

**STAGECOACH GALLO NORTH VINEYARD
EROSION CONTROL PLAN APPLICATION
P18-00446-ECPA FINDINGS PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

- (1) ADOPTING FINDINGS AND REJECTING THE PROPOSED PROJECT,
THE NO PROJECT ALTERNATIVE, AND THE INCREASED
WATERCOURSE SETBACKS ALTERNATIVE PURSUANT TO CEQA; (2)
CERTIFYING THE ENVIRONMENTAL IMPACT REPORT; (3) FINDING
THE INCREASED PRESERVATION AREA ALTERNATIVE
CONSISTENT WITH THE NAPA COUNTY GENERAL PLAN;
(4) ADOPTING THE MITIGATION MONITORING AND REPORTING
PROGRAM; (5) ADOPTING THE INCREASED PRESERVATION AREA
ALTERNATIVE; AND (6) APPROVING ECPA NO. P18-00446-ECPA**

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WHEREAS, on or about December 20, 2018, Gallo Vineyards, Inc. filed an agricultural erosion control plan application (#P18-00446-ECPA) with the Napa County Planning, Building and Environmental Services (PBES) Department (Department) requesting approval of an Agricultural Erosion Control Plan (ECPA) to install a vineyard of approximately 85-91 net acres (±116 gross acres)(the proposed project or project);

WHEREAS, erosion control application P18-00446-ECPA contained the requisite application materials that were required by the County's Agricultural Erosion Control Plan Application Checklist at that time. As a result, the application was determined to be a "substantially conforming and qualified permit application" under the Water Quality and Tree Protection Ordinance (Ordinance No. 1438), which became effective May 9, 2019. Therefore, it was determined that the continued processing and review of the application would not be subject to the County Conservation Regulations (Napa County Code, Chapter 18.108) as amended by the Water Quality and Tree Protection Ordinance. The proposed project is subject to the County Conservation Regulations that were in effect before May 2019;

WHEREAS, the Project is proposed on an approximately 170.2-acre Stagecoach North Soda Canyon Ranch parcel (referred to in the EIR as the "project site") located off Soda Canyon Road approximately five miles northeast of Yountville in unincorporated Napa County. The project site is zoned Agricultural Watershed (AW) with a General Plan land use designation of Agriculture, Watershed and Open Space (AWOS) and Assessor Parcel Number 032-560-034 (the Property);

WHEREAS, on July 15, 2020, the Department determined the Project Hydrology Study to be technically adequate with respect to Napa County's Conservation Regulation Chapter 18.108, including Policy CON-50(c) of Napa County's General Plan;

WHEREAS, on April 2, 2019, the Department determined the Project to be technically adequate for sediment and erosion control with respect to Napa County's Conservation Regulation Chapter 18.108, including Policy CON-48 of Napa County's General Plan;

WHEREAS, on October 14, 2019, a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) and Initial Study (IS) were circulated through the State Clearinghouse, to the public, local, state, and federal agencies, other known interested parties, and posted at the County Clerk/Recorder for a 30-day review period that ended on November 12, 2019. In accordance with CEQA Guidelines Section 15063, three (3) comments were received from the public and County on the NOP;

WHEREAS, County, as lead agency, received and considered all comments submitted in connection with the NOP process and confirmed the scope of the Draft EIR (DEIR), and thus caused to be prepared a DEIR for the Project entitled the "Stagecoach North Vineyard Conversion Erosion Control Plan Application Project (#P18-00446-ECPA)(State Clearinghouse #2019100250);

WHEREAS, in accordance with CEQA, the DEIR (February 2021) was released for public and agency review on February 12, 2019. The public comment period ran from February 12, 2019 through March 29, 2019;

WHEREAS, between the start of the public comment period on February 12, 2019, and its end on March 29, 2019, the County received 13 public and agency written comments on the DEIR;

WHEREAS, in accordance with CEQA, all comments received on the DEIR during the comment period were responded to and included in a Final Environmental Impact Report (November 2022) released on January 17, 2023 (FEIR). The FEIR included comments and responses to comments on the DEIR and text revisions to the DEIR;

WHEREAS, on January 17, 2023, in accordance with CEQA, the FEIR was mailed to all commenting state and local agencies, organizations and individuals at least ten days prior to the County's certification of the FEIR and consideration of the Project;

WHEREAS, prior to taking action, the Interim Director of PBES's designee (Director), considered the Project, the Alternatives, and the FEIR, with respect to the ECPA;

WHEREAS, on June 28, 2023, notice was given to all property owners within 1,000 feet of the Project, Interested and Commenting parties, and posted at the County Clerk's office and on the County's Planning, Building and Environmental Services' (PBES) Current Projects Explorer page at <https://pbes.cloud/index.php/s/PNR3tG2ZbxbgYwp> of the following tentative actions taken by the Director to: (1) certify the EIR prepared for the Stagecoach ECPA (P18-00446-ECPA); (2) adopt the findings required pursuant to the CEQA including, but not limited to, rejecting the proposed project, the No Project Alternative and the Increased Watercourse Setbacks Alternative; (3) find the Increased Preservation Area Alternative consistent with the Napa County General Plan; (4) adopt the Mitigation Monitoring and Reporting Program; and (5) approve ECPA No. P18-00446-ECPA as revised to reflect the Increased Preservation Area Alternative.

NOW, THEREFORE, THE DIRECTOR FINDS as follows:

SECTION 1. Recitals.

The Director hereby finds that the foregoing recitals are true and correct and incorporates the Recitals herein.

SECTION 2. Purpose of the Findings.

The purpose of these Findings is to satisfy the requirements of Public Resources Code Section 21000, *et seq.*, and CEQA Guidelines, 14 Cal. Code Regs. Section 15000, *et seq.*, and in particular Sections 15090-15092, and 15097 thereof, and Napa County Code (NCC) Section 18.108.010 *et seq.*, and in particular Section 18.108.080 thereof, associated with consideration of the ECPA element of the Project and adoption of the Increased Preservation Area Alternative. These Findings provide the written analysis and conclusions of the Director regarding the Project and the Increased Preservation Area Alternative. They are divided into general sections. Each of these sections is further divided into subsections, each of which addresses a particular impact topic and/or requirement of law. At times, these Findings refer to materials in the administrative record, which are readily available for review in the Department. Where reference is made herein to the DEIR or FEIR, such references include the Appendices thereto.

SECTION 3. **Certification of EIR.**

Pursuant to Section 15090 of the State CEQA Guidelines, the Director has reviewed and considered the Final EIR and makes the following findings prior to certifying the Final EIR:

A) The above recitals are true and correct, reflect the independent judgment of the Director, and are hereby incorporated by this reference.

B) All individuals, groups, and agencies desiring to comment were given adequate opportunity to submit oral and written comments on the Draft EIR and to submit written comments on the adequacy of the Final EIR for certification. These opportunities for comment meet or exceed the requirements of CEQA, CEQA Guidelines, and the Napa County Local Procedures for Implementing the California Environmental Quality Act.

C) All comments submitted during the public review and comment period on the Draft EIR, and on the adequacy of the Draft EIR have been considered and responded to in the Final EIR or included in the public record.

D) No new comments or information has been submitted during the comment period that would change the analysis or conclusions of the Final EIR.

E) The Director has been presented with all of the information in the administrative record, public and agency comments, and EIR documents for the Final EIR, and has reviewed and considered this information and the Final EIR prior to approving the project.

F) The Final EIR has been completed in compliance with the intent and requirements of CEQA, CEQA Guidelines, the Napa County Local Procedures for Implementing the California Environmental Quality Act and reflects the independent judgment of the County and is hereby certified by the Director.

SECTION 4. **Project Objectives.**

As noted in the DEIR (pg.2-6 and 2-7) Applicant declared the following specific project objectives associated with the installation and operation of the proposed project:

- Develop new vineyards on those portions of the site that are suitable for the cultivation of high-quality wine grapes, which are designed and sited to include up to approximately 85–91 net planted acres within an approximately 116-acre development (or cleared) area, while ensuring the economic viability of the project.
- Expand vineyard production on an actively farmed property while ensuring the sustainability of farming operations.
- Minimize soil erosion from vineyard development and operation through vineyard design that avoids erosion-prone areas and controls erosion within the vineyard rather than capturing soil after it has been displaced.
- Minimize changes to hydrology from vineyard development.
- Farm vineyards in a sustainable manner that includes the use of integrated pest management practices and participation in the Napa Sustainable Winegrowing Group and California Sustainable Winegrowing Alliance.

- Protect water quality by protecting streams and drainages to the maximum extent feasible through avoidance, incorporation of appropriate setbacks, and implementation of various erosion control features.
- Minimize impacts on rare, endangered, and candidate plant and animal species to the extent feasible, while providing for avoidance, preservation, and replacement in accordance with accepted protocols, including but not limited to the Napa County General Plan.
- Use water from existing and proposed water resources efficiently.
- Maximize the use of current vineyard employees' skills and create efficiencies.
- Provide opportunities for additional vineyard employment and economic development in Napa County.

SECTION 5. Project Location and Description.

As set forth in the DEIR (pp. 2-1 through 2-6) as originally proposed, the Project is located and described as follows:

A. PROJECT LOCATION

The approximately 170.2-acre Stagecoach North Soda Canyon Ranch parcel (referred to in the EIR as the “project site”) is located off Soda Canyon Road approximately five miles northeast of Yountville in Napa County, Assessor’s Parcel Number 032-560-034. Access to the project site is available via a private road accessed from Soda Canyon Road, which crosses an adjacent property owned by the Applicant. The project site ranges in elevation from approximately 1,660 feet to 2,140 feet above mean sea level. Ground slopes range from approximately 7 percent to 25 percent and average 18 percent. The project site is located within the County-designated Rector Reservoir Sensitive Domestic Water Supply Drainage (Napa County Code Section 18.108.027) and is zoned Agricultural Watershed (AW) per Napa County Code Chapter 18.20.

B. PROJECT DESCRIPTION

Approximately 0.9 mile of dirt roads exist on the project site; approximately 0.6 mile of the existing roads would be upgraded to Level 1 roads to provide primary access to the proposed vineyard blocks. The project site has 0.1 mile of existing Level 2 roads that would be used seasonally during dry periods to provide secondary access to some vineyard blocks. Level 2 roads would receive the same best management practices and road shaping as Level 1 roads, except that the road would not be surfaced with crushed rock. The Level 2 roads would be part of vineyard avenues after implementation of the project and would be subject to the same vegetative cover crop requirements as the adjacent vineyard block pursuant to the Erosion Control Plan. Approximately 0.2 mile of existing dirt roads would be decommissioned and incorporated into the proposed vineyard blocks.

The proposed project involves earthmoving activities and vegetation removal on slopes greater than five percent in connection with the development of 91.3 net acres of new vineyard in 17 vineyard blocks within 116.2 gross acres, which includes upgrading existing dirt trails and access roads, on the approximately 170.2-acre property. All exposed soil surfaces greater than 100 square feet shall be straw mulched and grass seeded, this applies to landing surfaces and road surfaces unless rocked. All permanent road surfaces shall be rocked upon completion. Proposed

vineyard development activities include removing brush and trees within the proposed clearing limits, ripping, rock removal, blasting, soil cultivation, seeding of a cover crop, mulching, trenching for storm drain and irrigation pipelines, installing a trellis system and deer fence, and laying out vine rows. In addition, temporary and permanent erosion control measures would be installed. (DEIR, pp. 2-7 through 2-10).

EROSION CONTROL MEASURES

Temporary and permanent erosion control measures would be implemented as a part of the #P18-00446-ECPA for the proposed vineyard blocks. The following erosion control measures would be maintained regularly for the proposed project and are described in more detail in Section 2 of the DEIR (pp. 2-11 through 2-12). Temporary erosion control measures include installing water bars, straw wattles, and straw bale dikes and following other practices as needed. Permanent erosion and runoff control measures described in the Erosion Control Plan include:

- Five detention basins constructed in the development area to attenuate small increases in runoff associated with vineyard development.
- Seeding of a permanent cover crop with vegetative cover maintained according to the Erosion Control Plan.
- Surface drainage pipelines installed to collect surface runoff at low points throughout the development area and transport it to protected outlets.
- Cutoff collars installed on all solid pipelines with slopes steeper than five percent.
- Standard drop inlets and concrete drop inlets installed at designated locations in the development area.
- Diversion ditches constructed to convey surface water through and/or around proposed vineyard areas and direct it to a stable outlet or drop inlet.
- Diversion avenues constructed to reduce slope run length and intercept runoff throughout the vineyard while directing it to a stable outlet.
- Rock level spreaders installed in designated locations at the outfall of conveyance infrastructure to uniformly spread water onto the ground surface.
- Rock-filled avenues constructed to dispose of rock generated onsite, create safer turning for equipment, and disperse and filter runoff.
- Rock energy dissipaters constructed to help disperse concentrated flow.
- Rolling dips installed in designated locations in the development area to direct water off the roadway surface and back onto the native ground surface. These designated locations include areas where the existing road runs uphill and the potential exists for runoff to run down the roadway surface and cause erosion or gullying, or areas where rolling dips are needed to ensure that roads are hydrologically disconnected from receiving waters.
- Three new rocked water crossings over waters of the United States, installed in designated locations in the development area, to be used for vineyard access during low-flow or dry conditions. Other rocked water crossings proposed in the Erosion Control Plan would cross proposed ditches, and therefore would not affect waters of the United States.
- One existing undersized culvert upgraded to a larger diameter culvert (48 inches) to minimize the potential for plugging and other issues that could be caused by an undersized culvert.
- Outsloped infield level spreader constructed to prevent surface flows from becoming concentrated through the vineyard areas.

A permanent no-till cover crop would be established throughout the proposed vineyard blocks. Ground-disturbing activities would be completed by September 1 of each year, and erosion control measures and related infrastructure would be implemented by September 15. Erosion control measures would be maintained regularly to function as intended throughout the rainy season. A temporary winter cover crop would be planted prior to September 1. Seeding and mulching of the winter cover crop would be completed by September 15 of each year.

In the course of the CEQA-required analysis of the proposed project, the Department determined that one of the Project Alternatives, the Increased Preservation Area Alternative discussed further below, was an environmentally superior alternative to the proposed project that had the potential to feasibly attain most of the basic objectives of the Project and should be considered for approval in lieu of the proposed project. As such, the Department proposed to consider, and the Director hereby finds, that the ECPA for the Project, as originally proposed, shall be rejected in favor of the ECPA for the Increased Preservation Area Alternative.

SECTION 6. Findings are Determinative.

The Director recognizes that there may be differences in and among the different sources of information and opinions offered in the documents and testimony that make up the FEIR (November 2022) and the administrative record; that experts disagree; and that the Director must base its decision and these Findings on the substantial evidence in the record that it finds most compelling. Therefore, by these Findings, the Director ratifies the FEIR (November 2022) and resolves that these Findings shall control and are determinative of the potentially significant impacts of the Increased Preservation Area Alternative.

SECTION 7. Findings Associated with Less Than Significant Impacts Without Need for Imposition of Mitigation.

A) The Director has reviewed and considered the information in the DEIR and the FEIR, including the Appendices thereto and supplemental information provided by AES, addressing environmental effects, mitigation measures, and alternatives. The Director, relying on the facts and analysis in the DEIR and FEIR, which were presented to the Director and reviewed and considered prior to any approvals, concurs with the conclusions of the DEIR and FEIR regarding the less than significant environmental effects.

B) As discussed in Appendix B of the DEIR, the proposed project is not anticipated to, and the Director finds it will not, have significant impacts in the following areas, and therefore these areas were not further discussed in the DEIR or FEIR: Mineral Resources; Population/Housing; Public Services; Recreation; Utilities/Service Systems, and Energy Conservation.

C) The following potential impacts from implementation of the project are either less than significant or have no impact: Aesthetics; Agriculture and Forest Resources; Energy; Geology and Soils; Mineral Resources; Population and Housing; Recreation; and Wildfire (See Appendix of the DEIR.)

SECTION 8. Findings Associated with Impacts and Mitigation Measures.

According to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- 1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- 2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- 3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

CEQA does not require that a lead agency adopt every mitigation measure recommended in an EIR. However, when an agency rejects any of the mitigation measures identified in the EIR for a significant impact, it must make specific findings that the rejected measures are infeasible. These findings must show the agency's reasons for rejecting the mitigation measures that the EIR recommends. An agency may reject a mitigation measure recommended in an EIR if it finds that it would be infeasible to implement the measure because of "specific legal, economic, social, technological, or other considerations, including the provision of employment opportunities for highly trained workers." (Public Resources Code Section 21081(a)(3); 14 CCR Section 15091 (a)(3).) None of the mitigation measures in the FEIR have been rejected as infeasible or are within the jurisdiction and responsibility of another public agency.

A) Air Quality and Greenhouse Gas Emissions.

Impact 3.2-1: Construction and operation of the proposed project could conflict with or obstruct implantation of BAAQMD's 2017 Clean Air Plan.

Uncontrolled NO_x emissions during project construction would exceed BAAQMD's significance threshold. However, with implementation of Mitigation Measures 3.3-1a through 3.3-1j, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5, which would reduce the project acreage by approximately 25.37 gross acres, construction of the mitigated project would result in NO_x emissions less than the BAAQMD significance threshold. In addition, without implementation of the BAAQMD-required measures, fugitive dust (PM) emissions during project construction would be considered significant. Operational impacts would be less than significant because estimates of all operational emissions would be below BAAQMD's significance thresholds. Because project construction emissions would be significant without mitigation, the project would not be consistent with the 2017 Clean Air Plan. This impact would be significant.

Mitigation Measure 3.2-1a:

Implement Mitigation Measures 3.3-1a through 3.3-1j, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5.

Mitigation Measure 3.2-1b:

Construction contractors shall be required to implement the following measures consistent with the BAAQMD-recommended basic control measures during construction:

- (1) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- (2) All haul trucks transporting soil, sand, or other loose material offsite shall be covered.
- (3) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping shall be prohibited.
- (4) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- (5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- (6) Idling times shall be minimized either by shutting equipment off when not in use or by reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure, 13 CCR Section 2485). Clear signage shall be provided for construction workers at all access points.
- (7) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition before operation.
- (8) A publicly visible sign shall be posted with the telephone number and person to contact at Napa County regarding dust complaints. This person shall respond and take corrective action within 48 hours. To ensure compliance with applicable regulations, BAAQMD's phone number shall also be visible.

Mitigation Measure 3.2-1c:

Blasting operations shall be conducted as specified below:

- (1) Year-round, Monday through Friday only from 10 a.m. to 3 p.m.: Blasting shall not occur outside of these hours, or on the weekends, or on any major holidays.
- (2) Blasting shall be prohibited during high wind conditions. High wind conditions are deemed to occur when the two-minute average wind speed exceeds 20 miles per hour.
- (3) The owner/permittee shall measure and record wind speeds continually throughout the day during blast events to ensure compliance. Wind speed measurements, including average wind speeds shall be included in blasting logs.
- (4) The owner/permittee shall notify via email Napa County, and any agencies, businesses, and local residents requiring or requesting such notice via email, at least 48 hours in advance of any blasting events.
- (5) The owner/permittee shall record each blast event and maintain blasting logs for the duration of vineyard development activities. Blasting logs/records shall be submitted to Napa County upon request.

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, potential uncontrolled NO_x emissions from project construction is mitigated by Mitigation Measure 3.2-1a found on pages 2-14 and 2-15 of the FEIR and incorporated into the Conditions of Approval (COA) for the Project ECPA No. P18-00446-ECPA as COA No. 2. This measure would reduce NO_x emissions from project construction to below BAAQMD's significance threshold by reducing the

size of the project. In addition, implementing the BAAQMD-required basic control measures listed in Mitigation Measures 3.2-1b and 3.2-1c found on pages 3.2-27 through 3.2-29 of the DEIR and incorporated into the COA for the Project ECPA No. P18-00446-ECPA as COA No. 2 would reduce the proposed project's potential construction-related fugitive dust impacts to a less-than-significant level. The open burning condition of approval also would ensure that burning of cleared vegetation is conducted in accordance with BAAQMD Regulation 5. With mitigation, the proposed project's estimated emissions would not exceed the project-level thresholds for criteria air pollutants. Therefore, under the BAAQMD CEQA Guidelines, the proposed project would not result in a cumulatively considerable contribution to a regional air quality impact during construction or operation. Furthermore, because the Increased Preservation Area Alternative would reduce the amount of acreage disturbed for vineyard development, air quality impacts would be further reduced.

2) Impact 3.2-2: Construction and operation of the proposed project could result in a cumulatively considerable net increase of a criteria air pollutant for which the Bay Area is nonattainment under an applicable federal or state air quality standard.

The proposed project's operational emissions would be below the respective BAAQMD thresholds. However, unmitigated NO_x emissions from project construction would exceed the relevant BAAQMD significance threshold. Without implementation of BAAQMD's Basic Construction Mitigation Measures to address fugitive dust control, impacts from fugitive dust emissions would also be potentially significant. Therefore, without mitigation, the proposed project's contribution to a significant cumulative air quality impact would also be significant.

Mitigation Measures:

Implement Mitigation Measures 3.2-1a and 3.2-1b.

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential cumulative air quality impact resulting from criteria air pollutants is mitigated by adoption of Mitigation Measures 3.2-1a (found on pages 2-14 and 2-15 of the FEIR) and 3.2-1b found on page 3.2-27 of the DEIR) and incorporated into the COA for the Project ECPA No. P18-00446-ECPA as COA No. 2. These mitigation measures will reduce criteria air pollutants by reducing the size of the Project by approximately 25.37 acres and implementing all of BAAQMD's recommended basic control measures during construction to minimize fugitive dust emissions. With mitigation, the proposed project's estimated emissions would not exceed the project-level thresholds for criteria air pollutants. Therefore, under the BAAQMD CEQA Guidelines, the proposed project would not result in a cumulatively considerable contribution to a regional air quality impact during construction or operation. Furthermore, because the Increased Preservation Area Alternative would reduce the amount of acreage disturbed for vineyard development, air quality impacts would be further reduced.

B) Biological Resources

- 1) **Impact 3.3-1: Construction and operation of the proposed project could have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.**

Special-Status Plant Species:

Proposed vineyard development activities would directly affect the following eight special-status plant species: holly-leaved ceanothus, Franciscan onion, narrow-flowered California brodiaea, small-flowered calycadenia, two-carpellate western flax, Napa lomatium, green monardella and nodding harmonia and their habitat. The impact of project-related removal of these special-status plant species and their habitat would be significant for the following reasons:

- *Holly-leaved ceanothus* is present on the project site in varying densities as a co-dominant in chaparral. In total, 2,822 holly-leaved ceanothus individuals were observed on 109.41 acres of the project site in 2016. Vegetation clearing for the proposed project would result in the loss of approximately 76.97 acres that provide habitat for approximately 1,912 of these shrubs.
- *Franciscan onion*, a perennial herb (bulb) in the onion family (Alliaceae), occurs in cismontane woodland and valley grassland. Vegetation clearing for the proposed project would result in the loss of the six Franciscan onion individuals that were observed at a single location on the project site: within proposed vineyard Block Y14.
- *Narrow-flowered California brodiaea* is found in broad-leafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest, and valley and foothill grassland. Approximately 29 individuals of this species were observed at three locations on the project site. Construction of the proposed project would result in the loss of two narrow-flowered California brodiaea plants. *Small-flowered calycadenia* occurs on roadsides and in sparsely vegetated areas of chaparral, meadows and seeps, and valley and foothill grassland. Six individual plants were observed on the project site at a single location. Vegetation clearing for the proposed project would result in the loss of this population.
- *Two-carpellate western flax* is found in chaparral. Vegetation clearing for the proposed project would result in the loss of part of a population of this species on the project site (approximately 9,321 of 12,094 individuals, or 77 percent affected by the proposed project). Maximum numbers would likely be present only in years of optimal environmental conditions.
- *Napa lomatium* is found in chaparral and cismontane woodland. The proposed project would result in the loss of approximately 18 individuals of Napa lomatium (100 percent affected by the proposed project) in three locations: on the eastern edge of proposed vineyard Block Z19 and within proposed Blocks V1 and Y16.
- *Green monardella* is found in chaparral and cismontane woodland. This species was observed throughout the project site in open areas; approximately 2,707 individuals green monardella plants are present. The proposed project could result in the loss of

approximately 2,275 green monardella plants (84 percent affected by the proposed project).

- *Nodding harmonia* is found in chaparral and cismontane woodland. The proposed project could result in the loss of an estimated 338 nodding harmonia in an area of approximately 2,000 square feet (100 percent affected by the proposed project) on the central/southern edge of proposed vineyard Block X12.

In total, approximately 114.11 acres of the project site's 167.03 acres (or 68 percent) of special status plant species habitat would be removed, approximately 77.18 acres of which contain populations and individuals of special-status plants. Between 9 and 100 percent of the individual special-status plants and/or populations within the project parcel would be removed.

Mitigation Measure 3.3-1a:

In order to mitigate impacts to special-status plants resulting from development of the proposed project, the Applicant shall place in permanent protection a Preservation Area of no less than 79.3 acres of equal or greater habitat value than the locations of the special-status plants impacted by the proposed project, as determined by a qualified professional knowledgeable and experienced in the local botany and habitats with the potential to occur at the project site. All acreage designated for preservation shall be identified as such in a mitigation easement, with an accredited land trust organization such as the Land Trust of Napa County as the grantee, or other means of permanent protection acceptable to Napa County. The mitigation easement shall be prepared in a form acceptable to County Counsel and entered into and recorded with the Napa County Recorder's office prior to any earth disturbing activities, grading or vegetation removal, or within 12 months of project approval, whichever occurs first. In no case shall earthmoving activities be initiated until said mitigation easement is recorded.

Any request by the Applicant for an extension of time to record the mitigation easement shall be considered by the Director and shall be submitted to Napa County prior to the 12-month deadline and shall provide sufficient justification for the extension.

The land placed in protection shall be restricted from development and other uses that would potentially degrade the quality of the habitat (including but not limited to conversion to other land uses such as agriculture or urban development, and excessive off-road vehicle use that increases erosion), and should be otherwise restricted by the existing goals and policies of Napa County with the exception that access to and use, maintenance, and repair of the two existing groundwater supply wells within the project site are allowed.

Erosion Control Plan #P18-00446-ECPA shall be revised before approval to increase the Preservation Area to a minimum of 79.3 acres. With respect to the 79.3 acres of special-status species and habitat protected under Mitigation Measures 3.3-1b, 3.3-1d, 3.3-1f, and 3.3-1h, the Applicant shall provide an endowment to the accredited land trust that is sufficient to ensure that the mitigation easement is monitored, enforced, and defended in perpetuity. The amount of the endowment shall be calculated using the Center for Natural Land Management's Property Analysis Record software, or an equivalent methodology if preferred by the land trust and accepted by the Land Trust Alliance, which provides the

systematic and objective determination of the amount of the endowment in light of the conservation values to be protected by the easement. The record showing how the amount of the endowment was calculated shall be provided to County Counsel as part of its review of the mitigation easement. Any county staff time spent assessing and monitoring said provision shall be charged to the permittee, at the rate in effect at the time assessment and monitoring occurs, pursuant to County Fee Policy Part 80.

Mitigation Measure 3.3-1b:

The owner/permittee shall replace the 1,595 holly-leaved ceanothus affected by the project at a 1.2:1 ratio (mitigated: affected). This would result in the replacement of 1,914 holly-leaved ceanothus. This shall be accomplished by one of four options, or a combination thereof, to produce the 1,914 transplants to satisfy the required mitigation for this species: (1) assisted seedling recruitment in replanting areas; (2) propagating seeds from shrubs located within the adjacent Stagecoach property; (3) propagating cuttings from shrubs from the adjacent Stagecoach property, and/or (4) transplanting young seedlings from the development areas into pots for later transplantation. The techniques for each of these options shall be discussed in detail in the Holly-leaved Ceanothus Mitigation and Monitoring Plan.

The loss of 1,595 holly-leaved ceanothus would require a minimum planting/cutting/transplanting of 1,914 plants to achieve the 1.2:1 ratio. To establish 1,914 plants, about 46 individuals per acre shall be planted in a 42-acre portion of the Preservation Area containing chamise alliance, mixed manzanita, and scrub interior live oak (Figure 3.3-6). If it is not feasible to plant 1,914 holly-leaved ceanothus in the Preservation Area, suitable areas on adjacent lands may be utilized, at the discretion of Napa County.

Before the start of vegetation clearing and earth-disturbing activities on the project site, a qualified botanist shall prepare a detailed Holly-leaved Ceanothus Mitigation and Monitoring Plan for review and written approval by the County. The Holly-leaved Ceanothus Mitigation and Monitoring Plan shall document collaboration with CDFW on plan preparation. The plan shall include details on the four replacement options identified above. In addition, the plan shall include, but not be limited to: (1) an onsite habitat enhancement and planting plan, and offsite plantings, at the discretion of the County, if there is not enough suitable habitat within the proposed Preservation Area on the property to support a 1.2:1 ratio of individual plants planted to individual plants removed for perennial plants; (2) the success criteria with a minimum 80 percent survival rate; (3) a minimum of five years of monitoring activities for the populations; and (4) control of invasive species and any other maintenance to ensure plantings achieve success criteria. Any offsite habitat shall also be placed under a mitigation easement with the same requirements as outlined in Mitigation Measure 3.3-1a.

After replanting, the replanting area shall be monitored for a minimum of five years. Annual reports shall be prepared and submitted to the County, with interim success criteria included to ensure that the plan is on track to meet the mitigation goals. After the five-year monitoring period, a report shall be prepared and submitted to the County evaluating the success of the mitigation program and recommending further actions if necessary. If the

success criteria have not been met at the conclusion of the five-year monitoring period, monitoring shall continue until the success criteria have been achieved. An amount to be determined by the County shall be designated to fund the mitigation and monitoring effort, which shall be included in the endowment identified in Mitigation Measure 3.3-1a.

Mitigation Measure 3.3-1c:

Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the population of six Franciscan onion individuals from vineyard Block Y14 and maintain a 20-foot buffer from the avoided population, consistent with the modified block configurations detailed in Figure 3.3-6. These avoided populations shall be demarcated with construction flagging/fencing before the start of construction. The precise locations of these fences shall be inspected and approved by Napa County before the start of any earthmoving activities. Any incursions into the avoidance area/boundary shall be conducted only by qualified personnel and at the discretion of the County. No equipment or materials shall be laid down in or near the avoidance area/boundary.

Mitigation Measure 3.3-1d:

To avoid impacts on the narrow-flowered California brodiaea located outside the project area, the clearing limits shall be clearly and accurately flagged by an engineer using GPS equipment. The narrow-flowered California brodiaea to be retained adjacent to the clearing limits and roadways shall be demarcated with construction flagging/fencing. The precise locations of these fences shall be inspected and approved by Napa County before the start of any earthmoving activities. Any incursions into the avoidance area/boundary shall be conducted only by qualified personnel and at the discretion of the County. No equipment or materials shall be laid down in or near the avoidance area/boundary.

In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) any narrow-flowered California brodiaea plants inadvertently removed that are not located within the approved boundaries or clearing limits of #P18-00446-ECPA shall be replaced on-site at a ratio of 2:1 within the project’s avoidance areas, as approved by the planning director. A replacement plan shall be prepared for County review and approval, that includes, at a minimum, location of suitable habitat on the project parcel, the locations of replacement plantings, and success criteria of at least 80 percent, including monitoring schedule and activities. The replacement plan shall be implemented before vineyard planting activities. Any replaced plants shall be monitored for at least five years to ensure an 80 percent survival rate.

Mitigation Measure 3.3-1e:

Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the population of small-flowered calycadenia within proposed vineyard Block V4 and maintain a 20-foot buffer from the avoided population, consistent with the modified block configurations detailed in Figure 3.3-6. These avoided populations shall be demarcated with construction flagging/fencing before construction. The precise locations of these fences shall be inspected and approved by Napa County before the start of any earthmoving activities. Any incursions into the avoidance area/boundary shall be conducted only by qualified personnel and at the discretion of the County. No equipment or materials shall be laid down in or near the avoidance area/boundary.

Mitigation Measure 3.3-1f:

Replacement of two-carpellate western flax plants/populations removed shall be at a minimum 1.2:1 ratio (mitigated: affected) for the approximately 2,472 plants being removed. To mitigate impacts on two-carpellate western flax plants, the top three inches of soil shall be removed with hand shovels within all areas where flax individuals would be removed by the proposed development. The soil shall be transported to areas where suitable habitat occurs in the Preservation Area (Figure 3.3-6) and scattered across open areas. The locations where the soil comprising two-carpellate western flax seeds is relocated shall be mapped and their boundaries delineated with flagging.

Before the start of vegetation clearing and earth-disturbing activities on the project site, a qualified botanist/biologist shall prepare a detailed Two-carpellate Western Flax Mitigation and Monitoring Plan for review and written approval by Napa County. The Two-carpellate Western Flax Mitigation and Monitoring Plan shall document collaboration with CDFW on plan preparation. The plan shall include details on flax soil collection and relocation techniques to avoid introducing plant pathogens to the soil relocation area, and preparation of soil relocation areas. In addition, the plan shall include, but not be limited to: (1) an onsite habitat enhancement and planting plan, and offsite plantings, at the discretion of the County, if there is not enough suitable habitat within the proposed Preservation Area on the property to support a 1.2:1 ratio of individual plants planted to individual plants removed for perennial plants; (2) the success criteria with a minimum 80 percent survival rate; (3) a minimum of five years of monitoring activities for the populations; and (4) control of invasive species and any other maintenance to ensure plantings achieve success criteria. Any offsite habitat shall also be placed under a mitigation easement with the same requirements as outlined in Mitigation Measure 3.3-1a.

After relocating the soil containing flax seed, the soil relocation areas shall be monitored for a minimum of five years. Annual reports shall be prepared and submitted to the County, with interim success criteria included to ensure that the plan is on track to meet the mitigation goals. After the five-year monitoring period, a report shall be prepared and submitted to the County evaluating the success of the mitigation program and recommending further actions if necessary.

If the success criteria have not been met at the conclusion of the five-year monitoring period, monitoring shall continue until the success criteria have been achieved. An amount to be determined by the County shall be designated to fund the mitigation and monitoring effort, which shall be included in the endowment identified in Mitigation Measure 3.3-1a.

Mitigation Measure 3.3-1g:

Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the populations of Napa lomatium located on the eastern edge of proposed vineyard Block Z19 and within proposed vineyard Blocks V1 and Y16 and to maintain a 20-foot buffer from the avoided populations, consistent with the modified block configurations detailed in Figure 3.3-6. These avoided populations shall be demarcated in the field with construction flagging/fencing before construction. The precise locations of these fences shall be inspected and approved by Napa County before the start of construction and any earthmoving activities. Any incursions into the avoidance boundary shall be conducted only by qualified

personnel and only at the discretion of the County. No equipment or materials shall be laid down in or near the avoidance boundary.

Mitigation Measure 3.3-1h:

Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the green monardella populations adjacent to vineyard Blocks Z19, Z20, and V6 and maintain a 20-foot buffer from the avoided populations/areas, consistent with the modified block configurations detailed in Figure 3.3-6. These avoided populations shall be demarcated with construction flagging/fencing. The precise locations of these fences shall be inspected and approved by Napa County before commencement of earthmoving activities. Any incursions into the avoidance boundary shall be conducted only by qualified personnel and only at the discretion of the County. No equipment or materials shall be laid down in or near the boundary.

Replacement of green monardella plants/populations removed shall be at a minimum 1.2:1 ratio (mitigated: affected) for the approximately 1,162 plants being removed. This plant can be propagated from seeds, cuttings, and by dividing existing clumps. The cuttings or seeds shall be collected from a minimum of 100 individual plants present onsite to ensure diversity. The seeds or cuttings shall be collected and propagated by a nursery with experience propagating chaparral plants. Propagated replacement seeds and/or cuttings shall ~~be~~ be planted in suitable habitat in the Preservation Area (Figure 3.3-6), subject to the Green Monardella Mitigation and Monitoring Plan outlined below.

Before the start of vegetation clearing and earth-disturbing activities on the project site, a qualified botanist shall prepare a detailed Green Monardella Mitigation and Monitoring Plan for review and written approval by the County. The Green Monardella Mitigation and Monitoring Plan shall document collaboration with CDFW on plan preparation. The plan shall include details on collection and propagation of seeds, cuttings, or clump divisions, seed spreading and planting of propagated plants cuttings, techniques to avoid introducing plant pathogens to the replanting area, and preparation of replanting areas. In addition, the plan shall include, but not be limited to: (1) an onsite habitat enhancement and planting plan, and offsite plantings, at the discretion of the County, if there is not enough suitable habitat within the proposed Preservation Area on the property to support a 1.2:1 ratio of individual plants planted to individual plants removed for perennial plants; (2) the success criteria with a minimum 80 percent survival rate; (3) a minimum of five years of monitoring activities for the populations; and (4) control of invasive species and any other maintenance to ensure plantings achieve success criteria. Any offsite habitat shall also be placed under a mitigation easement with the same requirements as outlined in Mitigation Measure 3.3-1a.

After replanting, the replanting area shall be monitored for a minimum of five years. Annual reports shall be prepared and submitted to the County, with interim success criteria included to ensure that the plan is on track to meet the mitigation goals. After the five-year monitoring period, a report shall be prepared and submitted to the County evaluating the success of the mitigation program and recommending further actions if necessary. If the success criteria have not been met at the conclusion of the five-year monitoring period, monitoring shall continue until the success criteria have been achieved. An amount to be determined by the County shall be designated to fund the mitigation and monitoring effort, which shall be included in the endowment identified in Mitigation Measure 3.3-1a.

Mitigation Measure 3.3-1i:

Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the population of nodding harmonia located in proposed vineyard Block X12 and maintain a 20-foot buffer from the avoided population, consistent with the modified block configurations detailed in Figure 3.3-6. These avoided populations shall be demarcated with construction flagging/fencing before construction. The precise locations of these fences shall be inspected and approved by Napa County before the start of construction and any earthmoving activities. Any incursions into the avoidance area shall be conducted only by qualified personnel and only at the discretion of the County. No equipment or materials shall be laid down in or near the avoidance area/boundary.

Mitigation Measure 3.3-1j:

Prior to approval, Erosion Control Plan #P18-00446-ECPA shall be revised to show that the Project will be implemented in two phases with a maximum of 75 gross acres in Phase 1, and with Phase 1 being designed to avoid removal of any two-carpellate western flax or green monardella. The phasing is intended to demonstrate that the special-status plants removed and replaced as result of the project (i.e., holly-leaved ceanothus, two-carpellate western flax, and green monardella) can be successfully replaced and reestablished consistent with Mitigation Measures 3.3-1b, 3.3-1f, and 3.3-1h prior to commencement of Phase 2 by requiring that all replacement plantings for the entirety of the project be installed in Phase 1 and successfully established before commencement of Phase 2. A phasing plan shall be provided to Napa County for review and approval before its incorporation into #P18-00446-ECPA and shall at a minimum include the following:

1) Phase 1: Revised project area boundaries (i.e., clearing limits) to achieve a maximum of 75 gross acres of vineyard development. Phase 1 shall be designed to avoid removal of any two-carpellate western flax or green monardella and provide them with a minimum 20-foot buffer (and in a manner such that no plants or populations become isolated (i.e., vineyard development surrounding plants/populations on all sides):

i. Phase 1 shall include the planting and establishment of all mitigatory replacement plants required for the entirety of the vineyard development project in conformance with the Mitigation Monitoring Plans required by Mitigation Measures 3.3-1b, 3.3-1f, and 3.3-1h.

ii. The project replacement plants required pursuant to this measure, and the Mitigation and Monitoring Plans per Measures 3.3-1b, 3.3-1f, and 3.3-1h, shall be planted/installed no later than the spring (i.e., March 20th) following the year of initiation of construction of the Project (#P18-00446-ECPA).

2) Phase 2: Revised project boundaries (i.e., clearing limits) that includes the remainder of the approved project's development area (clearing limits), and does not to exceed the approved project's total gross acres when combined with Phase 1 acreage.

3) After a minimum of five (5) years from the planting of all project/mitigatory replacement plantings required in Phase 1, the Applicant shall provide written documentation to the County from a qualified biologist confirming that the project

replacement plantings have achieved the success criteria in the plant Mitigation and Monitoring Plans required by Mitigation Measures 3.3-1b, 3.3-1f, and 3.3-1h. If the success criteria fails to be achieved after reasonable efforts, commencement of Phase 2 vineyard development shall not occur, and monitoring shall continue annually thereafter until the success criteria has been achieved.

4) Upon the County's receipt of written confirmation from the project biologist that the success criteria has been achieved for project's replacement mitigatory plantings installed during Phase 1, the Applicant may proceed with vegetation removal or earthmoving activities associated with the development of vineyard in Phase 2, provided that any other applicable and required preconstruction requirements, conditions, or mitigation measure have been met to initiate Phase 2. In no event shall the Applicant commence any activities associated with Phase 2 unless and until the County has received the biologist's confirmation that the project replacement plantings have achieved the success criteria.

Mitigation Measure 3.3-1k:

For earth-disturbing activities occurring between February 1 and August 31 (coinciding with the grading season of April 1 through October 15 [Napa County Code Section 18.108.070.L] and the bird breeding and nesting seasons), a qualified biologist shall conduct a preconstruction survey for nesting birds in all suitable habitat in the development area, and within a minimum of 500 feet from the project area. A qualified biologist is defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site. The preconstruction survey shall be conducted no earlier than seven days before vegetation removal and the start of ground-disturbing activities. Should ground disturbance begin later than seven days from the survey date, the survey shall be repeated. A copy of the survey results shall be provided to the Napa County Conservation Division and CDFW for review and written acceptance before the start of work.

After work begins, if there is a period of no work activity of seven days or longer during the bird breeding season, the survey shall be repeated to ensure that birds have not established nests during the period of inactivity. If nesting birds are found, a qualified biologist shall identify appropriate avoidance methods and exclusion buffers in consultation with the County's Conservation Division and USFWS and/or CDFW before the start of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species, as determined by a qualified biologist in consultation with the County's Conservation Division and USFWS and/or CDFW.

Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County before the start of any vegetation removal or earthmoving activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist. Active nests discovered during the survey shall be monitored daily during construction activities by a qualified biologist for one week, and weekly thereafter, to ensure that established no-disturbance buffers are adequate in avoiding impacts on nesting birds. Monitoring shall continue in this manner until the nest is no longer active, as determined by a qualified

biologist. If the qualified biologist observes nesting birds displaying potential disturbance behaviors, the qualified biologist shall cease all construction activities, and CDFW shall be consulted with regarding avoidance and minimization measures prior to the resumption of construction activities. In this event, construction activities shall not resume without CDFW's written permission. Using alternative methods to flush out nesting birds before preconstruction surveys shall be prohibited.

Mitigation Measures 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5:

Implement Mitigation Measures 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5.

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential biological resource impact to special-status plant species is mitigated by adoption of Mitigation Measures 3.3-1a through 3.3-1j, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5 (found on pages 2-20 through 2-23 of the FEIR and pages 3.3-50 through 3.3-52 and 3.3-62 of the DEIR) incorporated into the Project ECPA No. P18-00446-ECPA as COA No 2. These mitigation measures will reduce the impacts to special-status species by redesigning the Project to avoid the areas supporting the highest density and diversity of special-status plant populations and reducing the acreage of vineyard development by approximately 26 acres, from 116.22 gross acres (inclusive of the maximum grading limits) to approximately 90.47 gross acres.

With implementation of Mitigation Measures 3.3-1a through 3.3-1j, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5, the areas outside of the proposed development area (referred to as the "Preservation Area" in the mitigation measures) would increase from 53.93 acres (170.15 – 116.22) to 79.3 acres (170.15 – 90.85) (Table 3.3-5a) through the following:

- Avoidance of California bay forest, dense holly-leaved ceanothus, and two-carpellate western flax in vineyard Block Y16 (Mitigation Measures 3.3-1a and 3.3-1b)
- Avoidance of California bay forest through removal of vineyard Block W7 (Mitigation Measure 3.3-1b)
- Increased wildlife corridors in vineyard Blocks V1, V2, and W8 (Mitigation Measure 3.3-4)
- Avoidance of California bay forest, holly-leaved ceanothus, two-carpellate western flax, and green monardella in vineyard Blocks V1, Y14, and Z18–Z20 (Mitigation Measures 3.3-1a and 3.3-1h)
- Complete avoidance of Franciscan onion, small-flowered calycadenia, Napa lomatium, nodding harmonia, and black oak forest with minimum 20-foot setbacks (Mitigation Measures 3.3-1c, 3.3-1e, 3.3-1g, 3.3-1i, and 3.3-5, respectively).
- Avoidance of green monardella adjacent to vineyard Block V6 (Mitigation Measure 3.3-1h).

With implementation of Mitigation Measures 3.3-1a through 3.3-1j, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5, approximately 41.94 acres in the Preservation Area of suitable habitat for holly-leaved ceanothus would be preserved in perpetuity. This area includes 27.71 acres of chamise alliance (or, from Table 3.3-5b, 71.58 acres – 43.87 acres), 3.22 acres of mixed manzanita (or, from Table 3.3-5b, 5.74 acres – 2.52 acres), and 11.01 acres of scrub interior live oak (or, from Table 3.3-5b, 29.86

acres – 18.85 acres). This area is estimated to include more than 1,225 holly-leaved ceanothus individuals. The mitigated proposed project would reduce impacts on approximately 317 holly-leaved ceanothus individuals compared to the proposed project. Implementation of Mitigation Measures 3.3-1b, 3.3-1f, and 3.3-1h would minimize impacts on holly-leaved ceanothus, two-carpellate western flax, and green monardella, respectively, through replacement at a 1.2:1 ratio (mitigated: affected) in the Preservation Area.

The mitigation, measures would avoid and preserve 31–65 of the project parcels’ special-status plant species habitats (i.e., California Bay–Madrone–Coast Live Oak, California Annual Grassland, Chamise Alliance, Mixed Manzanita, and Scrub Interior Live Oak) and all of the Black Oak Alliance and avoid and preserve approximately 43–100 percent of the project site’s special-status plant population/individuals, including all populations of Franciscan onion, small-flowered calycadenia, Napa lomatium, and nodding harmonia.

