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Initial Study – Mitigated Negative Declaration

COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STREET, SUITE 210
NAPA, CA 94559
(707) 253-4417

Initial Study Checklist
(form updated January 2019)

1. **Project Title:** Howell Mountain Green Burial Cemetery, Use Permit Application (#P20-00030), Application for Use Permit Exception to Conservation Regulations (#P25-00293), and an Exception Request to the Napa County Roads and Streets Standards
2. **Property Owner:** Eternal Preserve Holdings, LLC, 6558 Lonetree Boulevard, Rocklin, CA 95765
3. **Contact Person, Phone Number and Email:** Enrique Torres, Planner II, enrique.torres@countyofnapa.org, (707) 253-4307
4. **Project Location and Assessor's Parcel Number (APN):** The approximately 109.3-acre project site is located north and west of Howell Mountain Road and east of Ink Grade Road, at 1225 Howell Mountain Road, Angwin, CA 94508, approximately 1.3 miles northeast of Angwin in unincorporated Napa County. The project site includes APNs 018-120-043 (SFAP) and 018-120-027 & 018-120-044 (SFAP).
5. **Project Sponsor's Name and Address:** Susan Lapsley, slapsley@heronpacific.com; 6558 Lonetree Boulevard, Rocklin, CA 95765
6. **General Plan Designation:** Agriculture, Watershed and Open Space (AWOS)
7. **Zoning:** Agricultural Watershed (AW)
8. **Background/Project History:** A Lot Line Adjustment (W25-00198) between the two project site parcels (APNs 018-120-016 (SFAP) and 018-120-027 (SFAP)) was previously approved by Napa County on October 16, 2025. The adjustment resulted in approximately 35.45 acres of land from APN 018-120-016 being combined with approximately 4.3 acres of APN 018-120-027; this resulted in an adjusted total acreage for APN 018-120-016 of 69.55 acres (018-120-043) and 39.75 acres for APN 018-120-027 (018-120-027 & 018-120-044 SFAP). Additionally, the project parcel shall be served by a proposed replacement well, the existing well was approved by the County on January 25, 2016 (E15-00784).
9. **Description of Project:** The project proposes to develop the Howell Mountain Cemetery, a green burial cemetery (referred to in this document as the proposed project). Green burial, or natural burial, is a way of caring for the dead with minimal impacts that aids in the conservation of natural resources. Green burial necessitates the use of non-toxic and biodegradable materials. The cemetery would be managed as a conservation site. As an open space property, the cemetery would have lower plot densities than a traditional cemetery, limitations on visible markers (i.e., only natural markers made from small native rocks would be used), and burial vaults and embalming would be prohibited. Access trails within the interment areas would be open for hiking use by the public. An Exception to the Napa County Conservation Regulations and to the Napa County Roads & Streets Standards are requested as part of the project scope. The exceptions will allow for minor grading on slopes over 30% so that the proposed trails and access to the interment areas may be established, as the trails and access are not feasible through other alternatives, and to forego the left turn lane installation, which would prevent the removal of existing native trees and excessive grading on rocky steep slopes, while remaining consistent with the existing operation and character of Howell Mountain Road or in the vicinity of the project site, respectively. The elements of the proposed project are described below.

Interment Areas. Designate approximately 16.19 acres of the approximately 109.3-acre project site (14.7 percent [%] of the project site) would be used for interment areas and would accommodate plots and gravesites. Eight interment areas (A-H) are proposed, ranging in size from 0.18 to 7.52 acres and have been designed to avoid steep terrain, stream setbacks and trees. All of the interment areas would be in the north part of the project site. The interment areas would be set back a minimum of ten feet from the north, east and west property boundaries. Within the proposed interment areas, existing debris would be removed, and ladder fuels would be managed while retaining existing vegetation when possible. No landscaping or tree removal is proposed in the interment areas.

Trails. Establish approximately 1.5 miles of trails would provide access for pedestrians and operations vehicles to plots within interment areas. The proposed trails would be eight feet in width with maximum cross slope of 15%, maximum longitudinal slope of 28% and 12.5 feet vertical clearance, consistent with the County's standard for Special Purpose Ways (**Exhibit A-1**). In some cases, the proposed trails would follow the alignments of existing informal trails on the site. The trails would be used by staff and visitors as the sole access to interment areas and would be open for hiking use by the public during cemetery hours of operation (dawn to dusk daily, year-round). Since the slopes vary, operations staff would use carts to transport visitors in need of assistance accessing the site. Trail access points would be gated to restrict vehicle access and allow pedestrian passage. The trail system would include a trail map posted at the trailhead near the welcome center, "Keep on Trails" signage, benches, and wayfinding features. During operations, trails would not be used if they are impassable.

Trail construction would consist of brush clearing and, in some places, would require minor grading to create safe pedestrian and maintenance vehicle passage and to prevent erosion from drainage. Trails would consist of native material and would not include additional surfacing with the

potential exception of wood chips. Trail construction would occur in phases as access to the interment areas is needed to accommodate plots. No grading would occur outside of the trail alignments. Trails would be maintained but would be kept natural and unimproved.

Driveway. The existing road to the east on the project site would be converted into a driveway with a minimum width of 22 feet (including shoulders) that would extend from Howell Mountain Road into the project site and terminate at a turnaround area north of the welcome center. The turnaround area is designed to accommodate fire trucks. Construction of the driveway would require removal of 27 Douglas fir trees (**Exhibit A-1** Sheet 7/12). The existing road to the west in the project site would not be improved but would be maintained for emergency vehicle access. The southern end of this road connects to Howell Mountain Road and has an existing gate that would remain locked to restrict access to the public. A Knox Lock or similar would be installed to allow access to emergency personnel.

Parking. Thirty-eight parking spaces would be provided including 31 spaces parallel and diagonal to the driveway, six spaces adjacent to the welcome center, and one accessible space adjacent to the welcome center. Several of these parking spaces would be oversized to accommodate shuttles or stretch vehicles with higher capacity. Eight bicycle parking stalls are proposed to be located near the welcome center. Cemetery guests and the general public could use the driveway to access the welcome center and trails. If a funeral or memorial is planned that requires more parking than what is available onsite, shuttles would be arranged to the welcome center.

Welcome Center. A single-story 509 square foot (15.7 feet x 32.5 feet) welcome center would be located at the end of the driveway. Cemetery hours of operation and site operations information would be posted at the welcome center. The building would include two restrooms accessible from the exterior of the building. Motion-activated short-range lights would be mounted above the doorways on the welcome center. Low-profile landscaping is planned adjacent to the welcome center.

Offsite Office. An offsite office space would be rented in downtown St. Helena on either Main Street, Oak Avenue, or Railroad Avenue, north of Pope Street and south of Pine Street to facilitate sales and daily operations of the cemetery while minimizing daily commuter traffic trips to the cemetery itself.

Storage. Storage of landscape equipment, operations equipment, and all-terrain vehicles would occur in 20-foot steel storage containers (Conex containers). Two storage containers would be placed to support maintenance; one container would be placed in the northeast portion of interment area E and another would be placed in the mid-eastern portion of interment area H (**Exhibit A-1**). These storage containers are mobile, durable, do not require ground disturbance, are fireproof, and no trees would be removed to accommodate them. They would be painted to be concealed with the environment and would be accessed by staff during maintenance or burial preparation times.

Gate and Signage. At the project site entry on Howell Mountain Road, a gate would be installed and would remain open during operating hours. The gate would also include an automatic open/close function to allow visitors to exit the property outside of operating hours. Signage would be designed into the entry gate supports to identify the Howell Mountain Cemetery and street address. Small signs would be placed on property lines denoting private property and cemetery use, and on trails for safety and orientation. Additionally, "NO PARKING ANY TIME" Sign R-26 (CA) signs would be placed near the driveway along Howell Mountain Road.

Grading. Limited grading (0.69-acre area) is proposed for construction of the driveway and parking areas and to create a pad for the welcome center. There are anticipated to be $\pm 4,239$ cubic yards of cut and ± 717 cubic yards of fill, for a net of $\pm 3,522$ cubic yards of export. A portion of the estimated $\pm 3,522$ cubic yards of export will be used to fulfill the approximately 1,750 cubic yards of import required for the trail corridor. The remaining 1,772 cubic yards will be retained onsite by accounting for shrinkage in the disturbed area, which wasn't factored into the original earthwork calculations, and we will make slight adjustments to the grading within the allowable tolerance to accommodate this. Grading for the trails would be minimized to the extent feasible with an anticipated cut of ± 900 cubic yards and $\pm 2,650$ cubic yards of fill for a net of $\pm 1,750$ cubic yards of fill. Two existing cabins (one with a kitchen/garage), concrete holding tank (spring box), and pump treatment shed on the project site would be demolished.

Utilities and Services

Water. The existing well (E15-00784), near the proposed welcome center, is proposed to be replaced. A proposed underground water tank would convey water to the fire hydrant on the driveway via a four-inch line, and a two-inch water line would convey water to the welcome center. Water would be used for the fire hydrant, restroom and welcome center. Maximum annual water use for the proposed project would be approximately 0.41 acre-feet (AF) per year.

Wastewater. An on-site septic system would provide wastewater disposal. A leach field and septic tank would be southeast of the welcome center.

Solid Waste. Solid waste generation is projected to be equivalent to that of a single-family residential unit. Solid waste would be collected from containers on the site and stored in large totes on the northeast side of the welcome center and would be collected by a private hauler. Green waste (e.g., landscape materials, trimmings) would remain on-site and would be repurposed as mulch.

Construction Phasing and Construction Schedule

Construction Phasing. Phasing of the project would occur as demanded by the market for burials. The first phase of the cemetery would consist of all improvements to the driveway from Howell Mountain Road, parking spaces, welcome center, and septic system. The second phase would include the buildout of all interment areas and trail systems. A list of expected equipment and their use duration shall consist of a large excavator (40 days), medium excavator (50 days), mini excavator (60 days), D6 dozer (30 days), D4 dozer (15 days), water truck (120 days), sheepsfoot compactor (20 days), paving machine (5 days), smooth-drum roller (10 days), 10-wheel dump truck (20 days), and skip loader (20 days).

Construction Schedule. The first phase of the cemetery is anticipated to be constructed in 2026, upon receipt of regulatory and permit approvals. The first phase improvements (driveway and parking) would take approximately three months to construct and would take place between April 1 and October 15. The second phase (welcome center, interment areas, and trail system) would take approximately three months to complete and would overlap with the first phase, taking place between June 15 and October 15. It is estimated that there will be 11 truck trips at the start of the project to mobilize equipment and 11 truck trips at the end to demobilize. An additional 20 truck trips are estimated to bring in construction materials. The number of workers will vary an average of 6 per day is anticipated.

Cemetery Operations

Onsite Staffing. The cemetery would employ approximately two people, including a cemetery manager and maintenance/operations staff. A minimum of one person would be on-site during business hours. Business hours at the onsite welcome center would be from 7 AM to 3 PM Monday through Friday, with one employee available by appointment on Saturdays and Sundays. Business operations and sales would occur off-site.

Offsite Staffing. There would be one employee working daily at the offsite office building from 9 AM to 5 PM Tuesday through Saturday. Tuesdays, Thursdays, and Saturdays are open house days while Wednesdays and Fridays would be site tour days.

Hours of Operation. The hours of operation of the cemetery itself would be dawn to dusk daily, year-round. During hours of operation, the gate at the entry would remain open, and trails will be available for public use.

Burial Service Scheduling. The cemetery manager would schedule all burials so that there are no unscheduled events and parking is available for visitors. Two to three burials would occur daily on average. As operations ramp up, approximately five burials could occur per day.

Memorial Gatherings. Small memorial gatherings may be held at the plot. The proposed project does not include the facilities to accommodate indoor gatherings.

Cemetery Buildout. At full buildout, the interment areas would accommodate approximately 17,340 full body burials and 35,530 plots for cremains (interred or scattered). The pace of burials in the interment areas is entirely market-driven. It is estimated that the cemetery would reach capacity in approximately 80 to 100 years.

Pet Burial. A portion of one or more of the interment areas may be used for pet burials.

Salutary Gunfire. Salutary gunfire would be prohibited except for military service burials.

On-Site Circulation. No vehicles would access the site beyond the terminus of the driveway and fire truck turnaround. Trail access points would be gated to restrict vehicle access and allow pedestrian passage. All-terrain vehicles would be used by employees to maintain the site, and all-terrain passenger carts would be used to transport visitors.

Interment Process

- Interment Area and Plot Mapping. The limits of interment areas and plots would be mapped and recorded consistent with the California Health and Safety Code and set forth by the California Cemetery and Funeral Bureau. Location pins would be set every five to ten spaces on every other row of plots. All burial locations would be GPS mapped, and plot locations would be available at the office.
- Plot Sizes and Configuration. Plot sizes and grave placement would vary based on natural conditions such as slope, soil structure, and vegetation densities. The spacing around plots in conservation cemeteries is larger and more irregular than in conventional cemeteries due to variations in natural conditions (e.g., slope, vegetation, etc.). Plots would be sized to accommodate adjacent natural features such as trees and rocks and to allow for the irregular pattern of natural habitat. Approximately 80% of interment areas would be used for graves and the remaining portion used for cremains. Plots would be sized to allow the grave to be situated in the center of the plot among natural constraints. No trees would be removed for interment.
- Grave Excavation and Restoration. Excavated graves would be sized to fit the vessel or container that will be interred. A typical adult full-body grave is approximately 3.3 feet x 10 feet, and an urn grave approximately 1.7 feet x 2 feet. Graves would occur at approximately 3 feet underground providing between 1.5 to 2 feet of soil cover above the body or urn creating a "smell barrier" protecting the remains from

animals and producing odors. Excavation and site restoration activities would be performed with small, mechanized equipment or manual labor to limit site impacts and avoid impacts to vegetation. After interment, the soil and vegetation would be restored over the grave and set by the operations staff. Vegetation restored on the top of the burial would be lightly compacted by hand equipment. Plots would be observed for settlement and irregular ground surfaces corrected with placement of additional soil as necessary to avoid ponded water and to monitor new burials for sign of disturbance from wildlife should it occur.

- *Burial Methods.* A full-body interment requires the body to be preservative-free. Decedents would be embalmed with non-toxic products, and all burial containers would be 100% biodegradable and non-toxic. Metal caskets and fasteners, synthetic linings, formaldehyde glues, and high volatile organic compounds (VOC) finishes would be prohibited. All caskets would be constructed from wood, grasses, reeds, bamboo, or other natural materials; only fully biodegradable caskets would be used. All burial shrouds would be made of natural plant or animal fibers; outer burial containers, such as concrete liners, metal vaults, partitions, and slabs, would be prohibited. The body could be buried in a biodegradable coffin or a shroud, allowing the body to decompose naturally, thereby enriching the soil ecology. Cremated remains may be mixed with an additive to make the ashes chemically available to plants and soil organisms, thereby enriching soil ecology.
- *Grave Identification.* If desired, simple grave markers made of select rock from the site or wood with names and dates etched on them may be placed flush with the ground at the gravesite after interment. Rocks would not be polished or shaped, or of other material. Markers would not be anchored to the ground.
- *Regulatory Requirements.* Interment rights are sold for one-time use only. Interments would be performed according to the California Health and Safety Code's rules and regulations and as set forth by the California Cemetery and Funeral Bureau. The Applicant would operate the cemetery under a Certificate of Authority (cemetery license) from the State Cemetery and Funeral Bureau.

Site Management

Resource Avoidance and Management. The cemetery would be managed as a conservation site. Long-term management would include monitoring and control of invasive species using adaptive management strategies. Perpetual management of the site would be conducted by Wildlands and funded by the facility's endowment.

Fuel Load Management. Fuel load management measures would include thinning vegetation and clearing defensible space around parking, improvement areas, interment areas, and buildings and maintaining fuel break areas. No burning is proposed for vegetation management.

Implementation of the proposed project would be in accordance with the Howell Mountain Cemetery Preliminary Overall Site Plan prepared by TDS, Inc. Engineering (April 2025 – **Exhibit A-1**). The proposed project is further described in the application materials. All documents are incorporated herein by reference and available for review in the Napa Planning, Building and Environmental Services Department, and at <https://pbes.cloud/index.php/s/HnxeampcArct6rA>.

10. Describe the environmental setting and surrounding land uses.

The approximately 109.3-acre project site is located directly north of Howell Mountain Road and west of Ink Grade Road. The site is in the foothills that surround the Napa Valley, and terrain generally consists of rolling mountains. The project site is densely vegetated with trees and brush and contains scattered rock outcroppings. Two unimproved dirt roads extend through the project site. One of the roads terminates near two single-story structures (both referred to as cabins in this document). The currently unoccupied buildings consist of a small cabin and a kitchen and garage. The wood-sided structures are on a slope and partially supported by wood piers. A septic tank is located adjacent to the cabin, and a water storage tank is located southeast and upslope from the kitchen/garage. A well (Napa County Permit E15-00784) is on the south side of the project site, and an electric transformer adjacent to Howell Mountain Road provides electric service to the structures. The remainder of the project site is undeveloped.

Surrounding land uses include open space, agriculture/vineyard, and winery and rural residential uses. Access to the project site is provided via Howell Mountain Road. The nearest residence to the project site is approximately 230 feet to the south on the opposite side of Howell Mountain Road. There are no Napa County designated Significant Streams on or near the project site; the closest Significant Stream is Conn Creek located approximately 5,831 feet to the southwest.

11. Other agencies whose approval may be required (e.g., permits, financing approval, or participation agreement).

Discretionary approval required by Napa County consists of a Use Permit Application (#P20-00030) and Application for Use Permit Exception to the Conservation Regulations (#P25-00293). The Conservation Regulations Exception is requested because, due to the nature of the project site, it would be necessary for some access pathways to be located on slopes over 30% and less than 50%. The proposed project would also require various ministerial approvals by the County including, but not limited to building and grading permits. A Storm Water Pollution Prevention Plan (SWPPP) is also required to meet San Francisco Regional Water Quality Control Board standards and obtain a Less Than Three Acre Timber Conversion Exemption from the California Department of Forestry and Fire Protection. A Certificate of Authority would be required from the State of California Department of Consumer Affairs Cemetery and Funeral Bureau for cemetery operations.

Responsible (R) and Trustee (T) Agencies

Howell Mountain Green Burial Cemetery
Use Permit Application #P20-00030, Application for Use Permit Exception to Conservation Regulations #P25-00293,
and an Exception Request to the Napa County Roads and Streets Standards

Regional Water Quality Control Board (Regional Water Board) (R)
California Department of Fish and Wildlife (CDFW) (T)
California Department of Forestry and Fire Protection (CAL FIRE)

Other Agencies Contacted

Middletown Rancheria
Mishewal Wappo Tribe of Alexander Valley
Yocha Dehe Wintun Nation

12. **California Native American Tribal Consultation:** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.?

