

Exhibit H

PROJECT REVISION STATEMENT

Atlas View LLC. Atlas View II Vineyard Conversion Agricultural Erosion Control Plan #P19-00171-ECPA

I hereby revise the Atlas View LLC., Atlas View II Agricultural Erosion Control Plan #P19-00171-ECPA to convert to vineyard up to 20.2 acres (approximately 13.9 net vine acres) of existing mixed oak woodland, manzanita chaparral, and annual grassland within an approximate 115.75-acre Parcel (Assessor's Parcel No032-120-015: 4300 Atlas Peak Road) in Napa County California CA, to include the two (2) measures specified below:

Mitigation Measure BR-1: The owner/applicant shall revise Erosion Control Plan #P19-00171-ECPA prior to approval to include the following measures to minimize impacts to special-status plant species and their habitat, including Jepson's navarretia (*Navarretia jepsonii*) and purple needle-grass (*Stipa pulchra*) and Sensitive Biotic Community and Biotic Communities of Limited Distribution:

- a. Prior to commencement of any earthmoving activities or construction under #P19-00171-ECPA, a qualified wildlife biologist shall conduct preconstruction surveys for special-status plants and their habitat known to occur in the area, including Jepson's navarretia (*navarretia jepsonii*) and purple needle-grass (*Stipa pulchra*). The results of the preconstruction survey shall be submitted to the County Conservation Division for review prior to the initiation of Erosion Control Plan #P19-00171-ECPA. The survey shall include number of species found, and recommendations for appropriate transplant or replacement of removed plants at a 2:1 ratio.
- b. The owner/applicant shall revise Erosion Control Plan #P19-00171-ECPA to include location and plan for replacing removed Jepson's navarretia (*navarretia jepsonii*) and purple needle-grass (*Stipa pulchra*) at a 2:1 ratio. The replanting plan shall be prepared by a qualified biologist or restoration ecologist and include the following: i) a site plan showing the areas of revegetation sufficient to ensure success of the community, ii) a plant pallet composed of Jepson's Navarretia (*Navarretia jepsonii*) and Purple Needle Grassland (*Nassella pulchra*) at a 2:1 replacement ratio, and can include other compatible native plant species common to the area, that includes planting densities and plant sizes and/or application rates, iii) planting notes and details including any recommended plant protection measures, iv) invasive species removal and management recommendations, specifications and goals, v) an implementation and monitoring schedule, and vi) performance standards with a minimum success rate of 70% to ensure the success of Purple Needlegrass Grassland replacement and re-vegetation efforts.

Mitigation Measure BR-2: The owner/Permittee shall revise #P19-00171-ECPA prior to County approval to implement the following measures to reduce potential cumulative and indirect impacts to oak woodland as a result of the project:

- a. A minimum of 4.48 acres of oak woodland designated for preservation shall be identified as such in a deed restriction or conservation easement held by an organization such as the Land Trust of Napa County as the grantee, or other means of permanent protection. Land 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 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. The applicant shall record the deed restriction or conservation easement prior to earthmoving or within 90 days of project approval, whichever comes first. The area to be preserved shall be of like kind and quality to the oak woodland being impacted as a result of the proposed project, as follows: areas to be preserved

shall take into account the type of oak woodland being removed, and species diversity and oak species that are limited within the project property and Napa County; the acreage included in the preservation area should be selected in a manner that minimizes fragmentation of oak woodlands within the project property; and the preservation area should not include portions of the property already subject to development restrictions (i.e., within creek setbacks or on slopes over 30%). The area to be preserved shall be determined by a qualified biologist with knowledge of oak woodlands and shall obtain final approval from Napa County.

- b. Prior to 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 project site (typically within approximately 50-feet of the project site). The precise locations of said fences shall be inspected and approved by the Planning 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 protection areas for the duration of erosion control plan and vineyard installation.
- c. Where vineyard avenues and turnaround areas encroach into driplines, land preparation (i.e. grading and land ripping) shall be limited to planted areas of the vineyard, and no grading or land ripping shall occur within driplines to facilitate avenue construction: vineyard avenues may be disked to establish the specified vineyard cover crop. Prior to the commencement of any vegetation removal and earthmoving activities, the limits of land ripping shall be demarcated in the field, the precise locations of said demarcations shall be inspected and approved by the Planning Division: no grading shall occur within driplines to facilitate avenue construction.
- d. The Owner/Permittee shall refrain from severely trimming the trees and vegetation to be retained adjacent to the vineyard conversion area.
- e. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P19-00171-ECPA shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the erosion control plan.

Atlas View LLC., further commits 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.

Atlas View LLC., understands and explicitly agrees 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.



Signature

11-02-21

Date

Manuel Pires President

Printed Name Title