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Notices, Division and
Agency Memos, and
Correspondence

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



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

NEW PROJECT SUBMITTAL COURTESY NOTICE

DATE: October 4, 2022

SUBJECT: P22-00309; Tesseron Winery
1000 Wall Road, Napa, CA; APN 027-060-022

On September 1, 2022, the Napa County Planning Division received a request for a Use Permit to approve a new 20,000 gallon per year production winery located inside a cut and cover Type I cave with NO tours and tastings or events. The property is located at 1000 Wall Road, Napa, CA and is zoned Agricultural Watershed (AW).

The Napa County Planning Division is processing a request to establish a new winery on a 43.26 acre parcel located at 1000 Wall Road. The application, if approved, will allow for a new 20,000 gallon per year winery within a cut and cover Type 1 cave. The winery would have no tours and tastings and no marketing events. The underground winery will consist of 14,729 square foot (sf) which will contain a 3,645 sf fermentation, used for winemaking, fermentation, aging, barrel storage, bottling, case good storage, dry good storage and shipping and receiving. Additionally, within the 14,729 sf of caves there will be an office, lab and two restrooms. Outside of the cave, the visible component of the Winery will be a 2,750 sf covered crush pad and a 348 sf covered mechanical equipment area as well as an enclosed refuse/recycling area and parking. The winery proposes 1 full time and 3 part-time employees. The property for which the project is proposed is owned by Tesseron Vineyards – Alfred Tesseron. The project sponsor is Jon Webb, who can be reached at phone number (707) 290-6740 and email address jwebb@albionsurveys.com.

The Planning Division has commenced review and processing of the application referenced above. During that time, County Staff will work with the applicant on documenting and analyzing the project's potential to result in environmental impacts, as well as evaluating the project for consistency with the County General Plan, Zoning Code, and applicable ordinances. Once County Staff has completed review the proposal will be scheduled for a public hearing before the Planning Commission. If you have received this courtesy notice by direct mail from County Staff, you will be included in the mailing of the formal notice of public hearing to consider this application.

Additional information about this proposed Use Permit Application is available for review at the Planning, Building and Environmental Services Department located on the second floor of the County Administration Building, 1195 Third Street, Napa. Information can also be viewed online at the Planning Division's current projects webpage: <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

If you have any questions regarding the application or the process, please contact Dana Morrison, by telephone at (707) 253-4437 or by e-mail at dana.morrison@countyofnapa.org.



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PUBLIC NOTICE

NOTICE OF PLANNING COMMISSION HEARING & NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

On Wednesday morning, the 16th day of April 2025, at 9:00 a.m. at 1195 Third Street, Suite 305, Napa, California, a public hearing will be conducted by the Napa County Planning Commission regarding the project identified below. All interested persons are invited to attend the hearing and be heard.

Tesseron New Winery Use Permit #P22-00309

Location: The project is located on an approximately 43.26-acre site within the AW (Agricultura Watershed) zoning district located at the terminus of Wall Road, approximately 2.0 miles from the intersection of Wall Road and Dry Creek Road; primary APN: 027-060-022-000 (location of proposed winery) and APNs within the same holding and under the same ownership: 027-060-020-000 (location of spoils dispersal areas), 027-060-023-000, 027-060-024, 051-200-016 (parcel located in Sonoma County and location of proposed fire water storage tank) and 051-010-079 (also located in Sonoma County).

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures (or MM's). MM's are proposed for the following area(s): Biological Resources. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: approval of a Use Permit to allow a new winery with NO TOURS and TASTINGS, and NO VISITATIONS with an annual production capacity of 20,000 gallons per year with the following characteristics:

- a. Construction of a new 14,729 square foot (sf) cut and cover Type I cave with a 2,750-sf covered crush pad and a 348-sf covered mechanical equipment area with an enclosed trash/recycling area;
- b. Excavation of approximately 20,000 cubic yards of spoils associated with the cave and construction of structure pads, all of the spoils will be distributed within the subject parcel or on neighboring parcels under the same ownership, with spoils specifically occurring on APN 027-060-020 at various locations but outside of all required stream and ephemeral setbacks;
- c. Onsite parking for three (3) vehicles; one (1) handicapped, one (1) compact and one (1) standard;
- d. Up to one (1) full-time employee, and three (3) part-time employees;
- e. Installation of a 50,000-75,000-gallon Fire Protection Water Tank located on a parcel (APN: 051-200-016-000) under the same ownership but within the jurisdiction of the County of Sonoma (this will require the submittal and approval of building permit from Sonoma);
- f. Upgrades to the existing wastewater system – with winery wastewater being collected, treated, and stored to be reused for irrigation onsite;
- g. Installation of a new onsite Septic System and identification of new reserve area;
- h. Removal of 15 native tree species, with replanting and permanent preservation of 45 trees;
- i. Use of an existing on-site spring, currently used for residential water use, that will become the water source for the winery while the residence will be served by an existing well;
- j. Improvements to the existing paved driveway from Wall Road to ensure it meets Napa County Road and Street Standards.

The proposed Mitigated Negative Declaration is available for inspection, along with copies of all documents which relate to the above-described project, between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday, at the office of the Napa County Planning, Building, & Environmental Services Department, 1195 Third Street, Suite 210, Napa, California.

Application materials are available on the Department's Current Projects Explorer at: <https://www.countyofnapa.org/2876/Current-Projects-Explorer>

Copies of documents and other information relating to the project described above may be examined between 8:00 AM and 4:00 PM Monday through Friday at the office of the Planning, Building, and Environmental Services Department, Napa County Administration Building, 1195 Third St, Ste 210, Napa, California. For documents that are publicly available on the Current Projects Explorer, there will be a Public Record Copying Fee associated with the physical printing of documents. While drops-in may be accommodated to the extent possible on a case-by-case basis, we strongly encourage you to schedule an appointment for document review.

Written and verbal comments regarding this project and comment regarding the environmental effects of this project and the adequacy of the proposed Mitigated Negative Declaration are solicited. Written comments or appointment requests to review documents should be directed to Dana Morrison, Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Suite 210, Napa, California; (707) 253-4437 or dana.morrison@countyofnapa.org. Comment period runs from March 13thst, 2025 through April 15th, 2025.

If you challenge the particular proceeding in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

DATED: March 13, 2025

Brian D Bordona
Director of Planning, Building, & Environmental Services

PLEASE DO NOT PUBLISH BELOW THIS LINE. THANK YOU

PUBLISH: Thursday March 13, 2025 - Napa Valley Register

**Bill to: Planning, Building & Environmental Services
1195 Third Street, Ste 210
Napa, Ca. 94559
Invoice #**



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PUBLIC NOTICE

NOTICE OF PLANNING COMMISSION HEARING & NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

On Wednesday morning, the 2nd day of July 2025, at 9:00 a.m. at 1195 Third Street, Suite 305, Napa, California, a public hearing will be conducted by the Napa County Planning Commission regarding the project identified below. All interested persons are invited to attend the hearing and be heard.

Tesseron New Winery Use Permit #P22-00309

Location: The project is located on an approximately 43.26-acre site, located within a larger land holding, within the AW (Agricultura Watershed) zoning district located at the terminus of Wall Road, approximately 2.0 miles from the intersection of Wall Road and Dry Creek Road. The holding contains six (6) parcels, all under the same ownership, APNs: 027-060-022-000 (location of proposed winery), 027-060-020-000 (location of spoils dispersal areas), 027-060-023-000 (existing parcel in holding with vineyard), 027-060-024-000 (existing parcel in holding with vineyard), and two parcels in Sonoma County 051-010-079-000 (open space) and 051-200-016-000 (location of proposed fire water storage tank).

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration (MND). According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures (or MM's). MM's are proposed for the following area(s): Biological Resources. The MND was circulated for public comment during the initial Public Hearing notice and Notice of Intent to Adopt a MND, which ran from March 13thst, 2025 through April 15th, 2025; State Clearinghouse Number 2025030568. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval of a Use Permit to allow a 14,729 square foot new winery within a cut and cover Type I cave (no tours, tastings or visitation) with a production capacity of 20,000 gallons per year and includes widening the access driveway to County Road and Street Standards.

Application materials are available on the Department's Current Projects Explorer at: <https://www.countyofnapa.org/2876/Current-Projects-Explorer> Copies of documents and other information relating to the project described above may be examined between 8:00 AM and 4:00 PM Monday through Friday at the office of the Planning, Building, and Environmental Services Department, Napa County Administration Building, 1195 Third St, Ste 210, Napa, California. For documents that are publicly available on the Current Projects Explorer, there will be a Public Record Copying Fee associated with the physical printing of documents. While drops-in may be accommodated to the extent possible on a case-by-case basis, we strongly encourage you to schedule an appointment for document review.

Written and verbal comments regarding this project are solicited. Comments regarding the environmental effects of this project and the adequacy of the proposed Mitigated Negative Declaration will be received and considered as part of the record, however, as noted above the public comment period for the MND concluded on April 15, 2025. Written comments or appointment requests to review documents should be directed to Dana Morrison, Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Suite 210, Napa, California; (707) 253-4437 or dana.morrison@countyofnapa.org. Comment period for the project runs from June 19, 2025 through noon on June 30, 2025.

If you challenge the particular proceeding in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

DATED: June 12, 2025

Brian D Bordona
Director of Planning, Building, & Environmental Services

PLEASE DO NOT PUBLISH BELOW THIS LINE. THANK YOU

PUBLISH: Thursday June 19, 2025 - Napa Valley Register

Bill to: Planning, Building & Environmental Services
1195 Third Street, Ste 210
Napa, Ca. 94559
Invoice #



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October 4, 2022

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

Email: jwebb@albionsurveys.com

Jon Webb
New Albion
1113 Hunt Avenue
St. Helena, CA 94574

Re: P22-00309; Tessoron Vineyards
1000 Wall Rd, Napa; APN 027-060-022-000
Application Status Letter

Dear Mr. Webb:

Thank you for your September 1, 2022, submittal of the referenced New Winery Use Permit. An initial review of the subject application has been conducted. Upon review of your application staff has determined that your application is incomplete pursuant to Government Code Section 65943. The additional information listed below is needed to enable the County to continue with the review of your application.

PROJECT REVIEW STATUS BY DIVISION.			
DIVISION	REVIEW STATUS	REVIEWERS NAME	CONTACT INFO
PLANNING	INCOMPLETE – SEE COMMENTS	Dana Morrison	707-253-4437
BUILDING	COMMENTS TO FOLLOW AT FUTURE DATE	Stacie Gutierrez	707-299-1337
CODE ENFORCEMENT	APPROVED	Akenya Robinson-Webb	707-253-4336
ENGINEERING	APPROVED- SEE RECOMMENDED COAs	Raulton Haye	707-253-4621
ENV HEALTH	APPROVED – RECOMMENDED COAs TO FOLLOW	Armeda Simpson-VanDam	707-259-8301
FIRE DEPARTMENT	APPROVED – SEE RECOMMENDED COAs	Jason Downs	707-299-1464
PUBLIC WORKS/TRAFFIC	APPROVED – SEE COMMENTS	Ahsan Kazmi, P. E.	707-259-8370

Planning Division

Please clarify or provide the following information:

1. Per the Grape Origin page of the application, the Project description should include information on the location and quantity of grapes. Please revise the Project Description/Narrative to include.
 - a. Will Tessoron utilize estate grapes? If yes, what percentage of grapes are estate grapes.
2. Please provide a Biological Study for the project. The project is located with potential Northern Spotted Owl Habitat and likely a spotted owl survey will be required.
3. Project is within the AW zoning district, as such please provide vegetation coverage removal and retention information/analysis based on 1993 vegetation totals and parcel configuration, including a map that include the following information:
 - a. Tree Canopy coverage:
 - i. Tree canopy cover (1993) _____ acres
 - ii. Tree canopy cover to be removed _____ acres _____ %
 - iii. Tree canopy cover to be retained _____ acres _____ %
 - b. Understory (i.e. brush, shrubs, grasses):
 - i. Understory cover (1993) _____ acres
 - ii. Understory cover to be removed _____ acres _____ %
 - iii. Understory cover to be retained _____ acres _____ %
4. Could you provide a list of the trees to removed (species and size is unclear in some sections of the civil plans, so please be sure to include DBH and species). To meet the new BAAQMD GHG CEQA thresholds the project will need to show no net loss in carbon sequestration. Any trees proposed for removal will need to be replanted on-site at 1:1 ratio on land which has slopes under 30% and which is located outside any creek or ephemeral drainage setbacks. If any Valley Oaks are proposed for removal a larger replant ratio may be required (depending on the size of the tree proposed for removal). Project should designate a proposed restoration area where any trees proposed for removal will be replaced and maintained.
5. Per the new BAAQMD requirements natural gas is no longer permitted to be used for commercial enterprises. If the employee kitchen or offices currently propose to utilize natural gas, this will need to be revised.
6. Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.
7. As ground disturbance is proposed, please provide a Cultural Report.
8. BMP notes installation of a retention swale, which I see located on page 9 of the Civils, please include further details regarding the retention area; size, plantings etc.

9. Please provide an updated WAA which includes all future water use demands including all landscaping, and planting areas. This includes any watering necessary for the green roof and for any require replanting or screening areas.
10. Please provide a colors and materials board for project elements that will be visible (dome, exterior crush area, trash enclosures, etc). Specifically a physical board which will be used to present the colors and materials to the Planning Commission at the Public Hearing.
11. I would like to arrange a site visit to take site photos and assess a few ephemeral streams (which are noted on our County GIS layer), and the viewshed potential of the proposed winery development. Wall Road is a designated County Viewshed Road and it needs to be determined if said road (and any additional viewshed roads are visible from the proposed winery site). See Figure A at end of Review Letter for an aerial showing the County GIS Ephemeral streams.
12. Please note that, as a result of new Bay Area Air Quality Management District regulations adopted earlier this year, the items noted in the Voluntary Best Management Practices Checklist (if project is approved) will be REQUIRED best management practices not VOLUNTARY. As such, please review and ensure that all practices noted in the checklist are achievable. Revise as necessary.
 - a. Please include location of EV charging station parking spots, as noted it is noted they are planned to be installed in the GHG Best Management Practices Form. Are these the two 2 standard parking stalls noted on page 8 of the Civil plans?
13. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this Use Permit. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
 - a. Any landscaping water use needs to be included in the WAA analysis.
 - b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
14. Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

15. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.
16. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.
17. An Early Project Courtesy Notice is required to be sent out per County Code. Any comments received as a result of the Courtesy Notice will be communicated to the applicant.
18. As staff prepares the environmental analysis, staff report, and associated work, you may be contacted for additional information for clarification purposes.

Building Division – Recommended COAs

1. The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.
2. **The plans provided for the application do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.**
3. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, “**only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit**”. The codes adopted at this time are 2019 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.
4. At the time of submittal your design professional will need to
5. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities a separate demolition permit will be required from the Napa County Building Division prior to the removal. Please note the applicant will be required to provide a “J” number from the Bay Area Quality Management District at the time the applicant applies for a demolition permit if applicable.
6. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public. At the time of Permit Submittal your design professional shall submit plans for egress and accessibility for review.

7. Outdoor assembly use areas are required to be accessible per scoping requirements found in Chapter 11B of the California Building Code. Increase in parking spaces will trigger additional accessible parking spaces.
8. If your marketing plan is proposing events please be aware that no events will be allowed in portions of the building that are not permitted under the Assembly occupancy requirements, this includes fermentation and barrel rooms. Please keep this in mind when you planning your footprint and applying for the building permits
9. Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707) 299-1337.
10. **All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Design Professional, such as an Architect and/or Engineer in accordance with California Business and Professions Code Chapter 3, and the California Building Code, Chapter 1.**

Code Enforcement

1. Approved. No COAs provided.

Engineering Services

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

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

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

PREREQUISITES FOR ISSUANCE OF PERMITS

2. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.

3. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
4. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
5. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.
6. **Prior to issuance of a building permit** the owner shall prepare a [Choose a Stormwater Project Type] Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA PostConstruction Manual for review and approval by the Engineering Division in PBES.
7. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES DURING PROJECT CONSTRUCTION

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

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY.

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

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

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

Any changes in use may necessitate additional conditions for approval.

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

Environmental Health

1. Approved. Recommended COAs being drafted and to follow at a later date.

Fire Department

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

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes, and ordinances at the time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested, and finalized.
3. Where conditions listed in 2019 California Fire Code Section 105.7 are proposed, separate permits will be required prior to Building Permit issuance for:
 - a. Automatic fire-extinguishing system,
 - b. Emergency responder radio coverage systems,
 - c. Fire alarm and detection systems and related equipment,
 - d. Fire pumps and related equipment.
4. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards
5. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.
6. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
7. Driveways shall be a minimum of 10 feet in width with a 4 foot shoulder and 15 foot vertical clearance.
8. Turnouts shall be a minimum of 12 feet in width, 30 foot in length and 25-foot taper on each end.
9. Turnarounds are required on driveways and dead-end roadways.
10. Grades for all roadways and driveways shall not exceed 16 percent.
11. Roadway radius shall not have an inside radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.

12. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards and CA Fire Safe Regulations for projects within SRA.
13. Commercial - Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with California Fire Code Appendix B and the Napa County Municipal Code.
14. Commercial - Approved steamer hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24.
15. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.
16. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24 for the installation of Underground Fire Protection Mains.
17. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
18. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination.
19. Provide 100 feet of defensible space around all structures.
20. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.
21. Emergency responder radio coverage **in** new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development

Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1466 or email at adam.mone@countyofnapa.org.

Public Works

1. Approved - Based on the trip generation worksheet provided along with the Use Permit Application, TIS report not warranted, left turn lane warrant analysis not warranted, no COA is applied.

Please be aware that this is an identification of information known to be necessary at this time to continue processing of your application. Further review of your project may necessitate the request for additional information, including supplemental reports in the event County staff determines that submitted reports have been prepared in a manner inconsistent with County protocol or otherwise inadequate for the purposes of application processing and evaluation under the California Environmental Quality Act (CEQA).

Thank you in advance for providing the above material. Please insure that all revised plans, reports, or other resubmitted documents are clearly marked "revised" and dated. When you are ready to submit a full resubmittal responding to all comments and requests for additional information, please contact me for instructions on use of the Napa County File Sharing website.

Please be advised that failure to provide the responsive information requested above, within 120 days of the date of this letter, shall cause the application to be deemed "abandoned" in accordance with Section 401(b)(2) of Napa County's Local Procedures for Implementing the California Environmental Quality Act, unless the Planning Director grants a request for an extension to that deadline as also provided in the Procedures. Once an application is deemed abandoned, County staff will do no further work on the proposed project without submission of a new application and payment of new fees.

You must be in compliance with the scope of your current entitlements at all times. While your application is in process you are not authorized to anything beyond your current entitlements. You should not begin the activities requested under this application until you receive approval.

If you have any questions about this letter or other matters relating to your application, please feel free to contact me at (707) 253-4437 or by e-mail at dana.morrison@counttofnapa.org.

Sincerely,



Dana Morrison
Planner III

Attachments

Figure A: Ephemeral Streams and Viewshed on 1000 Wall Road



Ephemeral Streams are noted in BLUE. Wall Road (a viewshed roadway) is noted in RED.

NEW ALBION SURVEYS

CONSULTING LAND SURVEYORS

1113 Hunt Avenue, St. Helena, CA 94574
(707) 963-1217 ♦ FAX (707) 963-1829
E-Mail: jwebb@albionsurveys.com

April 20, 2023

Ms. Dana Morrison
Napa County Planning Department
Via Upload

Re: Tesseron Winery, P-22-00309

Dear Dana:

In response to your Incomplete Letter dated October 4, 2022, we offer the following response:

Planning Division –

1. All of the grapes from the property will be used at the proposed Winery as noted in the Project Narrative, approximately 80-100 tons.
2. A northern spotted owl assessment is included with this letter.
3. Project is within the AW zoning district however it is not within a municipal watershed so 1993 vegetation retention requirements do not apply. In accordance with 18.108.020 C. an analysis of vegetation canopy cover was prepared for this project based on 2018 aerial imagery (2018 rather than 2016 since this is a fire affected property) and includes Oak Woodland and Conifer Forest canopy proposed to be removed and total tree canopy to be retained. The project retains well in excess of the required 70%. Furthermore, in accordance with 18.108.020.D, new trees will be replanted at a 3:1 ratio for each tree that is proposed to be removed. The location for the new trees is shown on sheet C1.
4. A table of trees to be removed has been added to the demolition and conceptual site plan sheet, C6. Replanting of new trees is proposed as noted in item 3 above and this will also address the no net loss of carbon sequestration as well.
5. Comment acknowledged.
6. Since the industrial portions of the project area are already screened by native vegetation no new screening is proposed.
7. A Cultural Report is not required per our earlier email discussion.
8. The proposed bioretention area will not be planted therefore it will not have a permanent irrigation system. The size is indicated on sheet C8 and additional details will be provided with the building and grading permit submittal packages.
9. The submitted WAA does include all current and future water use demands. No new planting areas are proposed with this project.
10. Our Architects are currently preparing a board.
11. Based on the onsite meeting no changes to the stream designations shown on the civil plans are required.
12. No Electric Vehicle Charging Stations (EVCS) are proposed or required at this time. Up to three standard parking spaces will have infrastructure installed for future conversion to EVCS (EV Capable).
13. No landscaping is proposed with this project.
14. No landscaping is proposed with this project. All winery areas are naturally screened by topography and existing vegetation around the site.
15. All existing utilities in the project area are underground and all new utilities required to service the winery will be installed underground.

16. Comment acknowledged.

Thank You,

Jon Webb

Jon M. Webb

Principal

PLS 6709



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Brian Bordona
Interim Director

Certified Mail

February 16, 2023

Jose Simon III, Chairperson
Middletown Rancheria
P.O. Box 1035
Middletown CA, 95461

**Re: Notification of Proposed Project Pursuant to Public Resources Code 21080.3.1
Tesson Vineyards, New Winery Use Permit #P22-00309
1000 Wall Road; APN: 027-060-022-000**

Dear Mr. Simon,

The Napa County Planning Division is processing a request to establish a new winery on a 43.26 acre parcel located at 1000 Wall Road. The application, if approved, will allow for a new 20,000 gallon per year winery within a cut and cover Type 1 cave. The winery would have no tours and tastings and no marketing events. The underground winery will consist of 14,729 square foot (sf) which will contain a 3,645 sf fermentation, used for winemaking, fermentation, aging, barrel storage, bottling, case good storage, dry good storage and shipping and receiving. Additionally, within the 14,729 sf of caves there will be an office, lab and two restrooms. Outside of the cave, the visible component of the Winery will be a 2,750 sf covered crush pad and a 348 sf covered mechanical equipment area as well as an enclosed refuse/recycling area and parking. The winery proposes 1 full time and 3 part-time employees. Additional information about the proposal can be viewed online at the Planning Division's current projects webpage <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

This letter serves as notification to the Middletown Rancheria that is traditionally and culturally affiliated with the geographic area of the proposed project pursuant to Public Resources Code 21080.3.1 (Assembly Bill 52 [Gatto]). If your tribe wishes to consult on this project, please contact me in writing, within 30 days of receipt of this letter, to request consultation.

If you should have any questions, please feel free to contact by telephone at 707-253-4437 or via email at dana.morrison@countyofnapa.org.

