

**RESOLUTION NO. 19-414**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR THE COMMUNITY WATER TANK PROJECT AND MAKING THE REQUIRED ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the San Simeon Community Services District (the “District”) proposes to implement the Community Water Tank Project (the “Project”); and

**WHEREAS**, the Project consists of installation of two new water storage tanks at 400,000 gallons each with each tank being approximately 25.5 feet tall and having a diameter of 50 feet total. The new water tanks would be located approximately 530 feet northeast of the existing water reservoir and up-slope from the existing reservoir. The new tanks would be located on a new concrete pad approximately 175 feet long by 87 feet wide, with approximately 300 feet of proposed utility trenching in native soils. The tank pad would be graded into the existing on-site slope resulting in 2:1 finished slope along the tank pad; and

**WHEREAS**, the District is the lead agency for the preparation and consideration of environmental documents for the Project, as defined in the California Environmental Quality Act (“CEQA”) and the State of California Guidelines for Implemental of the California Environmental Quality Act; and

**WHEREAS**, an Initial Study for the Project has been completed pursuant to CEQA which identifies potentially significant effects on the environment which would result from the Project, and concludes that these impacts can be avoided or reduced to a level of insignificance with adoption and implementation of certain mitigation measures therein identified and listed; and

**WHEREAS**, based on this Initial Study, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan has been prepared in accordance with CEQA, which finds that any potentially significant environmental effects of the proposed project would be sufficiently mitigated to a level of insignificance with implementation of mitigation measures specified therein; a complete copy of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and all supporting exhibits and documents are on file and can be viewed at the District office; and

**WHEREAS**, the District published a notice of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Project on September 7, 2019, which started a 30-day public review period. The notice was posted at the District office, posted on the District’s website, included in the District’s Board packet of its September 11, 2019 Regular meeting, distributed through the State Clearinghouse, published in *The Tribune*; and comments from the public and interested persons were invited; and

**WHEREAS**, at its October 9, 2019 Board meeting, the District Board reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Project, any comments received to-date and the responses prepared, invited additional comments from the public, and intends to take actions on the Project in compliance with CEQA and its guidelines; and

**WHEREAS**, the District conducted its own independent analysis of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and determined that the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan were appropriate as there is substantial evidence the Project would not result in any significant environmental impacts and the mitigated negative declaration reflects the District's independent judgment and analysis; and

**WHEREAS**, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan are, by this reference, incorporated into this Resolution as if fully set forth herein.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Directors that:

1. The recitals set forth above are held to be true and correct and, by this reference, are hereupon incorporated as findings.
2. The Board of Directors has independently reviewed, analyzed and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and the whole record before it (including the Initial Study and any comments received) and based on the foregoing, the Board of Directors hereby finds that all environmental impacts of the Project with mitigation measures are below a level of significance and there is no substantial evidence supporting a fair argument that the Project will have a significant effect on the environment.
3. The Board of Directors find the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan has been completed in compliance with CEQA and consistent the State of California Guidelines for the Implementation of the California Environmental Quality Act.
4. The Board of Directors finds that the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan represents the independent judgment and analysis of the District as the lead agency for the Project.
5. The Board of Directors further finds that the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan is adequate to serve the required CEQA environmental documentation for the Project and hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan.
6. The District's General Manager is the custodian of the records of the proceedings on which this decision is based. The records are located at 111 Pico Avenue, San Simeon, CA 93452.
7. The Board of Directors directs staff to file a notice of determination with the County of San Luis Obispo within five (5) working days of adoption of this Resolution.

**PASSED AND ADOPTED** by the San Simeon Community Services District Board of Directors at a regular meeting held on October 9, 2019, by the following roll-call vote:

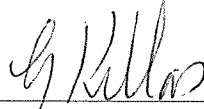
Chairperson Kellas: *yes*

Director Russell: *yes*

Vice-Chairperson McGuire: *yes*

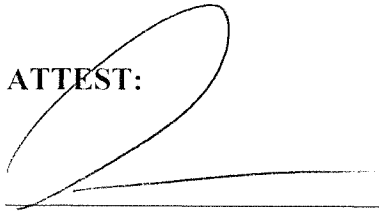
Director Carson: *yes*

Director Stanert: *yes*



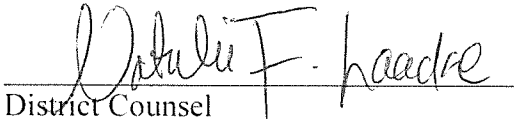
Chairperson Board of Directors of the  
San Simeon Community Services District

**ATTEST:**



Board Secretary of the  
San Simeon Community Services

**APPROVED AS TO FORM:**



District Counsel