



A Tradition of Stewardship
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Planning, Building & Environmental Services

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Brian D. Bordona
Director

MEMORANDUM

To:	Planning Commission	From:	Kelli Cahill, Planner III
Date:	June 3, 2025	Re:	P22-00248 – The Winery at Mount Veeder Use Permit, Exception to the Conservation Regulations P25-00088-UP, and Exception to the Napa County Roads and Street Standards 1300 Mt. Veeder Road, Napa, CA Assessor's Parcel Number 034-230-029 Change Memorandum

Background

This memorandum is provided to clarify and provide recommended updates to Attachment A and Attachment B, as well as updated recommendations for Mitigation Measures for the Northern Spotted Owl (NSO) as recommended by the California Department of Fish and Wildlife (CDFW). According to CDFW, the proposed project footprint appears to overlap with potential habitat for NSO, although typical habitat is associated with old-growth or mature forest, NSO can utilize a wide variety of forested habitat types. CDFW reported that the nearest reported NSO activity to the project site is 0.45 miles to the southwest. Although the Biological Report for the proposed project, as well as a prior report prepared for approved Erosion Control Plan P19-00080-ECPA found that forests within the project area were absent of habitat features, or provide marginal quality for the presence of NSO to be present, the following Mitigation Measures are proposed to reduce potential harm to NSO and NSO Habitat which may occur within 0.25 miles of the project site:

This memorandum recommends revisions to relevant Project Attachments, including; Attachment B – Recommended Conditions of Approval and Final Agency Approval Memos, as attachment to this change memo, Revised Project Revision Statement, and Revised Mitigation Monitoring and Reporting Program (as included with Attachment C – Initial Study/Mitigated Negative Declaration).

Updated Mitigation Measures for NSO and NSO Habitat proposed by CDFW

See Revised Mitigation Monitoring and Reporting Program

Recommended Conditions of Approval for Attachment B - Revised

Revisions are shown below with underline and ~~strikethrough~~.

4.9 GROUND WATER MANAGEMENT - WELLS [RESERVED]

~~This condition is implemented by the Planning, Building and Environmental Services Department:-~~

~~-~~

~~The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence¹ indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.-~~

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~~In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the Director of PBES determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the Director of PBES determines that the well could be useful in supporting the program.-~~

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~~In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.-~~

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- b. Groundwater Management - The parcel shall be limited to 7.691 acre-feet of groundwater per year for all water consuming activities on the parcel. A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA 6.15(d) below.

In the event that changed circumstances or significant new information provide substantial evidence¹ that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

¹ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

6.12 PERMIT PREREQUISITE MITIGATION MEASURES

The permittee shall comply with the following permit prerequisite mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project:

a. Mitigation Measure BIO-1 - Purple Needlegrass Fencing

Orange construction fencing must be placed around the plant groups to ensure impacts during project-related activities do not occur. In the event a plant cannot be completely avoided, then a propagation plan shall be prepared and implemented prior to activities in those areas.

Avoidance or reseeding (propagation) will ensure no significant impacts to special status plants occur. A Propagation Plan will need to be developed and seed will be collected the season prior to be propagated in nearby habitat.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): CDFW

b. Mitigation Measure BIO-2. Wildlife Exclusion Fencing and Erosion Control Measures

Temporary wildlife exclusion fencing shall be installed around the perimeter of proposed activities prior to the start of any ground-disturbing activities to prevent listed

¹ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

species including FYLF, and/or non-listed species such as California giant salamander and western pond turtle (which may nest in uplands within the project footprint) from entering the project footprint during construction. Fencing must be installed outside the western pond turtle nesting window (April 1 to August 31) to avoid separating juvenile turtles from nearby aquatic habitat. Wildlife exclusion fencing shall remain in place and maintained until all activities are complete and any temporarily disturbed areas have been restored to pre-existing conditions.

New fencing located within 100 feet of the Pickle Creek and ephemeral drainages shall use a design that prevents western pond turtle and other small animals from migrating into the proposed construction area. Recommended fencing for exclusion of small animals shall consist of silt fencing with a minimum height of 18 inches, trenched and backfilled to a depth six (6) inches. The silt fencing may be installed directly adjacent to the erosion control measures outlined in Mitigation Measure BIO-3.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): Planning Division

c. Mitigation Measure BIO-3. Erosion Control Measures

Where erosion control measures are proposed, tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibian and reptile species do not get trapped. Plastic monofilament netting (erosion control matting) rolled erosion control products, or similar non-natural material should not be used. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): Planning Division

d. Mitigation Measure BIO-4- Bat Habitat

A Qualified Biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying) shall conduct a habitat assessment in order to identify suitable bat habitat trees within the project area(s), no more than 6 months and no less than 14 days in advance of the planned tree removal. If the habitat assessment determines that trees proposed for removal contain suitable bat habitat, the following shall apply to potential bat habitat trees:

- a. Tree trimming and/or tree removal shall only be conducted during seasonal periods of bat activity (August 31 through October 15, when young would be self-

sufficiently volant and prior to hibernation, and March 1 to April 15 to avoid hibernating bats and prior to formation of maternity colonies), under supervision of a qualified biologist, unless the Measure b., below, is implemented. Note that these windows may shift with atypical temperatures or rainfall if a qualified biologist determines that bats are likely to still be active based on seasonal conditions. Trees shall be trimmed and/or removed in a two-phased removal system conducted over two consecutive days. The first day (in the afternoon), limbs and branches shall be removed by a tree cutter using chainsaws only, under the supervision of a qualified biologist who has demonstrable experience with supervising tree removal for bats using this technique. Limbs with cavities, crevices and deep bark fissures shall be avoided, and only branches or limbs without those features shall be removed. On the second day, the entire tree shall be removed.

- b. If removal of bat habitat trees must occur outside the seasonal activities identified above (between October 16 and February 28/29 of the following year or between April 16 and August 30), a qualified biologist shall conduct pre-construction survey of all potential bat habitat trees within 14 days of project initiation and/or removal to determine absence/presence of bat species. Survey methods, timing, duration, and species shall be provided for review and approval by Napa County prior to conducting pre-construction surveys. A copy of the survey shall be provided to the County Conservation Division and CDFW for review and acceptance prior to commencement of work. If bats are not present, removal can proceed without using the two-phased removal method. If bats are found to be present, the qualified biologist shall determine if a maternity colony of winter torpor bats are present. If roosting bats are present but there are no maternity colonies or winter torpor bats, the tree shall be removed using the two-phased removal method outlined in Measure BR-2a, above. If the qualified biologist determines that maternity colonies or winter torpor bats are present, or they cannot confidently determine absence of maternity colonies or winter torpor bats, then tree removal shall be delayed until during the seasonal periods of bat activity outlined in Measure BR-2a.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): CDFW, Planning Division

e. Mitigation Measure BIO-5 Nesting Birds, and Raptors, ~~and Northern Spotted Owl (NSO)~~

The owner/permittee shall incorporate the following measures to minimize impacts associated with the potential loss and disturbance of special-status and 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 potential to occur at the project site) shall conduct preconstruction surveys for nesting birds and raptors within all suitable habitat in the project area, and within a minimum of 500 feet of all project areas. The preconstruction survey shall be conducted no earlier than 7 days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than 7 days from the survey date, surveys shall be repeated. A copy of the survey results shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.
- ~~b. 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.~~
- ~~c. Alternatively buffer zones may be proposed for NSO 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.~~
- b. After commencement of work, if there is a period of no work activity of 5 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, a qualified biologist shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the U.S. Fish and Wildlife Service (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 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. Additionally, a qualified biologist

shall monitor all active nests each day during construction for the first week, and weekly thereafter, to ensure that the exclusion buffers are adequate and that construction activities are not causing nest-disturbance. If the qualified biologist observes birds displaying potential nest-disturbance behavior, the qualified biologist shall cease all work in the vicinity of the nest and CDFW shall be consulted about appropriate avoidance and minimization measures for nesting birds prior to construction activities resuming. In this event, construction activities shall not resume without CDFW's written approval.

Alternative methods aimed at flushing out nesting birds prior to pre-construction 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) shall be prohibited.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): CDFW, Planning Division

e. Mitigation Measure BIO-6 – Worker Awareness Environmental Training

Environmental Training guidelines shall be prepared by the project biologist, to be presented by a designated project representative to all persons working on the project site prior to the initiation of project related activities. Training guidelines shall include a description of all biological resources that may be found on or near the project site, instructions for inspecting equipment each morning prior to activities, a contact person if protected biological resources are discovered on the project site, and include a brief description of laws and regulations that protect those resources, the consequences of non-compliance with those laws and regulations.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): Planning Division

f. Mitigation Measure BIO-7 - Oak and Riparian Woodland

Removal of any vegetation canopy within the streamside setbacks shall be mitigated in accordance with NCC Sec. 18.108.020D by permanent replacement or preservation of comparable vegetation canopy cover on an acreage basis at a minimum 3:1 ratio. The tree planting plan includes replacement of removed trees with native oak species consistent with oak woodland found on the property and consistent with plans provided by Terre Moto, dated April 27, 2022.

Compensatory mitigation for oak woodland impacts and vegetation removal within the 35-foot streamside setback will be combined where feasible, in order to comply with the County oak tree replacement and streamside setback requirements.

Prior to performing any tree replanting in the mitigation area, the area should be surveyed to ensure no special status plant species are found. If special status plant species are identified, the area where the plants are located shall be flagged and construction fencing installed to avoid trampling or removal of plants.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): Planning Division

g. Mitigation Measure BIO-8 – Stream Crossing

Prior to construction and installation of stream crossings associated with #P22-00248-UP and/or bank restoration required pursuant to this measure, the owner/permittee shall obtain all required authorizations and/or permits from agencies with jurisdiction over Waters of the U.S. or the State, such as but not limited to: a Section 404 Nationwide Permit from the US Army Corps of Engineers (USACE), or a Section 1602 Lake and Streambed Alteration Agreement (LSAA) from the California Department of Fish and Wildlife (CDFW).

Method of Monitoring: Prior to ground disturbance the owner/applicant shall obtain all necessary permits/authorization to perform work within jurisdiction over Waters of the U.S. or the State and adhere to all conditions of approval throughout the duration of construction.

Responsible Agency(ies): Planning, Engineering Divisions, CDFW, USACE, and/or State Water Board

h. Mitigation Measure BIO-9

Northern Spotted Owl Habitat Assessment and Surveys: A qualified biologist shall provide an assessment of potential NSO nesting and roosting habitat within the Project site and an appropriate area around the Project site considering the information in this letter and obtain CDFW's written acceptance of the assessment. Alternatively, the Project may assume that NSO nesting and roosting habitat occurs in these areas. The Project shall consult with CDFW to determine the appropriate habitat assessment and survey areas, which may include up to 0.7 miles around the Project site.

If the assessment concludes that NSO nesting habitat is present or habitat presence is assumed, then the following surveys shall be implemented, unless the Project assumes presence of NSO and obtains a CESA ITP as further described below:

If the Project will remove NSO nesting habitat, a qualified biologist shall conduct two years of surveys on the Project site and within the appropriate radius around the Project site with six complete visits per year following the USFWS *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012 and the associated *Attachment A: Take Avoidance Analysis - Coast Redwood Region*, dated November 1, 2019, to determine the presence or absence of NSO, unless otherwise approved in writing by CDFW.

