

RESOLUTION NO. 2019-68

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF HUNTINGTON BEACH CERTIFYING THE FINAL  
ENVIRONMENTAL IMPACT REPORT (SCH#2017101041)  
FOR THE MAGNOLIA TANK FARM PROJECT

WHEREAS, Environmental Impact Report No. 17-001, State Clearinghouse #2017101041 (“EIR”) was prepared by the City of Huntington Beach (“City”) to address the environmental implications of the proposed Magnolia Tank Farm Project (the “Project”); and

- On October 19, 2017 a Notice of Preparation for the Project was distributed to the State Clearinghouse, other responsible agencies, trustee agencies and interested parties; and
- After obtaining comments received in response to the Notice of Preparation, the City completed preparation of the Draft EIR and filed a Notice of Completion with the State Clearinghouse on December 17, 2018; and
- The Draft EIR was circulated for public review and comment from December 17, 2018 to March 18, 2019 and was available for review at several locations including Community Development Department, City Clerk’s Office, Banning Library, and the City’s website; and
- On \_\_\_\_\_, 2019 the Planning Commission held a public meeting on the EIR and certified the EIR as adequate and complete; and

WHEREAS, public comments have been received on the Draft EIR, and responses to those comments have been prepared and provided to the City Council; and

WHEREAS, Public Resources Code 21092.5(a) requires that the City of Huntington Beach provide a written response to any public agency that commented on the Environmental Impact Report, and the Response to Comments included in the Final Environmental Impact Report satisfies this provision; and

WHEREAS, the City Council held a public meeting on the EIR on October 7, 2019 and received and considered public testimony.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

SECTION 1. Consistent with CEQA Guidelines Section 15132, the Final EIR for the Project is comprised of the Draft EIR and Appendices, the comments received on the Draft EIR, the Responses to Comments (including a list of persons, organizations, and public agencies commenting on the Draft EIR), the Text Changes to the Draft EIR (bound together with the Responses to Comments) and all Community Development Department Staff Reports to the City Council, including all minutes, transcripts, attachments and references. All of the above

information has been and will be on file with the City of Huntington Beach Department of Community Development, 2000 Main Street, Huntington Beach, California 92648.

SECTION 2. The City Council finds and certifies that the Final EIR is complete and adequate in that it has identified all significant environmental effects of the Project and that there are no known potential environmental impacts not addressed in the Final EIR.

SECTION 3. The City Council finds that although the Final EIR identifies certain significant environmental effects that will result if the Project is approved, all significant effects which can feasibly be mitigated or avoided have been mitigated or avoided by the incorporation of project design features, standard requirements, and by the imposition of mitigation measures on the approved Project. All mitigation measures are included in the "Mitigation Monitoring Reporting Program" attached as Exhibit A to this Resolution and incorporated herein by this reference.

SECTION 4. The City Council finds that the Final EIR has described reasonable alternatives to the Project that could feasibly obtain the basic objectives of the Project, even when these alternatives might impede the attainment of Project objectives. Further, the City Council finds that a good faith effort was made to incorporate alternatives in the preparation of the Draft EIR and that a reasonable range of alternatives was considered in the review process of the Final EIR and ultimate decisions on the Project.

SECTION 5. The City Council finds that no "substantial evidence" (as that term is defined pursuant to CEQA Guidelines Section 15384) has been presented that would call into question the facts and conclusions in the EIR.

SECTION 6. The City Council finds that no "significant new information" (as that term is defined pursuant to CEQA Guidelines Section 15088.5) has been added to the Final EIR after circulation of the Draft EIR. The City Council finds that the minor refinements that have been made to the Project as a result of clarifications in the mitigation measures and EIR text do not amount to significant new information concerning the Project, nor has any significant new information concerning the Project become known to the City Council through the public hearings held on the Project, or through the comments on the Draft EIR and Responses to Comments.

SECTION 7. The City Council finds that the Mitigation Monitoring Reporting Program establishes a mechanism and procedures for implementing and verifying the mitigations pursuant to Public Resources Code 2108.6 and hereby adopts the Mitigation Monitoring Reporting Program. The mitigation measures shall be incorporated into the Project prior to or concurrent with Project implementation as defined in each mitigation measure.

SECTION 8. The City Council finds that the Final EIR reflects the independent review and judgment of the City of Huntington Beach City Council, that the Final EIR was presented to the City Council, and that the City Council reviewed and considered the information contained in the Final EIR prior to approving General Plan Amendment No. 17-001, Zoning Map Amendment No. 17-001, Zoning Text Amendment No. 17-005, Local Coastal Program Amendment No. 17-001, and Development Agreement No. 19-001 (Magnolia Tank Farm).

SECTION 9. The City Council finds that the Final EIR serves as adequate and appropriate environmental documentation for the Project. The City Council certifies that the Final EIR prepared for the Project is complete, and that it has been prepared in compliance with the requirements of the California Environmental Quality Act and CEQA Guidelines.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney     *AW*

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Director of Community Development

Exhibit A: Mitigation Monitoring Reporting Program