



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on CEQA

(Adopted on December 4, 2006; Last Amended: October 4, 2021)

I. BACKGROUND

Under Public Resources Code Section 15022, each public agency shall adopt objectives, criteria, and specific procedures consistent with the California Environmental Quality Act (CEQA) and the Guidelines for Implementation of the California Environmental Quality Act (“the Guidelines”) for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents.

In adopting procedures to implement CEQA, a public agency may adopt the State CEQA Guidelines through incorporation by reference. The agency may then adopt only those specific procedures or provisions which are necessary to tailor the general provisions of the guidelines to the specific operations of the agency. A public agency may also choose to adopt a complete set of procedures identifying in one document all the necessary requirements.

II. PURPOSE

The Guidelines are the regulations that explain and interpret the law for both the public agencies required to administer CEQA and for the public generally. They are found in Chapter 3 of Title 14 in the California Code of Regulations. The Guidelines provide objectives, criteria and procedures for the orderly evaluation of projects and the preparation of environmental impact reports, negative declarations, and mitigated negative declarations by public agencies. The fundamental purpose of the Guidelines is to make the CEQA process comprehensible to those who administer it, to those subject to it, and to those for whose benefit it exists. To that end, the Guidelines are more than mere regulations which implement CEQA as they incorporate and interpret both the statutory mandates of CEQA and the principles advanced by judicial decisions. The Governor's Office of Planning and Research prepares and develops proposed amendments to the Guidelines and transmits them to the Secretary for Resources. The Secretary for Resources is responsible for certification and adoption of the Guidelines and amendments thereto.

Revision of the CEQA Guidelines is an on-going process. By statute, the Secretary of Resources is required to review and consider amendments to the Guidelines every two years. Annual changes to CEQA and evolving case law make revisions to the Guidelines necessary on a continual basis.

III. CEQA GUIDELINES AND COMMISSION LOCAL INTEREST POLICIES

It is the Commission’s policy to adopt the Guidelines approved by the State Department of Resources and as amended from time to time, in the preparation of all environment documentation. Whenever an agency other than the Commission is involved in the approval of a project, the Commission prefers that the other agency be designated as the “Lead Agency.” For annexations and/or reorganizations involving annexation to a city, the city shall act as the Lead Agency under CEQA for the proposal. CEQA processing shall be undertaken in accordance with the most recent version of CEQA, the Guidelines, and the Commission’s adopted policies.

Notably, the Commission has identified additional areas of local interest that shall be addressed by the Lead Agency in the preparation of any CEQA document. These include:

- A. Cumulative and regional impacts;
- B. Impacts to public services, including but not limited to, water supply and distribution systems; wastewater treatment and sewer collection systems; solid waste disposal capacity and collection; public school districts, fire and police protection; and public facilities, including discussion on the ability of the receiving entities (i.e. water district, sewer district, school district) to provide the services to the proposed boundary change area;
- C. Conversion of prime agricultural lands to urban uses and protection/preservation of prime agricultural lands and resources;
- D. Consistency with general and specific plans; and
- E. Availability of affordable housing.