On March 19, 2020, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area of the proposed project and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code Section 21080.3.1, which included Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley and Yocha Dehe Wintun Nation.

The Middletown Rancheria (Tribe) conducted an AB 52 Site Visit on December 16, 2025. The proposed project site and its surrounding area is a site of cultural, historical, and religious significance for the Tribe. The Tribe is aware of and concerned about significant cultural and sacred resources that, while known to the Tribe, might not be properly identified through record and survey searches. Moreover, the potential for cumulative impacts to tribal cultural resources must be adequately assessed. On January 23, 2026, Middletown Rancheria (Tribe) provided the County with Mitigation Measures for the protection of tribal and cultural resources. The County agreed to incorporate additional mitigation measures for the protection of tribal cultural resources in response to new information and concerns raised by the Middletown Rancheria. This is discussed in detail in Section XVIII (Tribal Cultural Resources).

Note: Conducting consultation early in the California Environmental Quality Act (CEQA) process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals, the preparer's personal knowledge of the area, and visit(s) to the project site and proposed development area.

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted and filed by the applicant in conjunction with use permit application (#P20-00030) and application for use permit exception to Conservation Regulations (#P25-00293) as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559, or <https://pbes.cloud/index.php/s/HnxeampcArct6rA>.

- PPI Engineering, May 11, 2026 Replacement Well Memorandum, P20-00030 Howell Mountain Cemetery, 1225 Howell Mountain Road, Angwin, California, APN 018-120-043
- TDS Engineering, Inc., April 1, 2025, Preliminary Overall Site Plan (**Exhibit A-1**)
- Domum, December 6, 2022, Howell Mountain Cemetery New Office (**Exhibit A-2**)
- ESA, 2025, Howell Mountain Detailed Air Quality Emissions Report (**Exhibit B**)
- Wildlife Research Associates, August 2024, Biological Resources Reconnaissance Survey, 1225 Howell Mountain Road (018-120-016, 018-120-027), Napa County, California (**Exhibit C-1**)
- Wildlife Research Associates, August 3, 2023, Updated Special-status Plant Survey for Howell Mountain Cemetery, 1225 Howell Mountain Road, Napa County, CA (APN: 018-120-016; 018-120-027) (WRA Project #330023) (**Exhibit C-2**)
- Tom Origer and Associates, September 29, 2017, Historical Resources Study for the Green Burial Cemetery Project, Angwin, Napa County, California (contents confidential)
- Eileen Barrow & Associates, July 7, 2025, Historical Evaluation Study of the Bade Cabins, 1225 Howell Mountain Road, Angwin, Napa County, California (contents confidential)
- Middletown Rancheria Tribal Historic Preservation Department, January 23, 2026, Howell Mountain Cemetery Mitigation Measures, 1225 Howell Mountain Road, Angwin, Napa County, California (contents confidential)
- RGH Consultants, October 25, 2023, Geologic Hazard Report, Howell Mountain Cemetery, 1225 Howell Mountain Road, Angwin, California (**Exhibit D**)
- TSD Engineering, Inc., September 29, 2023, Drainage Memo, P20-00030; Howell Mountain Cemetery, 1225 Howell Mountain Road; APN 018-120-016 (**Exhibit E**)
- TSD Engineering, Inc., August 20, 2024, Stormwater Control Plan for Howell Mountain Cemetery, 1225 Howell Mountain Road, Napa County, CA (**Exhibit F**)
- RSA+, January 31, 2020, Wastewater Feasibility Report, Howell Mountain Conservation Cemetery, 1225 Howell Mountain Road, Angwin, California, APN 0180-120-016 and 018-120-027 (**Exhibit G**)
- RSA+, January 31, 2020, Water Availability Analysis, Howell Mountain Conservation Cemetery, 1225 Howell Mountain Road, Napa, CA (APN 0180-120-016 and 018-120-027) (**Exhibit H-1**)
- PPI Engineering, July 1, 2025, Groundwater Recharge Memorandum, P20-00030 Howell Mountain Cemetery, 1225 Howell Mountain Road, Angwin, California, APN 018-120-016 & 018-120-027 (**Exhibit H-2**)
- RSA+, January 31, 2020, Water System Feasibility Study for a Regulated System, Howell Mountain Conservation Cemetery, 1225 Howell Mountain Road, Napa, CA (APN 0180120-016 and 018-120-027) (**Exhibit H-3**)
- W-Trans, December 13, 2023, Final Traffic Impact Study for the Howell Mountain Cemetery Project (**Exhibit I-1**)
- RSA+, January 31, 2020, Site Distance Report, Howell Mountain Conservation Cemetery, APN 0180-120-016 and 018-120-027, 1225 Howell Mountain Road, Angwin, California (**Exhibit I-2**)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Enrique Torres
Signature

May 13, 2026
Date

Name and Title: Enrique Torres, Planner II

ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

a-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista is a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the Project Description, the area around the project site includes open space, rural residential uses, and agricultural/vineyard and winery uses. The proposed project would not result in substantial damage to scenic resources or substantially degrade the visual character or quality of the site and its surroundings. The project site is not located within the vicinity of an officially designated state scenic highway; State Route 128, which is listed as eligible, is the closest and it is approximately 8.1 miles to the west (Napa County GIS Road Layer; California State Scenic Highway System Map).

The proposed project includes conversion of one of the existing dirt roads on the project site to a driveway, construction of an approximately 509-square foot welcome center and minor landscaping, two 20-foot steel storage containers, gating and signage, as well as installation of a water supply and wastewater management system within previously disturbed areas. Additionally, the proposed project would include approximately 16.19 acres of interment areas and approximately 1.5 miles of unimproved trails. The existing cabin, kitchen, and garage, as well as a concrete holding tank (spring box) and pump treatment shed would be demolished.

The proposed welcome center would be constructed using poured concrete and/or CMU block, with steel roof framing, stone veneer accents, stained wood accents, and a seam metal roof; building colors would be charcoal gray and tan and would generally be low-profile blending the welcome center into the surrounding environment. Gating and signage would be limited and would not detract from the visual character of the surrounding area. The gate would be custom fabricated using steel and concrete. Signage would be designed into the entry gate supports to identify the Howell Mountain Cemetery and street address and would be a maximum of 4 feet by 5 feet. Small signs would be placed on the interior of the project site along property lines denoting private property and cemetery use, and on trails for safety and orientation. Additionally, "NO PARKING ANY TIME" Sign R-26 (CA) signs would be placed near the driveway along Howell Mountain Road to maintain emergency access.

The proposed project would not be located in an area which would damage any known scenic vista, or damage scenic resources, rock outcroppings, or historic buildings. The proposed project would include removal of approximately 27 Douglas fir trees for construction of the driveway (approximately 0.69 acres of Douglas fir forest) (**Exhibit A-1** Sheet 7/12). The remaining 63.82 acres of Douglas fir forest on the project site (99%), as well as 27.7 acres of oak woodland and 17.45 acres of tanoak forest would be retained. There would be minor grading and vegetation removal required to develop trails, but these improvements would be minor and in some cases would follow existing informal trails already present on the project site. Interment areas would require minor vegetation removal upon burial; however, plots would be restored to natural conditions following interment and no trees would be removed for interment. Additionally, outside of the proposed driveway, gate, and signage, development of the project site would generally be on the interior of the project site, screened by vegetation and would not be visible from surrounding roadways including Howell Mountain Road to the southeast and Ink Grade Road to the southwest.

According to NCC §18.106.010(A), a primary purpose of the Napa County Viewshed Protection Program is to provide hillside development standards to minimize the impact of man-made structures and grading on views of existing landforms, unique geologic features, existing

landscape features and open space as seen from designated public roads within the county. These standards include the protection of “substantial views” where 51 percent or more of the area facing the designated viewshed road can be seen, while NCC §18.106.030(A) states that the Viewshed Protection Program shall apply to all new structures located on slopes of 15 percent or more. The project proposes a welcome center and two storage containers on slopes exceeding 15 percent; however, these features of the project cannot be viewed from any designated public road because of their relationship to surrounding topography and existing vegetation. Standard conditions of approval require that the landowner execute and record in the county’s recorder’s office a use restriction, in a form approved by county counsel, requiring the existing covering vegetation be maintained, or replaced with equivalent vegetation by the owner or the owner’s successors. By incorporating standard conditions of approval, impacts to public views from Howell Mountain Road would be less than significant.

The proposed project would not substantially alter a scenic vista or substantially degrade the existing visual character of the site or its immediate surroundings. Impacts related to scenic resources would be less than significant.

- d. The proposed project includes the installation of two motion-activated short range lights at the door of the proposed welcome center, cited in the interior of the project site and not be visible from surrounding roadways including Howell Mountain Road and Ink Grade Road. No other lighting is proposed. The limited proposed lighting would not produce substantial light or glare that would affect day or nighttime views. Further, pursuant to standard Napa County conditions of approval, outdoor lighting would be required to be shielded and directed downwards, with only low-level lighting allowed in parking areas. With incorporation of the County’s standard conditions of approval below, the proposed project would not have a significant impact resulting from new sources of outside lighting.

6.3 LIGHTING – PLAN SUBMITTAL

- a. *Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.*
- b. *All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.*

4.8 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

- a. *All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.*

Project approval, if granted, would also be subject to the following standard condition of approval, which prohibits the use of highly reflective surfaces. With implementation of the condition of approval below, the proposed project would not have a significant impact resulting from new sources of glare.

6.5 COLORS

- a. *The colors used for the roof, exterior walls and built landscaping features of the project shall be limited to earth tones that will blend the facility into the colors of the surrounding site-specific vegetation; or colors required by the Secretary of Interior’s Standards for Treatment of Historic Properties; or natural earth tone building materials. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.*

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES¹. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code Section 12220(g)), timberland (as defined in Public Resource Code Section 4526), or timberland zoned Timberland Production (as defined in Government Code Section 51104(g))?	☐	☐	☒	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☒	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐

Discussion

- a. The California Department of Conservation District map currently designates the project site as "Other Land," and the project site is not mapped as "Prime Farmland", "Unique Farmland", or "Farmland of Statewide Importance" (California Important Farmland Finder). The proposed project does not include the removal of agricultural lands. The proposed project would not result in the conversion of Farmland to non-agricultural use. No impact would occur.
- b. The project site is zoned Agricultural Watershed (AW) and the General Plan land use designation is Agriculture, Watershed, and Open Space (AWOS) (Napa County GIS Zoning and General Plan Layers). The proposed project would be consistent with the project site's zoning with issuance of a use permit, should Use Permit Application #P20-00030 and Application for Use Permit Exception to Conservation Regulations #P25-00293 be approved, as Napa County Code Section 18.120.010.B permits cemeteries in any zoning district with a use permit. The proposed project would not alter the natural setting of the site and would meet development standards for the AWOS designation in General Plan Policy AG/LU-20 and contained in Napa County Code Section 18.20.010 for the Agricultural Watershed zoning district. There are no Williamson Act contracts associated with the project site (Napa County GIS, Williamson Act Parcels). No impact would occur.
- c-d. The project site is not zoned as forest land as defined in Public Resource Code Section 12220(g), timberland as defined in Public Resource Code Section 4526, or a Timberland Production Zone (TPZ) as defined in Government Code Section 51104(g) and the proposed project would not conflict with zoning for forest land or timberland. However, the project site contains coniferous forest (Napa County GIS Zoning Layer, Napa County GIS Vegetation Layer) and is considered timberland according to the California Forest Practice Rules. The applicant is applying for a Less Than Three Acre Timber Conversion Exemption from CAL FIRE for project development, including removal of 27 Douglas fir trees (approximately 0.69 acre of Douglas fir forest) to construct the driveway. The exemption is applicable to conversions of less than three acres and may only be used once per contiguous land ownership. Project approval, if granted, would be subject to the condition of approval below. Impacts would be less than significant.

¹ "Forest Land" is defined in California Public Resource Code Section 12220(g) as "land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." "Timberland" is defined in California Public Resource Code Section 4526 as "land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forests products, including Christmas Trees. Commercial species shall be determined by the board on a district basis after consultation with the district committees and others."

6.16.(d) OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

- a. *Prior to the commencement of vegetation removal and earthmoving activities pursuant to Use Permit #P20-00030 and Use Permit Exception to Conservation Regulations #P25-00293, the permittee shall provide documentation to Napa County demonstrating that a Less Than Three Acre Timber Conversion Exemption for the proposed project has been obtained from the California Department of Forestry and Fire Protection (CAL FIRE). A registered professional forester (Scott Butler, RPF #1851) shall submit the required application to CAL FIRE.*
- e. The project site does not contain designated Farmland and is not zoned as forest land, timberland, or a Timberland Production Zone. The applicant is applying for a Less Than Three Acre Timber Conversion Exemption from CAL FIRE for project development, including the removal of 27 Douglas fir trees (approximately 0.69 acre of Douglas fir forest) to construct the driveway. The proposed project would not involve any other changes to the environment that could result in the conversion of designated Farmland to a non-agricultural use or conversion of forest to non-forest use. Project approval, if granted, would be subject to the Forest Land condition of approval above. Therefore, impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Discussion²

On June 2, 2010, the Bay Area Air Quality Management District's (now known as the Bay Area Air District) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under CEQA. These thresholds are designed to establish the level at which the Bay Area Air District believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on the Bay Area Air District's website and included in the Bay Area Air District's updated CEQA Guidelines (updated May 2012). The thresholds are advisory and may be followed by local agencies at their own discretion.

The thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of the thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

In view of the Supreme Court's opinion, local agencies may rely on thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a decision about the project. However, the thresholds are not mandatory and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or the Bay Area Air District to any specific course of regulatory action.

The Bay Area Air District published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The Bay Area Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

- a. The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or PM_{2.5}, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM_{2.5} occasionally does reach unhealthy concentrations. There are multiple reasons for PM_{2.5} exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM_{2.5} within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM_{2.5} levels. Finally, in the winter easterly winds often move fine-particle-laden air from the

² See **Section VIII (Greenhouse Gas Emissions)** for the greenhouse gas (GHG) emissions disclosure and impact assessment.

Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (Bay Area Air District, In Your Community: Napa County, April 2016).

The potential impacts associated with implementation of the project were evaluated consistent with guidance provided by the Bay Area Air District. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NO_x and ROG), carbon monoxide (CO), nitrogen dioxide (NO₂), and suspended particulate matter (PM₁₀ and PM_{2.5}). Other criteria pollutants, such as lead and sulfur dioxide (SO₂), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

The Bay Area Air District has not officially recommended the use of its thresholds in CEQA analyses and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. The Bay Area Air District also states that lead agencies need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they include in the administrative record of the CEQA document. One resource the Bay Area Air District provides as a reference for determining appropriate thresholds is the California Environmental Quality Act Air Quality Guidelines developed by its staff in 2010 and updated through 2022. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

Construction-related emissions are considered short-term in duration; nevertheless, construction emissions can represent a significant adverse impact on air quality. During construction, the proposed project would generate emissions of criteria air pollutants from operation of heavy-duty construction equipment, operation of worker vehicles and haul trucks, excavation of materials, and paving activities. Construction emissions were estimated using the California Emissions Estimator Model (CalEEMod), version 2022.1.1 and then compared to the Bay Area Air District's applicable regional significance thresholds. Construction emissions were estimated for the construction of 509 square feet of floor area welcome center and 28,755 square feet of paving, driveway, and parking uses for visitors. No construction is required for the 1.5 miles of unimproved trails or operation of 16.19 acres of dedicated interment areas; therefore, they were not included in the construction emission estimates. Project-specific information provided by the project applicant for the construction schedule, off-road equipment, and export volume were used. Where project-specific data was not available, CalEEMod defaults were used. Detailed modeling assumptions are included in **Exhibit B**.

Construction is assumed to take place over an approximate 7-month period (April 1 through October 15). Construction of the project would involve demolition, site preparation, grading, building construction, and paving. The total emissions generated over the duration of construction was divided by the number of construction days (142) to determine average daily emissions from construction and are presented in **Table 1**. As shown in the table, emissions of ROG, NO_x, PM₁₀, and PM_{2.5} would all be below their respective significance thresholds which, for construction, have been established by the Bay Area Air District in terms of average daily emissions. Therefore, the proposed project would not have a significant impact related to construction criteria air pollutant emissions.

Table 1 – Average Daily Construction-Related Criteria Air Pollutant Emissions

Project Average Daily Construction Emissions by Year	ROG	NO_x	Exhaust PM₁₀^a	Exhaust PM_{2.5}^a
2026	1.1	9	0.4	0.3
Bay Area Air District Threshold for Significant Construction Impacts	54	54	82	54
Potential Significant Impact?	No	No	No	No

NOTES: ROG = reactive organic gases; NO_x = oxides of nitrogen; PM₁₀ = particulate matter with diameter equal to or less than 10 microns;

PM_{2.5} = particulate matter with diameter equal to or less than 2.5 microns.

a. BAAQMD's construction-related significance thresholds for PM₁₀ and PM_{2.5} apply to exhaust emissions only and not to fugitive dust.

SOURCE: ESA, 2025 (Exhibit B)

Further, the proposed project would be subject to the condition of approval below, which includes standard air quality and construction best management practices consistent with the Bay Area Air District measures identified in Table 5-2 of the Bay Area Air District CEQA Guidelines.

7.1(c) SITE IMPROVEMENTS

During all construction activities the permittee shall comply with the most current version of Bay Area Air District's Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Bay Area Air District's phone number shall also be visible.*
2. *Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
3. *Cover all haul trucks transporting soil, sand, or other loose material off-site.*
4. *Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
5. *All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.*
6. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
7. *Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.*
8. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the Bay Area Air District's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a Bay Area Air District permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.*

The Bay Area Air District developed screening criteria for operational air pollutants as part of the 2022 CEQA Guidelines. Projects that meet all of the operational screening criteria from Chapter 4 of the Bay Area Air District's 2022 CEQA Guidelines, detailed below, would result in less than significant impact related to operational criteria air pollutants and precursors.

Operational Criteria

1. The project size is at or below the applicable operational screening level size.
2. Operational activities would not include stationary engines (e.g., backup generators) and industrial sources subject to Air District rules and regulations.
3. Operational activities would not overlap with construction-related activities.

The size of the proposed project is estimated to be 509 square feet of welcome center space which is well below the 750,000 square feet operational screening level for general office building land use subcategory. Additionally, the proposed project does not include stationary engines and operational activities are scheduled to begin after completion of construction-related activities, with no overlap. Based on these aspects, the proposed project meets the screening criteria for operational criteria air pollutants and precursors.

As noted above, the proposed project falls below the Bay Area Air District's construction criteria air pollution thresholds, would implement the Bay Area Air District's Basic Construction Best Management Practices, and meets the operational screening criteria for criteria air pollutants and precursors; therefore, with the condition of approval above the proposed project would not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts. Impacts would be less than significant.

- c-d. Land uses such as schools, playgrounds, childcare centers, hospitals and convalescent homes are considered sensitive to poor air quality, because infants and children, the elderly, and people with health afflictions, especially respiratory ailments, are more susceptible to respiratory infections and other air quality related health problems than the general public. Residential areas are also considered to be sensitive to air pollution because residents, which include children and the elderly, tend to be in close proximity of home for extended periods of time.

Land uses in the vicinity of project site include open space, rural residential, agriculture (primarily vineyard), and wineries. The closest school (Howell Mountain Elementary School) is located approximately 1.3 linear miles to the southwest of the project site in Napa (Google Earth). The closest residence is located approximately 230 feet to the south on the opposite side of Howell Mountain Road. The closest residential area (the Town of Angwin) is over 1.3 miles southwest of the project site.

In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. These sources would generally be temporary and occur at least 1.3 miles from the closest school and nearest residential community, providing dilution of pollutants and odors. The Bay Area Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Bay Area Air District and the condition of approval included above, construction-related impacts are considered less than significant. Additionally, for the reasons identified above, the proposed project would not expose sensitive receptors or a substantial number of people to pollutants or objectionable odors, resulting in a less-than-significant impact.

While earthmoving and construction on the project site would generate dust particulates in the short-term, project approval, if granted, would be subject to the following condition of approval relating to dust control:

7.1(b) *SITE IMPROVEMENTS – DUST CONTROL*

- a. *Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.*

Operations and maintenance activities would consist of limited excavation for interment and minor landscaping and maintenance activities which would consist of the use of small, mechanized equipment or hand tools. These activities would not be of an intensity expected to generate substantial pollutant concentrations. The proposed project would also include trips by members of the public; however, as discussed in Section XVII (Transportation), while the proposed project could generate a conservative average of 108 daily trips, these trips would fall below the 110-trip significance threshold as outlined in the Governor's Office of Planning and Research (OPR) Technical Advisory.

While the Bay Area Air District defines public exposure to offensive odors as a potentially significant impact, cemeteries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. Graves would occur at approximately 3 feet underground providing between 1.5 to 2 feet of soil cover above the body or urn creating a "smell barrier" protecting the remains from producing odors and from animals. Further, the nearest residence is approximately 230 feet to the south on the opposite side of Howell Mountain Road. Operations and maintenance of the proposed project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

Wildlife Research Associates conducted an assessment of biological resources present or potentially present on the project site (approximately 112 acres) and protocol-level rare plant surveys. Surveys were conducted on August 25, 2017, April 26 and June 22, 2018; and April 14, May 18, and June 29, 2023 (Wildlife Research Associates, August 2024 – **Exhibit C-1**). The surveys documented the presence or potential for special-status plant and animal species and their habitats, sensitive habitats or communities, federal or State protected wetlands and waters of the U.S., and native wildlife species, wildlife corridors, or native wildlife nursery sites.

Prior to conducting the biological surveys, biological information for the project site was obtained from the following sources: the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) and the California Native Plant Society Electronic Inventory. The CNDDDB and CNPS database searches included the Detert Reservoir, Aetna Springs, Walter Springs, Calistoga, St. Helena, Chiles Valley, Kenwood, Rutherford, and Yountville USGS 7.5-minute quadrangles. The special-status wildlife evaluation considered database searches for the entirety of Napa County.

Field surveys were conducted by qualified biologists familiar with the resources of Napa County and surrounding counties, with the goal of identifying the presence of sensitive biological communities, the potential for biological communities on the site to support special-status plant and wildlife species, and the presence of any other sensitive natural resources protected by local, State, or federal laws and regulations.

As shown in **Table 2**, vegetation types in the project site and proposed development area consist of Stanford's manzanita chaparral, California black oak woodland, tanoak forest, and Douglas fir forest.

Table 2 – Vegetation Types

Vegetation Types	Approximate Pre-Project Acres in Project Site	Approximate Acres in Proposed Development Area
Stanford's Manzanita Chaparral	2.57	0.00
California Black Oak Woodland	27.70	8.73
Tanoak Forest	17.45	6.31

Douglas Fir Forest	64.51	8.81
Total	112.23	23.85

Source: Wildlife Research Associates, August 2024 – Exhibit C-1

- a. The project site is generally undisturbed and contains limited development including two unimproved dirt roads, two single-story structures, a septic tank, a water storage tank, an existing well (E15-00784), and an electric transformer located adjacent to Howell Mountain Road. The proposed project would include a 509 square-foot welcome center and minor landscaping, a replacement well, approximately 1.5 miles of unimproved trails, 16.19 acres of designated interment areas, a driveway and parking areas, two storage containers, gates and signage, and water supply and wastewater infrastructure. The two structures, concrete holding tank (spring box), and pump treatment shed would be demolished. The remainder of the project site would be left undeveloped and would be managed in perpetuity as a conservation site.

The project site includes 2.57 acres of Stanford's manzanita chaparral, 27.70 acres of California black oak woodland, 17.45 acres of tanoak forest, and 64.51 acres of Douglas fir forest. Construction of the proposed driveway would require limited grading resulting in conversion of approximately 0.69 acre of Douglas fir habitat and the removal of 27 Douglas fir trees (**Exhibit A-1** Sheet 7/12). There would also be permanent impacts to approximately 0.95 acre of oak woodland, 0.64 acre of tanoak forest, 0.57 acre Douglas fir forest through development of the proposed project; however, no tree removal would occur in these areas and the proposed project would be entirely on the forest/woodland floor resulting in no loss of oak woodland and no additional forest loss. The remaining 7.78 acres of oak woodland, 5.67 acres of tanoak forest, and 7.55 acres of Douglas fir forest within the proposed development area would be within interment areas and receive only temporary impacts through installation of waterlines and reoccurring excavation and restoration of burial plots (Wildlife Research Associates, August 2024 – **Exhibit C-1**).

The Biological Resources Reconnaissance Survey reported 105 special-status plant species occurring in the vicinity of the project site. Of those, 28 species have the potential to occur in the project site. The following five special-status plant species were identified on the project site (**Exhibits C-1 and C-2**).

- Narrow-anthered brodiaea (*Brodiaea leptandra*). California Rare Plant Rank (CRPR) 1B. Narrow-anthered California brodiaea is a perennial herb in the brodiaea family (Themidaceae) that blooms from May to July. It typically occurs in broadleaf upland forest, chaparral, and lower montane coniferous forest habitat at elevations ranging from 360 to 3,000 feet. Soil survey data from documented locations suggest this species is closely associated with gravelly loam and clay loam substrates derived from rhyolites, metavolcanics, and serpentine. This species has a serpentine affinity rank of weak indicator (2.0). A total of 156 Narrow-anthered California brodiaea individuals were observed in 2023 within the chaparral in the southern portion of the project site; this is an increase of nine individuals between 2018 and 2023. These individuals were located interstitial to shrubs in the chaparral.
- Redwood lily (*Lilium rubescens*). CRPR 4. Redwood lily is a bulbiferous perennial forb in the lily family (Liliaceae) that blooms from April through September. It typically occurs in openings, roadsides, and trails, often on serpentine and volcanic substrates in broadleaf upland forest, chaparral, lower montane coniferous forest, upper montane coniferous forest, and North Coast coniferous forest habitat at elevations ranging from 95 to 6,210 feet. This species has a serpentine affinity rank of weak indicator (2.0). A total of 27 redwood lily individuals were observed in 2023 on the central-western edge of the project site in tanoak forest; this is an increase of six individuals between 2018 and 2023. These individuals were located on a rocky gentle to moderate slope in a relatively open understory.
- Cobb Mountain lupine (*Lupinus sericatus*). CRPR 1B. Cobb Mountain lupine is a perennial forb in the pea family (Fabaceae) that blooms from March through July. It typically occurs in openings in wooded slopes underlain by gravelly, often serpentine or volcanic, substrate in chaparral, cismontane woodland (knobcone pine woodland, blue oak woodland), and lower montane coniferous forest at elevations ranging from 890 to 4,960 feet. A total of 71 Cobb Mountain lupine individuals were observed in 2023 in the central portion of the project site on a fire break that was installed during the 2020 Glass Fire; this species was not observed in 2018 likely because of the closed canopy of the site.
- Green monardella (*Monardella viridis*). CRPR 4. Green monardella is a perennial forb in the mint family (Lamiaceae) that blooms from June through September. It typically occurs on serpentine substrates in chaparral, cismontane woodland, and broadleaf upland forest habitat at elevations ranging from 325 to 3,285 feet. This species has a serpentine affinity rank of broad endemic/strict indicator (4.3). A total of 27 green monardella individuals were observed in both 2018 and 2023 in the southern portion of the project site. These individuals were located interstitial and beneath the canopy of large shrubs.
- Dark-mouthed triteleia (*Triteleia lugens*). CRPR 4. Dark-mouthed triteleia is a perennial bulbiferous forb in the brodiaea family (Themidaceae) that blooms from April through June. It typically occurs in chaparral, coastal scrub, broadleaf upland forest, and lower montane coniferous forest habitat at elevations ranging from 325 to 3,250 feet. An estimated (and partially counted) 721 dark-mouthed triteleia individuals were observed in 2023 within the California black oak and Douglas fir forests in the central and northern portions of the project site; this is an estimated increase of 121 individuals between 2018 and 2023. Generally, populations were situated in the understory with low cover of shrubs and higher cover of herbaceous species.

Of the five special-status plant species that occur within the project site, two are located within the proposed development area including dark-mouthed triteleia (with approximately 2.94 acres occurring within the proposed development area, of which 0.35 acre would be permanently impacted, or 3% of total population area) and Cobb Mountain lupine (with five of a total of 71 individuals of this species in a proposed interment area, or 7% of total population).

The Biological Resources Reconnaissance Survey found that given the diffuse nature of the on-going project (i.e., interment plots) over such a sizable area, is unlikely to pose a significant impact to dark-mouthed triteleia in the immediate and long term. Similarly, the survey found that Cobb Mountain lupine could be avoided within the proposed interment areas. Given that the interment areas would be developed over time and distributions of these species would change over time and other special-status plant species may become established in the interment areas and be impacted by the proposed project, **Mitigation Measure BIO-1** would be implemented to require periodic surveys of the interment areas to monitor for special-status plant populations and require informational materials be provided to staff to reduce this potential impact to less-than-significant levels.

The Biological Resources Reconnaissance Survey reported eight special-status wildlife species that have a moderate to high potential to occur within the project site (none were observed during the surveys) (**Exhibit C-1**):

- Pallid bat (*Antrozous pallidus*). CDFW Species of Special Concern, Western Bat Working Group (WBWG) High Priority. Pallid bats are distributed from southern British Columbia and Montana to central Mexico, and east to Texas, Oklahoma, and Kansas. This species occurs in a number of habitats ranging from rocky arid deserts to grasslands, and into higher elevation coniferous forests. Roosts are typically in rock crevices, tree hollows, mines, caves, and a variety of man-made structures, including vacant and occupied buildings. Tree roosting has been documented within snags and basal hollows of conifers, and within bole cavities in oak trees. Pallid bats are primarily insectivorous, feeding on large prey that is usually taken on the ground but sometimes in flight. Prey items include arthropods such as scorpions, ground crickets, and cicadas. Trees within the project site (primarily oaks) may contain cavities or snags suitable for roosting by this species, and there are CNDDB occurrences in the vicinity.
- Townsend's western big-eared bat (*Corynorhinus townsendii Townsendii*). CDFW Species of Special Concern. WBWG High Priority. The Townsend's western big-eared bat are found in humid coastal regions of northern and central California. They are typically associated with caves, but are also found in man-made structures, including mines and buildings. While many bats wedge themselves into tight cracks and crevices, big-eared bats hang from walls and ceilings in the open. Males roost singly during the spring and summer months while females aggregate in the spring at maternity roosts to give birth. Females roost with their young until late summer or early fall, until young become independent, flying and foraging on their own. Trees within the project site may contain cavities or snags suitable for roosting by this species.
- Fringed myotis (*Myotis thysanodes*). WBWG High Priority. The fringed myotis ranges through much of western North America from southern British Columbia, Canada, south to Chiapas, Mexico and from Santa Cruz Island in California, east to the Black Hills of South Dakota. This species is found in desert scrubland, grassland, sage-grass steppe, old-growth forest, and subalpine coniferous and mixed deciduous forest. These bats most frequently utilize oak and pinyon-juniper woodlands. The fringed myotis roosts in colonies from 10 to 2,000 individuals, although large colonies are rare. Caves, buildings, underground mines, rock crevices in cliff faces, and bridges are used for maternity and night roosts, while hibernation has only been documented in buildings and underground mines. Tree-roosting has also been documented in Oregon, New Mexico, and California. The trees within the project site may contain cavities or exfoliating bark suitable for roosting.
- Golden eagle (*Aquila chrysaetos*). Bald and Gold Eagle Protection Act Species, CDFW Fully Protected Species. This species ranges throughout western North America, from British Columbia to central Mexico. It occurs year-round in rolling foothills, mountain areas, sage-juniper flats, and deserts. Cliff-walled canyons provide nesting habitat in most parts of range; also nests in large trees, usually within otherwise open areas. The trees within the project site may contain habitat for the species.
- Olive-sided flycatcher (*Contopus cooperi*). CDFW Species of Special Concern. This passerine bird is known from across Canada into the West Coast, Rocky Mountains, and Great Lake Area. They typically nest in coniferous or mixed forests, particularly lower montane forest. These birds forage for flying insects in forest openings, burns, edges, and other mixed open area in greater forest habitats. Nests are well-hidden in dense branches of large trees, preferentially conifer trees. The trees within the project site may contain habitat for the species.
- Purple martin (*Progne subis*). CDFW Species of Special Concern. Purple martin is an uncommon summer resident in California, occurring in woodlands and low-elevation hardwood and coniferous forest. It usually feeds on insects captured in flight approximately 100 to 200 feet above ground. These birds nest in cavities of tall, old, isolated trees or snags in open forest or woodland. The trees within the project site may contain habitat for the species.
- Black-chinned sparrow (*Spizella atrogularis*). Local Rare. The black-chinned sparrow is a locally common summer resident in dry brushlands and mountain slopes up to 8,800 feet in elevation. This species breeds in California in the inner north and south Coast Ranges, Transverse Range, Peninsular Range, the western slopes of the Sierra Nevada from Kern to Mariposa Counties, irregularly in Tehama County, and locally on mountains of southeastern California. This species inhabits scrub, chaparral, and sagebrush habitats and prefers sloping, dense, xeric environments, often with ceanothus, manzanita, sagebrush, and chamise. Pairs nest in the interior of dense shrubs. The trees within the project site may contain habitat for the species.

- Northern spotted owl (*Strix occidentalis caurina*). Federal Threatened, CDFW Species of Special Concern. Northern spotted owl is a subspecies of spotted owl (*Strix occidentalis*) found in Western North America. It is a medium-sized (16 to 20 inches) dark brown owl with a wingspan of approximately forty inches; females are larger than males. It nests in cavities or on platforms in large trees, preferentially inhabiting old growth forests, though it can be found in mixed primary- and secondary-growth forests in the southern part of its range (southern Oregon and California); however, trees are old and contain structures suitable for nesting (e.g., epicormics branching, large cavities, platforms). Northern spotted owl is primarily nocturnal; its diet consists mainly of wood rats (*Neotoma* sp.) and squirrels, as well as other small mammals, reptiles, birds and insects. It is intolerant of habitat disturbance and highly territorial; each nesting pair requires a large territory for hunting and raising young. The trees within the project site may contain habitat for the species.

As discussed above, development of the proposed project has the potential to impact special-status bat species, including pallid bat, Townsend's western big-eared bat, and fringed myotis. **Mitigation Measure BIO-2** would be implemented to reduce impacts to special-status bats to less-than-significant levels.

In addition to the special-status bird species discussed above, a variety of non-status bird species with baseline protections under the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3503.5 may use vegetation within the project site for nesting. On-going activities (i.e., ground maintenance, interments) would not pose a significant risk to nesting birds. **Mitigation Measure BIO-3** would be implemented to reduce impacts to special-status and nesting birds to less-than-significant levels.

The project site also has a high potential for northern spotted owl to occur. **Mitigation Measure BIO-4** would be implemented to reduce impacts to less-than-significant levels.

With the incorporation of **Mitigation Measures BIO-1 through BIO-4** and the conditions of approval below, the potential for the proposed project to have an impact on special-status plant and wildlife species would be less than significant.

Specific to oak woodland, Napa County General Plan Conservation Element Policy CON-24 requires that oak woodland be maintained to the extent feasible to provide oak woodland and wildlife habitat, slope stabilization, soil protection and species diversity. Policy CON 24(c)³, specifically provides for the preservation of oak woodland (on an acreage basis) at a 2:1 ratio where feasible, where preservation/avoidance of oak woodland is not feasible replacement of oak woodland at a 2:1 ratio is required. Napa County Code Section 18.108.020(D) (Vegetation Removal Mitigation) further requires that the removal of any vegetation canopy cover in the Agricultural Watershed zoning district be mitigated by permanent replacement or preservation of comparable vegetation canopy cover, on an acreage basis at a minimum 3:1 ratio. Oak woodland impacts and mitigation are discussed in Question e below.

- b-c. There are seven ephemeral drainages located within the northern half of the project site outside of the proposed development area. The banks of these drainages are vegetated and shaded, but the vegetation is not composed of characteristically riparian species (Wildlife Research Associates, August 2024 – **Exhibit C-1**). These drainages do not meet the Napa County stream definition pursuant to Napa County Code Section 18.108.030; despite not qualifying as streams under Napa County Code, minimum 35-foot stream setbacks have been maintained. No state or federally protected wetlands have been identified on the project site. Impacts would be less than significant. The proposed project, if approved, a condition of approval would be required to mark the stream setbacks to prevent the inadvertent encroachment into specified stream setbacks during construction.

7.5(a) OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL

- a. *The location of stream setbacks shall be clearly demarcated in the field with temporary construction fencing, which shall be placed at the outermost edge of required setbacks shown on the project plans. Prior to any earthmoving activities, temporary fencing shall be installed: the precise locations of said fences shall be inspected and approved by the Conservation Division prior to any earthmoving and/or development activities, no disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated areas for the duration of construction activities. The protection fencing shall remain in place for the duration of project implementation.*

All construction and related traffic shall remain outside of the protective fencing to the maximum extent practicable to ensure that the stream, buffer zones, and associated woodland habitat remains undisturbed.

