



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

Brian D. Bordona
Director

Certified Mail

February 16, 2024

THPO
Middletown Rancheria
P.O. Box 1035
Middletown CA, 95461

**Re: Notification of Proposed Project Pursuant to Public Resources Code 21080.3.1
Maxville Vineyard, Erosion Control Plan (ECP) #P23-00130-ECPA
Address 4105 Chiles Pope Valley Road ; APNs: 025-020-027, 025-020-028-000, and 025-020-023**

Dear Mr. Rivera,

Track I ECPA vineyard conversion project for Maxville Vineyard (New Vineyard) P23-00130 is requesting to convert to vineyard of 83.3 gross acres of existing woodland/non-native grassland to vineyard; post project cumulative area of vineyard will be 64.3 new net vine acres. The Proposed vineyard blocks are located on gentle to moderate slopes consisting primarily of wild oat grassland, coast live oak woodland, blue oak woodland, and ruderal land. The subject parcel is located within the Chiles Creek Main Fork watershed and the Lake Hennessey watershed on an approximately 1,025 acre holding and consisting of APNs 025-020-027, 025-020-028-000, and 025-020-023 located on the east and west side of Chiles Pope Valley Road approximately 2.36 miles north of its intersection with Lower Chiles Pope Valley Road. Included with this letter is a copy of the ECP Plan Set and the Cultural Resource Study. 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
Supervising Planner

Enclosures: Cultural Resources Survey and Project plans



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David Morrison
Director

Certified Mail

February 16, 2024

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
Maxville Vineyard, Erosion Control Plan (ECP) #P23-00130-ECPA
Address 4105 Chiles Pope Valley Road ; APNs: 025-020-027, 025-020-028-000, and 025-020-023**

Dear Mr. Gabaldon,

Track I ECPA vineyard conversion project for Maxville Vineyard (New Vineyard) P23-00130 is requesting to convert to vineyard of 83.3 gross acres of existing woodland/non-native grassland to vineyard; post project cumulative area of vineyard will be 64.3 new net vine acres. The Proposed vineyard blocks are located on gentle to moderate slopes consisting primarily of wild oat grassland, coast live oak woodland, blue oak woodland, and ruderal land. The subject parcel is located within the Chiles Creek Main Fork watershed and the Lake Hennessey watershed on an approximately 1,025 acre holding and consisting of APNs 025-020-027, 025-020-028-000, and 025-020-023 located on the east and west side of Chiles Pope Valley Road approximately 2.36 miles north of its intersection with Lower Chiles Pope Valley Road. Included with this letter is a copy of the ECP Plan Set and the Cultural Resource Study. 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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David Morrison
Director

Certified Mail

February 16, 2024

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
Maxville Vineyard, Erosion Control Plan (ECP) #P23-00130-ECPA
Address 4105 Chiles Pope Valley Road ; APNs: 025-020-027, 025-020-028-000, and 025-020-023**

Dear Mr. Bill,

Track I ECPA vineyard conversion project for Maxville Vineyard (New Vineyard) P23-00130 is requesting to convert to vineyard of 83.3 gross acres of existing woodland/non-native grassland to vineyard; post project cumulative area of vineyard will be 64.3 new net vine acres. The Proposed vineyard blocks are located on gentle to moderate slopes consisting primarily of wild oat grassland, coast live oak woodland, blue oak woodland, and ruderal land. The subject parcel is located within the Chiles Creek Main Fork watershed and the Lake Hennessey watershed on an approximately 1,025 acre holding and consisting of APNs 025-020-027, 025-020-028-000, and 025-020-023 located on the east and west side of Chiles Pope Valley Road approximately 2.36 miles north of its intersection with Lower Chiles Pope Valley Road. Included with this letter is a copy of the ECP Plan Set and the Cultural Resource Study. 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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Brian D. Bordona
Director

MEMORANDUM

To:	Dana Morrison Conservation Division	From:	Alexei Belov Engineering Division
Date:	December 20, 2024	Re:	Permit No. P23-00130 APN: 025-020-023; 027; 028 4000 Chiles Pope Valley Road (Maxville Vineyard) Erosion Control Plan – Track I

The Engineering Division has reviewed the technical studies for the proposed 4000 Chiles Pope Valley Road (Maxville Vineyard) – Erosion Control Plan (ECP) application, P23-00130, located on Assessor parcel number 025-020-023; 027; 028. The proposed plan requests to plant approximately 56.2 acres of vineyard.

