

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING THE ADDENDUM TO THE SAN JOSE-SANTA CLARA WATER POLLUTION CONTROL PLANT MASTER PLAN ENVIRONMENTAL IMPACT REPORT FOR THE REGIONAL WASTEWATER FACILITY'S AMMONIA PUMP REPLACEMENT PROJECT, FOR WHICH AN INITIAL STUDY WAS PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of San José ("City") acting as lead agency under the California Environmental Quality Act ("CEQA"), prepared the Environmental Impact Report ("EIR") for the San José-Santa Clara Water Pollution Control Plant Master Plan Project which analyzed the environmental impacts of planned improvements to the San José-Santa Clara Regional Wastewater Facility through the year 2040; and

WHEREAS, in connection with the adoption of a resolution approving the San José-Santa Clara Water Pollution Control Plant Master Plan ("PMP") Project EIR (Planning File No. PP11-043), the City Council adopted Resolution No. 76858 on November 19, 2013, setting forth certain findings pertaining to the PMP EIR and adopting a mitigation monitoring and reporting program, all pursuant to the provisions of CEQA; and

WHEREAS, prior to the adoption of this Resolution, the Director of Planning, Building and Code Enforcement prepared and approved an Addendum to the PMP EIR, all in accordance with CEQA; and

WHEREAS, the Regional Wastewater Facility's Ammonia Pump Replacement Project (the "Project") analyzed under the Addendum consists of upgrades to the chemical dosing system by replacing and repairing ammonia pumps, control panels and meters at the San José-Santa Clara Regional Wastewater Facility (700 Los Esteros Road) in San José, California; and

WHEREAS, as further described in the Addendum, the implementation of the Project would not result in new significant effects on the environment beyond those already identified in the previously approved PMP EIR, nor will the Project result in an increase in the severity of significant effects identified in the PMP EIR, and identified mitigation measures would continue to reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City of San José is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval to undertake the Project; and

WHEREAS, the City Council has reviewed and considered the PMP EIR and the Addendum for the Project and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the PMP EIR and the Addendum thereto for the Project are on file in the Office of the Director of Planning, Building and Code Enforcement, located at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

THAT THE CITY COUNCIL does hereby incorporate the foregoing recitals by reference into this Resolution.

THAT THE CITY COUNCIL does hereby make the following findings: (1) it has independently reviewed and analyzed the Addendum and other information in the record and has considered the information contained therein, prior to acting upon or approving

the Project, (2) the Addendum prepared for the Project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA, and (3) the Addendum represents the independent judgment and analysis of the City of San José, as lead agency for the Project. The City Council designates the Director of Planning, Building and Code Enforcement at the Director's Office at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113, as the custodian of documents and records of proceedings on which this decision is based.

THAT THE CITY COUNCIL does hereby find that based upon the entire record of proceedings before it and all information received that there is no substantial evidence that the Project will have a significant effect on the environment and does hereby adopt the Addendum prepared for the Project (Planning File No. ER21-306). The Addendum is: (1) on file in the Office of the Director of Planning, Building and Code Enforcement, located at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113 and (2) available for inspection by any interested person.

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ADOPTED this ____ day of _____, 2024 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

Matt Mahan
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk