

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 BIOSOLIDS DISPOSITION PROJECT, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL 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 of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively "CEQA"), prepared the Environmental Impact Report ("EIR") for the San José-Santa Clara Water Pollution Control Plant Master Plan Project to analyze 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 said 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 of the City of San José prepared and approved an Addendum to the PMP EIR, all in accordance with CEQA; and

**WHEREAS**, the Regional Wastewater Facility's Biosolids Disposition Project (the "Project") analyzed under the Addendum consists of execution of contracts for hauling

and beneficial use of dewatered biosolids produced at the San José-Santa Clara Regional Wastewater Facility (700 Los Esteros Road) in San José, California, where the biosolids would be transported via truck and rail from a previously approved dewatering building (Planning File No. PP18-018) at the facility to any of 18 potential disposition locations in California, Nevada, and Arizona; 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 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. ER20-129). 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 \_\_\_\_\_, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk