

EXHIBIT C

STATEMENT OF OVERRIDING CONSIDERATIONS

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FINAL ENVIRONMENTAL IMPACT REPORT

HUGHSON WASTEWATER TREATMENT PLANT MASTER PLAN

Consistent with the California Environmental Quality Act (“CEQA”), the State CEQA Guidelines, the City Council of the City of Hughson hereby adopts this Statement of Overriding Considerations concerning the significant and unavoidable impacts of the expansion of the Hughson Wastewater Treatment Plant (“Project”) to support its conclusion that the Project’s economic, public policy, social, technological and other considerations and benefits override and outweigh the Project’s significant and unavoidable impacts that cannot be substantially lessened or avoided even with the adoption of feasible mitigation measures, or feasible project alternatives pursuant to Public Resources Code Section 21081(b) and Guidelines Section 15093.

The significant and unavoidable impacts relating to this Project are generally described as air quality impacts and noise impacts. These impacts are discussed extensively in the Draft and Final EIR, and in Exhibit A.

The EIR for this Project has proposed mitigation measures that will address these significant and unavoidable impacts, and the City has expressly adopted these mitigation measures for this project. See the Final EIR and the Mitigation Monitoring Plan for the Project attached hereto as Exhibit B which is incorporated by reference herein.

Despite these mitigation measures, there are still significant and unavoidable impacts from this Project; however, this Project confers and manifests substantial benefits to the City of Hughson and to the County of Stanislaus. In general terms, these benefits can be described as socio-economic, in that the Project generates new employment and economic opportunities; and as such, the City hereby finds that the Project’s remaining significant and unavoidable impacts are acceptable in light of the Project’s benefits. Each benefit set forth below constitutes an overriding consideration warranting approval of the Project, independent of the other benefits, despite significant and unavoidable impacts.

Overriding Considerations

The City hereby finds that the economic, social, and other considerations of the project outweigh the unavoidable impacts to prime farmland, violation of Williamson Act contract, and exceedance of City thresholds for construction noise. The project will expand the wastewater treatment capacity and improve operational efficiency for residents of the City. More specifically, the City hereby finds that the applicable overriding considerations and benefits are economic and social are deemed to be substantial, and are set forth in more detail as follows:

1) Economic Considerations.

The current wastewater treatment plant is operating near capacity. The Project will increase capacity from 1.0 million gallons per day (mgd) to 1.9 mgd, which will accommodate a population of approximately 15,074 projected to occur by the year 2025. The Project will accommodate growth and economic expansion. Approving this Project will foster or remove barriers to population growth, and construction of new housing. The Project offers substantial direct and positive economic effects. It indirectly provides new construction jobs, and ensures adequate wastewater treatment for existing and new commercial and industrial activities in the City. An expanded economy will reduce travel to other cities for jobs. Accordingly, based on the foregoing discussion, the City finds and concludes separately and independently that there is a substantial and overriding economic benefit conferred in Hughson and in Stanislaus County, by allowing this Project to proceed.

2) Social Considerations.

There is public support for the Hughson Wastewater Treatment Plan expansion and improvement in operational efficiency in the City. When considering and weighing the community-wide support for the Project, the City concludes, based on substantial evidence in the record, that there is public support for this project. Based on this discussion and substantial evidence in the record, the City finds and concludes separately and independently that there is a substantial and overriding social benefit that will be conferred in Hughson, and in Stanislaus County, by allowing this Project to proceed.

Conclusion

When balancing the interests in this matter, the City finds that the land use planning and regulatory documents of the City of Hughson reflect, both generally and specifically, a strong and pervasive public policy established and continued by the elected representatives of the City that supports the expansion of the wastewater treatment plant; and in doing so, the City has improved the quality of life for City and County residents. Approving this Project continues and implements that public policy which promotes the overall public welfare.

Moreover, the City finds that this project generates employment and economic benefits which are needed to assist in relieving Hughson and Stanislaus County's high unemployment rate. The Project generates permanent jobs in the City and satellite businesses benefit from the Project, namely, construction contractors, workers and suppliers. Thus, the Project contributes to the substantial, direct and positive economic multiplier effect in Hughson and Stanislaus County.

In light of the foregoing discussion and when balancing these interests, the City finds and concludes that these considerations and benefits are deemed to be substantial, that the Project will cause significant and unavoidable environmental effects, and that the

Project should be approved notwithstanding these environmental effects that are significant and unavoidable.

Finally, the City finds and concludes that each benefit discussed herein constitutes a separate overriding consideration warranting approval of the Project, independent of the other benefits, despite each and every significant and unavoidable impact affecting the environment.