

**RESOLUTION NO. FC 2025-**

**A RESOLUTION OF THE BOARD DIRECTORS OF THE NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, STATE OF CALIFORNIA, ADOPTING FINDINGS, A STATEMENT OF OVERRIDING CONSIDERATIONS, A MITIGATION MONITORING, AND REPORTING PROGRAM, AND CERTIFYING THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (SEIR) FOR THE NAPA RIVER/NAPA CREEK FLOOD PROTECTION PROJECT**

**WHEREAS**, pursuant to requirements of the California Environmental Quality Act (“CEQA”) the Napa County Flood Control and Water Conservation District prepared a Draft Subsequent Environmental Impact Report (“SEIR”) for the Napa River/Napa Creek Flood Protection Project – Increment 2, Floodwalls North of the Bypass in Napa, California to address design changes and evaluate potential environmental impacts associated any such changes. The SEIR is a subsequent analysis to the Napa River/Napa Creek Flood Protection Project Final Supplemental Environmental Impact Statement/Environmental Impact Report, dated March 1999 (1999 Final SEIS/EIR); and

**WHEREAS**, on November 1, 2023, the Napa County Flood Control and Water Conservation District prepared a Notice of Preparation (“NOP”) stating that a Subsequent Environmental Impact (SEIR) for the project would be prepared. This NOP was circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the project through December 1, 2023. Concerns raised in response to the NOP were considered during preparation of the Draft SEIR; and

**WHEREAS**, the Napa County Flood Control and Water Conservation District, in accordance with California Environmental Quality Act (“CEQA”) Guidelines (Cal. Code of Regulations, title 14, division 6) prepared a Notice of Availability (“NOA”) of the Draft SEIR (State Clearing House No. 1995044002, 1997044002); and

**WHEREAS**, the NOA was made available to the public, members of the Board of Directors, state and local agencies, and other interested groups and individuals via the Districts’ public website, <https://www.countyofnapa.org/1083>, for a 45-day public review regarding the adequacy of the Draft SEIR; and

**WHEREAS**, the Napa County Flood Control and Water Conservation District accepted public and agency comments on the Draft SEIR between Friday January 24, 2025, to Monday March 10, 2025; and

**WHEREAS**, in accordance with the CEQA Guidelines section 15132, the Final Subsequent Environmental Impact Report was prepared which included the full text of the Draft SEIR, a list of persons, organizations and agencies commenting on the Draft SEIR, and responses to each comment, and the Final SEIR was made available on the Districts’ public

website, <https://www.countyofnapa.org/1083>, on March 24, 2025, to interested agencies, organizations, and persons who commented on the Draft SEIR; and

**WHEREAS**, the Napa County Flood Control and Water Conservation District Board now desires to adopt this Resolution certifying the SEIR, adopting CEQA findings, a statement of overriding considerations, and a mitigation monitoring and reporting program in connection with the Final SEIR as it related to the Napa River/Napa Creek Flood Protection Project – Increment 2, Floodwalls North of the Bypass.

**NOW, THEREFORE, BE IT RESOLVED** by the Napa County Flood Control and Water Conservation District Board of Directors (Board) as follows:

**SECTION 1.**            **Recitals.**

The Board hereby finds the foregoing recitals are true and correct.

**SECTION 2.**            **Compliance with CEQA Certification.**

Pursuant to of CEQA Guidelines, California Code of Regulations, title 14, section 15090, the Board has reviewed and considered the Final SEIR and makes the following findings, recommending certification of the Final SEIR for the Napa River/Napa Creek Flood Protection Project – Increment 2, Floodwalls North of the Bypass:

- A. The Board certifies that it has been presented with the information described in the above recitals and has reviewed and considered this information and the SEIR prior to adopting this Resolution and considering approval of the Project.
- B. The Board certifies that the Final Subsequent EIR reflects the District’s independent judgment and analysis and has been completed in compliance with CEQA.
- C. All individuals, groups and agencies desiring to comment were given adequate opportunity to submit comments on the Draft Subsequent EIR which met the requirements of CEQA.
- D. All comments submitted during the public review and comment period on the Draft Subsequent EIR were responded to adequately in the Final Subsequent EIR.
- E. No new comments or information has been submitted on the Draft Subsequent EIR that would substantially change the analysis or conclusions of the Final Subsequent EIR.

