

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE ADOPTING THE ADDENDUM TO THE
GUADALUPE RIVER TRAIL MASTER PLAN MITIGATED
NEGATIVE DECLARATION FOR THE REGIONAL
WASTEWATER FACILITY'S BIOSOLIDS DISPOSITION
PROJECT, 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 an Initial Study and approved the Mitigated Negative Declaration ("MND") for the Guadalupe River Trail Master Plan Project, which analyzed the environmental impacts of planned improvements to the Guadalupe River Trail; and

WHEREAS, in connection with the adoption of a resolution approving said Guadalupe River Trail Master Plan (Planning File No. PP17-027), the City Council adopted Resolution No. 78236 on June 20, 2017, setting forth certain findings pertaining to the Guadalupe River Trail Master Plan MND 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 Guadalupe River Trail Master Plan MND under Planning File Nos. ER22-209 (the "Addendum"), all in accordance with CEQA; and

WHEREAS, the Guadalupe River Trail Master Plan MND Project (the "Project") analyzed under the Addendum consists of construction of 4.9 miles of paved bicycle and pedestrian

trail adjacent to Guadalupe River from McLellan Avenue to Chynoweth Avenue, with pedestrian bridges crossing the River at Koch Lane and Chynoweth Avenue; 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 Guadalupe River Trail Master Plan MND, nor will the Project result in an increase in the severity of significant effects identified in the MND, 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 Guadalupe River Trail Master Plan MND 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 Guadalupe River Trail Master Plan MND and the Addendum thereto for the Project are on file in the Office of the Director of Planning, 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 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. ER22-209). The Addendum is: (1) on file in the Office of the Director of Planning, 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 _____, 2023 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk