PROJECT REVISION STATEMENT

Schramsberg Vineyards
Agricultural Erosion Control Plan #P23-00360-ECPA

I hereby revise the Schramsberg Vineyards Agricultural Erosion Control Plan (ECPA) #P23-00360-ECPA to implement the clearing of vegetation, earthmoving, and installation and maintenance of erosion control measures associated with the development of approximately 13.9 gross acres of new vineyard (i.e., development area, proposed clearing limits; including approximately 10.9 net acres of new vines, which includes 1.2 acres of existing vineyard installed without benefit of a permit) within seven (7) vineyard blocks, located on six (6) separate parcels under same ownership and totaling 225.08 acres (i.e., project site) (Assessor's Parcel No. 020-300-014 and -015, 020-390-007, -008, -011 and -020: 1400 Schramsberg Road, Calistoga, California, to include the following six (6) measures specified below:

Mitigation Measure BIO-1: The Owner/Permittee shall revise #P23-00360-ECPA prior to approval to minimize potential impacts to special-status plant species (i.e., Coast range triplet lily) as follows:

a. Based on the footprint of Block 4 as shown on the Schramsberg Vineyard Development Erosion Control Plans, dated May 17, 2024, and stamped by Michael R. Muelrath (RPE No. 67435), revise the block boundary prior to approval to avoid and create a minimum 25-foot buffer from the Coast range triplet lily populations identified in Map #7 in the Biological Resource Survey (Forest Ecosystem Management and Salix Natural Resources Management, Inc., February 8, 2023 – **Exhibit B-1**), The minimum 25-foot setback shall be accurately demarcated in consultation with a qualified biologist with GPS.
b. Prior to the commencement of earthmoving activities associated with #P23-00360-ECPA, the minimum 25-foot setback (i.e., clearing limits) shall be accurately demarcated by a qualified engineer in consultation with a qualified biologist with GPS equipment and the clearing limits shall be accurately flagged with temporary construction flagging/fencing. The precise locations of said demarcation shall be inspected and approved by the Conservation Division prior to the commencement of any earthmoving activities.
c. No equipment or materials shall be laid down outside of the demarcated clearing limits of #P23-00360-ECPA during vineyard development and operation.
d. Prior to the removal of temporary flagging/fencing adjacent to the Coast range triplet lily populations, the Owner/Permittee shall install signage at regular intervals that inform vineyard personnel of the sensitivity and avoidance of the special status plants,
e. Herbicide use shall be limited to those products that pose no negative effect to Coast range triplet lily or to habitat adjacent to streams.
f. In accordance with Napa County Code Section 18.108.100, Erosion hazard areas – Vegetation preservation and replacement) any Coast range triplet lily plants/population inadvertently removed as a result of vineyard development authorized under #P23-00360-ECPA shall be replaced on-site at a ratio of 2:1 at locations within similar habitat. For such removal, a replacement plan shall be prepared by a qualified botanist or ecologist for review and approval by the Director prior to vineyard planting. At a minimum, the replacement plan shall include i) a site plan showing the locations where replacement plants will be planted, ii) a plant pallet composed of the special-status plant species being removed including sizes and/or application rates: seed mixes shall not contain species known to be noxious weeks and any non-native grasses should be sterile varieties, iii) planting notes and details including any recommended plant protection measures, iv) invasive species removal and management specifications, v) an implementation schedule, vi) performance

standards with a minimum success rate of 80%, and vii) a monitoring schedule for a period of at least three years to ensure success criteria are met.

Mitigation Measure BIO-2: The owner/permittee shall revise Erosion Control Plan #P23-00360-ECPA prior to approval to include the following measures to minimize impacts associated with the potential loss and disturbance of bat species:

a. August 31 through October 15, and March 1 to April 15: Under the supervision of a qualified biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying), bat habitat trees shall be removed or trimmed in a two-phased system conducted over two consecutive days. The first day (in the afternoon), limbs and branches will be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices and deep bark fissures will be avoided, and only branches or limbs without those features will be removed. On the second day, the entire tree will be removed. All felled trees shall remain on the ground for at least 24 hours prior to disposal to allow any present bats within the trees to escape.
b. Bat habitat tree removal or trimming 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 within 14 days of project initiation to determine absence or presence of special-status bat species. A copy of the survey results shall be provided to the County Planning Division and CDFW prior to commencement of work. If special-status bat species are not present removal can proceed as prescribed. If bats are found to be present a plan for removal or exclusion will be developed by a qualified biologist in conjunction with the County Planning Division and CDFW. The removal or exclusion plan shall be reviewed and authorized by the County Planning Division and implemented prior to commencement of the ECPA.

