

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
RESOLUTION NO. 2016-356**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
MAKING FINDINGS, ADOPTING A MITIGATION MONITORING PROGRAM, APPROVING A
MITIGATED NEGATIVE DECLARATION, AND DIRECTING FILING OF THE MITIGATED
NEGATIVE DECLARATION
FOR THE CHERRY AVENUE PIPE BRIDGE MAINTENANCE PROJECT**

WHEREAS, the District operates a sewer pipe bridge spanning Arroyo Grande Creek between Branch Street and Nelson Street cul-de-sac in Arroyo Grande; and

WHEREAS, the bridge needs maintenance consisting of removing existing paint and debris, followed by replacing anti-corrosion coatings on this sewer pipe bridge; and

WHEREAS, the District has consulted with pertinent governmental agencies and has caused a biological resource assessment and environmental review consisting of a Mitigated Negative Declaration to be prepared for the sewer bridge maintenance project; and

WHEREAS, according to the biological resource assessment (dated November 16, 2015) and Draft Mitigated Negative Declaration (prepared in July 2016), the proposed sewer pipe bridge maintenance project has the potential to result in significant environmental impacts in the areas of air quality, biological resources, cultural resources, noise and water unless it is implemented according to specified mitigation measures; and

WHEREAS, the District has caused a draft July 2016 Mitigated Negative Declaration of environmental impact and mitigation monitoring program to be prepared for the sewer pipe bridge maintenance project; and

WHEREAS, the required notices were published and the July 2016 Mitigated Negative Declaration was circulated for 30-day public review, sent to every responsible agency with jurisdiction over the project and placed in a public location; and

WHEREAS, the District held a duly noticed public hearing on September 7, 2016, for the purpose of receiving evidence and considering the Final July 2016 Mitigated Negative Declaration; and

WHEREAS, the District has responded to all comments received from the public review, and these comments and any revisions have been incorporated into the Final Cherry Avenue Pipe Bridge Maintenance Project Mitigated Negative Declaration, dated August 2016 (Final Mitigated Negative Declaration); and

WHEREAS, the District has considered all evidence and Final Mitigated Negative Declaration; and

WHEREAS, the mitigation measures set forth in the Final Mitigated Negative Declaration will mitigate or avoid the significant environmental effects of the project to the point where clearly no significant environmental impacts will occur; and

WHEREAS, the mitigation measures set forth in the Final Mitigated Negative Declaration shall be fully enforceable and monitored by District staff via incorporation into project plans, permit conditions, construction agreements, or by other means as specified in the mitigation monitoring program; and

WHEREAS, there is no substantial evidence in the record supporting a fair argument that the project, as conditioned, and described in the Final Mitigated Negative Declaration will have a significant effect on the environment; and

WHEREAS, the Final Mitigated Negative Declaration reflect the District's independent judgment.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT HEREBY RESOLVES:

1. The above findings are true; and
2. The Board hereby adopts the Cherry Avenue Pipe Bridge Maintenance Project Final Mitigated Negative Declaration prepared by Kevin Merk Associates, LLC, dated August 2016 (Attachment No. 1); and
3. The Board approves a mitigation monitoring program for the project, which is found at Pages 38-44 of the Final Mitigated Negative Declaration; and
4. The mitigation measures shall be fully enforceable and monitored by District staff via incorporation into project plans, permit conditions, construction agreements, or by other means as specified in the mitigation monitoring program; and
5. The record of these proceedings is located at the office of South San Luis Obispo County Sanitation District, 1600 Aloha, Oceano, CA.


PASSED AND ADOPTED at a regular meeting of the South San Luis Obispo County Sanitation District held September 7, 2016.




Board Chair

ATTEST:


DISTRICT SECRETARY

APPROVED AS TO FORM:

BY: _____
DISTRICT COUNSEL

CONTENTS:

BY: _____
DISTRICT ADMINISTRATOR