Sincerely, Dana Morrison

Planner III

Enclosures: Cultural Resources Survey
Project plans



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Brian Bordona
Interim Director

Certified Mail

February 16, 2023

Scott Gabaldon, Tribal Chair/Cultural Resources Manager
Mishewal Wappo Tribe of Alexander Valley
940 Larkfield Center
Santa Rosa, CA 95403

**Re: Notification of Proposed Project Pursuant to Public Resources Code 21080.3.1
Tesseron Vineyards, New Winery Use Permit #P22-00309
1000 Wall Road; APN: 027-060-022-000**

Dear Mr. Gabaldon,

The Napa County Planning Division is processing a request to establish a new winery on a 43.26 acre parcel located at 1000 Wall Road. The application, if approved, will allow for a new 20,000 gallon per year winery within a cut and cover Type 1 cave. The winery would have no tours and tastings and no marketing events. The underground winery will consist of 14,729 square foot (sf) which will contain a 3,645 sf fermentation, used for winemaking, fermentation, aging, barrel storage, bottling, case good storage, dry good storage and shipping and receiving. Additionally, within the 14,729 sf of caves there will be an office, lab and two restrooms. Outside of the cave, the visible component of the Winery will be a 2,750 sf covered crush pad and a 348 sf covered mechanical equipment area as well as an enclosed refuse/recycling area and parking. The winery proposes 1 full time and 3 part-time employees. Additional information about the proposal can be viewed online at the Planning Division's current projects webpage <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

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If you should have any questions, please feel free to contact by telephone at 707-253-4437 or via email at dana.morrison@countyofnapa.org.

Sincerely, Dana Morrison

Planner III

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Brian Bordona
Interim Director

Certified Mail

February 16, 2023

Laverne Bill, Interim Director of Cultural Resources
Yocha Dehe Wintun Nation
P.O. Box 18
Brooks, CA 95606

**Re: Notification of Proposed Project Pursuant to Public Resources Code 21080.3.1
Tesson Vineyards, New Winery Use Permit #P22-00309
1000 Wall Road; APN: 027-060-022-000**

Dear Mr. Bill,

The Napa County Planning Division is processing a request to establish a new winery on a 43.26 acre parcel located at 1000 Wall Road. The application, if approved, will allow for a new 20,000 gallon per year winery within a cut and cover Type 1 cave. The winery would have no tours and tastings and no marketing events. The underground winery will consist of 14,729 square foot (sf) which will contain a 3,645 sf fermentation, used for winemaking, fermentation, aging, barrel storage, bottling, case good storage, dry good storage and shipping and receiving. Additionally, within the 14,729 sf of caves there will be an office, lab and two restrooms. Outside of the cave, the visible component of the Winery will be a 2,750 sf covered crush pad and a 348 sf covered mechanical equipment area as well as an enclosed refuse/recycling area and parking. The winery proposes 1 full time and 3 part-time employees. Additional information about the proposal can be viewed online at the Planning Division's current projects webpage <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

This letter serves as notification to the Middletown Rancheria that is traditionally and culturally affiliated with the geographic area of the proposed project pursuant to Public Resources Code 21080.3.1 (Assembly Bill 52 [Gatto]). If your tribe wishes to consult on this project, please contact me in writing, within 30 days of receipt of this letter, to request consultation.

If you should have any questions, please feel free to contact by telephone at 707-253-4437 or via email at dana.morrison@countyofnapa.org.

Sincerely, Dana Morrison

Planner III

Enclosures: Cultural Resources Survey
Project plans



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Brian D. Bordona
Director

MEMORANDUM

To: Dana Morrison Planning Division	From: Alexei Belov, PE Engineering Division
Date: April 3, 2025	Re: P22-00309 Tesseron Vineyards Winery Technical Adequacy APN: 027-060-022-000

The Engineering Division ("Engineering") has reviewed the new Use Permit - P22-00309 for the Tesseron Vineyards Winery project located on assessor's parcel number 027-060-022. Based upon the information provided in the application, Engineering presents the following findings:

TECHNICAL ADEQUACY

1. The Engineering Division has reviewed the Water Availability Analysis (WAA) dated August 2, 2022, including Addendum #1 dated April 25, 2024, prepared by Owen Kubit, PE, PG, CHG, of Provost & Pritchard Consulting Group. Engineering has also reviewed the response to comments regarding the WAA dated July 5, 2024, prepared by Mike Muelrath, PE, of Applied Civil Engineering, Inc. Additionally, Engineering has reviewed Addendum #2 to the WAA dated April 1, 2025, prepared by Owen Kubit, PE, PG, CHG, of Provost & Pritchard Consulting Group. The analysis has been evaluated based on information provided by the applicant, project location, and available geologic and hydrologic information and has determined the WAA to be complete and reasonable. Engineering concludes the WAA is technically adequate as it relates to Napa County's water use criteria, well and spring interference, and groundwater/surface water interaction pursuant to Napa County's WAA Guidelines, Napa Valley Subbasin Groundwater Sustainability Plan, Governor's Executive Orders N-7-22/N-3-23/N-3-24, and the Public Trust Doctrine.

Any changes in use or design may necessitate additional review. If you have any questions regarding the above items please contact Alexei Belov from Napa County PBES Department Engineering Division at (707) 299.2177 or via e-mail at Alexei.Belov@countyofnapa.org.



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Brian D Bordona
Director

MEMORANDUM

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

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

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

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

PREREQUISITES FOR ISSUANCE OF PERMITS

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

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

PREREQUISITES DURING PROJECT CONSTRUCTION

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

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

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

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

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

Any changes in use may necessitate additional conditions for approval.

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



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Brian Bordona
Director

MEMORANDUM

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

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

Prior to building permit issuance:

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

During construction and/or prior to final occupancy:

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

Upon final occupancy and thereafter:

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



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**Napa County Fire Department
Fire Marshal's Office**

951 California Blvd
Napa, CA 94559
www.countyofnapa.org
Main: (707) 299-1464

Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

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

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

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



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**Napa County Fire Department
Fire Marshal's Office**

951 California Blvd
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Main: (707) 299-1464

Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

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



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Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

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



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Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

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



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Brian Bordona
Interim Director

MEMORANDUM

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

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

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

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

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

From: [Morrison, Dana](#)
To: [Jon Webb](#)
Cc: [Helen Vasquez](#)
Subject: RE: Tesseron Winery
Date: Thursday, May 18, 2023 4:20:00 PM
Attachments: [image001.png](#)

Thanks Jon,

It does look like the resubmittal addressed all of my comments, except I do not see a Bio Report (just the NSO report). Once we receive the Bio Study, the project should be ready to move to the next phase (preparation of CEQA review). The CEQA process for this would be an Initial Study, probably Mitigated based on the need for NSO disturbance surveys, as well as any other mitigations that might be raised as a result of the Bio Study. The Bio study is needed so we can assess if there are any other sensitive species (plant or animal) in the development area and immediate vicinity so that proper protections, retentions, or mitigation requirement need to be implemented to ensure a less than significant impact.

Please let me know if you have any questions in the meantime, or would like to discuss.

Cheers,

Dana E. Morrison (she|her|hers)

Planner III

County of Napa Planning, Building & Environmental Services

Planning Division + Engineering & Conservation Division

1195 Third Street, 2nd Floor

Napa, CA 94559

707.253-4417 main

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From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, May 17, 2023 3:43 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Helen Vasquez <helen@matthollis.com>
Subject: Tesseron Winery

[External Email - Use Caution]

Hi Dana

I wanted to catch up with you since our latest submittal and talk about timing for the application moving forward and introduce you to our Architect, Helen Vasquez. Helen will be providing the landscape plan and we wanted to know when you think (I know it's a guess) when we will be getting to hearing so that Helen has time to prepare the plan

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: [Morrison, Dana](#)
To: [Jon Webb](#)
Subject: RE: Rare Plant and Animal Survey - Tesseron (P22-00309)
Date: Thursday, January 25, 2024 8:26:00 AM
Attachments: [image001.png](#)

Good morning Jon,

Happy New Year to you as well.

Thank you for providing the Bio Report.

I have the vast majority of the IS written and the Staff Report as well. I have a number of projects which are in the processing of going to hearing, but I do think that we should be able to get this one the docket for early summer. I do want to take some time over the next few weeks and go over all entire application and submittal materials with a fine toothed come (since we have been getting so many appeals) and make sure all is buttoned up. I will reach out if I come across anything that needs minor tweaking or additional info on.

I will keep you appraised, but please do not hesitate to reach out anytime to check in.

Regards,

Dana E. Morrison (she|her|hers)

Supervising Planner, Conservation

County of Napa Planning, Building & Environmental Services

Engineering and Conservation Division

1195 Third Street, 2nd Floor

Napa, CA 94559

707.253-4417 main

707.253.4437 direct

707.299.4491 fax

dana.morrison@countyofnapa.org

<http://www.countyofnapa.org/>



A Tradition of Stewardship
A Commitment to Service

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, January 24, 2024 1:43 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: Rare Plant and Animal Survey - Tesseron (P22-00309)

[External Email - Use Caution]

Hi Dana

Happy New Years!!

Attached is the Bio report for the project

Please let me know what you think the timing "could" be for getting to the PC

Thank You

Jon M Webb, PLS 6709

Albion Surveys, Inc.

1113 Hunt Avenue

Saint Helena, CA 94574

707-963-1217, ext 117

707-963-1829(facsimile)

jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Wednesday, June 28, 2023 9:03 AM
To: Jon Webb <jwebb@albionsurveys.com>
Subject: Rare Plant and Animal Survey - Tesseron (P22-00309)

Morning Jon,

Per our phone discussion, if you could provide a rare plant and animal survey for the proposed development area, and immediate vicinity, of the Tesseron Winery, which should include a review of the CNDDDB wildlife occurrences in the area, it will greatly aide in the preparation of the Initial Study. The County GIS CNDDDB layer only notes instances of rare plants and animals that have been surveyed recently and is not as up to date the CNDDDB, as such the County will need this survey to ensure that there no occurrences of rare plants or animals within the proposed development area and so we can ensure the proper protections, retentions, or mitigations are integrated into the CEQA analysis and implemented as Mitigation Measures to reduce any potential impacts to a less than significant level.

Please do not hesitate to reach out if you have any questions or would like to discuss.

Dana E. Morrison (she|her|hers)

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A Tradition of Stewardship
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From: [Morrison, Dana](#)
To: [Jon Webb](#)
Subject: RE: Rare Plant and Animal Survey - Tessoron (P22-00309)
Date: Tuesday, May 21, 2024 12:12:00 PM
Attachments: [image001.png](#)

Hi Jon,

Yes, it looks like that was document I was awaiting. Thank you, I will save to the project file and can now work on completing the WAA portion.

Cheers,

Dana E. Morrison (she|her|hers)

Supervising Planner, Conservation

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707.299.4491 fax

dana.morrison@countyofnapa.org

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A Tradition of Stewardship
A Commitment to Service

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Tuesday, May 21, 2024 12:08 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: Rare Plant and Animal Survey - Tessoron (P22-00309)

[External Email - Use Caution]

Dana

Is this what you were looking for?

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Tuesday, May 21, 2024 10:09 AM
To: Jon Webb <jwebb@albionsurveys.com>
Subject: RE: Rare Plant and Animal Survey - Tesson (P22-00309)

Hi Jon,

I do have a good chunk of the Staff Report and mostly all of the Initial Study drafted. I am waiting on some updated information from Mike regarding the springs on the parcel, and an update to the WAA. I am working on a few key policy projects such as getting our Erosion Control Plan Track II list

updated and the Airport Land Use Compatibility Plan updated (going to hearing in July) but I am still hoping to get this item to the PC for hearing later this summer.

I have a few clarification questions which I hope to send out late next week, but I want to complete my prep of the SR and IS to ask them in one go, rather than piecemealing.

I will follow up next week with those, but in the meantime please do not hesitate to reach out.
Cheers,

Dana E. Morrison (she|her|hers)

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707.299.4491 fax
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A Tradition of Stewardship
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From: Jon Webb <jwebb@albionsurveys.com>
Sent: Monday, May 20, 2024 12:53 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: FW: Rare Plant and Animal Survey - Tesson (P22-00309)

[External Email - Use Caution]

Hi Dana

I hope you are well

Any update on timing for a hearing? Seems like this application is getting a little lost
Thank You

Jon M Webb, PLS 6709

Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
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From: Meaghan Becker <mb@invinoveritasllc.com>

Sent: Monday, January 15, 2024 12:52 PM

To: Alfred Tesson <atesson@pontet-canet.com>; Noé Tesson <ntesson@tessoncognac.com>; Justine Tesson <jtesson@pontet-canet.com>; Jerome Ledit <jledit@pym-rae.com>

Cc: Jon Webb <jwebb@albionsurveys.com>

Subject: Fwd: Rare Plant and Animal Survey - Tesson (P22-00309)

Dear Alfred, Justine, Noe and Jerome,

I hope you are well. The rare plant and animal survey is now complete. They have

required the following additional surveys before construction start:

Crotch Bumble Bee - within 14 days of construction, no real mitigation measures that are approved because this is new to the rare animal list

Swinson's hawk - within 14 days

Other birds - within 3 days of construction

Pallid bat - within 14 days of construction

I've attached the full report for your reference and also cc'd Jon Web here who has also reviewed this and he believes this is a normal set of requirements.

We hope this is the last piece of our application. Once I receive the approval from you, we will go ahead and submit to the county.

Many thanks!

Meaghan Becker

In Vino Veritas

+1 707 685 2399

invinoveritasllc.com

From: Morrison, Dana
Sent: Wednesday, June 5, 2024 8:48 AM
To: Mike Muelrath <mike@appliedcivil.com>; Jon Webb <jwebb@albionsurveys.com>
Subject: RE: P22-00309 Questions

Received, thanks Mike.

From: Mike Muelrath
Sent: Friday, May 31, 2024 9:09 AM
To: Jon Webb <jwebb@albionsurveys.com>; Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: P22-00309 Questions

Hi Dana and Jon,

Please see below. Jon, I'll call you to discuss further.

Thanks!

Mike

Applied Civil Engineering Incorporated
www.appliedcivil.com
(707) 320-4968 (Telephone)
(707) 227-7166 (Mobile)

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Thursday, May 30, 2024 3:00 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>; Mike Muelrath <mike@appliedcivil.com>
Subject: RE: P22-00309 Questions

Dana
I will take the first 2 questions

Mike,
Give me a call at your convenience to discuss the water

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Thursday, May 30, 2024 10:51 AM
To: Jon Webb <jwebb@albionsurveys.com>; Mike Muelrath <mike@appliedcivil.com>

Subject: P22-00309 Questions

Hello Jon and Mike,

I am hoping to get a few questions answered to finalize some portions of the Staff Report and Initial Study for Tessoron.

What are the proposed operating hours? They are not listed in the narrative and appear to be missing from Page 12 of the Application. Could you provide an updated Page 12 of the application form with the hours filled out? Could you also add the operating hours to the project narrative?

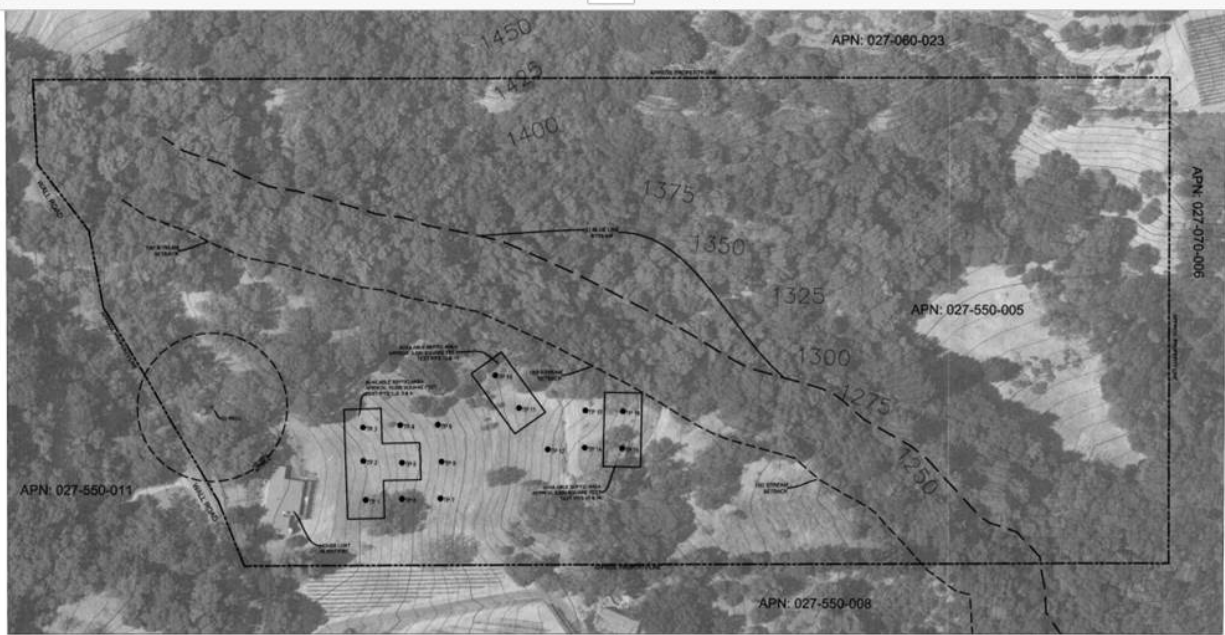
The vineyard acreage totals noted on the civil plans add up to 19.15 acres while the narrative calls out 18.5 acres. Could you revise the narrative acreage to match the 19.15 acres called out on the civil plans, that way the numbers are consistent?

Water Use:

Can you confirm that the existing water use demand of 1.35 AF/YR noted in the WAA is for the both the residences and their associated landscaping (the holding), or just for the subject parcel which contains one of the residences but not the other (APN -022)? The WAA assesses the entire holding as well as the individual parcel (-022), but it is unclear if the entire holdings water uses were considered when calculating the existing water use for the large holding or if it was just for the -022 parcel. It is fine to assess the water use for the entire holding rather than the individual parcel, but I want to ensure that it is accounting for all water uses pre and post project. I believe the vineyard is served by surface water rights. Pre-project assessment of the holding would need to include both residence, accessory structures (if they have water uses, bathrooms, etc.), pools and any applicable landscaping. Post-project would still include those water uses plus the new winery (0.5 AF/yr). The assessment of the individual parcel post-project would just include the primary residence, the accessory structures, pool, and applicable landscaping; with post-project including the winery. Currently the water demand for the subject parcel exceeds the dry year recharge water use is 0.5 AF/yr + 1.35 AF/yr = 1.85 AF/yr which exceeds the noted parcel recharge of 1.6 AF/yr. **[Mike Muelrath]** [I reviewed with owner's rep and confirmed there are only two residences on the entire holding so the 1.35 ac-ft/yr represents both parcels' residential use. For the winery parcel the residential + pool use is 0.85 and for the larger holdings the residential use is 0.5. Dana, I apologize I thought there was an ADU on the parcel when we spoke yesterday but I was incorrect. Vineyard irrigation is from water rights as you note.]

Could you provide a 10-year prism data calculation for the water demand rather than a wet and dry year. It might help to provide an overall holding water use and then a parcel specific water use for -022 to clearly show that both the holding and the individual parcel can accommodate the additional 0.5 AF/yr water demand resulting from the new winery. **[Mike Muelrath]** [[The 10 year PRISM data varies across the entire holdings but averages approximately 35.5 inches per year. The WAA, prepared before the 10 year PRISM data became the standard used a Normal Year and Dry Year Rainfall of 33.1 inches and 8.7 inches, respectively. The Normal Year estimate used in the WAA was even conservative compared to the 10 year PRISM data. For the 607.85 acre holdings, using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, the recharge is 89.9 ac-ft/year (compared to 84 ac-ft/yr in the WAA for Normal Year and 22 ac-ft/year for Dry Year]. Using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, is 89.9 ac-ft/year (compared to 84 ac-ft/yr in the WAA for Normal Year and 22 ac-ft/year for Dry Year]. For the 43.26 acre winery parcel, using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, the recharge is 89.9 ac-ft/year (compared to 84 ac-ft/yr in the WAA for Normal Year and 22 ac-ft/year for Dry Year]. Using the PRISM 35.5 inches per year the recharge, assuming 5% recharge per the WAA, is 6.4 ac-ft/year (compared to 6.0 ac-ft/yr in the WAA for Normal Year and 1.6 ac-ft/year for Dry Year. This demonstrates that just the recharge on the winery parcel (6.4) is more than 3 times the estimated demand for all of the existing and proposed uses on all parcels (1.85) and that the recharge on the entire holding (89.9 is nearly 50 times the estimated demand.)]

I spoke with Mike and he noted that it had not yet been determined which well will serve the residences Well 1 (by the spring) or Well 2 located on -020? **[Mike Muelrath]** [I confirmed testing to determine which well will be used is still underway. We should assume it may be one or both.] Well 1 is located in proximity to a neighboring well on parcel -005. Since the winery will utilize the existing spring (that formerly served the residences). Could you provide an exhibit showing that no wells (not under the ownership of Tessoron) are within 500' of the (e) well on 027-060-023? Since this new well will now bear the burden of the residential water use (1.35 AF/yr), that was formerly served by the on-site spring, we want to confirm that the new water use demands will not impact neighboring wells. It looks like APN 027-550-011 is not served by a well and is instead served by a spring. However, 027-550-005 does appear to be served by a well and it looks like the well is JUST outside the 500' setback from the well that will now serve the residential uses on site. Having the exhibit will clearly show that there are no wells within 500' and so there be would no impact as a result of the new ground water use resulting from the proposed project. **[Mike Muelrath]** [See attached exhibit.]

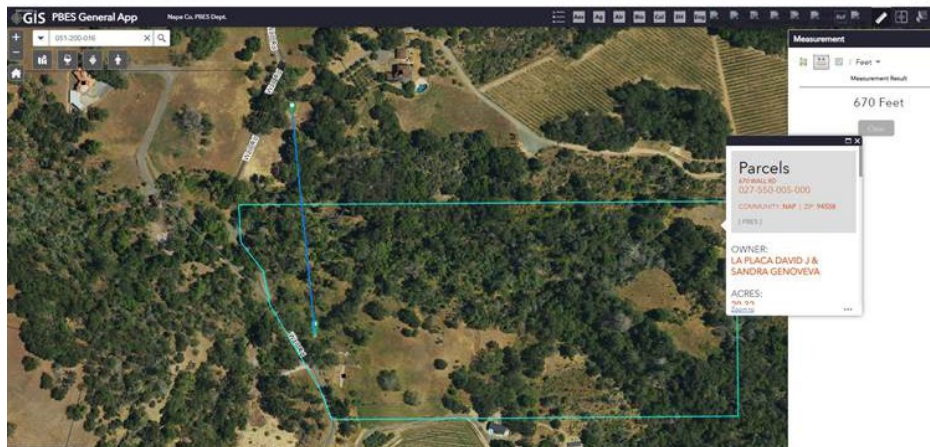


**SEPTIC SITE EVALUATION
OVERALL SITE PLAN**

AUGUST 7, 2020



STILLWATER CIVIL DESIGN
1090 SHETLER AVE.



Dana E. Morrison (she|her|hers)

Supervising Planner, Conservation

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A Tradition of Stewardship
A Commitment to Service

From: [Jon Webb](#)
To: [Morrison, Dana](#)
Cc: [Meaghan Becker](#)
Subject: RE: Tesseron Bio report update
Date: Thursday, November 14, 2024 12:58:35 PM
Attachments: [image001.png](#)
[Tesseron BRA rev 11.8.24 reduced.pdf](#)

[External Email - Use Caution]

Dana

Please see the updated report addressing your comment

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>

Sent: Thursday, October 31, 2024 9:35 AM

To: Jon Webb <jwebb@albionsurveys.com>

Cc: Meaghan Becker <mb@invinoveritasllc.com>

Subject: RE: Tesson Bio report update

Hi Jon,

Thank you for providing the updated bio report. I have had a chance to review the document and while most of the information requested was addressed I do not see a discussion as to whether each identified special status plant (Bend-flowered fiddleneck, Narrow-anthered brodiaea, Congested-head hayfield tarweed, Jepson's leptosiphon, Cobb Mountain lupine) are plants which are capable of being transplanted/relocated. I do see that the update identified areas where suitable replacement could occur and proposal to develop a Special-Status plant mitigation plan and the mitigations options presented, are those 5 species known to be able to survive relocation or translocation? Maybe also a brief discussion to go with relocation/transplant map that details why these specific areas were selected and why they are suitable/would be able to support translocation of the above-mentioned species (if identified during the required surveys).

Please let me know if you would like to arrange a time to discuss.

Regards,



A Tradition of Stewardship
A Commitment to Service

Dana Morrison (she | her | hers)

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>

Sent: Thursday, September 19, 2024 1:28 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Meaghan Becker <mb@invinoveritasllc.com>

Subject: Tesson Bio report update

[External Email - Use Caution]

Hi dana

Hope you are good and staying busy. Attached is the updated bio report you requested
Let me know if you have questions, please confirm receipt

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: [Jon Webb](#)
To: [Morrison, Dana](#)
Subject: RE: Tesseract
Date: Friday, January 24, 2025 12:43:34 PM
Attachments: [image001.png](#)

[External Email - Use Caution]

Yes, they will be starting in February or March

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Friday, January 24, 2025 12:32 PM
To: Jon Webb <jwebb@albionsurveys.com>
Subject: RE: Tessoron

Thanks for the update Jon!

Yes, we are still hammering out the PC calendar and am still waiting on CoCos review of IS and SR etc., but currently we are on aiming for one of the PC meetings in April.

Something you can do on your end in the meantime, please ensure you have a biologist lined up to start conducting the necessary plant surveys this spring, this will prevent any delays since we will have the surveys completed come summer and will be aware of any actual avoidance or mitigation that need to occur...rather than waiting until the 2026 season.

Cheers,



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Napa, CA 94559

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From: Jon Webb <jwebb@albionsurveys.com>
Sent: Friday, January 24, 2025 12:23 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: Tessoron

[External Email - Use Caution]

Hi Dana

I wanted to follow up our call a week or so ago. Tessoron will not be changing their current application, so full steam ahead

I mentioned I will be out of the country until March 18, so if we can get on the April 2nd PC agenda that would be awesome

Have a good weekend

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>

Sent: Friday, January 10, 2025 12:10 PM

To: Jon Webb <jwebb@albionsurveys.com>

Subject: RE: Tesseron

Hi Jon,

Per 18.124.130.C – Use Permit Modifications (link to section of code below): the ZA may approve a minor mod to a winery use permit...if the changes in operations consists of any of the following:
C.5 Any change in aggregate building footprint (including caves) by a maximum of 10,000 sf or 25%

of the total footprint, whichever is greater, where there is no cumulative increase in paved or impervious ground surface areas beyond 25% of the subject parcel or 15 acres, whichever is less.

Perhaps they are thinking of the 5,000 sf limitation for projects to qualify for the Class 3: New Construction or Conversion of Small Structures Categorical Exemption? The Minor Mod would be subject to CEQA, I could not say at this time if it would qualify for a Cat Ex or Initial study as I do not have the full scope/design, but definitely something to consider.

For the Admin Permit, yes per 18.126.065.U – Increases on changes in building square footage by no more than 10%, not to exceed 2,500 sf would qualify for Admin review. Since the language specifically refers to changes (not just increases) that what you proposed would not be consistent, as the Mod would be a request to change 5,000 sf not 2,500 sf.

https://library.municode.com/ca/napa_county/codes/code_of_ordinances?nodeId=TIT18ZO_CH18.124USPE_18.124.130USPEMOROAT

I hope that helps clarify!
Cheers,



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www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Friday, January 10, 2025 11:04 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: Tessoron

[External Email - Use Caution]

Hi Dana

Thanks for your time yesterday. Two follow up questions:

You had said under a Minor mod we could add 25% of approved winery building area or 10,000 sf, whichever is greater. Our architects thought it was only 5,000 sf. Could you please confirm?

Also, if we later did an Admin mod to add a building, you said max addition is 2,500 sf. If the new building was 5,000 sf and we reduced the approved winery sf by 2500 sf, could we still qualify for an admin mod(the net increase would be 2500 sf)

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
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707-963-1829(facsimile)

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From: [Jon Webb](#)
To: [Morrison, Dana](#)
Subject: Re: Tesserón
Date: Friday, February 28, 2025 12:34:31 PM

[External Email - Use Caution]

Sounds good

Thank You

Sent from my iPhone
Jon M Webb

> On Feb 28, 2025, at 2:08 PM, Morrison, Dana <dana.morrison@countyofnapa.org> wrote:

>

> Hi Jon,

> We don't currently do completeness letters. Though I do believe that is something that management is working on getting implemented. For the time being I can note that the project is deemed complete, the IS/MND has been drafted and reviewed by County Counsel, management is currently reviewing, and that the item is scheduled for PC review on April 16, 2025. The public hearing notice and IS/MND circulation will occur on March 13th.

> Let me know if you have any additional questions.

> Regards,

>

>

> Dana Morrison (she | her | hers)

> Supervising Planner - Conservation

> Planning, Building, & Environmental Services

> Napa County

>

> Phone: 707-253-4437

>

> 1195 Third Street, Suite 210

> Napa, CA 94559

> <http://www.countyofnapa.org/>

>

>

>

>

>

>

> -----Original Message-----

> From: Jon Webb <jwebb@albionsurveys.com>

> Sent: Friday, February 28, 2025 11:46 AM

> To: Morrison, Dana <dana.morrison@countyofnapa.org>

> Subject: Tesserón

>

> [External Email - Use Caution]

>

> Hi Dana

> Could you please forward the complete application letter?

>

> Thank You

>

> Sent from my iPhone

> Jon M Webb

From: [Jon Webb](#)
To: [Morrison, Dana](#)
Subject: Re: Tesseron
Date: Wednesday, March 5, 2025 6:24:56 PM

[External Email - Use Caution]

Confirmed
No blasting

Thank You

Sent from my iPhone
Jon M Webb

On Mar 5, 2025, at 6:08 PM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Hi Jon,
Can you confirm that no blasting is proposed for the Tesseron Winery
Development?

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
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Napa County

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www.countyofnapa.org

From: [Magnuson, Nicholas@Wildlife](mailto:Magnuson,Nicholas@Wildlife)
To: [Morrison, Dana](mailto:Morrison,Dana)
Subject: RE: P22-00309 New Winery Use Permit CDFW commetnes/review - Going out for Public Comment Soon
Date: Thursday, March 13, 2025 11:49:34 AM
Attachments: [image001.png](#)
[image002.png](#)

[External Email - Use Caution]

Hi Dana,

That sounds fine, and this will be revisited in my formal review anyway, so we can revisit again if needed.

But I think that would be acceptable to management on my end.

Cheers,
Nick

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Wednesday, March 12, 2025 4:55 PM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: RE: P22-00309 New Winery Use Permit CDFW commetnes/review - Going out for Public Comment Soon

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Thanks for clarifying Nick,

As far as I am aware the project has been specifically designed to avoid stream and ephemeral setbacks. I would think as designed this would not be a mitigation measure, would you be okay if I put this as a condition of approval that gets triggered if determined to be applicable? If not, then I will put in as MM.

Cheers,

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services



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www.countyofnapa.org

From: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>

Sent: Wednesday, March 12, 2025 4:52 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Subject: RE: P22-00309 New Winery Use Permit CDFW commetnes/review - Going out for Public Comment Soon

[External Email - Use Caution]

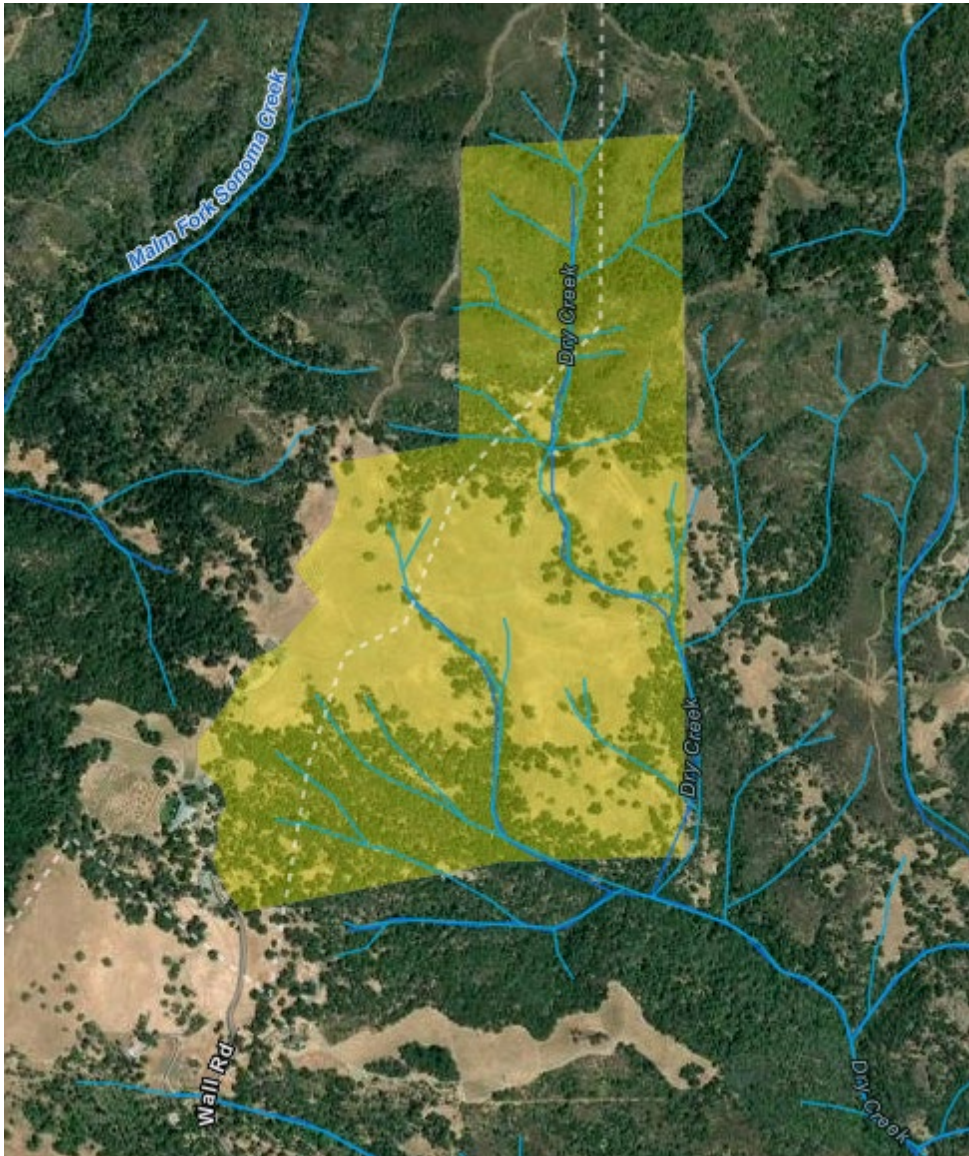
Items 1 to 3 of your below list sound good.

For the “Ensure no indirect impacts to CDFW jurisdiction areas subject to F&GC section 1600 et sec.” language, this was just for you to consider. It looks like impacts to the stream(s) would be avoided per page 12, part c, but I always take special care on this in my reviews. I noticed that APN 027-060-020 encompasses several blue line streams per California Aquatic Resources Inventory (see screenshot). If a stream could be potentially impacted by this project, I recommend including the below measure.

Impacts to Streams and Riparian Areas. Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area

and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources

Thanks!



