

“M”

Biological Study

**Forest Ecosystem Management, PLLC
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October 14, 2015

Scott Butler, RPF
Environmental Resource Management
889 Highway 20-26
Ontario, OR 97914
scott.butler@sbcglobal.net

RE: Oldford Project (Section 21 T08N, R06W MDB&M – Napa County)

Project Request: The Project proposes to build a winery and improve an access road to the winery. The project will remove 22 Douglas-fir trees and some hardwood trees (primarily black oak) as well as a building. The trees are scattered along the access road and close to proposed winery (see attached Winery Conceptual Site Plan).

Scott,

Per your request, I have run a California Department of Fish & Wildlife's spotted owl viewer for the above listed project. A summary of the report includes:

Spotted Owl Database: Report dated 13OCT15 - Area Checked:

Sections 15 – 22, 27 - 34 of T08N, R06W MDB&M

Owls Sites Found within 1.3 miles of Project Site:

NAP0001 – The last detection, 28MAY12, was a nesting pair. The activity center was first identified in 1978 with activity reported through 2005. The area was not monitored again until 2010 and 2012 when a pair was located. Monitoring efforts since then is unknown. This activity center is located in Bothe Napa Valley State Park and is approximately 1 mile from the Oldford Project Area.

NAP0005 – The last detection, unknown date in 1998, was a pair. The activity center was first identified in 1983 with activity reported in 1987, 1989 – 1991, and 1998. The area was monitored in 2000 and 2002 with no owls detected. Monitoring efforts since then is unknown. This activity center is located off Mill Creek and is approximately 4,500' from the Oldford Project Area.

NAP0033 – The last detection, 21MAY12 was a single male. The activity center was first identified in 1995 with activity reported in 1995, 1997, 1999 – 2002, 2004, 2005, 2007 – 2009, 2011 and 2012. Monitoring efforts since then is unknown. This activity center is located off York Creek and is approximately 1.23 miles to the property boundary; but 1.45 miles from the Project Area.

A copy of Report #1 - Spotted Owl Sites Found and Report #2 – Observation Reported are attached.

The majority of the habitat surrounding the Oldford Project Site is unsuitable northern spotted owl habitat due to vineyards, open areas, scrubland, wineries, and residential houses. The habitat to the east of the Project Site toward NAP0005 is suitable northern spotted owl habitat (see attached aerial photos). The Oldford Project Area is unsuitable habitat due to existing vineyard, open area – dry pond, housing structures, and primarily hardwood forest of madrone and black oak (see attached photos). As the Project Area is unsuitable NSO habitat but does have suitable northern spotted owl habitat within ¼ of the Project Site; the project would fall under USFWS Scenario 2 of the Northern Spotted Owl Take Avoidance Scenarios, in which, the following applies:

Scenario 2: No Take

- A. No suitable habitat in harvest units, and
- B. Suitable habitat within 0.25 miles of timber operations, then:
 - a. Seasonal restriction from February 1 to July 9,
OR
 - b. Protocol surveys completed with no reproductive behavior and no timber operations until the conclusion of protocol surveys.

