

RESOLUTION NO. LAFC 1192

**A RESOLUTION OF THE SACRAMENTO LOCAL AGENCY FORMATION
COMMISSION CERTIFYING THE
FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE CITY OF FOLSOM
SPHERE OF INFLUENCE AMENDMENT (4-97)
State Clearinghouse No. 97042050**

WHEREAS, the Sacramento Local Agency Formation Commission is the entity authorized to approve a Sphere of Influence pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act;

WHEREAS, the Sacramento Local Agency Formation Commission has undertaken a comprehensive analysis of the City of Folsom Sphere of Influence Amendment (4-97); and

WHEREAS, the City of Folsom Sphere of Influence Amendment for the City of Folsom evaluation and review process has involved public participation in Local Agency Formation Commission public hearings at which both written and oral comments were received from concerned citizens; and

WHEREAS, local jurisdictions, community groups, businesses and other interested parties have provided testimony throughout the planning and evaluation process; and

WHEREAS, public agencies have reviewed, and commented upon, the project; and

WHEREAS, a Draft Environmental Impact Report was prepared and circulated between January 21, 1998, and March 6, 1998; and

WHEREAS, the Sacramento Local Agency Formation Commission requested that additional environmental analysis be undertaken; and

WHEREAS, a re-circulated Draft Environmental Impact Report was prepared and circulated between May 19, 1998, and July 3, 1998; and

WHEREAS a Final Environment Impact Report was prepared and issued on July 17, 1998, and considered at a noticed public hearing on July 29, 1998; and

WHEREAS, sufficient public notice has been provided in accordance with state law for all hearings on the matter; and

WHEREAS, on July 28, 1998, the Commission heard testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment and thereafter requested clarification and an opportunity to meet with the County of Sacramento, to discuss a number of issues, including, among other things, regional planning, preservation of open space and habitat for species, service and infrastructure needs, and projected growth; and

WHEREAS, the matter was continued to September 1998 so that the County of Sacramento and the City of Folsom agreed to schedule a series of meetings to attempt to establish an agreement on regional planning issues. The Commission further continued the item; and

WHEREAS, on February 2, 1999, the Commission heard testimony from the City of Folsom and the County of Sacramento and the City and the County reported that their representatives had been meeting to accomplish the objectives of a joint planning process for preserving open space and species habitat, for assessing transportation and other service needs, and for orderly development; and

WHEREAS, it was reported that the committee was working on a Memorandum of Understanding regarding planning and growth issues in the project area; and

WHEREAS, on August 4, 1999, the Commission, at the request of the City of Folsom, continued the item to allow for the Committee meetings between the City of Folsom and the County of Sacramento to continue; and

WHEREAS, on September 15, 1999, the Commission, at the request of the City of Folsom, continued the item; and

WHEREAS, on October 6, 1999, the Commission, at the request of the City of Folsom, continued the item; and

WHEREAS, on November 3, 1999, the Commission heard testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment. The Commission, at the request of the City of Folsom, continued the matter to allow further meetings between the City of Folsom and the County of Sacramento 2 x 2 committee. The committee had commenced work on a Memorandum of Understanding regarding regional planning issues and growth issues in the project area; and

WHEREAS, the item was brought back for a status report at the Commission's January and March 2000, hearings. The matter was continued until the May 3, 2000, meeting; and

WHEREAS, on May 3, 2000, the Commission heard testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment. The Commission was informed that the 2 x 2 committee had prepared a draft Memorandum of Understanding regarding the Sphere of Influence Amendment

area. Details of the Draft Memorandum were explained to the Commission and the public and the matter was continued; and

WHEREAS, on July 7, 2000, the Commission received oral testimony and written correspondence from the City and members of the public, regarding the status of the Memorandum of Understanding between the City of Folsom and the County of Sacramento and the matter was continued; and

WHEREAS, on September 6, 2000, additional oral and written testimony was received by the Commission. The Commission directed staff to provide an analysis under the California Environmental Quality Act, "CEQA", to determine whether additional CEQA documentation was required to update the Environmental Review document prepared in 1998; and