The mitigation measures would establish a 79.3-acre Preservation Area to protect special-status plant species and their habitats, result in the replacement of affected special-status plants at a 1:1 ratio (mitigated: affected) in the Preservation Area, and include monitoring of the replaced plants for five years to ensure success.

Nesting Birds Protected under the Migratory Bird Treaty Act and the California Fish and Game Code:

The proposed project could affect nesting birds protected under the federal Migratory Bird Treaty Act and the California Fish and Game Code during vegetation clearing, if any are nesting within or near the clearing footprint. This impact would be significant.

Mitigation Measure:

Implement Mitigation Measure 3.3-1k (see above).

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential biological resource impact to nesting birds is mitigated by adoption of Mitigation Measures 3.3-1k incorporated into the Project ECPA No. P18-00446-ECPA as COA No.2. These mitigation measures will reduce the impacts on protected migratory birds and raptors to a less-than-significant level by requiring preconstruction surveys that would identify any nesting birds, and if found, requiring observation of no-disturbance zones around nest sites.

2) Impact 3.3-2: Construction and operation of the proposed project could have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by CDFW or USFWS.

The proposed project would affect 31.63 acres (63 percent) of California bay forest through vegetation clearing. California bay forest is considered a sensitive natural (biotic) community by

CDFW as identified in the Napa County Baseline Data Report (Napa County 2005). California bay forest has a state rarity rank of S3, meaning that this natural community is rare and threatened throughout its range.

Mitigation Measure 3.3-2a:

The owner/permittee shall enhance 0.89 acres of California bay forest within the 79.3-acre Preservation Area (Figure 3.3-6). This shall be accomplished by planting California bay trees at a density similar to that occurring in the California bay forest mapped on the project site (Figure 3.3-2), about 50 trees per acre. Before vegetation clearing commences on the project site, a qualified professional knowledgeable and experienced with the habitats and trees at the project site shall prepare a detailed California Bay Mitigation and Monitoring Plan for review and approval by Napa County. The plan shall include details on replanting, techniques to avoid introducing plant pathogens to the replanting area, and preparation of the area for planting; a revegetation monitoring plan; success criteria with a minimum 80 percent survival rate; and reporting requirements.

After replanting, the area shall be monitored for a minimum of five years. Annual reports shall be prepared and submitted to the County, with interim success criteria included to ensure that the plan is on track to meet the mitigation goals. After the five-year monitoring period, a report shall be prepared and submitted to the County evaluating the success of the mitigation program and recommending further actions if necessary.

If the success criteria have not been met at the conclusion of the five-year monitoring period, monitoring shall continue until the success criteria have been achieved. An amount to be determined by the County shall be designated to fund the mitigation and monitoring effort.

Mitigation Measure 3.3-2b:

Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid 14 acres of California bay forest from the development area, consistent with the modified block configurations detailed in Figure 3.3-6. This avoided area shall be demarcated with construction flagging/fencing before commencement earthmoving activities. The precise locations of these fences shall be inspected and approved by Napa County before commencement of construction and any earthmoving activities. Any incursions into the avoidance area/boundary shall be conducted only by qualified personnel and at the discretion of the County. No equipment or materials shall be laid down in or near the boundary.

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to federally protected wetlands to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential impact to sensitive natural communities (California bay forest) is mitigated by adoption of Mitigation Measures 3.3-1a, 3.3-2a, and 3.3-2 (found on page 2-31 of the FEIR) incorporated into the Project ECPA No. P18-00446-ECPA as COA No. 2. These mitigation measures will reduce the impacts on California bay forest through a combination of avoidance, restoration and preservation of California

bay forest at a 2:1 ratio on the project site. Implementing Mitigation Measure 3.3-2b would also preserve additional areas of two-carpellate western flax, Napa lomatium, and green monardella.

A combination of restoration and preservation is proposed to comply with Policy CON-17. The project as proposed would result in the preservation of 18.61 acres of existing California bay forest (Table 3.3-4). With the implementation of mitigation measures, preservation of California bay forest would be increased to approximately 32.61 acres within the 79.3-acre Preservation Area. In addition, approximately 0.89 acres of the chamise alliance, mixed manzanita, and scrub interior live oak suitable for California bay forest enhancement and not proposed for holly-leaved ceanothus replanting (Mitigation Measure 3.3-1b) would be enhanced by planting California bay trees and preserved in perpetuity with Mitigation Measure 3.3-2a below to achieve two acres preserved/enhanced for every one acre affected. With implementation of Mitigation Measure 3.3-2a, approximately 33.5 acres (32.61 acres in the Preservation Area plus 0.89 enhanced in the Preservation Area) of California bay forest would be preserved and 17.63 would be developed.

3) Impact 3.3-3: Construction and operation of the proposed project could have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

The construction of three proposed rocked water crossings and replacement of an existing culvert in onsite stream courses totaling approximately 6,000 square feet could affect potential waters of the United States, waters of the state, and areas within CDFW jurisdiction. This impact would be significant.

Mitigation Measure 3.3-3:

All necessary permits shall be obtained before the construction of stream crossings and culvert replacement, and the owner/permittee shall comply with all permit minimization and mitigation measures. Impacts on waters of the United States would require a minimum mitigation ratio of 1:1 (mitigated: affected) to comply with USACE's no net loss policy; however, the Regional Water Board may require a ratio of 2:1 (mitigated: affected) or more. During construction of rocked water crossings and culvert replacement, all necessary best management practices shall be implemented to ensure that no soil or other materials are discharged into the onsite stream courses.

Before the construction and installation of stream crossings and culvert replacement associated with #P18-00446-ECPA, and before development of vineyard blocks reliant on those crossings, the owner/permittee shall obtain—and shall demonstrate to Napa County that it has obtained—all required authorizations and/or permits from agencies with jurisdiction over waters of the United States or the state, such as: Water Quality Certification (Section 401 permit) from the Regional Water Board; Section 1602 Lake and Streambed Alteration Agreement from CDFW and Section 404 Nationwide Permit from USACE. Alternatively, the owner/permittee may revise the plan to include clear-span crossings, with footings located outside of identified setbacks, over these drainages to minimize and mitigate potential impacts on jurisdictional waters of the United States or state.

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or

incorporated into, the project which avoid or substantially lessen the significant environmental effects to federally protected wetlands to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential impact resulting to jurisdictional waters of the United States or state is mitigated by adoption of Mitigation Measure 3.3-3 (found on page 3.3-59 of the DEIR) incorporated into the Project ECPA No. P18-00446-ECPA as COA No. 2. This mitigation measure will reduce the impacts on onsite waterways to a **less-than-significant** level by ensuring a no net loss through implementing a minimum 1:1 ratio replacement and implementing best management practices during construction of rocked water crossings and culvert replacement to ensure that no soil is discharged into the onsite stream courses. In addition, project approval, if granted, would be subject to water quality conditions of approval that would further reduce the potential for construction-related impacts from the transport of construction equipment across stream crossing.

4) Impact 3.3-4: Construction and operation of the proposed project could interfere substantially with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or could impede the use of native wildlife nursery sites.

Construction of the proposed project, including a wildlife exclusion fence around the project site, could create barriers to local wildlife movements and conflict with General Plan Policy CON-18. Installing a wildlife exclusion fence around the project site and/or vineyard blocks could restrict movement through the area of non-target wildlife such as raccoons, gray foxes, and other small to medium-sized mammals. In addition, the portion of the wildlife exclusion fence by proposed vineyard Block W8 would make the adjacent wildlife corridor slightly less than 100 feet, which is the preferred width to provide adequate movement areas for some of the passage species and corridor dwellers present in the landscape. The proposed project would create barriers to local wildlife movements by installing a wildlife exclusion fence. This impact would be significant.

Mitigation Measure 3.3-4:

The Vineyard Fencing Plan in Erosion Control Plan #P18-00446-ECPA shall be revised prior to approval to fence clusters of vineyard blocks as shown in Figure 3.3-6 and as described below. The revised Vineyard Fencing Plan shall be subject to review and approval by Napa County before its incorporation into #P18-00446-ECPA.

- The following vineyard blocks shall be fenced individually: Blocks V6, W8, Y15, Y16, Z17, Z18, and Z20. The location of new wildlife exclusion fencing shall generally be limited to the outside edge of vineyard avenues.
- The following vineyard blocks shall be fenced in groups: Group 1—Blocks X10, X11, X12, and Y14; and Group 2—Blocks V1, V2, V3, and V4. To the maximum extent practical, the location of new wildlife exclusion fencing shall generally be limited to the outside edge of existing and proposed vineyard avenues and development areas.
- A portion of vineyard Blocks V1, V2, and W8 shall be removed to provide and maintain a wildlife corridor at least 100 feet wide adjacent to the block(s), consistent with the modified block configurations detailed in Figure 3.3-6, to facilitate the movement of larger mammals through the area.

- New fencing shall use a design that has six-inch-square gaps at the base (instead of the typical three-inch by six-inch rectangular openings) to allow small mammals to move through the fence. Exit gates shall be installed at the corners of wildlife exclusion fencing to allow trapped wildlife to escape. To prevent entanglement, smooth wire instead of barbed wire shall be utilized to top wildlife exclusion fencing.
- Any modifications to the location of wildlife exclusion fencing as specified in Erosion Control Plan #P18-00446-ECPA pursuant to the Vineyard Fencing Plan required by this mitigation shall be strictly prohibited and would require County review and approval to ensure that the modified wildlife exclusion fencing location/plan would not result in potential impacts on wildlife movement.
- Prior to completion and finalization of #P18-00446-ECPA, all wildlife exclusion fencing shall be inspected by the County to ensure that it was installed in substantial conformance with the approved Vineyard Fencing Plan. Any wildlife exclusion fencing not installed in conformance with the Fencing Plan shall be removed and replaced in accordance with the Fencing Plan. Any vegetation removed as part of incorrect fencing installation shall be replaced onsite at a ratio of 2:1 within the project's avoidance areas, as approved by the planning director. A replacement plan shall be prepared for County review and approval, that includes, at a minimum, the locations of replacement plantings, plant pallet and planting methods, success criteria of at least 80 percent, and a minimum five-year monitoring schedule.
- The owner/permittee shall implement the following measures to avoid indirect impacts and encroachment into avoided habitats:
 - a) The project boundaries (i.e., clearing limits) specified and shown on #P18-00446-ECPA, as modified by mitigation and/or a project alternative, shall be flagged in the field by the project engineer and protective construction fencing shall be installed along the boundaries. Construction fencing shall be inspected and approved by the County prior to the commencement of vegetation removal and earth-disturbing activities. No equipment or work shall be allowed within the avoidance areas. The protective construction fencing shall be maintained and remain in place until all grading and erosion control measure installation are complete.
 - b) For avoided areas located inside wildlife exclusion fencing as a result of implementation of mitigation, the protective constructive fencing shall be replaced with a wildlife-friendly permanent means of demarcation and protection around the avoided areas (such as split rail fence, three-strand wire fence, or rock fence/barrier) so that avoidance areas are not encroached upon or disturbed as part of ongoing vineyard operations. The permanent means of demarcation shall be described and shown on the fencing plan pursuant to Mitigation Measure 3.3-4 and shall be installed prior to completion and finalization of the ECPA.
 - c) In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement), any vegetation inadvertently removed that is not located within the approved boundaries or clearing limits of #P18-00446-ECPA shall be replaced onsite at a ratio of 2:1 within the project's avoidance areas, as approved by the planning

director. A replacement plan shall be prepared for County review and approval that includes, at a minimum, the location of suitable habitat on the project parcel, the locations of replacement plantings, and success criteria of at least 80 percent, including monitoring schedule and activities. The replacement plan shall be implemented before vineyard planting activities. Any replaced plants shall be monitored for at least five years to ensure an 80 percent survival rate.

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to federally protected wetlands to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential impact on wildlife corridors is mitigated by adoption of Mitigation Measures 3.3-4 (found on pages 2-32 through 2-33 of the FEIR) and incorporated into the COA for the Project ECPA No. P18-00446-ECPA as COA No. 2. This measure would reduce impacts on wildlife corridors to a **less-than-significant** level by ensuring the maintenance of sufficiently sized wildlife corridors and the installation of fencing that would reduce potential negative effects on the movement of smaller animals while effectively excluding deer and wild pigs from the vineyard. Furthermore, because the Increased Preservation Area Alternative would reduce the amount of acreage disturbed for vineyard development, impacts to wildlife corridors and from fencing would be further reduced.

5) Impact 3.3-5: Construction and operation of the proposed project could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Because the project site is located in the Rector Reservoir Sensitive Domestic Water Supply Drainage, pursuant to Napa County Code Section 18.108.027(B) (Sensitive Domestic Water Supply Drainages—Vegetation Clearing), the proposed project must retain a minimum of 60 percent of the tree canopy and a minimum of 40 percent of the brush/shrub cover that existed on the parcel in 1993. Based on information provided by the Applicant and review of historical aerial imagery, Assessor's Parcel Number 032-560-034 consisted of 259.7 acres in 1993 (before a lot line adjustment that resulted in the current 170.15 acres), including two acres of developed area. The parcel contained 27.9 acres of tree canopy cover and 229.9 acres of brush/scrub cover in 1993. The project as proposed would remove approximately 0.2 acre of tree canopy cover and approximately 114.9 acres of brush/scrub canopy, which would result in the retention of approximately 99 percent tree canopy cover and approximately 50 percent of brush/shrub cover as it existed in 1993. This is within the minimum tree canopy and brush/shrub retention requirements for projects within a Sensitive Domestic Water Supply Drainage under Napa County Code Section 18.108.027(B).

In terms of the numbers of trees to be removed as part of the proposed project, approximately 1,636 of the estimated 2,790 trees on the project five inches in diameter at breast height or greater would be removed with the development of 116.22 gross acres of vineyard. The actual number of trees removed would be less with implementation of Mitigation Measures 3.3-1a through 3.3-1j, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5, which would result in the removal of 25.37 acres

from the proposed project for inclusion in the Preservation Area. The distribution of trees is highly variable on the site, and generally correlates with the vegetation communities mapped.

Oak woodland is the most common land cover in Napa County, occurring on approximately 167,000 acres (33 percent of the county's area). Approximately 733 acres of oak woodland, or 0.5 percent of the total area of oak woodland in the county, was cleared for residential and agricultural purposes between 1993 and 2002. Although oak woodlands may be one of the most common land covers in Napa County, their past conversion to residential and agricultural uses in conjunction with the foreseeable conversion of oak woodland to agricultural use is considered a potentially significant impact on both a project-specific level and a cumulative level (Napa County 2007). Construction of the proposed project would result in the removal of 0.75 acre of black oak forest in proposed vineyard Block Y16.

Mitigation Measure 3.3-5:

Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the 0.75 acre of black oak forest located in the development area, consistent with the modified block configurations detailed in Figure 3.3-6.

Before any earthmoving activities, temporary fencing shall be placed at the edge of the dripline of trees to be retained that are located adjacent to the development area (typically within approximately 50 feet). The precise locations of these fences shall be inspected and approved by Napa County before the start of any vegetation removal or earthmoving activities. No disturbance, such as grading, placement of fill material, and equipment storage, shall occur in the designated protection areas for the duration of erosion control plan and vineyard installation.

Trees removed that are not within the boundary of the project and/or not identified for removal as part of #P18-00446-ECPA shall be replaced onsite with 15-gallon trees at a ratio of 2:1 at locations approved by the director. Replacement trees shall be monitored and maintained as necessary for a minimum of five years to ensure an 80 percent survival rate. If replacement plantings are not achieving this success criterion during the initial monitoring period, the permittee shall be responsible for planting replacement trees and conducting ongoing monitoring to ensure that they achieve a survival rate of at least 80 percent.

The owner/permittee shall refrain from severely trimming the trees and vegetation to be retained adjacent to the vineyard conversion area.

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to the movement of native resident or migratory fish species and/or wildlife species to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential impact resulting from removal of 0.75 acre of black oak forest is mitigated by adoption of Mitigation Measure 3.3-5 (found on page 3.3-52 of the DEIR) incorporated into the Project ECPA No. P18-00446-ECPA as COA No. 2. This mitigation measure will avoid significant impacts on black oak forest by preserving all onsite acreage of this biological community.

C) Cultural and Tribal Resources

1) **Impact 3.4-1: Construction and operation of the proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA.**

While no significant archaeological resources were identified in the project area or vicinity, because of the presence of a single obsidian biface fragment and the environmental context, the potential exists for archaeological materials to be uncovered during project construction. Because the proposed project would involve ground-disturbing activities that may extend into undisturbed soil, it is possible that such actions could unearth, expose, or disturb subsurface archaeological resources that have not been previously identified. If previously unrecorded archaeological materials are identified in the project area during project implementation, and if they are found to qualify as archaeological resources pursuant to State CEQA Guidelines Section 15064, impacts of the proposed project on the resources would be potentially significant.

Mitigation Measure 3.4-1a:

Before the start of construction, an Archaeological Resources Worker Environmental Awareness Program shall be implemented. A qualified archaeologist or designee shall conduct training for project personnel regarding the appearance of archaeological resources and the procedures for notifying archaeological staff should materials be discovered. The owner/permittee shall provide documentation to Napa County before the start of project construction showing that an Awareness Program has been developed and appropriate project personnel have been trained, shall ensure that project personnel are made available for and attend the training, and shall retain documentation demonstrating attendance.

Mitigation Measure 3.4-1b:

If indigenous or historic-era archaeological resources are encountered during project development or operation, all activity within 100 feet of the find shall cease and the find shall be flagged for avoidance. Napa County and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archeology, shall be immediately informed of the discovery. The qualified archaeologist shall inspect the find within 24 hours of discovery and notify the County of their initial assessment. Indigenous archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); or battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include building or structure footings and walls, or deposits of metal, glass, and/or ceramic refuse.

If the resource is indigenous, the County shall contact a Native American representative to assess the find. If the County determines, based on recommendations from the qualified archaeologist and the Native American representative (if the resource is indigenous), that the resource may qualify as a historical resource or unique archaeological resource (as defined in State CEQA Guidelines Section 15064.5) or a tribal cultural resource (as defined in PRC

Section 21074), the resource shall be avoided if feasible. Avoidance means that no activities associated with the project that may affect cultural resources shall occur within the boundaries of the resource or any defined buffer zones. If avoidance is not feasible, the County shall consult with appropriate Native American tribes (if the resource is indigenous) and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts on the resource pursuant to PRC Section 21083.2, State CEQA Guidelines Section 15126.4, and County General Plan Policy CC-23. This shall include documentation of the resource and may include data recovery or other measures. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource. The resource and treatment method shall be documented in a professional-level technical report to be filed with the California Historical Resources Information System. Work in the area may commence upon completion of approved treatment and under the direction of the qualified archaeologist.

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to biological resources consistent with applicable local policies to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential impact resulting from disturbance of unrecorded archeological materials is mitigated by adoption of Mitigation Measures 3.4-1a and 3.4-1b (found on pages 3.4-12 and 3.4-13 of the DEIR) incorporated into the Project ECPA No. P18-00446-ECPA as COA No. 2. These mitigation measures will reduce the potential impacts to cultural resources because worker awareness training would be conducted and, if an archaeological resource is inadvertently discovered, a qualified archaeologist would assess any previously unrecorded archaeological resource. If the resource is determined to potentially be significant, pursuant to State CEQA Guidelines Section 15064, the resource would be avoided if feasible; or, if avoidance is not feasible, Native American tribes would be consulted with (if the resource is indigenous in origin) and treatment measures would be determined, which may include conducting data recovery of the resource. Furthermore, because the Increased Preservation Area Alternative would reduce the amount of acreage disturbed for vineyard development, there is a reduced likelihood of disturbing a historical or archeological resource, resulting in further reduced impacts to historical or archeological resources.

2) Impact 3.4-2: Construction and operation of the proposed project could disturb human remains, including those interred outside of formal cemeteries.

No human remains have been identified in the project area through archival research, field survey, or Native American consultation. Also, the land use designations for the project area do not include cemetery uses, and no known human remains exist within the project area. Therefore, the proposed project is not anticipated to disturb any human remains. However, because the proposed project would involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb previously unknown human remains. In the event that human remains are discovered during ground-disturbing activities, impacts of the proposed project on the human

remains would be significant if those remains were disturbed or damaged. This impact would be potentially significant.

Mitigation Measure 3.4-2:

If human remains are uncovered during project construction, all work shall immediately halt within 100 feet of the find and the Napa County Coroner shall be contacted to evaluate the remains, and follow the procedures and protocols set forth in State CEQA Guidelines Section 15064.5(e)(1) and County General Plan Policy CC-23. If the County Coroner determines that the remains are Native American, the County shall contact the NAHC, in accordance with Health and Safety Code Section 7050.5(c) and PRC Section 5097.98. Per PRC Section 5097.98, the County shall ensure that the immediate vicinity where the Native American human remains are located is not damaged or disturbed by further development activity until the County has discussed and conferred, as prescribed in PRC Section 5097.98, with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to biological resources consistent with applicable local policies to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential impact from disturbing unknown human remains is mitigated by adoption of Mitigation Measure 3.4-2 (found on page 3.4-14 of the DEIR) incorporated into the Project ECPA No. P18-00446-ECPA as COA No. 2. This mitigation measure will reduce the potential impacts from disturbing human remains, including those interred outside of formal cemeteries by ensuring that work within 100 feet of the find cease immediately in the event human remains are uncovered and that inadvertently discovered burials are addressed in accordance with applicable sections of the Public Resources Code and Health and Safety Code. Furthermore, because the Increased Preservation Area Alternative would reduce the amount of acreage disturbed for vineyard development, there is a reduced likelihood of disturbing human remains, including those interred outside of formal cemeteries, resulting in reduced impacts to human remains that may be located on the site.

3) Impact 3.4-3: Construction and operation of the proposed project could cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074.

Through background research, a field survey, and outreach to the NAHC and Native American tribes, no tribal cultural resources as defined in Public Resources Code Section 21074 have been identified in the project area. Therefore, the proposed project is not anticipated to affect any tribal cultural resources as defined in Public Resources Code Section 21074. However, because the proposed project would involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb previously unknown archaeological resources that could also be considered tribal cultural resources. In the event that archaeological resources that are also considered tribal cultural resources are discovered during project ground-disturbing activities, impacts of the proposed project on the tribal cultural resource would be significant if impacts would

result in a substantial adverse change to the significance of the resource. This impact would be potentially significant.

Mitigation Measure 3.4-3:

If indigenous archaeological resources are encountered during project development or operation, all activity within 100 feet of the find shall cease and the find shall be flagged for avoidance. Napa County and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior’s Professional Qualifications Standards for Archeology, shall be immediately informed of the discovery. If the resource is indigenous, the County shall contact a Native American representative to assess the find. If the County determines, based on recommendations from a qualified archaeologist and a Native American representative, that a resource identified during project implementation may qualify as a tribal cultural resource (as defined in Public Resources Code Section 21074), the resource shall be avoided if feasible.

