



Napa County
CONSERVATION, DEVELOPMENT & PLANNING COMMISSION
 1195 Third Street, Room 210, Napa, California 94559
 (707) 253-4416

BASIC APPLICATION FOR EROSION CONTROL PLAN REVIEW

FOR OFFICE USE ONLY

FILE #: P22-00289 APN #: _____ SUBMITTAL DATE: _____
 [] STRUCTURAL [] AGRICULTURAL USGS QUAD: _____
 TOWNSHIP/RANGE: _____
 REQUEST: _____

PROJECT TYPE: Agriculture: New ___ Vineyard Replant (Process I: ___ II: ___) Other: _____
 Non-Agriculture: Structure ___ Driveway ___ Road ___ Reservoir ___ Other _____

PERCENT SLOPE: Cropland: _____ Structure: _____ Pad: _____ Driveway: _____ Road: _____

OTHER PERMITS: Grading Permit ___ Use Permit: ___ Variance: ___ Septic System Permit: ___ Groundwater Permit: ___

REVIEW AGENCIES: CDPD: County Consultant: ___ OR RCD: ___

FINAL APPROVAL: CDPD: Date: _____

TO BE COMPLETED BY APPLICANT
 (Please type or print legibly)

Applicant's Name: Austin Peterson

Telephone #: () _____ Fax #: () _____ E-Mail: _____

Mailing Address: 1415 E Street Napa CA 94559
No Street City State Zip

Status of Applicant's Interest in Property: Owner

Property Owner's Name: Austin Peterson

Telephone #: () _____ Fax #: () _____ E-Mail: _____

Mailing Address: 1415 E Street Napa CA 94559
No Street City State Zip

Site Address/Location: 3496 Soda Canyon Road Napa
No Street City

Assessor's Parcel #: 032-500-025 Existing Parcel Size: 14.33 acres Development Area Size: 7.2 acres
 Slope Range: 9 % to 10 % Total Acreage ≥ 30%: 0.1 acres Estimated Total Amount of Cut & Fill: 3,000 cubic yards

Land or Aerial Survey Prepared By American Aerial Mapping, Inc. Date: 10/15/2012

(NOTE: Contour map/survey is required for all development areas with an estimated slope of 15% or greater and for all road/driveway projects, Contour map must include all areas within 100' of the cut and fill edges. Percent slope shall be calculated and presented as whole numbers.)

Source(s) of Water: Existing well

Related Permits Filed: Water Rights Groundwater Well Sewage Disposal Use Permit/Variance?
 Timber Harvest Stream Alteration Others: _____

I hereby certify that all the information contained in this application, including but not limited to, this application form, the supplemental information sheets, site plan, plot plan, cross sections/elevations, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for evaluation of this application and preparation of reports related thereto, including the right of access to the property involved.

 Signature of Applicant Date: 2/28/2022

 Signature of Property Owner Date: 2/28/2022

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

\$ _____
 Estimated Fee Receipt Number: _____ Received By _____ Date _____

EROSION CONTROL PLAN SUPPLEMENTAL INFORMATION

Project/Construction Phasing Information

1. Project Description: APN: 032-500-025-557
 To plant approximately 5.3 acres of vineyard.
-
- Parcel size: 14.33 acres Total land area disturbed: 7.2 acres
 Agriculture: NEW plant acres: 5.3 Replant acres: 0
 Structures: residence building driveway road other _____
2. Project Phases: one two or _____
3. Anticipated date to start construction (month/year): April 1, 2022
4. Estimated date of completion of each phase: Phase 1: Sept 15
Phase 2: _____
Phase ___: _____
5. Total construction time estimated: 5.5 months
6. Work scheduled between Oct. 1 and Apr. 1? Yes No **OR**
 between Sept. 1 and Apr. 1? Yes No (municipal watershed)
7. Winterization measures in the Erosion Control Plan See Narrative.
8. Is a grading permit, a well permit, or a sewage disposal permit required? Yes No
 If yes has the Napa Co Public Works and/or Environmental Management Departs. been notified? Yes No

Slope Information

9. Earth moving, grading or land clearing on slope(s) of: 9 % to 10 %
10. Total acreage with slopes greater than or equal to 30%: 0.1 acres
11. Contour mapping source: American Aerial Mapping, Inc.

Water Deficient Area, Watershed Area, & Water Rights Diversion Permits

12. Water-deficient area: Yes (*applicant must contact Co Env Mgmt Dept*) No
13. Sub-Watershed Name: Rector Reservoir Watershed
 Municipal Reservoir Watershed: Yes No
 If yes: Bell Canyon Kimball Milliken Lake Hennessey Rector
14. Have any other erosion control plans effecting this parcel been approved since 1991? Yes No
15. Coverage information (required for projects in any watershed): **See Appendix C**
 (a) Existing acres of tree canopy cover per parcel: _____ acres
 Proposed acres of canopy cover to be removed: _____ acres
 Percent of canopy cover to be retained per parcel: _____ %
 (b) Existing acres of shrub, brush, grass without tree canopy per parcel: _____ acres
 Proposed acres of shrub, brush, grass cover to be removed: _____ acres
 Percent of shrubs, brush, grass to be retained per parcel: _____ %
16. Is there a Water Rights permit associated with the project or parcel? Yes No
 a) Copy of permit from the State Dept of Water Resources attached? Yes No **OR**
 b) Date application for necessary permit submitted to this board: _____
 c) Copy of associated CEQA document attached? Yes No acre/feet _____

Streams, Watercourses, & Streambed Alteration Agreements

17. All streams and watercourses in vicinity of project area(s) shown and the required setback(s) indicated with the distance and slope? Yes No
18. Is there a State Dept of Fish & Game Streambed Alteration (1603) Permit associated with the project or parcel? Yes No
- (a) Copy of State Dept of Fish & Game Permit attached? Yes OR
- (b) Date application for necessary permit submitted to this agency: _____
- (c) Copy of CEQA document prepared attached? Yes No

Environmental Setting

19. Is any portion of the project located on or within 500' of a landslide? Yes No
Cite source: Napa County GIS Layer
20. Is any portion of the project located in the vicinity of rare/endangered species, species of special concern (plant, animal), wetland (type), riparian habitat, critical habitat, etc.? Yes No
If yes, list: holly-leaved ceanothus
- Cite source/reference(s): _____
Specific study prepared: Biological Study by MIG|TRA Environmental date: Feb. 2022
21. Is any portion of the project located on or within 500' of an archeological or historic site? Yes No
Cite source: _____
Specific study prepared: Cultural Resource Recon. by Archaeological Services, Inc. date: 6/25/2013

Grading Information

22. Are any new roads/driveways associated with the project? Yes No
23. Are any new vineyard avenues associated with the project? Yes No
24. Will the project involve any recontouring of the land? Yes No
25. Will there be any excavation or fill deeper than 12 inches? Yes No
26. Total cubic yards of cut & fill: 3,000
Cubic yards of cut: 1,500 fill: 1,500
Spoils location: on-site within clearing limits off-site _____
27. Has a grading permit been filed with the Co Public Works Dept? Yes No
28. Will the project involve repair of a landslide? Yes No
Location _____ Size _____ Report _____

TIMBER HARVEST/TIMBER CONVERSION PERMITS

29. Is there a Timber Harvest or Conversion permit associated with the project/parcel? Yes No
Number of Acres: _____
- a) Copy of State Dept of Forestry Permit attached? Yes OR
- b) Date application for necessary permit submitted to this agency: _____
- c) Copy of associated CEQA document attached? Yes No
- d) Date other County erosion control plan(s) submitted if different than the application date for this plan: _____
30. Is there a Timberland Conversion Exception associated with the project or parcel? Yes No

SUPPLEMENTAL ENVIRONMENTAL INFORMATION (ECP)

To be provided by Property Owner: Austin Peterson

Attach response sheets to this page.

