

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF MERCED, STATE OF CALIFORNIA

In the Matter of)
)
CERTIFICATION OF FINAL THE) RESOLUTION NO.
ENVIRONMENTAL IMPACT REPORT FOR)
THE UNIVERSITY COMMUNITY PLAN)
GENERAL PLAN AMENDMENT)

WHEREAS, the Merced County Board of Supervisors initiated an amendment to the Merced County General Plan to plan for the growth that will occur as a result of the development of the University of California, Merced Campus, called the University Community Plan General Plan Amendment (the Project); and,

WHEREAS, the University Community Plan General Plan Amendment consists of the University Community Plan, a modification of the University Community Specific Urban Development Plan (SUDP) boundary, a change in the land use designation within the modified University Community SUDP Boundary from “Agricultural/University Community Urban Reserve” to “UC Merced” and “Multiple Use Urban Development”, and various technical changes throughout the text of the General Plan to reflect this General Plan Amendment; and,

WHEREAS, the County of Merced prepared a Draft Environmental Impact Report (DEIR) in August, 2001 for the University Community General Plan Amendment to evaluate potentially significant adverse environmental impacts; and,

WHEREAS, the County of Merced prepared a supplement to the DEIR in July, 2004 consisting of a revised Hydrology and Water Quality Chapter, a description of changes since the publication of the DEIR, and an evaluation on impacts presented in the DEIR in light of subsequent changes; and,

WHEREAS, the County of Merced prepared an Environmental Impact Report (Final Environmental Impact Report) in November, 2004 consisting of the DEIR, Supplement to the DEIR, comments and responses to comments on the DEIR and supplement to the DEIR, as well as changes and additions to the DEIR text; and,

WHEREAS, the DEIR, the Supplement to the DEIR, and the FEIR collectively make up the Environmental Impact Report (EIR) for the University Community Plan General Plan Amendment; and,

WHEREAS, a Notice of Preparation (NOP) for the EIR was distributed on February 15, 2004, a Notice of Availability for the DEIR was published on August 19, 2001, and a supplemental Notice of Availability was published on September 22, 2001; public hearings to receive oral comments on the DEIR were held on September 12, 13,

and 17, 2001; the period for comments on the DEIR was from August 13, 2001, through October 4, 2001; a Notice of Availability for the Supplement to the DEIR was published on July 30, 2004; the period for public comments to the Supplement to the DEIR was from July 30, 2004, to September 13, 2004; the Final EIR was released to the public on November 19, 2004; a Notice of Availability for the FEIR was published on November 19 and 20, 2004; and,

WHEREAS, the DEIR and FEIR have been prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act (“CEQA”), Public Resources Code, Sections 21000, et seq., and the guidelines for implementation of CEQA, 14 California Code of Regulations, Sections 15000, et seq. (“CEQA Guidelines”); and,

WHEREAS, the Merced County Planning Commission, following its public hearing of November 10 and December 1, 2004, unanimously recommended with one Commissioner absent, to the Board of Supervisors, certification of the Environmental Impact Report.

WHEREAS, a legally noticed and advertised public hearing on recommendation for certification of the EIR and action on the University Community Plan General Plan Amendment was held on December 7, 2004, and December 14, 2004 by the Merced County Board of Supervisors; and,

WHEREAS, the Board of Supervisors has evaluated and considered all comments, written and oral, received from persons who reviewed the DEIR, the supplement to the DEIR, the FEIR, or otherwise testified on the Project; and,

WHEREAS, the Board of Supervisors has independently reviewed and considered the Findings of Fact and Statement of Overriding Considerations for the Adoption of the County of Merced University Community Plan regarding significant effects and alternatives.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Merced takes the following actions:

1. Adopts the foregoing recitals as true and correct;
2. Finds and declares that the EIR was presented to the Board of Supervisors and that the Board has independently reviewed and considered the information contained in the EIR prior to approving the Project;
3. Based upon its review of the Final EIR, finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the Project as described in the EIR, sets forth a reasonable range of alternatives to the Project, and reflects the independent judgment of the County;

4. Certifies that the EIR for the University Community Plan Amendment is adequate and has been completed in compliance with CEQA and the CEQA Guidelines.
5. Directs that the record of these proceedings be contained in the Board of Supervisors Office located at 2222 "M" Street, Merced, CA 95340, and that the custodian of the record be the Clerk of the Board of Supervisors.

I, DEMITRIOS O. TATUM, Clerk of the Board of Supervisors of the County of Merced, do hereby certify that the foregoing Resolution was regularly introduced, passed, and adopted by said Board at a regular meeting thereof held on _____ day of _____, 2004 by the following vote:

SUPERVISORS:

AYES:

NOES:

ABSENT:

WITNESS my hand and the Seal of this Board this _____ day of _____, 2004.

DEMITRIOS O. TATUM, CLERK

By: _____
Deputy