



FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

WILLOWS GENERAL PLAN UPDATE

NOVEMBER 2022

Prepared for:

City of Willows
201 N Lassen Street
Willows, CA 95988

Prepared by:

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D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm



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FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE
WILLOWS GENERAL PLAN UPDATE
REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code, Section 21000 et seq)

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires the City of Willows (City), as the CEQA lead agency to: 1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR.

These findings explain how the City, as the lead agency, approached the significant and potentially significant impacts identified in the environmental impact report (EIR) prepared for the General Plan Update (General Plan, or Project). The statement of overriding considerations identifies economic, social, technological, and other benefits of the Project that override any significant environmental impacts that would result from the Project.

As required under CEQA, the Final EIR describes the Project, adverse environmental impacts of the project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the EIR reflect the City's independent judgment regarding the potential adverse environmental impacts of the Project.

The Final EIR (which includes the Draft EIR, comments on the Draft EIR, responses to comments on the Draft EIR, and any revisions to the Draft EIR) for the Project, examined several alternatives to the Project that were not chosen as part of the approved project (the No Project Alternative, Modified Project Alternative, and the Agriculture Protection Alternative).

The Findings of Fact and Statement of Overriding Considerations set forth below ("Findings") are presented for adoption by the City Council (Council) as the City's findings under the California Environmental Quality Act ("CEQA") (Public Resources Code, §21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.) relating to the Project. The Findings provide the written analysis and conclusions of this Council regarding the Project's environmental impacts, mitigation measures, alternatives to the Project, and the overriding considerations, which in this Council's view, justify approval of the Willows General Plan, despite its environmental effects.

II. GENERAL FINDINGS AND OVERVIEW

A. Project Background

In 2019, Willows began a multi-year process to update the City's General Plan. State law requires every city and county in California to prepare and maintain a planning document called a general plan. A general plan is a "constitution" or "blueprint" for the future physical development of a county or city. As part of the General Plan Update process, a General Plan Existing Conditions Report was prepared to establish a baseline of existing conditions in the city.

The updated Willows General Plan includes a framework of goals, policies, and actions that will guide the community toward its common vision. The General Plan is supported with a variety of maps, including a Land Use Map and Circulation Diagram.

B. Procedural Background

The City of Willows circulated a Notice of Preparation (NOP) of an EIR for the proposed Project on April 6, 2022 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held on April 20, 2022. During the 30-day public review period for the NOP, which ended on May 9, 2022, three written comment letters were received on the NOP. The NOP and all comments received on the NOP are presented in Appendix A of the DEIR. Concerns raised in response to the NOP were considered during preparation of the Draft EIR.

Willows published a public Notice of Availability (NOA) for the Draft EIR on August 26, 2022, inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH# 2022040089) and was published in the Glenn County Clerk's office and the local newspaper, pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from August 26, 2022 through October 10, 2022. The Public Draft General Plan was also available for public review and comment during this time period.

The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

The City received one comment letter regarding the General Plan and Draft EIR from public agencies, organizations and members of the public during the public comment period. In accordance with CEQA Guidelines Section 15088, a Final EIR was prepared that responded to the written comments received, as required by CEQA. The Final EIR document and the Draft EIR, as amended by the Final EIR, constitute the Final EIR.

C. Record of Proceedings and Custodian of Record

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City's findings and determinations consists of the following documents and testimony, at a minimum:

- The NOP, comments received on the NOP, Notice of Availability, and all other public notices issued by the City in relation to the Willows General Plan Update EIR.
- The Willows General Plan Update Final EIR, including comment letters and technical materials cited in the document.
- All non-draft and/or non-confidential reports and memoranda prepared by the City of Willows and consultants in relation to the EIR.
- Minutes of the discussions regarding the Project and/or Project components at public hearings held by the City.
- Staff reports associated with Planning Commission and City Council meetings on the Project.
- Those categories of materials identified in Public Resources Code Section 21167.6.

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of Willows Office of the City Clerk at 201 N Lassen St Willows, CA 95988

D. Consideration of the Environmental Impact Report

In adopting these Findings, this Council finds that the Final EIR was presented to this Council, the decision-making body of the lead agency, which reviewed and considered the information in the Final EIR prior to approving the Willows General Plan. By these findings, this City Council ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final EIR. The City Council finds that the Final EIR was completed in compliance with the California Environmental Quality Act. The Final EIR represents the independent judgment and analysis of the City.

