

DEC 18 1996

RESOLUTION NO. 96-201

**RESOLUTION OF THE YOLO COUNTY BOARD OF SUPERVISORS
CERTIFYING THE ENVIRONMENTAL IMPACT REPORT;
MAKING FINDINGS OF FACT; ISSUING A STATEMENT
OF OVERRIDING CONSIDERATIONS; AND ADOPTING A
MITIGATION MONITORING PLAN FOR THE
SOLANO LONG-TERM OFF-CHANNEL
MINING PERMIT APPLICATION**

Rally Called

WHEREAS, the County is proposing to take action to adopt the Solano Long-term Off-Channel Mining Permit File ZF #95-0934 (referred to as "the Project" or "Solano");

WHEREAS, the Solano Final Environmental Impact Report (SCH #96012034) ("the EIR") consisting of the Draft EIR and Response to Comments document has been prepared pursuant to the California Environmental Quality Act ("CEQA" Pub. Res. Code, Section 21000 et seq.) to analyze the environmental effects of the Project;

WHEREAS, the Solano Draft EIR was circulated for a 45-day public review period commencing June 3, 1996 through July 18, 1996;

WHEREAS, the Response to Comments document was released September 16, 1996;

WHEREAS, Section 21000 et. seq. of the Public Resources Code and Section 15000 et. seq. of Title 14 of the California Code of Regulations ("CEQA Guidelines") which govern the preparation, content, and processing of environmental impact reports, have been fully implemented in the preparation of the subject documents;

WHEREAS, the Planning Commission on June 26, 1996 held a public meeting to receive comments regarding the adequacy of the DEIR and to conduct a public workshop to review all components and entitlements of the project;

WHEREAS, the Planning Commission on November 13, 1996 held a hearing to receive public testimony, and take action on the project to provide a recommendation to the Board of Supervisors;

WHEREAS, on November 13, 1996 the Planning Commission voted 5:0:2 (abstentions) to recommend certification of the EIR and approval of the project to the Board of Supervisors;

WHEREAS, during these meetings and hearings oral and documentary evidence was received regarding the adequacy of the EIR and the merits of the project;

WHEREAS, the Board of Supervisors on November 25, 1996 held a hearing to receive public testimony and take action on the project;

WHEREAS, the Board of Supervisors took action on November 25, 1996 to certify the Solano Final EIR as adequate pursuant to Section 15090 of the CEQA Guidelines;

WHEREAS, the Board has reviewed the Final EIR prepared for the project, the staff reports pertaining to the Final EIR, the Planning Commission hearing minutes, reports, and all evidence received by the Planning Commission and at the Board of Supervisor hearings, all of which documents and evidence are hereby incorporated by reference into this Resolution;

WHEREAS, the Final EIR identified certain significant and potentially significant adverse effects on the environment caused by the Project;

WHEREAS, the Board of Supervisors is required pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects;

WHEREAS, the Board of Supervisors specifically finds that where more than one reason for approving the Project and rejecting alternatives is given in its findings or in the record, and where more than one reason is given for adopting the Statement of Overriding Considerations, the Board would have made its decision on the basis of any one of those reasons; and

WHEREAS, the Board desires, in accordance with CEQA, to declare that, despite the occurrence of significant environmental effects that can not be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, social, and other considerations for approving the project that the Board believes justify the occurrence of those impacts.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Yolo as follows:

1. The Board of Supervisors has independently reviewed and analyzed the EIR, considered the information and analysis contained therein before making the Findings attached hereto as Exhibit A, issuing the Statement of Overriding Considerations attached hereto as Exhibit B, and adopting the Mitigation Monitoring Plan incorporated herein as Exhibit C; and hereby finds that it has been completed in compliance with the California Environmental Quality Act and reflects the independent judgment of the County.

2. The Board of Supervisors hereby certifies that the EIR has been completed in compliance with CEQA, and adopts the Findings of Fact attached hereto as Exhibit A.

3. Based on the information contained in the EIR, the testimony presented at the hearings on the project, and the substantial evidence in the record, revisions to the Project have been incorporated which avoid, eliminate, or substantially lessen all the significant effects of the project, where feasible, as identified in the attached Exhibits. These mitigations/conditions shall be binding upon the applicant and other responsible parties, when the Board approves the project.

4. A Mitigation Monitoring Plan attached hereto as Exhibit C is hereby adopted to ensure implementation of feasible mitigation measures identified in the EIR.

5. Other mitigation measures, as identified, have been modified or clarified to ensure feasibility, as discussed in the EIR and/or staff reports, and in Exhibit A and B.

6. The Board has considered four alternatives to the Project as proposed, and concluded based on substantial evidence in the record that none of the proposed project alternatives are in their entirety, acceptable based on the consideration of social, economic, and other reasons, as discussed in Exhibit B.

7. The County has determined that any remaining unavoidable adverse environmental effects are acceptable due to specific economic, social, or other overriding considerations, as identified in Exhibit B, Statement of Overriding Considerations. The Board of Supervisors hereby adopts the Statement of Overriding Considerations attached hereto as Exhibit B.

8. A Notice of Determination shall be filed immediately after approval of the project.

PASSED AND ADOPTED by the Board of Supervisors this 25th day of November, 1996, by the following vote:

AYES: Marchand, Siefertman, McGowan, Thomson, Stallard.

NOES: None.

ABSTAIN: None.

ABSENT: None.



Tom Stallard, Chairman

Attest: