

CHAPTER 1

Introduction

This report presents the Findings in support of the Draft Environmental Impact Report/ Environmental Impact Statement (EIR/EIS) and Final EIR/EIS to address the potential environmental effects of the implementation of the Phase 2 of the North Bay Water Reuse Program (NBWRP Phase 2 or Phase 2 Program). NBWRP Phase 2 is proposed by the North Bay Water Reuse Authority (NBWRA) to provide recycled water for agricultural, urban, and environmental uses and to promote the expanded beneficial use of a recycled water system in the North Bay region. Implementation of the NBWRP Phase 2 would include upgrades to treatment processes and construction of pipelines, pump stations, and storage facilities to distribute recycled water for use in compliance with Article 4 in Title 22 of the California Code of Regulations, which sets water quality standards and treatment reliability criteria for recycled water.

As provided for in California Environmental Quality Act (CEQA) Section 15050, the Sonoma County Water Agency (SCWA) is the CEQA Lead Agency for the NBWRP Phase 2 EIR/EIS. As provided for in Section 15090 of the CEQA Guidelines, the SCWA Board of Directors will consider certification of the EIR as in compliance with CEQA. The U.S. Bureau of Reclamation will consider provision of federal funding under Title XVI, and is the NEPA Lead Agency.

As provided for under CEQA Section 15096 (a) and (f), Napa Sanitation District (Napa SD) is a Responsible Agency and will consider the environmental effects of the projects under its jurisdiction as shown in the EIR/EIS prior to reaching a decision on the project. To support this consideration and a decision on the project, Napa SD has prepared written findings for each impact identified in the EIR/EIS in accordance with the CEQA Guidelines Sections 15091 and 15096(h).

The Findings are made in accordance with the CEQA Guidelines Sections 15091 and 15092. This report includes the following chapters:

1. Introduction
2. Project Description
3. Findings of Fact Regarding Significant Impacts
4. Findings of Fact Regarding Project Alternatives
5. Mitigation Monitoring and Reporting Program
6. Statement of Overriding Considerations

This chapter includes the following sections:

- Environmental Review Process for the Project

- Purpose of the Findings
- Legal Effect of the Findings
- Administrative Record

1.1 Environmental Review Process

In accordance with Section 15082 of CEQA Guidelines, SCWA circulated a Notice of Preparation (NOP; State Clearinghouse #2017072051) to local, State, and federal agencies, and to other interested parties on July 19, 2017. The NOP was mailed to the State Clearinghouse and was available online on the NBWRA website. The NOP was directly mailed to 237 public trustee and responsible agencies/officials and interested parties; a postcard notification of the NOP's availability was sent to 425 parties. The NOP was circulated for a 30-day public review period, which ended on August 21, 2017.

The Draft EIR/EIS on the proposed NBWRP Phase 2, Notice of Completion, and Notice of Availability were submitted to the State Clearinghouse and released for public and agency review on April 4, 2018. The Notice of Availability briefly described the Project Sponsors, Project purpose and components, the location where the copies of the Draft EIR/EIS could be reviewed, the contact for submission of written comments and/or questions, and the date and time of the public meetings on the Draft EIR/EIS.

The Draft EIR/EIS was circulated for a 45-day public review period from April 4, 2018 through May 18, 2018. During this time, three Public Meetings were held to provide interested persons with an opportunity to comment verbally or in writing on the Draft EIR/EIS and the project. The public meetings were held at the following locations:

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| May 7, 2018 6:30 p.m. – 8:00 p.m. American Canyon City Hall 4381 Broadway, Ste 201, American Canyon | May 9, 2018 6:30 p.m. – 8:00 p.m. San Rafael Comm. Center Club Room 618 B Street San Rafael | May 10, 2018 6:30 p.m. – 8:00 p.m. Petaluma Community Center Conference Room 2 320 North McDowell Blvd., Petaluma | May 14, 2018 6:30 p.m. – 8:00 p.m. Sonoma Community Center Room 110 276 East Napa Street, Sonoma |
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Following the public comment period, a Final EIR/EIS providing responses to all the comments received on the Draft EIR/EIS was made available to the public for the minimum 10-day period.

1.2 Purpose of Findings

CEQA Guidelines Section 15091 requires that, for each significant environmental effect identified in the EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the findings. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measure or project alternative identified in the EIR.

These findings accomplish the following: a) they address the significant environmental effects identified in the Draft EIR/EIS for the approved project; b) they incorporate all mitigation measures associated with these significant impacts identified in either the Draft EIR/EIS or the Response to Comments/Final EIR/EIS, and; c) they indicate whether a significant effect is avoided or reduced by the adopted mitigation measures to a less-than-significant level, or remains significant and unavoidable, either because there are no feasible mitigation measures or because, even with implementation of mitigation measures, a significant impact will occur. For any effects which remain significant and unavoidable, a statement of overriding considerations is required for approval of the project. The conclusions presented in these Findings are based on the Final EIR/EIS (consisting of the Draft EIR/EIS and Response to Comments) and other evidence in the record of proceedings.

1.3 Legal Effect of Findings

To the extent that these Findings conclude that various proposed mitigation measures outlined in the EIR/EIS are feasible and have not been modified, superseded, or withdrawn, Napa SD, as the Responsible Agency approving the NBWRP Phase 2 projects within its jurisdiction, hereby binds itself to implement these measures. These Findings, in other words, are not merely information, but constitute a binding set of obligations that will come into effect when Napa SD adopts resolutions approving the project (Public Resources Code, Section 21081.6 subd. (b).). The mitigation measures identified as feasible and within Napa SD's authority to implement for the approved projects become express conditions of approval which Napa SD binds itself to upon project approval. Other requirements are referenced in the Mitigation Monitoring and Reporting Program (MMRP; Findings Chapter 5) that will be adopted concurrently with the Findings and will become effective through project implementation. Thus, the Napa SD Board of Directors upon review of the Draft EIR/EIS and the Final EIR/EIS, including the comments and responses contained therein, and based on all the information and evidence in the record, hereby makes the Findings set forth herein.

1.4 Administrative Record

The Board is the custodian of the documents or other material which constitute the record of proceedings upon which this Board's decision herein is based. These documents may be found Napa Sanitation District, 1515 Soscol Ferry Road, Napa, CA 94558.