

RESOLUTION NO. 2022-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE WASHINGTON AVENUE WELL PROJECT AND APPROVING THE PROJECT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines, and declares as follows:

A. The 2017 Santa Ana Water Master Plan water system analysis identified low pressures along the border of the Low and High Zones adjacent to Interstate 5 Freeway. To resolve these low-pressure deficiencies, the City is proposing to install a new water supply well and construct ancillary facilities in the vacant lot at the northwest corner of East Washington Avenue and Penn Way (“Proposed Project”).

B. The expected production capacity of the Proposed Project will range from 2,500 to 3,000 gallons per minute.

C. Construction of the Proposed Project is anticipated to begin in 2022 and continue until the third quarter of 2023.

D. The Proposed Project is required to undergo an environmental review pursuant to the California Environmental Quality Act (CEQA) and the state CEQA Guidelines. Through its consultant, the City prepared an Initial Study/Mitigated Negative Declaration (“IS/MND”) for the Proposed Project. There was no potential for adverse impacts on agricultural and forest resources, mineral resources, public services, or recreation associated with the Proposed Project. Potential adverse impacts resulting from the Proposed Project were found to be less than significant in the following areas: aesthetics, air quality, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, population and housing, transportation, utilities and service systems, and wildfire. Full implementation of the proposed mitigation measures included in the IS/MND would reduce potential project-related adverse impact on biological resources, cultural resources, geology and soils, noise, and tribal cultural resources to a less than significant level.

E. In accordance with California Public Resources Code section 21091 and State CEQA Guidelines Section 15073, the Initial Study/Mitigated Negative Declaration for the Proposed Project was circulated for a 30-day public review and comment period from November 9, 2021 to December 8, 2021. Any public comments that were received have been incorporated as part of the Final Initial Study/Mitigated Negative Declaration (“Final IS/MND”) and are incorporated herein by reference.

F. The mitigation measures set forth in the Mitigated Negative Declaration are fully enforceable and will be implemented using the related Mitigation Monitoring and Reporting Program accompanying the Final IS/MND in order to avoid or minimize adverse environmental impacts identified therein.

G. On February 1, 2022, the City Council of the City of Santa Ana held a duly noticed public hearing to consider all testimony, written and oral, related to the Final IS/MND and the related Mitigation Monitoring and Reporting Program for the Proposed Project, at which time all persons wishing to testify were heard, the project was fully considered, and all other legal prerequisites to the adoption of this Resolution occurred.

Section 2. The City Council has independently reviewed and analyzed the information contained in the Final Initial Study/Mitigated Negative Declaration prepared for the Proposed Project. The City Council has, as a result of its consideration and the evidence presented at the hearing on this matter, determined that, as required pursuant to the California Environmental Quality Act and the State CEQA Guidelines, the Final IS/MND adequately addresses the expected environmental impacts of the Proposed Project. On the basis of this review, the City Council finds that there is no substantial evidence from which it can be fairly argued that the Proposed Project will have a significant impact on the environment.

Section 3. The City Council hereby adopts the Final IS/MND and the related Mitigation Monitoring and Reporting Program, a copy of which is attached as Exhibit A, and directs that a Notice of Determination be prepared and filed with the Clerk of the County of Orange in the manner required by law. This decision is based upon the evidence submitted at the above said hearing, including but not limited to: the Request for Council Action dated February 1, 2022, and exhibits attached hereto, and any public testimony, written and oral, all of which are incorporated herein by this reference. The Final IS/MND is available for viewing at the City's Public Works Agency at 20 Civic Center Plaza, Santa Ana, CA 92702.

Section 4. The City Council hereby approves the Proposed Project, based upon the entire record before it and all written and oral evidence presented.

Section 5. Pursuant to Title XIV, California Code of Regulations, section 753.5(c)(1), the City Council has determined that, after considering the record as a whole, there is no evidence that the Proposed Project will have the potential for any significant adverse effect on fish and wildlife. However, the payment of Fish and Game Department filing fees in conjunction with this project is at the ultimate determination of the California Department of Fish and Wildlife.

Section 6. This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this ____ day of _____, 2022.

Vicente Sarmiento
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Sr. Assistant City Attorney

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSTAIN: Councilmembers _____

NOT PRESENT: Councilmembers _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, DAISY GOMEZ, Clerk of the Council do hereby attest to and certify the attached Resolution No 2022-XXX to be the original resolution adopted by the City Council of the City of Santa Ana on _____.

Date _____

Clerk of the Council
City of Santa Ana