If avoidance is not feasible, the County shall consult with the appropriate Native American tribe to determine treatment measures to avoid, minimize, or mitigate any potential impacts on the resource pursuant to Public Resources Code Section 21083.2, State CEQA Guidelines Section 15126.4, and County General Plan Policy CC-23. Treatment may include, as feasible:

- Avoidance and preservation of resources in place, including but not limited to planning construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including but not limited to the following:
 - o Protecting the cultural character and integrity of the resource.
 - o Protecting the traditional use of the resource.
 - o Protecting the confidentiality of the resource.
 - o Establishing permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places.
 - o Protecting the resource.

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to biological resources consistent with applicable local policies to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential impact to tribal cultural resources is mitigated by adoption of Mitigation Measures 3.4-1a, 3.4-1b, 3.4-2, (above) and 3.4-3 (found on pages 3.4-15 and 3.4-16 of the DEIR) incorporated into the Project ECPA No. P18-00446-ECPA as COA No. 2. These mitigation measures will reduce the impacts to tribal cultural resources by ensuring that inadvertently discovered resources that may be eligible to the CRHR are identified and important information related to the sites is recovered. If an

archaeological resource is inadvertently discovered, a qualified archaeologist and a Native American representative would assess whether the resource would be avoided; or, if avoidance is not feasible, Native American tribes would be consulted with and treatment measures would be determined. In addition, workers in the area would be required to cease work and follow appropriate state law if human remains are discovered. Furthermore, because the Increased Preservation Area Alternative would reduce the amount of acreage disturbed for vineyard development, there is a reduced likelihood of disturbing human remains, including those interred outside of formal cemeteries, resulting in reduced impacts to human remains that may be located on the site.

D) Land Use and Planning

1) Impact 3.8-1: Construction and operation of the proposed project could cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The proposed vineyard is consistent with the project site's General Plan designation of AWOS because agriculture is an allowable use. The proposed project is also consistent with the project site's AW zoning designation because agriculture is one of the uses allowed in AW districts without a use permit. The proposed project has been analyzed for consistency with applicable sections of the Napa County Code and the Napa County General Plan (see DEIR Table 3.8-2). Various mitigation measures are required to reduce resource-specific impacts to ensure compliance with the Napa County Code of Ordinances and the Napa County General Plan. However, without mitigation, construction and operation of the proposed project would conflict with applicable sections of the Napa County Code and the Napa County General Plan. This impact would be significant.

Mitigation Measures:

Implement Mitigation Measures 3.3-1a through 3.3-5 (above).

Finding: Pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a), the Director hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects resulting from causing a substantial adverse change in the significance of a tribal cultural resource, to a **less than significant** level.

Rationale: Based on the DEIR and FEIR and the administrative record, this potential impact resulting from the potential conflict with Napa County land plan policies and/or County ordinances is mitigated by adoption of Mitigation Measures 3.3-1a through 3.3.5 (found on pages 3.8-4 through 3.8-13 of the DEIR) incorporated into the Project ECPA No. P18-00446-ECPA as COA No. 2. These mitigation measures will reduce the impacts resulting from the potential conflict with Napa County land plan policies and/or County ordinances by preserving habitat, ensuring adequate wildlife travel corridors, limiting development on environmentally sensitive areas, and protecting migratory and nesting birds. Furthermore, because the Increased Preservation Area Alternative would reduce the amount of acreage disturbed for vineyard development, the amounts of area disturbed for the development of vineyards will be reduced, resulting in reducing the potential for the Project to conflict with Napa County land plan policies and/or County ordinances.

SECTION 9. **Project Alternatives.**

A) Legal Requirements.

Section 15126.6(a) of the CEQA Guidelines requires that an EIR include a “range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” Public Resources Code section 21081(a)(3) provides that when approving a project for which an EIR has been prepared which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, a public agency may find that (1) changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment, and/or (2) that those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency, and/or that (3) specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report. Public Resources Code Section 21081(a). With respect to significant effects which were subject to a finding under paragraph (3), the public agency must find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

As set forth above, the EIR does not identify any significant effects that cannot be mitigated. Changes have been required in the development of the Project, and incorporated therein, which mitigate or avoid any significant effects. Such changes have been required in the Project or made a condition of approval and are enforceable.

The Project has no significant effects on the environment. Neither the Project as analyzed in the Draft EIR nor the Project as currently approved would result in any significant impacts after mitigation, the Director finds that a good faith effort was made to evaluate a reasonable range of potentially feasible alternatives in the EIR that could feasibly obtain the basic objectives of the Project, even when the alternatives might impede the attainment of the project objectives and might be more costly. As a result, the scope of alternatives analyzed in the EIR is not unduly limited or narrow. The Director also finds that all reasonable alternatives were reviewed, analyzed and discussed in the review process of the EIR and the ultimate decision of the Project. Because the Project, as mitigated, will not result in significant environmental effects on either a project-specific or cumulative basis, the Director is not required to adopt findings with respect to alternatives to the Project.

B) Range of Alternatives.

Chapter 5 of the DEIR (pages 5-1 through 5-23) and FEIR (pages 2-44 through 2-53) describes the alternatives considered and compares their impacts to the Project as mitigated. The DEIR evaluated three alternatives: (1) the No Project Alternative; (2) the Increased Preservation Area Alternative; (3) Increased Watercourse Setbacks Alternative.

Because the Project, as mitigated, will not result in significant environmental effects on either a project-specific or cumulative basis, the Director is not required to adopt findings with respect to alternatives to the Project.

C) The No Project Alternative.

Description: CEQA Guidelines Section 15126.6 (e)(1) states that a “no project” alternative shall be analyzed. The purpose of describing a “no project” alternative is to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving the proposed project. The “no project” alternative analysis is not the baseline for determining whether the environmental impacts of a proposed Project may be significant, unless the analysis is identical to the existing environmental setting analysis, which does establish that baseline.

Under the No Project Alternative, vineyards would not be planted, operated, and maintained on the project parcel and no changes to the existing network of undeveloped areas, dirt roads, and hand-cut trails would occur. Accordingly, the development of up to 91 net acres of vineyards within approximately 116.2 gross acres and the erosion control features associated with #P18-00446-ECPA would not occur.

The approximately 170.2-acre project site would still be accessed from Soda Canyon Road and would continue to consist of undeveloped areas, dirt roads, and hand-cut trails. No changes would be made to the existing 0.9 mile of dirt roads or existing wildlife exclusion fencing. Two wells are currently located in the southeastern portion of the project site; with the No Project Alternative, no additional wells would be developed in the future. Vegetation types on the project site would remain primarily as chamise chaparral, grassland, California black oak forest, California bay forest, mixed manzanita, and scrub oak communities.

The No Project Alternative is discussed on page 5-2 through 5-4 of the DEIR and page 2-44 of the FEIR. Under this alternative, the Project site would continue in its existing conditions without future development on the property. As set forth in the DEIR:

ABILITY TO MEET PROJECT OBJECTIVES

With the No Project Alternative, the project site’s approximately 170.2 acres would remain undeveloped. The existing chamise chaparral, grassland, California black oak forest, California bay forest, mixed manzanita, and scrub oak communities would not change and current vegetative cover would remain. This alternative would not accomplish the basic objective of the proposed project: installation and operation of a new vineyard on the project site.

ENVIRONMENTAL IMPACTS

Unlike the proposed project, the No Project Alternative would not require construction equipment and materials, vehicles, and crews; ground-disturbing construction activities; or operation and maintenance activities. For this reason, the No Project Alternative would result in less severe impacts than the proposed project related to air quality and greenhouse gas (GHG) emissions, biological resources, cultural and tribal cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, and transportation.

Mitigation measures identified for the proposed project also would not apply to the No Project Alternative.

Vegetation removal, implementation of the Erosion Control Plan, and vineyard conversion would not occur under the No Project Alternative. The environmental setting would remain identical to conditions that existed at the time of the Notice of Preparation.

Unlike the proposed project, the No Project Alternative would not generate project construction emissions or result in a cumulatively considerable net increase in criteria pollutants, and this alternative would be consistent with the 2017 Clean Air Plan. Therefore, the No Project Alternative would not require implementation of Mitigation Measures 3.2-1a through 3.2-1c or the open burning condition of approval, as identified for the proposed project, to reduce impacts on air quality to less-than-significant levels. The No Project Alternative would not include activities that would expose sensitive receptors to substantial pollutant concentrations or result in other emissions (such as those leading to odors), adversely affecting a substantial number of people.

In addition, because this alternative would not involve any construction work or operation and maintenance activities, the No Project Alternative would not generate GHG emissions that would have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for reducing GHGs. No impacts would occur in these areas under the No Project Alternative, compared to the less-than-significant impacts that would result from the proposed project.

Because ground-disturbing activities would not occur under the No Project Alternative, impacts on biological resources, potential impacts on previously unrecorded cultural and tribal cultural resources, and conflicts with applicable sections of the Napa County Code and Napa County General Plan would not occur. The approximately 75.17 acres that provide habitat for approximately 1,912 holly-leaved ceanothus individuals, consisting of chamise alliance (48.85 acres), mixed manzanita (3.77 acres), and scrub interior live oak (22.55 acres), would remain on the project site. Populations of Franciscan onion, narrow-flowered California brodiaea, small-flowered calycadenia, two-carpellate western flax, nodding harmonia, Napa lomatium, and green monardella on the project site would not be removed and/or replanted. The 31.63 acres of California bay forest and 0.75 acre of black oak forest would remain on the project site. The approximately 2,790 total trees on the project site with a stem diameter at breast height of 5 inches or more would remain undisturbed. Therefore, the No Project Alternative would not require implementation of Mitigation Measures 3.3-1a through 3.3-k, 3.3-2a, 3.3-2b, 3.3-3, 3.3-4, 3.3-5, 3.4-1a, 3.4-1b, 3.4-2, and 3.4-3 as identified for the proposed project to reduce impacts on biological resources, cultural and tribal cultural resources, and land use and planning to less-than-significant levels.

With the No Project Alternative, proposed erosion and runoff control measures would not be implemented. Therefore, unlike the proposed project, this alternative would not cause a reduction in soil loss of approximately 29.78 percent (160.01 tons) or a net decrease in peak-flow rates relative to existing conditions. The No Project Alternative would not affect water quality and groundwater supplies.

Because construction and maintenance activities for the vineyard would not occur, the No Project Alternative would avoid potential impacts of the proposed project related to hazards and the

use of hazardous materials on the project site and temporary, less-than-significant impacts associated with noise and transportation-related construction activities.

D) Increased Preservation Area Alternative

Description: The Increased Preservation Area Alternative is discussed on pages 5-4 through 5-11 of the DEIR and pages 2-44 through 2-46 of the FEIR. This Alternative includes the 79.3-acre Preservation Area with implementation of Mitigation Measures 3.3-1a through 3.3-1k, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5. It also would avoid impacts on an additional 6.29 acres of biological communities identified in and near proposed vineyard Blocks V2, V3, V4, V6, W8, X12, Z17, and Z20. As a result, less vineyard area would be developed than under the proposed project. The Increased Preservation Area Alternative consists of approximately 64.46 net acres of vineyard within an approximately 84.56-acre cleared area (Figure 5-1). As described in Tables 5-1a and 5-1b, approximately 85.59 acres on the project site would not be converted to vineyard.

As under the proposed project, because the slopes in the Increased Preservation Area Alternative's proposed blocks are steeper than five percent, an erosion control plan would be required, and Napa County would retain approval authority. Therefore, this alternative would result in impacts on cultural and tribal cultural resources, hazards and hazardous materials, noise, and transportation similar to those identified for the proposed project.

Construction equipment, ground-disturbing activities, and commutes by construction workers under the Increased Preservation Area Alternative and the proposed project would generally be similar. As under the proposed project, the potential exists for cultural or tribal cultural resources to be uncovered during construction under the Increased Preservation Area Alternative. Implementation of Mitigation Measures 3.4-1a, 3.4-1b, 3.4-2, and 3.4-3, as identified for the proposed project, would minimize potential impacts of the Increased Preservation Area Alternative on cultural and tribal cultural resources to a less-than-significant level.

The Increased Preservation Area Alternative would comply with laws and regulations governing the transportation and management of hazardous materials to reduce potential hazards, and with best management practices in the conditions of approval identified for the proposed project. With this alternative, noise from construction and operation and maintenance activities and vehicles on local roadways would generally be similar to the proposed project because activities would be similar (though potentially less, given the reduced project footprint).

The Increased Preservation Area Alternative would include development of a smaller vineyard and clearing-limits area (31.66 acres less than under the proposed project). Therefore, impacts on air quality and GHG emissions, biological resources, geology and soils, hydrology and water quality, and land use and planning would be less than impacts identified for the proposed project.

Like the proposed project, the Increased Preservation Area Alternative could result in a cumulatively considerable net increase in criteria pollutants and may not be consistent with the 2017 Clean Air Plan; however, project construction emissions would be less than under the proposed project because this alternative would have a smaller project footprint. Implementation of Mitigation Measures 3.2-1a and 3.2-1b and the open burning condition of approval, as identified for

the proposed project, would reduce air quality impacts of the Increased Preservation Area Alternative to a less-than-significant level.

In addition, similar to the proposed project, the Increased Preservation Area Alternative would not include activities that would expose sensitive receptors to substantial pollutant concentrations or result in other emissions (such as those leading to odors), adversely affecting a substantial number of people. Like the proposed project, this alternative also would not generate GHG emissions that would have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for reducing GHGs.

Compared to the mitigated proposed project, the acreages of vineyard Blocks V2, V2, V4, V6, W8, X12, Z17, and Z20 would be reduced by an additional 4.54 total net acres under the Increased Preservation Area Alternative (**Table 5-2**). Because the Increased Preservation Area Alternative would remove less habitat than the proposed project, fewer impacts on special-status species and their habitats would occur. The Increased Preservation Area Alternative would preserve an additional 723 green monardella individuals, 245 holly-leaved ceanothus shrubs, and 1,374 two-carpellate western flax individuals compared to the mitigated proposed project. Like the proposed project, the Increased Preservation Area Alternative would construct three rocked water crossings, and impacts on waters of the United States, waters of the State, and areas within California Department of Fish and Wildlife jurisdiction would be the same as under the proposed project.

The Increased Preservation Area Alternative would provide the same wildlife movement corridors as the mitigated proposed project. Fewer trees would be removed under this alternative than under the proposed project, given the reduced project footprint. Implementation of Mitigation Measures 3.3-1a through 3.3-1k, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5, as identified for the proposed project (with replanting scaled down based on the additional preservation of green monardella, holly-leaved ceanothus, and two-carpellate western flax described in the paragraph above) would reduce impacts of the Increased Preservation Area Alternative on biological resources to a less-than-significant level. The Increased Preservation Area Alternative also would not conflict with applicable sections of the Napa County Code and Napa County General Plan with implementation of the mitigation measures identified for the proposed project. Impacts on biological resources and land use and planning would be less than those identified for the proposed project.

Like the proposed project, the Increased Preservation Area Alternative would be designed to reduce annual soil loss from the development area; however, because this alternative would include less acreage than the proposed project, the reduction in annual soil loss would likely be less than under the proposed project. Similar to the proposed project, no net increases in peak runoff would be anticipated with this alternative. Because the Increased Preservation Area Alternative would develop a smaller vineyard than the proposed project, annual groundwater demand would also be less. The Increased Preservation Area Alternative would require implementation of the water quality and groundwater management conditions of approval identified for the proposed project to reduce the potential for construction-related sedimentation from the transport of construction equipment across stream crossings, and for monitoring of groundwater use. Therefore, impacts on geology and soils and hydrology and water quality would be less than those identified for the proposed project.

Although construction and operation and maintenance activities would be similar to those for the proposed project, the Increased Preservation Area Alternative would develop fewer vineyard

acres than the proposed project. Because of the smaller project footprint, the Increased Preservation Area Alternative would result in less severe impacts than identified for the proposed project. Impacts would be less than significant with mitigation incorporated.

E) The Increased Watercourse Setbacks Alternative.

Description: The Increased Watercourse Setbacks Alternative is discussed on page 5-11 through 5-18 of the DEIR and pages 2-46 through 2-53 of the FEIR. This alternative consists of approximately 63.36 net acres of vineyard within an approximately 84.64-acre cleared area (Figure 5-2). As described in Tables 5-3a and 5-3b, approximately 84.64 acres on the project site would not be converted to vineyard.

The Increased Watercourse Setbacks Alternative includes the 79.3-acre Preservation Area with implementation of Mitigation Measures 3.3-1a through 3.3-1k, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5. It also would increase setbacks from onsite watercourses to between 55 and 65 feet, thereby avoiding impacts on an additional 6.21 acres of biological communities identified in and near proposed vineyard Blocks V1, V2, V3, V4, V6, W8, X11, X12, Y4, Y15, Z17, Z18, and Z20. As a result, less vineyard would be developed than under the proposed project.

The Increased Watercourse Setbacks Alternative consists of approximately 63.36 net acres of vineyard within an approximately 84.64-acre cleared area (Figure 5-2). As described in Tables 5-3a and 5-3b, approximately 85.51 acres on the project site would not be converted to vineyard.

As under the proposed project, because the slopes in the Increased Preservation Area Alternative's proposed blocks are steeper than five percent, an Erosion Control Plan would be required, and Napa County would retain approval authority. As described in the DEIR:

Ability to Meet the Project Objectives

The Increased Watercourse Setbacks Alternative would partially meet the project objectives, as it would allow conversion of a portion of the project site (84.64 gross acres) to vineyard; minimize soil erosion; protect water quality; minimize impacts on rare, endangered, and candidate plant and animal species to the extent feasible; and develop a vineyard on portions of the project site suitable for the cultivation of high-quality wine grapes. This alternative would provide opportunities for vineyard employment and economic development in Napa County.

However, the Increased Watercourse Setbacks Alternative would not meet all project objectives, specifically the goal to develop up to approximately 85–91 net planted acres of vineyards within an approximately 116-acre cleared area on the portions of the site that are suitable for the cultivation of high-quality wine grapes. This alternative would avoid an additional 6.21 acres within the project site compared to the mitigated proposed project to further minimize impacts on biological resources to less-than-significant levels. The alternative would include the development of approximately 63.36 net acres of vineyard within an approximately 84.64-acre cleared area.

Comparison of the Increased Watercourse Setbacks Alternative to the proposed project:

The Increased Watercourse Setbacks Alternative would include construction and operation and maintenance activities similar to those of the proposed project, although the acreage developed would be less (approximately 63.36 net acres of vineyard within an approximately 84.64-acre cleared area). Therefore, this alternative would result in impacts on cultural and tribal cultural resources, hazards and hazardous materials, noise, and transportation similar to those identified for the proposed project.

Construction equipment, ground-disturbing activities, and commutes by construction workers under the Increased Watercourse Setbacks Alternative and the proposed project would generally be similar. As under the proposed project, the potential exists for cultural or tribal cultural resources to be uncovered during construction under the Increased Watercourse Setbacks Alternative. Implementation of Mitigation Measures 3.4-1a, 3.4-1b, 3.4-2, and 3.4-3, as identified for the proposed project, would minimize potential impacts of the Increased Watercourse Setbacks Alternative on cultural and tribal cultural resources to a less-than-significant level.

The Increased Watercourse Setbacks Alternative would comply with laws and regulations governing the transportation and management of hazardous materials to reduce potential hazards, and with best management practices in the conditions of approval identified for the proposed project. With this alternative, noise from construction and operation and maintenance activities and vehicles on the local roadways would generally be similar to the proposed project because activities would be similar (though potentially less, given the reduced project footprint).

The Increased Watercourse Setbacks Alternative would include the development of a smaller vineyard and clearing-limits area (31.96 acres less than under the proposed project). Therefore, impacts on air quality and GHG emissions, biological resources, geology and soils, hydrology and water quality, and land use and planning would be less than impacts identified for the proposed project.

Like the proposed project, the Increased Watercourse Setbacks Alternative could result in a cumulatively considerable net increase in criteria pollutants and may not be consistent with the 2017 Clean Air Plan; however, project construction emissions would be less than under the proposed project because this alternative would have a smaller project footprint. Implementation of Mitigation Measures 3.2-1a and 3.2-1b and the open burning condition of approval, as identified for the proposed project, would reduce air quality impacts of the Increased Watercourse Setbacks Alternative to a less-than-significant level.

In addition, similar to the proposed project, the Increased Watercourse Setbacks Alternative would not include activities that would expose sensitive receptors to substantial pollutant concentrations or result in other emissions (such as those leading to odors), adversely affecting a substantial number of people. Like the proposed project, this alternative also would not generate GHG emissions that would have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for reducing GHGs.

Compared to the mitigated proposed project, the acreages of vineyard Blocks V1, V2, V3, V4, V6, W8, X11, X12, Y4, Y15, Z17, Z18, and Z20 would be reduced by an additional 5.64 total net acres under the Increased Watercourse Setbacks Alternative (**Table 5-4**) to increase setbacks from onsite watercourses to between 55 and 65 feet. Because the Increased Watercourse Setbacks Alternative would remove less habitat than the proposed project, fewer impacts on special-status species and their habitats would occur. The Increased Watercourse Setbacks Alternative would preserve an additional 934 green monardella individuals and 46 two-carpellate western flax individuals compared to the mitigated proposed project. Like the proposed project, the Increased Watercourse Setbacks Alternative would construct three rocked water crossings, and impacts on waters of the United States, waters of the State, and areas within California Department of Fish and Wildlife jurisdiction would be the same as under the proposed project.

The Increased Watercourse Setbacks Alternative would provide increased wildlife movement corridors along the watercourses compared to the proposed project and mitigated proposed project. Fewer trees would be removed under this alternative than under the proposed project, given the reduced project footprint. Implementation of Mitigation Measures 3.3-1a through 3.3-1k, 3.3-2a, 3.3-2b, 3.3-4, 3.3-5, as identified for the proposed project (with replanting scaled down based on the additional preservation of green monardella and two-carpellate western flax described in the paragraph above), would reduce impacts of the Increased Watercourse Setbacks Alternative on biological resources to a less-than-significant level. The Increased Watercourse Setbacks Alternative also would not conflict with applicable sections of the Napa County Code and Napa County General Plan with implementation of the mitigation measures identified for the proposed project. Impacts on biological resources and land use and planning would be less than those identified for the proposed project.

Like the proposed project, the Increased Watercourse Setbacks Alternative would be designed to reduce annual soil loss from the development area; however, because this alternative would include less acreage than the proposed project, the reduction in annual soil loss would likely be less than under the proposed project. Similar to the proposed project, no net increases in peak runoff would be anticipated with this alternative. Because the Increased Watercourse Setbacks Alternative would develop a smaller vineyard than the proposed project, annual groundwater demand would also be less. The Increased Watercourse Setbacks Alternative would require implementation of the water quality and groundwater management conditions of approval identified for the proposed project, to reduce the potential for construction-related sedimentation from the transport of construction equipment across stream crossings, and for monitoring of groundwater use. Therefore, impacts on geology and soils and hydrology and water quality would be less than those identified for the proposed project.

Although construction and operation and maintenance activities would be similar to those for the proposed project, the Increased Watercourse Setbacks Alternative would develop fewer vineyard acres than the proposed project. Because of the smaller project footprint, the Increased Watercourse Setbacks Alternative would result in less severe impacts than identified for the proposed project. Impacts would be less than significant with mitigation incorporated.

F) Environmentally Superior Alternative.