Nicholas Magnuson

Environmental Scientist

California Department of Fish and Wildlife

Bay Delta Region (R3)

(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>

Sent: Wednesday, March 12, 2025 4:27 PM

To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>

Subject: RE: P22-00309 New Winery Use Permit CDFW comment/review - Going out for Public Comment Soon

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Thanks Nick,

Just to ensure I capture your comments correctly, I should do the following:

1. Update BIO-1 Relocation/Translocation section 2.iv: update success criterion from 2:1 to 3:1 for directly and indirectly impacted plants.
2. Update BIO-2 Relocation/Translocation section 2.iv: update success criterion from 2:1 to 3:1 for directly and indirectly impacted plants.
3. I will update BIO-7 to reflect the language below.

Should I add this to each BIO mitigation measure? “Ensure no indirect impacts to CDFW jurisdiction areas subject to F&GC section 1600 et sec.” or is this for BIO-7, or does this need to be added to each BIO MM proposed?

Thank you!



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From: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>

Sent: Wednesday, March 12, 2025 4:07 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Subject: RE: P22-00309 New Winery Use Permit CDFW comment/review - Going out for Public Comment Soon

[External Email - Use Caution]

-
Hi Dana,

Thanks again for reaching out about this. Upon preliminary review of the materials, I recommend the following:

1. Special status plant replacement ratio of 3:1 is recommended for non-preservation mitigation to ensure no substantial impacts.
2. MM BIO-7 should be consistent with CDFW recommended measure below, see dates.
3. Ensure no indirect impacts to CDFW jurisdiction areas subject to F&GC section 1600 et sec.

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

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

If take of NSO cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal Endangered Species Act.

Nicholas Magnuson

Environmental Scientist

California Department of Fish and Wildlife

Bay Delta Region (R3)

(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>

Sent: Friday, March 7, 2025 1:09 PM

To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>

Subject: RE: P22-00309 New Winery Use Permit CDFW comment/review - Going out for Public Comment Soon

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Hey Nick,

This is currently slated to go to public hearing on 4.16...however, some issues were identified with their Water Analysis that may push the project out. We are waiting to a final determination at EOD today if the item will be continued or not to date yet to be determined. Otherwise. the IS/MND will be released on Thursday 3.13 for the normal 30 day comment/review.

Cheers,



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Dana Morrison (she | her | hers)

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From: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>

Sent: Friday, March 7, 2025 12:54 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Subject: RE: P22-00309 New Winery Use Permit CDFW comment/review - Going out for Public Comment Soon

[External Email - Use Caution]

Thanks Dana, happy to provide some feedback. We're very busy, per usual, but I will review what you send and get back by around Monday. What kind of timeline are you working with for this?

Thanks,
Nick

Nicholas Magnuson

Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Wednesday, March 5, 2025 10:04 AM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: P22-00309 New Winery Use Permit CDFW commentes/review - Going out for Public Comment Soon

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Morning Nick,

I wanted to give you a heads up on a New Winery Use Permit IS/MND that will be circulating for comment soon, and I was hoping you can confirm my proposed mitigations are adequate.

The project involves the following:

Request: approval of a Use Permit to allow a new winery with NO TOURS and TASTING, and NO VISITATIONS with an annual production capacity of 20,000 gallons per year with the following characteristics:

- a. Construction of a new 14,729 square foot (sf) cut and cover Type I cave with a 2,750-sf covered crush pad and a 348-sf covered mechanical equipment area with an enclosed trash/recycling area;
- b. Excavation of approximately 20,000 cubic yards of spoils associated with the cave and construction of structure pads, all of the spoils will be distributed within the subject parcel or on neighboring parcels under the same ownership, with spoils specifically occurring on APN 027-060-020 at various locations but outside of all required stream and ephemeral setbacks;
- c. Onsite parking for three (3) vehicles; one (1) handicapped, one (1) compact and one (1) standard;
- d. Up to one (1) full-time employee, and three (3) part-time employees;
- e. Installation of a 50,000-75,000-gallon Fire Protection Water Tank located on a parcel (APN: 051-200-016-000) under the same ownership but within the

jurisdiction of the County of Sonoma (this will require the submittal and approval of building permit from Sonoma);

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

The cave is being constructed adjacent to the existing residence and an existing barn, approximately 15 trees will be removed and the applicant is proposing to replace those trees at a 3:1 ratio elsewhere on the property. Additionally, once the cave is completed, they will revegetate the roof of the cave with native wildflowers seed mix, that will be maintain through removal of noxious weeds and non-native species and reseeded as necessary to maintain said habitat. Soils from the cave excavation will be dispersed on an adjacent parcel under the same ownership – this is where I have the largest concern as it is located in a grassland which could contain sensitive species. The applicant is currently having a biologist conduct floristic surveys to document any occurrences of the 5 sensitive species that the Bio Report found had the potential to occur on sight (bend-flowered fiddleneck, narrow-anthered brodiaea, congested-head hayfield tarweed, jepson's leptosiphon and cobb mountain lupine. The final spoils dispersal locations would be adjusted to avoid any species identified and if avoidance is not feasible then the Biologist has identified areas where reseeding or transplantation could occur (page 99 of the Bio Report). I would have preferred the survey be completed prior to going to hearing, but the applicant was eager to get to PC sooner rather than later. We are including the surveys (already being conducted) as Mitigation Measures and Conditions of Approval for the project. We also have the standard nesting birds/raptors and bat survey mitigation measure, and also one for crotch bumble bee, norther spotted owls and swainson's hawk.

Happy to arrange time to discuss further! My Friday and Monday are pretty free.

Let me know!

Cheers.



A Tradition of Stewardship
A Commitment to Service

Dana Morrison (she | her | hers)

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: [Morrison, Dana](#)
To: [Jon Webb](#)
Subject: RE: Tessoron
Date: Thursday, March 27, 2025 9:03:00 AM
Attachments: [image001.png](#)

Good morning Jon,

Thank you I have saved the comment letter to the project file to include with the Staff Report next week.

I will keep an eye out for the addendum.

Regards,



A Tradition of Stewardship
A Commitment to Service

Dana Morrison (she | her | hers)

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Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, March 26, 2025 10:18 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: Tessoron

[External Email - Use Caution]

Hi Dana

Attached is a letter of support for the project

I anticipate you will be receiving the WAA addendum in the next day or 2

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)

jwebb@albionsurveys.com

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From: [Jon Webb](#)
To: [Morrison, Dana](#)
Cc: [Rob Anglin \(anglin@htralaw.com\)](#); [Meaghan Becker](#)
Subject: Tessoron WAA Addendum
Date: Tuesday, April 1, 2025 2:17:03 PM
Attachments: [Addendum 2 to Tessoron Vineyards WAA.2025.04.01.pdf](#)

[External Email - Use Caution]

Dana

Attached is the Addendum to the WAA

Please let us know if you have questions or comments

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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responsibility for damage to user's property as a result of using this file and/or its contents.

From: [Rob Anglin](#)
To: [Morrison, Dana](#)
Cc: [Jon Webb](#)
Subject: Re: Tesserón Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568
Date: Wednesday, April 23, 2025 9:29:10 AM

[External Email - Use Caution]

Hi Dana,

We have the updated plans. They're slightly too large to email. Is there an upload link I can use?

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Apr 22, 2025, at 3:20 PM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Hi Rob,
Yes, that was my understanding as well.

I look forward to reviewing the updated roads plan in the near future.
Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Rob Anglin <anglin@htralaw.com>
Sent: Tuesday, April 22, 2025 11:42 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Jon Webb <jwebb@albionsurveys.com>

Subject: Re: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Thanks Dana. I'm reading CDFW's email to say that changes are all good as long as we put back the provision requiring CDFW's written approval of the plant survey before construction.

On a related note, we have update road plans that Mike Muelrath will be resubmitting soon.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Apr 22, 2025, at 11:38 AM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Hi Rob,
I heard back from CDFW, see below.
Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

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Napa, CA 94559
www.countyofnapa.org

From: Magnuson, Nicholas@Wildlife
<Nicholas.Magnuson@Wildlife.ca.gov>
Sent: Tuesday, April 22, 2025 10:44 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>

Subject: RE: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Hi Danna, sorry for the delay –

The LSA language below can be used as a mitigation measure.

The revisions to plant survey measure to focus on Clara Hunt's Milk-vetch is fine, however, the results should be submitted to CDFW for approval before start of construction, see highlighted below.

Thanks,
Nick

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Friday, April 11, 2025 2:01 PM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: FW: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Hey Nick,
The applicant was hoping that CDFW would be supportive of some revisions to the LSA and Clara Milk-Vetch. See their edits and comments below. I would be happy to jump on a call or teams meeting to discuss sometime in the next few weeks, and we can arrange a later meeting with the applicant...if you are amenable.
Let me know!
Cheers,

| **Dana Morrison** (she | her | hers)

<image001.png>

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Rob Anglin <anglin@htralaw.com>

Sent: Friday, April 11, 2025 1:53 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Jon Webb <jwebb@albionsurveys.com>; Bonnie Peterson
<bpeterson@madroneeco.com>

Subject: Re: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Dana,

Thank for your time this afternoon. Here are the changes we think might be helpful to implement CDFW's comments.

Streams

CDFW's language seems open-ended to us. Could we use this condition language as a mitigation measure?

Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at

<https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources.

Clara Hunt's Milk-vetch

We understand the desire to survey for this species prior to construction. The CDFW draft language would go further than that and could be duplicative of other mitigation measures directed at other plant species. We'd propose targeting this mitigation measure to Clara Hunt's Milk-vetch. Proposed revisions are in underline and strikethrough below.

Clara Hunt's milk-vetch ~~Special-Status Plant~~ Surveys. A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for Clara Hunt's milk-vetch (*Astragalus claranus*) ~~all special-status plants that have the potential to occur~~ at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction, ~~including but not limited to Clara Hunt's milk-vetch (*Astragalus claranus*)~~, unless otherwise approved in writing by CDFW. ~~More than one year of surveys may be necessary.~~ Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW **for written approval** prior to the start of construction. If

full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.

If it helps to get on a call with CDFW, we're happy to do that.
Thanks and have a great weekend.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Apr 9, 2025, at 9:47 AM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Morning Jon, Rob and Bonnie,
CDFW provided a Draft MMRP at the end of their document, I do have one drafted but typically I release that with the Agenda Packet (so I can hopefully incorporate any changes resulting from CDFW comments if we receive before release). Please find a copy of the draft MMRP attached. This would be the draft that we update with CDFW comments and release with the Staff Report which would include the IS/MND and all of the exhibits which would include the MMRP
Please let me know if you have any additional questions.
Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, April 9, 2025 9:36 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Rob Anglin <anglin@htralaw.com>; Bonnie Peterson <bpeterson@madroneeco.com>
Subject: RE: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Dana

Our bio-consultant(Bonnie Peterson) does not recollect seeing the original MMRP mentioned by CDFW, have you seen it?

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Tuesday, April 8, 2025 11:21 AM
To: Jon Webb <jwebb@albionsurveys.com>
Cc: Rob Anglin <anglin@htralaw.com>
Subject: FW: Tesserón Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

Good morning Jon and Rob,
We received the following comment from CDFW. Jon, please ensure that the Biologist includes Clara's Hunt Milk-Vetch in their surveys for the rest of the season. Most of the other comments relate to changes in the survey dates for the Swainson's hawk and NSO. And CDFW is also recommending that the LSA Condition of Approval be a Mitigation Measure. These can be incorporated into the Final COAs and Final MMRP.

If you have any questions, please do not hesitate to reach out.

Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Limon, Jessica@Wildlife
<Jessica.Limon@Wildlife.ca.gov>
Sent: Tuesday, April 8, 2025 10:38 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Magnuson, Nicholas@Wildlife
<Nicholas.Magnuson@Wildlife.ca.gov>; Day,
Melanie@Wildlife <Melanie.Day@wildlife.ca.gov>;
Weightman, Craig@Wildlife
<Craig.Weightman@wildlife.ca.gov>; Hansen,
James@Wildlife <James.Hansen@Wildlife.ca.gov>
Subject: Tesseron Vineyards Winery, Use Permit #P22-
00309-UP-SCH2025030568

[External Email - Use Caution]

Good morning,

Please see the attached letter for your records. If you
have any questions, contact Nicholas Magnuson,
cc'd above.

