

Fairfax Conversion
NSO Habitat Assessment Summary 2009

Habitat Type	Habitat Assessment (0.7-mile)				Habitat Assessment (1.3-mile)			
	<i>Pre-Harvest</i>		<i>Post-Harvest</i>		<i>Pre-Harvest</i>		<i>Post-Harvest</i>	
	Acres	%	Acres	%	Acres	%	Acres	%
THP AREA								
Nesting-Roosting	100	3.2	100	3.2	215	3.1	215	3.1
Foraging	2,077	67.1	1,961	63.4	5,217	76.1	5,101	74.4
Non-Habitat	919	29.7	1,035	33.4	1,426	20.8	1,542	22.5
Total	3,096	100.0	3,096	100.0	6,858	100.0	6,858	100.0
NSO #SON043								
Nesting-Roosting	0	0.0	0	0.0	36	1.1	36	1.1
Foraging	737	75.2	728	74.3	2,543	75.2	2,437	72.1
Non-Habitat	243	24.8	252	25.7	802	23.7	907	26.8
Total*	980	100.0	980	100.0	3,380	100.0	3,380	100.0
NSO #SON058								
Nesting-Roosting	0	0.0	NC		37	1.1	37	1.1
Foraging	840	85.7	NC		2,698	79.8	2,669	79.0
Non-Habitat	140	14.3	NC		645	19.1	674	19.9
Total*	980	100.0	980	100.0	3,380	100.0	3,380	100.0

Legend & Definitions

Nesting-Roosting	Area of known nesting activity; and/or a minimum of 60% canopy cover of trees with at least 11" DBH.
Foraging	Minimum 40% canopy cover of trees at least 11" DBH. Basal area at least 75 ft ² /acre of trees 11" DBH.
Non-Habitat	No suitable habitat meeting the above definitions.
NC	No Change in Habitat Type or Acreage



May 19, 2009

Codorniu Napa
1345 Henry Road
Napa, CA 94559-9783

To Whom It May Concern,

I am writing to notify you of your responsibilities as timberland owner and the regulations that pertain to the proposed Fairfax Timberland Conversion that will take place on your property located near Annapolis in Sonoma County.

Your responsibilities are as follows:

1. It is your responsibility to read the Timberland Conversion Permit Application and Plan and the Conversion Timber Harvest Plan and understand the content of these documents. Once you have read and agree with the contents of these plans you are then responsible for signing these documents.
2. It is your responsibility to provide a check to the California Department of Forestry and Fire Protection in the amount of \$600 to pay for the Timberland Conversion Permit processing fee. This check must be submitted with the Timberland Conversion Permit Application and Plan.
3. It is your responsibility to pay the Department of Fish and Game Impact Fee. As indicated in Item 10 b of the Timberland Conversion Permit Application you will have to submit a check or money order for the amount of \$1,250 payable to the State of California. You will have to submit this payment when notified by CDF seven days in advance of filing the Notice of Determination and issuance of the permit.
4. Once CDF issues the timberland conversion permit it is your responsibility to record the timberland conversion permit with the Sonoma County recorders office. You can not start conversion operations until the permit is recorded.
5. It is your responsibility to employ the services of a Licensed Timber Operator (LTO) for the completion of timberland conversion operations.
6. You must provide the LTO with complete copies of the Timberland Conversion Permit Application and Plan, Conversion THP and a copy of the recorded Timberland Conversion Permit.
7. It is your responsibility as timberland owner to complete the timberland conversion operations.



You can not start timber conversion operations until all of the following steps have been completed.

- The California Department of Forestry and Fire Protection (CDF) issues you a timberland conversion permit.
- You record the timberland conversion permit with the Sonoma County Recorder and then you submit the recorded permit to the CDF.
- CDF approves the Conversion THP
- You provide the LTO implementing the timberland conversion with a complete copy of the Timberland Conversion Permit and Conversion THP.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Jeff Longcrier
Registered Professional Forester #2593



May 19, 2009

Codorniu Napa
1345 Henry Road
Napa, CA 94559-9783

To Whom It May Concern,

This letter is to inform you of the filing of the "Fairfax Conversion" Timber Harvesting Plan. In accordance with Title 14 CCR 1035.1 of the Forest Practice Rules and Item 13(a) of the THP, I hereby notify you of your responsibilities as plan submitter and timberland owner. As per 14 CCR 1035 your responsibilities are as follows:

