

FOR ADMIN. USE ONLY
Amendments-date & S or M

TIMBER HARVESTING PLAN

FOR ADMIN. USE ONLY

- 1. _____ 7. _____
- 2. _____ 8. _____
- 3. _____ 9. _____
- 4. _____ 10. _____
- 5. _____ 11. _____
- 6. _____ 12. _____

STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY
AND FIRE PROTECTION
RM-63 (01-00)

THP No. _____

Dates Rec'd _____

THP Name: Fairfax Conversion

(In the CDF FPS, this is "THP Description")

Date Filed _____

Date Approved _____

If this is a Modified THP, check box: []

Date Expires _____

Extensions 1) [] 2) []

This Timber Harvesting Plan (THP) form, when properly completed, is designed to comply with the Forest Practice Act (FPA) and Board of Forestry and Fire Protection rules. See separate instructions for information on completing this form. NOTE: The form must be printed legibly in ink or typewritten. The THP is divided into six sections. If more space is necessary to answer a question, continue the answer at the end of the appropriate section of your THP. If writing an electronic version, insert additional space for your answer. Please distinguish answers from questions by font change, bold or underline.

SECTION I - GENERAL INFORMATION

This THP conforms to my/our plan and upon approval, I/we agree to conduct harvesting in accordance therewith. Consent is hereby given to the Director of Forestry and Fire Protection, and his or her agents and employees, to enter the premises to inspect timber operations for compliance with the Forest Practice Act and Forest Practice Rules.

1. TIMBER OWNER(S) OF RECORD: Name Codorniu Napa
 Address 1345 Henry Road
 City Napa State CA Zip 94559 Phone (707) 224-1668
 Signature Date 3-4-09

NOTE: The timber owner is responsible for payment of a yield tax. Timber Yield Tax information may be obtained at the Timber Tax Section, MIC: 60, State Board of Equalization, P.O. Box 942879, Sacramento, California 94279-0060; phone 1-800-400-7115; BOE Web Page at [http:// www.boe.ca.gov](http://www.boe.ca.gov).

2. TIMBERLAND OWNER(S) OF RECORD: Name Codorniu Napa
 Address 1345 Henry Road
 City Napa State CA Zip 94559 Phone (707) 224-1668
 Signature Date 3-4-09

3. LICENSED TIMBER OPERATOR(S): Name To be amended in prior to operations. Lic. No. _____
 Address _____
 City _____ State _____ Zip _____ Phone _____
 Signature _____ Date _____

4. PLAN SUBMITTER(S): Name Codorniu Napa
 Address 1345 Henry Road
 City Napa State CA Zip 94559 Phone (707) 224-1668
 (Submitter must be from 1, 2, or 3 above. He/she must sign below. Ref. Title 14CCR 1032.7 (a)).
 Signature Date 3-4-09

Michael Kenton President
E-1

5. a) List person to contact on-site who is responsible for the conduct of the operation. If unknown, so state and name must be provided for inclusion in the THP prior to start of timber operations.

Name To be amended in prior to operations.

Address _____

City _____ State _____ Zip _____ Phone _____

- b) Yes No Will the timber operator be employed for the construction and maintenance of roads and landings during conduct of timber operations? If no, who is responsible?

- c) Who is responsible for erosion control maintenance after timber operations have ceased and until certification of the Work Completion Report? If not the LTO, then a written agreement must be provided per 14 CCR 1050 (c).

The LTO.

After the certificate of the Work Completion Report has been signed, the timberland owner shall be responsible for erosion control maintenance for three years as per 14 CCR 916.9(p).

6. a) Expected commencement date of timber operations:
 date of conformance, or _____ (date)

- b) Expected date of completion of timber operations:
 3 years from date of conformance, or _____ (date)

7. The timber operations will occur within the:

COAST FOREST DISTRICT

8. Location of the timber operation by legal description:

Base and Meridian: Mount Diablo Humboldt San Bernardino

<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Acreage</u>	<u>County</u>	<u>Assessors Parcel Number*</u>
<u>17</u>	<u>10N</u>	<u>13W</u>	<u>20</u>	<u>Sonoma</u>	<u>123-040-027-00</u>
<u>18</u>	<u>10N</u>	<u>13W</u>	<u>151</u>	<u>Sonoma</u>	<u>123-040-027, 024 & 022</u>
TOTAL ACREAGE			<u>171</u>	(Logging Area Only)	* Optional

The conversion/THP area is 171 acres. The entire project area will total 190 acres.

Planning Watershed: CALWATER Version, Identification Number, and Name:

2.2 Grasshopper Creek 1113.830003

2.2 Little Creek 1113.830004

2.2 Annapolis 1113.840303

USGS Quadrangle(s) and Publication Date(s): 1977 Annapolis 7.5' USGS Quad

9. Yes No Has a timberland conversion permit been submitted? If yes, list expected approval date or permit number and expiration date if already approved: **The timberland conversion permit is expected to be approved in conjunction with the THP and EIR in mid 2009.**

10. Yes No Is there an approved Sustained Yield Plan for this property? Number _____; Date app. _____
 Yes No Has a Sustained Yield Plan been submitted but not approved? Number _____; Date sub. _____

11. Yes No Is there a THP or NTMP on file with CDF for any portion of the plan area for which a report of satisfactory stocking has not been issued by CDF?
 If yes identify the THP or NTMP number(s):
 Yes No Is there a contiguous even aged unit with regeneration less than five years old or less than five feet tall? If yes, explain. Ref. Title 14 CCR 913.1 (933.1, 953.1)(a)(4).

12. Yes No Is a Notice of Intent necessary for this THP?
 Yes No If yes was the Notice of Intent posted as required by 14 CCR 1032.7 (g)?

13. RPF preparing the THP: Name Jeff Longcrier RPF Number #2593
 Address P.O. Box 435
 City Calpella State CA Zip 95418 Phone (707) 485-7211 ext. 20

- a) Yes No I have notified the plan submitter(s), in writing, of their responsibilities pursuant to Title 14 CCR 1035 of the Forest Practice Rules.
 Yes No I have notified the timber owner and the timberland owner of their responsibilities for compliance with the Forest Practice Act and rule, specifically the stocking requirements of the rules and the maintenance of erosion control structures of the rules.

- b) Yes No I will provide the timber operator with a copy of the portions of the approved THP as listed in 14 CCR 1035(e). If "no", who will provide the LTO a copy of the approved THP?
The Plan Submitter.

I or my supervised designee will meet with the LTO prior to commencement of timber operations to advise of sensitive conditions and provisions of the plan pursuant to Title 14 CCR 1035.2.

- c) I have the following authority and responsibilities for preparation or administration of the THP and timber operation (Include both work completed and work remaining to be done):

My responsibility is limited to the preparation of the conversion timber harvest plan, which includes delineation of the conversion THP boundaries, watercourse classification within and adjacent to the conversion units and flagging of timber harvest/conversion units and EEZs as required by the forest practice rules. I shall perform a pre-work conference with the LTO prior to the start of timber operations. My supervised designee or I shall be present on the logging area at a sufficient frequency to know the progress of operations and advise the LTO and timberland owner. The RPF or the supervised designee will make a site visit not less than once during the life of the plan. I will be responsible for providing professional advice throughout the timber operations and shall inform the LTO during operations of any mitigation measures incorporated into the plan that are intended to address operations that have a high likelihood of resulting in immediate, significant and long-term harm to the natural resources of the State if such mitigation measures are not strictly applied to minimize such impacts. I will maintain my right to amend the plan on the behalf of the plan submitter. I will provide written notification to the LTO, the plan submitter and the Department of a decision to withdraw professional services from the plan. The LTO shall be responsible for compliance with and implementation of the Forest Practice Rules and provisions of the THP.

I do not have responsibility for the survey of property boundaries. Property boundaries indicated on maps are as represented by the timberland owner.

The LTO shall be responsible for compliance with and implementation of the Forest Practice Rules and provisions of the THP.

- d) Additional required work requiring an RPF, which I do not have the authority or responsibility to perform: N/A
- e) After considering the rules of the Board of Forestry and Fire Protection and the mitigation measures incorporated in this THP, I have determined that the timber operation:

will have a significant adverse impact on the environment. (Statement of reasons for overriding considerations contained in Section III)

will not have a significant adverse impact on the environment.

Registered Professional Forester: I certify that I, or my supervised designee, personally inspected the THP area, and the plan complies with the Forest Practice Act, the Forest Practice Rules and the Professional Foresters Law. If this is a Modified THP, I also, certify that: 1) the conditions or facts stated in 14 CCR 1051 (a) (1) - (16) exist on the THP area at the time of submission, preparation, mitigation, and analysis of the THP and no identified potential significant effects remain undisclosed; and 2) I, or my supervised designee will meet with the LTO at the THP site, before timber operations commence, to review and discuss the contents and implementation of the Modified THP.

Signature: Jeff Longo Date 3/9/09

SECTION II - PLAN OF TIMBER OPERATIONS

NOTE: If a provision of this THP is proposed that is different than the standard rule, the explanation and justification should normally be included in Section III unless it is clearer and better understood as part of Section II.

14. a. Check the Silvicultural methods or treatments allowed by the rules that are to be applied under this THP. Specify the option chosen to demonstrate Maximum Sustained Production (MSP) according to 14 CCR 913 (933, 953) .11. If more than one method or treatment will be used show boundaries on map and list approximate acreage for each.

- Clearcutting _____ ac. Shelterwood Prep. Step _____ ac. Seed Tree Seed Step _____ ac.
- Selection _____ ac. Shelterwood Seed Step _____ ac. Seed Tree Removal Step _____ ac.
- Commercial Thinning _____ ac. Shelterwood Removal Step _____ ac.
- Group Selection _____ ac. Transition _____ ac.
- Road Right of Way _____ ac. Sanitation Salvage _____ ac.
- Special Treatment Area _____ ac. Rehab. of _____ ac. Fuelbreak _____ ac.
- Understocked Area
- Alternative _____ ac. Conversion 171 ac. Non-Timberland Area _____ ac.

Total acreage 171 ac.: Explain if total is different from that in 8. MSP option chosen: (a) (b) (c)
The conversion/THP area is 171 acres. The entire project area will total 190 acres. **Not Applicable**

b. If Selection, Group Selection, Commercial Thinning, Sanitation Salvage or Alternative methods are selected the post harvest stocking levels (differentiated by site if applicable) must be stated. Note mapping requirements of 1034 (x) (12).

Not applicable as this is a timber harvest plan for the timber operations portion of a timberland conversion.

c. Yes No Will evenage regeneration step units be larger than those specified in the rules (20 acres tractor, 30 acres cable)? If yes, provide substantial evidence that the THP contains measures to accomplish any of subsections (A) - (E) of 14 CCR 913 (933, 953) .1 (a) (2) in Section III of the THP. List below any instructions to the LTO necessary to meet (A) - (E) not found elsewhere in the THP. These units must be designated on map and listed by size.

Not applicable.

d. Trees to be harvested or retained must be marked by or marked under the supervision of the RPF. Specify how the trees will be marked and whether harvested or retained.

All conifer and hardwood trees within the flagged conversion unit boundary will be removed as a part of timber harvesting for this timberland conversion. Therefore, no timber marking shall be necessary.

Yes No Is a waiver of marking by the RPF requirement requested? If yes, how will LTO determine which trees will be harvested or retained? If yes and more than one silvicultural method, or Group Selection is to be used, how will LTO determine boundaries of different methods or groups?

All trees within the timber harvest plan/conversion boundary will be removed. Timber marking is not necessary because no trees will be retained.

e. Forest products to be harvested: Sawlogs, fuelwood logs, pulpwood logs and firewood.

- f. Yes No Are group B species proposed for management?
 Yes No Are group B or non-indigenous A species to be used to meet stocking standards?
 Yes No Will group B species need to be reduced to maintain relative site occupancy of A species?

If any answer is yes, list the species, describe treatment, and provide the LTO with necessary felling and slash treatment guidance. Explain who is responsible and what additional follow-up measures of manual treatment or herbicide treatment are to be expected to maintain relative site occupancy of A species. Explain when a licensed Pest Control Advisor shall be involved in this process.

All of the hardwoods and shrubs within the timberland conversion area will be removed. Hardwoods may be sold as firewood, chipped for erosion control or piled and burned at the landowner's preference. Hardwoods and shrubs will not be allowed to revegetate the timberland conversion area as the site will be converted to vineyard.

g. Other instructions to LTO concerning felling operations.

During felling operations on the plan area, timber fallers will fall trees away from buffer zones (into the conversion area) along the watercourses to protect the integrity of the WLPZ.

- h. Yes No Will artificial regeneration be required to meet stocking standards?

This is a timberland conversion. As such, the site will not be regenerated with conifer or hardwood species. The site will be converted to vineyard.

- i. Yes No Will site preparation be used to meet stocking standards? If yes, provide the information required for a site preparation addendum, as per 14 CCR 915.4 (935.4, 955.4).

- j. If the rehabilitation method is chosen provide a regeneration plan as required by 14 CCR 913 (933, 953) .4 (b).

PESTS

15. a. Yes No Is this THP within an area that the Board of Forestry and Fire Protection has declared a Zone of Infestation or Infection, pursuant to PRC 4712 - 4718? If yes, identify feasible measures being taken to mitigate adverse infestation or infection impacts from the timber operation. See 14 CCR 917 (937, 957) .9 (a).

The THP area is located within the Coastal Pitch Canker Zone of Infestation. Ponderosa Pine, Knobcone Pine and Douglas-fir are possible hosts, but Monterey Pine and Bishop Pine are most susceptible. No evidence of pine pitch canker was noted on any trees during preparation of this THP. If infestation is observed on the plan area all pine material shall be retained and treated (chipped/burned) on site and CAL Fire shall be notified of infestation.

The plan area is also within the Sudden Oak Death Zone of Infestation. For compliance with CDFA regulations, and for the THP to act as a compliance agreement, THPs located in the SOD Zone of Infestation (ZOI) need to address mitigation measures to avoid movement of host material (ref. also 14CCR 917.9 and 917.10).

Recommended Mitigation measures

- a) List of regulated counties: Alameda, Contra Costa, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Mateo, Santa Clara, Santa Cruz, San Francisco, Solano, and Sonoma.
- b) List of all host species: Bigleaf maple, California buckeye, Madrone, Manzanita, Scotch heather, Camellia - all species, hybrids and cultivars, Sweet chestnut, European ash, Griselinia, Witch hazel, Toyon, Tanoak, California honeysuckle, False Solomon’s seal, Persian ironwood, Red tip photinia, Mountain Andromeda, Himalaya Andromeda, and all cultivars of the hybrid with Japanese Pieris, Japanese Pieris, Douglas fir, Coast live oak, Canyon live oak, Southern red oak, Holm oak, California black oak, Shreve’s oak, California coffeeberry, Rhododendron (including azalea) – all species, hybrids and cultivars, Wood rose, Coast redwood, Lilac, European yew, Western starflower, California bay laurel, pepperwood, Oregon myrtle, Evergreen huckleberry, Bodnant Viburnum, Doublefile Viburnum, Laurustinus, Western maidenhair fern, California maidenhair fern, Cascara
- c) Host material may be moved off site in the form of Douglas fir and redwood saw logs and firewood or hardwood saw logs or firewood.
- d) Host material shall not be moved outside of the regulated area until appropriate State and Federal permits are obtained.
- e) If host material is moved off site within the regulated area, the THP shall act as the compliance agreement. The destination shall be mill sites within the regulated area. If chips or other material originating from host plant parts, less than 4” in diameter, are removed the material shall be moved in a closed container.
- f) Compliance agreements are valid for only 1 year. For the THP to continue to serve as the compliance agreement if it has not been completed within 1-year of approval, the plan shall need to be amended with a current county compliance agreement, or the THP updated with current mitigations to meet compliance. The plan submitter or RPF of record shall be responsible for amending the plan.
- g) RPF shall inform personnel that they are working in a potentially SOD-infested area and unauthorized movement of plant material is prohibited. The LTO shall be responsible for inspecting vehicles leaving the plan area and ensuring that unauthorized movement of plant material is not conducted.

b. Yes No If outside a declared zone, are there any insect, disease or pest problems of significance in the THP area? If yes, describe the proposed measures to improve the health, vigor, and productivity of the stand(s).

HARVESTING PRACTICES

16. Indicate type of yarding system and equipment to be used:

- | | | |
|---|--|--|
| GROUND BASED* | CABLE | SPECIAL |
| a. <input checked="" type="checkbox"/> Tractor, including end/long lining | d. <input type="checkbox"/> Cable, ground lead | g. <input type="checkbox"/> Animal |
| b. <input checked="" type="checkbox"/> Rubber tired skidder, Forwarder | e. <input type="checkbox"/> Cable, high lead | h. <input type="checkbox"/> Helicopter |
| c. <input checked="" type="checkbox"/> Feller buncher | f. <input type="checkbox"/> Cable, Skyline | i. <input type="checkbox"/> Other |

* All tractor operations restrictions apply to ground based equipment.

17. Erosion Hazard Rating: Indicate Erosion Hazard Ratings present on THP. (Must match EHR worksheets)

- Low Moderate High Extreme

If more than one rating is checked, areas must be delineated on map down to 20 acres in size (10 acres for high and Extreme EHRs in the Coast District).

18. **Soil Stabilization:** In addition to the standard waterbreak requirements describe soil stabilization measures or additional erosion control measures to be implemented and the location of their application. See requirements of 14 CCR 916.7 (936.7, 956.7), and 923.2 (943.2, 963.2) (m), and 923.5 (943.5, 963.5) (f).

An extensive and detailed erosion control plan and water quality protection program have been included within the *Fairfax Conversion Project Environmental Impact Report* providing soil stabilization mitigation measures, in relation to the protection of water quality. The measures included in the EIR that directly relate to the timber removal portion of the project include the following:

Mitigation 3.7-2(a)

- Timber harvesting or timber operations shall not take place within any WLPZ adjacent to the conversion THP area;
- The Licensed Timber Operator (LTO) shall utilize directional felling of timber adjacent to any WLPZ away from the zone, in order to protect the integrity of the zone;
- The LTO shall not pile dirt and debris within or adjacent to the edge of any WLPZ;
- Branches and tops of conifers, root wads, and hardwoods shall not be piled for burning adjacent to any WLPZ;
- Timberland conversion operations (i.e., non-merchantable vegetation removal and stump removal) shall be immediately followed by initial vineyard development operations. Where this is not possible, skid trails and areas of exposed mineral soil created by commercial timber harvest operations shall be grass-seeded and mulched at 4000 lbs/acre (approximately 2" depth at time of application) and a minimum 90 percent cover prior to November 15 of the timber harvesting season.

