

**PROJECT REVISION STATEMENT
THE WINERY AT MOUNT VEEDER USE PERMIT P22-00248-UP, EXCEPTION TO THE
CONSERVATION REGULATIONS P25-00088-UP, EXCEPTION TO THE NAPA COUNTY
ROADS AND STREET STANDARDS**

I hereby revise The Winery at Mount Veeder Use Permit P22-000248-UP, Exception to the Conservation Regulations P25-00088-UP, Exception to the Roads and Street Standards to allow a new 25,000 gallon winery with the follow characteristics:

- a. 13,754 square foot (sf) winery cave for production, barrel storage, administrative offices, a 1,509 sf covered pad, a 1,052 sf hospitality pavilion with outdoor deck,
- b. Two (2) full-time and two (2) part-time employees,
- c. Tours and tastings by appointment only for a maximum of 18 visitors per day; 126 visitors per week,
- d. Marketing events shall include food to be prepared offsite by a catering company, consisting of
 1. Eight (8) annual events with a maximum of 25 guests;
 2. One (1) annual event with a maximum of 50 guests; and
 3. Participation in annual charitable events with a maximum of 25 guests.
- e. On-premise consumption of wines produced on-site within the outdoor hospitality areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
- f. Non-harvest production days and hours: 7:30 AM to 5:30 PM Monday through Saturday,
- g. Visitation seven (7) days per week, hours 10:00 AM to 6:00 PM,
- h. Seven (7) parking spaces, including 2 required spaces for the existing residence,
- i. Wastewater treatment system including a 10,000 gallon storage tank,
- j. Repair of an existing landslide,
- k. Recommended 60,000-gallon fire suppression tank,
- l. Use of existing groundwater well for winery purposes,
- m. Replacement of an existing bridge, and
- n. Improvements to the existing driveway that will include the removal of 0.78 acres of tree canopy which will be replaced at a 3:1 ratio onsite.

The project is located on a 114.87 acre parcel (Assessor Parcel No. 034-230-029) 1300 Mt Veeder Road, Napa California, to include the following eight (8) measures specified below:

Mitigation Measure BIO-1 - Purple Needlegrass Fencing

Orange construction fencing shall be placed around the plant groups to ensure impacts during project-related activities do not occur. In the event a plant cannot be completely avoided, then a propagation plan shall be prepared and implemented prior to activities in those areas.

Avoidance or reseeding (propagation) will ensure no significant impacts to special status plants occur. A Propagation Plan for the landslide repair where the Purple needlegrass will be reestablished will need to be developed and seed will be collected from nearby habitat onsite (Biological Resource Report, dated May 2022, Figure 1) during the season prior to being propagated.

Mitigation Measure BIO-2. Wildlife Exclusion Fencing

Temporary wildlife exclusion fencing shall be installed around the perimeter of proposed activities prior to the start of any ground-disturbing activities to prevent listed species including FYLF, and/or non-listed species such as California giant salamander and western pond turtle (which may nest in uplands within the project footprint) from entering the project footprint during construction. Fencing shall be installed outside the western pond turtle nesting window (April 1 to August 31) to avoid separating juvenile turtles from

nearby aquatic habitat. Wildlife exclusion fencing shall remain in place and maintained until all activities are complete and any temporarily disturbed areas have been restored to pre-existing conditions.

New fencing located within 100 feet of the Pickle Creek and ephemeral drainages shall use a design that prevents western pond turtle and other small animals from migrating into the proposed construction area. Recommended fencing for exclusion of small animals shall consist of silt fencing with a minimum height of 18 inches, trenched and backfilled to a depth six (6) inches. The silt fencing may be installed directly adjacent to the erosion control measures outlined in Mitigation Measure BIO-3.

Mitigation Measure BIO-3 Erosion Control Measures

Where erosion control measures are proposed, tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibian and reptile species do not get trapped. Plastic monofilament netting (erosion control matting) rolled erosion control products, or similar non-natural material should not be used. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.