The Engineering Division has determined the following technical studies to be technically adequate with respect to Napa County's Conservation Regulations Chapter 18.108, Napa County's General Plan Policies CON-48 and CON-50(c), and Napa County's Interim Well Permit Standards and WAA Requirements dated January 2024:

1. Soil Loss Analysis, April 2023, prepared by Coda Rainsford, CPESC #9225.
2. Revised Hydrology Analysis, September 2024, prepared by Coda Rainsford, CPESC #9225.
3. Baseflow Water Availability Analysis, June 2024, prepared by Matthew O'Connor, PhD, CEG #2449 of O'Connor Environmental Inc.

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.

From: [Shannon Lemmon](#)
To: [Morrison, Dana](#)
Cc: [Joy Eldredge](#); [Erin Kebbas](#)
Subject: Re: Sensitive Domestic Drainage - Chiles Creek-Main Fork Vineyard ECP Development (P23-00130)
Date: Thursday, May 29, 2025 2:39:52 PM
Attachments: [image001.png](#)
[Outlook-4k4gktut.png](#)
[P23-00013_Maxville Winery Track I ECPA.pdf](#)

[External Email - Use Caution]

Hi Dana,

Please see City of Napa Water Division response to the project submittal.

If you have any questions, please let me know.

Thank you,

Shannon

Water • Solid Waste • Recycling

Utilities Department, City of Napa

1700 Second Street, Suite 100

PO Box 660, Napa, CA 94559

Phone (707) 257-9266

Email slemmon@cityofnapa.org

Website www.cityofnapa.org/water



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

Sent: Wednesday, April 2, 2025 10:21 AM

To: Joy Eldredge <jeldredge@cityofnapa.org>

Cc: Shannon Lemmon <slemmon@cityofnapa.org>; Addison LeBlanc <aleblanc@cityofnapa.org>

Subject: Sensitive Domestic Drainage - Chiles Creek-Main Fork Vineyard ECP Development (P23-00130)

[EXTERNAL]

Good morning Joy, Shannon and Addison,

I have a vineyard Erosion Control Plan which has a portion (~8.9 acres) of the (~56.2 acres) development occurring within the Chiles Creek-Main Fork Drainage Basin which is a sensitive domestic drainage. As such I wanted to ensure you had an opportunity to review and comment on the proposed project. The two blocks located within the drainage is Block J and the eastern portion of Block I (~8.9 acres). The project proposes to utilize existing surface water rights to irrigate the new vineyards.

Please find a link below to a Cloud Folder containing the site plan, narrative and water information. If you require any additional information to complete your review, please do not hesitate to let me know.

Cloud link: <https://pbcs.cloud/index.php/s/CzazWrM98zRMX38>

Regards,



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A Commitment to Service

Dana Morrison (she | her | hers)

Supervising Planner - Conservation
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UTILITIES DEPARTMENT
WATER | ENGINEERING | SOLID WASTE

May 28, 2025

Ms. Dana Morrison,
County of Napa
Planning, Building & Environmental Sciences
1195 Third Street, Room 210
Napa, CA 94559-3092

Subject: Maxville Winery Track I (P23-00013-ECPA)
4000, 4105, 4128, 4300, 4321 Chiles Pope Valley Road: APN: 025-020-023, -027, -028

Dear Ms. Dana Morrison:

The City of Napa Utilities Water Division has reviewed the above-mentioned project and has determined that the proposed erosion control plan application is sufficient to address our requirements. These include safeguarding against an increase (by no more than one percent individually or ten percent cumulatively) of sediment and other pollutants (i.e. phosphorus and nitrogen) into the City's Lake Hennessey. As State water quality compliance policies stiffen, the City continues to monitor the lake's water quality and consider the ten percent cumulative impacts amidst continual data collection, analysis, and reporting.

