



# GARBERVILLE SANITARY DISTRICT

P.O. BOX 211 • GARBERVILLE, CA 95542 • (707) 923-9566

## RESOLUTION NO. 23-015

### RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARBERVILLE SANITARY DISTRICT ADOPTING AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE GARBERVILLE SANITARY DISTRICT ROBERTSON/WALLAN/HURLBUTT TANKS REPLACEMENT PROJECT

WHEREAS, the Garberville Sanitary District (the "District") proposes improvements to the District's community water system including replacing water tanks, replacing/upgrading booster pump stations, installing new segments of distribution piping, and replacing/upgrading backup generators, instrumentation, and controls ("Robertson/Wallan/Hurlbutt Tanks Replacement Project" or "Project"); and

WHEREAS, the Project is subject to the California Environmental Quality Act (CEQA) because the Project involves the use of State funds (State Water Resources Control Board Division of Financial Assistance - Proposition 68; Department of Water Resources (DWR) Small Community Drought Relief Program) and requires discretionary approval by GSD; and

WHEREAS, the District is the CEQA lead agency and, with the assistance of its retained consultant SHN, has performed an analysis of potential environmental impacts associated with the Project; and

WHEREAS, the District has prepared the Final Initial Study/Mitigated Negative Declaration (IS/MND) dated December 2023, which is the Draft IS/MND that was circulated for review and comment, and supplemented based upon the comments received; and

#### Findings

The Board of Directors of the Garberville Sanitary District hereby finds and determines as follows:

1. The District proposes to adopt the Final IS/MND for the Project.
2. A Draft IS/MND and a Final IS/MND were prepared for this Project by a qualified consultant (SHN) under the direction of District staff. The Draft IS/MND and Final IS/MND were prepared to meet the requirements of CEQA (California Public Resources Code § 21000, *et seq.* and the Guidelines for Implementation of CEQA (Title 14, Cal. Code of Regs., § 15000 *et seq.*).
3. The IS/MND concluded that the Project could result in potentially significant impacts to aesthetics, air quality, biological resources, cultural resources, geology/soils, and noise, and that the potentially significant effects can be avoided or reduced to less than significant with the addition of mitigation measures.

4. A Mitigation, Monitoring, and Reporting Program (MMRP) was prepared for the Project.
5. The Draft IS/MND was properly prepared using the current Initial Study checklist (CEQA Appendix G), so as to evaluate the potential for potentially significant environmental impacts under CEQA. It was advertised and circulated for public review for the required 30 days in accordance with CEQA (from October 25 through November 24, 2023). The District caused the "Notice of Availability of a Draft Initial Study/Mitigated Negative Declaration and Intent to Adopt a Mitigated Negative Declaration" to be circulated as follows:
  - a. Circulated through the Governor's Office of Planning and Research CEQA State Clearinghouse for the required 30 days (filed on October 23, 2023; State Clearinghouse Number 2023100664);
  - b. Filed at the Humboldt County Clerk Recorder's Office (on October 25, 2023);
  - c. Mailed to all contiguous property owners surrounding the Project sites (mailed on October 20, 2023);
  - d. Mailed to applicable state and local public agencies and known interested parties (mailed on October 20, 2023);
  - e. Advertised in a newspaper of general circulation in the project area (published online at kymkemp.com on October 23, 2023);
  - f. Posted physically at the Garberville library, post office, and GSD office and online on GSD's website (on October 24, 2023),
6. Written comments were received by the District in response to the Draft IS/MND (seven comment emails and two comment letters).
7. Responses to those comments were prepared by SHN and considered by the Board.
8. The Board of Directors conducted a public hearing for the Project on December 19, 2023 to consider adoption and approval of the Final IS/MND.
9. The Board of Directors has reviewed and considered the Final IS/MND, MMRP, public notice, correspondence, staff reports, any comments received at the public hearing or in writing, and responses to comments, which together constitute the whole record for this project.
10. The Final IS/MND reflects the independent judgment and analysis of the Board of Directors.

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NOW, THEREFORE, the Board of Directors of the Garberville Sanitary District hereby resolves as follows:

1. The Board of Directors hereby finds that the Final IS/MND was prepared pursuant to CEQA;

2. The Board of Directors has reviewed and considered the Final IS/MND, together with all comments received during the public review process and information provided in response to those comments, prior to adopting the Final IS/MND;
3. The Board of Directors hereby finds that, based on the whole of the record before it, including all documents and comments, there is no substantial evidence the Project will have a significant effect on the environment with the incorporation of the mitigation measures included therein;
4. The Board of Directors hereby finds that, based on the whole of the record before it, there is substantial evidence that no new information was added to the record after circulation of the Draft IS/MND and "Notice of Availability of a Draft IS/MND and Intent to Adopt a Mitigated Negative Declaration" that warrants revision and recirculation;
5. The Board of Directors adopts the Final IS/MND;
6. The Board of Directors adopts the Mitigation, Monitoring, and Reporting Program for the Project. District Staff is directed to implement the mitigation measures adopted in the Final IS/MND. This is to be accomplished by coordinating with the North Coast Air Quality Management District, California Department of Fish & Wildlife, U.S. Fish & Wildlife Service, State Water Resources Control Board, North Coast Regional Water Quality Control Board, U.S. Army Corps of Engineers, selected construction contractor(s), and District Staff to ensure that the mitigation measures are implemented.
7. District Staff is directed to maintain the documents which constitute the record of proceedings for approving this Project, which are located at the office of the Garberville Sanitary District, 919 Redwood Drive, Garberville, CA 95542.
8. District Staff is directed to file a Notice of Determination for the project within five (5) days.

Passed and adopted by the Garberville Sanitary District's Board of Directors on **December 19, 2023** during a regular meeting, by the following vote:

AYES:	Directors	<u>ANDERSON, BRYAN, LYON, THOMAS</u>
NOES:	Directors	<u>NONE</u>
EXCUSED:	Directors	<u>LANDIS</u>

  
 Doug Bryan, Chair of the Board

ATTEST:

  
 Ralph Emerson  
 Clerk of Board of Directors