

PROJECT REVISION STATEMENT
Dooley Vineyard
Agricultural Erosion Control Plan #P20-00147-ECPA

I hereby revise the Dooley Vineyard Agricultural Erosion Control Plan (ECPA) #P20-00147-ECPA to implement i) the clearing of vegetation, earthmoving, and installation and maintenance of erosion control measures associated with the development of approximately 1.0 gross acres of new vineyard (i.e., development area, proposed clearing limits; approximately 0.9 net acres of vines) within one vineyard block, Block 1, located on an approximate 2-acre parcel (i.e., project site) (Figure 3), and ii) the ongoing maintenance of erosion control measures associated with approximately 0.3 gross-acre (0.2 net-acre) of existing vineyard developed without the benefit of an approved Erosion Control Plan (Block 2) within a 2-acre parcel (Assessor's Parcel No. 052-460-020: 4285 East Third Avenue in Napa County, California, to include the following two (2) measures specified below:

Mitigation Measure BR-1: The Permittee shall include in #P20-00147-ECPA the following measures to minimize impacts associated with the loss and disturbance of nesting birds and raptors consistent with and pursuant to California Department of Fish and Wildlife (CDFW) Code Sections 3503 and 3503.5:

- For earth-disturbing activities occurring between February 1 and August 31, (which coincides with the grading season of April 1 through September 1 – NCC Section 18.108.027C, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with potential to occur at the project site) shall conduct preconstruction surveys for nesting birds and raptors, within all suitable habitat on the project site, and within 500 feet of all project areas unless access is unavailable due to trespass of private property (in such cases, binocular survey of areas within 500 feet is acceptable). The preconstruction survey shall be conducted no later than 7 days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than 14 days from the survey date, surveys should be repeated. A copy of the survey will be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.
- After commencement of work, if there is a period of no work activity of 5 days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
- In the event that nesting birds are found, the Permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with County Conservation Division and the USFWS and/or CDFW.
- Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.
- Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) is prohibited.

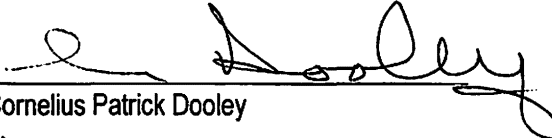
Mitigation Measure CR-1: Discovery of cultural, historical or archaeological resources, or human remains during construction, grading, or other earth moving activities:

- Cultural sensitivity training shall be implemented for all pre-project personnel prior to earth-disturbing activities.

- In accordance with CEQA Subsection 15064.5(f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable solids, glass, metal, ceramics, wood or similar debris, be discovered during grading, trenching or other onsite excavation(s), earth work within 100-feet of these materials shall be stopped until a professional archaeologist certified by the Registry of Professional Archaeologists (RPA) and a Yocha Dehe Wintun Nation Tribal Cultural Monitor have had an opportunity to evaluate the significance of the find and appropriate Treatment Protocol(s), as determined necessary.
- If human remains are encountered the Napa County Coroner shall be informed to determine if an investigation of the cause of death is required and/or if the remains are of Native American origin. Pursuant to Public Resources Code Section 5097.98, if such remains are of Native American origin the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity.
- All persons working onsite shall be bound by contract and instructed in the field to adhere to these provisions and restrictions.

The Property Owners (Cornelius Patrick Dooley and Susanne Hoffman-Dooley) further commit themselves and successors-in-interest to (a) inform any future purchasers of the property of the above commitments; (b) include in all property leases a provision that informs the lessee of these restrictions and binds them to adhere to them, and (c) inform in writing all persons doing work on this property of these limitations.

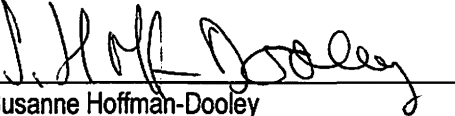
The Property Owners (Cornelius Patrick Dooley and Susanne Hoffman-Dooley) understand and explicitly agree that with regards to all California Environmental Quality Act and Permit Streamlining Act (Government Code Sections 63920-63962) deadlines, this revised application will be treated as a new project.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



 Cornelius Patrick Dooley

1-28-21

 Date



 Susanne Hoffman-Dooley

1-28-21

 Date