Mitigation 3.7-2(b)

- All temporary roads located within the project area and used to remove timber from the site shall be located away from streambeds, on slopes that are less than 15 percent and in areas that are currently stable. With the exception of the two permanent roads, all existing seasonal roads, tractor roads, and landings shall be abandoned following completion of timber harvesting operations. In the event that timber harvesting operations cannot be immediately followed by vineyard development, tractor roads shall have drainage and/or drainage collection and storage facilities installed as soon as practicable, but prior to October 15.

Mitigation 3.7-2(f)

- Skid trails associated with the project shall not be used during saturated soil conditions, and shall be abandoned upon completion of harvesting activities. In the event that timber harvesting operations cannot be immediately followed by vineyard development, skid trails shall be grass seeded and mulched as specified above.

Mitigation 3.7-2(g)

- The landowner shall provide for annual inspection of project-associated decommissioned logging roads, to assure gullying and erosion is not occurring.

Mitigation 3.7-2(h)

- Prior to issuance of grading permits, the applicant shall obtain applicable NPDES permits from the North Coast Regional Water Quality Control Board and comply with all applicable programs. Compliance with the Permit requires the project applicant to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to construction. The SWPPP shall incorporate Best Management Practices (BMPs) in order to prevent, or reduce to the greatest extent feasible, adverse impacts to water quality from erosion and sedimentation.

An extensive monitoring and reporting program is detailed in Chapter 3.7 of the project EIR that will ensure that following the completion of timber operations the water quality protection measures are working sufficiently and providing the intended protection. Monitoring and reporting are also a component of the SWPPP and General Waste Discharge Requirements and will further ensure adequate protection to water quality.

As per 14 CCR 916(b)(1) and (2) the LTO shall not do either of the following during timber operations:

- Place, discharge, or dispose of or deposit in such a manner as to permit to pass into the waters of the state, any substance or materials, including, but not limited to, soil, silt, bark, slash, sawdust, or petroleum, in quantities deleterious to fish, wildlife, beneficial functions of riparian zones, or the quality and beneficial uses of water;
- Remove water, trees or large woody debris from a watercourse or lake, the adjacent riparian area, or the adjacent flood plain in quantities deleterious to fish, wildlife, beneficial functions of riparian zones, or the quality and beneficial uses of water.

As per 14 CCR 916.9.1(m), all tractor roads shall have drainage and/or drainage collection and storage facilities installed as soon as practical following yarding and prior to either (1) the start of any rain which causes overland flow across or along the disturbed surface within a WLPZ or within any ELZ or EEZ designated for watercourse or lake protection, or (2) any day with a National Weather Service forecast of a chance of rain of 30 percent or more, a flash flood warning, or a flash flood watch.

As per 14 CCR 916.9.1(n) within the WLPZ, and within any ELZ designated for watercourse or lake protection, treatments to stabilize soils, minimize soil erosion, and prevent the discharge of sediment into waters in amounts deleterious to aquatic species or the quality and beneficial uses of water, or that threatened to violate applicable water quality requirements, shall be applied. (1)(B) For areas disturbed from May 1 through October 15, treatment shall be completed prior to the start of any rain that causes overland flow across or along the disturbed surface. (1)(C) For areas disturbed from October 16 through April 30, treatment shall be completed prior to any day for which a chance of rain of 30% or greater is forecast by the National Weather Service or within 10 days, whichever is earlier. (2) The traveled surface of logging roads shall be treated by out sloping, and draining with waterbreaks or rolling dips to prevent waterborne transport of sediment and concentration of runoff that results from timber operations. (3) Any areas exceeding 100 square feet where timber operations have exposed bare soil, approaches to tractor road crossings between the drainage facilities closest to the crossing, road cut banks and fills and any other areas of disturbed soil that threatens the beneficial uses of water shall be stabilized. (4) Where the undisturbed natural ground cover cannot effectively protect the beneficial uses of water the area shall be stabilized. Soil stabilization treatments shall consist of native grass (or cereal species) seed being distributed at a rate of 4000 lbs./acre and mulching with clean straw, slash or other suitable material to no less than 2 inches thick and 90% coverage.

As per 14 CCR 916.9.1(l) Use of logging roads, tractor roads, or landings shall not take place at any location where saturated soil conditions exist, where a stable logging road or landing operating surface does not exist, or when visibly turbid water from the road, landing, or skid trail surface or inside ditch may reach a watercourse or lake. Grading to obtain a drier running surface more than one time before reincorporation of any resulting berms back into the road surface is prohibited. If vehicle passage creates depressions of the road surface that channel water and/or noticeably deform the road prism, activities shall cease. The definition of "saturated soils" is as set forth in 14 CCR 895.1 as follows: *that site conditions are sufficiently wet that timber operations displace soils in yarding or mechanical site preparation areas or displace road and landing surface materials in amounts sufficient to cause a turbidity increase in drainage facilities that discharge into Class I, II, III, or IV waters, or in downstream Class I, II, III, or IV waters that is visible or would violate applicable water quality requirements.*

In yarding and site preparation areas, this condition may be evidenced by: a) reduced traction by equipment as indicated by spinning or churning of wheels or tracks in excess of normal performance, b) inadequate traction without blading wet soil, c) soil displacement in amounts that cause visible increase in turbidity of the downstream waters in a receiving Class I, II, III, or IV waters, or in amounts sufficient to cause a turbidity increase in drainage facilities that discharge into Class I, II, III, or IV waters, or d) creation of ruts greater than would be normal following a light rainfall.

On logging roads and landing surfaces, this condition may be evidenced by a) reduced traction by equipment as indicated by spinning or churning of wheels or tracks in excess of normal performance, b) inadequate traction without blading wet soil, c) soil displacement in amounts that cause visible increase in turbidity of the downstream waters in receiving Class I, II, III, or IV waters, or in amounts sufficient to cause a turbidity increase in drainage facilities that discharge into Class I, II, III, or IV waters, d) pumping of road surface materials by traffic, or e) creation of ruts greater than would be created by traffic following normal road

watering, which transports surface material to a drainage facility that discharges directly into a watercourse. Soils or road and landing surfaces that are hard frozen are excluded from this definition.

One of the many resource-based evaluations for the EIR was undertaken by O'Connor Environmental Inc. (OEI) where pre-project and post-project sediment delivery to off-site channels was evaluated (See EIR appendices N & O). It was determined in that work that proposed vineyard drainage improvements, drainage system detention basins, vineyard development Best Management Practices, and related property improvements would nearly reduce post-project sediment yield to that of pre-project conditions. It was further determined that post-project off-site sediment delivery could be reduced below existing background levels if certain existing degraded areas outside the plantable vineyard footprint and within the work area limits were addressed and mitigated from an erosion control standpoint. The seven mitigation sites and activities proposed by OEI have therefore been added to the vineyard ECP, and are included in the vineyard development construction drawings. These seven sites are shown on the THP Operations Map as **Comment Points 1-7**. Descriptions of these sites are as follows:

1. Elimination of a degraded ATV trail under power lines caused by unauthorized site users. This will be redeveloped as vineyard and drainage.
2. Rock armored outfall on an Annapolis Road culvert outside the vineyard. Hand placed rock armor will mitigate and prevent further enlargement of a small channel scour area in an area with negligible tributary area from roadside drainage.
3. Seepage control in abandoned skid road that has eroded and formed a semi-naturalized channel. A subsurface intercept drain will be placed in or near the perimeter vineyard avenue to minimize saturation-based gully enlargement below the reservoir site.
4. Groundwater and seepage control in existing gully. A subsurface intercept drain will be placed in or near the perimeter vineyard avenue to minimize saturation-based gully enlargement downslope in a normally dry Ordinary Water reach .
5. Groundwater and seepage control in second existing gully. A subsurface intercept drain will be placed in or near the perimeter vineyard avenue to minimize saturation-based gully enlargement downslope in a normally dry Ordinary Water reach.
6. Abandoned skid trail repairs. An overgrown and gullied skid trail will be shaped and outsloped. Surface water will be diverted from the entering the site by shaping and periodic rolling dips or water bars installed to prevent accumulation of surface runoff on the trail.
7. Roadside ditch dewatering and armoring. Surface runoff from will be routed through detention basins to a more appropriate swale location. An existing roadside ditch will be armored.

Standard Best Management Practices for repair and abatement of these existing degraded sites are indicated on the vineyard development drawings, in standard details, and in the construction specifications of the ECP.

Please see Appendix D of the EIR for the erosion control plan and Chapter 3.7 of the EIR for a detailed description of the water quality protection program.

19. Yes No Are tractor or skidder constructed layouts to be used? If yes, specify the location and extent of use:
20. Yes No Will ground based equipment be used within the area(s) designated for cable yarding? If yes, specify the location and for what purpose the equipment will be used. See 14 CCR 914.3 (934.3, 954.3) (e).