E. Severability

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Willows General Plan, shall continue in full force and effect unless amended or modified by the City.

III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

A. Agricultural and Forest Resources

1. General Plan implementation would result in the conversion of farmlands, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance (EIR Impact 3.2-1)

(a) **Potential Impact.** The potential for the Project to result in the conversion of farmlands, including important farmlands, to non-agricultural uses is discussed at pages 3.2-8 through 3.2-12 of the Draft EIR.

(b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.

(c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:

(1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.2-8 through 3.2-12 of the Draft EIR, the Project includes numerous policies and actions that would reduce the severity of this impact to the extent feasible. The General Plan includes policies and actions to protect and preserve farmland, as well as to reduce potential impacts to agricultural lands. Implementation of the General Plan policies and action items reduce impacts to agricultural resources by managing the pace and location of growth, and protecting, and buffering surrounding agricultural uses. However, the General Plan does allow for urbanization of agricultural lands. The only mitigation available to fully avoid this impact would be to restrict growth to occur only on non-agricultural lands and to not allow agricultural-support operations on agricultural lands; this limitation of growth would not be consistent with the Project goals and objectives as identified in the EIR and stated throughout the Project. Therefore, this would represent a significant and unavoidable impact of the Project.

(2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with conversion of farmlands.

2. General Plan implementation may result in conflicts with existing Williamson Act Contracts (EIR Impact 3.2-2)

(a) **Potential Impact.** The potential for the Project to result in conflicts with Williamson Act Contracts is discussed at page 3.2-12 of the Draft EIR.

(b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.

(c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:

(1) **Effects of Mitigation and Remaining Impacts.** As described on page 3.2-12 of the Draft EIR, the Project includes numerous policies and actions that are intended to reduce conflicts between existing agricultural and Williamson Act lands with new development as a result of the proposed General Plan. These include policies which help explicitly minimize conflicts between agricultural and urban land uses including promoting the establishment of adequate buffers between agricultural and urban land uses. However, the General Plan does allow for urbanization of agricultural lands under Williamson Act Contract inside the City limits and SOI. The only mitigation available to fully avoid this impact would be to restrict growth to occur only on non-agricultural lands; this limitation of growth would not be consistent with the Project goals and objectives as identified in the EIR and stated throughout the Project. Therefore, this would represent a significant and unavoidable impact of the Project.

(2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with Williamson Act Contract conflicts.

B. Air Quality

1. General Plan implementation would conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants (EIR Impact 3.3-1)

(a) **Potential Impact.** The potential for the Project to conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants is discussed at pages 3.3-17 through 3.3-21 of the Draft EIR.

(b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.

(c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:

(1) **Effects of Mitigation and Remaining Impacts** As described on pages 3.3-17 through 3.3-21 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible, including numerous goals, policies and implementation actions which would further the fundamental goals of the APCD in reducing emissions of criteria pollutants associated with vehicle miles traveled, and reducing building energy usage. However, there are no mitigation measures that can eliminate significant impact while still allowing the City's economy to grow through new development, particularly residential, industrial, and commercial uses. This would represent a significant and unavoidable impact of the Project.

(2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with air quality and criteria pollutant emissions.

C. Greenhouse Gases, Climate Change and Energy

1. General Plan implementation has the potential to generate GHG emissions that could have a significant impact on the environment and/or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (EIR Impact 3.7-1)

- (a) **Potential Impact.** The potential for the Project to generate GHG emissions that could have a significant impact on the environment and/or conflict with an applicable plan, policy, or regulation is discussed at pages 3.7-20 through 3.7-25 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Effects of Mitigation and Remaining Impacts** As described on pages 3.7-20 through 3.7-25 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible, including numerous goals, policies and implementation actions which would further the State’s fundamental GHG reduction goals and reduce energy usage, promote renewable and/or alternative energy sources, and encourage pedestrian/bicycle modes of transportation. Additionally, General Plan policies and implementing actions would minimize potential impacts associated with GHG emissions in the Planning Area through the promotion of VMT reduction strategies, multimodal support and transportation improvements, and the support of green building practices, and would support requirements under AB 32 and SB 375. However, even with implementation of the goals, policies, and actions contained in the proposed General Plan, there is no guarantee that the General Plan alone would be sufficient to limit GHGs to the extent required by AB 32, SB 32, SB 375, and other federal and state regulations. This would represent a significant and unavoidable impact of the Project.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with GHG emissions and impacts.

D. Transportation and Circulation

- 1. General Plan implementation may conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) (EIR Impact 3.14-1)**

- (a) **Potential Impact.** The potential for the Project to result in VMT impacts is discussed at pages 3.14-14 through 3.14-18 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Effects of Mitigation and Remaining Impacts** As described on pages 3.14-14 through 3.14-18 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. Residents of Willows in the future will likely engage in similar travel patterns to existing residents based on planned land use, roadways, and alternative modes of transportation in the City, resulting in the absolute VMT of the City and increasing and the VMT per capita in Willows remaining similar to baseline in the planning horizon. While the proposed general plan land use pattern is likely to produce similar VMT per capita levels as under existing conditions, the proposed general plan includes the following policies designed to reduce vehicle travel and VMT. The implementation of the proposed General Plan would likely contribute to land use development that generates VMT per capita in excess of the levels necessary to meet State GHG reduction goals. Consistent with Policy CIRC-4c, the city will require new land use development projects to reduce VMT through feasible CAPCOA on-site VMT reduction strategies. Although larger changes in the proposed General Plan land use element could potentially reduce VMT further, those changes would also affect the achievement of other goals the City seeks to achieve with the General Plan. VMT reduction also depends on factors such as demographic change, household preferences for housing types and locations, the cost of fuel, and the competitiveness of regional transit relative to driving, which relates to congestion along vehicular commute routes that are not under the City's jurisdiction. This would represent a significant and unavoidable impact of the Project.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with transportation VMT impacts.

E. Cumulative Impacts

1. Cumulative impact to agricultural lands and resources. (EIR Impact 4.2)

- (a) Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative loss of agricultural land and resources, including important farmlands, significant farmlands, land under the Williamson Act, and other farmlands, is discussed on page 4.0-7 of the Draft EIR.
- (b) Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) Mitigation and Remaining Impacts.** As described on page 4.0-7 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, even with implementation of adopted policies and actions, the General Plan has the potential to considerably contribute to permanent conversion of agricultural land and resources. No feasible mitigation is available to fully reduce the cumulative effect on these resources, or to mitigate the contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.
 - (2) Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative impacts to agricultural lands and resources.

2. Cumulative impact on the region's air quality (EIR Impact 4.3)

- (a) Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative impact on the region's air quality is discussed at pages 4.0-7 and 4.0-8 of the Draft EIR.
- (b) Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:

- (1) **Mitigation and Remaining Impacts.** As described on pages 4.0-7 and 4.0-8 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, even with implementation of adopted policies and actions, the General Plan has the potential to considerably contribute to an impact on the region's air quality. No feasible mitigation is available to fully reduce the cumulative effect, or to mitigate the contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.
- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative impacts on the region's air quality.

3. Cumulative impacts related to greenhouse gases, climate change, and energy (EIR Impact 4.7)

- (a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative impact related to greenhouse gases, climate change, and energy is discussed at pages 4.0-9 and 4.0-11 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Mitigation and Remaining Impacts.** As described on pages 4.0-9 and 4.0-11 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, even with implementation of adopted policies and actions, the General Plan has the potential to considerably contribute to an impact related to greenhouse gases, climate change, and energy. No feasible mitigation is available to fully reduce the cumulative effect, or to mitigate the contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the

Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative impacts to greenhouse gases, climate change, and energy.

4. Cumulative impacts on the transportation network (EIR Impact 4.14)

- (a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative impacts on the transportation network is discussed at page 4.0-15 of the Draft EIR.
- (b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Mitigation and Remaining Impacts.** As described on page 4.0-15 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, it may not be feasible to mitigate this impact to a less-than-significant level in all instances as the General Plan would result in VMT increases exceeding the threshold for employment-related land uses. No feasible mitigation is available to fully reduce the cumulative effect on VMT, or to mitigate the proposed project's contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative impacts on the transportation network.

