested the following Condition of Approval be included to ensure any project activities do not impact the bed, bank, channel, or riparian areas of the streams located within the Tesseron holding:

Impacts to Streams and Riparian Areas – CDFW Condition of Approval. Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources.

Inclusion of this additional Condition of Approval will ensure any impacts to streams is less than significant.

d.

All proposed improvements would occur on, or adjacent to, previously disturbed areas of the property. Therefore, project activities would not interfere with the movement of any native resident or migratory fish or wildlife species or with their corridors or nursery sites, because no sensitive natural communities have been identified on the property. As mentioned above, the proposed winery area is located between existing development and exhibits low quality habitat; however various Mitigation Measures have been proposed to ensure any potential impacts as a result of the construction of the cut and cover cave will be less than significant.

e-f.

This project would not interfere with any ordinances protecting biological resources. There are no tree preservation ordinances in effect in the County. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional, or state habitat conservation plans. The project does not conflict with any County ordinance or requirement to preserve existing trees, and therefore is considered as not having potential for a significant impact.

Mitigation Measures:

Mitigation Measure BIO-1: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to bent-flowered fiddleneck, congested-head hayfield tarweed and jepson's leptosiphon:

- b. Special-status plant surveys shall be conducted for bent-flowered fiddleneck (bloom March-June), congested-head tarweed (bloom April-October) and Jepson's leptosiphon (bloom April-May), during the blooming period for the target species in areas proposed for impact prior to commencement of construction. If no special-status plant species are found, no further mitigation shall be required. If special-status plants are found and will be impacted, then a Special-Status Plant Mitigation Plan shall be prepared and approved by the County and CDFW and/or USFWS (as applicable based on listing status). These three species have been identified as being viable for mitigation via seed collection. Mitigation options are preservation/avoidance (preferred) and relocation/translocation (only if preservation/avoidance is not feasible or is unavoidable) via seed collection and the specific requirements for each option are detailed below:

1. **Preservation:**

- i. The applicant shall Identify one or more existing, unprotected populations of the special-status plant that will be impacted by the Project in the Project vicinity and protect this population in perpetuity by establishing a preserve on the land that supports those populations. As this option would preserve an existing, established population, there would be no temporal loss, and low risk of failure. As a result, the required mitigation ratio for this option would be 1:1.
- ii. The applicant shall submit prepare and submit a Special Status Plant Mitigation Plan (SSPMS) for approval by the County and/or USFWS/CDFW (as appropriate based on listing status, if any).
- iii. The mitigation area(s) shall be protected by a recorded mitigation easement or deed restriction and managed in accordance with the long-term management detailed in the SSPMS that maintains the habitats the mitigation easement was established to protect (including the special-status plants).
- iv. A preserve management endowment or sufficient annual management funding as approved by the County or regulating agency shall be established to fund the long-term management outlined in the long-term management plan. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status

Plant Mitigation Plan. This option may be implemented at a mitigation/conservation bank if the target plant species is present at the bank, and the Special- Status Plant Mitigation Plan shall describe how the purchase of bank credits translates into appropriate 1:1 preservation.

2. Relocation or Translocation via seed collection:

- i. The applicant shall mitigate impacts by establishment of a new special-status plant population or expansion of an existing special-status plant population. The proposed mitigation area may be on-site or off-site (on adjacent parcels located in the same holding with appropriate habitat, translocation options are identified in the Bio Report, see page 99).
- ii. The establishment area shall be permanently protected by the recordation of a mitigation easement or deed restriction, and a long-term management plan that maintains the habitats that the mitigation easement was established to protect, and include the establishment of a preserve management endowment, or sufficient annual management funding shall be detailed in the SSPMS prepared and approved by the County or other applicable regulating agency.
- iii. The applicant shall locate and protect the mitigation area(s), translocate seeds to the mitigation area(s), monitor the translocated/relocated seeds for a minimum of five years, and meet established success criteria as detailed in the SSPMS. If the conditions are suitable, this could occur in the native tree planting area or California grassland areas that will be revegetated post construction.
- iv. The minimum success criterion for this option shall be **3:1 [updated per CDFW comments]** replacement of directly impacted plants and **3:1 [updated per CDFW comments]** replacement for indirectly impacted plants with year five of monitoring. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan.
- v. If the success criteria are not met, then additional habitat shall be set aside as set forth under the Preservation Mitigation Option (above) or as agreed upon by the County and/or USFWS/CDFW, as appropriate. Because population sizes for annual plants can vary widely from year to year, for the Relocation or Translocation Option, population counts or acreage mapping shall be conducted in the last two years of monitoring, and the highest count or acreage shall be at least equivalent to the number of required replacement plants.

Mitigation Measure BIO-2: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to narrow-anthered brodiaea and cobb mountain lupine:

- b. Special-status plant surveys shall be conducted for narrow-anthered brodiaea (bloom May-July), and Cobb Mountain lupine (March-June) during the blooming period for the target species in areas proposed for impact prior to commencement of construction. If no special-status plant species are found, no further mitigation would be required. If special-status plants are found and will be impacted, then a Special-Status Plant Mitigation Plan shall be prepared and approved by the County and CDFW and/or USFWS (as applicable based on listing status). These two species have been identified as being viable for mitigation via transplantation/relocation. Mitigation options are preservation/avoidance (preferred) and relocation/translocation (only if preservation/avoidance is not feasible or is unavoidable) via seed collection and the specific requirements for each option are detailed below:

1. Preservation:

- i. The applicant shall identify one or more existing, unprotected populations of the special-status plant that will be impacted by the Project in the Project vicinity and protect this population in perpetuity by establishing a preserve on the land that supports those populations. As this option would preserve an existing, established population, there would be no temporal loss, and low risk of failure. As a result, the required mitigation ratio for this option would be 1:1.
- ii. The applicant shall submit prepare and submit a Special Status Plant Mitigation Plan (SSPMS) for approval by the County and/or USFWS/CDFW (as appropriate based on listing status, if any).
- iii. The mitigation area(s) shall be protected by a recorded conservation easement or deed restriction and managed in accordance with the long-term management detailed in the SSPMS that maintains the habitats the conservation easement was established to protect (including the special-status plants).
- iv. A preserve management endowment or sufficient annual management funding as approved by the County or regulating agency shall be established to fund the long-term management

outlined in the long-term management plan. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan. This option may be implemented at a mitigation/conservation bank if the target plant species is present at the bank, and the Special- Status Plant Mitigation Plan shall describe how the purchase of bank credits translates into appropriate 1:1 preservation.

2. Relocation or Translocation:

- i. The applicant shall mitigate impacts by establishment of a new special-status plant population or expansion of an existing special-status plant population. The proposed mitigation area may be on-site or off-site.
- ii. The establishment area shall be permanently protected by the recordation of a conservation easement or deed restriction, and a long-term management plan that maintains the habitats that the conservation easement was established to protect, and include the establishment of a preserve management endowment, or sufficient annual management funding shall be detailed in the SSPMS prepared and approved by the County or other applicable regulating agency.
- iii. The applicant shall locate and protect the mitigation area(s), translocate/relocate plants to the mitigation area(s), monitor the translocated/relocated plants for a minimum of five years, and meet established success criteria as detailed in the SSPMS. If the conditions are suitable, this could occur in the native tree planting area or California grassland areas that will be revegetated post construction.
- iv. The minimum success criterion for this option shall be **3:1 [updated per CDFW comments]** replacement of directly impacted plants and **3:1 [updated per CDFW comments]** replacement for indirectly impacted plants with year five of monitoring. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the SSPMS.
- v. If the success criteria are not met, then additional habitat shall be set aside as set forth under the Preservation Mitigation Option (above) or as agreed upon by the County and/or USFWS/CDFW, as appropriate. Because population sizes for annual plants can vary widely from year to year, for the Relocation or Translocation Option, population counts or acreage mapping shall be conducted in the last two years of monitoring, and the highest count or acreage shall be at least equivalent to the number of required replacement plants.

Mitigation Measure BIO-3: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to crotch bumble bees:

- a. Initial ground-disturbing work (e.g., grading, vegetation removal, staging) shall take place between September 1st and March 31st (i.e., outside the colony active period), if feasible, to avoid impacts on nesting special status bumble bees.
- b. If completing all initial ground-disturbing work between September 1st and March 31st is not feasible, then a senior level biologist with 10 or more years of experience conducting biological resource surveys within California will conduct a pre-construction survey for bumble bees in the area proposed for impact no more than 14 days prior to the commencement of construction activities. The survey will occur during the period from one hour after sunrise (> 65F and < 90F with low wind and no rain) to two hours before sunset. If the timing of the start of construction makes the survey infeasible due to the temperature requirements, the surveying biologist shall select the most appropriate days based on the National Weather Service seven-day forecast, and shall survey at a time of day that is closest to the temperature range stated above. The survey duration shall be commensurate with the extent of suitable floral resources (which represent foraging habitat) present at within the area proposed for impact and the level of effort shall be based on the metric of a minimum of one person-hour of searching per three acres of suitable floral resources/foraging habitat. A meandering pedestrian survey shall be conducted throughout the area proposed for impact in order to identify patches of suitable floral resources. Suitable floral resources for Crotch's bumble bee include species in the following families: Apocynaceae, Asteraceae, Boraginaceae, Fabaceae, and Lamiaceae. Suitable floral resources for western bumble bee include species in the following families: Asteraceae, Fabaceae, Rhamnaceae, and Rosaceae, as well as plants in the genera *Eriogonum* and *Penstemon*.
- c. At a minimum, pre-construction survey methods should include the following:
 - i. Search areas with floral resources for foraging bumble bees. Observed foraging activity may indicate a nest is nearby, and therefore, the survey duration shall be increased when foraging bumble bees are present.

- ii. If bumble bees are observed, attempt to identify the species by taking a picture.
 - iii. If special-status bumble bees are observed, watch any special-status bumble bees present and observe their flight patterns. Attempt to track their movements between foraging areas and the nest.
 - iv. Visually look for nest entrances. Observe burrows, any other underground cavities, logs, or other possible nesting habitat.
 - v. If floral resources or other vegetation preclude observance of the nest, small areas of vegetation may be removed via hand removal, line trimming, or mowing to a height of no less than 4 inches to assist with locating the nest.
 - vi. Look for concentrated special-status bumble bee activity.
 - vii. Listen for the humming of a nest colony.
- d. The biologist conducting the survey shall record when the survey was conducted, a general description of any suitable foraging habitat/floral resources present, a description of observed bumble bee activity, a description of any vegetation removed to facilitate the survey, and their determination of if the survey observations suggest a special status bumble bee nest(s) may be present or if construction activities could otherwise harm the species. The report shall be submitted to the County prior to the commencement of construction activities. If no special status bumble bees are located during the pre-construction survey or the bumble bees located are definitively determined not to be special status, then no further mitigation or coordination with CDFW is required.
 - e. If any sign(s) of a bumble bee nest is observed, and if it cannot be established the species present is not a special-status bumble bee, then construction will not commence until either 1) the positive identification of the bumble bees present as common (i.e., not special status) is completed by an experienced bumble bee taxonomist or 2) the completion of coordination with CDFW to identify appropriate mitigation measures, which may include but not be limited to: waiting until the colony active season ends, establishment of nest buffers, or obtaining an Incidental Take Permit from CDFW.
 - f. It is recommended that project applicant also survey their project impact areas the year before construction begins in order to avoid potential last-minute delays associated with identifying special status bumble bees on-site immediately prior to construction activities. To be most effective, this optional survey should follow the protocol outlined above.
 - g. If, after coordination with CDFW, impacts to special status bees cannot be avoided, the applicant shall obtain an Incidental Take Permit (ITP) from CDFW prior to County approval of permits authorizing construction, and the applicant shall implement all avoidance measures included in the ITP. Mitigation required by the ITP may include but will not be limited to, the Project Applicant translocating nesting substrate in accordance with the latest scientific research to another suitable location (i.e., a location that supports similar or better floral resources as the impact area), enhancing floral resources on areas of the Project site that will remain appropriate habitat, worker awareness training, and/or other measures specified by CDFW.

Mitigation Measure BIO-4: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance Swainson's Hawks:

- a. If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to August 31), prior to beginning work on this Project, Swainson's hawk surveys shall be conducted by a qualified biologist with experience surveying for and detecting the species pursuant to the *Recommended timing and methodology for Swainson's Hawk Nesting Surveys in California's Central Valley Swainson's Hawk* (2000)2 survey protocol, within 0.5-mile of the Project site each year that Project activities occur. Pursuant to the above survey protocol, surveys shall be completed for at least the two survey periods immediately prior to a Project's initiation. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 1 and August 31 each year. If the qualified biologist identifies nesting Swainson's hawks, the Project shall implement a 0.5-mile no-disturbance buffer zone around the nest, unless otherwise approved in writing by CDFW. Project activities shall be prohibited within the buffer zone between March 1 and August 31, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP.

Mitigation Measure BIO-5: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

- a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds

within all suitable habitat in the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.

- b. After commencement of work if there is a period of no work activity of seven days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
- c. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County Conservation Division and the USFWS and/or CDFW.
- d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.
- e. Alternative methods aimed at flushing out nesting birds prior to preconstruction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

Mitigation Measure BIO-6: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of roosting bats consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

- a. Roosting Bat Habitat Assessment and Surveys: Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species). If suitable habitat trees are found, or bats are observed, mitigation measure BIO-6.b, below, shall be implemented.
- b. Roosting Bat Tree Protections: If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: 1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or 2) tree trimming and tree removal occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed.

Mitigation Measure BIO-7: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to NSO:

- a. If project implementation occurs between February 1 and July 9 then no mitigation is required.
- b. If project implementation occurs outside of February 1-July 9 then a qualified biologist shall provide an assessment of potential NSO nesting habitat within the Project area and a 0.25 mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that NSO nesting habitat is present, then no Project activities within 0.25 miles of potential NSO nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts NSO surveys following the U.S. Fish and Wildlife Service (USFWS) Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding NSO are detected during surveys, a 0.25 mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no

longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.

- c. Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.
- d. If take of NSO cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal Endangered Species Act.

V.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-b.

According to the Napa County Environmental Resource Maps (based on the following layers – Cultural Resources: Arch sensitive areas, Arch sites, Arch surveys, Historical sites, & Historic sites – lines) there is an identified historic site (a small hunting camp) on one of the parcels within the overall holding. A Cultural Resource evaluation was prepared back in 1980 by Archaeological Resource Service which identified this resource. The identified resource is approximately 0.6 miles from the proposed winery development area and no work, staging or spoils will be located near the identified site. The report notes that “protection of the resources essentially consists of leaving in their present condition, not advertising their locations, and preventing disturbance in the future”.

It is unlikely that cultural resources would be present at the proposed site for winery development as it is located between the existing residence and barn in a section of the property that has been developed since 1993. The project includes a standard Conditions of Approval to provide direction in the instance that new resources are found during project implementation, see below.

Invitation for tribal consultation was completed pursuant to AB 52 in February 2023 with certified mail sent to Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation. As of the preparation of this Initial Study no responses have been received from the Tribes and as such the consultation period has since been deemed closed.

If resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site and a tribal representative would be contacted as applicable in accordance with the following standard condition of approval:

7.2 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native

American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

c.

No human remains have been encountered on the property during previous construction activities and no information has been encountered that would indicate that this project would encounter human remains. All construction activities would occur in an area located between previously disturbed portions of the site (existing barn and existing house). However, if resources are found during project grading, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with standard condition of approval noted above. Impacts would be less than significant.

Mitigation Measures:

None required.

VI.	ENERGY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Consistent with Public Resources Code Section 21100(b)(3), this impact analysis evaluates the potential for the proposed project to result in a substantial increase in energy demand and wasteful use of energy during project construction, operation and maintenance. The impact analysis is informed by Appendix G of the CEQA Guidelines. The potential impacts are analyzed based on an evaluation of whether construction and operation energy use estimates for the proposed project would be considered excessive, wasteful, or inefficient.

a.

During construction of the proposed project, the use of construction equipment, truck trips for hauling materials, and construction workers' commutes to and from the project site would consume fuel. Project construction is anticipated to occur over nine (9) to twelve (12) months. Construction activities and corresponding fuel energy consumption would be temporary and localized. In addition, there are no unusual project characteristics that would cause the use of construction equipment or haul vehicles that would be less energy efficient compared with other similar construction sites within Napa County.

Once construction is complete, equipment and energy use would be slightly higher than existing levels and the proposed project would not include any unusual maintenance activities that would cause a significant difference in energy efficiency compared to the surrounding developed land uses. Furthermore, the proposed project would comply with Title 24 energy use requirements and would not result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant.

b.

The transportation sector is a major end-user of energy in California, accounting for approximately 39 percent of total statewide energy consumption in 2014 (U.S. Energy Information Administration 2016). In addition, energy is consumed in connection with construction and maintenance of transportation infrastructure, such as streets, highways, freeways, rail lines, and airport runways. California's 30 million vehicles consume more than 16 billion gallons of gasoline and more than 3 billion gallons of diesel each year, making California the second largest

consumer of gasoline in the world (CEC 2016). In Napa County, farm equipment (not including irrigation pumps) accounted for approximately 60% of agricultural emissions in Napa County in 2014, with the percentage anticipated to increase through 2050 (Napa County 2018 - <https://www.countyofnapa.org/DocumentCenter/View/9247/Revised-Draft-Climate-Action-Plan>).

With respect to transportation energy, existing energy standards are promulgated through the regulation of fuel refineries and products such as the Low Carbon Fuel Standard (LCFS), which mandates a 10% reduction in the non-biogenic carbon content of vehicle fuels by 2020. Additionally, there are other regulatory programs with emissions and fuel efficiency standards established by USEPA and the California ARB such as Pavley II/LEV III from California's Advanced Clean Cars Program and the Heavy-Duty (Tractor-Trailer) GHG Regulation. Further, construction sites will need to comply with State requirements designed to minimize idling and associated emissions, which also minimizes use of fuel. Specifically, idling of commercial vehicles and off-road equipment would be limited to five (5) minutes in accordance with the Commercial Motor Vehicle Idling Regulation and the Off-Road Regulation¹³. The proposed project would comply with these State requirements; see the **Air Quality** conditions of approval. Napa County has not implemented an energy action plan. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency or impede progress towards achieving goals and targets, and impacts would be less than significant.

Mitigation Measures:

None required.

VII. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ☐ ☐ ☒ ☐

Discussion:

a.

The project site could experience potentially strong ground shaking and other seismic related hazards based on the number of active faults in the San Francisco Bay region. The proposed project consists of earthmoving activities associated with the construction of a new winery development.

- i.) There are no known faults that run beneath the project site on the most recent Alquist-Priolo Earthquake Fault Zoning Map. There is an identified low angle thrust fault located on the neighboring parcel (approximately 830 north of the proposed winery development). As such, the proposed project would result in a less than significant impact with regards to rupturing of a known fault. Impacts would be less than significant.
- ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Code and standards related to the construction of building improvements reduce the potential impacts to a less than significant level in relation to seismic ground shaking.
- iii.) According to Napa County Environmental Resource maps (based on the following GIS layer – Liquefaction) the proposed area for winery development is noted as having a very low potential for liquefaction. No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. The new winery building will be constructed in compliance with the latest edition of the California Building Code for seismic stability. Impacts would be less than significant.
- iv.) According to the Napa County Environmental Resource Maps (Landslides line, polygon) there is no evidence of landslides on the parcel proposed for the new winery development; furthermore, the proposed development is located between the existing residence and the existing barn in an area which has remained stable since those structures were developed. Impacts are expected to be less than significant.

b.

Site improvements are primarily located in areas already developed by the existing residential structures, driveway and parking area, and vineyards. All on site civil improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the County Engineering Division prior to the commencement of any on site land preparation or construction. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code. Prior to issuance of a building or grading permit the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. Engineering Division Conditions of Approval have been included to ensure compliance with the requirements. Impacts would be less than significant.

c/d.

According to the Napa County Environmental Resource Maps (based on the following layers - Geology, Surficial deposits, Soil Types, Geologic Units), the proposed development area contains the Boomer-Forward-Felta complex (30-50% slopes); the subject parcel also contains Boomer-Forward-Felta complex (5-30% slopes), Goulding clay loam (30-50% slopes), Hambright rock-outcrop complex (30-75% slopes), Forward silt loam (12-57% slopes), Maymen-Lost Gatos complex (50-75% slopes), and Bressa-Dibble complex (30-50% slopes). No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Building improvements will be constructed in compliance with the latest edition of the California Building Code. The project is not proposed on an unstable geologic unit or soil that would become unstable or would create direct or indirect risks to life or property. Impacts are expected to be less than significant.

e.

A Wastewater Feasibility Study, dated August 11, 2022, was prepared by Applied Civil Engineering, detailing the proposed system. The study evaluated the process and sanitary wastewater flows associated with the proposed winery Use Permit and analyzed the capacity of the existing sanitary wastewater system serving the existing residence to determine if it is adequate to serve the newly proposed winery. The parcel is currently serviced by a pressure distribution type septic system. According to permit records on file with Napa County the system was designed for a peak flow of 1,200 gallons per day (gpd) for a residence with 10 potential bedrooms. It appears that the leach lines were designed based on a soil application rate of 0.35 gpd/sf of trench sidewall for clay loam soil.

The study used the generally accepted standard that six gallons of winery process wastewater are generated for each gallon of wine that is produced each year and that 1.5 gallons of wastewater are generated during the crush period for each gallon of wine that is produced. Based on the 20,000-gallon production capacity and the expectation that both white and red wine will be produced at the winery, the study assumed a

conservative 30-day crush period. Using these assumptions, the annual, average daily and peak winery process wastewater flows are calculated to be 180,000 gallons per year of annual winery process wastewater, 493 gallons per day of winery process wastewater, and a peak winery wastewater flow of 1,000 gallons per day. The project proposes to collect, treat, store and use the winery process wastewater to water existing pastures onsite and/or on adjacent parcels under the same ownership.

Typically, the peak sanitary wastewater flow for a proposed winery is calculated based on the number of winery employees, the number of daily visitors for tastings and the number of guests attending scheduled marketing events. However, since the winery does not propose any visitors or marketing events in this case the peak flow will be based solely on the number of employees. In accordance with Table 4 of the Napa County "Regulations for Design, Construction, and Installation of Alternative Sewage Treatment Systems" the study used a design flow rate of 15 gallons per day per employee. Based on these assumptions, the peak winery sanitary wastewater flows are calculated as follows:

Employees - Peak Sanitary Wastewater Flow = 60 gpd

Existing Residence Peak Sanitary Wastewater Flow = 1,200 gpd

Total Combined Peak Sanitary Wastewater Flow = 1,260 gpd

The predicted Combined Peak Sanitary Wastewater Flow for the proposed winery operational characteristics and existing residence (1,260 gpd) is more than the design capacity of the existing wastewater disposal system (1,200 gpd). As such, the study recommends augmenting the existing system by adding 5 feet to each of the existing 12 lines; which would result in an increased capacity by 1,272 gpd. The project was reviewed by both the Engineering and Environmental Health Divisions and no concerns were raised regarding the system as designed, additionally as noted earlier, the existing soils on site have a very low liquification classification and as such impacts to soils would be less than significant.

f.

No paleontological resources or unique geological features have been identified on the property in the project area. Structural and site development is primarily in the developed areas. The project is unlikely to recover paleontological or unique geological features, though standard conditions of approval are included to ensure any features are discovered during project construction. Impacts would be less than significant.

Mitigation Measures:

None required.

VIII.	GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Napa County has been working to develop a Climate Action Plan (CAP) for several years. In 2012, a Draft CAP (March 2012) was recommended using the emissions checklist in the Draft CAP, on a trial basis, to determine potential greenhouse gas (GHG) emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County's GHG emissions, the proposed plan was intended to address compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the plan's objectives, the BOS requested that the CAP be revised to better address transportation-related greenhouse gas, to acknowledge and credit past accomplishments and voluntary efforts, and to allow more time for establishment of a cost-effective local offset program. The Board also requested that best management practices be applied and considered when reviewing projects until a revised CAP is adopted to ensure that projects address the County's policy goal related to reducing GHG emissions.

In July 2015, the County re-commenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources), ii) address the concerns with the previous CAP effort as outlined above, iii) meet applicable State requirements, and iv) result in a functional and legally defensible CAP. On April 13, 2016, the County, as the part of the first phase of development and preparation of the CAP, released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016. This initial phase included: i) updating the unincorporated County's community-wide GHG emissions inventory to 2014, and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services or <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

a/b.

Overall increases in Greenhouse Gas (GHG) emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan.

Consistent with the General Plan action items, Napa County participated in the development of a community-wide GHG emissions inventory and "emission reduction framework" for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009, and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

The County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). Pursuant to State CEQA Guidelines Section 15183, this assessment focuses on impacts that are "peculiar to the project," rather than the cumulative impacts previously assessed, because this Initial Study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared. GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide (CO₂), methane, ozone, and the fluorocarbons, which contribute to climate change. CO₂ is the principal GHG emitted by human activities, and its concentration in the atmosphere is most affected by human activity. It also serves as the reference gas to which to compare other GHGs. For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAQMD recommended thresholds do not include a construction-related climate impact threshold at this time. One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as Equipment Emissions). The physical improvements associated with this project include the construction of approximately 17,800 sf winery production space, a water tank, driveway improvement, landscaping and other winery related improvements. As discussed in Section III. Air Quality, construction emissions would have a temporary effect and BAAQMD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered less than significant. See Section III. Air Quality for additional information.

The BAAQMD proposed thresholds for land use projects are designed to address "Operational" GHG emissions which represent the vast majority of project GHG emissions. Operational emissions associated with a winery generally include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project compared to a "no project" scenario (hereinafter referred to as Operational Sequestration Emissions); and ii) ongoing emissions from the energy used to maintain and operate the winery, including vehicle trips associated with employee and visitor trips (hereinafter referred to as Operational Emissions).

As noted above, Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements.

Specifically for buildings, the project must not:

Include natural gas appliances or natural gas plumbing (in both residential and nonresidential development); and

Result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA section 21100(b)(3) and CEQA Guidelines section 15126.2(b).

The project will be required, through conditions of project approval, to prohibit the use of natural gas appliances or plumbing. Additionally, at the time of construction the project will be required to comply with the California Building Code, which is currently being updated to include regulations to assist in the reduction of air quality impacts associated with construction, such as prohibiting natural gas appliance and plumbing. The new

construction will be required to install energy efficient fixtures complying with CA Building Code Title 24 standards. See **Section VI. Energy** for additional information on energy usage.

Specifically for transportation, the project must:

Achieve compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2, and

The project will be required to comply with the recently adopted version of CALGreen Tier 2. Project approval will include a condition of approval to ensure this is reviewed and implemented at the time of construction through adherence to the California Building Code.

As discussed above and in **Section XVII. Transportation**, the County maintains TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers determined that no traffic study or VMT analysis were required for the project as proposed. See **Section XVII. Transportation** for additional detail.

New development resulting from this project will utilize energy conserving lighting and water efficient fixtures. The applicant did not propose any Voluntary Best Management Practices Measures submitted as part of the project application. If the proposed project adheres to these relevant design standards identified by BAAQMD, the requirements of the California Building Code, and the County's conditions of project approval, impacts are considered less than significant.

Mitigation Measures:

None.

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a.

The proposed project would not involve the transport of hazardous materials other than those small amounts utilized in typical winery operations.

A Business Plan will be filed with the Environmental Health Division should the amount of hazardous materials reach reportable levels. However, in the event that the proposed use or a future use involves the use, storage or transportation of greater than 55 gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment would be required in accordance with the Napa County Zoning Ordinance prior to the establishment of the use. During construction of the project some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration, they will result in a less than significant impact.

b.

Hazardous materials such as diesel and maintenance fluids would potentially be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of an existing winery that would not be expected to use any substantial quantities of hazardous materials. The operation changes are not anticipated to significantly increase the quantities. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.

c.

There are no schools located within one-quarter mile from the proposed winery buildings. The nearest school is within the City of St. Helena, over 4 ¼ miles northeast of the proposed winery. No impacts would occur.

d.

Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.

e.

No impact would occur as the project site is not located within an airport land use plan.

f.

The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. The project would not result in closure or permanent obstruction of adjacent public rights-of-way. No component of the implementation of the EOP would otherwise be impaired by the proposed modifications to the use permit. The proposed access driveway improvements and on-site circulation configuration meets Napa County Road and Street Standards. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. Therefore, the proposed project would not obstruct emergency vehicle access and impacts would be less than significant.

g.

According to the Napa County Environmental resource maps (based on the following GIS layer – Fire Hazard Severity Zones) the winery is designated as an area of moderate fire risk. The proposed project does not propose any visitation or events and as such there is a lower potential for significant loss, injury or death due to wild-land fires. See **Section XX. Wildfire** for additional detail. Impacts of the project would be less than significant.

Mitigation Measures:

None required.

X.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would: | | | | |
| i) result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The County requires all discretionary permit applications (such as use permits and ECPAs) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

On June 7, 2022, the Napa County Board of Supervisors provided interim procedures to implement provisions of the Napa County Groundwater Sustainability Plan (GSP) for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use. The direction limits a parcel's groundwater allocation to 0.3- acre feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies. The project well is located outside the GSA Subbasin and is located in the hillsides.

To assess potential impacts resulting from project well(s) interference with neighboring wells within 500 feet and/or springs within 1,500 feet, the County's WAA guidance⁶ requires applicants to perform a Tier 2 analysis where the proposed project would result in an increase in groundwater extraction from project well(s) compared to existing levels.

To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways and those non-navigable tributaries connected to navigable waters, the County's WAA guidance requires applicants to perform a Tier 3 or equivalent analysis for new or replacement wells, or discretionary projects that would rely on groundwater from existing or proposed wells that are located within 1,500 feet of designated "Significant Streams."⁷

Public Trust: The public trust doctrine requires the state and its legal subdivisions to "consider," give "due regard," and "take the public trust into account" when considering actions that may adversely affect a navigable waterway. (Environmental Law Foundation v. State Water Resources Control Bd.; San Francisco Baykeeper, Inc. v. State Lands Com.) There is no "procedural matrix" governing how an agency should consider public trust uses. (Citizens for East Shore Parks v. State Lands Com.) Rather, the level of analysis "begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust." (Environmental Law Foundation, 26 Cal.App.5th at p. 403.). As demonstrated in the Environmental Law Foundation vs State Water Resources Control Board Third District Appellate Court Case, that arose in the context of a

⁶ The County's Water Availability Guidelines (adopted May 2015)

⁷ Refer to Figure 1: Significant Streams for Tier 3, located at www.countyofnapa.org/3074/Groundwater-Sustainability. The "Significant_Streams" and "Significant_Streams_1500ft_buffer" GIS layers are published as publicly-available open data through the County's ArcGIS Online Account.

lawsuit over Siskiyou County's obligation in administering groundwater well permits and management program with respect to Scott River, a navigable waterway (considered a public trust resource), the court affirmed that the public trust doctrine is relevant to extractions of groundwater that adversely impact a navigable waterway and that Counties are obligated to consider the doctrine, irrespective of the enactment of the Sustainable Groundwater Management Act (SGMA).

On January 10, 2024, Napa County released the Interim Napa County Well Permit Standards and WAA Requirements - January 2024, providing guidance to complying with the Public Trust.

a.

As discussed in **Section VII. Geology and Soils** a Wastewater Feasibility Study was prepared by Applied Civil Engineering (August 2022) and details the proposed wastewater system to accommodate the proposed wine production, and number of employees. The facility will have to enroll for coverage under the General Waste Discharge Requirements for Winery Process Water and meet discharge standards and monitoring requirements specific to the amount of waste discharged. The Division of Environmental Health reviewed this report and concurred with its findings, conditions that the plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Ongoing water quality monitoring will be required. Impacts would be less than significant. Additionally, water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. Impacts would be less than significant.

b.

A Water Availability Analysis, dated August 2022 (see **Attachment F**) with Addenda dated April 25 and July 5, 2024 was prepared by Provost & Pritchard Consulting Group and Applied Civil Engineering, to determine the estimated water use of the existing development, the proposed project and water availability, and to assess potential drawdown impacts to neighboring wells and springs. There are approximately 19.5 acres of vineyard located within the holding which are dry farmed. The proposed project will utilize an existing spring to supply water to the winery. Currently the spring provides water to the two residences, pools, accessory structures, and landscaping for the entire holding. If approved, the winery will be served by the spring while the residential water use will be swapped to be served by the existing well located on parcel 027-060-020-000 where the soils dispersal area is proposed.. The WAA notes that either of two wells within the holding will be utilized to serve the existing residential water demands. However, the applicant has identified and a Condition of Approval is being included to specifically require the residential water demands utilize the well located on parcel 027-060-020-000. This is due to the fact that the well located on this parcel is not within 500 feet of any neighboring wells, nor within 1500 feet of a significant stream, nor within 1500 feet of a neighboring spring being utilized for domestic or agricultural use. The well has a pumping rate of 20 gallons per minute which would be able to handle the domestic water demands for the parcel. This Domestic Well Use Condition of Approval will ensure that the well that will be used for domestic water use within the holding does not negatively impact off-site wells or springs.

Condition of Approval- Domestic Well:

The residential water uses for the holding shall be met by utilizing the existing well located on APN 027-060-020-000, and not the well located 027-060-022-000. The applicant/property owner shall prepare an amendment to the WAA to clearly identify the well located on APN 027-060-020-000 as the primary domestic well for the residential uses within the Tesseron holding and clearly demonstrate that the proposed water use can be met by the wells current design.

Additionally, a Condition of Approval has been included to specifically state that no well water shall be used for winery operations. Only the identified spring has been assessed and said spring shall be utilized for winery water.

Condition of Approval – Winery Water:

No well water or surface water rights shall be used for winery operations. The only approved water source for the winery is the spring as identified and discussed in the Staff Report and in the Mitigated Negative Declaration. If any other source of water is proposed or used for winery production or operations, it may trigger a Use Permit Modification or additional CEQA review.

There are two neighboring parcels, under separate ownership, one at APN 027-550-011 which is served by an existing spring, and APN 027-550-005 which served by an existing well. However, the off-site well and spring are more than 2,800 feet from the identified project well located on 027-060-020-000 which has been conditioned to serve as the water use for Tesseron holding residential uses.

According to the WAA the existing vineyards within the holding are watered via rainfall (dry farmed), Staff has reviewed the existing water rights permit for the existing reservoir located on 027-060-020-000, and it notes that the parcel is permitted to divert 4.5 af/yr of water for stock watering, recreation, and fire protection, as well as domestic uses; with not more than 2.5 af/yr of the 4.5 af/yr allocation withdrawn for domestic use. The approved ECP is from the 1991, and, as such is not as detailed as more recently approved ECPs, and the water source is not clearly identified. Report(s) of Licensee from 2016-2024, yearly reports submitted by the water rights license holder to the Water Board, demonstrate that no surface water has been utilized for vineyard irrigation; supporting the applicant's representations and the WAA statement that the vineyard is dry farmed.. The 2010 Report of Licensee does indicate that surface water rights were utilized for vineyard irrigation when the vineyard was replanted; however.

besides this one instance there is no indication or evidence that surface water rights have been utilized for vineyard irrigation for the past 14 years. The applicant/property owner is aware that replants are subject to Track II or Track I ECP replant process and that the source of water used for the vineyard will be evaluated at the time the applicant/property owner seeks to replant the vineyard. The determination of whether use of surface water pursuant to a water rights permit is appropriate or allowed falls under the jurisdiction of the Water Board not the County. The property owner and applicant are aware that future replants are subject to the ECP replant process.

The project spring, located at the southwestern end of the property, is currently used to provide domestic water supply to the on-site residences, and has been the primary water source for the residences for many years. The current and historical residential demands for the holding have been estimated to be 1.35 acre-feet/year. With project development, the residential water use will be shifted to one of existing on-site domestic wells located on APN 027-060-020-000, and the spring will be used solely for winery demands. The winery demands from the spring are estimated to be 0.5 acre-feet/year. Hence, future use will result in lower demands on the spring. No efforts will be made to modify or enhance the spring to increase yield. Using water that naturally flows out of the spring cannot contribute to the additional depletion of the spring, reduce the spring yield, or have a significant impact on the aquifer. The spring has not been observed by Tesserone vineyard staff or property owners to flow off the estate parcels, or flow to any creek, river, wetland or other water body. The flow from the spring is relatively small and has only been observed to create a saturated wet spot in the vicinity of the spring outlet. As use of the spring (at a high demand) is the existing baseline condition, the proposed project with a more than 50% reduction in spring water demand should not have a significant impact on ground or surface water resource in the vicinity.

As noted above, the total water use for the winery includes employee uses, process water, and water for wine production, and is estimated to be 0.5 AF/yr. All of the water will come from the spring located at the southern end of the property (see **Attachment E and F**). The WAA, prepared before the 10-year PRISM data became the standard used a Normal Year and Dry Year Rainfall of 33.1 inches and 8.7 inches, respectively. The 10-year prism data was provided at a later date from Applied Civil Engineering; the 10-year PRISM data varies across the entire holdings but averages approximately 35.5 inches per year. According to the addendum from Applied Civil, the Normal Year estimate used in the WAA was conservative compared to the 10-year PRISM data. For the 607.85 acre holding, using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, the recharge is 89.9 AF/yr (compared to 84 AF/yr in the WAA for Normal Year and 22 AF/yr for Dry Year). For the 43.26 acre winery parcel, using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, the recharge is 6.4 AF/yr (compared to 6.0 AF/yr in the WAA for Normal Year and 1.6 AF/yr for Dry Year). This demonstrates that just the recharge on the winery parcel (6.4) is more than 3 times the estimated demand for all of the existing and proposed uses on all parcels (1.85) and that the recharge on the entire holding (89.9 is nearly 50 times the estimated demand). The recharge for the holdings within Napa County is 89.9 AF/yr (wet), while the recharge for the individual parcel is 6.4 AF/yr. The estimated total water demand of 1.85 AF/yr (0.50 AF/yr for the winery and 1.35 AF/yr for the residence) is less than both the individual parcel recharge and the overall holdings recharge. As such, there should be adequate water on-site to provide for both the existing and proposed water uses and impacts would be less than significant.

c.

There are no water courses identified within the vicinity of the proposed project development area. The project would not alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. These improvements would require permitting through the County, and prior to the issuance of permits, the improvement plans would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50, and 100-year events following development is not greater than predevelopment conditions. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.

d.

The site lies outside the boundaries of the 100- and 500-year flood hazard boundaries. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. No impacts would occur.

e.

In January 2022, the Groundwater Sustainability Plan (GSP) was approved by the Department of Water Resources (DWR), however, the site is not located within the identified Groundwater Sustainability Area (GSA). The proposed project will utilize an existing spring to supply water to the winery. Currently the spring provides water to the two residences, pools, accessory structures, and landscaping for the entire holding. If approved, the winery will be served by the spring while the residential water use will be served by the existing well located on APN 027-060-020-000. The well located on APN -020 that will serve the residences within the holding (due to the winery utilizing the former spring source) are not located within 1,500 feet of a County identified significant stream and as such a Tier III WAA was not prepared or required; nor is the well within 1500 feet of an off-site spring or 500 feet of an off-site well, as the project is not located within the Ground Water Sustainability Area (GSA) and as there is no significant stream within 1500' no public trust analysis is required. The project would not result in an impact to water use and would therefore comply with the GSP. Water quality would be maintained through standard stormwater quality treatment control measures and compliance with Engineering Division Conditions of Approval. No impacts would occur

Mitigation Measures:

None required.

XI.	LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a./b.

The project would not occur within an established community, nor would it result in the division of an established community. The project complies with the Napa County Code and all other applicable regulations. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." The property's General Plan land use designation is AWOS (Agriculture, Watershed, and Open Space), which allows "agriculture, processing of agricultural products, and single-family dwellings." More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa County General Plan.

The proposed use of the property for the "fermenting and processing of grape juice into wine" (NCC §18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 ("The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/ open space...") and General Plan Economic Development Policy E-1 (The County's economic development will focus on ensuring the continued viability of agriculture...).

The General Plan includes two complimentary policies requiring wineries to be designed generally of a high architectural quality for the site and its surroundings. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property.

Mitigation Measures:

None required.

XII.	MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ☐ ☐ ☐ ☒

Discussion:

a./b.

Historically, the two most valuable mineral commodities in Napa County in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (Mines and Mineral Deposits, BDR Figure 2-2) indicates that there are no known mineral resources nor any locally important mineral resource recovery sites located on the project site. No impacts would occur.

Mitigation Measures:

None required.

XIII.	NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b.

The project would result in a temporary increase in noise levels during construction of the cave and winery infrastructure. Impacts due to a temporary increase in ambient noise generated from construction activities, or from groundborne vibration, would remain below a level of significance through compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The County Noise Ordinance limits construction activities to daylight hours (7:00 a.m. to 7:00 p.m.) using properly muffled vehicles. In addition to the County Noise Ordinance, the project applicant will be required to comply with project Conditions of Approval (outlined below) related to construction noise, which will limit activities further by requiring construction vehicles to be muffled and backup alarms adjusted to the lowest allowable levels. Due to the distance, natural terrain of the area, and ambient noise levels from the highway there is a low potential for impacts related to construction noise to result in substantial temporary or long-term construction noise impacts. Impacts would be less than significant.

7.3. CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur daily between the hours of 8 am to 5 pm.

The project does not propose any visitation, tours and tastings, or marketing events.

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in the Project Setting, above, land uses in the area are rural residential properties, vineyards, and undeveloped hillsides. Of those land uses, the residential land use is considered the most sensitive to noise. Based on the standards in County Code section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.), Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use). The nearest off-site residence is located approximately 1,200 feet away from the winery cave development area, based on the Noise Contours below the noise associated with project construction would be approximately 50-55 dBA. However construction noise will be temporary impact and noise impacts would not be on-going.

Table 1 – Estimated Distance to dBA Contours from Construction Activities ¹

Distance from Construction Source	Calculated Noise Level
50 feet	90 dBA
180 feet	75 dBA
300 feet	70 dBA
450 feet	65 dBA
700 feet	60 dBA
1,100 feet	55 dBA
1,700 feet	50 dBA

¹ Based on a source noise level of 90 dBA

Source: Napa County Baseline Date Report, Noise Section Table 6-13, Version 1, November 2005

Noise from winery operations is generally limited and intermittent, meaning the sound level can vary during the day and over the course of the year, depending on the activities at the winery. The primary noise-generating activities are equipment associated with wineries including refrigeration equipment, bottling equipment, barrel washing, de-stemmers and press activities occurring during the harvest crush season, delivery trucks, and other vehicles. The Napa County General Plan EIR indicates the average, or equivalent, sound level (Leq) for winery activities is 51dBA in the morning and 41dBA in the afternoon. Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes. Typical winery operations would occur between 7:00 a.m. and 6:00 p.m. (excluding harvest). Production activities would occur inside the proposed cave, limiting some noise sources related to the production of the requested 20,000 gallons of wine annually.

Continuing enforcement of Napa County's Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Temporary events would be subject to County Code Chapter 5.36 which regulates proposed temporary events. The proposed project would not result in long-term, significant, permanent noise impacts. Impacts would be less than significant.

c.

The project site is not located within an airport land use plan or the vicinity of a private airstrip. No impact would occur.

Mitigation Measures:

None required.

XIV.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a.

Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environment damage with the provision of a “decent home and satisfying living environment for every Californian.” (See Public Resources Code §21000(g).) The 2008 General Plan sets forth the County’s long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals.

The State of California’s Department of Finance projects the total population of Napa County to increase 4% between the year 2020 and 2060 (State of California Department of Finance Projections, July 19, 2021, <https://dof.ca.gov/forecasting/demographics/projections/>). Unincorporated Napa County, and the five incorporated jurisdictions, all have existing state compliant Fifth Cycle (2014-2022) Housing Elements and are working on developing compliant Sixth Cycle (2023-2031) Housing Elements, as required by state law. Complaint Housing Elements indicates that the jurisdictions have enough dwelling units programed over the cycle to meet or exceed state growth projections.

The requested use permit would facilitate the construction of a new winery on the project site, with one (1) full-time employee and three (3) part-time and is not anticipated to generate a substantial need for additional housing.

The proposed project does not require installation of any additional, new infrastructure, including that which might induce growth by extending services outside of the boundaries of the subject site or increasing the capacity of any existing roadway. Napa County collects fees from developers of nonresidential projects to help fund local affordable housing (see Napa County Code Section 18.107.060 – Nonresidential developments – Housing fee requirement). The fees are assessed with new construction and are collected at time of building permit issuance for new construction of winery buildings or conversion of utility space to occupied space as is proposed with the project. New visitors to the winery could increase demand for group transportation services to the winery, though the potential for employment changes of other businesses supporting the winery’s requested operations is uncertain, unquantifiable, and speculative.

The policies and programs identified in the General Plan Housing Element function, in combination with the County’s housing impact mitigation fee, ensure adequate cumulative volume and diversity of housing. With small staffing increases proposed and no off-site expansion of utilities or facilities to serve other developments, the project would have a less than significant impact on population growth.

b.

There is an existing residential development on the subject property and also one located on a contiguous parcel under the same ownership. However, no residential buildings on or off of the property would be demolished as a result of the project. Thus, no residents would be displaced, and there would be no impact.

Mitigation Measures:

None required.

XV.	PUBLIC SERVICES. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	<p>a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</p>				
	<p>i) Fire protection?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a.

Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. Fire protection measures, such as winery access that meets Napa County Road and Street Standards (RSS), defensible space, and sprinklers in the new cave will be required as part of the development. The Fire Department and Engineering Services Division have reviewed the application and recommend approval, as conditioned. There would be no foreseeable impact to fire or police emergency response times with compliance with these conditions of approval. The proposed project scope does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the cities west and south of the winery. No new parks or other public recreational amenities or facilities (such as police or fire stations) are proposed to be built with or as a result of the requested use permit major modification. School impact fees, which assist local school districts with capacity building measures, would be levied for any required building permits for the project, however as demonstrated in **Section XIV(a), Population and Housing**, the project is expected to create a minimal increase in the county's population and its need for housing such that local schools would not be strained by the proposed project and the one (1) full-time and three (3) part-time employees. The proposed project would have minimal impact on public parks as no residences are proposed, and as previously noted the increase in regional population from the proposed project is expected to be minimal. Impacts to public services would be less than significant.

Mitigation Measures:

None required.

XVI.	RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a.

The requested use permit new winery request does not include any residential component and is not likely to lead to the accompanying introduction of new residents to the site or area. The use permit would include four (4) winery employees and but there are no visitation or events proposed as part of the winery, so there would not be an increase in visitation to regional recreational facilities on the way to or from the winery. However, given that the purpose of employees' trips are to and from the winery as the primary destination, and as such visits to area recreational facilities are anticipated to be infrequent and would not drastically accelerate the deterioration of nearby park amenities. This impact would be less than significant.

b.

No new public recreational amenities are proposed to be built with, or as a result of, the requested use permit new winery application. The proposed project would have no impact.

Mitigation Measures:

None required.

XVII. TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a. - e.

As part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions.

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that "projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact." That policy is followed by an action item (CIR-7.1) directing the County to update its CEQA procedures to develop screening criteria for projects that "would not be considered to have a significant impact to VMT" and that could therefore be exempted from VMT reduction requirements.

The new CEQA Guidelines and the OPR Technical Advisory note that CEQA provides a categorical exemption (Section 15303) for additions to existing structures of up to 10,000 sf, so long as the project is in an area that is not environmentally sensitive and where public infrastructure is available. OPR determined that "typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract 110-124 trips per 10,000 sf". They concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's

transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less than significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT.

Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

The applicant submitted a Trip Generation analysis as part of the application which determined that no Traffic Impact Study was required. Based on maximum employee and delivery data for the harvest/crush season, the proposed project would be expected to generate 11 daily trips on a weekday and 11 daily trips on a Saturday, which is below the 110-trip threshold in the Office of Planning and Research guidelines and the County's TIS Guidelines and VMT screening criteria. The Department of Public Works has reviewed the project and approved it as conditioned. The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

Mitigation Measures:

None required.

XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b.

According to the Napa County Environmental Resource Maps (based on the following layers – Cultural Resources: Arch sensitive areas, Arch sites, Arch surveys, Historical sites, & Historic sites – lines) there is an identified historic site (a small hunting camp) on one of the parcels within the overall holding. A Cultural Resource evaluation was prepared back in 1980 by Archaeological Resource Service which identified this resource. The identified resource is approximately 0.6 miles from the proposed winery development area and no work, staging or spoils will be located near the identified site. The report notes that “protection of the resources essentially consists of leaving in their present condition, not advertising their locations, and preventing disturbance in the future”.

It is unlikely that cultural resources would be present at the proposed site for winery development as it is located between the existing residence and barn in a section of the property that has been developed since 1993. The project includes a standard Conditions of Approval to provide direction in the instance that new resources are found during project implementation, see below.

Invitation for tribal consultation was completed pursuant to AB 52 in February 2023 with certified mail sent to Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation. As of the preparation of this Initial Study no responses have been received from the Tribes and as such the consultation period has since been deemed closed.

If resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site and a tribal representative would be contacted as applicable in accordance with the following standard condition of approval:

7.2 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

No tribal cultural resources have been encountered on the property during previous construction activities and no information has been encountered that would indicate that this project would encounter tribal cultural resources. All construction activities would occur near previously disturbed portions of the site. However, if resources are found during project grading, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with standard condition of approval noted above. Impacts would be less than significant.

Mitigation Measures:

None required.

XIX.	UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a.

As discussed in **Section VII. Geology and Soils**, the Wastewater Feasibility Study, prepared by the project engineer Applied Civil Engineering, concludes that upon implementation of the proposed improvements to the existing on-site wastewater system and installation of associated infrastructure, the system will be able to handle the wastewater flow produced by the proposed and existing use. The Division of Environmental Health reviewed the proposed project, the study and concurred with its findings.

Prior to issuance of a building or grading permit the owner shall submit the necessary documents for Erosion Control, in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance. The project does not require the construction of new or expanded electric power, natural gas, or telecommunications facilities. Impacts are expected to be less than significant.

b.

As discussed in **Section X - Hydrology**, according to the Water Availability Analysis (WAA) prepared by Provost & Pritchard Consulting Group and Addendum prepared by Applied Civil Engineering, the proposed use of 1.85 AF/yr is less than the recharge potential of the holding, estimated at 89.9 AF/yr, demonstrating that the subject holding has enough capacity to serve the proposed use. Impacts would be less than significant.

c.

The project is not served by a wastewater treatment provider; therefore, no impact would occur. See **Section X. - Hydrology** for detail on the on-site wastewater system.

d/e.

According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have more than sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measures:

None required.

XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a.

There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The existing driveway meets commercial standards as defined in the RSS. The new cave would be equipped with sprinklers and fire suppression equipment. Impacts will be less than significant.

b.

According to the Napa County Environmental resource maps (based on the following GIS layer – Fire Hazard Severity Zones) the winery is designated as an area of high fire risk. The proposed physical improvements are proposed to occur between the existing residence and the existing barn. The physical improvements to the property would not result in a physical modification to the slope of the site (as the cave is cut and cover), change prevailing winds, or alter other factors that would likely exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Impacts would be less than significant.

c.

The project proposes to reconstruct portions of the exiting driveway to conform to Napa County Road and Street Standards. The Fire Marshal's office has reviewed the plans, which demonstrate that the project would have adequate emergency access to the existing development and proposed additions once improvements are made. The new cave would be equipped with sprinklers and fire suppression equipment and was including in the Fire Memorandum as part of the Conditions of Approval. These developments are not considered the types of improvements that exacerbate wildfire risk or significant environmental risk. Impacts will be less than significant.

d.

The physical improvements are in an area of the site, which is located between the existing residence and barn. The project will involve constructing a cut and fill cave. The proposed project would result in minor physical alterations which will be required to meet building safety standards, and which would not expose people or structures to risks such as downstream or downslope flooding or landslides resulting from runoff, post-fire instability or drainage changes. Impacts would be less than significant.

Mitigation Measures:

None required.

XXI.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a.

As discussed in **Section IV. Biological Resources**, a number of mitigation measures are proposed to ensure there is no impact to sensitive species as a result of the proposed winery development. With the implementation of these mitigation measure the project should result in no significant impact to special status plants or animals. All work will remain outside setbacks from streams and ephemerals existing on the holding and a minimal amount of tree removal is required as part of the project, additional tree replanting and the creation of pollinator habitat have also been included as Conditions of Approval which will further reduce any impacts to existing tree removed and will result in improved pollinator habitat on site post-project. Based on site conditions the proposed project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal. With mitigation impacts would be less than significant.

As identified in **Section V. Cultural Resources**, according to the Napa County Environmental Resource Maps there is an identified cultural site within the larger holding, however, no work, staging or spoils is proposed on or near the identified site. The project would not result in significant impacts or eliminate important examples of the major periods of California history or prehistory. Impacts would be less than significant.

b.

The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to air quality, greenhouse gas emissions, hydrology, and traffic are discussed in the respective sections above and were determined to have a less than significant impact. As discussed in **Section VIII. Green House Gas** and **Section XVII. Transportation**, potential impacts to air pollution and GHG emissions are being addressed through meeting BAAQMD recommended design elements, and the addition of Greenhouse Gas Voluntary Best Management Practices. New development resulting from this project will utilize energy conserving lighting and water efficient fixtures. **Section X. Hydrology** includes detail on the Water Availability Analysis which demonstrates that the proposed groundwater use is less than the estimated groundwater recharge. Consequently, the project would not interfere with groundwater recharge or lowering of the local groundwater level. The project did not reach the County thresholds for preparation of a VMT analysis, assuming a less than significant impact. Potential cumulative impacts would be less than significant.

c.

All impacts identified in this negative declaration are less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human being either directly or indirectly. Impacts would be less than significant.

Mitigation Measures:

None required.

“D”

Project Narrative,
Application Submittal,
Application Signatures

Tesseron Winery P22-00309
Planning Commission Hearing
July 2, 2025

NEW ALBION CALIFORNIA, INC

CONSULTING LAND SURVEYORS

1113 Hunt Avenue, St. Helena, CA 94574

(707) 963-1217 ♦ FAX (707) 963-1829

E-Mail: jwebb@albionsurveys.com

PROJECT NARRATIVE**Tesseron Vineyards Winery Use Permit
NCAPN 027-060-022**

The purpose of this Application is to request a Use Permit to construct a New Winery with a production capacity of 20,000 gallons production per year on a 43.26 acre parcel located at 1000 Wall Road, Napa. The owner of the property is Tesseron Vineyards. The Tesseron Family has been in the wine business for generations, starting with Tesseron Cognac in 1905, Chateau Pontet Canet (an acclaimed estate in Bordeaux) in 1975 and this Napa estate in 2016. The family has always prioritized sustainability, many would say way ahead of the times. They converted Pontet Canet to organic and biodynamic farming in 2005, and upon the purchase of this Napa Vineyard, immediately converted to organic, biodynamic and dry farming, so that they have minimal impact on the environment.

The property abuts the end of Wall Road, a County maintained road. In addition to this parcel, the property owners also own 4 contiguous parcels, of which all 5 five parcels contain a total of 18.5 acres of existing vineyard. All of the grapes from the 19.15 acres of vineyard will be processed at the proposed Winery. The proposed Winery will utilize the existing 25 kilowatt photovoltaic array located on their adjacent property.

There currently exists on the subject 42.36 acre parcel a single-family residence with a detached garage, a barn and a domestic septic system. Water is derived from springs on the properties. The main spring is located below the driveway on the subject parcel just inside of the gate. Water from the spring is pumped to tanks located on the hillside above the house and then water gravity flows back down to the house. There are also wells on the subject property and adjacent holdings available to provide water to the house. The existing residence wastewater system will be upgraded to handle the domestic wastewater from the winery. Process wastewater from the winery will be collected, treated and stored to be re-used for irrigation on onsite.

This Use Permit proposes the construction of an underground, "cut and cover" Winery which will be 14,729 square foot (sf) of caves and within the 14,729 sf there will be a 3,645 sf fermentation dome room with a ceiling height of 32 feet. The caves and dome will be used for winemaking, fermentation, aging, barrel storage, bottling, case good storage, dry good storage and shipping and receiving. Additionally, within the 14,729 sf of caves there will be an office, lab and two restrooms. Outside of the cave, the visible component of the Winery will be a 2,750 sf covered crush pad and a 348 sf covered mechanical equipment area as well as an enclosed refuse/recycling area and parking. The construction of the Winery will generate 20,000 cubic yards of spoils, all of which will be distributed on-site, no off-haul of spoils are required.

No Tours and Tastings and Visitation are being requested under this Use Permit and no Marketing events are being requested under this Use Permit, thus the cave will be a Type I Cave. A new onsite Septic System will be constructed for the Winery as outlined in the "Onsite Wastewater Water Disposal Feasibility Study" prepared by Applied Civil Engineering.

Access to the Winery will be via an existing paved driveway driveway from Wall Road. Portions of the existing driveway will be reconstructed to Napa County Road and Street Standards.

The Winery proposes 1 full time employee and 3 part time employees. The Winery Production will be 7 days a week between the hours of 9-5 except during harvest season.

NAPA COUNTY

Planning, Building and Environmental Services



A Tradition of Stewardship
A Commitment to Service

USE PERMIT/MAJOR MODIFICATION APPLICATION
WINERY USES

Before you file an application...

Before you submit your application materials, and generally as early in the process as possible, applicants should schedule a Pre-Application meeting with a member of the Planning Department staff as well as staff from other applicable Divisions in PBES.

Pre-Application meetings are an opportunity to meet with staff from all Divisions and receive valuable feedback on your project. In particular, staff can identify the type of application and related permits that may be necessary, permit processing steps and timelines, and pertinent information and technical studies that will be required to submit a complete application.

To schedule a Pre-Application meeting, please visit the Planning Division website at: <https://www.countyofnapa.org/1709/Planning-Division> and follow the steps provided to use our Online Permit Center system.

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Planning, Building, & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559
Main: (707) 253-4417
Fax: (707) 253-4336

PLANNING APPLICATION FORM

Applicant Information

Applicant Contact Name: _____ Mailing Address: _____ City: _____ State: _____ Zip: _____ Phone: _____ E-Mail Address: _____	Property Owner Contact Name: Tessoron Vineyards, Alfred Tessoron Mailing Address: 1000 Wall Road City: Napa State: CA Zip: 94558 Phone: 707-638-2399 E-Mail Address: mb@invinoveritasllc.com
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Agent Contact Name: _____ Mailing Address: _____ City: _____ State: _____ Zip: _____ Phone: _____ E-Mail Address: _____	Other Representative Contact <input checked="" type="checkbox"/> Engineer <input type="checkbox"/> Architect <input type="checkbox"/> Agent Name: New Albion California, Jon M Webb Mailing Address: 1113 Hunt Ave City: St Helena State: CA Zip: 94574 Phone: 707-290-6740 E-Mail Address: jwebb@albionsurveys.com
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Property Information

Project Name: Tessoron Vineyards
 Project Address: 1000 Wall Road, Napa, CA 94558
 Assessor's Parcel Number(s): 027-060-022
 Size of site (acreage and/or square footage): 43.26 Acres
 General Plan Designation: AWOS Zoning: AW

Application Type¹

File No(s) _____

Administrative	Planning Commission/ALUC/BOS	Zoning Administrator
Erosion Control Plan: <input type="checkbox"/> Track I <input type="checkbox"/> Track II <input type="checkbox"/> Admin Viewshed <input type="checkbox"/> Fence Entry Structure Permit <input type="checkbox"/> Land Division/Mergers <input type="checkbox"/> Site Plan Approval/Modification <input type="checkbox"/> Winery Administrative Permit <input type="checkbox"/> Other Very Minor Modification <input type="checkbox"/> Addressing <input type="checkbox"/> Signs Temporary Event: <input type="checkbox"/> 51-400 <input type="checkbox"/> 401+ <input type="checkbox"/> Late Application Submittal <input type="checkbox"/> Application Entitled to Fee Waiver <input type="checkbox"/> Other: _____	Major Modification: <input type="checkbox"/> Winery <input type="checkbox"/> Other Use Permit: <input checked="" type="checkbox"/> Winery <input type="checkbox"/> Other <input type="checkbox"/> Viewshed <input type="checkbox"/> AG Preserve Contract <input type="checkbox"/> Development Agreement <input type="checkbox"/> Airport Land Use Consistency Determination <input type="checkbox"/> General, Specific or Airport Land Use Plan Amendment <input type="checkbox"/> Variance <input type="checkbox"/> Zoning Map/Text Amendment <input type="checkbox"/> Road Exception <input type="checkbox"/> Con. Reg. Exception <input type="checkbox"/> Other: _____	<input type="checkbox"/> Certificate of Legal Non Conformity <input type="checkbox"/> Other Minor Modification <input type="checkbox"/> Road Exception <input type="checkbox"/> Small Winery Exemption <input type="checkbox"/> Winery Minor Modification <input type="checkbox"/> Variance <input type="checkbox"/> Viewshed <input type="checkbox"/> Other: _____ Misc. Services <input type="checkbox"/> Use Determination <input type="checkbox"/> Status Determination <input type="checkbox"/> Other: _____

¹: Include corresponding submittal requirements for each application type.

Detailed Project Description (required): A typed, detailed project description is required that describes the proposed development or use(s); the existing site conditions/uses; the number, size, type and nature of any proposed residential dwelling units or total amount of new non-residential square-footage by type of use. Please refer to specific Supplemental Application submittal handouts for details to describe the project and required special studies.

Conditions of Application

1. All materials (plans, studies, documents, etc.) and representations submitted in conjunction with this form shall be considered a part of this application and publicly available for review and use, including reproduction.
2. The owner shall inform the Planning Division in writing of any changes.
3. Agent authorization: The property owner authorizes the listed agent(s) and/or other representative(s) to appear before staff, the Director, the Zoning Administrator, and Planning Commission to represent the owner's interests and to file applications, plans and other information on the owner's behalf.
4. Certification and Indemnification Form: Refer to attached form for notifications and required signature.
5. Fees: The applicant agrees to pay the County any and all processing fees imposed by the Board of Supervisor's current Fee Resolution including the establishment of an hourly fee application agreement and initial deposit. Applicant understands that fees include, but not limited to: Planning, Engineering, Public Works, and County Counsel staff time billed at an hourly rate; required Consultant service billed rates; production or reproduction of materials and exhibits; public notice advertisements; and postage. In the event the property owner is different than the applicant, the property owner must sign to indicate consent to the filing and agreement to pay fees in the event of the applicant's failure to pay said fees. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
6. This form, together with the corresponding application forms for specific permits, will become the Permit Document.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge. All property owners holding a title interest must sign the application form. If there are more than two property owners, list their names, mailing addresses, phone numbers and signatures on a separate sheet of paper.

If you wish notice of meetings/correspondence to be sent to parties other than those listed on Page 1, please list them on a separate piece of paper.

** See signatures at end of Attachment*

Property Owner's Signature and Date

Property Owner's Signature and Date

Applicant/Agent Statement

I am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.



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Applicant's Signature and Date

Date Received: 9/1/2022	Application Fees	
Received by: Jason Hall	Deposit Amount	\$ 10,000
Receipt No. 158083	Flat Fee Due	\$ —
File No. P22-00309	Total	\$ —
	Check No	✓

Checklist of Required Application Materials

Please make sure that the following documents are complete and legible. Consistent with the State Permit Streamlining Act and Departmental policy, the Planning, Building and Environmental Services (PBES) Department will make an application completeness determination within thirty days of application submittal and the payment of all required initial fees.

- ☒ **General Application Form:** The attached General Application Form must be completed in full and signed by the property owner or their authorized agent. Corporations, partnership, and the like have special signature requirements as noted on the Form.
- ☒ **Application Fee:**
 - Use Permit/Major Modification (All Uses):** Total Fees are based on actual time and materials and flat fees. A deposit in the amount of \$10,000. Check made payable to County of Napa.
 - Small Winery Exemption (Winery Uses):** Total fees are based on actual time and materials and flat fees. A deposit in the amount of \$5,000. Check made payable to County of Napa.
 - Minor Modification (Winery Uses):** Total fees are based upon flat rates with exception to Engineering Services which are based on actual time and materials over 3 hours for Roads & Street Standards evaluation. All County Counsel fees are based on actual time and materials. Check made payable to County of Napa.
 - Administrative Permit (Winery Uses):** Total Fees are based on actual time and materials and flat fees. A deposit in the amount of \$1,500. Check made payable to County of Napa.
 - Minor Modification (Non-Residential & Residential Uses):** Total fees are based upon flat rates. All County Counsel fees are based on actual time and materials. Check made payable to County of Napa.
 - Very Minor Modification (Non-Residential & Residential Uses):** Total fees are based upon flat rates. All County Counsel fees are based on actual time and materials. Check made payable to County of Napa.
- ☒ **Read and Sign the Hourly Fee Agreement** to be included on the cover page
- ☒ **Detailed Project Description:** The Project Description should address all of the applicable items listed below:
 1. Existing site conditions and uses.
 2. Proposed type of development and size, proposed uses/business, development phases, changes or alterations to the property or building including new/modified improvements and off-site improvements.
 3. Days of the week and hours of operation.
 4. Maximum number of employees per shift and hours of shifts.
 5. Are there additional licenses and/or approvals from outside agencies needed from a Special District, Regional, State, Federal?
 6. What is your water supply? How/where is liquid/solid waste disposed?
- ☒ **To-Scale Site Development Plans (ALL plans must be to an identified architect's or engineer's scale and shall be legible):**
Submit **three (3) 24" X 36"** and **one 11" x 17"** copies of plans consistent with information contained in the *Building Division – Design Information - Sample Site Plan Handout*: <https://www.countyofnapa.org/1890/Building-Documents>.
- ☒ **To-Scale Floor Plans (ALL plans must be to an identified architect's or engineer's scale, shall show the existing and proposed conditions of the building and shall be legible):**
Submit **three (3) 24" X 36"** and **one 11" x 17"** copies of plans with the following information and details:
 1. Dimensions and area of all rooms, hallways and covered or partially enclosed outdoor areas.
 2. Use of each area within each structure/building.
 3. Location of emergency exists.
- ☒ **To-Scale Building Elevations (ALL plans must be to an identified architect's or engineer's scale, shall show the existing and proposed conditions of the building and shall be legible):**
Submit **three (3) 24" X 36"** and **one 11" x 17"** copies of plans with the following information and details:
 1. All relevant dimensions.
 2. Exterior materials.
 3. Exterior colors.
 4. Existing grade.
 5. Finished grade.
 6. Finished floor level.
 7. Building height consistent with Figure 209-1 of the 1997 UBC Handbook.

☒ **Technical Information and Reports**

The following technical information and studies are generally required unless waived by County Planning Staff at or following a Pre-Application Review Meeting. Please see County Planning Staff for a list of pre-qualified consultants.

1. FOR WINERY PROJECTS: Additional submittal information is necessary and should be included with the submittal packet consistent with the Winery Use Permit Supplemental Submittal Requirements.
2. Traffic Study consistent with Traffic Impact Study Preparation Requirements Please fill out the enclosed current Trip Generation Sheet for existing and proposed project to determine the need for the preparation of a Traffic Impact Study.
3. Archeological/Cultural Resources Study (consistent with *Guidelines for Preparing Cultural Resource Surveys* and State of California requirements)
4. Historic Resources Study (consistent with State Office of Historic Preservation requirements)
5. Biological Study – Includes Special Status Survey (consistent with *Guidelines for Preparing Biological Resources Reconnaissance Surveys* and *Guidelines for Preparing Special-Status Plant Studies*)
6. Water Availability/Groundwater Study (consistent with the WAA Guidance Document adopted by the Board 5/12/2015). Please refer to the following link: <https://www.countyofnapa.org/876/Water-Availability-Analysis>.
7. For projects located within Sensitive Domestic Water Supply Drainages and/or within the Agricultural Watershed (AW) zoning district, please provide vegetation coverage removal and retention information/analysis based on 1993 Vegetation totals and parcel configuration, including a map or figure that includes the following information:

Tree canopy coverage:

Tree canopy cover (1993): 14.6 acres
 Tree canopy cover to be removed: 0.5 acres 4 %
 Tree canopy cover to be retained: 14.1 acres 96 %

Understory (i.e. brush, shrubs, grasses):

Understory cover (1993): _____ acres
 Understory to be removed: _____ acres _____ %
 Understory to be retained: _____ acres _____ %

This information may be provided as part of the Biological Report if one is required for your project. Guidance on how to prepare vegetation removal and retention calculations can be found in the County's Water Quality & Tree Protection Ordinance Implementation Guide, located on our website:

<https://www.countyofnapa.org/DocumentCenter/View/12882/WQTP-implementation-guide?bidId=>

8. Special Studies (The following may be required on a project-specific basis at the discretion of the PBES Director.)

- N/A ☐ Noise Study (demonstrating consistency with Napa County Code Chapter 8.16).
N/A ☐ Aviation Compatibility Study (consistent with Airport Land Use Compatibility Plan requirements)
N/A ☐ Visual Impacts Study (Photographic simulations)
N/A ☐ Geological/Geotechnical Hazard Report – Alquist Priolo Act
N/A ☐ Hydraulic Analysis (flood impact) if within Floodplain and/or Floodway
N/A ☐ Stormwater Control Plan (consistent with Napa County BASMAA Post Construction Manual)
☐ Other: _____
☐ Other: _____

☒ **Additional Information Required by the Environmental Health Department:**

- N/A 1. Soil Evaluation Report if an on-site septic system is proposed.
N/A 2. Septic Feasibility Report for any new or upgraded septic systems or any expansion of use relying on an existing septic system.
N/A 3. Water System Feasibility Report if the water supply system will serve 25 or more people inclusive of employees, visitors, and residents or if kitchen is proposed. See enclosed handout provided by Environmental Services.
N/A 4. Water and/or Sewage Disposal Easement if an off-site spring, well, reservoir, storage tank, or individual sewage disposal system is proposed.
N/A 5. Completed Business Activities form, enclosed.
N/A 6. Solid Waste & Recycling Storage area location and size included on overall site plan. See guidelines at www.countyofnapa.org/DEM/.
☒ 7. Cave setback plan if a cave is proposed. See handout provided by Environmental Services.

Please click on Other Information tab at <https://www.countyofnapa.org/1904/Environmental-Health-Division> for forms and handouts related to use permit application submittal.



Additional Information Required by the Engineering Services:

2020 Napa County Road & Street Standards

<https://www.countyofnapa.org/DocumentCenter/View/3787/Napa-County-Road-and-Street-Standards---2020-PDF>

Project Guidance for Stormwater Compliance

<https://www.countyofnapa.org/DocumentCenter/View/3778/Project-Guidance-for-Stormwater-Quality-Compliance-PDF>

BASMAA Post-Construction Stormwater Management Manual

<https://www.countyofnapa.org/DocumentCenter/View/3780/Bay-Area--Stormwater-Management-Agencies-Association-BASMAA-Post-Construction-Manual-PDF>

Napa Countywide Stormwater Pollution Prevention Program (NCSPPP) Erosion and Sediment Control Plan Guidance

<https://www.countyofnapa.org/DocumentCenter/View/3780/Bay-Area--Stormwater-Management-Agencies-Association-BASMAA-Post-Construction-Manual-PDF>



Please Note

While this checklist includes all information generally required to process a Use Permit/Major Modification or other Use Permit related application, it is primarily focused on winery uses. Additional information may be required at the discretion of the Deputy Planning Director, and in particular in those cases where non-winery commercial uses (such as restaurants) or residential use related projects are proposed. **The Planning Division will make every effort to identify any additional required information at or directly following the Pre-application Review Meeting.**



Plans and Studies provided electronically via file share (coordinated at intake).

Certification and Indemnification

Applicant certifies that all the information contained in this application, including all information required in the Checklist of Required Application Materials and any supplemental submitted information including, but not limited to, the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of his/her knowledge. Applicant and property owner hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, *including the right of access to the property involved.*

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

**See Signatures at end of Attachment*

Print Name of Property Owner

Print Name Signature of Applicant (if different)

** "*

"

Signature of Property Owner

Date

Signature of Applicant

Date

Hourly Fee Agreement

PROJECT File: P22-00309; request for New Winery USE PERMIT. I, _____

the undersigned, hereby authorize the County of Napa to process the above referenced permit request in accordance with the Napa County Code. I am providing \$ 10,000 as a deposit to pay for County staff review, coordination and processing costs related to my permit request based on actual staff time expended and other direct costs. **In making this deposit, I acknowledge and understand that the deposit may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates adopted by the Board of Supervisors in the most current Napa County fee schedule. I also understand and agree that I am responsible for paying these costs even if the application is withdrawn or not approved.**

I understand and agree to the following terms and conditions of this Hourly Fee Agreement:

1. Time spent by Napa County staff in processing my application and any direct costs will be billed against the available deposit. "Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or correspondence to inquiries from the applicant, the applicant's representatives, neighbors and/or interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence, or responding to any legal challenges related to the application during the processing of your application. "Staff" includes any employee of the Planning, Building and Environmental Services Department (PBES), the Office of the County Counsel, or other County staff necessary for complete processing of the application. "Direct costs" include any consultant costs for the peer review of materials submitted with the application, preparation of California Environmental Quality Act (CEQA) documents, expanded technical studies, project management, and/or other outside professional assistance required by the County and agreed to by the applicant. The cost to manage consultant contracts by staff will also be billed against the available deposit.
2. Staff will review the application for completeness and provide me with a good faith estimate of the full cost of processing the permit. Any requested additional deposit shall be submitted to PBES to allow continued processing of the project.
3. I understand that the County desires to avoid incurring permit processing costs without having sufficient funds on deposit. If staff determines that inadequate funds are on deposit for continued processing, staff shall notify me in writing and request an additional deposit amount estimated necessary to complete processing of my application. I agree to submit sufficient funds as requested by staff to process the project through the hearing process within 30 days of the request.
4. I understand that if the amount on deposit falls below zero, staff will notify me and stop work on the application until sufficient additional funds are provided.
5. If the final cost is less than the amount remaining on deposit, the unused portion of the deposit will be refunded to me. If the final cost is more than the available deposit, I agree to pay the amount due within 30 days of billing.
6. If I fail to pay any invoices or requests for additional deposits within 30 days, the County may either stop processing my permit application, or after conducting a hearing, may deny my permit application. If I fail to pay any amount due after my application is approved, I understand that my permit may not be exercised, or may be subject to revocation. I further agree that no building, grading, sewage, or other project related permits will be issued if my account is in arrears.

7. I may file a written request for a further explanation or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.

Name of Applicant responsible for payment of all County processing fees (Please Print):

** See end of Attachment for Signatures*

Mailing Address of the Applicant responsible for paying processing fees:

Signature: _____

Email Address: _____

Date: _____

Phone Number: _____

*ATTENTION - The applicant will be held responsible for all charges.

Supplemental Application for Winery Uses

Definitions

The below are paraphrased from County Code, please see referenced code sections for full text.

- a. **Winery Development Area** – All aggregate paved or impervious or semi-permeable ground surface areas of the production facility which includes all storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved parking areas for the exclusive use of winery employees. *See Napa County Code §18.104.210*
- b. **Winery Coverage** – The total square foot area of all winery building footprints, all aggregate paved or impervious ground surface areas of the production facility which includes all outside work, tank and storage areas (except caves); all paved areas including parking and loading areas, walkways, and access driveways to public or private roads or rights-of-way; and all above-ground wastewater and run-off treatment systems. *See Napa County Code §18.104.220*
- c. **Production Facility** – (For the purpose to calculate the maximum allowable accessory use) The total square footage of all winery crushing, fermenting, bottling, bulk and bottle storage, shipping, receiving, laboratory, equipment storage and maintenance facilities, and employee-designated restrooms but does not include wastewater treatment or disposal areas which cannot be used for agricultural purposes. *See Napa County Code §18.104.200*
- d. **Accessory Use** - The total square footage of area within winery structures used for accessory uses related to a winery that are not defined as "production facility" which would include offices, lobbies/waiting rooms, conference/meeting rooms, non-production access hallways, kitchens, tasting rooms (private and public areas), retail space areas, libraries, non-employee designated restrooms, art display areas, or any area within winery structures not directly related to wine production. *See Napa County Code §18.104.200*

Planning, Building & Environmental Services

Winery Production Process

The Napa County Code contains various references to winery production and refers to production capacity as "the wine bottled or received" at a winery and refers to "bottling and storage of bottled wine and shipping and receiving of bulk and bottled wine" (Code Section 18.16.030(G)(4)).¹

This handout was developed by the County planning staff with the assistance of a number of local industry representatives to assist property owners and other interested parties in interpreting Napa County Code references to winery production. It does not create a new definition or regulation.

A winery's total annual production equals either (1) the sum of all wine created through fermentation in a given year, plus the net total of all fermented bulk wine received and shipped in the same year, including all bottled wine received on the premises during the same year; or (2) the amount of wine bottled on the premises in the same given year, whichever is greater.

Using the diagram on the right, this means the greater of $A + (B - C)$, or D. If $B - C$ is a negative number, total production is equal to either A or D, whichever is greater.

This interpretation holds true for all physical winery facilities regardless of the number of business entities (e.g. Alternating Proprietors/Custom Crush) they accommodate or the date that their production capacity was established or recognized. However, wineries occupying multiple facilities are governed by the specific terms of their use permit or Certificate of Legal Non-conformity (CLN), which may vary.

Quantities represented by items A through D on the diagram can be determined by reviewing a winery's annual submittals to the federal Alcohol and Tobacco Tax and Trade Bureau (TTB). The County may periodically request a copy of these submittals (s) as a way to monitor compliance with previously adopted conditions/requirements. The County recognizes that annual variations can occur due to the grape harvest and the timing of finishing/bottling, and will generally review and average three consecutive years of data.

Inflows (Receiving)	Processing Steps	Outflows (Shipping)
Grapes	Crush	
Juice		Juice
	A Fermentation	
Bulk Wine		Bulk Wine
	Aging & Finishing	
Bulk Wine		Bulk Wine
	D Bottling	
		Bottled Wine

Figure 1. Winery Production Process

¹ The complexity of these statements can be attributed to the authors' desire to avoid "double counting" bulk wine that is both received and bottled at a winery, and the fact that multiple vintages are present within a winery at any given time.

February 2019

WINERY OPERATIONS

Please indicate whether the activity or uses below are already legally **EXISTING**, whether they exist and are proposed to be **EXPANDED** as part of this application, whether they are **NEWLY PROPOSED** as part of this application, or whether they are neither existing nor proposed (**NONE**).

Retail Wine Sales	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input checked="" type="checkbox"/> None
Tours and Tasting- Open to the Public	<input type="checkbox"/> Existing			
Tours and Tasting- By Appointment	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input checked="" type="checkbox"/> None
Food at Tours and Tastings	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input checked="" type="checkbox"/> None
Marketing Events*	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input checked="" type="checkbox"/> None
Food at Marketing Events	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input checked="" type="checkbox"/> None
Will food be prepared...	<input type="checkbox"/> On-Site?	<input type="checkbox"/> Catered?		
Public display of art or wine-related items	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input checked="" type="checkbox"/> None
Wine Sales/Consumption – AB 2004	<input type="checkbox"/> Existing		<input type="checkbox"/> Proposed	<input checked="" type="checkbox"/> None

* For reference please see definition of "Marketing," at Napa County Code §18.08.370 - <http://library.municode.com/index.aspx?clientId=16513>

Production Capacity *

Please identify the winery's...