21. Within the THP area will ground based equipment be used on:

- a. Yes No Unstable soils or slide areas? Only allowed if unavoidable.
 b. Yes No Slopes over 65%?
 c. Yes No Slopes over 50% with high or extreme EHR?
 d. Yes No Slopes between 50% and 65% with moderate EHR where heavy equipment use will not be restricted to the limits described in 14 CCR 914 (934, 954) .2 (f) (2) (i) or (ii)?
 e. Yes No Slopes over 50% which lead without flattening to sufficiently dissipate water flow and trap sediment before it reaches a watercourse or lake?

If a. is yes, provide site specific measures to minimize effect of operations on slope stability below. Provide explanation and justification in section III as required per 14 CCR 914 (934, 954) .2 (d). CDF requests the RPF consider flagging tractor road locations if "a." is yes. If b., c., d. or e. is yes: 1) the location of tractor roads must be flagged on the ground prior to the PHI or start of operations if a PHI is not required, and 2) you must clearly explain the proposed exception and justify why the standard rule is not feasible or would not comply with 14 CCR 914 (934, 954).

The location of heavy equipment operation on unstable areas or any use beyond the limitations of the standard rules must be shown on the map. List specific instructions to the LTO below.

22. Yes No Are any alternative practices to the standard harvesting or erosion control rules proposed for this plan? If yes, provide all the information as required by 14 CCR 914 (934, 954).9 in Section III. List specific instructions to the LTO below.

WINTER OPERATIONS

23. a. Yes No Will timber operations occur during the winter period? If yes, complete "b), c) or d)". State in space provided if exempt because yarding method will be cable, helicopter, or balloon.
 b. Yes No Will mechanical site preparation be conducted during the winter period. If yes, complete d).
 c. I choose the in-lieu option as allowed in 14 CCR 914 (934, 954).7(c). Specify below the procedures listed in subsections (1) and (2), and list the site specific measures for operations in the WLPZ and unstable areas as required by subsection (3), if there will be no winter operations in these areas, so state.
 d. I choose to prepare a winter operating plan per 14 CCR 914 (934, 954).7(b).

NOTE: "Winter period" means the period between November 15 and April 1, except as noted under special County Rules at Title 14 CCR 925.1, 926.18, 927.1, and 965.5... (a) except as otherwise provided in the rules: (1) All waterbreaks shall be installed no later than the beginning of the winter period of the current year of timber operations. (2) Installation of drainage facilities and structures is required from October 15 to November 15 and April 1 to May 1 on all constructed skid trails and tractor roads prior to sunset if the National Weather Service forecast is a "chance" (30% or more) of rain within the next 24 hours.

As per 14 CCR 916.9 (k), a complete "winter operating plan" has been prepared for limited operations between October 15th and November 15th and April 1st and May 1st of the timber operations season. Operations during these two months will be limited as indicated below in order to minimize damage due to erosion, prevent soil movement into watercourses and soil compaction from felling, yarding, loading and erosion control structures.

The conversion THP area shall be converted from a conifer and mixed hardwood forest to vineyard. As a part of the proposed timber harvest plan all trees and brush shall be harvested. As such, there will be no significant vegetative cover remaining upon completion of timber harvest operations and soil disturbance will be high. Class II and III watercourses located adjacent to the conversion THP area are protected by a WLPZ within which no timber operations shall take place. These WLPZs will provide vegetation filter zones that will effectively prevent any surface erosion from entering the adjacent watercourses. In addition, an Erosion Control Plan has been developed for the conversion timber harvest plan area. Please see the attached Erosion Control Plan for a detailed description of the surface and subsurface drainage proposed for the project area. The following list of items to be addressed have been provided per 14 CCR

914.7(b):

- 1) The entire plan area is moderate EHR, therefore, no operations will occur on areas with High or extreme EHR.
- 2) Mechanical site preparation will not occur during the winter period.
- 3) Construction and reconstruction of skid trails, landings or roads on the plan area will not take place during the winter period.
- 4) The winter operating period shall be considered November 15-April 1. No operations are proposed for this period. Operations shall be conducted between October 15th and November 15th and April 1st and May 1st.
- 5) If the U.S. Weather Service forecast predicts a chance of rain (**30% or more**), erosion control structures shall be installed on all constructed tractor roads prior to the end of the day. Only one skid trail shall be open per one piece of active yarding equipment from Oct. 15th to Nov 15th and April 1st to May 1st.
- 6) Precipitation shall be measured in inches of rain fallen.
- 7) All operations will be permitted across the plan area from April 1 to November 15. From November 15-April 1 no operations are proposed. However, as indicated above in Item 18, timber operations shall be limited to dry, rainless periods when soils are not saturated. A detailed definition of "saturated soils" is provided above.
- 8) The proposed conversion will result in very low ground cover remaining immediately following timber operations.
- 9) There are no operations proposed within the WLPZ of any Class I or Class II watercourse or Class III ELZs.
- 10) Operation of trucks and heavy equipment on roads and landing shall be limited to those with a stable operating surface. Operation of trucks and heavy equipment will be limited to the period from April 1 to November 15.
- 11) There are no known unstable areas within the THP area.
- 12) From Oct. 15th to Nov 15th and April 1st to May 1st, tractor timber operations on tractor roads on slopes >40% within 200 feet of a Class I, II or III watercourse shall be suspended once 3" of precipitation has fallen as rain. Less than three inches of precipitation in this period shall be considered low antecedent soil moisture. The LTO shall be responsible for obtaining rainfall data collected by a nearby weather station or from the National Weather Service (<http://www.wrh.noaa.gov/>)

ROADS AND LANDINGS

24. Will any roads be constructed? Yes No, or reconstructed? Yes No If yes, check items a through g.
Will any landings be constructed? Yes No, or reconstructed? Yes No If yes, check items h through k:
- a. Yes No Will new or reconstructed roads be wider than single lane with turnouts?
 - b. Yes No Are logging roads proposed in areas of unstable soils or known slide-prone areas?
 - c. Yes No Will new roads exceed a grade of 15% or have pitches of 20% for distance greater than 500 feet? Map must identify any new or reconstructed road segments that exceed an average 15% grade for over 200 feet.
 - d. Yes No Are roads to be constructed or reconstructed, other than crossings, within the WLPZ of a watercourse? If yes, completion of THP Item 27a. will satisfy required documentation.
 - e. Yes No Will roads be located across more than 100 feet of lineal distance on slopes over 65%, or on slopes over 50% which are within 100 feet of the boundary of a WLPZ?
 - f. Yes No Will any roads or watercourse crossings be abandoned?
 - g. Yes No Are exceptions proposed for flagging or otherwise identifying the location of roads to be constructed?

- h. Yes No Will any landings exceed one half acre in size? If any landing exceeds one quarter acre in size or requires substantial excavation the location must be shown on the map.
- i. Yes No Are any landings proposed in areas of unstable soils or known slide prone areas?
- j. Yes No Will any landings be located on slopes over 65% or on slopes over 50% which are within 100 feet of the boundary of a WLPZ?
- k. Yes No Will any landings be abandoned?

25. If any section in "item 24" above is answered yes, specify site-specific measures to reduce adverse impacts and list any additional or special information needed by the LTO concerning the construction, maintenance, and/or abandonment of roads or landings, as required by 14 CCR Article 12. Include required explanation and justification in THP Section III.

24 f and k) With the exception of the two existing permanent roads shown on the THP Operations Map all truck roads, tractor roads and landings located within the project area used to remove timber from the conversion THP area will be abandoned following completion of timber harvest operations. Where these facilities are located in the future vineyard units, they will be ripped, disced and planted with grapes. Vehicle access to the vineyard units will be via encroachments at the existing permanent roads that access the conversion plan area/vineyard units and then along "vineyard avenues" within the vineyard units and new perimeter roads. An explanation and justification for the exception to 14 CCR 923.8 has been provided in Section III of the THP.

As shown on the THP Operations Map, there are temporary roads proposed for construction in order to access timber located on the plan area. The roads are located on slopes less than 20% that are stable. As indicated on the map, these roads are temporary and will only be used to remove timber as a part of the conversion operation.

All roads remaining following timber operations that are used to access vineyard areas will be constructed or maintained utilizing the following criteria identified in the ECP as being in conformance with the Technical Support Document (TSD) for the Gualala River Watershed Water Quality Attainment Action Plan for Sediment (CWRCB, 2001):

- Roads shall be crowned (outsloped) and graded to prevent flow in wheel tracks;
- Water bars shall be placed at a maximum of 100 feet off center where slopes are greater than 15 percent;
- Rocked fords shall be installed through seasonal swales or runoff areas;
- Roadside ditches shall be graded and shaped;
- Cut and fill slopes shall be consistent with slope stability and available access corridors;
- Side cast materials shall be stabilized by slope limits, compaction, mulching, and seeding.

