

RESOLUTION NO. PC0X-2023

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION FINDING THE CITY OF FORT BRAGG ACQUISITION OF SIX PARCELS OF REAL PROPERTY (ASSESSOR'S PARCEL NOS. 019-070-07-00, 019-070-010-00, 019-070-11-00, 019-080-1400, 019-080-16-00 AND 019-080-23-00) IS CONSISTENT WITH THE CITY'S GENERAL PLAN

WHEREAS, the City has been exploring various water supply and storage options since the 1990s; including various well options, storage locations and transportation methods; and

WHEREAS, even with recently completed water projects, the City's existing sources continue to be impacted by climate change and weather disruption, and the City is seeking new water storage to secure safe drinking water for existing and future customers and fire protection; and

WHEREAS, several potential water storage properties have been reviewed over the years, and the Mendocino Coast Recreation and Park District (MCRPD) property is the best fit for the project, because:

- The property consists of 582 acres (six parcels) that are primarily zoned Timber Production/Forest Land.
- The property provides enough space for construction of up to three 45-acre foot reservoirs, which is a similar size to the Summers Lane Reservoir, and three reservoirs would require approximately 30 acres of the 582 acre site, leaving significant property for habitat conservation and passive recreation uses.
- The site provides convenient connections to infrastructure allowing gravity flow to the City's raw water line, conveying water to our treatment plant.
- The site is close to high power PG&E transmission lines, which would facilitate the installation of floating solar panels on the new reservoirs to generate roughly 3 – 3.5 Mega Watts of electricity; and

WHEREAS, the proposed Project is under the jurisdiction of the Inland General Plan as the Project is not located within the Coastal Zone; and

WHEREAS, the Fort Bragg Planning Commission must make a determination that the Project is consistent with the Fort Bragg Inland General Plan prior to City Council's consideration of the acquisition; and

WHEREAS, The property acquisition is not a "project" subject to CEQA under 14 CCR 15378(a) because approval of the acquisition has no potential to result in a direct or reasonably foreseeable indirect physical change in the environment because the purchase will result only in a change of property ownership, with no reasonably foreseeable changes to the Property or the environment in the foreseeable future for the following reasons:

- (1) All potential uses of the Property are preliminary and not binding commitments; and
- (2) Neither the City Council nor the Planning Commission have adopted a resolution or otherwise formally selected the site for any specific use; and

- (3) The City Council has not appropriated or otherwise authorized any expenditures toward developing or using the property for any purpose; and
- (4) Even though it may be reasonably foreseeable that the City may someday approve plans to use the Property for a reservoir or recreational purposes, nothing in the Agreement commits the City to a definite course of action since there are no development plans in existence.
- (5) Any proposed future development of the Property would be subject to legally required CEQA review by the lead agency; and

WHEREAS, 14 CCR 15004(b)(2)(A) provides that the City may “designate a preferred site for CEQA review and may enter into land acquisition agreements when the agency has conditioned the agency's future use of the site on CEQA compliance.”

WHEREAS, at the March 22nd Planning Commission meeting, the Fort Bragg Planning Commission met and received a staff report analyzing the consistency of the acquisition with the Coastal General Plan and received public comment on this item.

NOW, THEREFORE, the City of Fort Bragg Planning Commission, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg General Plan; the staff report, and public testimony submitted as part of the Planning Commission’s regular meetings of March 22, 2023, and Planning Commission deliberations; the Planning Commission of the City of Fort Bragg hereby finds as follows:

- a. The proposed Property acquisition is consistent with the policies of the Inland General Plan.
- b. The proposed Property acquisition would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The above and foregoing Resolution was introduced by Commissioner _____, seconded by Commissioner _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 22nd day of March 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

Jeremy Logan, Chair

ATTEST:

Humberto Arellano, Administrative Assistant