

RESOLUTION 6425(21)

A Resolution of the City Council of the City of Lompoc, County of Santa Barbara, State of California, Considering a Supplemental Environmental Impact Report, Making Responsible Agency Findings, and Approving A Roadway Repair and Permit Agreement for the Strauss Wind Energy Project

WHEREAS, Strauss Wind, LLC (Strauss) is in the process of developing an approximately 100-megawatt wind energy project to be located on private land southwest of the City of Lompoc (City) (Project); and

WHEREAS, the Project requires various approvals by multiple federal, state, and local government agencies, including but not limited to approval by the City of encroachment permits, transportation permits (oversize vehicle permits), and an agreement for roadway repair, for the transport of Strauss's large wind turbines and related Project materials and equipment through the City to the Project site; and

WHEREAS, in 2009, the County of Santa Barbara (County) approved a prior version of the Project. As part of its approval, the County certified a Final Environmental Impact Report (County EIR No. 06EIR-00000-00004) ("FEIR"). The prior version of the Project was never constructed and the Project was then revised into its current form. As part of its approval of the current Project, the County approved a Supplemental Environmental Impact Report based on the FEIR (County EIR Number 18EIR-00000-0001, State Clearinghouse Number 2018071002) ("SEIR"); and

WHEREAS, the County is the Lead Agency for the Project for CEQA purposes. The City is a Responsible Agency for the Project because it has discretionary approval power over the Project; specifically, the Project requires the issuance of discretionary permits by the City, including encroachment permits and transportation permits (oversized load permits); and

WHEREAS, as a Responsible Agency, the City must independently consider the environmental effects of the Project, as shown in the FEIR and SEIR, and must make certain finding for each significant environmental effect of the Project, per CEQA Guidelines Section 15096, prior to approving any discretionary permits or agreements related to the Project; and

WHEREAS, the SEIR approved by the County requires Strauss to enter into an agreement with the City to ensure that any damage by the Project to City streets is mitigated through repair or reconstruction to original conditions according to the current standards or policies of the City. The City and Strauss have negotiated a Roadway Repair and Permit Agreement for this purpose, which is attached hereto as Exhibit B.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The recitals above are true and correct.

SECTION 2. Required CEQA Findings. The City Council makes the following findings, as required by CEQA Guidelines Section 15096:

(a) Consideration of the FEIR and SEIR. The City Council has reviewed the Final Environmental Impact Report (County EIR No. 06EIR-00000-00004) (FEIR) and the Supplemental Environmental Impact Report (County EIR Number 18EIR-00000-0001, State Clearinghouse Number 2018071002) (SEIR), and has considered the environmental effects of the Project as shown in the FEIR and SEIR.

(b) No Feasible Alternatives or Mitigation Measures. The City Council has not found any feasible alternative to the Project or feasible mitigation measure within its powers that would substantially lessen or avoid any significant effect the Project would have on the environment.

(c) Findings under CEQA Guidelines 15091 and 15093. On November 20, 2019, the Santa Barbara County Planning Commission approved the Project, certified the SEIR, and made findings regarding the SEIR as required by CEQA Guidelines 15091 and 15093 (SBPC Findings). The SBPC Findings, attached hereto as Exhibit A, as well as all documents referenced in the SBPC Findings, are incorporated herein. The City Council adopts Sections 1.4 through 1.8, inclusive, of the SBPC Findings, with the following revisions and exceptions:

(i) References to the Santa Barbara County Planning Commission shall be replaced with the Lompoc City Council where appropriate to make clear that the Lompoc City Council is the body making the findings.

(ii) The City Council does not adopt the overriding considerations in Section 1.8 of the SBPC Findings that are unique to Santa Barbara County.

SECTION 3. Notice of Determination. Pursuant to CEQA Guideline Section 15096(i), the City Clerk shall file a Notice of Determination in the same manner as a Lead Agency under CEQA Guidelines Section 15094. The Notice of Determination does not need to state that the FEIR or SEIR complies with CEQA, but it should state that the City considered the FEIR and SEIR prepared by the Lead Agency.

SECTION 4. Agreement Approval. The City Council hereby approves the Roadway Repair and Permit Agreement attached hereto as Exhibit B.

SECTION 5. This Resolution is effective upon its adoption.

The foregoing Resolution was proposed by Council Member _____, seconded by Council Member _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on June 15, 2021, by the following vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

Jenelle Osborne, Mayor
City of Lompoc

ATTEST:

Stacey Haddon, City Clerk
City of Lompoc

Attachments: Exhibit A: SBPC Findings
Exhibit B: Roadway Repair and Permit Agreement

Exhibit A to Resolution No. 6425(21)

Santa Barbara County Planning Commission Findings

(Immediately following this page.)

Exhibit B to Resolution No. 6425(21)
Roadway Repair and Permit Agreement
(Immediately following this page.)