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RESOLUTION NO. 2010-10

A RESOLUTION OF THE ALBANY CITY COUNCIL ADOPTING THE INITIAL STUDY-MITIGATED NEGATIVE DECLARATION FOR THE CITY OF ALBANY CLIMATE ACTION PLAN

WHEREAS, the City of Albany has prepared a Climate Action Plan (CAP); and

WHEREAS, the Climate Action Plan is defined as a “project” under the California Environmental Quality Act (CEQA) and is thus subject to environmental review; and

WHEREAS, the proposed CAP includes numerous policies, strategies and measures for the protection of the environment including the reduction of greenhouse gas emissions; and

WHEREAS, the City retained the consulting firm AECOM to prepare an Initial Study of the proposed Climate Action Plan and determined that the CAP will not have a significant effect on the environment; and

WHEREAS, CEQA does not require a detailed evaluation of all projects that could conceivably be developed consistent with Climate Action Plan policies but rather requires the City to conduct project-level environmental review for subsequent projects, as appropriate; and

WHEREAS, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the

1 project, will be incorporated by the City in the implementation of the Climate Action
2 Plan; and

3
4 **WHEREAS**, copies of the Initial Study-Mitigated Negative Declaration (IS-
5 MND) were delivered to the State Clearinghouse, the Alameda County Clerk-Recorder's
6 Office and other interested parties and agencies on February 12, 2010; and

7
8 **WHEREAS**, the City provided public notice of the availability of the IS-MND
9 for public review and posted copies of the document on the City of Albany website for
10 over 30 days; and

11
12 **WHEREAS**, has reviewed the record for the Mitigated Negative Declaration for
13 the Climate Action Plan, including the Initial Study, all written and oral comments and
14 the written responses thereto, and, based on the independent judgment of the Council,
15 finds that the Mitigated Negative Declaration, supported by the Mitigation Monitoring
16 Program, is the appropriate document to comply fully with the requirements of the
17 California Environmental Quality Act; and

18
19 **WHEREAS**, the Albany City Council held a duly noticed public hearing on the
20 Climate Action Plan and the Draft CEQA documents; and

21
22 **NOW THEREFORE BE IT RESOLVED**, that the Albany City Council adopts
23 the Mitigated Negative Declaration for the City of Albany Climate Action Plan.

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25
26 _____
MAYOR