**SECTION 3.**            **Identification and Mitigation of Significant Impacts, Adoption of Mitigation and Monitoring and Reporting Program, and Findings and Statement of Overriding Considerations.**

- A. The resulting SEIR circulated for public review indicated that certain environmental

impacts might result from approval of the revised Project in absence of appropriate mitigation measures.

B. In response to each significant impact so identified, one or more mitigation measures were proposed in the SEIR, which are fully described in Chapter 3 of the SEIR, to avoid or lessen to a level of less than significant each such significant impact.

C. In accordance with CEQA Guidelines section 15091, subd. (d), the Board hereby adopts all mitigation measures identified in Chapter 3 of the SEIR, and the associated Mitigation and Monitoring and Reporting Program identified in Appendix B of the SEIR and incorporated here by reference.

D. The Board finds that there are four significant unavoidable adverse impacts identified in the SEIS that would result from Project approval as described in Chapter 4, Section 4.4.2 – Significant and Unavoidable Environmental Impacts of the Proposed Project of the SEIR and incorporated here by reference.

E. In approving the Project, the Board hereby adopts the Findings and Statement of Overriding Considerations contained in Exhibit “A” attached and incorporated here by reference and as part of the public record.

#### **SECTION 4. Record of Proceedings.**

The environmental analysis provided in the Draft and Final SEIR, and the Findings provided herein are based on and are supported by the documents, materials and other evidence outlined in Section 2 and 3 previously which constitute the Administrative Record for the Project.

#### **SECTION 5. Location and Custodian of Records.**

The documents and other materials that constitute the record of proceedings on which the Board’s findings regarding the mitigation measures and statement of overriding considerations are based are located at the office and in the custody of the Napa County Flood Control and Water Conservation District, at 804 First Street, Napa, California. The location and custodian of these documents is provided in compliance with Public Resources Code section 21081.6, subd. (a)(2), and Cal. Code of Regulations, title 14, section 15091, subd. (e).

#### **SECTION 6. Approval of the Project.**

Based on independent review and analysis and the findings of the Board set forth above, the Board hereby approves the Project and certifies and adopts the Final Subsequent EIR.

**SECTION 7.            Filing of Notice of Determination.**

The Board hereby directs the District Manager to file a Notice of Determination regarding the Napa River/Napa Creek Flood Protection Project – Increment 2, Floodwalls North of the Bypass and SEIR within five business days of adoption of this Resolution.

**THE FOREGOING RESOLUTION WAS PASSED AND ADOPTED** by the Board of Directors of the Napa County Flood Control and Water Conservation District at a regular meeting thereof on March 25, 2025, by the following vote, the number following each Director’s name indicating the number of votes cast by that Director:

AYES:            DIRECTORS            \_\_\_\_\_

NOES:            DIRECTORS            \_\_\_\_\_

ABSTAIN:        DIRECTORS            \_\_\_\_\_

ABSENT:         DIRECTORS            \_\_\_\_\_

**NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**, a political subdivision of the State of California

By \_\_\_\_\_  
 JOELLE GALLAGHER,  
 Chairperson of the Board of Directors

<p>APPROVED AS TO FORM Office of DISTRICT Counsel</p> <p>By: <u>Shana A. Bagley</u> District Counsel</p> <p>Date: <u>March 12, 2025</u></p>	<p>APPROVED BY THE DISTRICT BOARD OF DIRECTORS</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>Deputy Secretary of the District Board</p>	<p>ATTEST: NEHA HOSKINS Secretary of the District Board</p> <p>By: _____</p>
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