Existing permitted production capacity: N/A gal/y Per permit : _____ Permit date: _____

Current maximum actual production: _____ gal/y For what year? _____

Average 3 year production: _____ gal/y

Proposed production capacity: 20,000

* For this section, please see "Winery Production Process".

Visitation and Operations

Please identify the winery's...

Maximum daily tours/tastings visitation: 0 existing 0 proposed

Maximum weekly tours/tastings visitation: 0 existing 0 proposed

Visitation hours (e.g. M-Sa, 10am-4pm): 0 existing 0 proposed

Production days and hours¹: 0 existing Mon-Sun, 9-5 proposed

¹ It is assumed that wineries will operate up to 24 hours per day during crush.

Grape Origin

All new wineries and any existing (pre-WDO) winery expanding beyond its winery development area must comply with the 75% rule and complete the attached "Initial Statement of Grape Source". See Napa County Code §18.104.250 (B) & (C). The project description should include information on location and quantity of grapes.

Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, hours, location/facilities to be used, food service details, etc. Provide a site plan showing where the marketing event activities will occur, including overflow/off-site parking. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.) No Marketing Program is proposed or requested

On-Site Consumption

If requesting On-Site Consumption, please provide a site plan showing where such activities will occur.

N/A

Food Service

Please describe the nature of any proposed food service including type of food, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Please differentiate between existing and proposed food service and existing type of commercial kitchen (low, medium or high risk) and/or food preparation areas authorized by the County Environmental Health Division. (Attach additional sheets as necessary.)

None Requested or Proposed

Winery Coverage and Accessory/Production Ratio

Winery Development Area. Consistent with the definition at "a.," and with the marked-up site plans included in your submittal, please indicate your proposed winery development area. If the facility already exists, please differentiate between existing and proposed.

Existing _____ sq. ft. _____ acres
 Proposed 3,726 sq. ft. 0.08 acres

Winery Coverage. Consistent with the definition at "b.," and with the marked-up site plans included in your submittal, please indicate your proposed winery coverage (maximum 25% of parcel or 15 acres, whichever is less).

53,134 sq. ft. 1.22 acres 2.8 % of parcel

Production Facility. Consistent with the definition at "c.," and the marked-up floor plans included in your submittal, please indicate your proposed production square footage. If the facility already exists, please differentiate between existing and proposed.

Existing _____ sq. ft. Proposed 17,363 sq. ft.

Accessory Use. Consistent with the definition at "d.," and the marked-up floor plans included in your submittal, please indicate your proposed accessory square footage. If the facility already exists, please differentiate between existing and proposed. (maximum = 40% of the production facility)

Existing _____ sq. ft. _____ % of production facility
 Proposed 462 sq. ft. 2.7 % of production facility

Caves and Crush pads

If new or expanded caves are proposed, please indicate which of the following best describes the public accessibility of the proposed and existing cave space: Please denote on cave floor plans the location of existing and proposed cave type/activities and identify location of on-site cave spoils on a site plan.

Existing Cave:

- ☐ None – no visitors/tours/events (Class I) ☐ Guided Tours Only (Class II) ☐ Public Access (Class III)
☐ Marketing Events and/or Temporary Events (Class III)

Expanded or New Cave:

- ☒ None – no visitors/tours/events (Class I) ☐ Guided Tours Only (Class II) ☐ Public Access (Class III)
☐ Marketing Events and/or Temporary Events (Class III)

Please identify the winery's...

Cave area (total)	Existing: _____ sq. ft.	Proposed: <u>14,729</u> sq. ft.
Cave area (Production)	Existing: _____ sq. ft.	Proposed: <u>14,267</u> sq. ft.
Cave area (Accessory)	Existing: _____ sq. ft.	Proposed: <u>462</u> sq. ft.
Covered crush pad area	Existing: _____ sq. ft.	Proposed: <u>2,750</u> sq. ft.
Uncovered crush pad area	Existing: _____ sq. ft.	Proposed: <u>0</u> sq. ft.
Cave Spoils total:		Proposed: <u>20,000</u> cy.
Cave Spoils Use:	<input checked="" type="checkbox"/> Onsite <input type="checkbox"/> Offsite	

Initial Statement of Grape Source

Pursuant to Napa County Zoning Ordinance Sections 12419(b) and (c), I hereby certify that the current application for establishment or expansion of a winery pursuant to the Napa County Winery Definition Ordinance will employ sources of grapes in accordance with the requirements of Section 12419(b) and/or (c) of that Ordinance.

Owner's Signature

Date

Letters of commitment from grape suppliers and supporting documents may be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal of additional information regarding individual grape sources. Proprietary information will not be disclosed to the public.



A Tradition of Stewardship
A Commitment to Service

WINERY TRIP GENERATION WORKSHEET

Planning, Building & Environmental Services

1195 Third Street, Suite 210

Napa, CA 94559-3082

(707) 253-4417

PROJECT DESCRIPTION

Clear Form

Winery Name: Tesseron Vineyards Winery Date Prepared: 8/31/22

Existing Entitled Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday		
	Weekend		
Number of Part Time Employees*	Weekday		
	Weekend		
Maximum Daily Visitation	Weekday		
	Weekend		
Annual Gallons of Production			
Annual Tons of Grape Haul		0.0	N/A
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday		
	Weekend		

Proposed Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	1	1
	Weekend	1	1
Number of Part Time Employees*	Weekday	3	1
	Weekend	3	1
Maximum Daily Visitation	Weekday	0	0
	Weekend	0	0
Annual Gallons of Production		20,000	20,000
Annual Tons of Grape Haul		125.0	N/A
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	0	0
	Weekend	0	0

*Number of full time and part time employees should represent the max number of employees that will be working on any given day (including all vendors and contractors employed for the largest event that occurs two or more times per month on average).

Tesseron Vineyards Winery

TRIP GENERATION

Existing Winery					Harvest	Non-Harvest
<u>Maximum Daily Weekday Traffic (Friday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees			3.05 one way trips/employee	FT Employee Daily Trips	0.0	0.0
PT Employees			1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors			2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	0.0	0.0
Max Event			2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production			0.000018 truck trips	Production Daily Trips	0.0	0.0
Tons of Grape Haul#	0.0		0.013889 truck trips	Grape Haul Daily Trips	0.0	0.0
Total Weekday Daily Trips					0	0
Total Weekday Peak Hour Trips*					0	0
<u>Maximum Daily Weekend Traffic (Saturday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees			3.05 one way trips/employee	FT Employee Daily Trips	0.0	0.0
PT Employees			1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors			2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	0.0	0.0
Max Event			2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production			0.000018 truck trips	Production Daily Trips	0.0	0.0
Tons of Grape Haul#	0.0		0.013889 truck trips	Grape Haul Daily Trips	0.0	0.0
Total Weekend Daily Trips					0	0
Total Weekend Peak Hour Trips*					0	0
<u>Maximum Annual Traffic</u>					Total Annual Trips**	
					0	

Proposed Winery					Harvest	Non-Harvest
<u>Maximum Daily Weekday Traffic (Friday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees	1	1	3.05 one way trips/employee	FT Employee Daily Trips	3.1	3.1
PT Employees	3	1	1.9 one way trips/employee	PT Employee Daily Trips	5.7	1.9
Max Visitors	0	0	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	0.0	0.0
Max Event	0	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	20,000		0.000018 truck trips	Production Daily Trips	0.4	0.4
Tons of Grape Haul#	125.0		0.013889 truck trips	Grape Haul Daily Trips	1.7	0.0
Total Weekday Daily Trips					11	6
Total Weekday Peak Hour Trips*					4	2
<u>Maximum Daily Weekend Traffic (Saturday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees	1	1	3.05 one way trips/employee	FT Employee Daily Trips	3.1	3.1
PT Employees	3	1	1.9 one way trips/employee	PT Employee Daily Trips	5.7	1.9
Max Visitors	0	0	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	0.0	0.0
Max Event	0	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	20,000		0.000018 truck trips	Production Daily Trips	0.4	0.4
Tons of Grape Haul#	125.0		0.013889 truck trips	Grape Haul Daily Trips	1.7	0.0
Total Weekend Daily Trips					11	6
Total Weekend Peak Hour Trips*					4	2
<u>Maximum Annual Traffic</u>					Total Annual Trips**	
					2,575	

Net New Trips					Harvest	Non-Harvest
<u>Maximum Weekday Traffic (Friday)</u>						
If total net new daily trips is greater than 40, a TIS is required					Net New Weekday Daily Trips	
					11	6
					Net New Weekday Peak Hour Trips*	
					4	2
<u>Maximum Weekend Traffic (Saturday)</u>						
If total net new daily trips is greater than 40, a TIS is required					Net New Weekend Daily Trips	
					11	6
					Net New Weekend Peak Hour Trips*	
					4	2
<u>Maximum Annual Traffic</u>					Net New Annual Trips**	
A Traffic Impact Study is NOT Required					2,575	

#Trips associated with Grape Haul represent harvest season only.

*Weekday peak hour trips are calculated as 38% of daily trips associated with visitors and production plus one trip per employee. Weekend peak hour trips are calculated as 57% of daily trips associated with visitors and production plus one trip per employee.

**Annual trips represent a conservative calculation that assumes 11 weeks of harvest, all weekdays are Fridays, all weekends are Saturdays, and assumes that the largest event that occurs two or more times per month on average occurs every day.



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services - Hillary Gitelman, Director
1195 Third Street, Napa, CA 94559 - (707) 253-4417 - www.countyofnapa.org

Project name & APN: Tesseron Vineyards Winery, 027-060-022

Project number if known:

Contact person: Meaghan Becker

Contact email & phone number: mb@invinoveritasllc.com, 707-685-2399

Today's date: 8-31-22

Voluntary Best Management Practices Checklist for Development Projects

Napa County General Plan Policy CON-65 (e) and Policy CON-67 (d) requires the consideration of Greenhouse Gas (GHG) emissions in the review of discretionary projects and to promote and encourage "green building" design. The below Best Management Practices (BMPs) reduce GHG emissions through energy and water conservation, waste reduction, efficient transportation, and land conservation. The voluntary checklist included here should be consulted early in the project and be considered for inclusion in new development. It is not intended, and likely not possible for all projects to adhere to all of the BMPs. Rather, these BMPs provide a portfolio of options from which a project could choose, taking into consideration cost, co-benefits, schedule, and project specific requirements. Please check the box for all BMPs that your project proposes to include and include a separate narrative if your project has special circumstances.

Practices with Measurable GHG Reduction Potential

The following measures reduce GHG emissions and if needed can be calculated. They are placed in descending order based on the amount of emission reduction potential.

Already Plan
Doing To Do

ID # BMP Name

☐
☐

BMP-1 Generation of on-site renewable energy

If a project team designs with alternative energy in mind at the conceptual stage it can be integrated into the design. For instance, the roof can be oriented, sized, and engineered to accommodate photovoltaic (PV) panels. If you intend to do this BMP, please indicate the location of the proposed PV panels on the building elevations or the location of the ground mounted PV array on the site plan. Please indicate the total annual energy demand and the total annual kilowatt hours produced or purchased and the potential percentage reduction of electrical consumption. Please contact staff or refer to the handout to calculate how much electrical energy your project may need.

☐
☐

BMP-2 Preservation of developable open space in a conservation easement

Please indicate the amount and location of developable land (i.e.: under 30% slope and not in creek setbacks or environmentally sensitive areas for vineyards) conserved in a permanent easement to prohibit future development.

Already Plan
Doing To Do

☐ ☐ **BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)**

Napa County is famous for its land stewardship and preservation. Restoring areas within the creek setback reduces erosion potential while planting areas that are currently hardscape (such as doing a bio-retention swale rather than underground storm drains) reduces storm water and helps the groundwater recharge. Planting trees can also increase the annual uptake of CO₂e and add the County's carbon stock.

☐ ☐ **BMP-4 Alternative fuel and electrical vehicles in fleet**

The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.

Number of total vehicles

Typical annual fuel consumption or VMT

Number of alternative fuel vehicles

Type of fuel/vehicle(s)

Potential annual fuel or VMT savings

☐ ☐ **BMP-5 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2**

The California Building Code update effective January 1, 2011 has new mandatory green building measures for all new construction and has been labeled CALGREEN. CALGREEN provides two voluntary higher levels labeled CALGREEN Tier I and CALGREEN Tier II. Each tier adds a further set of green building measures that go above and beyond the mandatory measures of the Code. In both tiers, buildings will use less energy than the current Title 24 California Energy Code. Tier I buildings achieve at least a 15% improvement and Tier 2 buildings are to achieve a 30% improvement. Both tiers require additional non-energy prerequisites, as well as a certain number of elective measures in each green building category (energy efficiency, water efficiency, resource conservation, indoor air quality and community).

☐ ☐ **BMP-6 Vehicle Miles Traveled (VMT) reduction plan**

Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.

Tick box(es) for what your Transportation Demand Management Plan will/does include:

- ☐ employee incentives
- ☐ employee carpool or vanpool
- ☐ priority parking for efficient transportation (hybrid vehicles, carpools, etc.)
- ☐ bike riding incentives
- ☐ bus transportation for large marketing events
- ☐ Other:

Estimated annual VMT

Potential annual VMT saved

% Change

Already Plan
Doing To Do

☐ ☐ **BMP-7 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 1**

See description below under BMP-5.

☐ ☐ **BMP-8 Solar hot water heating**

Solar water heating systems include storage tanks and solar collectors. There are two types of solar water heating systems: active, which have circulating pumps and controls, and passive, which don't. Both of them would still require additional heating to bring them to the temperature necessary for domestic purposes. They are commonly used to heat swimming pools.

☐ ☐ **BMP-9 Energy conserving lighting**

Lighting is approximately 25% of typical electrical consumption. This BMP recommends installing or replacing existing light bulbs with energy-efficient compact fluorescent (CF) bulbs or Light Emitting Diode (LED) for your most-used lights. Although they cost more initially, they save money in the long run by using only 1/4 the energy of an ordinary incandescent bulb and lasting 8-12 times longer. Typical payback from the initial purchase is about 18 months.

☐ ☐ **BMP-10 Energy Star Roof/Living Roof/Cool Roof**

Most roofs are dark-colored. In the heat of the full sun, the surface of a black roof can reach temperatures of 158 to 194 °F. Cool roofs, on the other hand, offer both immediate and long-term benefits including reduced building heat-gain and savings of up to 15% the annual air-conditioning energy use of a single-story building. A cool roof and a green roof are different in that the green roof provides living material to act as a both heat sink and thermal mass on the roof which provides both winter warming and summer cooling. A green (living) roof also reduces storm water runoff.

☐ ☐ **BMP-11 Bicycle Incentives**

Napa County Zoning Ordinance requires 1 bicycle rack per 20 parking spaces (§18.110.040). Incentives that go beyond this requirement can include on-site lockers for employees, showers, and for visitor's items such as directional signs and information on biking in Napa. Be creative!

☐ ☐ **BMP-12 Bicycle route improvements**

Refer to the Napa County Bicycle Plan (NCPTA, December 2011) and note on the site plan the nearest bike routes. Please note proximity, access, and connection to existing and proposed bike lanes (Class I: Completely separated right-of-way; Class II: Striped bike lane; Class III: Signed Bike Routes). Indicate bike accessibility to project and any proposed improvements as part of the project on the site plan or describe below.

Already Plan
Doing To Do

☐ ☐ **BMP-13 Connection to recycled water**

Recycled water has been further treated and disinfected to provide a non-potable (non-drinking water) water supply. Using recycled water for irrigation in place of potable or groundwater helps conserve water resources.

☐ ☐ **BMP-14 Install Water Efficient fixtures**

WaterSense, a partnership program by the U.S. Environmental Protection Agency administers the review of products and services that have earned the WaterSense label. Products have been certified to be at least 20 percent more efficient without sacrificing performance. By checking this box you intend to install water efficient fixtures or fixtures that conserve water by 20%.

☐ ☐ **BMP-15 Low-impact development (LID)**

LID is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Please indicate on the site or landscape plan how your project is designed in this way.

☐ ☐ **BMP-16 Water efficient landscape**

If your project is a residential development proposing in excess of 5,000 sq. ft. or a commercial development proposing in excess of 2,500 sq. ft. The project will be required to comply with the Water Efficient Landscape Ordinance (WELO).

Please check the box if you will be complying with WELO or If your project is smaller than the minimum requirement and you are still proposing drought tolerant, zeroscape, native plantings, zoned irrigation or other water efficient landscape.

☐ ☐ **BMP-17 Recycle 75% of all waste**

Did you know that the County of Napa will provide recycling collectors for the interior of your business at no additional charge? With single stream recycling it is really easy and convenient to meet this goal. To qualify for this BMP, your business will have to be aggressive, proactive and purchase with this goal in mind.

Already Plan
Doing To Do

☐ ☐ **BMP-18 Compost 75% food and garden material**

The Napa County food composting program is for any business large or small that generates food scraps and compostable, including restaurants, hotels, wineries, assisted living facilities, grocery stores, schools, manufacturers, cafeterias, coffee shops, etc. All food scraps (including meat & dairy) as well as soiled paper and other compostable - see <http://www.naparecycling.com/foodcomposting> for more details.

☐ ☐ **BMP-19 Implement a sustainable purchasing and shipping programs**

Environmentally Preferable Purchasing (EPP) or Sustainable Purchasing refers to the procurement of products and services that have a reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. By selecting this BMP, you agree to have an EPP on file for your employees to abide by.

☐ ☐ **BMP-20 Planting of shade trees within 40 feet of the south side of the building elevation**

Well-placed trees can help keep your building cool in summer. If you choose a deciduous tree after the leaves drop in autumn, sunlight will warm your building through south and west-facing windows during the colder months. Well-designed landscaping can reduce cooling costs by 20%. Trees deliver more than energy and cost savings; they are important carbon sinks. Select varieties that require minimal care and water, and can withstand local weather extremes. Fruit or nut trees that produce in your area are great choices, providing you with local food as well as shade. Please use the site or landscape plan to indicate where trees are proposed and which species you are using.

☐ ☐ **BMP-21 Electrical Vehicle Charging Station(s)**

As plug-in hybrid electric vehicles (EV) and battery electric vehicle ownership is expanding, there is a growing need for widely distributed accessible charging stations. Please indicate on the site plan where the station will be.

☐ ☐ **BMP-22 Public Transit Accessibility**

Refer to <http://www.ridethevine.com/vine> and indicate on the site plan the closest bus stop/route. Please indicate if the site is accessed by transit or by a local shuttle. Provide an explanation of any incentives for visitors and employees to use public transit. Incentives can include bus passes, informational hand outs, construction of a bus shelter, transportation from bus stop, etc.

Already Plan
Doing To Do

☐ ☐ **BMP-23**

Site Design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave.

The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building burned into the ground saves energy because the ground is a consistent temperature and it reduces the amount of heating and cooling required. On the same concept, a building that is oriented to have southern exposure for winter warmth and shading for summer cooling with an east-west cross breeze will naturally heat, cool, and ventilate the structure without using energy. Please check this box if your design includes a cave or exceptional site design that takes into consideration the natural topography and sitting. Be prepared to explain your approach and estimated energy savings.

☐ ☐ **BMP-24 Limit the amount of grading and tree removal**

Limiting the amount of earth disturbance reduces the amount of CO2 released from the soil and mechanical equipment. This BMP is for a project design that either proposes a project within an already disturbed area proposing development that follows the natural contours of the land, and that doesn't require substantial grading or tree removal.

☐ ☐ **BMP-25 Will this project be designed and built so that it could qualify for LEED?**

BMP-25 (a)

☐

LEED™ Silver (check box BMP-25 and this one)

BMP-25 (b)

☐

LEED™ Gold (check box BMP-25, BMP-25 (a), and this box)

BMP-25 (c)

☐

LEED™ Platinum (check all 4 boxes)

Practices with Un-Measured GHG Reduction Potential

☐ ☐ **BMP-26 Are you, or do you intend to become a Certified Green Business or certified as a "Napa Green Winery"?**

As part of the Bay Area Green Business Program, the Napa County Green Business Program is a free, voluntary program that allows businesses to demonstrate the care for the environment by going above and beyond business as usual and implementing environmentally friendly business practices. For more information check out the Napa County Green Business and Winery Program at www.countyofnapa.org.

☐ ☐ **BMP-27 Are you, or do you intend to become a Certified "Napa Green Land"?**

Napa Green Land, fish friendly farming, is a voluntary, comprehensive, "best practices" program for vineyards. Napa Valley vintners and growers develop farm-specific plans tailored to protect and enhance the ecological quality of the region, or create production facility programs that reduce energy and water use, waste and pollution. By selecting this measure either you are certified or you are in the process of certification.

Already Plan
Doing To Do

- ☐ ☐ **BMP-28 Use of recycled materials**

There are a lot of materials in the market that are made from recycled content. By ticking this box, you are committing to use post-consumer products in your construction and your ongoing operations.

- ☐ ☐ **BMP-29 Local food production**

There are many intrinsic benefits of locally grown food, for instance reducing the transportation emissions, employing full time farm workers, and improving local access to fresh fruits and vegetables.

- ☐ ☐ **BMP-30 Education to staff and visitors on sustainable practices**

This BMP can be performed in many ways. One way is to simply put up signs reminding employees to do simple things such as keeping the thermostat at a consistent temperature or turning the lights off after you leave a room. If the project proposes alternative energy or sustainable winegrowing, this BMP could include explaining those business practices to staff and visitors.

- ☐ ☐ **BMP-31 Use 70-80% cover crop**

Cover crops reduce erosion and the amount of tilling which is required, which releases carbon into the environment.

- ☐ ☐ **BMP-32 Retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site**

By selecting this BMP, you agree not to burn the material pruned on site.

- ☐ ☐ **BMP-33 Are you participating in any of the above BMPS at a 'Parent' or outside location?**

- ☐ ☐ **BMP-34 Are you doing anything that deserves acknowledgement that isn't listed above?**

Comments and Suggestions on this form?

Sources:

1. *Napa County Bicycle Plan*, NCTPA, December 2011
2. *California Air Pollution Control Officers Associate (CAPCOA)*. January 2008. *CEQA and Climate Change*
3. *Napa County General Plan*, June 2008.
4. *California Office of the Attorney General*. 2010. *Addressing Climate Change at the Project Level* available at http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf
5. *U.S. Green Building Council (2009)*. *LEED 2009 for New Construction and Major Renovations Rating System*. Washington, DC: United States Green Building Council, Inc.
6. *California Energy Commission (2008)*. *Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings*. Sacramento, CA: California Energy Commission.
7. *U.S. Department of Energy (2010)*. *Cool roof fact sheet*.
8. <http://www1.eere.energy.gov/buildings/ssl/ledlightingfacts.html>
9. *Compact Fluorescent Light Bulbs*". *Energy Star*. Retrieved 2013-05-01.
10. <http://energy.gov/energysaver/articles/solar-water-heaters>. Retrieved 2013-05-02.
11. <http://energy.gov/energysaver/articles/solar-water-heater>. Retrieved 2013-05-09
12. http://www.bchydro.com/powersmart/residential/guides_tips/green-your-home/cooling_guide/shade_trees.html
13. <http://www.napagreen.org/about>. Retrieved 2013-05-09
14. <http://www.countyofnapa.org/pages/departmentscontent.aspx?id=4294971612>
15. <http://www.napason.com/Pages/ContentMenu.aspx?id=109>
16. <http://water.epa.gov/polwaste/green/index.cfm>

Adjoining Property Owner List Requirements

All applications shall include a list of the current owners of all the properties whose outer perimeters are within **1,000 feet** of the property boundary of the project site. The list shall include the property owner's names, their addresses, and the assessor's parcel numbers of the property owned. The list may be expanded to include other affected property owners at the discretion of the Planning Director as well as individuals having a request for notice on file with the Commission Clerk.

Preparation, verification and submission of this list of property owners is the responsibility of the applicant. Lists of the property owners appearing on County tax rolls in the form required are available from all local title insurance companies. Each such list must be certified by a title insurance company as reflecting the most recent County tax roll information. While the mailing list is not necessarily required at initial project submittal, the project cannot be noticed for hearing without it.

Instructions to the Title Company

Please prepare the property owners' list as follows:

1. Type the property owners' names, parcel numbers and mailing addresses on an 8½" by 11" sheet of Avery #5160 Laser Labels so that this information can be readily used in mailing by the Planning, Building & Environmental Services Department.
2. Submit a full page copy of the assessors' parcel book page(s) and a copy of the latest equalized assessment roll used to compile the property owners' list. Please indicate the location of all parcels listed, by check mark or colored parcel number circled on the pages.

If you have any questions, please contact the Planning, Building & Environmental Services Department at (707) 253-4417.

Detailed Project Description (required): A typed, detailed project description is required that describes the proposed development or use(s); the existing site conditions/uses; the number, size, type and nature of any proposed residential dwelling units or total amount of new non-residential square-footage by type of use. Please refer to specific Supplemental Application submittal handouts for details to describe the project and required special studies.

Conditions of Application

1. All materials (plans, studies, documents, etc.) and representations submitted in conjunction with this form shall be considered a part of this application and publicly available for review and use, including reproduction.
2. The owner shall inform the Planning Division in writing of any changes.
3. Agent authorization: The property owner authorizes the listed agent(s) and/or other representative(s) to appear before staff, the Director, the Zoning Administrator, and Planning Commission to represent the owner's interests and to file applications, plans and other information on the owner's behalf.
4. Certification and Indemnification Form: Refer to attached form for notifications and required signature.
5. Fees: The applicant agrees to pay the County any and all processing fees imposed by the Board of Supervisor's current Fee Resolution including the establishment of an hourly fee application agreement and initial deposit. Applicant understands that fees include, but not limited to: Planning, Engineering, Public Works, and County Counsel staff time billed at an hourly rate; required Consultant service billed rates; production or reproduction of materials and exhibits; public notice advertisements; and postage. In the event the property owner is different than the applicant, the property owner must sign to indicate consent to the filing and agreement to pay fees in the event of the applicant's failure to pay said fees. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
6. This form, together with the corresponding application forms for specific permits, will become the Permit Document.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge. All property owners holding a title interest must sign the application form. If there are more than two property owners, list their names, mailing addresses, phone numbers and signatures on a separate sheet of paper.

If you wish notice of meetings/correspondence to be sent to parties other than those listed on Page 1, please list them on a separate piece of paper.

Alfred Tension

08/19/2022

Property Owner's Signature and Date

Property Owner's Signature and Date

Applicant/Agent Statement

I am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

Applicant's Signature and Date

Date Received: _____		Application Fees	
Received by: _____		Deposit Amount	\$ _____
Receipt No. _____		Fiat Fee Due	\$ _____
File No. _____		Total	\$ _____
		Check No	_____

Certification and Indemnification

Applicant certifies that all the information contained in this application, including all information required in the Checklist of Required Application Materials and any supplemental submitted information including, but not limited to, the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of his/her knowledge. Applicant and property owner hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, *including the right of access to the property involved.*

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

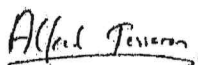
Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

Alfred TESSERON

Print Name of Property Owner

Print Name Signature of Applicant (if different)



08/19/2022

Signature of Property Owner

Date

Signature of Applicant

Date

7. I may file a written request for a further explanation or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.

Name of Applicant responsible for payment of all County processing fees (Please Print):

Tesseron Vineyards / Alfred Tesseron

Mailing Address of the Applicant responsible for paying processing fees:

1100 Wall Road

Napa, CA 94559

Signature:*

Alfred Tesseron

Email Address: atesseron@pontet-canet.com

Date: 8/19/2022

Phone Number: 707-685-2399

*ATTENTION - The applicant will be held responsible for all charges.

Initial Statement of Grape Source

Pursuant to Napa County Zoning Ordinance Sections 12419(b) and (c), I hereby certify that the current application for establishment or expansion of a winery pursuant to the Napa County Winery Definition Ordinance will employ sources of grapes in accordance with the requirements of Section 12419(b) and/or (c) of that Ordinance.

Alfred Tenean

08/19/2022

Owner's Signature

Date

Letters of commitment from grape suppliers and supporting documents may be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal of additional information regarding individual grape sources. Proprietary information will not be disclosed to the public.

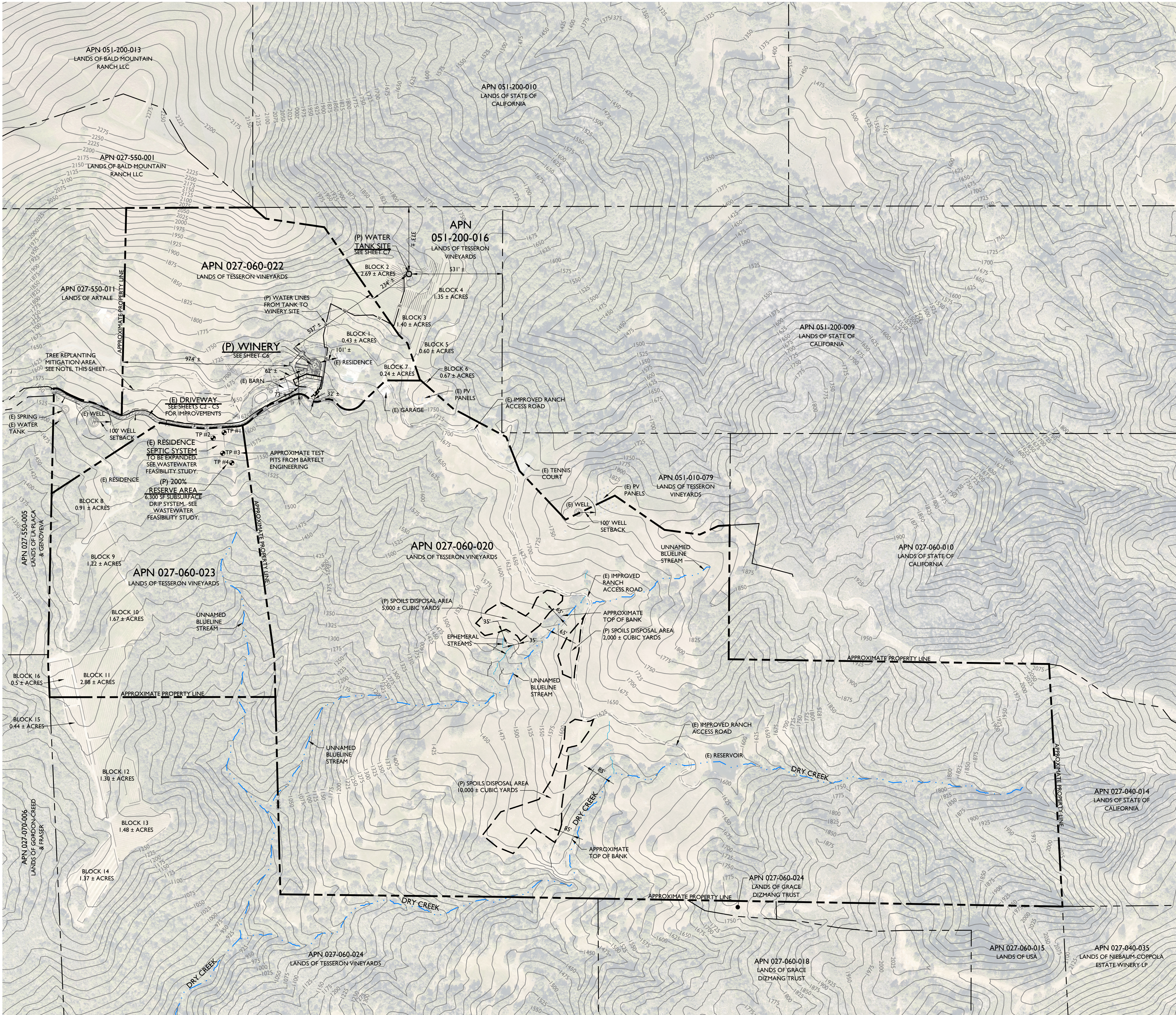
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Civil and Architectural Plans

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025

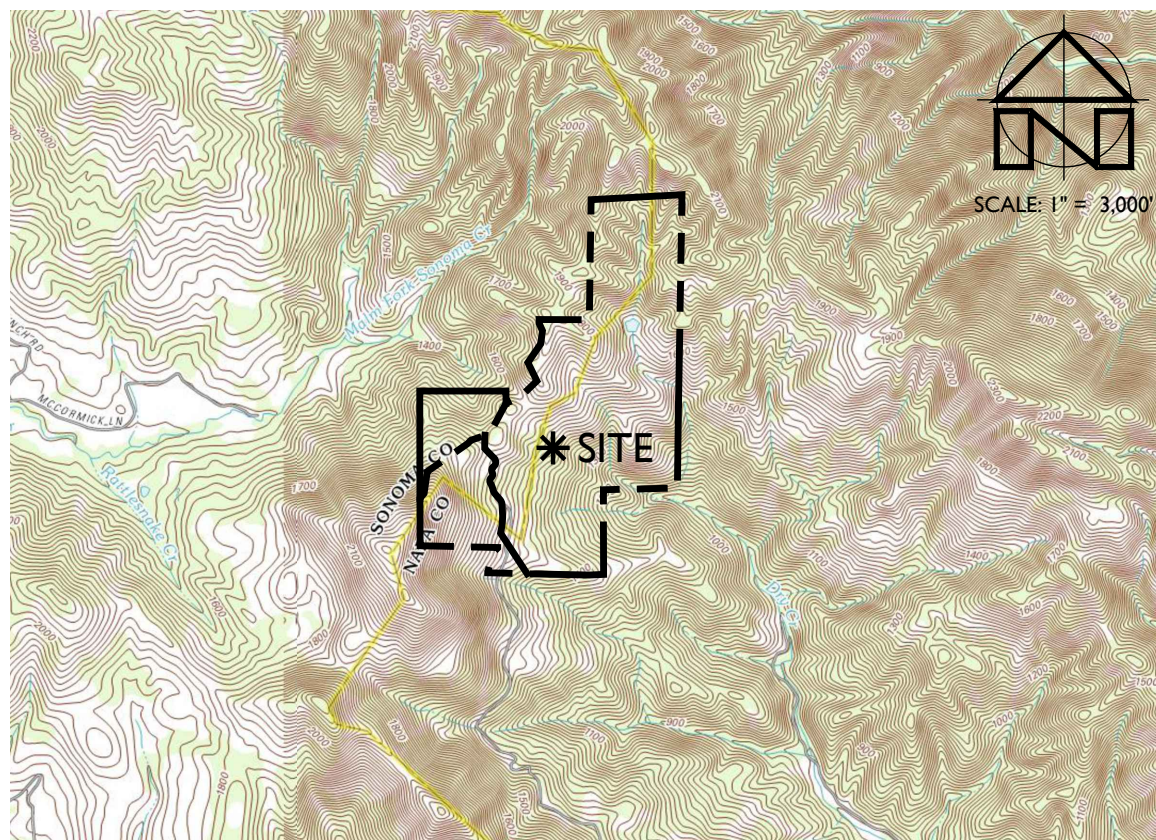
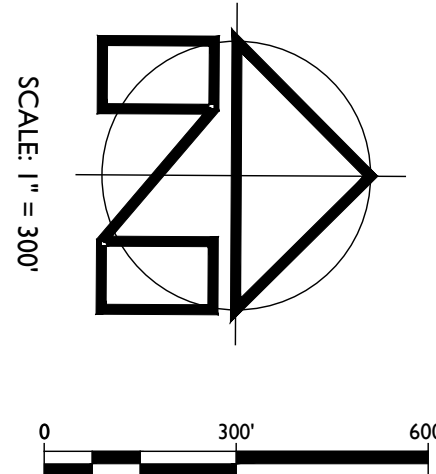
TESSERON VINEYARDS WINERY

CONCEPTUAL SITE IMPROVEMENT PLANS



OVERALL SITE PLAN

SCALE: 1" = 300'



LOCATION MAP

SCALE: 1" = 3,000'

PROJECT INFORMATION:

PROPERTY OWNER & APPLICANT:
TESSERON VINEYARDS
POST OFFICE BOX 46
SAINT HELENA, CA 94574

SITE ADDRESS:
1000 WALL ROAD
NAPA, CA 94558

ASSESSOR'S PARCEL NUMBERS:
027-060-020, 027-060-022, 027-060-023 & 051-200-016

PARCEL SIZES:
224.00 ±, 43.26 ±, 42.23 ± & 24.00 ± ACRES

PROJECT SIZE:
2.0 ± ACRES

ZONING:
AGRICULTURAL (AW)

SHEET INDEX:

C1	OVERALL SITE PLAN
C2	DRIVEWAY PLAN STA 9+87 TO STA 20+75
C3	DRIVEWAY PLAN STA 20+75 TO STA 28+00
C4	DRIVEWAY PROFILE STA 9+75 TO STA 21+75
C5	DRIVEWAY PROFILE STA 21+75 TO STA 27+75
C6	WINERY DEMOLITION & CONCEPTUAL PLAN
C7	WATER TANK CONCEPTUAL PLAN
C8	STORMWATER CONTROL PLAN
C9	IMPERVIOUS SURFACE EXHIBIT

PROJECT DESCRIPTION:

THE PURPOSE OF THIS PROJECT IS ILLUSTRATE THE CONCEPTUAL NATURE OF THE SITE IMPROVEMENTS PROPOSED AS PART OF THE WINERY USE PERMIT APPLICATION.

FLOOD HAZARD NOTE:

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBERS 06055C0380E, 06055C0390E, EFFECTIVE DATE SEPTEMBER 26, 2008 AND 06097C0800E, EFFECTIVE DATE DECEMBER 2, 2008, THE PROJECT SITE IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA. SEE FIRM FOR ADDITIONAL INFORMATION.

NOTES:

- FADED BACKGROUND REPRESENTS EXISTING TOPOGRAPHIC FEATURES. TOPOGRAPHIC INFORMATION ON SHEET C1 WAS TAKEN FROM THE NAPA COUNTY GEOGRAPHIC INFORMATION SYSTEM DATABASE. TOPOGRAPHIC INFORMATION ON OTHER SHEETS WAS TAKEN FROM THE "MAP OF TOPOGRAPHY OF A PORTION OF THE LANDS OF 1100 WALL ROAD" PREPARED BY ALBION SURVEYS, INC., DATED APRIL 11, 2017 REVISED APRIL 25, 2022. APPLIED CIVIL ENGINEERING INCORPORATED ASSUMES NO LIABILITY REGARDING THE ACCURACY OR COMPLETENESS OF THE TOPOGRAPHIC INFORMATION.
- AERIAL PHOTOGRAPHS ARE NADIR IMAGES CAPTURED BY PICTOMETRY INTERNATIONAL DATED JULY 15, 2021 AND MAY NOT REPRESENT CURRENT CONDITIONS.
CONTOUR INTERVAL:
SHEET C1: FIVE (5) FEET, HIGHLIGHTED EVERY TWENTY FIVE (25) FEET.
OTHER SHEETS: ONE (1) FOOT, HIGHLIGHTED EVERY FIVE (5) FEET.
- BENCHMARK: NAVD 88
- THE PROPERTY LINES SHOWN ON THESE PLANS DO NOT REPRESENT A BOUNDARY SURVEY. THEY ARE APPROXIMATE AND ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

TREE REPLANTING MITIGATION NOTES:

- SEE SHEET C6 FOR TREE REMOVAL.
- REPLANT AT A 3:1 RATIO FOR ALL NATIVE TREES REMOVED IN THE AREA NOTED ON THIS SHEET.

TESSERON VINEYARDS WINERY

CONCEPTUAL SITE IMPROVEMENT PLANS
OVERALL SITE PLAN

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE:
APRIL 22, 2025

REVISIONS: BY:
1/3/2023 BT
PLAN CHECK REVISIONS
4/22/2025 BT
DRIVEWAY REVISIONS

JOB NUMBER:
17-108

FILE:
17-108CONC_OSP.DWG

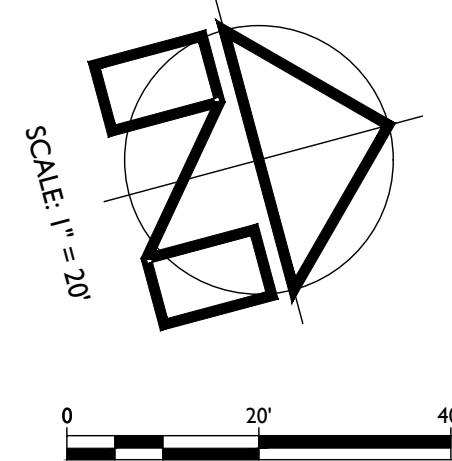
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24" X 36"

SHEET NUMBER:

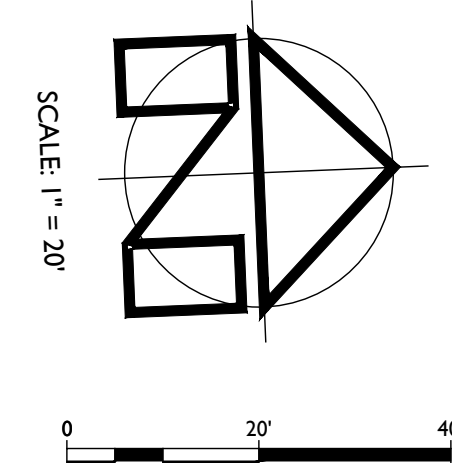
C1

OF

9



SCALE: 1" = 20'



SCALE: 1" = 20'

TESSERON VINEYARDS WINERY
CONCEPTUAL SITE IMPROVEMENT PLAN
DRIVEWAY PLAN STA 9+87 TO STA 20+75

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE: APRIL 22, 2025

REVISIONS:	BY:
1/3/2023	BT
PLAN CHECK REVISIONS:	

4/22/2025 BT
DRIVEWAY REVISIONS

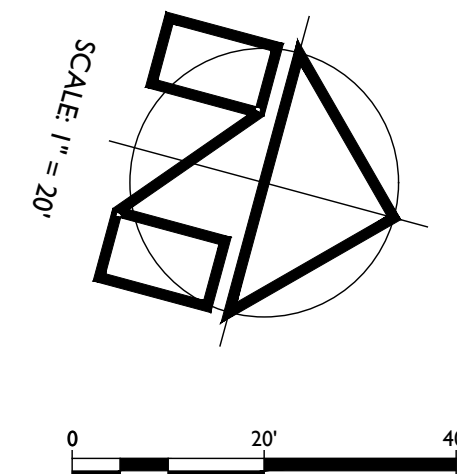
JOB NUMBER:
17-108

FILE:
17-108CONC P&P.DWG

ORIGINAL SIZE:
24" X 36"

SHEET NUMBER:

C2



DRIVEWAY PLAN STA 20+75 TO STA 26+00
SCALE: 1" = 20'

TESSERON VINEYARDS WINERY

◆

CONCEPTUAL SITE IMPROVEMENT PLANS
DRIVEWAY PLAN STA 20+75 TO STA 28+00

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE: APRIL 22, 2025

REVISIONS:	BY:
1/3/2023	BT
PLAN CHECK REVISIONS:	

4/22/2025 BT
DRIVEWAY REVISIONS

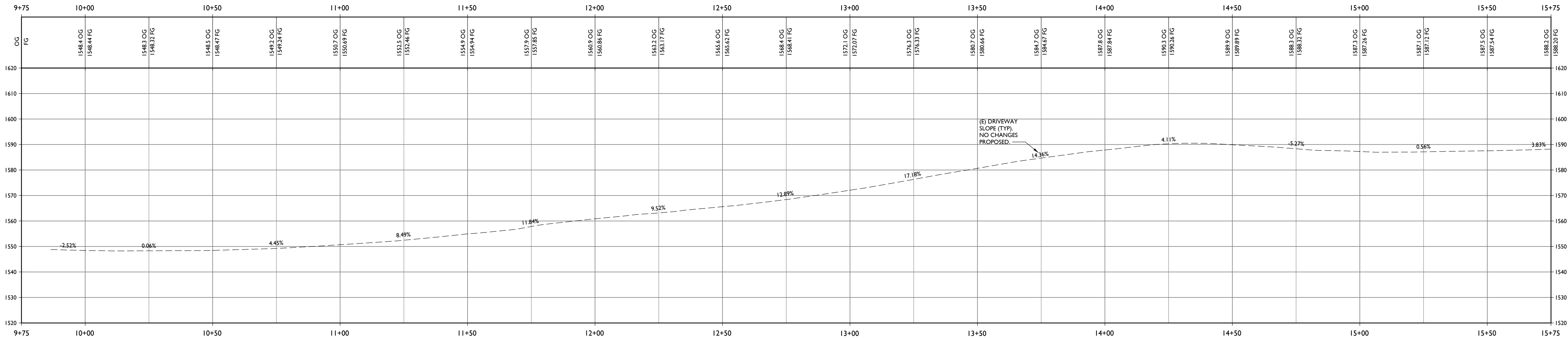
JOB NUMBER:
17-108

FILE:
17-108CONC P&P.DWG

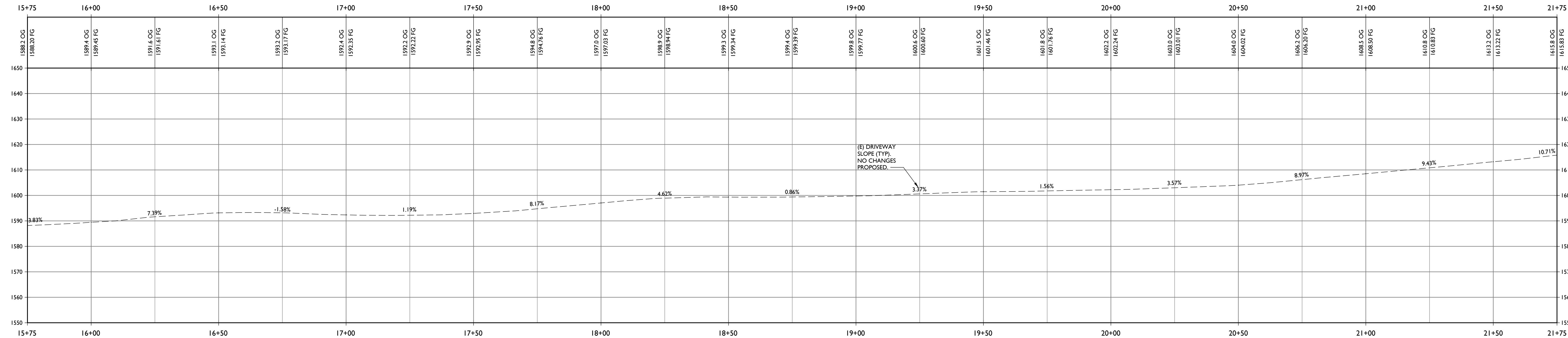
ORIGINAL SIZE:
24" X 36"

SHEET NUMBER:

C3



DRIVEWAY PROFILE STA 9+75 TO STA 15+75
SCALE: 1" = 20'



DRIVEWAY PROFILE STA 15+75 TO STA 21+75
SCALE: 1" = 20'

TESSERON VINEYARDS WINERY
CONCEPTUAL SITE IMPROVEMENT PLANS
DRIVEWAY PROFILE STA 9+75 TO STA 21+75

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE:
APRIL 22, 2025

REVISIONS: BY:
1/3/2023 BT
PLAN CHECK REVISIONS

4/22/2025 BT
DRIVEWAY REVISIONS

JOB NUMBER:
17-108

FILE:
17-108CONC_P&P.DWG

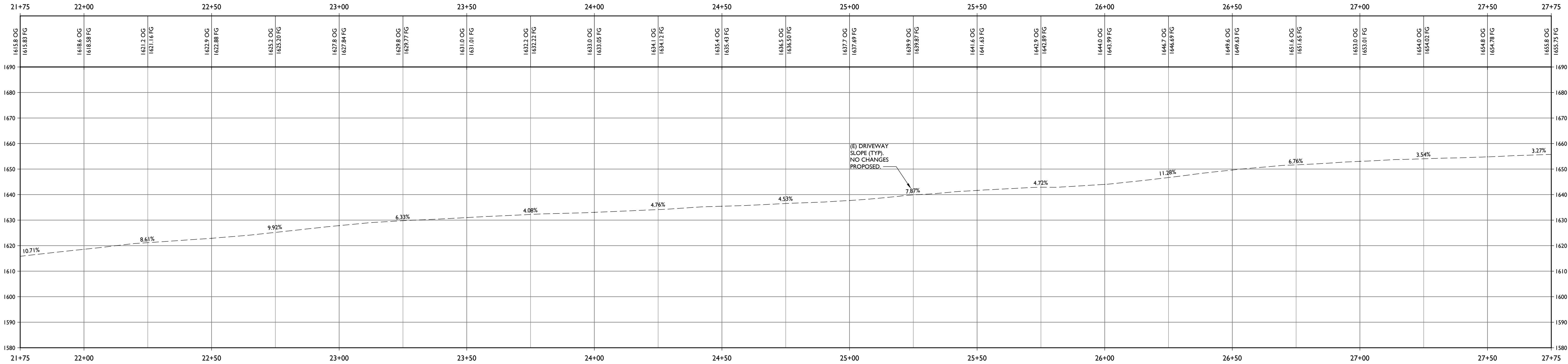
ORIGINAL SIZE:
24" X 36"

SHEET NUMBER:

C4

OF

9



DRIVEWAY PROFILE STA 21+75 TO STA 27+75
SCALE: 1" = 20'

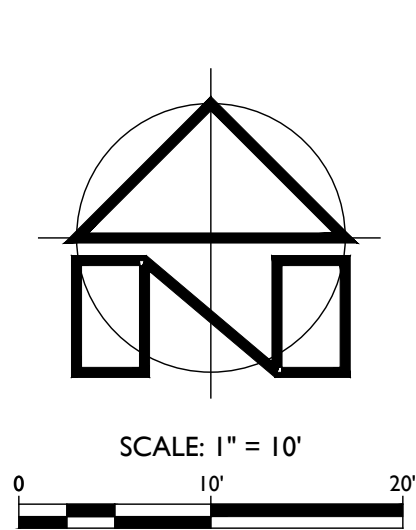
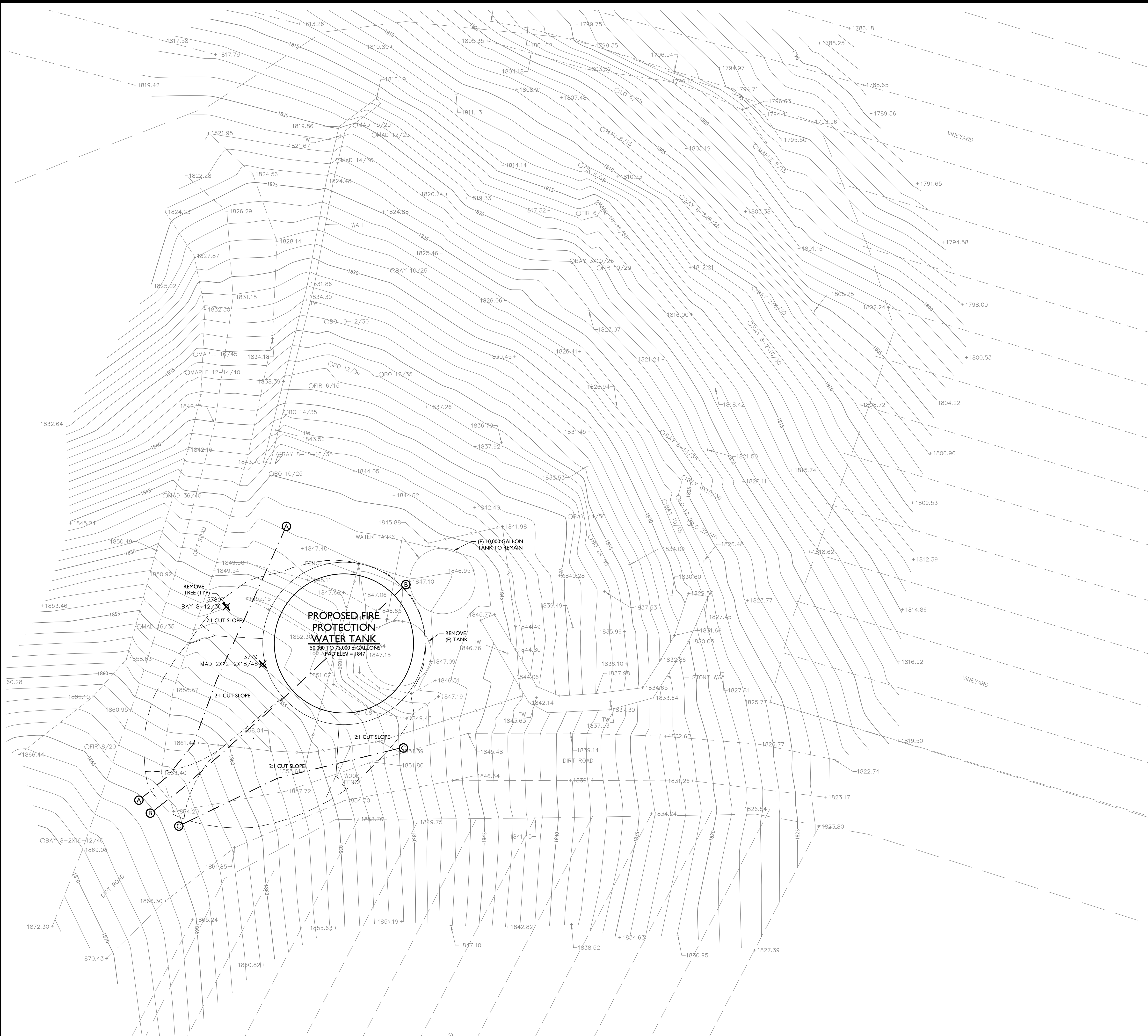
TESSERON VINEYARDS WINERY
CONCEPTUAL SITE IMPROVEMENT PLANS
DRIVEWAY PROFILE STA 21+75 TO STA 27+75

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY: BT DRAFTING	
CHECKED BY: MRM	
DATE: APRIL 22, 2025	
REVISIONS:	BY:
1/3/2023	BT
PLAN CHECK REVISIONS	
4/22/2025	BT
DRIVEWAY REVISIONS	

JOB NUMBER: 17-108
FILE: 17-108CONC_P&P.DWG
ORIGINAL SIZE: 24" X 36"
SHEET NUMBER:



SLOPE SECTIONS	
A - A	27 %
B - B	25 %
C - C	28 %
AVERAGE	27 %

LEGEND:

⊗ — — — ⊗ SLOPE SECTION. SEE TABLE, THIS SHEET.

WATER TANK CONCEPTUAL PLAN
SCALE: 1" = 10'

TESSERON VINEYARDS WINERY
CONCEPTUAL SITE IMPROVEMENT PLANS
WATER TANK CONCEPTUAL PLAN

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE:
APRIL 22, 2025

REVISIONS: BY:
1/3/2023 BT
PLAN CHECK REVISIONS

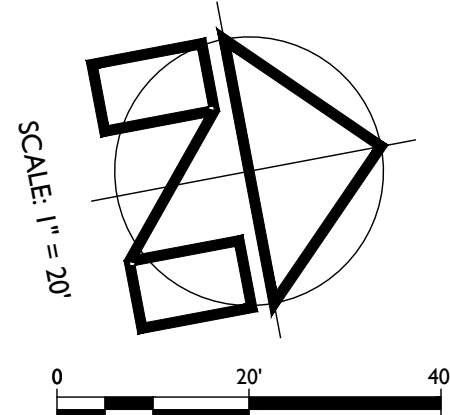
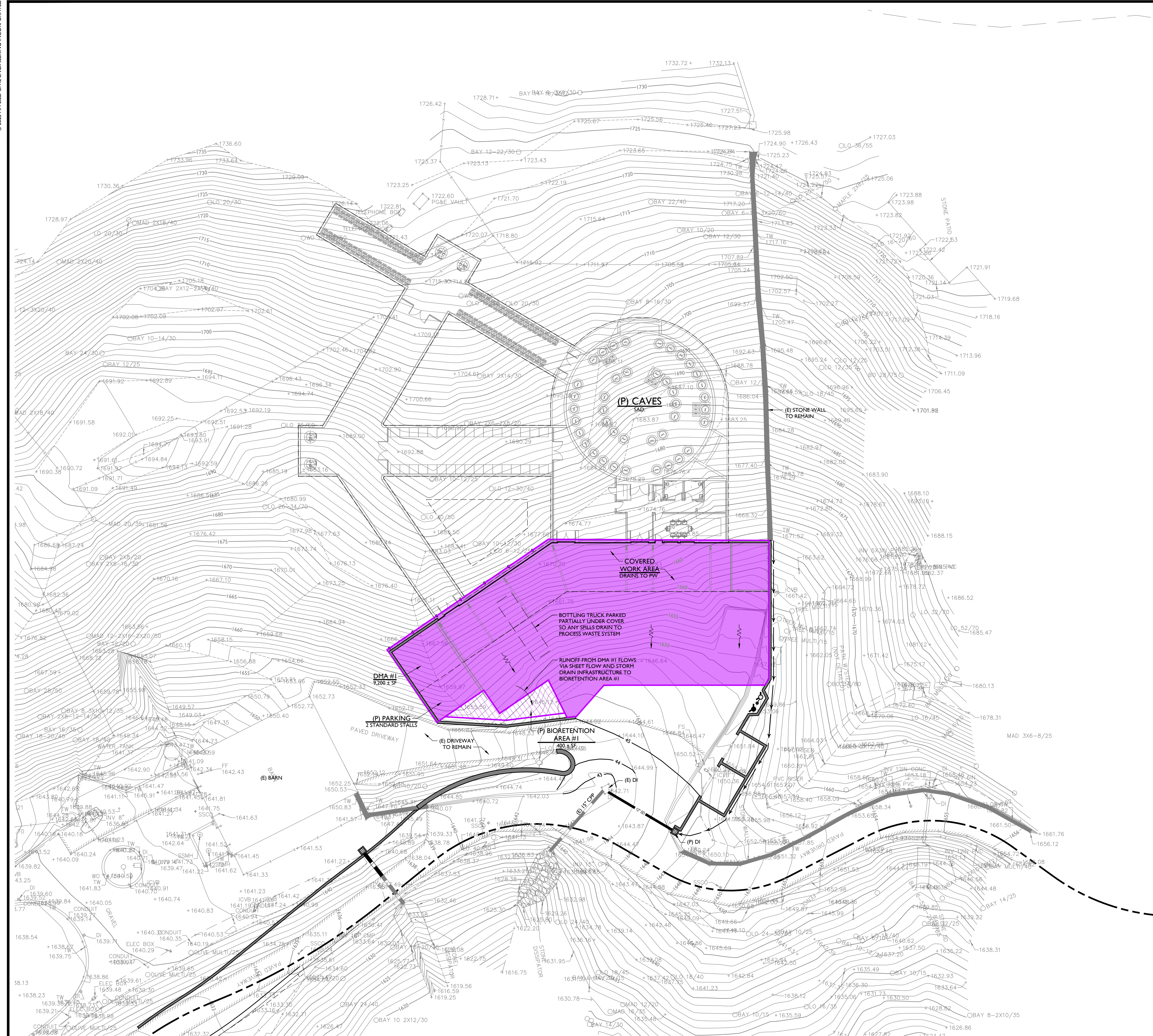
2/ 4/22/2025 BT
DRIVEWAY REVISIONS

JOB NUMBER:
17-108

FILE:
17-108CONC_SITE.DWG

ORIGINAL SIZE:
24" X 36"

SHEET NUMBER:



DRAINAGE MANAGEMENT AREAS (SQ FT)	
DMA AREA	#1
PERVIOUS AREA	0
IMPERVIOUS AREA	9,200 ±
TOTAL	9,200 ±

DMA LEGEND:

- SHEET FLOW DIRECTION
- IMPERVIOUS AREA (COLOR VARIES BY DMA)
- BIORETENTION AREA (COLOR VARIES BY DMA)

PROPOSED SURFACE LEGEND:

- LIGHT DUTY PCC
- DECOMPOSED GRANITE
- LANDSCAPE WALL

STORMWATER CONTROL PLAN
SCALE: 1" = 20'

TESSERON VINEYARDS WINERY
CONCEPTUAL SITE IMPROVEMENT PLANS
STORMWATER CONTROL PLAN

PREPARED UNDER THE DIRECTION OF:



DRAWN BY:	BT DRAFTING
CHECKED BY:	MRM
DATE:	APRIL 22, 2025
REVISIONS:	BY:
1/3/2023	BT
PLAN CHECK REVISIONS	
4/22/2025	BT
DRIVEWAY REVISIONS	

JOB NUMBER:	17-108
FILE:	17-108CONC_SCP.DWG
ORIGINAL SIZE:	24" X 36"
SHEET NUMBER:	



IMPERVIOUS SURFACE EXHIBIT
SCALE: 1" = 50'

IMPERVIOUS SURFACE SUMMARY				
	PRE-PROJECT AREA (SF)	NEW AREA (SF)	*RECONSTRUCTED AREA (SF)	TOTAL NEW AND RECONSTRUCTED AREA (SF)
			A	B
TOTAL IMPERVIOUS AREAS	28,522 ±	28,939 ±	2,745 ±	0

*RECONSTRUCTED AREAS (A) ARE EXISTING IMPERVIOUS SURFACES THAT ARE BEING REPLACED WITH NEW IMPERVIOUS SURFACES.
RECONSTRUCTED AREAS (B) ARE EXISTING IMPERVIOUS SURFACES THAT ARE BEING REPLACED WITH PERVIOUS SURFACES.

- 1.22 ± ACRES
(53,134 ± SF)

(P) WINERY COVERAGE AREA
- 0.08 ± ACRES
(3,726 ± SF)

(P) WINERY DEVELOPMENT AREA

TESSERON VINEYARDS WINERY
CONCEPTUAL SITE IMPROVEMENT PLANS
IMPERVIOUS SURFACE EXHIBIT

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE:
APRIL 22, 2025

REVISIONS: BY:
1/3/2023 BT
PLAN CHECK REVISIONS

4/22/2025 BT
DRIVEWAY REVISIONS

JOB NUMBER:
17-108

FILE:
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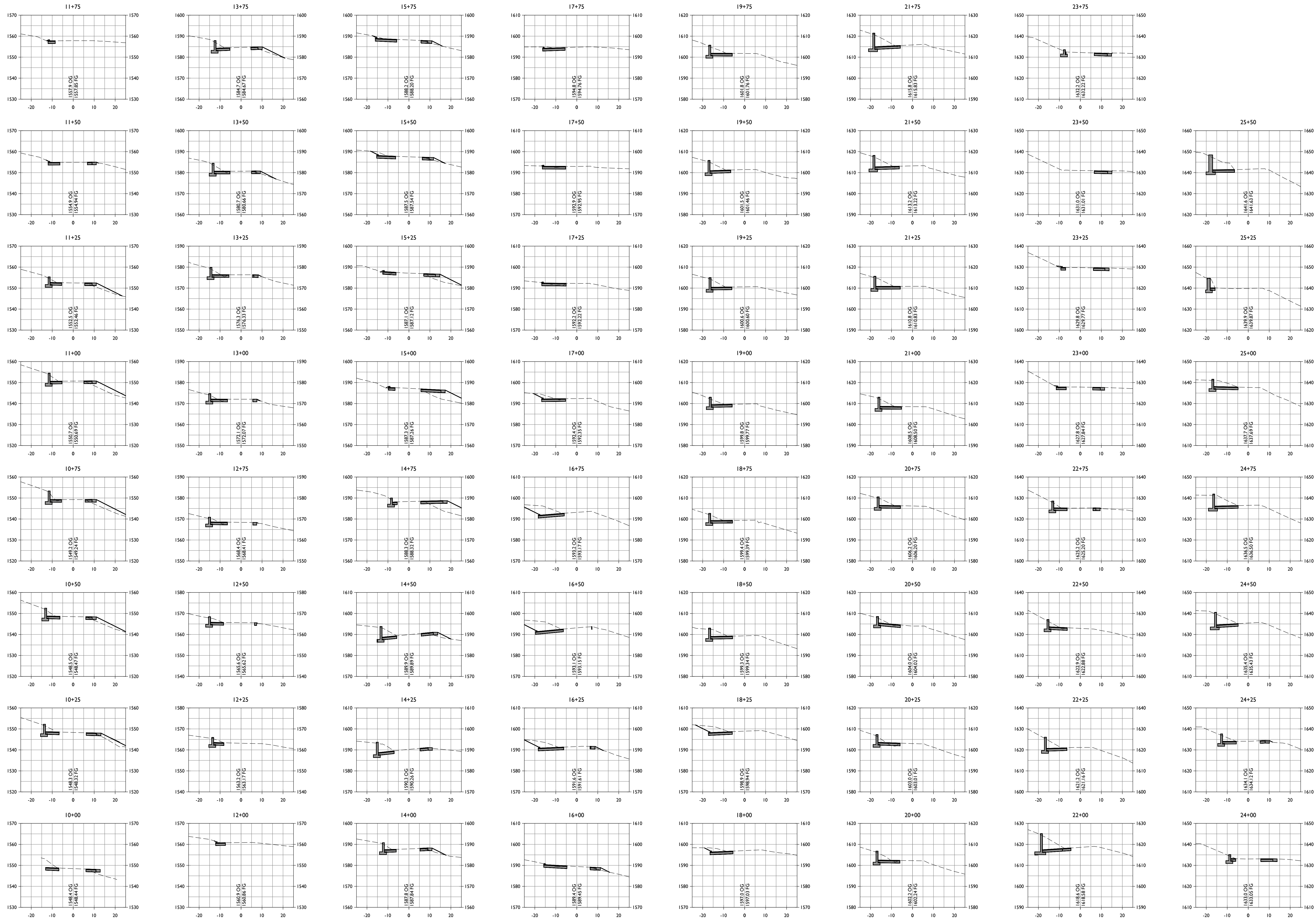
ORIGINAL SIZE:
24" X 36"

SHEET NUMBER:

C9

OF

9



DRIVEWAY CROSS SECTIONS
STA 10+00 TO STA 27+75

SCALE: 1" = 20'

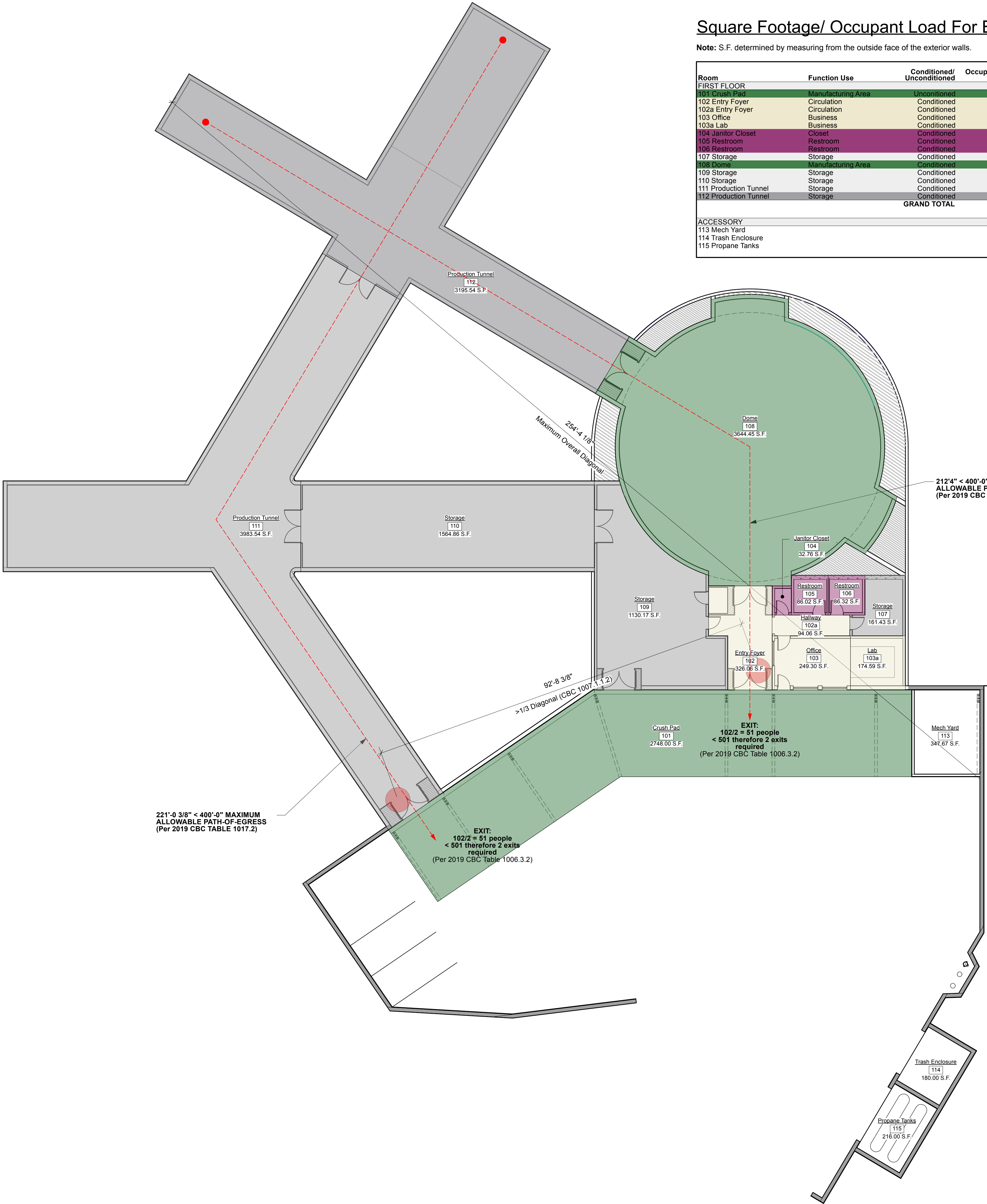
TESSERON VINEYARDS WINERY
CONCEPTUAL SITE IMPROVEMENT PLANS
DRIVEWAY CROSS SECTIONS STA 10+00 TO STA 27+75

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING
CHECKED BY:
MRM
DATE:
APRIL 22, 2025
REVISIONS:
1/3/2023 BT
PLAN CHECK REVISIONS
4/22/2025 BT
DRIVEWAY REVISIONS

JOB NUMBER:
17-108
FILE:
17-108CONC_XSEC.DWG
ORIGINAL SIZE:
24" X 36"
SHEET NUMBER:



Square Footage/ Occupant Load For Egress & Plumbing

Note: S.F. determined by measuring from the outside face of the exterior walls.

Room	Function Use	Conditioned/Unconditioned	Occupancy Type	Square Footage	Egress Square Factor	Plumbing Square Factor	Egress Occupant Load	Plumbing Occupant Load
FIRST FLOOR								
101 Crush Pad	Manufacturing Area	Unconditioned	N/A	2748.00	100	5000	27	1
102 Entry Foyer	Circulation	Conditioned	B	326.06	150	200	2	2
102a Entry Foyer	Circulation	Conditioned	B	94.06	150	200	1	0
103 Office	Business	Conditioned	B	249.30	150	200	2	1
103a Lab	Business	Conditioned	B	174.59	150	200	1	1
104 Janitor Closet	Closet	Conditioned	N/A	32.76	--	--	0	0
105 Restroom	Restroom	Conditioned	N/A	86.02	--	--	0	0
106 Restroom	Restroom	Conditioned	N/A	86.32	--	--	0	0
107 Storage	Storage	Conditioned	S-2	161.43	300	5000	1	0
108 Dome	Manufacturing Area	Conditioned	F-2	3644.45	100	5000	36	1
109 Storage	Storage	Conditioned	S-2	1130.17	300	5000	4	0
110 Storage	Storage	Conditioned	S-2	1564.86	300	5,000	5	0
111 Production Tunnel	Storage	Conditioned	S-2	3983.54	300	5,000	13	1
112 Production Tunnel	Storage	Conditioned	S-1	3195.54	300	5,000	11	1
GRAND TOTAL				17477.10			103	8
ACCESSORY								
113 Mech Yard				347.67				
114 Trash Enclosure				180.00				
115 Propane Tanks				216.00				

MH ARCHITECTS

2325 3rd st. studio 426
san francisco, ca 94107
info@matthollis.com
matthollis.com
415 977 0194



WALL ROAD WINERY

CONCEPTUAL PLANS OF NEW CAVE

1100 Wall Road,
Napa, CA 94558
APN: 027-060-020-000

PUBLISH

DATE

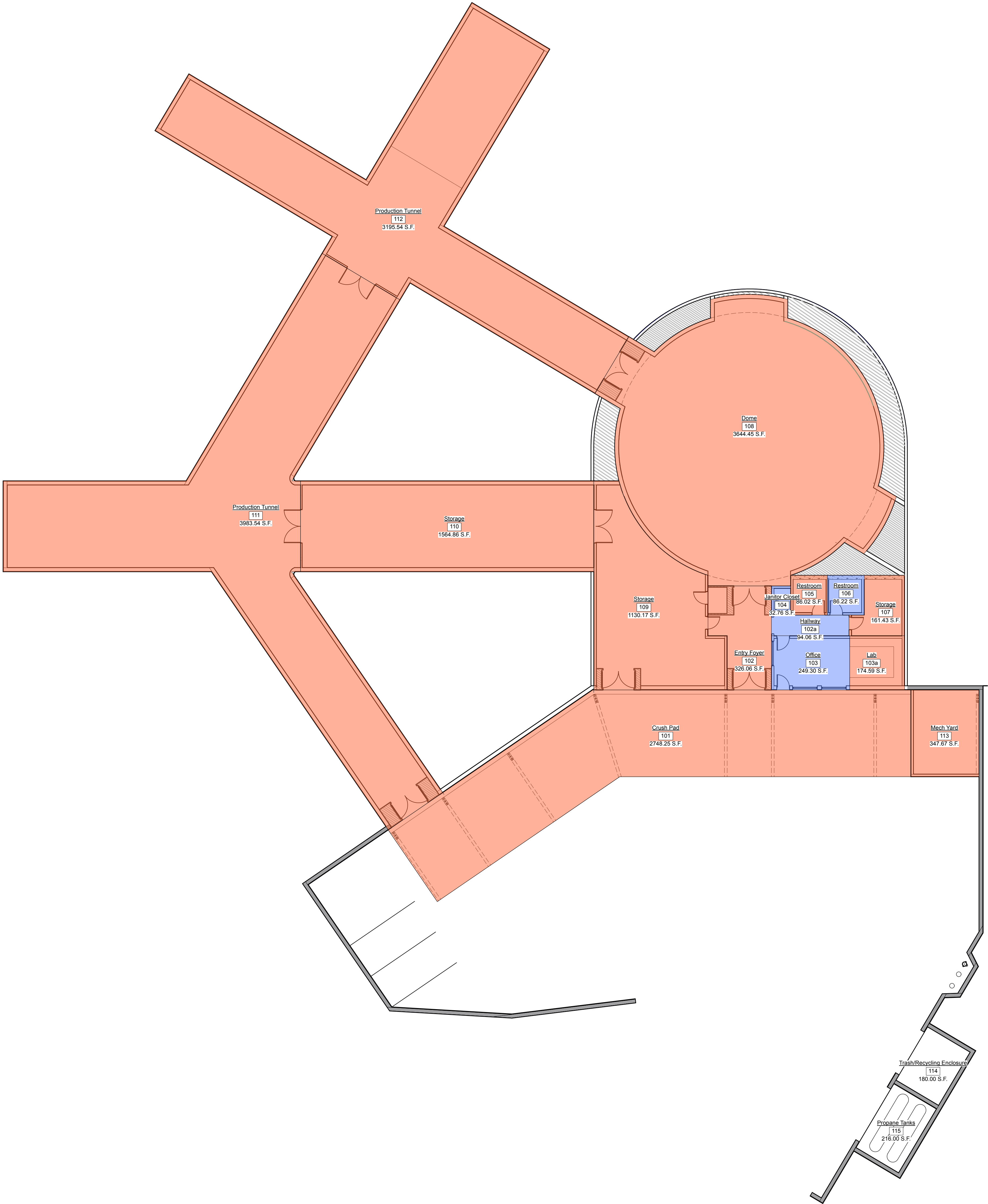
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Date: 06.02.2025
Drawn by:
Project No: 2204
Scale:

Occupancy & Egress

SHEET NO:

A0.04



CAVE AND CRUSH PADS	
Type II - Guided Tours Only	
natural or manmade caves used for the storage and/or processing of wine at a winery facility. Type 2 winery caves are accessible to the public on guided tours only.	
Cave Area (Production)	SF
102 Entry Foyer	326.06
103a Lab	174.59
105 Restroom	86.02
107 Storage	161.43
108 Fermentation Dome	3644.45
109 Dry Goods Storage	1130.17
110 Case Good Storage	1564.86
111 Label Tunnel	3983.54
112 Barrel Storage	3195.54
	14266.66
Cave Area (Accessory)	
102a Hallway	94.06
103 Office	249.30
104 Janitor Closet	32.76
106 Restroom	86.22
	462.34
CAVE AREA TOTAL	14729.00
Covered Crush Pad Area	
101 Crush Pad	2748.25
113 Mech Yard	347.67
	3095.92
Uncovered Crush Pad Area	
114 Trash/Recycling Enclosure	180.00
115 Propane Tanks	216.00
	396.00



MH ARCHITECTS
2325 3rd st. studio 426
san francisco, ca 94107
info@matthollis.com
matthollis.com
415 977 0194



WALL ROAD WINERY
CONCEPTUAL PLANS OF NEW CAVE

1100 Wall Road,
Napa, CA 94558
APN: 027-060-020-000

PUBLISH

DATE

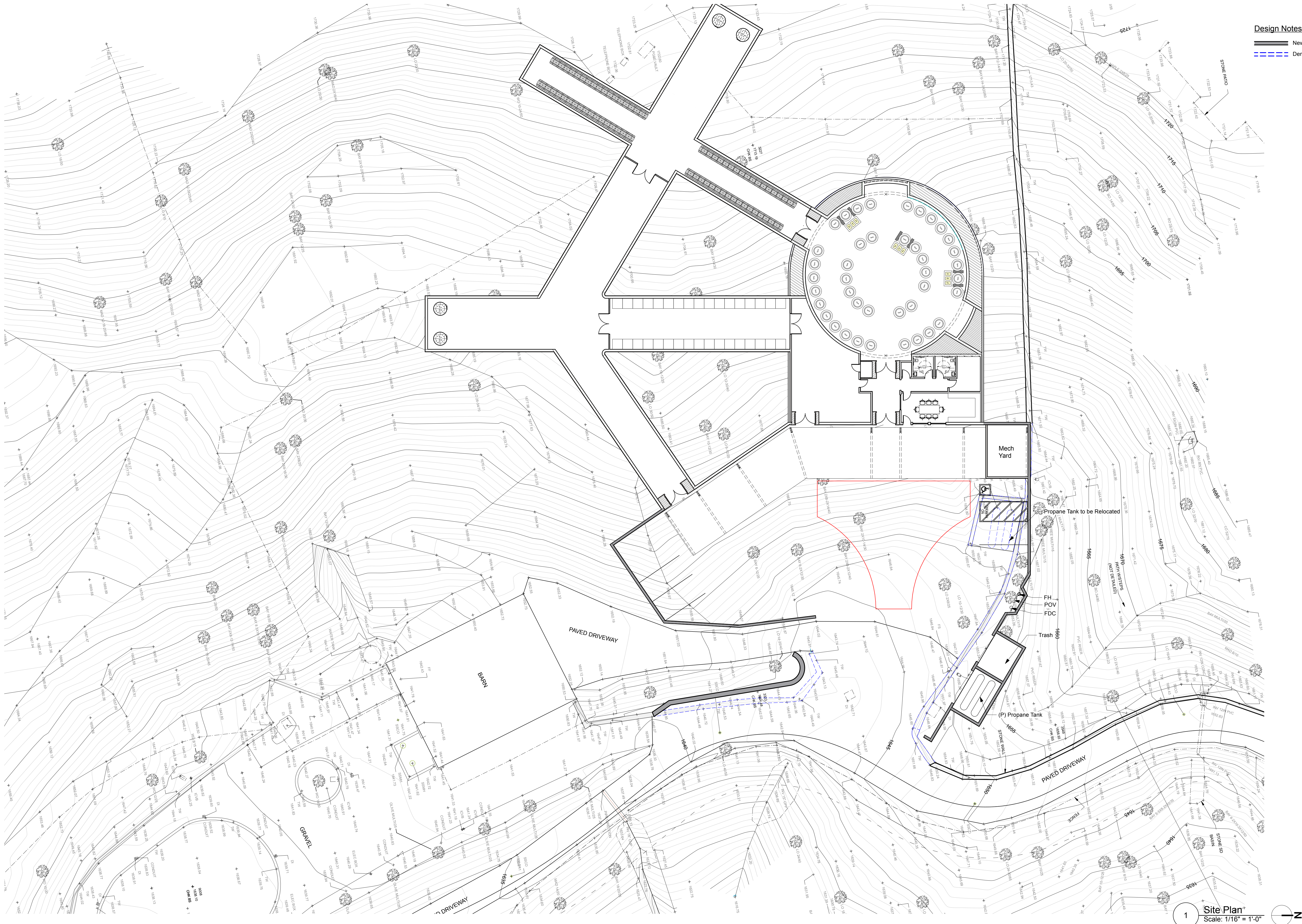
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Date: 06.02.2025
Drawn by:
Project No: 2204
Scale:

Caves & Crush Pads

SHEET NO:

A0.05



Design Notes:
New
Demo

MH ARCHITECTS
2325 3rd st. studio 426
san francisco, ca 94107
info@matthollis.com
matthollis.com
415 977 0194

LICENSED ARCHITECT
MATT HOLLIS
7-2325
DATE: 10/30/2025
NOT FOR CONSTRUCTION
OF CALIFORNIA

WALL ROAD WINERY
CONCEPTUAL PLANS OF NEW CAVE
1100 Wall Road,
Napa, CA 94558
APN: 027-060-020-000

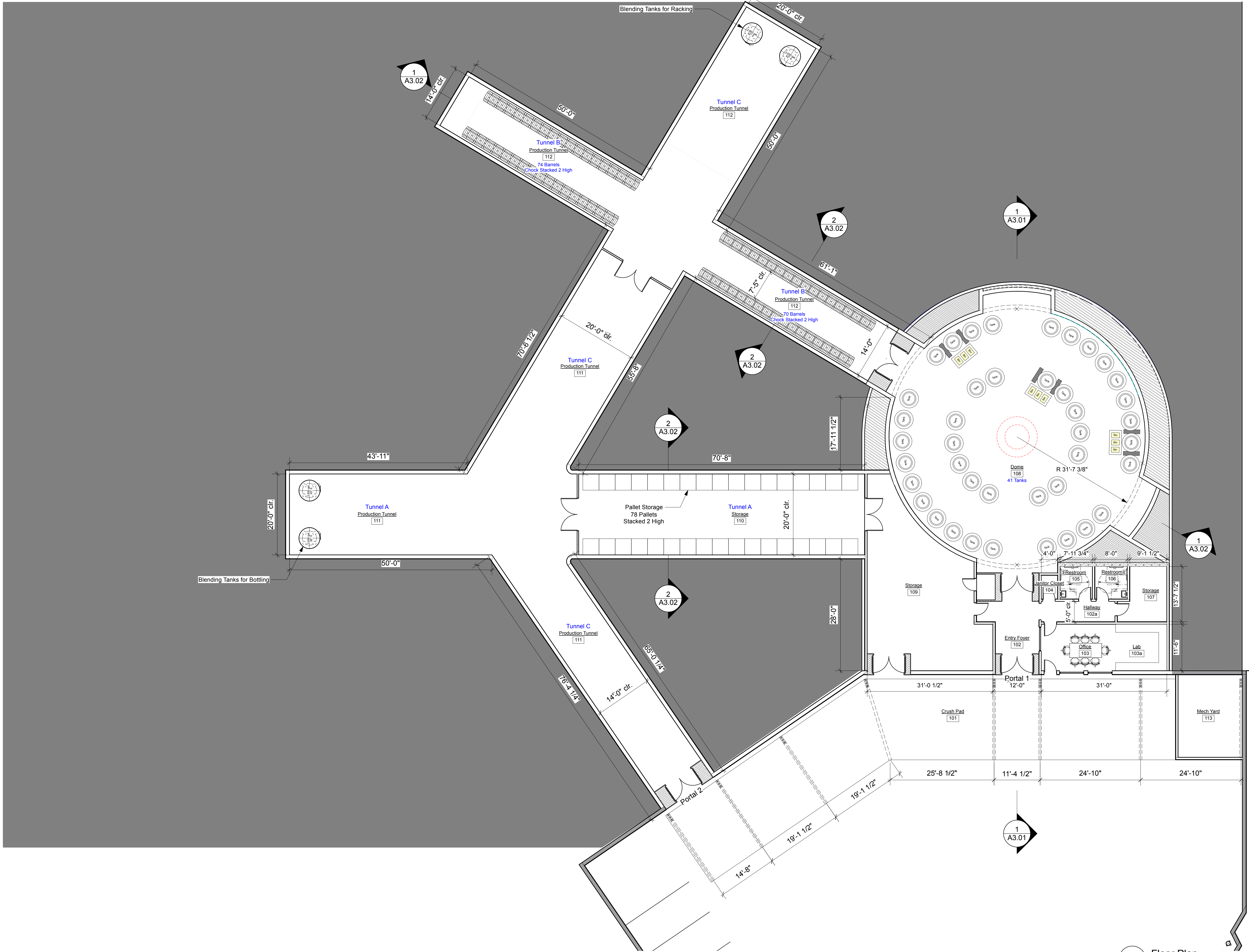
PUBLISH DATE

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Date: 06.02.2025
Drawn by:
Project No: 2204
Scale:

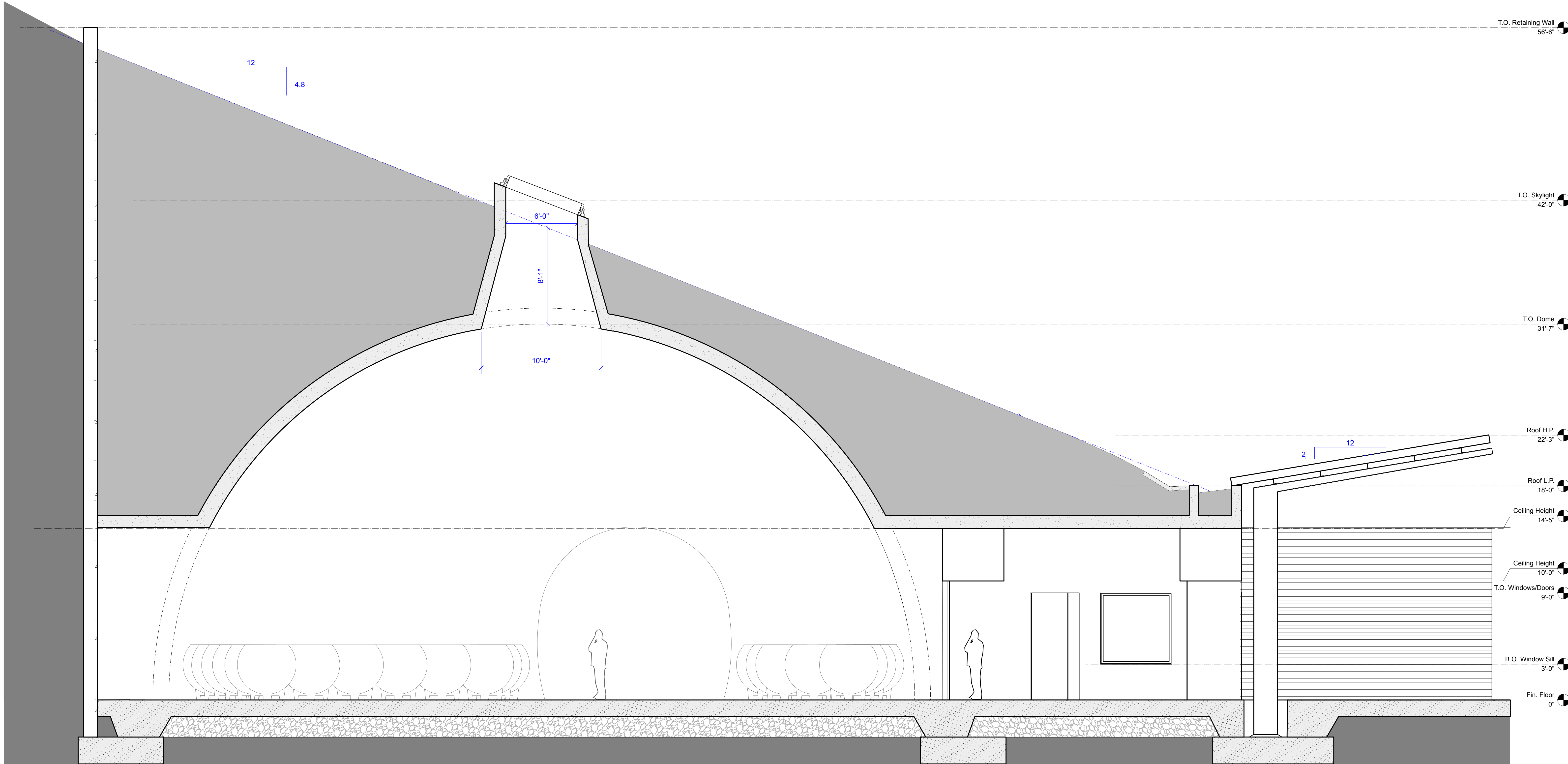
Site Plan

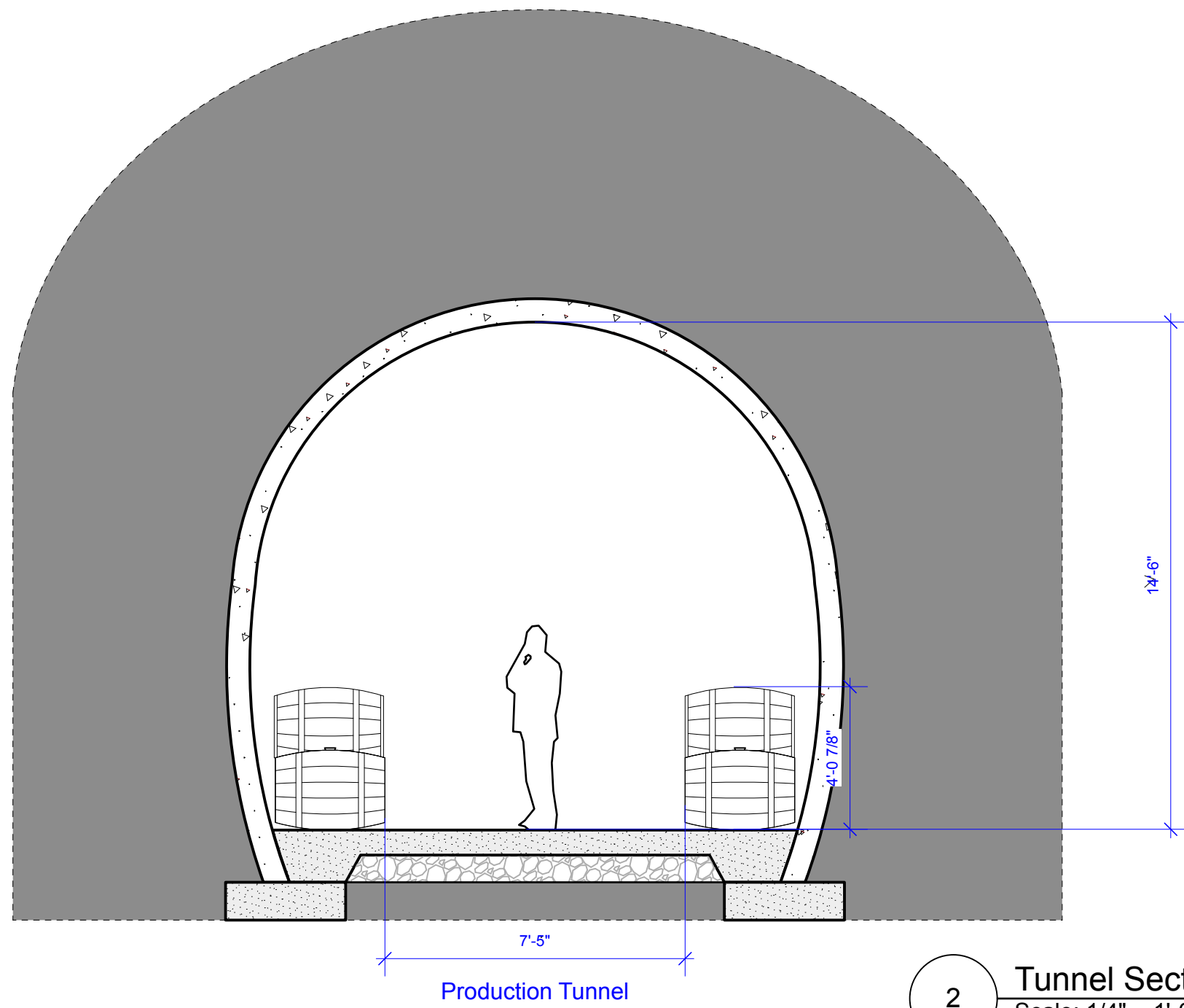
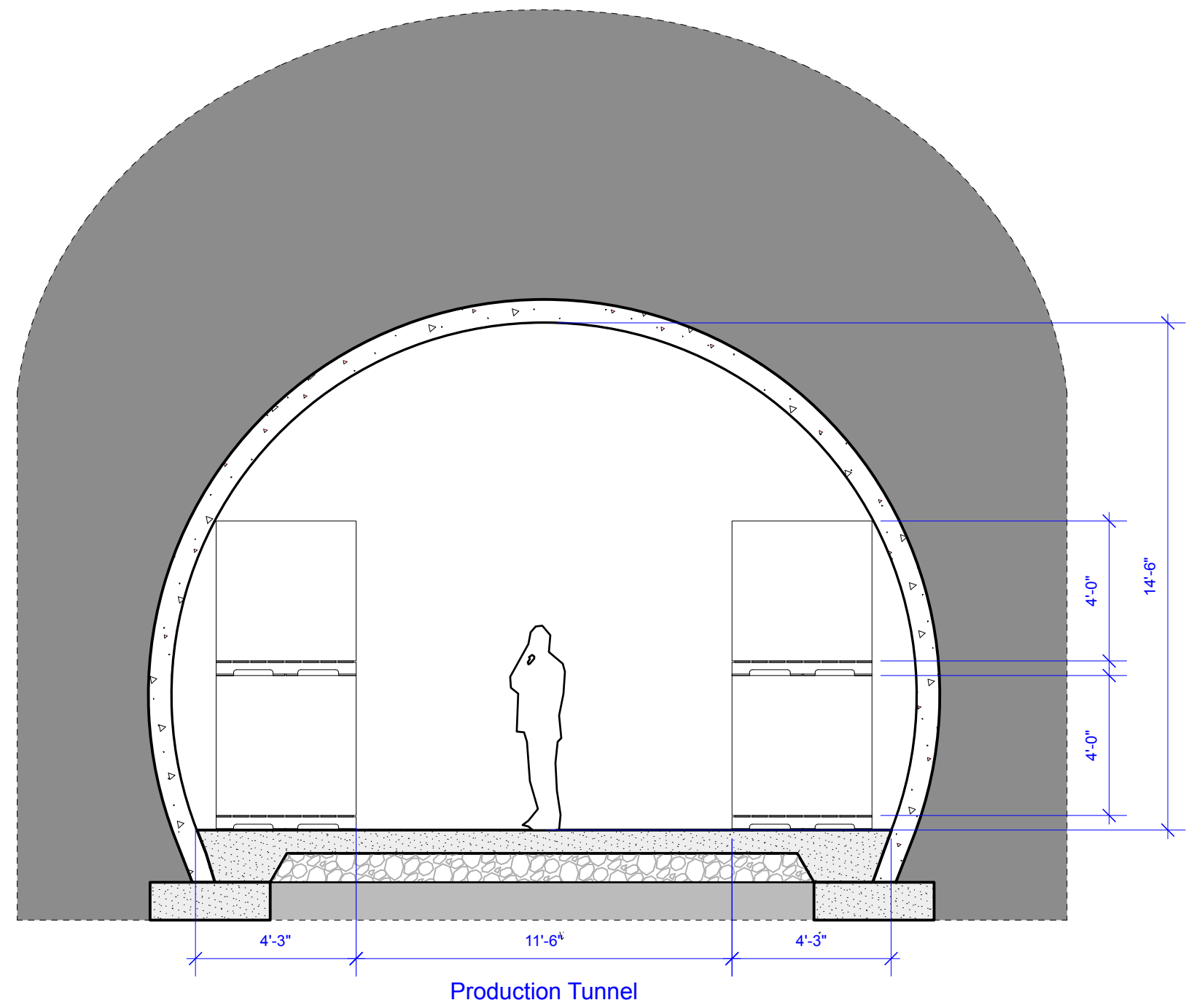
SHEET NO:
A0.09

1 Site Plan
Scale: 1/16" = 1'-0"

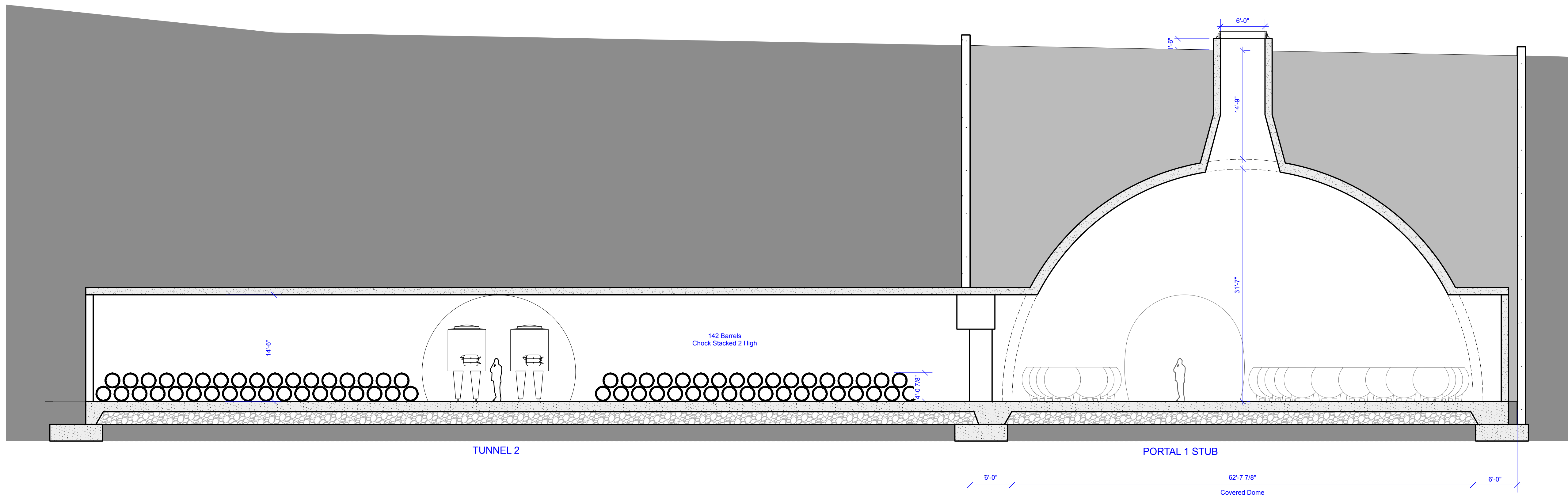


1 Floor Plan
Scale: 3/32" = 1'-0"





2 Tunnel Section
Scale: 1/4" = 1'-0"



1 Section
Scale: 1/8" = 1'-0"

“F”

Water Availability
Analysis (WAA) and
Addenda

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025

August 2, 2022

Meaghan Becker
c/o Tesseron Vineyards
1100 Wall Road
Napa, CA 94558

**Subject: Water Availability Analysis
Tesseron Vineyards – Proposed Winery**

Dear Ms. Becker:

Provost & Pritchard Consulting Group (P&P) prepared this Water Availability Analysis (WAA) for the proposed winery at Tesseron Vineyards (Project), located at 1100 Wall Road in Napa County, CA (see **Attachment 1** for a Site Map and **Attachment 2** for a Vicinity Map). This WAA was prepared in accordance with the Napa County Water Availability Analysis – Guidance Document (Guidance), adopted May 12, 2015. The work was overseen by a California Professional Geologist.

Tesseron Vineyards is in the process of obtaining approval from the Napa County Planning Department to construct and operate a new winery. This WAA evaluates the available water supplies from an existing spring to provide estimated water demands for the new winery.

This WAA includes a Tier 1 analysis as required by the Guidance Document. The first tier of the WAA, Tier 1 – Water Use, is required by all WAAs and analyzes the Project's groundwater use and the estimated groundwater recharge from precipitation for the project site. In this case the water supply will come entirely from a natural spring.

Tier 2 – Well and Spring Interference and Tier 3 – Groundwater/Surface Water Interaction are not included at this time because no groundwater pumping is currently proposed to meet project winery water demands.

Using methods in the WAA, P&P concludes that estimated water use from the spring will not exceed the natural recharge on the Project parcels even in dry years.

Narrative of Proposed Project

The project site is located on an approximately 654-acre estate consisting of six separate parcels (see **Attachment 1**). The four parcels in Napa County cover 608 acres, and the two parcels in Sonoma County cover 46 acres.

The site is located in Napa County in the Mayacamas Range, near the Sonoma County Border. The project is in the Dry Creek watershed and the Western Mountains Groundwater Subarea. See **Attachment 2** for a project vicinity map.

The proposed project includes construction and operation of a new winery that would produce up to 20,000 gallons of wine each year. There are no plans for tasting rooms, banquets or general public visitor access to the winery.

Water would be acquired from an existing spring (see spring at southern end of property on **Attachment 1 – Site Plan**). Water from the spring is collected and stored in two 10,000 gallon tanks. There are at least two other spring on the estate but they will not be used for the project.

The project site has other water demands including residential usage and vineyard irrigation, but these are not part of this WAA analysis. These are existing demands that rely on other water sources. Future residential water demands will be met with an existing well, and vineyard demands are met with rainfall, and surface water rights for an on-site local stream that are typically used only for young plantings.

WATER USE CRITERION INCLUDING ESTIMATED RECHARGE

Water Use – Methods

To estimate the average and dry year annual recharge occurring on the project site, P&P used climate data from a 32-year record (1990-2021) listed in the California Irrigation Management Information System (CIMIS) for Station #77 - Oakville, located approximately 4 miles east of the project site. This precipitation data is summarized in **Attachment 3**. Records from 2018 were not used in the analysis due to suspect data including numerous zero readings during the wettest months. In addition, to eliminate data outliers, the wettest year (1995) and driest year (2013) were omitted in the analysis.

Normal (average year) and dry year annual rainfall at the Project site are 33.1 and 8.7 inches, respectively. The WAA guidance does not specify what defines a “dry” year, so the water year with the least precipitation since the dataset began (sans the outlier from 2013) was used, which was the year 2020.

Luhdorff and Scalmanini Consulting Engineers (LSCE) prepared a report in January 2013 entitled *Updated Hydrogeologic Conceptualization and Characterization of Conditions for Napa County*. The LSCE report includes criteria for estimating recharge from precipitation. Most of the analyses cover areas of the Napa Valley Floor, however the proposed winery is in a mountainous area, also called ‘All Other Areas’ in the Water Availability Analysis guidelines. The 2013 report extrapolated results from gaged watersheds within the Napa Valley area to other watersheds of Napa County outside of the Valley. The analysis concluded that these areas have recharge of ‘less than 10 percent of precipitation’ (page 106). Based on the presence of vegetation, agriculture, and several on-site spring, some recharge is certainly occurring on the estate. Using this guidance, a conservative recharge rate of 5 percent of the rainfall was used in the analysis. In comparison, recharge rates in Napa Valley range from 5% to 21% (page 99).

Water Use – Demand

The total water use for the winery includes employee uses, process water and water for wine production, and is estimated to be 0.5 AF/year. All of the water will come from the spring shown at

the southern end of the property on **Attachment 1**. The annual water demand estimate is summarized below:

Winery employees domestic water demands = 0.067 acre-feet

Winery Process water = 0.43 acre-feet

Total water demand = 0.497 acre-feet ~ 0.5 acre-feet

Refer to **Attachment 4** for details on the Tesseron Winery water use estimate. This attachment also documents existing demands for residential use and vineyard irrigation. The spring will not be used to meet either residential or vineyard irrigation demands.

According to the landowner, the spring has been flowing since at least 1993. Ray's Well Testing Services prepared a Spring Yield Test and System Inspection report on April 8, 2014. The flowrate was measured to be 4.3 gallons per minute and found to be consistent over a three-hour period. The spring flowrate was also measured to be 2.5 gallons/minute in March 2022 and 1.35 gallons per minute in May 2022. The spring flowrates are subject to seasonal changes and vary throughout the year. It is likely that the current flowrate is lower than historical values due to the current drought situation. The lower flow (1.35 gallons/minute) equates to 2.2 acre-feet per year. This lower flow provides 450% of the estimated winery water demands of 0.5 acre-feet/year. If the spring continues to provide this flowrate it will be able to meet the project water demands. No modifications are proposed to the spring. Utilizing the water that naturally flows out of the spring will not impact the spring yield or contribute to depletion of the water being supplied to the spring.

The spring directs water to two 10,000-gallon concrete tanks for temporary storage. According to the landowner, surplus spring water overflows the tanks or spreads out near the spring saturating the soil. No spring water has been observed leaving the estate parcels.

The spring has historically been used to meet residential water demands. As shown in **Attachment 4**, existing residential water use is estimated to be 1.35 acre-feet/year. The spring has reliably met these residential demands since at least January 2016 when the current landowner purchased the property. These demands will be switched over to an existing well so the spring is available solely for winery water demands. The residential demands of 1.35 acre-feet/year exceed the winery demands of 0.5 acre-feet per year, further illustrating that the spring has adequate supply for the proposed winery.

Estimated Recharge

The estimated recharge is based on the annual precipitation, project acreage, and percent of precipitation that infiltrates. As shown on **Attachment 1**, the total area of the estate parcels within Napa County is 607.85 acres. This results in the following estimate of recharge in normal and dry years:

Normal Year: $607.85 \text{ acres} \times 33.1 \text{ inches} \times 5\% = 84 \text{ acre-feet}$

Dry Year : $607.85 \text{ acres} \times 8.7 \text{ inches} \times 5\% = 22 \text{ acre-feet}$

These values both significantly exceed the estimated water demand of 0.5 acre-feet/year. In fact, using just the parcel where the winery is located (43.26 acres), and a 5% precipitation recharge rate, the recharge is 6.0 acre-feet for a normal year and 1.6 for a dry year. These values also exceed the estimated winery domestic and process water demands.

Limitations and Closure

The conclusions presented in this report are professional opinions based on limited information obtained at the time work was performed. If changes are made or errors found in the information used for this report, the interpretations and conclusions contained herein shall not be considered valid unless the charges or errors are reviewed by P&P and either appropriately modified or re-approved in writing. P&P's involvement in the work performed at this site has been limited to evaluating published data provided by State, County and private sources. P&P is not responsible for the accuracy and completeness of information collected and developed by others.

P&P prepared this report under the direct supervision of a Professional Geologist in the State of California. This report was prepared for Tesseron Vineyards. It is for the sole use of Client. The contents of this report may not be used or relied upon by any other person(s) without the express written consent and authorization of Client and P&P. Any questions regarding content of this document should be addressed to Owen Kubit at 559-449-2700.

Sincerely,



Owen Kubit, PE, PG, CHG
Principal Engineer / Geologist

Attachments

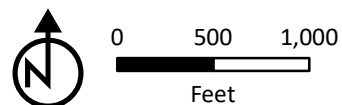
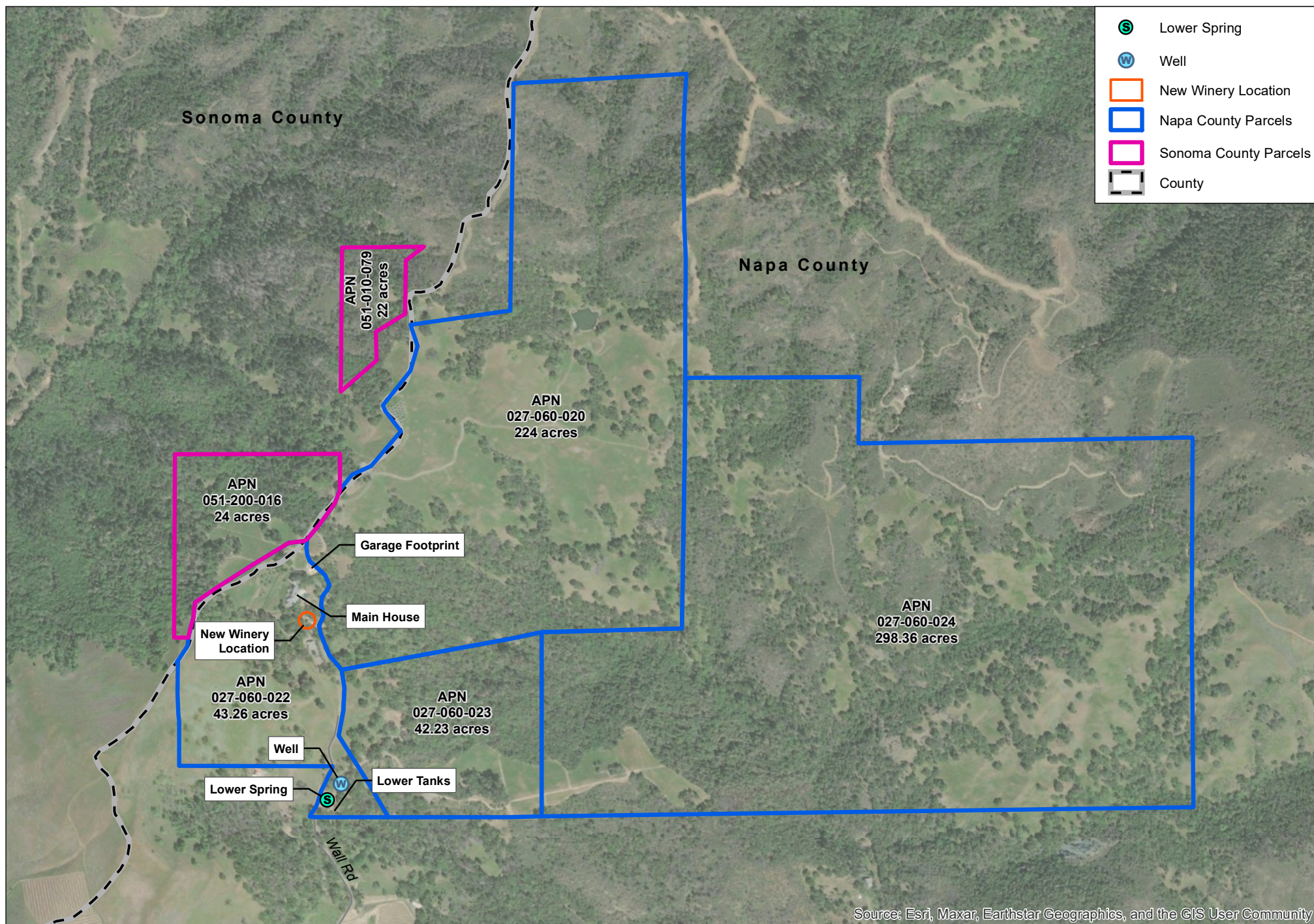
- Attachment 1 – Site Map
- Attachment 2 – Vicinity Map
- Attachment 3 – Precipitation Data
- Attachment 4 – Water Use Estimate



DATE SIGNED_ 8-2-22



Date Signed 8-2-22

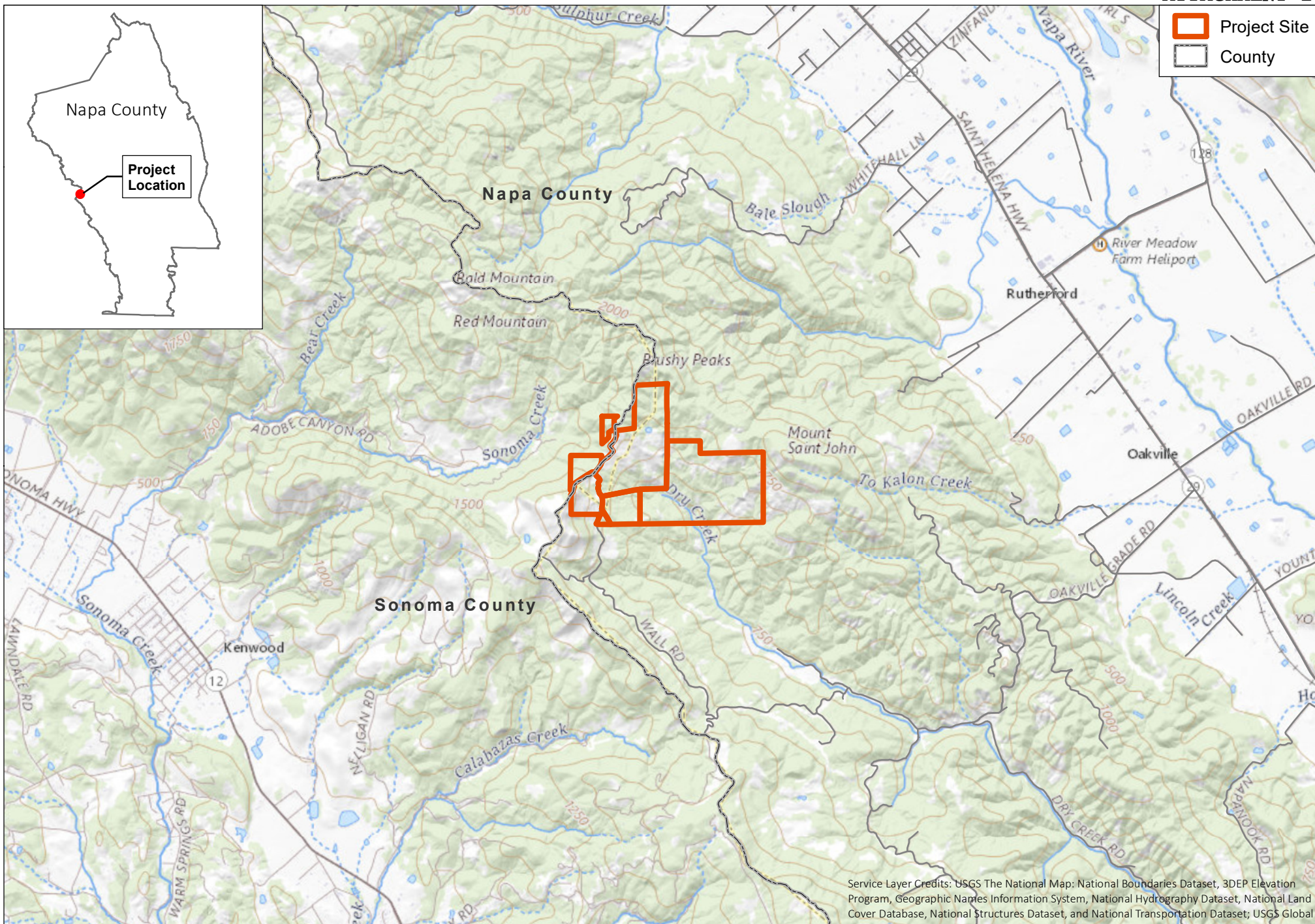


Site Map

Tesson Estate Water Availability Analysis – Napa County, CA

PROVOST &
PRITCHARD
165

-  Project Site
-  County



Service Layer Credits: USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global



Vicinity Map

Tesseron Estate Water Availability Analysis – Napa County, CA

**PROVOST &
PRITCHARD** 166

CIMIS Station 77 - Oakville
Historical Precipitation

Year	Precipitation (in)	
	CIMIS Value	Modified Dataset
1990	15.8	15.8
1991	27.5	27.5
1992	37.0	37.0
1993	38.6	38.6
1994	28.1	28.1
1995	62.3	Removed as outlier (high value)
1996	57.4	57.4
1997	29.9	29.9
1998	56.3	56.3
1999	24.8	24.8
2000	32.8	32.8
2001	44.0	44.0
2002	37.2	37.2
2003	35.9	35.9
2004	37.2	37.2
2005	43.5	43.5
2006	41.0	41.0
2007	19.4	19.4
2008	25.4	25.4
2009	29.6	29.6
2010	46.2	46.2
2011	34.0	34.0
2012	40.8	40.8
2013	6.0	Removed as outlier (low value)
2014	29.4	29.4
2015	12.4	12.4
2016	24.1	24.1
2017	36.5	36.5
2018	10.6	Removed due to suspect data
2019	39.8	39.8
2020	8.7	8.7
2021	27.1	27.1
Average		33.1
Driest Year		8.7

Notes:

Data acquired from CIMIS website: <https://cimis.water.ca.gov/>
 Weather Station located about 4 miles east of project site

**Tesseron Winery
Groundwater Use Estimate**

	Estimated Water Use (Acre-Feet / Year)		
	Existing		Proposed
Residential Water Use			
Primary Residence ⁽¹⁾ - Not Applicable	0.750		0.750
Pool ^(1A)	0.100		0.100
Second Dwelling Unit - Not Applicable	0.500		0.500
Guest Cottage - Not Applicable	0.000		0.000
Total Residential Domestic Water Use	1.350		1.350
Winery Domestic & Process Water Use			
Winery - Daily Visitors ⁽²⁾⁽³⁾	0.000		0.000
Winery - Events with Meals Prepared Onsite ⁽²⁾⁽⁴⁾	0.000		0.000
Winery - Events with Meals Prepared Offsite ⁽²⁾⁽⁵⁾	0.000		0.000
Winery - Employees ⁽²⁾⁽⁶⁾	0.000		0.067
Winery - Event Staff ⁽²⁾⁽⁶⁾	0.000		0.000
Winery - Process ⁽²⁾⁽⁷⁾	0.000		0.430
Total Winery Water Use	0.000		0.497
Irrigation Water Use			
Lawn ⁽⁸⁾	1.400		1.400
Other Landscape ⁽⁹⁾	1.000		1.000
Vineyard - Irrigation ⁽¹⁰⁾	0.000		0.000
Vineyard - Frost Protection - Not Applicable	0		0
Vineyard - Heat Protection - Not Applicable	0		0
Total Irrigation Water Use	2.400		2.400
Total Combined Water Use	3.75		4.25

Proposed
Winery Water
Demand

Estimates per Napa County Water Availability Analysis - Guidance Document, May 12, 2015 unless noted

⁽¹⁾ 0.5 to 0.75 ac-ft/yr for Primary Residence, includes some landscaping per Napa County WAA Guidance Document

^(1A) 0.1 ac-ft/yr for pool without cover per Napa County WAA Guidance Document

⁽²⁾ See attached Winery Production, Guest, Employee and Event Staff Statistics

⁽³⁾ 3 gallons of water per guest per Napa County WAA Guidance Document

⁽⁴⁾ 15 gallons of water per guest per Napa County WAA - Guidance Document

⁽⁵⁾ 5 gallons of water per guest used because all food preparation, dishwashing, etc. to occur offsite

⁽⁶⁾ 15 gallons per shift per Napa County WAA - Guidance Document

⁽⁷⁾ 2.15 ac-ft per 100,000 gallons wine per Napa County WAA - Guidance Document

⁽⁸⁾ 0.1 ac-ft/yr per 1,000 sf of lawn per Napa County WAA - Guidance Document - 14,000 sf lawn

⁽⁹⁾ 0.1 ac-ft/yr per 2,000 sf of landscape per Napa County WAA - Guidance Document - 20,000 sf landscape

⁽¹⁰⁾ Vineyard is dry farmed. Any supplemental water comes from ponds via water rights.

Tesseron Winery
Winery Production, Visitor, Employee & Event Staff Statistics

Winery Production⁽¹⁾	20,000	gallons per year
----------------------------------------	--------	------------------

Tours and Tastings by Appointment⁽¹⁾

Monday through Thursday	0 guests max per day	
Friday through Sunday	0 guests max per day	
Total Guests Per Year		0

Events - Meals Prepared Offsite⁽¹⁾

0 per year	0 guests max	0
0 per year	0 guests max	0
0 per year	0 guests max	0
Total Guests Per Year		0

Events - Meals Prepared Onsite⁽¹⁾

0 per year	0 guests max	0
0 per year	0 guests max	0
0 per year	0 guests max	0
Total Guests Per Year		0

Winery Employees⁽²⁾

4 employees	1 shift per day	(IFT & 3 Seasonal)
Total Employee Shifts Per Year		1,460

Event Staff⁽³⁾

0 per year, 20 guests	0 event staff	0
0 per year, 50 guests	0 event staff	0
0 per year, 150 guests	0 event staff	0
Total Event Staff Per Year		0

⁽¹⁾ Winery production, tours and tasting and event guest statistics per Winery Use Permit Application

⁽²⁾ Employee counts per Winery Use Permit Application

⁽³⁾ Assumes 1 event staff per 10 guests (in addition to regular winery employees)

ADDENDUM NO. 1

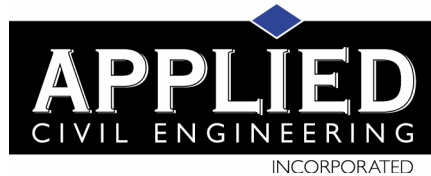
Tesseron Vineyards Water Availability Analysis August 2, 2022

Date of Addendum: April 25, 2024

The Lower Spring, located at the southwestern end of the property, is currently used to provide domestic water supply to the on-site residence, and has been the primary water source for the residence for many years. The current and historical residential demands have been estimated to be 1.35 acre-feet/year. With project development, the residential water use will be shifted to an existing on-site domestic well, and spring will be used solely for winery demands. The winery demands from the spring are estimated to be 0.5 acre-feet/year. Hence, future use will result in lower demands on the spring. No efforts will be made to modify or enhance the spring to increase yield. Using water that naturally flows out of the spring cannot contribute to the additional depletion of the spring, reduce the spring yield, or have a significant impact on the aquifer.

The spring has not been observed by Tesson staff to flow off the estate parcels, or flow to any creek, river, wetland or other water body. The flow from the spring is relatively small and has only been observed to create a saturated wet spot in the vicinity of the spring outlet. Documented spring flowrates are shown below:

Date	Yield (gpm)
Jan 1993	7.5
Mar 2022	2.5
May 2022	1.35
Apr 2024	2.4



July 5, 2024

Job No. 17-108

Dana Morrison
Planning Division
Napa County Planning, Building and Environmental Services Department
1195 Third Street, Suite 210
Napa, CA 94559

Re: Tesson Vineyards Water Availability Analysis
1000 Wall Road, Napa CA 94558, Napa County APN 027-060-022
Use Permit Application P22-00309

Dear Ms. Morrison,

This letter is in response to your request to clarify information provided in the Water Availability Analysis prepared by Provost and Pritchard dated August 2, 2022 sent via email from you on 5/30/2024. Please see clarifications requested below:

1. Existing Residential Water Use:

There are a total of two residences on the entire holding. The residential water demand of 1.35 ac-ft/yr represents the use for both residences. One residence is on APN 027-060-022 and the other is on APN 027-060-023. For the winery parcel (APN 027-060-022) the residential + pool use is 0.85 ac-ft/yr and for APN 027-060-023 the residential use is 0.5 ac-ft/yr. Onsite vineyards are not irrigated with groundwater and therefore are not included in the groundwater use estimates.

2. 10-year PRISM Recharge Estimate:

The 10-year PRISM data varies across the entire holdings but averages approximately 35.5 inches per year. The WAA, prepared before the 10-year PRISM data became the standard used a Normal Year and Dry Year Rainfall of 33.1 inches and 8.7 inches, respectively to estimate recharge. Therefore, the Normal Year and Dry year recharge estimates used in the WAA were both conservative compared to the 10-year PRISM data. For the 607.85 acre holdings, using the 10-year PRISM 35.5 inches of rainfall per year, the recharge, assuming 5% recharge per the WAA, is 89.9 ac-ft/year (compared to 84 ac-ft/yr in the WAA for Normal Year and 22 ac-ft/year for Dry Year). For the 43.26 acre winery parcel, using the 10-year PRISM 35.5 inches of rainfall per year, the recharge, assuming

5% recharge per the WAA, is 6.4 ac-ft/year (compared to 6.0 ac-ft/yr in the WAA for Normal Year and 1.6 ac-ft/year for Dry Year). This demonstrates that just the recharge on the winery parcel (6.4 ac-ft/yr) is more than 3 times the estimated demand for all of the existing and proposed uses on all parcels (1.85 ac-ft/yr) and that the recharge on the entire holding (89.9 ac-ft/yr) is nearly 50 times the estimated demand.

3. Tier II Well to Well Interference for Well to Serve Residence:

Either Well 1 or Well 2 will be used to serve the existing residences when the winery is built(they are both now served by the spring but will be converted to well water when the winery is constructed). The attached map shows that both Well 1 and Well 2 are more than 500' from wells on neighboring parcels and therefore no Tier 2 is required.

I trust that this information and the included revised plans are adequate to complete review of the pending use permit application. Please feel free to contact me at (707) 320-4968 with any questions.

Applied Civil Engineering Incorporated

By:

Michael R. Muelrath

Michael R. Muelrath, RCE 67435

Principal Engineer

Attachments:

Well Setback Exhibit

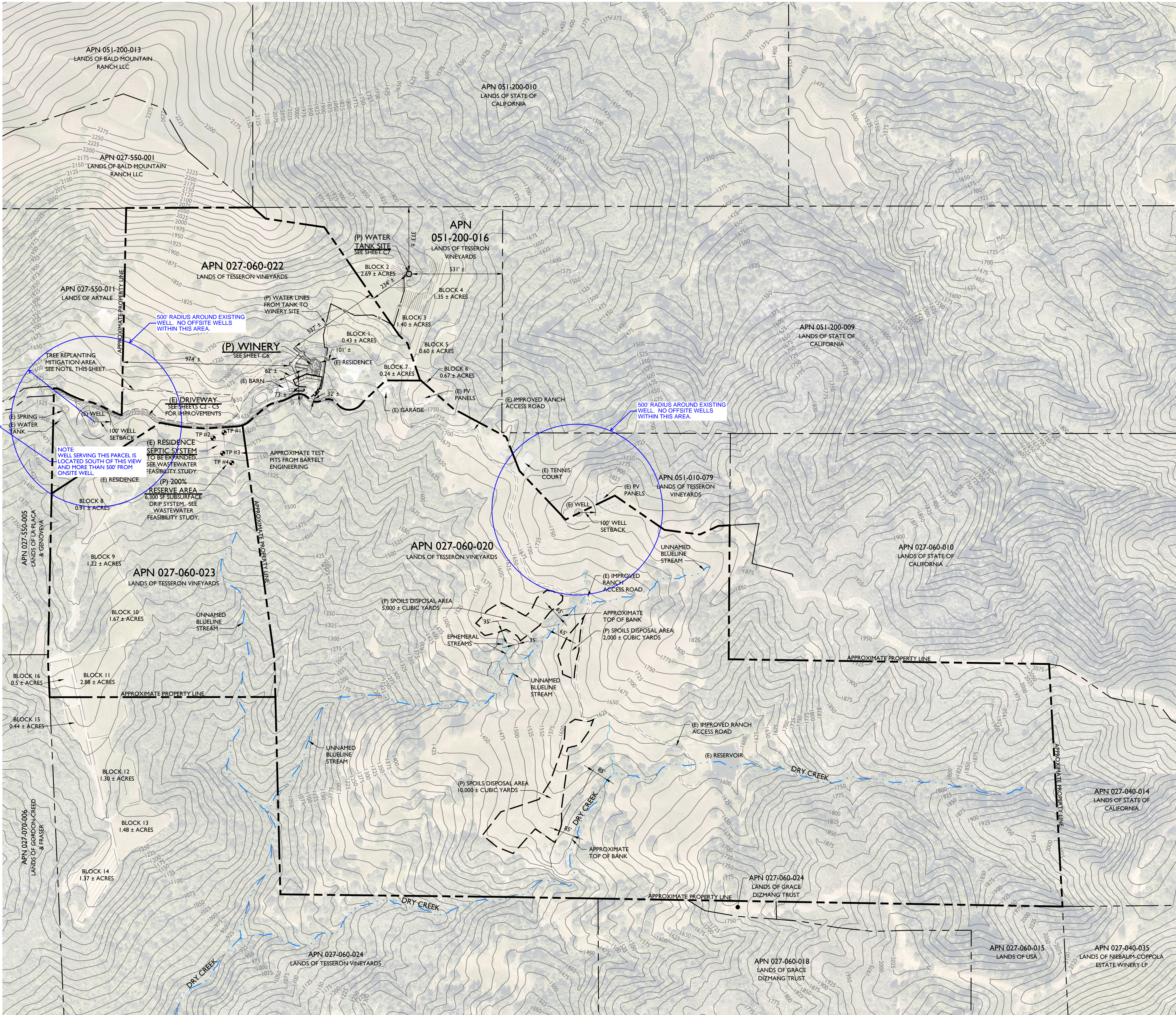
Copy:

Meaghan Becker, Tesserón Vineyards (via email)

Jon Webb, Albion Surveys (via email)

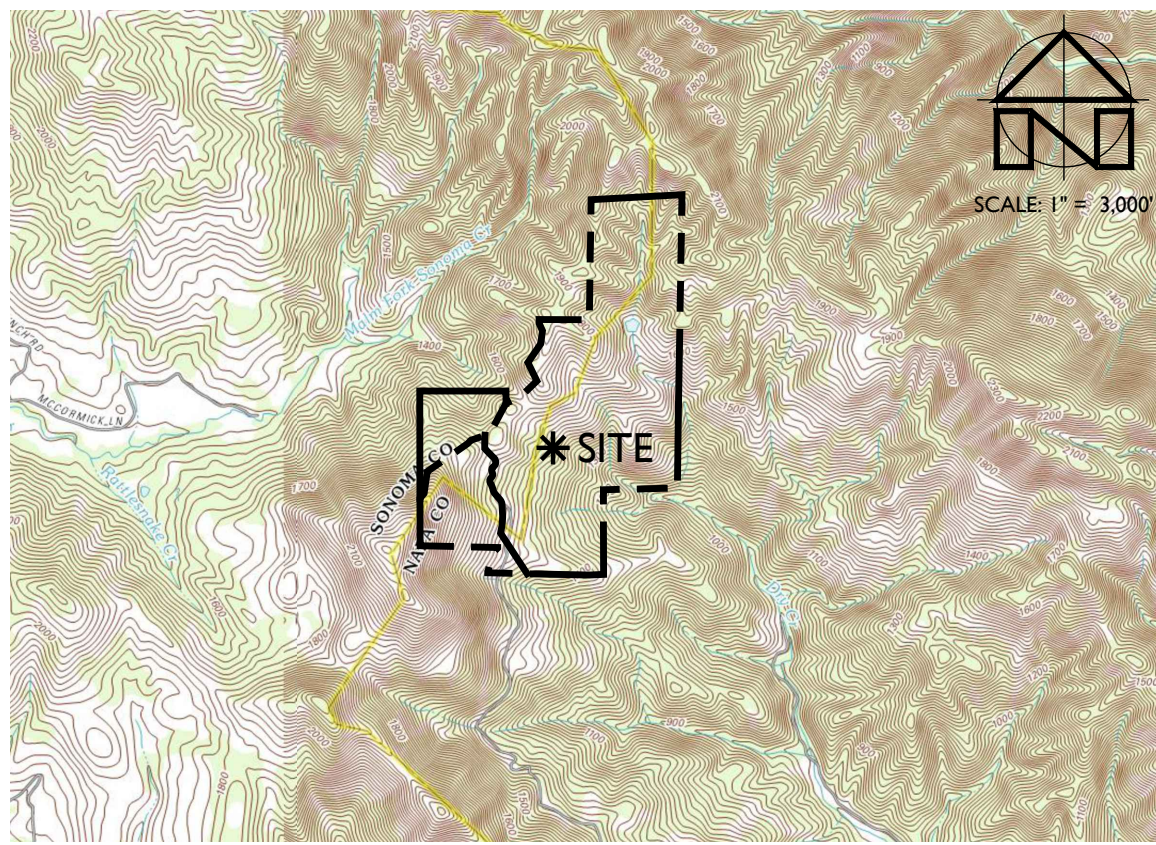
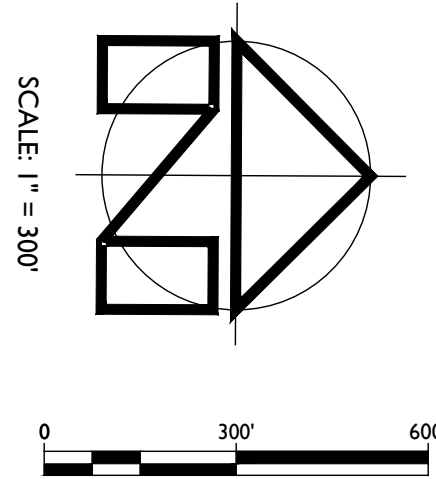
TESSERON VINEYARDS WINERY

CONCEPTUAL SITE IMPROVEMENT PLANS



OVERALL SITE PLAN

SCALE: 1" = 300'



LOCATION MAP

SCALE: 1" = 3,000'

PROJECT INFORMATION:

PROPERTY OWNER & APPLICANT:
TESSERON VINEYARDS
POST OFFICE BOX 46
SAINT HELENA, CA 94574

SITE ADDRESS:
1000 WALL ROAD
NAPA, CA 94558

ASSESSOR'S PARCEL NUMBERS:
027-060-020, 027-060-022, 027-060-023 & 051-200-016

PARCEL SIZES:
224.00 ±, 43.26 ±, 42.23 ± & 24.00 ± ACRES

PROJECT SIZE:
2.0 ± ACRES

ZONING:
AGRICULTURAL (AW)

SHEET INDEX:

- | | |
|----|-----------------------------------------|
| C1 | OVERALL SITE PLAN |
| C2 | DRIVEWAY PLAN STA 9+87 TO STA 20+75 |
| C3 | DRIVEWAY PLAN STA 20+75 TO STA 28+00 |
| C4 | DRIVEWAY PROFILE STA 9+75 TO STA 21+75 |
| C5 | DRIVEWAY PROFILE STA 21+75 TO STA 27+75 |
| C6 | WINERY DEMOLITION & CONCEPTUAL PLAN |
| C7 | WATER TANK CONCEPTUAL PLAN |
| C8 | STORMWATER CONTROL PLAN |
| C9 | IMPERVIOUS SURFACE EXHIBIT |

PROJECT DESCRIPTION:

THE PURPOSE OF THIS PROJECT IS ILLUSTRATE THE CONCEPTUAL NATURE OF THE SITE IMPROVEMENTS PROPOSED AS PART OF THE WINERY USE PERMIT APPLICATION.

FLOOD HAZARD NOTE:

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBERS 06055C0380E, 06055C0390E, EFFECTIVE DATE SEPTEMBER 26, 2008 AND 06097C0800E, EFFECTIVE DATE DECEMBER 2, 2008, THE PROJECT SITE IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA. SEE FIRM FOR ADDITIONAL INFORMATION.

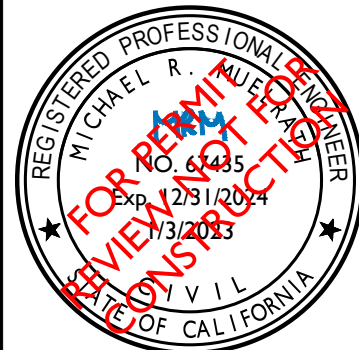
NOTES:

- FADED BACKGROUND REPRESENTS EXISTING TOPOGRAPHIC FEATURES. TOPOGRAPHIC INFORMATION ON SHEET C1 WAS TAKEN FROM THE NAPA COUNTY GEOGRAPHIC INFORMATION SYSTEM DATABASE. TOPOGRAPHIC INFORMATION ON OTHER SHEETS WAS TAKEN FROM THE "MAP OF TOPOGRAPHY OF A PORTION OF THE LANDS OF 1100 WALL ROAD" PREPARED BY ALBION SURVEYS, INC., DATED APRIL 11, 2017 REVISED APRIL 25, 2022. APPLIED CIVIL ENGINEERING INCORPORATED ASSUMES NO LIABILITY REGARDING THE ACCURACY OR COMPLETENESS OF THE TOPOGRAPHIC INFORMATION.
- AERIAL PHOTOGRAPHS ARE NADIR IMAGES CAPTURED BY PICTOMETRY INTERNATIONAL DATED JULY 15, 2021 AND MAY NOT REPRESENT CURRENT CONDITIONS.
CONTOUR INTERVAL:
SHEET C1: FIVE (5) FEET, HIGHLIGHTED EVERY TWENTY FIVE (25) FEET.
OTHER SHEETS: ONE (1) FOOT, HIGHLIGHTED EVERY FIVE (5) FEET.
- BENCHMARK: NAVD 88
- THE PROPERTY LINES SHOWN ON THESE PLANS DO NOT REPRESENT A BOUNDARY SURVEY. THEY ARE APPROXIMATE AND ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

TREE REPLANTING MITIGATION NOTES:

- SEE SHEET C6 FOR TREE REMOVAL.
- REPLANT AT A 3:1 RATIO FOR ALL NATIVE TREES REMOVED IN THE AREA NOTED ON THIS SHEET.

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE:
JANUARY 3, 2023

REVISIONS: BY:
1/3/2023 BT
PLAN CHECK REVISIONS

JOB NUMBER:
17-108

FILE:
17-108CONC_OSP.DWG

ORIGINAL SIZE:
24" X 36"

SHEET NUMBER:

C1

OF

ADDENDUM NO. 2

Tesseron Vineyards Water Availability Analysis August 2, 2022

Date of Addendum: April 1, 2025

This 2nd addendum documents changes to the original Water Availability Analysis (WAA) for Tesseron Vineyards dated August 2, 2022, the first Addendum dated April 25, 2024, and a supplementary letter dated July 5, 2024. The addendums were prepared in responses to comments from Napa County.

The primary change includes use of the upper well (Well No. 2 near the solar panels) for domestic use and supplementary irrigation water. The Previous WAA included use of the lower well near the main residence (Well No. 1) for domestic use, and surface water for irrigation. These changes and an evaluation of potential impacts are described below. Winery demands will continue to be met with the natural spring at the southwest corner of the property and are not addressed here. Well No. 1 will no longer be used for this project.

The address for the property is also corrected and is comprised of three different addresses including: 1000/1100/800 Wall Road in Napa County, California.

Well No. 2

The residential water uses and irrigation demands will be met by utilizing the existing well located on APN 027-060-020 (Well No. 2). Well No. 2 is located near the middle eastern portion of the property (see **Attachment A**). According to the Well Completion Report (No. 0992234), the well is completed into hard rock to a depth of 570 feet. The Well Completion Report also documents a yield of 20 gal/min during a 3-hour water yield air-lift test in 2016. Measured water depths have included 210 feet in October 2016, and 136 feet in March 2024. The well is not currently operational and a pump and appurtenant facilities would need to be installed before it is used.

Water Demands

The overall water demands for Well No. 2 will include 1.35 AF/yr for domestic use and 0.4 AF/yr for irrigation use. This results in annual demands of $1.35 + 0.4 = 1.75$ AF/yr.

The domestic water demands were documented in the original WAA memorandum dated August 2, 2022.

The vineyards are currently dry farmed and have no developed irrigation system. Rainfall is sufficient to meet water demands, but some minor water is used to supplement new plantings to help get them established (supplementary irrigation). This supplemental irrigation lasts between 3 to 5 years for the new plants. The plants are replaced through rogueing, which is the systematic replacement of scattered low-quality vines that are diseased, damaged or not producing.

Tesseron Vineyards staff provided an estimate of hand irrigation demands during the past three years. This represents what they believe would be the upper limit of irrigation water demands from the well.

Table 2-1 documents historical irrigation water uses during the past three years. This data was provided directly by Tesseron Vineyards staff.

Table 2-1: Supplementary Irrigation Demands for Young Vines

Month	No. of Waterings	No. of Plants	Gallons/Plant/ Watering	Total Gallons
May	3	1,600	4	19,200
June	4	1,600	4	25,600
July	4	1,600	4	25,600
August	4	1,600	4	25,600
September	3	1,600	4	19,200
October	2	1,600	4	12,800
Total				128,000 gal/yr 0.4 AF/yr

An air lift pump test for Well No. 2 resulted in a well yield of 20 gpm after 3 hours. In comparison, the overall demands of 1.75 AF/yr at Well No. 2 equate to a continuous pumping rate of only 1.1 gallons per minute. Domestic water will be pumped to a tank and cycle on-and-off 24 hours a day. Pumping therefore will be relatively constant. Irrigation water demands will occur from May to October as needed. If a water storage tank is used, and water is pumped at a conservative rate of 5 gpm, then the water demands could be met by pumping an average of 18 hours per week from May to October.

Precipitation Recharge

The precipitation data in the original 2022 WAA and Addendum 1 were updated with a more thorough analysis of PRISM precipitation data acquired from the Napa County PB Explorer website. **Attachment B** shows 10-year precipitation values for PRISM grids on the Napa County parcels in Tesseron Vineyards. The weighted average precipitation over the property is 35.1 inches/yr. This same value is assumed to apply to the small Sonoma County parcels.

As documented in the 2022 WAA, 5% of precipitation is assumed to recharge. This results in total recharge of 35.1 inches x 607.85 acres x 5% = 89 AF. This far exceeds the total estimated demands of 2.25 AF (1.75 AF from Well 2 and 0.5 AF from a natural spring).

Parcel 027-060-020 covers 215.1 acres and includes Well No. 2, which will have pumping of 1.75 AF/year for domestic and agricultural uses. The precipitation recharge is estimated to be 215.1 acres x 35.1 inches x 5% = 31.5 AF, which far exceeds the pumping of 1.75 AF/year.

Parcel 027-060-022 covers 47.6 acres and includes the spring that will provide 0.5 AF/yr for the winery. Precipitation recharge on the parcel is estimated to be 47.6 acres x 35.1 inches x 5% = 7.0 AF, which also far exceeds the parcel water demands of 0.5 AF/yr.

Potential Well Pumping Interference with other Wells, Springs and Significant Streams

Napa County guidelines for Water Availability Analyses state that impacts from well pumping must be evaluated for any off-site well within 500 feet, any offsite spring developed for domestic or agricultural use within 1,500 feet, and any 'Significant Stream' within 1,500 feet of the well.

Attachment C shows the location of Well 2 with 500 feet and 1,500 feet buffers.

The 500 feet buffer is primarily within Tesseron Vineyards property. A very small portion extends into State of California owned land (parcel 051-200-009), but there are no wells in the overlap area.

The 1,500-foot buffers is also largely within Tesseron Vineyards property but it does extend into several parcels owned by the State of California. This is undeveloped wilderness land and there are no known springs developed for domestic or agricultural purposes in the overlap area.

The location of significant streams on the property was determined using the Napa County PBES Map Explorer Tool:

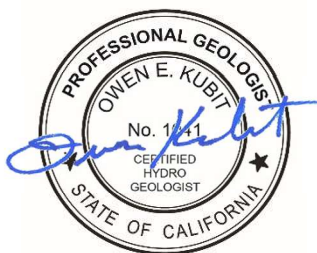
(<https://experience.arcgis.com/experience/406a6b9e95da4a5dac57dc2dba0f4ded/>).

Attachment D shows the location of significant streams and their 1,500 feet buffer. Dry Creek is found in the center of the property, but Well No. 2 falls outside of the 1,500 feet buffer. Note that some other streams are located on the property, but they are not designated Significant Streams and therefore do not need to be evaluated under adopted Napa County guidelines.

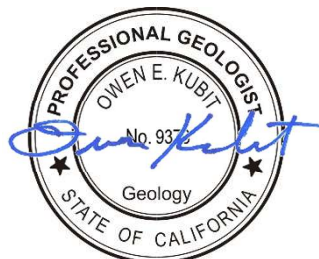
Conclusions

Since the project is not within 500-feet of any off-site wells, is not within 1,500-feet of an developed offsite spring, nor within 1,500-feet of a significant stream, Tier II and Tier III analyses are not required. Only a Tier 1 analysis is needed which is documented in the initial WAA and two subsequent addendums. In conclusion, existing information suggests that Well No. 2 will have sufficient capacity to meet residential and irrigation demands, and that no hydrologic features within the buffers described above will be impacted by operation of the well.

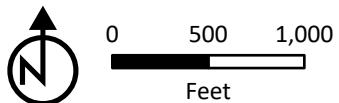
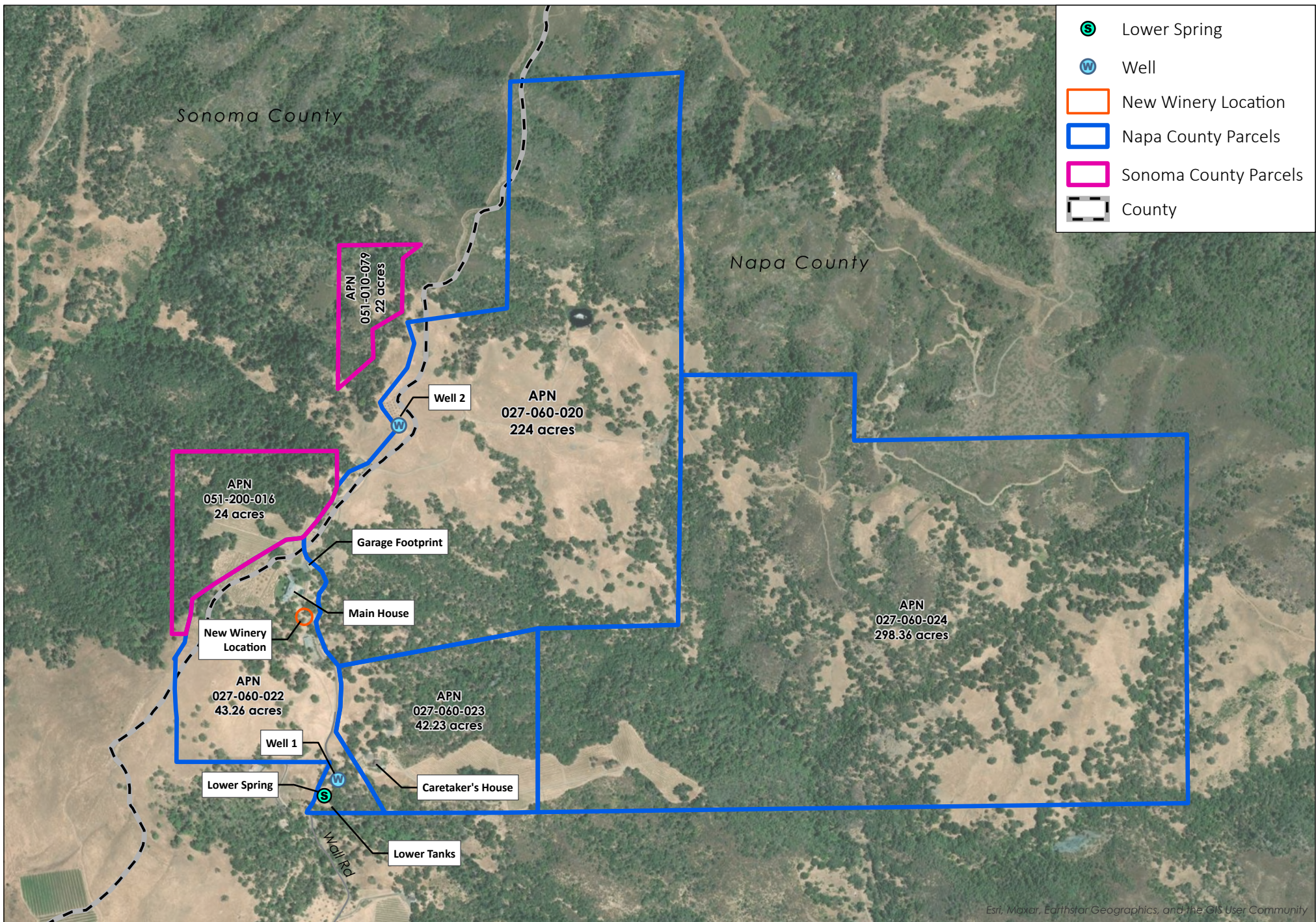
Sincerely,



DATE SIGNED 4-1-25



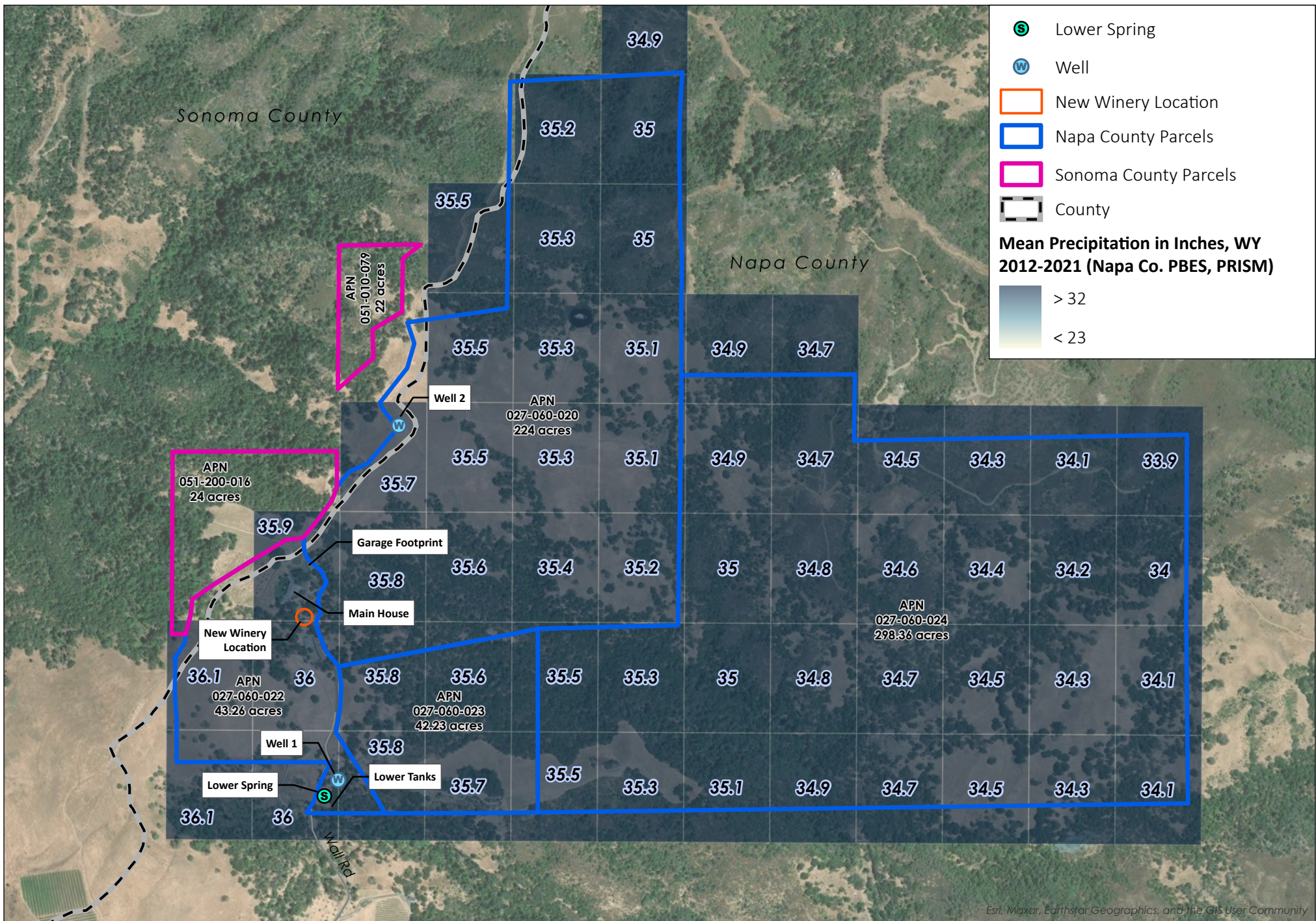
Date Signed 4-1-25



Attachment A - Site Map

Tesseron Estate Water Availability Analysis – Napa County, CA

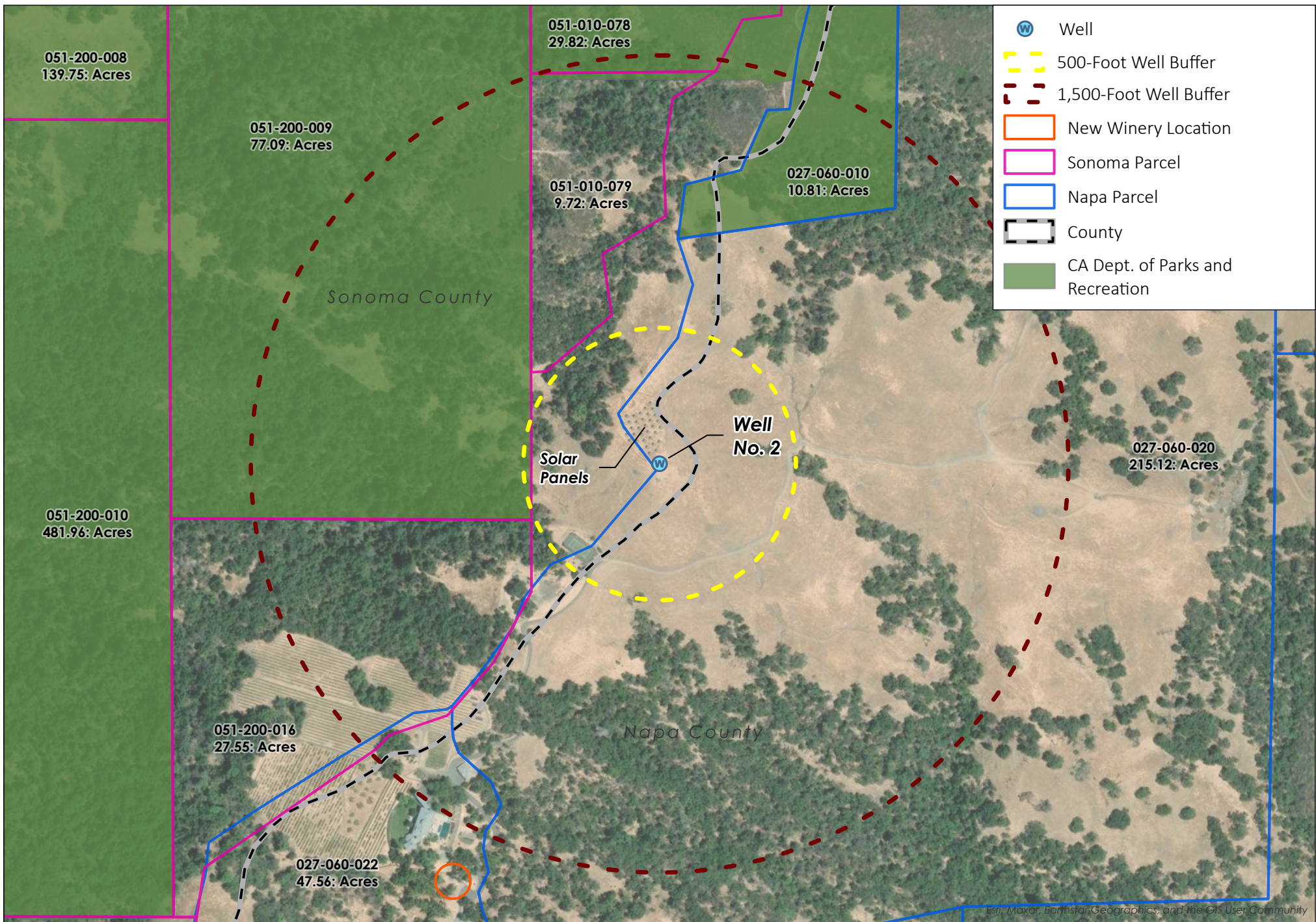
PROVOST &
PRITCHARD 177



ATTACHMENT B - Mean Precipitation Map

Tesseron Estate Water Availability Analysis – Napa County, CA

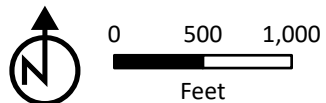
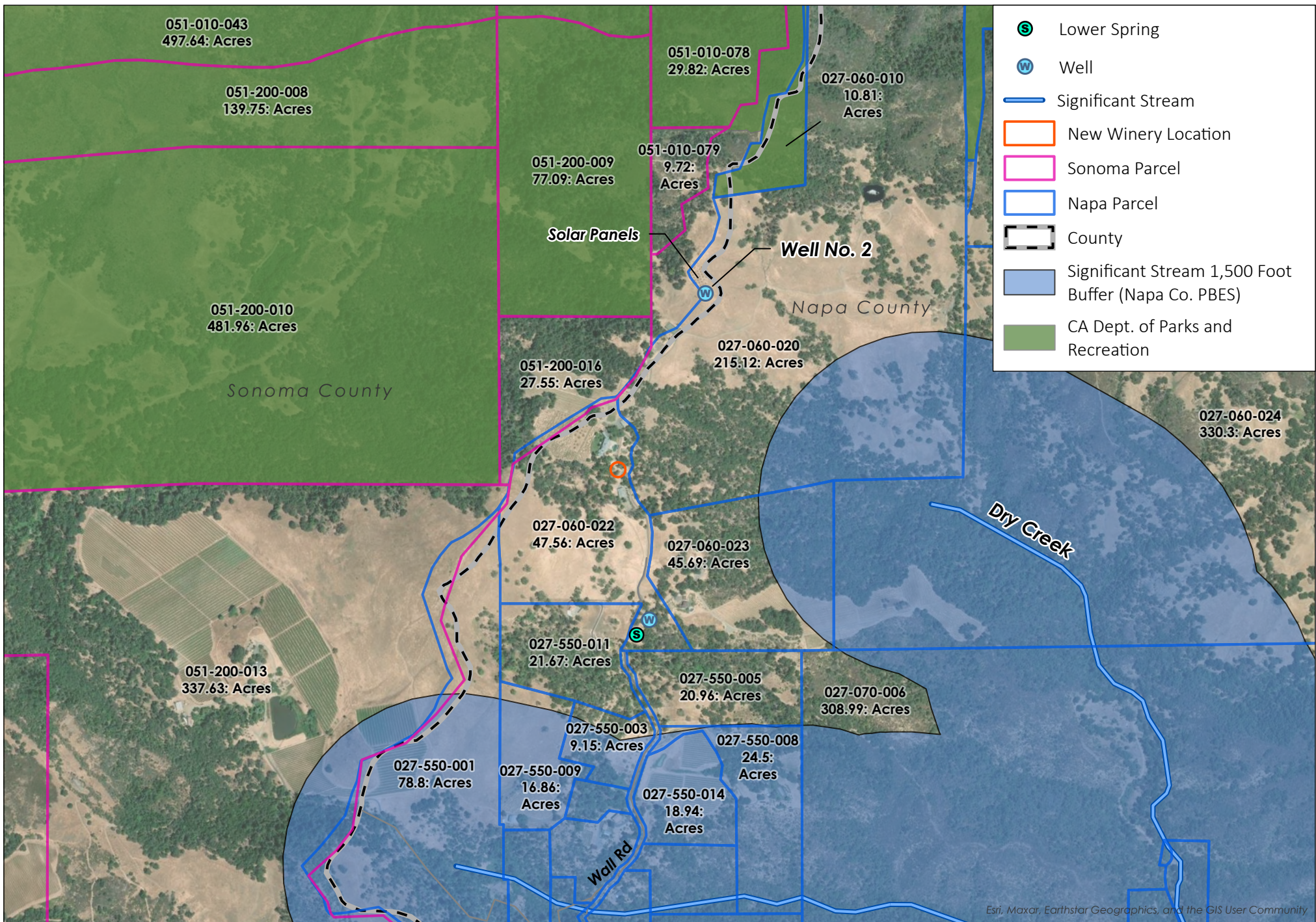
PROVOST &
PRITCHARD
178



ATTACHMENT C - Well No. 2 Map

Tesseron Estate Water Availability Analysis – Napa County, CA

PROVOST &
PRITCHARD
179



ATTACHMENT D - Significant Stream 1,500 Feet Buffer Map

Tesseron Estate Water Availability Analysis – Napa County, CA

**PROVOST &
PRITCHARD** 180

“G”

Wastewater Feasibility Study

**Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025**



August 11, 2022

Job No. 17-108

Kim Withrow, REHS
Environmental Health Division
Napa County Planning, Building and Environmental Services Department
1195 Third Street, Suite 210
Napa, CA 94559

Re: Onsite Wastewater Disposal Feasibility Study for the
Tesseron Vineyards Winery Use Permit Application
1000 Wall Road, Napa, California APNs 027-060-020, -022, -023 & 051-200-016

Dear Ms. Withrow:

At the request of Tesseron Vineyards we have evaluated the process and sanitary wastewater flows associated with the proposed winery Use Permit. We have also analyzed the capacity of the existing sanitary wastewater system serving the existing residence to determine if it is adequate to serve the newly proposed winery.

Existing improvements on the property include a residence, spring, groundwater wells, paved, dirt and gravel driveways, vineyards and the utility infrastructure associated with this type of residential and agricultural development.

The Use Permit being reviewed proposes the following operational characteristics:

- Wine Production:
 - 20,000 gallons of wine per year
 - Crushing, fermenting, aging and bottling
- Employees:
 - One (1) full-time employee
 - Three (3) seasonal employees
- Marketing Plan:
 - None

Please see the Tesserone Vineyards Winery Conceptual Site Improvement Plans prepared by Applied Civil Engineering (attached) for approximate locations of existing and proposed facilities.

The remainder of this letter describes the existing sanitary wastewater disposal system, its design capacity, peak flows associated with the existing uses and proposed changes in use (new winery) and our analysis and recommendations related to the system's ability to handle the anticipated wastewater flows.

It is planned that the winery process wastewater will be collected, treated, stored and used to irrigate onsite pastures in accordance with the California State Water Resources Control Board Winery General Order and therefore will not impact the existing septic system.

Existing Septic System

The winery facility is serviced by a pressure distribution type septic system. According to permit records on file with Napa County the system was designed for a peak flow of 1,200 gallons per day (gpd) for a residence with 10 potential bedrooms. It appears that the leach lines were designed based on a soil application rate of 0.35 gpd/sf of trench sidewall for clay loam soil. Trenches were designed to have 18 inches of rock under the bottom of the gravity distribution later and a total rock depth of 24 inches which provides 3 sf of sidewall per lineal foot of trench. The trenches were designed such that they would have 28 inches of acceptable soil beneath the trench bottom based on an acceptable soil depth of 52" as observed in a site evaluation performed by Napa County (6/22/1999).

Based on our review of the permit records it appears that the leach field consists of 1,157 lineal feet of leach line located on a hillside below the driveway. The plans for the system prepared by Bartelt Engineering indicate there are 3 – 1,500-gallon septic tanks and a 1,500-gallon dosing sump tank prior to the pressure distribution leach field.

Proposed Process Wastewater Design Flows

We have used the generally accepted standard that six gallons of winery process wastewater are generated for each gallon of wine that is produced each year and that 1.5 gallons of wastewater are generated during the crush period for each gallon of wine that is produced. Based on the 20,000 gallon production capacity and the expectation that both white and red wine will be produced at the winery, we have assumed a conservative 30 day crush period. Using these assumptions, the annual, average daily and peak winery process wastewater flows are calculated as follows:

$$\text{Annual Winery Process Wastewater Flow} = \frac{30,000 \text{ gallons wine}}{\text{year}} \times \frac{6 \text{ gallons wastewater}}{1 \text{ gallon wine}}$$

$$\text{Annual Winery Process Wastewater Flow} = 180,000 \text{ gallons per year}$$

$$\text{Average Daily Process Wastewater Flow} = \frac{180,000 \text{ gallons wastewater}}{\text{year}} \times \frac{1 \text{ year}}{365 \text{ days}}$$

Average Daily Winery Process Wastewater Flow = 493 gallons per day

$$\text{Peak Winery Process Wastewater Flow} = \frac{20,000 \text{ gallons wine}}{\text{year}} \times \frac{1.5 \text{ gallons wastewater}}{1 \text{ gallon wine}} \times \frac{1 \text{ year}}{30 \text{ crush days}}$$

Peak Winery Process Wastewater Flow = 1,000 gallons per day (gpd)

As noted above it is planned that the winery process wastewater will be collected, treated, stored and used to irrigate onsite pastures in accordance with the California State Water Resources Control Board Winery General Order and therefore winery process wastewater is not addressed further in this report.

Proposed Winery Sanitary Wastewater Design Flows

Typically the peak sanitary wastewater flow from the winery is calculated based on the number of winery employees, the number of daily visitors for tastings and the number of guests attending scheduled marketing events. However, since the winery does not propose any visitors or marketing events in this case the peak flow will be based solely on the number of employees. In accordance with Table 4 of the Napa County "Regulations for Design, Construction, and Installation of Alternative Sewage Treatment Systems" we have used a design flow rate of 15 gallons per day per employee. Based on these assumptions, the peak winery sanitary wastewater flows are calculated as follows:

Employees

Peak Sanitary Wastewater Flow = 4 employees X 15 gpd per employee

Peak Sanitary Wastewater Flow = 60 gpd

Existing Residence Peak Sanitary Wastewater Flow

The peak flow from the existing residence is calculated based on 120 gpd per bedroom and 10 potential bedrooms as follows:

Existing Residence Peak Sanitary Wastewater Flow = 120 gpd / bedroom x 10 bedrooms

Existing Residence Peak Sanitary Wastewater Flow = 1,200 gpd

Total Combined Sanitary Wastewater Flow

The total combined Sanitary Wastewater Flow includes the winery sanitary wastewater peak from plus the existing residence peak sanitary wastewater flow and is calculated as follows:

Total Combined Peak Sanitary Wastewater Flow = 60 gpd + 1,200 gpd

Total Combined Peak Sanitary Wastewater Flow = 1,260 gpd

Existing Septic System Capacity

As noted above the permit for the existing system indicates a design flow of 1,200 gpd.

Proposed Design Flow vs Existing Capacity

The predicted Combined Peak Sanitary Wastewater Flow for the proposed winery operational characteristics and existing residence (1,260 gpd) is more than the design capacity of the existing wastewater disposal system (1,200 gpd).

Recommendations

The recorded soil conditions and trench depth allow for a 0.952:1 ratio of trench length to flow (0.35 gpd/sf x 3sf/lf = 1.05 gpd/lf). Therefore, if the existing system is augmented by adding 5 feet to each of the existing 12 lines (60 lf total added resulting in 1,212 lf total) the capacity will be increased to 1,272 gpd which will meet the needs of the proposed winery Use Permit and existing residential uses. The proposed expansion area is shown on the attached Tesseron Vineyards Winery Conceptual Site Improvement Plans.

It is also noted that the system was designed with less than 36" of acceptable soil beneath the trench bottom as was standard at the time the system was permitted. However, today's codes require at least 36" of acceptable soil or 24" of acceptable soil with pre-treatment. In order to comply with today's codes the system will need to be outfitted with a pretreatment system such as an Orenco AdvanTex system to clean the wastewater prior to deliver to the pressure distribution septic system. Additional tankage will be required and the details can be provided at the time of building permit application.

Alternatively, the entire pressure distribution leach field can be abandoned in place and be replaced in the same location with a subsurface drip type septic system at the Owner's and Engineer's discretion.

Reserve Area

The reserve area will be subsurface drip. Using a clay loam application rate of 0.6 gpd / sf and a slope factor of 1.5 for slopes over 20% the required reserve area is calculated as follows:

$$\text{Required Reserve Area} = 1,260 \text{ gpd} / 0.6 \text{ gpd/sf} \times 1.5 \times 200\%$$

$$\text{Required Reserve Area} = 6,300 \text{ sf}$$

There is adequate area in the vicinity of Test Pit #4 from the 6/22/1999 site evaluation to designate as the 200% reserve area as shown on the Tesseron Vineyards Winery Conceptual Site Improvement Plans.

Summary

The calculations presented above illustrate that the wastewater flows associated with the proposed winery Use Permit will exceed the capacity of the existing wastewater system. However, by adding 60 of new pressure distribution leach line and a pretreatment system the system will be able to handle the increased domestic wastewater flows. All process wastewater will be handled by a separate system that will treat the process wastewater and re-use it to irrigation onsite pastures in accordance with the California State Water Resources Control Board Winery General Order.

We trust that this provides the information you need to process the subject Use Permit. Please feel free to contact us at (707) 320-4968 if you have any questions.

Sincerely,

Applied Civil Engineering Incorporated

By:

Michael R. Muelrath

Michael R. Muelrath RCE 67435
Principal



Copy:

Jerome Ledit, Tesseron Vineyards (via email)
Meagan Becker, In Vino Veritas (via email)
Jon Webb, Albion Surveys (via email)

Attachments:

Tesseron Vineyards Winery Conceptual Site Improvement Plans

“H”

Biological Resource Assessment

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025



Biological Resources Assessment

Tesseron Vineyards Winery

Sonoma County and Napa County, California
November 2024



Prepared for:

Meaghan Becker
Tesseron Vineyards
1100 Wall Road
Napa, California 94558

Recommended Citation:

Madrone Ecological Consulting, LLC (Madrone). 2024. *Biological Resources Assessment for Tesseron Vineyards Winery*. Prepared for Tesseron Vineyards. Published on 8 November 2024.

Executive Summary

This report documents the regulatory background, methods, results, and recommendations of the Biological Resources Assessment (BRA) for the proposed development of a wine cave at the existing Tesson Vineyard property, Napa County, California. The wine cave will ultimately be under the soil surface; however, construction involves surface excavation of the cave, widening or temporary disturbance along existing winery roads, soil disposal and revegetation, and improvements to an associated water line and water tower that extends to the west into Sonoma County (Project Area).

The Project Area contains 7.3-acres of annual grassland, 1.3 acres of mixed oak woodland, 2.4-acres of disturbed or developed lands, and 0.1 acres of agricultural lands. There are no wetlands or drainages within the footprint of the proposed development area and potential waters are limited to an ephemeral drainage that crosses under the access road. The Project will not substantially interfere with native wildlife species, wildlife corridors, and or native wildlife nursery sites. The Project will not significantly contribute to habitat loss or habitat fragmentation.

No special-status species were observed during the reconnaissance level survey. The Project will result in temporary impacts to suitable habitat for special-status plants (bend-flowered fiddleneck, narrow-anthered brodiaea, congested-head hayfield tarweed, Jepson's leptosiphon and Cobb Mountain lupine), as well as Swainson's hawk, common nesting birds, Pallid bat, Crotch bumble bee, and native trees. The Project has been designed to minimize permanent land conversion, and the Project will not significantly reduce habitat for local or regional special-status plants or animals. Resource specific avoidance and minimization measures are included in **Section 7.0** and include appropriately timed surveys, consultation with agencies if necessary, and tree replacement as outlined in the Project plans.

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Attachments:

Attachment A. Tessoron Vineyards Winery Site Plan

Attachment B. IPaC Trust Resource Report for the Study Area

Attachment C. CNPS Inventory of Rare and Endangered Plants Query for the "Rutherford, California" USGS Quadrangle and Eight Surrounding Quadrangles

Attachment D. Plant and Wildlife List

Attachment E. Representative Site Photographs

Attachment F. Oak Tree, Pollinator Habitat, and Potential Special-Status Plant Mitigation Locations

1.0 INTRODUCTION

This report presents the results of a Biological Resources Assessment (BRA) conducted for the Tesseron Vineyards Winery Project Area (Study Area). The Tesseron Vineyards Winery property is located at 1100 Wall Road. The Study Area is primarily located in western Napa County with water line and water tower improvements extending into eastern Sonoma County. The approximately 11-acre Study Area is located in portions of Sections 23, 24, and 26, Township 7 North, Range 6 West (MDB&M) of the "Rutherford, California" 7.5-Minute Series USGS Topographic Quadrangle (USGS 2021) (**Figure 1**).

1.1 Project Description

The proposed Project includes installation of a wine cave and associated infrastructure at the existing Tesseron Vineyard property. While the wine cave will ultimately be under the soil surface, construction involves surface excavation of the cave. The Project may require widening or temporary disturbance along existing winery roads and improvements to an associated water line and water tower that extends to the west into Sonoma County. Additionally, the Study Area includes three potential spoils disposal areas, where soil excavated from the cave location will be spread in low stockpiles in an adjacent pasture on the Tesseron Vineyard property. An erosion and sediment control plan, and native tree removal and replanting, are incorporated into the site plan. The current site plan is included as **Attachment A**. Impacts have been analyzed based on the maximum proposed disturbance area, which is also referred to in this document as the Study Area (**Figure 2**).

2.0 REGULATORY SETTING

This section describes federal, state and local laws and policies that are relevant to this assessment of biological resources.

2.1 Federal Regulations

2.1.1 Federal Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973 protects species that are federally listed as endangered or threatened with extinction. FESA prohibits the unauthorized "take" of listed wildlife species. Take includes harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species or any attempt to engage in such activities. Harm includes significant modifications or degradations of habitats that may cause death or injury to protected species by impairing their behavioral patterns. Harassment includes disruption of normal behavior patterns that may result in injury to or mortality of protected species. Civil or criminal penalties can be levied against persons convicted of unauthorized "take." In addition, FESA prohibits malicious damage or destruction of listed plant species on federal lands or in association with federal actions, and the removal, cutting, digging up, damage, or destruction of listed plant species in violation of state law. FESA does not afford

any protections to federally listed plant species that are not also included on a state endangered species list on private lands with no associated federal action.

2.1.2 Clean Water Act, Section 404

Section 404 of the Federal Clean Water Act requires that a Department of the Army permit be issued prior to the discharge of dredged or fill material into waters of the United States, including some wetlands. The U.S. Army Corps of Engineers (USACE) administers this program, with oversight from the U. S. Environmental Protection Agency. As of the date of this document, waters of the United States (waters of the U.S.) are defined as follows (40 CFR 120.2):

1. Waters which are:
 - i. Currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
 - ii. The territorial seas; or
 - iii. Interstate waters;
2. Impoundments of waters otherwise defined as waters of the United States under this definition, other than impoundments of waters identified under item (5) below;
3. Tributaries of waters identified in items (1) or (2) above that are relatively permanent, standing or continuously flowing bodies of water;
4. Wetlands adjacent to the following waters:
 - i. Waters identified in item (1) of this section; or
 - ii. Relatively permanent, standing or continuously flowing bodies of water identified in items (2) or (3) above and with a continuous surface connection to those waters;
5. Intrastate lakes and ponds not identified in paragraphs (1) through (4) of this section that are relatively permanent, standing or continuously flowing bodies of water with a continuous surface connection to the waters identified in items (1) or (3) above.

Under the current definition of waters of the U.S., “adjacent” means *having a continuous connection*. Waters subject to regulation under Section 404 are referred to as “jurisdictional waters”.

2.1.3 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) prohibits the take, possession, import, export, transport, selling, purchase, barter, or offering for sale, purchase or barter, any native migratory bird, their eggs, parts, and nests, except as authorized under a valid permit (50 CFR 21.11.). Likewise, Section 3513 of the California Fish & Game Code prohibits the “take or possession” of any migratory non-game bird identified under the MBTA. Therefore, activities that may result in the injury or mortality of native migratory birds, including eggs and nestlings, would be prohibited under the MBTA.

2.1.4 Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act of 1940 (as amended) provides for the protection of bald eagle and golden eagle by prohibiting the take, possession, sale, purchase, barter, offer to sell, purchase or barter, transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit [16 USC 668(a); 50 CFR 22]. The USFWS may authorize take of bald eagles and golden eagles for activities where the take is associated with, but not the purpose of, the activity and cannot practicably be avoided (50 CFR 22.26).

2.2 State Regulations

2.2.1 California Environmental Quality Act

The California Environmental Quality Act (CEQA) requires evaluations of project effects on biological resources. Determining the significance of those effects is guided by Appendix G of the CEQA guidelines. These evaluations must consider direct effects on a biological resource within the project site itself, indirect effects on adjacent resources, and cumulative effects within a larger area or region. Effects can be locally important but not significant according to CEQA if they would not substantially affect the regional population of the biological resource. Significant adverse impacts on biological resources would include the following:

- Substantial adverse effects on any species identified as candidate, sensitive, or special-status in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS) (these effects could be either direct or via habitat modification);
- Substantial adverse impacts to species designated by the California Department of Fish and Game (2009) as Species of Special Concern;
- Substantial adverse effects on riparian habitat or other sensitive habitat identified in local or regional plans, policies, or regulations or by CDFW and USFWS;
- Substantial adverse effects on federally protected wetlands defined under Section 404 of the Clean Water Act (these effects include direct removal, filling, or hydrologic interruption of marshes, vernal pools, coastal wetlands, or other wetland types);
- Substantial interference with movements of native resident or migratory fish or wildlife species population, or with use of native wildlife nursery sites;
- Conflicts with local policies or ordinances protecting biological resources (e.g. tree preservation policies); and
- Conflict with provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

2.2.2 State Endangered Species Act

With limited exceptions, the California Endangered Species Act (CESA) of 1984 protects state-designated endangered and threatened species in a way similar to FESA. For projects on private property (i.e. that for

which a state agency is not a lead agency), CESA enables CDFW to authorize take of a listed species that is incidental to carrying out an otherwise lawful project that has been approved under CEQA (Fish & Game Code Section 2081).

2.2.3 California Fully Protected Species

The State of California first began to designate species as “fully protected” prior to the creation of the federal and California ESAs. Lists of fully protected species were initially developed to provide protection to those animals that were rare or faced possible extinction and included fish, amphibians and reptiles, birds, and mammals. Most fully protected species have since been listed as threatened or endangered under the federal and/or California ESAs. The regulations that implement the Fully Protected Species Statute (California Fish and Game Code, § 4700 for mammals, § 3511 for birds, § 5050 for reptiles and amphibians, and § 5515 for fish) provide that fully protected species may not be taken or possessed at any time. Furthermore, CDFW prohibits any state agency from issuing incidental take permits for fully protected species. CDFW will issue licenses or permits for take of these species for necessary scientific research or live capture and relocation pursuant to the permit.

2.2.4 California Species of Special Concern

The Species of Special Concern (SSC) are defined by CDFW as a species, subspecies, or distinct population of an animal native to California that are not legally protected under the federal or California ESAs or the California Fish and Game Code, but currently satisfies one or more of the following criteria:

- The species has been completely extirpated from the state or, as in the case of birds, it has been extirpated from its primary seasonal or breeding role.
- The species is listed as federally (but not state) threatened or endangered or meets the state definition of threatened or endangered but has not formally been listed.
- The species has or is experiencing serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for state threatened or endangered status.
- The species has naturally small populations that exhibit high susceptibility to risk from any factor that if realized, could lead to declines that would qualify it for state threatened or endangered status.

SSC are typically associated with habitats that are threatened. Project-related impacts to SSC, state-threatened or endangered species are considered “significant” under CEQA.

2.2.5 Native Plant Protection Act

The Native Plant Protection Act (NPPA) was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants, but

includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

2.2.6 Clean Water Act, Section 401

Section 401 of the Clean Water Act requires any applicant for a 404 permit in support of activities that may result in any discharge into waters of the United States to obtain a water quality certification with the Regional Water Quality Control Board (RWQCB). This program is meant to protect these waters and wetlands by ensuring that waste discharged into them meets state water quality standards. Because the water quality certification program is triggered by the need for a Section 404 permit (and both programs are a part of the Clean Water Act), the definition of waters of the United States under Section 401 is the same as that used by the USACE under Section 404.

2.2.7 California Water Code, Porter-Cologne Act

Waters that are not considered waters of the U.S. may be considered waters of the State of California (waters of the State) under the Porter-Cologne Water Quality Control Act (Porter-Cologne). Porter-Cologne, from Division 7 of the California Water Code, requires any person discharging waste or proposing to discharge waste that could affect the quality of waters of the state to file a report of waste discharge (RWD) with the RWQCB. The RWQCB can waive the filing of a report, but once a report is filed, the RWQCB must either waive or adopt water discharge requirements (WDRs). Waters of the State are defined as any surface water or groundwater, including saline waters, within the boundaries of the state of California.

2.2.8 California Fish and Game Code, Section 1600 – Streambed and Lake Alteration

The CDFW is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. To meet this responsibility, the Fish and Game Code, Section 1602, requires notification to CDFW of any proposed activity that may substantially modify a river, stream, or lake. Notification is required by any person, business, state or local government agency, or public utility that proposes an activity that will:

- substantially divert or obstruct the natural flow of any river, stream or lake;
- substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or
- deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

For the purposes of Section 1602, rivers, streams and lakes includes those that are dry for periods of time as well as those that flow year round. If notification is required and CDFW believes the proposed activity is likely to substantially adversely affect fish and wildlife resources, it will require that the parties enter into a Lake or Streambed Alteration Agreement (LSAA).

2.2.9 California Fish and Game Code, Section 3503.5 - Raptor Nests

Section 3503.5 of the Fish and Game Code makes it unlawful to take, possess, or destroy hawks or owls, unless permitted to do so, or to destroy the nest or eggs of any hawk or owl.

2.3 Local Regulations

2.3.1 Napa County General Plan

The Napa County (County) General Plan (General Plan) was adopted in 2008 and updated in 2013. The General Plan provides a broad framework for planning the future for the County. The following wetland and biological resource policies in the General Plan may be applicable to the Project.

- Policy CON-13: The County shall require that all discretionary residential, commercial, industrial, recreation, agricultural, and water development projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and habitat supporting special-status species to the extent feasible. Where impacts to wildlife and special-status species cannot be avoided, projects shall include effective mitigation measures and management plans including provisions to:
 - a) Maintain the following essentials for fish and wildlife resources:
 - Sufficient dissolved oxygen in the water.
 - Adequate amounts of proper food.
 - Adequate amounts of feeding, escaping, and nesting habitat.
 - Proper temperature through maintenance and enhancement of streamside vegetation volume flows, and velocity of water.
 - b) Employ supplemental planting and maintenance of grasses, shrubs and trees of like quality and quantity to provide adequate vegetation cover to enhance water quality, minimize sedimentation and soil transport, and provide adequate shelter and food for wildlife and special-status species and maintain the watersheds, especially streams side areas, in good condition.
 - c) Provide protection for habitat supporting special-status species through buffering or other means.
 - d) Provide replacement habitat of like quantity and quality on- or off-site for special-status species to mitigate impacts to special-status species.
 - e) Enhance existing habitat values, particularly for special-status species, through restoration and replanting of native plant species as part of discretionary permit review and approval.
 - f) Require temporary or permanent buffers of adequate size (based on the requirements of the special-status species) to avoid nest abandonment of birds and raptors associated with construction and site development activities.

g) Demonstrate compliance with applicable provisions and regulations of recovery plans for listed species.

- Policy CON-17: Preserve and protect native grasslands, serpentine grasslands, mixed serpentine chaparral, and other sensitive biotic communities and habitats of limited distribution.

The County, in its discretion, shall require mitigation that results in the following standards:

- a) Prevent removal or disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species.
- b) In other areas, avoid disturbances to or removal of sensitive natural plant communities and mitigate potentially significant impacts where avoidance is infeasible.
- c) Promote protection from overgrazing and other destructive activities.
- d) Encourage scientific study and require monitoring and active management where biotic communities and habitats of limited distribution or sensitive natural plant communities are threatened by the spread of invasive non-native species.
- e) Require no net loss of sensitive biotic communities and habitats of limited distribution through avoidance, restoration, or replacement where feasible. Where avoidance, restoration, or replacement is not feasible, preserve like habitat at a 2:1 ratio or greater within Napa County to avoid significant cumulative loss of valuable habitats.

Policy CON-18: To reduce impacts on habitat conservation and connectivity:

- a) In sensitive domestic water supply drainages where new development is required to retain between 40 and 60 percent of the existing (as of June 16, 1993) vegetation onsite, the vegetation selected for retention should be in areas designed to maximize habitat value and connectivity.
- b) Outside of sensitive domestic water supply drainages, streamlined permitting procedures should be instituted for new vineyard projects that voluntarily retain valuable habitat and connectivity, including generous setbacks from streams and buffers around ecologically sensitive areas.
- c) Preservation of habitat and connectivity of adequate size, quality and configuration to support special-status species should be required within the project area. The size of habitat and connectivity to be preserved shall be determined based on the specific needs of the species.
- d) The County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat.
- e) The County shall require new vineyard development to be designed to minimize the reduction of wildlife movement to the maximum extent feasible. In the event the County concludes that such development will have a significant impact on wildlife movement, the County may require the applicant to relocate or remove existing perimeter fencing installed on or after February 16, 2007 to offset the impact caused by the new vineyard development.

- Policy CON-19: The County shall encourage the preservation of critical habitat areas and habitat connectivity through the use of conservation easements or other methods as well as through continued implementation of the Napa County Conservation Regulations associated with vegetation retention and setbacks from waterways.
- Policy CON-24: Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measures including one or more of the following:
 - a) Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agriculture projects.
 - b) Comply with the Oak Woodlands Preservation Act regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain, to the maximum extent feasible, existing oak woodland and chaparral communities and other significant vegetation as part of the residential, commercial, and industrial approvals.
 - c) Provide replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio [3:1 ratio; see below] when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible.
 - d) Support hardwood cutting criteria that require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization, soil production be left standing.
 - e) Maintain, to the extent feasible, a mixture of oak species which is needed to ensure acorn production. Black, canyon, live, and brewer oaks as well as blue, white, scrub and live oaks are common associations.

2.3.2 Napa County Code

A number of Napa County codes and ordinances may apply to the Study Area.

Stream Setbacks: Napa County Code 18.108.025 requires stream setbacks for new land clearings for agricultural purposes. "Stream" is defined by Napa County (18.108.030) as:

- a watercourse designated by a solid line or dash and three dots symbol on the largest scale of the United State Geological Survey (USGS) maps most recently published, or any replacement to that symbol (i.e., USGS "blue-line");
- any watercourse which has a well-defined channel with a depth greater than four feet and banks steeper than 3:1 and contains hydrophilic vegetation, riparian vegetation or woody-vegetation including tree species greater than ten feet in height; or
- those watercourses listed in Resolution No. 94-19. No clearing of land for new agricultural uses as defined by Section 18.08.040 shall take place within the following setbacks from streams:

Table 1. Napa County Stream Setbacks

Slope (Percent)	Required Setback
< 1	35 feet
1-5	45 feet
5-15	55 feet
15-30	65 feet
30-40	85 feet
40-50	105 feet
50-60	125 feet
60-70	150 feet

In 2020, Napa County added to Code Section 18.108.025 the requirement of a 35-foot setback for ephemeral or intermittent streams not meeting Napa County's criteria for a stream. Likewise, 18.108.026 was added to the Napa County Code to include the requirement of a 50-foot setback from the delineated edge of wetland boundaries.

Vegetation Preservation and Replacement: Napa County Code 18.108.100 requires the following conditions when granting a discretionary permit for activities within an erosion hazard area (slopes greater than 5 percent):

- Existing vegetation shall be preserved to the maximum extent consistent with the project. Vegetation shall not be removed if it is identified as being necessary for erosion control in the approved erosion control plan or if necessary for the preservation of threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the County's environmental sensitivity maps. Existing trees six inches in diameter or larger, measured at diameter breast height (DBH), or tree stands of trees six inches DBH or larger located on a site for which either an administrative or discretionary permit is required shall not be removed until the required permits have been approved by the decision-making body and tree removal has been specifically authorized.
- Trees to be retained or designated for retention shall be protected through the use of barricades or other appropriate methods to be placed and maintained at their drip line during the construction phase. Where appropriate, the director may require an applicant to install and maintain construction fencing around the trees to ensure their protection during earthmoving activities. Where removal of vegetation is necessitated or authorized, the director or designee may require the planting of replacement vegetation of an equivalent kind, quality and quantity.

2.3.2 Napa County Water Quality and Tree Protection Ordinance

In 2019, the Napa County Board of Supervisors adopted the Water Quality and Tree Protection Ordinance (WQTPO) modifying Chapter 18.108 Conservation Regulations to provide additional protections to trees and water quality. As noted above, additional setbacks were added for ephemeral and intermittent drainages and wetlands (Chapters 18.108.025 and 18.108.026). In addition, the tree retention required by Chapter 18.108.027 in sensitive domestic water supply drainages was increased from 60 percent to 70

percent retention based on vegetation that existed within the parcel in 1993. In addition, Chapter 18.108.020 subsections C and D were added to the Code that require a minimum of 70 percent retention of canopy cover based on the vegetation that existed within the parcel in 2016, and the preservation or mitigation of trees at a minimum 3:1 ratio. Ordinance No. 1438 allowed for a one-time exemption from the Ordinance (and therefore the updated stream setbacks, wetland setbacks, and vegetation retention requirements) for projects that are less than 15 percent slope and less than 5 acres.

2.3.3 Napa County Voluntary Oak Woodlands Management Plan, the California Oak Woodlands Conservation Act, and the Oak Woodlands Conservation Program

The Napa County Voluntary Oak Woodlands Management Plan provides a conservation framework for the preservation of oak woodland resources in the County. By having this Plan in place, the County and landowners in the County can obtain funding through the State Oak Woodlands Conservation Program, established by the Oak Woodlands Conservation Act. The Act was added to the California Environmental Quality Act (CEQA) statutes as Public Resources Code Section 21083.4. It requires the County to determine whether a project would result in a significant impact on oak woodlands, and to mitigate significant impacts through conservation easements, re-planting, contributing to the Oak Woodlands Conservation Fund, or other measures devised by the County. Exemptions are allowed for certain land uses, including conversion of oak woodlands on agricultural land used for commercial purposes.

2.3.4 Sonoma County Vineyard Erosion and Sediment Control Ordinance

The Sonoma County Vineyard Erosion and Sediment Control Ordinance (VESCO) (Chapter 11 of the Sonoma County Code) was enacted for the purpose of regulating grading, drainage improvement, and vineyard and orchard site development within the unincorporated area of the county, and to establish ministerial standards for those activities that minimizes hazards to life and property; protects against soil loss and the pollution of watercourses with soil and other pollutants; protects the safety, use, and stability of public rights-of-way and watercourses; protects watercourses from obstruction, and protects life and property from the deleterious effects of flooding; protects against the destruction of human remains and archaeological resources; protects streams, lakes, ponds, and wetlands; and promotes water conservation. Under VESCO, potential vineyard and orchard developers are required to submit a Biological Resources Assessment prepared in accordance with the *Sonoma County Guidelines for Preparing Biological Resource Studies or Assessments*.

2.3.5 Sonoma County Valley Oak Tree Ordinance

The Sonoma County Valley Oak Tree Ordinance (Chapter 26, Article 67 of the Sonoma County Code) (Tree Ordinance) regulates the removal and preservation of Valley oak (*Quercus lobata*) trees within designated Valley Oak Habitat Combining Districts (VOH) within Sonoma County. Under the Tree Ordinance, removal of any individual Valley oak trees with a diameter at breast height (DBH) equal to or greater than 20 inches, or multiple Valley oak trees with a cumulative DBH of 60" within a VOH must be mitigated.

The Study Area does not fall within the VOH and this ordinance is not discussed further in this report.

2.3.6 Sonoma County Riparian Conservation Ordinance

The Sonoma County Riparian Corridor Combining Zone (Chapter 26, Article 65 of the Sonoma County Code) protects riparian corridors along designated streams within Sonoma County. The minimum streamside conservation area shall be shown in the zoning database followed by the minimum setback for agricultural cultivation (e.g., RC 100/50). Where the drip line of existing riparian trees with trunks located wholly or partially within the streamside conservation area extends beyond the streamside conservation area boundary, as indicated in the zoning database, the boundary shall be increased to include the outer drip line of the riparian trees.

The zoning database for designated streams does not show any regulated features within the Study Area.

3.0 METHODOLOGY

3.1 Literature Review

A list of special-status species with potential to occur within the Study Area was developed by conducting a query of the following databases:

- California Natural Diversity Database (CNDDDB) (CNDDDB 2023) query of the Study Area and all areas within 5 miles of the Study Area (**Figures 3 and 4**);
- The CNDDDB Spotted Owl Observations Database (CNDDDB 2023)
- USFWS Information for Planning and Conservation (IPaC) (USFWS 2023a) query for the Study Area (**Attachment B**);
- Bumble Bee Watch query of all occurrences in Napa County (The Xerces Society, et al. 2023);
- California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (CNPS 2023) query of the "Rutherford, California" USGS topo quadrangle, and the eight surrounding quadrangles (**Attachment C**); and
- Western Bat Working Group (WBWG) Species Matrix (WBWG 2023).

In addition, any special-status species that are known to occur in the region, but that were not identified in any of the above database searches were also analyzed for their potential to occur within the Project area.

For the purposes of this Biological Resources Assessment, special-status species is defined as those species that are:

- listed as threatened or endangered, or proposed or candidates for listing by the USFWS or National Marine Fisheries Service;
- listed as threatened or endangered and candidates for listing by CDFW;
- identified as Fully Protected species or species of special concern by CDFW;
- identified as Medium or High priority species by the WBWG (WBWG 2023); and

- plant species considered to be rare, threatened, or endangered in California by the CNPS and CDFW [California Rare Plant Rank (CRPR) 1, 2, and 3]:
 - CRPR 1A: Plants presumed extinct.
 - CRPR 1B: Plants rare, threatened, or endangered in California and elsewhere.
 - CRPR 2A: Plants extirpated in California, but common elsewhere.
 - CRPR 2B: Plants rare, threatened, or endangered in California, but more common elsewhere.
 - CRPR 3: Plants about which the CNPS needs more information – a review list.

3.2 Field Surveys

Madrone Ecological Consulting (Madrone) senior biologist Bonnie Peterson conducted a field survey of various portions of the Study Area on 18 October 2023 to assess the suitability of habitats on-site to support special-status species. Meandering pedestrian surveys were performed throughout the Study Area. Vegetation communities were classified in accordance with *The Manual of California Vegetation, Second Edition* (Sawyer, Keeler-Wolf and Evens 2009), primarily accessed online (CNPS 2023), and plant taxonomy was based on the nomenclature in the Jepson eFlora (Jepson Flora Project 2023). Surveys were conducted as outlined in the *Napa County in Guidelines for Preparing Biological Resources Reconnaissance Surveys* (Napa County 2016a) and *Guidelines for Preparing Special-status Plant Studies* (Napa County 2016b); however, due to timing, a protocol-level rare plant survey was not able to be conducted. A list of all plant and wildlife species observed during field surveys is included as **Attachment D**.

4.0 EXISTING CONDITIONS

The Study Area is situated on the eastern slope of the Mayacamas Mountains and slopes from the northwest to southeast. Elevations range from approximately 1540 feet above mean sea level (MSL) at the south edge of the property to approximately 1840 feet at the water towers. Surrounding properties are in agriculture and rural residential uses. The Study Area is located in the San Pablo Bay watershed (18050002) and intermittent tributaries in the vicinity generally flow east to Dry Creek.

The Study Area is comprised of California annual grasslands, mixed oak woodland, agricultural lands and developed/disturbed areas (**Figures 5a** and **5b**). Access to the Study Area is from the south via an asphalt road, which extends north through fenced pastures to a barn and parking areas, winery facilities, and a residence. Olive orchards and vineyards are primarily located along the western slope of the Mayacamas Mountains in mixed oak and broadleaf woodland. The Study Area includes a dirt access road that extends to the northeast through annual grasslands and three annual grassland ridges. Annual grasslands within the Study Area are currently grazed. Due to the slope of the Study Area a number of roadside ditches, culverts, and erosional features cross the Study Area roads. While the majority of these features lack a distinct bed, bank, and channel, a more substantial ephemeral stream crosses the access road through existing culverts in the northeast portion of the Study Area and is described in further detail in **Section 4.2**. Representative site photographs are provided in **Attachment E**.

4.1 Terrestrial Vegetation Communities

4.1.1 California Annual Grassland

Non-native grasslands occur throughout cismontane California, particularly in the Sierra Foothills, Coast Range, Transverse Range, and Peninsular Ranges and are situated on a variety of landscapes including coastal terraces, valley bottoms, and foothills underlain by a variety of soil types. These grasslands are not considered sensitive by the CDFW or Napa County. None of the California annual grassland within the Study Area falls within Sonoma County.

The Study Area contains 7.3 acres of California annual grassland which is generally dominated by soft brome (*Bromus hordeaceus*), medusahead (*Elymus caput-medusae*), wild oat (*Avena fatua*), and Italian ryegrass (*Festuca perennis*). Other species occurring frequently in this vegetation community within the Study Area include hayfield tarweed (*Hemizonia conjesta* var. *luzulifolia*), vetch (*Vicia* sp.), English plantain (*Plantago lanceolata*), prickly lettuce (*Lactuca serriola*), and filaree (*Erodium* sp.). Erosional features created by seasonal stormwater runoff, as well as roadside ditches and culverts occur occasionally within this community.

4.1.2 Mixed Oak Woodland

The Study Area contains 1.3-acres of mixed oak woodland. Mixed oak woodlands are considered sensitive under the Napa County General Plan Conservation Element Policy CON-24 (oak woodland retention); however, they are not considered a sensitive natural community by CDFW. The Study Area does not fall within the Sonoma County VOH. Mixed oak woodland occurs along the eastern slope of the Mayacamas Mountains, which includes patches along the access road to the Tesseron Vineyards Winery and the eastern agricultural areas. The mixed oak woodland has a primarily closed canopy that is dominated by coast live oak (*Quercus agrifolia*), with scattered cover of blue oak (*Q. douglasii*), valley oak (*Q. lobata*), and California bay (*Umbellularia californica*). Other species that occur within this habitat type are olive (*Olea europaea*) and common fig (*Ficus carica*). The understory is dominated by poison oak (*Toxicodendron diversilobum*), rough hedenettle (*Stachys rigida*), hedge parsley (*Torilis arvensis*), Italian thistle (*Carduus pycnocephalus*), rip-gut brome (*Bromus diandrus*), and dogtail grass (*Cynosurus echinatus*). The herbaceous understory is comprised of species typical of the annual brome grassland described above.

4.1.4 Agricultural

A portion of the Study Area crosses an olive orchard and vineyard within the Tesseron Vineyards Winery property, comprising 0.1-acre of agricultural land. These areas are in active agriculture and are mowed and maintained as necessary for the health of the crops. The understory of these agricultural areas is minimal due to active management, but where present is primarily herbaceous weedy species typical of the California annual grassland described above.

4.1.5 Disturbed/Developed

As the Study Area is an active vineyard and winery the Study Area includes 2.4-acres of disturbed or developed barns, warehouses, water tanks, and paved working areas. Heavily disturbed areas occur in isolated locations along access roads, barns, and winery structures. Most of these areas are paved, gravel, or otherwise unvegetated, and lack ruderal vegetation.

4.2 Aquatic Resources

A protocol level aquatic resources delineation has not been completed for the Study Area; however, potentially jurisdictional wetlands and other waters of the U.S. within the Study Area were mapped during the site visit. The Study Area does not contain any wetlands. Potential waters of the U.S. in the greater vicinity were added to the map for reference and compiled from the National Wetland Inventory (NWI) (USFWS 2023) and aerial imagery (historicaerials.com 2023, Google Earth, 2023). Aquatic resources mapped within the Study Area are depicted in **Figures 6**, and total is less than 0.01 acre. For areas within the Study Area these features were mapped in the field utilizing a submeter GPS Unit (Arrow 100). For the surrounding Study Area the NWI data set was utilized.

The two ephemeral drainage that cross the Study Area occur along the dirt access road to the proposed spoils areas in the Napa County portion of the Study Area. These features range from 2 to 6 feet wide with a rocky unvegetated bed. The lack of hydric vegetation indicated these features flow following rain events. One of these features is indicated as a blue dotted line on the USGS topography map (**Figure 1**) and is likely regulated by the Napa County ordinance outlining setbacks for agricultural projects.

4.3 Soils

According to the Natural Resources Conservation Service (NRCS) Soil Survey Database (NRCS 2023), seven soil mapping units occur within the Study Area (**Figure 7**). The proposed development area is primarily (110) Boomer-Forward-Felta Complete 30-50% slopes while the spoils disposal area is comprised of (114) Bressa-Dibble complex 30-50% slopes. Soils within the Study Area are generally ph neutral clays and loams derived from volcanic rock. None of the mapped soils are known to be hydric (NRCS 2023).

5.0 RESULTS

Table 2 provides a list of special-status species that were evaluated, including their listing status, habitat associations, and their potential to occur in the Study Area. The following set of criteria was used to determine each species' potential for occurrence on the site:

- Present: Species occurs on the site based on CNDDDB records, and/or was observed on the site during field surveys.
- High: The site is within the known range of the species and suitable habitat exists.
- Moderate: The site is within the known range of the species and very limited suitable habitat exists.

Table 2. Special-Status Species with Potential to Occur within the Study Area

Scientific Name (Common Name)	Federal Status¹	State Status¹	Habitat Requirements	Potential for Occurrence
Plants				
<i>Allium peninsulare</i> var. <i>franciscanum</i> Franciscan onion	--	CRPR 1B.2	Prefers cismontane woodland or foothill grasslands associated with clay, serpentine soils or volcanic slopes. Found at elevations between 170 - 1,000 feet.	Low. The Study Area contains suitable woodland and grasslands on volcanic soils to support this species; however, the Study Area is above the documented elevation range for this species.
<i>Alopecurus aequalis</i> var. <i>sonomensis</i> Sonoma alopecurus	FE	CRPR 1B.1	Occurs in freshwater marshes and swamps and riparian scrub at elevations between 15 - 1,200 feet.	No Habitat Present. No suitable marsh or riparian habitat is present within the Study Area.
<i>Amorpha californica</i> var. <i>napensis</i> Napa false indigo	--	CRPR 1B.2	Occurs in broadleafed upland forest openings, chaparral, and cismontane woodland. Found at elevations from 165 - 6560 feet. Blooms April-July.	Low. Woodlands within the Study Area provide suitable habitat. This species was not observed during the October 2023 reconnaissance survey; however, the survey was conducted outside the typical blooming season for this species.
<i>Amsinckia lunaris</i> Bent-flowered fiddleneck	--	CRPR 1B.2	Found in cismontane woodland, valley and foothill grasslands, and coastal bluff scrub at elevations of 10-1640 feet. Blooms March-June.	Moderate. Annual grasslands within the Study Area provide suitable habitat for this species. This species was not observed during the October 2023 reconnaissance survey; however, the survey was conducted outside the typical blooming season for this species.

Table 2. Special-Status Species with Potential to Occur within the Study Area

Scientific Name (Common Name)	Federal Status¹	State Status¹	Habitat Requirements	Potential for Occurrence
<i>Arctostaphylos stanfordiana</i> ssp. <i>decumbens</i> Rincon Ridge manzanita	--	CRPR 1B.1	Cismontane woodlands and chaparral in rhyolitic soils between 245 - 1,215 feet.	No Habitat Present. Rhyolitic soils do not occur within the Study Area.
<i>Astragalus claranus</i> Clara Hunt's milk vetch	FE	CE, CRPR 1B.1	Annual herb found in on clay, rock, serpentinite, or volcanic soils in chaparral, cismontane woodland, and grassland habitats between 245 - 900 feet. Blooms April-May.	Low. Annual grasslands within the Study Area provide suitable habitat for this species but is outside the documented elevation range for this species. This species was not observed during the October 2023 reconnaissance survey; however, the survey was conducted outside the typical blooming season for this species.
<i>Astragalus tener</i> var. <i>tener</i> Alkali milk-vetch	--	CRPR 1B.2	Include elevation range. Playas, Valley and foothill grassland (adobe clay), Vernal pools	No Habitat Present. The Study Area does not support vernal pools or other mesic areas.
<i>Balsamorhiza macrolepis</i> Big-scale balsamroot	--	CRPR 1B.2	Prefers chaparral, cismontane woodland, and valley and foothill grasslands. Often associated with serpentine soils. Found in elevations between 150-5100 feet. Blooms March-June.	Low. May occur in woodland and grassland areas, but the Study Area lacks suitable serpentine soils. This species as not observed during the October 2023 survey and would have been identifiable at that time.
<i>Blennosperma bakeri</i> Sonoma sunshine	FE	CE, CRPR 1B.1	Occurs in vernal pools and mesic areas in valley and foothill grasslands between 30 - 360 feet. Restricted to the Santa Rosa Plain and Sonoma Valley.	No Habitat Present. The Study Area does not support vernal pools or other mesic areas and is outside the documented range for this species.

Table 2. Special-Status Species with Potential to Occur within the Study Area

Scientific Name (Common Name)	Federal Status¹	State Status¹	Habitat Requirements	Potential for Occurrence
<i>Brodiaea leptandra</i> Narrow-flowered California brodiaea	--	CRPR 1B.2	Found in volcanic soils in broadleaved upland forest, chaparral, cismontane woodland, lower montane coniferous forest, and valley and foothill grassland at elevations from 360 - 3,000 feet.	Moderate. The Study Area contains suitable habitats on volcanic soils to support this species.
<i>Castilleja ambigua</i> var. <i>meadii</i> Mead's owls-clover	--	CRPR 1B.1	Found in meadows, seeps, and vernal pools between 1475 - 1560 ft.	No Habitat Present. Study Area lacks typical mesic habitat.
<i>Ceanothus confusus</i> Rincon Ridge ceanothus	--	CRPR 1B.1	Found on volcanic or serpentine soils in closed-cone coniferous forest, chaparral, and cismontane woodland at elevations from 250 - 3,500 feet.	Low. Typical chaparral on serpentine soils do not occur in the Study Area. No ceanothus were observed during October 2023 site visit.
<i>Ceanothus divergens</i> Calistoga ceanothus			Found on volcanic rocky or serpentine soils in chaparral habitats at elevations from 56 - 3,150 feet.	No Habitat Present. Chaparral does not occur in the Study Area. No ceanothus were observed during October 2023 site visit.
<i>Ceanothus purpureus</i> Holly-leaved ceanothus	--	CRPR 1B.2	Found on rocky volcanic soils in chaparral and cismontane woodland between 390 - 2,100 feet.	Low. Typical chaparral on rocky soils do not occur in the Study Area. No ceanothus were observed during October 2023 site visit.
<i>Ceanothus sonomensis</i> Sonoma ceanothus	--	CRPR 1B.2	Found on volcanic sandy or serpentine soils in chaparral habitats at elevations from 705 - 2625 feet.	No Habitat Present. Chaparral does not occur in the Study Area. No ceanothus were observed during October 2023 site visit.

Table 2. Special-Status Species with Potential to Occur within the Study Area

Scientific Name (Common Name)	Federal Status¹	State Status¹	Habitat Requirements	Potential for Occurrence
<i>Centromadia parryi</i> ssp. <i>parryi</i> Pappose tarplant	--	CRPR 1B.2	Found on alkaline soils in coastal prairie, meadows, seeps, coastal salt marshes, and valley/foothill grasslands. Found at sea level to 1380 feet.	No Habitat Present. Alkaline soils are not present within the Study Area, and the Study area is outside the documented elevation range.
<i>Downingia pusilla</i> Dwarf downingia	--	CRPR 2B.2	Mesic areas in valley and foothill grassland, and vernal pools at 3 – 1,460 feet.	No Habitat Present. The Study Area does not support vernal pools or other mesic areas and is outside the documented range for this species.
<i>Erigeron greenei</i> Greene's narrow-leaved daisy	--	CRPR 1B.2	Generally found on serpentine or volcanic substrates in chaparral at elevations between 260-3,295 feet. Blooms May through September.	No Habitat Present. No chaparral is present within the Study Area.
<i>Eryngium constancei</i> Loch Lomond button-celery	FE	CE, CRPR 1B.2	Occurs in vernal pools. Found at elevations between 1510-2805 feet.	No Habitat Present. Study Area lacks vernal pool habitat.
<i>Eryngium jepsonii</i> Jepson's coyote-thistle	--	CRPR 1B.2	Occurs in vernal pools, valley and foothill grasslands. Found at elevations between 10-985 feet.	No Habitat Present. Study Area lacks vernal pool habitat.
<i>Extriplex joaquinana</i> San Joaquin spearscale	--	CRPR 1B.2	Found in seasonal alkali wetlands or alkali sink scrub. Found between 5-2740 feet.	No Habitat Present. No seasonal wetlands, sinks, or other mesic habitats occur within the Study Area.

Table 2. Special-Status Species with Potential to Occur within the Study Area

<i>Scientific Name</i> (Common Name)	Federal Status ¹	State Status ¹	Habitat Requirements	Potential for Occurrence
<i>Fritillaria liliacea</i> Fragrant fritillary	--	CRPR 1B.2	Elevations between 10-1,350 feet. Found in cismontane woodland, coastal prairie, coastal scrub, and valley and foothill grasslands, often on serpentine soils.	Low. Although this species is often found on serpentine soils, it has been found on clay soils. Upland habitats throughout the site represent marginally suitable habitat for the species; however, the Study Area is outside the documented elevation range for this species.
<i>Hemizonia congesta</i> ssp. <i>congesta</i> Congested-head hayfield tarweed	--	CRPR 1B.2	Elevations between 70-1,800 feet. Occurs in valley and foothill grasslands, often on roadsides.	Moderate. Suitable habitat is present in grassland areas.
<i>Hesperolinon sharsmithiae</i> Sharsmith's western flax	--	CRPR 1B.2	Found in serpentine soils in chaparral at elevations between 885- 985 feet.	No Habitat Present. No serpentine soils or chaparral are present in the Study Area.
<i>Horkelia tenuiloba</i> Thin-lobed horkelia	--	CRPR 1B.2	Occurs on sandy soils in mesic openings in broadleafed forests, chaparral, and valley and foothill grasslands at elevations between 160-1,640 feet.	No Habitat Present. Sandy soils and mesic areas do not occur in the Study Area.
<i>Lasthenia burkei</i> Burke's goldfields	FE	CE, CRPR 1B.1	Vernal pools and mesic meadows and seeps at elevations from 50-1,970 feet. Note that within the Santa Rosa Plain, this species is only known to occur below 150 feet (USFWS 2016b).	No Habitat Present. Study Area lacks vernal pools or other mesic areas.

Table 2. Special-Status Species with Potential to Occur within the Study Area

Scientific Name (Common Name)	Federal Status¹	State Status¹	Habitat Requirements	Potential for Occurrence
<i>Lasthenia conjugens</i> Contra Costa goldfields	FE	CRPR 1B.1	Found in mesic areas in cismontane woodland and annual grassland and in alkaline playas and vernal pools. Occurs in areas between 0-1540 ft.	No Habitat Present. The Study Area lacks mesic areas.
<i>Lathyrus jepsonii</i> var. <i>jepsonii</i> Delta tule pea	None	CRPR 1B.2	Prefers tidally influenced channels, brackish marshes and swamps below 15 feet.	No Habitat Present. The Study Area lacks wetlands or marshes and is outside the of the range of this species.
<i>Layia septentrionalis</i> Colusa layia	None	CRPR 1B.2	Favors chaparral, cismontane woodland, or foothill grasslands with sandy or serpentine soils between 330-3595 feet elevation.	Low. The Study Area lacks typical sandy or serpentine soils.
<i>Legenere limosa</i> Legenere	--	CRPR 1B.1	Occurs in vernal pools between 5-2885 feet.	No Habitat Present. The Study Area lacks vernal pools or other mesic areas.
<i>Leptosiphon jepsonii</i> Jepson's leptosiphon	--	CRPR 1B.2	Occurs in chaparral and cismontane woodland, usually on volcanic soils. Elevations between 330-1,640 feet.	Moderate. Suitable habitat is present in woodlands throughout the Study Area.
<i>Lessingia hololeuca</i> Wooly-headed lessingia	--	CRPR 3	Broadleafed upland forest, Coastal scrub, Lower montane coniferous forest, Valley and foothill grassland between 50-1000 feet.	Low. May occur in annual grasslands and woodlands; however, the Study Area is outside the documented elevation range for this species.
<i>Lilaeopsis masonii</i> Mason's lilaeopsis	--	Rare, CRPR 1B.1	This species prefers brackish or freshwater swamps, intertidal marshes, and riparian scrub at or below 35 feet.	No Habitat Present. The Study Area lacks swamps, marshes, or other mesic areas and is outside the elevation range for this species.

Table 2. Special-Status Species with Potential to Occur within the Study Area

Scientific Name (Common Name)	Federal Status¹	State Status¹	Habitat Requirements	Potential for Occurrence
<i>Limnanthes vinculans</i> Sebastopol meadowfoam	FE	CE, CRPR 1B.1	Vernal pools, mesic areas in valley and foothill grassland, and meadows and seeps at elevations from 50-1,000 feet.	No Habitat Present. The Study Area lacks wetlands or other mesic areas.
<i>Lupinus sericatus</i> Cobb Mountain lupine	--	CRPR 1B.2	Found in broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest (900 –5005 feet). Blooms March-June.	Moderate. Suitable habitat in woodland areas through the Study Area.
<i>Micropus amphibolus</i> Mt. Diablo cottonweed	--	CRPR 3.2	Rocky areas in chaparral, forests and woodlands, and grassland (145-2,70 feet).	No Habitat Present. No rocky areas are present within the Study Area.
<i>Navarretia leucocephala</i> ssp. <i>bakeri</i> Baker's navarretia	--	CRPR 1B.1	Favors vernal pools, cismontane woodland, lower montane coniferous forest, meadows and seeps, valley and foothill grasslands between 15-5710 feet.	No Habitat Present. Vernal pools or other mesic areas do not occur within the Study Area.
<i>Navarretia leucocephala</i> ssp. <i>pauciflora</i> Few-flowered navarretia	FE	CT, CRPR 1B.1	Favors vernal on volcanic ash between 1310-2805 feet.	No Habitat Present. Vernal pools or other mesic areas do not occur within the Study Area.
<i>Navarretia rosulate</i> Marin County navarretia	--	CRPR 1B.2	Found on rocky serpentine soils in chaparral or closed-cone coniferous forest (655-2085 feet)	No Habitat Present. Study Area lacks suitable chaparral or closed-cone coniferous forest or typical soils.
<i>Penstemon newberryi</i> var. <i>sonomensis</i> Sonoma beardtongue	--	CRPR 1B.3	Known from fewer than 20 occurrences. Found in rocky soils (2295–4495 feet)	No Habitat Present. No chaparral present.

Table 2. Special-Status Species with Potential to Occur within the Study Area

Scientific Name (Common Name)	Federal Status¹	State Status¹	Habitat Requirements	Potential for Occurrence
<i>Plagiobothrys hystriculus</i> Bearded popcornflower	--	CRPR 1B.1	Often in vernal swales, and in mesic areas of valley and foothill grassland and vernal pool margins (0 – 899 feet).	No Habitat Present. The Study Area does not contain mesic areas.
<i>Plagiobothrys strictus</i> Calistoga popcornflower	FE	CE, CRPR 1B.1	Found in alkaline seeps in meadows and seeps, Valley and foothill grassland, and vernal pools	No Habitat Present. The Study Area does not contain alkaline seeps or vernal pools.
<i>Poa napensis</i> Napa blue grass	FE	CE, CRPR 1B.1	Found near thermal springs in meadows and seeps in grasslands at elevations of 330-655 feet.	No Habitat Present. The Study Area does not contain thermal springs.
<i>Sagittaria sanfordii</i> Sanford's arrowhead	--	CRPR 1B.2	Occurs in emergent marsh habitat, typically associated with drainages, canals, or irrigation ditches (0-2,135 feet).	No Habitat Present. The Study Area lacks suitable aquatic habitat.
<i>Sidalcea hickmanii</i> ssp. <i>napensis</i> Napa checkerbloom	--	CRPR 1B.2	Occurs in chaparral between 1360-2000 feet. Only known from to occurrences.	No Habitat Present. The Study Area lacks suitable chaparral habitat.
<i>Sidalcea oregana</i> ssp. <i>hydrophila</i> Marsh checkerbloom	--	CRPR 1B.2	Found in meadows, seeps, and riparian forests (3610–7545 feet).	No Habitat Present. No mesic areas occur within the Study Area.
<i>Sidalcea oregana</i> ssp. <i>valida</i> Kenwood Marsh checkerbloom	FE	CE, CRPR 1B.1	Found in freshwater marshes and swamps (375-490 feet).	No Habitat Present. No marshes occur within the Study Area, and the Study Area is outside of the known range of the species.
<i>Spergularia macrotheca</i> var. <i>longistyla</i> Long-styled sand-spurrey	--	CRPR 1B.2	Found in alkaline soils in marshes and swamps, meadows and seeps between 0-855 feet.	No Habitat Present. No alkaline marshes, seeps or mesic areas occur within the Study Area, and the Study Area is outside of the known range of the species.

Table 2. Special-Status Species with Potential to Occur within the Study Area

Scientific Name (Common Name)	Federal Status¹	State Status¹	Habitat Requirements	Potential for Occurrence
<i>Streptanthus hesperidis</i> Green jewelflower	--	CRPR 1B.2	Rocky or serpentine chaparral opening and cismontane woodlands between 425-2495 feet.	No Habitat Present. The Study Area lacks rocky or serpentine openings.
<i>Symphotrichum lentum</i> Suisun Marsh aster	--	CRPR 1B.2	Occurs in fresh and saltwater marshes, often associated with blackberries, cattails, and bulrush between sea level and 10 feet.	No Habitat Present. The Study Area is outside of the elevational range of the species and lacks suitable wetland habitats.
<i>Trichostema ruygtii</i> Napa bluecurls	--	CRPR 1B.2	Found in open areas, generally thin clay soils, possibly seasonally saturated, vernal pools in chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland, at elevation between 100-2230 feet. Blooms June through October.	Low. Suitable habitat occurs in annual grassland and woodland habitats within the Study Area; however, this species was not observed during the October 2023 site visit conducted during the blooming season.
<i>Trifolium amoenum</i> Two-forked clover	FE	CRPR 1B.	Considered extinct until 1993. Only known from two occurrences, one in Sonoma County and one in Marin. Occurs in coastal bluff scrub, valley and foothill grassland between 15-1,360 feet elevation.	Low. Outside the documented range for this species.
<i>Trifolium hydrophilum</i> Saline clover	--	CRPR 1B.2	Grows in marshes, swamps, and vernal pools with alkaline soils between sea level and 985 feet elevation.	No Habitat Present. The Study Area does not contain suitable marshes, swamps, or vernal pools with alkaline soils.

Table 2. Special-Status Species with Potential to Occur within the Study Area

<i>Scientific Name</i> (Common Name)	Federal Status ¹	State Status ¹	Habitat Requirements	Potential for Occurrence
<i>Viburnum ellipticum</i> Oval-leaved viburnum	--	CRPR 2B.3	Found in chaparral, cismontane woodlands, and lower cismontane coniferous forests generally on north-facing slopes or otherwise more mesic areas at elevations from 700-4,600 feet.	No Habitat Present. The chaparral and oak woodland within the Study Area are not sufficiently mesic to support this species.
Invertebrates				
<i>Bombus crotchii</i> Crotch bumble bee	--	CC	Occurs in open grasslands and scrub habitats. This species occurs primarily in California including the Mediterranean region, Pacific Coast, Western Desert, Great Valley, and adjacent foothills through most of southwestern California (William et al 2014). This species was historically common in the Central Valley of California, but now appears to be absent from most of it, especially in the center of its historic range (Williams et al. 2014; Richardson et al 2014).	Moderate. Grassland habitats contain suitable foraging flower populations and represent potential nesting and overwintering habitat.

Table 2. Special-Status Species with Potential to Occur within the Study Area

Scientific Name (Common Name)	Federal Status¹	State Status¹	Habitat Requirements	Potential for Occurrence
<i>Bombus occidentalis</i> Western bumble bee	--	CC	Meadows and grasslands with the blended floral resources are the appropriate habitat for this sub-species. While the Western bumble bee was historically known throughout the mountains and northern coast of California, it is now largely confined to high elevation sites and a small handful of records on the northern California coast (Cameron et al. 2011a; Xerces Society 2012; Williams et al. 2014; Xerces Society et al. 2017).	Low. Grassland habitats contain suitable foraging flower populations and represent potential nesting and overwintering habitat. A single occurrence has been documented approximately 2.5-miles west of the Study Area from 1962 (CNDDDB occ. 168). However, recent data and range maps indicated that the Study Area is outside of the current range of this species.
<i>Danaus plexippus</i> Monarch butterfly	FC	--	Migratory species; most prevalent in the Central Valley in summer and early fall. Dependent upon milkweed (<i>Asclepias</i> species) plants as their exclusive larval host.	No Habitat Present. No substantial milkweed populations are present.
<i>Syncaris pacifica</i> California freshwater shrimp	FE	--	Found in low elevation (3580 feet), low gradient, perennial freshwater streams or intermittent streams with perennial pools. Known from Marin, Sonoma, and Napa Counties north of San Francisco Bay.	No Habitat Present. The Study Area lacks freshwater streams or perennial pools.
Fish				

Table 2. Special-Status Species with Potential to Occur within the Study Area

Scientific Name (Common Name)	Federal Status¹	State Status¹	Habitat Requirements	Potential for Occurrence
<i>Oncorhynchus mykiss irideus</i> , Population 8 Steelhead – Population 8	FT	--	Anadromous species requiring freshwater water courses with gravelly substrates for breeding. The young remain in freshwater areas before migrating to estuarine and marine environments.	No Habitat Present. The Study Area lacks suitable freshwater streams to support this species.
Amphibians				
<i>Dicamptodon ensatus</i> California giant salamander	--	CSC	Damp forests in or near clear, cold perennial streams and seeps. Found under logs, bark, rocks, and other objects near streams. Often remain in aquatic larval form for several years.	No Habitat Present. No perennial streams occur within the Study Area.
<i>Rana boylei</i> Foothill yellow-legged frog	--	CT	Prefers gravelly or sandy streams with open banks near woodlands.	No Habitat Present. The Study Area does not contain suitable streams.
<i>Rana draytonii</i> California red-legged frog	FT	CSC	Breeds in permanent to semi-permanent aquatic habitats including lakes, ponds, marshes, creeks, and other drainages.	No Habitat Present. The Study Area does not contain suitable semi-permanent aquatic habitat.
<i>Taricha rivularis</i> Red-bellied newt	--	CSC	Found in coastal woodlands and redwood forests along the north coast of California.	No Habitat Present. Coastal woodlands and redwood forests do not occur within the Study Area.
Reptiles				
<i>Actinemys marmorata</i> Northwestern pond turtle	FC	CSC	Occurs in ponds, rivers, streams, wetlands, and irrigation ditches with associated marsh habitat.	No Habitat Present. The Study Area does not contain suitable aquatic habitat to support this species.

Table 2. Special-Status Species with Potential to Occur within the Study Area

<i>Scientific Name</i> (Common Name)	Federal Status ¹	State Status ¹	Habitat Requirements	Potential for Occurrence
<i>Chelonia mydas</i> Green sea turtle	FT	--	Found in all temperate and tropical waters throughout the world near coastlines, around islands, and in bays and protected shores, especially in areas with seagrass beds.	No Habitat Present. The Study Area is not situated near the ocean.
Birds				
<i>Buteo swainsoni</i> Swainson's hawk	--	CT	Nests in large trees, preferably in riparian areas. Forages in fields, cropland, irrigated pasture, and grassland near large riparian corridors.	Moderate. The trees on-site are suitable nesting habitat, and the annual grassland is suitable foraging habitat.
<i>Cypseloides niger</i> Black swift	--	CSC	Rare, local summer resident of mountain foothill canyons which arrives in mid-May for nesting. Nests on cliffs behind or adjacent to waterfalls.	No Habitat Present. Cliffs do not occur within the Study Area.
<i>Falco peregrinus anatum</i> American peregrine	--	CFP	Nests on cliff ledges, tall buildings, or other tall man-made structures near open areas for foraging.	Low. Suitable breeding habitat is absent. This species may forage in annual grasslands.
<i>Strix occidentalis caurina</i> Northern spotted owl	CT	CT, CSC	Inhabits mature and old-growth conifer forests with high structural complexity.	No Habitat Present. Conifer forests do not occur within the Study Area.
<i>Progne subis</i> Purple martin	--	CSC	Nests in tall bridges and overpasses near water and open areas.	No Habitat Present. No tall bridges or overpasses are present within the Study Area.

Table 2. Special-Status Species with Potential to Occur within the Study Area

<i>Scientific Name</i> (Common Name)	Federal Status ¹	State Status ¹	Habitat Requirements	Potential for Occurrence
Mammals				
<i>Antrozous pallidus</i> Pallid bat	--	CSC, WBWG H	Day and night roosts include crevices in rocky outcrops and cliffs, caves, mines, trees (e.g., basal hollows of coast redwoods <i>Sequoia sempervirens</i>] and giant sequoia [<i>Sequoiadendron giganteum</i>], bole cavities of oaks [<i>Quercus</i> species], exfoliating Ponderosa pine [<i>Pinus ponderosa</i>] and valley oak [<i>Quercus lobata</i>] bark, deciduous trees in riparian areas, and fruit trees in orchards), and various human structures such as bridges (especially wooden and concrete girder designs), barns, porches, bat boxes, and human-occupied as well as vacant buildings (WBWG 2023).	Moderate. Suitable roosting habitat for this species is present in barns and sheds and tree hollows and under exfoliating bark on trees scattered throughout the Study Area.

¹Status Codes:

CC - CDFW Candidate for Listing

CE - CDFW Endangered

CFP - CDFW Fully Protected

CRPR - California Rare Plant Rank

CR - California Rare

CSC - CDFW Species of Concern
Listing

CT - CDFW Threatened

FE - Federally Endangered

FT - Federally Threatened

FC - Federal Candidate for

WBWG H - Western Bat Working Group High Threat Rank

WBWG M - Western Bat Working Group Medium Threat Rank

- Low: The site is within the known range of the species and there is marginally suitable habitat or the species was not observed during protocol-level surveys conducted on-site.
- Absent/No Habitat Present: The site does not contain suitable habitat for the species, the species was not observed during protocol-level floristic surveys conducted on-site, or the site is outside the known range of the species.

Figures 3 and 4 are exhibits displaying CNDDDB occurrences within five miles of the Study Area. Below is a discussion of all special-status plant and animal species with potential to occur within the Study Area.

5.1 Plants

5.1.1 *Bent-flowered fiddleneck*

Bent-flowered fiddleneck (*Amsinckia lunaris*) is not state or federally listed, but it is classified as a CRPR List 1B.2 species. This annual herb is found in valley and foothill grasslands, cismontane woodlands, and coastal bluff scrub (CNPS 2023). This plant occurs at elevations between 10 and 1,640 feet, and blooms from March through June (CNPS 2023).

The annual grasslands within the Study Area represent suitable habitat for this species. This species has not been documented within the Study Area; however, the reconnaissance level survey was conducted outside the typical blooming season for this species.

5.1.2 *Narrow-anthered brodiaea*

Narrow-anthered brodiaea (*Brodiaea leptandra*) is not federally or state listed, but it is classified as a CRPR List 1B.2 plant. It is a perennial herbaceous species that occurs in broad-leafed upland forest, chaparral, cismontane woodland, lower montane coniferous forests, and valley and foothill grassland between 360 and 3,000 feet (CNPS 2023). Narrow-anthered brodiaea blooms from May through July and has been found on volcanic soils (CNPS 2023).

The disturbed annual grassland and Valley oak woodland throughout the Study Area provide suitable habitat for this species. This species has not been documented within the Study Area; however, the reconnaissance level survey was conducted outside the typical blooming season for this species.

5.1.3 *Congested-head hayfield tarweed*

Congested-head hayfield tarweed (*Hemizonia congesta* ssp. *congesta*) is not federally or state listed, but it is classified as a CRPR List 1B.2 species. This annual herb is found in valley and foothill grassland and sometimes occurs on roadsides (CNPS 2023). This plant occurs at elevations between 65 feet and 1,835 feet, and blooms from April through November (CNPS 2023).

The Annual California annual grasslands throughout the Study Area represent suitable habitat for this species. This species was not observed during the 2023 reconnaissance level survey of the site, which was conducted during the blooming season. The closely related Woodrush tarweed (*Hemizonia congesta* ssp. *luzulifolia*) was in bloom and identified during this survey.

5.1.4 Jepson's leptosiphon

Jepson's leptosiphon (*Leptosiphon jepsonii*) is not state or federally listed, but it is classified as a CRPR List 1B.2 plant. This annual herb is found in chaparral, cismontane woodland, and valley and foothill grassland within occasional volcanic microhabitats (CNPS 2023). Jepson's leptosiphon occurs at elevations between 930 and 1,640 feet, and blooms from March through May (CNPS 2023).

The annual grasslands within the Study Area represent suitable habitat for this species. This species has not been documented within the Study Area; however, the reconnaissance level survey was conducted outside the typical blooming season for this species.

5.1.5 Cobb Mountain lupine

Cobb Mountain lupine (*Lupinus sericatus*) is not a state or federally listed species but is classified as a CRPR List 1B.2 plant. This perennial herb is found in various habitats including broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest and is known to colonize disturbed sites. Cobb Mountain lupine is found between approximately 900 and 5,050 feet in elevation and blooms from March through June (CNPS 2023).

Mixed oak woodlands and annual grasslands within the Study Area represent suitable habitat for this species. This species has not been documented within the Study Area; however, the reconnaissance level survey was conducted outside the typical blooming season for this species.

5.2 Invertebrates

5.2.1 Crotch Bumble Bee

Crotch bumble bee (*Bombus crotchii*) has a limited distribution in southwestern North America. This species occurs primarily in California, including the Mediterranean region, Pacific Coast, West Desert, Great Valley, and adjacent foothills through most of southwestern California. It also occurs in Mexico (Baja California and Baja California Sur) (Williams et al. 2014) and has been documented in southwest Nevada, near the California border.

All bumblebees have three basic requirements: suitable nesting sites for the colonies, availability of nectar and pollen from floral resources throughout the duration of the entirety of the colony period (spring, summer, and fall), and suitable overwintering sites for the queens. Nests are often located underground in abandoned holes made by ground squirrels, mice, and rats or occasionally abandoned bird nests

(Osborne et al 2008). Some species nest on the surface of the ground (in tufts of grass) or in empty cavities. Bumble bees that nest aboveground may require undisturbed areas with nesting resources such as grass and hay to protect nests. Furthermore, areas with woody cover, or other sheltered areas provide bumble bees sites to build their nests (e.g., downed wood, rock walls, brush piles, etc.).

Bumble bees depend on the availability of habitats with a rich supply of floral resources that bloom continuously during the entirety of the colony's life. The queen collects nectar and pollen from flowers to support the production of her eggs, which are fertilized by sperm she has stored from mating the previous fall. As generalist foragers, bumble bees do not depend on any one flower type. They generally prefer flowers that are purple, blue or yellow; they are essentially blind to the color red. Very little is known about hibernacula, or overwintering sites utilized by most bumble bees. Generally, bumble bees overwinter in soft, disturbed soil (Goulson 2010), under leaf litter or other debris (Williams et al. 2014), in abandoned holes made by fossorial mammals or occasionally in abandoned bird nests (Osborne et al 2008). Some species do nests on the surface of the ground (in grassy tussocks) or in empty cavities (hollow logs, dead trees, under rocks, etc.). Queens most likely overwinter in small cavities just below or on the ground surface.

In California, *B. crochii* inhabits open grasslands and scrub habitats. This species occurs primarily in California including the Mediterranean region, Pacific Coast, Western Desert, Great Valley, and adjacent foothills through most of southwestern California (William et al 2014). This species was historically common in the Central Valley of California, but now appears to be absent from most of it, especially in the center of its historic range (Williams et al. 2014; Richardson et al 2014). While this species does not appear within the vicinity on the records search, little documentation is available for bumble bees and the Study Area is within the current range of the species.

5.3 Birds

5.3.1 Swainson's Hawk

Swainson's hawk (*Buteo swainsoni*) is a raptor species that is not federally listed, but is listed as threatened by CDFW. Breeding pairs typically nest in tall trees associated with riparian corridors, and forage in grassland, irrigated pasture, and cropland with a high density of rodents (Shuford and Gardali 2008). The Central Valley populations breed and nest in the late spring through early summer before migrating to Central and South America for the winter (Shuford and Gardali 2008).

The annual grasslands throughout the Study Area represent suitable foraging habitat for Swainson's hawk, and the trees within the Study Area provide suitable nesting habitat. The nearest documented Swainson's hawk nest is known from CNDDDB occurrence 2268, documented in 2013 approximately 4.5 miles east of the Study Area in an oak tree along the Napa River.

5.4 Mammals

5.4.1 Pallid Bat

Pallid bat (*Antrozous pallidus*) is not federally or state listed, but is considered a CDFW species of special concern, and is classified by the WBWG as a High priority species. It favors roosting sites in crevices in rock outcrops, caves, abandoned mines, hollow trees, and human-made structures such as barns, attics, and sheds (WBWG 2023). Though pallid bats are gregarious, they tend to group in smaller colonies of 10 to 100 individuals. It is a nocturnal hunter and captures prey in flight, but unlike most American bats, the species has been observed foraging for flightless insects, which it seizes after landing (WBWG 2023).

Tree hollows and exfoliating bark on trees, barns, and sheds throughout the Study Area represent suitable roosting habitat for pallid bat. Pallid bat has not been documented in the CNDDDB within 5 miles of the Study Area (CNDDDB 2023).

6.0 IMPACTS TO SENSITIVE BIOLOGICAL RESOURCES

This section details potential impacts to the biological resources discussed above associated with construction of the Project, as discussed in **Section 1.1** and shown in **Attachment A**.

6.1 Special-Status Plant Species

The vegetation communities proposed for impact represent suitable habitat for a bend-flowered fiddleneck, narrow-anthered brodiaea, congested-head hayfield tarweed, Jepson's leptosiphon and Cobb Mountain lupine. If present, direct impacts to these species would result from ground disturbance associated within construction. As permanent conversion of habitats will be minimal, effects are expected to be temporal. While these species have not been documented in the Study Area, protocol-level special-status plant surveys have not yet been conducted.

6.2 Crotch bumble bee

Soil distribution in California grasslands associated with the disposal of spoils would result in the temporary disturbance of 7.3-acres of potential crotch bumble bee foraging habitat. As no permanent conversion of California grasslands are proposed, these effects are expected to be temporal. However, as Crotch bumble bee is a candidate for listing under the CESA, impacts to individual bumble bees may be considered a significant impact.

6.3 Swainson's Hawk

Construction activities and removal of trees within the Project area could destroy nest or disturb nesting Swainson's hawk if present. As Swainson's hawk is listed under CESA, take of the species is may be

considered a significant impact. No permanent loss of Swainson's hawk foraging habitat is anticipated as impacts to California grassland will be temporal.

6.4 Pallid Bat

Buildings and trees throughout the Study Area are potential habitat for pallid bat. While no buildings are proposed for removal, if special-status bats were roosting in trees to be removed by the Project they could be injured or killed during the removal.

6.5 Nesting Songbirds

Common bird species protected by the MBTA have the potential to nest in trees, shrubs, and on the ground throughout the Study Area. If nesting on-site, removal of the nests would impact these species. Furthermore, birds nesting in avoided areas adjacent to construction could be disturbed by construction, which could result in nest abandonment.

6.6 Aquatic Resources

The Project does not propose to directly impact the ephemeral drainages within or adjacent to the Study Area. Use of the dirt access road and disposal of spoils in uplands adjacent to the ephemeral drainages may result in temporary impacts due to wind or water born soil erosion. Per the project plans (**Attachment A**) Standard Erosion Control and Best Management Practices are a component of the Project design and there are no expected significant impacts to aquatic resources from the proposed Project. However, one of the ephemeral drainage is noted as a blue line feature of the topography map and agricultural setbacks may apply.

6.7 Critical Habitat, Essential Fish Habitat, Wildlife Corridors

The Study Area does not contain any designated Critical Habitat (USFWS 2023) or Essential Fish Habitat (NMFS 2023). The Study Area is also not within a designated wildlife corridor (Napa County 2005). While common wildlife species presumably utilize the Study Area on a local scale, the Study Area itself does not provide corridor functions beyond connecting similar California grassland and oak woodland habitats. While construction activities may result in temporary disturbance to this wildlife movement, the Project as proposed would not result in structures or activities that would alter the wildlife movement in the area.

6.8 Native Trees and Oak Woodlands

In order to excavate the wine cave and install associated infrastructure, the Project proposes to remove 15 native trees, including four live oak and 11 California bay as shown in **Attachment A** page C6. The Project proposes to replant trees at a 3:1 ratio for all native trees that are removed consistent with Napa County requirements for the replacement of lost oak woodlands or preservation of like habitat on site. Protected

trees remaining onsite could be subject to construction-related impacts as a result of work within their Protected Zone. No native tree removal is proposed within the Sonoma County portion of the Study Area.

6.9 Potential Off-site Impacts

Project activities, including staging and spoils disposal are designed to fall within the Study Area. Temporary use of off-site access roads will be necessary to bring equipment and materials to the Project area. Per the Project plans (**Attachment A**) Standard Erosion Control and Best Management Practices are a component of the Project design and there are no expected significant impacts to off-site or local biological resources by the proposed Project.

6.10 Potential Cumulative Impacts

Cumulative biological effects result in a change in the environment from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. Loss of habitat can also be an important factor affecting the long-term survival of rare, threatened and endangered species. The Project will result in temporary losses to annual grassland and mixed oak woodland habitat during construction activities; however, habitats associated with the wine cave and spoils disposal will be restored through replanting and revegetation and no cumulative impacts are anticipated for the Project.

7.0 MITIGATION FOR IMPACTS TO SENSITIVE BIOLOGICAL RESOURCES

The following are mitigation measures that are often required by CEQA lead agencies for impacts to sensitive biological resources that may be associated with construction of the Project.

7.1 Special-Status Plant Species

Special-status plant surveys shall be conducted during the blooming period for the target species in areas proposed for impact prior to commencement of construction. Areas proposed for impact shall include all areas of temporary and permanent ground disturbance as well as any proposed spoils locations. The special-status plant surveys shall be conducted in accordance with the *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants* (USFWS 1996), the *Botanical Survey Guidelines of the California Native Plant Society* (CNPS 2001), and *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018). These protocols require conducting surveys at the appropriate time of year, when plants are identifiable and in bloom and/or in fruit (which often includes multiple visits to capture blooming and/or fruiting periods for all target plants), and includes ensuring that habitats are not disturbed prior to the survey so that any plants that are present may be documented. If no special-status plant species are found, no further mitigation would be required.

If special-status plants are found, then the following would apply:

- **Avoidance:** If the Project avoids the special-status plants and an associated “Avoidance Zone,” then no impacts to the plants would occur, and no mitigation is necessary. The size of the Avoidance Zone needed to prevent impacts may vary based on the plant species and their habitat requirements. If an ESA or CESA listed special-status plant is found and is to be avoided, then an appropriate Avoidance Zone shall be developed in consultation with USFWS or CDFW (as applicable). If the species is not listed under ESA or CESA, an appropriate Avoidance Zone shall be developed by a qualified botanist in consultation with the County. Avoidance Zone areas may differ by species and site-specific conditions, and they should be developed such that the avoided special-status plant population is likely to persist in perpetuity. Avoidance zones may be based on a fixed buffer distance from the special-status plant population, at the limit of a hydrologic break, or as otherwise determined appropriate for the species in question. For plants associated with wetlands, the Avoidance Zone could be as large as 250 feet, but this zone may be as small as 50 feet for plant species that occur in uplands and do not appear to be associated with wetland hydrology.
- **Impacts:** If any impacts (direct or indirect) would occur to special-status plants, the Project Proponent shall mitigate according to one or a combination of the options below. A Special-Status Plant Mitigation Plan shall be developed and submitted to the County (or USFWS or CDFW as appropriate for ESA or CESA listed species). The Special-Status Plant Mitigation Plan shall be approved by the County, USFWS, or CDFW (as appropriate based on listing status) prior to issuance of a grading permit that would impact the plants. Note that the options below are minimum recommendations; the USFWS and/or CDFW may require additional mitigation if the plants are ESA or CESA listed.
 - **Indirect impacts:** Indirect impacts would occur if the Project avoids the mapped populations but affects a portion of an Avoidance Zone. Recommended mitigation for indirect impacts is 0.5:1 (mitigation: impacts) based on the acreage or numbers of plants that have impacts within their Avoidance Zone (if there are dense populations, acreage may be a better metric, while if there are relatively few, widely scattered plants, number of plants may be a better metric). Note that if less than 10% of the plants are indirectly impacted, this would not be considered a significant impact, and no mitigation is recommended for indirect impacts in this situation.
 - **Direct impacts:** Direct impacts would occur if grading or other direct disturbance occurs within mapped populations. Recommended mitigation for direct impacts is 1:1 for preservation of an existing population, or 2:1 for relocation/translocation of impacted plants/seeds. These ratios may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan.

Special-Status Plant Mitigation Options:

- **Preservation:** Identify one or more existing, unprotected populations of the special-status plant that will be impacted by the Project in the Project vicinity and protect this population in perpetuity by establishing a preserve on the land that supports those populations. Once the proposed mitigation area is approved by the County and/or USFWS/CDFW (as appropriate based

on listing status, if any), the mitigation area shall be protected by a recorded conservation easement or deed restriction and managed in accordance with a long-term management plan that maintains the habitats the conservation easement was established to protect (including the special-status plants). Additionally, a preserve management endowment or sufficient annual management funding as approved by the County or regulating agency shall be established to fund the long-term management outlined in the long-term management plan. As this option would preserve an existing, established population, there would be no temporal loss, and low risk of failure. As a result, the required mitigation ratio for this option would be 1:1. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan. This option may be implemented at a mitigation/conservation bank if the target plant species is present at the bank, and the Special-Status Plant Mitigation Plan shall describe how the purchase of bank credits translates into appropriate 1:1 preservation.

- Relocation or Translocation: Mitigate impacts by establishment of a new special-status plant population or expansion of an existing special-status plant population. The proposed mitigation area may be on-site or off-site and shall be permanently protected by the recordation of a conservation easement or deed restriction, development of a long-term management plan that maintains the habitats that the conservation easement was established to protect, and include the establishment of a preserve management endowment, or sufficient annual management funding as approved by the County or regulating agency. The Project proponent would locate and protect the mitigation area(s), translocate seeds or relocate perennial plants to the mitigation area(s), monitor the translocated/relocated seeds/plants for a minimum of five years, and meet established success criteria as detailed in the Special-Status Plant Mitigation Plan. If the conditions are suitable, this could occur in the native tree planting area or California grassland areas that will be revegetated post construction. The minimum success criterion for this option would be 2:1 replacement of directly impacted plants and 1:1 replacement for indirectly impacted plants by year five of monitoring (or as otherwise required by the regulatory agencies). This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan. If the success criteria are not met, then additional habitat shall be set aside as set forth under Option 1 or as agreed upon by the County and/or USFWS/CDFW, as appropriate. Because population sizes for annual plants can vary widely from year to year, for Option 2, population counts or acreage mapping would be conducted in the last two years of monitoring, and the highest count or acreage shall be at least equivalent to the number of required replacement plants.
 - The following species shall be mitigated via seed collection:
 - Bent-flowered fiddleneck
 - Congested-head hayfield tarweed
 - Jepson's leptosiphon
 - The following species shall be mitigated via transplantation/relocation (note that to the extent seed can be collected from these plants as well, both transplantation and seeding would occur for these species):
 - Narrow-anthered brodiaea

- Cobb Mountain lupine

Potential plant relocation and seeding locations are included in Attachment F. The specific location selected for reseeding/relocation would depend on the microhabitat characteristics of the location where the plant is found on-site (if it is found), but generally, the following locations would be preliminarily recommended:

- Bent-flowered fiddleneck – pink and green hatched polygons, particularly along roadsides
- Narrow-anthered brodiaea – green or yellow hatched polygons, which are located on volcanic soils
- Congested-head hayfield tarweed – pink and green hatched polygons, particularly along roadsides
- Jepson's leptosiphon – yellow hatched polygon, which is located in a woodland on volcanic soils
- Cobb Mountain lupine – yellow hatched polygon, which is located in a woodland

7.2 Crotch Bumble Bee

To minimize direct impacts to crotch bumble bee, the following measures shall be implemented:

- Initial ground-disturbing work (e.g., grading, vegetation removal, staging) shall take place between September 1st and March 31st (i.e., outside the colony active period), if feasible, to avoid impacts on nesting special status bumble bees.
- If completing all initial ground-disturbing work between September 1st and March 31st is not feasible, then a senior level biologist with 10 or more years of experience conducting biological resource surveys within California will conduct a pre-construction survey for bumble bees in the area proposed for impact no more than 14 days prior to the commencement of construction activities. The survey will occur during the period from one hour after sunrise (> 65F and < 90F with low wind and no rain) to two hours before sunset. If the timing of the start of construction makes the survey infeasible due to the temperature requirements, the surveying biologist shall select the most appropriate days based on the National Weather Service seven-day forecast, and shall survey at a time of day that is closest to the temperature range stated above. The survey duration shall be commensurate with the extent of suitable floral resources (which represent foraging habitat) present at within the area proposed for impact and the level of effort shall be based on the metric of a minimum of one person-hour of searching per three acres of suitable floral resources/foraging habitat. A meandering pedestrian survey shall be conducted throughout the area proposed for impact in order to identify patches of suitable floral resources. Suitable floral resources for Crotch's bumble bee include species in the following families: Apocynaceae, Asteraceae, Boraginaceae, Fabaceae, and Lamiaceae. Suitable floral resources for western bumble bee include species in the following families: Asteraceae, Fabaceae, Rhamnaceae, and Rosaceae, as well as plants in the genera *Eriogonum* and *Penstemon*.

At a minimum, pre-construction survey methods should include the following:

- Search areas with floral resources for foraging bumble bees. Observed foraging activity may indicate a nest is nearby, and therefore, the survey duration shall be increased when foraging bumble bees are present.
- If bumble bees are observed, attempt to identify the species by taking a picture.
- If special-status bumble bees are observed, watch any special-status bumble bees present and observe their flight patterns. Attempt to track their movements between foraging areas and the nest.
- Visually look for nest entrances. Observe burrows, any other underground cavities, logs, or other possible nesting habitat.
- If floral resources or other vegetation preclude observance of the nest, small areas of vegetation may be removed via hand removal, line trimming, or mowing to a height of no less than 4 inches to assist with locating the nest.
- Look for concentrated special-status bumble bee activity.
- Listen for the humming of a nest colony.

The biologist conducting the survey will record when the survey was conducted, a general description of any suitable foraging habitat/floral resources present, a description of observed bumble bee activity, a description of any vegetation removed to facilitate the survey, and their determination of if the survey observations suggest a special status bumble bee nest(s) may be present or if construction activities could otherwise harm the species. The report shall be submitted to the County prior to the commencement of construction activities. If no special-status bumble bees are located during the pre-construction survey or the bumble bees located are definitively determined not to be special status, then no further mitigation or coordination with CDFW is required.

If any sign(s) of a bumble bee nest is observed, and if it cannot be established the species present is not a special-status bumble bee, then construction will not commence until either 1) the positive identification of the bumble bees present as common (i.e., not special status) is completed by an experienced bumble bee taxonomist or 2) the completion of coordination with CDFW to identify appropriate mitigation measures, which may include but not be limited to: waiting until the colony active season ends, establishment of nest buffers, or obtaining an Incidental Take Permit from CDFW.

- It is recommended that project applicant also survey their project impact areas the year before construction begins in order to avoid potential last-minute delays associated with identifying special status bumble bees on-site immediately prior to construction activities. To be most effective, this optional survey should follow the protocol outlined above.
- Post-project the cave fill (cave roof) will be reseeded with a native wildflower seed mix to create pollinator habitat for various pollinator species, including bumble bees and butterflies. This area shall be actively maintained with noxious weeds and non-native being removed to ensure the establishment of native wildflowers (Attachment F).
- If, after coordination with CDFW, impacts to special status bees cannot be avoided, the applicant shall obtain an Incidental Take Permit (ITP) from CDFW prior to County approval of permits

authorizing construction, and the applicant shall implement all avoidance measures included in the ITP. Mitigation required by the ITP may include but will not be limited to, the Project Applicant translocating nesting substrate in accordance with the latest scientific research to another suitable location (i.e., a location that supports similar or better floral resources as the impact area), enhancing floral resources on areas of the Project site that will remain appropriate habitat, worker awareness training, and/or other measures specified by CDFW.

7.3 Swainson's Hawk and Common Nesting Birds

The following nest survey requirements apply if construction activities take place during the typical bird breeding/nesting season (typically February 15 through September 1).

7.3.1 Swainson's Hawk

A targeted Swainson's hawk nest survey shall be conducted throughout all accessible areas within ¼ mile of the Study Area no later than 14 days prior to construction activities. If an active Swainson's hawk nest is found within the Study Area or its ¼ mile buffer, construction shall cease within ¼ mile of the nest until a qualified biologist determines that the young have fledged or it is determined that the nesting attempt has failed. If the applicant desires to work within ¼ mile of the nest, the applicant shall consult with CDFW and the County to determine if the nest buffer can be reduced. The Project applicant, the qualified biologist, the County, and CDFW shall collectively determine the nest avoidance buffer, and what (if any) nest monitoring is necessary. If an active Swainson's hawk nest is found within the Study Area and is in a tree that is proposed for removal, then the Project applicant shall wait to remove the tree until nesting is completed as determined by a qualified biologist or consult with CDFW and obtain any required permits to remove the nest.

7.3.2 Other Birds

A pre-construction nesting bird survey shall be conducted by a qualified biologist within the Study Area and a 500-foot buffer from the Study Area, where access is available, no more than three (3) days prior to the initiation of construction. If there is a break in construction activity of more than two (2) weeks then subsequent surveys shall be conducted.

If active raptor nests are found no construction activities shall take place within 500 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbance buffer will be established. These no-disturbance buffers may be reduced if a smaller buffer is proposed by the qualified biologist and approved by the after taking into consideration the natural history of the species of bird nesting, the proposed activity level adjacent to the nest, habituation to existing or ongoing activity, and nest concealment (are there visual or acoustic barriers between the proposed activity and the nest). A qualified biologist can visit the nest as needed to determine when the young have fledged and are no longer depending on the nest.

7.4 Pallid Bat

Pre-construction roosting bat surveys shall be conducted by a qualified biologist within 14 days prior to any tree removal that will occur during the breeding season (April through August). If pre-construction surveys indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. If roosting bats are found, exclusion shall be conducted as recommended by the qualified biologist. Methods may include acoustic monitoring, evening emergence surveys, and the utilization of two-step tree removal supervised by the qualified biologist. Two-step tree removal involves removal of all branches that do not provide roosting habitat on the first day, and then the next day cutting down the remaining portion of the tree. Building exclusion methods may include such techniques as installation of passive one-way doors, or the installation of netting when the bats are not present to prevent their reoccupation. Once the bats have been excluded, tree or building removal may occur.

7.5 Native Trees

The Project results in the removal of fifteen native trees. To compensate for the loss of 15 native trees at a 3:1 ratio, 45 trees will be planted on the overall Tesserón Winery property (Attachment F). Additionally, to avoid impacts to protected trees, the improvement plans shall include a note and show placement of temporary construction fencing around trees to be protected in the Study Area.

8.0 REFERENCES

Bumble Bee Watch. 2017. Bumble Bee Sightings. Retrieved from:

<http://www.bumblebeewatch.org/app/#/bees/lists> Query: {"Provinces/States": "California"; "Species": "occidentalis / Crotch bumble bee"; "Status": "Verified"}. [accessed 20 June 2017].

Cameron, S., S. Jepsen, E. Spevak, J. Strange, M. Vaughan, J. Engler, and O. Byers (eds.). 2011a. *North American Bumble Bee Species Conservation Planning Workshop Final Report*. IUCN/SSC Conservation Breeding Specialist Group, Apple Valley, MN.

California Native Plant Society (CNPS). 2023. *Inventory of Rare and Endangered Plants* online edition, v9.5 California Native Plant Society, Sacramento, CA. Website <http://www.rareplants.cnps.org> [accessed October through November 2023].

CNPS. 2023. A Manual of California Vegetation, Online Edition. <http://www.cnps.org/cnps/vegetation/>; searched on 25 October 2023. California Native Plant Society, Sacramento, CA.

California Natural Diversity Database (CNDDB). 2023. *RareFind 5*. California Department of Fish and Wildlife. Accessed November 2023.

County of Sonoma, Sonoma County Vineyard and Orchard Site Development Ordinance and Permitting Guidelines. Accessible at <https://sonomacounty.ca.gov/natural-resources/agricultural-weights-and-measures/divisions/agricultural-division/ordinances/grading-drainage-vineyard>

Goulson, D. 2010. *Bumblebees: behaviour, ecology, and conservation*. Oxford University Press,

Jepson Flora Project (eds.). 2023. *Jepson eFlora*, <http://ucjeps.berkeley.edu/eflora/> [accessed in October through November 2023]

Sawyer, J.O., T. Keeler-Wolf, and J.M. Evens. 2009. *A Manual of California Vegetation, Second Edition*. California Native Plant Society, Sacramento, CA. 1300 pp.

Osborne, J. L., A. P. Martin, C. R. Shortall, A. D. Todd, D. Goulson, M. E. Knight, R. J. Hale, and R. A. Sanderson. 2008. *Quantifying and comparing bumble bee nest densities in gardens and countryside habitats*. *Journal of Applied Ecology* 45:784-792.

Richardson, L. 2023. Unpublished database. Information on database and data contributors Available from: <http://www.leifrichardson.org/bbna.html> [accessed December 2023].

Rickman, T. 2017. U.S. Forest Service – Eagle Lake Ranger District *Bombus occidentalis* observations for 2013 and 2014. Unpublished Data.

Sheffield, C. S., L. Richardson, S. Cannings, H. Ngo, J. Heron, P. H. Williams. 2016. Biogeography and designatable units of *Bombus occidentalis* Greene and *B. terricola* Kirby (Hymenoptera: Apidae) with implications for conservation status assessments. *Journal of Insect Conservation*: 1–11.

Sonoma County Vegetation and Habitat Mapping Program (SCVMP). 2023. Available online at: <http://sonomavegmap.org>; Accessed November 2023.

Shuford, W. D., and Gardali, T., editors. 2008. *California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California*. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento

Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture (NRCS). 2023. *Web Soil Survey*. Available online at <http://websoilsurvey.nrcs.usda.gov/>.

U.S. Department of the Interior, Fish and Wildlife Service (USFWS). 2023a. *IPaC Trust Resource Report for the Study Area*. Generated from <http://ecos.fws.gov/ipac/> on 20 November 2023.

U.S. Geological Survey (USGS). 2021. *“Rutherford, California” 7.5-Minute Series Topographic Quadrangle Map*. U.S. Geological Survey. Denver, Colorado.

Western Bat Working Group (WBWG). 2023. *Species Matrix and Species Accounts*. Accessed on-line at <http://wbwg.org/> in October and November 2023.

Williams, P. H., R. W. Thorp, L. L. Richardson, and S.R. Colla. 2014. *The Bumble bees of North America: An Identification guide*. Princeton University Press, Princeton.

Xerces Society, Wildlife Preservation Canada, York University, The Montreal Insectarium, The London Natural History Museum, BeeSpotter. 2023. *Data accessed from Bumble Bee Watch, a collaborative website to track and conserve North America's bumble bees*. Available from: <http://www.bumblebeewatch.org/app/#/bees/lists> [accessed December 2023].

Xerces Society. 2012. *Database of records from Bumble Bee Citizen Monitoring Project (2008-2012)*. Maintained by Rich Hatfield, Xerces Society.

Figures

Figure 1. Site and Vicinity

Figure 2. Study Area

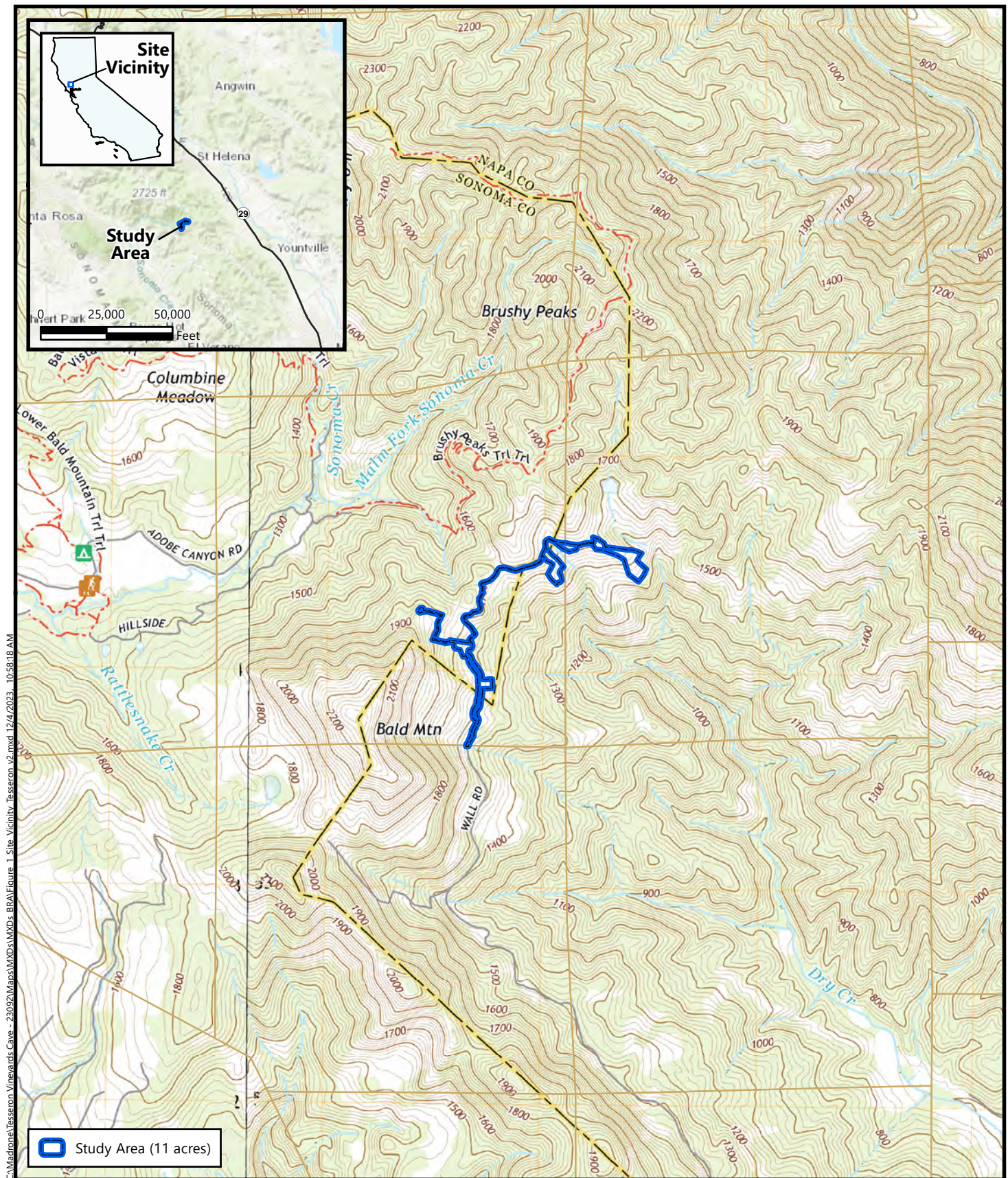
Figure 3. California Natural Diversity Database Occurrences of Plant Species

Figure 4. California Natural Diversity Database Occurrences of Wildlife Species

Figure 5. Vegetation Communities

Figure 6. Aquatic Resources

Figure 7. Natural Resource Conservation Service Soils



C:\Madrone\Tesseron Vineyards Cave - 23092\Maps\MXD\B&M\Figure 1 Site Vicinity Tesseron v2.mxd 12/4/2023, 10:58:18 AM

Note: USGS county boundary line does not match Sonoma County and Napa County datasets. Refer to current datasets.
Source: United States Geologic Survey, 2021.
Sections 23, 24, and 26, Township 7 North, Range 6 West, MDB&M
"Rutherford, California" 7.5-Minute Topographic Quadrangle
Latitude 38.435914, Longitude -122.484533

Figure 1
Site and Vicinity

Tesseron Vineyards Winery
Sonoma County and Napa County, California



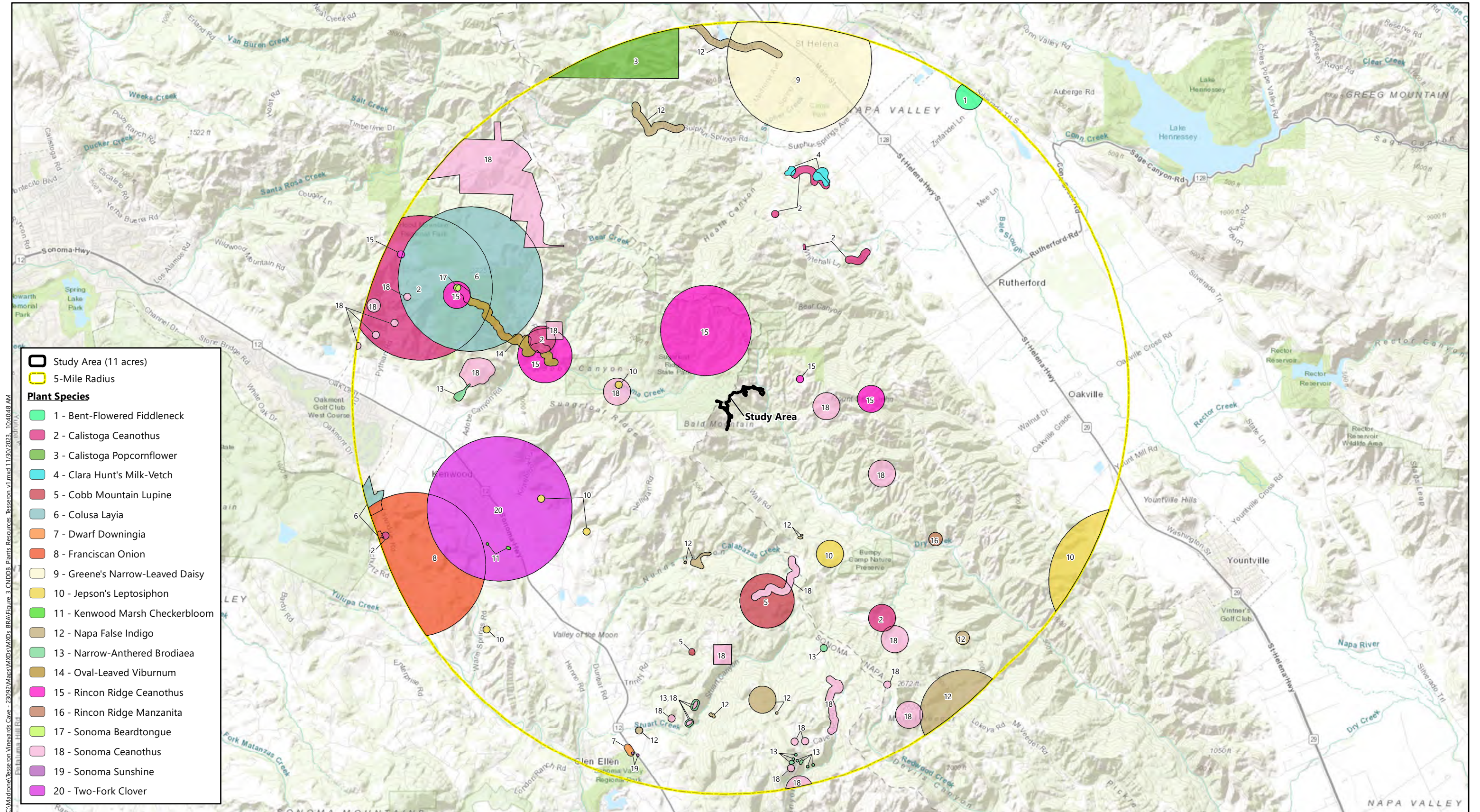


Aerial Source: Pictometry, 20 February 2021, and The County of Napa, 30 April 2021.

Figure 2
Study Area

Tesseron Vineyards Winery
Sonoma County and Napa County, California





CLMadrone\Tesseron Vineyards Cave - 23092\Maps\WXS\WXS-MXD-BRA\Figure 3 CNDD Plant Species Resources-Tesseron v1.mxd 11/30/2023 10:40:48 AM



Figure 3
California Natural Diversity Database
Occurrences of Plant Species

Source: California Department of Fish and Wildlife, October 2023.
 Basemap Source: National Geographic and ESRI

Tesseron Vineyards Winery
 Sonoma County and Napa County, California



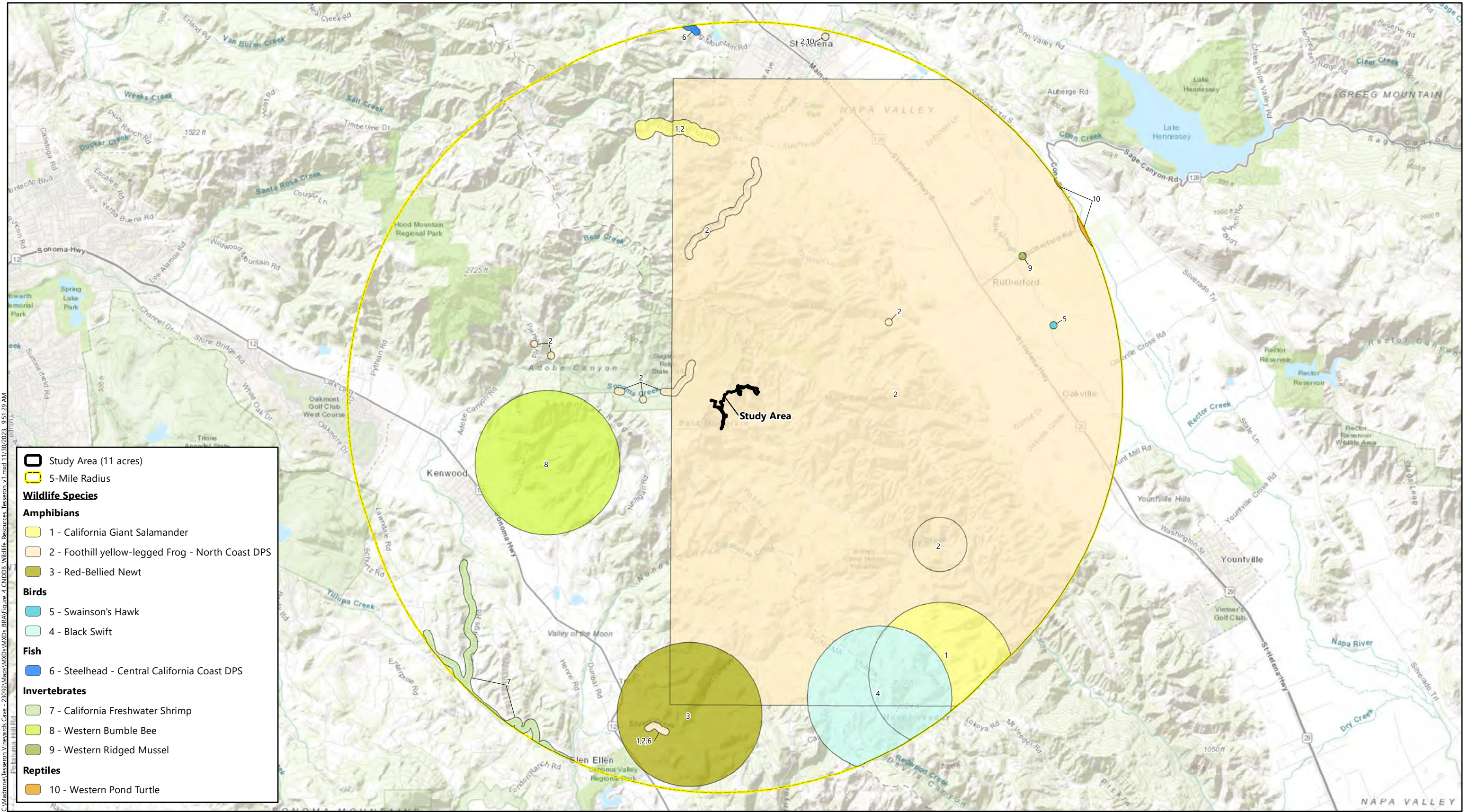
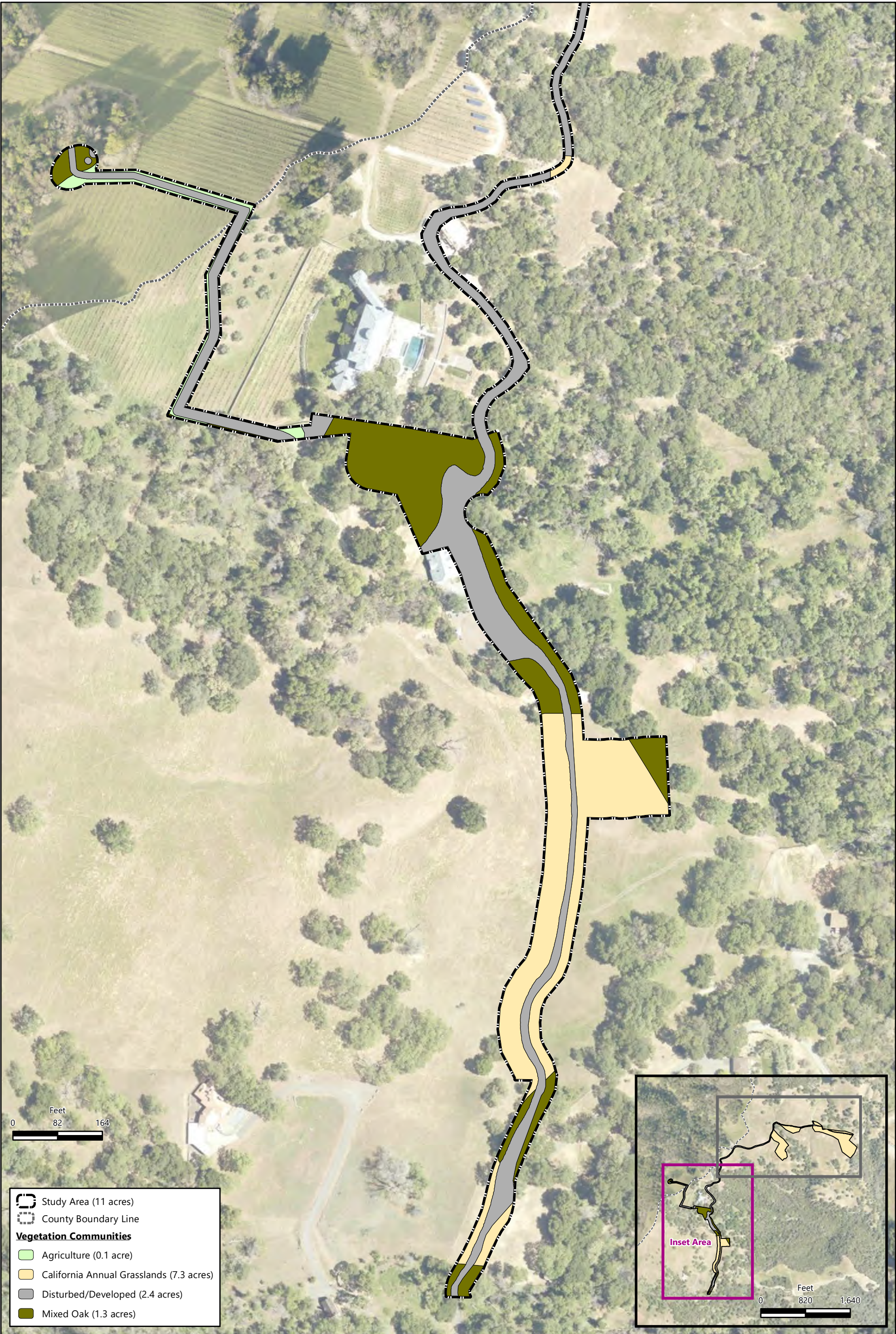



Figure 4
California Natural Diversity Database
Occurrences of Wildlife Species


Source: California Department of Fish and Wildlife, October 2023.
 Basemap Source: National Geographic and ESRI

Tesseron Vineyards Winery
 Sonoma County and Napa County, California








 Study Area (11 acres)


 County Boundary Line

Vegetation Communities

 Agriculture (0.1 acre)

 California Annual Grasslands (7.3 acres)

 Disturbed/Developed (2.4 acres)

 Mixed Oak (1.3 acres)



Note: Small sumation errors may occur due to rounding.
Aerial Source: Pictometry, 20 February 2021, and The County of Napa, 30 April 2021.

Figure 5a
Vegetation Communities

Tesseron Vineyards Winery
Sonoma County and Napa County, California



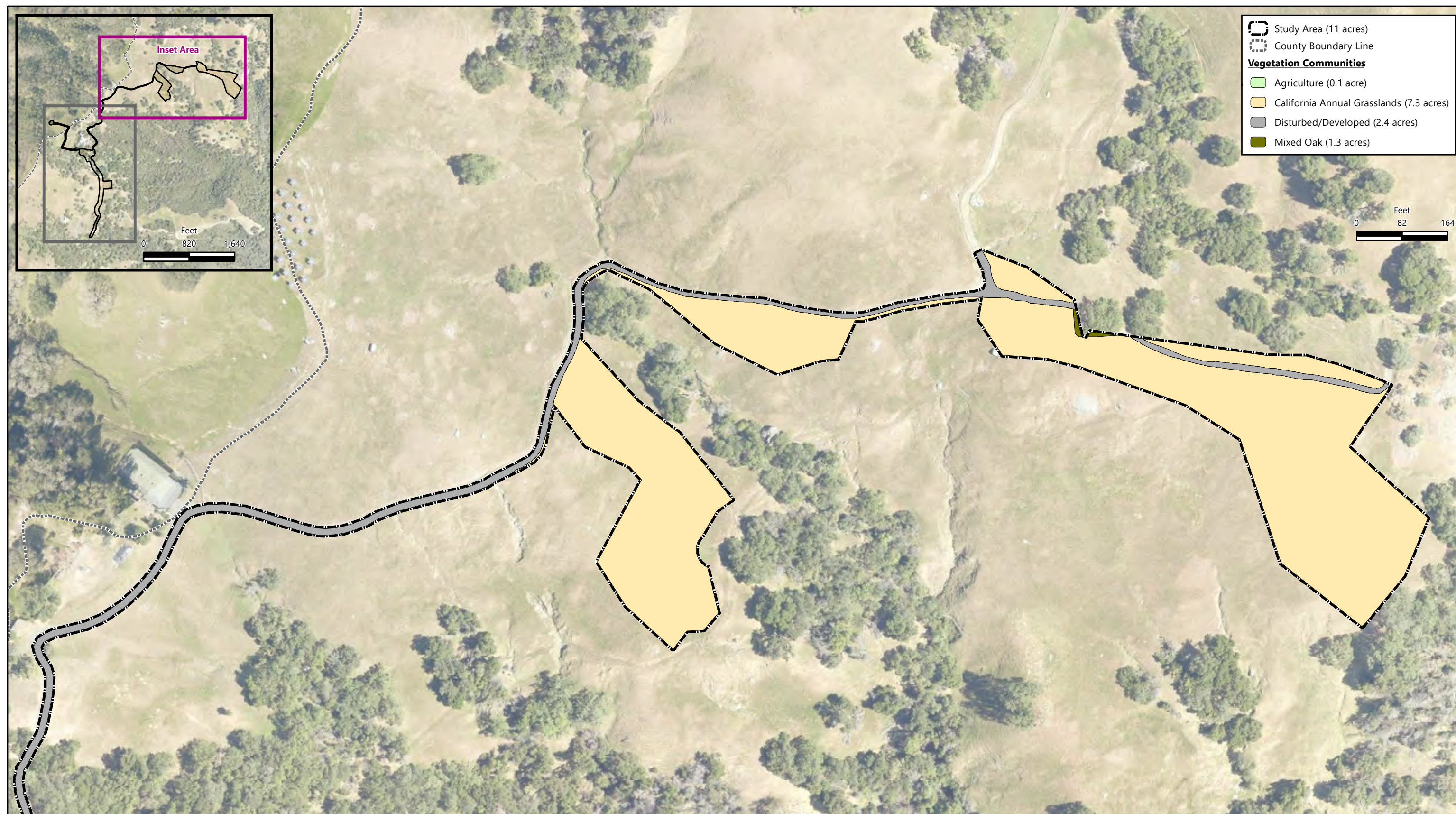


Figure 5b
Vegetation Communities

Tessoron Vineyards Winery
Sonoma County and Napa County, California



Note: Small sumation errors may occur due to rounding.
Aerial Source: Pictometry, 20 February 2021, and The County of Napa, 30 April 2021.

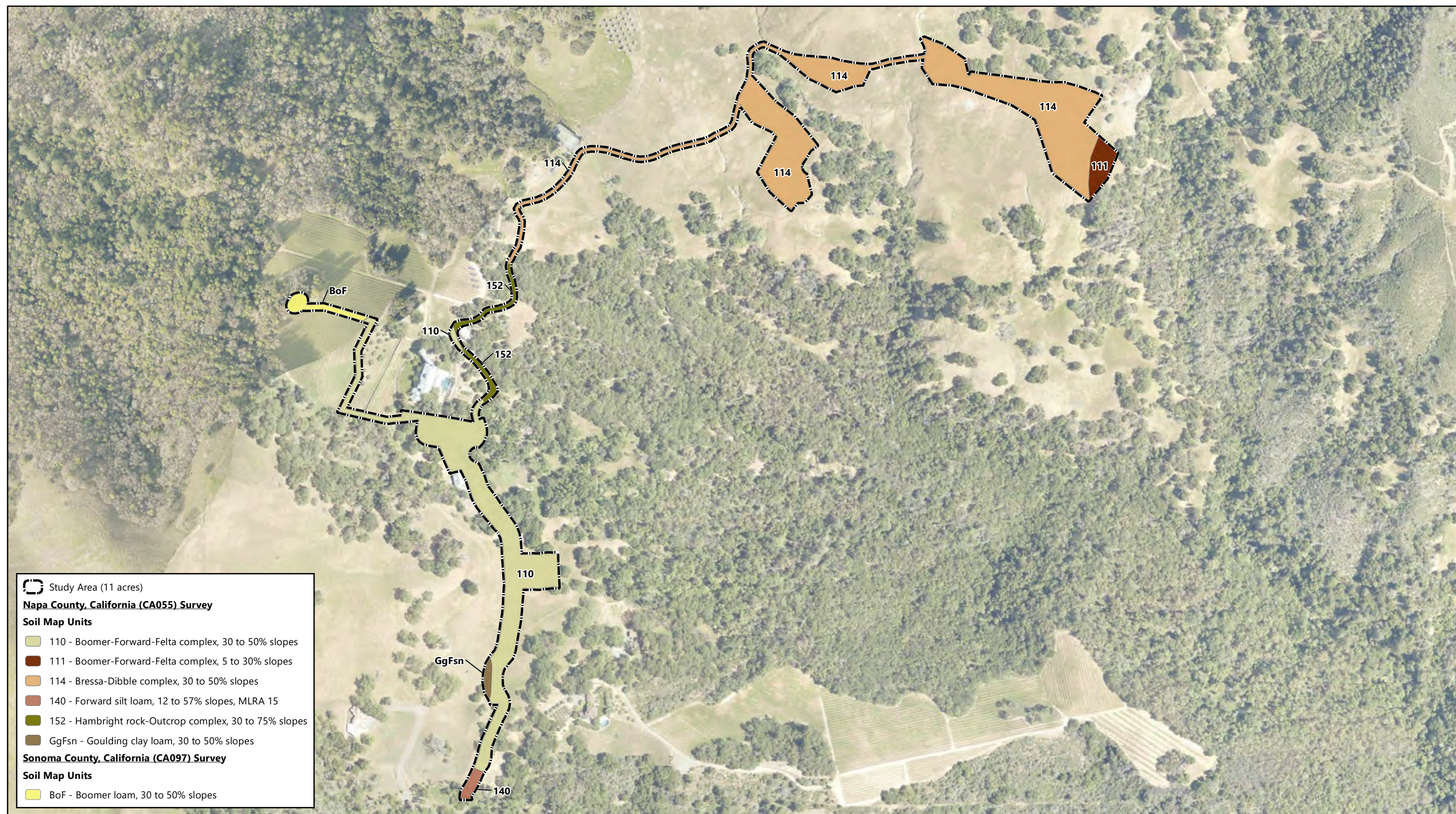


Note: Small summation errors may occur due to rounding.
Aerial Source: Pictometry, 20 February 2021, and The County of Napa, 30 April 2021.

Figure 6
Aquatic Resources

Tesseron Vineyards Winery
Sonoma County and Napa County, California





Attachments

Attachment A. Tesserón Vineyards Winery Site Plan

Attachment B. IPaC Trust Resource Report for the Study Area

Attachment C. CNPS Inventory of Rare and Endangered Plants Query for the “Rutherford,
California” USGS Quadrangle and Eight Surrounding Quadrangles

Attachment D. Plant and Wildlife List

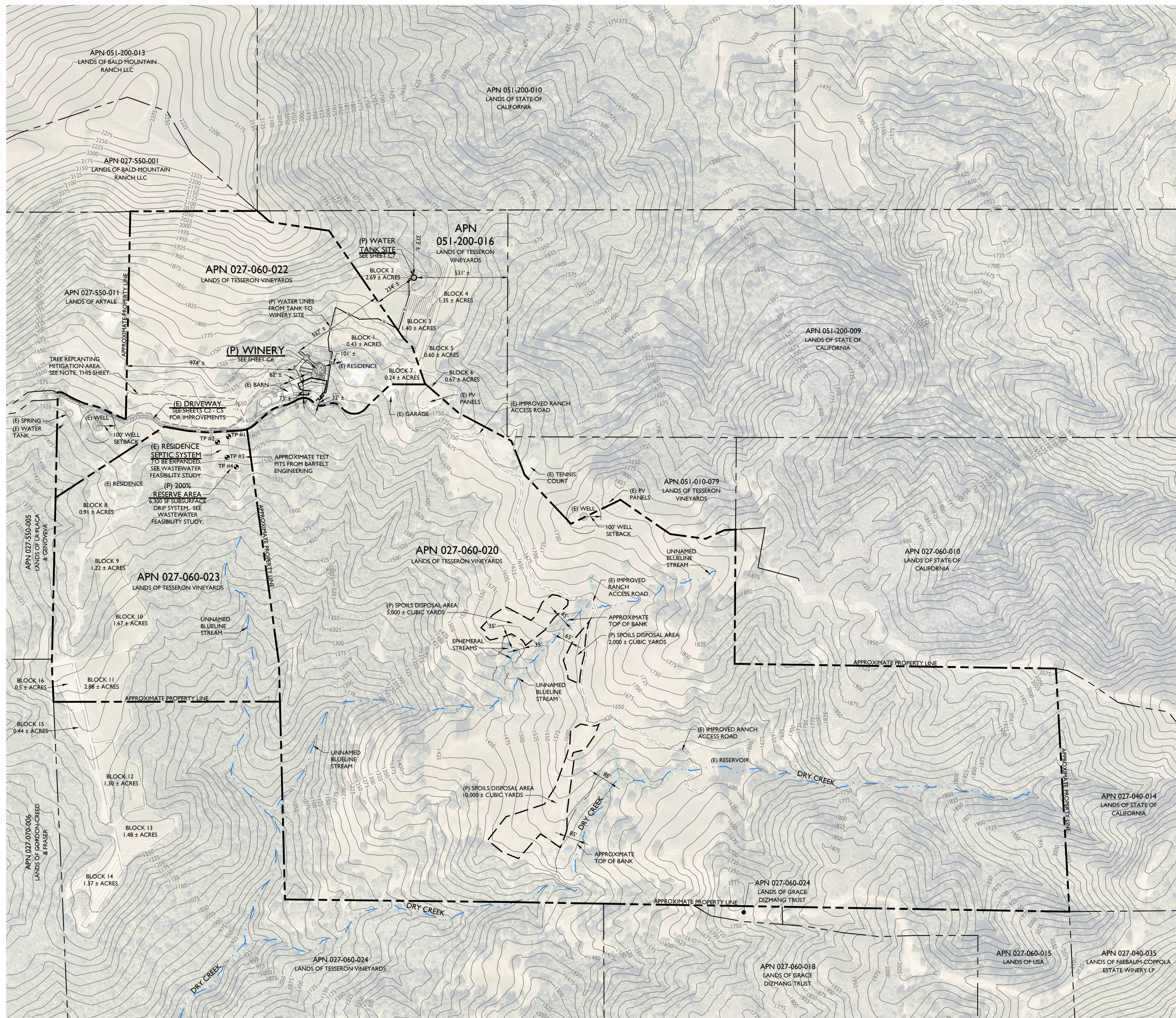
Attachment E. Representative Site Photographs

Attachment F. Oak Tree, Pollinator Habitat, and Potential Special-Status Plant Mitigation
Locations

Attachment A

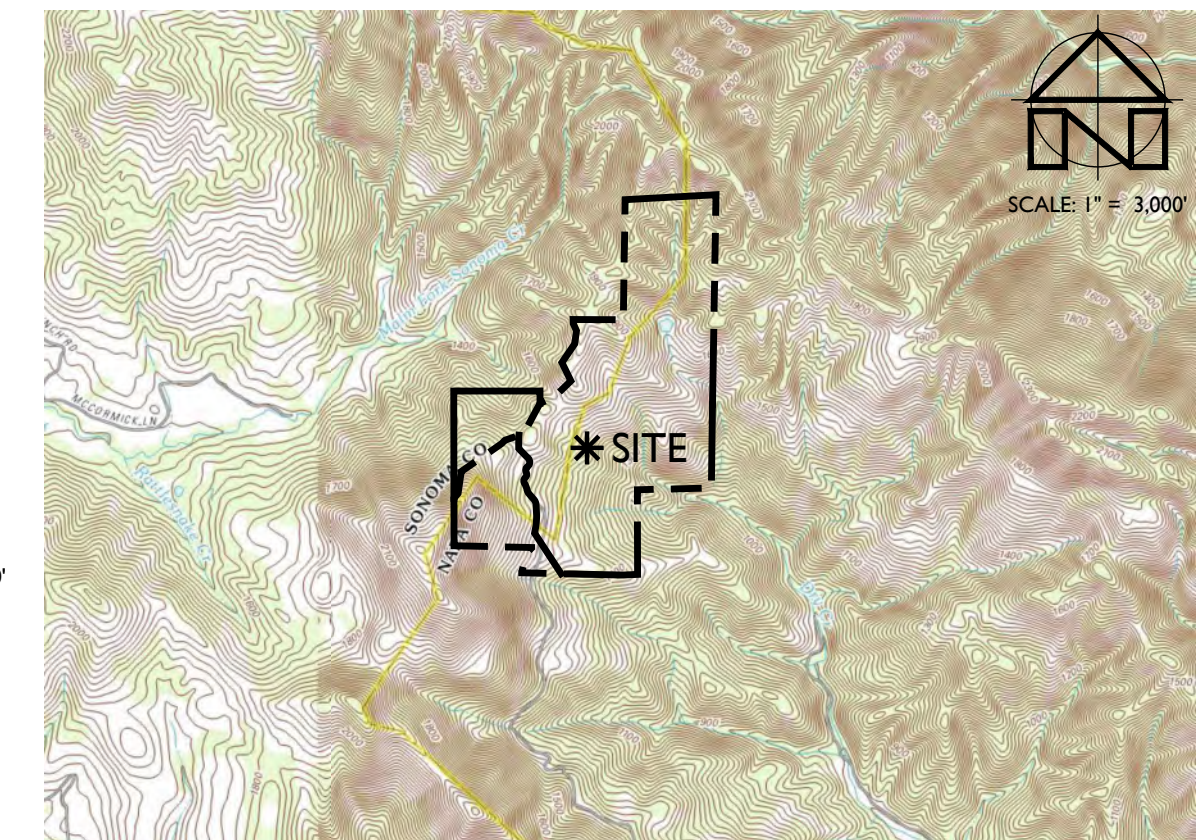
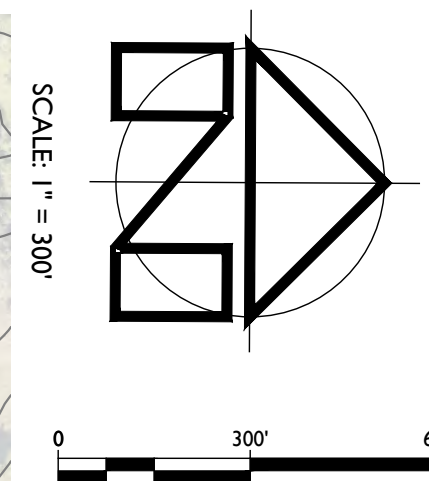
Tesseron Vineyards Winery Site Plan

CONCEPTUAL SITE IMPROVEMENT PLANS



OVERALL SITE PLAN

SCALE: 1" = 300'



LOCATION MAP

SCALE: 1" = 3,000'

PROJECT INFORMATION:

PROPERTY OWNER & APPLICANT:
TESSERON VINEYARDS
POST OFFICE BOX 46
SAINT HELENA, CA 94574

SITE ADDRESS:
1000 WALL ROAD
NAPA, CA 94558

ASSESSOR'S PARCEL NUMBERS:

027-060-020, 027-060-022, 027-060-023 & 051-200-016

PARCEL SIZES:
224.00 ±, 43.26 ±, 42.23 ± & 24.00 ± ACRES

PROJECT SIZE:
2.0 ± ACRES

ZONING:
AGRICULTURAL (AW)

SHEET INDEX:

C1	OVERALL SITE PLAN
C2	DRIVEWAY PLAN STA 9+87 TO STA 20+75
C3	DRIVEWAY PLAN STA 20+75 TO STA 28+00
C4	DRIVEWAY PROFILE STA 9+75 TO STA 21+75
C5	DRIVEWAY PROFILE STA 21+75 TO STA 27+75
C6	WINERY DEMOLITION & CONCEPTUAL PLAN
C7	WATER TANK CONCEPTUAL PLAN
C8	STORMWATER CONTROL PLAN
C9	IMPERVIOUS SURFACE EXHIBIT

PROJECT DESCRIPTION:

THE PURPOSE OF THIS PROJECT IS ILLUSTRATE THE CONCEPTUAL NATURE OF THE SITE IMPROVEMENTS PROPOSED AS PART OF THE WINERY USE PERMIT APPLICATION.

FLOOD HAZARD NOTE:

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBERS 06055C0380E, 06055C0390E, EFFECTIVE DATE SEPTEMBER 26, 2008 AND 06097C0800E, EFFECTIVE DATE DECEMBER 2, 2008, THE PROJECT SITE IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA. SEE FIRM FOR ADDITIONAL INFORMATION.

NOTES:

1. FADED BACKGROUND REPRESENTS EXISTING TOPOGRAPHIC FEATURES. TOPOGRAPHIC INFORMATION ON SHEET C1 WAS TAKEN FROM THE NAPA COUNTY GEOGRAPHIC INFORMATION SYSTEM DATABASE. TOPOGRAPHIC INFORMATION ON OTHER SHEETS WAS TAKEN ON FROM THE "MAP OF TOPOGRAPHY OF A PORTION OF THE LANDS OF 1100 WALL ROAD" PREPARED BY ALBION SURVEYS, INC., DATED APRIL 11, 2017 REVISED APRIL 25, 2022. APPLIED CIVIL ENGINEERING INCORPORATED ASSUMES NO LIABILITY REGARDING THE ACCURACY OR COMPLETENESS OF THE TOPOGRAPHIC INFORMATION.
 2. AERIAL PHOTOGRAPHS ARE NADIR IMAGES CAPTURED BY PICTOMETRY INTERNATIONAL DATED JULY 15, 2021 AND MAY NOT REPRESENT CURRENT CONDITIONS.
- CONTOUR INTERVAL:
- SHEET C1: FIVE (5) FEET, HIGHLIGHTED EVERY TWENTY FIVE (25) FEET.
OTHER SHEETS: ONE (1) FOOT, HIGHLIGHTED EVERY FIVE (5) FEET.
3. BENCHMARK: NAVD 88
 4. THE PROPERTY LINES SHOWN ON THESE PLANS DO NOT REPRESENT A BOUNDARY SURVEY. THEY ARE APPROXIMATE AND ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

TREE REPLANTING MITIGATION NOTES:

1. SEE SHEET C6 FOR TREE REMOVAL.
2. REPLANT AT A 3:1 RATIO FOR ALL NATIVE TREES REMOVED IN THE AREA NOTED ON THIS SHEET.

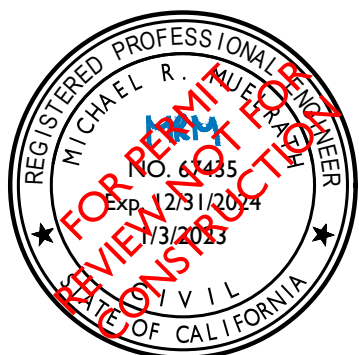


TESSERON VINEYARDS WINERY

CONCEPTUAL SITE IMPROVEMENT PLANS

OVERALL SITE PLAN

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE:
JANUARY 3, 2023

REVISIONS:	BY:
1/3/2023	BT
PLAN CHECK REVISIONS	

JOB NUMBER:
17-108

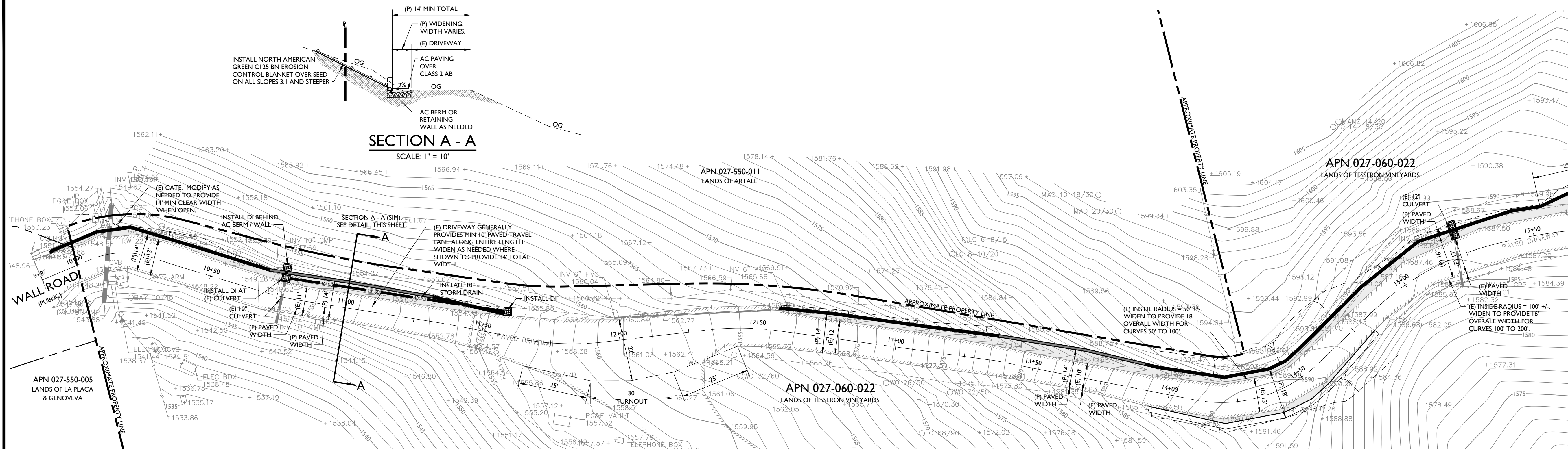
FILE:
17-108CONC OSP.DWG

ORIGINAL SIZE:
24" X 36"

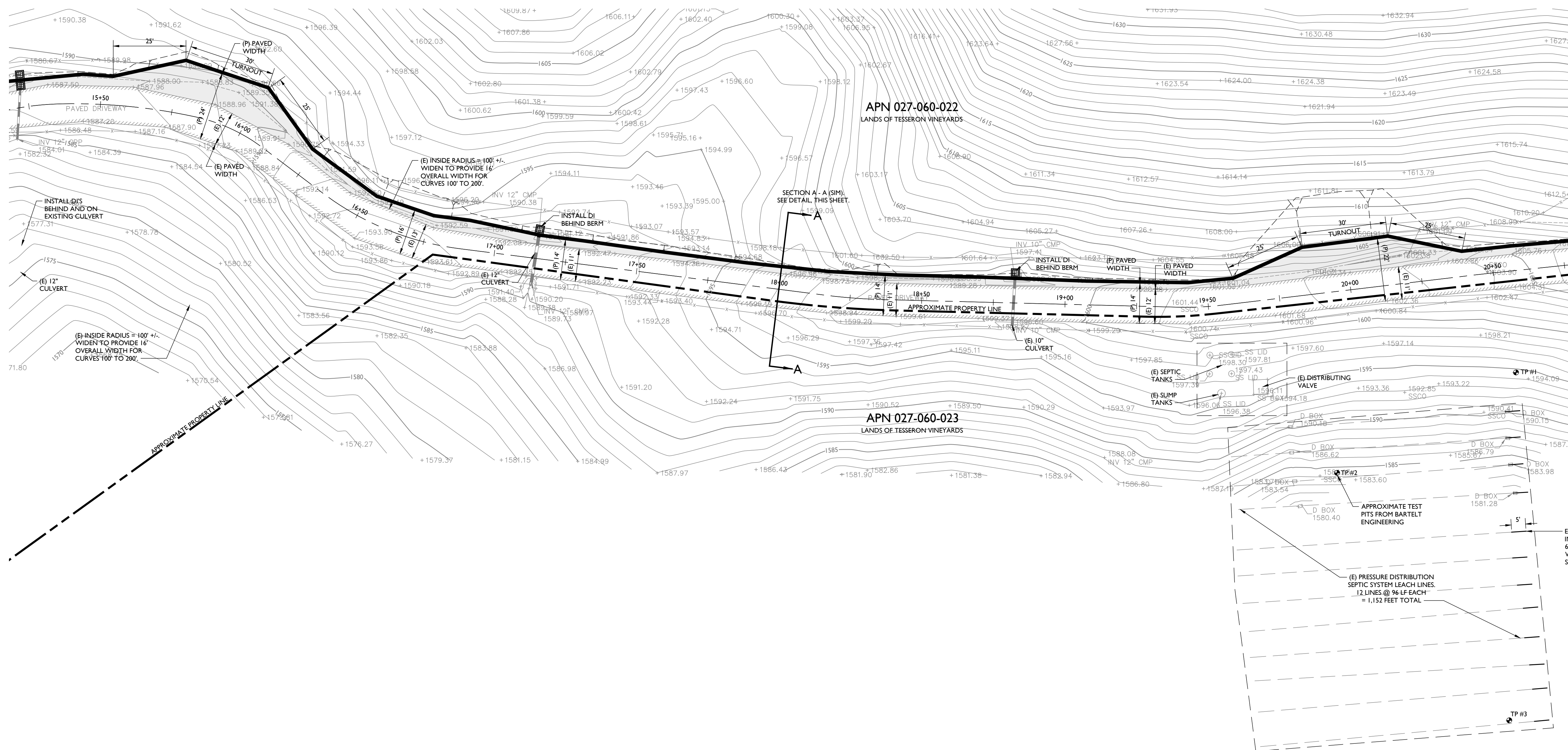
SHEET NUMBER:

C1

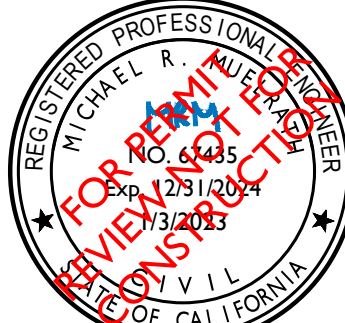
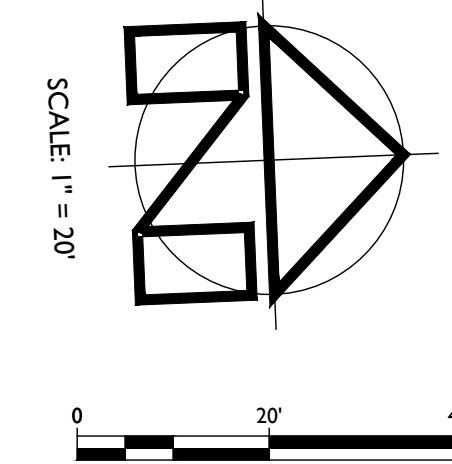
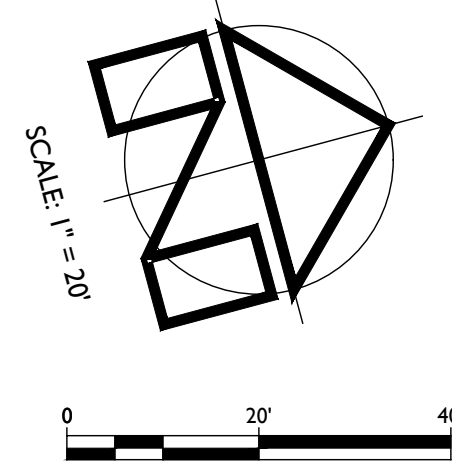
OF

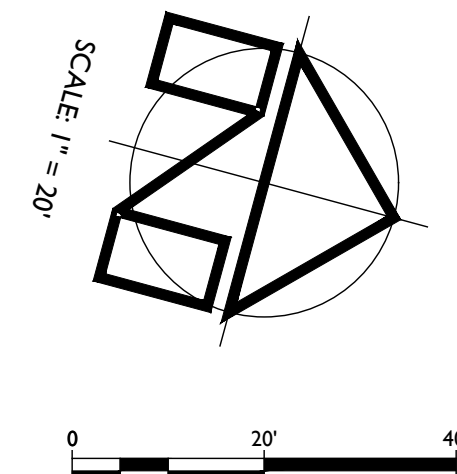


DRIVEWAY PLAN STA 9+87 TO STA 15+50
SCALE: 1" = 20'



DRIVEWAY PLAN STA 15+50 TO STA 20+75
SCALE: 1" = 20'





DRIVEWAY PLAN STA 20+75 TO STA 26+00
SCALE: 1" = 20'

TESSERON VINEYARDS WINERY

CONCEPTUAL SITE IMPROVEMENT PLANS

DRIVEWAY PLAN STA 20+75 TO STA 28+00

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY: _____
MF _____

DATE: JANUARY 3, 2023

REVISIONS:	BY:
1/3/2023	BT
PLAN CHECK REVISIONS	

JOB NUMBER:
17-108

FILE:
17-108CONC P&P.DWG

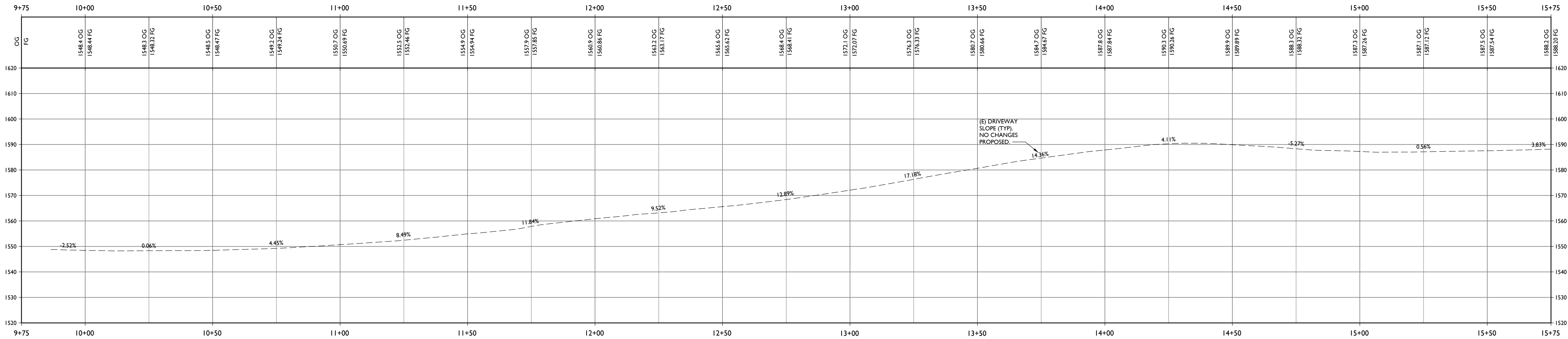
ORIGINAL SIZE:
24" X 36"

SHEET NUMBER

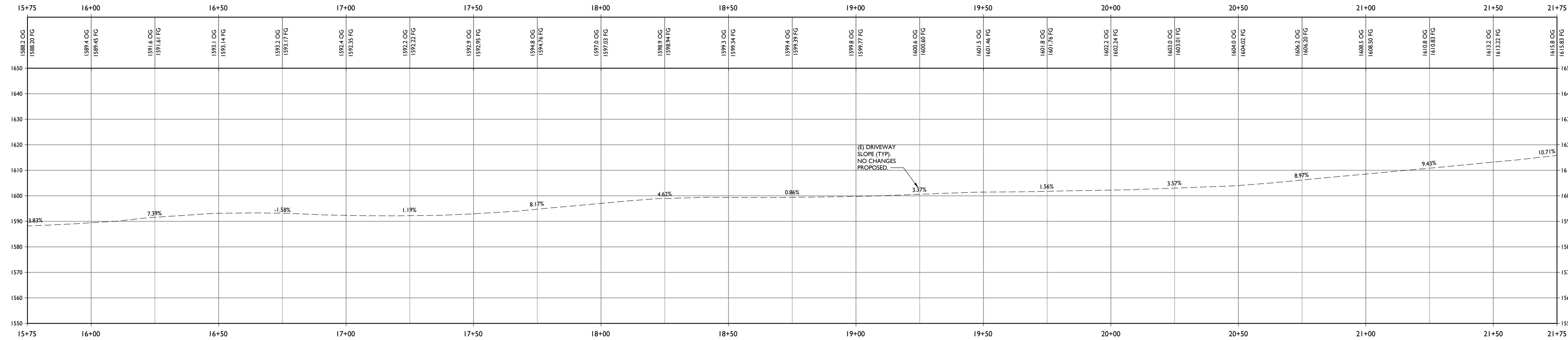
C3

Q

9

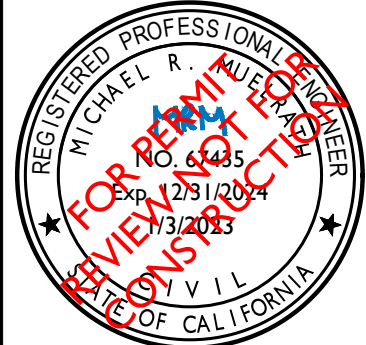


DRIVEWAY PROFILE STA 9+75 TO STA 15+75
SCALE: 1" = 20'



DRIVEWAY PROFILE STA 15+75 TO STA 21+75
SCALE: 1" = 20'

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE:
JANUARY 3, 2023

REVISIONS: BY:
1/3/2023 BT
PLAN CHECK REVISIONS

JOB NUMBER:
17-108

FILE:
17-108CONC_P&P.DWG

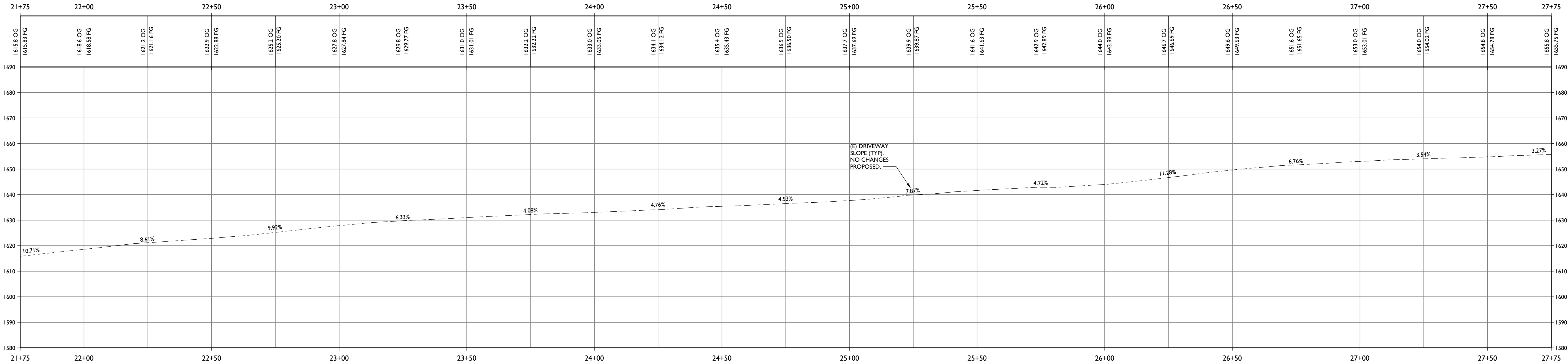
ORIGINAL SIZE:
24" X 36"

SHEET NUMBER:

C4

OF

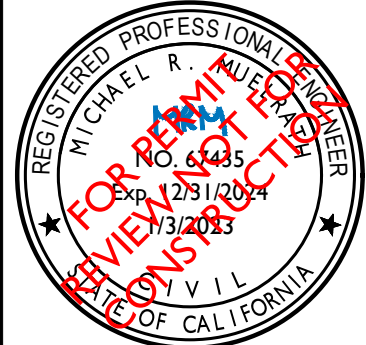
9



DRIVEWAY PROFILE STA 21+75 TO STA 27+75
SCALE: 1" = 20'

TESSERON VINEYARDS WINERY
CONCEPTUAL SITE IMPROVEMENT PLANS
DRIVEWAY PROFILE STA 21+75 TO STA 27+75

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING
CHECKED BY:
MRM
DATE:
JANUARY 3, 2023
REVISIONS: BY:
1/3/2023 BT
△ PLAN CHECK REVISIONS

JOB NUMBER:
17-108
FILE:
17-108CONC_P&P.DWG
ORIGINAL SIZE:
24" X 36"
SHEET NUMBER:

TREE REMOVAL INVENTORY

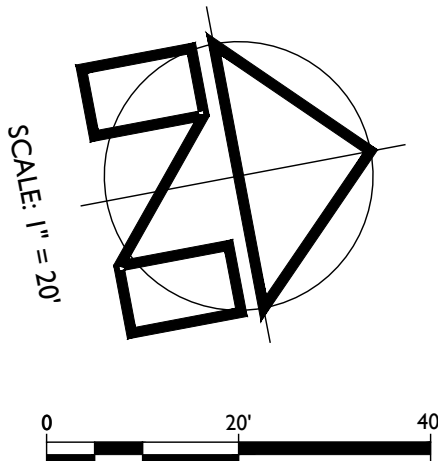
- | Point # | Description |
|---------|------------------|
| 1284 | OLIVE MULTI/25 |
| 1285 | OLIVE MULTI/25 |
| 2996 | OLIVE MULTI/25 |
| 2997 | OLIVE MULTI/25 |
| 3182 | LIVE OAK 18/30 |
| 3159 | BAY 12-14/30 |
| 3158 | BAY 8-10-12/30 |
| 3157 | BAY 10/25 |
| 3156 | BAY 16/30 |
| 3155 | BAY 14/25 |
| 3152 | BAY 2X8-2X14/40 |
| 3149 | LIVE OAK 6-12/30 |

TREE REMOVAL SUMMARY:

11 BAY TREES
4 LIVE OAK TREES

8 OLIVE AND ORNAMENTAL TREES

*SEE SHEET C1 FOR 3:1 REPLANTING TO
MITIGATE FOR REMOVAL OF 15 NATIVE TREES.

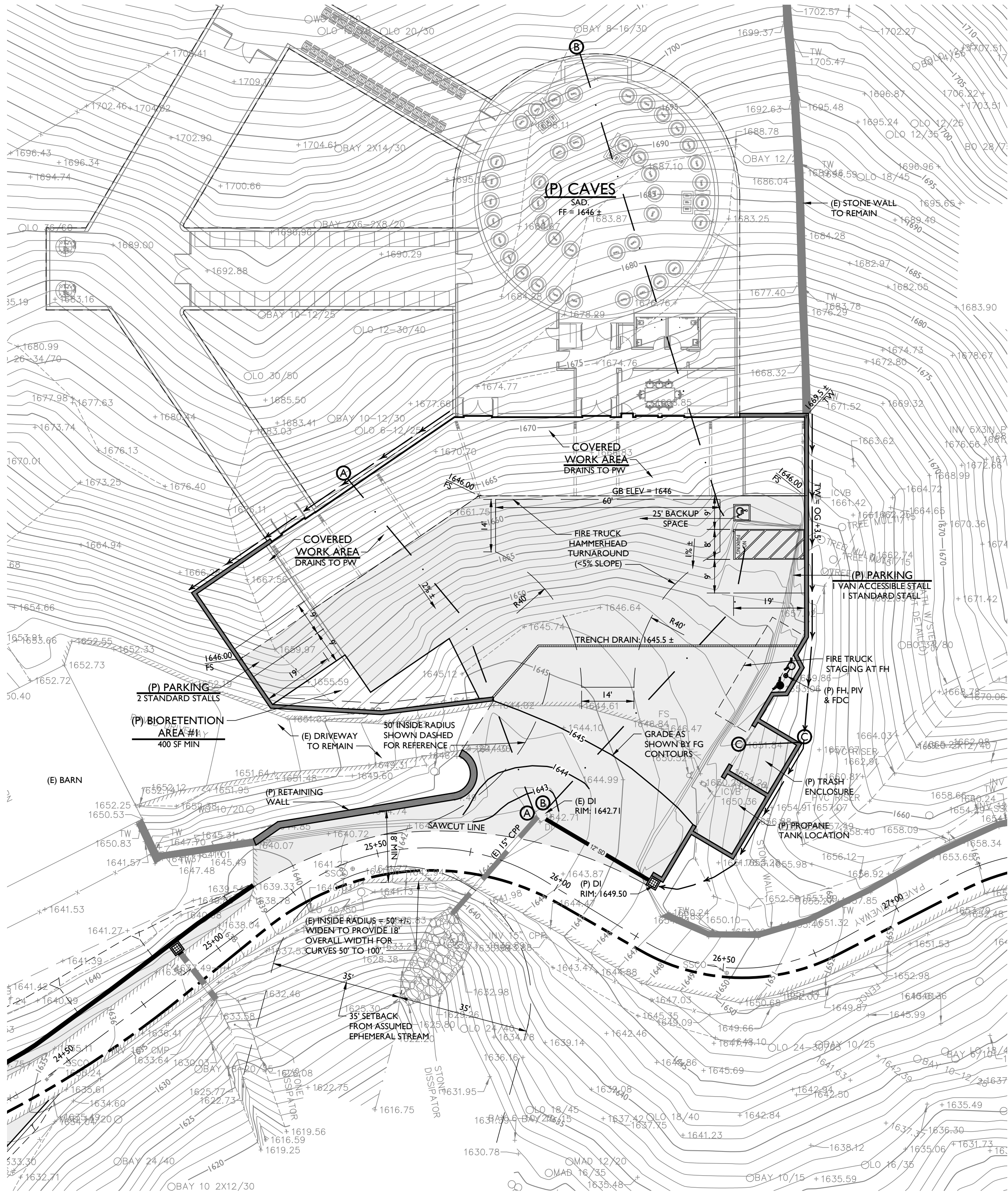
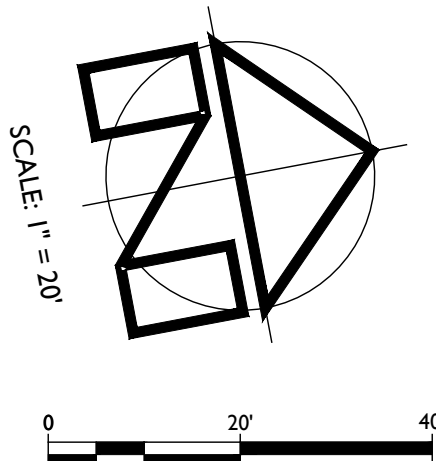


SLOPE SECTIONS	
A - A	29 %
B - B	26 %
C - C	16 %
AVERAGE	24 %

LEGEND:

APPROXIMATE PROPERTY LINE (SUBJECT PARCEL)

⊗ — . — . — ⊗ SLOPE SECTION. SEE TABLE, THIS SHEET



DEMOLITION PLAN

SCALE: 1" = 20'

WINERY CONCEPTUAL PLAN

SCALE: 1" = 20'

TESSERON VINEYARDS WINERY

◆

CONCEPTUAL SITE IMPROVEMENT PLAN

WINERY DEMOLITION & CONCEPTUAL PL

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY: _____
MR. _____

DATE: JANUARY 3, 2023

REVISIONS:	BY:
1/3/2023	BT
PLAN CHECK REVISIONS:	

JOB NUMBER:
17-108

FILE:
17-108CONC SITE.DWG

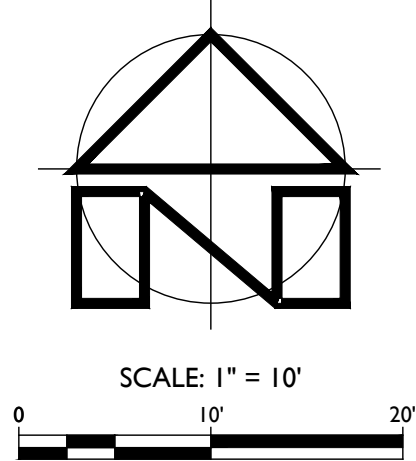
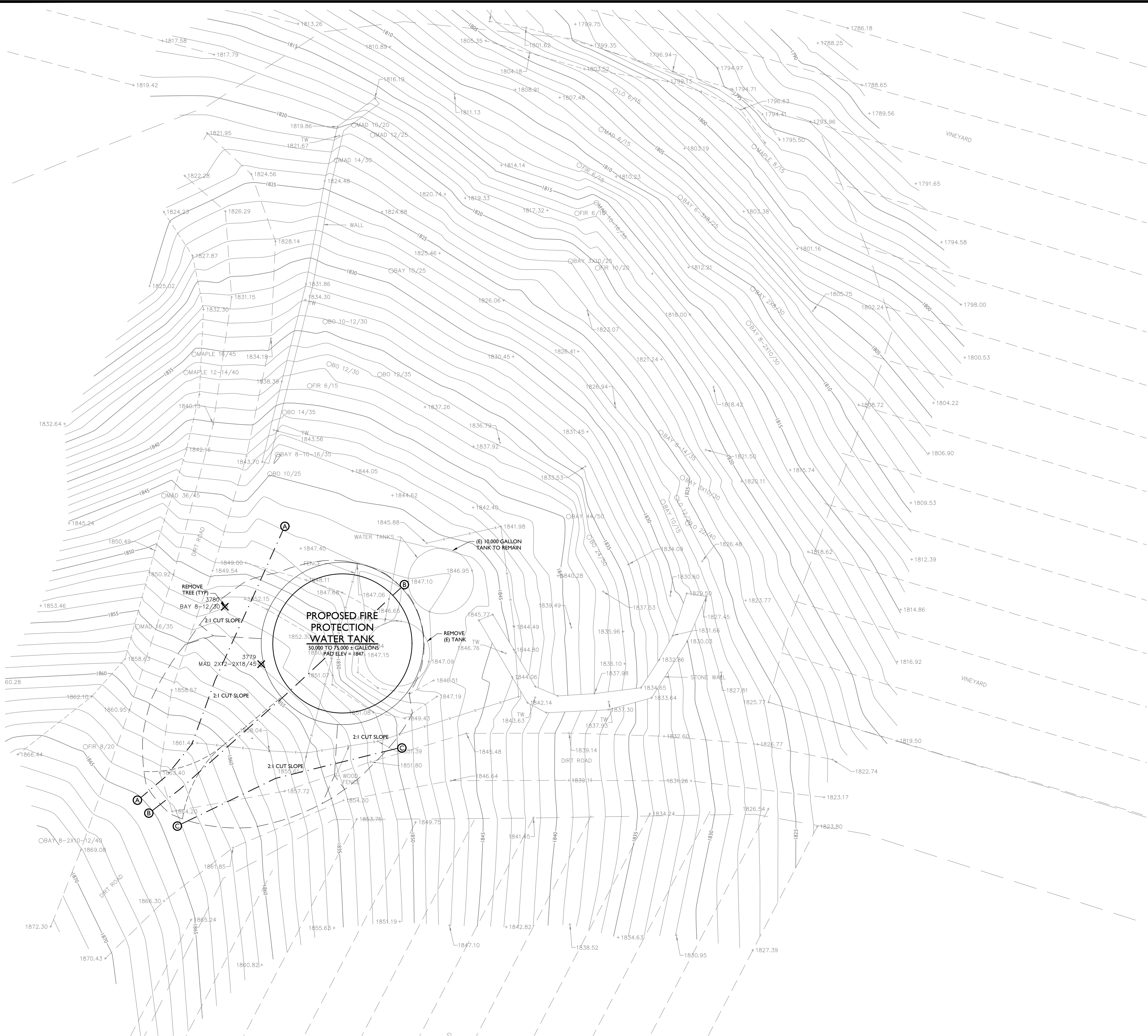
ORIGINAL SIZE:
24" X 36"

SHEET NUMBER.

C6

Q

9



SLOPE SECTIONS	
A - A	27 %
B - B	25 %
C - C	28 %
AVERAGE	27 %

LEGEND:

⊗ — — — ⊗ SLOPE SECTION. SEE TABLE, THIS SHEET.

WATER TANK CONCEPTUAL PLAN

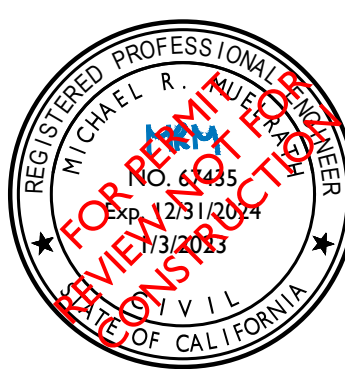
SCALE: 1" = 10'

TESSERON VINEYARDS WINERY

CONCEPTUAL SITE IMPROVEMENT PLANS

WATER TANK CONCEPTUAL PLAN

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE:
JANUARY 3, 2023

REVISIONS: BY:
1/3/2023 BT
PLAN CHECK REVISIONS

JOB NUMBER:
17-108

FILE:
17-108CONC_SITE.DWG

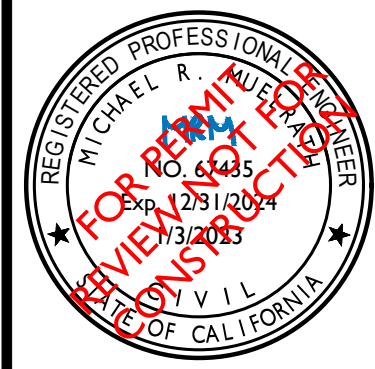
ORIGINAL SIZE:
24" X 36"

SHEET NUMBER:

TESSERON VINEYARDS WINERY

CONCEPTUAL SITE IMPROVEMENT PLANS
STORMWATER CONTROL PLAN

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE: JANUARY 3, 2023

REVISIONS:	BY:
A 1/3/2023	BT

△ TEAM CHECK REVISION:

JOB NUMBER:
17-108

FILE:
17-108CONC SCP.DWG

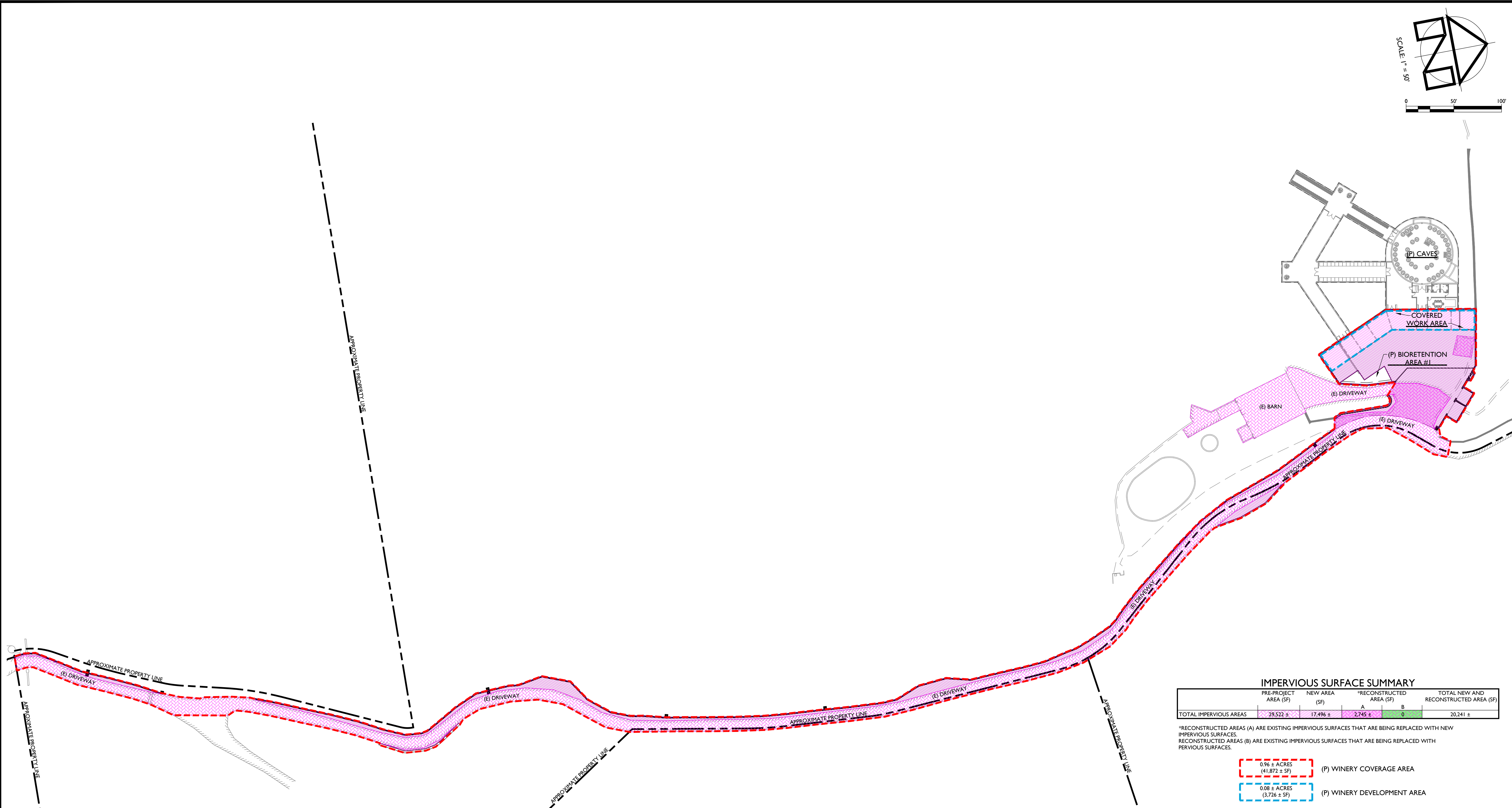
ORIGINAL SIZE:
24" X 36"

SHEET NUMBER:

C8

OF

9



IMPERVIOUS SURFACE EXHIBIT
SCALE: 1" = 50'

IMPERVIOUS SURFACE SUMMARY				
	PRE-PROJECT AREA (SF)	NEW AREA (SF)	*RECONSTRUCTED AREA (SF)	TOTAL NEW AND RECONSTRUCTED AREA (SF)
			A	B
TOTAL IMPERVIOUS AREAS	29,522 ±	17,496 ±	2,745 ±	0

*RECONSTRUCTED AREAS (A) ARE EXISTING IMPERVIOUS SURFACES THAT ARE BEING REPLACED WITH NEW IMPERVIOUS SURFACES.
RECONSTRUCTED AREAS (B) ARE EXISTING IMPERVIOUS SURFACES THAT ARE BEING REPLACED WITH PERVIOUS SURFACES.

- 0.96 ± ACRES
(41,872 ± SF)

(P) WINERY COVERAGE AREA
- 0.08 ± ACRES
(3,726 ± SF)

(P) WINERY DEVELOPMENT AREA

TESSERON VINEYARDS WINERY
CONCEPTUAL SITE IMPROVEMENT PLANS
IMPERVIOUS SURFACE EXHIBIT

PREPARED UNDER THE DIRECTION OF:



DRAWN BY: BT DRAFTING
CHECKED BY: MRM
DATE: JANUARY 3, 2023
REVISIONS: BY:
1/3/2023 BT
△ PLAN CHECK REVISIONS

JOB NUMBER: 17-108
FILE: 17-108CONC_ISE.DWG
ORIGINAL SIZE: 24" X 36"
SHEET NUMBER:

Attachment B

IPaC Trust Resource Report for the Study Area

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Napa and Sonoma counties, California



Local office

Sacramento Fish And Wildlife Office

☎ (916) 414-6600

📅 (916) 414-6713

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

-
1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Birds

NAME	STATUS
Northern Spotted Owl <i>Strix occidentalis caurina</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1123	Threatened

Reptiles

NAME	STATUS
Green Sea Turtle <i>Chelonia mydas</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6199	Threatened
Northwestern Pond Turtle <i>Actinemys marmorata</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/2891	Threatened

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9743	Candidate

Flowering Plants

NAME	STATUS
Clara Hunt's Milk-vetch <i>Astragalus clarianus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/3300	Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

- The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

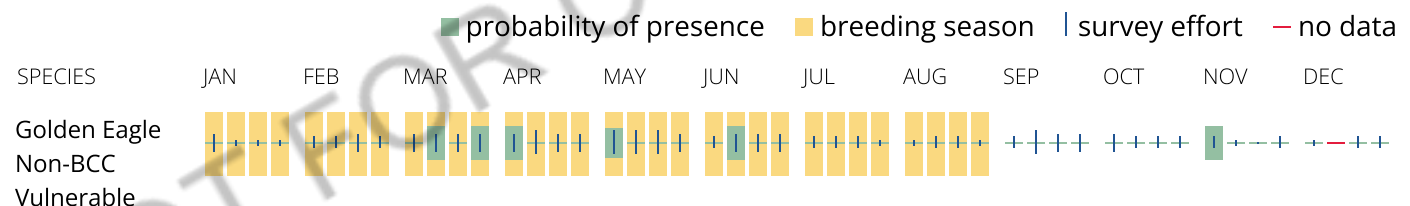
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see

exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Allen's Hummingbird <i>Selasphorus sasin</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9637	Breeds Feb 1 to Jul 15
Belding's Savannah Sparrow <i>Passerculus sandwichensis beldingi</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8	Breeds Apr 1 to Aug 15
Bullock's Oriole <i>Icterus bullockii</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Mar 21 to Jul 25
California Thrasher <i>Toxostoma redivivum</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jan 1 to Jul 31
Common Yellowthroat <i>Geothlypis trichas sinuosa</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/2084	Breeds May 20 to Jul 31

Golden Eagle *Aquila chrysaetos*

Breeds Jan 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1680>

Long-eared Owl *asio otus*

Breeds Mar 1 to Jul 15

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/3631>

Nuttall's Woodpecker *Picoides nuttallii*

Breeds Apr 1 to Jul 20

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/9410>

Oak Titmouse *Baeolophus inornatus*

Breeds Mar 15 to Jul 15

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9656>

Olive-sided Flycatcher *Contopus cooperi*

Breeds May 20 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/3914>

Wrentit *Chamaea fasciata*

Breeds Mar 15 to Aug 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey

effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

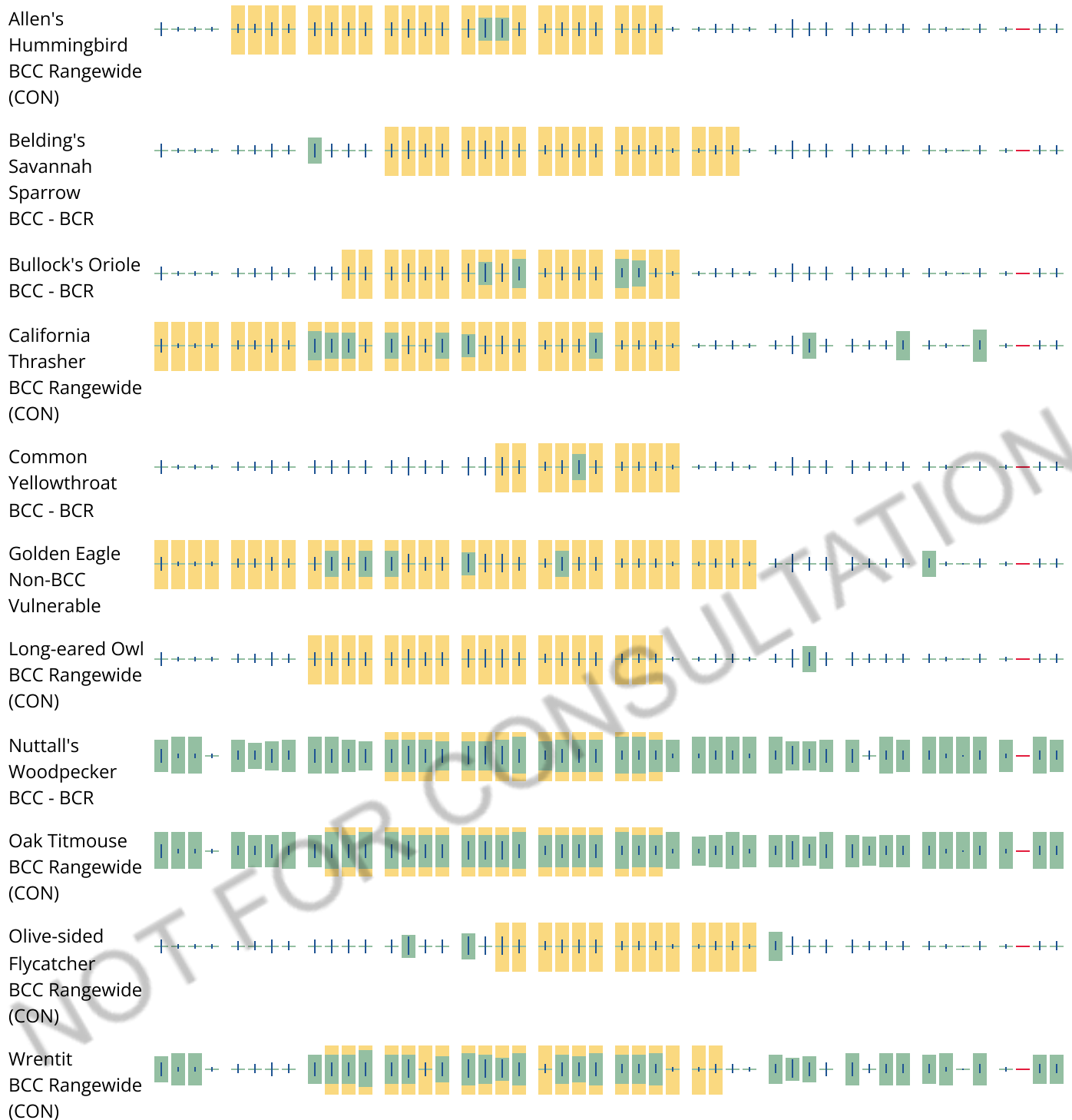
No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

RIVERINE

[R4SBC](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Attachment C

CNPS Inventory of Rare and Endangered Plants Query for the “Rutherford, California” USGS Quadrangle and Eight Surrounding Quadrangles

<https://rareplants.cnps.org/Search/result?frm=T&qsl=9&quad=3812253:3812254:3812255:3812234:3812243:3812244:3812245:3812233:3812235:&elev=:m:o>

Scientific Name	Common Name	CRPR	CESA	FESA	Blooming Period	Elevation Low ft	Elevation High ft
<i>Allium peninsulare</i> var. <i>franciscanum</i>	Franciscan onion	1B.2	None	None	(Apr)May-Jun	170	1000
<i>Alopecurus aequalis</i> var. <i>sonomensis</i>	Sonoma alopecurus	1B.1	None	FE	May-Jul	15	1200
<i>Amorpha californica</i> var. <i>napensis</i>	Napa false indigo	1B.2	None	None	Apr-Jul	165	6560
<i>Amsinckia lunaris</i>	bent-flowered fiddleneck	1B.2	None	None	Mar-Jun	10	1640
<i>Arctostaphylos stanfordiana</i> ssp. <i>decumbens</i>	Rincon Ridge manzanita	1B.1	None	None	Feb-Apr(May)	245	1215
<i>Astragalus claranus</i>	Clara Hunt's milk-vetch	1B.1	CE	FE	Mar-May	245	900
<i>Astragalus tener</i> var. <i>tener</i>	alkali milk-vetch	1B.2	None	None	Mar-Jun	5	195
<i>Balsamorhiza macrolepis</i>	big-scale balsamroot	1B.2	None	None	Mar-Jun	150	5100
<i>Blennosperma bakeri</i>	Sonoma sunshine	1B.1	CE	FE	Mar-May	35	360
<i>Brodiaea leptandra</i>	narrow-anthered brodiaea	1B.2	None	None	May-Jul	360	3000
<i>Castilleja ambigua</i> var. <i>meadii</i>	Mead's owls-clover	1B.1	None	None	Apr-May	1475	1560
<i>Ceanothus confusus</i>	Rincon Ridge ceanothus	1B.1	None	None	Feb-Jun	245	3495
<i>Ceanothus divergens</i>	Calistoga ceanothus	1B.2	None	None	Feb-Apr	560	3115
<i>Ceanothus purpureus</i>	holly-leaved ceanothus	1B.2	None	None	Feb-Jun	395	2100
<i>Ceanothus sonomensis</i>	Sonoma ceanothus	1B.2	None	None	Feb-Apr	705	2625
<i>Centromadia parryi</i> ssp. <i>parryi</i>	pappose tarplant	1B.2	None	None	May-Nov	0	1380
<i>Downingia pusilla</i>	dwarf downingia	2B.2	None	None	Mar-May	5	1460
<i>Erigeron biolettii</i>	streamside daisy		3 None	None	Jun-Oct	100	3610
<i>Erigeron greenii</i>	Greene's narrow-leaved daisy	1B.2	None	None	May-Sep	260	3295
<i>Eryngium constancei</i>	Loch Lomond button-celery	1B.1	CE	FE	Apr-Jun	1510	2805
<i>Eryngium jepsonii</i>	Jepson's coyote-thistle	1B.2	None	None	Apr-Aug	10	985
<i>Extriplex joaquinana</i>	San Joaquin spearscale	1B.2	None	None	Apr-Oct	5	2740
<i>Fritillaria liliacea</i>	fragrant fritillary	1B.2	None	None	Feb-Apr	10	1345
<i>Hemizonia congesta</i> ssp. <i>congesta</i>	congested-headed hayfield tarplant	1B.2	None	None	Apr-Nov	65	1835
<i>Hesperolinon sharsmithiae</i>	Sharsmith's western flax	1B.2	None	None	May-Jul	885	985
<i>Horkelia tenuiloba</i>	thin-lobed horkelia	1B.2	None	None	May-Jul(Aug)	165	1640
<i>Lasthenia burkei</i>	Burke's goldfields	1B.1	CE	FE	Apr-Jun	50	1970
<i>Lasthenia conjugens</i>	Contra Costa goldfields	1B.1	None	FE	Mar-Jun	0	1540
<i>Lathyrus jepsonii</i> var. <i>jepsonii</i>	Delta tule pea	1B.2	None	None	May-Jul(Aug-Sep)	0	15
<i>Layia septentrionalis</i>	Colusa layia	1B.2	None	None	Apr-May	330	3595
<i>Legenere limosa</i>	legenere	1B.1	None	None	Apr-Jun	5	2885
<i>Leptosiphon jepsonii</i>	Jepson's leptosiphon	1B.2	None	None	Mar-May	330	1640
<i>Lessingia hololeuca</i>	woolly-headed lessingia		3 None	None	Jun-Oct	50	1000
<i>Lilaeopsis masonii</i>	Mason's lilaeopsis	1B.1	CR	None	Apr-Nov	0	35
<i>Limnanthes vincularis</i>	Sebastopol meadowfoam	1B.1	CE	FE	Apr-May	50	1000
<i>Lupinus sericatus</i>	Cobb Mountain lupine	1B.2	None	None	Mar-Jun	900	5005
<i>Micropus amphibolus</i>	Mt. Diablo cottonweed		3.2 None	None	Mar-May	150	2705
<i>Navarretia leucocephala</i> ssp. <i>bakeri</i>	Baker's navarretia	1B.1	None	None	Apr-Jul	15	5710
<i>Navarretia leucocephala</i> ssp. <i>pauciflora</i>	few-flowered navarretia	1B.1	CT	FE	May-Jun	1310	2805
<i>Navarretia rosulata</i>	Marin County navarretia	1B.2	None	None	May-Jul	655	2085

Penstemon newberryi var. sonomensis	Sonoma beardtongue	1B.3	None	None	Apr-Aug	2295	4495
Plagiobothrys strictus	Calistoga popcornflower	1B.1	CT	FE	Mar-Jun	295	525
Poa napensis	Napa blue grass	1B.1	CE	FE	May-Aug	330	655
Puccinellia simplex	California alkali grass	1B.2	None	None	Mar-May	5	3050
Sagittaria sanfordii	Sanford's arrowhead	1B.2	None	None	May-Oct(Nov)	0	2135
Sidalcea hickmanii ssp. napensis	Napa checkerbloom	1B.1	None	None	Apr-Jun	1360	2000
Sidalcea oregana ssp. hydrophila	marsh checkerbloom	1B.2	None	None	(Jun)Jul-Aug	3610	7545
Sidalcea oregana ssp. valida	Kenwood Marsh checkerbloom	1B.1	CE	FE	Jun-Sep	375	490
Spergularia macrotheca var. longistyla	long-styled sand-spurrey	1B.2	None	None	Feb-May	0	835
Streptanthus hesperidis	green jewelflower	1B.2	None	None	May-Jul	425	2495
Symphyotrichum lentum	Suisun Marsh aster	1B.2	None	None	(Apr)May-Nov	0	10
Trichostema ruygtii	Napa bluecurls	1B.2	None	None	Jun-Oct	100	2230
Trifolium amoenum	two-fork clover	1B.1	None	FE	Apr-Jun	15	1360
Trifolium hydrophilum	saline clover	1B.2	None	None	Apr-Jun	0	985
Viburnum ellipticum	oval-leaved viburnum	2B.3	None	None	May-Jun	705	4595

Attachment D

Plant and Wildlife List

**Plant and Wildlife Species Observed within the
Tesserone Vineyards Winery Study Area
18 October 2023**

Plant Species Name	Common Name
<i>Toxicodendron diversilobum</i>	Western poison oak
<i>Foeniculum vulgare</i>	Fennel
<i>Torilis arvensis</i>	Tall sock-destroyer
<i>Vinca major</i>	Greater periwinkle
<i>Achillea millefolium</i>	Yarrow
<i>Baccharis pilularis</i> subsp. <i>pilularis</i>	Coyote brush
<i>Carduus pycnocephalus</i> subsp. <i>pycnocephalus</i>	Italian thistle
<i>Helminthotheca echioides</i>	Bristly ox-tongue
<i>Hemizonia congesta</i> subsp. <i>luzulifolia</i>	
<i>Heterotheca grandiflora</i>	Telegraph weed
<i>Tragopogon dubius</i>	Yellow salsify
<i>Stellaria media</i>	Common chickweed
<i>Arbutus menziesii</i>	Pacific madrone
<i>Croton setiger</i>	Turkey-mullein
<i>Acmispon americanus</i> var. <i>americanus</i>	Spanish lotus
<i>Vicia villosa</i> subsp. <i>villosa</i>	Winter vetch
<i>Quercus agrifolia</i>	Coast live oak
<i>Quercus berberidifolia</i>	Scrub oak
<i>Quercus douglasii</i>	Blue oak
<i>Quercus lobata</i>	Valley oak
<i>Quercus wislizeni</i>	Interior live oak
<i>Erodium botrys</i>	Filaree
<i>Erodium brachycarpum</i>	White Stemmed filaree
<i>Lamium amplexicaule</i>	Henbit
<i>Stachys rigida</i>	
<i>Umbellularia californica</i>	California bay
<i>Ficus carica</i>	Edible fig
<i>Olea europaea</i>	Cultivated olive
<i>Plantago lanceolata</i>	English plantain
<i>Avena barbata</i>	Slender wild oat
<i>Avena fatua</i>	Wild oat
<i>Bromus diandrus</i>	Ripgut grass
<i>Bromus hordeaceus</i>	Soft chess
<i>Cynodon dactylon</i>	Bermuda grass
<i>Cynosurus echinatus</i>	Bristly dogtail grass
<i>Elymus caput-medusae</i>	Medusa head
<i>Festuca perennis</i>	Rye grass
<i>Polygonum aviculare</i>	Knotweed, knotgrass
<i>Heteromeles arbutifolia</i>	Toyon

Plant Species Name	Common Name
<i>Verbascum thapsus</i>	Woolly mullein
<i>Vitis vinifera</i>	Wine grape

Wildlife Species Name	Common Name
<i>Cathartes aura</i>	Turkey Vulture
<i>Patagioenas fasciata</i>	Band-tailed Pigeon
<i>Zenaida macroura</i>	Mourning Dove
<i>Melanerpes formicivorus</i>	Acorn Woodpecker
<i>Colaptes auratus</i>	Northern Flicker
<i>Sayornis nigricans</i>	Black Phoebe
<i>Sialia mexicana</i>	Western Bluebird
<i>Mimus polyglottos</i>	Northern Mockingbird
<i>Sturnus vulgaris</i>	European Starling
<i>Melospiza crissalis</i>	California Towhee
<i>Agelaius phoeniceus</i>	Red-winged Blackbird
<i>Sceloporus occidentalis</i>	Western fence lizard

Attachment E

Representative Site Photographs



Proposed wine cave location in mixed oak woodland, facing west, 18 October 2023



Water tower location, Sonoma County portion of the Study Area, facing west, 18 October 2023



Water line location, facing southeast towards wine cave location, 18 October 2023



Existing winery road and road widening area, facing south, 18 October 2023



Existing winery road and road widening area just east of the cave site, facing south, 18 October 2023



Access road to spoils disposal area and proposed disposal area, facing west, 18 October 2023



Typical spoils disposal area, facing south, 18 October 2023



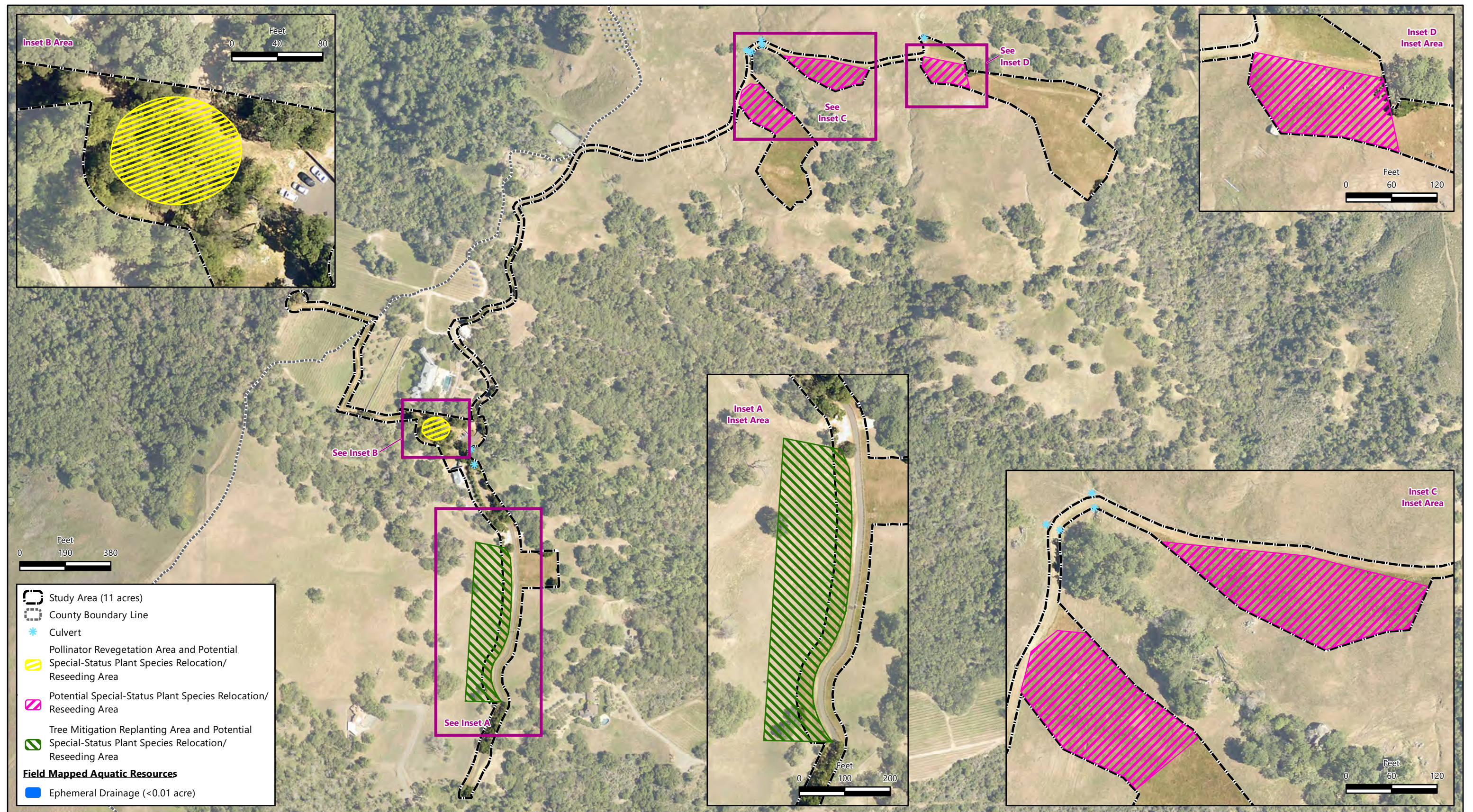
Off-site ephemeral drainage east of the Study Area, facing south, 18 October 2023



NWI mapped off-site feature and small portion of on-site culvert/ephemeral drainage, facing south, 18 October 2023

Attachment F

Oak Tree, Pollinator Habitat, and Potential Special-Status Plant Mitigation Locations



Note: Small summation errors may occur due to rounding.
Aerial Source: The County of Napa, 30 April 2021.



“H.1”

Northern Spotted Owl (NSO) Assessment

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025



Forest Ecosystem Management

1692 East Road * Deary, ID 83823
(406) 490-7427 * Pamtown30@gmail.com

Northern Spotted Owl Assessment

Tesseron Vineyards Winery

Napa County

Report Completed by: Pamela Town, Consulting
Wildlife Biologist on November 4, 2022

Northern Spotted Owls (*Strix occidentalis caurina*)

Northern Spotted Owls (NSO) are listed as Threatened under both the Federal Endangered Species Act (ESA) and California State Endangered Species Act (CESA), as well as Sensitive under California Department of Forestry and Fire Protection (CalFire). They are a common to uncommon owl in the coniferous forest of the Pacific Northwest (PNW), ranging from southern British Columbia south to Marin County in northwestern California.

The northern spotted owl is a subspecies of spotted owl (*Strix occidentalis*) found in western North America. They are a medium-sized (16 to 20 inches) dark brown owl with a barred tail, white spots on their head and breast; and dark brown eyes surrounded by a prominent facial disk. The northern spotted owl is a permanent resident in suitable habitat residing in dense, old-growth, and multi-layered second-growth stands of mixed conifer, redwood, and Douglas-fir habitats.

Northern Spotted Owls are rodent specialists, primarily feeding on woodrats (*Neotoma fuscipes*), deer mice (*Peromyscus spp.*), Sonoma tree voles (*Arborimus pomo*), voles (*Microtus spp.*) and northern flying squirrels (*Glaucomys sabrinus*); but has been known to consume small birds, bats, amphibians, and large arthropods. Foraging is completed by searching for prey from a perch and swooping/pouncing on the prey. NSOs usually nest in stick nests (mistletoe clump, abandoned raptor or squirrel nest), in a cavity tree or snag, or in the broken top of a large tree. In the interior region of their range (as seen in Napa County), there appears to be a preference to well-shaded habitat in narrow, steep-sided canyons with north or east-facing slopes to assist in thermoregulatory needs, as they are intolerant of high temperatures.

Spotted owl life-history traits suggest coevolution with late-seral, old growth forests, and second growth forest with scattered late-seral characteristics. They are relatively long-lived and have high adult survival, low reproductive output, and high parental investment in offspring.

Threats to the northern spotted owl include increased competition, and perhaps predation, from the barred owl (*Strix varia*). In addition to the threats from the barred owls, spotted owl populations may also be negatively impacted by unregulated activities that modify habitat and introduce toxic substances into the environment and food chain (i.e. illegal logging, development, marijuana cultivation, etc.).

This Assessment is for the Tesserone Vineyards Winery Project located at 1000 Wall Road; Napa, California; which occurs within the range of the Northern Spotted Owl. At this time the Project involves site improvements which includes the removal of 21 trees (9 Live Oaks [*Quercus agrifolia*], 11 Bay Laurel [*Laurus nobilis*], and 1 madrone [*Arbutus menziesii*]).

Project General Information

Ownership Location: 1000 Wall Road; Napa, California (Attachment #1)

Legal of Ownership: Sections 23 & 24 T07N, R06W MDB&M

APN Ownership: 027-060-020, 027-060-022, 027-060-023 – Napa County
051-200-016 – Sonoma County

Proposed Project: Site improvements which includes the removal of 21 trees (9 Live Oaks [*Quercus agrifolia*], 11 Bay Laurel [*Laurus nobilis*], and 1 madrone [*Arbutus menziesii*] (Attachment #2).

Known Northern Spotted Owl Territories

According to the California Department of Fish & Wildlife's Spotted Owl viewer dated 04NOV22, there is one known northern spotted owl territory (NAP0042) within 1.3-miles of the Property Ownership (Attachment #3); however, the Project Area is further than 1.3-miles from the known territory. The 1.3-mile assessment area was created by USFWS for a Take Avoidance of northern spotted owls within the California Interior (outside the coastal redwood zone). Although the County does have redwoods, the environmental conditions in the area are hotter/drier than the coastal redwood zone; therefore, the 1.3-mile assessment area was used for this Project.

The following briefly describes the status of the known territory within 1.3 miles of the Ownership:

NAP0042: This territory is located along Wall Road south of the Ownership. The territory was first identified in 2008 with a single male. The territory was monitored in 2011, 2012, and 2013 with spotted owls identified each year. To my knowledge, no further monitoring efforts have occurred. The activity center is further than 1.3 miles from the Project Area; however, within 1.3 miles of the property boundary.

Northern Spotted Owl Surveys

At this time, there are no known northern spotted owl surveys that occurred within or near the Project Area.

Northern Spotted Owl Habitat

The general attributes for northern spotted owl habitat include a forest with:

- Dense, multi-layered canopy of several tree species (conifers and hardwoods).
- Trees of varying sizes and ages.
- Abundant logs, snags/cavity trees, and trees with broken tops or platform-like substrates (i.e., broken tops, mistletoe, debris piles, or old raptor/squirrel nests).
- Open spaces among lower branches to allow flight under the canopy.

USFWS Northern Spotted Owl Take Avoidance Analysis – Interior (Attachment B) dated 27FEB08 further defines NSO habitat as follows:

- High Quality Nesting/Roosting Habitat: Mixed tree species with basal area of 210+ ft² and $\geq 15''$ quadratic mean diameter, and ≥ 8 trees per acre of trees $\geq 26''$ in diameter at breast height, and $\geq 60\%$ canopy closure.
- Suitable Nesting/Roosting Habitat: Mixed tree species with basal area ranging from 150 - 180+ ft² and $\geq 15''$ quadratic mean diameter, and ≥ 8 trees per acre of trees $\geq 26''$ in diameter at breast height, and $\geq 60\%$ canopy closure.
- Suitable Foraging Habitat: Mixed tree species with basal area ranging from 120 - 180+ ft² and $\geq 13''$ quadratic mean diameter, and ≥ 5 trees per acre of trees $\geq 26''$ in diameter at breast height, and a mix of $\geq 40\%$ to 100% canopy closure.
- Low Quality Foraging Habitat: Mixed tree species with basal area ranging from 80 - 120+ ft² and $\geq 11''$ quadratic mean diameter, and $\geq 40\%$ canopy closure.

Recent Wildfire: The ownership falls within the 2017 Nuns Wildfire perimeter; however, widespread wildfire evidence was not noted within and immediately surrounding the Project Area (Scott Butler field visit in November 2022).

Project Area: The Project Area is currently an open hardwood forest with structures (house, barn, winery), road, and vineyards in the immediate vicinity. The trees are primarily Live oak and California Bay. The Project Area and immediate vicinity is unsuitable northern spotted owl habitat due to patchy open canopy cover lacking a conifer component, topography, and buildings; however, there is habitat within $\frac{1}{4}$ mile of the Project Area (Attachment #4).



Picture Looking Toward
Project Area



Tesseron Vineyards Winery Project Recommendations

The Project Proposes to remove a total of 21 hardwood trees in a scattered area (Attachment #2) and is unsuitable northern spotted owl habitat. There is suitable northern spotted owl habitat within ¼-mile of the Project Area; therefore, the following is recommended to reduce disturbance/impacts to northern spotted owls as a result of this Project:

- In years of removing trees (timber operations):
 - Disturbance-Only NSO surveys can be completed in spotted owl habitat within ¼-mile of the Project Area. Disturbance-only surveys allows for a one-year 6-survey visit protocol, rather than the two-year 6-survey visits each year. **OR**
 - Seasonal restrictions from 01FEB – 09JUL for removing trees (timber operations).
- This assessment is for the removal of 21 trees in the vicinity of the existing structures/vineyards. If trees to be removed increases into the surrounding forest, a new assessment may be required.

Attachments

Attachment #1 – Topographical Map – Project Location and NSOs within 1.3 Miles

Attachment #2 – Engineer's Plans

Attachment #3 – CA Fish & Wildlife Spotted Owl Sites Found

Attachment #4 – Aerial of Project Area & Surrounding Habitat

Northern Spotted Owl Contact Information

Questions or comments regarding this NSO information can be directed to:

Pamela Town
Consulting Wildlife Biologist & SOE
Forest Ecosystem Management, PLLC
(406) 490-7427
Pamtown30@gmail.com

Other Information

Definitions:

- Activity Center: Area of concentrated activity of either a pair of NSOs or a single territorial NSO, represented by a mapped location (usually a nest tree) that occurs within, but not necessarily in the exact center of, the core area. Where clusters of site centers exist in a core area a geographic centroid or nearest neighbor calculation may be used as a designated activity center for habitat analysis purposes. A single territory may also have more than one designated activity center.
- Territory: A spatial area of landscape that is defended by a single resident or pair of northern spotted owls. Specific NSO territories generally refer to a fixed geographic area. Over time, individual spotted owls may occupy different territories (i.e. breeding dispersal, interference competition with barred owls, changes in habitat or prey availability, etc.).
- Home Range: In the absence of site-specific data, the home range is a 1.3-mile radius circle centered on the activity center.
- Territory Identification Number (NAP0005): A number generated by the California Department of Fish & Wildlife assigned to a geographic area currently and/or historically occupied by northern spotted owls.
- Suitable Habitat: Areas meeting the criteria for high quality nesting/roosting habitat, suitable nesting/roosting habitat, suitable foraging habitat, and low-quality foraging habitat.
- Unsuitable Habitat: Areas not meeting the criteria for high quality nesting/roosting habitat, suitable nesting/roosting habitat, suitable foraging habitat, and low-quality foraging habitat.
- NSO Breeding Season: February 1 to August 31st within the inland ecotype.
- Degrade Habitat: Signifies when treatments have a negative influence on the quality of habitat due to the removal or reduction of NSO habitat elements but not to the degree where the existing habitat function is changed.
- Downgrade Habitat: Treatments that reduce habitat elements to the degree the habitat will not function in the capacity that exists pre-treatment, but the activities will not remove habitat entirely.
- Assessment Area: The area used to address northern spotted owls includes 1) Project Footprint; 2) Area within ¼ mile of Project Footprint; 3) 1.3 miles from Project Footprint.

References:

CalFire. 2008. Important Information for Timber Operations Proposed within the Range of the Northern Spotted Owl. California Department of Forestry & Fire Protection. February 2008.

Northern Spotted Owl Take Avoidance Analysis and Guidance for Private lands in California. Attachment B: Take Avoidance Analysis – Interior. United States Department of Interior Fish & Wildlife Service. February 2008.

Northern Spotted Owl Take Avoidance Analysis and Guidance for Private lands in California. Attachment B: Take Avoidance Analysis – Interior. United States Department of Interior Fish & Wildlife Service. Updated November 2019.

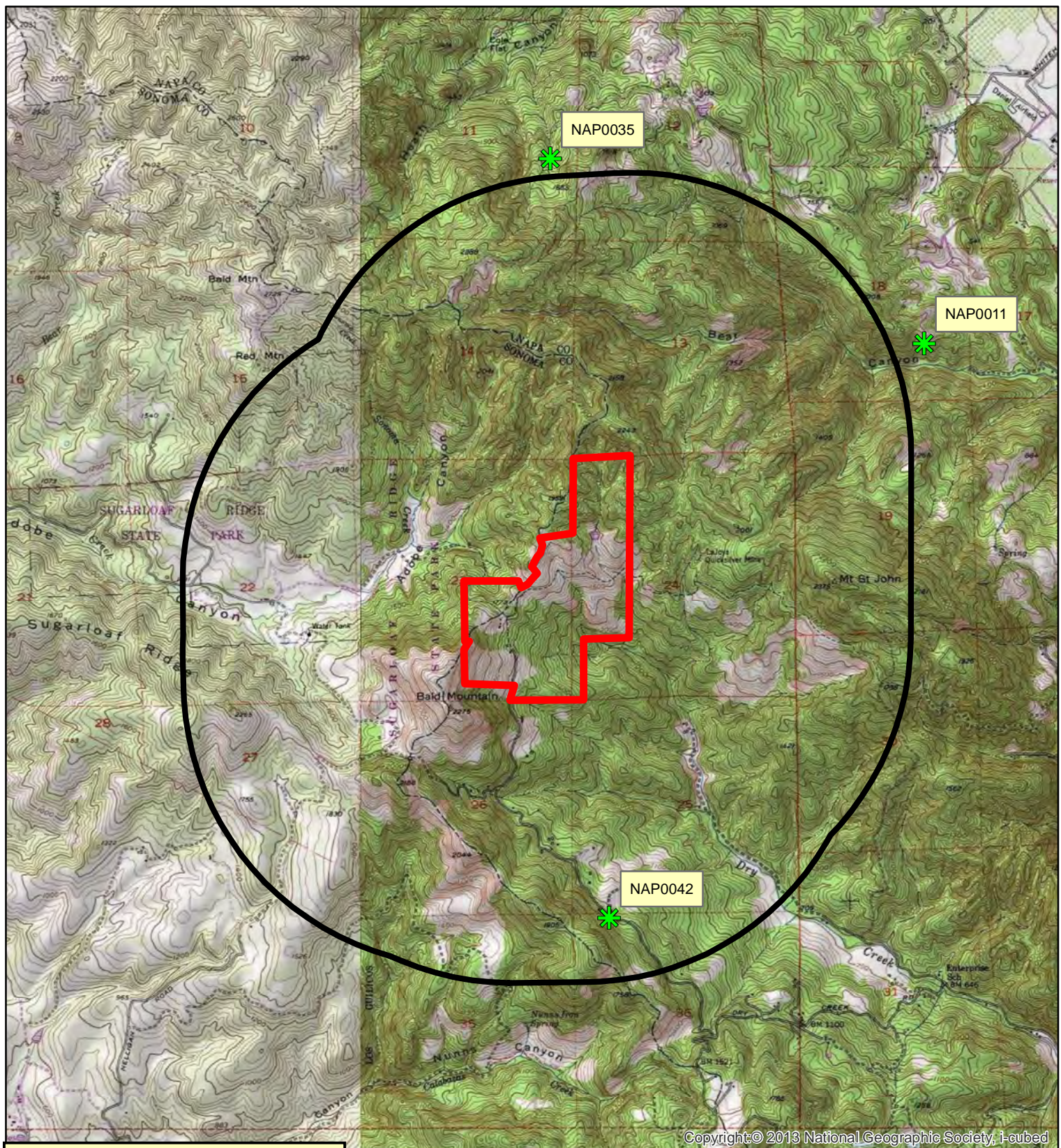
Northern Spotted Owl Viewer (BIOS CA Natural Diversity Database). Managed by California Department of Fish & Wildlife.

Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls. Endorsed by the U.S. Fish & Wildlife Service. February 2, 2011 and Revised January 9, 2012.

Zeiner, D.C., W.F. Laudenslayer, K.E. Mayer, and M. White, eds. 1988 – 1990. California's Wildlife. Vol. I – III. California Department of Fish & Game, Sacramento, CA.

TESSERON VINEYARDS WINERY

NSOs within 1.3 Miles



Legend

- Ownership
- 1.3 Mile NSO Assessment
- ✱ NSO Activity Center

Sections 23 & 24 T07N, R06W MDB&M

APN: 027-060-020, 027-060-022, 027-060-023
 Napa County AND
 APN: 051-200-016
 Sonoma County



1 in = 4,167 ft

Date: 11/4/2021: 294

CONCEPTUAL SITE IMPROVEMENT PLANS

PROPERTY OWNER & APPLICANT
TELEPHONE NUMBER:

SITE ADDRESS:
1000 WALL ROAD

ASSESSOR'S PARCEL NUMBERS:
007 069 000 007 069 003 037 060 003 0 061 000 01

224.00 ±, 43.26 ±, 42.23 ± & 24.00 ± ACRES
NO OBJECT SIZE.

ZONING:

AGRICULTURAL (AW)

SHEET INDEX:

- C9 IMPERVIOUS SURFACE EXHIBIT

PROJECT DESCRIPTION

IMPROVEMENTS PROPOSED AS PART OF THE WINERY USE PERMIT APPLICATION.

FLOOD HAZARD NOISE

INFORMATION.

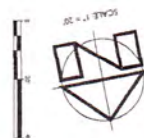
NOTES:

- PURPOSE ONLY



TESSERON VINEYARDS WINERY
CONCEPTUAL SITE IMPROVEMENT PLANS
OVERALL SITE PLAN

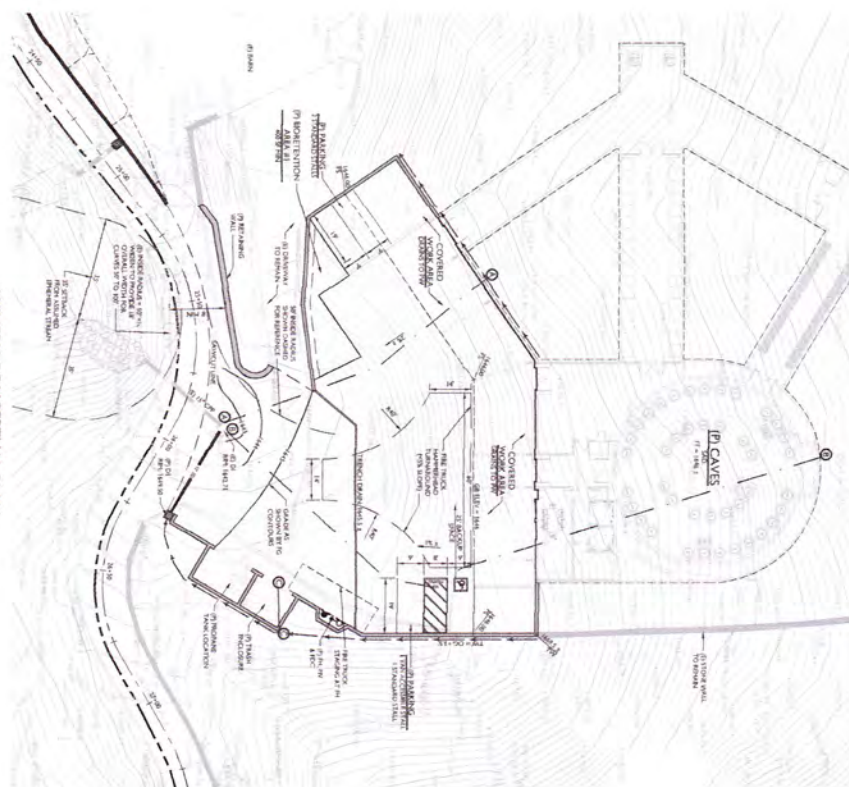
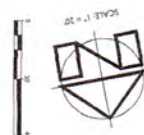
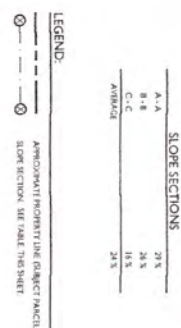




DEMOLITION PLAN

SCALE: 1" = 20'

X-trees to be removed



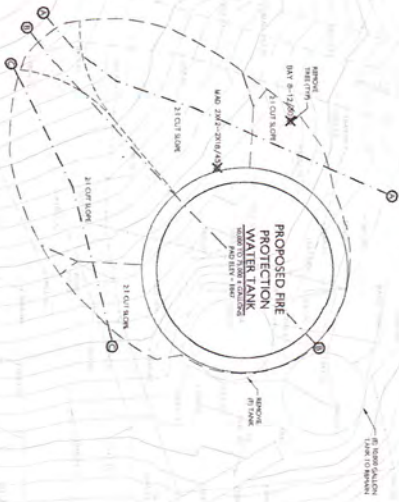
WINERY CONCEPTUAL PLAN
SCALE 1" = 20'

SCALE 1' = 20'



DATE	JAN 1 2022
CHECKS BY	MM
REBOND	BY

JOB NUMBER:	17-198
FILE:	17-198CONC. SITE DWG
ORIGINAL SIZE:	24" X 36"
SHEET NUMBER:	



WATER TANK CONCEPTUAL PLAN

X-trees to be removed

SLOPE SECTIONS	
A-A	27%
B-B	25%
C-C	26%
AVERAGE	27%

LEGEND:

⊗ — — — — ⊙
SLOPE SECTION SEE TABLE THIS SHEET.

JOB NUMBER:	17-100
FILE:	17-100CONC_SITE.DWG
ORIGINAL SIZE:	24" X 36"
SHEET NUMBER:	

C7

Data Version Date:
10/25/2022Report Generation Date:
11/4/2022**Report #1 - Spotted Owl Sites Found**
Known Spotted Owl sites having observations
within the search area.

Meridian, Township, Range, Section (MTRS) searched:

M_07N_06W Sections(10,11,12,13,14,15,22,23,24,25,26,27,34,35,36);

M_07N_05W Sections(18,19,30,31);

NOTES:

Tesseron

Masterowl	Subspecies	LatDD NAD83	LonDD NAD83	MTRS	AC Coordinate Source
NAP0008	NORTHERN	38.408767	-122.468067	M 07N 06W 36	Contributor 2+ Miles
NAP0009	NORTHERN	38.397579	-122.444580	M 06N 05W 05	Contributor 3.5+ Miles
NAP0011	NORTHERN	38.453687	-122.453049	M 07N 05W 18	Contributor 1.8 Mile
NAP0035	NORTHERN	38.465999	-122.484936	M 07N 06W 11	Contributor 1.7 Mile
NAP0036	NORTHERN	38.408611	-122.448657	M 07N 05W 31	Contributor 2.9+ Miles
→ NAP0042	NORTHERN	38.415649	-122.479700	M 07N 06W 36	Contributor
SON0026	NORTHERN	38.388499	-122.485832	M 06N 06W 02	Contributor 3.5+ Miles

Within 1.3 Miles
of ownership
but further
than 1.3 Miles
From Project

Data Version Date:
10/25/2022
Report Generation Date:
11/4/2022



Report #2 - Observations Reported

List of observations reported by site.

Meridian, Township, Range, Section (MTRS) searched:

M_07N_06W Sections(10,11,12,13,14,15,22,23,24,25,26,27,34,35,36);

M_07N_05W Sections(18,19,30,31);

NOTES:

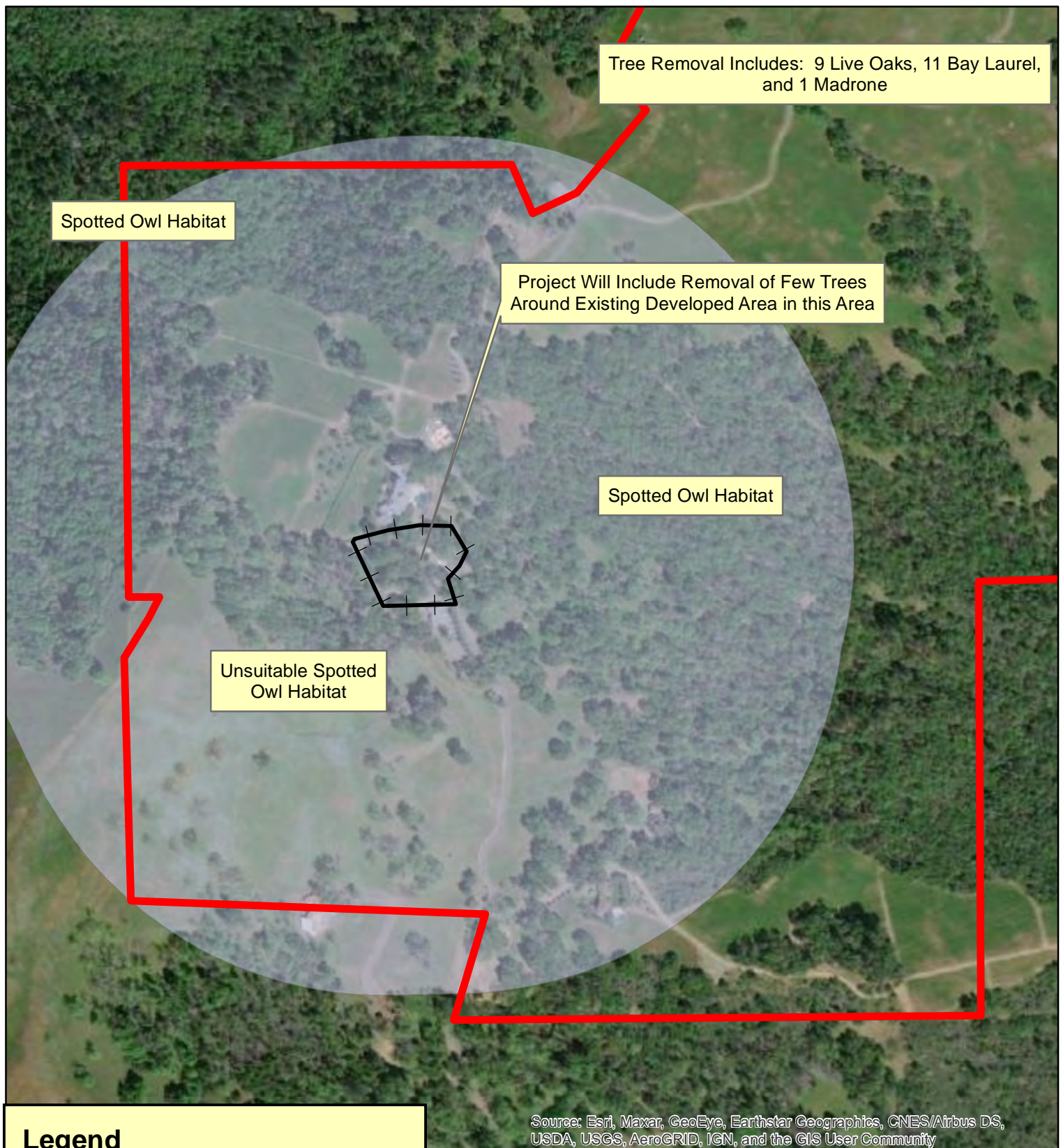
Tesseron

*Only
Relevant Pages
Submitted*





Type	Date	Time	#Adults	Age/Sex	Pair	Nest	#Young	Latitude DD NAD83	Longitude DD NAD83	MTRS	Coordinate Source
NEG	2012-03-20	2046- 2056	0					38.410467	-122.452000	M 07N 05W 31	Contributor
POS	2012-04-15	2201	1	UF				38.408342	-122.455932	M 07N 05W 31	Contributor
POS	2012-04-30	2047	1	UM				38.406056	-122.459326	M 07N 05W 31	Quarter-section centroid
NEG	2013-04-27	1905- 1915	0					38.410575	-122.455310	M 07N 05W 31	Section centroid
AC	2013-04-27	1935	2	UMUF	Y			38.408611	-122.448657	M 07N 05W 31	Contributor
NEG	2013-04-27	1921- 1931	0					38.410575	-122.455310	M 07N 05W 31	Section centroid
POS	2014-03-04	1900	1	UF				38.409096	-122.452208	M 07N 05W 31	Contributor
POS	2015-04-25	2035	2	UMUF	Y			38.408939	-122.450119	M 07N 05W 31	Contributor
Masterrow1: NAP0042 Subspecies: NORTHERN											
POS	2008-02-18	1941	1	UM				38.419842	-122.485486	M 07N 06W 26	Contributor
NEG	2008-02-29	1850- 1900	0					38.422779	-122.492185	M 07N 06W 26	Section centroid
NEG	2008-02-29	1903- 1913	0					38.422779	-122.492185	M 07N 06W 26	Section centroid
NEG	2008-03-20	1953- 2003	0					38.422779	-122.492185	M 07N 06W 26	Section centroid
NEG	2008-03-20	1932- 1942	0					38.422779	-122.492185	M 07N 06W 26	Section centroid
NEG	2011-05-04	2015- 2025	0					38.424849	-122.488299	M 07N 06W 26	Contributor
POS	2011-05-04	2030	2	UMUF	Y			38.414761	-122.479422	M 07N 06W 36	Contributor
POS	2012-03-20	2009	1	UM				38.400470	-122.480210	M 06N 06W 01	Contributor

Type	Date	Time	#Adults	Age/Sex	Pair	Nest	#Young	Latitude DD NAD83	Longitude DD NAD83	MTRS	Coordinate Source
POS	2012-03-20	2035	1	UM				38.415364	-122.479922	M 07N 06W 36	Contributor
POS	2012-04-15	2105	1	UM				38.400470	-122.480210	M 06N 06W 01	Contributor
AC	2012-04-30	1953	2	UMUF	Y			38.415649	-122.479700	M 07N 06W 36	Contributor
POS	2013-02-11	1436	1	UM				38.415765	-122.480789	M 07N 06W 36	Contributor
Masterowl: SON0026 Subspecies: NORTHERN											
POS	1990-04-18	2107	1	UM				38.380097	-122.491524	M 06N 06W 11	Section centroid
POS	1992-08-30	2028	1	UM				38.382916	-122.487016	M 06N 06W 11	Contributor
NEG	1999-05-11	1930	0					38.394254	-122.472874	M 06N 06W 01	Section centroid
NEG	1999-05-21	2030	0					38.394254	-122.472874	M 06N 06W 01	Section centroid
NEG	1999-06-03	1918	0					38.394254	-122.472874	M 06N 06W 01	Section centroid
NEG	1999-06-09	2112	0					38.394254	-122.472874	M 06N 06W 01	Section centroid
NEG	1999-06-14	2014	0					38.394254	-122.472874	M 06N 06W 01	Section centroid
NEG	1999-06-21	1949	0					38.394254	-122.472874	M 06N 06W 01	Section centroid
AC	1999-07-14	2138	1	UM				38.388499	-122.485832	M 06N 06W 02	Contributor
NEG	2000-04-04	1850	0					38.390733	-122.477594	M 06N 06W 01	Quarter-section centroid
NEG	2000-04-04	1850	0					38.394254	-122.472874	M 06N 06W 01	Section centroid
NEG	2000-04-24	2013	0					38.390733	-122.477594	M 06N 06W 01	Quarter-section centroid

TESSERON VINEYARDS WINERY PROJECT AREA



Legend

-  Ownership
-  Project Area
-  Project Assessment Area (1/4 Mile)
-  NSO Activity Center

Sections 23 & 24 T07N, R06W MDB&M

APN: 027-060-020, 027-060-022, 027-060-023
Napa County AND
APN: 051-200-016
Sonoma County



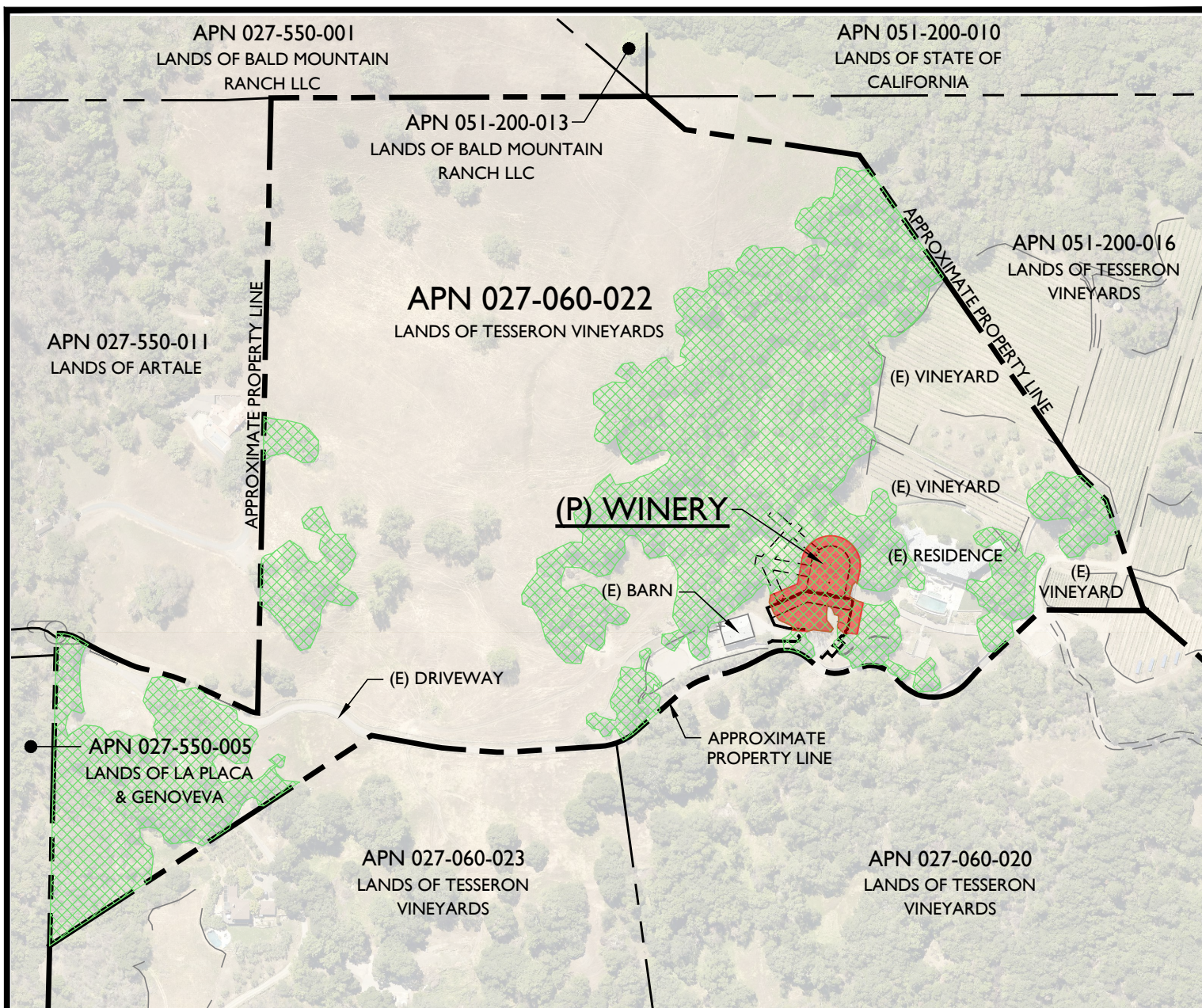
1 in = 582 ft

Date: 11/9/2021 **302**

“H.2”

Vegetation Retention Analysis

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025



RETENTION SUMMARY

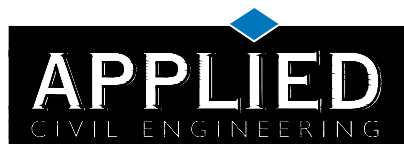
(E) VEGETATION CANOPY COVER	TOTAL
OAK WOODLAND & CONIFER FOREST	14.6 ± ACRES
TO BE REMOVED	0.5 ± ACRES
PERCENTAGE RETAINED	96% ±

AERIAL PHOTO SOURCE:

AERIAL PHOTOGRAPHS WERE OBTAINED FROM THE NAPA COUNTY GEOGRAPHIC INFORMATION SYSTEM (GIS) DATABASE, TAKEN APRIL TO JUNE 2018 AND MAY NOT REPRESENT CURRENT CONDITIONS.

VEGETATION RETENTION ANALYSIS EXHIBIT

SCALE: 1" = 300'

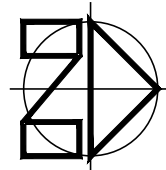


2160 Jefferson Street, Suite 230
Napa, CA 94559
(707) 320-4968 | www.appliedcivil.com

TESSERON VINEYARDS WINERY

1000 WALL ROAD
NAPA, CA 94558
APN 027-060-022

SCALE: 1" = 300'



JOB NO. 17-108

JANUARY 2023 304

“I”

Approval Letter Erosion Control Plan 90-48

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025

Planning

Cover Sheet

APN	027-060-022-000
Permit #	90-48
Program	ECP
DocType	DD
Street #	
Street Name	
Year	





JEFFREY R. REDDING
Director

NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

May 10, 1991

Robert Craig
Robert Craig & Associates
2436 Rigdon Street
Napa, CA 94558

Subject: Pymrae Vineyards Erosion Control and Water Quality Protection Plan
File # ECP-90-48, Assessor Parcel # 27-060-21, Wall Road Area

Dear Mr. Craig:

The Conservation, Development and Planning Department has completed its review of the Erosion Control Plan prepared by yourself in conjunction with the USDA Soil Conservation Service dated May 1991, for a vineyard of approximately 21 acres on a 640 acre site located at the end of Wall Road in the Mayacamas Mountains forming the western boundary of the Napa Valley. The Erosion Control and Water Quality Protection Plan complies with the requirements of the Interim Hillside Ordinance for development and land clearing projects on natural slopes between 15-30%, and is hereby APPROVED.

This approval is subject to the approved Erosion Control Plan, including the identified runoff control practices, groundcover protection, and sediment retention measure specifically identified, and the construction schedule outlined in the Plan.

A copy of the approved Erosion Control Plan has been retained on file with the Conservation, Development and Planning Department.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffrey Redding".
Jeffrey Redding
Director

cc: Phillip Blake, USDA Soil Conservation Service

“J”

Mitigation, Monitoring, and Reporting Plan (MMRP)”

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025

Tesseron Vineyard: New Winery Use Permit
#P22-00309-UP
Mitigation Monitoring and Reporting Program

	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
Impact BIO-1: Impacts to bent-flowered fiddleneck, congested-head hayfield tarweed and jepson's leptosiphon:	Mitigation Measure BIO-1: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to bent-flowered fiddleneck, congested-head hayfield tarweed and jepson's leptosiphon: a. Special-status plant surveys shall be conducted for bent-flowered fiddleneck (bloom March-June), congested-head tarweed (bloom April-October) and Jepson's leptosiphon (bloom April-May), during the blooming period for the target species in areas proposed for impact prior to commencement of construction. If no special-status plant species are found, no further mitigation shall be required. If special-status plants are found and will be impacted, then a Special-Status Plant Mitigation Plan shall be prepared and approved by the County and CDFW and/or USFWS (as applicable based on listing status). These three species have been identified as being viable for mitigation via seed collection. Mitigation options are preservation/avoidance (preferred) and relocation/translocation (only if preservation/avoidance is not feasible) 1. Preservation: i. The applicant shall Identify one or more existing, unprotected populations of the special-status plant that will be impacted by the Project in the Project vicinity and protect this population in perpetuity by establishing a preserve on the land that supports those populations. As this option would preserve an existing, established population, there would be no temporal loss, and low risk of failure. As a result, the required mitigation ratio for this option would be 1:1. ii. The applicant shall submit prepare and submit a Special Status Plant Mitigation Plan (SSPMS) for approval by the County and/or USFWS/CDFW (as appropriate based on listing status, if any). iii. The mitigation area(s) shall be protected by a recorded mitigation easement or deed restriction and managed in	Permittee shall implement Measure BIO-1 into #P22-00309 prior to project initiation.	P	P/CD	PC
		Implement BIO-1.a: Prior to commencement of ground-disturbing activities for #P22-00309	P	P/CD	PC
		Permittee shall implement Measure BIO-1.a.1 into #P22-00309 prior to project initiation, as applicable.	P	P/CD	PC

Notes: P = Permittee, CD = Conservation Division, RCD = Resource Conservation District, AC = Agricultural Commissioner, CDFW = California Dept of Fish & Wildlife, CT = CALTRANS, EH = Environmental Health, PW = Public Works Dept, PE/G =Project Engineer/Geologist
 PC = Prior to Project Commencement CPI = Construction Period Inspections FI = Final Inspection OG = Ongoing PI= Prior to Installation of infrastructure (i.e. trellis and irrigation) and planting.

	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<p>accordance with the long-term management detailed in the SSPMS that maintains the habitats the mitigation easement was established to protect (including the special-status plants).</p> <p>iv. A preserve management endowment or sufficient annual management funding as approved by the County or regulating agency shall be established to fund the long-term management outlined in the long-term management plan. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan. This option may be implemented at a mitigation/conservation bank if the target plant species is present at the bank, and the Special- Status Plant Mitigation Plan shall describe how the purchase of bank credits translates into appropriate 1:1 preservation.</p> <p>2. Relocation or Translocation via seed collection:</p> <p>i. The applicant shall mitigate impacts by establishment of a new special-status plant population or expansion of an existing special-status plant population. The proposed mitigation area may be on-site or off-site (on adjacent parcels located in the same holding with appropriate habitat, translocation options are identified in the Bio Report, see page 99).</p> <p>ii. The establishment area shall be permanently protected by the recordation of a mitigation easement or deed restriction, and a long-term management plan that maintains the habitats that the mitigation easement was established to protect, and include the establishment of a preserve management endowment, or sufficient annual management funding shall be detailed in the SSPMS prepared and approved by the County or other applicable regulating agency.</p> <p>iii. The applicant shall locate and protect the mitigation area(s), translocate seeds to the mitigation area(s), monitor the translocated/relocated seeds for a minimum of five years, and meet established success criteria as detailed in the SSPMS. If the conditions are suitable, this could occur in the native tree</p>	<p>Permittee shall implement Measure BIO-1.a.2 into #P22-00309 prior to project initiation, as applicable</p>	P	P/CD	PC

Notes: P = Permittee, CD = Conservation Division, RCD = Resource Conservation District, AC = Agricultural Commissioner, CDFW = California Dept of Fish & Wildlife, CT = CALTRANS, EH = Environmental Health, PW = Public Works Dept, PE/G =Project Engineer/Geologist
PC = Prior to Project Commencement CPI = Construction Period Inspections FI = Final Inspection OG = Ongoing PI= Prior to Installation of infrastructure (i.e. trellis and irrigation) and planting.

