

# **BIOLOGICAL RESOURCE REPORTS**

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**RECEIVED**

**JAN 26 2010**

**NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.**

January 22, 2010

Mr. Edward Wallis  
Wallis Family Estate  
1670 Diamond Mountain Rd.  
Calistoga, CA 94515

**RE: Wallis Family Estate, Botanical Site Assessment**

Dear Mr. Wallis:

This letter report provides the results of the two site assessment visits to your property located at 1670 Diamond Mountain Road in Calistoga, Napa County, California. The property includes APNs 020-450-014, -015, and -016. The project site is located on the Calistoga USGS 7.5-minute quadrangle in the East ½ of Section 12, T8N, R7W. The project site is located south of the City of Calistoga.

The purpose of the site visit was to determine whether there was any potential special status plant species to occur on the property. An initial site visit was conducted on December 31, 2009 with a follow-up site visit on January 20, 2010. Photographs are provided at the end of this report.

#### **SITE DESCRIPTION**

The proposed project includes the following proposed developments:

1. Remove existing vegetable garden (see photo 1) and replace it with a parking lot.
2. Create additional parking in front of the Patcheteau's castle or historic office/winery (castle for short) building. This will be in an existing, disturbed and leveled area with no native vegetation (see photo 2)
3. Widen the existing driveway and extend the road to the parking lot in front of the castle (see photos 3 to 5). This will require widening the existing driveway to 20 feet.
4. Adding employee parking on southwest side of existing shed with an existing hard surface (photo 6).

All of the areas proposed for development do not support any native or natural plant communities and do not provide habitat for any special status plants. Please see below for further descriptions.

Although not part of the proposed development the site assessment included a review of the secondary access road on the south side of the property that leads to the castle (photos 7 and 8). Vegetation adjacent to this secondary access road does support a natural, native plant community and has the potential to support special status plants. However, at this time there are no plans to widen the road or do any work outside of the existing hard surface roadway.

## **METHODS**

Prior to the site visit the California Natural Diversity Data Base (CNDDDB) for the Calistoga USGS quadrangle was searched to determine what special status plants had the potential to occur in the area based on records of known occurrences. A list of special status plant species known to occur in the area is provided as Attachment A.

Site visits were conducted on December 31, 2009 and January 20, 2010 and the areas proposed for development were walked. A list of plant species observed during the site visits was prepared and is provided as Attachment B. Photographs were taken of the areas proposed for development and these are provided as Attachment C. A site plan for the proposed project was provided by MK2 Engineering Inc. for review during the site visits and is provided as Attachment D.

## **RESULTS, SUMMARY AND CONCLUSIONS**

As stated previously, the purpose of the site visit was to determine whether there was any potential special status plant species, and/or habitat for special status plants, to occur within the areas proposed for development. In particular Napa County had identified Calistoga ceanothus (*Ceanothus divergens*) as potentially occurring in the area. No species of *Ceanothus* were observed in the areas proposed for development and the typical habitat for this species is lacking in the proposed project area.

No native plants, with the exception of two redwood trees, occur in the area proposed as a parking lot adjacent to the vegetable garden. The redwood trees will not be impacted by the proposed parking lot. As stated previously, the parking lot will replace an existing vegetable garden (Photo 1) and possibly some landscaped lawn area. The proposed parking lot does not provide habitat for any special status plants and therefore there would be no impacts to special status plants.

The parking lot in front of the castle is composed of non-native, weedy vegetation. This area is kept mowed and provides additional lawn area. Plant species noted in this area were filarees (*Erodium cicutarium* and *E. botrys*), groundsel (*Senecio vulgaris*), cat's-ear (*Hypochaeris radicata*), English plantain (*Plantago lanceolata*), Shepherd's needle (*Scandix pecten-veneris*) and clover (*Trifolium* sp.). These are all common, weedy plants and this area does not support habitat for any special status plants.

