

Notice of Determination

Appendix D

To:

☐ Office of Planning and Research
U.S. Mail: _____ Street Address: _____
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

☒ County Clerk
County of: Marin
Address: 3501 Civic Center Dr. #234
San Rafael, CA 94903

From:

Public Agency: Las Gallinas Valley Sanitary District
Address: Administration Bldg., 300 Smith Ranch Rd.
San Rafael, CA 94903

Contact: Michael Cortez, District Engineer

Phone: (415) 526-1518

Lead Agency (if different from above):

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2016052009

Project Title: Addendum to Final IS/MND-LGVSD Secondary Treatment and Recycled Water Plant Upgrade Project

Project Applicant: Las Gallinas Valley Sanitary District

Project Location (include county): 300 Smith Ranch Road, San Rafael, CA 94903, CA (Marin County)

Project Description:

LGVSD's Modified Project consists of a new permanent laydown area to store HDPE pipe and other associated construction materials on top of wooden pallets as a part of constructing the Las Gallinas Secondary Treatment and Recycled Water Plant Upgrade Project. The permanent laydown area is situated south of the retention basins near the Las Gallinas Wildlife Ponds that are part of the ongoing operation of the WWTP. The laydown area does not encroach onto the existing road south of the retention basins and would not obstruct public use or any other uses of the area. The laydown area would not obstruct public use or any other uses of the area.

This is to advise that the Las Gallinas Valley Sanitary District has approved the above
(☒ Lead Agency or ☐ Responsible Agency)

described project on 12/5/2019 and has made the following determinations regarding the above
(date)
described project.

1. The project [☒ will ☐ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Las Gallinas Valley Sanitary District, Administration Building, 300 Smith Ranch Road, San Rafael, CA 94903

Signature (Public Agency): _____ Title: DISTRICT ENGINEER

Date: 12/11/2019 Date Received for filing at OPR: _____

DEC 16 2019

RESOLUTION NO. 2019-2180

A RESOLUTION APPROVING AND ADOPTING AN ADDENDUM (ADDENDUM No. 2) TO THE ADOPTED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE LAS GALLINAS SECONDARY TREATMENT AND RECYCLED WATER PLANT UPGRADE PROJECT (JOB NO. 12600-07 & 16650-02) AND APPROVING THE MODIFIED PROJECT FOR THE LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, the Las Gallinas Valley Sanitary District (the "District") approved and adopted Resolution No. 2016-2073 on June 9, 2016 approving and adopting the Mitigated Negative Declaration (the "2016 MND") and Mitigation Monitoring and Reporting Program for the Secondary Treatment and Recycled Water Plant Upgrade Project (also known as Secondary Treatment Plant Upgrade and Recycled Water Expansion, or Novato South Service Area/LGVSD-MMWD Recycled Water Project), to handle peak wet weather flows, improve effluent quality, and maximize the plant's ability to provide recycled water; and

WHEREAS, the types of facilities included in the Secondary Treatment and Recycled Water Plant Upgrade provide additional capacity for wet weather treatment, reduced nutrient concentrations and improved effluent quality. Specific elements include: a combined fixed-film, activated sludge process, equalization basin, replacement of three existing pump stations with one new primary pump station, two additional secondary clarifiers, raising the secondary treatment and clarification processes out of reach of tidal influences, expansion of the Recycled Water Facility to design capacity, sludge thickeners, various new structures to house said elements and related piping, realignment of the main road to the perimeter to limit tidal influences, relocated laboratory building, and modifications to the administration building, relocation of some power poles and overhead power lines, removal of existing lagoons on the east side of the plant, electrical system upgrades, new utility transformer, new service entrance, new metering equipment, replacement of the existing generator, and new odor control system (the "Project"); and

WHEREAS, the Project currently under consideration (herein after "Modified Project") consists of a new permanent staging area to store construction materials. The permanent staging area is situated south of the sludge storage lagoons near the Las Gallinas Wildlife Ponds that are part of the ongoing operation of the wastewater treatment plant. The staging area does not encroach onto the existing road south of the sludge storage lagoons and would not obstruct public use or any other uses of the area. All applicable mitigation measures from the 2016 IS/MND are required to be implemented by the Modified Project, including Mitigation Measure BIO-2 (Nesting Bird Surveys and Avoidance); and

WHEREAS, the District's staff has determined that construction of the Modified Project does not constitute substantial changes to the original Project, preparation of an Addendum is consistent with the California Environmental Quality Act, Public Resources Code Section 15164(b) (CEQA); and

WHEREAS, the Modified Project as analyzed in the Addendum has been presented to the Board, attached hereto as Exhibit "A" and made a part thereof, and the Board has carefully reviewed these documents and all of the information contained in the record for the Project; and

WHEREAS, the Addendum was prepared pursuant to CEQA, the State CEQA Guidelines, and the District's Local CEQA Guidelines; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF LAS GALLINAS VALLEY SANITARY DISTRICT AS FOLLOWS:

Section 1. The above recitals are incorporated herein by reference.