Thank you,

Jessica Limon

Staff Services Analyst/ Administrative Support Analyst
California Department of Fish and Wildlife – Bay Delta Region

2109 Arch Airport Rd., Stockton, CA 95206

<image002.png> 209-616-6011

<image003.png> jessica.limon@wildlife.ca.gov

<MMRP_Tesseron Vineyard_P22-00309.docx>

From: [Morrison, Dana](#)
To: [Helen Vasquez](#)
Cc: [Rob Anglin](#); [Jon Webb](#)
Subject: RE: Tesseron Hearing
Date: Thursday, June 5, 2025 8:13:00 AM
Attachments: [image002.png](#)
[image003.png](#)

Morning Helen,

It looks like the PDF was successfully loaded and I was able to open this one.

Thank you!

Cheers,



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A Commitment to Service

Dana Morrison (she | her | hers)

Supervising Planner - Conservation
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Napa County

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1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Helen Vasquez <helen@matthollis.com>
Sent: Wednesday, June 4, 2025 6:59 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Rob Anglin <anglin@htralaw.com>; Jon Webb <jwebb@albionsurveys.com>
Subject: Re: Tesseron Hearing

[External Email - Use Caution]

Hi Dana,

I tried to upload the PDF to the link in the email thread but there's no confirmation on whether it successfully uploaded.

Please advise on how you'd like us to upload the PDF set.

Best,
Helen Vasquez, RA
Associate | Project Manager



MH ARCHITECTS

2325 3rd st. studio 426
san francisco, ca 94107
415.977.0194 x102
matthollis.com

On Jun 4, 2025, at 4:13 PM, Jon Webb <jwebb@albionsurveys.com> wrote:

Helen

Would you please work with Dana in getting your combined drawings into their system?

Thank You

Sent from my iPhone
Jon M Webb

On Jun 4, 2025, at 11:07 AM, Morrison, Dana <dana.morrison@countyofnapa.org> wrote:

Hey Jon,

Could you try re-uploading the document? I keep getting a "We can't open this file" message.

<image001.jpg>

Thanks!

Dana

From: Jon Webb <jwebb@albionsurveys.com>

Sent: Tuesday, June 3, 2025 11:50 AM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Rob Anglin <anglin@htralaw.com>

Subject: RE: Tesseron Hearing

[External Email - Use Caution]

Just uploaded

Thank You Dana

Jon M Webb, PLS 6709

Albion Surveys, Inc.
1113 Hunt Avenue
Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>

Sent: Tuesday, June 3, 2025 8:20 AM

To: Jon Webb <jwebb@albionsurveys.com>

Cc: Rob Anglin <anglin@htralaw.com>

Subject: RE: Tesson Hearing

Morning Jon,
Please find the link below:
<https://pbcs.cloud/index.php/s/Rx9yi68pWBw6cDo>
Cheers,
Dana

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Monday, June 2, 2025 4:53 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Rob Anglin <anglin@htralaw.com>
Subject: Re: Tesseron Hearing

[External Email - Use Caution]

Glad you are better Dana
Please send an upload link for the combined civil arch plans

Thank You

Sent from my iPhone
Jon M Webb

On Jun 2, 2025, at 3:15 PM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Mine was more stomach related, but yes there is definitely something going around. My poor brother has been in the ER all weekend with Pneumonia; makes me very grateful that mine was not something so serious.
Cheers,
Dana

From: Rob Anglin <anglin@htralaw.com>
Sent: Monday, June 2, 2025 3:12 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Jon Webb <jwebb@albionsurveys.com>
Subject: Re: Tesseron Hearing

[External Email - Use Caution]

Thanks Dana. The hearing part is good news. Sorry to hear you were out sick. Two of my kids had the flu. Seems late in the season for cold and flu, but I guess it's still going around.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Jun 2, 2025, at 2:55 PM, Morrison,
Dana
<dana.morrison@countyofnapa.org>
wrote:

Apologies Jon,
I was unexpectedly out sick for most of last week.
I was able to confirm with Michael that we DO have a quorum for July 2, and we currently have Tesson scheduled for PC hearing for that day.
Cheers,

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental
Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

-----Original Message-----

From: Jon Webb

<jwebb@albionsurveys.com>

Sent: Thursday, May 29, 2025 6:43 PM

To: Morrison, Dana

<dana.morrison@countyofnapa.org>

Cc: Rob Anglin <anglin@htralaw.com>

Subject: RE: Tesseron Hearing

[External Email - Use Caution]

Dana

Can you respond to the questions below please?

Thank You

Jon M Webb, PLS 6709

Albion Surveys, Inc.

1113 Hunt Avenue

Saint Helena, CA 94574

707-963-1217, ext 117

707-963-1829(facsimile)

jwebb@albionsurveys.com

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-----Original Message-----

From: Jon Webb

Sent: Wednesday, May 28, 2025 7:54 AM

To: Dana Morrison

<dana.morrison@countyofnapa.org>

Cc: Rob Anglin <anglin@htralaw.com>

Subject: Tesseron Hearing

Hi Dana

Hope you had a good, long weekend

Have you determined if we will have a
quorum for July 2 PC hearing?

Also, I have the combined civil/arch plans

Please send an upload link when you
have time

Thank You

Sent from my iPhone

Jon M Webb



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 7, 2025

Dana Morrison, Supervising Planner
Napa County
1195 Third Street
Napa, CA 94559
Dana.Morrison@countyofnapa.org

Subject: Tesseron Vineyards Winery, Use Permit #P22-00309-UP, Initial
Study/Mitigated Negative Declaration, SCH No. 2025030568, Napa County

Dear Ms. Morrison:

The California Department of Fish and Wildlife (CDFW) received an Initial Study/Mitigated Negative Declaration (IS/MND) from Napa County (County) for the Tesseron Vineyards Winery, Use Permit #P22-00309-UP (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.

CDFW is submitting comments on the IS/MND to inform the County, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Lake and Streambed Alteration (LSA) Agreement, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION SUMMARY

Proponent: Alfred Tesseron, Tesseron Vineyards

Objective: The Project involves the construction of a new winery facility with a 14,729 square-foot cut and cover Type I cave with a 2,750-square-foot (sf) covered crush pad and a 348-sf covered mechanical equipment area with an enclosed trash/recycling area, parking facilities; as well as use changes, new water tank, and driveway improvements to meet standards. Approximately 20,000 cubic yards of spoils associated with the cave and construction of structure pads will be excavated on-site, and all of the spoils will be distributed within the subject parcel or neighboring parcels under the same ownership.

Dana Morrison
Napa County
April 7, 2025
Page 2

Removal of 15 native trees will occur, with replanting and permanent preservation of 45 trees on-site.

Location: The Project is located on Assessor's Parcel Numbers 051-200-016, 027-060-020 and 027-060-022; the winery facility will be located at approximately 38.43401°N, - 122.48875°W, at 1000 Wall Road, St. Helena, CA 94574, with Project activities occurring in both Napa and Sonoma Counties.

REGULATORY REQUIREMENTS

Lake and Streambed Alteration

An LSA Notification, pursuant to Fish and Game Code section 1600 et. seq. is required for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. The Project would impact unnamed ephemeral streams, as further described below, and an LSA Notification is likely required. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to LSA notification requirements. CDFW, as a Responsible Agency under CEQA, would consider the CEQA document for the Project and may issue

California Endangered Species Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. **The Project has the potential to impact Clara Hunt's milk-vetch (*Astragalus claranus*), State listed as endangered; as well as Swainson's hawk (*Buteo swainsoni*) and northern spotted owl (*Strix occidentalis caurina*), both State listed as threatened; and Crotch's bumblebee (*Bombus crotchii*) which is State listed as candidate endangered. The Project should notify CDFW immediately if take of a CESA listed species cannot be avoided and should consult with CDFW to obtain an ITP.** Issuance of an ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, & 15065.). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC).

Dana Morrison
Napa County
April 7, 2025
Page 3

The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with CESA.

Raptors and Other Nesting Birds

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those CDFW recommends below and included in **Attachment 1** Draft Mitigation Monitoring and Reporting Program, CDFW concludes that an MND is appropriate for the Project.

Environmental Setting Related Impact Shortcomings

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?

COMMENT 1: Stream Alteration

Issue: Page 3 of the IS/MND states that "There are no County designated Significant Streams located on the main project parcel (027-060-022-000) on which the future winery is proposed, however, there are a number of ephemeral drainages located on the parcel and there is an identified blue line stream, as well as ephemeral, on the adjacent parcels under the same ownership (027-060-020 and -023). The County GIS layers show an ephemeral stream as running through the proposed location of the new winery; however, staff was able to confirm during the November 2022 site visit that there was no channelization or riparian vegetation associated with this "identified" ephemeral and therefore did not meet the definition." It's unclear if the County-designated Significant Streams determination made on-site would prevent impacts to a stream pursuant to Fish and Game Code section 1600 et seq.

Dana Morrison
Napa County
April 7, 2025
Page 4

Specific impacts and why they may occur and be significant: The installation of the winery facility could directly impact the ephemeral stream and the streams receiving its flows. Impacts could include inputs of deleterious materials; removal and trampling of vegetation; obstructions and diversions of stream; and indirect impacts to neighboring streams. Project impacts to sensitive stream and associated riparian habitat would be potentially significant.

Recommendation: To comply with Fish and Game Code section 1600 et seq. and reduce impacts to riparian habitat to less-than-significant, CDFW recommends that the IS/MND incorporate the following mitigation measure.

Impacts to the Stream. Prior to the commencement of Project activities, a qualified biologist shall conduct a thorough assessment of potential impacts to the stream and riparian habitat resulting from Project activities including construction of the winery facility. If impacts to the bed, bank, channel, or riparian area of the stream cannot be avoided, the Project shall notify CDFW for Project impacts to the stream. More information for the notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Restoration shall include a qualified biologist preparing and implementing a restoration plan, success criteria, a minimum of five years of monitoring and maintenance, and achieving success criteria.

Please be advised that a SAA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?

COMMENT 2: Clara Hunt's Milk-vetch

Issue: The IS/MND does not provide a suitable survey design to address the potential for Clara Hunt's milk-vetch to occur on the Project site. Table 2 of the Biological Resources Assessment (page 16) states that "Annual grasslands within the Study Area provide suitable habitat for this species but is outside the documented elevation range for this species. This species was not observed during the October 2023 reconnaissance survey; however, the survey was conducted outside the typical blooming season for this species." Furthermore, the IS/MND includes targeted special-

Dana Morrison
Napa County
April 7, 2025
Page 5

status plants surveys to detect five special-status plant species: (1) bendflowered fiddleneck, (2) narrow-anthered brodiaea, (3) congested-head tarweed, (4) Jepson's leptosiphon, and (5) Cobb Mountain lupine.

Specific impacts and why they may occur and be significant: Surveys targeted at the blooming periods of the above five species could potentially overlook or miss Clara Hunt's milk-vetch during its blooming period which could lead to the Project causing substantial reduction in the number of an endangered species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommended Mitigation Measure: To reduce impacts to Clara Hunt's milk-vetch to less-than-significant, CDFW recommends that the MND incorporate the following mitigation measure.

Special-Status Plant Surveys. A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur at the Project site, including but not limited to Clara Hunt's milk-vetch (*Astragalus claranus*), and adjacent to it where plants could be indirectly impacted, prior to the start of construction, unless otherwise approved in writing by CDFW. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW for written approval prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.

Mitigation Measure Related Impact Shortcomings

COMMENT 3: Swainson's Hawk

Issue: Mitigation Measure BIO-4 of the IS/MND specifies the nesting season for Swainson's hawk from March 31 to August 31. This is inconsistent with the commonly accepted nesting season of March 31 to September 15.