WATERCOURSE AND LAKE PROTECTION ZONE (WLPZ) AND DOMESTIC WATER SUPPLY PROTECTION MEASURES

- 26. a. Yes No Are there any watercourse or lakes which contain Class I through IV waters on or adjacent to the plan area? If yes, list the class, WLPZ width, and protective measures determined from Table I and/or 14 CCR 916.4 (c) [936.4 (c), 956.4 (c)] of the WLPZ rules for each watercourse.
- b. Yes No Are there any watercourse crossings that require mapping per 14 CCR 1034 (x)(7)?
- c. Yes No Will tractor road watercourse crossings involve the use of a culvert? If yes, state minimum diameter and length for each culvert (may be shown on map).
- d. Yes No Is the THP Review Process to be used to meet Department of Fish and Game CEQA review requirements? If yes, attach the 1603 Addendum below or at the end of this Section II; provide the background information and analysis in Section III; list instructions to the LTO below for the installation, protection measures, and mitigation measures; as per THP Form Instructions or CDF Mass Mailing, 07/02/1999, "Fish and Game Code 1603 Agreements and THP Documentation".

As shown on the THP Operations Map, there are no Class I, II or III watercourses within the THP/conversion area. However there are Class I (DWS-spring), Class II and III watercourses adjacent to the timberland conversion area. The watercourses that are located adjacent to the timberland conversion area will be treated with a WLPZ as indicated below. WLPZs shall be identified by flagging harvest units in the field prior to the PHI .

Specific Protection Measures by Watercourses: WLPZ zone widths are based on watercourse classification, and side slope adjacent to the watercourse as determined from Table I (14 CCR 916.5).

Watercourse Classification	Side Slope	WLPZ Width	Protective Measure
I	< 30%	75	No Harvest/No Operations
	30 - 50%	100	No Harvest/No Operations
	>50%	150	No Harvest/No Operations
II	< 30%	50	No Harvest/No Operations
	30 - 50%	75	No Harvest/No Operations
	>50%	100	No Harvest/No Operations
III	< 30%	25'	No Harvest/No Operations
	≥30%	50'	No Harvest/No Operations

Watercourse Crossings

Two temporary Class III truck road watercourse crossings, shown as **Points 8 & 9** on the THP Operations Map will be utilized during the operation of this plan. These crossings were used during previous operations and soil/fill material was left in the watercourse channel. A temporary truck road will cross at these points and the watercourse crossings shall be removed as a part of timber operations. Fill material that exists in the watercourse channels shall be removed to form a channel that is as close as feasible to the natural watercourse grade and orientation, and is wider than the natural channel. The excavated material and any resulting cut bank shall be sloped back from the channel and stabilized to prevent slumping and to minimize soil erosion. The disturbed soil on the approaches to the crossing shall be seeded and mulched. Said operations shall be completed prior to October 15th of the first timber operations season. The crossings shall be dry at the time of operations.

Two other permanent crossings, shown as **Points 10 & 11** on the THP Operations Map will be installed following timber operations. Crossing #10 will be used as a skid trail crossing during timber operations and

Crossing #11 will not be used during operations. Permanent rock ford crossings will be installed at these locations following timber operations for vineyard access. Rock ford diagrams are included in the project ECP.

As per 14 CCR 916(b)(1) and (2) the LTO shall not do either of the following during timber operations: Place, discharge, or dispose of or deposit in such a manner as to permit to pass into the waters of the state, any substance or materials, including, but not limited to, soil, silt, bark, slash, sawdust, or petroleum, in quantities deleterious to fish, wildlife, beneficial functions of riparian zones, or the quality and beneficial uses of water; Remove water, trees or large woody debris from a watercourse or lake, the adjacent riparian area, or the adjacent flood plain in quantities deleterious to fish, wildlife, beneficial functions of riparian zones, or the quality and beneficial uses of water.

The LTO shall not pile dirt and debris within or directly adjacent to the edge of the WLPZs that are next to the conversion units. Branches and tops of conifers, root wads and hardwoods shall not be piled for burning adjacent to the WLPZs.

No timber operations and no timber falling will take place within Class II WLPZs adjacent to the plan area. As such, the Class II vegetative filter zones will remain intact and undisturbed. This protection exceeds the standard protection measures set forth in the Forest Practice Rules and will help ensure that timber operations outside the WLPZ but within 100 feet of the Class II watercourse does not result in an adverse impact to the beneficial uses of water.

Wetlands and Habitat Preserves

As described in Chapters 3.4 and 3.7 of the project EIR, 0.418-acre of waters of the U.S. and State (i.e. wetlands, isolated wetlands and other waters) will be impacted as a part of the proposed project. While not directly tied to the timber operations portion of the project this impact is being noted here for disclosure purposes.

Prior to the issuance of grading permits, the project applicant shall obtain a 404 permit (CWA) from the Corps. If a 404 permit is obtained, the applicant must also obtain a water quality certification from RWQCB under Section 401 of the CWA.

The project design would avoid 3.041 acres of waters of the U.S. and State, preserving these features in permanently protected preserves and streamside conservation areas. In total, 91 percent of all waters of the State and U.S. would be protected in perpetuity on the project site. The wetland areas to be avoided have been shown on the THP Operations Map and have been flagged out of the operations area. For those wetland areas that cannot be avoided, compensation wetlands would be created to compensate for the loss of these features. New wetlands shall be created onsite in what is now upland to compensate for the loss of waters of the U.S. and State. The new wetlands will resemble those wetlands affected by the project (known as in-kind replacement). Construction of the mitigation wetlands on the project site will create 1.24 acres of new waters of the United States, to replace 0.418 acres of impacts to waters of the U.S. and State. The replacement ratio is 2:1 (for each square foot of impacts to waters of the U.S. and State, two square feet of waters of the U.S. and State would be created). The Erosion Control and Mitigation Plan illustrates the mitigation wetland design. The mitigation wetland shall be constructed within the Horkelia and manzanita preserves discussed below under Item 32.

In addition to the Horkelia and manzanita preserves, which include the mitigation wetlands, streamside conservation areas on the project site totaling approximately 133 acres shall be preserved to protect the beneficial uses of the watershed and provide wildlife habitat. These preserves and conservation areas will be recorded as permanent deed restrictions on the title of the property that run with the title in perpetuity.

27. Are site specific practices proposed in-lieu of the following standard WLPZ practices?
- a. Yes No Prohibition of the construction or reconstruction of roads, construction or use of tractor roads or landings in Class I, II, III, or IV watercourses, WLPZs, marshes, wet meadows, and other wet areas except as follows:
 - (1) At prepared tractor road crossings.
 - (2) Crossings of Class III watercourses, which are dry at time of timber operations.
 - (3) At existing road crossings.
 - (4) At new tractor and road crossings approved by Department of Fish and Game.
 - b. Yes No Retention of non-commercial vegetation bordering and covering meadows and wet areas?
 - c. Yes No Directional felling of trees within the WLPZ away from the watercourse or lake?
 - d. Yes No Decrease of width(s) of the WLPZ(s)?
 - e. Yes No Protection of watercourses which conduct class IV waters?
 - f. Yes No Exclusion of heavy equipment from the WLPZ except as follows:
 - (1) At prepared tractor road crossings.
 - (2) Crossings of Class III watercourses, which are dry at time of timber operations.
 - (3) At existing road crossings.
 - (4) At new tractor and road crossings approved by Department of Fish and Game.
 - g. Yes No Establishment of ELZ for Class III watercourses unless sideslopes are <30% and EHR is low?
 - h. Yes No Retention of 50% of the overstory canopy in the WLPZ?
 - i. Yes No Retention of 50% of the understory in the WLPZ?
 - j. Yes No Are any additional in-lieu or any alternative practices proposed for watercourse or lake protection?

NOTE: A yes answer to any of items a. through j. constitutes an in-lieu practice. If any item is answered yes, refer to 14 CCR 916 (936, 956).1 and address the following for each item checked yes: 1. The RPF shall state the standard rule, 2. Explain and describe each proposed practice; 3. Explain how the proposed practice differs from the standard practice; 4. The specific location where it shall be applied, see map requirements of 14 CCR 1034 (x)(15) and (16); 5. Provide in THP Section III explanation and justification as to how the protection provided is equal to the standard rule and provides for the protection of the beneficial uses of water per 14 CCR 916 (936, 956).1(a). Reference the in-lieu and location to the specific watercourse to which it will be applied.

28. a. Yes No Are there any landowners within 1000 feet downstream of the THP boundary whose ownership adjoins or includes a class I, II, or IV watercourse(s) which receives surface drainage from the proposed timber operations? If yes, the requirements of 14 CCR 1032.10 apply. Proof of notice by letter and newspaper should be included in THP Section V. If No, 28b need not be answered.
- b. Yes No Is an exemption requested of the notification requirements of 14 CCR 1032.10? If yes, explanation and justification for the exemption must appear in THP Section III. Specify if requesting an exemption from the letter, the newspaper notice or both.
- c. Yes No Was any information received on domestic water supplies that required additional mitigation beyond that required by standard Watercourse and Lake Protection rules? If yes, list site specific measures to be implemented by the LTO.

Domestic Water Supply notification letters were sent on December 23, 2004 and again on August 22, 2007. Copies of those letters as well as responses from both notifications are included in Section V. While domestic water supplies were noted, a large majority of the responses identified well locations as opposed to surface collected supplies. An extensive analysis of water availability and water quality has been conducted during the preparation of the associated EIR (see chapter 3.7 of the EIR) and it was determined that the standard Watercourse and Lake Protection rules in combination with the water quality protection measures included within the project EIR and ECP will result in less than significant impacts.

