

RESOLUTION NO: 08-147

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE CITY HALL PARKING
LOT SULFUR SPRING REMEDIATION PROJECT**

WHEREAS, as a result of the San Simeon Earthquake of December 2003, a hot sulfur spring surfaced in the parking lot serving the City Hall and Library, and the City has initiated the following work to restore the parking lot and convey the natural spring water to a practical point of discharge:

- a. Collect the geothermal spring water into an underground perforated collection system and repair the parking lot and landscaping to its original state, including paving and landscaping.
- b. Convey the collected spring water to the Salinas River flood fringe, east of the City Water Yard on Paso Robles Street, through a gravity flow pipe system within existing public rights of way.
- c. Construct a 3,000 to 6,000 square foot leach field (percolation) system at the City Water Yard that would discharge the spring water to the underflow of the Salinas River; and

WHEREAS, the project may be constructed in as many as three phases; and

WHEREAS, the parking lot and sulfur spring repair will occur in the public parking lot located south of the City Hall/Library Facility at 1000 Spring Street; construction work for the discharge of the spring water will occur at the east side of the City Water Yard, located at 1230 Paso Robles Street, within the flood fringe of the Salinas River; connection piping to convey the spring water from the parking lot to the water yard will require trenching in 10th Street (between Spring and Riverside Avenue), in Riverside Avenue (between 10th and 11th Streets) and in the 11th Street right of way alignment (between Riverside Avenue and the Salinas River) including "jack and bore" construction under the Union Pacific Rail Road and Caltrans Highway 101 rights of way; and

WHEREAS, since the earthquake damage, the City has been working with the State Office of Emergency Services (OES) and the Federal Emergency Management Agency (FEMA) in accordance with response guidelines of the federally declared emergency in order to assure eligibility for reimbursement from those agencies for the costs of the repair project; and

WHEREAS FEMA conducted the necessary environmental analysis and documentation of the project repairs in accordance with the National Environmental Policy Act (NEPA) standards, and in July 2007, FEMA concluded that a Finding of No Significant Impact (FONSI) was appropriate for this project; and

WHEREAS, once the NEPA (federal) review was complete, the City conducted an environmental Initial Study in accordance with the California Environmental Quality Act (CEQA) and the City, as the responsible Agency for this State level review and has determined that a Mitigated Negative Declaration (MND) can be adopted for this project; and

WHEREAS, public notice of the proposed Mitigated Negative Declaration was given as required by Section 21092 of the Public Resources Code, including additional notification to FEMA and OES of the City's findings and the CEQA documentation which resulted in recirculation of the project through the State

Office of Historic Preservation (SHPO) to assure that all requirements of the National Historic Preservation Act of 1966 were adhered to; and

WHEREAS, as a result of the public circulation of the Notice of Intent to adopt a Mitigated Negative Declaration, the City obtained a letter from SHPO (dated June 26, 2008) documenting their finding that the project would have no adverse affect on historical resources; and

WHEREAS, the Draft Mitigated Negative Declaration concludes that, subject to the implementation of the mitigation measures listed in the Mitigation Monitoring Plan (Exhibit A of this resolution), the project will not have any significant effects on the environment.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Based on the information contained in the plans and specifications prepared for the Project on file with the City's Department of Public Works, the Initial Study prepared for the Project, public comments and testimony received during the comment period and at the public meeting conducted on October 7, 2008, and subject to completion of the mitigation measures described in Exhibit "A", the City Council finds, based on its independent judgment and analysis, that there is no substantial evidence that the Project will have a significant effect on the environment.

SECTION 2. The mitigation measures and monitoring program identified in Exhibit A are hereby approved and adopted. The mitigation and monitoring measures shall be incorporated into the Project contract documents. City staff shall monitor compliance with the mitigation measures and may utilize environmental consultants to assist in monitoring Project construction to ensure compliance.

SECTION 3. The City Council of the City of Paso Robles does hereby approve and adopt the Mitigated Negative Declaration for the Project. All of the documents and other evidence which constitute the record of proceedings upon which the findings in this Resolution are made are in the custody of the Department of Public Works, City Hall, 1000 Spring Street, Paso Robles, California 93446.

SECTION 4 The City Council of the City of Paso Robles does hereby approve the Project, and directs the City Clerk to file a Notice of Determination regarding the approval of the Project with the County Clerk of San Luis Obispo County for posting.

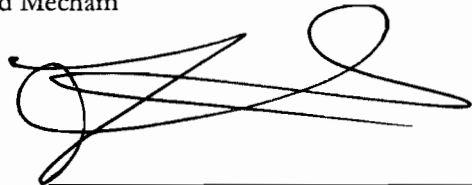
PASSED AND ADOPTED this 7th of October, 2008, by the following roll call vote:

AYES: Hamon, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSENT:

ABSTAIN:



Frank R. Mecham, Mayor

ATTEST:



Deborah D. Robinson, Deputy City Clerk

RESOLUTION OF THE COUNCIL
OF THE CITY OF PASO ROBLES, STATE OF CALIFORNIA

IN THE MATTER OF:

No. 08-147

**Adopting a Mitigated Negative Declaration for
the City Hall Parking Lot Sulfur Spring
Remediation Project**

I, Deborah D. Robinson, Deputy City Clerk of the City of Paso Robles, certify that the foregoing is a full, true and correct copy of Resolution No. 08-147 proposed by Councilmember Hamon, seconded by Councilmember Picanco, duly passed and adopted by the Council of the City of El Paso de Robles at its regular meeting on 10/7/2008 by the following vote:

AYES: Councilmembers: Hamon, Nemeth, Picanco, Strong and Mecham

NOES: Councilmembers: None

ABSTAIN: Councilmembers: None

ABSENT: Councilmembers: None



Deborah D. Robinson, Deputy City Clerk and
Ex-Officio Clerk of the City Council