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PROJECT REVISION STATEMENT

Bonny's Vineyard P22-00002
Planning Commission Hearing Date
December 18, 2024

PROJECT REVISION STATEMENT
Bonny's Vineyard: New Winery Use permit
Use Permit No. #P22-00002-ECPA

I hereby revise the Bonny's Vineyard New Winery Use Permit No. #P22-000002-UP a request to allow for the construction and operation of a New Winery on a 25.54-acre parcel at 1555 Skellenger Lane, Napa (APN 030-200-080) where the new winery would consist of the following: (1) construction on a new 30,000 gallon per year production winery comprising a 10,996 square foot (sf) winery building with a 1,426 sf covered crush pad, a 392 sf uncovered mechanical yard and 1,255 sf of covered loggia (patio space); (2) six (6) full-time employees; (3) tours and tastings for a maximum of 45 visitors per day with catering provided, catering will be prepared offsite; (4) two (2) large events per year with a maximum of 150 visitors and nine (9) small events per year with a maximum of 80 visitors; (5) production days and hours 9 AM to 5 PM, seven (7) days per week, visitation days and hours 10 AM to 5 PM, seven (7) days per week; (6) parking for 20 cars with overflow event parking occurring on-site, and as needed along the existing vineyard avenues for events; (7) on-site landscaping, and (8) three (3) 10,000-gallon water storage tanks, to include the following measures specified below:

1. **Mitigation Measure BR-1 (Western Pond Turtle):** The Permittee shall comply with the following measures to minimize impacts of the proposed project on western pond turtles:
    a. No more than two weeks prior to the commencement of ground-disturbing activities, a qualified biologist shall perform surveys for western pond turtles within aquatic and upland habitat at the Project, unless otherwise approved in writing by CDFW. Surveys will encompass individual turtles and nest sites. An additional survey shall occur no more than 48 hours prior to Project activities. If a pond turtle or nest site is detected at any time, CDFW shall be notified immediately. Survey results shall be submitted to CDFW prior to construction activities. All western pond turtles observed on-site shall be avoided and allowed to leave the Project activity area of their own volition or may be relocated with prior written approval from CDFW. Any turtle nest sites shall be avoided with an appropriate buffer identified by a Qualified Biologist and accepted in writing by CDFW.

2. **Mitigation Measure BR-2 (Nesting and Migratory Birds):** The Permittee shall comply with the following measures to minimize impacts associated with the loss and disturbance of nesting birds and raptors consistent with and pursuant Fish and Game Code Sections 3503 and 3503.5 and the California Endangered Species Act found in Fish and Game Code Section 2050 et seq.:
    a. If Project construction activities, including but not limited to vegetation clearing, occur during the nesting season for birds protected under the California Fish and Game Code and Migratory Bird Treaty Act (approximately February 15-August 31) the Project shall retain a qualified biologist to perform preconstruction surveys for nesting birds, including but

not limited to nesting raptors, on the Project site and in the immediate vicinity including a minimum 500 foot radius around the Project site. The survey shall be conducted no more than seven (7) days prior to the initiation of construction activities, including but not limited to vegetation clearing. If there is a lapse of seven (7) days or more in construction activities, another nesting bird survey shall be conducted. In the event that nesting birds are found on the Project site or within 500 feet of the Project site, the Project shall:

i. Locate and map the location of the nest site and immediately notify CDFW if nesting special-status birds or evidence of their presence is found;
ii. Establish a clearly marked no-disturbance buffer around the nest site. Buffer distances for bird nests shall be site specific and an appropriate distance, as determined by a qualified biologist, unless otherwise approved in writing by CDFW. The buffer distances shall be specified to protect the bird's normal behavior thereby preventing nesting failure or abandonment. The buffer distance recommendation shall be developed after field investigations that evaluate the bird(s) apparent distress in the presence of people or equipment at various distances. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards project personnel, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority to order the cessation of all nearby project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established;
iii. Within five working days of the nesting bird surveys prepare a survey report and submit it to CDFW; and
iv. Monitor any active nest daily and ensure that the no disturbance buffer is maintained, unless otherwise approved in writing by CDFW.

3. **Mitigation Measure BR-3 (Swainson's Hawk and white-tailed kite Survey and Avoidance Buffer):** The Permittee shall comply with the following measures to minimize impacts associated with the loss and disturbance of Swainson's Hawk and white-tailed kites:
   a. If Project activities are scheduled during the nesting season for Swainson's hawk and white-tailed kite (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.

b. 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 and/or white-tailed kite 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 and/or white-tailed kite 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 and/or white-tailed cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP before Project activities may commence.

The Property Owner (Barbara L Meyer and BJ Meyer Properties LLC) further commit themselves and successors-in-interest to (a) inform any future purchasers of the property of the above commitments; (b) include in all property leases a provision that informs the lessee of these restrictions and binds them to adhere to them, and (c) inform in writing all persons doing work on this property of these limitations.

The Property Owner (Barbara L Meyer and BJ Meyer Properties LLC) understand and explicitly agree that with regards to all California Environmental Quality Act and Permit Streamlining Act (Government Code Sections 63920-63962) deadlines, this revised application will be treated as a new project. The new date on which said application will be considered complete is the date on which an executed copy of this project revision statement is received by the Napa County Department of Planning, Building and Environmental Services.

Barbara L Meyer

Barbara L Meyer

11/13/24

Date

BJ Meyer Properties LLC

11/13/24
Date