A. GENERAL INFORMATION

1. Name, address, telephone number of property owner.
2. Address of project.
3. APN.
4. Name, Address and telephone number of person to be contacted concerning this project, if different than owner.
5. Indicate type or number of the permit application for the project to which this form pertains.
6. List and describe any other related permits and/or other public approvals required for this project or parcel, including those required by city, regional, state and federal agencies.
7. Existing zoning district.
8. Proposed use of entire site and/or parcel. List and describe any other projects or improvements with site locations anticipated within the next several years (1-3-5 years).

B. PROJECT DESCRIPTION

9. Parcel(s) size(s), acres per parcel.
10. Project(s) size(s), acres per project.
11. Attach plans.
12. Proposed scheduling.
13. Anticipated incremental or phased development.
14. If the project involves Napa County grading permit, use permit, variance or rezoning application, state this and indicate clearly why the application is required.

Discuss and check yes the following items which are applicable to your project or its effects (attach additional sheets)

YES NO

15. Change in existing features of any watercourses, wetlands, tidelands, beaches, hills or alteration of ground contours.
16. Change in scenic views or vistas from existing residential areas or public lands or roads.
17. Change in the pattern, scale or character of general area of project.
18. Change in bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.
19. Site on filled land or on slopes of 5% or more.
20. Substantial change in demand for Napa County services (police, fire, water, sewage, etc.)
21. Relationship to a larger project or series of projects.

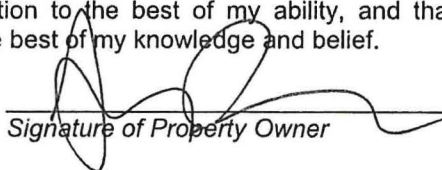
C. ENVIRONMENTAL SETTING

22. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, wetlands (types), riparian habitat and any cultural, historical or scenic aspects. Describe any/all existing structures on the site, and the use of the structures. Attach photographs of the site, could include current aerial photo.
23. Describe the surrounding properties (approximately ¼ mile radius form parcel boundary), including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (agriculture, residential, commercial, etc.), intensity of land use (vineyards, winery, one-family, multi-family, industry, etc.), and scale of development (acres, height, setback, yard, etc.). Attach photographs of the vicinity, could include current aerial photo.

D. CERTIFICATION

I hereby certify that the statements furnished responding to the above and in the attached sheets present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

2/28/2022
Date


Signature of Property Owner

A. GENERAL INFORMATION

1. Austin Peterson. 1415 E Street, Napa, CA 94559. (707) 291-1711.
2. 3496 Soda Canyon Road, Napa, CA 94558
3. 032-500-025
4. Same as owner – Austin Peterson
5. New Vineyard Development
6. None
7. AW
8. See ECP

B. PROJECT DESCRIPTION

9. See ECP
10. See ECP
11. See ECP
12. See ECP
13. See ECP
14. See ECP

Discuss and check yes the following items which are applicable to your project or its effects (attach additional sheets)

- | | | YES | NO | |
|-----|-------------------------------------|-------------------------------------|----|--|
| 15. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | Change in existing features of any watercourses, wetlands, tidelands, beaches, hills or alteration of ground contours. |
| 16. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | Change in scenic views or vistas from existing residential areas or public lands or roads. |
| 17. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | Change in the pattern, scale or character of general area of project. |
| 18. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | Change in bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns. |
| 19. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | Site on filled land or on slopes of 5% or more. |
| 20. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | Substantial change in demand for Napa County services (police, fire, water, sewage, etc.) |
| 21. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | Relationship to a larger project or series of projects. |

C. ENVIRONMENTAL SETTING

22. See ECP
23. See ECP

Attachment A

SUPPLEMENTAL PROJECT INFORMATION

File #: _____ - _____ Owner: Austin Peterson Parcel #: 032-500-025

Vineyard Development Area Specifics

- | | |
|---|-------------|
| 1. Size of Area Disturbed: | 7.2 acres |
| 2. Size of Vineyard: | 5.3 acres |
| 3. Acres of Vines: | 5.3 acres |
| 4. Slopes of Area Disturbed: | 9 % to 10 % |
| 5. Amount of Total Acreage Equal to or Above 30% Slope: | 0.1 acres |
| 6. Total Number of Trees Removed | / trees |
| a) natives | / trees |
| b) non-natives | / trees |

Vineyard Development Schedule

1. **Pre-Planting Stage:**
(i.e. land clearing, ripping, installation of drainage system., vineyard staking, installation of irrigation system., installation and maintenance of permanent and temporary erosion control measures, planting of cover crop, straw mulching)
 Start Date: 4-1 End Date: 9-15 Duration: 168 days
 Temporary Cover Crop Planted Yes No
2. **Planting Stage:**
(i.e. planting of vines, seeding permanent cover crop, apply straw mulch, maintenance of erosion control measures)
 Start Date: 4-1 End Date: 9-15 Duration: 168 days
3. **Operational Stage:**
(maintenance and adjustment as needed of permanent erosion control practices, implementation of annual vineyard and erosion control measures, commencement of annual harvests)
 Start Date: 4-1

Vineyard Operations Information

1. **Farming Equipment:**

<input type="checkbox"/> Track-laying	Percent of Use _____ %	
<input checked="" type="checkbox"/> Rubber-tired	Percent of Use <u>60</u> %	
<input checked="" type="checkbox"/> ATV	Percent of Use <u>10</u> %	
<input checked="" type="checkbox"/> Hand/Manual	Percent of Use <u>30</u> %	
<input type="checkbox"/> Other (describe) _____	Percent of Use _____ %	
2. **Annual Pruning:**
 Time of Year: February Number of days: 5 Number of Workers: 6
3. **Annual Sulfuring:**
 Time of Year: May - August Estimated applications/year: 8
4. **Weed Control:**

	<u>Under Vines</u>	<u>Between Rows</u>
Type of control	Mechanical _____	Mechanical _____
Method of application	Tractor _____	Tractor _____
Months:	April/May _____	April/May _____
Applications/year:	<u>2</u>	_____
Number of Workers:	<u>2</u>	_____
5. **Harvest (Crush):**
 Length 4 days Number of Workers: 8

6. Frost Protection Method(s)

	<u>Hours of Operation</u>	<u>Frequency (times/year)</u>
N/A Return-stack heaters	_____	_____
N/A Sprinklers	_____	_____
N/A Misters	_____	_____
N/A Wind Machines	_____	_____
N/A Late Pruning	_____	_____
Other _____	_____	_____

7. Rodent Protection Method(s):

_____ Rodenticides	x _____ Raptors
x _____ Traps	_____ Other _____
x _____ Fencing	

8. Bird Protection Method(s):

	<u>Time of Year (months)</u>	<u>Time of Day</u>	<u>Duration of Use (days per year)</u>
x _____ Netting	August/September		60
_____ Bird Cannons			
_____ Visual Distracters (Mylar strips, etc)			
x _____ Raptor Perches	All year		365
_____ Other _____			

9. Proposed Nighttime Activities:

	<u>Time of Night</u>	<u>Duration of Use (days per year)</u>
x _____ Harvest	10pm - 2am	4
x _____ Sulphur Application	12am - 6am	8
_____ Pesticide/Herbicide Application		
_____ Other _____		

10. Irrigation Methods

_____ Sprinklers	x _____ Drip System	_____ Other _____
------------------	---------------------	-------------------

11. Other Proposed Activities:

Traffic Characteristics Information

- Estimated size of grape trucks/truck & trailers to be used: 7 _____ tons
- Estimated number of truck trips per day: during Crush: 1 _____ annually: 20 _____
- Estimated number of farmworkers/vehicle: 4 _____ Crush 4 _____ Pruning
- Lunch provided on-site for farmworkers: _____ Yes x _____ No
- Proposed primary access: Soda Canyon Road _____
- Proposed secondary access, if any: _____

Itemized Fertilizer and Pesticide Information

	<u>Application Method</u> <i>(broadcast, spray, drip system, etc)</i>	<u>Application Amount</u> <i>(per acre)</i>	<u>Number of Applications per Year</u>	<u>Annual Amount Used</u> <i>(per acre)</i>	<u>Total Annual Amount Used Overall</u>
1. Fertilizers					
Compost _____	Broadcast _____	5 tons _____	1 _____	5 tons _____	26.5 tons _____
Vesta _____	Drip System _____	45 gallons _____	1 _____	45 gallons _____	238 gallons _____
Phytamin All Purpose _____	Drip System _____	1 gallon _____	2 _____	2 gallons _____	10.6 gallons _____
_____	_____	_____	_____	_____	_____

2. Mildewcides					
Sonata	Spray	3 quarts	8	6 gallons	32 gallons
Sulfur Dry Flowable	Spray	4 lbs	4	16 lbs	85 lbs
3. Herbicides					
4. Rodenticides					
5. Other Chemicals					

6. Proposed Storage, Mixing/Handling and Safety Measures:

Type of onsite chemical storage facility in use or proposed: See ECP

Location of current or potential area(s) used for the mixing agricultural chemicals and the description of the facilities present thereat: See ECP

Location of current or proposed area designated for the cleaning and washing of chemical application equipment: See ECP

Water Source and Usage Information
** Use Attachment D to calculate information requested**

1. Current and/or Proposed Water Supply Source(s):

- Agricultural Water Source(s) :**
- Well
 - Spring
 - Stream or Creek
 - Reservoir(s)
 - Other _____

Percent of Total Agricultural Use:

100	%
_____	%
_____	%
_____	%
_____	%
100	%

- Residential and Non-Agricultural Water Source(s) :**
- Well
 - Spring
 - Stream or Creek
 - Other _____

Percent of Total Resid & Non-Ag

100	%
_____	%
_____	%
_____	%
100	%

2. Current and Future/Proposed Water Usage (acre-foot per year = AF/yr) : See WAA

	<u>Current Usage</u> :	<u>Future Usage</u> :
Vineyard & other Agricultural Uses:	_____ AF/yr	_____ AF/yr
Residential/Domestic Uses:	_____ AF/yr	_____ AF/yr
Other Uses:	_____ AF/yr	_____ AF/yr
Total Usage:	_____ AF/yr	_____ AF/yr

3. Allowable Groundwater Allotment: See WAA

Rock/Spoils/Debris Disposal Information

1. Use/Disposal of Rock Generated (brought to the surface during the vineyard preparation ripping and raking process):

<u>Proposed Use/Disposal Method</u> :	<u>Percent of Total</u>	<u>Location</u>	
_____ Road Base (crushed to aggregate size)	_____ %	_____ on-site	_____ off-site
_____ "Rock Mulch" (crushed to fist size and returned to fields)	_____ %	_____ on-site	_____ off-site
X _____ Decorative Rock	10 %	100 on-site	_____ off-site
X _____ Fill (buried)	40 %	100 on-site	_____ off-site
X _____ Stacked In Pile	50 %	100 on-site	_____ off-site
_____ Other _____	_____ %	_____ on-site	_____ off-site

2. Estimated Amount of Cut & Fill: _____ cubic yards (total)
 _____ cubic yards (cut) _____ cubic yards(fill)

3. If rock/spoils material is to be disposed of off-site, where, what for and how much:

<u>Location of Disposal Site</u>	<u>Use of Material</u>	<u>Quantity</u>
_____	_____	_____ cubic yards
_____	_____	_____ cubic yards
_____	_____	_____ cubic yards

4. Debris Disposal (Location & Method):
 _____ On-site _____ x _____ Off-site Green waste _____

Related Permits

1. Please indicate any other related or required permits associated with the proposed conversion plan:

County:

Grading: Yes _____ No <u>X</u>	Groundwater/Well Permit: Yes _____ No <u>X</u>
Building: Yes _____ No <u>X</u>	Use Permit: Yes _____ No <u>X</u>
Structural ECP: Yes _____ No <u>X</u>	Variance: Yes _____ No <u>X</u>
Sewage Disposal: Yes _____ No <u>X</u>	Other Not Listed: _____

State Dept of Forestry:

Timber Harvest Plan: Yes _____ No <u>X</u>	Timber Conversion Permit: Yes _____ No <u>X</u> _____ acres
Timber Conversion Exemption: Yes _____ No <u>X</u>	_____ acres

State Dept of Fish & Game:

Streambed Alteration Permit: Yes _____ No X

State Division of Water Rights:

Appropriate Water Rights Permit: Yes _____ No X

State Environmental Protection Agency:

Chemical Application Permit(s): Yes _____ No X

Other State & Federal Permits (please list) :

2. Consultation with, or letter of agreement from:

<u>Regional Water Quality Control Brd:</u>	Yes _____ No <u>X</u>
<u>National Marine Fisheries Service/NOAA:</u>	Yes _____ No <u>X</u>
<u>Army Corps of Engineers:</u>	Yes _____ No <u>X</u>
<u>U.S. Fish and Wildlife Service:</u>	Yes _____ No <u>X</u>



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

September 23, 2022

Via Email
asanborn@ppiengineering.com

PPI Engineering, Inc.
C/O Annalee Sanborn
2800 Jefferson Street
Napa, CA 94558

RE: Application Completeness Determination – Peterson Track I Vineyard
File # P22-00289
3500 Soda Canyon Road, Napa; APN: 032-500-025-000

Dear Applicant,

Thank you for the August 16, 2022, submittal of the above referenced ECPA application and for accommodating the September 23, 2022 site inspection. The initial review of the ECPA application package has found that the information in Exhibit A is necessary to adequately review the request and complete the application.

Exhibit A also identifies environmental information necessary to adequately describe project and evaluate the significance of any potential impacts the project may have on the environment pursuant to the California Environmental Quality Act (CEQA), and to prepare a technically adequate and legally defensible CEQA document and determination. Because the subject property is proposed to be developed with a distance areas exceeding 5 ½ acres, and is located in a drainage where more than 5.5% of land has been converted to vineyard, the project does not qualify for a Categorical Exemption (Cat Ex). Therefore, an Initial Study and Negative Declaration/Mitigated Negative Declaration will need to be prepared and circulated for the County to adequately review the project and comply with CEQA.

The ECPA is also under review by the Napa County Engineering Division for its technical adequacy in meeting no net increase soil loss and runoff requirements, and to verify project soil loss and hydrologic modeling assumptions. Any information or modifications to the Project's soil loss or hydrologic modeling requested by the Engineering Division to determine the adequacy of the ECPA will need to be provided to declare the application complete and continue its processing. Engineering's review will be provided to your engineer under a separate letter, which is attached to the email in which this Completeness Determination was sent.

This is a preliminary identification of information known to be necessary at this time to initiate the environmental impact analysis required by CEQA and continue processing of the application. Ongoing review of the project may require additional information, including the supplementing of reports that have not been prepared in a manner consistent with County protocol or are otherwise necessary to provide adequate CEQA disclosure and analysis, or complete application processing. The information in Exhibit A

will also beneficial for compliance with the San Francisco Bay Regional Quality Control Board General Permit recently adopted for Vineyard Properties in the Napa River Watershed (Order #R2-2017-0033).

Pursuant to Public Resources Code (PRC) Section 21080.3.1 (AB-52 - Gatto) the Middletown Rancheria, the Mishewal Wappo Tribe of Alexander Valley, and the Yocha Dehe Wintun Nation will be sent consultation invitations. You will be advised of any communications the County receives from the aforementioned Tribes on this matter.

