

RESOLUTION 2011-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO CERTIFYING THE SAN PABLO GENERAL PLAN 2030 ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. SCH NO. 2008082069) AND ADOPTING THE ASSOCIATED STATEMENT OF OVERRIDING CONSIDERATIONS

WHEREAS, the City prepared a Draft Environmental Impact Report (DEIR) to assess the potential environmental effects of the proposed update to the San Pablo General Plan (*San Pablo General Plan 2030*); and

WHEREAS, on November 19, 2010, the City circulated for a 45-day public review period the DEIR; and

WHEREAS, the review period of the DEIR (State Clearinghouse No. 2008082069) ended on January 14, 2011; and

WHEREAS, the DEIR was presented for comments from the Planning Commission, City Council and general public at a joint Study Session held on December 6, 2010; and

WHEREAS, the City prepared a Final Environmental Impact Report (FEIR) that incorporates by reference the DEIR and also responds to the comments received from the Planning Commission, City Council, public agencies, and the general Public on the DEIR; and

WHEREAS, the FEIR augments the environmental analysis and identifies additional mitigation Measures/policies that respond to comments on the DEIR; and

WHEREAS, the Planning Commission reviewed the FEIR, which consists of the DEIR (Attachment A) and the FEIR (Attachment B) and is satisfied that it is compliant with CEQA; and

WHEREAS, the Planning Commission adopted Resolution No. 11-07 recommending that the City Council certify the Final Environmental Impact Report (FEIR) for the San Pablo General Plan 2030, consisting of the DEIR (Attachment A) and the FEIR (Attachment B); and

WHEREAS, notice of this public hearing was given pursuant to Government Code section 65091; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS that the City Council of the city of San Pablo hereby certifies the *San Pablo General Plan 2030* Final Environmental Impact Report based on the following findings and the Statement of Overriding Considerations:

Findings for Certification of the Environmental Impact Report

1. Full and fair public hearings have been held on the DEIR and the FEIR and the City Council has considered all comments received thereon, and thus said FEIR is hereby determined to be adequate and complete.

2. In connection with the approval of the General Plan Amendment to adopt the *San Pablo General Plan 2030*, that the FEIR for those actions has been prepared in compliance with CEQA and the state and local environmental guidelines and regulations, and that the City Council has independently reviewed and analyzed the information contained therein, including the written comments received during the DEIR review period and the oral and written comments received at the public hearings, and that the FEIR represents the independent judgment of the City of San Pablo as the Lead Agency for the Project.
3. The FEIR contains additions, clarifications, modifications and other information in its responses to comments on the DEIR. The City Council does hereby find and determine that such changes and additional information are not significant new information as that term is defined under the provisions of CEQA because such changes and additional information do not indicate that any new significant environmental impacts not already evaluated would result from the Project and they do not reflect any substantial increase in the severity of any environmental impact. All feasible mitigation measures for the Project identified in the DEIR and FEIR are hereby incorporated into this resolution.
4. Findings of significant and unavoidable environmental impacts
 - A. The implementation of the proposed San Pablo General Plan 2030 could cause conflicts with existing MTSO's for Routes of Regional Significance presented in the West County Action Plan. In particular, intersections on Routes of Regional Significance may operate below the acceptable MTSO standard during one or both peak hours. According to the I-80/San Pablo Dam Road Interchange Project IS/EA, the San Pablo Avenue/San Pablo Dam Road intersection would operate at LOS F in the future with no project, as well as with Caltrans' proposed reconfiguration of the interchanges. This means that while the Caltrans interchange reconfigurations may improve traffic flow overall, those improvements do not substantively change performance of this intersection under future local and regional growth conditions. The cumulative impact at this intersection of regional growth, Caltrans efforts, and the proposed General Plan is therefore considered potentially significant;
 - B. Implementation of the proposed San Pablo General Plan could result in an increase in VMT at a rate that would exceed the rate of population increase within the City. The proposed General Plan includes many of the measures identified by the BAAQMD as applicable to reduce air quality impacts of general plans. Unfortunately, transportation modeling is still unable to account for the positive influence of these policy and land use design choices. Based strictly on the transportation modeling conducted for the proposed Project in accordance with BAAQMD CEQA Guidelines, vehicle travel is forecast to increase at a faster rate than population, and therefore this impact would be considered significant and unavoidable.

5. Statement of Overriding Considerations:

The proposed project has unavoidable and significant adverse impacts associated with transportation because of traffic congestion on the identified Routes of Regional Significance, however the benefits of the project outweighs the significant adverse impacts. The implementation of the *San Pablo General Plan 2030* will contribute to traffic congestion on the identified Routes of Regional Significance that are already operating at congested levels that is largely attributed to regional growth in Contra Costa County and adjacent counties. Project impacts on transportation will be mitigated to the greatest extent feasible. Every viable General Plan alternative, as well as the "No project" alternative, would have a significant and unavoidable environmental impact because of traffic congestion on the identified Routes of Regional Significance. There are no feasible mitigation measures identified that would reduce the impacts on the Routes of Regional Significance to a level that is less than significant. Mitigations, changes or alterations have been required in, or incorporated into, the project which avoids or substantially lessens the significant environmental effects identified in the EIR. The project will provide positive direction for the future development of the City, such as supporting mixed use development and transit supportive land uses, promote the economic development of the community, maintain and improve the quality of life in the community, preserve and enhance environmental resources, and conserve the natural and built environment.

The significant impacts related to the proposed General Plan would not be considerably different under any other likely growth scenario that accommodates planned approved residential and non-residential development proposed for the city. Moreover, emissions of several criteria pollutants are expected to decrease by 2030 even with population growth and increased VMT because of fuel efficiency standards. This suggests that the plan will actually create only a minimal contribution to the overall regional cumulative impacts of criteria air pollutant emissions.

In addition, there are numerous General Plan policies being proposed that would reduce the transportation impact. For example, policy's supporting alternate travel modes to the single-occupant auto commuter and policies supporting smart growth land use that would ultimately reduce demand on the roads.

6. This Resolution shall become effective immediately upon its passage and adoption.

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings.

Adopted this 18th day of April, 2011, by the following vote to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

Ted J. Denney, City Clerk

Paul V. Morris, Mayor