



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



May 20, 2025

Wendy Atkins, Planner II
Napa County
1195 Third Street
Napa, CA 94559
Wendy.Atkins@countyofnapa.org

Subject: Fantesca Winery Administrative Application (P24-00308), Use Permit Minor Modification (P23-00245), and Exception to the Napa County Road & Street Standards, Initial Study/Mitigated Negative Declaration, SCH No. 2025041055, Napa County

Dear Ms. Atkins:

The California Department of Fish and Wildlife (CDFW) received an Initial Study/Mitigated Negative Declaration (IS/MND) from Napa County (County) for the Fantesca Winery Administrative Application (P24-00158), Use Permit Minor Modification (P23-00245), and Exception to the Napa County Road & Street Standards (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

CDFW is submitting comments on the IS/MND to inform the County, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Lake and Streambed Alteration (LSA) Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION SUMMARY

Proponent: Duane Hoff, Owner

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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Objective: The Project involves modification to the existing Use Permit for a winery facility and includes:

- 1) Replacement of seven fermentation tanks with nine fermentation tanks in the existing winery building;
- 2) Construction of three freestanding pod structures (for a total of 2,629 square feet), which would be used for winery tasting, marketing events, offices, and storage;
- 3) Installation of 7,435 square feet of landscaping;
- 4) Installation of a new firetruck turnaround;
- 5) Installation of six new parking spaces which would accommodate employees and visitors, one of which will be ADA compatible, for a total of 19 parking spaces;
- 6) Installation of a new winery road to access the freestanding pod structures;
- 7) Removal of 0.5 acres of vineyard to accommodate new site improvements and to offset water use associated with the landscape areas;
- 8) Removal of 11 oak trees which the Project would mitigate by permanently protecting 0.3 acres of oak woodland on slopes less than 30 percent and outside of stream setbacks; and
- 9) A request for an Exception to the Napa County Road and Street Standards to allow a non-standard driveway connection to Spring Mountain Road and a reduced driveway width of approximately 17 feet to 18 feet paved for a total of approximately 450 feet along the existing driveway in three locations.

Location: The Project is located at 2920 Spring Mountain Road, St. Helena, 95474; on Assessor's Parcel Number APN 022-250-008; at approximately 38.51207°N, -122.49426°W; County of Napa.

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. **The Project has the potential to impact Clara Hunt's milk-vetch (*Astragalus claranus*), State listed as endangered, as further described below.** Issuance of an ITP is subject to CEQA documentation;

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the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, & 15065.). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the project proponent's obligation to comply with CESA.

Lake and Streambed Alteration

An LSA Notification, pursuant to Fish and Game Code section 1600 et. seq. is required for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to LSA notification requirements. **The Project has the potential to impact a potential unnamed stream running approximately parallel to York Creek, therefore an LSA Notification may be warranted, as further described below.** CDFW, as a Responsible Agency under CEQA, would consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency

Raptors and Other Nesting Birds

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act (MBTA).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

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Editorial comments are also included below. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those CDFW recommends below and included in **Attachment 1** Draft Mitigation Monitoring and Reporting Program, CDFW concludes that an MND is appropriate for the Project.

I. Environmental Setting Related Impact Shortcomings

MANDATORY FINDING OF SIGNIFICANCE. Does the Project have potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species?

And,

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?

COMMENT 1: Clara Hunt's Milk-Vetch

Issue: The IS/MND does not evaluate impacts to Clara Hunt's milk-vetch. There are three records of this species occurring within three miles of the Project site according to the California Natural Diversity Database (CNDDDB). Furthermore, Clara Hunt's milk-vetch is known to occur on thin, rocky clay soils derived from volcanic or serpentine materials in openings of chaparral and oak woodlands (CDFW 2004), which appears to be consistent with conditions on the Project site, for example Page 3 of the IS/MND indicates that a portion of the Project parcel contains "Chamise Xeric Serpentine" and "Mixed Oak" vegetation. Additionally, the soil composition on the Project parcel includes thin, gravelly clay soils derived from volcanic and serpentine parent materials according to the U.S. Department of Agriculture Web Soil Survey tool (<https://websoilsurvey.nrcs.usda.gov/app/>). Thus, there may be suitable habitat for Clara Hunt's milk-vetch on or adjacent to the Project site.

Specific impacts and why they may occur and be significant: Clara Hunt's milk-vetch is State and federally listed as endangered and therefore is considered to be an endangered species pursuant to CEQA Guidelines section 15380. If Clara Hunt's milk-vetch is present on or adjacent to the Project site, the Project could damage or remove individuals onsite or adjacent to it through indirect impacts, resulting in a substantial reduction in the number of an endangered species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

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Recommended Mitigation Measure 1: To reduce impacts to Clara Hunt's milk-vetch to less-than-significant and comply with CESA, CDFW recommends that the MND incorporate the following mitigation measure.

