

STOCKTON CITY COUNCIL

RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR1-04) AND ADOPTING THE "FINDINGS, OVERRIDING CONSIDERATIONS, MITIGATION MONITORING AND REPORTING PROGRAM FOR THE WESTLAKE VILLAGES PROJECT"

WHEREAS, a Final Environmental Impact Report (EIR1-04) for the Westlake Villages Project (the "Project") was prepared by the City of Stockton pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*, hereafter "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 California Code of Regulations, Sections 15000 *et seq.*, hereafter the "State CEQA Guidelines") and the City of Stockton Guidelines for the Implementation of CEQA ("Local Guidelines"); and

WHEREAS, at its legally noticed meeting of August 26, 2004, the Stockton Planning Commission accepted oral comments on, considered and recommended adoption of the Final Environmental Impact Report (EIR1-04) by the City Council; and

WHEREAS, pursuant to the City of Stockton Guidelines for the Implementation of CEQA, the Final Environmental Impact Report (EIR1-04) was scheduled for consideration at a public meeting that was conducted by the City Council on September 14, 2004; and

WHEREAS, by this resolution, the City Council, as the lead agency under CEQA for preparing the Final Environmental Impact Report, and as the entity with final decision-making authority in regard to the related discretionary applications, desires to comply with the requirements of CEQA, the State CEQA Guidelines and the Local Guidelines for consideration, certification and use of the Final Environmental Impact Report (EIR1-04) by the City Council, and any responsible agencies in connection with the approval and subsequent implementation of the Project; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. That the Final Environmental Impact Report (EIR1-04), which is on file in the City's Community Development Department/Planning Division, is hereby certified based on the following findings:


- a. The Final Environmental Impact Report (EIR1-04), has been completed in compliance with the California Environmental Quality Act (CEQA), State CEQA Guidelines and City of Stockton Guidelines for the Implementation of CEQA.

City Atty: _____
Review GDP
Date September 8, 2004

- b. The Final Environmental Impact Report (EIR1-04), as amended, has been reviewed and considered prior to any related project approvals, reflects the City's independent judgment and has been found to be adequate for said approvals.
- c. Based on the review of EIR1-04 it has been determined that, subject to any modifications and mitigation measures identified in EIR1-04, the project will not have a significant effect on the environment.
- d. Pursuant to Section 15074 of the State CEQA Guidelines (California Code of Regulations), all project approvals shall be based on and subject to the CEQA findings, mitigation measures, and monitoring/reporting provisions as specified in the "Findings, Overriding Considerations, Mitigation Monitoring and Reporting Program for the Westlake Villages Project," dated August 2004.

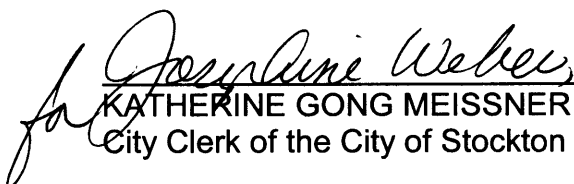
2. That, pursuant to Section 15074 of the State CEQA Guidelines (California Code of Regulations), the City Council hereby determines that any related project approval(s) shall be based on and subject to the implementation of all applicable mitigation measures for each significant adverse environmental effect, as identified in the Final Environmental Impact Report (EIR1-04), and to the associated findings and mitigation monitoring/reporting provisions as specified in the report entitled "Findings, Overriding Considerations, Mitigation Monitoring and Reporting Program for the Westlake Villages Project," August 2004, which is hereby adopted and is on file at the City of Stockton Community Development Department/Planning Division.

PASSED, APPROVED and ADOPTED SEP 14 2004.



 GARY A. PODESTO
 Mayor of the City of Stockton

ATTEST:


 KATHERINE GONG MEISSNER
 City Clerk of the City of Stockton



::ODMA\GRPWISE\COS.CDD.CDD_Library:40557.1