

**CITY OF ORLAND
PLANNING COMMISSION RESOLUTION #2022- __**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORLAND
RECOMMENDING THAT THE ORLAND CITY COUNCIL ADOPT AN INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION PREPARED FOR
THE MAVERIK FUELING CENTER**

WHEREAS, the City of Orland received multiple development applications for the development of the Maverik Fueling Center; and

WHEREAS, the City of Orland as “Lead Agency” determined that the Maverik Fueling Center is a “Project” under the California Environmental Quality Act (CEQA); and

WHEREAS, an Initial Study and Mitigated Negative Declaration (IS/MND) (State Clearinghouse #2021120299) was prepared and circulated for the state-required 30-day public and agency review period from **December 15, 2022 through January 13, 2022**. No comments have been received at the time of writing this Resolution; and

WHEREAS, the IS/MND has been prepared by the City and ECORP Environmental Consulting, Inc. in conformance with CEQA and the Environmental Guidelines of the City of Orland (Chapter 8.04 of the Orland Municipal Code) to study the environmental impacts of the proposed Project; and

WHEREAS, the IS/MND and the Project reflect the City of Orland’s independent judgment and analysis; and

WHEREAS, the IS/MND and the Project were considered by the Planning Commission at a duly noticed public hearing on February 17, 2022; and

WHEREAS, at the meeting of February 17, 2022, Staff and ECORP Environmental Consulting, Inc. were present and answered the public and Planning Commissioners’ questions and addressed their concerns.

NOW, THEREFORE, BE IT RESOLVED by the Orland Planning Commission as follows:

Section 1.

After reviewing and considering the Initial Study and Mitigated Negative Declaration and after hearing testimony, considering the evidence presented, and engaging in due deliberation of the matters presented, the Planning Commission hereby recommends that the Orland City Council, in the exercise of its independent judgment, and taking into consideration the comments and responses to comments included within the Initial Study and Mitigated Negative Declaration:

- a) adopt the Initial Study and Mitigated Negative Declaration prepared for the Maverick Fueling Center project – that the IS/MND is complete and in compliance with the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.) and CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.).

Section 2.

The City prepared the Maverik Fueling Center Initial Study and Mitigated Negative Declaration (IS/MND) in its capacity as Lead Agency under CEQA and in compliance with CEQA. The Mitigated Negative Declaration consists of the Initial Study, NOC, Technical Studies, Final IS/MND and Responses to Comments. The Findings are based on the entire record before the Planning Commission, including the IS/MND. Hereafter, these documents will be referred to collectively as the "IS/MND".

Section 3.

In accordance with CEQA Section 21082.1, the Planning Commission independently reviewed and analyzed the IS/MND and the administrative record relating to the Project. The IS/MND constitutes an accurate and complete statement of the environmental impacts of the Project. The IS/MND reflects the independent judgment of the Planning Commission and it hereby recommends that the Orland City Council adopt the facts and analyses in the IS/MND and adopt the IS/MND. The omission of some detail or aspect of the IS/MND does not mean that it has been rejected by the Planning Commission.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Orland held on this 17th day of February 2022, by the following vote:

AYES: Commission Members:

NOES: Commission Members:

ABSENT: Commission Members:

ABSTAIN: Commission Members:

Wade Elliot, Chair

ATTEST

Jennifer Schmitke, City Clerk