F. Significant Irreversible Effects

1. Irreversible and adverse effects (EIR Impact 4.17)

- (a) **Potential Impact.** The potential for the Project to result in a significant irreversible effect associated with the consumption of nonrenewable resources and irretrievable commitments/irreversible physical changes is discussed at pages 4.0-22 and 4.0-23 of the Draft EIR.

(b) **Mitigation Measures.** Minimized to the greatest extent feasible through General Plan Policies and Actions. No feasible mitigation is available.

(c) **Findings.** Based upon the EIR and the entire record before this Council, this Council finds that:

(1) **Mitigation and Remaining Impacts.** As described on pages 4.0-22 and 4.0-23 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. One of the objectives of the proposed General Plan is to conserve natural resources within the Planning Area. Many of these policies and actions, aimed at preserving natural resources, are contained within the Conservation and Sustainability Element, and have been identified throughout this EIR. Additionally, the proposed General Plan directs most new development to infill areas, and areas surrounding existing neighborhoods and urbanized areas. As a result, the proposed General Plan will minimize the potential for impacts to the nonrenewable resources in the Planning Area, including biological resources, water resources, and energy resources, to the greatest extent feasible. More detailed and focused discussions of potential impacts to these nonrenewable resources are contained throughout the Draft EIR. However, the General Plan establishes a Land Use Map that anticipates urbanization and development over an approximate 20-year period. This development is necessary to achieve the economic development goals as well as other goals and objectives of the Project. In summary, the General Plan includes an extensive policy framework that is designed to address land use and environmental issues to the greatest extent feasible while allowing growth and economic prosperity for the City. However, even with the policies and actions that will serve to reduce potential significant impacts, the General Plan will result in significant irreversible changes including development on currently undeveloped site and the use of materials and other nonrenewable resources as a result of individual project construction and operations. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.

(2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with irreversible effects.

IV. FINDINGS AND RECOMMENDATIONS REGARDING THOSE IMPACTS WHICH ARE LESS THAN SIGNIFICANT, LESS THAN CUMULATIVELY CONSIDERABLE, OR HAVE NO IMPACT

A. Specific impacts within the following categories of environmental effects were found to be less than significant, less than cumulatively considerable, or have no impact as set forth in more detail in the Draft EIR.

1. **Aesthetics and Visual Resources:** The following specific impacts were found to be less than significant, or have no impact:

- a. Impact 3.1-1: General Plan implementation would not have a substantial adverse effect on a scenic vista
- b. Impact 3.1-2: General Plan implementation would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway
- c. Impact 3.1-3: Project implementation would not substantially degrade the existing visual character or quality of public views of the site and its surroundings within a non-urbanized areas. Or within urbanized areas, conflict with applicable zoning and other regulations governing scenic quality
- d. Impact 3.1-4: General Plan implementation could result in the creation of new sources of nighttime lighting and daytime glare

2. **Agricultural and Forest Resources:** The following specific impacts were found to be less than significant, or have no impact:

- a. Impact 3.2-3: General Plan implementation would not result in the loss of forest land or conversion of forest land to non-forest use
- b. Impact 3.2-4: General Plan implementation would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use

3. **Air Quality:** The following specific impacts were found to be less than significant:

- a. Impact 3.3-2: General Plan implementation would expose sensitive receptors to substantial pollutant concentrations
- b. Impact 3.3-3: General Plan implementation would not result in other emissions (such as those leading to odors adversely affecting a substantial number of people)

- 4. Biological Resources:** The following specific impacts were found to be less than significant, or have no impact:
- a. Impact 3.4-1: General Plan implementation could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service
 - b. Impact 3.4-2: General Plan implementation could have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service
 - c. Impact 3.4-3: General Plan implementation could have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means
 - d. Impact 3.4-4: General Plan implementation would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites
 - e. Impact 3.4-5: The General Plan would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance
 - f. Impact 3.4-6: General Plan implementation would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan
- 5. Cultural Resources:** The following specific impacts were found to be less than significant:
- a. Impact 3.5-1: General Plan implementation could cause a substantial adverse change in the significance of a historical or archaeological resource pursuant to Section 15064.5
 - b. Impact 3.5-2: Implementation of the General Plan could lead to the disturbance of any human remains
 - c. Impact 3.5-3: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of

historical resources as defined in Public Resources Code Section 5020.1(k), or a resource determined by the lead agency

6. **Geology, Soils, and Minerals:** The following specific impacts were found to be less than significant:
 - a. Impact 3.6-1: General Plan implementation has the potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides
 - b. Impact 3.6-2: General Plan implementation has the potential to result in substantial soil erosion or the loss of topsoil
 - c. Impact 3.6-3: General Plan implementation has the potential to result in development located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse
 - d. Impact 3.6-4: General Plan implementation has the potential to result in development on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property
 - e. Impact 3.6-5: General Plan implementation does not have the potential to have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water
 - f. Impact 3.6-6: General Plan implementation has the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature
7. **Greenhouse Gases and Climate Change:** The following specific impacts were found to be less than significant:
 - a. Impact 3.7-2: General Plan implementation has the potential to result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency
8. **Hazards:** The following specific impacts were found to be less than significant, or have no impact:
 - a. Impact 3.8-1: General Plan implementation has the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or

through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment

- b. Impact 3.8-2: General Plan implementation has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school
- c. Impact 3.8-3: General Plan implementation has the potential to have projects located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5
- d. Impact 3.8-4: General Plan implementation is not located within an airport land use plan, two miles of a public airport or public use airport, and would not result in a safety hazard for people residing or working in the project area
- e. Impact 3.8-5: General Plan implementation has the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan
- f. Impact 3.8-6: General Plan implementation has the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires

9. Hydrology and Water Quality: The following specific impacts were found to be less than significant:

- a. Impact 3.9-1: General Plan implementation could violate water quality standards or waste discharge requirements or otherwise substantially degrade water quality or obstruct implementation of a water quality control plan
- b. Impact 3.9-2: General Plan implementation could result in the depletion of groundwater supplies, interfere substantially with groundwater recharge or conflict with a groundwater management plan
- c. Impact 3.9-3: General Plan implementation could alter the existing drainage pattern in a manner which would result in substantial erosion, siltation, flooding, impeded flows, or polluted runoff
- d. Impact 3.9-4: General Plan implementation would not release pollutants due to project inundation by flood hazard, tsunami, or seiche

- 10. Land Use and Population:** The following specific impacts were found to be less than significant or to have no impact:
- a. Impact 3.10-1: General Plan implementation would not physically divide an established community
 - b. Impact 3.10-2: General Plan implementation would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect
 - c. Impact 3.10-3: General Plan implementation would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)
 - d. Impact 3.10-4: General Plan implementation would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere
- 11. Mineral Resources:** The following specific impacts were found to be less than significant:
- a. Impact 3.11-1: General Plan implementation would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state
 - b. Impact 3.11-2: General Plan implementation would result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan
- 12. Noise:** The following specific impacts were found to be less than significant:
- a. Impact 3.12-1: General Plan implementation may result in exposure to significant traffic noise sources
 - b. Impact 3.12-2: General Plan implementation may result in exposure to excessive railroad noise sources
 - c. Impact 3.12-3: Implementation of the General Plan could result in the generation of excessive stationary noise sources
 - d. Impact 3.12-4: General Plan implementation may result in an increase in construction noise sources
 - e. Impact 3.12-5: General Plan implementation may result in exposure to excessive aircraft noise sources
 - f. Impact 3.12-6: General Plan implementation may result in construction vibration

- g.** Impact 3.12-7: General Plan implementation may result in exposure to groundborne vibration

13. Public Services and Recreation: The following specific impacts were found to be less than significant:

- a.** Impact 3.13-1: General Plan implementation could result in adverse physical impacts on the environment associated with the need for new governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts
- b.** Impact 3.13-2: General Plan implementation may result in adverse physical impacts associated with the deterioration of existing parks and recreation facilities or the construction of new parks and recreation facilities

14. Transportation and Circulation: The following specific impact was found to be less than significant:

- a.** Impact 3.14-2: General Plan implementation may conflict with a program, plan, policy or ordinance addressing the circulation system, including transit, bicycle, and pedestrian facilities
- b.** Impact 3.14-3: General Plan implementation may increase hazards due to a design feature or incompatible uses
- c.** Impact 3.14-4: General Plan implementation may cause inadequate emergency access

15. Utilities and Service Systems: The following specific impact was found to be less than significant:

- a.** Impact 3.15-1: General Plan implementation would not result in sufficient water supplies available to serve the City and reasonably foreseeable future development during normal, dry and multiple dry years
- b.** Impact 3.15-2: General Plan implementation would not require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects
- c.** Impact 3.15-3: General Plan implementation would not have the potential to result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments

- d. Impact 3.15-4: General Plan implementation may require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects
- e. Impact 3.15-5: General Plan implementation would not require or result in the relocation or construction of new or expanded storm water drainage facilities, the construction or relocation of which could cause significant environmental effects
- f. Impact 3.15-6: General Plan implementation would comply with federal, state, and local management and reduction statutes and regulations related to solid waste, and would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals

16. Wildfires: The following specific impact was found to have no impact:

- a. Impact 3.16-1: General Plan implementation would not have a significant impact related to wildfire risks associated with lands in or near State Responsibility Areas or lands classified as very high fire hazard severity zones

B. The project was found to have a less than cumulatively considerable contribution to specific impacts within the following categories of environmental effects as set forth in more detail in the Draft EIR.

- 1. **Impact 4.1:** Cumulative degradation of the existing visual character of the region
- 2. **Impact 4.4:** Cumulative loss of biological resources, including habitats and special status species
- 3. **Impact 4.5:** Cumulative impacts on known and undiscovered cultural resources
- 4. **Impact 4.6:** Cumulative impacts related to geology and soils
- 5. **Impact 4.8:** Cumulative impacts related to hazardous materials and human health risks
- 6. **Impact 4.9:** Cumulative impacts related to hydrology and water quality
- 7. **Impact 4.10:** Cumulative impacts related to local land use, population, and housing
- 8. **Impact 4.11:** Cumulative impacts related to mineral resources
- 9. **Impact 4.12:** Cumulative impacts related to noise
- 10. **Impact 4.13:** Cumulative impacts to public services and recreation
- 11. **Impact 4.15:** Cumulative impacts related to utilities
- 12. **Impact 4.16:** Cumulative impact related to wildfire

- C.** The above impacts are less than significant or less than cumulatively considerable for one of the following reasons:
- 1.** The EIR determined that the impact is less than significant for the Project.
 - 2.** The EIR determined that the Project would have a less than cumulatively considerable contribution to the cumulative impact.

V. PROJECT ALTERNATIVES

A. Identification of Project Objectives

An EIR is required to identify a “range of potential alternatives to the project [which] shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one of more of the significant effects.” Chapter 2.0 of the Draft EIR identifies the Project’s goals and objectives. The Project objectives include:

- Develop a long-term vision for the City of Willows
- Establish greater connections between the General Plan and current planning issues
- Provide a range of high-quality housing options;
- Attract and retain businesses and industries that provide high-quality jobs;
- Maintain strong fiscal sustainability and continue to provide efficient and adequate public services; and
- Address new requirements of State law.

B. Alternatives Analysis in EIR

1. Alternative 1: No Project Alternative

Under Alternative 1, the City would not adopt the General Plan Update. The existing Willows General Plan would continue to be implemented and no changes to the General Plan, including the Land Use Map, Circulation Diagram, goals, policies, or actions would occur. Subsequent projects, such as amending the Municipal Code (including the zoning map) and the City’s Design Guidelines, would not occur. The Existing General Plan Land Use Map is shown on Figure 5.0-1.

Under Alternative 1 at full buildout, there would be an increase over existing conditions in residential growth (approximately 382 dwelling units) and jobs (approximately 1,210 jobs) within the Planning Area. Under cumulative conditions, development in Planning Area combined under Alternative 1 would result in a population of 7,214 and 3,401 jobs. Under Alternative 1, the existing General Plan policy framework would still be in effect, which would constitute a status quo approach to land use regulation in the City. The Proposed Land Use Map, along with the policy framework proposed by the General Plan

Update, encourages and aims to achieve a community with a balanced land use pattern that meets the City's long-term housing, employment, and civic needs. The proposed General Plan was prepared in conformance with State laws and regulations associated with the preparation of general plans, including requirements for environmental protection.

- a. **Findings:** The No Project Alternative is rejected as an alternative because it would not achieve the Project's objectives.
- b. **Explanation:** Alternative 1 would not include updated policies, particularly those related to additional housing opportunities, greenhouse gases, community health, and mobility for all roadway users, as required by State law. This alternative would not include various policies proposed in the General Plan update to ensure protection of environmental resources, both at a project level and under cumulative conditions, consistent with the objectives of CEQA.

Alternative 1 fails to meet several of the basic General Plan objectives, including: Establishing a greater connection between the General Plan and current planning issues; and addressing new requirements of State law. Therefore, Alternative 1 (No Project) is rejected from further consideration as a CEQA alternative, as it fails to meet several of the Project objectives.

2. Alternative 2: Modified Project Alternative

The Modified Project Alternative is discussed on pages 5.0-3 and 5.0-7 through 5.0-18 of the Draft EIR.

Under Alternative 2, the City would adopt the updated General Plan policy document, but would retain the existing land use map. This alternative would result in the same growth as the existing General Plan and Alternative 1, but would implement the updated goals, policies, and actions found in the General Plan Update. Alternative 2 would result in less residential and nonresidential growth than the proposed General Plan, but it would result in the same growth as Alternative 1. Land use designations are summarized in DEIR Table 5.0-2.

- a. **Findings:** The Modified Project Alternative is rejected as an alternative because it would not achieve the Project's objectives.
- b. **Explanation:** This alternative would achieve some of the Project objectives. Alternative 2 reflects the current goals and vision expressed by city residents,

businesses, decision-makers, and other stakeholders; through the updated policy document, and addresses new requirements of State law, including climate change planning, environmental justice, complete streets, etc. However, without the updated Land Use Map, Alternative 2 provides less opportunities for high-quality housing options and development opportunities throughout the city. For these economic, social, market conditions, and other reasons, the Project is considered superior to Alternative 2.

3. Alternative 3: Agriculture Protection Alternative

The Agriculture Protection Alternative is discussed on pages 5.0-3 and 5.0-7 through 5.0-18 of the Draft EIR.

Alternative 3 - Agriculture Protection Alternative provides jobs-creating and residential development land uses focused within the City Limits. Under this alternative, the proposed Project would be developed in such a way to protect lands currently identified as prime farmland and farmland of statewide importance, by reducing the overall footprint of the developable areas and focus development on infill development. For the purposed of this analysis it is assumed that future development would exclude land areas within the SOI. This Alternative would result in the least amounts of overall developable area, but would result in slightly increased rate of development within the City Limits when compared to Alternatives 1 and 2.

- a. Findings:** The Agriculture Protection Alternative is rejected as an alternative because it would not reduce any significant impacts to a less than significant level and because it would not achieve the Project's housing and development objectives.
- b. Explanation:** Like the proposed Project, Alternative 3 would satisfy many Project Objectives as it would adopt the updated policy document. This alternative would allow for less growth that would be allowed under the proposed Project. Objectives of the General Plan include establishing a greater connection between the General Plan and current planning issues, and being consistent with state law. Housing needs and the ability of support housing throughout the planning areas is locally and regionally important to supporting housing development and statewide housing goals. Alternative 3 is the environmentally superior alternative, as it was developed and refined to reduce as many environmental effects as possible while still meeting many of the project objectives. However, without additional opportunities for future growth within the SOI, Alternative 3 provides less options for housing and job creation throughout the planning area. Additionally, this alternative would not reduce any significant impacts to a less than significant level.

VI. STATEMENTS OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Section 21081(b) and the CEQA Guidelines Section 15093, the City of Willows has balanced the benefits of the proposed General Plan against the following unavoidable adverse impacts associated with the proposed General Plan and has included all feasible mitigation measures as policies and action items within the General Plan. Willows has also examined alternatives to the proposed Project, and has determined that adoption and implementation of the proposed General Plan is the most desirable, feasible, and appropriate action. The other alternatives are rejected as infeasible, failed to meet project objectives, were not able to reduce any significant impacts to a less than significant levels, or increased the severity on significant impacts based on consideration of the relevant factors discussed in Chapter 5.0 of the Draft EIR.

A. Significant Unavoidable Impacts

Based on the information and analysis set forth in the EIR and reiterated in Section III of these Findings, implementation of the proposed General Plan would result in the following project-specific significant impacts related to: agricultural resources, air quality, GHG, mineral resources, noise, transportation and circulation, utilities, and irreversible effects. These impacts are identified below:

- **Impact 3.2-1:** General Plan implementation would result in the conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance
- **Impact 3.2-2:** General Plan implementation may result in conflicts with existing Williamson Act Contracts
- **Impact 3.3-1:** General Plan implementation would not conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants
- **Impact 3.7-1:** General Plan implementation has the potential to generate GHG emissions that could have a significant impact on the environment and/or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases
- **Impact 3.14-1:** General Plan implementation may conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)
- **Impact 4.2:** Cumulative impact to agricultural lands and resources.
- **Impact 4.3:** Cumulative impact on the region's air quality
- **Impact 4.7:** Cumulative impacts related to greenhouse gases, climate change, and energy
- **Impact 4.14:** Cumulative impacts on the transportation network

- **Impact 4.17: Irreversible Effects**

B. Benefits of the Proposed General Plan/Overriding Considerations

The City of Willows has (i) independently reviewed the information in the EIR and the record of proceedings; (ii) made a reasonable and good faith effort to eliminate or substantially lessen the impacts resulting from the proposed General Plan to the extent feasible by including policies and actions in the General Plan that effectively minimize or reduce potential environmental impacts to the greatest extent feasible; and (iii) balanced the project's benefits against the project's significant unavoidable impacts.

Adoption and implementation of the Willows General Plan would provide the following economic, social, legal, and other considerable benefits:

1. The General Plan promotes compact and environmentally-sustainable development through goals and policies that balance the need for adequate infrastructure, housing, and economic vitality with the need for resource management, environmental protection, and preservation of quality of life for Willows residents.
2. The General Plan provides a land use map and policy document that accounts for existing development, physical constraints, economic development, flood and other hazards, and incompatible uses and assigns densities and use types accordingly to enhance the safety, livability, and economic vitality of Willows.
3. The General Plan improves mobility options through the development of a multi-modal transportation network that enhances connectivity, supports community development patterns, limits traffic congestion, promotes public and alternative transportation methods, and supports the goals of adopted regional transportation plans.
4. The General Plan directs the preservation and environmental stewardship of the vast array of natural, cultural and historic resources that uniquely define the character and ecological importance of the City and greater region.
5. The General Plan addresses adverse environmental effects associated with climate change by facilitating sustainable development, promoting energy efficiency, and promoting development that reduces greenhouse gas emissions.
6. The General Plan enhances the local economy and provides opportunities for future jobs and business development growth.
7. The General Plan is the product of a comprehensive planning effort driven by members of the public, city staff, the Planning Commission and the City Council through a series of public meetings, hearings and workshops that resulted in a thoughtful balance of community, economic, and environmental interests.

VII. CONCLUSION

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Council finds that the unavoidable adverse environmental impacts identified may be considered “acceptable” due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts of the proposed project.

The Willows City Council has considered information contained in the EIR prepared for the proposed General Plan as well as the public testimony and record of proceedings in which the project was considered. Recognizing that significant unavoidable agricultural resources, air quality, GHG, transportation and circulation, and irreversible effects impacts may result from implementation of the proposed General Plan, the Council finds that the benefits of the General Plan and overriding considerations outweigh the adverse effects of the Project. Having included all feasible mitigation measures as policies and actions in the General Plan, and recognized all unavoidable significant impacts, the Council hereby finds that each of the separate benefits of the proposed General Plan, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants adoption of the proposed General Plan and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption of the proposed General Plan.

Based on the foregoing findings and the information contained in the record, the Council hereby determines that:

1. All significant effects on the environment due to implementation of the proposed General Plan have been eliminated or substantially lessened where feasible;
2. There are no feasible alternatives to the proposed General Plan which would fully mitigate or substantially lessen the impacts to a less than significant level; and
3. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.