Following the two years of surveys described above, a qualified biologist shall conduct Spot Check Surveys for NSO on the Project site and within a 0.25-mile radius around the Project site during NSO nesting season (March 15 to July 31) each year until Project construction is completed, pursuant to the above survey protocol, unless otherwise approved in writing by CDFW.

If the Project will not remove NSO nesting habitat, a qualified biologist shall conduct surveys on the Project site and within a 0.25-mile radius around the Project site during NSO nesting season each year until Project construction is completed in accordance with Section 9 of the above survey protocol, *Surveys for Disturbance-Only Projects*, unless otherwise approved in writing by CDFW.

The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report(s) prior to Project construction occurring during NSO nesting season.

If nesting 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. 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: 1) CDFW pursuant to CESA and obtain an ITP, and 2) USFWS pursuant to the federal ESA.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): CDFW, Planning Division

i. Mitigation Measure BIO-10

Northern Spotted Owl Habitat Mitigation: If the Project will remove NSO nesting or roosting habitat, then the Project shall prepare an NSO mitigation plan including mitigating NSO habitat removal at a 3:1 mitigation to impact ratio. Habitat mitigation shall include permanent preservation of high-quality nesting/roosting habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, to be finalized before Project construction, otherwise approved in writing by CDFW. The NSO mitigation plan shall be submitted to CDFW for approval before Project construction and include a review of suitability of mitigation lands for NSO as confirmed by a qualified biologist. The Project shall obtain CDFW's written approval of the NSO mitigation plan.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): CDFW, Planning Division

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

- ~~a. — The project area includes pool ancillary facilities, including but not limited to the pool deck area which shall not be available to winery visitors. For the pool and ancillary areas to be considered non-public, an enclosure compliant with Section 3119B must be constructed, separating the pool and ancillary areas from areas accessed by winery visitors.~~
- a. In conjunction with building permit application submittal, the permittee shall not include natural gas appliances or natural gas plumbing within new buildings or the renovation of existing buildings.
- b. In conjunction with building permit application submittal, the project shall comply with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
- c. In conjunction with building permit application submittal, the permittee shall provide documentation confirming to the Planning Division that all checked Voluntary Best Management Practices Measures submitted with the project Use Permit application shall be addressed through project construction and/or implemented through winery operation.

d. Groundwater Demand Management Program

1. The permittee shall install a meter on each well serving the parcel. Each meter shall be placed in a location that will allow for the measurement of all groundwater used on the project parcel. Prior to the issuance of a grading or building permit for the winery or expanding any operations as approved under this modification, the permittee shall submit for review and approval by the PBES Director a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on all wells serving the parcel.
2. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.
3. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
4. As a groundwater consuming activity already exists on the property, meter installation and monitoring shall begin immediately and the first monitoring report is due to the County within 120 days of approval of this modification.
5. For the first twelve months of operation under this permit, the permittee shall read the meters at the beginning of each month and provide the data to the PBES Director monthly. If the water usage on the property exceeds, or is on track to exceed, 7.691 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the PBES Director for review and action.
6. The permittee's wells shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.
7. At the completion of the reporting period per 6.15(d)(5) above, and so long as the water usage is within the maximum acre-feet per year as specified above, the permittee may begin the following meter reading schedule:
 - i. On or near the first day of each month the permittee shall read the water meter, and provide the data to the PBES Director during the first weeks of April and October. The PBES Director, or the Director's

designated representative, has the right to access and verify the operation and readings of the meters during regular business hours.

- ii. Upon continued increases in operations approved under this permit, the PBES Director, or the Director's designated representative, has the right to revise the data submittal schedule.

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

- b. All required meters shall be installed and all groundwater usage monitoring required in COA 4.20(b) and 6.15(d) above shall commence prior to final occupancy.

Recommended Finding Attachment B – Revised

Updated table under Finding 21 as follows:

Usage Type	Existing Usage	Usage w/ Approved ECP	Proposed Usage
Irrigation			
Vineyard – New Well	2.94*	6.87	6.87
Vineyard – Process Wastewater	0.000	0.00	-0.270
Landscaping	0.000	0.00	0.125
Winery (Well A)		0.00	
Process Water	0.000	0.00	0.384
Domestic Water	0.000	0.00	0.116
Residential (New Well)	0.403	0.403	0.403
Total (Acre-ft per Year)	3.343	7.273	7.691

Attachments:

1. California Department of Fish and Wildlife Comment Letter
2. Revised Project Revision Statement
3. Revised Mitigation Monitoring and Reporting Program



State of California – Natural Resources Agency
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



May 28, 2025

Kelli Cahill, Planner III
County of Napa
1195 Third Street
Napa, CA 94559
Kelli.Cahill@countyofnapa.org

Subject: The Winery at Mount Veeder Use Permit Application P22-00248-UP, Exception to the Conservation Regulations P25-00088-UP, and an Exception to the Napa County Roads and Street Standards, Initial Study/Mitigated Negative Declaration, SCH No. 2025041466, Napa County

Dear Ms. Cahill:

The California Department of Fish and Wildlife (CDFW) received a Notification of Intent to Adopt a Mitigated Negative Declaration (MND) from the County of Napa (County) for The Winery at Mount Veeder Use Permit Application P22-00248-UP, Exception to the Conservation Regulations P25-00088-UP, and an Exception to the Napa County Roads and Street Standards (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

CDFW is submitting comments on the Initial Study/ Mitigated Negative Declaration (IS/MND) to inform the County, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project, and we appreciate the early coordination with the County that occurred as part of the Project review.

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) Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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PROJECT DESCRIPTION SUMMARY

Proponent: Gavin Sharrocks

Objective: Develop a new 25,000 gallon per year production winery facility on the existing 114.9-acre parcel, including the following:

- 13,754 square foot winery cave for production;
- Wastewater treatment system including a 10,000-gallon storage tank;
- Repair of an existing landslide;
- 60,000-gallon fire suppression tank;
- Use of existing groundwater well for winery purposes;
- Replacement of an existing bridge; and
- Improvements to the existing driveway, which would include the removal of 0.78 acres of tree canopy which would be replaced at a 3:1 ratio on-site.

Location: The Project is located at 1300 Mt. Veeder Road; in unincorporated Napa County, CA 94558; and at approximately 38.34372 °N, -122.37363 °W; at assessor's parcel number 034-230-029.

REGULATORY REQUIREMENTS

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 northern spotted owl (*Strix occidentalis caurina*, NSO), CESA listed as threatened species, as further described below.** 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

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CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the project proponent's obligation to comply with CESA.

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. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to LSA notification requirements. **Thank you for including Mitigation Measure BIO-9 in the IS/MND requiring the Project to obtain an LSA Agreement for impacts to any streams.** CDFW, as a Responsible Agency under CEQA, would consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

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 the below recommendations and those in the Draft Mitigation, Monitoring and reporting Program (Attachment 1), CDFW concludes that a MND is appropriate for the Project.

I. Environmental Setting and Related Impact Shortcoming

MANDATORY FINDING OF SIGNIFICANCE. Does the Project have potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species?

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May 28, 2025
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AND

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 U.S. Fish and Wildlife Service (USFWS)?

COMMENT 1: Northern Spotted Owl

Issue: The IS/MND does not adequately evaluate potential impacts to NSO resulting from habitat removal and/or auditory or visual disturbance up to 0.25 miles away from the Project site. Thank you for providing the *Biological Resource Assessment* for a previous MND for a 13-acre vineyard development on the Project property, prepared by WRA, dated July 2016 (2016 BRA), which concludes that NSO is unlikely to be impacted and reaches a similar conclusion to the *Biological Resource Report*, prepared by Sol Ecology, dated May 2022 (2022 BRR), included as Attachment H to the IS/MND.

The 2016 BRA posits that NSO impacts would be avoided because no trees would be removed. Page 17 of the 2016 BRA states that “No oak forest or individual trees will be removed during implementation of the Project, thus avoiding direct impacts to potential NSOW nesting and foraging habitat. The vast majority of NSOW observations near the Project Area are located along north facing slopes in large, intact sections of oak forest.” Conversely, the IS/MND and 2022 BRR indicate that 78 trees will be removed to establish winery structure grading pads and facilitate driveway widening, including 21 live oaks (*Quercus agrifolia*), 7 white oaks (*Q. alba*), 7 California bays (*Umbellularia californica*), 14 Pacific madrones (*Arbutus menziesii*), 2 Douglas firs (*Pseudotsuga menziesii*), and 2 pines (*Pinus* ssp.). Based on Figure 4 of the 2022 BRR and topographical maps, it appears that the Project footprint overlaps forested areas including oak forests with slopes of varying aspects including north-facing. Although typically associated with old-growth or mature forests, NSO can utilize a wide variety of forested habitat types (Press et al. 2010).

Page 12 of the 2022 BRR indicates that habitat on-site is incompatible with NSO, and the species has low potential to occur. However, NSO activity centers have been recorded approximately 0.45 miles southwest of the Project (MASTEROWL NAP0020), 1.2 miles east of the Project (MASTEROWL NAP0010), and 0.4 miles northeast (MASTEROWL NAP0016). Additionally, the Napa County Vegetation map, updated in 2016, shows that vegetation cover in Project development areas such as the winery and driveway is consistent with those in the above NSO activity centers (Map Class Mixed Oak; California Bay - Madrone - Coast Live Oak - (Black Oak Big Leaf Maple)). Additionally, historical aerial imagery indicates that vegetation cover at the Project site, above NSO activity centers, and Project vicinity has not significantly changed since the activity centers were recorded in the 1990's. Based on the above information, CDFW

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concludes that there is a potential for NSO nesting or roosting habitat to be present on the Project site and vicinity.

Specific impacts and why they may occur and be significant: If NSO habitat is removed, or if active NSO nests within the 0.25-mile range of potential audio or visual disturbance go undetected, NSO could be impacted by Project activities resulting in loss of nesting and roosting habitat, nest abandonment and loss of eggs, or reduced health and vigor and loss of young. NSO 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 NSO habitat is removed or if an active NSO nest is disturbed by the Project, the Project may result in a substantial reduction in the number or restriction in the range of a threatened species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommended Mitigation Measures: To reduce impacts to NSO to less-than-significant and comply with CESA and Fish and Game Code section 3503 et seq., CDFW recommends that the IS/MND include the mitigation measures below.

Mitigation Measure BIO-9 Northern Spotted Owl Habitat Assessment and Surveys: A qualified biologist shall provide an assessment of potential NSO nesting and roosting habitat within the Project site and an appropriate area around the Project site considering the information in this letter and obtain CDFW's written acceptance of the assessment. Alternatively, the Project may assume that NSO nesting and roosting habitat occurs in these areas. The Project shall consult with CDFW to determine the appropriate habitat assessment and survey areas, which may include up to 0.7 miles around the Project site.

If the assessment concludes that NSO nesting habitat is present or habitat presence is assumed, then the following surveys shall be implemented, unless the Project assumes presence of NSO and obtains a CESA ITP as further described below:

- If the Project will remove NSO nesting habitat, a qualified biologist shall conduct two years of surveys on the Project site and within the appropriate radius around the Project site with six complete visits per year 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 and the associated *Attachment A: Take Avoidance Analysis - Coast Redwood Region*, dated November 1, 2019, to determine the presence or absence of NSO, unless otherwise approved in writing by CDFW.

Following the two years of surveys described above, a qualified biologist shall conduct Spot Check Surveys for NSO on the Project site and within a 0.25-mile

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radius around the Project site during NSO nesting season (March 15 to July 31) each year until Project construction is completed, pursuant to the above survey protocol, unless otherwise approved in writing by CDFW.

- If the Project will not remove NSO nesting habitat, a qualified biologist shall conduct surveys on the Project site and within a 0.25-mile radius around the Project site during NSO nesting season each year until Project construction is completed in accordance with Section 9 of the above survey protocol, *Surveys for Disturbance-Only Projects*, unless otherwise approved in writing by CDFW.

The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report(s) prior to Project construction occurring during NSO nesting season.

If nesting 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. 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: 1) CDFW pursuant to CESA and obtain an ITP, and 2) USFWS pursuant to the federal ESA.

Mitigation Measure BIO-10 Northern Spotted Owl Habitat Mitigation: If the Project will remove NSO nesting or roosting habitat, then the Project shall prepare an NSO mitigation plan including mitigating NSO habitat removal at a 3:1 mitigation to impact ratio. Habitat mitigation shall include permanent preservation of high-quality nesting/roosting habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, to be finalized before Project construction, unless otherwise approved in writing by CDFW. The NSO mitigation plan shall be submitted to CDFW for approval before Project construction and include a review of suitability of mitigation lands for NSO as confirmed by a qualified biologist. The Project shall obtain CDFW's written approval of the NSO mitigation plan.

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 (CNDDDB). The CNDDDB field survey

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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. (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
Regional Manager
Bay Delta Region

Attachment 1: Draft Mitigation Monitoring and Reporting Program

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2025041466)

REFERENCES

USFWS. 2012. Protocol For Surveying Proposed Management Activities That May Impact Northern Spotted Owls. January 9, 2012.

CNDDDB 2020. California Natural Diversity Database (CNDDDB) Management Framework. California Department of Fish and Wildlife. Sacramento, CA.

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Press, D., D. Adams, H. Jensen, K. Fehring, W. Merkle, M. Koenen, and L. A. Starceвич. 2010. San Francisco Bay Area Network northern spotted owl monitoring protocol : Version 6.4. Natural Resource Report NPS/SFAN/NRR — 2010/245. National Park Service, Fort Collins, Colorado.

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ATTACHMENT 1

Draft Mitigation Monitoring and Reporting Program (MMRP)

CDFW provides the following mitigation measure (MM) language to be incorporated into the MMRP for the Project.

Biological Resources (BR)			
Mitigation Measure (MM)	Description	Timing	Responsible Party
MM BIO-9	<p><u>Northern Spotted Owl Habitat Assessment and Surveys:</u> A qualified biologist shall provide an assessment of potential NSO nesting and roosting habitat within the Project site and an appropriate area around the Project site considering the information in this letter and obtain CDFW's written acceptance of the assessment. Alternatively, the Project may assume that NSO nesting and roosting habitat occurs in these areas. The Project shall consult with CDFW to determine the appropriate habitat assessment and survey areas, which may include up to 0.7 miles around the Project site.</p> <p>If the assessment concludes that NSO nesting habitat is present or habitat presence is assumed, then the following surveys shall be implemented, unless the Project assumes presence of NSO and obtains a CESA ITP as further described below:</p> <p><u>If the Project will remove NSO nesting habitat,</u> a qualified biologist shall conduct two years of surveys on the Project site and within the appropriate radius around the Project site with six complete visits per year following the USFWS <i>Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls</i>, dated (revised) January 9, 2012 and the associated <i>Attachment A: Take Avoidance Analysis - Coast Redwood Region</i>, dated November 1, 2019, to determine the presence or absence of NSO, unless otherwise approved in writing by CDFW.</p> <p>Following the two years of surveys described above, a qualified biologist shall conduct Spot Check Surveys for NSO on the Project site and within a 0.25-mile radius around the Project site during NSO nesting season (March 15 to July 31) each year until Project construction is completed, pursuant to the</p>	Prior to Ground Disturbance	Project Applicant

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	<p>above survey protocol, unless otherwise approved in writing by CDFW.</p> <p><u>If the Project will not remove NSO nesting habitat</u>, a qualified biologist shall conduct surveys on the Project site and within a 0.25-mile radius around the Project site during NSO nesting season each year until Project construction is completed in accordance with Section 9 of the above survey protocol, <i>Surveys for Disturbance-Only Projects</i>, unless otherwise approved in writing by CDFW.</p> <p>The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report(s) prior to Project construction occurring during NSO nesting season.</p> <p>If nesting 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. 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 NSO cannot be avoided, the Project shall consult with: 1) CDFW pursuant to CESA and obtain an ITP, and 2) USFWS pursuant to the federal ESA.</p>		
MM BIO-10	<p><u>Northern Spotted Owl Habitat Mitigation:</u> If the Project will remove NSO nesting or roosting habitat, then the Project shall prepare an NSO mitigation plan including mitigating NSO habitat removal at a 3:1 mitigation to impact ratio. Habitat mitigation shall include permanent preservation of high-quality nesting/roosting habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, to be finalized before Project construction, otherwise approved in writing by CDFW. The NSO mitigation plan shall be submitted to CDFW for approval before Project construction and include a review of suitability of mitigation lands for NSO as confirmed by a qualified biologist. The Project shall obtain CDFW's written approval of the NSO mitigation plan.</p>	Prior to Ground Disturbance	Project Applicant

REVISED PROJECT REVISION STATEMENT
THE WINERY AT MOUNT VEEDER USE PERMIT P22-00248-UP, EXCEPTION TO THE CONSERVATION REGULATIONS P25-00088-UP, EXCEPTION TO THE NAPA COUNTY ROADS AND STREET STANDARDS

I hereby revise The Winery at Mount Veeder Use Permit P22-000248-UP, Exception to the Conservation Regulations P25-00088-UP, Exception to the Roads and Street Standards to allow a new 25,000 gallon winery with the follow characteristics:

- a. 13,754 square foot (sf) winery cave for production, barrel storage, administrative offices, a 1,509 sf covered pad, a 1,052 sf hospitality pavilion with outdoor deck,
- b. Two (2) full-time and two (2) part-time employees,
- c. Tours and tastings by appointment only for a maximum of 18 visitors per day; 126 visitors per week,
- d. Marketing events shall include food to be prepared offsite by a catering company, consisting of
 1. Eight (8) annual events with a maximum of 25 guests;
 2. One (1) annual event with a maximum of 50 guests; and
 3. Participation in annual charitable events with a maximum of 25 guests.
- e. On-premise consumption of wines produced on-site within the outdoor hospitality areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
- f. Non-harvest production days and hours: 7:30 AM to 5:30 PM Monday through Saturday,
- g. Visitation seven (7) days per week, hours 10:00 AM to 6:00 PM,
- h. Seven (7) parking spaces, including 2 required spaces for the existing residence,
- i. Wastewater treatment system including a 10,000 gallon storage tank,
- j. Repair of an existing landslide,
- k. Recommended 60,000-gallon fire suppression tank,
- l. Use of existing groundwater well for winery purposes,
- m. Replacement of an existing bridge, and
- n. Improvements to the existing driveway that will include the removal of 78 trees which will be replaced at a 3:1 ratio onsite.

The project is located on a 114.87 acre parcel (Assessor Parcel No. 034-230-029) 1300 Mt Veeder Road, Napa California, to include the following eight (8) measures specified below:

Mitigation Measure BIO-1 - Purple Needlegrass Fencing

Orange construction fencing shall be placed around the plant groups to ensure impacts during project-related activities do not occur. In the event a plant cannot be completely avoided, then a propagation plan shall be prepared and implemented prior to activities in those areas.

Avoidance or reseeding (propagation) will ensure no significant impacts to special status plants occur. A Propagation Plan for the landslide repair where the Purple needlegrass will be reestablished will need to be developed and seed will be collected from nearby habitat onsite (Biological Resource Report, dated May 2022, Figure 1) during the season prior to being propagated.

Mitigation Measure BIO-2. Wildlife Exclusion Fencing

Temporary wildlife exclusion fencing shall be installed around the perimeter of proposed activities prior to the start of any ground-disturbing activities to prevent listed species including FYLF, and/or non-listed species such as California giant salamander and western pond turtle (which may nest in uplands within the project footprint) from entering the project footprint during construction. Fencing shall be installed outside the western pond turtle nesting window (April 1 to August 31) to avoid separating juvenile turtles from

nearby aquatic habitat. Wildlife exclusion fencing shall remain in place and maintained until all activities are complete and any temporarily disturbed areas have been restored to pre-existing conditions.

New fencing located within 100 feet of the Pickle Creek and ephemeral drainages shall use a design that prevents western pond turtle and other small animals from migrating into the proposed construction area. Recommended fencing for exclusion of small animals shall consist of silt fencing with a minimum height of 18 inches, trenched and backfilled to a depth six (6) inches. The silt fencing may be installed directly adjacent to the erosion control measures outlined in Mitigation Measure BIO-3.

Mitigation Measure BIO-3 Erosion Control Measures

Where erosion control measures are proposed, tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibian and reptile species do not get trapped. Plastic monofilament netting (erosion control matting) rolled erosion control products, or similar non-natural material should not be used. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.

Mitigation Measure BIO-4- Bat Habitat

A Qualified Biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying) shall conduct a habitat assessment in order to identify suitable bat habitat trees within the project area(s), no more than 6 months and no less than 14 days in advance of the planned tree removal. If the habitat assessment determines that trees proposed for removal contain suitable bat habitat, the following shall apply to potential bat habitat trees:

- a. Tree trimming and/or tree removal shall only be conducted during seasonal periods of bat activity (August 31 through October 15, when young would be self-sufficiently volant and prior to hibernation, and March 1 to April 15 to avoid hibernating bats and prior to formation of maternity colonies), under supervision of a qualified biologist, unless the Measure b., below, is implemented. Note that these windows may shift with atypical temperatures or rainfall if a qualified biologist determines that bats are likely to still be active based on seasonal conditions. Trees shall be trimmed and/or removed in a two-phased removal system conducted over two consecutive days. The first day (in the afternoon), limbs and branches shall be removed by a tree cutter using chainsaws only, under the supervision of a qualified biologist who has demonstrable experience with supervising tree removal for bats using this technique. Limbs with cavities, crevices and deep bark fissures shall be avoided, and only branches or limbs without those features shall be removed. On the second day, the entire tree shall be removed.
- b. If removal of bat habitat trees must occur outside the seasonal activities identified above (between October 16 and February 28/29 of the following year or between April 16 and August 30), a qualified biologist shall conduct pre-construction survey of all potential bat habitat trees within 14 days of project initiation and/or removal to determine absence/presence of bat species. Survey methods, timing, duration, and species shall be provided for review and approval by Napa County prior to conducting pre-construction surveys. A copy of the survey shall be provided to the County Conservation Division and CDFW for review and acceptance prior to commencement of work. If bats are not present, removal can proceed without using the two-phased removal method. If bats are found to be present, the qualified biologist shall determine if a maternity colony of winter torpor bats are present. If roosting bats are present but there are no maternity colonies or winter torpor bats, the tree shall be removed using the two-phased removal method outlined in Measure BR-2a, above. If the qualified biologist determines that maternity colonies or winter torpor bats are present, or they cannot confidently determine absence of maternity colonies or winter torpor bats, then tree removal shall be delayed until during the seasonal periods of bat activity outlined in Measure BR-2a.

Mitigation Measure BIO-5 Nesting Birds and Raptors

The owner/permittee shall incorporate the following measures to minimize impacts associated with the potential loss and disturbance of special-status and 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 potential to occur at the project site) shall conduct preconstruction surveys for nesting birds and raptors within all suitable habitat in the project area, and within a minimum of 500 feet of all project areas. The preconstruction survey shall be conducted no earlier than 7 days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than 7 days from the survey date, surveys shall be repeated. A copy of the survey results 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 5 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, a qualified biologist shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the U.S. Fish and Wildlife Service (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 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. Additionally, a qualified biologist shall monitor all active nests each day during construction for the first week, and weekly thereafter, to ensure that the exclusion buffers are adequate and that construction activities are not causing nest-disturbance. If the qualified biologist observes birds displaying potential nest-disturbance behavior, the qualified biologist shall cease all work in the vicinity of the nest and CDFW shall be consulted about appropriate avoidance and minimization measures for nesting birds prior to construction activities resuming. In this event, construction activities shall not resume without CDFW's written approval.

Alternative methods aimed at flushing out nesting birds prior to pre-construction 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) shall be prohibited.

Mitigation Measure BIO -6 – Worker-Awareness Environmental Training

Environmental Training guidelines shall be prepared by the project biologist, to be presented by a designated project representative to all persons working on the project site prior to the initiation of project related activities. Training guidelines shall include a description of all biological resources that may be found on or near the project site, instructions for inspecting equipment each morning prior to activities, a contact person if protected biological resources are discovered on the project site, and include a brief description of laws and regulations that protect those resources, the consequences of non-compliance with

those laws and regulations.

Mitigation Measure BIO-7 - Oak and Riparian Woodland

Removal of any vegetation canopy within the streamside setbacks shall be mitigated in accordance with NCC Sec. 18.108.020D by permanent replacement or preservation of comparable vegetation canopy cover on an acreage basis at a minimum 3:1 ratio. The tree planting plan includes replacement of removed trees with native oak species consistent with oak woodland found on the property and consistent with plans provided by Terre Moto, dated April 27, 2022.

Compensatory mitigation for oak woodland impacts and vegetation removal within the 35-foot streamside setback will be combined where feasible, in order to comply with the County oak tree replacement and streamside setback requirements.

Prior to performing any tree replanting in the mitigation area, the area should be surveyed to ensure no special status plant species are found. If special status plant species are identified, the area where the plants are located shall be flagged and construction fencing installed to avoid trampling or removal of plants.

Mitigation Measure BIO-8— Stream Crossing

Prior to construction and installation of stream crossings associated with #P22-00248-UP and/or bank restoration required pursuant to this measure, the owner/permittee shall obtain all required authorizations and/or permits from agencies with jurisdiction over Waters of the U.S. or the State, such as but not limited to: a Section 404 Nationwide Permit from the US Army Corps of Engineers (USACE), or a Section 1602 Lake and Streambed Alteration Agreement (LSAA) from the California Department of Fish and Wildlife (CDFW).

Mitigation Measure BIO-9

Northern Spotted Owl Habitat Assessment and Surveys: A qualified biologist shall provide an assessment of potential NSO nesting and roosting habitat within the Project site and an appropriate area around the Project site considering the information in this letter and obtain CDFW's written acceptance of the assessment. Alternatively, the Project may assume that NSO nesting and roosting habitat occurs in these areas. The Project shall consult with CDFW to determine the appropriate habitat assessment and survey areas, which may include up to 0.7 miles around the Project site.

If the assessment concludes that NSO nesting habitat is present or habitat presence is assumed, then the following surveys shall be implemented, unless the Project assumes presence of NSO and obtains a CESA ITP as further described below:

If the Project will remove NSO nesting habitat, a qualified biologist shall conduct two years of surveys on the Project site and within the appropriate radius around the Project site with six complete visits per year following the USFWS *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012 and the associated *Attachment A: Take Avoidance Analysis - Coast Redwood Region*, dated November 1, 2019, to determine the presence or absence of NSO, unless otherwise approved in writing by CDFW.

Following the two years of surveys described above, a qualified biologist shall conduct Spot Check Surveys for NSO on the Project site and within a 0.25-mile radius around the Project site during NSO nesting season (March 15 to July 31) each year until Project construction is completed, pursuant to the above survey protocol, unless otherwise approved in writing by CDFW.

If the Project will not remove NSO nesting habitat, a qualified biologist shall conduct surveys on the Project site and within a 0.25-mile radius around the Project site during NSO nesting season each year until Project

construction is completed in accordance with Section 9 of the above survey protocol, *Surveys for Disturbance-Only Projects*, unless otherwise approved in writing by CDFW.

The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report(s) prior to Project construction occurring during NSO nesting season.

If nesting 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. 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: 1) CDFW pursuant to CESA and obtain an ITP, and 2) USFWS pursuant to the federal ESA.

Mitigation Measures BIO-10

Northern Spotted Owl Habitat Mitigation: If the Project will remove NSO nesting or roosting habitat, then the Project shall prepare an NSO mitigation plan including mitigating NSO habitat removal at a 3:1 mitigation to impact ratio. Habitat mitigation shall include permanent preservation of high-quality nesting/roosting habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, to be finalized before Project construction, otherwise approved in writing by CDFW. The NSO mitigation plan shall be submitted to CDFW for approval before Project construction and include a review of suitability of mitigation lands for NSO as confirmed by a qualified biologist. The Project shall obtain CDFW's written approval of the NSO mitigation plan.

Owner's signature

Date

The Winery At Mount Veeder
Winery Use Permit P22-00248-UP, Conservation Regulations Exception # P25-00088-UP, and
Exception to the Road and Street Standard
Mitigation Monitoring and Reporting Program

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
Impact BIO-1: Project implementation could result in direct or inadvertent impacts special-status species (i.e. Purple needlegrass)	<p>Mitigation Measure BIO-1: Installation of temporary fencing shall minimize potential impacts to special-status plant species (i.e., Purple needlegrass) as follows:</p> <p>Orange construction fencing must be placed around the plant groups to ensure impacts during project-related activities do not occur. In the event a plant cannot be completely avoided, then a propagation plan shall be prepared and implemented prior to activities in those areas.</p> <p>Avoidance or reseeding (propagation) will ensure no significant impacts to special status plants occur. A Propagation Plan will need to be developed and seed will be collected during the season prior to being propagated in a nearby habitat.</p>	Permittee shall implement Measure BIO-1 prior to ground breaking activities.	P	PD CDFW	PC/CPI/OG _/_/_
Impact BIO-2: Project development activities could result in potentially significant to Foothill Yellow-legged frog, California giant salamander and western pond turtle.	<p>Mitigation Measure BIO-2 - The Owner/Permittee shall install temporary fencing prior to commencing work on road improvements:</p> <p>Temporary wildlife exclusion fencing shall be installed around the perimeter of proposed activities prior to the start of any ground-disturbing activities to prevent listed species including FYLF, and/or non-listed species such as California giant salamander and western pond turtle (which may nest in uplands within the project footprint) from entering the project footprint during construction. Fencing must be installed outside the western pond turtle nesting window (April 1 to August 31) to avoid separating juvenile turtles from nearby aquatic habitat. Wildlife exclusion fencing shall remain in place and maintained until all activities are complete and any temporarily disturbed areas have been restored to pre-existing conditions.</p> <p>New fencing located within 100 feet of the Pickle Creek and ephemeral drainages shall use a design that prevents western pond turtle and other small animals from migrating into the proposed construction area. Recommended fencing for exclusion of small animals shall consist of silt fencing with a minimum height of 18 inches, trenched and backfilled to a depth six (6) inches. The silt fencing may be installed directly adjacent to the erosion control measures outlined in Mitigation Measure BIO-3.</p>	Permittee shall implement Measure BIO-2 by incorporating provisions this mitigation measure prior to ground disturbing activities associated with P22-00248-UP, but outside the western pond turtle nesting window of April 1 to August 31 st .	P	PD	PC/CPI/OG _/_/_

Notes: P = Permittee, PD = Planning Division, BD = Building Division, E = Engineering Division, CDFW = California Dept of Fish & Wildlife, CSWB – California State Water Board, USACE = US Army Corp of Engineers, T = 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 (throughout construction is complete)

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
Impact BIO-3: Proposed erosion control measures have the potential to impact small amphibians if not sized to avoid trappings in the control measures.	<p>Mitigation Measure BIO-3: Permittee/owner shall Installation erosion control measures in conformance with BIO-2 prior to commencing ground disturbing activities:</p> <p>Where erosion control measures are proposed, tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibian and reptile species do not get trapped. Plastic monofilament netting (erosion control matting) rolled erosion control products, or similar non-natural material should not be used. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds</p>	Permittee shall implement Measure BIO-4 by installing the specified erosion control measures prior to ground disturbing activities	P	PD	PC/CPI/OG _/_/_
Impact BIO-4: Project development activities could result in potentially significant direct and indirect impacts to bats.	<p>Mitigation Measure BIO-4: A Qualified Biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying) shall conduct a habitat assessment in order to identify suitable bat habitat trees within the project area(s), no more than 6 months and no less than 14 days in advance of the planned tree removal. If the habitat assessment determines that trees proposed for removal contain suitable bat habitat, the following shall apply to potential bat habitat trees:</p> <ol style="list-style-type: none"> Tree trimming and/or tree removal shall only be conducted during seasonal periods of bat activity (August 31 through October 15, when young would be self-sufficiently volant and prior to hibernation, and March 1 to April 15 to avoid hibernating bats and prior to formation of maternity colonies), under supervision of a qualified biologist, unless the Measure b., below, is implemented. Note that these windows may shift with atypical temperatures or rainfall if a qualified biologist determines that bats are likely to still be active based on seasonal conditions. Trees shall be trimmed and/or removed in a two-phased removal system conducted over two consecutive days. The first day (in the afternoon), limbs and branches shall be removed by a tree cutter using chainsaws only, under the supervision of a qualified biologist who has demonstrable experience with supervising tree removal for bats using this technique. Limbs with cavities, crevices and deep bark fissures shall be avoided, and only branches or limbs without those features shall be removed. On the second day, the entire tree shall be removed. If removal of bat habitat trees must occur outside the seasonal activities identified above (between October 16 and February 28/29 of the following year or between April 16 and August 30), a qualified biologist shall conduct pre-construction survey of all potential bat habitat trees within 14 days of 	<p>Permittee shall implement Measure BIO-4 by incorporating provisions BIO-4a through BIO-4b prior to project initiation.</p> <p>Schedule BIO-4a: Prior to initiation of P22-00248-UP.</p> <p>Schedule BIO-4b: Prior to initiation of P22-00248-UP.</p>	P	PD CDFW	PC _/_/_

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	project initiation and/or removal to determine absence/presence of bat species. Survey methods, timing, duration, and species shall be provided for review and approval by Napa County prior to conducting pre-construction surveys. A copy of the survey shall be provided to the County Conservation Division and CDFW for review and acceptance prior to commencement of work. If bats are not present, removal can proceed without using the two-phased removal method. If bats are found to be present, the qualified biologist shall determine if a maternity colony of winter torpor bats are present. If roosting bats are present but there are no maternity colonies or winter torpor bats, the tree shall be removed using the two-phased removal method outlined in Measure BR-2a, above. If the qualified biologist determines that maternity colonies or winter torpor bats are present, or they cannot confidently determine absence of maternity colonies or winter torpor bats, then tree removal shall be delayed until during the seasonal periods of bat activity outlined in Measure BR-2a.				
Impact BIO-5: Temporary and intermittent increases in noise levels during construction could result in potentially significant indirect and cumulative impacts on special-status and migratory birds.	<p>Mitigation Measure BIO-5: The owner/permittee shall incorporate the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:</p> <ol style="list-style-type: none"> 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 potential to occur at the project site) shall conduct preconstruction surveys for nesting birds and raptors within all suitable habitat in the project area, and within a minimum of 500 feet of all project areas. The preconstruction survey shall be conducted no earlier than 7 days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than 7 days from the survey date, surveys shall be repeated. A copy of the survey results shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work. After commencement of work, if there is a period of no work activity of 5 days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity. 	<p>Permittee shall implement Measure BIO-5 by incorporating provisions BIO-5a through BIO-5d prior to project initiation P22-00248-UP.</p> <p>Schedule BIO-5a: prior to project initiation P22-00248-UP.</p> <p>Schedule BIO-5b: prior to project initiation P22-00248-UP.</p>	P	PD CDFW	PC/CPI/OG _/_/_

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<p>c. In the event that nesting birds are found, a qualified biologist shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the U.S. Fish and Wildlife Service (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 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. Additionally, a qualified biologist shall monitor all active nests each day during construction for the first week, and weekly thereafter, to ensure that the exclusion buffers are adequate and that construction activities are not causing nest-disturbance. If the qualified biologist observes birds displaying potential nest-disturbance behavior, the qualified biologist shall cease all work in the vicinity of the nest and CDFW shall be consulted about appropriate avoidance and minimization measures for nesting birds prior to construction activities resuming. In this event, construction activities shall not resume without CDFW's written approval.</p> <p>Alternative methods aimed at flushing out nesting birds prior to pre-construction 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) shall be prohibited.</p>	<p>Schedule BIO-5c: After to project initiation P22-00248-UP.</p> <p>Implement BIO-5-d: After initiation of #P22-00248-UP.</p>			
Impact BIO-6: The project could result in inadvertent impacts to biological resources.	<p>Mitigation Measure BIO-6 The Biologist shall provide training materials to be presented by the Permittee/owner or designee prior to ground disturbing and construction activities:</p> <p>Environmental Training guidelines shall be prepared by the project biologist, to be presented by a designated project representative to all persons working on the project site prior to the initiation of project related activities. Training guidelines shall include a description of all biological resources that may be found on or near the project site, instructions for inspecting equipment each morning prior to activities, a contact person</p>	Permittee shall implement Measure BIO-6 to provide worker environmental training prior to ground disturbing or construction activities	P	PD	PC/CPI/OG _/_/_

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	if protected biological resources are discovered on the project site, and include a brief description of laws and regulations that protect those resources, the consequences of non-compliance with those laws and regulations,				
Impact BIO-7: The project could result in potentially significant impacts on vegetation canopy cover related to consistency with Napa County Code Section 18.108.020(D).	<p>Mitigation Measure BIO-7: To minimize oak and riparian woodland canopy cover removal, implementation is consistent with Napa County Code Conservation Regulations, as follows:</p> <p>Removal of any vegetation canopy within the streamside setbacks shall be mitigated in accordance with Napa County Sec. 18.108.020D by permanent replacement or preservation of comparable vegetation canopy cover on an acreage basis at a minimum 3:1 ratio. For specific planting details please refer to the tree planting plan in the plan set provided by Terre Moto, dated April 27, 2022.</p> <p>Compensatory mitigation for oak woodland impacts and vegetation removal within the 35-foot streamside setback will be combined where feasible, in order to comply with the County oak tree replacement and streamside setback requirements.</p> <p>Prior to performing any tree replanting in the mitigation area, the area should be surveyed to ensure no special status plant species are found. If special status plant species are identified, the area where the plants are located shall be flagged and construction fencing installed to avoid trampling or removal of plants.</p>	Permittee shall implement Measure BIO-7 by incorporating canopy replacement in accordance with Napa County Section 18.108.020(D) through permanent replacement and replanting of canopy within the oak and riparian woodlands.	P	PD	PC/CPI _/_/_
Impact BIO-8: Replacement of the bridge stream crossing may require permitting through the State and/or Federal agencies prior to issuance of building and grading permits.	<p>Mitigation Measure BIO-8: The Owner/Permittee shall obtain all required permitting to replace the stream crossing and working within state and/or federal jurisdiction within the riparian zone of Pickle Creek through the following measures:</p> <p>Prior to construction and installation of stream crossings associated with #P22-00248-UP and/or bank restoration required pursuant to this measure, the owner/permittee shall obtain all required authorizations and/or permits from agencies with jurisdiction over Waters of the U.S. or the State, such as but not limited to: a Section 404 Nationwide Permit from the US Army Corps of Engineers (USACE), or a Section 1602 Lake and Streambed Alteration Agreement (LSAA) from the California Department of Fish and Wildlife (CDFW)..</p>	Permittee shall implement Measure BIO-8 by obtaining the necessary permits or authorization from state and/or federal agencies with jurisdiction over Waters of the U.S. or the State, prior to the County issuing building or grading permits.	P	PD/E CDFW SWB USACE	PC _/_/_

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
<u>Impact BIO-9: Conduct Northern Spotted Owl Habitat Assessment/Survey as recommended by CDFW, Comment Letter dated May 28, 2025 for the potential disturbance or removal of habitat during project construction</u>	<p><u>Mitigation Measure BIO-9</u></p> <p><u>Northern Spotted Owl Habitat Assessment and Surveys: A qualified biologist shall provide an assessment of potential NSO nesting and roosting habitat within the Project site and an appropriate area around the Project site considering the information in this letter and obtain CDFW's written acceptance of the assessment. Alternatively, the Project may assume that NSO nesting and roosting habitat occurs in these areas. The Project shall consult with CDFW to determine the appropriate habitat assessment and survey areas, which may include up to 0.7 miles around the Project site.</u></p> <p><u>If the assessment concludes that NSO nesting habitat is present or habitat presence is assumed, then the following surveys shall be implemented, unless the Project assumes presence of NSO and obtains a CESA ITP as further described below:</u></p> <p><u>If the Project will remove NSO nesting habitat, a qualified biologist shall conduct two years of surveys on the Project site and within the appropriate radius around the Project site with six complete visits per year following the USFWS <i>Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls</i>, dated (revised) January 9, 2012 and the associated <i>Attachment A: Take Avoidance Analysis - Coast Redwood Region</i>, dated November 1, 2019, to determine the presence or absence of NSO, unless otherwise approved in writing by CDFW.</u></p> <p><u>Following the two years of surveys described above, a qualified biologist shall conduct Spot Check Surveys for NSO on the Project site and within a 0.25-mile radius around the Project site during NSO nesting season (March 15 to July 31) each year until Project construction is completed, pursuant to the above survey protocol, unless otherwise approved in writing by CDFW.</u></p> <p><u>If the Project will not remove NSO nesting habitat, a qualified biologist shall conduct surveys on the Project site and within a 0.25-mile radius around the Project site during NSO nesting season each year until Project construction is completed in accordance with Section 9 of the</u></p>	<u>Permittee shall implement Measure BIO-9 by having a qualified biologist determine if NSO habitat is present onsite and/or where project activities have the potential to disturb nearby NSO. Coordination with CDFW as recommended/required under BIO-9</u>	<u>P</u>	<u>PD</u> <u>CDFW</u>	<u>PC/CPI/OG</u> <u>/ /</u>

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Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
	<p><u>above survey protocol, <i>Surveys for Disturbance-Only Projects</i>, unless otherwise approved in writing by CDFW.</u></p> <p><u>The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report(s) prior to Project construction occurring during NSO nesting season.</u></p> <p><u>If nesting 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. 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.</u></p> <p><u>If take of NSO cannot be avoided, the Project shall consult with: 1) CDFW pursuant to CESA and obtain an ITP, and 2) USFWS pursuant to the federal ESA.</u></p>				
<u>Impact BIO-9: Replacement of NSO habitat if determined to be within the project area as recommended by CDFW, Comment Letter dated May 28, 2025 to reduce potential loss of habitat.</u>	<p><u>Mitigation Measures BIO-10</u></p> <p><u>Northern Spotted Owl Habitat Mitigation: If the Project will remove NSO nesting or roosting habitat, then the Project shall prepare an NSO mitigation plan including mitigating NSO habitat removal at a 3:1 mitigation to impact ratio. Habitat mitigation shall include permanent preservation of high-quality nesting/roosting habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, to be finalized before Project construction, otherwise approved in writing by CDFW. The NSO mitigation plan shall be submitted to CDFW for approval before Project construction and include a review of suitability of mitigation lands for NSO as confirmed by a qualified biologist. The Project shall obtain CDFW's written approval of the NSO mitigation plan.</u></p>	<u>Permittee shall implement Measure BIO-10 through replacement of lost habitat, if habitat for NSO is found to be within the project development area.</u>	P	PD CDFW	PC/CPI/OG / /

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WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

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June 3, 2025

To Napa County Planning Commission

Sent via email to: meetingclerk@countyofnapa.org

RE June 4, 2025

Item 7B. P&M VINEYARDS HOLDINGS LLC / THE WINERY AT MOUNT
VEEDER/ USE PERMIT APPLICATION #P22-00248-UP, EXCEPTION TO THE
CONSERVATION REGULATIONS #P25-00088-UP AND EXCEPTION TO THE
NAPA COUNTY ROADS AND STREET STANDARDS

To whom it may concern:

Water Audit California ("Water Audit") is a public benefit corporation with a mission to protect the public trust. The following comments are submitted on its own behalf, and in the public interest.

WATER AUDIT GENERAL COMMENTS

Findings of Fact regarding CEQA process are omitted; there is no Publics Works Groundwater Memorandum; no Water Availability Analysis Peer Review has been performed; no wetland delineation has been performed; there is no Geotechnical Study; there is no Water System Feasibility Study; the TIS Worksheet accounting is inaccurate; the Site Plan is incomplete; the Use Permit and Conservation Regulations Exception Permit Checklists are incomplete; the Wastewater Feasibility Study Site Evaluation Report erases critical information; the Water Demand Calculations are inconsistent; and during the hearing process there is no sworn testimony.

CEQA SCH# 2025041466

The Summary Form for Electronic Document Submittal and Notice of Completion omits the US Army Corps of Engineers ("USACE") (regarding the wetland), Caltrans (regarding cumulative traffic impact), and surrounding cities (see <https://ceqanet.opr.ca.gov/2025041466>.)

