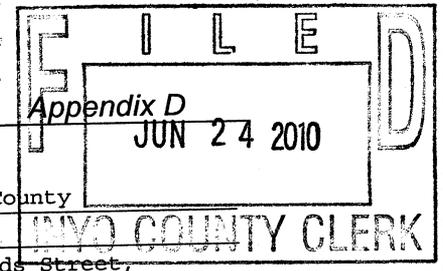


Notice of Determination



TO:

Office of Planning and Research

For U.S. Mail:

P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street
Sacramento, CA 95814

FROM:

Public Agency: Inyo County

Address: 168 N. Edwards Street,
PO Drawer Q, Independence, CA 93526

Contact: Lynn M. Flanigan, Sr. Engineer

Phone: 760.878.0347

Lead Agency (if different from above):

Address:

Contact:

Phone:

County Clerk

County of: Inyo

Address: PO Drawer F

Independence, CA 93526

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2010051017

Project Title: Tecopa Hot Springs Park Sewage Lagoon Repair Project

Project Location (include county): Tecopa, Inyo County, California

Project Description:

The County of Inyo is proposing to perform repairs on the Tecopa Hot Springs Park sewage lagoon to address seepage. The project includes temporarily transferring sewage to a neighboring lagoon, removing sludge, lining the outer embankments of the lagoon, and recommissioning the lagoon.

This is to advise that the _____ Lead Agency has approved the above described

project on June 23, 2010 (Date) and has made the following determinations regarding the above

described project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at:

Inyo County Public Works Department, 168 N. Edwards St, Independence, CA 93526

Signature (Public Agency) Lynn M. Flanigan Title: Senior Engineer

Date: June 24, 2010 Date Received for filing at OPR: _____

Authority cited: Section 21083, Public Resources Code.
Reference: Sections 21000-21174, Public Resources Code.

Revised 2005

10-00037

RESOLUTION NO. 2010-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
COUNTY OF INYO, STATE OF CALIFORNIA, CERTIFYING
THAT THE PROVISIONS OF THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) BEEN SATISFIED
AND ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE
DECLARATION AND MITIGATION MONITORING AND
REPORTING PROGRAM FOR THE TECOPA HOT SPRINGS
PARK SEWAGE LAGOON REPAIR PROJECT**

WHEREAS, the County of Inyo has renewed its lease, LA 0165129, with the ~~United States Department of the Interior, Bureau of Land Management (BLM)~~ for the Tecopa Hot Springs County Park, the County currently operates a campground and sewage lagoon on a 40-acre parcel of land leased from the BLM, the County maintains the Tecopa Hot Springs County Park on the lease, the sewage lagoon associated with this lease is currently in need of repairs to address seepage of water through the western embankment into the surrounding surface and groundwater, and as a condition of lease renewal, the County is required to repair the sewage lagoon; and

WHEREAS, the County is working to implement the project with funding by a Proposition 40 – Per Capita Grant administered by the State Department of Parks and Recreation; and

WHEREAS, Tecopa Hot Spring Park Sewage Lagoon is within Inyo County Public Facilities (PF) land use and Public (P) zoning designations, and the sewer ponds are existing and appropriate use within these designations, and the project is in conformance with the 2001 Inyo County General Plan or Zoning Ordinance; and

WHEREAS, the proposed project would bring the County's lease into compliance, would address the Notices of Violation received from the Lahontan Regional Water Quality Control Board, and would generally improve the conditions and environment in the area; and

WHEREAS, the proposed project would repair seepage from the sewage lagoon, improve the quality and longevity of future sewage operations, which would be beneficial to persons living or working in the area, and reduce any potential impact to the health and safety of persons in the area during construction through the implementation of mitigation measures; and

WHEREAS, In compliance with the requirements of CEQA, a Draft IS and MND of Environmental Impact were prepared and circulated to the State Clearinghouse, all affected agencies, and all interested parties for public review and comment pursuant to the provisions of the CEQA. The public comment period closed on June 8, 2010.)

WHEREAS, the County through its consultants RMT Inc. prepared an Initial Study and a Mitigated Negative Declaration (IS/MND) of Environmental Impacts and Mitigation Monitoring and Reporting Program (MMRP) for the Project in conformance with the California Environmental Quality Act (CEQA) and the County's CEQA Procedures (Inyo County Code Title 15); and

WHEREAS, and Notice of Availability was filed with the County Clerk and published in the Inyo Register, the IS/MND was circulated for a 30-day public review period through the State Clearinghouse ending on June 8, 2010, and no comments were received; and

WHEREAS, the Inyo County Board of Supervisors, through Section 15.12.040 of Inyo County Code, has designated the Planning Commission to serve as the Environmental Review Board pursuant to Section 15022 of the California Environmental Quality Act (CEQA) Guidelines, which is responsible for the environmental review of all County projects; and

WHEREAS, the Inyo County Planning Commission has reviewed and considered the proposed IS/MND, and MMRP for the Project; and

WHEREAS, the Inyo County Planning Commission has reviewed and considered any and all comments received during the review process, as well as any oral or written comments submitted at or before the public hearing on the Project on June 23, 2010; and

WHEREAS, the MMRP for the Project will ensure that all mitigation measures incorporated into the project to reduce the potentially significant environmental effects of the project to a less than significant level, and which are within the jurisdiction of the County of Inyo to adopt and implement, will in fact be implemented by the County; and

WHEREAS, The custodian of documents comprising the record of proceedings is the Department Head or his or her designee of the County of Inyo Public Works Department whose office is located at 168 North Edwards Street in Independence, California.

NOW, THEREFORE, BE IT HEREBY RESOLVED that, based on all of the written and oral comments and input received at the June 23, 2010 hearing, including the staff report for the project, this Planning Commission makes the following findings regarding the IS/MND for the project:

FINDINGS

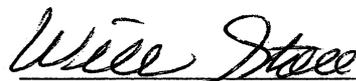
- 1.) Based on substantial evidence in the record, the Planning Commission finds that the Tecopa Hot Spring Park Sewage Lagoon Repair Project is in conformance with the Goals and Objectives of the 2001 Inyo County General Plan and the Inyo County Zoning Ordinance.

- 2.) The proposed project is necessary or desirable.
- 3.) The proposed project would not, under all the circumstances of this case, adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.
- 4.) Based upon the IS/MND and all comments received, the Planning Commission adopts the IS/MND and certifies that the requirements of the CEQA have been satisfied, that there is non substantial evidence that the project will have a significant effect on the environment and that the IS/MND reflects the lead agency's independent judgment and analysis, and all impacts associated with the ~~above-described action have been identified, analyzed, and mitigated to a level of insignificance, either individually or cumulatively.~~
- 5.) The Planning Commission adopts the MMRP for monitoring and reporting on the measures identified in the IS/MND to mitigate or avoid significant environmental effects and ensure that the provisions in the IS/MND are complied with during project implementation.

BE IT FURTHER RESOLVED, that the Planning Commission hereby adopts the MND/IS and MMRP, and certifies that the provisions of CEQA have been met.

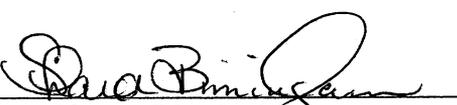
PASSED AND ADOPTED this 23rd day of June, 2010 by the following vote of the Inyo County Planning Commission:

AYES: COMMISSIONERS LITTLE, PAYNE, STOLL, WASSON, WHITE.
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE


Chair, Inyo County Planning Commission

ATTEST:

Joshua Hart, Planning Director

By 
Sharon Birmingham,
Secretary of the Commission