- d. Wildlife corridors are natural areas interspersed with developed areas that are important for animal movement, increasing genetic variation in plant and animal populations, the reduction of population fluctuations, and the retention of predators of agricultural pests and for movement of wildlife and plant populations. Wildlife corridors have been demonstrated to not only increase the range of vertebrates including avifauna between patches of habitat but also facilitate two key plant-animal interactions: pollination and seed dispersal. Corridors

³ Policy CON 24(c): Provide replacement of lost oak woodlands or preservation of like habitat at a 2:1 ration when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible.

also preserve watershed connectivity. Corridor users can be grouped into two types: passage species and corridor dwellers. The data from various studies indicate that corridors should be at least 100 feet wide to provide adequate movement for passage species and corridor dwellers in the landscape.

Construction activities could result in temporary barriers to wildlife movement, but these are not expected to be significant because these activities are temporary and because of the limited scale of the project. The project site is not within either a Natural Landscape Block or an Essential Connectivity Area. At a localized scale the project site provides connectivity between similar forested and heavily wooded land parcels in surrounding areas capable of hosting a variety of wildlife species. While common wildlife species presumably use the site to some degree for movement at a local scale, the project site itself does not provide corridor functions beyond connecting similar forested and heavily wooded land parcels in surrounding areas. Additionally, most of the project site would remain undeveloped, including the majority of the site's oak woodland, tanoak forest, and Douglas fir forest resulting in direct connectivity with similar habitats within the project site and undeveloped lands adjacent to the project site allowing for continued wildlife movement at the localized and regional scale. Given the relatively small size of the proposed development area (relative to the area of the greater corridor tract), the apparent lack of development impacts within interment areas, and the retention of the oak woodland, tanoak forest, and Douglas fir forest within the project site, the proposed project is not anticipated to result in any potentially significant impacts to wildlife movement or migration. (Wildlife Research Associates, August 2024 – **Exhibit C-1**).

Though the proposed project would incrementally reduce a small amount of habitat in the project area, resulting in changes in avifauna and rodent utilization in the area, the proposed project would not lead to significant impacts to habitat fragmentation in the region, significant species exclusion, or a significant change in species composition in the region. Wildlife nursery sites were not identified in the project site, and there would thus be no impacts to wildlife nursery sites. Due to these factors, project activities would not interfere with the movement of any native resident or migratory fish or wildlife species or with their corridors or nursery sites. Impacts would be less than significant.

- e. The proposed project would not interfere with any ordinances protecting biological resources. The project site contains approximately 27.7 acres of California black oak woodland (8.73 acres of which occurs in the proposed development area), 17.45 acres of tanoak forest (6.31 acres of which occurs in the proposed development area), and 64.51 acres of Douglas fir forest (8.81 acres of which occurs in the proposed development area). The proposed development area contains 27 Douglas fir trees that are proposed for removal (**Exhibit A-1**).

Of the habitats which occur within the proposed development area, 0.95 acre of oak woodland, 0.64 acre of tanoak forest, 1.26 acres Douglas fir forest would be permanently impacted. A total of 27 Douglas fir trees would be removed. The remaining 7.78 acres of oak woodland, 5.67 acres of tanoak forest, and 7.55 acres of Douglas fir forest within the proposed development area would be temporarily impacted (through installation of waterlines and excavation of burial plots) and the remaining 18.97 acres of oak woodland, 11.14 acres of tanoak forest, and 55.7 acres of Douglas fir forest outside of the proposed development area would remain undisturbed (**Exhibit C-1**).

Napa County Code Section 18.108.020(C) (General Provisions: Vegetation Retention Requirements) requires that parcels within the Agricultural Watershed zoning district retain 70% of the vegetation canopy cover⁴ based on the on-site canopy present on June 16, 2016. Per the Biological Resources Reconnaissance Survey, there has been no appreciable change in canopy cover since 2016 (**Exhibit C-1**). Approximately 0.95 acre of oak woodland (3% of the oak woodland in the project site), 0.64 acre of tanoak forest (4% of the tanoak forest in the project site), and 1.26 acres Douglas fir forest (2% of the Douglas fir forest in the project site) would be permanently impacted with the proposed project (**Exhibit C-1**). However, none of the California black oak woodland or tanoak forest canopy cover would be removed as the proposed project would be entirely on the forest/woodland floor and all 27.7 acres of California black oak woodland canopy and 17.45 acres of tanoak forest canopy would be retained (or 100%). Construction of the proposed driveway would require limited grading resulting in conversion of approximately 0.69 acre of Douglas fir forest (1% of the Douglas fir forest in the project site) and the removal of 27 Douglas fir trees. Therefore, the proposed project would retain 99% of the tree canopy that exists on the project site in areas under 30% slope and outside of stream setbacks, exceeding the 70% retention requirement.

Specific to vegetation removal mitigation and preservation Napa County Code Section 18.108.020(D) (Vegetation Removal Mitigation) requires that the removal of any vegetation canopy cover in the Agricultural Watershed zoning district be mitigated by permanent replacement or preservation of comparable vegetation canopy cover, on an acreage basis at a minimum 3:1 ratio. Napa County Code Section 18.108.020(D) prioritizes where the mitigation replacement and preservation areas should be allowed, whereby the first priority is for onsite replacement and/or preservation areas that generally occur on slopes less than 30% and outside of stream and wetland setbacks. If this cannot be reasonably accomplished, then onsite replacement and/or preservation may occur on slopes up to 50%, in areas that result in the highest biological and water quality protections, etc. Napa County Code Section 18.108.020(E) (Preserved Vegetation Canopy Cover) requires preserved vegetation canopy cover to be protected (or otherwise enforceably restricted) through a perpetual protective easement or deed restriction preserving and conserving the preserved vegetation canopy cover.

⁴ Napa County Code Section 18.108.030 defines "vegetation canopy cover" as "the biotic communities classified as oak woodland, riparian oak woodland, or coniferous forest based on the current Manual of California Vegetation (MCV) and as described in the Napa County Baseline Data Report (2005 or as amended)."

For the proposed project to comply with Napa County Code Section 18.108.020(D) and preserve three (3) acres of canopy cover for every one (1) acre impacted, a minimum of 2.07 acres of canopy cover should be preserved on the project site for the approximately 0.69 acre of canopy that would be removed in the proposed development area.

Additionally, Napa County General Plan Conservation Element Policy CON-24 requires that oak woodland be maintained to the extent feasible to provide oak woodland and wildlife habitat, slope stabilization, soil protection and species diversity. Policy CON-24(c) specifically calls for the preservation of oak woodland (on an acreage basis) at a 2:1 ratio where feasible; where preservation/avoidance of oak woodland is not feasible replacement of oak woodland at a 2:1 ratio is required. Removal of more than one (1) acre of oak woodland for every two (2) acres preserved would be a significant impact. With the proposed project, 0.95 acres of oak woodland would be impacted and a minimum of 1.9 acres of oak woodland should be preserved on the project site.

To comply with Napa County Code Section 18.108.020(D) and Conservation Element Policy CON-24 and reduce impacts on canopy cover and oak woodland to less-than-significant levels, **Mitigation Measure BIO-5** below would be implemented. Further, the entire project site would be perpetually managed as a conservation site by Wildlands thereby protecting the remaining canopy cover and vegetation present on-site. The proposed project, if approved, shall incorporate a condition of approval which would be required to set procedures for how the excavation and equipment shall be used, in order to avoid excessive grading, prevent the spread of invasive plants and soil borne pathogens, and to further protect onsite woodland and forest.

4.12(d) OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. *Where feasible avoid excavation of interment plots near the boles of trees. Excavation should be with hand tools and small power tools, whenever feasible. Topsoil, including the root wads of any large perennial herbs and small shrubs, should be diligently set aside to resurface the interment plot. All tools, quads, and other equipment should be regularly cleaned and decontaminated to prevent the spread of invasive plants and soil borne pathogens.*

With the implementation of **Mitigation Measures BIO-1 through BIO-5** and conditions of approval, the proposed project would have less-than-significant impacts on special-status plants and wildlife as well as wildlife movement and result in conformance with policies protecting biological resources in the Napa County General Plan and Conservation Regulations. Further, as discussed in Section VII (Geology and Soils) and Section X (Hydrology and Water Quality), under proposed project conditions, soil loss is anticipated to result in no net increase as compared to existing conditions. Therefore, the findings can be made that highest biological and water quality protections have been incorporated into the project, as proposed, with incorporation of **Mitigation Measures BIO-1 through BIO-5** and conditions of approval, consistent with applicable Napa County General Plan Policies and Napa County Code Chapter 18.108, resulting in less-than-significant impacts.

- f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures:

Mitigation Measure BIO-1: As part of the management and conservation of the project site, periodic surveys (every five years) of the interment areas for special-status plant and animal species shall be conducted to determine an estimated census, distribution, and management needs. Informative materials (photographs, descriptions) of all on-site special-status species shall be provided to staff to avoid impacts to such species. A copy of the survey findings shall be provided to the Napa County Planning Division within 30 days of completing the surveys.

Mitigation Measure BIO-2: Tree removal shall be performed from September through March, outside of the general bat maternity season, to the extent feasible. If tree removal during this period is not feasible, it is recommended that a bat habitat assessment and survey effort (the latter if needed) be performed by a qualified biologist prior to tree removal to determine if bats are present in the trees. If no suitable roosting habitat for bats is found, then no further study is warranted. If special-status bat species or bat maternity roosts are detected, then roost trees shall be avoided until the end of the maternity roosting season. If this avoidance is not feasible, appropriate species- and roost-specific mitigation measures should be developed in consultation with CDFW.

Irrespective of time of year, all felled trees shall remain on the ground for at least 24 hours prior to chipping, off-site removal, or other processing to allow any bats present within the felled trees to escape.

Mitigation Measure BIO-3: For earth-disturbing activities occurring between February 1 and August 15 (which coincides with breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a pre-construction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The pre-construction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Planning Division and CDFW prior to commencement of work.

After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.

In the event that nesting birds are found, the permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Planning Division and/or the USFWS or CDFW.

Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist. Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) are prohibited.

Mitigation measure BIO-4: For project activities occurring between March 15 and July 31, prior to any vegetation removal or construction activities, a qualified biologist shall perform a northern spotted owl habitat assessment to determine the potential for this species to be present within the disturbance area as well as within a 0.25-mile buffer surrounding each disturbance area. The assessment shall include both a review of recent aerial photography and a field visit to review conditions directly. Additionally, the qualified biologist shall perform an on-site nocturnal calling survey for northern spotted owl from at least mid-March onward and prior to initiation of construction activities. Survey stations for the calling survey shall be sited to cover post-fire forest stands that are most suitable for northern spotted owl occupation. The results of the habitat assessment and survey shall be provided to the County for review prior to project initiation. If northern spotted owl is observed or otherwise believed to be present within the focal area described above, measures shall be implemented in consultation with CDFW to ensure that project activities would not result in a take of the species and that any potential impacts are otherwise minimized.

Mitigation Measure BIO-5:

- a. A Preservation Area, totaling a minimum of 2.07 acres of Douglas fir forest (2:1 preservation ratio for the canopy impact) and 1.9 acres of oak woodland (3:1 preservation ratio for the habitat impact) shall be designated as such in a deed restriction or conservation easement or other means of permanent protection. Land placed in protection shall be restricted from development and other uses that would degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or urban development and excessive off-road vehicle use that increases erosion) and should be otherwise restricted by the existing goals and policies of Napa County. The permittee shall record the deed restriction or conservation easement prior to construction or within 90 days of project approval, whichever comes first. The area to be preserved shall be of like kind and quality to the forest being impacted as a result of the proposed project, as follows: areas to be preserved shall take into account the type of vegetation being removed, and species diversity and species that are limited within the project site and Napa County; the acreage included in the preservation

area should be selected in a manner that minimizes fragmentation of oak woodland within the project site; and the preservation area should not include portions of the project site already subject to development restrictions (i.e., within creek setbacks or on slopes over 50%). The area to be preserved shall be determined by a qualified biologist with knowledge of the habitat and species and shall obtain final approval from Napa County.

The land placed in protection shall be restricted from development and other uses that would potentially degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or urban development, and excessive off-road vehicle use that increases erosion), and should be otherwise restricted by the existing goals and policies of Napa County.

The permittee shall provide an endowment to the accredited land trust that is sufficient to ensure that the mitigation easement is monitored, enforced, and defended in perpetuity. The amount of the endowment shall be calculated using the Center for Natural Land Management's Property Analysis Record software, or an equivalent methodology if preferred by the land trust and accepted by the Land Trust Alliance, which provides the systematic and objective determination of the amount of the endowment in light of the conservation values to be protected by the easement. The record showing how the amount of the endowment was calculated shall be provided to County Counsel as part of its review of the mitigation easement. Any county staff time spent assessing and monitoring said provision shall be charged to the permittee, at the rate in effect at the time assessment and monitoring occurs, pursuant to County Fee Policy Part 80.

- b. Prior to any earthmoving activities temporary fencing shall be placed at the edge of the dripline of trees to be retained that are located adjacent to the proposed development area (typically within approximately 50-feet of the proposed development area). The precise locations of said fences shall be inspected and approved by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated protection areas for the duration of erosion control plan and vineyard installation.
- c. The permittee shall refrain from severely trimming the trees (typically no more than 1/3 of the canopy) and vegetation to be retained adjacent to the proposed development area.
- d. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of Use Permit #P20-00030 and Use Permit Exception to Conservation Regulations #P25-00293 shall be replaced on-site with 15-gallon trees at a ratio of 3:1 at locations approved by the Director. A replacement plan shall be prepared for county review and approval that includes, at a minimum, the locations where replacement trees would be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. The replacement plan shall be implemented prior to issuance of a building or grading permit. Any replaced trees shall be monitored for at least three years to ensure an 80% survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the associated building permits.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Discussion

a-b. Tom Oiger and Associates prepared a Historical Resource Study for the proposed project. A historical resource study of the property was completed in September 2017 (Tom Oiger and Associates, 2017). The study was conducted to determine the presence or absence of historical or archaeological resources, and potential impacts, if any, as a result of the proposed project. The study included a check of information on file with the regional office of the California Historical Resources Information System (CHRIS) and consultation with the Native American Heritage Commission for a search of the Sacred Lands File to determine presence or absence of previously recorded historic or prehistoric cultural resources; a check of relevant historic references to determine the potential for historic era archaeological deposits or structures; and a surface reconnaissance survey of approximately 92 acres of the project site to locate any visible signs of potentially significant historic or prehistoric cultural deposits. Two cabins and a water storage tank were found during the survey. No historical resources were observed during the survey. The study stated that if future plans call for the alteration or removal of the cabins that they should be formally evaluated by a qualified archaeologist or architectural historian.

A Historical Evaluation Study (Eileen Barrow & Associates, 2025) evaluated the cabins per criteria for inclusion on the California Register of Historical Resources. After conducting archival research, developing an historical context, and examining the two cabins, the study determined that the structures do not meet criteria for inclusion on the California Register of Historical Resources and no further recommendations were warranted. Impacts would be less than significant.

Although no cultural resources were found, there is the possibility that buried archaeological deposits could be present and accidental discovery could occur. Therefore, the proposed project, if approved, would be subject to the condition of approval identified below to protect cultural resources that may be discovered accidentally.

7.2 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

- c. The Historical Resources Study did not locate any human remains in the project site and does not anticipate the discovery of human remains due to implementation of the proposed project. Therefore, impacts on human remains are anticipated to be less than significant. Furthermore, the condition of approval above would be incorporated should the proposed project be approved, which would ensure that potential impacts on human remains would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Discussion

a. During construction of the proposed project, the use of construction equipment, truck trips for hauling materials, and construction workers’ commutes to and from the project site would consume fuel. Construction activities and corresponding fuel energy consumption would be temporary and localized. In addition, there are no unusual project characteristics that would cause the use of construction equipment or haul vehicles that would be less energy efficient compared with other similar construction sites within Napa County.

The proposed project would comply with Title 24 energy use requirements. Once construction is complete, equipment and energy use would be slightly higher than under existing conditions as the proposed project would include construction of a welcome center; however, the proposed project would not include any unusual maintenance activities that would cause a significant difference in energy efficiency compared to the surrounding developed land uses. Thus, the proposed project would not result in wasteful, inefficient, or unnecessary energy use. This impact would be less than significant.

b. The transportation sector is a major end-user of energy in California, accounting for approximately 28% of total statewide energy consumption in 2019 (U.S. Energy Information Administration 2020). In addition, energy is consumed in connection with construction and maintenance of transportation infrastructure, such as streets, highways, freeways, rail lines, and airport runways. California’s 30 million vehicles consumed more than 13 billion gallons of gasoline and more than 3 billion gallons of diesel each year (CEC 2024). In Napa County, building energy accounted for approximately 31% of total emissions in 2014, with the percentage anticipated to decrease by 55% through 2050 (Napa County Revised Draft Climate Action Plan, July 2018).

With respect to transportation energy, existing energy standards are promulgated through the regulation of fuel refineries and products such as the Low Carbon Fuel Standard (LCFS), which mandated a 10% reduction in the non-biogenic carbon content of vehicle fuels by 2020. Additionally, there are other regulatory programs with emissions and fuel efficiency standards established by United States Environmental Protection Agency and the California ARB such as Pavley II/LEV III from California’s Advanced Clean Cars Program and the Heavy-Duty (Tractor-Trailer) Greenhouse Gas (GHG) Regulation. Further, construction sites are required to comply with State requirements designed to minimize idling and associated emissions, which also minimizes use of fuel. Specifically, idling of commercial vehicles and off-road equipment would be limited to five minutes in accordance with the Commercial Motor Vehicle Idling Regulation and the Off-Road Regulation.⁵ The proposed project would comply with these State requirements and the condition of approval presented in Section III (Air Quality). Napa County has not implemented an energy action plan. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency or impede progress towards achieving goals and targets, and impacts would be less than significant.

Mitigation Measures: None required.

⁵ California Code of Regulations, 2005. Title 13, Chapter 10, 2485, updated through 2014.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion

- a. i.) There are no known faults on the project site and the project site is not within a current Alquist-Priolo Earthquake Fault Zone (RGH Consultants, October 2023 – **Exhibit D**). As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.
- ii.) All areas of the San Francisco Bay region are subject to strong seismic ground shaking. Construction of the proposed project would be required to comply with the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less-than-significant level.
- iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. The project site is not located within an area delineated by the California Geological Survey as being susceptible to liquefaction (RGH Consultants, October 2023 – **Exhibit D**). Compliance with the latest edition of the California Building Code for seismic stability would result in less-than-significant impacts.
- iv.) The Geologic Hazard Report that was prepared for the proposed project reported that the California Landslide Inventory does not indicate large-scale slope instability at the portion of the project site proposed for development. However, large-scale landslides are mapped downslope of the project site and on the opposite side of the ridge to the northwest of the proposed development area. The scarp of the landslide downslope of the project site extends upwards toward the project site and the welcome center would be constructed adjacent to the scarp. The report stated that it would be geotechnically feasible to construct the planned driveway and welcome center and recommended that the welcome center gain support in undisturbed bedrock and have adequate lateral

confinement based on the slope geometry, and consider bedrock joint and/or bedding orientations in the foundation construction (RGH Consultants, October 2023 – **Exhibit D**). The proposed project, if approved, shall incorporate a condition of approval which would require the permittee to submit a geotechnical study, that has provided design recommendations based off the data provided and reviewed by a geotechnical engineer and/or engineering geologist. Impacts would be less than significant with the incorporation of site-specific geotechnical recommendations into the project design.

6.16.(e) OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

- a. *Prior to project development, the permittee shall submit a geotechnical study to the Planning Division that documents specific design recommendations based on site-specific test borings or backhoe pits, laboratory testing and engineering analyses. The data generated should be reviewed by a geotechnical engineer and/or engineering geologist and be incorporated into the project design.*
- b. While the majority of the proposed project would be constructed on slopes under 30%, some access pathways would be located on slopes over 30% and less than 50%. All on site civil improvements would be constructed according to plans prepared by a registered civil engineer and would be reviewed and approved by the County Engineering Division. The Engineering Division has reviewed the application and has provided recommended conditions of approval. Further, grading and drainage improvements would be constructed according to the current Napa County Road and Street Standards (RSS), Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code and prior to issuance of a building or grading permit the applicant would submit the necessary documents for Erosion Control, as determined by the area of disturbance of the proposed development, in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance.

The project's Drainage Memo, prepared by TSD Engineering, Inc. dated September 29, 2023 (**Exhibit E**), discusses drainage, stormwater quality measures, and best management practices to be implemented as part of the proposed project to manage water quality, such as pollution source control measures, best management practices for sediment control, and measures for paving and waste management consistent with the California Stormwater Quality Association Stormwater Best Management Practices Handbook.

Additionally, the project's Stormwater Control Plan, prepared by TSD Engineering dated August 20, 2024 (**Exhibit F**), outlines the stormwater control measures proposed to manage runoff on-site. The plan also includes management strategies for maintaining proposed stormwater management features. As discussed, the proposed project would result in a minor increase in impervious surfaces with the construction of the welcome center, associated driveway, and parking (total new and replaced impervious surface area: 1,405 square feet, total pre-project impervious surface area: 9,823 square feet, total post-project impervious surface area: 11,243 square feet); however, the proposed project would include the use of porous pavement for the driveway and parking stalls. Drainage would be designed to flow from a drainage management area into an existing open space east of the area which would be used as a self-treating area for runoff to help slow, capture, and filter flows. The drainage management area would be approximately 29,330 square feet and would drain 27,925 square feet of porous pavement, 830 square feet of sidewalk, and the 575 square foot welcome center (roof footprint) totaling approximately 29,330 square feet.

Specific to interment activities, burials would include excavation of individual plots with topsoil and vegetation being replaced and lightly compacted by staff using hand equipment following burial; no tree removal would occur. Plots would be observed for settlement and irregular ground surfaces would be corrected with placement of additional soil as necessary to avoid ponding water and maintain drainage conditions. Further, while the proposed project would include the removal of 27 trees, the majority of existing tree coverage (99%) and vegetation on-site would remain undisturbed. The proposed project would be managed in perpetuity as a conservation site by Wildlands, thereby further reducing the potential for increases in runoff and erosion. Additionally, proposed project would include minimum 35-foot stream setback from ephemeral drainages located on the project site. Impacts would be less than significant.

- c-d. Based upon the Soil Survey of Napa County, prepared by the United States Department of Agriculture (USDA), the site is composed of Aiken loam, 30 to 50% slopes, Forward silt loam, 3 to 26% slopes, Forward silt loam, 5 to 39% slopes, and Forward silt loam, 12 to 57% slopes. These soils generally exhibit a low to moderate shrink-swell potential (USDA, 1978). According to the Geologic Hazards Report (RGH Consultants, October 2023 – **Exhibit D**), the project site is primarily underlain by Tertiary Sonoma Volcanic deposits and is not located within an area delineated by the California Geological Survey as being susceptible to liquefaction. All proposed construction would be required to comply with all the latest building standards and codes at the time of construction. Compliance with the latest editions of the California Building Code for seismic stability, and the geotechnical and engineering condition of approval above, would reduce any potential impacts to the maximum extent possible, resulting in less-than-significant impacts.
- e. A Wastewater Feasibility Study prepared by RSA+ and dated January 31, 2020 (**Exhibit G**) was prepared to demonstrate that the proposed project could treat and disperse domestic wastewater on-site meeting Napa County Environmental Management Design standards for the treatment of domestic wastewater. The Napa County Environmental Health Division reviewed the application and provided conditions of approval (see Section XIX [Utilities and Service Systems]). Soils on the property have been determined to be

adequate to support the proposed on-site treatment and dispersal of wastewater generated by the proposed welcome center as well as sanitary wastewater based on the proposed number of visitors and employees. Therefore, impacts from the proposed project would be less than significant.

- f. No paleontological resources or unique geological features have been identified on the project site to date. The proposed project would include development of a welcome center, internal access roads and parking, trails, and utility installation which would involve temporary ground disturbing activities and limited grading activities. The proposed project would also include an interment area which would include minor ground disturbing activities throughout its operating life. Due to the nature of the soils in the project site, which are composed primarily of Tertiary Sonoma Volcanic deposits (RGH Consultants, October 2023 – **Exhibit D**), the probability of encountering paleontological resources within the project site is minimal. In the event, that resources are found during any earth disturbing activities associated with the project, construction and operations of the project are required to cease, and a qualified paleontologist would be retained to investigate the site, in accordance with the condition of approval below. Therefore impacts to geologic features and paleontological resources are anticipated to be less than significant.

4.12.(e) **OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL**

- a. *Discovery of paleontological resources during construction, grading, or other earth moving activities:*
In the event that a discovery of a bones, true, and/or trace fossils are discovered during ground disturbing activities, all work within 100 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agencies to determine procedures that should be followed before ground disturbing activities are allowed to resume at the location of the find. All persons working onsite shall be bound by contract and instructed in the field to adhere to these provisions and restrictions.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate a net increase in greenhouse gas, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion

On April 20, 2022, the Bay Area Air District adopted updated thresholds of significance for climate impacts (CEQA Thresholds for Evaluating the Significance of Climate Impacts, Bay Area Air District April 2022)⁶. The updated thresholds to evaluate GHG and climate impacts from land use projects are qualitative and geared toward building and transportation projects. Per the Bay Area Air District, all other projects should be analyzed against either an adopted local Greenhouse Gas Reduction Strategy (i.e., Climate Action Plan (CAP)) or other threshold determined on a case-by-case basis by the Lead Agency. If a project is consistent with the State's long-term climate goals of being carbon neutral by 2045, then a project would have a less-than-significant impact as endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204. There is no proposed construction-related climate impact threshold at this time. GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions.

Napa County has been working to develop a CAP for several years. In 2012, a Draft CAP (March 2012) was recommended using the emissions checklist in the Draft CAP, on a trial basis, to determine potential GHG emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County's GHG emissions, the proposed plan was intended to address compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the plan's objectives, the BOS requested that the CAP be revised to better address transportation-related GHG, to acknowledge and credit past accomplishments and voluntary efforts, and to allow more time for establishment of a cost-effective local offset program. The BOS also requested that best management practices be applied and considered when reviewing projects until a revised CAP is adopted to ensure that projects address the County's policy goal related to reducing GHG emissions. In addition, the BOS recommended utilizing the emissions checklist and associated carbon stock and sequestration factors in the Draft CAP to assess and disclose potential GHG emissions associated with project development and operation pursuant to CEQA.

In July 2015, the County re-commenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources), ii) address the concerns with the previous CAP effort as outlined above, iii) meet applicable State requirements, and iv) result in a functional and legally defensible CAP. On April 13, 2016, the County, as the part of the first phase of development and preparation of the CAP, released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016. This initial phase included: i) updating the unincorporated County's community-wide GHG emissions inventory to 2014, and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. On July 24, 2018, the County prepared a Notice of Preparation of a Draft Focused EIR for the Climate Action Plan. The review period was from July 24, 2018, through August 22, 2018. The Draft Focused EIR for the CAP was published May 9, 2019. Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services or online at <https://www.countyofnapa.org/589/Planning-Building-Environmental-Services>. The County's draft CAP was placed on hold when the Climate Action Committee (CAC) began meeting on regional GHG reduction strategies in 2019. The County is currently preparing an updated CAP to provide a clear framework to determine what land use actions would be necessary to meet the State's adopted GHG reduction goals, including a quantitative and measurable strategy for achieving net zero emissions by 2045.

Regarding operational emissions, as part of the statewide implementation of Senate Bill (SB) 743, OPR settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions. The CEQA Guidelines and the OPR Technical Advisory concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less-than-significant VMT impact. The County maintains a set of Transportation Impact Study (TIS) Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement

⁶ <https://www.BAAD.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, April 2022

measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less-than-significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT. Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

a-b. Overall increases in GHG emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan.

Consistent with the General Plan action items, Napa County participated in the development of a community-wide GHG emissions inventory and "emission reduction framework" for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009, and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

The County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). Pursuant to State CEQA Guidelines Section 15183, this assessment focuses on impacts that are "peculiar to the project," rather than the cumulative impacts previously assessed, because this Initial Study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared. GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide (CO₂), methane, ozone, and the fluorocarbons, which contribute to climate change. CO₂ is the principal GHG emitted by human activities, and its concentration in the atmosphere is most affected by human activity. It also serves as the reference gas to which to compare other GHGs. For the purposes of this analysis potential GHG emissions associated with cemetery 'construction' and 'development' and with 'ongoing' cemetery operations have been discussed.

GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The Bay Area Air District recommended thresholds do not include a construction-related climate impact threshold at this time. One time "construction emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project site, construction, and construction equipment, and worker vehicle trips (hereinafter referred to as equipment emissions). The physical improvements associated with the proposed project include the construction of approximately 509 square foot welcome center, 28,755 square feet of paving, driveway, and parking uses for visitors, 1.5 miles of unimproved trails, operation of 16.19 acres of dedicated interment areas, and other infrastructure related improvements. As discussed in Section III (Air Quality), construction emissions would have a temporary effect, and Bay Area Air District recommends incorporating feasible control measures as a means of addressing construction impacts. With implementation of the relevant best management practices identified by the Bay Area Air District identified in the Air Quality condition of approval in Section III (Air Quality), construction-related impacts are considered less than significant.

The Bay Area Air District proposed thresholds for land use projects are designed to address "operational" GHG emissions which represent the vast majority of project GHG emissions. Operational emissions associated with the proposed project would include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project compared to a "no project" scenario (hereinafter referred to as operational sequestration emissions); and ii) ongoing emissions from the energy used to maintain and operate the cemetery, including vehicle trips associated with employee and visitor trips (hereinafter referred to as operational emissions).

As noted above, Napa County has not adopted a qualified GHG reduction strategy or an air quality plan; therefore, the proposed project was evaluated per the Bay Area Air District's recommended minimum design elements. Specifically for buildings, the project must not:

- Include natural gas appliances or natural gas plumbing (in both residential and nonresidential development); and
- Result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and CEQA Guidelines Section 15126.2(b).

The proposed project does not propose the use of natural gas appliances or plumbing. Additionally, at the time of construction the project would be required to comply with the California Building Code, which is currently being updated to include regulations to assist in the reduction of air quality impacts associated with construction, such as prohibiting natural gas appliance and plumbing. The new construction would be required to install energy efficient fixtures complying with California Building Code Title 24 standards. See Section VI (Energy) for additional information on energy usage.

Specifically for transportation, the project must:

- Achieve compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2, and
- Achieve a reduction in project-generated VMT below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15%) or meet a locally adopted Senate Bill 743 VMT target reflecting the following recommendations:
 - Residential projects: 15% below the existing VMT per capita;
 - Office projects: 15% below the existing VMT per employee; or
 - Retail projects: no net increase in existing VMT.

As discussed above and in Section XVII (Transportation), the County maintains TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers did not require completion of a traffic study or VMT analysis because new trips would be below the 110 daily trip threshold.

As stated above, per the OPR Technical Advisory, the addition of 110 or fewer daily trips could be presumed to have a less-than-significant VMT impact. As detailed in Section XVII (Transportation), the proposed project could generate a conservative average of 108 trips per day by employees, visitors of the cemetery, and members of the public using the proposed trails. Therefore, daily trips (including passenger vehicle trips and truck trips) generated by the proposed project would be below the Governor's Office of Planning and Research's recommended screening criterion threshold for small projects generating fewer than 110 trips per day; therefore, less-than-significant impacts related to operational GHG emissions are anticipated.

The applicant proposes implementing GHG reduction strategies. These include energy conserving lighting, bicycle incentives, the installation of water efficient fixtures, water efficient landscaping, and limiting the amount of grading and tree removal. A condition of approval will be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application. The increase in emissions expected as a result of the project would be relatively modest, and the project is in compliance with the County's efforts to reduce emissions as described above. By adhering to these relevant design standards identified by BAAD, the requirements of the California Building Code, and Conditions of Approval, the project would be consistent with the State's long-term climate goals of being carbon neutral by 2045. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Discussion

a-b. Construction of the proposed project would require a variety of equipment and vehicles that use fuel and other petroleum-based products such as oil and transmission fluids and paints, which are considered hazardous materials. Cemetery operations generally would not involve the use of hazardous materials because green burial necessitates the use of non-toxic and biodegradable materials and would include the use of simple caskets, shrouds, and urns, but could include the use of limited amounts of pesticides for low-profile landscaped areas adjacent to the welcome center and occasional structural pest control.

A Business Plan would be filed with the Division of Environmental Health should the use of hazardous materials be required and the amount of hazardous materials reach reportable levels. In the event that future use involves the use, storage or transportation of greater than 55 gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment would be required in accordance with the Napa County Zoning Ordinance prior to the establishment of the use.

There are no blue line or County-defined streams on the project site. The project site contains seven ephemeral drainages and minimum 35-foot stream setbacks have been maintained from these drainages (**Exhibit A-1**). Therefore, no waterways have the potential to be significantly impacted by the proposed project. It is not reasonably foreseeable that the proposed project would create upset or accident conditions that involve the release of hazardous materials into the environment.

Impacts related to routine use, transportation, application and disposal of hazardous materials are anticipated to be less than significant. The proposed project, if approved, shall incorporate a condition of approval which sets out clear procedures so that the permittee may follow the best management practices included to reduce the accidental exposure of hazardous materials to the environment.

4.12(f) OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

a. *The permittee shall implement the following best management practices during construction activities and maintenance and operations:*

i. *Workers shall follow manufacturer's recommendations on use, storage and disposal of chemical products.*

- ii. *Workers shall avoid overtopping fuel gas tanks and use automatic shutoff nozzles where available.*
- iii. *During routine maintenance of equipment, properly contain and remove grease and oils.*
- iv. *Discarded containers of fuel and other chemicals shall be properly disposed of.*
- v. *Spill containment features shall be installed at the project site wherever chemicals are stored overnight.*
- vi. *All refueling, maintenance of vehicles and other equipment, handling of hazardous materials, and staging areas shall occur at least 100 feet from watercourses, existing groundwater well(s), and any other water resource to avoid the potential for risk of surface and groundwater contamination.*
- vii. *To prevent the accidental discharge of fuel or other fluids associated with vehicles and other equipment, all workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.*

Specific to burials and impacts on public health, cemeteries are primarily regulated by the California Department of Consumer Affairs Cemetery and Funeral Bureau (Cemetery and Funeral Bureau) and operation requires a Certificate of Authority. The proposed project, if approved, shall incorporate a condition of approval which shall require the permittee to obtain a Certificate of Authority, prior to issuance of any associated development permits and the documentation shall be submitted to the Napa County Planning Division.

9.9.(a) OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

- a. *Prior to project operation, the permittee shall submit a Certificate of Authority from the California Department of Consumer Affairs Cemetery and Funeral Bureau to the Planning Division.*

For these reasons, and with incorporation of the condition of approval described above, impacts associated with the use, storage, disposal and transport of hazardous materials and accidental release of hazardous materials would be less than significant.

- c. There are no schools located within 0.25 mile from the project site. According to Google Earth, the nearest school to the project site is the Howell Mountain Elementary School, located approximately 1.3 linear miles to the southwest of the project site in the Town of Angwin. No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known Environmental Protection Agency National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. The project site is located near Angwin Airport – Parrett Field, which is approximately 1.3 miles to the southwest, and is within Compatibility Zone E of the Angwin Airport – Parrett Field Compatibility Map (Napa Countywide Airport Land Use Compatibility Plan, 2024, and Napa County GIS Airport Layer). Zone E of the compatibility plan is an area of other airport environments and low risk. The proposed use is normally compatible with the risk and noise impacts associated with properties within Zone E. There is no limit on intensity (people per acre) in Zone E. All aspects of the development have been designed to comply with these limitations. The proposed project would include development of a welcome center, a driveway and parking, trails, and utility installation, as well as interment areas located in several areas throughout the project site. However, the proposed project does not include development of large structures, the use or processing of hazardous materials, or any of the other conditional or incompatible land uses applicable to Zone E as described in the policies of the Napa Countywide Airport Land Use Compatibility Plan.

The proposed project would require the hiring of new employees; however, operations would require minimal staffing, limited to two on-site employees. While airplanes may travel overhead, employees at the project site would generally not be exposed to excessive noise from airport operations. Additionally, proposed project would not include new housing which would result in an increase in people living at the project site that could be exposed to airport noise. Therefore, impacts would be less than significant.

- f. The existing road to the east on the project site would be converted into a driveway with a minimum width of 22 feet (including shoulders) that would extend from Howell Mountain Road into the project site and terminate at a turnaround area north of the welcome center. The turnaround area is designed to accommodate fire trucks. The existing road to the west in the project site would not be improved but would be maintained for emergency vehicle access. The southern end of this road connects to Howell Mountain Road and has an existing gate that would remain locked to restrict access to the public. A Knox Lock or similar would be installed to allow access to emergency personnel. The proposed project has been reviewed by the County Fire Department and Engineering Division and found acceptable as conditioned (see Section VII [Geology and Soils] and Section XX [Wildfire]). Therefore, the proposed project would not impair

implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan, or obstruct emergency vehicle access and impacts would be less than significant.

- g. The proposed project would not increase exposure of people and/or structures to a significant loss, injury or death involving wildland fires. As discussed above, the proposed project has been reviewed by the County Fire Department and Engineering Division and found acceptable as conditioned (see Section VII [Geology and Soils] and Section XX [Wildfire]). The proposed driveway would provide adequate access to Howell Mountain Road, and the proposed project would comply with current California Department of Forestry and California Building Code requirements for fire safety. A water storage tank and hydrant for fire suppression would be provided on site and the turnaround area near the proposed welcome center has been designed to accommodate fire trucks. Additionally, the welcome center would be constructed using fire-resistant materials including poured concrete and/or CMU block, with steel roof framing, stone veneer accents, stained wood accents, and a seam metal roof. The existing road to the west in the project site that would not be improved would be maintained to provide additional emergency vehicle access. The southern end of this road connects to Howell Mountain Road and has an existing gate that would remain locked to restrict access to the public; a Knox Lock or similar would be installed to allow access to emergency personnel. Further, operation and maintenance of the project site would include fuel load management measures including thinning vegetation and clearing defensible space around parking, improvement areas, interment areas, and the welcome center and maintaining fuel break areas. No burning is proposed for vegetation management. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Discussion

The County requires all discretionary permit applications to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

On June 7, 2022, the Napa County Board of Supervisors provided interim procedures to implement provisions of the Napa County Groundwater Sustainability Plan (GSP) for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use. The direction limits a parcel's groundwater allocation to 0.3 acre feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies. The project site and existing/replacement project well are not located within the GSA Subbasin.

To assess potential impacts resulting from the project well interference with neighboring wells within 500 feet and/or springs within 1,500 feet, the County's Water Availability Analysis Guidance Document (May 2015; WAA) requires applicants to perform a Tier 2 analysis where the proposed project would result in an increase in groundwater extraction from the project well compared to existing levels. The proposed project well is located to the east of the proposed welcome center (**Exhibit A-1**) and is over 500 feet from the closest neighboring parcel while within 1,500 feet of a known spring. The proposed replacement project well is located within 1,500 feet of known springs. This, however, does not necessitate the need for a Tier 2 analysis because per the 2024 Interim WAA Guidelines, a replacement well within the 1,500 foot spring setback is not subject to a Tier 2 analysis if the proposed use has a decrease in groundwater usage and is located farther from the spring than the existing well (PPI Engineering, May 11, 2026).

To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways and those non-navigable tributaries connected to navigable waters, the WAA guidance requires applicants to perform a Tier 3 or equivalent analysis for new or replacement wells,

or discretionary projects that would rely on groundwater from existing or proposed wells that are located within 1,500 feet of designated "Significant Streams."⁷ A Tier 3 review is the County's adopted method for complying with its duties under the public trust doctrine.

The public trust doctrine requires the state and its legal subdivisions to "consider," give "due regard," and "take the public trust into account" when considering actions that may adversely affect a navigable waterway. (Environmental Law Foundation v. State Water Resources Control Bd.; San Francisco Baykeeper, Inc. v. State Lands Com.) There is no "procedural matrix" governing how an agency should consider public trust uses. (Citizens for East Shore Parks v. State Lands Com.) Rather, the level of analysis "begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust." (Environmental Law Foundation, 26 Cal.App.5th at p. 403.) As demonstrated in the Environmental Law Foundation vs State Water Resources Control Board Third District Appellate Court Case, that arose in the context of a lawsuit over Siskiyou County's obligation in administering groundwater well permits and management program with respect to Scott River, a navigable waterway (considered a public trust resource), the court affirmed that the public trust doctrine is relevant to extractions of groundwater that adversely impact a navigable waterway and that Counties are obligated to consider the doctrine, irrespective of the enactment of the Sustainable Groundwater Management Act (SGMA). On January 10, 2024, Napa County released the Interim Napa County Well Permit Standards and WAA Requirements, providing guidance to comply with the public trust doctrine.

According to the County's WAA Guidelines, if a project well is within 1,500 feet of a Significant Stream a Tier 3 Groundwater/Surface Water Interaction Evaluation/analysis is required. No Significant Streams are located in the vicinity of the project well (Napa County Significant Streams layer); therefore, a Tier 3 WAA is not required.

- a. As discussed in Section VII (Geology and Soils), a Wastewater Feasibility Study, dated January 31, 2020, and prepared by RSA+ (**Exhibit G**), outlines the required wastewater system to meet the needs of the proposed green burial cemetery, which includes a welcome center and two restrooms. The Wastewater Feasibility Study analyzes the proposed system and evaluates its ability to treat and disperse domestic wastewater on-site meeting Napa County Environmental Health Division design standards. The predicted peak wastewater flow from the proposed project would be approximately 150 gallons per day, wastewater would flow to a 1,200-gallon septic tank then to a standard dispersal field sized to meet Napa County Environmental Health Division guidelines for a standard system. Wastewater would be conveyed to the dispersal field via an underground perforated pipe with a 1-foot-deep rock filled trench with 3 feet of acceptable soil below and 1 foot above. The dispersal field would consist of three 2-foot-wide trenches spaced 12 feet apart with a 12% grade, one trench would be approximately 100 feet, and the remaining trenches would be approximately 65 feet each.

The analysis determined that the proposed system would have adequate capacity to treat and disperse domestic wastewater and predicted peak wastewater flow is within the capacity of the proposed system. The Environmental Health Division reviewed the study and concurred with its findings, conditioned that an inspection of the conventional sewage system be performed by a licensed sewage contractor with the findings submitted to the Environmental Health Division, and that the use of dispersal field area be restricted to activities which would not contribute to compaction or reduction in soil aeration (see Section XIX [Utilities and Service Systems]). Further, the proposed project would implement stormwater quality control measures including standard best management practices and the use of porous pavement as a low impact development facility in the driveway and parking areas. Existing drainage would also be retained allowing runoff to flow to a natural open space located east of the development area which would help slow, capture, and filter stormwater flows. Water quality would be maintained through standard stormwater quality treatment control measures and best management practices outlined in the Stormwater Control Plan, dated August 20, 2024, prepared by TSD Engineering, Inc. (**Exhibit F**), and in compliance with Engineering Division conditions of approval (see Section VII [Geology and Soils]).

Specific to potential water quality impacts from interment and as discussed above in Section IX (Hazards and Hazardous Materials), cemetery operation requires a Certificate of Authority from the Cemetery and Funeral Bureau (see Section IX [Hazards and Hazardous Materials]). Further, minimum 35-foot stream setbacks have been maintained from waterways adjacent to interment areas to prevent impacts to water quality, and existing vegetation and trees would be retained within interment areas maintaining natural drainage conditions and rates of runoff and erosion. Therefore, impacts would be less than significant.

- b. A Tier 1 Water Availability Analysis was prepared by RSA+, dated January 31, 2020 (**Exhibit H-1**). As directed by the County's Water Availability Analysis Guidance Document of May 2015 and the Interim Well Permit Standards (January 2024), the report includes Tier 1 calculations for the existing and proposed water uses on the project site. The existing groundwater usage of the project site is estimated at 0.5 acre-feet per year (AF/yr). The proposed project would result in a decrease of groundwater use by 0.09 AF/yr and would maintain a net increase of groundwater usage, through utilization of a replacement well, and by locating the proposed replacement well farther from the spring than the existing well, which would necessitate not requiring a Tier 2 analysis (PPI Engineering, May 11, 2026).

⁷ Refer to Figure 1: Significant Streams for Tier 3, located at www.countyofnapa.org/3074/Groundwater-Sustainability. The "Significant Streams" and "Significant Streams_1500ft_buffer" GIS layers are published as publicly-available open data through the County's ArcGIS Online Account.

Water was historically supplied to the existing cabin on the project site via a pipe connected to a developed spring located upslope. The spring development consists of a concrete holding tank (spring box) that was reportedly supplied by a natural spring that has since dried up.

Water supply for the proposed project would be provided from a proposed replacement well near the welcome center. A proposed underground water tank would convey water to the fire hydrant on the driveway via a four-inch line, and a two-inch water line would convey water to the welcome center. Water would be used for the fire hydrant, restrooms and welcome center.

Maximum annual water demand for the proposed project is estimated at 0.41 AF/yr per year (RSA+, January 2020 – **Exhibit H-1**); note that after the Water Availability Analysis was completed the project description was revised to move the office to an offsite location, minimizing the number of people traveling to and using the site on a daily basis. The Water Availability Analysis assumes that all employees would be located onsite, which presents a more conservative analysis of potential groundwater impacts. **Table 3** provides a summary of existing and proposed water use on the project site.

Table 3 – Existing and Proposed Water Use

Use Type	Existing Use (AF/yr)	Proposed Use (AF/yr)
Residential	0.50	0.00
Landscape	0.00	0.25
Employees	0.00	0.02
Visitors	0.00	0.14
Total (AF/year)	0.50	0.41

Source: RSA+, January 2020 – Exhibit H-1

Long-term average groundwater recharge can be estimated as the percentage of rainfall that falls on the project aquifer recharge area and percolates into the underlying aquifer. The percentage of rain that has the potential to infiltrate varies depending on factors such as rates of evaporation and transpiration, soil type and geology that exists at the site, and average annual rainfall. Based on available climatological data, site-specific information, and other available data and analysis relevant to potential recharge, an average annual rainfall of 33.65 inches within the project site was calculated for water years 2012 through 2021 and serves as the project site's normal water year conditions. By multiplying the size of the project site by the average annual rainfall, it is estimated that the project site received a total of 3,677.95 acre-inches of rain per annum between 2012 and 2021. The 3,677.95 acre-inches is then converted to acre-feet for a total of 306.50 acre-feet. Average annual recharge during this period is therefore 8% of the 306.50 acre feet total annual precipitation or approximately 24.52 acre-feet of recharge (PPI Engineering, July 2025 – **Exhibit H-2**). The estimated annual future groundwater demand in the project well recharge area of 0.41 AF/yr is below the estimated average annual recharge volume of 24.52 AF/yr.

The proposed replacement groundwater well is capable of supporting the proposed peak daily groundwater demand (conservatively estimated at 509 gallons per day, as the project description was revised after this analysis to move the office to an offsite location, minimizing the number of people traveling to and using the site on a daily basis). The replacement well has a capacity of 30 gallons per minute. When pumped on a 50% operational basis (pumping 12 hours per day), the daily projected well yield is 21,600 gallons per day; this exceeds the proposed peak daily demand on the well (RSA+, January 2020 – **Exhibit H-3**).

Considering: i) anticipated annual water use of the proposed project and project well groundwater recharge area of approximately 0.41 AF/yr is below the anticipated annual groundwater recharge rate screening criteria (or allocation) of approximately 24.52 AF/yr; ii) there is no evidence to date indicating that there are groundwater problems or declining well production in the this area of the County; and iii) incorporation of the standard condition of approval below to reduce potential impacts associated with groundwater use, the proposed project, if approved, would result in less-than-significant impacts to groundwater supplies, groundwater recharge, and local groundwater aquifer levels.

4.1 GROUND WATER MANAGEMENT - WELLS

This condition is implemented by the Planning, Building and Environmental Services Department:

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the Director of Planning, Building and Environmental Services Department (PBES Director) determines that substantial evidence⁸ indicates that water usage at the project is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring

⁸ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the PBES Director determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the PBES Director determines that the well could be useful in supporting the program.

In the event that changed circumstances or significant new information provide substantial evidence¹ that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

- c. The proposed project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. The project site currently drains from west to east with run-off sheet-flowing onto natural open space. The existing drainage patterns would be maintained with the proposed project, and porous pavement would be used in the driveway and parking area (totaling approximately 27,923 square feet) to manage runoff. Construction of the proposed project would result in approximately 1,340 square feet of new impervious surfaces, which comprises roughly 0.03% of the total project site (**Exhibit E**).

Improvement plans prepared prior to the issuance of grading or building permits would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50(c) requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development are not greater than predevelopment conditions. The project's Stormwater Control Plan (**Exhibit F**) has been reviewed by the Engineering Division. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. Further, the Drainage Memo was prepared by TSD Engineering Inc. dated September 29, 2023 (**Exhibit E**), which discusses drainage, stormwater quality measures, and best management practices that would be implemented to manage water quality, such as pollution source control measures, best management practices for sediment control, paving and grinding operations, and waste management, which would be consistent with the CASQA Stormwater Best Management Practices Handbook. The incorporation of these features into the proposed project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.

- d. The project site is not within the boundaries of the 100-year flood hazard boundaries (Napa County GIS FEMA flood zone and dam levee inundation areas layers; Napa County General Plan-Safety Element, 2023). The project site is also not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. Therefore, no impact would occur.
- e. The proposed project would not have an adverse impact on water quality because the proposed project has been designed to keep polluted runoff and sediment from leaving the project site. As discussed in Section IX (Hazards and Hazardous Materials), the project may use limited amounts of pesticides for minor landscaping near the proposed welcome center and occasional structural pest control; however, cemetery operations generally would not involve the use of hazardous materials, as green burial necessitates the use of non-toxic and biodegradable materials, such as caskets, shrouds, and urns. As discussed in Sections IV (Biological Resources) and IX (Hazards and Hazardous Materials), minimum 35-foot stream setbacks have been maintained from ephemeral drainages and would facilitate increased water infiltration so that chemicals and potentially hazardous materials associated with project implementation and operation can be trapped and degraded in buffer vegetation and soils to protect water quality. Because the proposed project as designed is not expected to increase overall runoff rates or decrease times of concentration in relation to existing conditions (as discussed in Question c above), the proposed stormwater management area and buffers would be able to effectively trap and filter sediments, minimizing their entry into nearby water resources.

As discussed above and in Section VII (Geology and Soils), the proposed project has been designed to maintain existing drainages. The proposed project would use a stormwater management area and existing open space to prevent sediment, runoff, and pollutants from leaving the project site, and standard stormwater control measures and best management practices would be implemented to further reduce impacts to water quality. As such, the proposed project is anticipated to have no negative effect on runoff rates and would maintain project site drainage characteristics as compared to existing conditions.

Therefore, the proposed project as designed would not adversely conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Discussion

a-b. The project site is located on Howell Mountain Road, and the nearest established community is Angwin, approximately 1.3 miles southwest of the project site. Existing improvements on the project site include two unimproved north-south dirt roads, two cabins, and associated infrastructure improvements including an existing well, water tank, a septic tank, and an electric transformer located adjacent to Howell Mountain Road. Surrounding areas contain dense vegetation and winery and rural residential land uses.

The project site is located in the Agricultural Watershed zoning district; development of the project site would therefore be subject to the development standards contained in Napa County Code Section 18.020.010. The proposed project complies with the Napa County Code and all other applicable regulations and would be compliant with the physical limitations of the Napa County Zoning Ordinance. Further, Napa County Code Section 18.120.010(B) allows cemeteries in all zoning districts with an approved use permit. The proposed project would also be subject to Napa County Conservation Regulations. Specifically, Napa County Code Section 18.108.060 forbids development from occurring on areas where slopes would be greater than 30% and exceptions to Conservation Regulations are outlined in Napa County Code Section 18.108.040. Pursuant to Napa County Code Sections 18.120.010.B and 18.108.040, the Applicant has filed a Use Permit Application (#P20-00030) and Application for Use Permit Exception to Conservation Regulations (#P25-00293) to allow improvements on slopes over 30% with the County, and if approved the proposed cemetery would be considered an allowed use.

Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." As discussed in Section II (Agriculture and Forestry Resources), no agricultural uses exist on the project site and there are no Williamson Act contracts associated with the project site. Therefore, proposed project would not have any effect on the preservation or use of agriculturally designated land for current and future agricultural purposes and as such supports General Plan Goals AG/LU-1 regarding agricultural preservation. The project would allow for the continuation of agriculture as a dominant land use within the County and is consistent with the Napa County General Plan.

As the proposed project would maintain the character of the project site and allow natural, native species to continue to inhabit the area with the project site managed as a conservation site, the proposed project supports General Plan Policy AG/LU-4 concerning the preservation of open space, as well as Policy CON-1 in terms of the preservation of native vegetation. After development of the proposed project, soil and vegetation disturbance would be limited to interment areas. The proposed project could include up to five burials per day; however, plots would be restored to natural conditions following interment; therefore, minimal land disturbance is expected during operations and maintenance.

If approved and with issuance of Use Permit #P20-00030 and Use Permit Exception to Conservation Regulations #P25-00293, the proposed project would be consistent with the allowed uses of the project site which is zoned as Agricultural Watershed. The proposed project would not result in the division of an established community. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion

a-b. Historically, the two most valuable mineral commodities in Napa County in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (Mines and Mineral Deposits, BDR Figure 2-2) indicates that there are no known mineral resources nor any locally important mineral resource recovery sites located on the project site. No impacts would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

Discussion

a-b. The proposed project would result in a temporary increase in noise levels during construction and operation activities for the proposed welcome center, interment areas, trails, driveway and parking, storage, gating and signage, and water and wastewater systems. The proposed project would include cemetery operations, with two to three burials a day initially with up to five a day as operations increase. Burial excavation and site maintenance activities would be performed via small, mechanized equipment or manual labor. Salutary gunfire would be prohibited except for military burials. Therefore, noise generated by the proposed project would be short-term and temporary. As such, the proposed project would not result in potentially significant noise or vibration impacts. The nearest residence to construction activities at the project site is approximately 230 feet to the south on the opposite side of Howell Mountain Road. Due to distance and vegetative screening, there is a low potential for noise to result in a significant impact.

Further, construction activities would occur during the period of 7 a.m. – 7 p.m. on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). Project approval, if granted, would be subject to the condition of approval identified below, which require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.

7.3 CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur daily between the hours of 8 am to 5 pm."

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. Based on the standards in County Code Section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7 AM to 10 PM). Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50% of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use). Amplified music or sound systems would not be permitted for outdoor events and project approval, if granted, would be subject to the condition of approval below.

4.2 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings."

Compliance with the conditions of approval above would result in less-than-significant noise and vibration impacts, and would result in no permanent increase in ambient noise levels in the vicinity of the proposed project in excess of County standards. Impacts would be less than significant.