	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<p>planting area or California grassland areas that will be revegetated post construction.</p> <p>iv. The minimum success criterion for this option shall be 3:1 replacement of directly impacted plants and 1:1 replacement for indirectly impacted plants with year five of monitoring. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan.</p> <p>v. If the success criteria are not met, then additional habitat shall be set aside as set forth under the Preservation Mitigation Option (above) or as agreed upon by the County and/or USFWS/CDFW, as appropriate. Because population sizes for annual plants can vary widely from year to year, for the Relocation or Translocation Option, population counts or acreage mapping shall be conducted in the last two years of monitoring, and the highest count or acreage shall be at least equivalent to the number of required replacement plants.</p>				
<p>Impact BIO-2: Impacts to narrow-anthered brodiaea and cobb mountain lupine:</p>	<p>Mitigation Measure BIO-2: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to narrow-anthered brodiaea and cobb mountain lupine:</p> <p>a. Special-status plant surveys shall be conducted for narrow-anthered brodiaea (bloom May-July), and Cobb Mountain lupine (March-June) during the blooming period for the target species in areas proposed for impact prior to commencement of construction. If no special-status plant species are found, no further mitigation would be required. If special-status plants are found and will be impacted, then a Special-Status Plant Mitigation Plan shall be prepared and approved by the County and CDFW and/or USFWS (as applicable based on listing status). These two species have been identified as being viable for mitigation via transplantation/relocation. Mitigation options are preservation/avoidance (preferred) and relocation/translocation (only if preservation/avoidance is</p>	<p>Permittee shall implement Measure BIO-1 into #P22-00309 prior to project initiation.</p> <p>Implement BIO-1.a: Prior to commencement of ground-disturbing activities for #P22-00309</p>	<p>P</p> <p>P</p>	<p>P/CD</p> <p>P/CD</p>	<p>PC</p> <p>PC</p>

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	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<p>not feasible or is unavoidable) via seed collection and the specific requirements for each option are detailed below:</p> <p>1. Preservation:</p> <p>i. The applicant shall Identify one or more existing, unprotected populations of the special-status plant that will be impacted by the Project in the Project vicinity and protect this population in perpetuity by establishing a preserve on the land that supports those populations. As this option would preserve an existing, established population, there would be no temporal loss, and low risk of failure. As a result, the required mitigation ratio for this option would be 1:1.</p> <p>ii. The applicant shall submit prepare and submit a Special Status Plant Mitigation Plan (SSPMS) for approval by the County and/or USFWS/CDFW (as appropriate based on listing status, if any).</p> <p>iii. The mitigation area(s) shall be protected by a recorded conservation easement or deed restriction and managed in accordance with the long-term management detailed in the SSPMS that maintains the habitats the conservation easement was established to protect (including the special-status plants).</p> <p>iv. A preserve management endowment or sufficient annual management funding as approved by the County or regulating agency shall be established to fund the long-term management outlined in the long-term management plan. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the Special-Status Plant Mitigation Plan. This option may be implemented at a mitigation/conservation bank if the target plant species is present at the bank, and the Special- Status Plant Mitigation Plan shall describe how the purchase of bank credits translates into appropriate 1:1 preservation.</p> <p>2. Relocation or Translocation:</p> <p>i. The applicant shall mitigate impacts by establishment of a new special-status plant population or expansion of an existing special-</p>	<p>Permittee shall implement Measure BIO-1.a.1 into #P22-00309 prior to project initiation, as applicable.</p> <p>Permittee shall implement Measure BIO-2.a.2 into #P22-00309 prior to project initiation, as applicable.</p>	P	P/CD	PC
			P	P/CD	PC

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	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<p>status plant population. The proposed mitigation area may be on-site or off-site.</p> <p>ii. The establishment area shall be permanently protected by the recordation of a conservation easement or deed restriction, and a long-term management plan that maintains the habitats that the conservation easement was established to protect, and include the establishment of a preserve management endowment, or sufficient annual management funding shall be detailed in the SSPMS prepared and approved by the County or other applicable regulating agency.</p> <p>iii. The applicant shall locate and protect the mitigation area(s), translocate/relocate plants to the mitigation area(s), monitor the translocated/relocated plants for a minimum of five years, and meet established success criteria as detailed in the SSPMS. If the conditions are suitable, this could occur in the native tree planting area or California grassland areas that will be revegetated post construction.</p> <p>iv. The minimum success criterion for this option shall be 3:1 replacement of directly impacted plants and 1:1 replacement for indirectly impacted plants with year five of monitoring. This ratio may be based on the acreage of occupied habitat or number of plants; this metric will be clearly defined in the SSPMS.</p> <p>v. If the success criteria are not met, then additional habitat shall be set aside as set forth under the Preservation Mitigation Option (above) or as agreed upon by the County and/or USFWS/CDFW, as appropriate. Because population sizes for annual plants can vary widely from year to year, for the Relocation or Translocation Option, population counts or acreage mapping shall be conducted in the last two years of monitoring, and the highest count or acreage shall be at least equivalent to the number of required replacement plants.</p>				

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	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
Impact BIO-3: Impacts to crotch bumble bees:	Mitigation Measure BIO-3: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to crotch bumble bees: <ol style="list-style-type: none"> Initial ground-disturbing work (e.g., grading, vegetation removal, staging) shall take place between September 1st and March 31st (i.e., outside the colony active period), if feasible, to avoid impacts on nesting special status bumble bees. If completing all initial ground-disturbing work between September 1st and March 31st is not feasible, then a senior level biologist with 10 or more years of experience conducting biological resource surveys within California will conduct a pre-construction survey for bumble bees in the area proposed for impact no more than 14 days prior to the commencement of construction activities. The survey will occur during the period from one hour after sunrise (> 65F and < 90F with low wind and no rain) to two hours before sunset. If the timing of the start of construction makes the survey infeasible due to the temperature requirements, the surveying biologist shall select the most appropriate days based on the National Weather Service seven-day forecast, and shall survey at a time of day that is closest to the temperature range stated above. The survey duration shall be commensurate with the extent of suitable floral resources (which represent foraging habitat) present at within the area proposed for impact and the level of effort shall be based on the metric of a minimum of one person hour of searching per three acres of suitable floral resources/foraging habitat. A meandering pedestrian survey shall be conducted throughout the area proposed for impact in order to identify patches of suitable floral resources. Suitable floral resources for Crotch's bumble bee include species in the following families: Apocynaceae, Asteraceae, Boraginaceae, Fabaceae, and Lamiaceae. Suitable floral resources for western bumble bee include species in the following families: Asteraceae, Fabaceae, Rhamnaceae, and Rosaceae, as well as plants in the genera Eriogonum and Penstemon. At a minimum, pre-construction survey methods should include the following: 	Permittee shall implement Measure BIO-3 into #P22-00309 prior to project initiation.	P	P/CD	PC
		Implement BIO-3.a: Prior to commencement of ground-disturbing activities for #P22-00309	P	P/CD	PC
		Implement BIO-3.b: Prior to commencement of ground-disturbing activities for #P22-00309	P	P/CD	PC
		Implement BIO-3.c: Prior to commencement of ground-	P	P/CD	PC

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	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<ul style="list-style-type: none"> i. Search areas with floral resources for foraging bumble bees. Observed foraging activity may indicate a nest is nearby, and therefore, the survey duration shall be increased when foraging bumble bees are present. ii. If bumble bees are observed, attempt to identify the species by taking a picture. iii. If special-status bumble bees are observed, watch any special-status bumble bees present and observe their flight patterns. Attempt to track their movements between foraging areas and the nest. iv. Visually look for nest entrances. Observe burrows, any other underground cavities, logs, or other possible nesting habitat. v. If floral resources or other vegetation preclude observance of the nest, small areas of vegetation may be removed via hand removal, line trimming, or mowing to a height of no less than 4 inches to assist with locating the nest. vi. Look for concentrated special-status bumble bee activity. vii. Listen for the humming of a nest colony. <p>d. The biologist conducting the survey shall record when the survey was conducted, a general description of any suitable foraging habitat/floral resources present, a description of observed bumble bee activity, a description of any vegetation removed to facilitate the survey, and their determination of if the survey observations suggest a special status bumble bee nest(s) may be present or if construction activities could otherwise harm the species. The report shall be submitted to the County prior to the commencement of construction activities. If no special status bumble bees are located during the pre-construction survey or the bumble bees located are definitively determined not to be special status, then no further mitigation or coordination with CDFW is required.</p> <p>e. If any sign(s) of a bumble bee nest is observed, and if it cannot be established the species present is not a special-status bumble bee, then construction will not commence until either 1) the positive identification of the bumble bees present as common (i.e., not special status) is completed by an experienced bumble bee taxonomist or 2) the completion of coordination with CDFW to identify appropriate mitigation</p>	<p>disturbing activities for #P22-00309</p> <p>Implement BIO-3.d: Upon completion of surveys for #P22-00309</p> <p>Implement BIO-3.e: Upon completion of surveys and if a bumble bee nest is observed prior to implementation of #P22-00309</p>	<p>P</p> <p>P</p>	<p>P/CD</p> <p>P/CD</p>	<p>PC</p> <p>PC</p>

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	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<p>measures, which may include but not be limited to: waiting until the colony active season ends, establishment of nest buffers, or obtaining an Incidental Take Permit from CDFW.</p> <p>f. It is recommended that project applicant also survey their project impact areas the year before construction begins in order to avoid potential last-minute delays associated with identifying special status bumble bees onsite immediately prior to construction activities. To be most effective, this optional survey should follow the protocol outlined above.</p> <p>g. If, after coordination with CDFW, impacts to special status bees cannot be avoided, the applicant shall obtain an Incidental Take Permit (ITP) from CDFW prior to County approval of permits authorizing construction, and the applicant shall implement all avoidance measures included in the ITP. Mitigation required by the ITP may include but will not be limited to, the Project Applicant translocating nesting substrate in accordance with the latest scientific research to another suitable location (i.e., a location that supports similar or better floral resources as the impact area), enhancing floral resources on areas of the Project site that will remain appropriate habitat, worker awareness training, and/or other measures specified by CDFW.</p>	<p>Implement BIO-3.f: Prior to construction activities #P22-00309</p> <p>Implement BIO-3.g: Prior to construction activities if crotch bumble bee cannot be avoided #P22-00309</p>	P	P/CD	PC
			P	P/CD	PC
Impact BIO-4: Impacts to Swainson's hawk:	<p>Mitigation Measure BIO-4: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance Swainson's Hawks:</p> <p>a. If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline) and prepare a report documenting the survey results. The Project shall obtain CDFW's written approval of the qualified biologist and survey report prior to starting construction activities between March 1 and September 15. Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less</p>	<p>Permittee shall implement Measure BIO-4 into #P22-00309 prior to project initiation.</p> <p>Implement BIO-4.a: Prior to commencement of ground-disturbing activities for #P22-00309</p>	P	P/CD	PC
			P	P/CD	PC

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	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately notify CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. Any detected nesting Swainson's hawk shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP before Project activities may commence.				
Impact BIO-5: Impacts to nesting birds and raptors	<p>Mitigation Measure BIO-5: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:</p> <p>a. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a preconstruction surveys for nesting birds within all suitable habitat in the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven days from the survey date, surveys shall be repeated. A copy of the</p>	<p>Permittee shall implement Measure BIO-5 into #P22-00309 prior to project initiation and ongoing (as necessary).</p> <p>Implement BIO-5.a: Prior to commencement of ground-disturbing activities for #P22-00309</p>	P	P/CD	PC
			P	P/CD	PC

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	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<p>survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.</p> <p>b. After commencement of work if there is a period of no work activity of seven days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.</p> <p>c. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County Conservation Division and the USFWS and/or CDFW.</p> <p>d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.</p> <p>e. Alternative methods aimed at flushing out nesting birds prior to preconstruction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.</p>	<p>Implement BIO-5.b: During construction if there is a period of no work activity of 7 days or longer between Feb 1 and Aug 31 for #P22-00309</p> <p>Implement BIO-5.c: Prior to commencement of ground disturbing activities for #P22-00309</p> <p>Implement BIO-5.d: Prior to commencement of ground disturbing activities for #P22-00309</p> <p>Implement BIO-5.e: Prior to commencement of ground disturbing activities and during construction for #P22-00309</p>	<p>OG</p> <p>P/OG</p> <p>P/OG</p> <p>P/OG</p>	<p>P/CD</p> <p>P/CD</p> <p>P/CD</p> <p>P/CD</p>	<p>OG</p> <p>PC/OG</p> <p>PC/OG</p> <p>PC/OG</p>

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	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
Impact BIO-6: Impacts to roosting bats:	<p>Mitigation Measure BIO-6: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of roosting bats consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:</p> <p>a. Roosting Bat Habitat Assessment and Surveys: Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species). If suitable habitat trees are found, or bats are observed, mitigation measure BIO-6.b, below, shall be implemented.</p> <p>b. Roosting Bat Tree Protections: If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: 1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or 2) tree trimming and tree removal occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed.</p>	<p>Permittee shall implement Measure BIO-6 into #P22-00309 prior to project initiation</p> <p>Implement BIO-6.a: Prior to commencement of ground-disturbing activities for #P22-00309</p> <p>Implement BIO-6.b: Prior to commencement of ground-disturbing activities for #P22-00309</p>	<p>P</p> <p>P</p> <p>P</p>	<p>P/CD</p> <p>P/C</p> <p>P/CD</p>	<p>PC</p> <p>PC</p> <p>PC</p>
Impact BIO-7: Impacts to Northern Spotted Owl:	<p>Mitigation Measure BIO-7: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance to NSO:</p>	<p>Permittee shall implement Measure BIO-7 into #P22-00309 prior to project initiation</p>	<p>P</p>	<p>P/CD</p>	<p>PC</p>

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	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<p>a. A qualified biologist shall provide an assessment of potential northern spotted owl nesting habitat within the Project area and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that northern spotted owl nesting habitat is present, then no Project activities within 0.25 miles of potential northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts northern spotted owl surveys following the U.S. Fish and Wildlife Service (USFWS) <i>Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls</i>, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, <i>Surveys for Disturbance-Only Projects</i>. If breeding northern spotted owl are detected during surveys, a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.</p> <p>Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, <i>Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California</i>, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.</p>	Implement BIO-7.a : Prior to commencement of ground-disturbing activities for #P22-00309	P		
			P	P/CD	PC
			P	P/CD	PC
CDFW Mitigation Measure – Impacts to Steams and Riparian Areas	<p>CDFW Mitigation Measure – Streams and Riparian Areas: The owner shall implement the following conditions to minimize impacts to streams and riparian areas:</p> <p>a. Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed,</p>	Implement Stream and Riparian Areas Mitigation Measure : Prior to commencement of Project Activities	P	P/CD	PC
			P	P/CD	PC

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	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at https://wildlife.ca.gov/Conservation/Environmental-Review/LSA . The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources.				
CDFW Mitigation Measure – Impacts to Clara’s Milk Vetch	<p>Mitigation Measure - Clara’s Milk Vetch: The owner/permittee shall implement the following measures to minimize impacts associated with Clara’s Milk Vetch:</p> <p>a. The permittee shall conduct surveys for Clara’s Hunt’s milk-vetch. Per CDFW’s comments the permittee shall have a Qualified Biologist conduct botanical surveys during the appropriate blooming period and conditions for <u>Clara Hunt’s milk-vetch (<i>Astragalus claranus</i>)</u> at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction. Surveys shall be conducted following CDFW’s Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.</p>	Implement Clara’s Milk Vetch Mitigation Measure: Prior to commencement of Project Activities	P	P/CD	PC

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“K”

Winery Comparison Chart

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025

TESSERON NEW WINERY #P22-00309
SUMMARY OF CHANGES

Existing Conditions	Proposed Request
Visitation:	
0 Visitors/Day	0 Visitors/Day
0 Visitors/Week	0 Visitors/Week
0 Visitors/Year	0 Visitors/Year
Marketing Program:	
0	0 events/year @ 0 guests
0 Total Events	0 Total Events
0 Total Marketing Guests/Year	0 Marketing Guests/year -->
Gallons Per Year (GPY):	
0 GPY	20,000 GPY

TESSERON - NEW WINERY USE PERMIT
Permit #P22-00309
Summary of Location and Operation Criteria

LOCATIONAL CRITERIA	STAFF COMMENTS
Size of Parcel	43.26 acres
Proximity of Nearest Residence (off-site)	~1,250 feet
Number of Wineries Located Within One-Mile	None
Located Within the Napa Valley Business Park (AKA Airport Industrial Area)	NO
Primary Road Currently or Projected to be Level of Service D or Below	N/A (LOS NO LONGER USED)
Primary Road a Dead End	YES, terminates at driveway
Located Within a Flood Zone	NO
Located Within a Municipal Reservoir Watershed	NO
Located Within a State Responsibility Area or Fire Hazard Severity Zone	YES
Located Within an Area of Expansive Soils	NO
Located Within a Protected County Viewshed	NO
Result in the Loss of Sensitive Habitat	NO
OPERATIONAL CRITERIA	STAFF COMMENTS
Napa Green Certified or Other Related Program	NO
Percentage of Estate Grapes Proposed	100% (80-100 tons)
Number of Proposed Variances	NONE
Wastewater Processed On-Site	YES
Voluntary Greenhouse Gas Emission Reduction Measures Proposed	NO
Vanpools, Flexible Work Shifts, Shuttles, or Other Traffic Congestion Management Strategies Proposed	NO
Violations Currently Under Investigation	NO
High Efficiency Water Use Measures Proposed	YES, landscaping on recycled water, also water efficient fixtures.
Existing Vineyards Proposed to be Removed	NO
On-Site Employee or Farmworker Housing Proposed	NO
Site Served by a Municipal Water Supply	NO
Site Served by a Municipal Sewer System	NO
Recycled Water Use Proposed	YES, process wastewater to be recycled; used for irrigation
New Vineyards Plantings Proposed	NO
Hold & Haul Proposed: Temporary (Duration of Time) or Permanent	NO
Trucked in Water Proposed	NO

Tesseron
Winery Use Permit
Permit #P22-00309
Wineries Within One Mile of APN: 027-060-022

Name	Address	Bldg Size	Cave Size	Production	Tours/ Tastings	Weekly Visitors	Number of Marketing Events	Employees
NONE								

TESSERON	1000 WALL ROAD	0	41,872	20000	NONE	0	0	4
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CLARK FAMILY MOON RANCH WINERY

Permit #22-00309

PRE-WDO WINERIES				Winery Comparison (20,000 Gallons)							
Name	Bldg Size	Cave Size	Production	Daily Visitors	Weekly Visitors	Annual Visitors	Annual Marketing Visitors	Number of Marketing Events	Annual Visitation	Acres	Location
BARNETT VINEYARDS	1,800	3,276	20,000	0	0	0	0	0	0	39.96	hillside
ARAUJO ESTATES WINERY	8,703	9,700	20,000	18	126	6,552	573	15	7,125	162.23	valley floor
LA JOTA VINEYARD	5,000	5,700	20,000	0	4	208	0	0	208	6.57	Angwin
FLEURY FAMILY WINERY	4,230	0	20,000	0	0	1,800	0	0	1,800	10.12	valley floor
THE TERRACES	1,964	0	20,000	2	10	520	0	0	520	21.19	hillside
POPE VALLEY WINERY	4,836	0	20,000	0	20	1,040	0	0	1,040	36.41	Pope Valley
COOK FAMILY WINERY	2,789	0	20,000	0	34	1,747	0	0	1,747	26.44	hillside
PINA CELLARS	3,000	0	20,000	0	30	1,560	0	0	1,560	23.19	hillside
SCREAMING EAGLE WINERY	22,333	16,000	20,000	5	15	780	0	0	780	73.13	valley floor
SEAVEY VINEYARD	12,085	0	20,000	15	6	312	50	1	362	143.42	hillside
LODESTONE VINEYARDS	8,752	7,230	20,000	35	245	12,740	390	8	13,130	42.1	hillside
MT VEEDER WINERY	3,300	0	20,000	0	2	104	0	0	104	20.44	hillside
DANA ESTATES	8,886	19,000	20,000	6	20	1,040	240	4	1,280	26.54	valley floor
TRES SABORES	2,150	780	20,000	4	4	208	0	0	208	24.7	hillside
QUIXOTE WINERY	8,050	0	20,000	10	70	3,640	0	0	3,640	42.39	valley floor
SIGNORELLO WINERY	2,320	0	20,000	20	120	6,240	240	12	6,480	56.59	valley floor
RAZI WINERY	4,600	0	20,000	15	50	2,600	0	0	2,600	14.55	valley floor
SODARO WINERY	4,900	0	20,000	0	0	0	148	13	148	21.3	MST
THEOREM WINERY	23,458	0	20,000	15	105	5,460	220	4	5,680	41.45	hillside
CARVER SUTRO WINERY	3,265	6,700	20,000	20	120	6,240	370	10	6,610	86	hillside
ONE HOPE WINERY	17,063		20,000	20	100	5,200	1,595	38	6,795	10.21	valley floor
ENVY WINES	7,242	0	20,000	8	56	2,912	1,460	26	4,372	18.76	valley floor
DELECTUS (MILAT WINERY)	5,340	0	20,000	20	140	7,280	0	0	7,280	10.5	valley floor
DUTCH HENRY WINERY	2,600	4,500	20,000	10	50	2,600	0	0	2,600	9.29	hillside
Wermuth Winery/Rancho De Las Flores	775	0	20,000	30	100	5,200	0	0	5,200	7.44	hillside
VILLA HELENA	5012	0	20,000	15	20	1,040	70	2	110	4	valley floor
CLARK FAMILY MOON RANCH CARNEROS	4,956	-	20,000	20	140	7,420	240	8	7,660	10.17	hillside

CLARK FAMILY MOON RANCH WINERY
Permit #22-00309

Name	Bldg Size	Cave Size	Production	Daily Visitors	Weekly Visitors	Annual Visitors	Annual Marketing Visitors	Number of Marketing Events	Annual Visitation	Acres	Location
AVERAGE CALCULATION	6,645	2,803	20,000	11	59	3,128	207	5	3,298	36.65	
MEDIAN CALCULATION	4,900	0	20,000	10	34	2,200	0	0	1,800	23	
Tesseron	- 0	14,729	20,000	- 0	- 0	- 0	- 0	- 0	- 0	43.26	hillside

“L”

PUBLIC COMMENTS

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025

From: [MeetingClerk](#)
To: [Morrison, Dana](#)
Subject: FW: Napa County Notice of Planning Commission Hearing & Notice of Intent to Adopt a Mitigated Negative Declaration
Date: Thursday, March 13, 2025 11:20:09 AM

Please see below.

From: RICHARD W SVENDSEN <rsvensen@sbcglobal.net>
Sent: Thursday, March 13, 2025 11:13 AM
To: MeetingClerk <MeetingClerk@countyofnapa.org>
Subject: Re: Napa County Notice of Planning Commission Hearing & Notice of Intent to Adopt a Mitigated Negative Declaration

[External Email - Use Caution]

Vote NO please
Sent from my iPhone

On Mar 13, 2025, at 9:31 AM, MeetingClerk <MeetingClerk@countyofnapa.org> wrote:

TESSERON NEW WINERY USE PERMIT #P22-00309

Kind Regards,

<image001.png>

Napa County – Meeting Clerk - AV
Planning, Building, & Environmental Services
Napa County
Phone: 707-253-4417
Email: meetingclerk@countyofnapa.org
1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

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<P22-00309 Tesseron New Winery.pdf>

From: cherise moueix <ch.moueix@orange.fr>
Subject: Support for the Tesseron Winery Permit Application
Date: March 25, 2025 at 2:05:36 PM GMT+1
To: Christian Moueix <cmoueix@jpmoueix.com>

Napa County Planning Department
1195 Third Street
Suite 210
Napa, California 94559

Dear Napa County Planning Commissioners:

With regards to the Tesseron Vineyards, I am writing to express my strong support for their winery permit application presently under consideration.

As the owner of Dominus Estate in Yountville, Ulysses Vineyard in Oakville as well as eight châteaux in Pomerol and Saint-Émilion, I have personally known Alfred Tesseron for over fifty years. Château Pontet-Canet in Pauillac is renowned for its exceptional wines as well as for their early adoption of bio-dynamic viticulture. I am pleased to note that my company, Ets. Jean-Pierre Moueix in Libourne has distributed their wines throughout the world for decades.

In Napa Valley, I have closely followed Pym-Rae in Mount Veeder. Here, too, Alfred Tesseron and his family have engaged in the long-term practice of bio-dynamic farming. Their years of producing some of Pauillac's most iconic wines has brought to Napa Valley a wealth of knowledge. An example of this savoir-faire, the Pym-Rae wines are exceptional. I heartily support their application for a winery and am available for any queries you may have.

With best regards,

Christian Moueix
cmoueix@jpmoueix.com

David Ochoa
Vine & Valley Farm Labor
1754 2nd Street
Napa, CA 94559

March 26, 2025

Napa County Planning Department
1195 Third Street, Suite 210
Napa, CA 94559

RE: Letter of Support for Tesserons Vineyards Winery Permit Application

Dear Napa County Planning Commissioners:

I am writing to provide my wholehearted support for the Tesserons Vineyards winery permit application. Over the past few years, my team at Vine & Valley Farm Labor has worked directly with the Tesserons team, and I can personally attest to their exceptional commitment to sustainable farming and land stewardship.

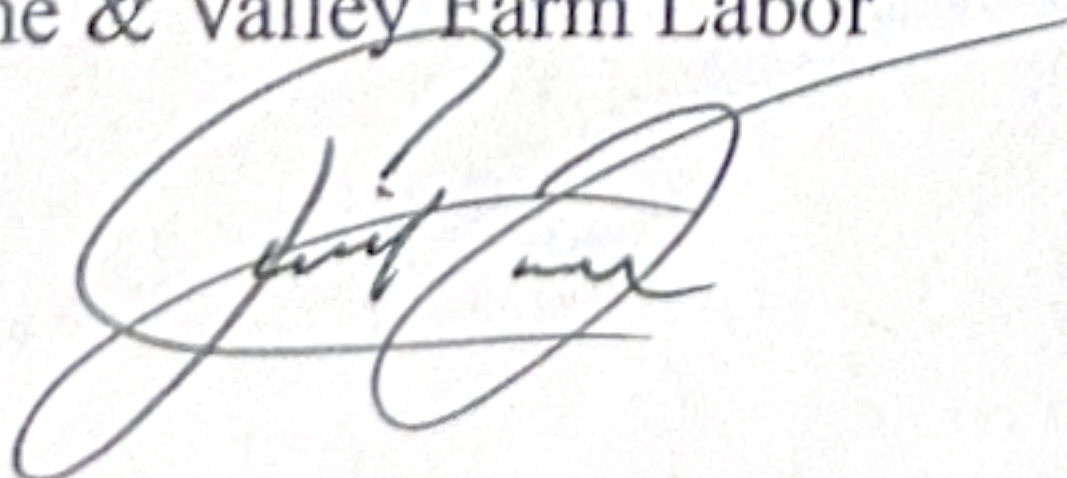
Having worked closely with them season after season, we have seen firsthand their remarkable approach to vineyard management. I have been consistently impressed by their sustainable farming methods, from dry farming to organic and biodynamic practices. The Tesserons are not simply landowners, but true custodians who approach viticulture with an uncommon depth of care and precision. Their sustainable farming practices go far beyond standard requirements, demonstrating a genuine commitment to preserving and enhancing the natural ecosystem of their estate.

The Tesserons bring a multigenerational perspective from their Bordeaux roots, but they have adapted their knowledge brilliantly to Napa Valley's terroir. They understand that sustainable farming is not just about current production, but about preserving the land for future generations. The new winery would allow them to keep production on the same estate where their grapes are grown, cutting down the commute for the entire team and the traffic on Wall Road.

I strongly urge the Planning Commission to approve the Tesserons Vineyards permit application. Should you require any additional information, I am available to provide further details.

Sincerely,

David Ochoa Owner,
Vine & Valley Farm Labor

A handwritten signature in dark ink, appearing to read 'David Ochoa', written over a horizontal line.

Jason Price
Winemaker, Robert Craig Winery

Napa County Planning Department
1195 Third Street, Suite 210 Napa, CA 94559

RE: Support for Tesserón Vineyards Winery Permit Application

Dear Napa County Planning Commissioners:

I am writing to express my strong support for the Tesserón Vineyards winery permit application. As a Wall Road neighbor and the winemaker at Robert Craig Winery, I recently had the opportunity to visit Tesserón estate to learn more about the winery project from their team.

From a winemaker's perspective, I was particularly impressed by the Tesserón family's commitment to sustainable winegrowing practices. Their implementation of dry farming techniques demonstrates both environmental consciousness and a sophisticated understanding of how to develop deep root systems that express the unique terroir of their site. Their organic and biodynamic farming practices further exemplify their dedication to soil health and ecosystem balance.

Their proposal to build a winery on the same property where they grow their grapes is not only logistically sensible but environmentally responsible. As someone who understands the winemaking process intimately, I can attest to the significant benefits of processing fruit immediately after harvest. This integration reduces transportation needs, minimizes the carbon footprint of wine production, and preserves the integrity and quality of the fruit – all while reducing traffic impact on Wall Road and the surrounding community.

I encourage the Planning Commission to approve this permit application. The Tesserón project will be an asset to the Wall Road neighborhood.

Sincerely,



Jason Price
Winemaker, Robert Craig Winery



2025, March 27th

Dear Napa county planning commissioners,

I am Michel Rolland, a wine consultant for many years. I live in Bordeaux and have visited Napa frequently over the past 30 years. I have witnessed this region develop significantly into a place known for producing exceptional wines.

In Bordeaux, I have been advising Château Pontet Canet for over 25 years. This estate has been one of the most recognized in the last 20 years thanks to the hard work of the Tesseron family.

It was logical for them, in their drive, to embark on producing a great wine in the wonderful Napa Valley. It has been accomplished, and after only a few vintages, Pym-Rae is now among the reference wines of Napa.

The culmination, of course, will involve creating a Winery that meets the expectations of this young brand ; it is essential to complete the work undertaken.

For this reason, I would like to express my support for this property as well as the Tesseron family.

Michel Rolland

ROLLAND CONSEILS ET PRESTATIONS

SAS AU CAPITAL DE 1440 EUROS - SIRET : 49492460800016 - APE : 7490 B - FR 74494924608 - RCS LIBOURNE : 494 924 608
5 CATUSSEAU 33500 POMEROL - FRANCE - TÉL : +33 (0)5 57 51 23 05 / FAX : +33 (0)5 57 51 66 08
VIGNOBLES@ROLLANDCONSEILS.COM

Scott Becker
Realm Cellars
5795 Silverado Trail
Napa, CA 94558

March 25, 2025

Napa County Planning Department
1195 Third Street, Suite 210
Napa, CA 94559

RE: Tesson Vineyards Permit Application - Letter of Support

Dear Napa County Planning Commissioners:

I am writing to offer my support for the Tesson Vineyards permit application. As a fellow vintner, I have known the Tesson family for over a decade and can attest to their exceptional contributions to the global wine community.

The Tesson family are respected world-wide for their commitment to quality and sustainability. They bring a rich legacy from their renowned Bordeaux estate Pontet Canet, which has been in the family for generations. They were among the first chateaus in Bordeaux to convert to organic and Biodynamic farming and have brought these practices, as well as dry farming, to their vineyard here in Napa.

Their track record of excellence, commitment to sustainability, and profound respect for agricultural traditions make them an invaluable addition to Napa County's wine community.

Sincerely,

A handwritten signature in dark ink, appearing to be 'SB' with a large, stylized loop.

Scott Becker
CEO, Realm Cellars

Ashley Jambois
2610 Summit Lake Dr,
Angwin, CA 94508

March 31, 2025

Napa County Planning Department
1195 Third Street, Suite 210
Napa, CA 94559

RE: Letter of Support for Tesseron Vineyards Permit Application

Dear Napa County Planning Commissioners:

I am writing to express my support for Tesseron Vineyards' permit application currently under consideration by the Napa County Planning Department.

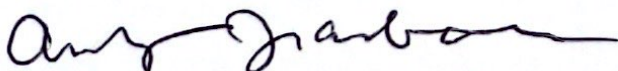
As the owner of Black Sears Winery, I have of leased my property to the Tesseron family for the past decade. During this extensive period, I have witnessed firsthand their exceptional commitment to quality winemaking, community values, and environmental stewardship.

The Tesseron family brings with them generations of winemaking expertise from their prestigious estates in Bordeaux, France. Their deep understanding of viticulture and winemaking, honed over generations in one of the world's most renowned wine regions, has been thoughtfully adapted to honor and enhance Napa's unique terroir. Their dedication to crafting exceptional wines while preserving the integrity of the land exemplifies the values that Napa County seeks to uphold.

What has particularly impressed me is their unwavering commitment to sustainability. They have implemented numerous environmentally friendly practices including dry farming, certified organic and biodynamic farming methods. These efforts not only minimize their environmental impact but enhance the long-term viability of our agricultural resources.

I respectfully ask the Planning Commission to approve this permit application. Should you require any additional information regarding my experience with Tesseron Vineyards, please do not hesitate to contact me.

Sincerely,



Ashley Jambois
Owner, Black Sears Winery

John Thacher

2482 Spring Mountain Rd.

St. Helena, CA 94574

April 10, 2024

Napa County Planning Department

1195 Third Street, Suite 210

Napa, CA 94559

RE: Support for Tesseron Vineyards Winery Permit Application

Dear Members of the Planning Commission:

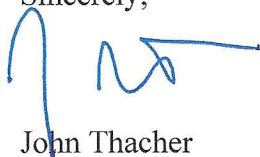
I am writing to express my support for the Tesseron Vineyards winery permit application. As a neighbor and resident of our community, I have been notified about the project and reviewed the information with close interest.

I believe their proposal is very reasonable and well-considered. The scope of the project is modest and appropriate for the property, demonstrating their commitment to quality winemaking that respects the surrounding neighborhood and environment.

I write to you today primarily as a neighbor who believes strongly that agriculture is the foundation of Napa Valley. Our community thrives when we support thoughtful, sustainable agricultural projects like the one proposed by the Tesseron family. Their plan to create a winery on the same property where they grow their grapes represents exactly the kind of integrated, environmentally sound approach we should encourage.

The agricultural character of Napa Valley depends on supporting reasonable projects that allow winegrowers to create value from their land while preserving its rural character. The Tesseron proposal exemplifies this balanced approach and deserves your approval.

Sincerely,



John Thacher

David Artale & Michelle James
675 Wall Road
Napa, CA 94558

April 5, 2025

Napa County Planning Department
1195 Third Street, Suite 210
Napa, CA 94559

RE: Our Support for Tesseron Vineyards Winery Permit Application

Dear Members of the Planning Commission:

We are writing as residents of Wall Road to express our support for the Tesseron Vineyards winery permit application. We are next door neighbors on the south side of the Tesseron property and have an excellent relationship with them. We do not hesitate in supporting their permit application.

Jerome Leddit, Estate Manager, in particular, is a very helpful, respectful neighbor not only to us but other residents on Wall Road. He and his crew help clear downed trees and small mudslides from narrow Wall Road saving the County the cost. And, he personally extinguished a small fire on our property resulting from a rare lightning strike at a time when we were off property.

We appreciate that Jerome reached out to us to inform us of the winery plans and took the time to discuss the project in detail. We feel this project will ultimately benefit Wall Road residents since they will no longer transport truckloads of grapes out of the property to an offsite winery saving wear and tear on County maintained Wall Road.

This project is thoughtfully integrated into their biodynamic dry farming methods and keeps the entire process onsite which is an environmentally responsible approach we appreciate.

We encourage the Planning Commission to approve this project.

Sincerely,

Handwritten signatures of David Artale and Michelle James in black ink. The signature of David Artale is on the left, and the signature of Michelle James is on the right, written in a cursive style.

David Artale & Michelle James



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Bay Delta Region
 2825 Cordelia Road, Suite 100
 Fairfield, CA 94534
 (707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 7, 2025

Dana Morrison, Supervising Planner
 Napa County
 1195 Third Street
 Napa, CA 94559
Dana.Morrison@countyofnapa.org

Subject: Tesseron Vineyards Winery, Use Permit #P22-00309-UP, Initial
 Study/Mitigated Negative Declaration, SCH No. 2025030568, Napa County

Dear Ms. Morrison:

The California Department of Fish and Wildlife (CDFW) received an Initial Study/Mitigated Negative Declaration (IS/MND) from Napa County (County) for the Tesseron Vineyards Winery, Use Permit #P22-00309-UP (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.

CDFW is submitting comments on the IS/MND to inform the County, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Lake and Streambed Alteration (LSA) Agreement, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION SUMMARY

Proponent: Alfred Tesseron, Tesseron Vineyards

Objective: The Project involves the construction of a new winery facility with a 14,729 square-foot cut and cover Type I cave with a 2,750-square-foot (sf) covered crush pad and a 348-sf covered mechanical equipment area with an enclosed trash/recycling area, parking facilities; as well as use changes, new water tank, and driveway improvements to meet standards. Approximately 20,000 cubic yards of spoils associated with the cave and construction of structure pads will be excavated on-site, and all of the spoils will be distributed within the subject parcel or neighboring parcels under the same ownership.

Dana Morrison
Napa County
April 7, 2025
Page 2

Removal of 15 native trees will occur, with replanting and permanent preservation of 45 trees on-site.

Location: The Project is located on Assessor's Parcel Numbers 051-200-016, 027-060-020 and 027-060-022; the winery facility will be located at approximately 38.43401°N, - 122.48875°W, at 1000 Wall Road, St. Helena, CA 94574, with Project activities occurring in both Napa and Sonoma Counties.

REGULATORY REQUIREMENTS

Lake and Streambed Alteration

An LSA Notification, pursuant to Fish and Game Code section 1600 et. seq. is required for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. The Project would impact unnamed ephemeral streams, as further described below, and an LSA Notification is likely required. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to LSA notification requirements. CDFW, as a Responsible Agency under CEQA, would consider the CEQA document for the Project and may issue

California Endangered Species Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. **The Project has the potential to impact Clara Hunt's milk-vetch (*Astragalus claranus*), State listed as endangered; as well as Swainson's hawk (*Buteo swainsoni*) and northern spotted owl (*Strix occidentalis caurina*), both State listed as threatened; and Crotch's bumblebee (*Bombus crotchii*) which is State listed as candidate endangered. The Project should notify CDFW immediately if take of a CESA listed species cannot be avoided and should consult with CDFW to obtain an ITP.** Issuance of an ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, & 15065.). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC).

Dana Morrison
Napa County
April 7, 2025
Page 3

The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with CESA.

Raptors and Other Nesting Birds

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those CDFW recommends below and included in **Attachment 1** Draft Mitigation Monitoring and Reporting Program, CDFW concludes that an MND is appropriate for the Project.

Environmental Setting Related Impact Shortcomings

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?

COMMENT 1: Stream Alteration

Issue: Page 3 of the IS/MND states that "There are no County designated Significant Streams located on the main project parcel (027-060-022-000) on which the future winery is proposed, however, there are a number of ephemeral drainages located on the parcel and there is an identified blue line stream, as well as ephemeral, on the adjacent parcels under the same ownership (027-060-020 and -023). The County GIS layers show an ephemeral stream as running through the proposed location of the new winery; however, staff was able to confirm during the November 2022 site visit that there was no channelization or riparian vegetation associated with this "identified" ephemeral and therefore did not meet the definition." It's unclear if the County-designated Significant Streams determination made on-site would prevent impacts to a stream pursuant to Fish and Game Code section 1600 et seq.

Dana Morrison
Napa County
April 7, 2025
Page 4

Specific impacts and why they may occur and be significant: The installation of the winery facility could directly impact the ephemeral stream and the streams receiving its flows. Impacts could include inputs of deleterious materials; removal and trampling of vegetation; obstructions and diversions of stream; and indirect impacts to neighboring streams. Project impacts to sensitive stream and associated riparian habitat would be potentially significant.

Recommendation: To comply with Fish and Game Code section 1600 et seq. and reduce impacts to riparian habitat to less-than-significant, CDFW recommends that the IS/MND incorporate the following mitigation measure.

Impacts to the Stream. Prior to the commencement of Project activities, a qualified biologist shall conduct a thorough assessment of potential impacts to the stream and riparian habitat resulting from Project activities including construction of the winery facility. If impacts to the bed, bank, channel, or riparian area of the stream cannot be avoided, the Project shall notify CDFW for Project impacts to the stream. More information for the notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Restoration shall include a qualified biologist preparing and implementing a restoration plan, success criteria, a minimum of five years of monitoring and maintenance, and achieving success criteria.

Please be advised that a SAA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?

COMMENT 2: Clara Hunt's Milk-vetch

Issue: The IS/MND does not provide a suitable survey design to address the potential for Clara Hunt's milk-vetch to occur on the Project site. Table 2 of the Biological Resources Assessment (page 16) states that "Annual grasslands within the Study Area provide suitable habitat for this species but is outside the documented elevation range for this species. This species was not observed during the October 2023 reconnaissance survey; however, the survey was conducted outside the typical blooming season for this species." Furthermore, the IS/MND includes targeted special-

Dana Morrison
 Napa County
 April 7, 2025
 Page 5

status plants surveys to detect five special-status plant species: (1) bendflowered fiddleneck, (2) narrow-anthered brodiaea, (3) congested-head tarweed, (4) Jepson's leptosiphon, and (5) Cobb Mountain lupine.

Specific impacts and why they may occur and be significant: Surveys targeted at the blooming periods of the above five species could potentially overlook or miss Clara Hunt's milk-vetch during its blooming period which could lead to the Project causing substantial reduction in the number of an endangered species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommended Mitigation Measure: To reduce impacts to Clara Hunt's milk-vetch to less-than-significant, CDFW recommends that the MND incorporate the following mitigation measure.

Special-Status Plant Surveys. A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur at the Project site, including but not limited to Clara Hunt's milk-vetch (*Astragalus claranus*), and adjacent to it where plants could be indirectly impacted, prior to the start of construction, unless otherwise approved in writing by CDFW. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW for written approval prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.

Mitigation Measure Related Impact Shortcomings

COMMENT 3: Swainson's Hawk

Issue: Mitigation Measure BIO-4 of the IS/MND specifies the nesting season for Swainson's hawk from March 31 to August 31. This is inconsistent with the commonly accepted nesting season of March 31 to September 15.

Specific impacts and why they may occur and be significant: If the full nesting period of Swainson's hawk is not utilized in the avoidance measure of the IS/MND, the Project could have the potential to impact nesting Swainson's hawk through auditory or visual disturbances above ambient levels. Disturbances from Project activities may result in Swainson's hawk nest abandonment and loss of eggs or reduced health and

Dana Morrison
 Napa County
 April 7, 2025
 Page 6

vigor and loss of young. Therefore, if an active Swainson's hawk nest is disturbed by the Project, the Project may result in a substantial reduction in the number of a threatened species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommended Mitigation Measure: To reduce potential impacts to Swainson's hawk to less-than-significant and comply with CESA, CDFW recommends substituting Mitigation Measure BIO-4 with the following:

Mitigation Measure BIO-4: Swainson's Hawk Surveys and Avoidance Buffer: If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline>) and prepare a report documenting the survey results. The Project shall obtain CDFW's written approval of the qualified biologist and survey report prior to starting construction activities between March 1 and September 15. Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately notify CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. Any detected nesting Swainson's hawk shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP before Project activities may commence.

COMMENT 4: Northern Spotted Owl

Issue: Section 1 and Section 2 of Mitigation Measure BIO-7 of the IS/MND (page 20) include dates that are not consistent with the guidance provided by CDFW to the County during early coordination efforts for this Project. Section 1 states that "If project

Dana Morrison
Napa County
April 7, 2025
Page 7

implementation occurs between February 1 and July 9 then no mitigation is required.” This time window is not appropriate for avoiding northern spotted owl.

Specific impacts and why they may occur and be significant: If Project activities commence during the northern spotted owl nesting season, northern spotted owl could be impacted, resulting in nest abandonment and loss of eggs or reduced health and vigor and loss of young, thereby substantially reducing the number of the species. Northern spotted owl is CESA listed as a threatened species and is also listed under the federal Endangered Species Act (ESA) and therefore is considered to be a threatened species pursuant to CEQA Guidelines section 15380. Therefore, if an active northern spotted owl nest is disturbed by the Project, the Project may result in a substantial reduction in the number of a threatened species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommendation: To reduce impacts to northern spotted owl to less-than-significant and comply with CESA, CDFW recommends that Mitigation Measure BIO-7 be substituted with the following:

MM BIO-7 Northern Spotted Owl Surveys: A qualified biologist shall provide an assessment of potential northern spotted owl nesting habitat within the Project area and a 0.25-mile radius and obtain CDFW’s written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that northern spotted owl nesting habitat is present, then no Project activities within 0.25 miles of potential northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts northern spotted owl surveys following the U.S. Fish and Wildlife Service (USFWS) *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, *Surveys for Disturbance-Only Projects*. If breeding northern spotted owl are detected during surveys, a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW’s written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

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Page 8

If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the IS/MND to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Nicholas Magnuson, Environmental Scientist, at (707) 815-4166 or Nicholas.Magnuson@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 or Melanie.Day@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486
Erin Chappell
Regional Manager
Bay Delta Region

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April 7, 2025
Page 9

Attachment 1: Draft Mitigation Monitoring and Reporting Program

ec: Office of Planning and Research, State Clearinghouse No. 2025030568

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 Napa County
 April 7, 2025
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ATTACHMENT 1

Draft Mitigation Monitoring and Reporting Program (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Biological Resources (BIO)			
Mitigation Measure (MM)	Description	Timing	Responsible Party
Measure number to be determined by Lead Agency	<p><u>Impacts to the Stream.</u> Prior to the commencement of Project activities, a qualified biologist shall conduct a thorough assessment of potential impacts to the stream and riparian habitat resulting from Project activities including construction of the winery facility. If impacts to the bed, bank, channel, or riparian area of the stream cannot be avoided, the Project shall notify CDFW for Project impacts to the stream. More information for the notification process is available at https://wildlife.ca.gov/Conservation/Environmental-Review/LSA. The Project shall comply with all measures of the SAA, if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed.. Restoration shall include a qualified biologist preparing and implementing a restoration plan, success criteria, a minimum of five years of monitoring and maintenance, and achieving success criteria.</p> <p>Please be advised that a SAA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.</p>	Prior to Ground Disturbance	Project Applicant
Measure number to be determined by Lead Agency	<p><u>Special-Status Plant Surveys.</u> A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction, including but not limited to Clara Hunt's milk-vetch (<i>Astragalus claranus</i>), unless otherwise approved in writing by CDFW. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities</p>	Prior to Ground Disturbance	Project Applicant

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April 7, 2025
Page 11

	<p>(https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW for written approval prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.</p>		
MM BIO-4	<p>Mitigation Measure BIO-4: Swainson's Hawk Surveys and Avoidance Buffer: If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline) and prepare a report documenting the survey results. The Project shall obtain CDFW's written approval of the qualified biologist and survey report prior to starting construction activities between March 1 and September 15. Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately notify CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. Any detected nesting Swainson's hawk shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall</p>	<p>Prior to Ground Disturbance</p>	<p>Project Applicant</p>

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April 7, 2025
Page 12

	consult with CDFW pursuant to CESA and obtain an ITP before Project activities may commence.		
MM BIO-7	<p><u>MM BIO-7 Northern Spotted Owl Surveys</u>: A qualified biologist shall provide an assessment of potential northern spotted owl nesting habitat within the Project area and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that northern spotted owl nesting habitat is present, then no Project activities within 0.25 miles of potential northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts northern spotted owl surveys following the U.S. Fish and Wildlife Service (USFWS) <i>Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls</i>, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, <i>Surveys for Disturbance-Only Projects</i>. If breeding northern spotted owl are detected during surveys, a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.</p> <p>Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, <i>Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California</i>, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.</p> <p>If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP and also consult with USFWS pursuant to the federal ESA.</p>	Prior to Ground Disturbance	Project Applicant

From: [Magnuson, Nicholas@Wildlife](mailto:Magnuson,Nicholas@Wildlife)
To: [Morrison, Dana](mailto:Morrison,Dana)
Subject: RE: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568
Date: Tuesday, April 22, 2025 10:44:00 AM
Attachments: [image001.png](#)

[External Email - Use Caution]

Hi Danna, sorry for the delay –

The LSA language below can be used as a mitigation measure.

The revisions to plant survey measure to focus on Clara Hunt's Milk-vetch is fine, however, the results should be submitted to CDFW for approval before start of construction, see **highlighted** below.

Thanks,
Nick

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Friday, April 11, 2025 2:01 PM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: FW: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Hey Nick,
The applicant was hoping that CDFW would supportive of some revisions to the LSA and Clara Milk-Vetch. See their edits and comments below. I would be happy jump on a call or teams meeting to discuss sometime in the next few weeks, and we can arrange a later meeting with the applicant...if you are amenable.
Let me know!
Cheers,

Dana Morrison (she | her | hers)
Supervising Planner - Conservation



A Tradition of Stewardship
A Commitment to Service

Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Rob Anglin <anglin@htralaw.com>

Sent: Friday, April 11, 2025 1:53 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Jon Webb <jwebb@albionsurveys.com>; Bonnie Peterson <bpeterson@madroneeco.com>

Subject: Re: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Dana,

Thank for your time this afternoon. Here are the changes we think might be helpful to implement CDFW's comments.

Streams

CDFW's language seems open-ended to us. Could we use this condition language as a mitigation measure?

Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by

restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources.

Clara Hunt's Milk-vetch

We understand the desire to survey for this species prior to construction. The CDFW draft language would go further than that and could be duplicative of other mitigation measures directed at other plant species. We'd propose targeting this mitigation measure to Clara Hunt's Milk-vetch. Proposed revisions are in underline and strikethrough below.

Clara Hunt's milk-vetch ~~Special-Status Plant~~ Surveys. A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for Clara Hunt's milk-vetch (*Astragalus claranus*) ~~all special-status plants that have the potential to occur~~ at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction, ~~including but not limited to Clara Hunt's milk-vetch (*Astragalus claranus*)~~, unless otherwise approved in writing by CDFW. ~~More than one year of surveys may be necessary.~~ Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW **for written approval** prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.

If it helps to get on a call with CDFW, we're happy to do that. Thanks and have a great weekend.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Apr 9, 2025, at 9:47 AM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Morning Jon, Rob and Bonnie,
CDFW provided a Draft MMRP at the end of their document, I do have one drafted but typically I release that with the Agenda Packet (so I can hopefully incorporate any changes resulting from CDFW comments if we receive before release). Please find a copy of the draft MMRP attached. This would be the draft that we update with CDFW comments and release with the Staff Report which would include the IS/MND and all of the exhibits which would include the MMRP
Please let me know if you have any additional questions.
Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, April 9, 2025 9:36 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Rob Anglin <anglin@htralaw.com>; Bonnie Peterson <bpeterson@madroneeco.com>
Subject: RE: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Dana
Our bio-consultant(Bonnie Peterson) does not recollect seeing the original MMRP mentioned by CDFW, have you seen it?

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue

Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Tuesday, April 8, 2025 11:21 AM
To: Jon Webb <jwebb@albionsurveys.com>
Cc: Rob Anglin <anglin@htralaw.com>
Subject: FW: Tesserón Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

Good morning Jon and Rob,

We received the following comment from CDFW. Jon, please ensure that the Biologist includes Clara's Hunt Milk-Vetch in their surveys for the rest of the season. Most of the other comments relate to changes in the survey dates for the

Swainson's hawk and NSO. And CDFW is also recommending that the LSA Condition of Approval be a Mitigation Measure. These can be incorporated into the Final COAs and Final MMRP.

If you have any questions, please do not hesitate to reach out.

Cheers,

<image001.png>

Dana Morrison (she | her | hers)

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Limon, Jessica@Wildlife <Jessica.Limon@Wildlife.ca.gov>

Sent: Tuesday, April 8, 2025 10:38 AM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>; Day, Melanie@Wildlife <Melanie.Day@wildlife.ca.gov>; Weightman, Craig@Wildlife <Craig.Weightman@wildlife.ca.gov>; Hansen, James@Wildlife <James.Hansen@Wildlife.ca.gov>

Subject: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Good morning,

Please see the attached letter for your records. If you have any questions, contact Nicholas Magnuson, cc'd above.

Thank you,

Jessica Limon

Staff Services Analyst/ Administrative Support Analyst
California Department of Fish and Wildlife – Bay Delta Region

2109 Arch Airport Rd., Stockton, CA 95206

<image002.png> 209-616-6011

<image003.png> jessica.limon@wildlife.ca.gov

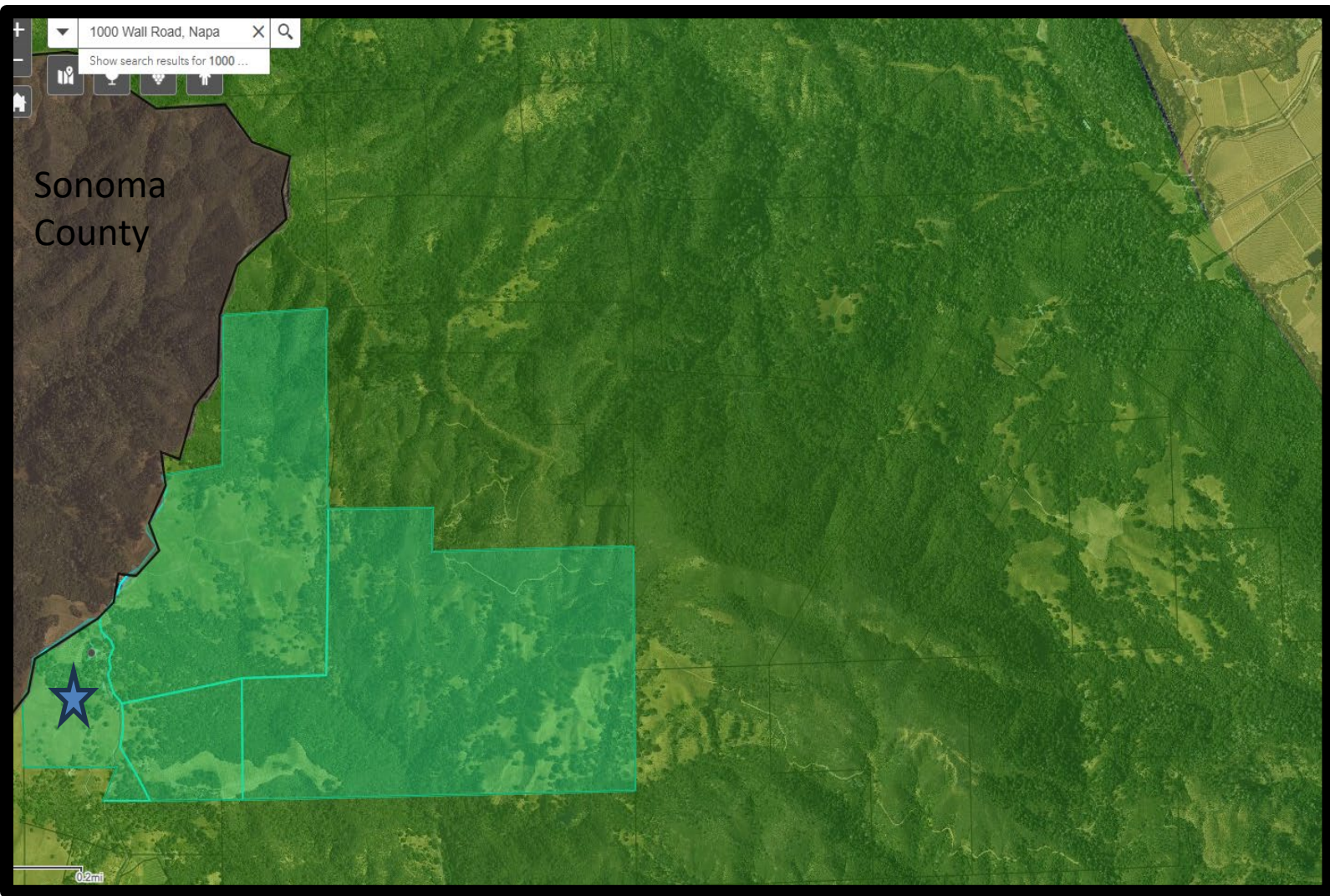
<MMRP_Tesseron Vineyard_P22-00309.docx>

“M”

GRAPHICS

Tesseron Winery P22-00309
Planning Commission Hearing Date
July 2, 2025

NAPA COUNTY LAND USE PLAN 2008 – 2030



SCALE IN MILES
0 ½ Mile]

LEGEND



URBANIZED OR NON-AGRICULTURAL

- Study Area
- Cities
- Urban Residential*
- Rural Residential*
- Industrial
- Public-Institutional

OPEN SPACE

- Agriculture, Watershed & Open Space
- Agricultural Resource

TRANSPORTATION

- Mineral Resource
- Limited Access Highway
- American Canyon ULL
- City of Napa RUL
- Landfill - General Plan
- Road
- Airport
- Railroad
- Airport Clear Zone

* See Action Item AG/LU-114.1 regarding agriculturally zoned areas within these land use designations

APN: 027-060-022 (winery parcel), -020, -023, -024
Map Date: 2022 Aerial, 3/12/2025 **359**

Sonoma
County

**Tesseron Holding
County APNs:**

1. APN 027-060-022-000 ★
(winery parcel)
2. 027-060-020
3. 027-060-023
4. 027-060-024

AW

AW

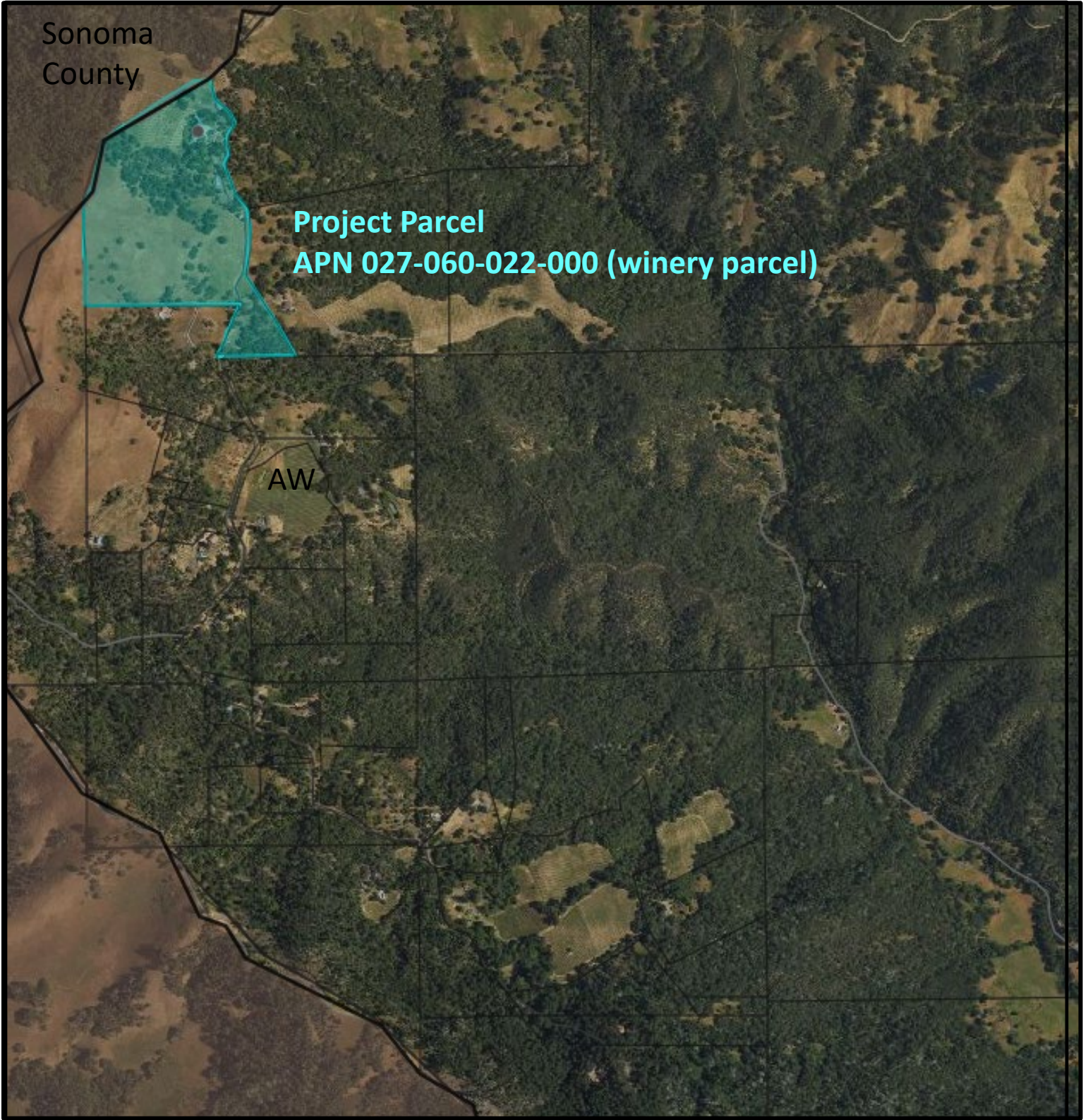
LEGEND

— Zoning
— Parcels

0 ½ Mile



ZONING MAP



LEGEND

— Zoning
— Parcels

0 1/2 Mile



ZONING MAP



Existing Conditions

P22-00309 Tesseron Vineyards
Sonoma APNs: 051-200-016 and 051-010-079

Napa APNs: 027-060-022, -020, -023, -024
Map Date: 2022 Aerial (3/12/2025) **362**

Sonoma
County

(1 of 2)

Parcels

1000 WALL RD
027-060-022-000

JURISDICTION: Unincorporated
ZIP: 94558

[PBES]

OWNER:
TESSERON VINEYARDS

ACRES:
43.26

[Zoom to](#)



Existing Conditions

"N"

Notices, Division and Agency Memos, and Correspondence

Tesseron Winery P22-00309
Planning Commission Hearing
Date July 2, 2025



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

NEW PROJECT SUBMITTAL COURTESY NOTICE

DATE: October 4, 2022

SUBJECT: P22-00309; Tesseron Winery
1000 Wall Road, Napa, CA; APN 027-060-022

On September 1, 2022, the Napa County Planning Division received a request for a Use Permit to approve a new 20,000 gallon per year production winery located inside a cut and cover Type I cave with NO tours and tastings or events. The property is located at 1000 Wall Road, Napa, CA and is zoned Agricultural Watershed (AW).

The Napa County Planning Division is processing a request to establish a new winery on a 43.26 acre parcel located at 1000 Wall Road. The application, if approved, will allow for a new 20,000 gallon per year winery within a cut and cover Type 1 cave. The winery would have no tours and tastings and no marketing events. The underground winery will consist of 14,729 square foot (sf) which will contain a 3,645 sf fermentation, used for winemaking, fermentation, aging, barrel storage, bottling, case good storage, dry good storage and shipping and receiving. Additionally, within the 14,729 sf of caves there will be an office, lab and two restrooms. Outside of the cave, the visible component of the Winery will be a 2,750 sf covered crush pad and a 348 sf covered mechanical equipment area as well as an enclosed refuse/recycling area and parking. The winery proposes 1 full time and 3 part-time employees. The property for which the project is proposed is owned by Tesseron Vineyards – Alfred Tesseron. The project sponsor is Jon Webb, who can be reached at phone number (707) 290-6740 and email address jwebb@albionsurveys.com.

The Planning Division has commenced review and processing of the application referenced above. During that time, County Staff will work with the applicant on documenting and analyzing the project's potential to result in environmental impacts, as well as evaluating the project for consistency with the County General Plan, Zoning Code, and applicable ordinances. Once County Staff has completed review the proposal will be scheduled for a public hearing before the Planning Commission. If you have received this courtesy notice by direct mail from County Staff, you will be included in the mailing of the formal notice of public hearing to consider this application.

Additional information about this proposed Use Permit Application is available for review at the Planning, Building and Environmental Services Department located on the second floor of the County Administration Building, 1195 Third Street, Napa. Information can also be viewed online at the Planning Division's current projects webpage: <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

If you have any questions regarding the application or the process, please contact Dana Morrison, by telephone at (707) 253-4437 or by e-mail at dana.morrison@countyofnapa.org.



A Tradition of Stewardship
A Commitment to Service

PUBLIC NOTICE

NOTICE OF PLANNING COMMISSION HEARING & NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

On Wednesday morning, the 16th day of April 2025, at 9:00 a.m. at 1195 Third Street, Suite 305, Napa, California, a public hearing will be conducted by the Napa County Planning Commission regarding the project identified below. All interested persons are invited to attend the hearing and be heard.

Tesseron New Winery Use Permit #P22-00309

Location: The project is located on an approximately 43.26-acre site within the AW (Agricultura Watershed) zoning district located at the terminus of Wall Road, approximately 2.0 miles from the intersection of Wall Road and Dry Creek Road; primary APN: 027-060-022-000 (location of proposed winery) and APNs within the same holding and under the same ownership: 027-060-020-000 (location of spoils dispersal areas), 027-060-023-000, 027-060-024, 051-200-016 (parcel located in Sonoma County and location of proposed fire water storage tank) and 051-010-079 (also located in Sonoma County).

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures (or MM's). MM's are proposed for the following area(s): Biological Resources. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: approval of a Use Permit to allow a new winery with NO TOURS and TASTINGS, and NO VISITATIONS with an annual production capacity of 20,000 gallons per year with the following characteristics:

- a. Construction of a new 14,729 square foot (sf) cut and cover Type I cave with a 2,750-sf covered crush pad and a 348-sf covered mechanical equipment area with an enclosed trash/recycling area;
- b. Excavation of approximately 20,000 cubic yards of spoils associated with the cave and construction of structure pads, all of the spoils will be distributed within the subject parcel or on neighboring parcels under the same ownership, with spoils specifically occurring on APN 027-060-020 at various locations but outside of all required stream and ephemeral setbacks;
- c. Onsite parking for three (3) vehicles; one (1) handicapped, one (1) compact and one (1) standard;
- d. Up to one (1) full-time employee, and three (3) part-time employees;
- e. Installation of a 50,000-75,000-gallon Fire Protection Water Tank located on a parcel (APN: 051-200-016-000) under the same ownership but within the jurisdiction of the County of Sonoma (this will require the submittal and approval of building permit from Sonoma);
- f. Upgrades to the existing wastewater system – with winery wastewater being collected, treated, and stored to be reused for irrigation onsite;
- g. Installation of a new onsite Septic System and identification of new reserve area;
- h. Removal of 15 native tree species, with replanting and permanent preservation of 45 trees;
- i. Use of an existing on-site spring, currently used for residential water use, that will become the water source for the winery while the residence will be served by an existing well;
- j. Improvements to the existing paved driveway from Wall Road to ensure it meets Napa County Road and Street Standards.

The proposed Mitigated Negative Declaration is available for inspection, along with copies of all documents which relate to the above-described project, between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday, at the office of the Napa County Planning, Building, & Environmental Services Department, 1195 Third Street, Suite 210, Napa, California.

Application materials are available on the Department's Current Projects Explorer at: <https://www.countyofnapa.org/2876/Current-Projects-Explorer>

Copies of documents and other information relating to the project described above may be examined between 8:00 AM and 4:00 PM Monday through Friday at the office of the Planning, Building, and Environmental Services Department, Napa County Administration Building, 1195 Third St, Ste 210, Napa, California. For documents that are publicly available on the Current Projects Explorer, there will be a Public Record Copying Fee associated with the physical printing of documents. While drops-in may be accommodated to the extent possible on a case-by-case basis, we strongly encourage you to schedule an appointment for document review.

Written and verbal comments regarding this project and comment regarding the environmental effects of this project and the adequacy of the proposed Mitigated Negative Declaration are solicited. Written comments or appointment requests to review documents should be directed to Dana Morrison, Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Suite 210, Napa, California; (707) 253-4437 or dana.morrison@countyofnapa.org. Comment period runs from March 13thst, 2025 through April 15th, 2025.

If you challenge the particular proceeding in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

DATED: March 13, 2025

Brian D Bordona
Director of Planning, Building, & Environmental Services

PLEASE DO NOT PUBLISH BELOW THIS LINE. THANK YOU

PUBLISH: Thursday March 13, 2025 - Napa Valley Register

**Bill to: Planning, Building & Environmental Services
1195 Third Street, Ste 210
Napa, Ca. 94559
Invoice #**



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PUBLIC NOTICE

NOTICE OF PLANNING COMMISSION HEARING & NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

On Wednesday morning, the 2nd day of July 2025, at 9:00 a.m. at 1195 Third Street, Suite 305, Napa, California, a public hearing will be conducted by the Napa County Planning Commission regarding the project identified below. All interested persons are invited to attend the hearing and be heard.

Tesseron New Winery Use Permit #P22-00309

Location: The project is located on an approximately 43.26-acre site, located within a larger land holding, within the AW (Agricultura Watershed) zoning district located at the terminus of Wall Road, approximately 2.0 miles from the intersection of Wall Road and Dry Creek Road. The holding contains six (6) parcels, all under the same ownership, APNs: 027-060-022-000 (location of proposed winery), 027-060-020-000 (location of spoils dispersal areas), 027-060-023-000 (existing parcel in holding with vineyard), 027-060-024-000 (existing parcel in holding with vineyard), and two parcels in Sonoma County 051-010-079-000 (open space) and 051-200-016-000 (location of proposed fire water storage tank).

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration (MND). According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures (or MM's). MM's are proposed for the following area(s): Biological Resources. The MND was circulated for public comment during the initial Public Hearing notice and Notice of Intent to Adopt a MND, which ran from March 13thst, 2025 through April 15th, 2025; State Clearinghouse Number 2025030568. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval of a Use Permit to allow a 14,729 square foot new winery within a cut and cover Type I cave (no tours, tastings or visitation) with a production capacity of 20,000 gallons per year and includes widening the access driveway to County Road and Street Standards.

Application materials are available on the Department's Current Projects Explorer at: <https://www.countyofnapa.org/2876/Current-Projects-Explorer> Copies of documents and other information relating to the project described above may be examined between 8:00 AM and 4:00 PM Monday through Friday at the office of the Planning, Building, and Environmental Services Department, Napa County Administration Building, 1195 Third St, Ste 210, Napa, California. For documents that are publicly available on the Current Projects Explorer, there will be a Public Record Copying Fee associated with the physical printing of documents. While drops-in may be accommodated to the extent possible on a case-by-case basis, we strongly encourage you to schedule an appointment for document review.

Written and verbal comments regarding this project are solicited. Comments regarding the environmental effects of this project and the adequacy of the proposed Mitigated Negative Declaration will be received and considered as part of the record, however, as noted above the public comment period for the MND concluded on April 15, 2025. Written comments or appointment requests to review documents should be directed to Dana Morrison, Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Suite 210, Napa, California; (707) 253-4437 or dana.morrison@countyofnapa.org. Comment period for the project runs from June 19, 2025 through noon on June 30, 2025.

If you challenge the particular proceeding in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

DATED: June 12, 2025

Brian D Bordona
Director of Planning, Building, & Environmental Services

PLEASE DO NOT PUBLISH BELOW THIS LINE. THANK YOU

PUBLISH: Thursday June 19, 2025 - Napa Valley Register

Bill to: Planning, Building & Environmental Services
1195 Third Street, Ste 210
Napa, Ca. 94559
Invoice #



A Tradition of Stewardship
A Commitment to Service

October 4, 2022

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

Email: jwebb@albionsurveys.com

Jon Webb
New Albion
1113 Hunt Avenue
St. Helena, CA 94574

Re: P22-00309; Tesseron Vineyards
1000 Wall Rd, Napa; APN 027-060-022-000
Application Status Letter

Dear Mr. Webb:

Thank you for your September 1, 2022, submittal of the referenced New Winery Use Permit. An initial review of the subject application has been conducted. Upon review of your application staff has determined that your application is incomplete pursuant to Government Code Section 65943. The additional information listed below is needed to enable the County to continue with the review of your application.

PROJECT REVIEW STATUS BY DIVISION.			
DIVISION	REVIEW STATUS	REVIEWERS NAME	CONTACT INFO
PLANNING	INCOMPLETE – SEE COMMENTS	Dana Morrison	707-253-4437
BUILDING	COMMENTS TO FOLLOW AT FUTURE DATE	Stacie Gutierrez	707-299-1337
CODE ENFORCEMENT	APPROVED	Akenya Robinson-Webb	707-253-4336
ENGINEERING	APPROVED- SEE RECOMMENDED COAs	Raulton Haye	707-253-4621
ENV HEALTH	APPROVED – RECOMMENDED COAs TO FOLLOW	Armeda Simpson-VanDam	707-259-8301
FIRE DEPARTMENT	APPROVED – SEE RECOMMENDED COAs	Jason Downs	707-299-1464
PUBLIC WORKS/TRAFFIC	APPROVED – SEE COMMENTS	Ahsan Kazmi, P. E.	707-259-8370

Planning Division

Please clarify or provide the following information:

1. Per the Grape Origin page of the application, the Project description should include information on the location and quantity of grapes. Please revise the Project Description/Narrative to include.
 - a. Will Tesseron utilize estate grapes? If yes, what percentage of grapes are estate grapes.
2. Please provide a Biological Study for the project. The project is located with potential Northern Spotted Owl Habitat and likely a spotted owl survey will be required.
3. Project is within the AW zoning district, as such please provide vegetation coverage removal and retention information/analysis based on 1993 vegetation totals and parcel configuration, including a map that include the following information:
 - a. Tree Canopy coverage:
 - i. Tree canopy cover (1993) _____ acres
 - ii. Tree canopy cover to be removed _____ acres _____ %
 - iii. Tree canopy cover to be retained _____ acres _____ %
 - b. Understory (i.e. brush, shrubs, grasses):
 - i. Understory cover (1993) _____ acres
 - ii. Understory cover to be removed _____ acres _____ %
 - iii. Understory cover to be retained _____ acres _____ %
4. Could you provide a list of the trees to removed (species and size is unclear in some sections of the civil plans, so please be sure to include DBH and species). To meet the new BAAQMD GHG CEQA thresholds the project will need to show no net loss in carbon sequestration. Any trees proposed for removal will need to be replanted on-site at 1:1 ratio on land which has slopes under 30% and which is located outside any creek or ephemeral drainage setbacks. If any Valley Oaks are proposed for removal a larger replant ratio may be required (depending on the size of the tree proposed for removal). Project should designate a proposed restoration area where any trees proposed for removal will be replaced and maintained.
5. Per the new BAAQMD requirements natural gas is no longer permitted to be used for commercial enterprises. If the employee kitchen or offices currently propose to utilize natural gas, this will need to be revised.
6. Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.
7. As ground disturbance is proposed, please provide a Cultural Report.
8. BMP notes installation of a retention swale, which I see located on page 9 of the Civils, please include further details regarding the retention area; size, plantings etc.

9. Please provide an updated WAA which includes all future water use demands including all landscaping, and planting areas. This includes any watering necessary for the green roof and for any require replanting or screening areas.
10. Please provide a colors and materials board for project elements that will be visible (dome, exterior crush area, trash enclosures, etc). Specifically a physical board which will be used to present the colors and materials to the Planning Commission at the Public Hearing.
11. I would like to arrange a site visit to take site photos and assess a few ephemeral streams (which are noted on our County GIS layer), and the viewshed potential of the proposed winery development. Wall Road is a designated County Viewshed Road and it needs to be determined if said road (and any additional viewshed roads are visible from the proposed winery site). See Figure A at end of Review Letter for an aerial showing the County GIS Ephemeral streams.
12. Please note that, as a result of new Bay Area Air Quality Management District regulations adopted earlier this year, the items noted in the Voluntary Best Management Practices Checklist (if project is approved) will be REQUIRED best management practices not VOLUNTARY. As such, please review and ensure that all practices noted in the checklist are achievable. Revise as necessary.
 - a. Please include location of EV charging station parking spots, as noted it is noted they are planned to be installed in the GHG Best Management Practices Form. Are these the two 2 standard parking stalls noted on page 8 of the Civil plans?
13. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this Use Permit. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
 - a. Any landscaping water use needs to be included in the WAA analysis.
 - b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
14. Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

15. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.
16. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.
17. An Early Project Courtesy Notice is required to be sent out per County Code. Any comments received as a result of the Courtesy Notice will be communicated to the applicant.
18. As staff prepares the environmental analysis, staff report, and associated work, you may be contacted for additional information for clarification purposes.

Building Division – Recommended COAs

1. The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.
2. **The plans provided for the application do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.**
3. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, “**only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit**”. The codes adopted at this time are 2019 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.
4. At the time of submittal your design professional will need to
5. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities a separate demolition permit will be required from the Napa County Building Division prior to the removal. Please note the applicant will be required to provide a “J” number from the Bay Area Quality Management District at the time the applicant applies for a demolition permit if applicable.
6. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public. At the time of Permit Submittal your design professional shall submit plans for egress and accessibility for review.

7. Outdoor assembly use areas are required to be accessible per scoping requirements found in Chapter 11B of the California Building Code. Increase in parking spaces will trigger additional accessible parking spaces.
8. If your marketing plan is proposing events please be aware that no events will be allowed in portions of the building that are not permitted under the Assembly occupancy requirements, this includes fermentation and barrel rooms. Please keep this in mind when you planning your footprint and applying for the building permits
9. Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707) 299-1337.
10. **All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Design Professional, such as an Architect and/or Engineer in accordance with California Business and Professions Code Chapter 3, and the California Building Code, Chapter 1.**

Code Enforcement

1. Approved. No COAs provided.

Engineering Services

The Engineering Division has reviewed the use permit application P22-00309 for the proposed winery located on assessor's parcel number 027-060-020. Based upon the information provided in the application, Engineering finds the application complete and recommends the following conditions of approval:

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

1. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

PREREQUISITES FOR ISSUANCE OF PERMITS

2. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.

3. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
4. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
5. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.
6. **Prior to issuance of a building permit** the owner shall prepare a [Choose a Stormwater Project Type] Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA PostConstruction Manual for review and approval by the Engineering Division in PBES.
7. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES DURING PROJECT CONSTRUCTION

8. Required on-site pre-construction meeting with the Napa County PBES Engineering Division **prior to start of construction.**

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY.

9. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit. **** If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

10. Operations and Maintenance Agreement for post construction Stormwater facilities must be legally recorded.
11. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Raulton Haye from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)253-4621 or by email at Rauton.Haye@countyofnapa.org

Environmental Health

1. Approved. Recommended COAs being drafted and to follow at a later date.

Fire Department

The Napa County Fire Marshal's Office has reviewed the submittal package for the above-proposed project. The Fire Marshal approves the project as submitted with the following conditions of approval:

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes, and ordinances at the time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested, and finalized.
3. Where conditions listed in 2019 California Fire Code Section 105.7 are proposed, separate permits will be required prior to Building Permit issuance for:
 - a. Automatic fire-extinguishing system,
 - b. Emergency responder radio coverage systems,
 - c. Fire alarm and detection systems and related equipment,
 - d. Fire pumps and related equipment.
4. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards
5. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.
6. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
7. Driveways shall be a minimum of 10 feet in width with a 4 foot shoulder and 15 foot vertical clearance.
8. Turnouts shall be a minimum of 12 feet in width, 30 foot in length and 25-foot taper on each end.
9. Turnarounds are required on driveways and dead-end roadways.
10. Grades for all roadways and driveways shall not exceed 16 percent.
11. Roadway radius shall not have an inside radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.

12. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards and CA Fire Safe Regulations for projects within SRA.
13. Commercial - Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with California Fire Code Appendix B and the Napa County Municipal Code.
14. Commercial - Approved steamer hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24.
15. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.
16. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24 for the installation of Underground Fire Protection Mains.
17. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
18. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination.
19. Provide 100 feet of defensible space around all structures.
20. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.
21. Emergency responder radio coverage **in** new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development

Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1466 or email at adam.mone@countyofnapa.org.

Public Works

1. Approved - Based on the trip generation worksheet provided along with the Use Permit Application, TIS report not warranted, left turn lane warrant analysis not warranted, no COA is applied.

Please be aware that this is an identification of information known to be necessary at this time to continue processing of your application. Further review of your project may necessitate the request for additional information, including supplemental reports in the event County staff determines that submitted reports have been prepared in a manner inconsistent with County protocol or otherwise inadequate for the purposes of application processing and evaluation under the California Environmental Quality Act (CEQA).

Thank you in advance for providing the above material. Please insure that all revised plans, reports, or other resubmitted documents are clearly marked "revised" and dated. When you are ready to submit a full resubmittal responding to all comments and requests for additional information, please contact me for instructions on use of the Napa County File Sharing website.

Please be advised that failure to provide the responsive information requested above, within 120 days of the date of this letter, shall cause the application to be deemed "abandoned" in accordance with Section 401(b)(2) of Napa County's Local Procedures for Implementing the California Environmental Quality Act, unless the Planning Director grants a request for an extension to that deadline as also provided in the Procedures. Once an application is deemed abandoned, County staff will do no further work on the proposed project without submission of a new application and payment of new fees.

You must be in compliance with the scope of your current entitlements at all times. While your application is in process you are not authorized to anything beyond your current entitlements. You should not begin the activities requested under this application until you receive approval.

If you have any questions about this letter or other matters relating to your application, please feel free to contact me at (707) 253-4437 or by e-mail at dana.morrison@counttofnapa.org.

Sincerely,



Dana Morrison
Planner III

Attachments

Figure A: Ephemeral Streams and Viewshed on 1000 Wall Road



Ephemeral Streams are noted in BLUE. Wall Road (a viewshed roadway) is noted in RED.

NEW ALBION SURVEYS

CONSULTING LAND SURVEYORS

1113 Hunt Avenue, St. Helena, CA 94574
(707) 963-1217 ♦ FAX (707) 963-1829
E-Mail: jwebb@albionsurveys.com

April 20, 2023

Ms. Dana Morrison
Napa County Planning Department
Via Upload

Re: Tesseron Winery, P-22-00309

Dear Dana:

In response to your Incomplete Letter dated October 4, 2022, we offer the following response:

Planning Division –

1. All of the grapes from the property will be used at the proposed Winery as noted in the Project Narrative, approximately 80-100 tons.
2. A northern spotted owl assessment is included with this letter.
3. Project is within the AW zoning district however it is not within a municipal watershed so 1993 vegetation retention requirements do not apply. In accordance with 18.108.020 C. an analysis of vegetation canopy cover was prepared for this project based on 2018 aerial imagery (2018 rather than 2016 since this is a fire affected property) and includes Oak Woodland and Conifer Forest canopy proposed to be removed and total tree canopy to be retained. The project retains well in excess of the required 70%. Furthermore, in accordance with 18.108.020.D, new trees will be replanted at a 3:1 ratio for each tree that is proposed to be removed. The location for the new trees is shown on sheet C1.
4. A table of trees to be removed has been added to the demolition and conceptual site plan sheet, C6. Replanting of new trees is proposed as noted in item 3 above and this will also address the net loss of carbon sequestration as well.
5. Comment acknowledged.
6. Since the industrial portions of the project area are already screened by native vegetation no new screening is proposed.
7. A Cultural Report is not required per our earlier email discussion.
8. The proposed bioretention area will not be planted therefore it will not have a permanent irrigation system. The size is indicated on sheet C8 and additional details will be provided with the building and grading permit submittal packages.
9. The submitted WAA does include all current and future water use demands. No new planting areas are proposed with this project.
10. Our Architects are currently preparing a board.
11. Based on the onsite meeting no changes to the stream designations shown on the civil plans are required.
12. No Electric Vehicle Charging Stations (EVCS) are proposed or required at this time. Up to three standard parking spaces will have infrastructure installed for future conversion to EVCS (EV Capable).
13. No landscaping is proposed with this project.
14. No landscaping is proposed with this project. All winery areas are naturally screened by topography and existing vegetation around the site.
15. All existing utilities in the project area are underground and all new utilities required to service the winery will be installed underground.

