

PROJECT REVISION STATEMENT and MITIGATION MONITORING PROGRAM

Napa County Conservation, Development, and Planning

Marciano Winery

Use Permit Application № P08-00423-UP

2233 Sulphur Springs Avenue, St. Helena, Calif., 94574, APN 027-020-061

I hereby revise my request to include the mitigation measures specified below:

BIOLOGICAL RESOURCES

Mitigation Measures:

1. Equipment movement and site clearing shall be limited to the project footprint as described in the submitted biological survey and, prior to the initiation of any work, construction fencing shall be installed around the population of *Ceanothus divergens* to prevent any equipment movement into the area. A fencing plan shall be submitted for the review and approval of the Planning Division prior to the issuance of a building permit.
2. The applicant/owner shall implement the following elements to avoid disturbing raptor nests:
 - For earth disturbing activities occurring during the breeding season (February 1 through July 31), a qualified wildlife biologist shall conduct preconstruction surveys of all potential nesting habitat for birds within 500 feet of earthmoving activities and related project construction activities.
 - If active nests are found during preconstruction surveys, a 500-foot no-disturbance buffer will be created around active raptor nests during the breeding season or until it is determined that all young have fledged. A 250-foot buffer zone shall be created around the nests of other special-status birds. If non-special status active bird nests are present, the nests shall be left undisturbed. These buffer zones are consistent with California Department of Fish and Game (CDFG) avoidance guidelines; however, they may be modified in coordination with CDFG based on existing conditions at the project site.
 - If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, no further mitigation is required.
 - If earth-disturbing activities are delayed or suspended for more than one month after the preconstruction survey, the areas within 500 feet of earthmoving activities shall be resurveyed.

Method of Mitigation Monitoring:

Mitigation Measures № 1 & 2 requires the permittee to submit a fencing plan and raptor survey prior to the issuance of a building permit if, at least in the case of the raptor study, the work is to occur during certain pre-defined portions of the year. If the mitigation measures are not complied with, the County will not issue a building permit for the project.

GEOLOGY and SOILS

Mitigation Measure:

3. The proposed winery shall be constructed as shown in submitted plans. Should the footprint, alignment, or location of the facility be proposed for alteration in the future, that change must first be analyzed by a qualified geologist to determine whether or not additional mitigation measures and/or project redesign may be necessary due to risks associated with the West Napa Fault.

Method of Mitigation Monitoring:

Mitigation Measure № 3 requires analysis by a qualified geological professional prior to any change in the approved facility. If the mitigation measure is not complied with, the County will not issue a building permit for the proposed work.

I understand and explicitly agree that with regards to any and all California Environmental Quality Act, Permit Streamlining Act, and Subdivision Map Act processing deadlines, this revised application will be treated as a new project, filed on the date this project revision statement is received by the Napa County Conservation, Development and Planning Department. For purposes of Section 66474.2 of the Subdivision Map Act, the date of application completeness shall remain the date this project was originally found complete.

 Maurice Masciano 99%
Signature of Owner(s) Print Name Interest

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