As plan submitter:

1. You must ensure than an RPF conduct any activities that require an RPF.
2. You must provide the RPF preparing the plan or amendments with complete and correct information regarding pertinent legal rights to, interests in, and responsibilities for land, timber, and access as these affect the planning and conduct of timber operations.
3. You must sign the THP certifying knowledge of the plan contents and the requirements of this section.
4. You must retain an RPF who is available to provide professional advice to the LTO and timberland owner upon request throughout the active timber operations regarding:
 - A) the plan,
 - B) the Forest Practice Rules, and
 - C) other associated regulations pertaining to timber operations.

You may waive the requirement to retain an RPF to provide professional advice to the LTO and timberland owner under the following conditions:

- (A) you provide advice to the LTO on a continuing basis throughout the active timber operations provided that you are a natural person who will personally perform the services of a professional forester and such services are personally performed on lands owned by the you;
- (B) you agree to be present on the logging area at a sufficient frequency to know the progress of operations and advise the LTO, but not less than once during the life of the plan

I have included myself in the THP as the RPF responsible for providing professional advice. If you wish to waive the requirement to retain myself as RPF you must provide in writing an agreement to A&B above and this agreement will be made part of the plan.

Also, it is hereby being disclosed that you are the real party of interest for whom we are providing professional forestry services and we know of no current or potential conflict of interest we may have with regard to the timber or land that is subject to operations under the plan.



5. Within 5 working days of change in RPF responsibilities for THP implementation or substitution of another RPF, file with the director of CDF at 135 Ridgway Ave., Santa Rosa, CA., 95401 a notice that states the RPF's name and registration number, address, and subsequent responsibilities for any RPF required field work, amendment preparation, or operation supervision.
6. You must provide a copy of the portions of the approved THP and any approved operational amendments to the LTO containing the General Information, Plan of Operations, THP Map, Yarding System Map, Erosion Hazard Rating Map and any other information deemed by the RPF to be necessary for timber operations.
7. You must notify the Director prior to commencement of site preparation operations. Receipt of a burning permit is sufficient notice.

As Timberland owner:

8. After the work completion report has been filed and approved by CDF, it is your responsibility to maintain roads and erosion control devices through the prescribed maintenance period. The prescribed maintenance period for erosion control devices on permanent and seasonal roads and associated landings and drainage facilities shall be three years.
9. Within one month after completion of the work described in the timber harvest plan, excluding work for stocking, site preparation, or maintenance of drainage and soil stabilization treatments on skid trails, roads, and landings after the plan period, a work completion report must be filed with the Department.
10. Within 5 working days of change of ownership of the property, file with the director a notice, which amends the listed owners off of the plan and the new owners on to the THP.

If you have any questions regarding your responsibilities pertaining to the Timber Harvest Plan please do not hesitate to call me.

Sincerely,

Jeff Longcrier
RPF # 2593

WASTE DISCHARGE REQUIREMENT INFORMATION**Fairfax Conversion THP****Statement of Need:**

On June 23, 2004, the North Coast Regional Water Quality Control Board (Regional Water Board) adopted Order No. R1-2004-0030, General Waste Discharge Requirements for Discharges Related to Timber Activities on Non-Federal Lands in the North Coast Region. These General Waste Discharge Requirements (General WDRs) contain discharge prohibitions, receiving water limitations, a requirement for the submittal of various technical reports, an inspection schedule, and a filing/annual fee.

This plan has been prepared to comply with the provisions of CWC section 13260(a) which requires that any person discharging waste within any region that could effect the quality of waters of the state shall file with the appropriate board a report of waste discharge containing such information and data as required by the Regional Board.

In accordance with CWC section 13269, the waste discharges for timber harvest activities shall be regulated by waivers, or individual or general waste discharge requirements (WDRs).

An ECP, Fuel Management Plan and Inspection Plan are being submitted because this THP does not meet the criteria for a waiver of waste discharge as described.

Background Information:

This conversion THP is being submitted by Codorniu Napa, for the timber removal portion of a vineyard development project. As described within the THP documents there are no watercourses located within the project area. There are several Class II and Class III watercourses adjacent to the plan area. An Environmental Impact Report has been prepared for the Fairfax Conversion project. The EIR relies upon extensive hydrological analysis and assessment and along with the Erosion Control Plan provides mitigation measures to prevent and/or address discharges for all portions of the project during and following timber operations.

EROSION CONTROL PLAN

Sediment Inventory and Treatment of Controllable Sediment Sources:

During preparation of this THP the RPF conducted an assessment to locate all potential controllable sediment sources within the plan area and all appurtenant roads.

“Controllable sediment discharge source” means sites or locations, both existing and those created by proposed timber harvest activities, within the project area that meet all the following conditions:

1. is discharging or has the potential to discharge sediment to waters of the state in violation of applicable water quality requirements or other provisions of these General WDRs,
2. was caused or affected by human activity, and
3. may feasibly and reasonably respond to prevention and minimization management measures.

As described under items 18 and 26 in Section II of the THP there are 11 specific controllable sediment sources identified on or adjacent to the project area. These points 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 within Unit 1.
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 below Unit 2.
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 below Unit 2.
6. Abandoned skid trail repairs below Unit 5. 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 the SE corner of Unit 8 will be routed through detention basins to a more appropriate swale location. An existing roadside ditch will be armored.
8. Temporary Class III truck road watercourse crossing. Fill material that exists in the watercourse channel 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 crossing shall be dry at the time of operations.
9. Temporary Class III truck road watercourse crossing. Fill material that exists in the watercourse channel 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 crossing shall be dry at the time of operations.

10. Crossing will be used as a skid trail crossing during timber operations. A permanent rocked ford crossing will be installed at this location following timber operations for vineyard access.
11. Crossing #11 will not be used during operations. A permanent rocked ford crossing will be installed at this location following timber operations for vineyard access.

In addition to the above specific points, an extensive and detailed erosion control plan and water quality protection program have been included within the *Fairfax Conversion Project Environmental Impact Report* providing general 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:

- 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 90 percent cover prior to November 15 of the timber harvesting season;
- 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.
- 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.

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 would 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: the SWPPP shall be provided for the review and approval of Sonoma County Permit and Resource Management Department.

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(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(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.

Chemical Use

The application of pesticides/herbicides is not currently being considered for this project. As indicated in the Conversion Application, the landowner intends to use integrated pest management (IPM) instead of chemical alternatives in the maintenance of the vineyard. IPM focuses on long-term prevention or suppression of pest problems with minimum impact on human health, the environment or non-target organisms. As a part of the proposed vineyard development and maintenance, chemicals will only be used when a feasible alternative does not exist. In the event that pesticide or herbicide use is deemed necessary during the development and operation of the vineyard, the applicant would strictly adhere to federal, State, and local regulations pertaining to the use of permitted chemicals. Only low-toxicity, high-LD50 materials with minimal biological hazard would be applied, and these materials would be applied at low, safe, and least-cost agronomic rates, according to label direction. Furthermore, only personnel with the proper license and/or certification would be permitted to handle potentially hazardous materials, and chemical applications would take place under the supervision of a qualified vineyard manager. IPM will be used in the development and maintenance of the vineyard in order to minimize chemical use in the vineyard to the extent feasible.

Should pesticides/herbicides be utilized, the Discharger shall notify the Regional Board in writing at least 45 days prior to any proposed aerial application of pesticides/herbicides and 30 days prior to any proposed ground-base application of pesticides/herbicides. The notification shall include the type of pesticide/herbicide(s), method and area of application, projected date of application, and measures that will be employed to assure compliance with applicable water quality requirements. Subsequent changes to the proposed application must be submitted in writing forthwith, and in no event less than 14 days before the application, unless Regional Board staff agrees in writing to a lesser notice. This order does not authorize the application or discharge of pesticides/herbicides.

Implementation Schedule:

The normal life span of a THP is 3 years from the date of approval with up to two 1 year extensions for a maximum of 5 years. It is anticipated that all timber operations will be completed within 5 years. The general treatment/mitigation measures associated with the THP will be implemented as the operations move through the plan area and shall be completed within 5 years following THP approval.

FUEL MANAGEMENT PLAN

The objectives of the fuel management plan are water quality protection from the use and storage of petroleum products and to assure that all State and Federal regulations pertaining to the handling and storage of fuel are adhered to during logging operations. These regulations include the "California Aboveground Petroleum Storage Act with 1991 Amendments" (Cal. Health & Saf. Code, section 25270 et seq.) and the "U.S. Environmental Protection Agency Regulations on Oil Pollution Prevention" (40 CFR 112)

No temporary or permanent fuel storage tanks will be on site. It is expected that fuel will be delivered as needed from a local vendor. Fuel tanks on all equipment are less than 1,320 gallons. During timber harvesting operations, fuels and oils would be stored only temporarily and in small quantities at or near landings. Any fuel stored on the site would be stored away from WLPZs in approved storage containers. Vehicles used in the timber harvest would be required to be properly maintained, and used oil from on-site equipment would be disposed of in accordance with State law.

INSPECTION PLAN

This Inspection Plan has been designed to ensure that all required management measures are installed and functioning prior to rain events, that the management measures were effective in controlling sediment discharge sources throughout the winter period, and that no new controllable sediment discharge sources developed. The Inspection Plan describes the program to inspect and maintain all identified management measures throughout the duration of the Project. THP maps that depict the inspection locations (watercourse crossings, comment points, slides) to be visited before, during, and after the winter period are attached.

Inspections conducted prior to the winter period have been designed to assure that management measures are properly installed and maintained; winter period inspections have been designed to assure and assess management measure performance and determine if new controllable sediment discharge sources have developed; post-winter period inspections have been designed to assure that the management measures have functioned adequately and determine whether any new controllable sediment discharge sources have developed. Management measures shall be evaluated for adequacy and proper implementation and whether additional management measures are required in accordance with the terms of the Order.

Site inspections:

The RPF of record is required to be available to supply advice and guidance to the operator during the life of the THP operating period. The RPF or other qualified person will also conduct inspections as follows:

Where timber harvest activities have not yet commenced:
No inspections are required.

Where timber harvest activities have commenced and no winter period timber operations have occurred:

1. Prior to November 15 to assure project areas are secure for the winter.
2. Once following ten inches of cumulative rainfall commencing on November 15th and prior to March 1st as worker safety allows.
3. After April 1 and prior to June 15 to assess the effectiveness of management measures designed to address controllable sediment discharges and to determine if any new sediment discharges have developed.

No timber harvest activities are proposed for the winter period.

Inspection reports:

For inspections where violations of the General WDRs are not discovered, the Discharger shall submit a summary report to the Executive Officer by June 30th for each year of coverage under these General WDRs or upon termination of coverage. The summary report shall at a minimum include the date of each inspection, the inspector's name, the location of each inspection, and the title and name of the person submitting the summary report.

If during the course of any inspection or during timber harvest activities, a violation of any applicable water quality requirement or conditions of the General WDR is discovered, the provisions of section III.B.3. shall be followed.

Specifically, should it be determined by the discharger or the Regional Board that discharges are causing or contributing to a violation or exceedence of an applicable water quality requirement or a violation of a general WDR prohibition the discharger shall

1. Implement corrective measures immediately.
2. Notify the regional board within 48 hrs.
3. Follow up with a report within 14 days that includes:
 - a. the date the violation was discovered
 - b. the name and title of the person discovering the violation
 - c. a location map
 - d. a description of recent weather conditions prior to the discovery
 - e. the nature and cause of the WQ violation or general WDR prohibition violation
 - f. photos of the site characterizing the violation
 - g. the management measures currently being implemented
 - h. any maintenance or repair management measures
 - i. any additional management efforts that will be implemented with a schedule to prevent or reduce discharges caused by the violation
 - j. the signature and title of the person preparing the report.

4. The discharger shall revise the appropriate technical report immediately after the report to the regional board to incorporate the additional management measures that have been and will be implemented, the implementation schedule, and any additional inspections or monitoring as needed.

In addition to the inspections and reporting described above, an extensive monitoring and reporting program is detailed in Chapter 3.7 of the project EIR that will ensure that the water quality protection measures are working sufficiently and providing the intended protection. Monitoring and reporting are also a component of the SWPPP required for the project.