

Attachment 1

Resolution No. 19-__ entitled “A Resolution of the City Council of the City of Goleta Adopting the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Ellwood Mesa/Sperling Preserve Open Space Monarch Butterfly Habitat Management Plan; Case No. 13-085”

RESOLUTION NO. 19-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ELLWOOD MESA/SPERLING PRESERVE OPEN SPACE MONARCH BUTTERFLY HABITAT MANAGEMENT PLAN, CASE NO. 13-085

WHEREAS the City has prepared the Monarch Butterfly Habitat Management Plan (MBHMP), consistent with policies of the City's Open Space Element of the Goleta General Plan / Coastal Land Use Plan and Ellwood-Devereux Coast Open Space and Habitat Management Plan.

WHEREAS the MBHMP provides a programmatic approach to management of habitats that support monarch butterfly seasonal aggregations, while maintaining the functionality of habitat for other plants and wildlife species.

WHEREAS the City reviewed the MBHMP's environmental impacts in a Draft Initial Study – Mitigated Negative Declaration (IS-MND), in accordance with the California Environmental Quality Act (Public Resources Code §§21000 et seq., CEQA), the regulations promulgated there under (14 Cal. Code of Regulations §§15000 et seq., the "CEQA Guidelines"), and the City's Environmental Review Guidelines Manual ("Goleta Guidelines").

WHEREAS the Draft IS-MND for the MBHMP was prepared in full compliance with CEQA, the CEQA Guidelines, and the City's Thresholds Manual and was released for public review from January 25, 2019 to February 24, 2019. A total of nine comment letters were received during the public review period: one comment letter from the California Coastal Commission and eight comment letters from the public.

WHEREAS the responses to comments were prepared and the Final IS-MND (SCH #2019011059) was released on February 28, 2019, pursuant to the requirements of the CEQA Guidelines. The Final IS-MND for the MBHMP concludes that the MBHMP will not have a significant effect on the environment with the inclusion of mitigation measures.

WHEREAS on March 19, 2019, the City Council of the City of Goleta held a duly-noticed hearing at which all interested parties were heard. Further, the City Council considered the entire administrative record including, without limitation, staff reports, and evidence submitted during the public hearing.

WHEREAS the staff report concludes that the MBHMP is consistent with the General Plan/Coastal Land Use Plan Open Space-Passive Recreation land use

designation and the Recreation zoning district and recommends that the City Council adopt the Final IS-MND.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA, AS FOLLOWS:

SECTION 1. *Recitals.* The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. *Factual Findings and Conclusions.* The City Council finds as follows:

1. The Coverage Area encompasses approximately 75 acres of the Ellwood Mesa/Sperling Preserve Open Space and contains all or a portion of the following parcels: Assessor's Parcel Number (APNs) 079-210-070, 079-210-69, 079-210-071, 079-210-072, 079-210-024, 079-491-016, 079-210-051, 079-210-050, 079-445-001, 079-395-015, 079-442-023, 079-210-019, 079-210-015, 079-210-014, and 079-210-013.
2. The Coverage Area is owned by the City of Goleta and bordered to the north by Hollister Avenue, the south by Ellwood Bluffs, the west by Sandpiper Golf Club, and the east by Ellwood Beach Drive and the University of California, Santa Barbara.
3. The Coverage Area consists of existing eucalyptus groves used by monarch butterflies as winter habitat. The existing groves are threatened by ongoing drought conditions and susceptible to pest infestations, and overwintering monarch butterfly populations in the groves have declined dramatically since reaching a 30-year high in 2011.
4. The MBHMP involves habitat restoration and protection strategies for monarchs and other wildlife, tree management activities, trail maintenance efforts, and monarch butterfly research programs.

SECTION 3. *Environmental Review of the MBHMP.* The City Council makes the following environmental findings pursuant to Public Resources Code § 21081 and CEQA Guidelines § 15074:

- A. The City completed a Final IS-MND for the MBHMP in accordance with applicable law including, without limitation, CEQA Guidelines §§ 15070, 15071, and 15073; and
- B. The City distributed the Draft IS-MND for public review and comment for a period of 30 days from January 25, 2019 to February 24, 2019 and responded to all comments in writing by updating the Final IS-MND as appropriate.

- C. The Final IS-MND and Mitigation Monitoring and Reporting Program (MMRP) were presented to the City Council, which reviewed the record of proceedings and considered all information contained in the Final IS-MND and its appendices, the MMRP, and the testimony and additional information presented at or before all public hearings in accordance with CEQA Guidelines § 15074; and
- D. Pursuant to CEQA Guidelines § 15074, the Final IS-MND reflects the City's independent judgement and analysis. The City Council has independently reviewed and analyzed the Final IS-MND prepared for the MBHMP. The Final IS-MND is an accurate and complete statement of the potential environmental impacts of the MBHMP. The Final IS-MND was prepared under direction of the City of Goleta Planning and Environmental Review Department and reflects the independent judgment and analysis of the environmental impacts and comments received on the Final IS-MND.

SECTION 5: *Action.* The City Council adopts the Final IS-MND and MMRP, provided as Exhibit 1 to this Resolution, which is incorporated herein by reference and directs staff to file the Notice of Determination within five (5) business days of passage of this Resolution.

SECTION 6: *Reliance on the Record.* Each and every one of the actions in this Resolution is based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the MBHMP. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: *Limitations.* The City Council's analysis and evaluation of the MBHMP is based upon the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the MBHMP is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this area are the limitations on the City's ability to solve what are in effect regional; state; and national problems and issues. The City must work within the political framework within which exists and with the limitations inherent in that framework.

SECTION 8: *Summaries of Information.* All summaries of information in the findings contained in this Resolution are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9: This Resolution shall become effective upon adoption. This Resolution shall become effective until superseded by a subsequent resolution.

SECTION 10: A copy of this Resolution must be mailed to any person requesting a copy. The documents and other materials, which constitute the record of proceedings upon which this decision is based, are in the custody of the City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

SECTION 11: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED this 19th of March, 2019.

PAULA PEROTTE
MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

MICHAEL JENKINS
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 19-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 19th day of March, 2019, by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