Section 2. Environmental Findings. The Board, in light of the whole record before it including, but not limited to, the District's local CEQA guidelines, the proposed Addendum and documents incorporated therein by reference, any comments received and responses provided, and other substantial evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2) within the record and/or provided at the public meeting, hereby finds and determines as follows:

Review Period: That the District is not required by CEQA to circulate the Addendum for public review.

Compliance with Law: That Addendum was prepared, processed, and noticed in accordance with the CEQA (Public Resources Code Section 21000 *et seq.*), the CEQA Guidelines (14 California Code of Regulations Section 15000 *et seq.*) and the District's local CEQA guidelines.

Independent Judgment: That Addendum reflects the independent judgment and analysis of the District.

Mitigation Monitoring and Reporting Program: That the mitigation measures identified in the Mitigation Monitoring and Reporting Program adopted by the District on June 9, 2016 designed to ensure compliance during Project implementation, are sufficient to mitigate for any potentially significant impacts identified and are fully enforceable through permit conditions, agreements, or other measures as required by Public Resources Code Section 21081.6.

No Significant Effect: That there are no new significant impacts as a result of the proposed revisions to the Project and that mitigation measures imposed as conditions of approval on the original Project avoid or mitigate any potential significant effects on the environment identified in the Initial Study to a point below the threshold of significance. Furthermore, after taking into consideration the mitigation measures imposed, the District finds that there is no substantial evidence, in light of the whole record, from which it could

be fairly argued that the Modified Project may have a significant effect on the environment. Therefore, the District finds that the Modified Project will not have a significant effect on the environment.

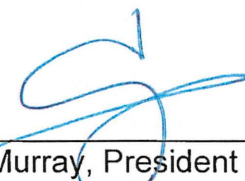
Section 3. Adoption of Addendum No. 2 to the 2016 MND adopted on June 9, 2016 and Addendum No. 1 adopted on November 15, 2018. The Board hereby approves and adopts the Addendum prepared for the Las Gallinas Secondary Treatment and Recycled Water Upgrade Project and approves the Modified Project.

Section 4. Notice of Determination. The Board directs District staff to prepare, execute, and file a Notice of Determination with the Marin County Clerk within five (5) working days of the passage and adoption of this Resolution.

Section 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at 300 Smith Ranch Road, San Rafael, CA 94903. The custodian of these records is Teresa Lerch, District Secretary.

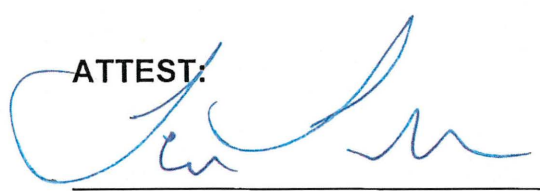
Section 6. Effective Date. This resolution shall take effect immediately upon its adoption.

ADOPTED this 5th day of December 2019.



Craig K. Murray, President Board of Directors

ATTEST:



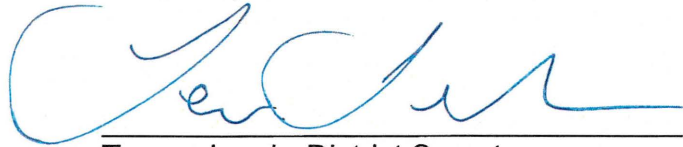
Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

CERTIFICATION

I, Teresa Lerch, Secretary of the Board of Directors of Las Gallinas Valley Sanitary District, certify that the foregoing resolution was regularly adopted by the Board of Directors of said District at a regular meeting held on the 5th day of December, 2019, by the following vote of the Directors:

AYES, and in favor thereof, Members: *Clark, Elias, Murray, Schriebsman, Yerman*
NOES, Members: *None*
ABSTAIN, Members: *None*
ABSENT, Members: *None*

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Las Gallinas Valley Sanitary District, this 5th day of December, 2019.



Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District



EXHIBIT A

ADDENDUM TO THE ADOPTED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE LAS GALLINAS SECONDARY TREATMENT AND RECYCLED WATER PLANT UPGRADE PROJECT

(Due to their size, the following are provided on the enclosed CD, and a hard copy is available at the counter.)

Addendum to the Adopted Initial Study/Mitigated Negative Declaration

Appendix A – Nesting Bird Survey Results for the Las Gallinas Valley Sanitary District Secondary Treatment Upgrade Project, San Rafael, California (June 7, 2019)

Appendix B – Final Initial Study/Mitigated Negative Declaration – Las Gallinas Secondary Treatment and Recycled Water Plant Upgrade Project (June 2016)

Mitigation Monitoring and Reporting Program