Mitigation Measure BIO-4- Bat Habitat

A Qualified Biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying) shall conduct a habitat assessment in order to identify suitable bat habitat trees within the project area(s), no more than 6 months and no less than 14 days in advance of the planned tree removal. If the habitat assessment determines that trees proposed for removal contain suitable bat habitat, the following shall apply to potential bat habitat trees:

- a. Tree trimming and/or tree removal shall only be conducted during seasonal periods of bat activity (August 31 through October 15, when young would be self-sufficiently volant and prior to hibernation, and March 1 to April 15 to avoid hibernating bats and prior to formation of maternity colonies), under supervision of a qualified biologist, unless the Measure b., below, is implemented. Note that these windows may shift with atypical temperatures or rainfall if a qualified biologist determines that bats are likely to still be active based on seasonal conditions. Trees shall be trimmed and/or removed in a two-phased removal system conducted over two consecutive days. The first day (in the afternoon), limbs and branches shall be removed by a tree cutter using chainsaws only, under the supervision of a qualified biologist who has demonstrable experience with supervising tree removal for bats using this technique. Limbs with cavities, crevices and deep bark fissures shall be avoided, and only branches or limbs without those features shall be removed. On the second day, the entire tree shall be removed.
- b. If removal of bat habitat trees must occur outside the seasonal activities identified above (between October 16 and February 28/29 of the following year or between April 16 and August 30), a qualified biologist shall conduct pre-construction survey of all potential bat habitat trees within 14 days of project initiation and/or removal to determine absence/presence of bat species. Survey methods, timing, duration, and species shall be provided for review and approval by Napa County prior to conducting pre-construction surveys. A copy of the survey shall be provided to the County Conservation Division and CDFW for review and acceptance prior to commencement of work. If bats are not present, removal can proceed without using the two-phased removal method. If bats are found to be present, the qualified biologist shall determine if a maternity colony of winter torpor bats are present. If roosting bats are present but there are no maternity colonies or winter torpor bats, the tree shall be removed using the two-phased removal method outlined in Measure BR-2a, above. If the qualified biologist determines that maternity colonies or winter torpor bats are present, or they cannot confidently determine absence of maternity colonies or winter torpor bats, then tree removal shall be delayed until during the seasonal periods of bat activity outlined in Measure BR-2a.

Mitigation Measure BIO-5 Nesting Birds and Raptors

The owner/permittee shall incorporate the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

- a. For earth-disturbing activities occurring between February 1 and August 31, (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, 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 in the project area, and within a minimum of 500 feet of all project areas. The preconstruction survey shall be conducted no earlier than 7 days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than 7 days from the survey date, surveys shall be repeated. A copy of the survey results shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.
- b. 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.
- c. In the event that nesting birds are found, a qualified biologist 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.
- d. 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. Additionally, a qualified biologist shall monitor all active nests each day during construction for the first week, and weekly thereafter, to ensure that the exclusion buffers are adequate and that construction activities are not causing nest-disturbance. If the qualified biologist observes birds displaying potential nest-disturbance behavior, the qualified biologist shall cease all work in the vicinity of the nest and CDFW shall be consulted about appropriate avoidance and minimization measures for nesting birds prior to construction activities resuming. In this event, construction activities shall not resume without CDFW's written approval.

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) shall be prohibited.

Mitigation Measure BIO -6 – Worker-Awareness Environmental Training

Environmental Training guidelines shall be prepared by the project biologist, to be presented by a designated project representative to all persons working on the project site prior to the initiation of project related activities. Training guidelines shall include a description of all biological resources that may be found on or near the project site, instructions for inspecting equipment each morning prior to activities, a contact person if protected biological resources are discovered on the project site, and include a brief description of laws and regulations that protect those resources, the consequences of non-compliance with

those laws and regulations.

Mitigation Measure BIO-7 - Oak and Riparian Woodland

Removal of any vegetation canopy within the streamside setbacks shall be mitigated in accordance with NCC Sec. 18.108.020D by permanent replacement or preservation of comparable vegetation canopy cover on an acreage basis at a minimum 3:1 ratio. The tree planting plan includes replacement of removed trees with native oak species consistent with oak woodland found on the property and consistent with plans provided by Terre Moto, dated April 27, 2022.

Compensatory mitigation for oak woodland impacts and vegetation removal within the 35-foot streamside setback will be combined where feasible, in order to comply with the County oak tree replacement and streamside setback requirements.

Prior to performing any tree replanting in the mitigation area, the area should be surveyed to ensure no special status plant species are found. If special status plant species are identified, the area where the plants are located shall be flagged and construction fencing installed to avoid trampling or removal of plants.

Mitigation Measure BIO-8— Stream Crossing

Prior to construction and installation of stream crossings associated with #P22-00248-UP and/or bank restoration required pursuant to this measure, the owner/permittee shall obtain all required authorizations and/or permits from agencies with jurisdiction over Waters of the U.S. or the State, such as but not limited to: a Section 404 Nationwide Permit from the US Army Corps of Engineers (USACE), or a Section 1602 Lake and Streambed Alteration Agreement (LSAA) from the California Department of Fish and Wildlife (CDFW).



Owner's signature

04/29/25
Date