

RESOLUTION NO. 6835

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT,
ADOPTING ENVIRONMENTAL FINDINGS, STATEMENT OF
OVERRIDING CONSIDERATIONS, AND ERRATA FOR THE CITY OF
WOODLAND 2035 GENERAL PLAN AND 2035 CLIMATE ACTION PLAN**

WHEREAS, Government Code section 65350 *et seq.* authorizes local governments to prepare, adopt, and amend general plans; and

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of the City of Woodland; and

WHEREAS, the City of Woodland last updated its General Plan in 2002; and

WHEREAS, the City of Woodland adopted a preliminary 2020 Climate Action Plan in July of 2014, but soon thereafter began updating it; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code § 21000 *et seq.*) (“CEQA”), the City of Woodland as the lead agency determined that an Environmental Impact Report (“EIR”) should be prepared to analyze all potential adverse environmental impacts of the Draft 2035 General Plan and the Draft 2035 Climate Action Plan, which together have been referred to as the “Proposed Project;” and

WHEREAS, the City sent a Notice of Preparation (“NOP”) of a Draft EIR to the Office of Planning and Research, responsible and trustee agencies, and other interested parties and published the NOP in the Daily Democrat, a newspaper of general circulation, on or about March 6, 2013; and

WHEREAS, the NOP was circulated for 30 days pursuant to State CEQA Guidelines sections 15082 and 15083, until April 5, 2013, to invite comments from responsible and trustee agencies, the public, and other interested parties regarding the scope of the EIR; and

WHEREAS, the City received written comments in response to the NOP, which assisted the City in the scope and analysis for the Draft EIR, and also held a series of public meetings and workshops regarding the scope of the 2035 General Plan and the 2035 Climate Action Plan; and

WHEREAS, the City sent an updated NOP of an EIR for the General Plan Update and Updated Climate Action Plan to responsible agencies, interested parties, and organizations on May 23, 2016, to provide responsible agencies and interested parties and organizations more detail about the General Plan Update and while not reopening the NOP written public comment period, did permit written comments between May 26 and June 24, 2016; and

WHEREAS, the City received five comments from interested parties and responsible and trustee agencies in response to the updated NOP; and

WHEREAS, on September 19, 2016, the City initiated the 45 day public review period on the Draft EIR by filing a Notice of Availability with the State Office of Planning and Research, publishing the Notice in the Daily Democrat, a newspaper of general circulation, and releasing the Draft EIR (SCH #2013032015) for public review and comment; and

WHEREAS, pursuant to State CEQA Guidelines, Section 15086, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and other interested parties during the 45 day comment period, which ran from September 19, 2016 to November 3, 2016, and the City also scheduled a meeting on October 20, 2016 before the Woodland Planning Commission to receive comments on the DEIR; and

WHEREAS, during the public review period, copies of the Draft EIR were provided online on the City's web site, were available for public review in printed form at City Hall and the Woodland Public Library, and were available for purchase in print or in electronic form from the City of Woodland Community Development Department; and

WHEREAS, the City received written comments on the Draft EIR during the public review period for the Draft EIR; and

WHEREAS, following the close of the public comment period and after review of the comments received on the Draft EIR, the City prepared a Final EIR, consisting of comments received on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR. For purposes of this Resolution, the "EIR" shall refer to the Draft EIR, including all of the technical studies and appendices to the Draft EIR, as revised by the Final EIR's errata section, together with the other sections of the Final EIR, including all of the technical studies and appendices to the Final EIR, and the Errata to the Final EIR. The Draft EIR, the Final EIR, and all technical studies and appendices to the Final EIR are hereby incorporated herein by reference to this Resolution and are on file with the City Clerk. The Errata to the Final EIR is, attached hereto as **Exhibit A** and incorporated herein, which reflects changes made to four mitigation measures and one environmental impact as well as a change to the Mitigation Monitoring and Reporting Program incorporating a revised table setting forth the final environmental impacts and mitigation measures; and

WHEREAS, the Findings of Fact and Statement of Overriding Considerations, attached hereto as **Exhibit B**, and incorporated herein, set forth the environmental impacts identified in the Final EIR that the City finds are less than significant and do not require mitigation, the environmental impacts identified in the Final EIR as potentially significant but which the City finds can be mitigated to a less than significant level through the imposition of all feasible mitigation measures, the environmental impacts identified in the Final EIR as potentially significant but which the City finds cannot be fully mitigated to a less than significant level despite the imposition of all feasible mitigation measures, the cumulative environmental impacts resulting from the Proposed Project, the significant and irreversible environmental changes that would result

from the Proposed Project, but which would be mitigated, and the existence of any growth-inducing impacts resulting from the Proposed Project identified in the Final EIR; and