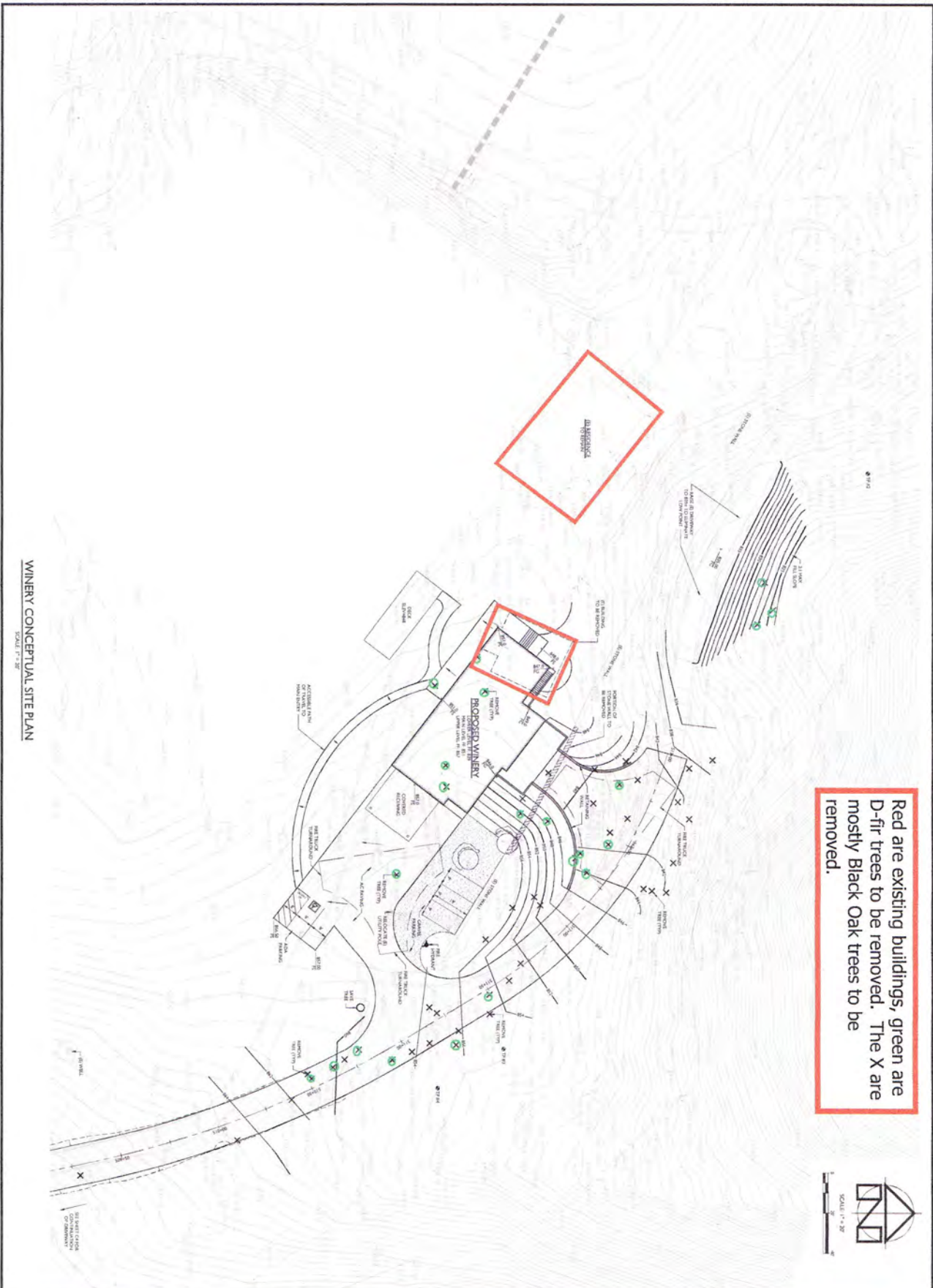
The Oldford Project has a few options:

1. Due to potential habitat within 0.25 mile, they are allowed to cut trees and complete harvest operations outside the breeding season without surveys. Operational dates would be July 10th through February 1st.
2. Due to potential habitat within 0.25 mile, they can survey for northern spotted owls within the ¼ mile suitable habitat, with harvest operations occurring after protocol surveys are complete and submitted to the appropriate regulatory agency. They should be able to use a one year disturbance only protocol. *The protocol surveys would require 6 NSO calling surveys during the period of 01MAR – 30JUL and submission of the survey findings to the county.*

This is a general assessment of northern spotted owls for the above listed project area. This is not a complete Biological Assessment for all listed species for an EIR/EIA, nor can it be used in place of USFWS Protocol Surveys.

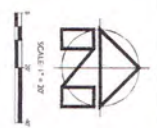
If you have questions regarding this information, please feel free to contact me.

Pamela Town
Consulting Wildlife Biologist



Red are existing buildings, green are D-fir trees to be removed. The X are mostly Black Oak trees to be removed.

WINERY CONCEPTUAL SITE PLAN
SCALE: 1" = 40'



DATE	JANUARY 13, 2015
DRAWN BY	ST. DANIELA
CHECKED BY	PAUL
DESIGNED BY	ST. DANIELA
SCALE	1" = 40'
SHEET NUMBER	6
PROJECT NUMBER	191241
PROJECT NAME	3646 SMR VINEYARD WINERY
CLIENT	3646 SMR VINEYARD LLC
ADDRESS	3646 SPRING MOUNTAIN ROAD
CITY	SAINT HELENA, CA 94574
APN	NAPA COUNTY APN 022-150-026

3646 SMR VINEYARD WINERY
USE PERMIT CONCEPTUAL SITE PLANS
WINERY CONCEPTUAL SITE PLAN

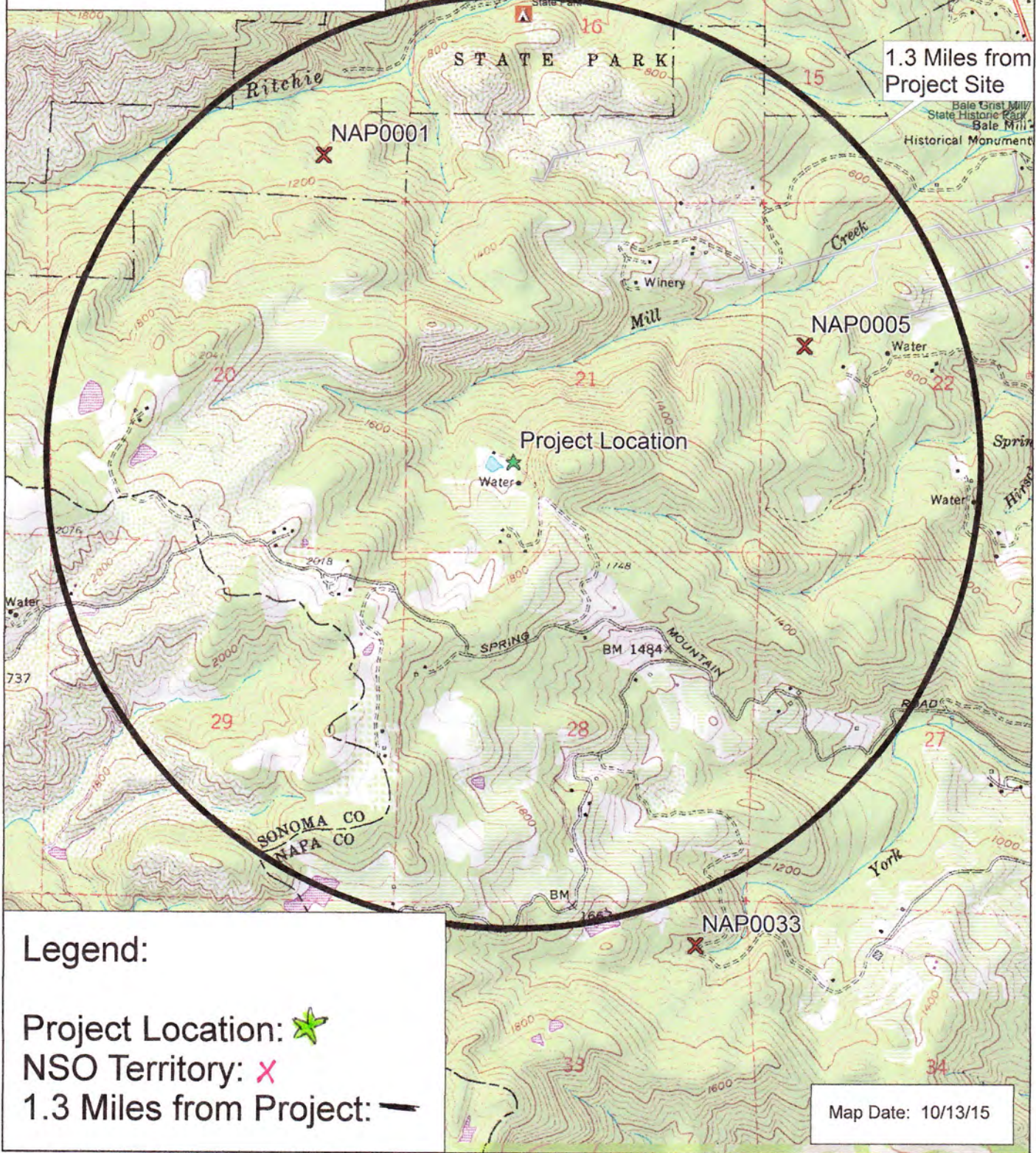


APPLIED ENGINEERS
2874 West Lincoln Avenue
Napa, CA 94558
(707) 220-4968 (707) 220-2395 Fax
www.appliedciv.com

Northern Spotted Owls within 1.3 Miles of Oldford Project

Section 21 T08N, R06W MDB&M
Napa County


1.3 Miles from
Project Site



Legend:

Project Location: 

NSO Territory: 

1.3 Miles from Project: 

Map Date: 10/13/15

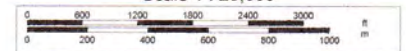
Data use subject to license.

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Scale 1 : 25,000



1" = 2,083.3 ft

Data Zoom 13-0

Data Version Date:
10/01/2015
Report Generation Date:
10/13/2015

Report #1 - Spotted Owl Sites Found
Known Spotted Owl sites having observations
within the search area.



Meridian, Township, Range, Section (MTRS) searched:

M_08N_06W Sections(15,16,17,18,19,20,21,22,27,28,29,30,31,32,33,34);

Masterowl	Subspecies	LatDD NAD83	LonDD NAD83	MTRS	AC Coordinate Source
NAP0001	NORTHERN	38.539867	-122.546050	M 08N 06W 17	Contributor
NAP0005	NORTHERN	38.532391	-122.521177	M 08N 06W 22	Contributor
NAP0007	NORTHERN	38.553044	-122.580998	M 08N 07W 12	Contributor
NAP0033	NORTHERN	38.508038	-122.526177	M 08N 06W 33	Contributor
