

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, AND APPROVING THE PROJECT FOR THE LAGUNA TREATMENT PLANT FLOOD PROTECTION PROJECT

WHEREAS, the Laguna Treatment Plant Flood Protection Project (“Project”) constructs flood protection facilities adjacent to the Laguna Treatment Plant, Geysers and Reclamation Pump Stations, and the Compost Facility (collectively referred to as LTP) to mitigate risks from future flood events; and

WHEREAS, the City of Santa Rosa (“City”) proposes to undertake the Project to protect LTP and to protect the Laguna de Santa Rosa and Colgan Creek by installing and operating the flood protection facilities; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”), an Initial Study/ Mitigated Negative Declaration (“IS/MND”) that included Mitigation Measures was prepared for the Project and circulated for 38 days starting on December 21, 2022; and

WHEREAS, a Notice of Intent (“NOI”) to adopt a Mitigated Negative Declaration (“MND”) was posted at the Sonoma County Clerk in accordance with the CEQA requirements on December 21, 2022; and

WHEREAS, the NOI to adopt a MND and the Initial Study was uploaded to the State Clearinghouse CEQA Submit system in accordance with the CEQA requirements on December 21, 2022; and

WHEREAS, the NOI to adopt a MND was published in The Press Democrat in accordance with the CEQA requirements on December 21, 2022; and

WHEREAS, the NOI to adopt a MND was mailed to surrounding property owners within 600 feet of the Project on December 20, 2022; 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 Number 0544 on December 21, 2022; 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 inadvertent discovery of Tribal Cultural Resources; and

WHEREAS, comments on the MND were received from the California Department of Fish and Wildlife (“CDFW”); and

WHEREAS, responding to CDFW comments did not result in a “substantial revision” as defined by Section 15073.5(b) of the CEQA Guidelines and no new, avoidable significant effects were identified from the comments that would require the document to be recirculated.

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

1. The Initial Study and MND has been prepared and completed in compliance with the requirements of CEQA and the CEQA Guidelines and presented to the Board of Public Utilities along with comments received.

2. The Board has reviewed and considered the information in the Initial Study and MND, and the MND reflects the Board's independent judgment and analysis of the potential effects of the Project.
3. The potential environmental impacts of the Project are fully disclosed in the Initial Study and MND, and based upon the whole of the record, the proposed Project will not have a significant effect upon the environment if specific environmental protection actions, mitigation measures, and monitoring actions listed in the MMRP are implemented.
4. The Board hereby adopts the MND for the Project and the mitigation measures are made a condition of approval of the Project and a MMRP, attached, is adopted.
5. The record of the proceedings on which this Resolution is based are on file and available for public inspection during normal business hours at 69 Stony Circle, Santa Rosa, CA. The custodian of these documents is the City of Santa Rosa.

BE IT FURTHER RESOLVED that the Board of Public Utilities of the City of Santa Rosa approves the Laguna Treatment Plant Flood Protection Project.

BE IT FURTHER RESOLVED that the Board of Public Utilities directs staff to file a Notice of Determination for the Project 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 18th day of May, 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Daniel J. Galvin III
Chair

ATTEST: _____
Michelle Montoya
Recording Secretary

APPROVED AS TO FORM:

Morgan Biggerstaff
Assistant City Attorney

Attachment: Mitigation Monitoring and Reporting Program