The DEIR discussed the Environmentally Superior Alternative at pages 5-18 through 5-24 of the DEIR. The DEIR identifies the Increased Preservation Area Alternative as the

Environmentally Superior Alternative, in lieu of the No Project Alternative. Under CEQA, if the No Project Alternative is the environmentally superior alternative, the EIR must identify an environmentally superior alternative among the other alternatives. (CEQA Guidelines Section 15126.6(e)(2).) The FEIR updates the alternatives discussion to reflect the changes from the proposed project to the Increased Preservation Area, the Increased Watercourse Setbacks Alternative and corrects typographical errors. While the No Project Alternative would be the environmentally superior alternative in the technical sense in that no new impacts would occur, the No Project Alternative would also fail to meet any of the project objectives. Moreover, the No Project Alternative would not have the benefits to water quality that the Modified Project will have because existing erosion would continue.

The Increased Preservation Area Alternative and Increased Watercourse Setbacks Alternative would partially meet the project objectives, though not the main objective: to develop approximately 85–91 net planted acres within an approximately 116-acre development area. Both alternatives would include development of approximately 32 acres less than the proposed project; therefore, both alternatives would result in less severe impacts on air quality and GHG emissions, biological resources, geology and soils, hydrology and water quality, and land use and planning than the impacts identified for the proposed project. The alternatives would result in impacts on cultural and tribal cultural resources, hazards and hazardous materials, noise, and transportation similar to those identified for the proposed project because they would include construction and operation and maintenance activities similar to those of the proposed project. Noise and transportation impacts could potentially be less with the two alternatives, given the reduced project footprint.

None of the alternatives would fully achieve the project objectives. The No Project Alternative would not involve any project construction or operation and maintenance activities and would result in no adverse environmental effects; however, identification of an environmentally superior alternative among the other alternatives considered in the EIR is required. Both the Increased Preservation Area Alternative and the Increased Watercourse Setbacks Alternative would reduce the severity of some environmental impacts, as indicated in Table 5-5. However, the Increased Preservation Area Alternative would preserve more individuals and habitats of special-status plant species than the Increased Watercourse Setbacks Alternative and the proposed project. Therefore, the Increased Preservation Area Alternative is identified as the environmentally superior alternative.

SECTION 10. Findings for Approval of Erosion Control Plan (Napa County Code Chapter 18.108.080).

Pursuant to Napa County Code Section 18.108.080, the Director must approve the erosion control plan. The Director thereby finds:

A) The application is complete and the plans and reports submitted therewith adequately describe the proposed project.

Analysis: By way of the CEQA process described above, the Director has determined that the application is complete, in that it contains all necessary information and data required by NCC Chapter 18.108. All environmental assessment of the ECPA has been completed pursuant to CEQA and a FEIR has been published and provided to the public (SCH No. 2019100250).

Additionally, the record for the ECPA contains the names and addresses of all property owners listed on the most recent update of the equalized assessment roll as owning property situated within one thousand feet of the Property, which have been duly notified of all application processing events associated with the project.

The Application complies with the requirements of NCC Section 18.108.080. It contains the information required and has been prepared in accordance with the format in Resolution No. 94-19. It conforms to the applicable guidelines required for ECPAs. It has been prepared by a licensed civil engineer. Slopes on the project site are less than 30 percent. The Conditions of Approval attached hereto as Exhibit “A” are imposed pursuant to the foregoing requirements.

B) The project is supported by adequate environmental documents that comply with the provisions of CEQA.

Analysis: As set forth herein, it has been determined by the Director that P18-00446-ECPA complied with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Napa County’s Local Procedures for Implementing CEQA.

C) The Increased Preservation Area Alternative provides for specific changes or alterations which avoid or mitigate the significant environmental effects of the Project as identified in the recommended FEIR.

Analysis: The Increased Preservation Area Alternative has been designed to avoid significant environmental effects. Mitigation Measures identified in the FEIR (November 2022) further result in activities that provide for site and condition-specific changes and alterations that mitigate potential significant environmental effects. Particularly, the Increased Preservation Area Alternative in conjunction with applicable mitigation measures would reduce any impacts associated with the Proposed Project to a less-than-significant level. Furthermore, implementation of the Increased Preservation Area Alternative would result in reductions in erosion and runoff, and improvements to water quality in the surrounding biotic communities as compared to the Proposed Project.

D) The Increased Preservation Alternative, as approved, is consistent with the objectives, policies and general land uses and programs set forth in the General Plan and the zoning of the site.

Analysis: The project site has the general plan designation Agriculture, Watershed and Open Space (AWOS) and zoning designation Agricultural Watershed (AW). Pursuant to NCC Chapters 2.94 (Agriculture and Right to Farm) and 18.20 (AW Agricultural Watershed District) agriculture is an allowed use, and the Project is consistent with General Plan and zoning district regulations, including General Plan Policies AG/LU-4, 15 and 20.

SECTION 11. Recirculation is Not Required.

In the course of responding to comments received during the public review and comment period on the DEIR, certain portions of the DEIR have been modified and some new information amplifying and clarifying information in the DEIR has been added to the FEIR (See Chapter 2, FEIR). The proposed revisions to the DEIR does not involve “significant new information” as the

revisions are in many case to reflect and disclose new regulatory requirements that became effective since April 2022, including Executive Order N-7-22, and BAAQMD’s adoption of thresholds of significance for climate impacts, and to refine mitigation language as a result of these regulatory requirements and of comments received, and involve no new significant impacts.

There are no substantial changes in the proposed project or the circumstances under which the Project is being undertaken that necessitate significant revisions of the DEIR, nor has significant new information become available. “Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.” (14 Cal Code Regs. Section 15088.5(b).) The Director hereby determines, based on the standards provided in Public Resources Code Section 21092.1 and Section 15088.5 of the CEQA Guidelines, that recirculation of the DEIR is not required prior to adoption of the Increased Preservation Alternative.

SECTION 12. General Plan Consistency.

The Director hereby finds that implementation of the Increased Preservation Alternative is consistent with the Napa County General Plan and concurs with the analysis, findings and conclusions set forth in the “General Plan Consistency Analysis” included in DEIR Table 3.8-2 on pages 3.8-5 through 3.8-13), attached as Exhibit “B” and incorporated here by reference.

SECTION 13. Record of Proceedings.

- A) The Record of Proceedings (record) upon which the Director bases these Findings and its actions and determinations regarding the proposed project includes, but is not limited to:
- 1) The NOP, comments received on the NOP and all other public notices issued by CAL FIRE and the County in relation to the Project (e.g., Notice of Availability);
 - 2) The DEIR, the FEIR and the appendices and technical reports cited in and/or relied upon in preparing the DEIR and FEIR;
 - 3) The FEIR, including comment letters, oral testimony and technical materials cited in the document;
 - 5) All non-draft and/or non-confidential reports and memoranda prepared by the County and consultants related to the EIR, its analysis and findings;
 - 6) All staff reports, County files and records and other documents, prepared for and/or submitted to the Department, Director and/or the County relating to the FEIR and/or the ECPA;
 - 7) The evidence, facts, findings and other determinations set forth in this Resolution and the above-referenced documents;
 - 8) Minutes and transcripts of the discussions regarding the Project and/or project components at public hearings or scoping meetings held by the Department and/or the Director;
 - 9) The Napa County General Plan;
 - 10) The Napa County Code;
 - 11) All applications, designs, plans, studies, data and correspondence submitted by Applicant in connection with the FEIR and/or ECPA;
 - 12) All documentary and oral evidence received at public hearings or submitted to the County during the comment periods relating to the FEIR and the ECPA;

- 14) All files, documents and records related to the Property and the Application, P14-00410-ECPA; and
- 15) All other matters of common knowledge to the Director including, but not limited to, County, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the Napa County and its surrounding areas.

B) The FEIR is on file with the Department and, along with the related planning and other County records, and files constituting the record of proceedings, are incorporated herein by this reference.

SECTION 14. Location and Custodian of Records.

The documents and other materials that constitute the record of proceedings on which the Director's findings regarding the mitigation measures and alternatives are based are located at the office and in the custody of the Napa County PBES Department, at 1195 Third Street, Suite 210, Napa, California. The location and custodian of these documents is provided in compliance with Public Resources Code Section 21081.6(a)(2) and 14 Cal. Code of Regulations section 15091(e).

SECTION 15. Mitigation Monitoring and Reporting Program.

The Director hereby adopts the Mitigation Monitoring and Reporting Program (MMRP) attached as Exhibit "C."

SECTION 16. Statement Of Overriding Considerations.

CEQA requires a public agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. A public agency may approve a project despite significant unavoidable impacts identified in an EIR.

In this instance, there would be no significant and unavoidable impacts as a result of the Increased Preservation Area Alternative, and therefore a statement of overriding considerations need not be adopted in order to approve the Increased Preservation Area Alternative.

SECTION 17. Adoption of the Project and Related Actions.

The Director hereby:

- A) Adopts the findings of facts and rationales as set forth herein;
- B) Adopts the Increased Preservation Alternative; and
- C) Approves P18-00446-ECPA, as revised for the Increased Preservation Area Alternative, subject to the attached Conditions of Approval attached as Exhibit "A."

SECTION 18. Filing Notice of Determination.

The Director hereby directs the Department to file a Notice of Determination regarding the Increased Preservation Area Alternative P18-00446-ECPA within five business days of final adoption of these Findings and Conditions of Approval.

SECTION 19. **Effective Date.**

These Finding and Conditions of Approval shall take effect upon the effective date of the Notice of Decision which once issued shall constitute the Decision pursuant to County Code Section 2.88.040 (A)(1) for purposes of filing an appeal.



BRIAN BORDONA
Interim Director of Napa County Planning, Building &
Environmental Services

Attachments:

- Exhibit “A” – Conditions of Approval
- Exhibit “B” – General Plan Consistency Analysis
- Exhibit “C” – MMRP

EXHIBIT A

Conditions of Approval

1. The permittee shall strictly conform to all provisions of the approved revised Agricultural Erosion Control Plan #P18-00446-ECPA. It is the responsibility of the permittee to communicate the requirements of all conditions and mitigation measures to all designers, contractors, and professionals related to the implementation and maintenance of the ECP to ensure compliance is achieved.
2. Mitigation Measures: The permittee shall fully comply with the Mitigation Measures contained in the adopted Mitigation Monitoring and Reporting Program dated November 2022 (Chapter 4, Stagecoach North FEIR) (attached).
3. Project Security: Pursuant to County Code Section 18.108.140(A)(2), a financial security shall be submitted to the Director within ten days of approval (or prior to earthmoving). The financial security shall be in a form approved by County Counsel and shall be in an amount as determined by the Director, sufficient to guarantee restoration of any site disturbance, should the County be required to do so in case of default by the permittee.
4. Preservation Area Restriction: As described in the Mitigation, Monitoring and Report Program, areas required for permanent protection, of no less than 79.3-acres, shall be identified as such in a conservation easement with an organization accredited by the Land Trust Accreditation Commission as the grantee, or other equivalent means of permanent protection as approved by the Director of PBES. Areas placed in protection shall be restricted from development and other uses that would degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or residential development, and excessive off-road vehicle use that increases erosion) and should be otherwise restricted by the existing goals and policies of Napa County. Upon County Counsel's review and approval as to the form of the conservation easement, the applicant shall record the conservation easement prior to any ground disturbing activities, grading, or vegetation removal or within 12 months of project approval, whichever occurs first.
5. The owner/Permittee shall obtain, prior to commencement of Vegetation Removal and Earth-Disturbing Activities, any and all other required Local, State and Federal permits necessary to implement and operate this Project, and provide any necessary notifications, including but not limited to the Fish and Game Code and the Clean Water Act, in addition to the following:
 - a. The project owner/permittee shall construct rocked water crossings first, before conducting other vegetation removal, earth-disturbing, or construction activities that require the transport of construction equipment across streams. Before the construction and installation of stream crossings associated with #P18-00446-ECPA, and development of vineyard blocks reliant on those crossings, the owner/permittee shall obtain and demonstrate to the County that all required authorizations and/or permits from agencies with jurisdiction over waters of the United States or the state, such as:

- i. Water Quality Certification (Section 401 permit) from the Regional Water Board
 - ii. Section 1602 Lake and Streambed Alteration Agreement) from the California Department of Fish and Wildlife
 - iii. Section 404 Nationwide Permit from the U.S. Army Corps of Engineers
 - b. Alternatively, the owner/permittee may revise the plan to include clear-span crossings, with footings located outside of identified setbacks, over these drainages to minimize and mitigate potential impacts on jurisdictional waters of the United States or state.
6. Pre-construction meeting: The owner/permittee shall schedule an on-site pre-construction meeting that shall include the project planner, owner or owners agent, vineyard manager, and any other parties deemed necessary by Planning Division staff, such as but is not limited to: County Engineering Division staff, the project biologist, or representatives of any affected responsible or trustee agency. Napa County staff shall be provided a minimum of two weeks' notice for the meeting to provide adequate time to schedule. The purpose of this meeting will be to review the development and operation requirements of #P18-00446-ECPA including but not limited to: implementation and compliance with project specific conditions of approval, preconstruction surveys, timing of development activities and winterization of the site, the details of the approved plan, and the ECPA modification process. All required/necessary protective buffers, including buffer fencing/delineation, shall be installed prior to the pre-construction meeting for inspection by Engineering and Planning Division staff. Development activities associated with #P18-00446-ECPA shall not commence until the owner/permittee has received written clearance from the Engineering and Planning Division indicating that all applicable conditions have been satisfied.
7. Adhering throughout the duration of the project to the Oversight and Operation regulations specified in County Code Section 18.108.135 enclosed, which deal with among other things installation oversight, erosion control measure maintenance, monitoring, failure response, and non-compliance. Prior to the first winter rains after construction begins and each year thereafter until the project has received a final inspection from the county or its agent and been found complete, a qualified professional shall inspect the site and certify in writing to the Director that all of the erosion control measures required at that stage of development have been installed in conformance with the plan and related specifications. The report shall be provided to the Director of Planning, Building, and Environmental Services ("Director") within 7 days from the inspection.
8. The permittee shall implement the following measures to avoid inadvertent encroachment into specified creek setbacks and special status plant populations:
 - i. The location of all creek setbacks and special status plant populations shall be clearly demarcated in the field with temporary construction fencing or flagging, which shall be placed at the outermost edge of required setbacks shown on the project plans and as outlined in the applicable mitigation measures. Temporary fencing or flagging shall be installed prior to any earthmoving activities. The precise locations of said fences or

flagging shall be inspected and approved by the Engineering and Conservation Division prior to any earthmoving and/or development activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated areas for the duration of erosion control plan installation and vineyard installation. The protection fencing or flagging shall remain in place during the duration of project implementation and until wildlife exclusion fencing is installed as shown on the approved plans.

- ii. All construction and related traffic shall remain on the inside (vineyard block side) of the protective fencing to ensure that the creek, buffer zones, and associated riparian habitat and/or woodland remain undisturbed.
 - iii. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement), trees that are inadvertently removed which are not within the boundary of the project and/or not identified for removal as part of P18-00446-ECPA shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the PBES Director.
 - iv. Water Quality: The owner/permittee shall refrain from disposing of debris, storage of materials, or constructing/operating the vineyard, including vineyard avenues, outside the boundaries of the approved plan, or within required setbacks pursuant to Napa County Code Section 18.108.025 (General Provisions – Intermittent/perennial streams). Furthermore, consistent with the standard conditions identified in standard Condition of Approval #10 (Hazards and Hazardous Materials), all operational activities that include the use or handling of hazardous materials, such as but not limited to agricultural chemical storage and washing, portable restrooms, vehicular and equipment refueling/maintenance and storage areas, soil amendment storage and the like, shall occur at least 100 feet from groundwater wells, watercourses, streams and any other water resource to avoid the potential risk of surface and groundwater contamination, whether or not such activities have occurred within these areas prior to this ECPA approval, unless previous authorized under other entitlement and the site has a County Hazardous Materials Business Plan (HMBP) or adequate equivalent.
9. The following measures shall be implemented to protect trees/woodlands:
- i. Prior to any earthmoving activities, temporary fencing or flagging shall be placed at the edge of the dripline of all trees to be retained that are located within 50-feet of the project area. The precise locations of said fences shall be inspected and approved by the Engineering and Conservation Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated area for the duration of erosion control plan installation and vineyard installation.
 - ii. The permittee shall refrain from trimming the trees and vegetation to be retained adjacent to the vineyard conversion areas.
10. Implementation of the following Hazardous Materials Best Management Practices during vineyard maintenance and operations:

- a. The owner/permittee shall implement the Hazardous Materials Business Plan on file (DHD Establishment #805, Permit #436369) with the Napa County Division of Environmental Health documenting all proposed hazardous materials to be used onsite during construction and operation. If storage amounts or the use of hazardous materials change during project operation, the owner/permittee shall update the Hazardous Materials Business Plan, as necessary. The Napa County Division of Environmental Health will review the plan and may conduct inspections to ensure that the Hazardous Materials Business Plan is being followed during project operations. Updates to the Hazardous Materials Business Plan, if warranted, will be made through the California Environmental Reporting System.
 - b. During construction and operation, best management practices consistent with recommendations from the Napa County Division of Environmental Health shall be used to reduce hazardous material contamination of surface water and groundwater. Best management practices may include but are not limited to:
 1. Workers shall follow manufacturers' recommendations on the use, storage, and disposal of chemical products.
 2. Workers shall avoid overtopping fuel gas tanks and shall use automatic shutoff nozzles where available.
 3. During routine maintenance of equipment, grease and oils shall be properly contained and removed.
 4. Discarded containers of fuel and other chemicals shall be disposed of properly.
 5. Spill containment features shall be installed at the project site wherever chemicals are stored overnight.
 6. All refueling, maintenance of vehicles and other equipment, handling of hazardous materials, and project staging areas shall occur at least 100 feet from watercourses, the existing groundwater well, and any other water resource to avoid the risk of surface water and groundwater contamination.
 7. To prevent the accidental discharge of fuel or other fluids from vehicles and other equipment, all workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.
 8. Vehicle engines shall be shut down during refueling.
 9. No smoking, open flames, or welding shall be allowed in refueling or service areas.
 10. Service trucks shall be provided with fire extinguishers and spill containment equipment, such as absorbents.
 11. A spill containment kit that is recommended by the Napa County Planning, Building and Environmental Services Department or local fire department shall be onsite and available to staff if a spill occurs.
- 11. Erosion and Runoff Control (i.e. Hydromodification) Installation and Operation):** The following conditions shall be incorporated by reference into #P18-00446-ECPA pursuant to NCC Chapter 18.108 (Conservation Regulations):
- a. Permanent Erosion and Runoff Control Measures: The permanent no-till cover crop shall be installed after initiation of the project. Pursuant to NCC Section 18.108.070(L),

annual and permanent cover crops (or adequate mulch cover applied annually) shall be installed no later than September 15 annually from the same year that initial vineyard development occurs. Pursuant to NCC Section 18.108.135 "Oversight and Operation" the qualified professional that has prepared erosion control plan #P18-00446-ECPA shall oversee its implementation throughout the duration of the proposed project, and that installation of erosion and runoff control measures specified for the vineyard have been installed and are functioning correctly. Prior to the first winter rains after construction begins, and each year thereafter until the project has received a final inspection and been found complete from the county, or its agent, the plan preparer shall inspect the site and certify in writing to the planning director, through an inspection report or formal letter of completion, verifying that all of the erosion control measures required at that stage of development have been installed in conformance with the plan and specifications, and are functioning correctly.

- b. Cover Crop Management/Practice: The permanent vineyard cover crop shall not be tilled (i.e., shall be managed as a no till cover crop) for the life of the vineyard and the owner/permittee shall maintain a minimum plant residue densities and management practices: 75% Blocks V2, V3, V4, V6, W8, X10, X11, X12, X14 Z17, Z18, and Z20, with spray strips no wider than 1.5-feet; 80% Blocks V1, Y15, Y16, and Z19, with spray strips no wider than 1-foot; 85% Block W7, utilizing spot spray (no strip spray), with post-emergent herbicides (no pre-emergent sprays shall be used). Should the permanent no till cover crop need to be replanted/renewed during the life of the vineyard, cover crop renewal efforts shall follow the County "Protocol for Replanting/Renewal of Approved Non-Tilled Vineyard Cover Crops" July 19, 2004, or as amended.

12. Groundwater Management, Project Wells:

The owner/permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES [Planning, Building, and Environmental Services Department] Director determines that substantial evidence indicates that water usage at the vineyard is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicate the need for additional monitoring, and if the owner/permittee is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices, and shall be capped consistent with the approved vineyard and groundwater usage identified in the Water Availability Analysis.

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

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

13. The owner/permittee shall conduct open burning of cleared vegetation in accordance with BAAQMD Regulation 5, which allows open burning only during specified burn periods. Prior notification shall be submitted to BAAQMD and documentation of compliance shall be submitted to Napa County.
14. The disposal of debris, storage of materials, or construction/operation of vineyard avenues outside the boundaries of the approved plan is prohibited. The property owner shall prepare and submit a Hazardous Business Plan to the County and California Environmental Reporting System prior to development.
15. Wildlife exclusion fencing shall be installed and maintained as specified in approved Erosion Control Plan #P18-00446-ECPA.
16. All persons working on-site shall be educated and trained on the Stagecoach EAP (Emergency Action Plan) (Final EIR Appendix A), so that safety measures will be appropriately implemented during emergency incidents, including evacuation plan and communication and reporting protocols/procedures with management and emergency officials.
17. All persons working on-site shall be bound by contract and instructed in the field to adhere to all provisions and restrictions specified above.
18. Monitoring Costs: All staff costs associated with monitoring compliance with the above conditions shall be borne by the Permittee and/or property Owner. The Permittee shall make an initial deposit of \$5,000 within 30 days of the effective date of this approval to fund staff monitoring. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged at the rate in effect at the time monitoring occurs. Violations of conditions of approval or mitigations measures caused by the Permittee's contractors, employees, and guests are the responsibility of the Permittee.

