

RESOLUTION NO. 2023-317

**RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES
DISTRICT TO ADOPT A MITIGATED NEGATIVE DECLARATION, MAKING
RESPONSIBLE AGENCY FINDINGS, APPROVING THE PROJECT, AND
ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE RECYCLED WATER SYSTEM PROJECT**

WHEREAS, the Mendocino Unified School District (MUSD), proposed the Recycled Water System Project (Project) in 2021 to expand the use of recycled water on properties owned by MUSD to offset potable water use and provide additional fire water storage and supply, which will be achieved through new recycled water pipelines, irrigation systems, fire hydrants, and a new recycled water storage tank; and

WHEREAS, the MUSD, in its role as Lead Agency, prepared an Initial Study/Proposed Mitigated Negative Declaration (IS/MND) for the Recycled Water System Project in accordance with the requirements of the California Environmental Quality Act of 1970, as amended (“CEQA”), and state and local guidelines implementing CEQA; and

WHEREAS, MUSD circulated the IS/MND for public review from February 24 to March 25, 2022 for the required 30-day public review period under CEQA; and

WHEREAS, MUSD filed a Notice of Intent to Adopt the MND at the office of the Mendocino County Clerk and published the Notice in the Mendocino Beacon on February 24, 2022; and

WHEREAS, MUSD posted the IS/MND on its website and made a hardcopy available for public review at the District office at 44141 Little Lake Road, Mendocino, CA 95460; and

WHEREAS, MUSD caused the IS/MND to be circulated via the State Clearinghouse on February 24, 2022, and submitted the Notice of Intent to Adopt the MND to applicable Responsible and Trustee Agencies; and

WHEREAS, MUSD reviewed and considered public comments received from the California Department of Transportation, the State Water Resources Control Board, and the Mendocino County Department of Transportation; and

WHEREAS, MUSD, by Resolution 2022-09, made findings pursuant to CEQA, adopted the MND, approved the Project, and adopted a Mitigation Monitoring and Reporting Program (MMRP) on April 21, 2022; and

WHEREAS, the Mendocino City Community Services District (District) is the purveyor of the recycled water for the Project, and will therefore be the grant recipient of the State Water Resources Control Board Recycled Water Funding Program funding to construct the Project, and will oversee construction; and

WHEREAS, pursuant to CEQA Guidelines Section 15096, as a Responsible Agency, the District must consider the environmental effects as shown in the MUSD IS/MND and has responsibility for mitigating or avoiding the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve; and

WHEREAS, the District has independently reviewed and determined that the MUSD IS/MND adequately disclosed and evaluated the impacts of the Project and imposed adequate mitigation measures to the extent feasible and has concluded the IS/MND complies with CEQA.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT AS FOLLOWS:

- Section 1. The foregoing Recitals are true and correct and made a part of this Resolution.
- Section 2. The District consulted with MUSD regarding the Project; the District has determined that none of the conditions set forth in CEQA Guidelines section 15052 have occurred, and, therefore, a shift in lead agency designation is not appropriate.
- Section 3. As the decision-making body for the District, and in the District’s role as a Responsible Agency under CEQA, the Board has independently reviewed and considered the information contained in the IS/MND, MMRP, supporting documentation, and the whole of the record of proceedings. Based on this review, the District finds that the IS/MND contains complete, objective, and accurate reporting of the potential impacts of the Project.
- Section 4. The Board finds that there is no substantial evidence that the Project, with mitigation, will have a significant adverse impact on the environment.
- Section 5. The Board hereby adopts the MND for the Project.
- Section 6. The mitigation measures in the MND are made a condition of approval of the Project and a Mitigation Monitoring and Reporting Program, attached as Exhibit A, is adopted.
- Section 7. The Board hereby approves the Project.
- Section 8. The record of proceedings of the District and Board on which this Resolution is based are on file and available for public inspection during normal business hours at 10500 Kelly Street, Mendocino, CA 95460. The custodian of these documents is the District.
- Section 9. Following adoption of this Resolution, District staff is authorized and directed to file with the County of Mendocino and the State Clearinghouse a Notice of Determination pursuant to CEQA.

PASSED AND ADOPTED by the Board of Directors of the Mendocino City Community Services District at the Regular Meeting on October 3, 2023 by the following vote:

ROLL CALL VOTE: AYES: 3
 NOES: 0
 ABSENT: 1 (Miksak) Abstain: 1 (Feiner)

ATTEST:


 Katie Bates, District Secretary



 Dennak Murphy, Board President