Mitigation Measure BIO-2: Special Status Plant Habitat Assessment and Surveys. A qualified biologist shall complete a habitat suitability assessment for Clara Hunt's milk-vetch on the Project site and adjacent to it, where indirect impacts to the species could occur, for example from altering hydrological conditions off-site. If suitable habitat for Clara Hunt's milk-vetch occurs where the species could be impacted, a qualified biologist shall conduct botanical surveys during the appropriate blooming period and conditions for Clara Hunt's milk-vetch onsite and adjacent to it where the species could be indirectly impacted, prior to the start of Project construction including, but not limited to tree removal, unless otherwise approved in writing by CDFW. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include checking reference sites for Clara Hunt's milk-vetch, unless otherwise approved in writing by CDFW. More than one year of surveys may be necessary according to the above protocol survey methodology. The habitat assessment and survey reports, if surveys are necessary as described above, shall be submitted to CDFW for written approval and the Project shall obtain CDFW's written approval of the habitat assessment and survey report(s) prior to Project construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and obtain an ITP prior to Project construction.

COMMENT 2: Roosting Bats

Issue: The IS/MND does not evaluate potential impacts to roosting bats including pallid bat (*Antrozous pallidus*), resulting from the removal of 11 oak trees (*Quercus* spp).

Specific impacts and why they may occur and be significant: Pallid bat is a California Species of Special Concern (<https://wildlife.ca.gov/Conservation/SSC>). If pallid bat occupies the oak trees that would be removed, Project activities could result in substantial adverse effect on pallid bat, which is a species identified as special-status by CDFW and therefore impacts to pallid bat would be potentially significant.

Recommended Mitigation Measure 2: To reduce impacts to pallid bat to less-than-significant, CDFW recommends that the MND incorporate the following mitigation measure.

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Mitigation Measure BIO-3: Bat Tree Habitat Assessment and Surveys. Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only: a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

COMMENT 3: Nesting Birds

Issue: The IS/MND does not evaluate the potential for nesting birds to occur and be impacted by the Project from the removal of 11 oak trees and other activities.

Specific impacts and why they may occur and be significant: Human activity and removal of habitat has contributed to the loss of a significant proportion of the total number of birds in the United States and Canada since the 1970s (Rosenburg et al. 2019). Tree removal could result in the loss of active nests and eggs, and mortality of young, and nesting birds may be disturbed by Project noise, visual changes, and human presence, which could lead to nest abandonment or reduced health and vigor of young; a potentially significant impact.

Recommended Mitigation Measure 3: To reduce impacts nesting birds to less-than-significant and comply with Fish and Game Code sections 3500 et seq. and the

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federal MBTA, CDFW recommends that the MND incorporate the following mitigation measure.

Mitigation Measure BIO-4: Nesting Bird Surveys. If construction, grading, vegetation removal, or other Project-related activities are scheduled during the avian nesting season, February 15 to August 31, a qualified biologist shall conduct a survey for active bird nests within 7 days prior to the beginning of Project-related activities. The survey shall cover the entire Project site and a minimum 500-foot buffer around the Project site. If a lapse in Project-related work of seven days or longer occurs, another survey shall be conducted before Project work is reinitiated. If an active nest is found during surveys, the qualified biologist shall immediately notify CDFW and establish site- and species-specific no-work buffers to ensure the nest is not disturbed. The buffer distances shall be specified to protect the bird's normal behavior to prevent nesting failure or abandonment and comply with Fish and Game Code section 3500 et seq. and the federal MBTA. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards Project personnel, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority to order the cessation of all nearby Project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established.

The qualified biologist shall monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by Project work. Nest monitoring shall continue during Project work until the young have fully fledged (have completely left the nest site and are no longer being fed by the parents), as determined by the qualified biologist, unless otherwise approved in writing by CDFW.

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS?

COMMENT 4: Stream Impacts

Issue: According to the California Aquatic Resources Inventory (CARI), an unnamed stream runs across the Project parcel from northwest to southeast, passing on or near the Vegetation Canopy Cover Removal Area (IS/MND Exhibit D) before following the eastern margin of the existing vineyard and converging with a pond at the southeast corner of the Project parcel. While the IS/MND indicates that ephemeral drainages onsite would be avoided, Exhibit D excludes this potential stream. Therefore, it is unclear if Project activities would impact this potential stream.

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Furthermore, the Vegetation Canopy Cover Removal Area is specified at approximately 0.1 acres on Exhibit D, while page 2 of the IS/MND states that the Project would result in a "...loss of 0.007 acres of oakwood (or 11 trees) ..." These area estimates are inconsistent, and it is unclear if "canopy cover removal" and "tree removal" designate the same areas.

Specific impacts and why they may occur and be significant: Project activities including tree removal could directly impact the potential stream. Impacts could include inputs of deleterious materials; removal and trampling of trees and vegetation; obstructions and diversions of the potential stream; and impacts to connected bodies of water. If the potential stream is a stream and the Project would impact it, Project impacts to sensitive stream and associated riparian habitat would be potentially significant.

Recommended Mitigation Measure 4: To comply with Fish and Game Code section 1600 et seq. and reduce impacts to riparian habitat to less-than-significant, CDFW recommends that the IS/MND incorporate the following mitigation measure.

Mitigation Measure BIO-5: Stream Impacts and Permitting. Prior to the commencement of Project activities, a qualified biologist shall conduct a thorough assessment of potential impacts to the stream and riparian habitat resulting from Project activities. All streams including ephemeral drainage courses within the Project parcel shall be delineated and mapped to illustrate proximity to Project activities. If impacts to the bed, bank, channel, or riparian area of a stream cannot be avoided, the Project shall notify CDFW for Project impacts to the stream. More information for the notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with the potential to impact the stream until the SAA process is completed. Restoration to mitigate impacts to any stream shall include a qualified biologist preparing and implementing a restoration plan, success criteria, a minimum of five years of monitoring and maintenance, and achieving success criteria.

Please be advised that an SAA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.

II. Editorial Comments

COMMENT 5: Project Figure

Issue: Thank you for providing Exhibit D with the IS/MND, however Exhibit D is a vegetation cover map overlaid onto some mapped Project features. Additional

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detail is missing regarding the extent of Project activities or impacts such as the overall Project footprint. Furthermore, the nomenclature in Exhibit D is inconsistent with the IS/MND. For example, Exhibit D calls out vegetation removal as the “Vegetation Canopy Cover Removal Area”, whereas page 2 of the IS/MND characterizes vegetation removal as the “...removal of 11 trees.” Finally, the area of impact is inconsistent in Exhibit D and the IS/MND: Exhibit D shows 0.1 acres of Vegetation Canopy Cover Removal Area, while page 2 of the IS/MND states that 0.007 acres of oak woodland would be removed.

Recommendation: For the IS/MND and future CEQA environmental documents prepared by the County, CDFW recommends including a figure based on aerial imagery clearly showing the footprint, location, and area in square feet or acres of Project activities to assist reviewers, including CDFW, with evaluating potential impacts to fish and wildlife, and their habitats, and ensuring consistency between the figure and the IS/MND narrative.

COMMENT 6: Comprehensive Biological Assessment

Issue: Thank you for including the *Napa False-Indigo Plants for the Fantesca Winery Project* assessment (Exhibit C) with the IS/MND, however an assessment for other biological resources was not included.

Recommendation: For the IS/MND and future CEQA environmental documents, CDFW recommends that a qualified biologist prepare a comprehensive biological assessment for projects with the potential to impact biological resources including, but not limited to, those identified in the CEQA Guidelines Appendix G Environmental Checklist form. This ensures that details of the Project’s environmental setting as related to fish and wildlife resources and associated potential impacts are comprehensively documented, thereby assisting the County and reviewers such as CDFW in evaluating potentially significant impacts to fish and wildlife resources.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link:

<https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link:

<https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

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ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Nicholas Magnuson, Environmental Scientist, at (707) 815-4166 or Nicholas.Magnuson@wildlife.ca.gov, or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 or Melanie.Day@wildlife.ca.gov.

Sincerely,

DocuSigned by:

Erin Chappell

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Erin Chappell
Regional Manager
Bay Delta Region

Attachment 1: Draft Mitigation Monitoring and Reporting Program

ec: Office of Planning and Research, State Clearinghouse No. 2025041055

REFERENCES

CDFW. The Status of Rare, Threatened, and Endangered Plants of California from 2000-2004 (PDF). Pages 26-27. Accessed at:
<https://wildlife.ca.gov/Conservation/Plants/Special-Status>

Rosenburg, Kenneth V.; Dokter, Adriaan M.; Blancher, Peter J.; Sauer, John R.; Smith, Adam C.; Smith, Paul A.; Stanton, Jessica C.; Panjabi, Avirind; Helft, Laura; Parr, Michael; and Marra, Peter P. 2019. Decline of the North American Avifauna. Science: 120-124.

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ATTACHMENT 1

Draft Mitigation Monitoring and Reporting Program (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Biological Resources (BIO)			
Mitigation Measure	Description	Timing	Responsible Party
BIO-2	<p><u>Special Status Plant Habitat Assessment and Surveys.</u> A qualified biologist shall complete a habitat suitability assessment for Clara Hunt's milk-vetch on the Project site and adjacent to it where indirect impacts to the species could occur, for example from altering hydrological conditions offsite. If suitable habitat for Clara Hunt's milk-vetch detected where the species could be impacted, a qualified biologist shall conduct botanical surveys during the appropriate blooming period and conditions for Clara Hunt's milk-vetch onsite and adjacent to it where the species could be indirectly impacted, prior to the start of Project construction including, but not limited to tree removal, unless otherwise approved in writing by CDFW. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants) and include checking reference sites for target special status plant species, unless otherwise approved in writing by CDFW. More than one year of surveys may be necessary according to the above protocol survey methodology. The habitat assessment and survey reports, if surveys are necessary as described above, shall be submitted to CDFW for written approval prior to the start of construction and the Project shall obtain CDFW's written approval of the habitat assessment and survey report(s) prior to Project construction. If full avoidance of a State listed species is not possible, the Project shall consult with CDFW and obtain an ITP prior to Project construction.</p>	Prior to Ground Disturbance	Project Applicant
BIO-3	<p><u>Bat Tree Habitat Assessment and Surveys.</u> Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat</p>	Prior to Ground Disturbance	Project Applicant

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	<p>assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only: a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.</p>		
BIO-4	<p><u>Nesting Bird Surveys</u>. If construction, grading, vegetation removal, or other Project-related activities are scheduled during the avian nesting season, February 15 to August 31, a qualified biologist shall conduct a survey for active bird nests within 7 days prior to the beginning of Project-related activities. The survey shall cover the entire Project site and a minimum 500-foot buffer around the Project site. If a lapse in Project-related work of seven days or longer occurs, another survey shall be conducted before Project work is reinitiated. If an active nest is found during surveys, the qualified biologist shall immediately notify the CDFW contact below, or if unavailable another CDFW representative, and establish site- and species-specific no-work buffers to ensure the nest is not disturbed. The buffer distances shall be specified to protect the bird's normal behavior to prevent nesting failure or abandonment and comply with Fish and Game Code section 3500 et seq. and the federal MBTA. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards Project</p>	<p>Prior to Ground Disturbance and During Construction</p>	<p>Project Applicant</p>

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	<p>personnel, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority to order the cessation of all nearby Project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established.</p> <p>The qualified biologist shall monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by Project work. Nest monitoring shall continue during Project work until the young have fully fledged (have completely left the nest site and are no longer being fed by the parents), as determined by the qualified biologist, unless otherwise approved in writing by CDFW.</p>		
BIO-5	<p><u>Stream Impacts and Permitting.</u> Prior to the commencement of Project activities, a qualified biologist shall conduct a thorough assessment of potential impacts to the stream and riparian habitat resulting from Project activities. All streams including ephemeral drainage courses within the Project parcel shall be delineated and mapped to illustrate proximity to Project activities. If impacts to the bed, bank, channel, or riparian area of a stream cannot be avoided, the Project shall notify CDFW for Project impacts to the stream. More information for the notification process is available at https://wildlife.ca.gov/Conservation/Environmental-Review/LSA. The Project shall comply with all measures of the Streambed Alteration Agreement (SAA), if issued, and shall not commence activities with the potential to impact the stream until the SAA process is completed. Restoration to mitigate impacts to any stream shall include a qualified biologist preparing and implementing a restoration plan, success criteria, a minimum of five years of monitoring and maintenance, and achieving success criteria.</p> <p>Please be advised that an SAA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.</p>	Prior to Ground Disturbance and During Construction	Project Applicant
Editorial Comments	For the IS/MND and future CEQA environmental documents prepared by the County, CDFW recommends including a figure based on aerial imagery clearly showing the footprint, location, and area in square feet or acres of Project activities to assist reviewers, including CDFW, with evaluating	Include in CEQA Environmental Document	Lead Agency

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	<p>potential impacts to fish and wildlife, and their habitats, and ensuring consistency between the figure and the IS/MND narrative.</p> <p>For the IS/MND and future CEQA environmental documents, CDFW recommends that a qualified biologist prepare a comprehensive biological assessment for projects with the potential to impact biological resources including, but not limited to, those identified in the CEQA Guidelines Appendix G Environmental Checklist form. This ensures that details of the Project's environmental setting as related to fish and wildlife resources and associated potential impacts are comprehensively documented, thereby assisting the County and reviewers such as CDFW in evaluating potentially significant impacts to fish and wildlife resources.</p>		
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