WATER AUDIT CALIFORNIA
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FINDINGS

The Findings do not demonstrate that review has been performed by the County Department of Public Works. The Findings omit County General Plan Goals and Policies and Code provisions that must to be addressed through the CEQA review:

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

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**

Goal CON-4: Conserve, protect, and improve plant, wildlife, and fishery habitats for all native species in Napa County.

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:**

c) Employ supplemental planting and maintenance of grasses, shrubs and trees of like quality and quantity to provide adequate vegetation core 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 stream side areas, in good condition.

d) Provide protection for habitat supporting special-status species through buffering or other means.

e) Provide replacement habitat of like quantity and quality on- or off-site for special-status species to mitigate impacts to special-status 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 plan communities that contain special-status plant species or provide critical habitat to special-status animal species.

b) 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-42: The County shall work to improve and maintain the vitality and health of its watersheds. Specifically, the County shall:

d) Support environmentally sustainable agricultural techniques and best management practices (BMPs) **that protect surface water and groundwater quality and quantity.**

Chapter 18.108: Napa County Conservation Regulations (Section 18.108.010 NCC) in part encourages: the preservation of the natural resources of the count of Napa; the minimization of grading operations and other such man-made effects in the natural terrain; the preservation of riparian areas and other natural habitat by controlling development near streams and watercourses; and development which minimizes impacts on existing land forms and preserves existing vegetation.”

(Emphasis added)

CONDITIONS OF APPROVAL

There is no Project Scope to install Public Water Supply. A novel scope description “k. Use of existing groundwater well for winery purposes” appears. **Water Audit seeks clarification as to why that scope description is in this condition of approval and not included in other project Conditions of Approval.**

There is no Public Works Groundwater Memorandum.

There is no language such as: “This condition is implemented jointly by the Public Works and PBES Departments”

There is no reference to Groundwater Demand Management Program.

There is no Acre Feet well water extraction limit.

The Mitigation Measures continue to name PBES as a Responsible Agency, and omit CDFW from its Responsible Agency status on several BIO measures.

USE PERMIT APPLICATION

The application omits required materials from the “Checklist” found at <https://www.countyofnapa.org/DocumentCenter/View/16552/Use-Permit--Major-Modification-Application-Winery-Uses>

There is no Geotechnical Report.

There is no Water System Feasibility Report “WSF”.

Water Audit seeks clarification if there are 25 or more persons combined on the domestic residence and winery water system.

Per the County 2005 revised 2018 Memorandum Re: Use Permits and Regulated Water System (see <https://www.countyofnapa.org/DocumentCenter/View/10959/Water-System-Information-for-Use-Permits-2025?bidId=>.)

“If your project will be regulated as a small public water system, **a water system feasibility report will be required as a completeness item at the time a Use Permit application is submitted.** This report ensures that the proposed project can satisfy the technical, managerial and financial requirements set forth by the Water Board and must include the information listed on the attached worksheet. There is a possibility that existing wells may not meet the construction requirements for a regulated water system. If the source does not meet the requirements, a new water supply will have to be developed, which must be reflected in the feasibility report... **In addition to the local requirements, the Water Board requires a water system to also submit a preliminary technical report** demonstrating the water system is viable and ensuring the water system has evaluated whether consolidating with another water system is possible. The County must receive concurrence from the Water Board before any related building permits can be issued.” (Emphasis added)

There are no Completed Business Activities form, or no Cave setback Plan.

Simple clerical, yet critical omissions include: No “Print Name” of Property Owner on Certification and Indemnification; No “Print Name” Signature of Applicant; No Date provided for the Signature of Property Owner; No Signature of Applicant or Date (see packet page 268.)

The initial Statement of Grape Source is not signed nor dated (see packet page 272.)

There is no Application Form page with the required Notice to Adjoining Neighbors List, and there is no List of Adjoining Neighbors in packet.

EXCEPTION TO THE CONSERVATION REGULATIONS

The Conservation Regulations Exception application omits the date received, staff initials, and the permit number. At the lower part of the page the application appears to be altered by erasing the box for what should be filled in by staff for the Fee \$, Receipt, Rec'd by, and Date. The footer also appears to be altered. (see packet page 295.)

No Checklists pages are included. The required Site Plan does not label all existing improvements shown, including structures and parking, and leach field are not sited. No Assessor's pages appear to be used in compiling property owners list. No Pre-Submittal application review meeting with Planning Division Staff Date is noted. (see <https://www.countyofnapa.org/DocumentCenter/View/3363/Conservation-Regulations-Exception?bidId=%20with%C2%A0Sample%20Site%20Plan.>)

BIOLOGICAL RESOURCE REPORT

Figure 1 Sensitive Communities Map legend misrepresents Vineyard Blocks C, D, and F as grasslands. There is no Block E. The legend identifies Block A at 50% greater than Site Plan (packet page 335.) The legend identifies Block B greater than the GIS ECP layer (Exhibit 1) The wetland is sited but omits USACE delineation number or date. The wetland is 80% smaller than the setback designated in the Current Project P&M P19-00080 ECPA Document Center Plans. (see Exhibit 2.)

WATER AVAILABILITY ANALYSIS “WAA”

The Water Availability Analysis was Not Peer Reviewed by the County’s engineering consultant Ludhoff & Scalmanini (“LSCE”).

Per *Water Availability Analysis (WAA) – Guidance Document Adopted May 12, 2015* Public Works requires review.

(see <https://www.countyofnapa.org/DocumentCenter/View/1056/Water-Availability-Analysis-Adopted-Policy-May-12-2015-PDF>.)

“Public Works (PW) staff will review the application for completeness and reasonableness, review the County’s groundwater data management system for additional information about the characteristics of the areas/basin and nearby wells, compare the analysis to the screening criteria, and determine if additional analysis is required...available geologic and hydrologic information, to be provided by County staff... All criteria are based on information outlined in this procedure, as well as a detailed conceptualization of hydrogeologic conditions in the Napa Valley and substantial evidence in the form of monitoring and hydrologic data, past studies, and well drillers’ logs.” (Page 5/6)

The Applicant provided no monitoring and hydrologic data. The Project Well A “May not be representative of a well’s long-term yield” (see packet page 467.)

Not in the agenda packet but found on EDR P18-00001-ECPA Application Completeness Determination-Information Request “1.c Water Availability Analysis (WAA): **The Conservation Division has determined, given the location of the project and of known groundwater issues in this area, that the WAA prepared by Richard C. Slide & Associates (November 2017) will need to be peer reviewed by Luhdorff & Scalmanini (L&S), the County’s Hydrology Consultant, to ensure its adequacy and support its conclusions.**” (emphasis added)

Not in the agenda packet but found on EDR P19-00080-ECPA April 24, 2020 Erosion Control Plan Conditions of Approval Letter:

“11. Groundwater management – Wells. This condition is **implemented jointly by the Public Works** and PBES Departments:

The Permittee shall be required (at the Permittee’s expense) to record well monitoring data (specifically, static water level no less than quarterly, and

the volume of water withdrawn no less than monthly) for all wells supplying water to the project. **Such data will be provided to the Public Works Director in April and October**” (emphasis added)

TRANSPORTATION IMPACT STUDY

The Traffic Generation Worksheet appears to be altered to add an additional 10 trips a day to account for the residence occupants.

Why include it on the worksheet?

No Marketing event trips are calculated into the Traffic Generation Worksheet.

There is no cumulative impact report.

There is no Caltrans review.

The Applicant’s project is another winery in a series of conversions proximate to Chateuneuf du Pott, Hillwalker, Anthem, and Hendry wineries.

GRAPHICS

UP1.0 SITE PLAN No distance is provided between wells, wetlands, tributaries, septic field or cave; No Septic % Reserve; No (E) or (P) Utilities; No Existing Residence, No Septic Field/Vault/Tank/Treatment System. No elevation number on topo contours at Caves and BLOCK C. No Block E. No parking spaces. The designated wetland is omitted. (see Packet page 494.)

WASTEWATER FEASIBILITY REPORT

The WFS calculates Marketing guests at 10 gallons per day, However, the County 2015 WAA Guidance Document calculates guests at 15 gallons per day.

The WFS does not provide an explanation why the winery process water is calculated at 5 gallons per day, and not the County 2015 WAA Guidance Document at calculations of 7 gallons per day.

The WFS contains a RSA+ Site Evaluation document and omits County “Reviewed by:” staff initials, and a Civil Engineer signature appears to be crafted differently from the permit recorded on the Electronic Document Retrieval database. The Pit Map omits the Inspection Date. There are no topographic contours, and no demonstrated existing septic field. The exhibit claims a date of Sept 15, 2021 (see packet page 407-414.) The omissions are found when compared with the recorded permit on the Electronic Document Retrieval database.

Not in the agenda packet but found on EDR record appears to be the same permit E21-00547. That permit identifies County “Reviewed by: MSB” in blue ink and Civil Engineer signature initials in blue ink. (see Exhibit 3) That permit is accompanied with a Pit Map Site Evaluation dated August 27, 2021 by Environmental Health Inspector: Maureen

Shields-Bown, with an exhibit created date August 8, 2022. That Pit Map locates the septic field downgradient and within 400 feet from the caves. (Exhibit 4)

The flawed SD Site Evaluation Report appears to not disclose the elevation and distance between the caves and the existing septic field.

Not in the agenda packet but found on County's website is a January 2004, revised November 2009, March 7, 2011, and March 1, 2013 Memorandum RE: Procedure to verify septic system and cave clearance distances. The County Documents uploaded the cave memorandum on February 20, 2025, twelve years after it was created. (see <https://www.countyofnapa.org/DocumentCenter/View/10960/Cave-Setback-memo-2025?bidId=>.) It states:

"The clearance distances between caves and septic systems were established to ensure that appropriate health and safety considerations have been made with respect to the location of cave structures and septic systems. Napa County Code, Section 13.28.040 establishes minimum clearance distances between septic systems and cave structures and this memo describes the process for demonstrating the proposed cave meets the appropriate clearance. In developing the clearance distances and this procedure, the potential impact of cave drains on existing septic systems was considered as well as the potential impact of the septic system on a cave.

The following procedure will be used to verify distances between the cave and septic system(s) meet the minimum clearance distances specified in County Code, Section 13.28.040:

Prior to this Division recommending approval of Use Permit applications and building permit applications not requiring a Use Permit, an accurate legible plan showing all existing septic systems within 400 feet of the cave must be submitted for review and approval. Full scaled drawings of the cave structure must be submitted showing cave tunnel elevations. Additionally, if a cave is proposed upgradient of an existing or proposed septic system the plan must include details on cave drainage to evaluate the potential impact on existing or proposed septic systems located downgradient of the cave structures." (Emphasis added)

The Public Trust

The public trust is evergreen; every new day of injury or violation creates a new cause of action. “Public rights cannot be lost nor the public trust as to their administration and exercise be destroyed either by adverse possession or by laches or other negligence on the part of the agents of the state or municipality who may from time to time be invested with the duty of their protection and administration.” (*San Diego v. Cuyamaca Water Co.* (1930) 209 Cal. 105, 109.) Public agencies have a ministerial duty to consider the public trust interest, and mitigate harm when feasible, when making its daily decisions to divert water, by the operations and/or permitting of well extractions that impact the Napa River. (See *Envtl. Law Found. v. State Water Res. Control Bd.* (“*Envtl. Law Found.*”) (2018) 26 Cal.App.5th 844, 852.)

Once an appropriation is approved, “the public trust imposes a duty of continuing supervision over the taking and use of the appropriated water.” (*Nat’l Audubon Soc’y v. Superior Court* (“*Audubon*”) (1983) 33 Cal.3d 419, 424.) A public agency is “not confined by past allocation decisions that may be incorrect in light of current knowledge or inconsistent with current needs [and] accordingly has the power to reconsider allocation decisions even though those decisions were made after due consideration of their effect on the public trust.” (*Audubon*, supra, 33 Cal.3d 419, 424; see also *Cal. Trout v. State Water Res. Control Bd.* (1989) 207 Cal.App.3d 585, 629, stating that “the rule in section 5946 pertains to a public trust interest no private right in derogation of that rule can be founded upon the running of a statute of limitations, for the same reasons that one may not acquire an interest in public lands by means of adverse possession.”.)

[T]he determinative fact is the impact of the activity on the public trust resource. If the public trust doctrine applies to constrain fills which destroy navigation and other public trust uses in navigable waters, it should equally apply to constrain the extraction of water that destroys navigation and other public interests. Both actions result in the same damage to the public trust. The distinction between diversion and extraction is, therefore, irrelevant. The analysis begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust.

(*Envtl. Law Found.*, supra, 26 Cal.App.5th 844.)

Tributaries to navigable waterways are also subject to the public trust doctrine. For example, see Fish and Game Code section 711.7. (a) which states in part “The fish and wildlife resources are held in trust for the people of the state ...”

The public trust doctrine imposes independent and unavoidable obligations on trustee agencies overseeing groundwater extraction. California precedent makes clear that subdivisions of the state¹ have “a duty to consider the public trust interest² when making decisions impacting water that is imbued with the public trust,”³ and merely complying with CEQA does not discharge that duty.⁴

The public trust requires reconsideration of past or ongoing water use decisions where those decisions were made “without any consideration of the impact upon the public trust.”⁵ Thus, compliance with public trust duties is not discretionary, it is obligatory.

As Napa County is a legal subdivision of the state, it must deal with the trust property for the beneficiary’s⁶ benefit. No trustee can properly act for only some of the beneficiaries – for example the trustee must represent them all, taking into account any differing interests of the beneficiaries, or the trustee cannot properly represent any of them. (*Bowles v. Superior Court* (1955) 44 C2d 574.) This principle is in accord with the equal protection provisions of the Fourteenth Amendment to the US Constitution.

Furthermore, there can be no vested rights in water use that harm the public trust. Regardless of the nature of the water right in question, no water user in the State “owns” any water. Instead, a water right grants the holder thereof only the right to use water, a “usufructuary right”. The owner of “legal title” to all water is the State in its capacity as a trustee for the benefit of the public. Both riparian and appropriative rights are usufructuary only and confer no right of private ownership in the watercourse, which belongs to the State. (*People v. Shirokow* (1980) 26 Cal.3d 301 at 307.)

¹ *Env’t L. Found. (ELF) v. State Water Res. Control Bd.* (SWRCB) (2018), 26 Cal. App. 5th 844, 868 (“Although the state as sovereign is primarily responsible for administration of the trust, the county, as a subdivision of the state, shares responsibility for administering the public trust and may not approve of destructive activities without giving due regard to the preservation of those resources.”) (internal quotation marks omitted).

² The Napa River and its tributaries, and the fish within those water ways, are protected public trust resources.

³ *Id.* at 863.

⁴ *Id.* at 868.

⁵ *Nat’l Audubon Soc’y v. Superior Ct.* (1983) 33 Cal. 3d 419, 426.

⁶ i.e. people of California

If at any time the trustee determines that a use of water other than the then current use would better serve the public trust, the State has the power and the obligation to reallocate that water in accordance with the public's interest. Even if the water at issue has been put to beneficial use (and relied upon) for decades, it can be taken from one user in favor of another need or use. The public trust doctrine therefore means that no water rights in California are "vested" in the traditional sense of property rights.

Fish & Game Code, section 1600 provides:

The Legislature finds and declares that the protection and conservation of the fish and wildlife resources of this state are of utmost public interest. Fish and wildlife are the property of the people and provide a major contribution to the economy of the state, as well as providing a significant part of the people's food supply; therefore their conservation is a proper responsibility of the state.

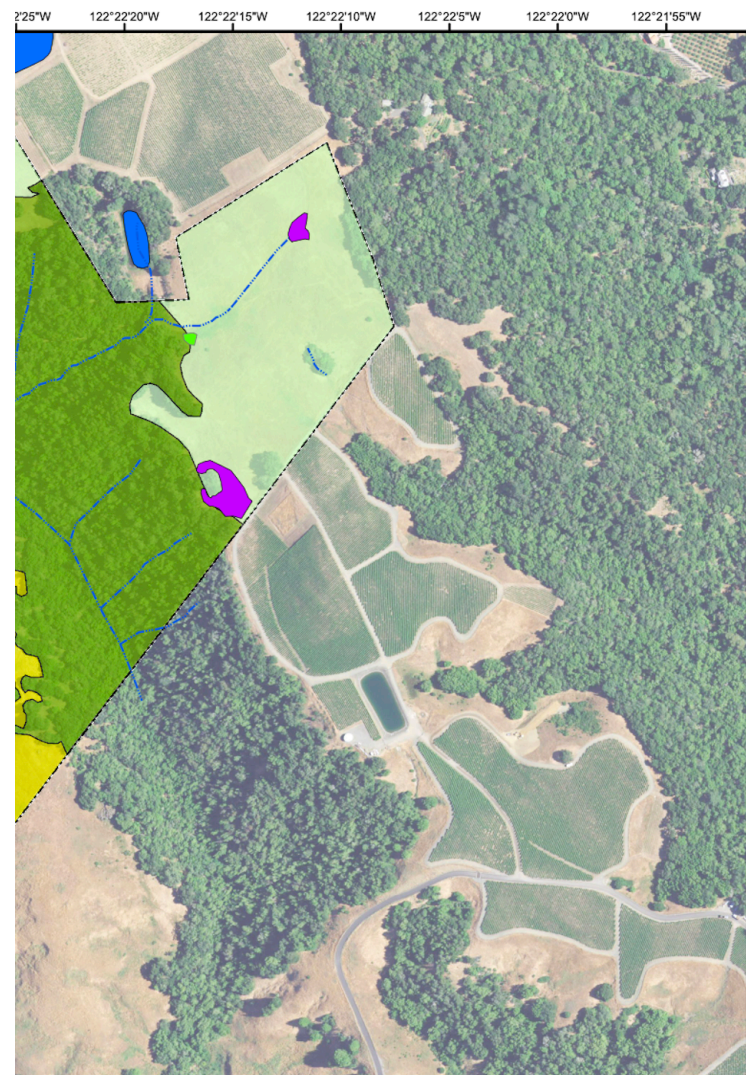
The California Department of Fish & Wildlife (CDFW):

... is California's Trustee Agency for the State's fish, wildlife, and plant resources. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitats necessary for biologically sustainable populations of those species. For the purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.
(<https://wildlife.ca.gov/Conservation/Environmental-Review/CEQA>.)

Respectfully,



William McKinnon
General Counsel
Water Audit California



Sensitive Communities Map

1300 Mt. Veeder Road
Winery & Driveway Expansion Project
Napa County, California

Sensitive Communities

- Mixed Oak (81.0 ac)
- Riparian Woodland (6.7 ac)
- Purple needlegrass (0.73 ac)
- Seasonal Wetland (0.04 ac)

Streams & Stream Features

- Ephemeral Stream
- Top of Bank
- Relict Channel
- Gully
- Stream (Pickle Creek)

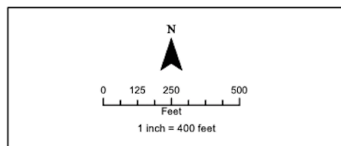
Other Communities

- California Annual Grasslands (9.2)
Agriculture

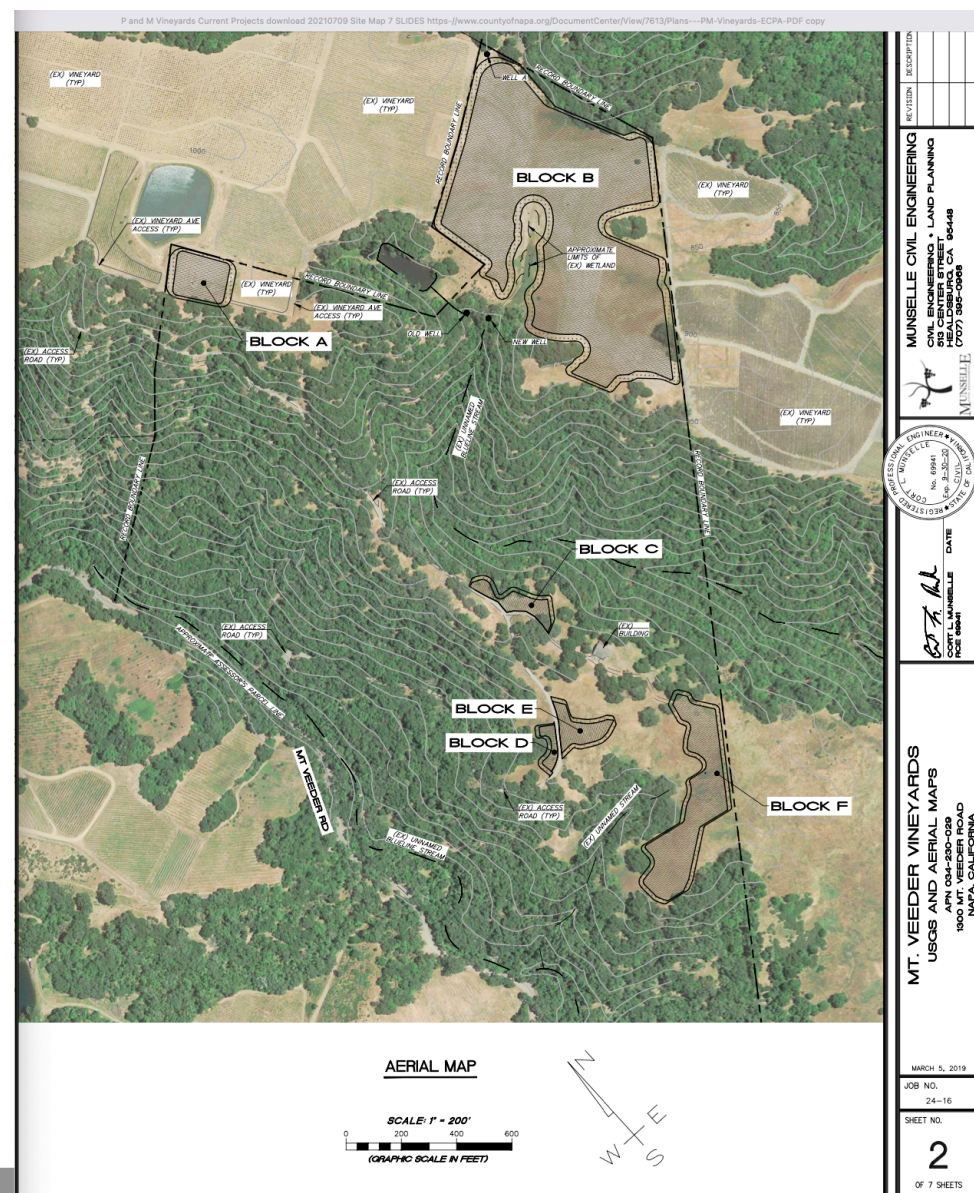


Coordinate System:
NAD_1983_StatePlane_California_II_FIPS_0402_Feet
Projection: Lambert_Conformal_Conic
Datum: North American 1983

Map created: 4-26-2022
Data: Sol Ecology Inc, Napa Co., WRA
Base: NAIP 2016
GIS: AG2139



335



AERIAL MAP

SCALE: 1" = 200'

200 400

GRAPHIC SCALE IN FEET

[illegible]

RSA+ Project Number: 4121017.0

**Napa County Department of
Environmental Management**

SITE EVALUATION REPORT

Please attach an 8.5" x 11" plot map showing the locations of all test pits triangulated from permanent landmarks or known property corners. The map must be drawn to scale and include a North arrow, surrounding geographic and topographic features, direction and % slope, distance to drainages, water bodies, potential areas for flooding, unstable landforms, existing or proposed roads, structures, utilities, domestic water supplies, wells, ponds, existing wastewater treatment systems and facilities.

Permit #: E12-00547

APN: 034-230-029

(County Use Only)
Reviewed by:

Date:

PLEASE PRINT OR TYPE ALL INFORMATION

Property Owner Gavin Sharrocks	<input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Addition <input type="checkbox"/> Remodel <input type="checkbox"/> Relocation <input type="checkbox"/> Other:
Property Owner Mailing Address 1300 Mount Veeder Rd.	<input type="checkbox"/> Residential - # of Bedrooms: Design Flow : gpd
City Napa	<input checked="" type="checkbox"/> Commercial - Type: Winery
State CA	Sanitary Waste: 400± gpd Process Waste: N/A gpd
Zip 94558	<input type="checkbox"/> Other:
Site Address/Location 1300 Mount Veeder Rd. Napa, CA 94558	Sanitary Waste: gpd Process Waste:

Evaluation Conducted By:

Company Name RSA+	Evaluator's Name Margaret Schneider	Signature (Civil Engineer, B.E./S.E., Geologist, Soil Scientist)
Mailing Address: 1515 Fourth Street	Telephone Number 707-252-3301	
City Napa	State CA	Zip 94559
	Date Evaluation Conducted 8/27/2021	

Primary Area

Acceptable Soil Depth: in. Test pit #'s: 3, 4, 6, 8, 9
Soil Application Rate (gal./sq. ft./day): 0.2
System Type(s) Recommended: Geoflow with pretreatment
Slope: 15% max Distance to nearest water source: >100 ft.
Hydrometer test performed? No ☒ Yes ☐ (attach results)
Bulk Density test performed? No ☒ Yes ☐ (attach results)
Percolation test performed? No ☒ Yes ☐ (attach results)
Groundwater Monitoring Performed? No ☒ Yes ☐ (attach results)

Expansion Area

Acceptable Soil Depth: Test pit #'s: 3, 4, 6, 8, 9
Soil Application Rate (gal./sq. ft./day):
System Type(s) Recommended:
Slope: % Distance to nearest water source:
Hydrometer test performed? No ☒ Yes ☐ (attach results)
Bulk Density test performed? No ☒ Yes ☐ (attach results)
Percolation test performed? No ☒ Yes ☐ (attach results)
Groundwater Monitoring Performed? No ☒ Yes ☐ (attach results)

Site constraints/Recommendations:

4 pits were deemed acceptable to a minimum of 24". These pit locations will require 6" of fill soil upon system install. The proposed system is being proposed as part of a winery development project and will only serve winery domestic needs. A separate process wastewater system is being proposed for treated wastewater disposal to vineyard irrigation.

RSA+ Project Number: 4121017.0

**Napa County Department of
Environmental Management**

SITE EVALUATION REPORT

Please attach an 8.5" x 11" plot map showing the locations of all test pits triangulated from permanent landmarks or known property corners. The map must be drawn to scale and include a North arrow, surrounding geographic and topographic features, direction and % slope, distance to drainages, water bodies, potential areas for flooding, unstable landforms, existing or proposed roads, structures, utilities, domestic water supplies, wells, ponds, existing wastewater treatment systems and facilities.

Permit #: E21-00547

APN: 034-230-029

(County Use Only)
Reviewed by: MSB

Date:

PLEASE PRINT OR TYPE ALL INFORMATION

Property Owner Gavin Sharrocks	<input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Addition <input type="checkbox"/> Remodel <input type="checkbox"/> Relocation <input type="checkbox"/> Other:
Property Owner Mailing Address 1300 Mount Veeder Rd.	<input type="checkbox"/> Residential - # of Bedrooms: Design Flow : gpd
City Napa	<input checked="" type="checkbox"/> Commercial - Type: Winery
State CA	Sanitary Waste: 400± gpd Process Waste: N/A gpd
Zip 94558	<input type="checkbox"/> Other:
Site Address/Location 1300 Mount Veeder Rd. Napa, CA 94558	Sanitary Waste: gpd Process Waste:

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Company Name RSA+	Evaluator's Name Margaret Schneider	Signature (Civil Engineer, B.E./S.E., Geologist, Soil Scientist)
Mailing Address: 1515 Fourth Street	Telephone Number 707-252-3301	
City Napa	State CA	Zip 94559
	Date Evaluation Conducted 8/27/2021	

Primary Area

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Percolation test performed? No ☒ Yes ☐ (attach results)
Groundwater Monitoring Performed? No ☒ Yes ☐ (attach results)

Expansion Area

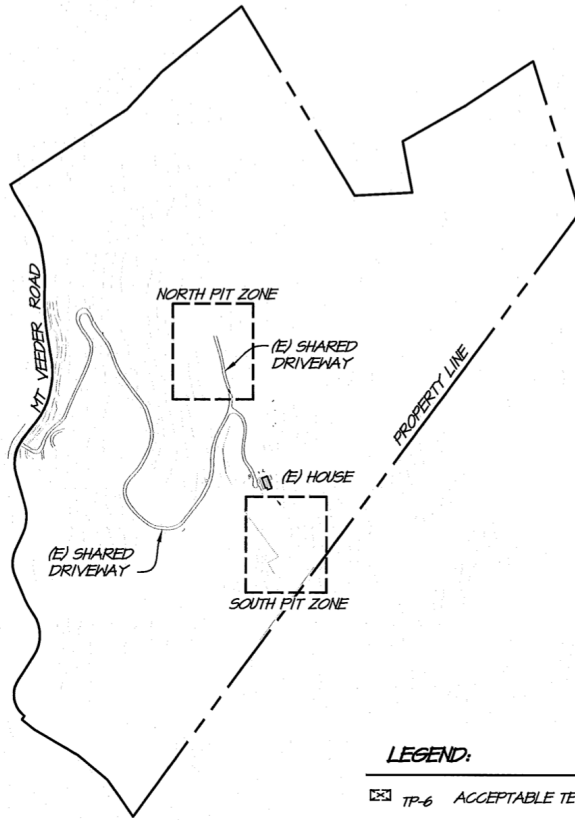
Acceptable Soil Depth: Test pit #'s: 3, 4, 6, 8, 9
Soil Application Rate (gal./sq. ft./day):
System Type(s) Recommended:
Slope: % Distance to nearest water source:
Hydrometer test performed? No ☒ Yes ☐ (attach results)
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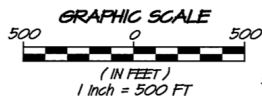
P & M VINEYARD HOLDING PIT MAP

NAPA COUNTY CALIFORNIA



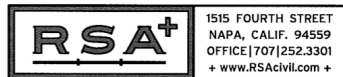
SITE PLAN

SCALE: 1" = 50'



LEGEND:

- TP-6 ACCEPTABLE TEST PIT LOCATION
- TP-7 UNACCEPTABLE TEST PIT LOCATION

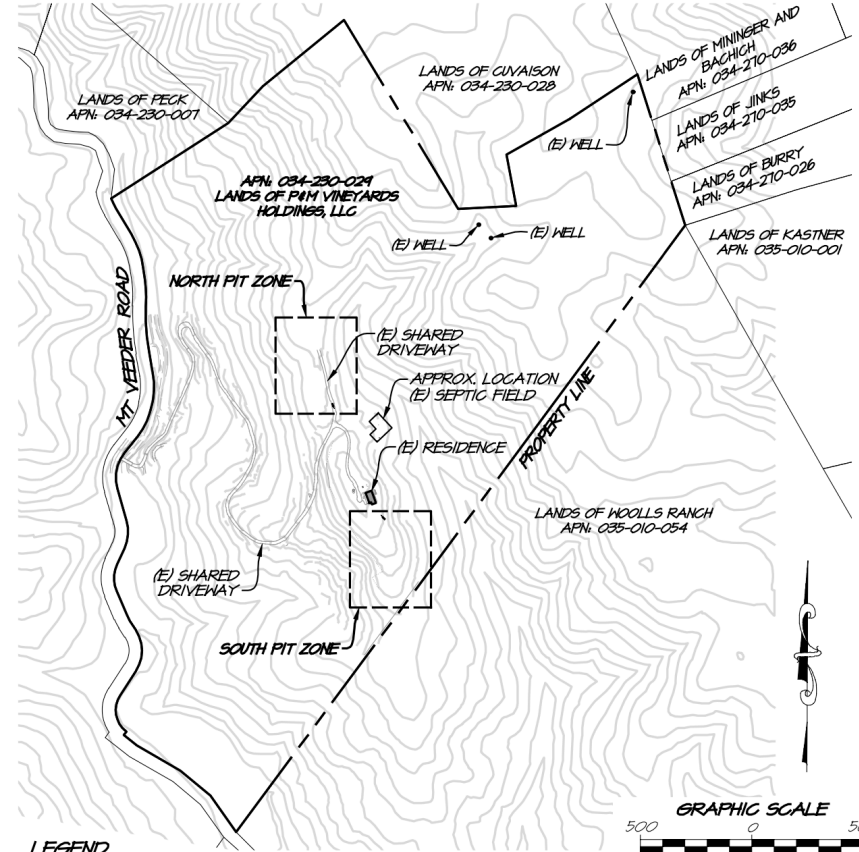


RSA* | CONSULTING CIVIL ENGINEERS + SURVEYORS + GIS 1980

SEPT 15, 2021 4121017.0 Exh Pit Map 412

P & M VINEYARD HOLDING PIT MAP

NAPA COUNTY CALIFORNIA



LEGEND

- ACCEPTABLE TEST PIT LOCATION
- UNACCEPTABLE TEST PIT LOCATION

SITE EVALUATION DATE: AUGUST 27, 2021
APN: 034-230-024
ADDRESS: 1300 MOUNT VEEDEER ROAD
NAPA, CA 94558
ENV. HEALTH INSPECTOR: MAUREEN SHIELDS-BOWN



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AUGUST 8, 2022 4121017.0 Exh-Pit Map.dwg