RESOLUTION NO.\_\_\_\_\_\_

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOST HILLS UTILITY DISTRICT ADOPTING THE MITIGATED NEGATIVE DECLARATION STATE CLEARINGHOUSE (SCH #2003041036), THE MITIGATION MONITORING AND REPORTING PROGRAM AND ADDENDUM TO THE 2005 MITIGATED NEGATIVE DECLARATION

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WHEREAS, the Lost Hills Utility District (District) as CEQA responsible agency in order to establish eligibility for financial assistance must adopt the Mitigated Negative Declaration (the 2005 MND) State Clearinghouse (SCH #2003041036), the associated Mitigation Monitoring and Reporting Program (MMRP), and addendum to the 2005 MND (Addendum) prepared by the California Department of Public Transportation (CalTrans); and

WHEREAS, CalTrans as CEQA lead agency on May 12, 2005, approved and adopted the 2005 MND and MMRP to convert a segment of State Route 46 from a two-lane highway to a four-lane expressway in Kern County and San Luis Obispo; and

WHEREAS, an Addendum was prepared to analyze the scope of utility relocations was approved by Caltrans on September 24, 2020; and

WHEREAS, the utility relocations included in the Addendum include the project under consideration and are identified as "Lost Hills Utility District (Sewer line relocation)" including relocation of an existing sewer line from the north side to the south side of State Route 46, and "Lost Hills Utility District (Water line relocation)" including relocation of an existing 12-inch water line located on the north side of State Route 46 to be 3 feet to the south of the new proposed right-of-way line (the "Project"); and

WHEREAS, the Project as analyzed in the Addendum has been presented to the Board, attached hereto as Exhibit "A" and made a part thereof, and the Board has carefully reviewed these documents and all of the information contained in the record for the Project; and

WHEREAS, the conclusion of this Addendum is that the proposed changes will not result in new significant impacts, substantially increase the severity of previously disclosed impacts or involve any of the other conditions related to changed circumstances or new information that can require a subsequent or supplemental EIR under Public Resources Code section 21166 and CEQA Guidelines section 15162 beyond those impacts and conditions already identified in the 2005 MND; and

WHEREAS, an Addendum is the appropriate level of CEQA analysis and the appropriate method of amending the May 12, 2005 adopted MND, pursuant to Sections 15162 and 15164 of the CEQA Guidelines.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LOST HILLS UTILITY DISTRICT AS FOLLOWS:

1. That the foregoing recitals and findings are true and correct.

2. That the mitigation measures identified in the MMRP adopted by the CalTrans on May 12, 2005, and clarified in the Addendum approved on September 24, 2020, designed to ensure compliance during Project implementation, are sufficient to mitigate for any potentially significant impacts identified; and

3. That the District shall submit the Addendum to the State Clearinghouse (SCH) as required by the State Water Resources Control Board to establish eligibility for financial assistance; and

4. That the District, acting as a CEQA-Responsible Agency, hereby and adopts the 2005 MND, Addendum, and Mitigation Monitoring and Reporting Program prepared for the Project and will approve the Project; and

5. That after submitting this resolution including the attached Addendum (Exhibit A) to the SCH, the resolution shall be executed and adopted; and

6. That the District will prepare and file a Notice of Determination with the Kern County Clerk, and the State Clearinghouse following of the adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the Board of directors of the Lost Hills Utility District on 3rd day of March, 2022 by the following vote:

AYES: Directors

NOES:

ABSTAIN:

ABSENT:

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VIDAL BALLESTEROS, President, Board of Directors, Lost Hills Utility District

ATTEST:

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ANA CHAVEZ, Secretary, Board of

Directors, Lost Hills Utility District

EXHIBIT “A”

[Addendum]