

CHAPTER 6

Statement of Overriding Considerations

6.1 Summary of Overriding Considerations

Section 15093 of the CEQA Guidelines establishes the following requirements for a Statement of Overriding Considerations:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the decision of the public agency allows the occurrence of significant effects that are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement may be necessary if the agency also makes a finding under Section 15091(a)(2) or (a)(3).
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the Napa Sanitation District (District) adopts and makes the following Statement of Overriding Considerations regarding the remaining unavoidable impacts from the Increase Soscol WRF Filter Capacity and Soscol WRF Covered Storage projects, which are part of Phase 2 of the North Bay Water Reuse Program (NBWRP Phase 2 or Phase 2 Program), and the anticipated economic, legal, social, technological, environmental, and other benefits.

In considering the proposed project, the District has weighed the benefits of the NBWRP Phase 2 against its unavoidable environmental risks and potentially significant adverse impacts. The District hereby determines that the benefits of the NBWRP Phase 2 outweigh its unavoidable environmental risks and unmitigated adverse impacts. The District finds that to the extent that the identified significant or potentially significant adverse impacts have not been avoided or substantially lessened, there are specific economic, legal, social, technological or other considerations that support approval of NBWRP Phase 2.

6.2 Adoption of Overriding Considerations

The District specifically adopts this Statement of Overriding Considerations and finds that: a) as part of the approval provisions, the Proposed Project has eliminated or substantially lessened all significant effects on the environment where feasible; b) the remaining unavoidable impacts of the Proposed Project are acceptable in light of the environmental, economic, legal, social, technological, and other considerations set forth herein, because the benefits of the NBWRP Phase 2 outweigh the significant and adverse impacts of the NBWRP Phase 2, as noted below.

The District finds that each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the NBWRP Phase 2 outweigh its significant adverse environmental impacts and is an overriding consideration warranting approval of the NBWRP Phase 2. The District finds that substantial evidence in the record supports its findings in this regard.

6.3 Unavoidable Environmental Risks of Proposed Project

The NBWRP Phase 2 will have certain significant effects that are identified in the Final EIR/EIS, but will not be fully mitigated.

These effects include secondary impacts related to the implementation of approved General Plans within the District's service area. The environmental effects of growth most commonly identified as significant and unavoidable in the service area include those identified in the Napa County General Plan: land use and agriculture conflicts, increased traffic impacts, loss of sensitive biological communities, air quality, geologic hazards, recreational resources, scenic and aesthetic qualities, impacts to public utilities and services, including water supply and water quality. These effects are summarized in Chapter 5, Growth Inducing Effects and Secondary Effects of Growth, and described more fully in Appendix 5 of the Draft EIR/EIS. The Proposed Project provides a level of recycled water supply consistent with the assumptions of the approved *Napa County General Plan*. As noted in the General Plan, some of these impacts will be reduced by identified mitigation measures, but the impacts may not be reduced to a less-than-significant level.

Option A of the Soscol WRF Covered Storage project is located on a known and recorded cultural resource and, if selected, implementation of this option cannot avoid the resource. Measures such as Section 106 consultation and monitoring of cultural resources, archaeological, and Native American sites, and cultural resource assessment would minimize impacts to the resource through recordation and curation. However, these actions would not preserve the known and recorded resource in its current context and place. Elimination of the resource could not be avoided if Option A of the Soscol WRF Covered Storage Project is implemented.

6.4 Benefits of Proposed Project

NBWRP Phase 2 – Soscol Water Recycling Facility Increased Filter Capacity and Soscol Water Recycling Facility Covered Storage

The Napa Sanitation District Board of Directors has carefully considered Phase 2 of the NBWRP described in the EIR/EIS and the unavoidable adverse environmental impacts associated with it and hereby identifies the following environmental, economic, legal, social, technological, and other benefits of the project:

1. Implementing the Proposed Project would provide potable offset of urban and agricultural demands on potable supplies, including surface and groundwater supplies.
2. Implementation of the Proposed Project would reduce the amount of treated effluent discharged to North San Pablo Bay.
3. Implementation of the Proposed Project would be consistent with State and local policies regarding the implementation of recycled water to provide potable water supply offset.
4. Implementation of the Proposed Project would be consistent with recycled water policies identified in approved General Plans within the proposed service area.
5. Implementation of the Proposed Project would reduce groundwater depletion in the Napa County by providing an alternative source of water for irrigation. Reducing groundwater depletion will benefit other users of area water, and help ensure the long-term viability of existing agricultural, residential, open space, and other uses in the Project area.
6. Implementing the Proposed Project would reduce peak demand for water in the summer months. Reducing peak demand will benefit other users of water in the summer months, including threatened and endangered species.
7. The Proposed Project will be implemented under Reclamation's Title XIV program, which provides funding for recycled water programs that have demonstrated regional coordination and provide multiple benefits.

The Napa Sanitation District Board of Directors has weighed the above benefits of the Proposed Project against its unavoidable environmental risks and the adverse environmental effects that are described in the Final EIR/EIS and hereby determines that the above benefits outweigh the risks and adverse effects. The Napa Sanitation District Board of Directors, therefore, determines that these risks and adverse environmental effects are acceptable.