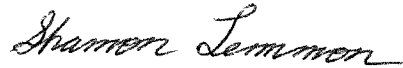
We appreciate the standard of care by the owner, as indicated in the proposed Erosion Control Plan Application to use best management practices to ensure that erosion, no till, and cover crop control measures remain intact and minimize sediment/nutrient transport going forward. The runoff from winter storm events recharges Lake Hennessey and contributes to the local drinking water supply storage. The best management practices (BMP's) and regiment of the implementation schedule followed by annual maintenance, as noted, is needed to ensure the factors as outlined on the erosion control plans, provide necessary mitigation of erosion and pollutants during peak runoff.

The project is within sub-basin 11 sampled via the H203 monitoring point of the Lake Hennessey Watershed and is evaluated based on the tributary southeast of the property which is a stream with direct inflow to Lake Hennessey. The BMP maintenance, annual winterization, and permanent erosion control measures will be necessary to mitigate water quality impacts of the fate and transport of fertilizers, sediment, and herbicides as proposed, and the lack thereof is monitored via regulatory water quality monitoring programs.

The City through its ongoing water quality monitoring program in conjunction with the County monitors stream water quality parameters. If water quality changes are observed in exceedance of the 1% individually and 10% cumulatively (at H203) for developments within the sub-basin of Lake Hennessey's protected watershed the City and County will work with property owners to update best management practices to protect downstream water quality.

Please contact me at 707-257-9266 if you have any questions or require additional information.

Respectfully,

A handwritten signature in cursive script that reads "Shannon Lemmon".

Shannon Lemmon, P.E.
Senior Civil Engineer

cc: Joy Eldredge, P.E. Utilities Director
Erin Kebbas, Water Quality Manager

From: [Magnuson, Nicholas@Wildlife](mailto:Magnuson,Nicholas@Wildlife)
To: [Morrison, Dana](mailto:Morrison,Dana)
Subject: RE: Bat Survey Mitigation Language
Date: Thursday, September 11, 2025 5:23:00 PM
Attachments: [image001.png](#)

[External Email - Use Caution]

Hi Dana,

Thanks for checking on this, please use the second one from the Tesseron New Winery Use Permit Project.

Best,
Nick

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Thursday, September 11, 2025 4:16 PM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: Bat Survey Mitigation Language
Importance: High

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Hey Nick,

I am going to be circulating an MND in the next few weeks. I have two different Bat Mitigation Measure I have from recent projects reviewed, circulated and approved this year. I am not sure which is best to use and wanted to make sure I used to correct one:

From Haas ECP Project:

Mitigation Measure BIO-1: The owner/permittee shall revise Erosion Control Plan #P23-00355-ECPA prior to approval to include the following measures to minimize impacts associated with the potential loss and disturbance of special-status 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 Initial Study / Proposed Mitigated Negative Declaration Haas Vineyard # P23-00355-ECPA Page 18 of 58 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.

From the Tesseron New Winery Use Permit Project:

Mitigation Measure BIO-6: The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of roosting bats consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

a. Roosting Bat Habitat Assessment and Surveys: Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. 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 (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species). If suitable habitat trees are found, or bats are observed, mitigation measure BIO-6.b, below, shall be implemented.

b. Roosting Bat Tree Protections: If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: 1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or 2) tree trimming and tree removal occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. 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. The second day the entire tree shall be removed.

Thanks Nick,



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Dana Morrison ([she](#) | [her](#) | [hers](#))

Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559

www.countyofnapa.org

From: [Morrison, Dana](#)
To: Magnuson, Nicholas@Wildlife
Subject: RE: CDFW - Early review for Bio Section and Proposed Mitigations for ECP P23-00130 Maxville
Date: Tuesday, September 2, 2025 8:18:00 AM
Attachments: [image001.png](#)

Thank you Nick,

I appreciate the feedback. I will update the BIO2 MM to ensure a 500-foot radius, and though, yes, the project is specifically avoiding ephemeral and stream setbacks I will include COA language to require LSA and 1602 permits for any new crossings or work within the riparian zone.

Cheers,



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From: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Sent: Friday, August 29, 2025 5:39 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: CDFW - Early review for Bio Section and Proposed Mitigations for ECP P23-00130 Maxville

[External Email - Use Caution]

Hi Dana,

Thanks for your patience. After reviewing the proposed bio measure, I just have a couple comments.

MM BIO-2. I understand the radius needed for effective bird surveys can vary by site, but it would be more consistent with CDFW guidance to require the 500-foot radius unless otherwise approved by CDFW. The current language leaves it to interpretation, option, etc., and may not ensure the 500-foot radius is observed. I'm open to your thoughts on this but just wanted to point that out.

LSA. It looks like the project will be avoiding streams per County setbacks, but I just wanted to reinforce that impacts to riparian habitat and thus the stream could still occur beyond a setback of 35 feet, for example. If there's any potential to impact riparian vegetation, I recommend including some typical language for outright avoidance or for a later analysis of impacts to the stream and riparian and 1602 notification before project activities commence.

I'm happy to discuss this in further detail or field any other questions. Thanks for asking for this coordination (:

Best,
Nick

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Thursday, August 28, 2025 2:05 PM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: RE: CDFW - Early review for Bio Section and Proposed Mitigations for ECP P23-00130
Maxville

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Thanks Nick!

From: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Sent: Thursday, August 28, 2025 1:57 PM
To: Morrison, Dana <dana.morrison@countyofnapa.org>
Subject: RE: CDFW - Early review for Bio Section and Proposed Mitigations for ECP P23-00130
Maxville

[External Email - Use Caution]

Hi Dana,

My apologies for the delay, I'll aim to provide some feedback by tomorrow.

Sincerely,
Nick

Nicholas Magnuson
Environmental Scientist
California Department of Fish and Wildlife

Bay Delta Region (R3)
(707) 815-4166

From: Morrison, Dana <dana.morrison@countyofnapa.org>
Sent: Thursday, August 28, 2025 11:04 AM
To: Magnuson, Nicholas@Wildlife <Nicholas.Magnuson@Wildlife.ca.gov>
Subject: RE: CDFW - Early review for Bio Section and Proposed Mitigations for ECP P23-00130 Maxville

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Hey Nicholas,
I am just circling back on this email from last month.
Cheers,



Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

1195 Third Street, Suite 210
Napa, CA 94559
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From: Morrison, Dana
Sent: Friday, July 25, 2025 4:34 PM
To: Magnuson, Nicholas@Wildlife <nicholas.magnuson@wildlife.ca.gov>
Subject: CDFW - Early review for Bio Section and Proposed Mitigations for ECP P23-00130 Maxville

Hey Nick,
This vineyard development ECP IS/MND is going to be circulated in next few months. I was hoping you could review the proposed draft Bio Section with mitigations and ensure there is nothing missing or major edits needed to the proposed Mitigations? You will, of course, also have a chance to officially comment during the IS/MND public comment period.

Please find a Cloud link below that will take you to the Draft Bio Section of the MND, the Bio Study and relevant attachments, as well as the ECP plan set and narrative.

Link: <https://pb.es.cloud/index.php/s/ytCdXERJ8M646fW>

All proposed work is outside of 35' ephemeral setbacks and County required stream setbacks.

Please let me know if you have any questions!

Cheers,



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