The existing driveway is a paved hard surface with no vegetation. The driveway is lined with non-native sycamore (*Platanus* sp.) trees. The widening of the driveway would not impact any of the trees and would also not impact any vegetated areas (photos 3 to 5) as the unpaved areas along the driveway and under the trees are mulched with no herbaceous or other vegetation growing under the trees. This area also does not provide habitat for any special status plants.

The additional employee parking adjacent to the existing shed is an existing paved surface with no vegetation (photo 5). This area does not provide habitat for any special status plants.

The only area with native vegetation that was reviewed during the site assessment was the area along the secondary access road that leads to the castle. The natural vegetation is a mixed evergreen forest community that includes Douglas fir (*Pseudotsuga menziesii*), redwoods (*Sequoia sempervirens*), California bay laurel (*Umbellularia californica*), big-leaf maple (*Acer macrophyllum*), coast live oak (*Quercus agrifolia*) and other oak trees. Understory shrubs include toyon (*Heteromeles arbutifolia*), snowberry (*Symphoricarpos albus*), coffeeberry (*Rhamnus* sp.), and hazelnut (*Corylus cornuta*). Two common non-native and weedy plants occur within this area: English ivy (*Hedera helix*) and periwinkle (*Vinca major*). These non-native and invasive plant species could be removed and would be beneficial to the native plant community. There are no plans to widen the secondary access road or do any work outside of the existing hard surface roadway so there will be no impacts to this area as part of the proposed project. If any future work is planned that would encroach upon the native forest community then seasonal plant surveys in the spring are recommended.

Based on my site visits of December 31, 2009 and January 20, 2010, a review of the CNDDDB, and the description of the proposed development, no special status plants have the potential to occur in the proposed parking lot areas and existing driveway that will be widened. I hope this information is helpful. If you have any questions, please do not hesitate to contact me.

Sincerely,



Jane Valerius,  
Botanist/Wetland Specialist

Attachments

## ATTACHMENT A

### Special status plant species that could potentially occur within the Wallis Family Estate Project Area based on a review of the CNDDDB January 2010.

<i>Scientific Name</i> Common Name	Status: Federal/ State/CNPS List	Flowering Period	Habitat and Notes	Potential for Occurrence
<i>Amorpha californica</i> var. <i>napensis</i> Napa false indigo	-/-L1B	April-July	Broadleafed upland forest (openings), chaparral, cismontane woodland.	This is a perennial plant- no plants of this genus identified in area.
<i>Astragalus claranus</i> Clara Hunt's milk-vetch	FE/CT/L1B	March-May	Chaparral (openings), cismontane woodland, grassland-serpentinite or volcanic, rocky, clay.	No habitat in project area. Not likely to occur.
<i>Brodiaea californica</i> var. <i>leptandra</i> Narrow-anthered California brodiaea	-/-L1B	May-July	Broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest, grassland/volcanic.	No habitat in project area. Not likely to occur.
<i>Ceanothus confusus</i> Rincon Ridge ceanothus	-/-L1B	February- June	Closed-cone coniferous forest, chaparral, cismontane woodland- volcanic or serpentinite.	No habitat in project area. Not likely to occur.
<i>Ceanothus divergens</i> Calistoga ceanothus	-/-L1B	February- March	Chaparral (serpentinite or volcanic, rocky).	No habitat in project area. Not likely to occur.
<i>Centromadia parryi</i> ssp. <i>parryi</i> Pappose tarplant	-/-L1B	May- November	Chaparral, coastal prairie, meadows & seeps, coastal salt marshes & swamps, grassland (vernally mesic)/ often alkaline.	No habitat in project area. Not likely to occur.
<i>Eryngium constancei</i> Loch Lomond button-celery	FE/CE/L1B	April-June	Vernal pools.	No habitat in project area. Not likely to occur.
<i>Lasthenia burkei</i> Burke's goldfields	FE/CE/L1B	April-June	Meadows & seeps (mesic), vernal pools.	No habitat in project area. Not likely to occur.
<i>Leptosiphon jepsonii</i> Jepson's leptosiphon	-/-L1B	March-May	Chaparral, cismontane woodland, usually volcanic.	No habitat in project area. Not likely to occur.
<i>Lupinus sericatus</i> Cobb Mountain lupine	-/-L1B	March-June	Broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest.	No habitat in project area. Not likely to occur.