WHEREAS, alternatives to the Proposed Project that might eliminate or reduce significant environmental impacts are described in **Exhibit B**, Findings of Fact and Statement of Overriding Considerations, pursuant to the California Environmental Quality Act, attached hereto and incorporated herein by this reference; and

WHEREAS, the findings set forth in **Exhibit B** also explain the changes to the Proposed Project and the EIR and includes the findings regarding why the CEQA requirement for recirculating the EIR was not triggered; and

WHEREAS, the City has endeavored in good faith to set forth the basis for its decision on the Proposed Project in the Findings of Fact as well as to explain why the benefits of the Proposed Project outweigh the environmental impacts the EIR determines are significant and unavoidable; and

WHEREAS, all of the requirements of CEQA and the State CEQA Guidelines have been satisfied by the City of Woodland in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Proposed Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Proposed Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Proposed Project's potential environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, all of the findings and conclusions made by the City Council pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, the City of Woodland Planning Commission held two duly noticed public hearings on March 2 and March 16, 2017, during which the Planning Commission considered the EIR, the Proposed Project and associated actions, and during these public hearings all persons wishing to testify in connection with the EIR and the Proposed Project were heard, and the Planning Commission fully studied the EIR and the Proposed Project; and

WHEREAS, on March 16, 2017, the Planning Commission recommended by adopting Resolution No. PC17-01 that the City Council certify the EIR and approve the Proposed Project, with certain recommended changes to the 2035 General Plan, which are set forth in Resolution No. PC17-01; and

WHEREAS, the City Council held three duly noticed public hearings on April 4, April 18, and May 16, 2017, during which the City Council considered the Planning Commission's recommendation, the Final EIR, and the Proposed Project and associated actions, and during those

public hearings, all persons wishing to testify in connection with the Final EIR and the Proposed Project were, heard, and the City Council fully studied the Final EIR and the Proposed Project; and

WHEREAS, prior to taking action, the City Council has been presented with, reviewed, and considered all of the information and data in the administrative record, including the Final EIR, and all oral and written evidence presented to it during all meetings and hearings, all of which are incorporated herein by this reference; and

WHEREAS, the City has not received any comments or additional information that produced substantial new information requiring recirculation or additional environmental review under Public Resources Code sections 21166 and 21092.1 or State CEQA Guidelines section 15088.5; and

WHEREAS, all other legal prerequisites to the adoption of the Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AS FOLLOWS:

1. Findings of Fact and Statement of Overriding Considerations. In accordance with State CEQA Guidelines 15091 and 15093, the City Council of the City of Woodland hereby adopts the CEQA Findings of Fact and the Statement of Overriding Considerations pursuant to the California Environmental Quality Act, attached hereto as **Exhibit B**, and incorporated herein by this reference as is fully set forth herein.

2. Certification of Final EIR. In accordance with State CEQA Guidelines section 15090, the City Council of the City of Woodland hereby certifies that:

A. The Final EIR is an accurate and objective statement that has been completed in compliance with CEQA and the State CEQA Guidelines, and that together with the Errata, attached hereto as **Exhibit A** and incorporated herein by this reference as is fully set forth herein, includes all of the environmental impacts of the Proposed Project and mitigation measures.

B. The City Council has been presented with and has reviewed and considered the information contained in the EIR prior to approving the Proposed Project.

C. The EIR reflects the City Council’s independent judgment and analysis.

3. Recirculation Not Required. The City Council of the City of Woodland declares that the City has not received evidence of new significant impacts, as defined by the State CEQA Guidelines, section 15088.5, after circulation of the Draft EIR that would require recirculation, which is further set forth in the Findings (**Exhibit B**). No substantial changes to the Proposed Project have occurred that would require a supplemental or subsequent EIR.

4. **Notice of Determination.** The City Council of the City of Woodland hereby directs staff to file a Notice of Determination with the Yolo County Clerk Recorder within five (5) working days of final approval of the Proposed Project.

PASSED AND ADOPTED by the City Council this 16th day of May, 2017, by the following vote:

AYES: Council Members Davies, Fernandez, Rodriguez, Stallard and Mayor Barajas
NOES: None
ABSENT: None
ABSTAIN: None



Angel Barajas, Mayor

ATTEST:



Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM:



Kara K. Ueda, City Attorney