- c. The project site is located near Angwin Airport – Parrett Field, which is approximately 1.3 miles to the southwest, and is within Compatibility Zone E of the Angwin Airport – Parrett Field Compatibility Map (Napa Countywide Airport Land Use Compatibility Plan, 2024, and Napa County GIS Airport Layer). Project operations would require minimal staffing, limited to two on-site employees. While airplanes may travel overhead, employees at the project site would generally not be exposed to excessive noise from airport operations. Additionally, proposed project would not include new housing which would result in an increase in people living at the project site that could be exposed to airport noise. Therefore, impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

- a. The Association of Bay Area Governments' Plan Bay Area 2050 Growth Pattern figures indicate that the total households for Napa County are projected to increase approximately 10% by the year 2050, increasing from 50,000 to 56,000. Unincorporated Napa County, along with the cities of American Canyon, Napa, St. Helena, Calistoga and the town of Yountville all have existing compliant 6th Cycle Housing Elements certified by the State Department of Housing and Community Development. For the 6th Cycle, which runs from 2023 – 2031, Napa County jurisdictions have identified and have rezoned or are in the process of rezoning land to accommodate 3,844 dwelling units, more than half of the households projected by the Association of Bay Area Governments to develop in Napa County by 2050.

Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code Section 65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environment damage with the provision of a "decent home and satisfying living environment for every Californian." (See Public Resources Code Section 21000(g).) The 2008 General Plan sets forth the County's long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The policies and programs identified in the General Plan Housing Element function, in combination with the County's housing impact mitigation fee, to ensure adequate cumulative volume and diversity of housing.

With the need for two onsite only employees, the proposed project would not result in substantial population growth. Relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply, the proposed project would not create population growth that rises to a level of environmental significance. In addition, Napa County collects fees from developers of nonresidential projects to help fund local affordable housing (see Napa County Code Section 18.107.060 – Nonresidential developments – Housing fee requirement). The fees are assessed with new construction and are collected at time of building permit issuance for new construction. The proposed project would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs. Cumulative impacts on the local and regional population and housing balance would be less than significant.

If approved, the proposed project would develop a green burial cemetery. This would include the development of a welcome center, proposed on-site water supply system using a proposed replacement on-site well, an on-site septic system including a septic tank and leach field, and two integral paved access roads. The proposed infrastructure would be designed specifically to serve the project site and would not include features which might induce growth by extending service outside of boundaries of the project site or increasing the capacity of any existing roadway.

Employees and visitors to the cemetery could increase demand for group transportation services to the cemetery, though the potential for employment changes of other business supporting the cemetery's requested operations is uncertain, unquantifiable, and speculative. The policies and programs identified in the General Plan Housing Element, in combination with the County's housing impact mitigation fee, ensure adequate cumulative volume and diversity of housing. With limited staffing proposed and no off-site expansion of utilities or facilities required to serve the project site, the proposed project would have less-than-significant impact on population growth.

- b. No existing housing or people would be displaced as a result of the proposed project. The two existing cabins that would be demolished with the proposed project are not occupied. Therefore, the proposed project would not displace substantial numbers of existing housing or numbers of people necessitating the construction of replacement housing elsewhere and no impact would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

Discussion

- a. The project site is located within the service areas of both the Napa County Sheriff's Department as well as the Napa County Fire Department. The Napa County Sheriff's Office in Angwin is located approximately 2 miles away from the project site. The Napa County Fire Station 18 in Angwin and Station 20 in Pope Valley are located approximately 2.3 miles and 1.8 miles from the project site, respectively. The proposed cemetery and other site improvements, if approved, would be inspected by County building inspectors and fire officials in order to ensure that construction occurs in accordance with current Building and Fire Codes applicable at the time of submittal of any requisite building permit application.

If approved, the requested use permit and use permit exception to Conservation Regulations would facilitate the development of a green burial cemetery. The proposed project would construct a new welcome center, interment area, and associated trails. The proposed project does not include construction of any new residential units, would not result in substantial population growth in the area, and would not introduce new residents that would use existing parks or potentially increase student enrollment in nearby schools. School impact fees, which assist local school districts with capacity building measures, would be levied pursuant to building permit submittal. The proposed project would include trails that would provide access for pedestrians and operations vehicles to plots within interment areas, and these trails would be open for hiking use by the public during cemetery hours of operation (dawn to dusk daily, year-round). Impacts to public services would be less than significant. Also, see discussion below under Section XVI (Recreation).

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Discussion

- a. As discussed above in Section XIV (Population and Housing), the proposed project would not result in substantial population growth. The proposed project would not increase the use of existing recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, no impact would occur.
- b. The proposed project includes approximately 1.5 miles of trails that would provide access to visitors and employees to interment areas. These trails would also be open for hiking use by the public during cemetery hours of operation (dawn to dusk daily, year-round). Trail construction would consist of brush clearing and, in some places, would require minor grading to create safe pedestrian and maintenance vehicle passage and to prevent erosion from drainage. Trails would consist of native material and would not include additional surfacing with the potential exception of wood chips. The trails would be maintained but would be kept natural and unimproved. Therefore, the proposed project would not include recreational facilities that may have an adverse physical effect on the environment. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA guidelines § 15064.3 subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐
e) Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	☐	☐	☒	☐

Discussion

a-b. As part of the statewide implementation of SB 743, the Governor's Office of Land Use and Climate Innovation (LCI) settled upon automobile VMT as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions.

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that "projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact." That policy is followed by an action item (CIR-7.1) directing the County to update its CEQA procedures to develop screening criteria for projects that "would not be considered to have a significant impact to VMT" and that could therefore be exempted from VMT reduction requirements.

The new CEQA Guidelines and the LCI Technical Advisory note that CEQA provides a categorical exemption (Section 15303) for additions to existing structures of up to 10,000 square feet, so long as the project is in an area that is not environmentally sensitive and where public infrastructure is available. LCI determined that "typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract 110-124 trips per 10,000 square feet." They concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less-than-significant VMT impact.

The County maintains a set of TIS Guidelines that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County's transportation plans and policies. Per the County's current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. For a new project that would generate less than 110 net new daily vehicle and truck trips, not only is the project not required to prepare a TIS, it is also presumed to have a less than significant impact for VMT. However, applicants are encouraged to describe the measures they are taking and/or plan to take that would reduce the project's trip generation and/or VMT.

Projects that generate more than 110 net new passenger vehicle trips must conduct a VMT analysis and identify feasible strategies to reduce the project's vehicular travel; if the feasible strategies would not reduce the project's VMT by at least 15%, the conclusion would be that the project would cause a significant environmental impact.

Currently, the project site includes two one-story structures, two dirt roads, and associated infrastructure including an existing well, water tank, a septic tank, and an electric transformer located adjacent to Howell Mountain Road. The project site is accessed from an existing dirt road off Howell Mountain Road. Trucks and other equipment would use County roads or State highways for short periods during construction and personal vehicles and work trucks would typically be used by employees and guests during subsequent cemetery operations. Based on data considering maximum employees and guests attending burials and using the proposed trail system (W-Trans, December 2023 – **Exhibit I-1**), the proposed project is expected to generate a conservative average of 108 trips per day, including eight PM peak hour trips on Friday and 34 trips during the Saturday PM peak hour.

Since operational and visitor trips associated with the proposed project would be below the 110-trip threshold in the LCI guidelines and the County's TIS Guidelines and VMT screening criteria, the proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Impacts would be less than significant.

Additionally, there are no existing pedestrian, bicycle or transit facilities in the project vicinity, the proposed project would not conflict with any policies relevant to these modes and would result in an increase in bicycle parking accessibility at the project site (**Exhibit I-1**). Impacts would be less than significant.

- c. The proposed project would use the existing private driveway off Howell Mountain Road for project development. The proposed project would include roadway improvements to the dirt road that would extend from Howell Mountain Road and terminate at a turnaround area north of the welcome center. The proposed project does not include improvements or modifications to Howell Mountain Road or include any other design feature that would result in hazardous conditions due to a geometric design feature or incompatible uses. Additionally, the installation of the cemetery upon acquiring a use permit (Use Permit Application #P20-00030 and Application for Use Permit Exception to Conservation Regulations #P25-00293) would be consistent with the allowed uses of the project site which is zoned as Agricultural Watershed.

A Site Distance Report was prepared for the proposed project by RSA+, January 2020 (**Exhibit I-2**), consistent with the Caltrans Highway Design Manual. The analysis determined the stopping sight distance meets minimum requirements in both travel directions along Howell Mountain Road. Additionally, the corner sight distance from the proposed driveway heading west also met minimum sight requirements; however, the corner sight distance looking east was determined to be less than the minimum required sight distance. The report recommended tree and vegetation trimming at this corner to establish minimum sight distance requirements and a subsequent sight distance evaluation to confirm sight distance minimum requirements have been met following trimming. These measures were reviewed and accepted by the Department of Public Works. Project Conditions of Approval require the applicant to obtain an encroachment permit from the Department Public Works prior to commencement of any improvements/work within the public right-of-way.

The proposed project under the Napa County Roads and Streets Standards, would warrant the installation of a left-turn lane at the project driveway. However, the Department of Public Works determined on April 6, 2026, that the Traffic Impact Study (W-Trans, December 2023) provides sufficient evidence to support an exception to the NCRSS requirement for construction of the LTL. The analysis concluded that construction of the LTL would result in substantial and unavoidable impacts to the natural environment, including removal of a substantial number of native trees, vegetation, along with grading of steep rocky slopes adjacent to Howell Mountain Road. The NCRSS Exception would also remain consistent with the existing operation and character of Howell Mountain Road or in the vicinity of the project site. In the Howell Mountain Road TIS, there were 15 collisions in the five-year period between October 1, 2014, to September 30, 2019. The study was utilized to create the Roadway Segment Collision Rate Worksheet which demonstrates a lesser rate of collisions per million vehicle miles than the statewide average, which occurs on roadways of similar conventional two (2) lane highways. A study provided by the Statewide Integrated Traffic Records System (SWITRS), utilizing the five-year period between June 1, 2017, to May 31, 2022, found that there were four (4) collisions reported on Howell Mountain Road, resulting in less than one (1) documented collision annually. Sight distance extends approximately 180 feet to the west and 260 feet to the east, and to maintain adequate sight distance over time, the project has been conditioned (Condition 2 to Public Works Memorandum dated 5/27/25) to trim and maintain vegetation as recommended in the TIS, Figure 7. For those cars that do need to make a left turn into the driveway there is adequate sight distance to allow cars to see a turning vehicle and stop to avoid it.

- d-e. The proposed project was analyzed to determine whether the proposed parking supply would be sufficient for the anticipated daily demand during operations (RSA+, January 2020 - **Exhibit I-2**). As proposed, the project site would have a total of 38 parking spaces (with one designated for ADA drivers). On a busy day, 30 to 40 vehicles are estimated for larger services. The two employees per day would occupy two of the 38 available spaces. The Napa County Code does not identify a specific parking standard for cemeteries. Napa County Code

Section 18.110.030 allows the Planning Commission to determine the number of parking spaces required for any use specifically not listed in the Napa County Code.

The proposed project is designed to meet the Napa County Road and Street standards, with the exception of a warranted left-turn lane on Howell Mountain Road, conforming to the latest emergency access requirements and providing adequate emergency access to the project site. The County's Engineering Division and County Fire have reviewed the proposed project as currently designed and recommend approval. The Department of Public Works have reviewed the TIS' review of the left turn lane warrant and concurred with the findings that the project will not adversely affect the life, safety and welfare of the public or persons coming to the property, recommending decision makers approve the request for exception to the Road and Street Standards. Several of the proposed parking spaces would be oversized to accommodate shuttles or stretch vehicles with higher capacity. If a funeral or memorial is planned that requires more parking than what is available onsite, shuttles would be arranged, further reducing the proposed project's need for additional parking. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES. Would the project:				
Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Discussion

a-b. On March 19, 2020, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area of the proposed project and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code Section 21080.3.1, which included Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley and Yocha Dehe Wintun Nation. On December 16, 2025, the Middletown Rancheria (Tribe) and County, conducted a site visit to assess the project site. On January 23, 2026, Middletown Rancheria (Tribe) provided the County with Mitigation Measures deemed necessary for the protection of tribal and cultural resources (contents confidential). In response, the County incorporated additional mitigation measures for the protection of tribal cultural resources as discussed further below. The project was determined to have the possibility of unearthing tribal cultural resources which include, but are not limited to, Native American human remains, funerary objects, items or artifacts, sites, features, places, landscapes or objects with cultural values to the Middletown Rancheria during ground disturbance activities. Therefore, Mitigation Measure TCR-1 has been incorporated into the Project to ensure the preservation or mitigation of significant impacts to tribal cultural resources.

As discussed in Section V (Cultural Resources) the proposed project's Historical Resources Study (Tom Oiger and Associates, 2017) did not identify significant cultural resources in the project site. Furthermore, no resources that may be significant pursuant to Public Resources Code Section 5024.1(c) have been identified in the project site and the Cultural Resources condition of approval discussed in Section V (Cultural Resources) would avoid and reduce potential impacts to unknown resources.

As such, the proposed project, with the Cultural Resources condition of approval, would result in less-than-significant impacts to Tribal Cultural Resources, including those that may be eligible for the California Historical Resources Information System or local register, or cultural resources as defined in Public Resources Code Section 5024.1(c).

Mitigation Measures:

Due to the possibility of unearthing tribal cultural resources which include, but is not limited to, Native American human remains, funerary objects, items or artifacts, sites, features, places, landscapes or objects with cultural values to the Middletown Rancheria of Pomo Indians of California ("Tribe"), during ground disturbance activities, the following mitigation measures shall be incorporated into the Project for preservation or mitigation of significant impacts to tribal cultural resources.

Mitigation Measure TCR-1:

1. Prior to initial ground disturbance, the applicant shall retain a project Tribal Cultural Advisor approved by the Tribe, to direct all mitigation measures related to tribal cultural resources.
2. Ground disturbing activities occurring in conjunction with the Project (including surveys, testing, concrete pilings, debris removal, rescrapes, punchlists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work and other excavations or other ground disturbance involving the moving of dirt or rocks with heavy equipment or hand

tools within the Project area) shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.

3. The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that requires multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor have indicated that the site has a low potential for tribal cultural resources.

4. All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified consistent. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.

5. The Project applicant must meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion

- a. As discussed in detail in Section X (Hydrology and Water Quality), a Wastewater Feasibility Study, dated January 31, 2020, and prepared by RSA+ (**Exhibit G**) outlines the required wastewater system to meet the needs of the proposed cemetery, employees, and visitors. The Wastewater Feasibility Study analyzed the proposed system and evaluated its ability to treat and disperse domestic wastewater on-site meeting Napa County Environmental Health design standards. The predicted peak wastewater flow from the proposed project would be approximately 150 gallons per day, wastewater would flow to a 1,200-gallon septic tank then to a standard dispersal field sized to meet Napa County Environmental Health guidelines for a standard system. The analysis found that the proposed system would have adequate capacity to treat and disperse domestic wastewater and predicted peak wastewater flow is within the capacity of the proposed system. The Environmental Health Division reviewed the study and concurred with its findings, conditioned that an inspection of the conventional sewage system be performed by a licensed sewage contractor with the findings submitted to the Environmental Health Division, and that the use of dispersal field area be restricted to activities which would not contribute to compaction or reduction in soil aeration. The waste system was designed per Regional Water Quality Control Board and County requirements and project approval, if granted, would be subject to the condition of approval below.

Based on the proposed uses, the onsite water system would be classified as a transient noncommunity public water system per the State of California Drinking Water Requirements. RSA+ completed a Water System Feasibility Study for a Regulated System, dated January 31, 2020 (**Exhibit H-3**). The RSA+ report concludes that the project's well meets all applicable state standards. The proposed replacement well would comply with Napa County Code Section 13.12.380 as a Class IA well for a public water system and would exceed projected daily groundwater demand. Water quality sampling of the well would be conducted prior to operation of the proposed water system water quality is expected to meet or exceed all requirements of Chapter 15 OF Title 22, California Code of Regulations. The Environmental Health Division reviewed the Water System Feasibility Study and concurred with its findings and has recommended conditions of approval.

The proposed project would include electric service provided by PG&E; service would be established via an existing transformer located along Howell Mountain Road which previously provided service to the cabins currently at the project site and that would be demolished under the proposed project. Impacts would be less than significant.

- b. As discussed in Section X (Hydrology and Water Quality), a Tier 1 Water Availability Analysis (WAA) was prepared by RSA+, dated January 31, 2020 (**Exhibit H-1**). The WAA assumes that all employees would be located onsite, which presents a more conservative analysis of potential groundwater impacts. The report includes calculations for the existing and proposed water uses at the project site. An onsite water audit of existing uses was completed, and the existing water use associated with the cabin and kitchen and garage is

estimated to be 0.5 AF/yr. However, these structures would be demolished with the proposed project. Total water demand with the proposed project would be 0.41 AF/yr. Note that after the WAA was completed the project description was revised to move the office to an offsite location, minimizing the number of people traveling to and using the site on a daily basis. The proposed project would not increase groundwater use compared to existing conditions. PPI Engineering prepared a Groundwater Recharge Memorandum dated July 1, 2025 (**Exhibit H-2**), which used Napa County's WAA guidance document to establish a 0.22 AF/yr per acre of recharge for the project site and calculates a project site recharge volume of 24.52 AF/yr. Therefore, the proposed water use would not impact groundwater availability.

- c. Wastewater would be treated on-site and would not require a wastewater treatment provider; therefore, no impact would occur.
- d-e. Solid waste generated during construction activities (e.g., trash, discarded building materials, debris, etc.) would be negligible and would be cleared daily, or as necessary. Implementation of the proposed project would include limited vegetation management to maintain trails and defensible space as well as nominal amounts of solid waste from operations. Solid waste generation is projected to be equivalent to that of a single-family residential unit. Solid waste would be collected from containers on the site and stored in large totes on the northeast side of the welcome center and would be collected by a private hauler. Green waste (e.g., landscape materials, trimmings) would remain on-site and repurposed as mulch.

According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed of have more than sufficient capacity related to the current waste generation. The proposed project would comply with federal, State, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Discussion

a-d. The proposed project is located within a State Responsibility Area that is designated as a Very High Fire Hazard Severity Zone (CAL FIRE, Fire Hazard Severity Zone 2025; Napa County GIS CAL FIRE Layers, Fire Protection Responsibility Areas and Fire Hazard Severity Zones). The project site generally consists of rolling mountains with slopes ranging from 0% to greater than 50%; the proposed development area is generally within areas with slopes ranging from 0 to 30%, although some access pathways would be located on slopes over 30% and less than 50%, and has access to Howell Mountain Road, a County maintained road. There is an existing electric transformer on the project site near Howell Mountain Road.

There are no project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. Project construction and operation would not require any road closures and would not substantially increase traffic in the area compared to current conditions. Existing roads would continue to provide adequate emergency access to the project site.

Project construction would require the use of vehicles and heavy equipment for grading and other activities, and these vehicles and equipment could spark and ignite flammable vegetation. However, during construction, the risk of igniting a fire would be low because vegetation would be cleared prior to developing the proposed project, and the risk would be temporary during project construction.

Operation and maintenance activities would require two onsite workers and could generate a conservative average of 108 daily trips. A water storage tank and hydrant for fire suppression would be provided on site and the turnaround area near the proposed welcome center has been designed to accommodate fire trucks. Additionally, the welcome center would be constructed using fire-resistant materials including poured concrete and/or CMU block, with steel roof framing, stone veneer accents, stained wood accents, and a seam metal roof. The existing onsite road that would not be improved with the proposed project would be maintained to provide additional emergency vehicle access. The southern end of this road connects to Howell Mountain Road and has an existing gate that would remain locked to restrict access to the public; a Knox Lock or similar would be installed to allow access to emergency personnel. Further, fuel load management measures would include thinning vegetation and clearing defensible space around parking, improvement areas, interment areas, and buildings and maintaining fuel break areas. No burning is proposed for vegetation management. Additionally, the proposed project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable as conditioned and would comply with current California Department of Forestry and Engineering Services Division and found acceptable as conditioned and would comply with current California Department of Forestry and California Building Code requirements for fire safety. Therefore, the proposed project would not exacerbate wildfire risks. Other impacts to the environment from the proposed project are discussed throughout this document.

Although the proposed project would alter land cover, temporary and permanent erosion control measures would be implemented for the proposed project which would reduce the impact of stormwater runoff or drainage changes being discharged on or offsite and there would not be an increase in peak flow in the project site. Therefore, there are no structures or people that would be exposed to downslope or downstream flooding or landslides as a result of the proposed project, and the impact would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion

- a. Portions of the project site have been previously disturbed during development of two existing one-story structures, two dirt roads, and associated infrastructure including an existing well, water tank, a septic tank, and an electric transformer located adjacent to Howell Mountain Road. A Biological Resources Reconnaissance Survey was conducted by Wildlife Research Associates, prepared August 2024 (**Exhibit C-1**); five special-status plant species were observed within the project site including narrow-anthered brodiaea, redwood lily, Cobb Mountain lupine, green monardella, and dark-mouthed triteleia. The surveys also identified moderate to high potential to occur for eight special-status wildlife species, including special-status bat and bird species. A historical resource study of the property was completed in September 2017 (contents confidential), followed by an Historical Evaluation Study (contents confidential) evaluated the cabins per criteria for inclusion on the California Register of Historical Resources (contents confidential). On December 16, 2025, the Middletown Rancheria (Tribe) and County, conducted a site visit to assess the project site. On January 23, 2026, Middletown Rancheria (Tribe) provided the County with Mitigation Measures deemed necessary for the protection of tribal and cultural resources (contents confidential).

With the incorporation of **Mitigation Measures BIO-1 through BIO-5 and TCR-1**, the potential for the proposed project to have an impact on special-status plant & wildlife species and tribal & cultural would be less than significant. Therefore, the proposed project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. To reduce impacts on water quality within streams, the proposed project has been designed to avoid the closest ephemeral drainage with minimum 35-foot setbacks in accordance with Napa County Code Section 18.108.025. As identified in Section V above, no known historically sensitive sites or structures, archaeological or paleontological resources, or sites of unique geological features have been identified within the project site. No historic or prehistoric resources are anticipated to be affected by the proposed project, nor would the proposed project eliminate important examples of the major periods of California history or prehistory. The proposed project, if approved, would be subject to the condition of approval to protect cultural resources that may be discovered accidentally. Impacts would be less than significant with mitigation incorporated.

- b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to air quality, GHG emissions, hydrology and water quality, and transportation are discussed in the respective sections above and were determined to have less-than-significant impacts. As discussed in Section III (Air Quality), Section VIII (Greenhouse Gas Emissions), and Section XVII (Transportation), the proposed project falls below the Bay Area Air District's construction criteria air pollution thresholds, would implement the Bay Area Air District's Basic Construction Best Management Practices, and meets the operational screening criteria for criteria air pollutants and precursors; therefore, with the conditions of approval the proposed project would not significantly affect air quality individually or contribute considerably to any cumulative air quality impacts. Further, per the OPR Technical Advisory, the addition of 110 or fewer daily trips could be presumed to have a less-than-significant VMT impact. As detailed in Section XVII (Transportation), the proposed project could generate a conservative average of 108 per day by employees, visitors to the cemetery, and members of the public

using the proposed trails. Therefore, daily trips (including passenger vehicle trips and truck trips) generated by the proposed project would be below the Governor's Office of Planning and Research's recommended screening criterion threshold for small projects generating fewer than 110 trips per day and less-than-significant impacts related to operational GHG emissions are anticipated. Additionally, the proposed project under the Napa County Roads and Streets Standards, would warrant the installation of a left-turn lane at the project driveway. However, the Department of Public Works determined on April 6, 2026, that the Traffic Impact Study (W-Trans, December 2023) provides sufficient evidence to support an exception to the NCRSS requirement for construction of the LTL. The analysis concluded that construction of the LTL would result in substantial and unavoidable impacts to the natural environment, including removal of a substantial number of native trees, vegetation, along with grading of steep rocky slopes adjacent to Howell Mountain Road. The NCRSS Exception would also remaining consistent with the existing operation and character of Howell Mountain Road or in the vicinity of the project site. The proposed project would offer shuttle services for larger services to reduce overall trips. Section X (Hydrology) includes detail on the Water Availability Analysis which demonstrates that the proposed project would result in no net increase in groundwater demand over the existing levels.

As discussed above, all potential biological and tribal & cultural related impacts would be less than significant with the implementation of **Mitigation Measures BIO-1 through BIO-5 and TCR-1**, and the conditions of approval identified in this document. Further, no known historically sensitive sites or structures, archaeological or paleontological resources, or sites of unique geological features have been identified within the project site.

In addition to the impact categories identified above, impacts to the following resource topics are considered to be less than significant with development of the proposed project: Aesthetics, Agriculture and Forestry Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, and Wildfire.

Considering the project site's characteristics, surrounding environment, and the scope and scale of the proposed project, the proposed project with incorporation of identified mitigation measures and conditions of approval, as discussed throughout this Initial Study would reduce the contribution of the proposed project to cumulative impacts to less than cumulatively considerable, and cumulative impacts would be less than significant.

- c. All potential impacts identified in this Initial Study are less than significant with the exception of Biological Resources and Tribal & Cultural Resources, for which mitigation measures are proposed. Therefore, the proposed project would not result in significant environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.



[HOWELL MOUNTAIN CEMETERY(P20-00030)]

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure BIO-1: Special-Status Species Monitoring

BIO-1: As part of the management and conservation of the project site, periodic surveys (every five years) of the interment areas for special-status plant and animal species shall be conducted to determine an estimated census, distribution, and management needs. Informative materials (photographs, descriptions) of all on-site special-status species shall be provided to staff to avoid impacts to such species. A copy of the survey findings shall be provided to the Napa County Planning Division within 30 days of completing the surveys.

Monitoring and Reporting Actions and Schedule:

The above measures shall be incorporated into P20-00030 & P25-00293 as follows:

Permittee shall conduct surveys every five (5) years and shall submit the report to the Napa County Planning Division of PBES, within 30 days of completing surveys.

Implementation*: P

Monitoring*: PD, OG

Reporting and Date of Compliance / Completion*:

Permittee shall provide proof of Measure BIO-1 by providing periodic surveys (every five years). A copy of the survey findings shall be provided to the Napa County Planning Division within 30 days of completing the surveys.

Mitigation Measure BIO-2 Nesting Bat Habitat Avoidance

BIO-2: Tree removal shall be performed from September through March, outside of the general bat maternity season, to the extent feasible. If tree removal during this period is not feasible, it is recommended that a bat habitat assessment and survey effort (the latter if needed) be performed by a qualified biologist prior to tree removal to determine if bats are present in the trees. If no suitable roosting habitat for bats is found, then no further study is warranted. If special-status bat species or bat maternity roosts are detected, then roost trees shall be avoided until the end of the maternity roosting season. If this avoidance is not feasible, appropriate species- and roost-specific mitigation measures should be developed in consultation with CDFW.

Irrespective of time of year, all felled trees shall remain on the ground for at least 24 hours prior to chipping, off-site removal, or other processing to allow any bats present within the felled trees to escape.

Monitoring and Reporting Actions and Schedule:

The above measures shall be incorporated into P20-00030 & P25-00293 as follows:

If tree removal is set to begin during bat maternity season (April – August) than the results of the bat habitat assessment and survey effort, including any species- and/or roost-specific mitigation measures developed in consultation with CDFW, will be forwarded to the PBES Planning Division.

Implementation*: P

Monitoring*: PD, CDFW

Reporting and Date of Compliance / Completion*:

- Permittee shall implement Measure BIO-2 prior to any tree removal outside of the bat maternity season.

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PC = Prior to Project Commencement CPI = Construction Period Inspections FI = Final Inspection OG = Ongoing PI = Prior to Installation of infrastructure (i.e. trellis and irrigation) and planting.

[Howell Mountain Cemetery, Use Permit]
[P20-00030 & P25-00293]

Mitigation Measure BIO-3 Nesting Bird Habitat Avoidance

BIO-3: For earth-disturbing activities occurring between February 1 and August 15 (which coincides with breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a pre-construction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The pre-construction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be repeated. A copy of the survey shall be provided to the Napa County Planning Division and CDFW prior to commencement of work. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity. In the event that nesting birds are found, the permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Planning Division and/or the USFWS or CDFW. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist. Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) are prohibited.

Monitoring and Reporting Actions and Schedule:

The above measures shall be incorporated into P20-00030 & P25-00293 as follows:

For earth-disturbing activities occurring between February 1 and August 15, a qualified biologist shall conduct a pre-construction surveys for nesting birds. The pre-construction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date,

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[Howell Mountain Cemetery, Use Permit]
[P20-00030 & P25-00293]

surveys shall be repeated. A copy of the survey shall be provided to the Napa County Planning Division and CDFW prior to commencement of work. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity. -X(a) through (d): Prior to project approval.

Implementation*: P

Monitoring*: PD, CDFW

Reporting and Date of Compliance / Completion*:

- Permittee shall implement Measure BIO-3 prior to any ground disturbing activity outside of the bird maternity season.

Mitigation Measure BIO-4 Northern Spotted Owl

BIO-4: For project activities occurring between March 15 and July 31, prior to any vegetation removal or construction activities, a qualified biologist shall perform a northern spotted owl habitat assessment to determine the potential for this species to be present within the disturbance area as well as within a 0.25-mile buffer surrounding each disturbance area. The assessment shall include both a review of recent aerial photography and a field visit to review conditions directly. Additionally, the qualified biologist shall perform an on-site nocturnal calling survey for northern spotted owl from at least mid-March onward and prior to initiation of construction activities. Survey stations for the calling survey shall be sited to cover post-fire forest stands that are most suitable for northern spotted owl occupation. The results of the habitat assessment and survey shall be provided to the County for review prior to project initiation. If northern spotted owl is observed or otherwise believed to be present within the focal area described above, measures shall be implemented in consultation with CDFW to ensure that project activities would not result in a take of the species and that any potential impacts are otherwise minimized.

Monitoring and Reporting Actions and Schedule:

The above measures shall be incorporated into P20-00030 & P25-00293 as follows:

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For activities occurring between March 15 and July 31, prior to any vegetation removal or construction activities, the permittee shall submit to the Napa County Planning Division documentation of the northern spotted owl habitat assessment. The permittee shall provide the County with the full results of the habitat assessment for review and approval prior to project initiation. If northern spotted owl is observed or determined to be present, the permittee shall provide documentation of consultation with CDFW and proposed avoidance and minimization measures to ensure no take occurs prior to commencement of any vegetation removal or construction activities.

Implementation*: [P]

Monitoring*: [PD, CDFW]

Reporting and Date of Compliance / Completion*:

- Permittee shall implement Measure BIO-4 prior to any vegetation removal or construction activities, outside of the northern spotted owl habitat.

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[Howell Mountain Cemetery, Use Permit]
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Mitigation Measure BIO-5 Environmental Resources

BIO-5:

1. For APreservation Area, totaling a minimum of 2.07 acres of Douglas fir forest (3:1 preservation ratio for the canopy impact) and 1.9 acres of oak woodland (2:1 preservation ratio for the habitat impact) shall be designated as such in a deed restriction or conservation easement or other means of permanent protection. Land placed in protection shall be restricted from development and other uses that would degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or urban development and excessive off-road vehicle use that increases erosion) and should be otherwise restricted by the existing goals and policies of Napa County. The permittee shall record the deed restriction or conservation easement prior to construction or within 90 days of project approval, whichever comes first. The area to be preserved shall be of like kind and quality to the forest being impacted as a result of the proposed project, as follows: areas to be preserved shall take into account the type of vegetation being removed, and species diversity and species that are limited within the project site and Napa County; the acreage included in the preservation area should be selected in a manner that minimizes fragmentation of oak woodland within the project site; and the preservation area should not include portions of the project site already subject to development restrictions (i.e., within creek setbacks or on slopes over 50%). The area to be preserved shall be determined by a qualified biologist with knowledge of the habitat and species and shall obtain final approval from Napa County.

The land placed in protection shall be restricted from development and other uses that would potentially degrade the quality of the habitat (including, but not limited to conversion to other land uses such as agriculture or urban development, and excessive off-road vehicle use that increases erosion), and should be otherwise restricted by the existing goals and policies of Napa County.

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[Howell Mountain Cemetery, Use Permit]
[P20-00030 & P25-00293]

The permittee shall provide an endowment to the accredited land trust that is sufficient to ensure that the mitigation easement is monitored, enforced, and defended in perpetuity. The amount of the endowment shall be calculated using the Center for Natural Land Management's Property Analysis Record software, or an equivalent methodology if preferred by the land trust and accepted by the Land Trust Alliance, which provides the systematic and objective determination of the amount of the endowment in light of the conservation values to be protected by the easement. The record showing how the amount of the endowment was calculated shall be provided to County Counsel as part of its review of the mitigation easement. Any county staff time spent assessing and monitoring said provision shall be charged to the permittee, at the rate in effect at the time assessment and monitoring occurs, pursuant to County Fee Policy Part 80.

2. Prior to any earthmoving activities temporary fencing shall be placed at the edge of the dripline of trees to be retained that are located adjacent to the proposed development area (typically within approximately 50-feet of the proposed development area). The precise locations of said fences shall be inspected and approved by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated protection areas for the duration of earthmoving activities.
3. The permittee shall refrain from severely trimming the trees (typically no more than 1/3 of the canopy) and vegetation to be retained adjacent to the proposed development area.

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[Howell Mountain Cemetery, Use Permit]
[P20-00030 & P25-00293]

4. In accordance with County Code Section 18.108.100 (Erosion hazard areas – Vegetation preservation and replacement) trees that are inadvertently removed that are not within the boundary of the project and/or not identified for removal as part of Use Permit #P20-00030 and Use Permit Exception to Conservation Regulations #P25-00293 shall be replaced on-site with fifteen-gallon trees at a ratio of 2:1 at locations approved by the planning director. A replacement plan shall be prepared for county review and approval that includes, at a minimum, the locations where replacement trees would be planted, success criteria of at least 80%, and monitoring activities for the replacement trees. The replacement plan shall be implemented prior to issuance of a building or grading permit. Any replaced trees shall be monitored for at least three years to ensure an 80% survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the associated building permits.

Monitoring and Reporting Actions and Schedule:

The above measures shall be incorporated into P20-00030 & P25-00293 as follows:

Prior to construction or within 90 days of project approval, whichever occurs first, the permittee shall record the required deed restriction, conservation easement, or other permanent protection mechanism for the required preservation and provide documentation to the Napa County Planning Division and County Counsel for review and approval. Documentation demonstrating establishment of the required endowment funding, including the methodology used to calculate the endowment amount, shall be submitted to County Counsel as part of the mitigation easement review process prior to commencement of earth-disturbing activities.

Prior to commencement of any earthmoving activities, the permittee shall request inspection of the temporary fencing by the Napa County Planning Division.

Ongoing enforcement by the applicant and/or by site visit request of the Napa County Planning Division during ground disturbance activities.

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[P20-00030 & P25-00293]

Implementation*: P

Monitoring*: PD, OG

Reporting and Date of Compliance / Completion*:

Permittee shall implement Measure BIO-5 by recording required easements within 90 days of project approval or prior to construction, temporary fencing installed prior to earthmoving activities, and for trees to be properly replaced and for their canopies to be trimmed no less than 1/3 in compliance with Napa County Code.

Mitigation Measure TCR-1 Tribal Resources

TCR-1:

1. Prior to initial ground disturbance, the applicant shall retain a project Tribal Cultural Advisor approved by the Tribe, to direct all mitigation measures related to tribal cultural resources.
2. Ground disturbing activities occurring in conjunction with the Project (including surveys, testing, concrete pilings, debris removal, rescrapes, punchlists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work and other excavations or other ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the Project area) shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.

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[Howell Mountain Cemetery, Use Permit]
[P20-00030 & P25-00293]

3. The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that requires multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor has indicated that the site has a low potential for tribal cultural resources.
4. All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified consistent. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.
5. The Project applicant must meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.

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[Howell Mountain Cemetery, Use Permit]
[P20-00030 & P25-00293]

Monitoring and Reporting Actions and Schedule:

The above measures shall be incorporated into P20-00030 & P25-00293 as follows:

At least forty-five (45) days prior to commencement of any ground-disturbing activities, the permittee shall provide written documentation to the Napa County Planning Division confirming that the required meet-and-confer meeting(s) with the Tribe have occurred or been scheduled.

Prior to initial ground-disturbing activities, the permittee shall submit written documentation to the Napa County Planning Division confirming retention of a project Tribal Cultural Advisor approved by the Tribe and that all on-site personnel have completed cultural resource sensitivity training approved by the project Tribal Cultural Advisor or authorized designee.

Implementation*: [P]

Monitoring*: [PD]

Reporting and Date of Compliance / Completion*:

The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P20-00030 & #P25-00293, the Owner/Permittee shall provide documentation to Napa County that they have engaged with the Middletown Rancheria to provide cultural monitors (as necessary) and that cultural sensitivity training has been provided to site workers.

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