



Legislation Text

File #: 2020-0574, **Version:** 1

To: Board of Directors, Sonoma County Water Agency, Occidental County Sanitation District, Sonoma Valley County Sanitation District, South Park County Sanitation District, Russian River County Sanitation District
Department or Agency Name(s): Sonoma County Water Agency
Staff Name and Phone Number: Anne Crealock, 547-1948
Vote Requirement: 2/3rd
Supervisory District(s): All

Title:

Update to Procedures for the Implementation of the California Environmental Quality Act (CEQA)

Recommended Action:

Adopt a Concurrent Resolution of the Board Of Directors of the Sonoma County Water Agency, Occidental County Sanitation District, Sonoma Valley County Sanitation District, South Park County Sanitation District, and the Russian River County Sanitation District, adopting the State of California's California Environmental Quality Act (CEQA) Guidelines by reference, as they may be amended, and delegating authority for compliance procedures under CEQA to Sonoma Water's General Manager.

Executive Summary:

The California Environmental Quality Act (CEQA) requires state and local agencies to identify the significant environmental impacts of their discretionary actions and to avoid or mitigate those impacts, if feasible. Sonoma County Water Agency (Sonoma Water) staff prepares, on behalf of itself and its sanitation districts, as a lead agency under the California Environmental Quality Act, environmental analyses and documents pursuant to the requirements of CEQA and Sonoma Water's Procedures for the Implementation of CEQA. Sonoma Water's Procedures for the Implementation of CEQA were last updated and approved by the Board of Directors on December 13, 1994. Sonoma Water staff proposes an update to simplify these guidelines and procedures.

Discussion:

The California Environmental Quality Act (CEQA) is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. Sonoma Water staff prepares, on behalf of itself and its sanitation districts, as a lead agency under the CEQA, environmental analyses and documents pursuant to the requirements of the CEQA (California Public Resources Code section 21000 et seq.), the State CEQA Guidelines (Cal. Code of Regulations, Title 14, Division 6, Chapter 3), and Sonoma Water's Procedures for the Implementation of CEQA.

CEQA requires local agencies to have their own CEQA procedures, but it simultaneously allows local agencies to incorporate the State's CEQA guidelines by reference. While the adoption of CEQA procedures by a public agency can be beneficial, particularly where an agency has multiple decision making authorities over a project,

the State CEQA Guidelines already provide detailed procedural guidance addressing issues such as notices and comment periods. In Sonoma Water's case, the provisions required in addition to this incorporation by reference are minimal. Sonoma Water's Procedures for the Implementation of CEQA (CEQA Procedures) were last updated and approved by the Board of Directors on December 13, 1994. Staff believes they can be simplified in a manner that increases flexibility and efficiency.

The updated CEQA Procedures incorporate by reference the State's CEQA Guidelines (Cal. Code of Regulations, Title 14, Division 6, Chapter 3), and would also be similar to the existing CEQA Procedures in that they delegate authority to Sonoma Water's General Manager initial procedural determinations about how to comply with CEQA. The updated and simplified CEQA Procedures would improve flexibility, the pace of certain actions, and allow for more flexible public engagement. The updated CEQA Procedures authorize the General Manager to hold hearings, public workshops, or other meetings that may be either necessary under CEQA or, if not required, helpful to convey information to the public. This approach allows for diverse types of public outreach and engagement prior to Board consideration of whether to approve a project. The revised policy would no longer require a Board member to sit as a meeting "chairman" or hearing officer or to formally designate an officer. The updated CEQA Procedures would also authorize the General Manager to issue standard notices that may be required under CEQA. Technical questions frequently arise about what kind of study is required for water and sanitation projects, and the updated CEQA Procedures would authorize the General Manager to rely on Sonoma Water's scientific and technical expertise in order to determine how best to comply with CEQA. The General Manager would be authorized to adopt additional CEQA procedures if appropriate. Sonoma Water and the sanitation districts would continue to be governed by shared policies.

These revised and simplified procedures would not change what projects come to the Board for approval, but they would reduce the number of non-essential Board items related to those projects. The updated CEQA procedures would not result in additional costs or procedural burdens but would allow for more efficient CEQA compliance and more flexible public outreach during the compliance process.

Prior Board Actions:

12/06/1994: Resolution 94-1716, Concurrent Resolution Of The Boards Of Directors Of The Forestville County Sanitation District, Occidental County Sanitation District, Sonoma Valley County Sanitation District, South Park County Sanitation District, And The Russian River County Sanitation District Adopting The Sonoma County Water Agency' S CEQA Implementing Procedures.

FISCAL SUMMARY

Expenditures	FY 19-20 Adopted	FY20-21 Projected	FY 21-22 Projected
Budgeted Expenses			
Additional Appropriation Requested			

Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

No financial impacts are anticipated other than avoided costs associated with staff time for the preparation of agenda items seeking Board authorization to release Draft EIRs and identify hearing dates and officers as previously required.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

Resolution

Related Items "On File" with the Clerk of the Board:

None