SON0091	NORTHERN	38.516565	-122.576915	M 08N 06W 30	Contributor

NAP0001 = 1.00 mile
 NAP0005 = 4,597' }
 NAP0007 = 2.98 miles } Within 1.3 miles
 } outside 0.4
 NAP0033 = 1.45 miles => 1.23 miles to Property
 SON0091 = 2.35 miles } But Project Further back

Data Version Date:
10/01/2015

Report Generation Date:
10/13/2015

Report #2 - Observations Reported

List of observations reported by site.



Meridian, Township, Range, Section (MTRS) searched:

M_08N_06W Sections(15,16,17,18,19,20,21,22,27,28,29,30,31,32,33,34);

only Relevant
WSS information
included.

Type	Date	Time	#Adults	Age/Sex	Pair	Nest	#Young	Latitude DD NAD83	Longitude DD NAD83	MTRS	Coordinate Source
Masterowl: NAP0001 Subspecies: NORTHERN											
POS	1978-04-12		1	UU				38.539691	-122.543733	M 08N 06W 17	Activity center
POS	1978-07-23		1	UU				38.534905	-122.555283	M 08N 06W 20	Quarter-section centroid
POS	1978-08-08		2	UUUU				38.539691	-122.543733	M 08N 06W 17	Activity center
POS	1979-04-07		2	UMUF	Y			38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1979-04-08		1	UF		Y		38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1979-05-02		1	UF		Y		38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1979-05-10					Y	2	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1979-05-14					Y	1	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1979-05-30					Y	1	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1979-06-16					Y	1	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1979-07-29					Y	1	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1980-05-19		1	UU	Y	Y	1	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1980-06-08		1	UF		Y		38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1980-06-10		1	UF		Y		38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1981		1	UU				38.545439	-122.550168	M 08N 06W 17	Section centroid
NEG	1981-04-09		0					38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid

Last Detection
Nesting Pair
in 2012.
May not have had
surveys since

<i>Type</i>	<i>Date</i>	<i>Time</i>	<i>#Adults</i>	<i>Age/Sex</i>	<i>Pair</i>	<i>Nest</i>	<i>#Young</i>	<i>Latitude DD NAD83</i>	<i>Longitude DD NAD83</i>	<i>MTRS</i>	<i>Coordinate Source</i>
NEG	1981-04-30		0					38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
NEG	1981-05-25		0					38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1982		2	UMUF	Y		1	38.539691	-122.543733	M 08N 06W 17	Activity center
NEG	1982-05-07		0					38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
NEG	1982-05-24		0					38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1983		2	UMUF	Y		2	38.539691	-122.543733	M 08N 06W 17	Activity center
POS	1984-04-06		1	UF	Y	Y	1	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1984-05-16					Y	1	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1984-08-07		2	UMUF	Y		1	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1984-08-07		2	UMUF	Y		1	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1985-04-05		1	UF		Y		38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1985-05-28					Y	2	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1985-06-09		1	UF		Y		38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1986-04-22		2	UMUF	Y	Y		38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1986-04-29		2	UMUF	Y	Y		38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1986-05-21		1	UF		Y		38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1986-06-15		1	UF		Y		38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid

<i>Type</i>	<i>Date</i>	<i>Time</i>	<i>#Adults</i>	<i>Age/Sex</i>	<i>Pair</i>	<i>Nest</i>	<i>#Young</i>	<i>Latitude DD NAD83</i>	<i>Longitude DD NAD83</i>	<i>MTRS</i>	<i>Coordinate Source</i>
POS	1987		2	UMUF	Y			38.539691	-122.543733	M 08N 06W 17	Activity center
POS	1987-05-13		2	UMUF	Y			38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1987-05-25		2	UMUF	Y			38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1987-05-30		2	UMUF	Y			38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1987-06-06		2	UMUF	Y			38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1988-05-04		1	UM				38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
NEG	1988-05-20	1200	0					38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1988-05-31		1	UM				38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1989-04-11		2	UMUF	Y			38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1989-04-22		1	UM				38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1989-05-13		1	UU				38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1989-05-20	1900	2	UMUF	Y			38.539691	-122.543733	M 08N 06W 17	Activity center
POS	1989-05-26		2	UMUF	Y	Y	1	38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1989-06-12	1900	2	UMUF		Y		38.539073	-122.546950	M 08N 06W 17	Contributor
POS	1989-07-30	0555	2	UMUF	Y		1	38.534418	-122.527692	M 08N 06W 21	Quarter-section centroid
NEG	1991		0					38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1991-04-14	1910	1	UM				38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid

Type	Date	Time	#Adults	Age/Sex	Pair	Nest	#Young	Latitude DD NAD83	Longitude DD NAD83	MTRS	Coordinate Source
POS	1992		1	UM				38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	1993-05-01	0705	1	UU				38.545439	-122.550168	M 08N 06W 17	Section centroid
NEG	1993-08-04	0709	0					38.545439	-122.550168	M 08N 06W 17	Section centroid
NEG	1994-01-01	0230	0					38.545439	-122.550168	M 08N 06W 17	Section centroid
POS	1996-01-01	1803	1	UF	Y			38.542914	-122.542460	M 08N 06W 17	Contributor
POS	1996-01-01	1735	1	UM	Y			38.543151	-122.547059	M 08N 06W 17	Contributor
POS	1996-04-20	1920	1	UM				38.545439	-122.550168	M 08N 06W 17	Section centroid
POS	1997-08-04	1930	1	UM				38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
NEG	1997-08-10	2001	0					38.545439	-122.550168	M 08N 06W 17	Section centroid
NEG	2000-02-16	1037	0					38.545052	-122.532028	M 08N 06W 16	Section centroid
POS	2000-03-11	1730	2	UMUF				38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	2000-04-22	1859	2	UMUF	Y	Y		38.542015	-122.555067	M 08N 06W 17	Quarter-section centroid
POS	2000-06-11	0945	2	UMUF	Y	Y	1	38.539611	-122.558042	M 08N 06W 17	Contributor
POS	2000-06-29	1155	1	UF		Y	1	38.542015	-122.555067	M 08N 06W 17	Quarter-section centroid
POS	2002-04-13	1715	2	UMUF	Y	Y	1	38.539691	-122.543733	M 08N 06W 17	Contributor
NEG	2002-05-04	1951	0					38.545439	-122.550168	M 08N 06W 17	Section centroid
NEG	2002-05-10	2024	0					38.545439	-122.550168	M 08N 06W 17	Section centroid

Type	Date	Time	#Adults	Age/Sex	Pair	Nest	#Young	Latitude DD NAD83	Longitude DD NAD83	MTRS	Coordinate Source
POS	2002-05-21	2034	1	UM				38.542015	-122.555067	M 08N 06W 17	Quarter-section centroid
POS	2002-05-25	2006	1	UM				38.545439	-122.550168	M 08N 06W 17	Section centroid
NEG	2002-05-30	2135	0					38.545439	-122.550168	M 08N 06W 17	Section centroid
POS	2002-06-12	2134	1	UF				38.545439	-122.550168	M 08N 06W 17	Section centroid
POS	2002-06-29	1922	1	UF		Y	1	38.542015	-122.555067	M 08N 06W 17	Quarter-section centroid
NEG	2002-07-02	2131	0					38.542242	-122.582552	M 08N 07W 13	Quarter-section centroid
NEG	2003-02-07	1806	0					38.545439	-122.550168	M 08N 06W 17	Section centroid
POS	2003-05-04	1125	1	UM				38.542015	-122.555067	M 08N 06W 17	Quarter-section centroid
NEG	2003-05-08	1052	0					38.545439	-122.550168	M 08N 06W 17	Section centroid
POS	2003-05-26	2046	1	UU				38.542015	-122.555067	M 08N 06W 17	Quarter-section centroid
POS	2004-02-05	1501	1	UU				38.542015	-122.555067	M 08N 06W 17	Quarter-section centroid
POS	2004-04-26	1138	2	UMUF	Y	Y		38.545439	-122.550168	M 08N 06W 17	Section centroid
NEG	2005-04-17	1419	0					38.545439	-122.550168	M 08N 06W 17	Section centroid
POS	2005-04-18	1543	1	UM				38.541700	-122.545854	M 08N 06W 17	Quarter-section centroid
POS	2010-03-21		2	UMUF	Y			38.543540	-122.536938	M 08N 06W 16	Contributor
AC	2012-05-28	1638	2	UMUF	Y	Y		38.539867	-122.546050	M 08N 06W 17	Contributor

Masterowl: NAP0005 Subspecies: NORTHERN

Type	Date	Time	#Adults	Age/Sex	Pair	Nest	#Young	Latitude DD NAD83	Longitude DD NAD83	MTRS	Coordinate Source
POS	1983-12-27		1	UU				38.534425	-122.518352	M 08N 06W 22	Quarter-section centroid
POS	1987		2	UMUF	Y			38.534425	-122.518352	M 08N 06W 22	Quarter-section centroid
POS	1987		2	UMUF	Y			38.534410	-122.532293	M 08N 06W 21	Half-section centroid
POS	1989-07-30		2	UMUF	Y		1	38.534418	-122.527692	M 08N 06W 21	Quarter-section centroid
AC	1989-07-30	0630	2	UMUF	Y		1	38.532391	-122.521177	M 08N 06W 22	Contributor
POS	1990-04-29	1640	1	UM				38.534425	-122.518352	M 08N 06W 22	Quarter-section centroid
POS	1991-01-01	0343	1	UM				38.532391	-122.521177	M 08N 06W 22	Contributor
POS	1991-04-11	1629	1	UM				38.530855	-122.513729	M 08N 06W 22	Section centroid
POS	1991-05-05	2045	1	UM				38.532391	-122.521177	M 08N 06W 22	Contributor
POS	1991-09-29	2028	1	UM				38.534425	-122.518352	M 08N 06W 22	Quarter-section centroid
NEG	1992		0					38.530855	-122.513729	M 08N 06W 22	Section centroid
NEG	1992-03-01	1757	0					38.530855	-122.513729	M 08N 06W 22	Section centroid
NEG	1993-04-03	2031	0					38.534418	-122.527692	M 08N 06W 21	Quarter-section centroid
NEG	1996-10-13	1935	0					38.534425	-122.518352	M 08N 06W 22	Quarter-section centroid
POS	1998	0215	2	UMUF	Y			38.534418	-122.527692	M 08N 06W 21	Quarter-section centroid
NEG	2000-04-03	2228	0					38.530904	-122.532304	M 08N 06W 21	Section centroid
NEG	2000-05-16	2001	0					38.534418	-122.527692	M 08N 06W 21	Quarter-section centroid

