

Resolution No. _____
County Administration Bldg.
Santa Rosa, CA

Date: _____

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA COUNTY WATER AGENCY (SONOMA WATER) DETERMINING THAT THE GRANT OF EASEMENTS AND CONSENT TO USE OF PROPERTY WILL NOT ADVERSELY AFFECT SONOMA WATER IN ANY RESPECT AND WILL NOT HAVE A SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT; AND AUTHORIZING GENERAL MANAGER TO EXECUTE FOUR EASEMENT AGREEMENTS AND A CONSENT AGREEMENT REQUESTED BY MP 414 PETALUMA ASSOCIATES, LP (MIDPEN). (4/5 VOTE REQUIRED).

WHEREAS, Sonoma Water is the owner of property, and a right of way and easement for purposes of construction, maintenance, repair, and operation of underground water transmission pipelines and related installations; and

WHEREAS, affordable housing developer MidPen is constructing an apartment complex at 414 Petaluma Boulevard North, adjacent to Sonoma Water property, and has requested easements over segments of property owned and operated by Sonoma Water; and

WHEREAS, Sonoma Water staff has reviewed MidPen's proposed plans and determined that the grant of easement to MidPen and each of three utilities (Comcast Cable Communications Management, LLC, Pacific Gas & Electric Company, and AT&T Inc., respectively) at APN 006-163-037, and consent to use a portion of Sonoma Water's easement (APN 006-163-044) will not adversely affect Sonoma Water; and

WHEREAS, the City of Petaluma has prepared an Environmental Assessment and a Finding of No Significance on July 30, 2020 for the project. The MidPen Apartment Complex Project is exempt from the provisions under the California Environmental Quality Act (CEQA) because it qualifies under Government Code Section 65913.4, Senate Bill-35, which allows for a ministerial streamlined review of affordable housing projects that meet certain criteria; and

WHEREAS, Sonoma Water's General Manager has determined that the proposed consent and easements are exempt from CEQA, pursuant to Section 15304(f), Minor Alterations to Land, because it would result in the minor alteration of land within previous disturbed area and would not involve the removal of any healthy, mature scenic trees; and

WHEREAS, Sonoma Water has prepared a Notice of Exemption for granting of the easements for the MidPen project in accordance with CEQA, the State CEQA Guidelines, and Sonoma Water's Compliance Procedures for CEQA.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sonoma County Water Agency hereby finds, determines, and declares as follows:

1. The above recitals are true and correct.
2. This Board hereby determines the grants of easement and consent will not have a significant adverse effect on the environment.
3. This Board hereby finds and determines that the grants of easement and consent will not adversely affect Sonoma Water in any respect.
4. The Board hereby authorizes Sonoma Water's General Manager to execute the Easement agreement and Consent agreement with MP 414 Petaluma Associates, LP; and Easement agreements with each of three utilities: Comcast Cable Communications Management, LLC, Pacific Gas & Electric Company, and AT&T Inc., respectively, in a form approved by county counsel.

DIRECTORS:

GORIN _____ RABBITT _____ COURSEY _____ HOPKINS _____ GORE _____

Ayes _____ Noes _____ Absent _____ Abstain _____

SO ORDERED