EXHIBIT B

3. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

3.8 Land Use and Planning

**TABLE 3.8-2
CONSISTENCY OF THE PROPOSED PROJECT WITH THE NAPA COUNTY GENERAL PLAN**

Relevant Policy	Policy Summary	Is the Proposed Project Consistent?	Draft EIR Analysis	Mitigation Measure(s)
Agricultural Preservation and Land Use Element				
AG/LU-1	Agriculture and related activities are the primary land uses in Napa County.	Yes	Appendix B (Section 2, <i>Agriculture and Forestry Resources</i>)	N/A
AG/LU-4	The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space, except for those lands which are shown on the Land Use Map as planned for urban development.	Yes	Appendix B (Section 2, <i>Agriculture and Forestry Resources</i>)	N/A
AG/LU-20	<p>The following standards shall apply to lands designated as Agriculture, Watershed, and Open Space on the Land Use Map of this General Plan.</p> <p>Intent: To provide areas where the predominant use is agriculturally oriented; where watersheds are protected and enhanced; where reservoirs, floodplain tributaries, geologic hazards, soil conditions, and other constraints make the land relatively unsuitable for urban development; where urban development would adversely impact all such uses; and where the protection of agriculture, watersheds, and floodplain tributaries from fire, pollution, and erosion is essential to the general health, safety, and welfare.</p> <p>General Uses: Agriculture, processing of agricultural products, single-family dwellings.</p> <p>Minimum Parcel Size: 160 acres, except that parcels with a minimum size of 2 acres may be created for the sole purpose of developing farm labor camps by a local government agency authorized to own or operate farm labor camps, so long as the division is accomplished by securing the written consent of a local government agency authorized to own or operate farm labor camps that it will accept a conveyance of the fee interest of the parcel to be created and thereafter conveying the fee interest of such parcel directly to said local government agency, or entering into a long-term lease of such parcels directly with said local government agency. Every lease or deed creating such parcels must contain language ensuring that if the parcel is not used as a farm labor camp within three years of the conveyance or lease being executed or permanently ceases to be used as a farm labor camp by a local government agency authorized to develop farm labor camps, the parcel will automatically revert to, and merge into, the original parent parcel.</p>	Yes	Impact 3.8-1	N/A
Circulation Element				
CIR-31	The County seeks to provide a roadway system that maintains current roadway capacities in most locations and is both safe and efficient in terms of providing local access.	Yes	Impacts 3.10-1 through 3.10-4	N/A
CIR-38	The County seeks to maintain operations of roads and intersections in the unincorporated County area that minimize travel delays and promote safe access for all users. Operational analysis shall be conducted according to the latest version of the Highway Capacity Manual and as described in the current version of the County's Transportation Impact Study Guidelines. In general, the County seeks to maintain Level of Service (LOS) D on arterial roadways and at signalized intersections, as the service level that best	Yes	Impacts 3.10-1 and 3.10-2	N/A

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Relevant Policy	Policy Summary	Is the Proposed Project Consistent?	Draft EIR Analysis	Mitigation Measure(s)
	aligns with the County's desire to balance its rural character with the needs of supporting economic vitality and growth.			
CIR-40	The County shall maintain and apply consistent highway access standards regarding new driveways to minimize interference with through traffic while providing adequate local access. The County shall also maintain and apply consistent standards (though not exceeding public road standards) regarding road widths, turn lanes, and other improvements required in association with new development. When a project is proposed in a location such that County roads are needed to access the nearest fully staffed fire station, the County may require the developer to improve the County roads to meet adequate fire protection standards similar to improvements required on the developer's property.	Yes	Impact 3.10-3	N/A
Conservation Element				
CON-1	The County will preserve land for greenbelts, forest, recreation, flood control, adequate water supply, air quality improvement, habitat for fish, wildlife and wildlife movement, native vegetation, and natural beauty. The County will encourage management of these areas in ways that promote wildlife habitat renewal, diversification, and protection.	Yes, with mitigation	Impacts 3.3-1 through 3.3-5	Mitigation Measures 3.3-1a through 3.3-5
CON-2	The County shall identify, improve, and conserve Napa County's agricultural land through the following measures: ... c) Require that existing significant vegetation be retained and incorporated into agricultural projects to reduce soil erosion and to retain wildlife habitat. When retention is found to be infeasible, replanting of native or non-invasive vegetation shall be required. ... f) Minimize pesticide and herbicide use and encourage research and use of integrated pest control methods such as cultural practices, biological control, host resistance, and other factors.	Yes, with mitigation	Chapter 2, <i>Project Description</i> ; Appendix A; Impacts 3.3-1 through 3.3-5; Impact 3.6-1	Mitigation Measures 3.3-1a through 3.3-5
CON-4	The County recognizes that preserving watershed open space is consistent with and critical to the support of agriculture and agricultural preservation goals.	Yes	Chapter 2, <i>Project Description</i> ; Appendix A	N/A
CON-6	The County shall impose conditions on discretionary projects which limit development in environmentally sensitive areas such as those adjacent to rivers or streamside areas and physically hazardous areas such as floodplains, steep slopes, high fire risk areas and geologically hazardous areas.	Yes, with mitigation	Impacts 3.3-2, 3.3-3, and 3.5-2	Mitigation Measure 3.3-3
CON-9	The County shall pursue a variety of techniques and practices to achieve the County's Open Space Conservation policies, including: a) Exclusive agriculture zoning or Transfer of Development Rights. b) Acquisition through purchase, gift, grant, bequest, devise, lease, or otherwise, the fee or any lesser interest or right in real property. c) Williamson Act or other incentives to maintain land in agricultural production or other open space uses. d) Requirements for mitigation of development impacts, either on-site or at other locations in the county or through the payment of in-lieu fees in limited circumstances when impacts cannot be avoided.	Yes, with mitigation	Impacts 3.3-1, 3.3-2, 3.3-4, and 3.3-5	Mitigation Measures 3.3-1a through 3.3-1j, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5

**TABLE 3.8-2
CONSISTENCY OF THE PROPOSED PROJECT WITH THE NAPA COUNTY GENERAL PLAN**

Relevant Policy	Policy Summary	Is the Proposed Project Consistent?	Draft EIR Analysis	Mitigation Measure(s)
CON-10	The County shall conserve and improve fisheries and wildlife habitat in cooperation with governmental agencies, private associations and individuals in Napa County.	Yes, with mitigation	Impacts 3.3-1 through 3.3-5	Mitigation Measures 3.3-1a through 3.3-5
CON-11	<p>The County shall maintain and improve fisheries habitat through a variety of appropriate measures, including the following as well as best management practices developed over time: ...</p> <p>m) Control sediment production from mines, roads, development projects, agricultural activities, and other potential sediment sources.</p> <p>n) Implement road construction and maintenance practices to minimize bank failure and sediment delivery to streams. ...</p>	Yes	Chapter 2, <i>Project Description</i> ; Appendix A; Impact 3.5-1	N/A
CON-13	<p>The County shall require that all discretionary residential, commercial, industrial, recreational, agricultural, and water development projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and habitat supporting special-status species to the extent feasible. Where impacts to wildlife and special-status species cannot be avoided, projects shall include effective mitigation measures and management plans including provisions to:</p> <p>a) Maintain the following essentials for fish and wildlife resources:</p> <ol style="list-style-type: none"> 1) Sufficient dissolved oxygen in the water. 2) Adequate amounts of proper food. 3) Adequate amounts of feeding, escape, and nesting habitat. 4) Proper temperature through maintenance and enhancement of streamside vegetation, volume of flows, and velocity of water. ... <p>c) Employ supplemental planting and maintenance of grasses, shrubs and trees of like quality and quantity to provide adequate vegetation cover to enhance water quality, minimize sedimentation and soil transport, and provide adequate shelter and food for wildlife and special-status species and maintain the watersheds, especially stream side areas, in good condition.</p> <p>d) Provide protection for habitat supporting special-status species through buffering or other means.</p> <p>e) Provide replacement habitat of like quantity and quality on- or off-site for special-status species to mitigate impacts to special-status species.</p> <p>f) Enhance existing habitat values, particularly for special-status species, through restoration and replanting of native plant species as part of discretionary permit review and approval.</p> <p>g) Require temporary or permanent buffers of adequate size (based on the requirements of the subject special-status species) to avoid nest abandonment by birds and raptors associated with construction and site development activities.</p> <p>h) Demonstrate compliance with applicable provisions and regulations of recovery plans for federally listed species.</p>	Yes, with mitigation	Impacts 3.3-1 through 3.3-5	Mitigation Measures 3.3-1a through 3.3-5

3. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

3.8 Land Use and Planning

**TABLE 3.8-2
CONSISTENCY OF THE PROPOSED PROJECT WITH THE NAPA COUNTY GENERAL PLAN**

Relevant Policy	Policy Summary	Is the Proposed Project Consistent?	Draft EIR Analysis	Mitigation Measure(s)
CON-14	To offset possible losses of fishery and riparian habitat due to discretionary development projects, developers shall be responsible for mitigation when avoidance of impacts is determined to be infeasible. Such mitigation measures may include providing and permanently maintaining similar quality and quantity habitat within Napa County, enhancing existing riparian habitat, or paying in-kind funds to an approved fishery and riparian habitat improvement and acquisition fund. Replacement habitat may occur either on-site or at approved off-site locations, but preference shall be given to on-site replacement.	Yes, with mitigation	Impacts 3.3-3 and 3.3-4	Mitigation Measures 3.3-3 and 3.3-4
CON-16	The County shall require a biological resources evaluation for discretionary projects in areas identified to contain or potentially contain special-status species based upon data provided in the Baseline Data Report (BDR), California Natural Diversity Database (CNDDDB), or other technical materials. This evaluation shall be conducted prior to the approval of any earthmoving activities. The County shall also encourage the development of programs to protect special-status species and disseminate updated information to state and federal resource agencies.	Yes	Section 3.3, <i>Biological Resources</i> ; Appendix D	N/A
CON-17	Preserve and protect native grasslands, serpentine grasslands, mixed serpentine chaparral, and other sensitive biotic communities and habitats of limited distribution. The County, in its discretion, shall require mitigation that results in the following standards: a) Prevent removal or disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species. b) In other areas, avoid disturbances to or removal of sensitive natural plant communities and mitigate potentially significant impacts where avoidance is infeasible. c) Promote protection from overgrazing and other destructive activities. d) Encourage scientific study and require monitoring and active management where biotic communities and habitats of limited distribution or sensitive natural plant communities are threatened by the spread of invasive non-native species. e) Require no net loss of sensitive biotic communities and habitats of limited distribution through avoidance, restoration, or replacement where feasible. Where avoidance, restoration, or replacement is not feasible, preserve like habitat at a 2:1 ratio or greater within Napa County to avoid significant cumulative loss of valuable habitats.	Yes, with mitigation	Impacts 3.3-1, 3.3-2, and 3.3-5	Mitigation Measures 3.3-1a through 3.3-1j, 3.3-2a, 3.3-2b, and 3.3-5
CON-18	To reduce impacts on habitat conservation and connectivity: a) In sensitive domestic water supply drainages where new development is required to retain between 40 and 60 percent of the existing (as of June 16, 1993) vegetation onsite, the vegetation selected for retention should be in areas designed to maximize habitat value and connectivity. ... c) Preservation of habitat and connectivity of adequate size, quality, and configuration to support special-status species should be required within the project area. The size of habitat and connectivity to be preserved shall be determined based on the specific needs of the species.	Yes, with mitigation	Impacts 3.3-1 through 3.3-5, and Impact 3.8-1	Mitigation Measures 3.3-1a through 3.3-5, and Mitigation Measure 3.8-1

**TABLE 3.8-2
CONSISTENCY OF THE PROPOSED PROJECT WITH THE NAPA COUNTY GENERAL PLAN**

Relevant Policy	Policy Summary	Is the Proposed Project Consistent?	Draft EIR Analysis	Mitigation Measure(s)
	<p>d) The County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat.</p> <p>e) The County shall require new vineyard development to be designed to minimize the reduction of wildlife movement to the maximum extent feasible. In the event the County concludes that such development will have a significant impact on wildlife movement, the County may require the applicant to relocate or remove existing perimeter fencing installed on or after February 16, 2007 to offset the impact caused by the new vineyard development. ...</p> <p>h) Support public acquisition, conservation easements, in-lieu fees where on-site mitigation is infeasible, and/or other measures to ensure long-term protection of wildlife movement areas.</p>			
CON-19	The County shall encourage the preservation of critical habitat areas and habitat connectivity through the use of conservation easements or other methods as well as through continued implementation of the Napa County Conservation Regulations associated with vegetation retention and setbacks from waterways.	Yes, with mitigation	Impacts 3.3-1 through 3.3-5	Mitigation Measures 3.3-1a through 3.3-5
CON-22	The County shall encourage the protection and enhancement of natural habitats which provide ecological and other scientific purposes. As areas are identified, they should be delineated on environmental constraints maps so that appropriate steps can be taken to appropriately manage and protect them.	Yes, with mitigation	Impacts 3.3-1 through 3.3-5	Mitigation Measures 3.3-1a through 3.3-5
CON-24	<p>Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measures including one or more of the following:</p> <p>a) Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.</p> <p>b) Comply with the Oak Woodlands Preservation Act (Public Resources Code Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain, to the maximum extent feasible, existing oak woodland and chaparral communities and other significant vegetation as part of residential, commercial, and industrial approvals.</p> <p>c) Provide replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible.</p> <p>d) Support hardwood cutting criteria that require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization, soil protection, and soil production be left standing.</p> <p>e) Maintain, to the extent feasible, a mixture of oak species which is needed to ensure acorn production. Black, canyon, live, and brewer oaks as well as blue, white, scrub, and live oaks are common associations.</p>	Yes, with mitigation	Impacts 3.3-1, 3.3-2, and 3.3-5	Mitigation Measures 3.3-1a through 3.3-1j, 3.3-4, and 3.3-5

3. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

3.8 Land Use and Planning

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Relevant Policy	Policy Summary	Is the Proposed Project Consistent?	Draft EIR Analysis	Mitigation Measure(s)
	f) Encourage and support the County Agricultural Commission's enforcement of state and federal regulations concerning Sudden Oak Death and similar future threats to woodlands.			
CON-26	<p>Consistent with Napa County's Conservation Regulations, natural vegetation retention areas along perennial and intermittent streams shall vary in width with steepness of the terrain, the nature of the undercover, and type of soil. The design and management of natural vegetation areas shall consider habitat and water quality needs, including the needs of native fish and special-status species and flood protection where appropriate. Site-specific setbacks shall be established in coordination with Regional Water Quality Control Boards, California Department of Fish and Game [CDFW], U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration National Marine Fisheries Service, and other coordinating resource agencies that identify essential stream and stream reaches necessary for the health of populations of native fisheries and other sensitive aquatic organisms within the County's watersheds.</p> <p>Where avoidance of impacts to riparian habitat is infeasible along stream reaches, appropriate measures will be undertaken to ensure that protection, restoration, and enhancement activities will occur within these identified stream reaches that support or could support native fisheries and other sensitive aquatic organisms to ensure a no net loss of aquatic habitat functions and values within the county's watersheds.</p>	Yes, with mitigation	Chapter 2, <i>Project Description</i> ; Appendix A; Impacts 3.3-2 and 3.3-3	Mitigation Measures 3.3-2a, 3.3-2b, 3.3-3
CON-27	The County shall enforce compliance and continued implementation of the intermittent and perennial stream setback requirements set forth in existing stream setback regulations, provide education and information regarding the importance of stream setbacks and the active management and enhancement/restoration of native vegetation within setbacks, and develop incentives to encourage greater stream setbacks where appropriate. Incentives shall include streamlined permitting for certain vineyard proposals on slopes between 5 and 30 percent and flexibility regarding yard and road setbacks for other proposals.	Yes	Chapter 2, <i>Project Description</i> ; Appendix A; Impact 3.3-2	Mitigation Measures 3.3-2a and 3.3-2b
CON-28	To offset possible additional losses of riparian woodland due to discretionary development projects and conversions, developers shall provide and maintain similar quality and quantity of replacement habitat or in-kind funds to an approved riparian woodland habitat improvement and acquisition fund in Napa County. While on-site replacement is preferred where feasible, replacement habitat may be either on-site or off-site as approved by the County.	Yes, with mitigation	Impact 3.3-3	Mitigation Measure 3.3-3
CON-29	The County shall coordinate its efforts with other agencies and districts such as the Resource Conservation District and share a leading role in developing and providing outreach and education related to stream setbacks and other best management practices that protect and enhance the County's natural resources.	Yes	Chapter 2, <i>Project Description</i> ; Appendix A; Impact 3.3-2	Mitigation Measures 3.3-2a and 3.3-2b
CON-30	All public and private projects shall avoid impacts to wetlands to the extent feasible. If avoidance is not feasible, projects shall mitigate impacts to wetlands consistent with state and federal policies providing for no net loss of wetland function.	Yes, with mitigation	Chapter 2, <i>Project Description</i> ; Appendix A; and Impact 3.3-3	Mitigation Measure 3.3-3

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Relevant Policy	Policy Summary	Is the Proposed Project Consistent?	Draft EIR Analysis	Mitigation Measure(s)
CON-41	The County will work to protect Napa County's watersheds and public and private water reservoirs to provide for the following purposes: a) Clean drinking water for public health and safety; b) Municipal uses, including commercial, industrial and domestic uses; c) Support of the eco-systems; d) Agricultural water supply; e) Recreation and open space; and f) Scenic beauty.	Yes	Impacts 3.7-1 through 3.7-4	N/A
CON-42	The County shall work to improve and maintain the vitality and health of its watersheds. Specifically, the County shall: ... d) Support environmentally sustainable agricultural techniques and best management practices (BMPs) that protect surface water and groundwater quality and quantity (e.g., cover crop management, integrated pest management, informed surface water withdrawals and groundwater use). ...	Yes	Chapter 2, <i>Project Description</i> ; Appendix A; and Impacts 3.7-1 through 3.7-4	N/A
CON-45	Protect the County's domestic supply drainages through vegetation preservation and protective buffers to ensure clean and reliable drinking water consistent with state regulations and guidelines. Continue implementation of current Conservation Regulations relevant to these areas, such as vegetation retention requirements, consultation with water purveyors/system owners, implementation of erosion controls to minimize water pollution, and prohibition of detrimental recreational uses.	Yes	Chapter 2, <i>Project Description</i> ; Appendix A; Impact 3.3-5; and Impact 3.7-1	N/A
CON-47	The County shall comply with applicable Water Quality Control/Basin Plans as amended through the Total Maximum Daily Load (TMDL) process to improve water quality.	Yes	Impacts 3.7-1 and 3.7-4	N/A
CON-48	Proposed developments shall implement project-specific sediment and erosion control measures (e.g., erosion control plans and/or stormwater pollution prevention plans) that maintain predevelopment sediment erosion conditions or at a minimum comply with State water quality pollution control (i.e., Basin Plan) requirements and are protective of the County's sensitive domestic supply watersheds. Technical reports and/or erosion control plans that recommend site-specific erosion control measures shall meet the requirements of the County Code and provide detailed information regarding site specific geologic, soil, and hydrologic conditions and how the proposed measure will function.	Yes	Impacts 3.7-1 and 3.7-4	N/A
CON-49	The County shall develop and implement a water quality monitoring program (or programs) to track the effectiveness of temporary and permanent Best Management Practices (BMPs) to control soil erosion and sedimentation within watershed areas and employ corrective actions for identified water quality issues (in violation of Basin Plans and/or associated TMDLs) identified during monitoring.	Yes	Impacts 3.7-1 and 3.7-4	N/A

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CONSISTENCY OF THE PROPOSED PROJECT WITH THE NAPA COUNTY GENERAL PLAN**

Relevant Policy	Policy Summary	Is the Proposed Project Consistent?	Draft EIR Analysis	Mitigation Measure(s)
CON-50	<p>The County will take appropriate steps to protect surface water quality and quantity, including the following:</p> <ul style="list-style-type: none"> a) Preserve riparian areas through adequate buffering and pursue retention, maintenance, and enhancement of existing native vegetation along all intermittent and perennial streams through existing stream setbacks in the County's Conservation Regulations (also see Policy CON-27 which retains existing stream setback requirements). ... c) The County shall require discretionary projects to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. d) Maintain minimum lot sizes of not less than 160 acres in Agriculture, Watershed, and Open Space (AWOS) designated areas to reflect desirable densities based on access, slope, productive capabilities for agriculture and forestry, sewage disposal, water supply, wildlife habitat, and other environmental considerations. e) In conformance with National Pollution Discharge Elimination System (NPDES) requirements, prohibit grading and excavation unless it can be demonstrated that such activities will not result in significant soil erosion, silting of lower slopes or waterways, slide damage, flooding problems, or damage to wildlife and fishery habitats. ... g) Address potential soil erosion by maintaining sections of the County Code that require all construction-related activities to have protective measures in place or installed by the grading deadlines established in the Conservation Regulations. In addition, the County shall ensure enforceable fines are levied upon code violators and shall require violators to perform all necessary remediation activities. h) Require replanting and/or restoration of riparian vegetation to the extent feasible as part of any discretionary permit or erosion control plan approved by the County, understanding that replanting or restoration that enhances the potential for Pierce's Disease or other vectors is considered infeasible. ... 	Yes	Chapter 2, <i>Project Description</i> ; Appendix A; and Impacts 3.7-1 through 3.7-4	N/A
CON-53	<p>The County shall ensure that the intensity and timing of new development are consistent with the capacity of water supplies and protect groundwater and other water supplies by requiring all applicants for discretionary projects to demonstrate the availability of an adequate water supply prior to approval.</p>	Yes	Impact 3.7-2	N/A
CON-65	<p>The County shall support efforts to reduce and offset greenhouse gas (GHG) emissions and strive to maintain and enhance the County's current level of carbon sequestration functions through the following measures: ...</p> <ul style="list-style-type: none"> b) Preserve and enhance the values of Napa County's plant life as carbon sequestration systems to recycle greenhouse gases. 	Yes	Impacts 3.2-5 and 3.2-6	N/A

**TABLE 3.8-2
CONSISTENCY OF THE PROPOSED PROJECT WITH THE NAPA COUNTY GENERAL PLAN**

Relevant Policy	Policy Summary	Is the Proposed Project Consistent?	Draft EIR Analysis	Mitigation Measure(s)
Safety Element				
SAF-8	Consistent with County ordinances, require a geotechnical study for new projects and modifications of existing projects or structures located in or near known geologic hazard areas, and restrict new development atop or astride identified active seismic faults in order to prevent catastrophic damage caused by movement along the fault.	Yes	Impact 3.5-2	N/A
SAF-9	As part of the review and approval of development and public works projects, planting of vegetation on unstable slopes shall be incorporated into project designs when this technique will protect structures at lower elevations and minimize the potential for erosion or landslides.	Yes	Chapter 2, <i>Project Description</i> ; Appendix A	N/A
SAF-10	No extensive grading shall be permitted on slopes over 15 percent where landslides or other geologic hazards are present unless the hazard(s) are eliminated or reduced to a safe level.	Yes	Chapter 2, <i>Project Description</i> ; Appendix A; Impact 3.5-2	N/A
SAF-30	Potential hazards resulting from the release of liquids (wine, water, petroleum products, etc.) from the possible rupture or collapse of aboveground tanks should be considered as part of the review and permitting of these projects.	Yes	Impact 3.6-1	N/A

SOURCE: Data compiled by Environmental Science Associates in 2020

Impact Conclusion

Specific land use impacts would not occur and land use mitigation measures are not required. However, without mitigation, construction and operation of the proposed project would conflict with applicable sections of the Napa County Code and the Napa County General Plan. This impact would be **significant**.

As discussed in Table 3.8-2 and in this EIR, implementation of **Mitigation Measures 3.3-1a** through **3.3-5** would reduce potential land use impacts to a less-than-significant level.

Impact Significance after Mitigation: Implementing **Mitigation Measures 3.3-1a** through **3.3-5** would reduce this significant impact to a **less-than-significant** level because with these mitigation measures incorporated, the proposed project would not conflict with applicable County regulations, policies, or goals.

EXHIBIT C

CHAPTER 4

MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

Public Resources Code Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines (State CEQA Guidelines) require public agencies to establish monitoring or reporting programs for projects they approve whenever approval involves adopting either a mitigated negative declaration or specified environmental findings related to environmental impact reports (EIRs).

