

## 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: San Joaquin  
 Address: 44 N. San Joaquin Street  
2nd Floor, Suite 260, Stockton, CA 95202

## From:

Public Agency: City of Riverbank  
 Address: 6707 3rd Street  
Riverbank, CA 95367  
 Contact: Michael Riddell  
 Phone: 209.869.7128

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): 2022090345

Project Title: Riverbank Regional Recycled Water Project

Project Applicant: City of Riverbank

Project Location (include county): 23865 Santa Fe Road, Riverbank, CA 95367, San Joaquin County

## Project Description:

The project involves upgrades to the existing Riverbank Wastewater Treatment Plant (WWTP), including new secondary and tertiary treatment and disinfection facilities, construction of a recycled water storage tank, reconfiguration of existing treatment and percolation ponds to provide additional seasonal recycled water storage, and installation of a recycled water distribution system to deliver the disinfected tertiary recycled water to agricultural lands adjacent to the WWTP for irrigation of walnut orchards. The project is

This is to advise that the City of Riverbank has approved the above  
 (☒ Lead Agency or ☐ Responsible Agency)

described project on December 13, 2022 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:

6707 3rd Street, Riverbank, CA 95367

Signature (Public Agency): Wendy N. Garcia Title: City Manager

Date: 12/14/2022 Date Received for filing at OPR: \_\_\_\_\_

CITY OF RIVERBANK

RESOLUTION 2022-141

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF RIVERBANK, CALIFORNIA  
ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION  
MONITORING AND REPORTING PROGRAM FOR THE RIVERBANK  
REGIONAL RECYCLED WATER PROJECT AND APPROVING THE PROJECT

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THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS  
THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

**WHEREAS**, the City of Riverbank (City) is the lead agency for the Riverbank Regional Recycled Water Project (Project); and

**WHEREAS**, the Project includes upgrade and expansion of the City of Riverbank's existing wastewater treatment plant to serve planned growth in the City through the year 2050 and produce high quality (disinfected tertiary treated) recycled water for distribution to nearby landowners for irrigation of orchards; and

**WHEREAS**, in order to comply with the requirements of the California Environmental Quality Act (CEQA), the City has prepared an Initial Study/proposed Mitigated Negative Declaration (IS/MND) that evaluates the environmental effects of the Project; and

**WHEREAS**, the IS/MND was circulated for public review from September 21, 2022 through October 20, 2022; and

**WHEREAS**, the IS/MND concluded that significant environmental effects on various resources would be avoided or reduced to less-than-significant levels by mitigation measures identified in the IS/MND; and

**WHEREAS**, the comments received on the IS/MND, with responses to these comments, are attached hereto as Exhibit B; and

**WHEREAS**, the IS/MND, attached hereto as Exhibit A, together with the Mitigation Monitoring and Reporting Program (MMRP) attached hereto as Exhibit C, constitute the Final Mitigated Negative Declaration (Final MND); and

**WHEREAS**, the Riverbank City Council has considered the Final MND together with the comments received, and

**WHEREAS**, the significant environmental effects identified in the Final MND can be reduced to a less-than-significant level or avoided by mitigation measures identified in the Final MND; and

**WHEREAS**, all other legal pre-requisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Riverbank does hereby:

1. The Riverbank City Council has independently considered the IS/MND (attached hereto as Exhibit A) and the comments received on the IS/MND as set forth in Exhibit B, and has considered the information contained therein prior to acting on the proposed Project.
2. The Riverbank City Council finds that the comments received do not require any major revisions to the IS/MND due to new or substantially more severe significant effects on the environment.
3. The Riverbank City Council hereby finds that the IS/MND was prepared, published, circulated, and considered in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines; constitutes an adequate, accurate, objective, and complete MND in accordance with the requirements of CEQA and the State CEQA Guidelines; and reflects the independent judgment and analysis of the Riverbank City Council.
4. The Riverbank City Council finds that, on the basis of the whole record before it, there is no substantial evidence that the Project will have a significant effect on the environment.
5. The Riverbank City Council hereby adopts the MND for the Riverbank Regional Recycled Water Project.
6. The Riverbank City Council hereby adopts and incorporates into the Riverbank Regional Recycled Water Project all the mitigation measures identified in the MND.
7. The Riverbank City Council hereby adopts the MMRP for the Project, attached hereto as Exhibit C.
8. The City of Riverbank, City Clerk, located at 6707 Third Street, Riverbank, CA 95367, shall be the custodian of the documents which constitute the record of proceedings upon which this decision is based.

9. The Riverbank City Council hereby approves the Riverbank Regional Recycled Water Project.

**PASSED AND ADOPTED** by the City Council of the City of Riverbank at a regular meeting held on the 13<sup>th</sup> day of December, 2022; motioned by Councilmember Luis Uribe, seconded by Councilmember Leanne Jones Crus, and upon roll call was carried by the following City Council vote of 5/0:

**AYES:** Councilmember, District 1 Luis Uribe  
Councilmember, District 2 Rachel Hernandez  
Councilmember, District 3 Leanne Jones Cruz  
Mayor, Richard D. O'Brien

**NAYS:** None

**ABSENT:** None

**ABSTAINED:** None

**ATTEST:**

  
Gabriela Hernandez  
City Clerk

**APPROVED:**

  
Richard D. O'Brien  
Mayor

**Attachment(s):**

1. Exhibit A – Final Initial Study/Mitigated Negative Declaration, Riverbank Regional Recycled Water Project, November 2022
2. Exhibit B – Riverbank Regional Recycled Water Project Initial Study/Mitigated Negative Declaration Response to Comments and Summary of Text Changes
3. Exhibit C – Mitigation Monitoring and Reporting Program for the Riverbank Regional Recycled Water Project, November 2022



# City of Riverbank

## Office of the City Clerk / Elections

6707 Third Street • Suite A • Riverbank CA 95367

Dept.: (209) 863-7122 • Direct: (209) 863-7198 • FAX: (209) 869-7100

E-mail: [cityclerk@riverbank.org](mailto:cityclerk@riverbank.org)

### CERTIFICATION

I, Gabriela Hernandez, City Clerk of the City of Riverbank, hereby certify that **Resolution 2022-141** is a full, true and correct copy as was duly adopted at a regular meeting of the City Council of the City of Riverbank on the 13<sup>th</sup> day of September, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverbank, California, this 13th day of December, 2022.

  
Gabriela Hernandez  
City Clerk, City of Riverbank

