

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 FULTON RD SEWER MAIN IMPROVEMENTS, WEST 3<sup>RD</sup> ST TO SANTA ROSA CREEK PROJECT

WHEREAS, the Fulton Rd Sewer Main Improvements, West 3<sup>rd</sup> St to Santa Rosa Creek Project (“Project”) replaces the existing sewer main that is located on Fulton Road and serves the Countryside subdivision; and

WHEREAS, the City of Santa Rosa (“City”) proposes to undertake the Project to improve the sewer service to the Countryside subdivision and to protect Santa Rosa Creek by replacing the existing sewer main that is deformed and subject to potential failure; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”), an Initial Study/Mitigated Negative Declaration (“IS/MND”) that included a “Mitigation Monitoring and Reporting Program” (“MMRP”) was prepared for the Project and circulated for 30 days starting on June 30, 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 CEQA requirements on June 30, 2022; and

WHEREAS, the NOI to adopt a MND was uploaded to the State Clearinghouse CEQA Submit system in accordance with CEQA requirements on June 30, 2022; and

WHEREAS, the NOI to adopt a MND was published in The Press Democrat in accordance with CEQA requirements on July 15, 2022; and

WHEREAS, the NOI to adopt a MND was mailed to surrounding property owners within 500 feet of the Project in accordance with CEQA requirements on June 30, 2022; and

WHEREAS, the NOI to adopt an MND was also posted to the City’s website at <http://cippublic.srcity.org/ciplist.html> under Project CIP Number 2117 on June 30, 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 CDFW requested additional information and revisions to the mitigation measures proposed in the MND; 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 IS/MND and MMRP have 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 and minor revisions and clarifications to the MND and MMRP.

2. The Board has reviewed and considered the information in the IS/MND and MMRP and the MND reflects the Board's independent judgment and analysis of the potential environmental effects of the Project.
3. The potential environmental impacts of the Project are fully disclosed in the MND, and based upon 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 MND and MMRP are implemented.
4. The Board hereby approves and adopts the MND and MMRP, and the mitigation measures set forth in the attached MMRP are hereby imposed as conditions of approval of the Project.
5. The Board hereby 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 a MND is appropriate for the Project.

BE IT FURTHER RESOLVED that the Board of Public Utilities of the City of Santa Rosa approves the Fulton Rd Sewer Main Improvements, West 3rd St to Santa Rosa Creek 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 3<sup>rd</sup> day of August, 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTEST: \_\_\_\_\_  
Michelle Montoya  
Recording Secretary

APPROVED AS TO FORM:

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