Scientific Name Common Name	Status: Federal/ State/CNPS List	Flowering Period	Habitat and Notes	Potential for Occurrence
<i>Navarretia leucocephala</i> ssp. <i>bakeri</i> Baker's navarretia	-/-L1B	April-July	Cismontane woodland, lower montane coniferous forest, meadows & seeps, grassland, vernal pools/ mesic.	No habitat in project area. Not likely to occur.
<i>Penstemon newberryi</i> var. <i>sonomensis</i> Sonoma beardtongue	-/-L1B	April-August	Chaparral (rocky).	No habitat in project area. Not likely to occur.
<i>Plagiobothrys strictus</i> Calistoga popcorn-flower	FE/CT/L1B	March-June	Meadows & seeps, grassland, vernal pools – alkaline areas near thermal springs.	No habitat in project area. Not likely to occur.
<i>Poa napensis</i> Napa blue grass	FE/CE/L1B	May-August	Meadows & seeps, grassland-alkaline, near thermal springs.	No habitat in project area. Not likely to occur.
<i>Sidalcea hickmanii</i> ssp. <i>napensis</i> Napa checkerbloom	-/-L1B	April-June	Chaparral/rhyolitic.	No habitat in project area. Not likely to occur.
<i>Trifolium depauperatum</i> var. <i>hydrophilum</i> Saline clover	-/-L1B	April-June	Marshes & swamps, grassland (mesic, alkaline), vernal pools.	No habitat in project area. Not likely to occur.

Status:

FE: Federally listed endangered.

CE: State listed endangered

CT: State listed threatened.

List 1B: Plants rare and endangered in California and elsewhere

## ATTACHMENT B

### Plant species observed at the Wallis Family Estate. December 31, 2009 and January 20, 2010.

<i>Scientific Name</i>	<b>Common Name</b>
<i>Acer macrophyllum</i>	Big-leaf maple
<i>Calocedrus decurrens</i>	Incense cedar
<i>Corylus cornuta</i>	Hazelnut
<i>Dryopteris arguta</i>	Wood fern
<i>Erodium botrys</i> *	Filaree
<i>Erodium cicutarium</i> *	Red stemmed filaree
<i>Galium</i> sp.	Bedstraw
<i>Hedera helix</i> *	English ivy
<i>Heteromeles arbutifolia</i>	Toyon
<i>Hyphocharis radicata</i> *	Rough cat's-ear
<i>Lonicera</i> sp.	Honeysuckle
<i>Plantago lanceolata</i> *	English plantain
<i>Platanus</i> sp.*	Sycamore – non-native, planted driveway tree
<i>Pseudotsuga menziesii</i>	Douglas fir
<i>Quercus agrifolia</i>	Coast live oak
<i>Rhamnus</i> sp.	Coffeeberry
<i>Sanicula crassicaulis</i>	Sanicle
<i>Scandix pectin-veneris</i> *	Shepherd's needle
<i>Senecio vulgaris</i> *	Common groundsel
<i>Sequoia sempervirens</i>	Redwood
<i>Solanum lycopersicum</i> *	tomato
<i>Stachys</i> sp.	Hedge nettle
<i>Symphoricarpos albus</i> ssp. <i>laevigatus</i>	Snowberry
<i>Thalictrum fendleri</i> var. <i>polycarpum</i>	Meadow rue
<i>Toxicodendron diversilobum</i>	Poison oak
<i>Trifolium</i> sp.*	Clover
<i>Umbellularia californica</i>	California bay laurel
<i>Vicia</i> sp.*	Vetch
<i>Vinca major</i> *	Periwinkle
<i>Vitis californica</i>	California grape
<i>Zea mays</i> *	Corn

\* = Non-native species.