This Mitigation Monitoring and Reporting Program (MMRP) has been developed to help ensure that Napa County carries out the adopted measures to mitigate and/or avoid significant environmental impacts associated with the implementation of the Stagecoach North Vineyard Conversion Erosion Control Plan Application Project (#P18-00446-ECPA) (proposed project).

This MMRP is intended to be used by Napa County to ensure compliance with mitigation measures during project implementation. The mitigation measures identified in this MMRP were developed as part of the EIR process for the proposed project. Conditions of approval that were included in the Draft EIR are listed in Final EIR Appendix B.

4.2 MMRP COMPONENTS

The components of **Table 4-1**, which contains applicable mitigation measures, are addressed briefly below.

Impact: This column summarizes the impact stated in the Draft EIR.

Mitigation Measure: All mitigation measures identified in the Stagecoach North Vineyard Conversion Erosion Control Plan Application Project (#P18-00446-ECPA) Draft EIR are presented, as revised in the Final EIR, and numbered accordingly. Note that some of the text for the mitigation measures in Table 4-1 has been edited (relative to the Draft EIR) for clarity/completeness and non-substantive revisions are not reflected in Final EIR Chapter 2.

Responsibility for Implementing: This item identifies the entity that will undertake the required mitigation.

Responsibility for Monitoring: Napa County is primarily responsible for ensuring that mitigation measures are successfully implemented. Napa County may contract out for these

4. MITIGATION MONITORING AND REPORTING PROGRAM

services and/or make them part of the construction specifications, and other agencies may also be responsible for monitoring the implementation of mitigation measures. As a result, more than one monitoring party may be identified.

Monitoring and Reporting Actions: For every mitigation measure, one or more actions are described. The actions delineate the means by which the mitigation measures will be implemented, and, in some instances, the criteria for determining whether a measure has been successfully implemented. Where mitigation measures are particularly detailed, the action may refer back to the measure.

Timing: Implementation of the action must occur before or during some part of project approval, project design, or construction, or on an ongoing basis. The timing for each measure is identified.

**TABLE 4-1
STAGECOACH NORTH VINEYARD CONVERSION #P18-00446-ECPA MITIGATION MONITORING AND REPORTING PROGRAM**

Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.2 Air Quality and Greenhouse Gas Emissions	3.2-1: Construction and operation of the proposed project could conflict with or obstruct implementation of BAAQMD's 2017 Clean Air Plan.	Mitigation Measure 3.2-1a (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Implement Mitigation Measures 3.3-1a through 3.3-1j, 3.3-2a, 3.3-2b, 3.3-4, and 3.3-5 detailed in Section 3.3, <i>Biological Resources</i> .	See below.	See below.	See below.	See below.
		Mitigation Measure 3.2-1b (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Construction contractors shall be required to implement the following measures consistent with the BAAQMD-recommended basic control measures during construction: <ol style="list-style-type: none"> (1) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. (2) All haul trucks transporting soil, sand, or other loose material offsite shall be covered. (3) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. (4) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour. (5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. (6) Idling times shall be minimized either by shutting equipment off when not in use or by reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, 13 CCR Section 2485). Clear signage shall be provided for construction workers at all access points. (7) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition before operation. (8) A publicly visible sign shall be posted with the telephone number and person to contact at Napa County regarding dust complaints. This person shall respond and take corrective action within 48 hours. To ensure compliance with applicable regulations, BAAQMD's phone number shall also be visible. 	Construction contractor	Napa County, construction contractor	Implement measures consistent with the BAAQMD-recommended basic control measures.	During construction
		Mitigation Measure 3.2-1c (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Blasting operations shall be conducted as specified below: <ol style="list-style-type: none"> (1) Year-round, Monday through Friday only from 10 a.m. to 3 p.m. Blasting shall not occur outside of these hours, or on the weekends, or on any major holidays. (2) Blasting shall be prohibited during high wind conditions. High wind conditions are deemed to occur when the 2-minute average wind speed exceeds 20 miles per hour. (3) The owner/permittee shall measure and record wind speeds continually throughout the day during blast events to ensure compliance. Wind speed measurements, including average wind speeds shall be included in blasting logs. (4) The owner/permittee shall notify via email Napa County, and any agencies, businesses, and local residents requiring or requesting such notice via email, at least 48 hours in advance of any blasting events. (5) The owner/permittee shall record each blast event and maintain blasting logs for the duration of vineyard development activities. Blasting logs/ records shall be submitted to Napa County upon request. 	Construction contractor, owner/permittee	Napa County, owner/permittee	Follow guidelines for blasting, including notifying Napa County and others that requested such notices at least 48 hours in advance of blasting events.	During construction

**TABLE 4-1
STAGECOACH NORTH VINEYARD CONVERSION #P18-00446-ECPA MITIGATION MONITORING AND REPORTING PROGRAM**

Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.2 Air Quality and Greenhouse Gas Emissions (cont.)	3.2-2: Construction and operation of the proposed project could result in a cumulatively considerable net increase of a criteria air pollutant for which the Bay Area is nonattainment under an applicable federal or state air quality standard.	Implement Mitigation Measures 3.2-1a and 3.2-1b (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative)	See above.	See above.	See above.	See above.
3.3 Biological Resources	3.3-1: Construction and operation of the proposed project could have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.	<p>Mitigation Measure 3.3-1a (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): In order to mitigate impacts to special-status plants resulting from development of the proposed project, the Applicant shall place in permanent protection a Preservation Area (Figure 3.3-6 of the Draft EIR) of no less than 79.3 acres of equal or greater habitat value than the locations of the special-status plants impacted by the proposed project, as determined by a qualified professional knowledgeable and experienced in the local botany and habitats with the potential to occur at the project site. All acreage designated for preservation shall be identified as such in a mitigation easement, with an accredited land trust organization such as the Land Trust of Napa County as the grantee, or other means of permanent protection acceptable to Napa County. The mitigation easement shall be prepared in a form acceptable to County Counsel and entered into and recorded with the Napa County Recorder's office prior to any earth disturbing activities, grading or vegetation removal, or within 12 months of project approval, whichever occurs first. In no case shall earthmoving activities be initiated until said mitigation easement is recorded.</p> <p>Any request by the Applicant for an extension of time to record the mitigation easement shall be considered by the Planning, Building and Environmental Services Department (PBES) Director and shall be submitted to Napa County prior to the 12 month deadline, and shall provide sufficient justification for the extension.</p> <p>The land placed in protection shall be restricted from development and other uses that would potentially degrade the quality of the habitat (including but not limited to conversion to other land uses such as agriculture or urban development, and excessive off-road vehicle use that increases erosion), and should be otherwise restricted by the existing goals and policies of Napa County with the exception that access to and use, Maintenance, and repair of the two existing groundwater supply wells within the project site (shown on Figure 1 in Draft EIR Appendix J, Water Availability Analysis) are allowed.</p> <p>Erosion Control Plan #P18-00446-ECPA shall be revised before approval to increase the Preservation Area to a minimum of 79.3 acres, consistent with the modified block configurations detailed in Figure 3.3-6.</p> <p>With respect to the 79.3 acres of special-status species and habitat protected under Mitigation Measures 3.3-1b, 3.3-1d, 3.3-1f, and 3.3-1h, the Applicant shall provide an endowment to the accredited land trust that is sufficient to ensure that the mitigation easement is monitored, enforced, and defended in perpetuity. The amount of the endowment shall be calculated using the Center for Natural Land Management's Property Analysis Record software, or an equivalent methodology if preferred by the land trust and accepted by the Land Trust Alliance, which provides the systematic and objective determination of the amount of the endowment in light of the conservation values to be protected by the easement. The record showing how the amount of the endowment was calculated shall be provided to County Counsel as part of its review of the mitigation easement. Any county staff time spent assessing and monitoring said provision shall be charged to the permittee, at the rate in effect at the time assessment and monitoring occurs, pursuant to County Fee Policy Part 80.</p>	Qualified botanist, owner/permittee	Napa County, CDFW	<p>Designate a 79.68-acre Preservation Area that is restricted from development and other uses that would degrade the quality of the habitat.</p> <p>Revise Erosion Control Plan #P18-00446-ECPA before approval to increase the Preservation Area to 79.68 acres. Record the mitigation easement within 60 days of approval of ECPA #P18-00446-ECPA by the County.</p> <p>Prepare and implement a Long-Term Management Plan and Mitigation and Monitoring Plans.</p>	Before commencement of earthmoving activities

TABLE 4-1
STAGECOACH NORTH VINEYARD CONVERSION #P18-00446-ECPA MITIGATION MONITORING AND REPORTING PROGRAM

Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.3 Biological Resources (cont.)	3.3-1 (cont.)	<p>Mitigation Measure 3.3-1b (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): The owner/permittee shall replace the 1,595 holly-leaved ceanothus affected by the project at a 1.2:1 ratio (mitigated:affected). Therefore, this would result in the replacement of 1,914 holly-leaved ceanothus. This shall be accomplished by one of four options, or a combination thereof, to produce the 1,914 transplants to satisfy the required mitigation for this species: (1) assisted seedling recruitment in replanting areas; (2) propagating seeds from shrubs located within the adjacent Stagecoach property; (3) propagating cuttings from shrubs from the adjacent Stagecoach property; and/or (4) transplanting young seedlings from the development areas into pots for later transplantation. The techniques for each of these options shall be discussed in detail in the Holly-leaved Ceanothus Mitigation and Monitoring Plan.</p> <p>The loss of 1,595 holly-leaved ceanothus would require a minimum planting/cutting/transplanting of 1,914 plants to achieve the 1.2:1 ratio. To establish 1,914 plants, about 46 individuals per acre shall be planted in a 42-acre portion of the Preservation Area containing chamise alliance, mixed manzanita, and scrub interior live oak (Figure 3.3-6). If it is not feasible to plant 1,914 holly-leaved ceanothus in the Preservation Area, suitable areas on adjacent lands may be utilized, at the discretion of Napa County.</p> <p>Before the start of vegetation clearing and earth-disturbing activities on the project site, a qualified botanist shall prepare a detailed Holly-leaved Ceanothus Mitigation and Monitoring Plan for review and written approval by the County. The Holly-leaved Ceanothus Mitigation and Monitoring Plan shall document collaboration with CDFW on plan preparation. The plan shall include details on the four replacement options identified above. In addition, the plan shall include, but not be limited to: (1) an onsite habitat enhancement and planting plan, and offsite plantings, at the discretion of the County, if there is not enough suitable habitat within the proposed Preservation Area on the property to support a 1.2:1 ratio of individual plants planted to individual plants removed for perennial plants; (2) the success criteria with a minimum 80 percent survival rate; (3) a minimum of 5 years of monitoring activities for the populations; and (4) control of invasive species and any other maintenance to ensure plantings achieve success criteria. Any offsite habitat shall also be placed under a mitigation easement with the same requirements as outlined in Mitigation Measure 3.3-1a.</p> <p>After replanting, the replanting area shall be monitored for a minimum of 5 years. Annual reports shall be prepared and submitted to the County, with interim success criteria included to ensure that the plan is on track to meet the mitigation goals. After the 5-year monitoring period, a report shall be prepared and submitted to the County evaluating the success of the mitigation program and recommending further actions if necessary.</p> <p>If the success criteria have not been met at the conclusion of the 5-year monitoring period, monitoring shall continue until the success criteria have been achieved. An amount to be determined by the County shall be designated to fund the mitigation and monitoring effort, which shall be included in the endowment identified in Mitigation Measure 3.3-1a.</p>	Owner/permittee, qualified botanist	Napa County, qualified botanist	<p>Replace the affected holly-leaved ceanothus.</p> <p>Prepare and implement a Mitigation and Monitoring Plan.</p> <p>Monitor replanting area for a minimum of 5 years to achieve a minimum 80 percent survival rate.</p>	Before commencement of earthmoving activities and after construction
		<p>Mitigation Measure 3.3-1c (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the population of six Franciscan onion individuals from vineyard Block Y14 and maintain a 20-foot buffer from the avoided population, consistent with the modified block configurations detailed in Figure 3.3-6. These avoided populations shall be demarcated with construction flagging/fencing before commencement of earthmoving activities. The precise locations of these fences shall be inspected and approved by Napa County before the start of any earthmoving activities. Any incursions into the avoidance area/boundary shall be conducted only by qualified personnel and at the discretion of the County. No equipment or materials shall be laid down in or near the avoidance area/boundary.</p>	Owner/permittee, qualified botanist	Napa County	<p>Revise ECPA #P18-00446-ECPA before approval to avoid the population of six Franciscan onion individuals from vineyard Block Y14 and maintain a 20-foot buffer from the avoided population. Mark avoided populations with flagging/fencing and get field locations inspected and approved by Napa County.</p>	Before commencement of earthmoving activities

**TABLE 4-1
STAGECOACH NORTH VINEYARD CONVERSION #P18-00446-ECPA MITIGATION MONITORING AND REPORTING PROGRAM**

Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.3 Biological Resources (cont.)	3.3-1 (cont.)	<p>Mitigation Measure 3.3-1d (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): To avoid impacts on the narrow-flowered California brodiaea located outside the project area, the clearing limits shall be clearly and accurately flagged by an engineer using GPS equipment. The narrow-flowered California brodiaea to be retained adjacent to the clearing limits and roadways shall be demarcated with construction flagging/fencing. The precise locations of these fences shall be inspected and approved by Napa County before the start of any earthmoving activities. Any incursions into the avoidance area/boundary shall be conducted only by qualified personnel and at the discretion of the County. No equipment or materials shall be laid down in or near the avoidance area/boundary.</p> <p>In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) any narrow-flowered California brodiaea plants inadvertently removed that are not located within the approved boundaries or clearing limits of #P18-00446-ECPA shall be replaced on-site at a ratio of 2:1 within the project’s avoidance areas, as approved by the planning director. A replacement plan shall be prepared for County review and approval, that includes, at a minimum, location of suitable habitat on the project parcel, the locations of replacement plantings, and success criteria of at least 80 percent, including monitoring schedule and activities. The replacement plan shall be implemented before vineyard planting activities. Any replaced plants shall be monitored for at least 5 years to ensure an 80 percent survival rate.</p>	Owner/permittee, qualified botanist	Napa County, qualified botanist	<p>Flag/fence clearing limits to avoid impacts on the narrow-flowered California brodiaea to be retained and get field locations inspected and approved by Napa County.</p> <p>Prepare and implement a replacement plan for any narrow-flowered California brodiaea plants inadvertently removed that are not located within the approved boundaries or clearing limits of #P18-00446-ECPA. Monitor replanting area for a minimum of 5 years to achieve a minimum 80 percent survival rate.</p>	Before commencement of earthmoving activities and after construction
		<p>Mitigation Measure 3.3-1e (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the population of small-flowered 4-galycadenia within proposed vineyard Block V4 and maintain a 20-foot buffer from the avoided population, consistent with the modified block configurations detailed in Figure 3.3-6. These avoided populations shall be demarcated with construction flagging/fencing before commencement of earthmoving activities. The precise locations of these fences shall be inspected and approved by Napa County before the start of any earthmoving activities. Any incursions into the avoidance area/boundary shall be conducted only by qualified personnel and at the discretion of the County. No equipment or materials shall be laid down in or near the avoidance area/boundary.</p>	Owner/permittee, qualified botanist	Napa County	Revise ECPA #P18-00446-ECPA before approval to avoid the population of small-flowered calycadenia within proposed vineyard Block V4 and maintain a 20-foot buffer from the avoided population. Mark avoided populations with flagging/fencing and get field locations inspected and approved by Napa County.	Before commencement of earthmoving activities
		<p>Mitigation Measure 3.3-1f (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Replacement of two-carpellate western flax plants/populations removed shall be at a minimum 1.2:1 ratio (mitigated:affected) for the approximately 2,472 plants being removed. To mitigate impacts on two-carpellate western flax plants, the top 3 inches of soil shall be removed with hand shovels within all areas where flax individuals would be removed by the proposed development. The soil shall be transported to areas where suitable habitat occurs in the Preservation Area (Figure 3.3-6) and scattered across open areas. The locations where the soil comprising two-carpellate western flax seeds is relocated shall be mapped and their boundaries delineated with flagging.</p> <p>Before the start of vegetation clearing and earth-disturbing activities on the project site, a qualified botanist shall prepare a detailed Two-carpellate Western Flax Mitigation and Monitoring Plan for review and written approval by Napa County. The Two-carpellate Western Flax Mitigation and Monitoring Plan shall document collaboration with CDFW on plan preparation. The plan shall include details on flax soil collection and relocation, techniques to avoid introducing plant pathogens to the soil relocation area, and preparation of soil relocation areas. In addition, the plan shall include, but not be limited to: (1) an onsite habitat enhancement and planting plan, and offsite plantings, at the discretion of the County, if there is not enough suitable habitat within the proposed Preservation Area on the property to support a 1.2:1 ratio of individual plants planted to individual plants removed for perennial plants;</p>	Owner/permittee, qualified botanist	Napa County, qualified botanist	<p>Remove the top 3 inches of soil within all areas where flax individuals would be removed by the proposed development, transport the soil to areas where suitable habitat occurs in the Preservation Area, and scatter across open areas. Map and flag the locations where the soil comprising two-carpellate western flax seeds is relocated.</p> <p>Prepare and implement a Mitigation and Monitoring Plan.</p> <p>Monitor the replanting area for a minimum of 5 years to achieve a minimum 80 percent survival rate.</p>	Before commencement of earthmoving activities and after construction

TABLE 4-1
STAGECOACH NORTH VINEYARD CONVERSION #P18-00446-ECPA MITIGATION MONITORING AND REPORTING PROGRAM

Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.3 Biological Resources (cont.)	3.3-1 (cont.)	<p>(2) the success criteria with a minimum 80 percent survival rate; (3) a minimum of 5 years of monitoring activities for the populations; and (4) control of invasive species and any other maintenance to ensure plantings achieve success criteria. Any offsite habitat shall also be placed under a mitigation easement with the same requirements as outlined in Mitigation Measure 3.3-1a.</p> <p>After relocation of the soil containing flax seed, the soil relocation areas shall be monitored for a minimum of 5 years. Annual reports shall be prepared and submitted to the County, with interim success criteria included to ensure that the plan is on track to meet the mitigation goals. After the 5-year monitoring period, a report shall be prepared and submitted to the County evaluating the success of the mitigation program and recommending further actions if necessary.</p> <p>If the success criteria have not been met at the conclusion of the 5-year monitoring period, monitoring shall continue until the success criteria have been achieved. An amount to be determined by the County shall be designated to fund the mitigation and monitoring effort, which shall be included in the endowment identified in Mitigation Measure 3.3-1a.</p>				
		<p>Mitigation Measure 3.3-1g (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the populations of Napa lomatium located on the eastern edge of proposed vineyard Block Z19 and within proposed vineyard Blocks V1 and Y16 and to maintain a 20-foot buffer from the avoided populations, consistent with the modified block configurations detailed in Figure 3.3-6. These avoided populations shall be demarcated in the field with construction flagging/fencing before commencement of earthmoving activities. The precise locations of these fences shall be inspected and approved by Napa County before the commencement of earthmoving activities. Any incursions into the avoidance boundary shall be conducted only by qualified personnel and only at the discretion of the County. No equipment or materials shall be laid down in or near the avoidance boundary.</p>	Owner/permittee, qualified botanist	Napa County	Revise ECPA #P18-00446-ECPA before approval to avoid the populations of Napa lomatium located on the eastern edge of proposed vineyard Block Z19 and within proposed vineyard Blocks V1 and Y16 and to maintain a 20-foot buffer from the avoided populations. Mark avoided populations with flagging/fencing and get field locations inspected and approved by Napa County.	Before commencement of earthmoving activities
		<p>Mitigation Measure 3.3-1h (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the green monardella populations adjacent to vineyard Blocks Z19, Z20, and V6 and maintain a 20-foot buffer from the avoided populations/areas, consistent with the modified block configurations detailed in Figure 3.3-6. These avoided populations shall be demarcated with construction flagging/fencing. The precise locations of these fences shall be inspected and approved by Napa County before commencement of earthmoving activities. Any incursions into the avoidance boundary shall be conducted only by qualified personnel and only at the discretion of the County. No equipment or materials shall be laid down in or near the boundary.</p> <p>Replacement of green monardella plants/populations removed shall be at a minimum 1.2:1 ratio (mitigated:affected) for the approximately 1,162 plants being removed. This plant can be propagated from seeds, cuttings, and by dividing existing clumps. The cuttings or seeds shall be collected from a minimum of 100 individual plants present onsite to ensure diversity. The seeds or cuttings shall be collected and propagated by a nursery with experience propagating chaparral plants. Propagated replacement seeds and/or cuttings shall be planted in suitable habitat in the Preservation Area (Figure 3.3-6), subject to the Green Monardella Mitigation and Monitoring Plan outlined below.</p> <p>Before the start of vegetation clearing and earth-disturbing activities on the project site, a qualified botanist shall prepare a detailed Green Monardella Mitigation and Monitoring Plan for review and written approval by the County. The Green Monardella Mitigation and Monitoring Plan shall document collaboration with CDFW on plan preparation. The plan shall include details on collection and propagation of seeds, cuttings, or clump divisions, seed spreading and planting of propagated cuttings, techniques to avoid introducing plant pathogens to the replanting area, and preparation of replanting areas.</p>	Owner/permittee, qualified botanist	Napa County	<p>Revise ECPA #P18-00446-ECPA before approval to avoid the green monardella populations adjacent to vineyard Blocks Z19, Z20, and V6 and maintain a 20-foot buffer from the avoided populations/areas. Mark avoided populations with flagging/fencing and get field locations inspected and approved by Napa County.</p> <p>Replace green monardella plants/populations removed at a minimum 1.2:1 ratio.</p> <p>Prepare and implement a Mitigation and Monitoring Plan.</p> <p>Monitor replanting area for a minimum of 5 years to achieve a minimum 80 percent survival rate.</p>	Before commencement of earthmoving activities and after construction

**TABLE 4-1
STAGECOACH NORTH VINEYARD CONVERSION #P18-00446-ECPA MITIGATION MONITORING AND REPORTING PROGRAM**

Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.3 Biological Resources (cont.)	3.3-1 (cont.)	<p>In addition, the plan shall include, but not be limited to: (1) an onsite habitat enhancement and planting plan, and offsite plantings, at the discretion of the County, if there is not enough suitable habitat within the proposed Preservation Area on the property to support a 1.2:1 ratio of individual plants planted to individual plants removed for perennial plants; (2) the success criteria with a minimum 80 percent survival rate; (3) a minimum of 5 years of monitoring activities for the populations; and (4) control of invasive species and any other maintenance to ensure plantings achieve success criteria. Any offsite habitat shall also be placed under a mitigation easement with the same requirements as outlined in Mitigation Measure 3.3-1a.</p> <p>After replanting, the replanting area shall be monitored for a minimum of 5 years. Annual reports shall be prepared and submitted to the County, with interim success criteria included to ensure that the plan is on track to meet the mitigation goals. After the 5-year monitoring period, a report shall be prepared and submitted to the County evaluating the success of the mitigation program and recommending further actions if necessary.</p> <p>If the success criteria have not been met at the conclusion of the 5-year monitoring period, monitoring shall continue until the success criteria have been achieved. An amount to be determined by the County shall be designated to fund the mitigation and monitoring effort, which shall be included in the endowment identified in Mitigation Measure 3.3-1a.</p>				
		<p>Mitigation Measure 3.3-1i (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the population of nodding harmonia located in proposed vineyard Block X12 and maintain a 20-foot buffer from the avoided population, consistent with the modified block configurations detailed in Figure 3.3-6. These avoided populations shall be demarcated with construction flagging/fencing before commencement of earthmoving activities. The precise locations of these fences shall be inspected and approved by Napa County before commencement of earthmoving activities. Any incursions into the avoidance area shall be conducted only by qualified personnel and only at the discretion of the County. No equipment or materials shall be laid down in or near the avoidance area/boundary.</p>	Owner/permittee, qualified botanist	Napa County	Revise ECPA #P18-00446-ECPA before approval to avoid the population of nodding harmonia located in proposed vineyard Block X12 and maintain a 20-foot buffer from the avoided population. Mark avoided populations with flagging/fencing and get field locations inspected and approved by Napa County.	Before commencement of earthmoving activities and after construction
		<p>Mitigation Measure 3.3-1j (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Prior to approval, Erosion Control Plan #P18-00446-ECPA shall be revised to show that the project will be implemented in two phases with a maximum of 75 gross acres in Phase 1, and with Phase 1 being designed to avoid removal of any two-carpellate western flax or green monardella. The phasing is intended to demonstrate that the special-status plants removed and replaced as result of the project (i.e., holly-leaved ceanothus, two-carpellate western flax, and green monardella) can be successfully replaced and reestablished consistent with Mitigation Measures 3.3-1b, 3.3-1f, and 3.3-1h prior to commencement of Phase 2 by requiring that all replacement plantings for the entirety of the project be installed in Phase 1 and successfully established before commencement of Phase 2. A Phasing Plan shall be provided to Napa County for review and approval before its incorporation into #P18-00446-ECPA and shall at a minimum include the following:</p> <ol style="list-style-type: none"> 1) Phase 1: Revised project area boundaries (i.e., clearing limits) to achieve a maximum of 75 gross acres of vineyard development. Phase 1 shall be designed to avoid removal of any two-carpellate western flax or green monardella and provide them with a minimum 20-foot buffer (and in a manner such that no plants or populations become isolated (i.e., vineyard development surrounding plants/populations on all sides): <ol style="list-style-type: none"> i. Phase 1 shall include the planting and establishment of all mitigatory replacement plants required for the entirety of the vineyard development project in conformance with the Mitigation Monitoring Plans required by Mitigation Measures 3.3-1b, 3.3-1f, and 3.3-1h. 	Owner/permittee	Napa County	Revise ECPA #P18-00446-ECPA before approval to state that the project will be implemented in two phases with a maximum of 75 gross acres in either phase. Design Phase 1 to avoid removal of any narrow-flowered California brodiaea, two-carpellate western flax, and green monardella. Limit special-status plant species removed in Phase 1 to holly-leaved ceanothus. Provide a Phasing Plan to Napa County for review and approval before its incorporation into #P18-00446-ECPA.	Before commencement of earthmoving activities

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3.3 Biological Resources (cont.)	3.3-1 (cont.)	<p>ii. The project replacement plants required pursuant to this measure, and the <i>Mitigation and Monitoring Plans</i> per Measures 3.3-1b, 3.3-1f, and 3.3-1h, shall be planted/installed no later than the spring (i.e., March 20th) following the year of initiation of construction of the project (#P18-00446-ECPA).</p> <p>2) Phase 2: Revised project boundaries (i.e., clearing limits) that includes the remainder of the approved project's development area (clearing limits), and does not exceed the approved project's total gross acres when combined with Phase 1 acreage.</p> <p>3) After a minimum of five (5) years from the planting of all project/mitigatory replacement plantings required in Phase 1, the Applicant shall provide written documentation to the County from a qualified biologist confirming that the project replacement plantings have achieved the success criteria in the plant Mitigation and Monitoring Plans required by Mitigation Measures 3.3-1b, 3.3-1f, and 3.3-1h. If the success criteria fails to be achieved after reasonable efforts, commencement of Phase 2 vineyard development shall not occur, and monitoring shall continue annually thereafter until the success criteria has been achieved.</p> <p>4) Upon the County's receipt of written confirmation from the project biologist that the success criteria has been achieved for project's replacement mitigatory plantings installed during Phase 1, the Applicant may proceed with vegetation removal or earthmoving activities associated with the development of vineyard in Phase 2, provided that any other applicable and required preconstruction requirements, conditions, or mitigation measure have been met to initiate Phase 2. In no event shall the Applicant commence any activities associated with Phase 2 unless and until the County has received the biologist's confirmation that the project replacement plantings have achieved the success criteria.</p>				
		<p>Mitigation Measure 3.3-1k (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): For earth-disturbing activities occurring between February 1 and August 31 (coinciding with the grading season of April 1 through October 15 [Napa County Code Section 18.108.070.L] and the bird breeding and nesting seasons), a qualified biologist shall conduct a preconstruction survey for nesting birds in all suitable habitat in the development area, and within a minimum of 500 feet from the project area. A qualified biologist is defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site. The preconstruction survey shall be conducted no earlier than 7 days before vegetation removal and the start of ground-disturbing activities. Should ground disturbance begin later than 7 days from the survey date, the survey shall be repeated. A copy of the survey results shall be provided to the Napa County Conservation Division and CDFW for review and written acceptance before the start of work.</p> <p>After work begins, if there is a period of no work activity of 7 days or longer during the bird breeding season, the survey shall be repeated to ensure that birds have not established nests during the period of inactivity.</p> <p>If nesting birds are found, a qualified biologist shall identify appropriate avoidance methods and exclusion buffers in consultation with the County's Conservation Division and USFWS and/or CDFW before the start of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species, as determined by a qualified biologist in consultation with the County's Conservation Division and USFWS and/or CDFW.</p> <p>Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County before the start of any vegetation removal or earthmoving activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.</p>	Qualified biologist	Napa County, CDFW	<p>Conduct preconstruction survey for nesting birds in all suitable habitat in the development area, and within a minimum of 500 feet from the project area.</p> <p>Provide Napa County and CDFW with a copy of the survey results for review and written acceptance.</p> <p>If nesting birds are found, identify appropriate avoidance methods and exclusion buffers in consultation with the County and USFWS and/or CDFW before the start of project activities.</p>	Before commencement of earthmoving activities

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Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.3 Biological Resources (cont.)	3.3-1 (cont.)	Active nests discovered during the survey shall be monitored daily during construction activities by a qualified biologist for 1 week, and weekly thereafter, to ensure that established no-disturbance buffers are adequate in avoiding impacts on nesting birds. Monitoring shall continue in this manner until the nest is no longer active, as determined by a qualified biologist. If the qualified biologist observes nesting birds displaying potential disturbance behaviors, the qualified biologist shall cease all construction activities, and CDFW shall be consulted with regarding avoidance and minimization measures prior to the resumption of construction activities. In this event, construction activities shall not resume without CDFW's written permission. Using alternative methods to flush out nesting birds before preconstruction surveys shall be prohibited.				
	3.3-2: Construction and operation of the proposed project could have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by CDFW or USFWS.	<p>Mitigation Measure 3.3-2a (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): The owner/permittee shall enhance 0.89 acres of California bay forest within the 79.3-acre Preservation Area (Figure 3.3-6). This shall be accomplished by planting California bay trees at a density similar to that occurring in the California bay forest mapped on the project site (Figure 3.3-2), about 50 trees per acre. Before vegetation clearing commences on the project site, a qualified professional knowledgeable and experienced with the habitats and trees at the project site shall prepare a detailed California Bay Mitigation and Monitoring Plan for review and approval by Napa County. The plan shall include details on replanting, techniques to avoid introducing plant pathogens to the replanting area, and preparation of the area for planting; a revegetation monitoring plan; success criteria with a minimum 80 percent survival rate; and reporting requirements.</p> <p>After replanting, the area shall be monitored for a minimum of 5 years. Annual reports shall be prepared and submitted to the County, with interim success criteria included to ensure that the plan is on track to meet the mitigation goals. After the 5-year monitoring period, a report shall be prepared and submitted to the County evaluating the success of the mitigation program and recommending further actions if necessary.</p> <p>If the success criteria have not been met at the conclusion of the 5-year monitoring period, monitoring shall continue until the success criteria have been achieved. An amount to be determined by the County shall be designated to fund the mitigation and monitoring effort.</p>	Owner/permittee, qualified botanist/biologist	Napa County	Enhance California bay forest within the Preservation Area by planting California bay trees at a density similar to that occurring in the California bay forest mapped on the project site. Prepare and implement a Mitigation and Monitoring Plan. Monitor the replanting area for a minimum of 5 years to achieve a minimum 80 percent survival rate.	Before commencement of earthmoving activities and after construction
		<p>Mitigation Measure 3.3-2b (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid 14 acres of California bay forest from the development area, consistent with the modified block configurations detailed in Figure 3.3-6. This avoided area shall be demarcated with construction flagging/fencing before commencement of earthmoving activities. The precise locations of these fences shall be inspected and approved by Napa County before commencement of earthmoving activities. Any incursions into the avoidance area/boundary shall be conducted only by qualified personnel and at the discretion of the County. No equipment or materials shall be laid down in or near the boundary.</p>	Owner/permittee, qualified botanist/biologist	Napa County	Revise ECPA #P18-00446-ECPA before approval to avoid 13.98 acres of California bay forest from the development area. Mark avoided populations with flagging/fencing and get field locations inspected and approved by Napa County.	Before commencement of earthmoving activities
	3.3-3: Construction and operation of the proposed project could have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	<p>Mitigation Measure 3.3-3 (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): All necessary permits shall be obtained before the construction of stream crossings and culvert replacement, and the owner/permittee shall comply with all permit minimization and mitigation measures. Impacts on waters of the United States would require a minimum mitigation ratio of 1:1 (mitigated:affected) to comply with USACE's no net loss policy; however, the Regional Water Board may require a ratio of 2:1 (mitigated:affected) or more. During construction of rocked water crossings and culvert replacement, all necessary best management practices shall be implemented to ensure that no soil or other materials are discharged into the onsite stream courses.</p>	Owner/permittee	Napa County, USACE, Regional Water Board, CDFW	Obtain necessary permits and comply with all permit minimization and mitigation measures.	Before commencement of earthmoving activities

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Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.3 Biological Resources (cont.)	3.3-3 (cont.)	<p>Before commencement of earthmoving activities and installation of stream crossings and culvert replacement associated with #P18-00446-ECPA, and before development of vineyard blocks reliant on those crossings, the owner/permittee shall obtain—and shall demonstrate to Napa County that it has obtained—all required authorizations and/or permits from agencies with jurisdiction over waters of the United States or the state, such as:</p> <ul style="list-style-type: none"> • Water Quality Certification (Section 401 permit) from the Regional Water Board • Section 1602 Lake and Streambed Alteration Agreement from CDFW • Section 404 Nationwide Permit from USACE <p>Alternatively, the owner/permittee may revise the plan to include clear-span crossings, with footings located outside of identified setbacks, over these drainages to minimize and mitigate potential impacts on jurisdictional waters of the United States or state.</p>				
	<p>3.3-4: Construction and operation of the proposed project could interfere substantially with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or could impede the use of native wildlife nursery sites.</p>	<p>Mitigation Measure 3.3-4 (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): The Vineyard Fencing Plan in Erosion Control Plan #P18-00446-ECPA shall be revised prior to approval to fence clusters of vineyard blocks as shown in Figure 3.3-6 and as described below. The revised Vineyard Fencing Plan shall be subject to review and approval by Napa County before its incorporation into #P18-00446-ECPA.</p> <ul style="list-style-type: none"> • The following vineyard blocks shall be fenced individually: Blocks V6, W8, Y15, Y16, Z17, Z18, and Z20. The location of new wildlife exclusion fencing shall generally be limited to the outside edge of vineyard avenues. • The following vineyard blocks shall be fenced in groups: Group 1—Blocks X10, X11, X12, and Y14; and Group 2—Blocks V1, V2, V3, and V4. To the maximum extent practical, the location of new wildlife exclusion fencing shall generally be limited to the outside edge of existing and proposed vineyard avenues and development areas. • A portion of vineyard Blocks V1, V2, and W8 shall be removed to provide and maintain a wildlife corridor at least 100 feet wide adjacent to the block(s), consistent with the modified block configurations detailed in Figure 3.3-6, to facilitate the movement of larger mammals through the area. • New fencing shall use a design that has 6-inch-square gaps at the base (instead of the typical 3-inch by 6-inch rectangular openings) to allow small mammals to move through the fence. Exit gates shall be installed at the corners of wildlife exclusion fencing to allow trapped wildlife to escape. To prevent entanglement, smooth wire instead of barbed wire shall be utilized to top wildlife exclusion fencing. • Any modifications to the location of wildlife exclusion fencing as specified in Erosion Control Plan #P18-00446-ECPA pursuant to the Vineyard Fencing Plan required by this mitigation shall be strictly prohibited, and would require County review and approval to ensure that the modified wildlife exclusion fencing location/plan would not result in potential impacts on wildlife movement. • Prior to completion and finalization of #P18-00446-ECPA, all wildlife exclusion fencing shall be inspected by the County to ensure that it was installed in substantial conformance with the approved Vineyard Fencing Plan. Any wildlife exclusion fencing not installed in conformance with the Fencing Plan shall be removed and replaced in accordance with the Fencing Plan. Any vegetation removed as part of incorrect fencing installation shall be replaced onsite at a ratio of 2:1 within the project's avoidance areas, as approved by the planning director. A replacement plan shall be prepared for County review and approval, that includes, at a minimum, the locations of replacement plantings, plant pallet and planting methods, success criteria of at least 80 percent, and a minimum 5 year monitoring schedule. 	Owner/permittee	Napa County	<p>Revise the Vineyard Fencing Plan in ECPA #P18-00446-ECPA to fence clusters of vineyard blocks. Submit Vineyard Fencing Plan to Napa County for review and approval.</p> <p>Fence vineyards as indicated in the Vineyard Fencing Plan.</p> <p>Implement measures to avoid indirect impacts and encroachment into avoided habitats.</p>	Before commencement of earthmoving activities and after construction

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Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.3 Biological Resources (cont.)	3.3-4 (cont.)	<ul style="list-style-type: none"> • The owner/permittee shall implement the following measures to avoid indirect impacts and encroachment into avoided habitats: <ul style="list-style-type: none"> a) The project boundaries (i.e., clearing limits) specified and shown on #P18-00446-ECPA, as modified by mitigation and/or a project alternative, shall be flagged in the field by the project engineer and protective construction fencing shall be installed along the boundaries. Construction fencing shall be inspected and approved by the County prior to the commencement of vegetation removal and earth-disturbing activities. No equipment or work shall be allowed within the avoidance areas. The protective construction fencing shall be maintained and remain in place until all grading and erosion control measure installation are complete. b) For avoided areas located inside wildlife exclusion fencing as a result of implementation of mitigation, the protective constructive fencing shall be replaced with a wildlife-friendly permanent means of demarcation and protection around the avoided areas (such as split rail fence, three-strand wire fence, or rock fence/barrier) so that avoidance areas are not encroached upon or disturbed as part of ongoing vineyard operations. The permanent means of demarcation shall be described and shown on the fencing plan pursuant to Mitigation Measure 3.3-4, and shall be installed prior to completion and finalization of the ECPA. c) In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement), any vegetation inadvertently removed that is not located within the approved boundaries or clearing limits of #P18-00446-ECPA shall be replaced onsite at a ratio of 2:1 within the project's avoidance areas, as approved by the planning director. A replacement plan shall be prepared for County review and approval that includes, at a minimum, the location of suitable habitat on the project parcel, the locations of replacement plantings, and success criteria of at least 80 percent, including monitoring schedule and activities. The replacement plan shall be implemented before vineyard planting activities. Any replaced plants shall be monitored for at least 5 years to ensure an 80 percent survival rate. 				
	<p>3.3-5: Construction and operation of the proposed project could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p>	<p>Mitigation Measure 3.3-5 (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Erosion Control Plan #P18-00446-ECPA shall be revised before approval to avoid the 0.75 acre of black oak forest located in the development area, consistent with the modified block configurations detailed in Figure 3.3-6.</p> <p>Before any earthmoving activities, temporary fencing shall be placed at the edge of the dripline of trees to be retained that are located adjacent to the development area (typically within approximately 50 feet). The precise locations of these fences shall be inspected and approved by Napa County before the start of any vegetation removal or earthmoving activities. No disturbance, such as grading, placement of fill material, and equipment storage, shall occur in the designated protection areas for the duration of erosion control plan and vineyard installation.</p> <p>Trees removed that are not within the boundary of the project and/or not identified for removal as part of #P18-00446-ECPA shall be replaced onsite with 15-gallon trees at a ratio of 2:1 at locations approved by the director. Replacement trees shall be monitored and maintained as necessary for a minimum of 5 years to ensure an 80 percent survival rate. If replacement plantings are not achieving this success criterion during the initial monitoring period, the permittee shall be responsible for planting replacement trees and conducting ongoing monitoring to ensure that they achieve a survival rate of at least 80 percent.</p> <p>The owner/permittee shall refrain from severely trimming the trees and vegetation to be retained adjacent to the vineyard conversion area.</p>	Owner/permittee	Napa County	Revise ECPA #P18-00446-ECPA before approval to avoid the 0.75 acre of black oak forest located in the development area. Mark avoided populations with flagging/fencing and get field locations inspected and approved by Napa County.	Before commencement of earthmoving activities and after construction

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Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.4 Cultural and Tribal Cultural Resources	3.4-1: Construction and operation of the proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines Section 15064.5.	<p>Mitigation Measure 3.4-1a (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): Before commencement of earthmoving activities, an Archaeological Resources Worker Environmental Awareness Program shall be implemented. A qualified archaeologist or designee shall conduct training for project personnel regarding the appearance of archaeological resources and the procedures for notifying archaeological staff should materials be discovered. The owner/permittee shall provide documentation to Napa County before commencement of earthmoving activities showing that an Awareness Program has been developed and appropriate project personnel have been trained, shall ensure that project personnel are made available for and attend the training, and shall retain documentation demonstrating attendance.</p>	Owner/permittee, qualified archaeologist	Napa County	Implement Archaeological Resources Worker Environmental Awareness Program, train project personnel regarding the appearance of archaeological resources and the procedures for notifying archaeological staff should materials be discovered, and provide documentation showing that these steps have been taken.	Before commencement of earthmoving activities
		<p>Mitigation Measure 3.4-1b (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): If indigenous or historic-era archaeological resources are encountered during project development or operation, all activity within 100 feet of the find shall cease and the find shall be flagged for avoidance. Napa County and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archeology, shall be immediately informed of the discovery. The qualified archaeologist shall inspect the find within 24 hours of discovery and notify the County of their initial assessment. Indigenous archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); or battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include building or structure footings and walls, or deposits of metal, glass, and/or ceramic refuse.</p> <p>If the resource is indigenous, the County shall contact a Native American representative to assess the find. If the County determines, based on recommendations from the qualified archaeologist and the Native American representative (if the resource is indigenous), that the resource may qualify as a historical resource or unique archaeological resource (as defined in State CEQA Guidelines Section 15064.5) or a tribal cultural resource (as defined in PRC Section 21074), the resource shall be avoided if feasible. Avoidance means that no activities associated with the project that may affect cultural resources shall occur within the boundaries of the resource or any defined buffer zones. If avoidance is not feasible, the County shall consult with appropriate Native American tribes (if the resource is indigenous) and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts on the resource pursuant to PRC Section 21083.2, State CEQA Guidelines Section 15126.4, and County General Plan Policy CC-23. This shall include documentation of the resource and may include data recovery or other measures. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource. The resource and treatment method shall be documented in a professional-level technical report to be filed with the California Historical Resources Information System. Work in the area may commence upon completion of approved treatment and under the direction of the qualified archaeologist.</p>	Construction contractor, qualified archaeologist	Napa County, qualified archaeologist	If indigenous or historic-era archaeological resources are encountered during project development or operation, cease all activity within 100 feet of the find and flag the find for avoidance and inform the correct parties.	During construction

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Issue Area	Impact	Mitigation Measure	Responsibility for Implementing	Responsibility for Monitoring	Monitoring and Reporting Actions	Timing
3.4 Cultural and Tribal Cultural Resources (cont.)	3.4-2: Construction and operation of the proposed project could disturb human remains, including those interred outside of formal cemeteries.	Mitigation Measure 3.4-2 (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): If human remains are uncovered during project construction, all work shall immediately halt within 100 feet of the find and the Napa County Coroner shall be contacted to evaluate the remains, and follow the procedures and protocols set forth in State CEQA Guidelines Section 15064.5(e)(1) and County General Plan Policy CC-23. If the County Coroner determines that the remains are Native American, the County shall contact the NAHC, in accordance with Health and Safety Code Section 7050.5(c) and PRC Section 5097.98. Per PRC Section 5097.98, the County shall ensure that the immediate vicinity where the Native American human remains are located is not damaged or disturbed by further development activity until the County has discussed and conferred, as prescribed in PRC Section 5097.98, with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.	Construction contractor	Napa County/Coroner	Halt work within 100 feet and notify the Napa County Coroner if human remains are uncovered. Contact the NAHC if the remains are determined to be Native American.	During construction
3.4 Cultural and Tribal Cultural Resources (cont.)	3.4-3: Construction and operation of the proposed project could cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074.	Mitigation Measure 3.4-3 (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative): If indigenous archaeological resources are encountered during project development or operation, all activity within 100 feet of the find shall cease and the find shall be flagged for avoidance. Napa County and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archeology, shall be immediately informed of the discovery. If the resource is indigenous, the County shall contact a Native American representative to assess the find. If the County determines, based on recommendations from a qualified archaeologist and a Native American representative, that a resource identified during project implementation may qualify as a tribal cultural resource (as defined in PRC Section 21074), the resource shall be avoided if feasible. If avoidance is not feasible, the County shall consult with the appropriate Native American tribe to determine treatment measures to avoid, minimize, or mitigate any potential impacts on the resource pursuant to PRC Section 21083.2, State CEQA Guidelines Section 15126.4, and County General Plan Policy CC-23. Treatment may include, as feasible: <ul style="list-style-type: none"> • Avoidance and preservation of resources in place, including but not limited to planning construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space to incorporate the resources with culturally appropriate protection and management criteria. • Treating the resource with culturally appropriate dignity, taking into account the Tribal cultural values and meaning of the resource, including but not limited to the following: <ul style="list-style-type: none"> ○ Protecting the cultural character and integrity of the resource. ○ Protecting the traditional use of the resource. ○ Protecting the confidentiality of the resource. ○ Establishing permanent mitigation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places. ○ Protecting the resource. 	Construction contractor, qualified archaeologist	Napa County, qualified archaeologist	Cease activity within 100 feet of the find and flag for avoidance if indigenous archaeological resources are encountered.	During construction
3.8 Land Use and Planning	3.8-1: Construction and operation of the proposed project could cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	Implement Mitigation Measures 3.3-1a through 3.3-5 (proposed project, Increased Preservation Area Alternative, and Increased Watercourse Setbacks Alternative)	See above.	See above.	See above.	See above.