

RESOLUTION NO. 494

RESOLUTION OF SUNNYSLOPE COUNTY WATER DISTRICT ADOPTING MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the Board of Directors (“Board”) of Sunnyslope County Water District (“SCWD”) finds as follows:

A. AUTHORITY. This resolution is adopted pursuant to the County Water District Law, Sections 30000 and following, of the California Water Code, and pursuant to the California Environmental Quality Act (“CEQA”), codified at Sections 21000 and following of the Public Resources Code, and the CEQA Guidelines codified at Title 14, Sections 15000 and following of the California Code of Regulations.

B. PROPOSED ACTION. Sunnyslope County Water District proposes to implement the construction of water well #11 and pipeline for the Sunnyslope County Water District, intended to provide a domestic potable water supply (the “project”). The production rate of the well is anticipated to be approximately 1,000 gallons per minute, and the well would reach 500 feet below ground surface.

C. PROPONENT. The proponent of this project is Sunnyslope County Water District, 3570 Airline Highway, Hollister, California.

D. INITIAL STUDY. SCWD conducted an Initial Study on the project under CEQA to evaluate the potential for adverse environmental impact.

E. PUBLIC NOTICE GIVEN. After the Initial Study, SCWD gave public notice of intent to adopt a Mitigated Negative Declaration by filing a Notice of Intent with the State Clearinghouse on February 16, 2007, for a review period beginning February 20, 2007, and ending March 23, 2007, posting the Notice on and off site in the area affected by the project. No person requested mailing of notice. The documents and other material which constitute the record of this proceeding are located at the SCWD office at 3570 Airline Highway, Hollister, CA 95023. The District’s General Manager is the custodian of the records.

F. MITIGATION. Based on the Initial Study, SCWD proposed one mitigation measure, for a potential impact identified in the Initial Study and the Mitigated Negative Declaration as “Impact GEO-1.”

G. COMMENTS CONSIDERED. The Board has considered all comments received during the comment period and at the public hearing on the adoption of the proposed Mitigated Negative Declaration and the approval of the proposed project.

H. FINDING – CEQA (Negative Declaration). On the basis of the whole record, including the initial study and any comments received, there is no substantial evidence to support a fair argument that the proposed project as designed and conditioned may have a significant effect on the environment. The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings, therefore no additional mitigation is required beyond that identified in the Mitigated Negative Declaration. The Mitigated Negative Declaration reflects the independent judgment and analysis of the District.

NOW, THEREFORE, the Board hereby resolves as follows:

1. Findings Adopted. The Board adopts the above findings.
2. Mitigated Negative Declaration Adopted. Based on the above findings, the Board adopts the Mitigated Negative Declaration attached to this Resolution, including the Mitigation Monitoring and Reporting Program for Impact GEO-1.

3. Notice of Determination. The Secretary is authorized and directed to give due notice of determination that this action is taken based on a Mitigated Negative Declaration under the provisions of CEQA, pursuant to Title 14, California Code of Regulations, section 15075.

THE FOREGOING RESOLUTION was passed and adopted at a regular meeting of the Board of Directors of the Sunnyslope County Water District held on April 12, 2007 by the following Director's vote:

AYES: Anderson, Hailstone, & Nelson

NAYS: None

ABSENT: Johnson and Keck

SUNNYSLOPE COUNTY WATER DISTRICT

By *Dawn V Anderson*
Dawn Anderson, President

(S E A L)

ATTEST:

Bryan M Yamaoka
Bryan M. Yamaoka, General Manager

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of Directors of the Sunnyslope County Water District hereby certifies that the foregoing is a full, true and correct copy of the resolution adopted on April 12, 2007 as Resolution No.494.

Dated: April 12, 2007

Bryan M Yamaoka
Bryan M. Yamaoka, Secretary