Thank you in advance for providing the above material in one re-submittal package with all revised plans, reports, or other resubmitted documents clearly marked "revised" and dated, and in an electronic format (.pdf, with plans converted directly from the CAD files), as well as hard copy, to facilitate uploading of the materials to the County's current projects website in accordance with the direction of the Planning Commission and Board of Supervisors (<http://www.countyofnapa.org/PBES/CurrentProjects/>).

Please be advised that if the information requested in Exhibit A is not provide within 120 days of the date of this letter (i.e. by **January 21, 2023**), the application will be deemed "abandoned" pursuant to Section 401(b)(2) of Napa County's Local CEQA Procedures, unless an extension is granted by the Director as provided in the Procedures. Should the application be deemed abandoned, any unused funds will be returned and no further work will be performed on the application.

I would also like to take this opportunity to remind you that processing of this application is billed on a time and materials basis: the original application fee paid is a deposit into the project account that is drawn against when work is performed. Generally, once the account balance reaches \$1500.00 additional funds will be requested to cover costs associated with continue processing.

Upon receipt and review of this letter, please feel free to contact me, if necessary, at (707) 253-4437 or dana.morrison@countyofnapa.org to discuss your application or the requested information.

Sincerely,

Dana Morrison

Dana Morrison
Planner III

cc: Patrick Ryan, Engineering Manager, Engineering and Conservation Division (via email)
Alexi Belov, Engineer, Engineering Division (via email)
PPI (via email)
Project files (without enclosures)

Enclosures: Exhibit A, Application Completeness Determination – Information Request: No. P22-00289-ECPA

EXHIBIT A
APPLICATION COMPLETENESS DETERMINATION – INFORMATION REQUEST
Peterson Track I Vineyard #P22-00289-ECPA: APN 032-500-025

1. Agricultural Erosion Control Plan Application Completeness Items: This information is necessary to; define and describe the full extent of the proposed project; adequately disclose, assess, and minimize potential impacts of the project pursuant to CEQA; assess the project's compliance with applicable General Plan Goals and Policies and the County Conservation Regulations; and complete the ECPA application.

- a. ECPA Application Information:** Please clarify, confirm or provide the following information provided in the *ECPA Supplemental Information* and *Supplemental Project Information* forms:
- i. **Canopy Coverage Information:** Project proposes to remove 1.1 acres of blue oak woodland trees and 6.1 acres of manzanita.
 1. Bio report indicates 1.1 acres of blue oak being removed, but C-1 (vegetation retention analysis) only calls out 0.7 acres to be removed and C-2 (tree preservation) calls out 0.84 acres
 - ii. To meet new CEQA GHG no net loss standards, 1.1 (0.7 or 0.84) acres of trees of blue oak woodland will need to be replaced and placed under a permanent protective easement with a deed restriction, or existing comparative habitat will need to be permanently preserved on-site. The preservation area needs to be located outside of creek setbacks and on developable land (<30% slope). If replacement is chosen then the project will need to show survival of all replacement trees after 5 years, so a maintenance plan for the replacement area should be provided (any water used to maintain this area will need to be included in the WAA). Also, please be aware that it might be prudent to exceed the 1:1 mitigation ratio to ensure 100% survivability of the require GHG mitigation trees.
 - iii. Project will additionally need to meet with Conservation Regulations Policy 18.108.020D and E. The 1.1 (0.7 or 0.84) acres of oak woodlands proposed for removal will need to be mitigated per 18.108.020.D; the 5 options listed are in order of preference and have various mitigation levels of 2:1 (2.2 acres of mitigation) or 3:1 (3.3 acres). The replacement and/or preservation areas identified to meet CEQA GHG not net loss can be used to meet this requirement...though give the GHG replacement is only 1.1 acres, an additional 1.1 or 2.2 acres will also need to be replaced or preserved to meet this requirement.
 - iv. As the project proposes removal of identified oak woodlands, it will need to comply with the Oak woodland Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain existing oak woodland (CON-24b); and provide replacement of lost oak woodlands or preservation of like habitat (on an acreage basis) at a 2:1 ratio, and avoid removal of oak species that are limited in distribution (CON-24c). Based on the information provided it does not appear any of the trees proposed for removal are valley oaks (species of limited distribution). However, project will need to need to show consistency with CON-24 and replace or preserve 2.2 acres of like habitat. The replacement and/or preservation area(s) identified to meet CEQA GHG no net less and 18.108.020.D/E can be used to meeting this requirement.
 - v. Please provide an exhibit showing the designated protective easement(s) location(s), should be clear which area(s) are for the GHG and which are meeting 18.108.020.

- b. **ECPA Plans and/or Narrative:** Please provide revised plans and/or narrative that include, show or clarifying the information below:
 - i. Plans will need to be revised to protect cluster occurrences of Holly-leaved ceanothus, see section below on Biological Resource Information.

2. Water Availability Analysis:

- a. Please provide a Tier II and Tier III WAA. The project is subject to a Tier II (potentially) and III analysis (required due to being located within 1500' of a county identified Significant Stream. Due to its location outside the GSA the project is NOT subject to the new water use limitation of 0.3 AF/ac/yr. If there are any neighboring wells within 500' of the proposed project wells then a Tier II analysis will be required. If there are no neighboring wells within 500' then a discussion and evidence should be provided in the WAA regarding why the project is NOT subject to Tier II analysis. There is an identified significant stream located within 1500' of the project well. As such, a Tier III analysis is required.

3. Per 18.108.027.F - A Geotechnical Report is required due to project being located within the Rector Reservoir Watershed (a Sensitive Domestic Water Supply Drainage).

4. Please be aware that per 18.108.027.E a Notice will be sent to the owner/operator(s) of the public-serving water supply system. Said notice shall include a copy of the plan submitted and shall provide twenty-one days for a response. If the owner/operator(s) submits credible evidence within this time period that the delivery of sediment or other pollutants into their reservoir(s) from the drainage will be increased by more than one percent on an individual project basis or by more than ten percent on a cumulative basis, the subject erosion control plan shall not be approved until a public hearing on the matter has been held before the commission and a use permit has been issued. Notice was sent to purveyors on 9/23/2022.

5. Supplemental Environmental Information: The following information is necessary for the County to; adequately disclose and evaluate potential impacts of the proposed project pursuant to CEQA; assess the project's compliance with applicable General Plan Goals and Policies and the County Conservation Regulations; and to complete the ECPA application to continue its review and processing.

a. Biological Resource Information:

- i. Please revise Bio report to include a discussion regarding mosses and lichens.
- ii. Per Bio Report Holly-leaved ceanothus occurs in the white leaf manzanita chaparral habitat some of which is proposed to be converted to vineyard with Block 1. Project should be revised to preserved the larger clusters at the edges and replace/replant those singular species occurrences in a preserve area located on the parcel. This will need to be under a permanent preservation as well, and will need a planting and maintenance plan for the proposed replanting area. Water use for this area will need to be included in the WAA.
- iii. Bio Report notes two valley oaks on site, are these two trees identified for removal or preservation? If they will be removed they will require mitigation at a ratio which varies depending on their size...though we strongly encourage the tree to be maintain (if not already so).

b. Vineyard Development and Operations Traffic and Practice: In addition to the information provided in Application *Attachment A*, please provide anticipated truck and vehicle trips,

equipment necessary, and number of employees necessary for, land preparation, erosion control plan installation (including importation of, soil amendments or other materials), and vineyard installation. This information is necessary to disclose and assess potential traffic, air quality, and climate change impacts associated with project development and operational activities.

3. **Shapefiles:** Please provide the shapefiles so that the project plans can be digitized.

4. **Notification Information/Listing:** A listing of the current owners of all the properties located within 1,000 feet of the project site/holding will be necessary to circulate the CEQA document for public review and comment. The notification information shall include the property owner's names, their addresses, and the assessor's parcel numbers of the property owned. Also see the enclosed *Adjoining Property Owner List Requirements* instruction sheet. You will be advised when the notification information will need to be provided.



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Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Dana Morrison Conservation Division	From: Alexei Belov Engineering Division
Date: September 23, 2022	Re: Permit No. P22-00289 APN: 032-500-025 Peterson Vineyard Development Erosion Control Plan

After review of the proposed Peterson Vineyard – Erosion Control Plan (ECP) application package the Engineering Division has determined the application to be **incomplete**. Please incorporate the following feedback into your plans and report:

General Comments

1. Napa County Code 18.108.027 (F) typically requires a full Geotechnical Report including subsurface exploration and providing ground preparation recommendations. At minimum the landslide hazard evaluation should be updated to include an analysis and/or recommendations on the proposed ripping depths and any impacts to slope stability from increased infiltration.

Soil Loss

1. No Comments

Hydrology

1. No Comments

Water Availability Analysis

1. Due to the presence of a significant stream within 1500' of the project well, a Tier 3 Groundwater/Surface Water interaction analysis is required.

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



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Brian Bordona
Interim Director

MEMORANDUM

To: Dana Morrison Conservation Division	From: Alexei Belov Engineering Division
Date: December 28, 2022	Re: Permit No. P22-00289 APN: 032-500-025 Peterson Vineyard Development Erosion Control Plan – Track I

The Engineering Division has reviewed the technical studies for the proposed Peterson – Erosion Control Plan (ECP) application, P22-00289, located on Assessor parcel number 032-500-025. The proposed plan requests approximately 5.3 net acres of vineyard development.

The Engineering Division has determined the proposed project's Soil Loss Analysis dated January 2022, and Hydrology Study dated January 2022, both prepared by PPI Engineering, to be technically adequate with respect to Napa County's Conservation Regulation Chapter 18.108, including Policy CON-48 and Policy CON-50(c) of Napa County's General Plan.

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

3500 Soda Canyon Road, Peterson Track I ECP
Response to September 23, 2022 Completeness Determination from Napa County
#P22-00289-ECPA

1. **Agricultural Erosion Control Plan Application Completeness Items:** This information is necessary to; define and describe the full extent of the proposed project; adequately disclose, assess, and minimize potential impacts of the project pursuant to CEQA; assess the project's compliance with applicable General Plan Goals and Policies and the County Conservation Regulations; and complete the ECPA application.
 - a. **ECPA Application Information:** Please clarify, confirm or provide the following information provided in the ECPA *Supplemental Information* and *Supplemental Project Information* forms:
 - i. **Canopy Coverage Information:** Project proposes to remove 1.1 acres of blue oak woodland trees and 6.1 of manzanita.
 1. **Bio report** indicates 1.1 acres of blue oak being removed, but C-1 (vegetation retention analysis) only calls out 0.7 acres to be removed and C-2 (tree preservation) calls out 0.84 acres

The parcel currently contains 4.9 acres of blue oak woodland habitat and 0.84 acre of that blue oak woodland would be removed by the Proposed Project. This was correctly stated in the ECP Appendix C-2 and shown in the original Biological Report habitat map, and the typo has been corrected in the Biological Resources Report. An updated Biological Resources Report has been included with this resubmittal package to correct this typo as well as to respond to other County requests for information, discussed further below.

In the ECP, Appendix C-1 "Vegetation Retention Calculations Based on 1993 Parcels and Vegetation" is intended to show compliance with Napa County Code Section 18.108.027(B), which requires that a "minimum of seventy percent of the tree canopy cover on the parcel existing on June 16, 1993 along with any vegetation understory, or when vegetation consists of shrub and brush without tree canopy, a minimum of forty percent of the shrub, brush and associated annual and perennial herbaceous vegetation shall be maintained as part of any use involving earth-disturbing activity." This Code section, commonly known as the "70/40 rule", is based on the vegetation that existed in 1993 and the parcel lines that existed in 1993, and applies only in sensitive domestic water supply drainages. Based on 1993 aerial photo interpretation, there were 3.6 acres of tree canopy on the property in 1993 and the project would remove 0.7-acre of 1993 tree canopy, as shown in

Figure 1. This equates to 81% retention, exceeding the minimum 70% requirement in County Code.

The ECP Appendix C-2 “3:1 Tree Preservation Calculations” is intended to show compliance with Code Section 18.108.020(D) which requires that tree canopy that exists on the property today be preserved at a 3:1 ratio. As shown in Appendix C-2 of the ECP, there are 3.35 acres of tree canopy on slopes less than 50% and outside of stream setbacks, meaning that 0.8375 acres can be removed in order to meet the 3:1 ratio. The project has limited tree removal to 0.84 acres and is therefore in compliance with Code Section 18.108.020.

- ii. To meet new CEQA GHG no net loss standards, 1.1 (0.7 or 0.84) acres of trees of blue oak woodland will need to be replaced and placed under a permanent protective easement with a deed restriction, or existing comparative habitat will need to be permanently preserved on-site. The preservation area needs to be located outside of creek setbacks and on developable land (<30% slope). If replacement is chosen then the project will need to show survival of all replacement trees after 5 years, so a maintenance plan for the replacement area should be provided (any water used to maintain this area will need to be included in the WAA). Also, please be aware that it might be prudent to exceed the 1:1 mitigation ratio to ensure 100% survivability of the require GHG mitigation trees.

As discussed above, the project proposes to remove 0.84 acres of tree canopy and therefore 2.51 acres of tree canopy will be permanently protected in order to remain in compliance with the 3:1 ratio. A supplemental figure has been provided with this response letter to show that there are 2.51 acres of tree canopy on the property that would be permanently protected after project implementation to ensure no net loss in carbon sequestration.

- iii. Project will additionally need to meet with Conservation Regulations Policy 18.108.020D and E. The 1.1 (0.7 or 0.84) acres of oak woodlands proposed for removal will need to be mitigated per 18.108.020.D; the 5 options listed are in order of preference and have various mitigation levels of 2:1 (2.2 acres of mitigation) or 3:1 (3.3 acres). The replacement and/or preservation areas identified to meet CEQA GHG not net loss can be used to meet this requirement...though give the GHG replacement is only 1.1 acres, an additional 1.1 or 2.2 acres will also need to be replaced or preserved to meet this requirement.

Noted. As discussed above, the project has been designed to be in compliance with the 3:1 tree preservation requirement and there is sufficient acreage available onsite to permanently preserve.

- iv. As the project proposes removal of identified oak woodlands, it will need to comply with the Oak woodland Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain existing oak woodland (CON-24b); and provide replacement of lost oak woodlands or preservation of like habitat (on an acreage basis) at a 2:1 ratio, and avoid removal of oak species that are limited in distribution (CON-24c). Based on the information provided it does not appear any of the trees proposed for removal are valley oaks (species of limited distribution). However, project will need to need to show consistency with CON-24 and replace or preserve 2.2 acres of like habitat. The replacement and/or preservation area(s) identified to meet CEQA GHG no net less and 18.108.020.D/E can be used to meeting this requirement.

The Oak Woodland Preservation Act does not apply to this project. As stated in PRC Section 21083.4 subsection (d)(3):

- (d) **The following are exempt from this section:**
(3) **Conversion of oak woodlands on agricultural land that includes land that is used to produce or process plant and animal products for commercial purposes.**

Because Napa County vineyard ECPs are agricultural in nature, the Oak Woodland Preservation Act does not apply.

The County General Plan policies requiring the preservation or replacement of oak woodland do apply to this vineyard project. As discussed above, the proposed project would comply with the 3:1 tree canopy retention ratio in the Conservation Regulations and therefore it is also in compliance with the less restrictive 2:1 oak woodland retention ratio found in the General Plan.

No valley oak trees are proposed for removal in this project. As disclosed in the Biological Report, there are two valley oak trees on the property but both are located within the stream setback and therefore are protected from development. However, it should be noted that ‘species of limited distribution’ is not a known or defined entity in any County documents that we are aware of. This phrase is not found in the General Plan, Baseline Data Report, or County Code. The phrase “habitat of limited distribution” or “biotic community of limited distribution” is defined in the Baseline Data Report as “a vegetation type as delineated in the Napa Co

Environmental Resources Mapping System that covers less than approximately 0.1% of the County (i.e., 500 acres).” When discussing valley oak woodland as a habitat type, there are three subtypes of valley oak woodland that occur in Napa County. Valley oak woodland comprises 2,861.5 acres based on the 2016 Napa County habitat mapping and is therefore not a community of limited distribution; valley oak – California bay – coast live oak woodland comprises 5,734.5 acres of the County and is therefore not a community of limited distribution; and finally, valley oak – Fremont cottonwood comprises 595 acres and, while more limited in distribution than the other habitat types, is still greater than 500 acres and does not meet the County’s definition of a community of limited distribution.

Although County documents refer to biotic communities, or larger habitat type assemblages, as requiring protection if of limited distribution, this comment letter states that valley oak trees on an *individual* basis are considered species of limited distribution. As mentioned above, that term is not defined in any County documents that could be located. The closest related terminology is from the California Native Plant Society which provides California Rare Plant Rankings (CRPR) of Level 1, 2, 3, or 4, and CRPR 4 plants are considered plants of limited distribution. The California Native Plant Society database was reviewed and Valley oaks (*Quercus lobata*) have not been ranked as CRPR 4 and in fact are coded as CBR, which stands for “Considered but Rejected” from listing. Therefore, there are no known codified protections for individual valley oak trees that could be located.

- v. Please provide an exhibit showing the designated protective easement(s) location(s), should be clear which area(s) are for the GHG and which are meeting 18.108.020.

Included with this resubmittal letter is a supplemental figure showing the 2.51 acres of tree canopy that would be permanently protected for GHG and tree canopy retention.

- b. **ECPA Plans and/or Narrative:** Please provide revised plans and/or narrative that include, show or clarifying the information below:
 - i. Plans will need to be revised to protect cluster occurrences of Holly-leaved ceanothus, see section below on Biological Resource Information.

Comment noted. We understand that this ECP will be reviewed for compliance under the California Environmental Quality Act (CEQA), likely via preparation of an Initial Study/Mitigated Negative Declaration (IS/MND). An IS/MND will typically include

numerous mitigation measures for a project and we will revise the ECP to be consistent with all mitigation measures, including those for holly-leaved ceanothus, once the environmental analysis is complete and one round of revisions to the ECP can occur.

2. Water Availability Analysis:

- a. Please provide a Tier II and Tier III WAA. The project is subject to a Tier II (potentially) and III analysis (required due to being located within 1500' of a county identified Significant Stream. Due to its location outside the GSA the project is NOT subject to the new water use limitation of 0.3 AF/ac/yr. If there are any neighboring wells within 500' of the proposed project wells then a Tier II analysis will be required. If there are no neighboring wells within 500' then a discussion and evidence should be provided in the WAA regarding why the project is NOT subject to Tier II analysis. There is an identified significant stream located within 1500' of the project well. As such, a Tier III analysis is required.

A Tier 1 WAA was provided with the initial submittal. As stated on page 2 of that Tier 1 WAA, “[b]ecause there are no known offsite wells located with 500 feet (ft) of the Onsite Well (the project well), County requirements for a “Tier 2” WAA analysis (i.e., a Well Interference Evaluation) have been “presumptively met” per the WAA Guidelines.” Therefore, a Tier 2 Analysis is not required.

The Tier 1 Analysis was written before the County created its “Significant Streams” GIS layer. Now that this additional data is available and shows the project is within 1,500 feet of a significant stream, a Tier 3 Analysis has been prepared and is included with this resubmittal package.

3. Per 18.108.027.F - A Geotechnical Report is required due to project being located within the Rector Reservoir Watershed (a Sensitive Domestic Water Supply Drainage).

A Geotechnical Report was prepared by RGH Consultants as required by Section 18.108.027(F) and was included with the initial submittal.

4. Please be aware that per 18.108.027.E a Notice will be sent to the owner/operator(s) of the public-serving water supply system. Said notice shall include a copy of the plan submitted and shall provide twenty-one days for a response. If the owner/operator(s) submits credible evidence within this time period that the delivery of sediment or other pollutants into their reservoir(s) from the drainage will be increased by more than one percent on an individual project basis or by more than ten percent on a cumulative basis, the subject erosion control plan shall not be approved until a public hearing on the matter has been held before the commission and a use permit has been issued. Notice was sent to purveyors on 9/23/2022.

Comment noted. If any response is received from the water purveyor, please provide a copy for our records.

5. **Supplemental Environmental Information:** The following information is necessary for the County to; adequately disclose and evaluate potential impacts of the proposed project pursuant to CEQA; assess the project's compliance with applicable General Plan Goals and Policies and the County Conservation Regulations; and to complete the ECPA application to continue its review and processing.

a. Biological Resource Information:

- i. Please revise Bio report to include a discussion regarding mosses and lichens.

A revised Biological Resources Report has been prepared to address these comments and is included with this resubmittal package. Mosses and lichens are discussed on page 27 of the revised report.

- ii. Per Bio Report Holly-leaved ceanothus occurs in the white leaf manzanita chapparall habitat some of which is proposed to be converted to vineyard with Block 1. Project should be revised to preserved the larger clusters at the edges and replace/replant those singular species occurrences in a preserve area located on the parcel. This will need to be under a permanent preservation as well, and will need a planting and maintenance plan for the proposed replanting area. Water use for this area will need to be included in the WAA.

As discussed above, the project will be revised after the CEQA environmental review is complete.

- iii. Bio Report notes two valley oaks on site, are these two trees identified for removal or preservation? If they will be removed they will require mitigation at a ratio which varies depending on their size...though we strongly encourage the tree to be maintain (if not already so).

As discussed above, although there are currently no known codified protections for individual valley oak trees, the two valley oak trees on the property are located within the stream setback and are therefore protected from development.

- b. **Vineyard Development and Operations Traffic and Practice:** In addition to the information provided in Application *Attachment A*, please provide anticipated truck and vehicle trips, equipment necessary, and number of employees necessary for, land preparation, erosion control plan installation (including importation of, soil amendments or other materials), and vineyard installation. This information is necessary to disclose and assess potential traffic, air quality, and climate change impacts associated with project development and operational activities.

Typical Construction Equipment:

Equipment	Estimated Quantity
Tractor and disk	1
Medium excavator	1
D8 bulldozer	1
D5 bulldozer	1
Loader	1
Water truck	1
Farm tractor with trailer	1

There will be 7 truck trips delivering heavy equipment during the first two weeks of project startup. There will be 7 truck trips removing equipment over the last two months of the project. For construction workers, assume 6 passenger vehicle trips per day, six days per week, April to October.

6. **Shapefiles:** Please provide the shapefiles so that the project plans can be digitized.

The project shapefiles were provided with the initial submittal, but have been included again with this resubmittal.

7. **Notification Information/Listing:** A listing of the current owners of all the properties located within 1,000 feet of the project site/holding will be necessary to circulate the CEQA document for public review and comment. The notification information shall include the property owner's names, their addresses, and the assessor's parcel numbers of the property owned. Also see the enclosed *Adjoining Property Owner List Requirements* instruction sheet. You will be advised when the notification information will need to be provided.

Comment noted. This will be obtained when requested.

**Response to September 23, 2022 Memorandum from
Engineering Division**

General Comments

1. Napa County Code 18.108.027 (F) typically requires a full Geotechnical Report including subsurface exploration and providing ground preparation recommendations. At minimum the landslide hazard evaluation should be updated to include an analysis and/or recommendations on the proposed ripping depths and any impacts to slope stability from increased infiltration.

A Geotechnical Report prepared by RGH Consultants was submitted with the original ECP submittal. The report methodology and contents meet the requirements of Code Section 18.108.027(F) as well as the County's guidance

document (Attachment F) for preparing Landslide Hazard Evaluations. Section 18.108.027(F) states in its entirety:

F. Geotechnical Report Required. A report prepared by a qualified professional specifying the depth and nature of the soils and bedrock present and the stability, both current and projected, of the area potentially effected shall be submitted by the property owner at the time of application for any project located in a sensitive domestic water supply drainage.

Subsurface exploration or test pits are not required by Section 18.108.027(F) for all projects. If conditions exist that suggest there may be potential slope or soil instability, the geotechnical expert may elect to conduct subsurface exploration, which is further supported by the County's guidance document for Landslide Hazard Evaluations (Attachment F), but test pits are not explicitly required.

Conditions do not exist on this project site that would warrant subsurface exploration, and the geotechnical experts at RGH did not recommend test pits or limitations to ripping depth. The conclusions of the Geotechnical Report included with the initial ECP submittal state:

“Based on our geologic review and reconnaissance, we judge that it is geologically feasible to grade and plant the subject vineyard slopes as planned.” The ECP did not limit ripping depths and the geotechnical experts found this to be appropriate.

“We did not identify any large-scale slope instabilities within the vineyard blocks during our publication review and did not observe any slope failures or landslides at the project site during our reconnaissance.” Therefore, subsurface exploration is not required.

Soil Loss

1. No Comments

Hydrology

1. No Comments

Water Availability Analysis

1. Due to presence of a significant stream within 1500' of the project well, a Tier 3 Groundwater/Surface Water interaction analysis is required.

As discussed above, a Tier 3 WAA has been prepared and is included with this resubmittal.

Morrison, Dana

From: Annalee Sanborn <ASanborn@PPIEngineering.com>
Sent: Monday, April 10, 2023 2:43 PM
To: Morrison, Dana
Cc: Jim Bushey; Matt Bueno
Subject: RE: P22-00289 - Vegetation Canopy Cover
Attachments: 2023-04-03 Potential Preservation Areas figure.pdf; 2023-04-03 Peterson Updated Tree Preservation Calculations.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[External Email - Use Caution]

Good afternoon Dana,

As requested we have removed the existing house footprint from the tree canopy calculations and updated the figure and spreadsheet accordingly. We also took this opportunity to update the spreadsheet to show that the preservation areas are all under 30% slope as required by new County practice.

While we understand the logic behind not including the house in these calculations, we want to reiterate that aerial photo interpretation previously was not one of the County-approved methods for conducting these vegetation retention calculations for a parcel such as this one that did not burn in 2017. This is why we typically utilize either the County's public habitat mapping or, as in the case of the Peterson project, shapefiles generated from site-specific field review provided by the project biologists. If the County would like us to start using aerial photo interpretation moving forward on other projects we are happy to do so, but would appreciate knowing that guidance in advance as the level of effort to delineate and draft the tree canopy can increase substantially when compared to utilizing preexisting data. If that change is coming or perhaps is already here, would it be possible to receive something stating such in writing from you, Patrick, or Brian? We need something to pass onto our clients to justify the budget increase associated with this shift in practice.

With all of that in mind, it appears that the Peterson project can move forward and we hope the attached takes care of any remaining questions you may have before the Initial Study can be circulated. If you need anything else, please let me know.

Best,

Annalee Sanborn
asanborn@ppiengineering.com
Senior Project Manager | PPI Engineering, Inc.
2800 Jefferson Street
Napa, CA 94558
(707) 253-1806
www.ppiengineering.com

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Friday, March 17, 2023 9:51 AM
To: Annalee Sanborn <ASanborn@PPIEngineering.com>; Matt Bueno <MBueno@PPIEngineering.com>

Cc: Jim Bushey <JBushey@PPIEngineering.com>
Subject: RE: P22-00289 - Vegetation Canopy Cover

Hi Annalee,

I followed up with the Conservation Team and they did concur that the Vegetation Mitigation area should be revised to not include any areas which are clearly not vegetation canopy cover, such as the existing abandoned residence. While the Bio report and County GIS do map the area as Coniferous Forest, the area around the residence is clearly developed land and should not be counted towards the vegetation mitigation area need per 18.108.020.D + E.

Let me know if you would like to discuss, though please be aware that I am in trainings this afternoon and Monday is regularly scheduled day off.

Regards,

Dana E. Morrison (she|her|hers)

Planner III

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A Tradition of Stewardship
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From: Morrison, Dana

Sent: Friday, March 3, 2023 10:39 AM

To: Annalee Sanborn <ASanborn@PPIEngineering.com>; Matt Bueno <MBueno@PPIEngineering.com>

Cc: Jim Bushey <JBushey@PPIEngineering.com>

Subject: RE: P22-00289 - Vegetation Canopy Cover

I do not think that it will be necessary to update the Bio. Since we are getting some much interest from stakeholders regarding the vegetation preservation mitigation areas, I just want to make sure that we have an Exhibit which stands up to public scrutiny. Perhaps the issue is the aerial photo that was used, and the vegetation was accurately represented in the existing exhibit (though it does not line up visually)...but I do think it would make sense to remove the area of the house. This is clearly not vegetation...unless the plan is to remove the house and revegetate? However, from my understanding the house would be remaining and may be utilized as a residence again at some point in the future.

I have additional news! I received the draft IS from ESA. I will start my review and hopefully get the document up to County Counsel for review in the next week or two.

Let me know if you have questions or would like to discuss.

Please be aware I am on public counter duty today so I am at my desk infrequently and then Monday I am off.

Cheers,

Dana E. Morrison (she|her|hers)

Planner III

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A Tradition of Stewardship
A Commitment to Service

From: Annalee Sanborn <ASanborn@PPIEngineering.com>

Sent: Thursday, March 2, 2023 2:12 PM

To: Morrison, Dana <dana.morrison@countyofnapa.org>; Matt Bueno <MBueno@PPIEngineering.com>

Cc: Jim Bushey <JBushey@PPIEngineering.com>

Subject: RE: P22-00289 - Vegetation Canopy Cover

[External Email - Use Caution]

Hi Dana,

I wanted to let you know that we received this email and want to talk it over with Jim and likely run it by the applicant as well. Jim is traveling and will be back next week, so we'll get back to you next week. In the meantime, your email did generate a question for us. If we adjust the tree canopy based on your markups, will we also need to have the biologists update their Biological Report?

Thanks,

Annalee Sanborn

asanborn@ppiengineering.com

Senior Project Manager | PPI Engineering, Inc.

2800 Jefferson Street

Napa, CA 94558

(707) 253-1806

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

Sent: Wednesday, March 01, 2023 11:00 AM

To: Annalee Sanborn <ASanborn@PPIEngineering.com>; Matt Bueno <MBueno@PPIEngineering.com>

Subject: P22-00289 - Vegetation Canopy Cover

Good morning Annalee and Matt,

I am going through and reviewing all the vegetation canopy cover mitigation areas for all my projects, and in looking at the Peterson Vegetation Area I think we will need a quick revision. It does look like the areas proposed are all under 30%, and you propose 2.5 acres (which is a little more than the 2.2 acres required - yay) but there seems to be some area called out on the figure which are grassland or which are developed. Could I get a revised Vegetation Mitigation Exhibit which does not include the house in the mitigation area and the field area to the very right of block 2, and which calls out the slopes of the area (so it can clearly be seen by the public that the areas proposed are all under 30%? I attached a rudimentary figure with adjustments called out in red and yellow.

I also just want to make sure the owner is aware that this preserve area will be PERMANENT and will prevent future development in said areas. So, I don't know if they want to adjust the preserve area around the house to ensure there is room for future development...just something to consider.

Let me know if you have any questions or would like to discuss.

Cheers,

Dana E. Morrison (she|her|hers)

Planner III

County of Napa Planning, Building & Environmental Services

Planning Division + Engineering & Conservation Division

1195 Third Street, 2nd Floor

Napa, CA 94559

707.253-4417 main

707.253.4437 direct

707.299.4491 fax

dana.morrison@countyofnapa.org

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



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0 100 200 400 Feet

Legend

- Potential Preservation Area (2.4 acres)
- Trees Existing in 2016
- Setbacks and Areas over 30%
- Proposed Clearing Limits
- Proposed Block Boundaries
- Napa County Parcels

2018 Napa County Aerial Photo

Potential Preservation Areas are preliminary and subject to change if the project boundaries are altered.

2:48:15 PM 4/9/2023 B:\A\SRP\Images\Maps for County\Responses to County Attachment\Potential Preservation Areas figure.mxd

Block 2

Block 1

PPI
ENGINEERING
 2800 Jefferson Street
 Napa, CA 94558
 (707) 253-1806

Austin Peterson
 3496 Soda Canyon Road
 Potential Preservation Area
 April 3, 2023

AUSTIN PETERSON
3:1 TREE PRESERVATION CALCULATIONS

	APN 032-500-025
Proposed Clearing Limits (acres)	7.2
Trees Existing in 2016 (acres) ¹	4.5
Trees Proposed to be Removed (acres)	0.8
Trees on Less than 30% Slopes Outside Setbacks on Parcel (acres)	3.2
Trees Preserved on Less than 30% Slopes and Outside Setbacks (acres)	2.4
Trees Preserved (percent) ²	75%

Notes:

1. Source: MIG/TRA Biological Study, adjusted based on aerial photo interpretation
2. 75% retention (or higher) is the same as 3:1 preservation (or higher)
3. Because the project meets 75% preservation on areas less than 50% slope and outside setbacks, it also complies with requirements to retain 70% of the tree canopy.

Some rounding may occur



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Planning, Building & Environmental Services

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

David Morrison
Director

September 22, 2022

EMAIL

Majel Arnold, Director of Operations

Majel.arnold@calvet.ca.gov

Jimmy Hartman, Chief Engineer II

Jimmy.hartman@calvet.ca.gov

Don Callison, Research Analyst II

Donald.callison@calvet.ca.gov

**RE: Peterson Track I Vineyard Conversion
Agricultural Erosion Control Plan File #P22-00309-ECPA
APN 032-500-025: 3496 Soda Canyon Road**

Dear Messrs. Arnold, Hartman and Callison,

Pursuant to Section 18.108.027(E) of the Napa County Code, Napa County provides notice to the owner of each public-serving water supply system of each agricultural erosion control plan application (ECPA) filed within the drainage of their reservoir(s). Enclosed for your review and comment is a copy of such plan for approximately 5.3 net (7.2 gross) acres of new vineyard located within the Rector Reservoir Domestic Water Supply Drainage, as specified in the enclosed application materials.

This letter commences a 21-day review period during which your agency has the opportunity to submit credible evidence that the proposed project will cause the overall delivery of sediment or other pollutants into your reservoir(s) to increase by more than one percent (1%) on an individual project basis or by more than ten percent (10%) on a cumulative basis. If your agency submits such evidence during this period, or any extension thereto granted in writing by the Planning Director, procurement of a use permit will be required before the subject erosion control plan can be approved. Procurement of a use permit requires a public hearing before the Planning Commission and a finding that the project will not adversely affect public health, safety, or welfare. Such a finding cannot be made for a project that by itself or cumulatively will significantly pollute a public drinking water supply.

If you have any questions regarding this letter, the process to be followed, or the subject ECPA, please contact me at (707) 253-4437 or dana.morrison@countyofnapa.org

Respectfully,

Dana Morrison

Dana Morrison
Planner III

cc: Patrick Ryan, Conservation and Engineering Manager (via email)
Project File

Enclosure:
Agricultural Erosion Control Plan #P22-00289-ECPA referral package: Plans/Narrative, Cultural Study, WAA.



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

David Morrison
Director

Certified Mail

January 17, 2023

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

**Re: Notification of Proposed Project Pursuant to Public Resources Code 21080.3.1
Peterson Vineyard, Erosion Control Plan #P22-00289-ECPA
3496 Soda Canyon Road; APN: 032-500-025**

Dear Mr. Simon,

The Napa County Planning Division is processing a request for an Agricultural Erosion Control Plan request to convert 1.1 gross acres (of 3.6 total acres) of oak woodland, 5.9 acres of chaparral (of 9.8 total acres) to develop 7.2 gross acres (5.2 net vine acres) of vineyard located at 3496 Soda Canyon Road, Napa. Additional information about the proposal can be viewed online at the Planning Division's current projects webpage <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Dana Morrison", with a stylized flourish at the end.

Dana Morrison
Planner III

Enclosures: Cultural Resources Survey
Project plans



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Planning, Building & Environmental Services

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

David Morrison
Director

Certified Mail

January 17, 2023

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

**Re: Notification of Proposed Project Pursuant to Public Resources Code 21080.3.1
Peterson Vineyard, Erosion Control Plan #P22-00289-ECPA
3496 Soda Canyon Road; APN: 032-500-025**

Dear Mr. Gabaldon,

The Napa County Planning Division is processing a request for an Agricultural Erosion Control Plan request to convert 1.1 gross acres (of 3.6 total acres) of oak woodland, 5.9 acres of chaparral (of 9.8 total acres) to develop 7.2 gross acres (5.2 net vine acres) of vineyard located at 3496 Soda Canyon Road, Napa. Additional information about the proposal can be viewed online at the Planning Division's current projects webpage <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

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

Sincerely,

Dana Morrison
Planner III

Enclosures: Cultural Resources Survey
Project plans



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Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

Certified Mail

January 17, 2023

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

**Re: Notification of Proposed Project Pursuant to Public Resources Code 21080.3.1
Peterson Vineyard, Erosion Control Plan #P22-00289-ECPA
3496 Soda Canyon Road; APN: 032-500-025**

Dear Mr. Bill,

The Napa County Planning Division is processing a request for an Agricultural Erosion Control Plan request to convert 1.1 gross acres (of 3.6 total acres) of oak woodland, 5.9 acres of chaparral (of 9.8 total acres) to develop 7.2 gross acres (5.2 net vine acres) of vineyard located at 3496 Soda Canyon Road, Napa. Additional information about the proposal can be viewed online at the Planning Division's current projects webpage <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Dana Morrison", with a stylized flourish extending to the right.

Dana Morrison
Planner III

Enclosures: Cultural Resources Survey
Project plans



YOCHA DEHE
CULTURAL RESOURCES

February 9, 2023

Napa County – Planning, Building and Environmental Services
Attn: Dana Morrison, Planner III
1195 Third St., Suite 210
Napa, CA 94559

RE: Peterson Vineyard 3496 Soda Canyon Rd YD-01242023-03

Dear Ms. Morrison:

Thank you for your project notification letter dated, January 17, 2023, regarding cultural information on or near the proposed Peterson Vineyard 3496 Soda Canyon Rd. We appreciate your effort to contact us.

The Cultural Resources Department has reviewed the project and concluded that it is not within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we respectfully decline any comment on this project. However, based on the information provided, please defer correspondence to the following:

Middletown Rancheria
Attn: Michael Riviera
PO Box 1035
Middletown, CA 95461

Mishewal Wappo Tribe of Alexander Valley
Attn: Scott Gadaldon
2275 Silk Road
Windsor, CA 95492

Please refer to identification number YD – 01242023-03 in any future correspondence with Yocha Dehe Wintun Nation concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

DocuSigned by:


8DD0BD089ED6438
Tribal Historic Preservation Officer

cc: Middletown Rancheria; Mishewal Wappo Tribe of Alexander Valley

