

RESOLUTION NO. 2015-2033

**A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE
LOWER MILLER CREEK CHANNEL MAINTENANCE PROJECT**

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, consistent with the requirements of the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration for the Miller Creek Channel Maintenance Project ("Project") was prepared, which found that the project would not result in a significant effect on the environment in that measures have been agreed to by the District to mitigate potential adverse aesthetic and biological impacts; and

WHEREAS, the Project analyzed under the Initial Study/Mitigated Negative Declaration consists of removal of sediment that is partially blocking existing outfalls and improvement of flood flow conveyance in Lower Miller Creek; and

WHEREAS, consistent with the provisions of CEQA, a Mitigation Monitoring and Reporting Program has been prepared to implement the Project mitigation measures and to accompany the Mitigated Negative Declaration; and

WHEREAS, notices regarding the Mitigated Negative Declaration prepared for the Project were mailed to surrounding property owners, pertinent agencies, organizations and special interest groups pursuant to CEQA Guidelines Section 15072; and

WHEREAS, copies of the Mitigated Negative Declaration were made available for a 30 day review period by pertinent agencies and interested members of the public, commencing on February 27, 2015; and

WHEREAS, on April 9, 2015, the District Board held a duly noticed public hearing on the proposed Project and the Mitigated Negative Declaration, accepting all oral and written public testimony and the written report of the District Manager, located at 300 Smith Ranch Road, San Rafael; and

WHEREAS, the custodian of documents which constitute the record of proceedings upon which this decision is based is the Las Gallinas Valley Sanitary District.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the Las Gallinas Valley Sanitary District does hereby adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program on file in the office of the Las Gallinas Valley Sanitary District based on the findings that:

- a) The District exercised its independent judgment in evaluating the Mitigated Negative declaration. The District Board considered the Mitigated Negative Declaration in conjunction with the whole administrative record before it, including the Initial Study and all comments received during the public review period and at the District Board meeting. Based on this review, the District

Board as determined that: 1) there is no substantial evidence that the Project will have a significant impact on the environment; 2) mitigation measures have been included in the Project, which reduce the potential impacts to a less-than-significant level; and 3) the Mitigated Negative Declaration reflects the District Board's independent judgment and analysis.

- b) A Mitigation Monitoring and Reporting Program has been prepared to ensure implementation of and compliance with all measures required to mitigate all impacts to a less-than-significant level.

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I hereby certify that the forgoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on April 9, 2015, by the following vote of the members thereof:

AYES, and in the favor thereof, Members: *Clark, Elias, Greenfield, Murray, Schrieblman.*
NOES, Members: *None.*
ABSENT, Members: *None.*
ABSTAIN, Members: *None.*

Teresa Lerch

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:

Rabi Elias

Rabi Elias, Board President