## ATTACHMENT C

### Site Photographs



Photo 1: Vegetable garden proposed for parking.



Photo 2: Proposed parking in front of castle-mowed lawn.



Photo 3: Existing driveway with gated entrance.



Photo 4: Driveway looking north lined with sycamore trees



Photo 5: Transition from paved surface to lawn for parking lot in front of castle. No trees will be removed.





Photo 6: Shed with paved surface – proposed employee parking.



Photo 7: Secondary access road with mixed evergreen forest community looking south towards Patcheteau Road.



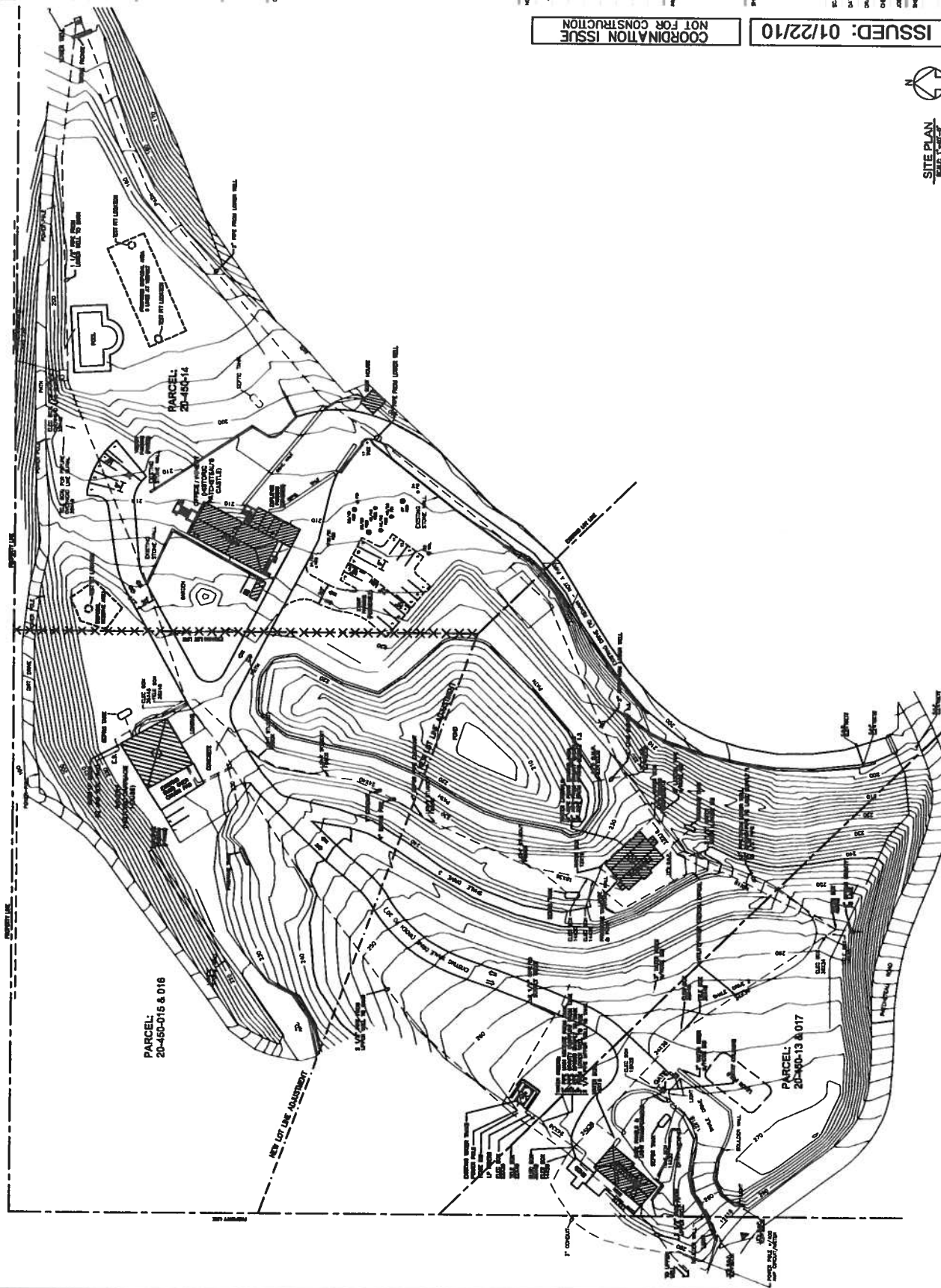
Photo 8: Secondary access road with mixed evergreen forest community looking north towards castle.