29. Yes No Is any part of the THP area within a Sensitive Watershed as designated by the Board of Forestry and Fire Protection? If yes, identify the watershed and list any special rules, operating procedures or mitigation that will be used to protect the resources identified at risk?

HAZARD REDUCTION

30. a. Yes No Are there roads or improvements which require slash treatment adjacent to them? If yes, specify the type of improvement, treatment distance, and treatment method.

A fire hazard reduction zone shall be observed along those portions of the timberland conversion area that are adjacent to Annapolis Road, a county maintained public road. The fire hazard reduction zone will extend 100 feet from the edge of Annapolis Road. Within this zone slash created and trees knocked down by timber operations shall be treated for fire hazard reduction by lopping, piling and burning or removal from the zone.

The two driveways, shown as "Existing Permanent Roads" on the THP Operations Map, are open for public use, therefore a hazard reduction zone shall be observed along these roads during timber operations. Within 50 feet of the edge of these roads, slash created and trees knocked down by timber operations shall be treated by lopping, piling and burning, chipping, burying or removal from the zone.

All woody debris created by timber operations greater than one inch but less than eight inches in diameter within 100 feet of permanently located structures maintained for human habitation shall be removed or piled and burned; all slash created between 100-200 feet of permanently located structures maintained for human habitation shall be lopped for fire hazard reduction, removed, chipped or piled and burned; lopping may be required between 200-500 feet where unusual fire risk or hazard exist as determined by the Director or the RPF.

Lopping used within a fire hazard reduction zone shall consist of severing and spreading slash so that no part of it remains more than 30 inches above the ground.

- b. Yes No Are any alternatives to the rules for slash treatment along roads and within 200 feet of structures requested? If yes, RPF must explain and justify how alternative provides equal fire protection. Include a description of the alternative and where it will be utilized below.
31. Yes No Will piling and burning be used for hazard reduction? See 14 CCR 917.1-11(937.1-10, 957.1-10), for specific requirements. Note: LTO is responsible for slash disposal. This responsibility cannot be transferred.

The LTO is responsible for general slash disposal throughout the plan area as per 917.2. Chipping and lopping will be the preferred method of slash treatment, leaving the organic matter for erosion control measures. However, slash may also be treated by piling and burning or removal. Slash to be treated by piling and burning shall be treated not later than April 1 of the year following its creation, or within 30 days following climatic access. Prior to commencement of any burning operations, the appropriate burn permits shall be obtained from the local Air Quality Control Office and /or CDF when and where necessary.

BIOLOGICAL AND CULTURAL RESOURCES

32. a. [X]Yes [] No Are any plant or animal species, including their habitat, which are listed as rare, threatened or endangered under federal or state law, or sensitive species by the Board, associated with the THP area? If yes, identify the species and provisions to be taken for the protection of the species.

Plant and animal species identified as known Rare, Threatened or Endangered listed (US & CA) species and Sensitive Species (BOF) have been evaluated. Monk and Associates The Natural Diversity Data Base (NDDDB) of the California Department of Fish and Game (DFG), California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California, the California Wildlife Habitat Relationships System (WHR) and various wildlife biologists including Monk and Associates were consulted for occurrences of special plants, animals and natural communities on the biological assessment area.

The following is a list of Sensitive, Rare, Threatened and Endangered species which have been identified as potentially occurring within the Biological Assessment Area:

<p>Bald eagle (<i>Haliaeetus leucocephalus</i>) Golden eagle (<i>Aquila chrysaetos</i>) Peregrine falcon (<i>Falco peregrinus</i>) Northern spotted owl (<i>Strix occidentalis caurina</i>) Osprey (<i>Pandion haliaetus</i>) Great blue heron (<i>Ardea herodias</i>) Great egret (<i>Casmerodius albus</i>) Northern goshawk (<i>Accipiter gentilis</i>) Northern harrier (<i>Circus cyaneus</i>) Sharp-shinned hawk (<i>Accipiter striatus</i>) Cooper's hawk (<i>Accipiter cooperii</i>) Red-shouldered hawk (<i>Buteo lineatus</i>) Red-tailed hawk (<i>Buteo jamaicensis</i>) Merlin (<i>Falco columbarius</i>) Prairie falcon (<i>Falco mexicanus</i>) White-tailed kite (<i>Elanus leucurus</i>) Marbled murrelet (<i>Brachyramphus marmoratus</i>) Western screech owl (<i>Otus kennicottii</i>) Yellow warbler (<i>Dendroica petechia</i>)</p> <p>Red tree vole (<i>Phenacomys longicaudus</i>) Pacific Fisher (<i>Martes pennanti pacifica</i>) Humboldt Marten (<i>Martes americana humboldtensis</i>)</p> <p>Red-legged frog (<i>Rana aurora aurora</i>) Foothill Yellow-legged frog (<i>Rana boylei</i>) Tailed frog (<i>Ascaphus truei</i>)</p> <p>Northwestern pond turtle (<i>Clemmys marmorata marmorata</i>)</p> <p>Coho salmon, (<i>Oncorhynchus kisutch</i>) Steelhead (<i>Oncorhynchus mykiss gairdneri</i>) Chinook (<i>Oncorhynchus tshawytscha</i>) Gualala roach (<i>Lavinia symmetricus parvipinnis</i>)</p>	<p>Behren's silverspot butterfly <i>Speyeria zerene behrensii</i></p> <p>Serpentine daisy <i>Erigeron serpentinus</i> Supple daisy <i>Erigeron supplex</i> Short-leaved evax <i>Hesperis matronalis brevifolia</i> Goldfields <i>Lasthenia macrantha bakeri</i> Goldfields <i>Lasthenia macrantha macrantha</i> Beaked tracyina <i>Tracyina rostrata</i> Secund jewelflower <i>Streptanthus glandulosus hoffmani</i> Three Peaks jewelflower <i>Streptanthus morrisonii elatus</i> Dorr's Cabin jewelflower <i>Streptanthus morrisonii hirtiflorus</i> Morrison's jewelflower <i>Streptanthus morrisonii morrisonii</i> Swamp bellflower <i>Campanula californica</i> Coastal bluff morning-glory <i>Calystegia purpurata saxicola</i> Pygmy cypress <i>Cupressus goveniana pigmaea</i> Deceiving sedge <i>Carex saliniformis</i> The Cedars manzanita <i>Arctostaphylos bakeri sublaevis</i> California indigobush <i>Amorpha californica napensis</i> Cobb Mountain lupine <i>Lupinus sericatus</i> Cedars fairy lantern <i>Calochortus raichei</i> Coast lily <i>Lilium maritimum</i> Point Reyes checkerbloom <i>Sidalcea calycosa rhizomata</i> Maple-leaved checkerbloom <i>Sidalcea malachroides</i> Checker mallow <i>Sidalcea malvaeflora purpurea</i> Blasdale's bent grass <i>Agrostis blasdalei</i> Globe gilia <i>Gilia capitata tomentosa</i> Dark-eyed gilia <i>Gilia millefoliata</i> Rose leptosiphon <i>Leptosiphon rosaceus</i> Sonoma spineflower <i>Chorizanthe valida</i> Snow Mountain buckwheat <i>Eriogonum nervulosum</i> Holly-leaf ceanothus <i>Ceanothus purpureus</i> Thin-lobed horkelia <i>Horkelia tenuiloba</i></p>
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Botanical and Biological surveys have been conducted and a detailed account of the Botanical and Biological assessments and surveys is included in Chapter 3.4 of the project EIR.

The THP area is within the range of the Northern Spotted Owl (NSO), listed as threatened by the U.S. Fish and Wildlife Service under federal law. NSO territory SON 043 is within 0.7 miles and territory SON 058 is within 1.3 miles of the plan boundary. In order to meet the requirements of 14 CCR 919.9(e) the following protection measures described in the US Fish and Wildlife Coastal Northern Spotted Owl Habitat Description shall be accepted as enforceable conditions of the THP:

Habitat Protection Measures

1. Definitions of nesting-roosting and foraging habitat.
 - a. Nesting-Roosting Habitat includes the following:
 - A. $\geq 60\%$ canopy cover of trees ≥ 11 inches diameter at breast height (dbh).
 - b. Foraging Habitat includes the following:
 - A. $\geq 40\%$ canopy cover of trees 11 inches dbh.
 - B. Basal area = ≥ 75 ft²/acre of trees ≥ 11 inches dbh.

2. Priority Ranking of Habitat Retention Areas.
 - a. Tree Species Composition.

Mixed conifer stands should be selected over pine-dominated stands.
 - A. Abiotic Considerations include the following:
 - i. Distance to Nest.
 - I. Nesting-roosting and foraging habitat should be located closest to identified nest tree(s), or closest to roosting tree(s), if no nesting trees are identified.
 - ii. Contiguity.
 - I. Nesting-roosting habitat within the 0.5-radius circle around an activity center must be as contiguous as possible.
 - II. Fragmentation of foraging habitat must be minimized as much as possible.
 - iii. Slope Position.
 - I. Habitats located on the lower one-third of slopes provide optimal microclimatological conditions and an increased potential for the presence of intermittent or year-round water resources.
 - iv. Aspect.
 - I. Habitats located on northern aspects provide optimal vegetation composition and cooler site conditions.
 - v. Elevation.
 - I. Habitat should be located at elevations of less than 6000 feet, although the elevation of some activity centers (primarily east of Interstate 5) may necessitate inclusion of habitat at elevations greater than 6000 feet.