Mitigation Measure BIO-3: The owner/permittee shall revise Erosion Control Plan #P23-00360-ECPA prior to approval to include the following measures to minimize impacts associated with the potential loss and disturbance of ringtail:

a. No more than 14 days before the start of ground disturbance activities within open grassland, oak woodland, or riparian forest habitat, a qualified biologist shall conduct pre-construction surveys to determine if ringtail dens are present. If no active ringtail dens are observed, no further mitigation shall be recommended.
b. If active ringtail dens are determined to be present within the project development area, the biologist shall notify Napa County and develop an avoidance plan using best available scientific practices, in consultation with CDFW, to ensure impacts to the species are avoided prior to the initiation of construction activities. The plan shall include an appropriately-sized avoidance based on environmental conditions of the den site and project activities proposed in the vicinity.

Mitigation Measure BIO-4: The owner/permittee shall revise Erosion Control Plan #P23-00360-ECPA prior to approval to include the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds (including Vaux's swift, purple martin and olive-sided flycatcher) 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 18.108.027(C), 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 the potential to occur at the project site, and specifically

familiar with the vocalizations of Vaux's swift, purple martin and olive-sided flycatcher) shall conduct preconstruction surveys for nesting birds within all suitable habitat (including snags and cavity trees) on the development area, and where there is potential for impacts adjacent to the development area (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than 7 days prior to when 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 shall be provided to the Napa County Conservation Division and the California Department of Fish and Wildlife (CDFW) prior to commencement of work.

b. After commencement of work if there is a period of no work activity of 7 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, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with CDFW, the County Conservation Division and the U.S. Fish and Wildlife Service (USFWS) 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. The buffer distances shall be specified to protect the bird's normal behavior to prevent nesting failure and abandonment and comply with Fish and Game Code Section 3500 et seq. and the federal Migratory Bird Treaty Act. 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 development until the young have fully fledged, as determined by the qualified biologist, unless otherwise approved in writing by 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 as approved in writing by CDFW.
e. Alternative methods aimed at flushing out nesting birds prior to preconstruction 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-5: Prior to initiation of project development activities, a qualified biologist shall provide an assessment of potential NSO nesting habitat within the Project area and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that NSO nesting habitat is present, then no Project activities within 0.25 miles of potential NSO nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts NSO surveys following the U.S. Fish and Wildlife Service (USFWS) *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, *Surveys for Disturbance-Only Projects*.

If breeding NSO are detected during surveys, a 0.25 mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written

acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

Mitigation Measure BIO-6: Prior to initiation of project development activities, the owner/permittee shall provide a Western bumble bee habitat assessment prepared by a qualified biologist in accordance with *Survey Considerations for CESA Candidate Bumble Bee Species (*CDFW 2023 or current) to CDFW and County Conservation Division for review. Surveys shall be conducted by a qualified biologist familiar with the behavior and life history of Western bumble bee during the colony active period (i.e., April through August) and when floral resources are in peak bloom during each year that Project work activities occur. If Western bumble bee are detected during surveys, a Western bumble bee avoidance plan shall be developed and provided to CDFW and County Conservation Division for review prior to work activities involving ground disturbance or vegetation removal. The project shall incorporate CDFW's comments into the avoidance plan. If take of Western bumble bee cannot be avoided, the owner/permittee shall consult with CDFW pursuant to CESA and obtain an Incidental Take Permit before project activities may commence.

Mitigation Measure BIO-7: The owner/permittee shall revise Erosion Control Plan #P23-00360-ECPA prior to approval to eliminate barriers to localized movement through and access to habitat on the project parcels and along ephemeral drainages, consistent with General Plan Policy CON-18, as follows:

a. Proposed fencing associated with development of Block 4 shall be limited to enclosing the following vineyard blocks only: Block P1 (contains solar panels) as identified in #97085-ECPA, Block 04A as identified in #P17-00173-ECPA, and along the limits proposed Block 4 only (i.e., not extending to the property line and along the property line).
b. Proposed fencing associated with development of Block 4 shall be limited to enclosing the following vineyard blocks only: Blocks C2 and C3 as identified in #97085-ECPA and Block C1 as identified as #P08-00374-ECPA and Blocks 98C and 08D as identified in #P17-00173-ECPA.
c. Existing fencing installed after February 16, 2007 that traverses through the ephemeral stream on the southern end of the ephemeral stream section between the existing vineyard blocks identified in (a) and (b), above, shall be removed and replaced around the perimeter of the individual vineyard blocks so that the ephemeral stream corridor is accessible.
d. Proposed fencing associated with development of Blocks 5 and 6 shall be limited to enclosing each proposed block separately along the limits of the development footprint of each block so that the ephemeral stream and required setbacks are not enclosed.
e. Any new fencing shall use a design that has 6-inch square gaps at the base (instead of the typical 3-inch by 6-inch rectangular openings) to allow small mammals to move through the fence.
f. Exit gates shall be installed at the corners of deer fencing to allow trapped wildlife to escape.
g. Any modifications to the location of wildlife exclusion fencing as specified in Erosion Control Plan #P23-00360-ECPA required by this measure shall be strictly prohibited and would require County review and approval to ensure the modified wildlife exclusion fencing location/plan would not result in potential impacts to wildlife movement.

Mitigation Measure BIO-8: The owner/permittee shall revise Erosion Control Plan #P23-00360-ECPA prior to approval to minimize potential impacts to oak woodland and vegetation canopy cover consistency with General Plan Policy CON-24 and Napa County Code Conservation Regulation, as follows:

a. A Preservation Area, totaling a minimum of approximately 38.1 acres of pre-fire vegetation canopy cover, including a minimum of 3.1 acres of coast live oak woodland (as shown on Vegetation Canopy Cover Exhibit, **Exhibit B-4)** shall be designated as such in a deed restriction or mitigation easement or other means of permanent protection. The Preservation Areas for oak woodland and vegetation canopy cover may overlap. Land placed in protection shall be restricted from development and other uses that would degrade the quality of the habitat (including but not limited to conversion to other land uses such as agriculture or urban development and excessive off-road vehicle use that increases erosion) and should be otherwise restricted by the existing goals and policies of Napa County. The owner/permittee shall record the deed restriction or mitigation easement prior to construction or within 90 days of project approval, whichever comes first. The area to be preserved shall be of like kind and quality to the woodland being impacted as a result of the proposed project, as follows: areas to be preserved shall take into account the type of vegetation being removed, and species diversity and species that are limited within the project property and Napa County; the acreage included in the preservation area should be selected in a manner that minimizes fragmentation of oak woodland within the project property; and the preservation area should not include portions of the property already subject to development restrictions (i.e., within creek setbacks or on slopes over 30%). The area to be preserved shall be determined by a qualified biologist with knowledge of the habitat and species and shall obtain final approval from Napa County.
b. Prior to any earthmoving activities temporary fencing shall be placed at the edge of the dripline of trees to be retained that are located adjacent to the development area (typically within approximately 50-feet of the proposed development area). The precise locations of said fences shall be inspected and approved by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated protection areas for the duration of erosion control plan and vineyard installation.
c. The owner/permittee shall refrain from severely trimming the trees (typically no more than 1/3rd of the canopy) and vegetation to be retained adjacent to the proposed development area.
d. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of #P23-00360-ECPA shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval that includes at a minimum, the locations where replacement trees will be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. The replacement plan shall be implemented before vineyard planting activities. Any replaced trees shall be monitored for at least three years to ensure an 80% survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the erosion control plan.

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

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



Hugh Davies for Schramsberg Vineyards Co.

October 8, 2025

Date