Specific impacts and why they may occur and be significant: If the full nesting period of Swainson's hawk is not utilized in the avoidance measure of the IS/MND, the Project could have the potential to impact nesting Swainson's hawk through auditory or visual disturbances above ambient levels. Disturbances from Project activities may result in Swainson's hawk nest abandonment and loss of eggs or reduced health and

Dana Morrison
 Napa County
 April 7, 2025
 Page 6

vigor and loss of young. Therefore, if an active Swainson's hawk nest is disturbed by the Project, the Project may result in a substantial reduction in the number of a threatened species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommended Mitigation Measure: To reduce potential impacts to Swainson's hawk to less-than-significant and comply with CESA, CDFW recommends substituting Mitigation Measure BIO-4 with the following:

Mitigation Measure BIO-4: Swainson's Hawk Surveys and Avoidance Buffer: If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline>) and prepare a report documenting the survey results. The Project shall obtain CDFW's written approval of the qualified biologist and survey report prior to starting construction activities between March 1 and September 15. Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately notify CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. Any detected nesting Swainson's hawk shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP before Project activities may commence.

COMMENT 4: Northern Spotted Owl

Issue: Section 1 and Section 2 of Mitigation Measure BIO-7 of the IS/MND (page 20) include dates that are not consistent with the guidance provided by CDFW to the County during early coordination efforts for this Project. Section 1 states that "If project

Dana Morrison
Napa County
April 7, 2025
Page 7

implementation occurs between February 1 and July 9 then no mitigation is required.” This time window is not appropriate for avoiding northern spotted owl.

Specific impacts and why they may occur and be significant: If Project activities commence during the northern spotted owl nesting season, northern spotted owl could be impacted, resulting in nest abandonment and loss of eggs or reduced health and vigor and loss of young, thereby substantially reducing the number of the species. Northern spotted owl is CESA listed as a threatened species and is also listed under the federal Endangered Species Act (ESA) and therefore is considered to be a threatened species pursuant to CEQA Guidelines section 15380. Therefore, if an active northern spotted owl nest is disturbed by the Project, the Project may result in a substantial reduction in the number of a threatened species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommendation: To reduce impacts to northern spotted owl to less-than-significant and comply with CESA, CDFW recommends that Mitigation Measure BIO-7 be substituted with the following:

MM BIO-7 Northern Spotted Owl Surveys: A qualified biologist shall provide an assessment of potential northern spotted owl nesting habitat within the Project area and a 0.25-mile radius and obtain CDFW’s written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that northern spotted owl nesting habitat is present, then no Project activities within 0.25 miles of potential northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts northern spotted owl surveys following the U.S. Fish and Wildlife Service (USFWS) *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, *Surveys for Disturbance-Only Projects*. If breeding northern spotted owl are detected during surveys, a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW’s written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

Dana Morrison
Napa County
April 7, 2025
Page 8

If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the IS/MND to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Nicholas Magnuson, Environmental Scientist, at (707) 815-4166 or Nicholas.Magnuson@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 or Melanie.Day@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486
Erin Chappell
Regional Manager
Bay Delta Region

Dana Morrison
Napa County
April 7, 2025
Page 9

Attachment 1: Draft Mitigation Monitoring and Reporting Program

ec: Office of Planning and Research, State Clearinghouse No. 2025030568

Dana Morrison
 Napa County
 April 7, 2025
 Page 10

ATTACHMENT 1

Draft Mitigation Monitoring and Reporting Program (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Biological Resources (BIO)			
Mitigation Measure (MM)	Description	Timing	Responsible Party
Measure number to be determined by Lead Agency	<p><u>Impacts to the Stream.</u> Prior to the commencement of Project activities, a qualified biologist shall conduct a thorough assessment of potential impacts to the stream and riparian habitat resulting from Project activities including construction of the winery facility. If impacts to the bed, bank, channel, or riparian area of the stream cannot be avoided, the Project shall notify CDFW for Project impacts to the stream. More information for the notification process is available at https://wildlife.ca.gov/Conservation/Environmental-Review/LSA. The Project shall comply with all measures of the SAA, if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed.. Restoration shall include a qualified biologist preparing and implementing a restoration plan, success criteria, a minimum of five years of monitoring and maintenance, and achieving success criteria.</p> <p>Please be advised that a SAA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.</p>	Prior to Ground Disturbance	Project Applicant
Measure number to be determined by Lead Agency	<p><u>Special-Status Plant Surveys.</u> A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction, including but not limited to Clara Hunt's milk-vetch (<i>Astragalus claranus</i>), unless otherwise approved in writing by CDFW. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities</p>	Prior to Ground Disturbance	Project Applicant

Dana Morrison
Napa County
April 7, 2025
Page 11

	<p>(https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW for written approval prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.</p>		
MM BIO-4	<p>Mitigation Measure BIO-4: Swainson's Hawk Surveys and Avoidance Buffer: If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline) and prepare a report documenting the survey results. The Project shall obtain CDFW's written approval of the qualified biologist and survey report prior to starting construction activities between March 1 and September 15. Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately notify CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. Any detected nesting Swainson's hawk shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. If take of Swainson's hawk cannot be avoided, the Project shall</p>	<p>Prior to Ground Disturbance</p>	<p>Project Applicant</p>

Dana Morrison
Napa County
April 7, 2025
Page 12

	consult with CDFW pursuant to CESA and obtain an ITP before Project activities may commence.		
MM BIO-7	<p><u>MM BIO-7 Northern Spotted Owl Surveys</u>: A qualified biologist shall provide an assessment of potential northern spotted owl nesting habitat within the Project area and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that northern spotted owl nesting habitat is present, then no Project activities within 0.25 miles of potential northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts northern spotted owl surveys following the U.S. Fish and Wildlife Service (USFWS) <i>Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls</i>, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, <i>Surveys for Disturbance-Only Projects</i>. If breeding northern spotted owl are detected during surveys, a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.</p> <p>Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, <i>Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California</i>, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.</p> <p>If take of northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP and also consult with USFWS pursuant to the federal ESA.</p>	Prior to Ground Disturbance	Project Applicant

From: [Magnuson, Nicholas@Wildlife](mailto:Magnuson,Nicholas@Wildlife)
To: [Morrison, Dana](mailto:Morrison,Dana)
Subject: RE: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568
Date: Tuesday, April 22, 2025 10:44:00 AM
Attachments: [image001.png](#)

[External Email - Use Caution]

Hi Danna, sorry for the delay –

The LSA language below can be used as a mitigation measure.

The revisions to plant survey measure to focus on Clara Hunt's Milk-vetch is fine, however, the results should be submitted to CDFW for approval before start of construction, see **highlighted** below.

Thanks,
Nick

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Friday, April 11, 2025 2:01 PM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: FW: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Hey Nick,
The applicant was hoping that CDFW would supportive of some revisions to the LSA and Clara Milk-Vetch. See their edits and comments below. I would be happy jump on a call or teams meeting to discuss sometime in the next few weeks, and we can arrange a later meeting with the applicant...if you are amenable.
Let me know!
Cheers,

Dana Morrison (she | her | hers)
Supervising Planner - Conservation



A Tradition of Stewardship
A Commitment to Service

Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: Rob Anglin <anglin@htralaw.com>

Sent: Friday, April 11, 2025 1:53 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Jon Webb <jwebb@albionsurveys.com>; Bonnie Peterson <bpeterson@madroneeco.com>

Subject: Re: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

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Dana,

Thank for your time this afternoon. Here are the changes we think might be helpful to implement CDFW's comments.

Streams

CDFW's language seems open-ended to us. Could we use this condition language as a mitigation measure?

Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the Notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with potential to impact the stream until the SAA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by

restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An SAA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources.

Clara Hunt's Milk-vetch

We understand the desire to survey for this species prior to construction. The CDFW draft language would go further than that and could be duplicative of other mitigation measures directed at other plant species. We'd propose targeting this mitigation measure to Clara Hunt's Milk-vetch. Proposed revisions are in underline and strikethrough below.

Clara Hunt's milk-vetch ~~Special-Status Plant~~ Surveys. A Qualified Biologist shall conduct botanical surveys during the appropriate blooming period and conditions for Clara Hunt's milk-vetch (*Astragalus claranus*) ~~all special-status plants that have the potential to occur~~ at the Project site, and adjacent to it where plants could be indirectly impacted, prior to the start of construction; ~~including but not limited to Clara Hunt's milk-vetch (*Astragalus claranus*), unless otherwise approved in writing by CDFW. More than one year of surveys may be necessary.~~ Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for target special-status plant species, unless otherwise approved in writing by CDFW. Survey reports shall be submitted to CDFW **for written approval** prior to the start of construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and seek to obtain an ITP prior to Project commencement.

If it helps to get on a call with CDFW, we're happy to do that. Thanks and have a great weekend.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
anglin@htralaw.com

On Apr 9, 2025, at 9:47 AM, Morrison, Dana
<dana.morrison@countyofnapa.org> wrote:

Morning Jon, Rob and Bonnie,
CDFW provided a Draft MMRP at the end of their document, I do have one drafted but typically I release that with the Agenda Packet (so I can hopefully incorporate any changes resulting from CDFW comments if we receive before release). Please find a copy of the draft MMRP attached. This would be the draft that we update with CDFW comments and release with the Staff Report which would include the IS/MND and all of the exhibits which would include the MMRP
Please let me know if you have any additional questions.
Cheers,

<image001.png>

Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

From: Jon Webb <jwebb@albionsurveys.com>
Sent: Wednesday, April 9, 2025 9:36 AM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Cc: Rob Anglin <anglin@htralaw.com>; Bonnie Peterson <bpeterson@madroneeco.com>
Subject: RE: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

[External Email - Use Caution]

Dana
Our bio-consultant(Bonnie Peterson) does not recollect seeing the original MMRP mentioned by CDFW, have you seen it?

Thank You

Jon M Webb, PLS 6709
Albion Surveys, Inc.
1113 Hunt Avenue

Saint Helena, CA 94574
707-963-1217, ext 117
707-963-1829(facsimile)
jwebb@albionsurveys.com

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From: Morrison, Dana <dana.morrison@countyofnapa.org>

Sent: Tuesday, April 8, 2025 11:21 AM

To: Jon Webb <jwebb@albionsurveys.com>

Cc: Rob Anglin <anglin@htralaw.com>

Subject: FW: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

Good morning Jon and Rob,

We received the following comment from CDFW. Jon, please ensure that the Biologist includes Clara's Hunt Milk-Vetch in their surveys for the rest of the season. Most of the other comments relate to changes in the survey dates for the

Swainson's hawk and NSO. And CDFW is also recommending that the LSA Condition of Approval be a Mitigation Measure. These can be incorporated into the Final COAs and Final MMRP.

If you have any questions, please do not hesitate to reach out.

Cheers,

<image001.png>

Dana Morrison (she | her | hers)

Supervising Planner - Conservation
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Napa, CA 94559

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From: Limon, Jessica@Wildlife <Jessica.Limon@Wildlife.ca.gov>

Sent: Tuesday, April 8, 2025 10:38 AM

To: Morrison, Dana <dana.morrison@countyofnapa.org>

Cc: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>; Day, Melanie@Wildlife <Melanie.Day@wildlife.ca.gov>; Weightman, Craig@Wildlife <Craig.Weightman@wildlife.ca.gov>; Hansen, James@Wildlife <James.Hansen@Wildlife.ca.gov>

Subject: Tesseron Vineyards Winery, Use Permit #P22-00309-UP-SCH2025030568

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Good morning,

Please see the attached letter for your records. If you have any questions, contact Nicholas Magnuson, cc'd above.

Thank you,

Jessica Limon

Staff Services Analyst/ Administrative Support Analyst
California Department of Fish and Wildlife – Bay Delta Region

2109 Arch Airport Rd., Stockton, CA 95206

<image002.png> 209-616-6011

<image003.png> jessica.limon@wildlife.ca.gov

<MMRP_Tesseron Vineyard_P22-00309.docx>