**ATTACHMENT D**

Site Plan Prepared by MK2 Engineering Inc.

ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND DECIMALS THEREOF. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.

CORRECTION



NO.	REVISION	DATE
A		
PROJECT		
WALLIS FAMILY ESTATE		
SHEET CONTENTS		
SITE PLAN		
SCALE	AS SHOWN	
DATE	08-24-07	
DRAWN BY		
CHECKED BY		
JOB NO.	7028	
SHEET NO.		A1.0

ISSUED: 01/22/10  
COORDINATION ISSUE  
NOT FOR CONSTRUCTION



SITE PLAN  
SCALE 1"=40'

**Jon Winter & Associates**  
**Ecological & Environmental Consulting**

5331 El Mercado Parkway  
Santa Rosa, CA 95403  
(707) 568-7122  
Fax: Same-on Demand

November 27, 2009

Edward Wallis  
1670 Diamond Mountain Road  
Calistoga, CA 94515

**RE: Spotted Owl Issues on Wallis Family Estate Development**

Dear Mr. Wallis:

At your request, I visited your property, APN 020-450-014, on November 18, 2009, for the purpose of evaluating the project's potential impacts on Northern Spotted Owls (*Strix occidentalis caurina*) (NSOs).

**Project Description**

It was my understanding from our conversation on the site that you plan a one-way circular access road (on an existing road way) from Diamond Mountain Road to access a parking area behind the Patcheteau Castle. The castle will serve as a barrel storage building and tasting room. A small vegetable garden will be removed and paved for parking for winery visitors. No trees will be removed during the development anywhere on the parcel.

**Site Conditions**

Your parcel lies along Diamond Mountain Road at about 600-feet above sea-level and is surrounded by what is best described Montane Hardwood-Conifer habitat (Meyer and Laudenslayer 1988). Diamond Creek borders the site to the SE. I noted the presence of Doug fir (*Pseudotsuga menziesii*), Black Oak (*Quercus kelloggii*), Coast Live Oak (*Quercus agrifolia*), Blue Oak (1) (*Quercus douglasii*), Madrone (*Arbutus menziesii*), Baylaurel (*Umbrellularia californica*), California Buckeye (*Aesculus californica*), Big-leaf Maple (*Acer macrophyllum*) and several introduced ornamentals around the site. The ridges to the SE and to the S seemed to be good habitat for NSOs.

## Methods

I walked the entire site where the potential for ground disturbance might occur looking for molted feathers, pellets, old nest structures, tracks, dens and potential roost sites. Particular attention was paid to the small grove of redwoods SE of the Patcheteau Castle (Figure 1). I did note one fairly large nest structure about 80-feet up in one of these trees, but it did not look as if it had been used this year. I suspect that it was built by a Red-tailed or Red-shouldered Hawk (*Buteo jamaicensis/lineatus*). The ground beneath the tree was carefully inspected for droppings, pellets or feathers, but nothing was found. Owls do not build their own nests but will use old hawk nests, natural cavities or sometimes mistletoe clumps. However, when a nest is active there is always some indication of the presence of a bird beneath the nest in the form of pellets, white wash and/or feathers. Additional species observed on the site are listed in Appendix A

## Northern Spotted Owl

NSOs are listed as a Threatened Species under the federal Endangered Species Act of 1973 (50 CFR §17.11). They are also protected under the federal Migratory Bird Treaty Act (50 CFR §10.13). The State of California considers NSOs a Species of Special Concern and their eggs, young, and nests are protected under §3503.5 of California Fish and Game Code. Impacts to the owl and/or their habitat must be mitigated under federal law through a formal consultation with the U.S. Fish and Wildlife Service (USFWS).

