
Date: April 30, 2024

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Directors Of The Sonoma Valley County Sanitation District Determining That The Sonoma Valley County Sanitation District System Protection Plan at Kohler and Sonoma Creek Crossings Project Will Not Have A Significant Adverse Effect On The Environment, Adopting The Initial Study And Mitigated Negative Declaration of Environmental Impact For The Project, Adopting Mitigation Measures And The Mitigation Monitoring Reporting Program, Making Certain Related Findings, Approving The Project, Authorizing Execution of Property Rights Agreements, and Authorizing Independent Property Appraisals.

Whereas, the Sonoma Valley County Sanitation District (District) proposes to protect the sewer pipeline system along Kohler and Sonoma creeks; and

Whereas, the District, as Lead Agency under the California Environmental Quality Act (CEQA), prepared an Initial Study and Mitigated Negative Declaration of Environmental Impact (Initial Study) for the Sonoma Valley County Sanitation District System Protection Plan at Kohler and Sonoma Creek Crossings Project (Project), in accordance with CEQA, the State CEQA Guidelines, and Sonoma County Water Agency's (Sonoma Water's) Compliance Procedures for CEQA; and

Whereas the Initial Study discloses potential environmental impacts of implementing the Project, identifies the means to avoid and minimize potential significant adverse impacts on the environment and concludes the Project would not have a significant adverse effect on the environment with mitigation incorporated.

Whereas, the District must acquire permanent easements and temporary construction easements with affected property owners.

Now, Therefore, Be It Resolved that this Board finds that the foregoing recitals are true and correct and further finds, declares, determines and orders as follows:

PROCEDURAL FINDINGS.

1. The Project site is along Kohler and Sonoma creeks south of Glen Ellen.
2. As described in the Initial Study Project Description, the purpose of the Project is

to prevent the failure of an existing underground sewer collection pipeline system that serves the Glen Ellen area.

3. The Notice of Completion and Notice of Availability / Notice of Intent to Adopt Initial Study and Mitigated Negative Declaration (Notice of Availability) were posted with the California Governor's Office of Planning and Research State Clearinghouse on July 17, 2023. The Notice of Availability and Initial Study were sent to responsible and trustee agencies and individuals. The Notice of Availability was sent to nearby property owners. A legal notice was published in the Press Democrat on July 23, 2023, and Sonoma Index Tribune on July 26, 2023. The Initial Study and Notice of Availability were also made available at Sonoma Water's administrative office and an electronic version of the documents were made available on Sonoma Water's website.

4. The Initial Study was available for a 30-day public review period beginning on July 18, 2023, and ending on August 16, 2023. No written comments were received.

5. Based on comments made in the AB52 consultation with the Federated Indians of Graton Rancheria, revisions have been made in the Initial Study to a cultural resources mitigation measure and a tribal cultural resources mitigation measure has been substituted. These measures are equivalent or more effective in mitigating significant effects on the environment to a less than significant level, do not cause any potentially significant effect on the environment, and do not require recirculation pursuant to Public Resources Code section 21080(f) and CEQA Guidelines section 15074.1.

SUBSTANTIVE FINDINGS.

1. The District, as Lead Agency, has prepared the Initial Study and Mitigated Negative Declaration of Environmental Impact in accordance with CEQA, State CEQA Guidelines, and Sonoma Water's Compliance Procedures for CEQA.

2. The Board of Directors of the District (Board) has reviewed and considered the environmental effects of the Project as disclosed in the Initial Study and Mitigated Negative Declaration.

3. Less-than-Significant Impacts

The Board finds that the Project described in the Initial Study has certain impacts that are less than significant, which are fully and accurately identified in the Initial Study's Chapter 3, Environmental Checklist.

4. Significant Impacts Reduced to a Less than Significant Level by Mitigation Measures

The Board finds that the Project would cause certain potentially significant adverse environmental impacts, which are fully described in the Initial Study, Chapter 3. Environmental Checklist. The Board further finds that changes or alterations have been required in or incorporated into the Project that will mitigate those impacts to less than significant levels as described in Chapter 3 of the Initial Study. A Mitigation Monitoring

and Reporting Program, as described in Appendix D of the Initial Study, was prepared and is included as Exhibit A. Based on such findings, and the above statement of facts, the Board hereby finds that the significant or potentially significant adverse environmental effects posed by the Project have been eliminated or reduced to a less than significant level.

5. Mitigation and Monitoring Reporting Program

A Mitigation and Monitoring Reporting Program, as described in Appendix D of the Initial Study, was prepared. The contents of this program are set forth in Exhibit A, attached hereto and incorporated herein by this reference. The Board finds that this Mitigation and Monitoring Reporting Program is designed to ensure compliance with the mitigation measures described in the Initial Study. It will be implemented in accordance with all applicable requirements of the CEQA Statute, the State CEQA Guidelines, and Sonoma Water's Compliance Procedures for CEQA.

6. The Board finds that the Initial Study represents a good faith effort to achieve completeness and full environmental disclosure; and

7. The Board has reviewed and considered the information in the Initial Study, and finds that there is no substantial evidence that the Project will have a significant effect on the environment with mitigation incorporated and that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board.

8. In order to construct and maintain the Project, the District must acquire additional property rights for access. The additional property access consists of a combination of permanent easements and temporary construction easements from approximately four properties at a cost of up to \$75,000.

Be It Further Resolved that the Board of Directors of the Sonoma Valley County Sanitation District having received, reviewed, and considered the Initial Study and Mitigated Negative Declaration of Environmental Impact and other evidence in the administrative record, hereby finds, determines, and certifies as follows:

1. All of the above recitals are true and correct.
2. The Initial Study and Mitigated Negative Declaration of Environmental Impact for the Project is hereby adopted. The Mitigation Monitoring and Reporting Program (Exhibit A) is hereby adopted and the Board authorizes and directs the General Manager of the Sonoma County Water Agency or his assigns to take all appropriate steps in accordance with such program to ensure that the required mitigation measures are carried out.
3. The District must acquire additional property rights for access in the form of easement agreements to construct and maintain the Project.

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4. The Project is hereby approved and the Sonoma County Water Agency's General Manager, acting on behalf of the Sonoma Valley County Sanitation District, will execute permanent and temporary easement agreements and file a Notice of Determination with the County Clerk in conformance with the provisions of CEQA, State CEQA Guidelines, and Sonoma Water's Compliance Procedures for CEQA.
5. The Clerk of the Board is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the Board's decisions herein are based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100A, Santa Rosa, CA 95403.

Directors:

Gorin:

Rabbitt:

Gurney:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.