16. Comment acknowledged.

Thank You,

Jon Webb

Jon M. Webb

Principal

PLS 6709



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Brian Bordona
Interim Director

Certified Mail

February 16, 2023

Jose Simon III, Chairperson
Middletown Rancheria
P.O. Box 1035
Middletown CA, 95461

**Re: Notification of Proposed Project Pursuant to Public Resources Code 21080.3.1
Tesson Vineyards, New Winery Use Permit #P22-00309
1000 Wall Road; APN: 027-060-022-000**

Dear Mr. Simon,

The Napa County Planning Division is processing a request to establish a new winery on a 43.26 acre parcel located at 1000 Wall Road. The application, if approved, will allow for a new 20,000 gallon per year winery within a cut and cover Type 1 cave. The winery would have no tours and tastings and no marketing events. The underground winery will consist of 14,729 square foot (sf) which will contain a 3,645 sf fermentation, used for winemaking, fermentation, aging, barrel storage, bottling, case good storage, dry good storage and shipping and receiving. Additionally, within the 14,729 sf of caves there will be an office, lab and two restrooms. Outside of the cave, the visible component of the Winery will be a 2,750 sf covered crush pad and a 348 sf covered mechanical equipment area as well as an enclosed refuse/recycling area and parking. The winery proposes 1 full time and 3 part-time employees. Additional information about the proposal can be viewed online at the Planning Division's current projects webpage <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

This letter serves as notification to the Middletown Rancheria that is traditionally and culturally affiliated with the geographic area of the proposed project pursuant to Public Resources Code 21080.3.1 (Assembly Bill 52 [Gatto]). If your tribe wishes to consult on this project, please contact me in writing, within 30 days of receipt of this letter, to request consultation.

If you should have any questions, please feel free to contact by telephone at 707-253-4437 or via email at dana.morrison@countyofnapa.org.

Sincerely, Dana Morrison

Planner III

Enclosures: Cultural Resources Survey
 Project plans



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Brian Bordona
Interim Director

Certified Mail

February 16, 2023

Scott Gabaldon, Tribal Chair/Cultural Resources Manager
Mishewal Wappo Tribe of Alexander Valley
940 Larkfield Center
Santa Rosa, CA 95403

**Re: Notification of Proposed Project Pursuant to Public Resources Code 21080.3.1
Tesseron Vineyards, New Winery Use Permit #P22-00309
1000 Wall Road; APN: 027-060-022-000**

Dear Mr. Gabaldon,

The Napa County Planning Division is processing a request to establish a new winery on a 43.26 acre parcel located at 1000 Wall Road. The application, if approved, will allow for a new 20,000 gallon per year winery within a cut and cover Type 1 cave. The winery would have no tours and tastings and no marketing events. The underground winery will consist of 14,729 square foot (sf) which will contain a 3,645 sf fermentation, used for winemaking, fermentation, aging, barrel storage, bottling, case good storage, dry good storage and shipping and receiving. Additionally, within the 14,729 sf of caves there will be an office, lab and two restrooms. Outside of the cave, the visible component of the Winery will be a 2,750 sf covered crush pad and a 348 sf covered mechanical equipment area as well as an enclosed refuse/recycling area and parking. The winery proposes 1 full time and 3 part-time employees. Additional information about the proposal can be viewed online at the Planning Division's current projects webpage <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

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If you should have any questions, please feel free to contact by telephone at 707-253-4437 or via email at dana.morrison@countyofnapa.org.

Sincerely, Dana Morrison

Planner III

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Brian Bordona
Interim Director

Certified Mail

February 16, 2023

Laverne Bill, Interim Director of Cultural Resources
Yocha Dehe Wintun Nation
P.O. Box 18
Brooks, CA 95606

**Re: Notification of Proposed Project Pursuant to Public Resources Code 21080.3.1
Tesson Vineyards, New Winery Use Permit #P22-00309
1000 Wall Road; APN: 027-060-022-000**

Dear Mr. Bill,

The Napa County Planning Division is processing a request to establish a new winery on a 43.26 acre parcel located at 1000 Wall Road. The application, if approved, will allow for a new 20,000 gallon per year winery within a cut and cover Type 1 cave. The winery would have no tours and tastings and no marketing events. The underground winery will consist of 14,729 square foot (sf) which will contain a 3,645 sf fermentation, used for winemaking, fermentation, aging, barrel storage, bottling, case good storage, dry good storage and shipping and receiving. Additionally, within the 14,729 sf of caves there will be an office, lab and two restrooms. Outside of the cave, the visible component of the Winery will be a 2,750 sf covered crush pad and a 348 sf covered mechanical equipment area as well as an enclosed refuse/recycling area and parking. The winery proposes 1 full time and 3 part-time employees. Additional information about the proposal can be viewed online at the Planning Division's current projects webpage <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

This letter serves as notification to the Middletown Rancheria that is traditionally and culturally affiliated with the geographic area of the proposed project pursuant to Public Resources Code 21080.3.1 (Assembly Bill 52 [Gatto]). If your tribe wishes to consult on this project, please contact me in writing, within 30 days of receipt of this letter, to request consultation.

If you should have any questions, please feel free to contact by telephone at 707-253-4437 or via email at dana.morrison@countyofnapa.org.

Sincerely, Dana Morrison

Planner III

Enclosures: Cultural Resources Survey
Project plans



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Brian D. Bordona
Director

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MEMORANDUM

To: Dana Morrison Planning Division	From: Alexei Belov, PE Engineering Division
Date: April 3, 2025	Re: P22-00309 Tesseron Vineyards Winery Technical Adequacy APN: 027-060-022-000

The Engineering Division ("Engineering") has reviewed the new Use Permit - P22-00309 for the Tesseron Vineyards Winery project located on assessor's parcel number 027-060-022. Based upon the information provided in the application, Engineering presents the following findings:

TECHNICAL ADEQUACY

1. The Engineering Division has reviewed the Water Availability Analysis (WAA) dated August 2, 2022, including Addendum #1 dated April 25, 2024, prepared by Owen Kubit, PE, PG, CHG, of Provost & Pritchard Consulting Group. Engineering has also reviewed the response to comments regarding the WAA dated July 5, 2024, prepared by Mike Muelrath, PE, of Applied Civil Engineering, Inc. Additionally, Engineering has reviewed Addendum #2 to the WAA dated April 1, 2025, prepared by Owen Kubit, PE, PG, CHG, of Provost & Pritchard Consulting Group. The analysis has been evaluated based on information provided by the applicant, project location, and available geologic and hydrologic information and has determined the WAA to be complete and reasonable. Engineering concludes the WAA is technically adequate as it relates to Napa County's water use criteria, well and spring interference, and groundwater/surface water interaction pursuant to Napa County's WAA Guidelines, Napa Valley Subbasin Groundwater Sustainability Plan, Governor's Executive Orders N-7-22/N-3-23/N-3-24, and the Public Trust Doctrine.

Any changes in use or design may necessitate additional review. If you have any questions regarding the above items please contact Alexei Belov from Napa County PBES Department Engineering Division at (707) 299.2177 or via e-mail at Alexei.Belov@countyofnapa.org.



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Brian D Bordona
Director

MEMORANDUM

To: Dana Morrison, Planning	From: Raulton Haye, Engineering
Date: May 21, 2025	Re: P22-00309 Tesseron Vineyards Winery APN: 027-060-020

The Engineering Division has reviewed the use permit application P22-00309 for the proposed winery located on assessor's parcel number 027-060-020. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

1. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

PREREQUISITES FOR ISSUANCE OF PERMITS

2. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.
3. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.

4. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
5. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.
6. **Prior to issuance of a building permit** the owner shall prepare a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
7. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES DURING PROJECT CONSTRUCTION

8. Required on-site pre-construction meeting with the Napa County PBES Engineering Division **prior to start of construction**.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

9. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit. **** If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

10. Operations and Maintenance Agreement for post construction Stormwater facilities must be legally recorded.
11. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Raulton Haye from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)253-4621 or by email at Rauton.Haye@countyofnapa.org



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Brian Bordona
Director

MEMORANDUM

To:	Dana Morrison	From:	Armeda Simpson-Van Dam
Date:	4/3/2025	Re:	Use Permit Application for Tesseron Located at 1000 Wall Rd, Napa Assessor Parcel # 027-060-022 Permit# P22-00309

Environmental Health Division staff has reviewed an application for the Tesseron New Winery Project. This Division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. General Waste Discharge Requirements for Winery Process Water were adopted by the State Water Quality Control Board in January 2021, as such the applicant shall enroll for coverage under the General Order by January 2024 or at the time the process wastewater system is approved and constructed whichever occurs first.
2. Permit(s) to construct or modify the wastewater treatment system(s) must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.
3. All wells and/or water sources must be in working order and approved by our department. If any well(s) are to be destroyed, a well destruction permit must be obtained by a licensed well driller, from this Division.
4. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal. The designated area shall remain available and be properly maintained for its intended use.

During construction and/or prior to final occupancy:

5. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

6. The use of the wastewater absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
7. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
8. The proposed water system to serve this project is not currently required to be regulated as a small public water system by this Division under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy at this time. The applicant will be required to provide minimal information on the water system prior to approval of a building permit, and may wish to retain the services of a consultant in this matter.



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**Napa County Fire Department
Fire Marshal's Office**

951 California Blvd
Napa, CA 94559
www.countyofnapa.org
Main: (707) 299-1464

Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

TO:	Planning Department	DATE:	6/12/2025
FROM:	Jason Downs, Fire Marshal	PERMIT #	P22-00309
SUBJECT:	Tesseron Winery	APN:	027-060-022-000

The Napa County Fire Marshal's Office has reviewed the submittal package for the above-proposed project. The Fire Marshal approves the project as submitted with the following conditions of approval:

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes, and ordinances at the time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested, and finalized.
3. Where conditions listed in 2022 California Fire Code Section 105 are proposed, separate permits will be required before Building Permit issuance for:
 1. Automatic fire-extinguishing systems
 2. Fire alarm and detection systems and related equipment
 3. Fire pumps and related equipment
 4. Private Fire service mains and their appurtenances
 5. Standpipe systems
 6. High-piled combustible storage
 7. Gates and barricades across fire apparatus access roads
 8. Emergency responder radio coverage systems
4. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards
5. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.



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**Napa County Fire Department
Fire Marshal's Office**

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Main: (707) 299-1464

Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

6. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
7. Roadways shall be a minimum of 20 feet in width with a 2-foot shoulder and 15-foot vertical clearance.
8. Turnarounds are required on driveways and dead-end roadways.
9. Grades for all roadways and driveways shall not exceed 16 percent. The roadway grade may exceed 16 percent, not to exceed 20 percent, provided the provisions outlined in the NCRSS are met.
10. Roadway radius shall not have an inside radius of less than 50 feet. An additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
11. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards, and CA Fire Safe Regulations for projects within SRA.
12. Commercial - Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with California Fire Code Appendix B and the Napa County Municipal Code.
13. Commercial - Approved pressurized hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested, and maintained per NFPA 24.
14. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.



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Fire Marshal's Office**

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Main: (707) 299-1464

Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

15. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24 for the installation of Underground Fire Protection Mains
16. An automatic fire sprinkler system shall be installed by provisions outlined in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
17. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware, and exit illumination.
18. Emergency Responder Radio Coverage in New Buildings: All new buildings may be required to provide approved emergency responder radio coverage within the building. This requirement will be determined by the Fire Code Official based on the existing coverage levels of the jurisdiction's public safety communication systems at the exterior of the building. The purpose of this provision is to ensure that emergency responders have adequate radio signal strength throughout the building during emergency operations.
19. The permittee shall provide and maintain a minimum 100-foot defensible space around all structures, in compliance with the Napa County Defensible Space Ordinance, the Napa County Fire Marshal's Defensible Space Guidelines, and California Public Resources Code Section 4291, as applicable. Defensible space shall be established prior to final project approval or occupancy and maintained in a fire-safe condition for the life of the project, subject to inspection by the Napa County Fire Marshal's Office.
20. The permittee shall provide and maintain a minimum 10-foot defensible space on both sides of all roadways, driveways, and access routes leading to the facility, measured from the edge of the roadway surface. This defensible space shall comply with the Napa County Defensible Space Ordinance and the Fire Marshal's Defensible Space Guidelines, and shall be maintained in a fire-safe condition at all times, subject to inspection and verification by the Napa County Fire Marshal's Office.



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Main: (707) 299-1464

Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

Please note the conditions of approval noted above are based on the Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any further questions please contact me at (707) 299-1467 or email me at jason.downs@countyofnapa.org



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Brian Bordona
Interim Director

MEMORANDUM

To:	Dana Morrison, Planning Division	From:	Stacie Gutierrez, Building Division
Date:	5/23/2023	Re:	Use Permit Application for Tesseron Located at 1000 Wall Rd, Napa Assessor Parcel # 027-060-022 Permit# P22-00309

The Building Division staff has reviewed an application for the Tesseron New Winery Project. This Division has no objection to approval of the application with the following conditions of approval:

1. The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.
2. **The plans provided for the application do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.**
3. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, **"only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit"**. The codes adopted at this time are 2019 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.
4. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities a separate demolition permit will be required from the

Napa County Building Division prior to the removal. Please note the applicant will be required to provide a "J" number from the Bay Area Quality Management District at the time the applicant applies for a demolition permit if applicable.

5. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public. At the time of Permit Submittal your design professional shall submit plans for egress and accessibility for review.
6. Outdoor assembly use areas are required to be accessible per scoping requirements found in Chapter 11B of the California Building Code. Increase in parking spaces will trigger additional accessible parking spaces.
7. If your marketing plan is proposing events please be aware that no events will be allowed in portions of the building that are not permitted under the Assembly occupancy requirements, this includes fermentation and barrel rooms. Please keep this in mind when you planning your footprint and applying for the building permits
8. Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707) 299-1337.
9. **All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Design Professional, such as an Architect and/or Engineer in accordance with California Business and Professions Code Chapter 3, and the California Building Code, Chapter 1.**

From: [Morrison, Dana](#)
To: [Jon Webb](#)
Cc: [Helen Vasquez](#)
Subject: RE: Tesseron Winery
Date: Thursday, May 18, 2023 4:20:00 PM
Attachments: [image001.png](#)

Thanks Jon,

It does look like the resubmittal addressed all of my comments, except I do not see a Bio Report (just the NSO report). Once we receive the Bio Study, the project should be ready to move to the next phase (preparation of CEQA review). The CEQA process for this would be an Initial Study, probably Mitigated based on the need for NSO disturbance surveys, as well as any other mitigations that might be raised as a result of the Bio Study. The Bio study is needed so we can assess if there are any other sensitive species (plant or animal) in the development area and immediate vicinity so that proper protections, retentions, or mitigation requirement need to be implemented to ensure a less than significant impact.

Please let me know if you have any questions in the meantime, or would like to discuss.

Cheers,

Dana E. Morrison (she|her|hers)

Planner III

County of Napa Planning, Building & Environmental Services

Planning Division + Engineering & Conservation Division

1195 Third Street, 2nd Floor

Napa, CA 94559

707.253-4417 main

707.253.4437 direct

707.299.4491 fax

dana.morrison@countyofnapa.org

<http://www.countyofnapa.org/>



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From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, May 17, 2023 3:43 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Helen Vasquez <helen@matthollis.com>
Subject: Tesseron Winery

[External Email - Use Caution]

Hi Dana

I wanted to catch up with you since our latest submittal and talk about timing for the application moving forward and introduce you to our Architect, Helen Vasquez. Helen will be providing the landscape plan and we wanted to know when you think (I know it's a guess) when we will be getting to hearing so that Helen has time to prepare the plan

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

Electronic Data User Agreement

The Electronic Data User Agreement is a legal agreement between the user of the attached files and Albion Surveys, Inc. (ASI). You do not need to sign or acknowledge this Agreement in order for it to take effect.

By opening, installing, copying, or otherwise using the attached files you are agreeing to be bound by the terms described below. If you do not agree to the terms of this agreement, ASI is unwilling to allow the use of these files to you. In such event, you must not open these files and must return them promptly to ASI.

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From: [Morrison, Dana](#)
To: [Jon Webb](#)
Subject: RE: Rare Plant and Animal Survey - Tessoron (P22-00309)
Date: Thursday, January 25, 2024 8:26:00 AM
Attachments: [image001.png](#)

Good morning Jon,

Happy New Year to you as well.

Thank you for providing the Bio Report.

I have the vast majority of the IS written and the Staff Report as well. I have a number of projects which are in the processing of going to hearing, but I do think that we should be able to get this one the docket for early summer. I do want to take some time over the next few weeks and go over all entire application and submittal materials with a fine toothed come (since we have been getting so many appeals) and make sure all is buttoned up. I will reach out if I come across anything that needs minor tweaking or additional info on.

I will keep you apprised, but please do not hesitate to reach out anytime to check in.

Regards,

Dana E. Morrison (she|her|hers)

Supervising Planner, Conservation

County of Napa Planning, Building & Environmental Services

Engineering and Conservation Division

1195 Third Street, 2nd Floor

Napa, CA 94559

707.253-4417 main

707.253.4437 direct

707.299.4491 fax

dana.morrison@countyofnapa.org

<http://www.countyofnapa.org/>



A Tradition of Stewardship
A Commitment to Service

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, January 24, 2024 1:43 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: Rare Plant and Animal Survey - Tessoron (P22-00309)

[External Email - Use Caution]

Hi Dana

Happy New Years!!

Attached is the Bio report for the project

Please let me know what you think the timing "could" be for getting to the PC

Thank You

Jon M Webb, PLS 6709

Albion Surveys, Inc.

1113 Hunt Avenue

Saint Helena, CA 94574

707-963-1217, ext 117

707-963-1829(facsimile)

jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Wednesday, June 28, 2023 9:03 AM
To: Jon Webb <jwebb@albionsurveys.com>
Subject: Rare Plant and Animal Survey - Tesseron (P22-00309)

Morning Jon,

Per our phone discussion, if you could provide a rare plant and animal survey for the proposed development area, and immediate vicinity, of the Tesseron Winery, which should include a review of the CNDDDB wildlife occurrences in the area, it will greatly aide in the preparation of the Initial Study. The County GIS CNDDDB layer only notes instances of rare plants and animals that have been surveyed recently and is not as up to date the CNDDDB, as such the County will need this survey to ensure that there no occurrences of rare plants or animals within the proposed development area and so we can ensure the proper protections, retentions, or mitigations are integrated into the CEQA analysis and implemented as Mitigation Measures to reduce any potential impacts to a less than significant level.

Please do not hesitate to reach out if you have any questions or would like to discuss.

Dana E. Morrison (she|her|hers)

Supervising Planner, Conservation

County of Napa Planning, Building & Environmental Services

Engineering and Conservation Division

1195 Third Street, 2nd Floor

Napa, CA 94559

707.253-4417 main

707.253.4437 direct

707.299.4491 fax

dana.morrison@countyofnapa.org

<http://www.countyofnapa.org/>



A Tradition of Stewardship
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From: [Morrison, Dana](#)
To: [Jon Webb](#)
Subject: RE: Rare Plant and Animal Survey - Tessoron (P22-00309)
Date: Tuesday, May 21, 2024 12:12:00 PM
Attachments: [image001.png](#)

Hi Jon,

Yes, it looks like that was document I was awaiting. Thank you, I will save to the project file and can now work on completing the WAA portion.

Cheers,

Dana E. Morrison (she|her|hers)

Supervising Planner, Conservation

County of Napa Planning, Building & Environmental Services

Engineering and Conservation Division

1195 Third Street, 2nd Floor

Napa, CA 94559

707.253-4417 main

707.253.4437 direct

707.299.4491 fax

dana.morrison@countyofnapa.org

<http://www.countyofnapa.org/>



A Tradition of Stewardship
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From: Jon Webb <jwebb@albionsurveys.com>
Sent: Tuesday, May 21, 2024 12:08 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: Rare Plant and Animal Survey - Tessoron (P22-00309)

[External Email - Use Caution]

Dana

Is this what you were looking for?

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Tuesday, May 21, 2024 10:09 AM
To: Jon Webb <jwebb@albionsurveys.com>
Subject: RE: Rare Plant and Animal Survey - Tesson (P22-00309)

Hi Jon,

I do have a good chunk of the Staff Report and mostly all of the Initial Study drafted. I am waiting on some updated information from Mike regarding the springs on the parcel, and an update to the WAA. I am working on a few key policy projects such as getting our Erosion Control Plan Track II list

updated and the Airport Land Use Compatibility Plan updated (going to hearing in July) but I am still hoping to get this item to the PC for hearing later this summer.

I have a few clarification questions which I hope to send out late next week, but I want to complete my prep of the SR and IS to ask them in one go, rather than piecemealing.

I will follow up next week with those, but in the meantime please do not hesitate to reach out.
Cheers,

Dana E. Morrison (she|her|hers)

Supervising Planner, Conservation
County of Napa Planning, Building & Environmental Services
Engineering and Conservation Division
1195 Third Street, 2nd Floor
Napa, CA 94559
707.253-4417 main
707.253.4437 direct
707.299.4491 fax
dana.morrison@countyofnapa.org
<http://www.countyofnapa.org/>



A Tradition of Stewardship
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From: Jon Webb <jwebb@albionsurveys.com>
Sent: Monday, May 20, 2024 12:53 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: FW: Rare Plant and Animal Survey - Tesson (P22-00309)

[External Email - Use Caution]

Hi Dana

I hope you are well

Any update on timing for a hearing? Seems like this application is getting a little lost
Thank You

Jon M Webb, PLS 6709

Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Meaghan Becker <mb@invinoveritasllc.com>

Sent: Monday, January 15, 2024 12:52 PM

To: Alfred Tessonon <atessonon@pontet-canet.com>; Noé Tessonon <ntessonon@tessononcognac.com>; Justine Tessonon <jtessonon@pontet-canet.com>; Jerome Ledit <jledit@pym-rae.com>

Cc: Jon Webb <jwebb@albionsurveys.com>

Subject: Fwd: Rare Plant and Animal Survey - Tessonon (P22-00309)

Dear Alfred, Justine, Noe and Jerome,

I hope you are well. The rare plant and animal survey is now complete. They have

required the following additional surveys before construction start:

Crotch Bumble Bee - within 14 days of construction, no real mitigation measures that are approved because this is new to the rare animal list

Swinson's hawk - within 14 days

Other birds - within 3 days of construction

Pallid bat - within 14 days of construction

I've attached the full report for your reference and also cc'd Jon Web here who has also reviewed this and he believes this is a normal set of requirements.

We hope this is the last piece of our application. Once I receive the approval from you, we will go ahead and submit to the county.

Many thanks!

Meaghan Becker

In Vino Veritas

+1 707 685 2399

invinoveritasllc.com

From: Morrison, Dana
Sent: Wednesday, June 5, 2024 8:48 AM
To: Mike Muelrath <mike@appliedcivil.com>; Jon Webb <jwebb@albionsurveys.com>
Subject: RE: P22-00309 Questions

Received, thanks Mike.

From: Mike Muelrath
Sent: Friday, May 31, 2024 9:09 AM
To: Jon Webb <jwebb@albionsurveys.com>; Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: P22-00309 Questions

Hi Dana and Jon,

Please see below. Jon, I'll call you to discuss further.

Thanks!

Mike

Applied Civil Engineering Incorporated
www.appliedcivil.com
(707) 320-4968 (Telephone)
(707) 227-7166 (Mobile)

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Thursday, May 30, 2024 3:00 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>; Mike Muelrath <mike@appliedcivil.com>
Subject: RE: P22-00309 Questions

Dana
I will take the first 2 questions

Mike,
Give me a call at your convenience to discuss the water

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Thursday, May 30, 2024 10:51 AM
To: Jon Webb <jwebb@albionsurveys.com>; Mike Muelrath <mike@appliedcivil.com>

Subject: P22-00309 Questions

Hello Jon and Mike,

I am hoping to get a few questions answered to finalize some portions of the Staff Report and Initial Study for Tesson.

What are the proposed operating hours? They are not listed in the narrative and appear to be missing from Page 12 of the Application. Could you provide an updated Page 12 of the application form with the hours filled out? Could you also add the operating hours to the project narrative?

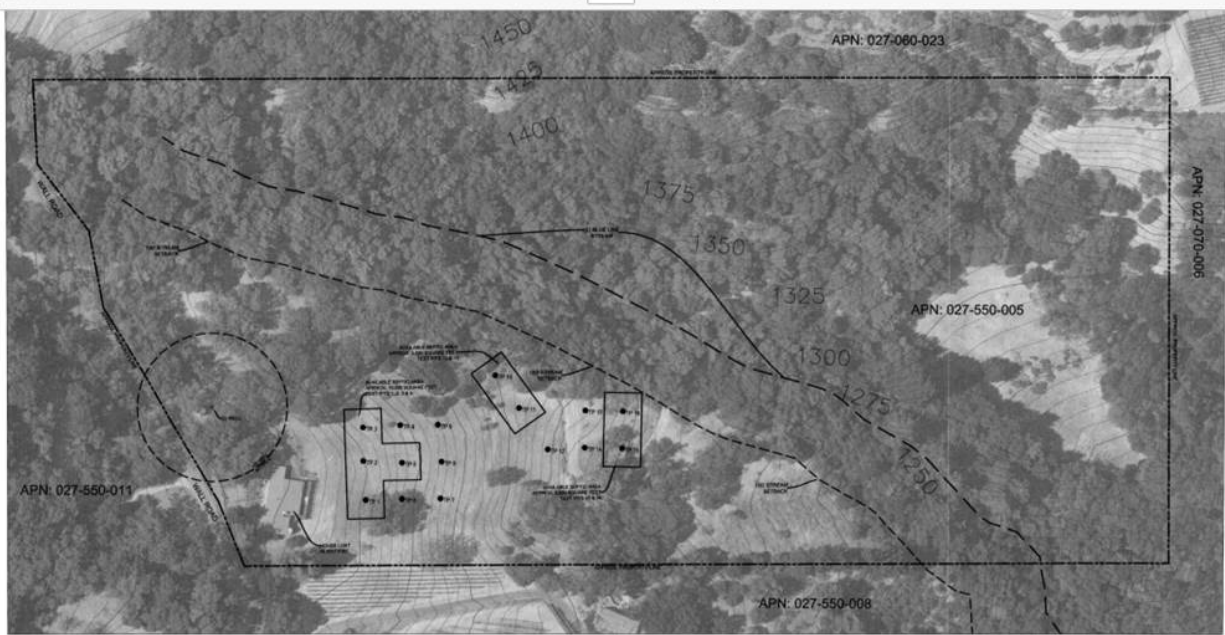
The vineyard acreage totals noted on the civil plans add up to 19.15 acres while the narrative calls out 18.5 acres. Could you revise the narrative acreage to match the 19.15 acres called out on the civil plans, that way the numbers are consistent?

Water Use:

Can you confirm that the existing water use demand of 1.35 AF/YR noted in the WAA is for the both the residences and their associated landscaping (the holding), or just for the subject parcel which contains one of the residences but not the other (APN -022)? The WAA assesses the entire holding as well as the individual parcel (-022), but it is unclear if the entire holdings water uses were considered when calculating the existing water use for the large holding or if it was just for the -022 parcel. It is fine to assess the water use for the entire holding rather than the individual parcel, but I want to ensure that it is accounting for all water uses pre and post project. I believe the vineyard is served by surface water rights. Pre-project assessment of the holding would need to include both residence, accessory structures (if they have water uses, bathrooms, etc.), pools and any applicable landscaping. Post-project would still include those water uses plus the new winery (0.5 AF/yr). The assessment of the individual parcel post-project would just include the primary residence, the accessory structures, pool, and applicable landscaping; with post-project including the winery. Currently the water demand for the subject parcel exceeds the dry year recharge water use is 0.5 AF/yr + 1.35 AF/yr = 1.85 AF/yr which exceeds the noted parcel recharge of 1.6 AF/yr. [Mike Muelrath] [I reviewed with owner's rep and confirmed there are only two residences on the entire holding so the 1.35 ac-ft/yr represents both parcels' residential use. For the winery parcel the residential + pool use is 0.85 and for the larger holdings the residential use is 0.5. Dana, I apologize I thought there was an ADU on the parcel when we spoke yesterday but I was incorrect. Vineyard irrigation is from water rights as you note.]

Could you provide a 10-year prism data calculation for the water demand rather than a wet and dry year. It might help to provide an overall holding water use and then a parcel specific water use for -022 to clearly show that both the holding and the individual parcel can accommodate the additional 0.5 AF/yr water demand resulting from the new winery. [Mike Muelrath] [[The 10 year PRISM data varies across the entire holdings but averages approximately 35.5 inches per year. The WAA, prepared before the 10 year PRISM data became the standard used a Normal Year and Dry Year Rainfall of 33.1 inches and 8.7 inches, respectively. The Normal Year estimate used in the WAA was even conservative compared to the 10 year PRISM data. For the 607.85 acre holdings, using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, the recharge is 89.9 ac-ft/year (compared to 84 ac-ft/yr in the WAA for Normal Year and 22 ac-ft/year for Dry Year]. Using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, is 89.9 ac-ft/year (compared to 84 ac-ft/yr in the WAA for Normal Year and 22 ac-ft/year for Dry Year]. For the 43.26 acre winery parcel, using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, the recharge is 89.9 ac-ft/year (compared to 84 ac-ft/yr in the WAA for Normal Year and 22 ac-ft/year for Dry Year]. Using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, is 6.4 ac-ft/year (compared to 6.0 ac-ft/yr in the WAA for Normal Year and 1.6 ac-ft/year for Dry Year. This demonstrates that just the recharge on the winery parcel (6.4) is more than 3 times the estimated demand for all of the existing and proposed uses on all parcels (1.85) and that the recharge on the entire holding (89.9 is nearly 50 times the estimated demand.)]

I spoke with Mike and he noted that it had not yet been determined which well will serve the residences Well 1 (by the spring) or Well 2 located on -020? [Mike Muelrath] [I confirmed testing to determine which well will be used is still underway. We should assume it may be one or both.] Well 1 is located in proximity to a neighboring well on parcel -005. Since the winery will utilize the existing spring (that formerly served the residences). Could you provide an exhibit showing that no wells (not under the ownership of Tesson) are within 500' of the (e) well on 027-060-023? Since this new well will now bear the burden of the residential water use (1.35 AF/yr), that was formerly served by the on-site spring, we want to confirm that the new water use demands will not impact neighboring wells. It looks like APN 027-550-011 is not served by a well and is instead served by a spring. However, 027-550-005 does appear to be served by a well and it looks like the well is JUST outside the 500' setback from the well that will now serve the residential uses on site. Having the exhibit will clearly show that there are no wells within 500' and so there be would no impact as a result of the new ground water use resulting from the proposed project. [Mike Muelrath] [See attached exhibit.]

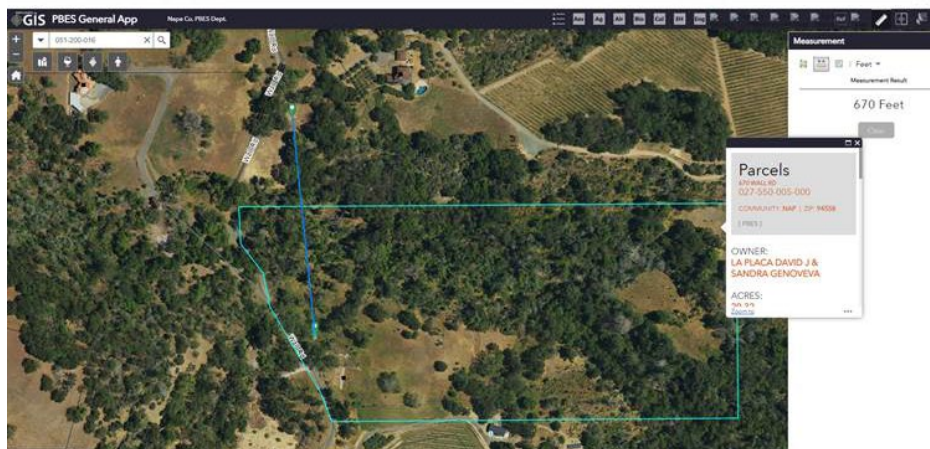


**SEPTIC SITE EVALUATION
OVERALL SITE PLAN**

AUGUST 7, 2020



STILLWATER CIVIL DESIGN
1090 SHETLER AVE.



Dana E. Morrison (she|her|hers)

Supervising Planner, Conservation

County of Napa Planning, Building & Environmental Services

Engineering and Conservation Division

1195 Third Street, 2nd Floor

Napa, CA 94559

707.253-4417 main

707.253.4437 direct

707.299.4491 fax

dana.morrison@countyofnapa.org

<http://www.countyofnapa.org/>



A Tradition of Stewardship
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From: [Jon Webb](#)
To: [Morrison, Dana](#)
Cc: [Meaghan Becker](#)
Subject: RE: Tesseron Bio report update
Date: Thursday, November 14, 2024 12:58:35 PM
Attachments: [image001.png](#)
[Tesseron BRA rev 11.8.24 reduced.pdf](#)

[External Email - Use Caution]

Dana

Please see the updated report addressing your comment

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>

Sent: Thursday, October 31, 2024 9:35 AM

To: Jon Webb <jwebb@albionsurveys.com>

Cc: Meaghan Becker <mb@invinoveritasllc.com>

Subject: RE: Tesson Bio report update

Hi Jon,

Thank you for providing the updated bio report. I have had a chance to review the document and while most of the information requested was addressed I do not see a discussion as to whether each identified special status plant (Bend-flowered fiddleneck, Narrow-anthered brodiaea, Congested-head hayfield tarweed, Jepson's leptosiphon, Cobb Mountain lupine) are plants which are capable of being transplanted/relocated. I do see that the update identified areas where suitable replacement could occur and proposal to develop a Special-Status plant mitigation plan and the mitigations options presented, are those 5 species known to be able to survive relocation or translocation? Maybe also a brief discussion to go with relocation/transplant map that details why these specific areas were selected and why they are suitable/would be able to support translocation of the above-mentioned species (if identified during the required surveys).

Please let me know if you would like to arrange a time to discuss.

Regards,



A Tradition of Stewardship
A Commitment to Service

Dana Morrison (she | her | hers)

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>

Sent: Thursday, September 19, 2024 1:28 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Meaghan Becker <mb@invinoveritasllc.com>

Subject: Tesson Bio report update

[External Email - Use Caution]

Hi dana

Hope you are good and staying busy. Attached is the updated bio report you requested
Let me know if you have questions, please confirm receipt

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: [Jon Webb](#)
To: [Morrison, Dana](#)
Subject: RE: Tesseract
Date: Friday, January 24, 2025 12:43:34 PM
Attachments: [image001.png](#)

[External Email - Use Caution]

Yes, they will be starting in February or March

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Friday, January 24, 2025 12:32 PM
To: Jon Webb <jwebb@albionsurveys.com>
Subject: RE: Tessoron

Thanks for the update Jon!

Yes, we are still hammering out the PC calendar and am still waiting on CoCos review of IS and SR etc., but currently we are on aiming for one of the PC meetings in April.

Something you can do on your end in the meantime, please ensure you have a biologist lined up to start conducting the necessary plant surveys this spring, this will prevent any delays since we will have the surveys completed come summer and will be aware of any actual avoidance or mitigation that need to occur...rather than waiting until the 2026 season.

Cheers,



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Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Friday, January 24, 2025 12:23 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: Tessoron

[External Email - Use Caution]

Hi Dana

I wanted to follow up our call a week or so ago. Tessoron will not be changing their current application, so full steam ahead

I mentioned I will be out of the country until March 18, so if we can get on the April 2nd PC agenda that would be awesome

Have a good weekend

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>

Sent: Friday, January 10, 2025 12:10 PM

To: Jon Webb <jwebb@albionsurveys.com>

Subject: RE: Tesseron

Hi Jon,

Per 18.124.130.C – Use Permit Modifications (link to section of code below): the ZA may approve a minor mod to a winery use permit...if the changes in operations consists of any of the following:
C.5 Any change in aggregate building footprint (including caves) by a maximum of 10,000 sf or 25%

of the total footprint, whichever is greater, where there is no cumulative increase in paved or impervious ground surface areas beyond 25% of the subject parcel or 15 acres, whichever is less.

Perhaps they are thinking of the 5,000 sf limitation for projects to qualify for the Class 3: New Construction or Conversion of Small Structures Categorical Exemption? The Minor Mod would be subject to CEQA, I could not say at this time if it would qualify for a Cat Ex or Initial study as I do not have the full scope/design, but definitely something to consider.

For the Admin Permit, yes per 18.126.065.U – Increases on changes in building square footage by no more than 10%, not to exceed 2,500 sf would qualify for Admin review. Since the language specifically refers to changes (not just increases) that what you proposed would not be consistent, as the Mod would be a request to change 5,000 sf not 2,500 sf.

https://library.municode.com/ca/napa_county/codes/code_of_ordinances?nodeId=TIT18ZO_CH18.124USPE_18.124.130USPEMOROAT

I hope that helps clarify!
Cheers,



Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Friday, January 10, 2025 11:04 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: Tessoron

[External Email - Use Caution]

Hi Dana

Thanks for your time yesterday. Two follow up questions:

You had said under a Minor mod we could add 25% of approved winery building area or 10,000 sf, whichever is greater. Our architects thought it was only 5,000 sf. Could you please confirm?

Also, if we later did an Admin mod to add a building, you said max addition is 2,500 sf. If the new building was 5,000 sf and we reduced the approved winery sf by 2500 sf, could we still qualify for an admin mod(the net increase would be 2500 sf)

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)

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From: [Jon Webb](#)
To: [Morrison, Dana](#)
Subject: Re: Tesseron
Date: Friday, February 28, 2025 12:34:31 PM

[External Email - Use Caution]

Sounds good

Thank You

Sent from my iPhone
Jon M Webb

> On Feb 28, 2025, at 2:08 PM, Morrison, Dana <dana.morrison@countyofnapa.org> wrote:

>

> Hi Jon,

> We don't currently do completeness letters. Though I do believe that is something that management is working on getting implemented. For the time being I can note that the project is deemed complete, the IS/MND has been drafted and reviewed by County Counsel, management is currently reviewing, and that the item is scheduled for PC review on April 16, 2025. The public hearing notice and IS/MND circulation will occur on March 13th.

> Let me know if you have any additional questions.

> Regards,

>

>

> Dana Morrison (she | her | hers)

> Supervising Planner - Conservation

> Planning, Building, & Environmental Services

> Napa County

>

> Phone: 707-253-4437

>

> 1195 Third Street, Suite 210

> Napa, CA 94559

> <http://www.countyofnapa.org/>

>

>

>

>

>

>

> -----Original Message-----

> From: Jon Webb <jwebb@albionsurveys.com>

> Sent: Friday, February 28, 2025 11:46 AM

> To: Morrison, Dana <dana.morrison@countyofnapa.org>

> Subject: Tesseron

>

> [External Email - Use Caution]

>

> Hi Dana

> Could you please forward the complete application letter?

>

> Thank You

>

> Sent from my iPhone

> Jon M Webb

From: [Jon Webb](#)
To: [Morrison, Dana](#)
Subject: Re: Tesseract
Date: Wednesday, March 5, 2025 6:24:56 PM

[External Email - Use Caution]

Confirmed
No blasting

Thank You

Sent from my iPhone
Jon M Webb

On Mar 5, 2025, at 6:08 PM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Hi Jon,
Can you confirm that no blasting is proposed for the Tesseract Winery
Development?

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: [Magnuson, Nicholas@Wildlife](mailto:Magnuson,Nicholas@Wildlife)
To: [Morrison, Dana](mailto:Morrison,Dana)
Subject: RE: P22-00309 New Winery Use Permit CDFW commetnes/review - Going out for Public Comment Soon
Date: Thursday, March 13, 2025 11:49:34 AM
Attachments: [image001.png](#)
[image002.png](#)

[External Email - Use Caution]

Hi Dana,

That sounds fine, and this will be revisited in my formal review anyway, so we can revisit again if needed.

But I think that would be acceptable to management on my end.

Cheers,
Nick

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Wednesday, March 12, 2025 4:55 PM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: RE: P22-00309 New Winery Use Permit CDFW commetnes/review - Going out for Public Comment Soon

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Thanks for clarifying Nick,
As far as I am aware the project has been specifically designed to avoid stream and ephemeral setbacks. I would think as designed this would not be a mitigation measure, would you be okay if I put this as a condition of approval that gets triggered if determined to be applicable? If not, then I will put in as MM.
Cheers,

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services



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Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>

Sent: Wednesday, March 12, 2025 4:52 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Subject: RE: P22-00309 New Winery Use Permit CDFW commetnes/review - Going out for Public Comment Soon

[External Email - Use Caution]

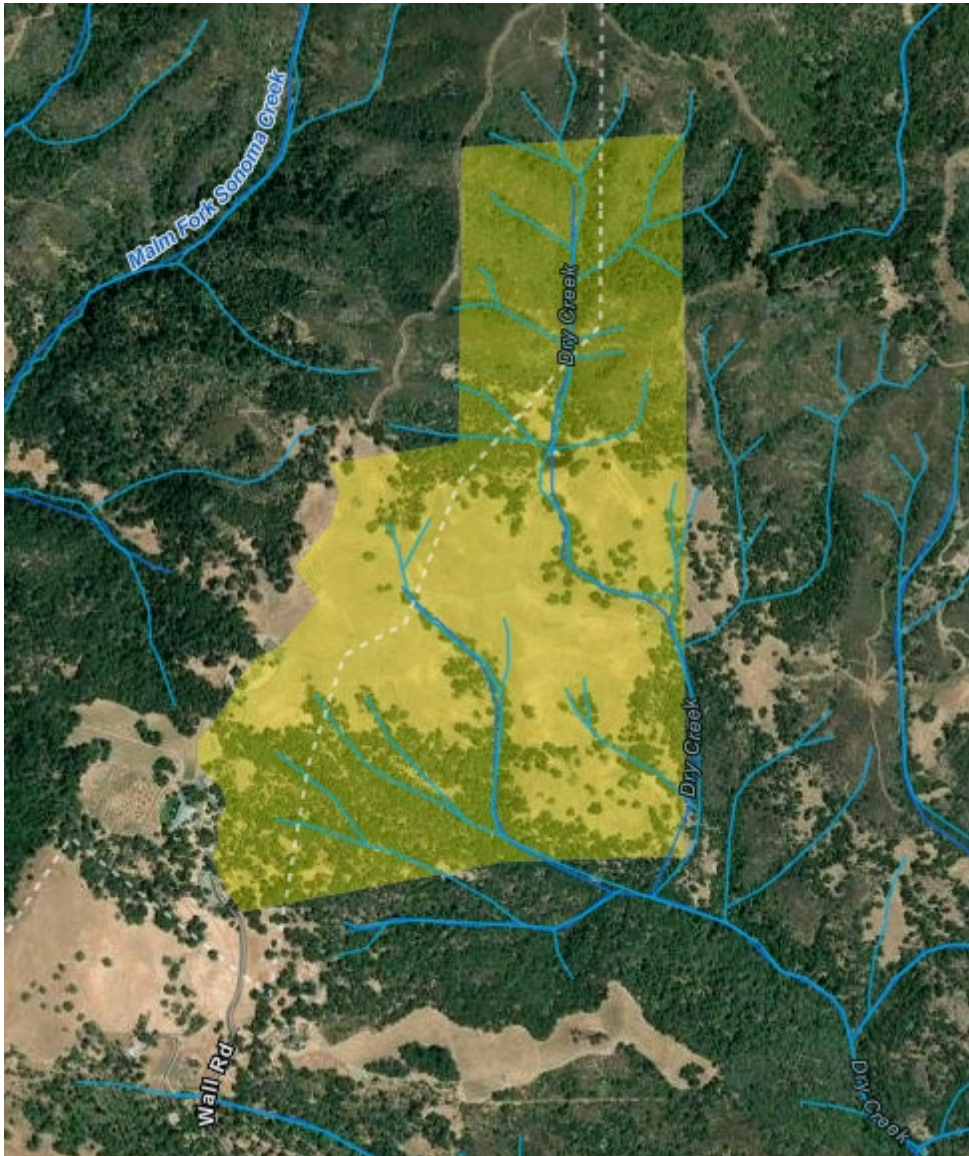
Items 1 to 3 of your below list sound good.

For the “Ensure no indirect impacts to CDFW jurisdiction areas subject to F&GC section 1600 et sec.” language, this was just for you to consider. It looks like impacts to the stream(s) would be avoided per page 12, part c, but I always take special care on this in my reviews. I noticed that APN 027-060-020 encompasses several blue line streams per California Aquatic Resources Inventory (see screenshot). If a stream could be potentially impacted by this project, I recommend including the below measure.

Impacts to Streams and Riparian Areas. Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area

and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources

Thanks!



Nicholas Magnuson

Environmental Scientist

California Department of Fish and Wildlife

Bay Delta Region (R3)

(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>

Sent: Wednesday, March 12, 2025 4:27 PM

To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>

Subject: RE: P22-00309 New Winery Use Permit CDFW comment/review - Going out for Public Comment Soon

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Thanks Nick,

Just to ensure I capture your comments correctly, I should do the following:

1. Update BIO-1 Relocation/Translocation section 2.iv: update success criterion from 2:1 to 3:1 for directly and indirectly impacted plants.
2. Update BIO-2 Relocation/Translocation section 2.iv: update success criterion from 2:1 to 3:1 for directly and indirectly impacted plants.
3. I will update BIO-7 to reflect the language below.

Should I add this to each BIO mitigation measure? “Ensure no indirect impacts to CDFW jurisdiction areas subject to F&GC section 1600 et sec.” or is this for BIO-7, or does this need to be added to each BIO MM proposed?

Thank you!



A Tradition of Stewardship
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Dana Morrison (she | her | hers)

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>

Sent: Wednesday, March 12, 2025 4:07 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Subject: RE: P22-00309 New Winery Use Permit CDFW comment/review - Going out for Public Comment Soon

[External Email - Use Caution]

-
Hi Dana,

Thanks again for reaching out about this. Upon preliminary review of the materials, I recommend the following:

1. Special status plant replacement ratio of 3:1 is recommended for non-preservation mitigation to ensure no substantial impacts.
2. MM BIO-7 should be consistent with CDFW recommended measure below, see dates.
3. Ensure no indirect impacts to CDFW jurisdiction areas subject to F&GC section 1600 et sec.

-
Northern Spotted Owl Surveys: A qualified biologist shall provide an assessment of potential NSO nesting habitat within the Project area and a 0.25 mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that NSO nesting habitat is present, then no Project activities within 0.25 miles of potential NSO nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts NSO surveys following the U.S. Fish and Wildlife Service (USFWS) Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding NSO are detected during surveys, a 0.25 mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

If take of NSO cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal Endangered Species Act.

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Friday, March 7, 2025 1:09 PM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: RE: P22-00309 New Winery Use Permit CDFW comment/review - Going out for Public Comment Soon

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Hey Nick,

This is currently slated to go to public hearing on 4.16...however, some issues were identified with their Water Analysis that may push the project out. We are waiting to a final determination at EOD today if the item will be continued or not to date yet to be determined. Otherwise. the IS/MND will be released on Thursday 3.13 for the normal 30 day comment/review.

Cheers,



Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Sent: Friday, March 7, 2025 12:54 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: P22-00309 New Winery Use Permit CDFW comment/review - Going out for Public Comment Soon

[External Email - Use Caution]

Thanks Dana, happy to provide some feedback. We're very busy, per usual, but I will review what you send and get back by around Monday. What kind of timeline are you working with for this?

Thanks,
Nick

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Wednesday, March 5, 2025 10:04 AM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: P22-00309 New Winery Use Permit CDFW commentes/review - Going out for Public Comment Soon

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Morning Nick,

I wanted to give you a heads up on a New Winery Use Permit IS/MND that will be circulating for comment soon, and I was hoping you can confirm my proposed mitigations are adequate.

The project involves the following:

Request: approval of a Use Permit to allow a new winery with NO TOURS and TASTING, and NO VISITATIONS with an annual production capacity of 20,000 gallons per year with the following characteristics:

- a. Construction of a new 14,729 square foot (sf) cut and cover Type I cave with a 2,750-sf covered crush pad and a 348-sf covered mechanical equipment area with an enclosed trash/recycling area;
- b. Excavation of approximately 20,000 cubic yards of spoils associated with the cave and construction of structure pads, all of the spoils will be distributed within the subject parcel or on neighboring parcels under the same ownership, with spoils specifically occurring on APN 027-060-020 at various locations but outside of all required stream and ephemeral setbacks;
- c. Onsite parking for three (3) vehicles; one (1) handicapped, one (1) compact and one (1) standard;
- d. Up to one (1) full-time employee, and three (3) part-time employees;
- e. Installation of a 50,000-75,000-gallon Fire Protection Water Tank located on a parcel (APN: 051-200-016-000) under the same ownership but within the

jurisdiction of the County of Sonoma (this will require the submittal and approval of building permit from Sonoma);

- f. Upgrades to the existing wastewater system – with winery wastewater being collected, treated, and stored to be reused for irrigation onsite;
- g. Installation of a new onsite Septic System and identification of new reserve area;
- h. Removal of 15 native tree species, with replanting and permanent preservation of 45 trees;
- i. Use of an existing on-site spring, currently used for residential water use, that will become the water source for the winery while the residence will be served by an existing well;
- j. Improvements to the existing paved driveway from Wall Road to ensure it meets Napa County Road and Street Standards.

The cave is being constructed adjacent to the existing residence and an existing barn, approximately 15 trees will be removed and the applicant is proposing to replace those trees at a 3:1 ratio elsewhere on the property. Additionally, once the cave is completed, they will revegetate the roof of the cave with native wildflowers seed mix, that will be maintain through removal of noxious weeds and non-native species and reseeded as necessary to maintain said habitat. Soils from the cave excavation will be dispersed on an adjacent parcel under the same ownership – this is where I have the largest concern as it is located in a grassland which could contain sensitive species. The applicant is currently having a biologist conduct floristic surveys to document any occurrences of the 5 sensitive species that the Bio Report found had the potential to occur on sight (bend-flowered fiddleneck, narrow-anthered brodiaea, congested-head hayfield tarweed, jepson's leptosiphon and cobb mountain lupine. The final spoils dispersal locations would be adjusted to avoid any species identified and if avoidance is not feasible then the Biologist has identified areas where reseeding or transplantation could occur (page 99 of the Bio Report). I would have preferred the survey be completed prior to going to hearing, but the applicant was eager to get to PC sooner rather than later. We are including the surveys (already being conducted) as Mitigation Measures and Conditions of Approval for the project. We also have the standard nesting birds/raptors and bat survey mitigation measure, and also one for crotch bumble bee, norther spotted owls and swainson's hawk.

Happy to arrange time to discuss further! My Friday and Monday are pretty free.

Let me know!

Cheers.



A Tradition of Stewardship
A Commitment to Service

Dana Morrison (she | her | hers)

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: [Morrison, Dana](#)
To: [Jon Webb](#)
Subject: RE: Tessoron
Date: Thursday, March 27, 2025 9:03:00 AM
Attachments: [image001.png](#)

Good morning Jon,

Thank you I have saved the comment letter to the project file to include with the Staff Report next week.

I will keep an eye out for the addendum.

Regards,



A Tradition of Stewardship
A Commitment to Service

Dana Morrison (she | her | hers)

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, March 26, 2025 10:18 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: Tessoron

[External Email - Use Caution]

Hi Dana

Attached is a letter of support for the project

I anticipate you will be receiving the WAA addendum in the next day or 2

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)

jwebb@albionsurveys.com

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From: [Jon Webb](#)
To: [Morrison, Dana](#)
Cc: [Rob Anglin \(anglin@htralaw.com\)](#); [Meaghan Becker](#)
Subject: Tesseract WAA Addendum
Date: Tuesday, April 1, 2025 2:17:03 PM
Attachments: [Addendum 2 to Tesseract Vineyards WAA.2025.04.01.pdf](#)

[External Email - Use Caution]

Dana

Attached is the Addendum to the WAA

Please let us know if you have questions or comments

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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responsibility for damage to user's property as a result of using this file and/or its contents.

From: [Rob Anglin](#)
To: [Morrison, Dana](#)
Cc: [Jon Webb](#)
Subject: Re: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568
Date: Wednesday, April 23, 2025 9:29:10 AM

[External Email - Use Caution]

Hi Dana,

We have the updated plans. They're slightly too large to email. Is there an upload link I can use?

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Apr 22, 2025, at 3:20 PM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Hi Rob,
Yes, that what my understanding as well.

I look forward to reviewing the updated roads plan in the near future.
Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Rob Anglin <anglin@htralaw.com>
Sent: Tuesday, April 22, 2025 11:42 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Jon Webb <jwebb@albionsurveys.com>

Subject: Re: Tesson Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Thanks Dana. I'm reading CDFW's email to say that changes are all good as long as we put back the provision requiring CDFW's written approval of the plant survey before construction.

On a related note, we have update road plans that Mike Muelrath will be resubmitting soon.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Apr 22, 2025, at 11:38 AM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Hi Rob,
I heard back from CDFW, see below.
Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Magnuson, Nicholas@Wildlife
<Nicholas.Magnuson@Wildlife.ca.gov>
Sent: Tuesday, April 22, 2025 10:44 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>

Subject: RE: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Hi Danna, sorry for the delay –

The LSA language below can be used as a mitigation measure.

The revisions to plant survey measure to focus on Clara Hunt's Milk-vetch is fine, however, the results should be submitted to CDFW for approval before start of construction, see highlighted below.

Thanks,
Nick

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Friday, April 11, 2025 2:01 PM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: FW: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Hey Nick,
The applicant was hoping that CDFW would be supportive of some revisions to the LSA and Clara Milk-Vetch. See their edits and comments below. I would be happy to jump on a call or teams meeting to discuss sometime in the next few weeks, and we can arrange a later meeting with the applicant...if you are amenable.
Let me know!
Cheers,

| **Dana Morrison** (she | her | hers)

<image001.png>

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Rob Anglin <anglin@htralaw.com>

Sent: Friday, April 11, 2025 1:53 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Jon Webb <jwebb@albionsurveys.com>; Bonnie Peterson
<bpeterson@madroneeco.com>

Subject: Re: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Dana,

Thank for your time this afternoon. Here are the changes we think might be helpful to implement CDFW's comments.

Streams

CDFW's language seems open-ended to us. Could we use this condition language as a mitigation measure?

Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at

<https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources.

Clara Hunt's Milk-vetch

We understand the desire to survey for this species prior to construction. The CDFW draft language would go further than that and could be duplicative of other mitigation measures directed at other plant species. We'd propose targeting this mitigation measure to Clara Hunt's Milk-vetch. Proposed revisions are in underline and strikethrough below.

Clara Hunt's milk-vetch ~~Special-Status Plant~~ Surveys. A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for Clara Hunt's milk-vetch (*Astragalus claranus*) ~~all special-status plants that have the potential to occur~~ at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction, ~~including but not limited to Clara Hunt's milk-vetch (*Astragalus claranus*)~~, unless otherwise approved in writing by CDFW. ~~More than one year of surveys may be necessary.~~ Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW **for written approval** prior to the start of construction. If

full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.

If it helps to get on a call with CDFW, we're happy to do that.
Thanks and have a great weekend.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Apr 9, 2025, at 9:47 AM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Morning Jon, Rob and Bonnie,
CDFW provided a Draft MMRP at the end of their document, I do have one drafted but typically I release that with the Agenda Packet (so I can hopefully incorporate any changes resulting from CDFW comments if we receive before release). Please find a copy of the draft MMRP attached. This would be the draft that we update with CDFW comments and release with the Staff Report which would include the IS/MND and all of the exhibits which would include the MMRP
Please let me know if you have any additional questions.
Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, April 9, 2025 9:36 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Rob Anglin <anglin@htralaw.com>; Bonnie Peterson <bpeterson@madroneeco.com>
Subject: RE: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Dana

Our bio-consultant(Bonnie Peterson) does not recollect seeing the original MMRP mentioned by CDFW, have you seen it?

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Tuesday, April 8, 2025 11:21 AM
To: Jon Webb <jwebb@albionsurveys.com>
Cc: Rob Anglin <anglin@htralaw.com>
Subject: FW: Tesserón Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

Good morning Jon and Rob,
We received the following comment from CDFW. Jon, please ensure that the Biologist includes Clara's Hunt Milk-Vetch in their surveys for the rest of the season. Most of the other comments relate to changes in the survey dates for the Swainson's hawk and NSO. And CDFW is also recommending that the LSA Condition of Approval be a Mitigation Measure. These can be incorporated into the Final COAs and Final MMRP.

If you have any questions, please do not hesitate to reach out.

Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Limon, Jessica@Wildlife
<Jessica.Limon@Wildlife.ca.gov>
Sent: Tuesday, April 8, 2025 10:38 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Magnuson, Nicholas@Wildlife
<Nicholas.Magnuson@Wildlife.ca.gov>; Day,
Melanie@Wildlife <Melanie.Day@wildlife.ca.gov>;
Weightman, Craig@Wildlife
<Craig.Weightman@wildlife.ca.gov>; Hansen,
James@Wildlife <James.Hansen@Wildlife.ca.gov>
Subject: Tesseron Vineyards Winery, Use Permit #P22-
00309-UP-SCH2025030568

[External Email - Use Caution]

Good morning,

Please see the attached letter for your records. If you
have any questions, contact Nicholas Magnuson,
cc'd above.

Thank you,

Jessica Limon

Staff Services Analyst/ Administrative Support Analyst
California Department of Fish and Wildlife – Bay Delta Region

2109 Arch Airport Rd., Stockton, CA 95206

<image002.png> 209-616-6011

<image003.png> jessica.limon@wildlife.ca.gov

<MMRP_Tesseron Vineyard_P22-00309.docx>

From: [Morrison, Dana](#)
To: [Helen Vasquez](#)
Cc: [Rob Anglin](#); [Jon Webb](#)
Subject: RE: Tesseron Hearing
Date: Thursday, June 5, 2025 8:13:00 AM
Attachments: [image002.png](#)
[image003.png](#)

Morning Helen,

It looks like the PDF was successfully loaded and I was able to open this one.

Thank you!

Cheers,



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Dana Morrison (she | her | hers)

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

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1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Helen Vasquez <helen@matthollis.com>
Sent: Wednesday, June 4, 2025 6:59 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Rob Anglin <anglin@htralaw.com>; Jon Webb <jwebb@albionsurveys.com>
Subject: Re: Tesseron Hearing

[External Email - Use Caution]

Hi Dana,

I tried to upload the PDF to the link in the email thread but there's no confirmation on whether it successfully uploaded.

Please advise on how you'd like us to upload the PDF set.

Best,
Helen Vasquez, RA
Associate | Project Manager



MH ARCHITECTS

2325 3rd st. studio 426

san francisco, ca 94107

415.977.0194 x102

matthollis.com

On Jun 4, 2025, at 4:13 PM, Jon Webb <jwebb@albionsurveys.com> wrote:

Helen

Would you please work with Dana in getting your combined drawings into their system?

Thank You

Sent from my iPhone

Jon M Webb

On Jun 4, 2025, at 11:07 AM, Morrison, Dana <dana.morrison@countyofnapa.org> wrote:

Hey Jon,

Could you try re-uploading the document? I keep getting a "We can't open this file" message.

<image001.jpg>

Thanks!

Dana

From: Jon Webb <jwebb@albionsurveys.com>

Sent: Tuesday, June 3, 2025 11:50 AM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Rob Anglin <anglin@htralaw.com>

Subject: RE: Tesseron Hearing

[External Email - Use Caution]

Just uploaded

Thank You Dana

Jon M Webb, PLS 6709

Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>

Sent: Tuesday, June 3, 2025 8:20 AM

To: Jon Webb <jwebb@albionsurveys.com>

Cc: Rob Anglin <anglin@htralaw.com>

Subject: RE: Tesson Hearing

Morning Jon,
Please find the link below:
<https://pbcs.cloud/index.php/s/Rx9yi68pWBw6cDo>
Cheers,
Dana

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Monday, June 2, 2025 4:53 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Rob Anglin <anglin@htralaw.com>
Subject: Re: Tesseron Hearing

[External Email - Use Caution]

Glad you are better Dana
Please send an upload link for the combined civil arch plans

Thank You

Sent from my iPhone
Jon M Webb

On Jun 2, 2025, at 3:15 PM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Mine was more stomach related, but yes there is definitely something going around. My poor brother has been in the ER all weekend with Pneumonia; makes me very grateful that mine was not something so serious.
Cheers,
Dana

From: Rob Anglin <anglin@htralaw.com>
Sent: Monday, June 2, 2025 3:12 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Jon Webb <jwebb@albionsurveys.com>
Subject: Re: Tesseron Hearing

[External Email - Use Caution]

Thanks Dana. The hearing part is good news. Sorry to hear you were out sick. Two of my kids had the flu. Seems late in the season for cold and flu, but I guess it's still going around.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Jun 2, 2025, at 2:55 PM, Morrison,
Dana
<dana.morrison@countyofnapa.org>
wrote:

Apologies Jon,
I was unexpectedly out sick for most of last week.
I was able to confirm with Michael that we DO have a quorum for July 2, and we currently have Tesseron scheduled for PC hearing for that day.
Cheers,

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental
Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

-----Original Message-----

From: Jon Webb

<jwebb@albionsurveys.com>

Sent: Thursday, May 29, 2025 6:43 PM

To: Morrison, Dana

<dana.morrison@countyofnapa.org>

Cc: Rob Anglin <anglin@htralaw.com>

Subject: RE: Tesseron Hearing

[External Email - Use Caution]

Dana

Can you respond to the questions below please?

Thank You

Jon M Webb, PLS 6709

Albion Surveys, Inc.

1113 Hunt Avenue

Saint Helena, CA 94574

707-963-1217, ext 117

707-963-1829(facsimile)

jwebb@albionsurveys.com

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-----Original Message-----

From: Jon Webb

Sent: Wednesday, May 28, 2025 7:54 AM

To: Dana Morrison

<dana.morrison@countyofnapa.org>

Cc: Rob Anglin <anglin@htralaw.com>

Subject: Tesseron Hearing

Hi Dana

Hope you had a good, long weekend

Have you determined if we will have a
quorum for July 2 PC hearing?

Also, I have the combined civil/arch plans

Please send an upload link when you
have time

Thank You

Sent from my iPhone

Jon M Webb



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Bay Delta Region
 2825 Cordelia Road, Suite 100
 Fairfield, CA 94534
 (707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 7, 2025

Dana Morrison, Supervising Planner
 Napa County
 1195 Third Street
 Napa, CA 94559
Dana.Morrison@countyofnapa.org

Subject: Tesseron Vineyards Winery, Use Permit #P22-00309-UP, Initial
 Study/Mitigated Negative Declaration, SCH No. 2025030568, Napa County

Dear Ms. Morrison:

The California Department of Fish and Wildlife (CDFW) received an Initial Study/Mitigated Negative Declaration (IS/MND) from Napa County (County) for the Tesseron Vineyards Winery, Use Permit #P22-00309-UP (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.

CDFW is submitting comments on the IS/MND to inform the County, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Lake and Streambed Alteration (LSA) Agreement, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION SUMMARY

Proponent: Alfred Tesseron, Tesseron Vineyards

Objective: The Project involves the construction of a new winery facility with a 14,729 square-foot cut and cover Type I cave with a 2,750-square-foot (sf) covered crush pad and a 348-sf covered mechanical equipment area with an enclosed trash/recycling area, parking facilities; as well as use changes, new water tank, and driveway improvements to meet standards. Approximately 20,000 cubic yards of spoils associated with the cave and construction of structure pads will be excavated on-site, and all of the spoils will be distributed within the subject parcel or neighboring parcels under the same ownership.

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Napa County
April 7, 2025
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Removal of 15 native trees will occur, with replanting and permanent preservation of 45 trees on-site.

Location: The Project is located on Assessor's Parcel Numbers 051-200-016, 027-060-020 and 027-060-022; the winery facility will be located at approximately 38.43401°N, - 122.48875°W, at 1000 Wall Road, St. Helena, CA 94574, with Project activities occurring in both Napa and Sonoma Counties.

REGULATORY REQUIREMENTS

Lake and Streambed Alteration

An LSA Notification, pursuant to Fish and Game Code section 1600 et. seq. is required for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. The Project would impact unnamed ephemeral streams, as further described below, and an LSA Notification is likely required. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to LSA notification requirements. CDFW, as a Responsible Agency under CEQA, would consider the CEQA document for the Project and may issue

California Endangered Species Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. **The Project has the potential to impact Clara Hunt's milk-vetch (*Astragalus claranus*), State listed as endangered; as well as Swainson's hawk (*Buteo swainsoni*) and northern spotted owl (*Strix occidentalis caurina*), both State listed as threatened; and Crotch's bumblebee (*Bombus crotchii*) which is State listed as candidate endangered. The Project should notify CDFW immediately if take of a CESA listed species cannot be avoided and should consult with CDFW to obtain an ITP.** Issuance of an ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, & 15065.). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC).

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The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with CESA.

Raptors and Other Nesting Birds

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those CDFW recommends below and included in **Attachment 1** Draft Mitigation Monitoring and Reporting Program, CDFW concludes that an MND is appropriate for the Project.

Environmental Setting Related Impact Shortcomings

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?

COMMENT 1: Stream Alteration

Issue: Page 3 of the IS/MND states that "There are no County designated Significant Streams located on the main project parcel (027-060-022-000) on which the future winery is proposed, however, there are a number of ephemeral drainages located on the parcel and there is an identified blue line stream, as well as ephemeral, on the adjacent parcels under the same ownership (027-060-020 and -023). The County GIS layers show an ephemeral stream as running through the proposed location of the new winery; however, staff was able to confirm during the November 2022 site visit that there was no channelization or riparian vegetation associated with this "identified" ephemeral and therefore did not meet the definition." It's unclear if the County-designated Significant Streams determination made on-site would prevent impacts to a stream pursuant to Fish and Game Code section 1600 et seq.

Dana Morrison
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Specific impacts and why they may occur and be significant: The installation of the winery facility could directly impact the ephemeral stream and the streams receiving its flows. Impacts could include inputs of deleterious materials; removal and trampling of vegetation; obstructions and diversions of stream; and indirect impacts to neighboring streams. Project impacts to sensitive stream and associated riparian habitat would be potentially significant.

Recommendation: To comply with Fish and Game Code section 1600 et seq. and reduce impacts to riparian habitat to less-than-significant, CDFW recommends that the IS/MND incorporate the following mitigation measure.

Impacts to the Stream. Prior to the commencement of Project activities, a qualified biologist shall conduct a thorough assessment of potential impacts to the stream and riparian habitat resulting from Project activities including construction of the winery facility. If impacts to the bed, bank, channel, or riparian area of the stream cannot be avoided, the Project shall notify CDFW for Project impacts to the stream. More information for the notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Restoration shall include a qualified biologist preparing and implementing a restoration plan, success criteria, a minimum of five years of monitoring and maintenance, and achieving success criteria.

Please be advised that a SAA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?

COMMENT 2: Clara Hunt's Milk-vetch

Issue: The IS/MND does not provide a suitable survey design to address the potential for Clara Hunt's milk-vetch to occur on the Project site. Table 2 of the Biological Resources Assessment (page 16) states that "Annual grasslands within the Study Area provide suitable habitat for this species but is outside the documented elevation range for this species. This species was not observed during the October 2023 reconnaissance survey; however, the survey was conducted outside the typical blooming season for this species." Furthermore, the IS/MND includes targeted special-

Dana Morrison
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status plants surveys to detect five special-status plant species: (1) bendflowered fiddleneck, (2) narrow-anthered brodiaea, (3) congested-head tarweed, (4) Jepson's leptosiphon, and (5) Cobb Mountain lupine.

Specific impacts and why they may occur and be significant: Surveys targeted at the blooming periods of the above five species could potentially overlook or miss Clara Hunt's milk-vetch during its blooming period which could lead to the Project causing substantial reduction in the number of an endangered species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommended Mitigation Measure: To reduce impacts to Clara Hunt's milk-vetch to less-than-significant, CDFW recommends that the MND incorporate the following mitigation measure.

Special-Status Plant Surveys. A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur at the Project site, including but not limited to Clara Hunt's milk-vetch (*Astragalus claranus*), and adjacent to it where plants could be indirectly impacted, prior to the start of construction, unless otherwise approved in writing by CDFW. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW for written approval prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.

Mitigation Measure Related Impact Shortcomings

COMMENT 3: Swainson's Hawk

Issue: Mitigation Measure BIO-4 of the IS/MND specifies the nesting season for Swainson's hawk from March 31 to August 31. This is inconsistent with the commonly accepted nesting season of March 31 to September 15.

Specific impacts and why they may occur and be significant: If the full nesting period of Swainson's hawk is not utilized in the avoidance measure of the IS/MND, the Project could have the potential to impact nesting Swainson's hawk through auditory or visual disturbances above ambient levels. Disturbances from Project activities may result in Swainson's hawk nest abandonment and loss of eggs or reduced health and

Dana Morrison
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vigor and loss of young. Therefore, if an active Swainson's hawk nest is disturbed by the Project, the Project may result in a substantial reduction in the number of a threatened species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommended Mitigation Measure: To reduce potential impacts to Swainson's hawk to less-than-significant and comply with CESA, CDFW recommends substituting Mitigation Measure BIO-4 with the following:

Mitigation Measure BIO-4: Swainson's Hawk Surveys and Avoidance Buffer: If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline>) and prepare a report documenting the survey results. The Project shall obtain CDFW's written approval of the qualified biologist and survey report prior to starting construction activities between March 1 and September 15. Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately notify CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. Any detected nesting Swainson's hawk shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP before Project activities may commence.

COMMENT 4: Northern Spotted Owl

Issue: Section 1 and Section 2 of Mitigation Measure BIO-7 of the IS/MND (page 20) include dates that are not consistent with the guidance provided by CDFW to the County during early coordination efforts for this Project. Section 1 states that "If project

Dana Morrison
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implementation occurs between February 1 and July 9 then no mitigation is required.” This time window is not appropriate for avoiding northern spotted owl.

Specific impacts and why they may occur and be significant: If Project activities commence during the northern spotted owl nesting season, northern spotted owl could be impacted, resulting in nest abandonment and loss of eggs or reduced health and vigor and loss of young, thereby substantially reducing the number of the species. Northern spotted owl is CESA listed as a threatened species and is also listed under the federal Endangered Species Act (ESA) and therefore is considered to be a threatened species pursuant to CEQA Guidelines section 15380. Therefore, if an active northern spotted owl nest is disturbed by the Project, the Project may result in a substantial reduction in the number of a threatened species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommendation: To reduce impacts to northern spotted owl to less-than-significant and comply with CESA, CDFW recommends that Mitigation Measure BIO-7 be substituted with the following:

MM BIO-7 Northern Spotted Owl Surveys: A qualified biologist shall provide an assessment of potential northern spotted owl nesting habitat within the Project area and a 0.25-mile radius and obtain CDFW’s written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that northern spotted owl nesting habitat is present, then no Project activities within 0.25 miles of potential northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts northern spotted owl surveys following the U.S. Fish and Wildlife Service (USFWS) *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, *Surveys for Disturbance-Only Projects*. If breeding northern spotted owl are detected during surveys, a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW’s written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

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If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the IS/MND to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Nicholas Magnuson, Environmental Scientist, at (707) 815-4166 or Nicholas.Magnuson@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 or Melanie.Day@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486
Erin Chappell
Regional Manager
Bay Delta Region

Dana Morrison
Napa County
April 7, 2025
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Attachment 1: Draft Mitigation Monitoring and Reporting Program

ec: Office of Planning and Research, State Clearinghouse No. 2025030568

Dana Morrison
 Napa County
 April 7, 2025
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ATTACHMENT 1

Draft Mitigation Monitoring and Reporting Program (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Biological Resources (BIO)			
Mitigation Measure (MM)	Description	Timing	Responsible Party
Measure number to be determined by Lead Agency	<p><u>Impacts to the Stream.</u> Prior to the commencement of Project activities, a qualified biologist shall conduct a thorough assessment of potential impacts to the stream and riparian habitat resulting from Project activities including construction of the winery facility. If impacts to the bed, bank, channel, or riparian area of the stream cannot be avoided, the Project shall notify CDFW for Project impacts to the stream. More information for the notification process is available at https://wildlife.ca.gov/Conservation/Environmental-Review/LSA. The Project shall comply with all measures of the SAA, if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed.. Restoration shall include a qualified biologist preparing and implementing a restoration plan, success criteria, a minimum of five years of monitoring and maintenance, and achieving success criteria.</p> <p>Please be advised that a SAA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.</p>	Prior to Ground Disturbance	Project Applicant
Measure number to be determined by Lead Agency	<p><u>Special-Status Plant Surveys.</u> A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction, including but not limited to Clara Hunt's milk-vetch (<i>Astragalus claranus</i>), unless otherwise approved in writing by CDFW. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities</p>	Prior to Ground Disturbance	Project Applicant

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 Napa County
 April 7, 2025
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	<p>(https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW for written approval prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.</p>		
MM BIO-4	<p>Mitigation Measure BIO-4: Swainson's Hawk Surveys and Avoidance Buffer: If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline) and prepare a report documenting the survey results. The Project shall obtain CDFW's written approval of the qualified biologist and survey report prior to starting construction activities between March 1 and September 15. Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately notify CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. Any detected nesting Swainson's hawk shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall</p>	<p>Prior to Ground Disturbance</p>	<p>Project Applicant</p>

Dana Morrison
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April 7, 2025
Page 12

	consult with CDFW pursuant to CESA and obtain an ITP before Project activities may commence.		
MM BIO-7	<p><u>MM BIO-7 Northern Spotted Owl Surveys</u>: A qualified biologist shall provide an assessment of potential northern spotted owl nesting habitat within the Project area and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that northern spotted owl nesting habitat is present, then no Project activities within 0.25 miles of potential northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts northern spotted owl surveys following the U.S. Fish and Wildlife Service (USFWS) <i>Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls</i>, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, <i>Surveys for Disturbance-Only Projects</i>. If breeding northern spotted owl are detected during surveys, a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.</p> <p>Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, <i>Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California</i>, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.</p> <p>If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP and also consult with USFWS pursuant to the federal ESA.</p>	Prior to Ground Disturbance	Project Applicant

From: [Magnuson, Nicholas@Wildlife](mailto:Magnuson,Nicholas@Wildlife)
To: [Morrison, Dana](mailto:Morrison,Dana)
Subject: RE: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568
Date: Tuesday, April 22, 2025 10:44:00 AM
Attachments: [image001.png](#)

[External Email - Use Caution]

Hi Danna, sorry for the delay –

The LSA language below can be used as a mitigation measure.

The revisions to plant survey measure to focus on Clara Hunt's Milk-vetch is fine, however, the results should be submitted to CDFW for approval before start of construction, see **highlighted** below.

Thanks,
Nick

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Friday, April 11, 2025 2:01 PM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: FW: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Hey Nick,
The applicant was hoping that CDFW would supportive of some revisions to the LSA and Clara Milk-Vetch. See their edits and comments below. I would be happy jump on a call or teams meeting to discuss sometime in the next few weeks, and we can arrange a later meeting with the applicant...if you are amenable.
Let me know!
Cheers,

Dana Morrison (she | her | hers)
Supervising Planner - Conservation



A Tradition of Stewardship
A Commitment to Service

Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Rob Anglin <anglin@htralaw.com>

Sent: Friday, April 11, 2025 1:53 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Jon Webb <jwebb@albionsurveys.com>; Bonnie Peterson <bpeterson@madroneeco.com>

Subject: Re: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

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Dana,

Thank for your time this afternoon. Here are the changes we think might be helpful to implement CDFW's comments.

Streams

CDFW's language seems open-ended to us. Could we use this condition language as a mitigation measure?

Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by

restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources.

Clara Hunt's Milk-vetch

We understand the desire to survey for this species prior to construction. The CDFW draft language would go further than that and could be duplicative of other mitigation measures directed at other plant species. We'd propose targeting this mitigation measure to Clara Hunt's Milk-vetch. Proposed revisions are in underline and strikethrough below.

Clara Hunt's milk-vetch ~~Special-Status Plant~~ Surveys. A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for Clara Hunt's milk-vetch (*Astragalus claranus*) ~~all special-status plants that have the potential to occur~~ at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction, ~~including but not limited to Clara Hunt's milk-vetch (*Astragalus claranus*)~~, unless otherwise approved in writing by CDFW. ~~More than one year of surveys may be necessary.~~ Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW **for written approval** prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.

If it helps to get on a call with CDFW, we're happy to do that. Thanks and have a great weekend.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Apr 9, 2025, at 9:47 AM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Morning Jon, Rob and Bonnie,
CDFW provided a Draft MMRP at the end of their document, I do have one drafted but typically I release that with the Agenda Packet (so I can hopefully incorporate any changes resulting from CDFW comments if we receive before release). Please find a copy of the draft MMRP attached. This would be the draft that we update with CDFW comments and release with the Staff Report which would include the IS/MND and all of the exhibits which would include the MMRP
Please let me know if you have any additional questions.
Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, April 9, 2025 9:36 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Rob Anglin <anglin@htralaw.com>; Bonnie Peterson <bpeterson@madroneeco.com>
Subject: RE: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

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Dana
Our bio-consultant(Bonnie Peterson) does not recollect seeing the original MMRP mentioned by CDFW, have you seen it?

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue

Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Tuesday, April 8, 2025 11:21 AM
To: Jon Webb <jwebb@albionsurveys.com>
Cc: Rob Anglin <anglin@htralaw.com>
Subject: FW: Tesserón Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

Good morning Jon and Rob,

We received the following comment from CDFW. Jon, please ensure that the Biologist includes Clara's Hunt Milk-Vetch in their surveys for the rest of the season. Most of the other comments relate to changes in the survey dates for the

Swainson's hawk and NSO. And CDFW is also recommending that the LSA Condition of Approval be a Mitigation Measure. These can be incorporated into the Final COAs and Final MMRP.

If you have any questions, please do not hesitate to reach out.

Cheers,

<image001.png>

Dana Morrison (she | her | hers)

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Limon, Jessica@Wildlife <Jessica.Limon@Wildlife.ca.gov>

Sent: Tuesday, April 8, 2025 10:38 AM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>; Day, Melanie@Wildlife <Melanie.Day@wildlife.ca.gov>; Weightman, Craig@Wildlife <Craig.Weightman@wildlife.ca.gov>; Hansen, James@Wildlife <James.Hansen@Wildlife.ca.gov>

Subject: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

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Good morning,

Please see the attached letter for your records. If you have any questions, contact Nicholas Magnuson, cc'd above.

Thank you,

Jessica Limon

Staff Services Analyst/ Administrative Support Analyst
California Department of Fish and Wildlife – Bay Delta Region

2109 Arch Airport Rd., Stockton, CA 95206

<image002.png> 209-616-6011

<image003.png> jessica.limon@wildlife.ca.gov

<MMRP_Tesseron Vineyard_P22-00309.docx>