Typical NSO habitat in northern California include structurally and floristically diverse, dense, large tree conifer (> 30"DBH) or conifer/hardwood habitats dominated by dense multilayered canopies (>60% closure), typically with some associated decadence to provide natural nest cavities and liberal amounts of dead and downed woody material on the forest floor. These habitats are usually found in rather steep, well-watered canyons and are typically associated with mature forest habitats. These structural characteristics can and often do occur in second growth habitats in northern California and are not limited only to old growth forests. In Sonoma, Marin, Lake and Napa Counties, NSOs often occur in habitats that have more open canopies (< 60%), have a less dominating conifer component, and do not have the decadence or the large tree size found in more mature habitats.

The USFWS is mainly concerned about the removal of trees and the potential impacts it may have on NSO habitat. The CFR Title 14 §919.9 states that a 500-foot no disturbance buffer is required around active NSO nests and a minimum of 500-acres of suitable habitat within 0.7 miles of the nesting area shall remain after the project.



This requirement is primarily driven by conformance to timber harvest practices but since you gave me no indication that any trees would be removed on the site during development, the impacts to NSOs would be virtually nonexistent.

The nearest known NSO territory in the CNDDDB 2009 (California Natural Diversity Data Base) is approximately 0.78 miles SE of your site (see CDFG figure) and is well beyond the area of disturbance. Another pair was located > 1.3 miles to the NW and is beyond the concern of USFWS. The NAP007 pair was still present in the same area in the spring of 2008 and this territory has been occupied fairly regularly since 1989.

As of the 2007 NSO breeding season, the USFWS has added an additional consideration to impacts to NSOs. Noise disturbance is now considered significant if it occurs within 0.25 miles of a known NSO nest or roost (*Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California-USFWS letter 8-14-2006-2887*). The NAP0007 territory is well beyond any reasonable concern for noise abatement that might be associated with the project. NSOs are a highly nocturnal species that hunt by ear (finding prey by locating prey rustling noises) as well as by sight. The only time noise would be a problem is if it is at night and is sufficiently loud (and in the right frequencies) to mask prey rustling noises or if it might flush young or adults from a nearby nest. Since there is no indication that construction will be at night, and there are no known nests near the project, it is highly unlikely that NSO hunting behavior will be impacted.

If the project is done during the spring months (March-July), I should check the nest structure just SE of the Patcheteau Castle to determine if it is occupied. If the project is done at any other time of the year a preconstruction check will not be necessary.

### Conclusions

Your project as now planned will have no impact on NSOs that are known to occur in the general vicinity of your property.

If you have questions or need further assistance, call or write at your convenience.

Sincerely yours,



Jon Winter  
Principal Wildlife Biologist

### Literature Cited

Mayer, K. E., and W. F. Laudenslayer (eds) (1988). *A guide to wildlife habitats of California*. Sacramento, CA. Dept. of Forestry and Fire Protection. 166 pp.



**Figure 1.** Patcheteau Castle with redwood grove to the left.

## Appendix A

### Additional Species Seen on the Wallis Winery Site

Snowy Egret  
Turkey Vulture  
Western Scrub-jay  
Acorn Woodpecker  
Belted Kingfisher  
Turkey  
Hermit Thrush  
Mole sp.  
American Robin  
Dark-eyed Junco

Steller's Jay  
Great Egret  
Black Phoebe  
West. Bluebird  
Ruby-crowned Kinglet  
Common Raven  
Pocket Gopher  
Mallard  
Hairy Woodpecker  
Spotted Towhee