3. Habitat Quantities.
 - a. Within 1000 feet of each activity center:
 - A. Outside of the breeding season (August 1 through January 31), no timber operations shall occur within 1000 feet of an activity center other than use of existing roads.
 - B. During the breeding season (February 1 through July 30), no timber operations shall occur within 1000 feet of an activity center other than use of existing, permanent, year-round roads.
 - b. Within 0.7-mile radius (1000 acres) of, and centered on, each activity center:
 - A. Habitat shall be retained to maximize attributes desirable for NSOs described in (2) above.
 - B. At least 500 acres of suitable habitat must be present, as follows:
 - i. 200 acres of nesting-roosting habitat.
 - I. No timber harvest shall occur within the 100 acres of nesting-roosting habitat immediately surrounding each activity center.
 - II. If the remaining 100 acres of nesting-roosting habitat is contiguous with the activity center or is located within the same drainage, harvest shall not reduce the pre-harvest basal area of these acres by more than 33%.

- III. If the remaining 100 acres of nesting-roosting habitat is not contiguous with the activity center or is not located within the same drainage, $\geq 60\%$ canopy cover of trees ≥ 11 inches dbh shall be retained.
- ii. ≥ 300 acres of foraging habitat.
- C. No more than $1/3$ of the remaining suitable habitat shall be harvested during the life of the plan.
- c. Between the 0.7-mile and 1.3-mile radius circles centered on each activity center:
- A. Retention of habitat should follow the ranking guidelines contained in (2) above.
- B. ≥ 836 acres of suitable habitat must be present.
- C. No more than $1/3$ of the remaining suitable habitat shall be harvested during the life of the plan.

If there is a deficit of any habitat quantities pre harvest, operations within that habitat type shall not reduce or degrade the amount or quality of that habitat.

Operational Protection Measures

- (a) Helicopter yarding within 0.5 miles of an NSO activity center is prohibited between February 1st and August 31st.
- (b) No timber harvest operations shall occur until such time as CAL FIRE has reviewed all survey and habitat information required by 919.9 (provided in Section V of the THP) and has determined pursuant to 14 CCR 919.10 that take of an NSO will not occur. Any change in timber operations that results from a change in location, or the discovery, of an NSO after plan approval will have to be incorporated into the plan through the amendment process per 14 CCR §§ 1039, 1040, 1090.24, 1090.25 and 1092.27. CAL FIRE will treat such a change in timber operations as a minor or substantial amendment, depending on the extent of the change.

The following Botanical and Biological protection/mitigation measures have been included in the EIR for this project and those that pertain to timber operations are repeated here (numbers in parenthesis refer to the mitigation number in the EIR):

- (3.4-1) Thin-lobed horkelia has been identified on the project site and the proposed project would result in minor impacts to this plant. The plant is not protected under either the State or Federal Endangered Species Acts, nor is the plant protected pursuant to any special state or federal regulation or law. However, the thin-lobed horkelia is a CNPS List 1B.2 species. According to the CNPS, all of the plants constituting List 1B meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the CDFG Code, and thus would be eligible for state listing (CNPS 2001).
- Prior to the issuance of a grading permit, the applicant shall set aside approximately 15.6 acres for a *Horkelia tenuiloba* reserve. The reserve shall be dedicated in perpetuity through a permanent deed restriction recorded on the title of the property. The reserve area shall not be developed. Timber operations in the areas adjacent to the reserve shall use directional falling so that timber marked for removal falls away from the reserve area. Heavy equipment and vehicles shall be excluded from the reserve area during project development and operations. Following completion of vineyard development activities, the applicant shall ensure that any herbicide applications which may take place in the nearby vineyard unit(s) do not affect or enter the horkelia reserve. This plan shall be subject to the review and approval of the Department of Forestry and the Sonoma County Permit and Resource Management Department.
- (3.4-2) Annapolis manzanita has been identified on the project site. Annapolis manzanita is a hybrid manzanita unique to the Annapolis area. Two Annapolis manzanita populations occur on the project site. Annapolis manzanita does not have any state or federal status, nor is the plant listed by CNPS. However, because of the uniqueness of this population, Dr. Tom Parker and Mr. Michael Vasey of San Francisco State University recommended that the proposed project include incorporation of protection measures for Annapolis manzanita until further studies have been conducted. Because

CEQA documents will take into account the local or unique rarity of a species and require protection for these locally unique or locally rare species, any impacts to Annapolis manzanita must be considered significant and adverse pursuant to CEQA.

Prior to issuance of a grading permit, the applicant shall set aside an area totaling approximately 4.4 acres on the east side of the project site for the preservation of Annapolis manzanita identified on the Artesa property. The reserve shall be dedicated in perpetuity through a permanent deed restriction recorded on the title of the property. The reserve area shall not be developed. Timber operations in the areas adjacent to the preserve shall use directional falling so that timber marked for removal falls away from the reserve area. Heavy equipment and vehicles shall be excluded from the reserve area during project development and operations. Following completion of vineyard development activities, the applicant shall ensure that any herbicide applications which may take place in the nearby vineyard unit(s) do not affect or enter the Annapolis manzanita reserve. The plan shall be subject to the review and approval of the Department of Forestry and the Sonoma County Permit and Resource Management Department.

- (3.4-5) Suitable nesting habitat for western screech owl, great horned owl, barn owl, Cooper's hawk, sharp-shinned hawk, red-shouldered hawk, and red-tailed hawk occurs on the project site. All are protected under the Migratory Bird Treaty Act (50 CFR 10.13) and their nest, eggs, and young are protected under California Fish and Game Code Sections 3503, 3503.5, 3513, and 3800. Additionally, the Cooper's hawk and sharp-shinned hawk are California species of special concern. Any substantial project-related impacts to these species would be considered a significant adverse impact. Potential impacts to these species from the proposed project include disturbance to nesting birds, and possibly death of adults and/or young. No nesting raptors (birds of prey) have been identified on the proposed project site during cursory raptor nesting surveys. Four raptors including the barn owl, red-tailed hawk, western screech owl, and American kestrel have been identified onsite. All birds are mobile species and can readily change nest sites from year to year. As such, impacts to nesting raptors are regarded as potentially significant.

If operations are proposed during breeding season (February 15th –August 31st), a pre-operation survey for raptor nests shall be conducted within 30 days prior to the beginning of activities [by a qualified biologist] and shall include examination of all trees on-site and within 500 feet of the project boundaries, if possible, and not just trees slated for removal. All stick nests shall be examined and all tree cavities shall be examined for evidence of nesting raptors. The results of the survey shall be submitted to the Department of Forestry. If active nests are not found during the survey, further mitigation shall not be required at that time.

If nesting raptors are identified during the surveys a 300-foot radius around the nest tree must be demarcated with a double stand of bright orange flagging tape tied 5 to 8 feet above the ground. If the tree is adjacent to the project site then the buffer shall be demarcated per above where the buffer occurs on the project site. The size of the buffer may be altered if a qualified raptor biologist conducts behavioral observations and determines the nesting raptors are well acclimated to disturbance. If this occurs, the raptor biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting raptors. Any buffer that is established that is less than 150 feet shall require behavioral monitoring by a qualified raptor biologist until such time that the young fledge. In the event the smaller buffer is not sufficient to protect the nesting birds the monitoring biologist shall have the right to re-establish a larger buffer up to a 300 foot buffer. No tree or brush removal, earth-moving activities, or human intrusion (except by biologists or individuals accompanied by a qualified raptor biologist) shall occur within the established buffer until it is determined by a qualified raptor biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1. This date may be earlier than August 1, or later, and would have to be determined by a qualified raptor biologist.

- (3.4-6) Most birds known from the region of the project site are protected under the Migratory Bird Treaty Act (50 CFR 10.13). This Act prohibits "take" (i.e., direct or indirect activities that cause avian mortality including their eggs and young) of any species listed under this Act. Similarly, nests, eggs, and/or young of all nesting birds are protected under California Fish and Game Code Sections 3503. Section 3800 makes it unlawful to take any nongame bird except as otherwise allowed by Fish and Game Codes. Section 3503.5 of the Fish and Game Code makes it unlawful to take, possess, or destroy raptors or their eggs. Finally, Fish.

The Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3513, and 3800 prohibit the direct take of birds and their eggs and/or young. While birds in general can fly out of harm's way, bird's nests are vulnerable to destruction and disturbance that causes nest abandonment and concomitant loss of eggs and/or young. The project shall not impact nesting birds. Accordingly, if harvesting/conversion/land clearing and/or grading would occur between February 1st and September 1st, qualified biologists shall be required to conduct systematic, intensive preconstruction nesting bird surveys to ensure that there is no direct take of nesting birds, their eggs or young.

Surveys should be in focused areas that consist of 100'x 100' plots of land and shall commence no sooner than two weeks in advance of timber harvesting/land conversion.

