

**RESOLUTION NO. 08-01**

**A RESOLUTION OF THE NAPA COUNTY CONSERVATION,  
DEVELOPMENT AND PLANNING COMMISSION, STATE OF  
CALIFORNIA, RECOMMENDING THAT THE NAPA COUNTY  
BOARD OF SUPERVISORS CERTIFY THE FINAL  
ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE 2008  
NAPA COUNTY GENERAL PLAN UPDATE IN ACCORDANCE  
WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(CEQA), THE STATE CEQA GUIDELINES AND THE COUNTY'S  
LOCAL PROCEDURES FOR IMPLEMENTING CEQA**

WHEREAS, on October 11, 2005, the Board of Supervisors directed the Conservation, Development and Planning Department (Planning Department) to formally commence preparation of a comprehensive General Plan Update and include policies, goals, objectives and implementation measures on the following elements: Agricultural Preservation & Land Use; Housing; Economic Development; Circulation; Recreation & Open Space; Conservation; Safety; and Community Character. The Board further directed the Planning Department to conduct an environmental analysis of the possible environmental impacts associated with the General Plan Update and a reasonable range of alternatives thereto as determined by the Board;

WHEREAS, a formal Notice of Preparation (NOP) of an Environmental Impact Report (EIR) was issued on October 21, 2005, soliciting public input regarding a Draft EIR for the General Plan Update. The comment period ran from October 21, 2005 to December 12, 2005;

WHEREAS, a Draft General Plan Update (dated February 2007) and Draft EIR reflecting input received in response to the NOP were prepared and released for public and agency review on February 16, 2007;

WHEREAS, the public comment period was originally scheduled to run from February 16, 2007 to April 17, 2007, and on April 3, 2007, the Board of Supervisors extended the public comment period on the Draft General Plan Update (dated February 2007) and Draft EIR by 60 days to end on June 18, 2007;

WHEREAS, the County received an abundance of public and agency comments on the Draft EIR and Draft General Plan Update (dated February 2007), including close to 300 written and oral comments at multiple public hearings during the public comment period;

WHEREAS, the public and agency comments were used to inform changes to the Draft General Plan Update (dated February 2007) and thereafter a Revised Public Hearing

Draft General Plan Update (titled “Revised” to acknowledge changes since the February 2007 draft) was released to the public and agencies on December 3, 2007;

WHEREAS, in accordance with California Environmental Quality Act (CEQA), all comments received on the Draft EIR during the public comment period were responded to and included in a Final Environmental Impact Report (Final EIR) which was mailed to commenting state and local agencies, organizations and individuals on December 20, 2007;

WHEREAS, the Final EIR includes the Draft EIR, comments and responses to comments on the Draft EIR, an assessment of revisions to the Draft General Plan Update (dated February 2007), necessary revisions to the Draft EIR (dated February 2007), and comments and responses to comments received orally and in writing since publication of the Final EIR;

WHEREAS, the Planning Commission’s recommended revisions to the Revised Public Hearing Draft General Plan Update (December 2007) have been incorporated into a new document entitled “Revised Draft General Plan Update List of Errata and Recommended Plan Changes dated March 5, 2008,” hereafter referred to as the GPU Errata;

WHEREAS, the Planning Commission’s recommended revisions to the water resources policies, goals and action items contained in the Conservation Element of the Revised Public Hearing Draft General Plan Update (December 2007) have been incorporated into a new document entitled “Revisions to the Water Resources Section dated March 5, 2008” hereafter referred to as Water Resource Revisions;

WHEREAS, the GPU Errata and Water Resource Revisions and Revised Public Hearing Draft General Plan Update are collectively hereafter referred to as the 2008 General Plan Update;

WHEREAS, the Planning Commission has determined that the policy revisions reflected in the Revised Public Hearing Draft General Plan Update (December 2007) plus the GPU Errata, and the Water Resources Revisions comprise the 2008 General Plan Update and are most adequately described in Section 2.0 of the Final EIR as the Preferred Plan. The Commission has further determined that these revisions have been adequately considered and analyzed in the Draft EIR and Final EIR and do not change any of the conclusions in the Final EIR regarding the significance of environmental impacts under the 2008 General Plan Update;

WHEREAS, based upon the information contained in the Final EIR, the Planning Commission has determined that there will be 18 significant and unavoidable environmental impacts resulting from the 2008 General Plan Update in the following areas: agriculture, land use, population/employment/housing, transportation and circulation, biological resources, noise, air quality, human health/risk of upset, geology and soils, hydrology/water quality, cultural and paleontological, public services and utilities, and visual resources/light and glare. Although mitigation measures in the form of goals, policies, objectives, action items and

programs have been included in the 2008 General Plan Update to reduce the adverse environmental impacts, some impacts will remain significant and unavoidable, or in the case of cumulative impacts, cumulatively considerable. All other impacts can be mitigated to a less than significant level;

WHEREAS, prior to or at the meeting of March 5, 2008, the Planning Commission was provided with the complete contents of the 2008 General Plan Update which consists of the following documents: (1) the Revised Public Hearing Draft General Plan Update (December 2007); (2) the Revised Draft General Plan Update List of Errata and Recommended Plan Changes dated March 5, 2008; and (3) the Revisions to the Water Resources Section dated March 5, 2008;

WHEREAS, prior to or at the meeting of March 5, 2008, the complete contents of the Final EIR which consists of the following documents: (1) the Napa County General Plan Draft Environmental Impact Report, Volume I (February 16, 2007); (2) Napa County General Plan Draft Environmental Impact Report, Volume II: Technical Appendices (February 16, 2007); (3) the Napa County General Plan Final Environmental Impact Report Volume I (December 20, 2007); and (4) all staff reports, memorandums, technical reports, studies, transcripts and evidence related thereto and submitted as part of the administrative record was provided to or made available to the Planning Commission;

WHEREAS, on March 5, 2008, the Planning Commission held a duly noticed public hearing to consider recommendations to the Board of Supervisors to certify the Final EIR for the 2008 General Plan Update and adopt the 2008 General Plan Update;

WHEREAS, at their meeting on March 5, 2008, the Planning Commission made its final recommended revisions to the GPU Errata and to the Water Resources Section. The Commission's final recommended changes are reflected in the GPU Errata dated March 5, 2008, and the Water Resources Section dated March 5, 2008, attached to Planning Commission Resolution No. 08-2 as Exhibits "A" and "B" and incorporated here by reference;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission finds, certifies, determines and resolves as follows:

- 1) The above recitals are true and correct and reflect the independent judgment of the Planning Commission.
- 2) Notice of the Planning Commission hearings on the 2008 General Plan Update, the Draft EIR and Final EIR was given as required by law and the actions were conducted pursuant to the Planning and Zoning Law, CEQA, the State CEQA Guidelines and the County's Local Procedures for Implementing CEQA.
- 3) All individuals, groups and agencies desiring to comment were given adequate opportunity to submit oral and written comments on the 2008 General Plan Update, the Draft

EIR and the Final EIR. These opportunities for comment meet or exceed the requirements of the Planning and Zoning Law, CEQA and the County's Local Procedures for Implementing CEQA.

4) All comments submitted during the public review and comment period on the Draft EIR, the public hearings on the adequacy of the Draft EIR and the public review and comment period and hearing on the Final EIR were responded to adequately including late comments submitted.

5) The Planning Commission has been presented with all of the information described in the recitals and has considered this information prior to adopting this Resolution.

6) The Final EIR has been prepared in compliance with CEQA, the State CEQA Guidelines and the County's Local Procedures for Implementing CEQA, and reflects the County's independent judgment.

7) The Final EIR adequately identifies and addresses all of the identified environmental impacts and all feasible mitigation measures have been incorporated into the 2008 General Plan Update in the form of goals, objectives, policies, action items and programs to reduce the anticipated environmental impacts.

8) Pursuant to CEQA Guidelines Section 15025 (c), the Planning Commission has reviewed and considered the information in the Final EIR prior to making the recommendations contained herein.

9) The Planning Commission hereby recommends the Napa County Board of Supervisors certify the Final EIR prepared for the 2008 General Plan Update as adequate, complete and in compliance with CEQA, the State CEQA Guidelines and the County's Local Procedures for Implementing CEQA. The Commission finds that the Final EIR is adequate and complete for consideration in making a decision on the merits of the 2008 General Plan Update.

10) The Planning Commission further recommends the Napa County Board of Supervisors find that, where the 2008 General Plan Update will have impacts that are not fully mitigated, there are specific economic, social, or other considerations that make infeasible the alternatives or mitigation measures identified in the Final EIR. The Planning Commission further recommends that the Board of Supervisors find that the remaining environmental impacts are acceptable due to the overriding considerations as determined by the Board and as enumerated in the accompanying Planning Commission Resolution No. 08-02 recommending adoption of the 2008 General Plan Update. The Commission further recommends that the Board of Supervisors adopt the Mitigation Monitoring and Reporting Program prepared for the 2008 General Plan Update to ensure implementation of feasible mitigation measures identified in the Draft EIR and Final EIR. The Planning Commission believes these mitigation measures are fully enforceable as policies, goals, action items or implementation

measures of the 2008 General Plan Update, and should be binding upon the County and all affected parties.

11) The Planning Commission hereby further finds that adoption of the 2008 General Plan Update is in the public interest and is necessary for the public health, safety, and welfare of Napa County and recommends that the Napa County Board of Supervisors adopt the 2008 General Plan Update after considering the information in the Final EIR.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Planning Commission of the County of Napa, State of California, at a regular meeting of the Commission held on the 5<sup>th</sup> day of March 2008, by the following vote:

AYES: COMMISSIONERS Scott, Jager and Fiddaman

NOES: COMMISSIONERS King

ABSENT: COMMISSIONERS Phillips

\_\_\_\_\_  
TERRY SCOTT, Chair  
Napa County Planning Commission

ATTEST:  
Clerk of the Planning Commission

By: \_\_\_\_\_

**APPROVED AS TO FORM**  
Office of County Counsel  
By: Laura J. Anderson (by e-signature)  
Date: March 5, 2008

**APPROVED BY THE NAPA COUNTY  
PLANNING COMMISSION**  
Date: \_\_\_\_\_  
Processed by: \_\_\_\_\_  
Deputy Clerk of the Commission