

CITY OF SANTA ROSA  
BOARD OF PUBLIC UTILITIES

TO: BOARD OF PUBLIC UTILITIES

FROM: ANDREW WILT, ASSOCIATE CIVIL ENGINEER  
CAPITAL PROJECTS ENGINEERING

SUBJECT: ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND  
MITIGATION MONITORING AND REPORTING PROGRAM, AND  
APPROVAL OF PROJECT FOR THE LAGUNA TREATMENT  
PLANT FLOOD PROTECTION PROJECT

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Transportation and Public Works Department and the Water Department that the Board of Public Utilities, by resolution: 1) adopt the Mitigated Negative Declaration for the Laguna Treatment Plant Flood Protection project; 2) adopt the Mitigation Monitoring and Reporting Program; 3) approve the Laguna Treatment Plant Flood Protection project; and 4) direct staff to file a Notice of Determination.

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EXECUTIVE SUMMARY

This proposed resolution will adopt the Mitigated Negative Declaration (MND), adopt the Mitigation Monitoring and Reporting Program (MMRP), and approve the Laguna Treatment Plant Flood Protection Project (Project). The proposed resolution will also direct City staff to file a Notice of Determination for the Project pursuant to the California Environmental Quality Act (CEQA) Guidelines.

BACKGROUND

The City of Santa Rosa Water Department operates the Regional Water Reuse System which consists of the operation and maintenance of the Laguna Treatment Plant (LTP) for treating wastewater, the Compost Facility, and the reclamation system for distributing recycled water. The LTP is considered a critical facility.

The Project is located at the LTP site and along the Llano Road corridor (see Attachment 1). The Laguna de Santa Rosa (Laguna), located south of the LTP, has been subjected to major historical storm events that have overtopped its banks and contributed to significant flooding at the LTP. Flooding during the New Year's storm of 2005-2006 was

particularly intense, inundating much of the southern portion of the LTP. Flooding at the site has the potential to create hazards for City staff, damage physical assets, cause the release of raw or partially treated wastewater to the Laguna, pose a threat to public health and water quality, and subject the city to severe environmental regulatory noncompliance. Flood protection at the LTP will serve to mitigate these risks.

In April 2008, a feasibility report entitled, “Laguna Wastewater Treatment Plant Flood Protection Project”, by HDR Engineering, Inc. was completed. The report provided conceptual flood protection alternatives and recommended that more comprehensive hydrologic and hydraulic analyses be performed before the design phase.

In 2016, under Contract No. C02016, a temporary emergency floodwall comprised of interlocking concrete blocks was installed in the southwest corner of the LTP site to protect the existing Ultraviolet (UV) disinfection facilities during future flood events. This temporary barrier provides only limited protection to a portion of the LTP.

In July 2016, a new feasibility study entitled, “Flood Protection at the Laguna Treatment Plant Feasibility Study,” by GHD, Inc. was completed. The study recommended the installation of a combination flood berm and wall protection system for the LTP. The study included limited hydrologic and hydraulic modeling to determine the design storm conditions and the approximate correlating flood water elevation at the LTP. Concurrent with this effort, a limited desk-top geotechnical study was performed as well as a conceptual design analysis of the required stormwater system within the proposed Project limits.

The proposed project includes the installation of a flood protection berm, flood gate, warning system and barrier arms, pier and lagging retaining wall, and modifications to the existing stormwater system. In addition, the existing temporary floodwall would be dismantled. Each of these project components is discussed in detail below:

### **Flood Protection Berm (Berm)**

An earthen berm along approximately 2,500 linear feet of the southeast corner of the LTP is proposed. The height of the berm would range from 5 to 8 feet depending on the location and corresponding elevations. The top of the berm would be able to accommodate vehicles in an emergency.

### **Llano Road Improvements**

The project will include the following improvements along Llano Road:

#### Northern Berm

An earthen berm, south of Meadow Lane and perpendicular to both sides of Llano Road, is proposed to protect the LTP from Colgan Creek flooding events.

#### Flood Gate and Warning System

A new flood gate, immediately south of the southern LTP entrance, is proposed to provide maximum flood protection against flood waters rising within and adjacent

to Llano Road proper. The gate will activate at specified design floodwater elevations.

The road would also be raised approximately 2.5 feet at the location of the proposed gate and gradually taper down to the existing road grade approximately 350 feet to the north and 250 feet to the south of the new gate. A pier and lagging retaining wall will also be required as part of the road improvements.