*Last detection
1998.
No current
known
surveys*

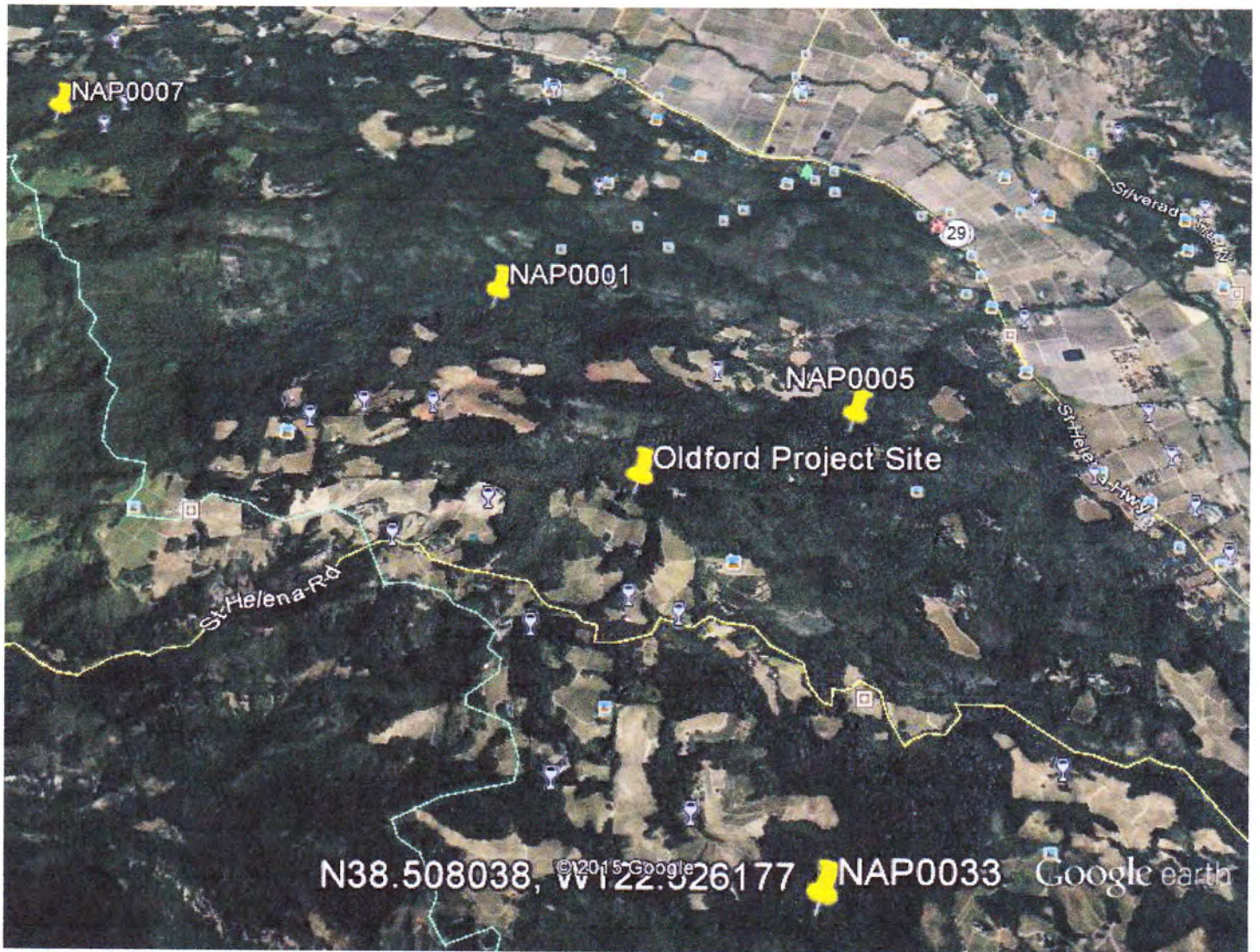
Type	Date	Time	#Adults	Age/Sex	Pair	Nest	#Young	Latitude DD NAD83	Longitude DD NAD83	MTRS	Coordinate Source
NEG	2000-06-29	1925	0					38.530904	-122.532304	M 08N 06W 21	Section centroid
NEG	2002-02-08	2400	0					38.534425	-122.518352	M 08N 06W 22	Quarter-section centroid
NEG	2002-02-08	2400	0					38.534418	-122.527692	M 08N 06W 21	Quarter-section centroid
NEG	2002-03-12	2400	0					38.534425	-122.518352	M 08N 06W 22	Quarter-section centroid
NEG	2002-06-10	2400	0					38.534425	-122.518352	M 08N 06W 22	Quarter-section centroid
NEG	2002-06-10	2400	0					38.534418	-122.527692	M 08N 06W 21	Quarter-section centroid
Masterowl: NAP0007 Subspecies: NORTHERN											
POS	1989-07-03	2030	2	UMUF				38.556346	-122.572412	M 08N 06W 07	Quarter-section centroid
POS	1989-07-29	1853	1	UF				38.549275	-122.563640	M 08N 06W 18	Quarter-section centroid
POS	1989-07-30	0718	1	UF				38.575457	-122.581379	M 08N 07W 01	Quarter-section centroid
POS	1990-02-27	1905	1	UM				38.556346	-122.572412	M 08N 06W 07	Quarter-section centroid
POS	1990-05-04	2342	1	UM				38.556346	-122.572412	M 08N 06W 07	Quarter-section centroid
NEG	1990-11-01		0					38.556346	-122.572412	M 08N 06W 07	Quarter-section centroid
POS	1990-11-18	1436	1	UM				38.556473	-122.572778	M 08N 06W 07	Contributor
POS	1990-12-12	1825	1	UM		Y		38.559964	-122.586095	M 08N 07W 12	Section centroid
POS	1990-12-12	1825	1	UF		Y		38.556235	-122.581617	M 08N 07W 12	Contributor
POS	1991-02-22	1827	1	UM				38.556235	-122.581617	M 08N 07W 12	Contributor



Google earth



Suitable
NSO Habitat



Google earth

miles 1
km 2



Landscape-Level View

Psefp10







Existing
Vineyard



Dry
Pond



Primarily Madrone
Forest

Black Oak