The buffer of any nest identified would have to be demarcated with a double stand of bright orange flagging tape tied 5 to 8 feet above the ground, and would have to be of sufficient size to protect the nest until such time that young fledge and reach independence of the nest. The size of the nesting buffer would need to be determined in the field by a qualified ornithologist, but should be, at a minimum, no less than 50 feet in diameter measured from the drip line of the nesting tree/bush. While labor intensive, such nesting bird surveys would best protect nesting birds and would otherwise ensure the project remains in compliance with the Migratory Bird Treaty Act and Fish and Game Codes that protect nesting birds.

- (3.4-7) Yellow warblers have been observed on the project site. Riparian habitat on the project site is not well developed, but provides marginal nesting habitat for this species. Riparian vegetation would not be impacted by the project, but project activities will likely commence near riparian habitats. Impacts to the yellow warbler from the proposed project include loss of potential nesting habitat, death to individual warblers, their eggs, and/or young. Such impacts would be regarded as a potentially significant adverse impact to this species.

To ensure that operational-related impacts do not occur to nesting yellow warblers and other migratory birds on the project site, pre-operation surveys shall be conducted not more than two weeks (14 days) prior to ground disturbance. If nesting yellow warblers and/or other migratory birds are identified nesting on or adjacent to the project site, a suitable temporary buffer area should be fenced around the nest tree. The size of the nesting buffer shall be determined in the field by a qualified ornithologist, but should be, at a minimum, not less than 100 feet between the nest site and the operations area.

The dripline of the nest tree shall be fenced with orange construction fencing (provided the tree is on the project site), and a 100-foot radius around the nest tree shall be staked with bright orange lath or other suitable staking. If the tree is adjacent to the project site then the buffer shall be demarcated per above where the buffer occurs on the project site. The size of the buffer may be altered if a qualified ornithologist conducts behavioral observations and determines the warblers are well acclimated to disturbance. If this occurs, the ornithologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting birds. Operations shall not occur within the established buffer until a qualified ornithologist has determined that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones.

- (3.4-9) The foothill yellow-legged frog is a state species of special concern. It has no special federal status. Species of special concern must be addressed in CEQA documents. This frog has been identified in Patchett Creek onsite. It should be noted that most of Patchett Creek on the project site, and in all cases where foothill yellow-legged frogs have been found, is deeply incised in solid rock. Where the frogs occur the creek banks are vertical ranging between 6 and 8 feet in height. A broad channel bottom characterized by deep pools lies within the incised channel banks. Foothill yellow-legged frog survives on the project site in this protected aquatic system that is for all intents and purposes inaccessible to predators. Regardless, any impact to Patchett Creek from the proposed project could result in significant adverse impacts to the foothill yellow-legged frog. While no impacts are proposed to occur to Patchett Creek, at this time impacts to this frog are considered potentially significant. This impact could be reduced to a level considered less than significant pursuant to CEQA by implementation of the following mitigation measure.

In order to avoid impacting Patchett Creek and the foothill yellow-legged frogs that reside in this creek, a minimum 100-foot protective buffer will be maintained between Patchett Creek top-of-banks and project site development (Figure 3.4-4). This buffer will ensure that the existing shade and sunlight regimes present today in Patchett Creek are maintained except as modified by natural succession. In addition, a project site preconstruction SWPPP will be implemented prior to implementation of grading activities to ensure that Patchett Creek, and indeed most tributaries on the project site (with rare exception), are protected from siltation and/or other project-related downstream impacts. Similarly, a post-project BMPs plan will also be implemented to ensure that there are no impacts to the water quality in Patchett Creek or other downstream receiving waters after implementation of the project. In addition, there is no significant potential for contamination of Patchett Creek by the use of fertilizer, herbicide, insecticide, or other agricultural chemicals in the proposed vineyard. Qualified, properly certified vineyard managers will use only State-approved fertilizers, herbicides, insecticides or other agricultural chemicals in accordance with the label instructions and any applicable usage guidelines in the event that any of these are determined necessary. Implementation of the SWPPP and the post project BMPs plan, and the establishment of protective buffers along Patchett Creek will ensure that impacts to the foothill yellow-legged frog are avoided.

- (3.4-10) The California red-legged frog (CRLF) (*Rana draytonii*) was federally listed as threatened on May 23, 1996 and as such is protected pursuant to the Federal Endangered Species Act. In September 2008, the USFWS re-proposed critical habitat for the California red-legged frog (USFWS 2008). Closest mapped critical habitat or proposed critical habitat occurs in southern Sonoma County and in south-central Mendocino County. No critical habitat or proposed critical habitat is mapped any closer than approximately 28 miles (straight-line) from the project site. Unit MEN-1 is recently re-proposed critical habitat that is approximately 28 miles north of the project site. Units MRN 1, 2, and 3 are critical habitats that at the closest point to the project site are approximately 34 miles to the south. Critical Habitat Units SON 1, 2, and 3 at their closest point to the project site are approximately 45 miles to the southeast. The closest record for the California red-legged frog to the project site is approximately 9.7 miles northwest of the project site (CNDDDB Occurrence No. 967). The record location is for a pond in a Bishop pine (*Pinus muricata*) forest north of the Gualala River. The California red-legged frog is also a state “species of special concern.” This title affords no legally mandated protection for this species; however, pursuant to CEQA (14 CCR §15380), any project related impacts to this species would be regarded as significant. The proposed Timber Harvest Plan and Vineyard Conversion project could result in impacts to upland habitat that provides potential dispersal habitat for California red-legged frogs. No suitable breeding habitat occurs on the project site and thus no impacts are expected to occur to red-legged frog breeding habitat. Because of the presence of suitable dispersal and aquatic habitats, impacts to the California red-legged frog are regarded as a potentially significant adverse impact.

A qualified 10(a)(1)(A) biologist authorized to work with the California red-legged frog shall conduct protocol-level surveys for California red-legged frog based on the field methods presented in the U.S. Fish and Wildlife Service’s (USFWS) Revised Guidance on site assessment and field surveys for California red-legged frogs (dated August 2005). The USFWS Guidance recommends a total of eight (8) surveys to determine the presence of California red-legged frog at or near a project site. If no California red-legged frogs are found within the project area during these surveys, no further regard for the California red-legged frog would be necessary. No additional mitigation measures would be required and impacts would be regarded as less than significant pursuant to the CEQA. If red-legged frogs are identified at any time during the course of surveys, no additional surveys will be conducted in the area, unless the surveying effort is part of a Service-approved project to determine the distribution of frogs at a site.

Permission will be obtained from the USFWS for genetic testing to determine what species of red-legged frog occurs on the project site. If the species is the northern red-legged frog, mitigation compensation shall consist of dedicating Patchett Creek in a permanently preserved corridor and compensating for impacts to waters of the U.S. at a 2:1 ratio (replacement to impacts) consistent with other mitigation measures detailed herein that project wetlands and creek corridors.

If genetic testing confirms the presence of the California red-legged frog the following additional mitigation measures shall be required. An incidental take permit shall be acquired from USFWS for the proposed project prior to implementing the project. In addition, the applicant shall purchase mitigation credits at a USFWS-approved mitigation bank with a Service Area that covers the project site or as otherwise approved by the USFWS. The total credits purchased by the applicant shall ultimately be consistent with USFWS requirements for this project. In lieu of purchase of mitigation credits from an approved CRLF mitigation bank, the applicant may secure and preserve in perpetuity habitat that is known to support the CRLF.

- b. Yes No Are there any non-listed species which will be significantly impacted by the operation? If yes, identify the species and the provisions to be taken for the protections of the species.

NOTE: See THP Form Instructions or the CDF Mass Mailing, 07/02/1999, section on “CDF Guidelines for Species Surveys and Mitigations” to complete these questions

33. Yes No Are there any snags which must be felled for fire protection or safety reasons? If yes, describe which snags are going to be felled and why.

All snags within the conversion timber harvest plan area will be removed as a part of the proposed timberland conversion operation.

34. Yes No Are any Late Succession Forest Stands proposed for harvest? If yes, describe the measures to be implemented by the LTO that avoid long-term significant adverse effects on fish, wildlife and listed species known to be primarily associated with late succession forests.

35. Yes No Are any other provisions for wildlife protection required by the rules? If yes, describe.

36. a. Yes No Has an archaeological survey been made of the THP area?

b. Yes No Has a current archaeological records check been conducted for the THP area?

c. Yes No Are there any archaeological or historical sites located in the THP area? Specific site locations and protection measures are contained in the Confidential Archaeological Addendum in Section VI of the THP, which is not available for general public review.

37. Yes No Has any inventory or growth and yield information designated "trade secret" been submitted in a separate confidential envelope in Section VI of this THP?

38. Describe any special instructions or constraints that are not listed elsewhere in Section II.

Conditions stated in Section V of the THP which pertain to NCRWQCB Waste Discharge requirements shall not be enforced by the Department unless those same conditions are subject to the Forest Practice Act/Rules and included as enforceable provisions in Section II of the THP.

As per 14 CCR 1035.4 each calendar year, within fifteen days before and not later than the day of the start of timber operations, the RPF shall notify CAL FIRE of the start of operations. The notification shall be made by telephone: LNU = (707) 576-2959 or Email: santarosareviewteam@fire.ca.gov

DIRECTOR OF FORESTRY AND FIRE PROTECTION

This Timber Harvesting Plan conforms to the rules and regulations of the Board of Forestry and Fire Protection and the Forest Practice Act:

By: _____
(Signature)

(Date)

(Printed Name)

(Title)