Immediately north of the flood gate, and south of the Laguna, a warning signal and barrier arm system is also proposed that will activate when specified design floodwater elevations are reached.

These improvements are within County Right of Way and will require a Maintenance and Indemnification Agreement, by and between the City and County of Sonoma.

### **Stormwater Improvements**

Installation of the new flood protection berm will change the existing hydrologic characteristics of the areas both within and outside the limits of the berm footprint, which will necessitate the need to modify and improve the existing stormwater system currently serving the LTP property. The proposed stormwater improvements will consolidate and redirect stormwater via a gravity system to the Laguna de Santa Rosa (Laguna) until the flows backwater to a specified design floodwater elevation that activates the operations of a stormwater pump station (currently in construction under the Laguna Treatment Plant Disinfection Improvements Project, Contract No. 284) and pumped to the Laguna. The operational controls of the pump station will have the flexibility to pump the water to the Laguna or the beginning of the sewage treatment process. Additionally, the system will have the capability to be operated to capture any first flush rain events, or potential spills at LTP, and pump the captured liquids to the beginning of the treatment process. These improvements will require the removal of existing discharge facilities and modifications to an existing wetland bank.

### **CEQA Compliance**

In December 2022, an Initial Study/Proposed Mitigated Negative Declaration (IS/MND) was completed by GHD of Santa Rosa, CA for the Project to satisfy the requirements of the CEQA (see Attachment 2). The IS/MND describes the proposed Project and the potential impacts, from construction activities and the operations of the proposed facilities to the existing environment. The document identified compliance with existing regulations and standard best management practices (BMP) that would render potential impacts to air quality, water quality, and greenhouse gas emissions to less than significant, and mitigation measures to reduce potential impacts to biological resources and Tribal Cultural Resources to less than significant.

In accordance with Assembly Bill 52 and CEQA guidelines, project notification letters were sent to two tribes in the area, including the Lytton Rancheria of California and the Federated Indians of Graton Rancheria (FIGR). Lytton Rancheria acknowledged receipt of the consultation request and confirmed that no further consultation was required. The FIGR requested consultation on alternatives to the projects, recommended mitigation measures, and significant effects of the projects. The Federated Indians of Graton Rancheria reviewed and provided comments on

mitigation measures in the draft IS/MND. To address this concern, the MMRP (see Attachment 3) includes the following mitigation measures:

Mitigation Measure TCR-1: Protect Unknown Tribal Cultural Resources

The City shall prepare a Tribal Cultural Resources Inadvertent Discovery Treatment Plan for the LTP. The Treatment Plan shall be reviewed by the City and FIGR and approved by the City before the start of Project construction. Alternatively, the city may utilize and implement a Treatment Plan prepared by the United States Environmental Protection Agency, approved through the Section 106 process, and meets the criteria of this mitigation measure. The Treatment Plan shall detail recommended steps for protecting, preserving, or data recovery for archaeological and tribal cultural resources if found.

The Treatment Plan shall include one or more of the following strategies to ensure that appropriate actions to protect tribal cultural resources are taken, as described below.

- Protection and Preservation  
The preferred treatment of an archaeological resource is protection and preservation. Protection can be achieved by either avoidance, by covering an archaeological resource with geo-fabric and sufficient fill to protect it during and after construction, or by reducing/restricting development within the boundaries of a resource.
- Pre-Construction Data Recovery  
For significant archaeological resources that are not protected and preserved in place, data recovery within a sensitive area to be affected is necessary. Data recovery must be performed by qualified archaeologists using standard archaeological techniques and will include processing and analysis of recovered cultural materials using appropriate archaeological methods, and preparation of the recovered materials for permanent disposition (e.g., re-burial in a location that would be protected in perpetuity) per the requirements of the Treatment Plan.
- Construction Monitoring  
Archaeological monitoring shall be instituted for ground-disturbing activities performed by a qualified archaeologist and may also include a Native American monitor.

A Tribal Monitoring Agreement with the Federated Indians of Graton Rancheria is currently being drafted that formalizes procedures for Tribal monitoring of the Project and the treatment of Tribal cultural resources should they be discovered.

The IS/MND was issued for public notice and review for 38 days, beginning December 21, 2022, and ending on January 27, 2023. IS/MND documents were sent to the State Clearinghouse for a 30-day public review period and distribution to responsible state agencies. The IS/MND was posted on the City's Transportation & Public Works

Department website. A Notice of Intent (NOI) to adopt the MND was published in the Press Democrat on December 21, 2022, in accordance with CEQA requirements. In addition, on December 20, 2022, the NOI was mailed to property owners within 600 feet of the project site. Noticing exceeded CEQA requirements.

Comments were received from the California Department of Fish and Wildlife (CDFW). The letter is appended to the Response to Comments (see Attachment 4). The CDFW comment letter provides comments concerning potential impacts to plant and wildlife resources, pursuant to CEQA Guidelines section 15386. Though not required by CEQA, a written response to the comments is included in Attachment 4.

### PRIOR BOARD OF PUBLIC UTILITIES REVIEW

On April 3, 2014, the Board recommended that the City Council authorize the issuance of Series 2014A Wastewater Revenue Bonds to finance several capital improvement projects, one of which was \$1.0 million for the “evaluation study and design of the construction of a flood protection project to reduce flood vulnerability.”

On November 19, 2015, the Board was advised of the plan to design and install a temporary flood wall to address flooding conditions similar to the 2005 storm flood level recurrence, and that the permanent flood wall was projected at 3 to 4 years in the future to complete.

On March 17, 2016, the Board was advised that the temporary flood protection wall around specific key facilities at the LTP was complete and likely to be in place for an estimated 5 years.

On April 24, 2017, the Contract Review Subcommittee reviewed a Project Work Order (PWO), under the Master Professional Services Agreement, for engineering design services with Brelje and Race Consulting Civil Engineers, and recommended approval of the PWO to the Board.

In September 2017, the Board approved a PWO with Brelje and Race Consulting Engineers, of Santa Rosa, California, to provide professional engineering design services. At the same time, the City also issued a PWO to Schaff & Wheeler Consulting Civil Engineers to provide professional floodplain analysis services.

On June 21, 2018, Water Department provided a briefing to the Board describing Federal Emergency Management Agency’s (FEMA) Hazard Mitigation Grant Program (HMGP), a FEMA hazard assistance program. During this presentation, staff presented information about the LTP Flood Protection Project.

On August 2, 2018, the Board approved a resolution authorizing Water Department to submit an HMGP grant application for the LTP Flood Protection Project and authorized a commitment to meet the local match share of funding.

On November 15, 2018, the Board approved the Water Department to apply for Pre-Disaster Mitigation (PDM) grant funding through the FEMA and the California Office of Emergency Services for the Project and committed to meeting the local match fund requirements for the grant should the Project be selected.

In February 2019, the Board approved a Professional Services Agreement (PSA) with GHD, Inc., of Santa Rosa, California, to provide professional environmental services.

### ANALYSIS

This proposed action will adopt the IS/MND, and the MMRP, and approve the Project.

The IS/MND identified that with the inclusion of specific environmental protection actions, mitigation measures, and monitoring actions as part of the Project, potential impacts could be reduced to less than significant.

Upon adoption of the MND and MMRP, 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 Project.

### FISCAL IMPACT

Funds for this project were previously appropriated in Santa Rosa Water's Capital Improvement Program Budget.

### ENVIRONMENTAL IMPACT

Pursuant to CEQA, an IS/MND was prepared for the project and circulated for 38 days starting on December 21, 2022. This City voluntarily extended the required 30-day review period due to several holidays that occur during this review period. A Notice of Intent to adopt an MND was posted in accordance with the CEQA requirements on December 21, 2022, on the City's website on December 16, 2022, and published in the Press Democrat on December 21, 2022. In addition, on December 20, 2022, the NOI was mailed to property owners within 600 feet of the project site. Comments were received from the California Department of Fish and Wildlife. As demonstrated in the Response to Comments, the IS/MND as noticed, remains sufficient to adequately evaluate the environmental effects of the Project, and none of the conditions outlined within Section 15073.5 of the CEQA Guidelines requiring recirculation were met.

During the review period, the City received no phone calls in response to the CEQA document, although it did receive inquiries about the project's impact on increasing flood conditions in the surrounding area. The City sent the property owner the link to the project website that contains information about the project including the Initial Study/MND which contains an analysis of the project's potential to redirect flood flows, as well as other project-related documents and information.

## BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

## ATTACHMENTS

- Attachment 1 - Project Location
- Attachment 2 - Initial Study / Mitigated Negative Declaration
- Attachment 3 - MMRP
- Attachment 4 - Response to Comments
- Resolution

## CONTACT

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