Agenda Item #7.2
For Board Meeting of: November 1, 2018

CITY OF SANTA ROSA
BOARD OF PUBLIC UTILITIES

TO: BOARD OF PUBLIC UTILITIES

FROM: JILLIAN TILLES, ASSOCIATE CIVIL ENGINEER, TRANSPORTATION & PUBLIC WORKS DEPARTMENT AND JILL SCOTT, RIGHT OF WAY AGENT, SANTA ROSA WATER DEPARTMENT

SUBJECT: ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION AND MONITORING PROGRAM FOR THE FULTON ROAD SEWER LIFT STATION PROJECT; APPROVAL OF THE ACQUISITION OF 1225 FULTON ROAD.

ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Water and Transportation and Public Works Departments that the Board of Public Utilities, by resolution, 1) adopt the Mitigate Negative Declaration for the Fulton Road Sewer Lift Station Project; 2) approve the Project; 3) adopt a Mitigation and Monitoring Program for the Project; 4) direct staff to file a Notice of Determination and 5) approve the acquisition of 1225 Fulton Road, Santa Rosa.

EXECUTIVE SUMMARY

This proposed resolution will adopt the Mitigated Negative Declaration (MND), Mitigation and Monitoring Program (MMP), and approve the Fulton Road Sewer Lift Station Project. This proposed resolution will also direct City staff to file a Notice of Determination, as required by California Environmental Quality Act(CEQA) Guidelines and approves the acquisition of 1225 Fulton Road.

BACKGROUND

In 2014, the City hired consultant Brown and Caldwell to prepare an evaluation of the current sewer lift station located at 1098 Fulton Road. The evaluation revealed that the existing station is currently in fair condition but is expected to reach the end of its useful service life in approximately 10 years. The evaluation recommended 3 alternative

locations for the future lift station, one being 1225 Fulton Road, the proposed Project location.

The City must comply with CEQA when it undertakes an activity defined by CEQA as a "Project". CEQA is a statute that requires state and local agencies to identify the potentially significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.

In January of 2018, the City hired the consultant GHD to perform the environmental studies and prepare the CEQA documents for the project. The IS/MND further describes why the Project is being proposed and the potential impacts to the environment.

The Initial Study identified potentially significant impacts to Biological Resources, Cultural Resources, Hazardous Materials, Hydrology & Water Quality, Noise, and Transportation. All potential impacts will be reduced to less than significant with the inclusion of mitigation measures, detailed in the Mitigation and Monitoring Plan (MMP)

AB 52 Proposed Project notification letters to the tribes were sent March 7, 2018 and the Federal Indians of Graton (FIGR) requested tribal consultation on May 9, 2018. Staff, acting in good faith and after reasonable effort (per Public Resource Code 21080.3.2), is concluding consultation with FIGR under Public Resource Code 21080.3.1, and has determined that Mitigation Measure TRC-1 complies with the intent of Public Resources Code 21084.3 for the avoidance, treatment, and protection of tribal cultural resources.

Per CEQA requirements, the IS/MND was circulated to the public for review from August 27, 2018 to September 25, 2018. The IS/MND documents were sent to the State Clearinghouse for a 30-day public review period and for distribution to pertinent state agencies. The IS/MND was sent to local resource agencies and posted on the City's Transportation & Public Works Department website. A public notice was also sent to landowners in the vicinity of the Project and posted in the local newspaper. Noticing exceeded CEQA requirements and was consistent with typical City noticing procedures. Comments from the public notice and review have been addressed and are included in the attached Response to Comments document, no substantial revisions to the IS/MND have been identified.

After the close of the public review period and after considering comments received, the City, as the CEQA lead agency, can make a decision regarding approval of the Project. The City must adopt the MND for the Project, approve the Project, and adopt a MMP for the Project in order to proceed with the next steps in implementing the Project. An MMP has been prepared and incorporated into the MND. The MMP will be used by City staff, contractors, agencies, and monitoring personnel during and after the Project to ensure effective implementation of the adopted mitigation measures outlined in the MND.

Environmental review was done at the project level of analysis to allow the Project to proceed to property acquisition and construction.

On January 18, 2018 and August 16, 2018 in closed session, the Board of Public Utilities (BPU) gave direction to staff on price and terms to negotiate the purchase of 1225 Fulton Road for a future sewer lift station site. Staff has secured an acquisition agreement in line with the price and term parameters provided by the BPU in closed session and now that environmental review has been completed for the Project, seeks final approval for the acquisition from the BPU.

PRIOR BOARD OF PUBLIC UTILITIES REVIEW

On January 18, 2018, and August 16, 2018, in closed session, the Board of Public Utilities (BPU) gave direction to staff on price and terms for the purchase of property located at 1225 Fulton Road, Santa Rosa, for a future sewer lift station site.

ANALYSIS

This proposed action will adopt the MND and the MMP, approve the Project and allow the acquisition of 1225 Fulton Road for the Project.

The IS/MND determined that the Project would not result in any significant impacts to the environment with the incorporation and implementation of mitigation measures.

Upon adoption of the MND and approval of the Project by the Board, a Notice of Determination (NOD) will be filed with the Sonoma County Clerk's Office and the State Clearinghouse, completing the environmental review process for the Fulton Road Sewer Lift Station Project.

Staff has obtained a purchase agreement for the property, executed by the owner, within the price and term parameters approved by the BPU in closed session. Now that the environmental review has been completed Staff is seeking final approval from the BPU to complete the purchase.

FISCAL IMPACT

The Purchase will be funded by JL Key P70550, which was approved and funded previously through the budget process.

ENVIRONMENTAL IMPACT

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study was conducted that resulted in a Mitigated Negative Declaration (MND) for the project, which was circulated for 30 days starting on August 27, 2018. A Notice of Intent (NOI) to adopt the MND was published in the Press Democrat and posted in accordance with the CEQA requirements on August 27, 2018.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable

ATTACHMENTS

- Resolution
- Exhibits A - IS/MND
- Exhibit B – MMP
- Exhibit C - Response to Comments

CONTACTS

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