

RESOLUTION NO. 2013-028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, CERTIFYING ENVIRONMENTAL IMPACT REPORT SCH# 2012061058 FOR THE RANCHERO CORRIDOR WIDENING PROJECT AS COMPLETE; AND ADOPTING A MITIGATION MONITORING REPORTING PROGRAM AND FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS.

WHEREAS, the Ranchero Corridor Widening Project consists of widening approximately five miles of Ranchero Road between the Ranchero Underpass and the Ranchero Road/Interstate 15 Interchange; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Public Res. Code § 21000 et seq.) and the State CEQA Guidelines (14 CCR § 15000 et seq.), the City Council of the City of Hesperia (Council) is the lead agency for the project as the public agency with general governmental powers; and

WHEREAS, an Initial Study/ Proposed Mitigated Negative Declaration (MND) prepared in June 2010, indicated the potential for significant impacts that could not be fully mitigated. Consequently, a Draft Environmental Impact Report (EIR) was generated; and

WHEREAS, a Notice of Preparation (NOP) was distributed to numerous state, federal, and local agencies, elected officials, and interested parties for a scoping period of 30 days from June 15, 2012 to July 16, 2012. Relevant comments received in response to the NOP were incorporated into the Draft EIR; and

WHEREAS, the Draft EIR was circulated for public review period of 45 days from December 18, 2012 to February 2, 2013. A total of 11 comments were received from six resource agencies and five from the general public during the comment period. The responses to the comments received are included in the Final EIR; and

WHEREAS, a duly noticed Public Open House regarding the project was held on January 10, 2013 and four comments were received. The responses to the comments received are included in the Final EIR; and

WHEREAS, requirements of CEQA, the State CEQA guidelines and the City's Local CEQA Guidelines have been satisfied in the EIR. Significant environmental effects of the project have been adequately evaluated and are sufficiently detailed in the Final EIR and Findings of Fact and Statement of Overriding Considerations (FFSOC); and

WHEREAS, environmental impacts which the City finds are less than significant and do not require mitigation are described in the Final EIR and FFSOC; and

WHEREAS, environmental impacts which are identified as significant, but the City finds can be mitigated to a level of less than significant through feasible mitigation measures are described in the Final EIR and FFSOC; and

WHEREAS, environmental impacts which are identified as significant, but the City finds cannot be fully mitigated to a level of less than significant despite the implementation of feasible mitigation measures, are described in the Final EIR and FFSOC; and

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

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

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

- Section 1. The City Council hereby specifically finds that all of the facts set forth in the Recitals, Part A of this Resolution, are true and correct.
- Section 2. The City Council hereby declares that pursuant to CEQA Guidelines, Section 15093, the City Council has considered the benefits of proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed project. The benefits of the proposed Project outweigh the unavoidable significant environmental impacts and those impacts are considered acceptable.
- Section 3. The Council finds that it has made a reasonable and good faith effort to eliminate or substantially mitigate potential impacts resulting from the Project.
- Section 4. Based on conclusions set forth above, this Council hereby certifies the Final EIR-SCH# 2012061058 as complete and adopts the Mitigation Monitoring Reporting Program and the Findings of Fact and Statement of Overriding Considerations.
- Section 4. That City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ADOPTED AND APPROVED this 18th day of June 2013.

Bill Holland, Mayor

ATTEST:

Melinda Sayre-Castro
Assistant City Clerk