



RESOLUTION No. 12-20

RESOLUTION OF THE NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA) APPROVING AND CERTIFYING THE MITIGATED NEGATIVE DECLARATION FOR THE NAPA COUNTYWIDE BICYCLE PLAN, AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the subject project is known as the Napa Countywide Bicycle Plan;
and

WHEREAS, the Napa Countywide Bicycle Plan will guide development and enhancement of bicycle facility infrastructure within the cities and unincorporated areas of Napa County; and

WHEREAS, an Initial Study was prepared for the Napa Countywide Bicycle Plan pursuant to California Environmental Quality Act (CEQA) and it was determined that a Mitigated Negative Declaration should be prepared; and

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that implementation of the Napa Countywide Bicycle Plan could result in a number of significant effects on the environment and identified mitigation measures that would reduce the significant effects to less-than-significant levels; and

WHEREAS, a Notice of Intent to adopt a mitigated negative declaration was prepared and circulated for public review on February 15, 2012, and Napa County Transportation and Planning Agency independently reviewed the mitigated negative declaration and considered written and public comments on the proposed Napa Countywide Bicycle Plan received through April 4, 2012; and

WHEREAS, the Initial Study/Final Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Napa Countywide Bicycle Plan, together with public comments and the response to comments were read and considered by the NCTPA Board, and are, by this reference, incorporated into this Resolution and adopted by this Board as Exhibits A and B as if fully set forth herein; and

WHEREAS, the NCTPA held a duly noticed public hearing on the Initial Study/Final Mitigated Negative Declaration on February 12, 2012, heard public testimony and closed the public hearing, directing staff to prepare a resolution based on the Board's tentative decision to adopt the Initial Study and Final Mitigated Negative Declaration; and

WHEREAS, after receiving public comments, several insubstantial revisions were made to the Mitigated Negative Declaration which do not require recirculation pursuant to CEQA Guidelines 15073.5(c)4:

Member Agencies: Calistoga, St. Helena, Yountville, City of Napa, American Canyon, County of Napa
Napa County Transportation & Planning Agency
Napa Valley Transportation Authority

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of the California Environmental Quality Act, the Board of the Napa County Transportation and Planning Agency makes the following findings and takes the following actions:

1. The foregoing recitals are true and correct.
2. The Initial Study/ Final Mitigated Negative Declaration (MND) for the Napa Countywide Bicycle Plan, attached as Exhibit A, has been completed in accordance with the requirements of the California Environmental Quality Act, Public Resources Code sections 21000 *et seq.* ("CEQA") and California Code of Regulations, Title 14, sections 15000 *et seq.* ("CEQA Guidelines").
3. The Board certifies that the Initial Study/ Final MND was prepared, published, circulated, and reviewed in accordance with the requirements of CEQA and the CEQA Guidelines, that the Initial Study and Final MND is adequate, accurate, objective, and complete; and has been independently analyzed by the board, and the final report together with the comments and the response to comments reflects the Board's own independent judgment (Pub. Res. Code 21082.1).
4. The Board finds that section II. "Agriculture and Forestry Resources/ Comment to Questions" modified in response to the public comment that the description of agricultural practices did not adequately describe agricultural practice in Napa County is an insubstantial change.
5. The Board finds that introductory section B "Setting" modified to more fully characterize the nature of agricultural practice in Napa County is an insubstantial change.
6. The Board finds that Mitigation Measure CUL-1 modified in response to the comment from the California Dept. of Transportation that proposed earth disturbing work must be preceded by an archeological record search, as described, and if warranted, a cultural resource study is an insubstantial change.
7. Pursuant to CEQA Guidelines sections 15074, and consistent with the findings set forth above and in the Final MND in support of its approval of the Napa Countywide Bicycle Plan, the Board finds that on the basis of the whole record before it, that there is no substantial evidence in the record that the project will have a significant effect on the environment. The implementation of mitigation measures reduces potential impacts to less than significant levels.
8. Adopts the Mitigation Monitoring and Reporting Program, as set forth in the attached Exhibit B of this Resolution. The Napa County Transportation and Planning Agency adopts the Mitigation Monitoring and Reporting Program

pursuant to CEQA section 21081.6 and CEQA Guideline section 15074, and in support of approval of the Napa Countywide Bicycle Plan, to ensure implementation of all reasonably feasible mitigation and other measures identified in the MND. Napa County Transportation and Planning Agency finds that these mitigation measures are fully enforceable conditions of the Napa Countywide Bicycle Plan and shall be binding on Napa County Transportation and Planning Agency and all other affected parties; and the Board finds that these mitigation measures reduce all environmental impacts of the project to less than significant levels.

9. The Board directs that, pursuant to CEQA Guideline section 15075, staff immediately file a Notice of Determination be filed with the County Clerk of Napa County and with the State Office of Planning and Research.

Pursuant to CEQA Guidelines section 15074(c), the custodian of the documents and other materials that constitute the record of proceedings upon which the Napa County Transportation and Planning Agency has based its decision is NCTPA Executive Director; and the documents and materials are located in and may be obtained from offices of the Napa County Transportation and Planning Agency, 707 Randolph Street, Napa, CA 94559.

Passed and Adopted the 16th day of May, 2012.



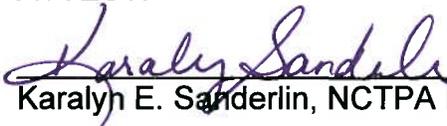
Keith Caldwell, NCTPA Chair

Ayes: GARCIA, DUNSFORD,
GINGLES, KRIDER,
TECHEL, DODD,
CALDWELL, BRITTON,
WHITE, DUNBAR,
MOHLER

Nays: NONE

Absent: BENNETT

ATTEST:



Karalyn E. Sanderlin, NCTPA Board Secretary

APPROVED:



Janice Killion, NCTPA Legal Counsel