

RESOLUTION NUMBER CC-2022-##

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHASTA LAKE CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE 2040 CITY OF SHASTA LAKE GENERAL PLAN UPDATE PROJECT (SCH# 2021070574); AND ADOPTING FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS

WHEREAS, the City of Shasta Lake (City) has undertaken a comprehensive update to the 1999 Shasta Lake General Plan (the Project). The 2040 General Plan is a comprehensive update of the existing General Plan and is intended to guide investment, development, environmental protection and conservation of resources in the City through 2040.

WHEREAS, the 2040 comprehensive update to the General Plan fully addresses topics including, but not limited to land use, housing, transportation, public facilities and infrastructure, community character and health, public health and safety, preservation of open space, air quality, climate change and sustainability, noise, parks and recreation, economic vitality, and community governance. Once adopted, the Plan will be the foundation upon which future land use decisions, including zoning of property, will be based.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code §§21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000 *et seq.*), the City, as Lead Agency, determined an Environmental Impact Report would be prepared for the Project.

WHEREAS, the City of Shasta Lake, as lead agency, prepared a Draft Program Environmental Impact Report (DPEIR) to provide the public and interested agencies with information about the potential environmental effects that could occur due to implementation of the 2040 General Plan.

WHEREAS, the City of Shasta Lake 2040 General Plan Update was developed as a “self-mitigating” General Plan, and impacts identified in the EIR will be mitigated through project level application of adopted Federal, State, and local laws and regulations, through the application of the General Plan policies, programs, and implementation measures, and project specific mitigation, or a combination thereof.

WHEREAS, a Notice of Preparation (NOP) was prepared and distributed through the State Clearinghouse for public agency review. In accordance with State CEQA Guidelines Sections 15082 and 15083, public and agency involvement in preparation of the PEIR commenced with the publication of the “Notice of Preparation” of the DPEIR on July 30, 2021.

WHEREAS, the DPEIR was prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code §21000-§21189) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §15000-§15387) and was made available to the public and interested agencies for a 45-day public review period between July 25, 2022, and September 8, 2022.

WHEREAS, a Notice of Availability (NOA) of the DPEIR was posted, and notices of Planning Commission public hearings on August 18, 2022, September 13 and 22, 2022 to accept public and agency comments on the General Plan Update and on the DPEIR were published in the Redding Record Searchlight and mailed to property owners and agencies, and such notice was made available at City Hall and posted on the City’s website.

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WHEREAS, during the public comment period on the DPEIR comments were received from one individual and one agency, and these comments have been considered and responded to.

WHEREAS, a Final Programmatic Environmental Impact Report (EIR) was prepared in conformance with CEQA, and is comprised of the DEIR (July 2022) and all appendices thereto, the comments and responses to comments on the DEIR (FEIR Section 2.0), and identification of minor textual changes and amendments (FEIR Section 3.0).

WHEREAS, Findings of Fact, and a Statement of Overriding Consideration (**EXHIBIT B**) were prepared pursuant to CEQA and were considered by the Planning Commission and the City Council in their deliberations.

WHEREAS, a duly noticed Planning Commission public hearing was conducted on October 6, 2022, at which time the Planning Commission adopted Resolution PC 2022-07 recommending that the City Council certify the EIR, and adopt the Findings of Fact and Statement of Overriding Considerations.

WHEREAS, prior to making a decision to certify the Final Programmatic Environmental Impact Report as meeting the requirements of CEQA, the City Council reviewed all environmental documentation comprising the draft and Final PEIR and determined the EIR considers all environmental effects of the Project; is complete and adequate and fully complies with all requirements of CEQA; and reflects the Council's independent judgment and analysis.

WHEREAS, on November 1, 2022, the City Council conducted a duly noticed public hearing, and considered the totality of the record including public and agency comments and recommendations on the project.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Shasta Lake hereby finds and determines the above recitals are true and correct and have served as the basis for the actions set forth herein.

BE IT FURTHER RESOLVED, after hearing testimony, considering all evidence submitted into the administrative record, and engaging in due deliberation of the matters presented, the City Council makes the determinations and findings as set forth below in considering the Final Programmatic Environmental Impact Report prepared for the City of Shasta Lake 2040 General Plan Update (Plan):

1. CEQA requires the City Council to balance the economic, legal, social, technological, or other benefits of the Plan against its unavoidable environmental risks when determining whether to approve the project. The City Council has determined that based on the totality of the information in the record, and as set forth in **Exhibit B** to this resolution, the benefits of adopting the 2040 General Plan Update, outweigh the potential unavoidable adverse environmental effects of adopting the Plan, and that the adverse environmental effects may be considered "acceptable" in this case.
2. With respect to the FPEIR and the Plan, pursuant to CEQA §21081 and CEQA Guidelines §15091 and 15093, the City Council adopts the "Findings of Fact and Statement of Overriding Considerations" a copy of which is attached hereto as **Exhibit B**, and that these findings and considerations are incorporated herein by reference.
3. The information contained in the FPEIR, together with all comments received during the public review and hearing process, have been reviewed and considered by the Council prior to making a determination to certify the FPEIR.

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4. The EIR was prepared, published, and circulated, in accordance with the requirements of CEQA and the State CEQA Guidelines, and constitutes an adequate, objective, and complete Final Environmental Impact Report in full compliance with the requirements of CEQA and the State CEQA Guidelines.
5. The City Council and the Planning Commission have reviewed the FPEIR and have considered the information contained in the EIR prior to acting on the proposed project.
6. Hereby certifies that the Final Programmatic Environmental Impact Report (FEIR) (Exhibit A) which includes by reference herein the Draft Programmatic EIR in its entirety (SCH# 2021070574), was completed in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code, State of California, §§21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000 et seq.).
7. That, upon certification of the FPEIR and approval of the project, the City's Development Services Department shall file a Notice of Determination with the County Clerk of Shasta County and, with the State Office of Planning and Research, pursuant to the provisions of CEQA Section 21152.
8. Pursuant to CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its recommendation are located at, and may be obtained from, the City of Shasta Lake Development Services Department at 4477 Main Street, Shasta Lake, California 96019, and on the City's website: www.cityofshastalake.org
9. The action of the Council reflects the independent judgment and analysis of the City of Shasta Lake City Council.

DULY PASSED AND ADOPTED this 1st day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

RICK KERN, Mayor

ATTEST:

TONI M. COATES, CMC, City Clerk

ATTACHMENTS:

- **EXHIBIT A** – Draft and Final Programmatic Environmental Impact Report for the City Of Shasta Lake 2040 General Plan Update (State Clearinghouse No. 2021070574)
- **EXHIBIT B** - City Of Shasta Lake 2040 General Plan Update Environmental Impact Report Findings Of Fact And Statement Of Overriding Considerations