WHEREAS, on October 4, 2000, staff conducted for the Commission and the public a hearing and workshop relating to the proposed Folsom Sphere of Influence. At that hearing, public testimony was heard, and the Commission was presented with draft resolutions regarding the Memorandum of Understanding prepared by the City of Folsom and the County of Sacramento; and

WHEREAS, on November 3, 2000, the staff circulated for public notice, review and comment the "Section 15088.5 Evaluation of the Final Environmental Impact Report" dated October 2000. The staff determined that no new additional information or documentation was required under CEQA and provided an analysis of such determination and invited public comment; and

WHEREAS, on December 6, 2000, the Commission held its meeting in the City of Folsom to hear additional oral and written testimony regarding the Final Environmental Impact Report, the "Section 15088.5 Analysis" and the proposed City of Folsom Sphere of Influence Amendment. The Commission determined to respond to the comments received on the Final Environmental Impact Report and to circulate the responses; and

WHEREAS, on January 10, 2001, the Commission heard additional oral and written testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment. The Commission was notified by Staff that due to additional comments received, staff had determined to circulate a revised summary of impacts and mitigation measures, and to re-circulate an air quality assessment section as well as responses and comments received after the December 10, 2000, hearing on Final Environmental Impact Report. The matter was continued until the March 2001, meeting to allow circulation of the environmental documents and to allow the City of Folsom and the County of Sacramento additional time to negotiate on the regional planning process outlined in the Draft Memorandum of Understanding between the two agencies; and

WHEREAS, on March 7, 2001, the matter was brought back for a status report and continued to the Commission's April 2001, meeting; and

WHEREAS, in late March 2001, the City of Folsom and the County of Sacramento entered into a Memorandum of Understanding, effective November 14, 2000, to establish regional planning goals, land use (including open space, habitat preservation and riparian set asides), and public participation to guide local government planning in the area; and

WHEREAS, the **FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF FOLSOM SPHERE OF INFLUENCE AMENDMENT (4-97)** constitutes the complete environmental documentation and review of the City of Folsom Sphere of Influence Amendment pursuant to the requirements of the California Environmental Quality Act;

NOW, THEREFORE, the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: Recitals

The above recitals are true and correct, and the Sacramento Local Agency Formation Commission hereby so finds.

SECTION 2: Findings Related to Prior Proceedings

- A. The Notice of Preparation for the Draft Environmental Impact Report was duly prepared, noticed and properly circulated in accordance with the provisions of the California Environmental Quality Act;
- B. The Draft Environmental Impact Report was duly prepared, noticed and properly circulated in accordance with the provisions of the California Environmental Quality Act;
- C. After providing adequate public notice, the Draft Environmental Impact Report was duly circulated in accordance with the provisions of the California Environmental Quality Act, and public hearings which were properly noticed, were conducted by the Sacramento Local Agency Formation Commission in compliance with the provisions of the Act;
- D. All comments received during the period of public review have been duly considered and incorporated into the Final Environmental Impact Report, and where necessary, replied to, in accordance with the provisions of the California Environmental Quality Act;
- E. The Sacramento Local Agency Formation Commission requested that additional environmental analysis be undertaken;

- F. A re-circulated Draft Environmental Impact Report was issued on May 19, 1998; written comments on the re-circulated Draft Environmental Impact Report were required to be submitted to staff by July 3, 1998;
- G. A Noticed Public Hearing was held on the Draft Environmental Impact Report on March 4, 1998, and on April 1, 1998, at which time staff was directed to respond to written and oral comments and prepare a Final Environmental Impact Report and set the proposal for hearing;
- H. A Final Environmental Impact Report was prepared and issued on July 17, 1998;
- I. Written responses were provided to all public agency comments that were received on the Draft Environmental Impact Report at least 10 days before certification of the Final EIR pursuant to the provisions of the California Environmental Quality Act;
- J. A hearing was held on July 29, 1998, and additional oral and written testimony was received. The matter was continued until September 1998, for additional staff analysis;
- K. The City of Folsom requested an extension of time in order to meet with the County of Sacramento. The matter was continued to October 1998 and then to February 1999 to allow for the County of Sacramento and the City of Folsom to meet by a committee process. These meetings occurred from February 1999 until a draft Memorandum of Understanding was prepared in April 2000 and presented to the Commission in May 2000.
- L. Staff prepared an additional environmental analysis and on November 3, 2000, circulated for public notice, review and comment the "Section 15088.5 Evaluation of the Final Environmental Impact Report" dated October 2000. The staff determined that no new additional information or documentation was required under CEQA and provided an analysis of such determination and invited public comment; and
- M. A hearing was held in the City of Folsom on December 6, 2000, where additional written and oral testimony was received. Based upon comments received it was determined that the Air Quality assessment portion of the FEIR should be recirculated in accordance with Section 15088.5 and 15088.5 (f)(2). On or about December 20, 2001, A "Revised Summary of Impacts and Mitigation Measures; Recirculated Air Quality Assessment; and Responses to Comments Received after the FEIR" was circulated for public comment and review;

- N. Additional hearings were conducted on January 10, 2001 and March 7, 2001. Certain clarifying revisions to the mitigation measures were requested by the public and affected public agencies. These revisions were included by staff in the final mitigation measures and serve to strengthen mitigation of the project's environmental impacts on the environment. Responses to written comments to the Section 15088.5 Evaluation and were published, circulated and reviewed. Comments to the "Revised Summary of Impacts and Mitigation Measures; Recirculated Air Quality Assessment; and Responses to Comments Received after the FEIR" were reviewed;
- O. A good faith effort has been made to incorporate alternatives into the Final Environmental Impact Report, and all reasonable alternatives were considered in the review process under the provisions of the California Environmental Quality Act relating to the decisions and recommendations as described in this Resolution;
- P. The Final Environmental Impact Report for the proposed City of Folsom Sphere of Influence Amendment (4-97) has been properly completed and has identified all significant environmental effects of the proposed project, and there are no known potential environmental effects that are not addressed in the Final Environmental Impact Report;
- Q. A good faith effort has been made to seek out and incorporate all points of view in the preparation of the Draft Environmental Impact Report and Final Environmental Impact Report; and
- S. The Commission has utilized its own independent judgment in adopting this Resolution and in certifying the Final Environmental Impact Report.

SECTION 3: Certification of the Final Environmental Impact Report

- A. The Sacramento Local Agency Formation Commission hereby certifies the Final Environmental Impact Report consisting of all the environmental documents described in this Resolution as adequate and complete and certifies that the Final EIR has been completed in compliance with the California Environmental Quality Act.
- B. The Sacramento Local Agency Formation Commission further finds that there have been no significant changes in the project or in the environment since preparation of the Final Environmental Impact Report and that the "Section 15088.5 Analysis" and "Revised Summary of Impacts and Mitigation Measures; Recirculated Air Quality Assessment; and

Responses to Comments Received after the FEIR Analysis" are adequate and complete.

- C. The Sacramento Local Agency Formation Commission finds and determines that it has considered all public comments, testimony and staff reports in making this determination.

On a motion by Commissioner PORTER, seconded by Commissioner MACGLASHAN, the foregoing resolution was passed and adopted by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION, State of California, at a meeting thereof this 6th day of JUNE, 2001, by the following vote, to wit:

AYES: E. Mulberg, W. Porter, R. MacGlashan, M. Johnson, I. Collin, L. Hammond, C. Tooker.

NOES: None.

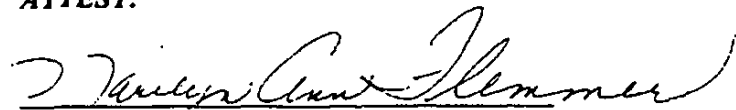
ABSTAIN: None.

ABSENT: None.



 Christopher Tobker, Chair
 SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

ATTEST:



 Marilyn Ann Flemmer
 Commission Clerk

NM:Maf
 5/8/01
 (Reso 1192 FSOI)