

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

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE GEYSERS-DELTA POND CONNECTION/DIFFUSER IMPROVEMENTS, AND APPROVING THE GEYSERS-DELTA POND CONNECTION IMPROVEMENTS PROJECT AND THE DELTA POND DIFFUSER MAINTENANCE PROJECT

WHEREAS, the Geysers-Delta Pond Connection Improvements Project and Delta Pond Diffuser Maintenance Project (collectively, the "Projects") includes improvements to the Geysers-Delta Pond Connection to increase the capacity to divert recycled water from the Geysers pipeline to Delta Pond, and dredging to remove accumulated sediment surrounding the diffuser serving as the City of Santa Rosa's primary discharge facility for conveying recycled water from Delta Pond to the Russian River; and

WHEREAS, the City of Santa Rosa ("City") proposes to undertake the Projects to improve the connection between the Geysers pipeline and Delta Pond, and to dredge accumulated sediment surrounding the existing Delta Diffuser; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), an Initial Study/Proposed Mitigated Negative Declaration ("IS/MND") that included a "Mitigation Monitoring and Reporting Program" ("MMRP") was prepared for the Projects and circulated for 30 days starting on May 26, 2021; and

WHEREAS, a Notice of Intent ("NOI") to adopt a Mitigated Negative Declaration ("MND") was posted in accordance with the CEQA requirements and was submitted to the State Clearinghouse in accordance with the CEQA requirements on May 26, 2021; and

WHEREAS, the NOI to adopt an MND was published in The Press Democrat in accordance with the CEQA requirements on May 26, 2021; and

WHEREAS, the NOI to adopt an MND was also posted to the City website at <http://cippublic.srcity.org/ciplist.html> under Project CIP Numbers 2111 and 2200 on May 26, 2021; and

WHEREAS, to solicit input from Native American tribes in accordance with Assembly Bill 52 and CEQA guidelines, project notification letters were sent to the Lytton Rancheria of California and the Federated Indians of Graton Rancheria and mitigation measures were included to monitor and address any uncovering of archaeological resources; and

WHEREAS, comments on the MND were received from the California Department of Fish and Wildlife ("CDFW") and CDFW requested additional information and revisions to the mitigation measures proposed in the Proposed MND; and

WHEREAS, comments on the MND were received from the Federal Emergency Management Agency ("FEMA"), and an additional mitigation measure was added in response to the FEMA comments; and

WHEREAS, no new, avoidable significant effects were identified from the comments and the mitigation measures as proposed were determined to be sufficient to reduce potential effects to less than significant and as such, the MND is not required to be recirculated, pursuant to CEQA Guidelines Section 15073.5.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities of the City of Santa Rosa hereby finds and determines:

1. The Final MND has been presented to the Board of Public Utilities along with comments received. The Board has reviewed and considered the information in the MND and the Final MND reflects the Board's independent judgment and analysis.
2. The potential environmental impacts of the Projects are fully disclosed in the Final MND, and based upon the record, the proposed Projects will not have a significant effect upon the environment if specific environmental protection actions, mitigation measures, and monitoring actions listed in the MND and MMRP are implemented.
3. The Board hereby approves, adopts, and imposes the MMRP and the mitigation measures set forth in the MMRP are hereby imposed as conditions of approval of the Projects, and
4. The Board hereby adopts the MND and MMRP for the Geysers-Delta Pond Connection/Diffuser Improvements Project and determines that impacts identified in the MND as potentially significant will be reduced to a less than significant level because the City has agreed to mitigation measures and thus an MND is appropriate for the Projects.

BE IT FURTHER RESOLVED that the Board of Public Utilities of the City of Santa Rosa approves the Geysers-Delta Pond Connection Improvements Project and the Delta Pond Diffuser Maintenance Project.

BE IT FURTHER RESOLVED that the Board of Public Utilities directs staff to file a Notice of Determination for the Projects consistent with the requirements of CEQA and the CEQA Guidelines.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 20<sup>th</sup> day of January, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: \_\_\_\_\_  
Daniel J. Galvin III, Chair

ATTEST: \_\_\_\_\_  
Roberta Atha, Recording Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Exhibit A – Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program