

RESOLUTION NO. 13-2023

RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE GROVELAND COMMUNITY SERVICES DISTRICT DROUGHT IMPROVEMENTS PROJECT

WHEREAS, the Board of Directors of the Groveland Community Services District (the "Board" and "District", respectively) has received and reviewed the proposed Mitigated Negative Declaration, including the draft Initial Study/Mitigated Negative Declaration with appendices, and supporting information sources (collectively, the "draft MND"), together with the staff report and any comments received and responded to during the public review and hearing process (collectively, the "Environmental Record") for the proposed construction and operation of the District's drought improvements project (the "Project"), as described in the draft MND; and

WHEREAS, the District is the lead agency for purposes of environmental review of the Project under the California Environmental Quality Act ("CEQA"), pursuant to Public Resources Code § 21000 et seq., and the State "Guidelines for Implementation of the California Environmental Quality Act"; and

WHEREAS, the Project could, without mitigation, have resulted in a potential impact to certain areas of environmental concern, including Biological Resources and Cultural Resources; and

WHEREAS, the District has prepared mitigation measures to address and mitigate all potential environmental impacts to a "less than significant" level, which is a part of the Environmental Record reviewed and considered by the District; and

WHEREAS, the District has incorporated the mitigation measures described in the initial study for the Project ("Initial Study") as conditions of approval by the District; and

WHEREAS, with the exception of the potential impacts stated above, there are no other potentially significant environmental impacts resulting from the Project; and

WHEREAS, the District submitted a Notice of Intent to Adopt a Mitigated Negative Declaration to the State Clearinghouse (#2023020239) and distributed it to those agencies which have jurisdiction by law with respect to the Project; and placed the Notice of Intent to Adopt a Mitigated Negative Declaration concerning the Project in the *Union Democrat* for publication on February 10, 2023; and

WHEREAS, the draft Initial Study/Mitigated Negative Declaration with appendices and supporting information sources were duly noticed for 30-day public review and comment from February 10, 2023 to March 13, 2023, as provided by law; and

WHEREAS, the District received one written comment in response to the draft MND, which was addressed in the Final MND; and

WHEREAS, a hearing concerning the District's intent to adopt a final MND and MMRP was duly noticed and held on March 14, 2023, at which time any interested parties were afforded an opportunity to be heard in addition to the public review and comment period referenced above as part of the Environmental Record; and

WHEREAS, the District has considered, prior to adoption of the final MND, the Environmental Record in support of the final MND.

THEREFORE, BE IT RESOLVED that the Board finds, determines and resolves as follows:

SECTION 1. The Board adopts the foregoing recitals as true and correct.

SECTION 2. The Board finds that the Initial Study and Mitigated Negative Declaration reflect the independent judgment of the District as the lead agency for the Project.

SECTION 3. The Board finds that it has independently reviewed and considered the Environmental Record, including the Initial Study and proposed Mitigated Negative Declaration, as a final Mitigated Negative Declaration, prior to adopting the final Mitigated Negative Declaration.

SECTION 4. On the basis of the Environmental Record as the whole record before the Board, including the Initial Study and any comments received, the Board finds, in its independent judgment and analysis, that there is no substantial evidence the Project will have a significant effect on the environment.

SECTION 5. The Board confirms that the mitigation measures described in the Initial Study, have been incorporated into the Project and adopts a Mitigated Negative Declaration, as the final Mitigated Negative Declaration, which documents are a part of the Environmental Record before the Board for the Project.

SECTION 6. The Board approves and adopts the findings set forth herein, and the Mitigated Negative Declaration, based on the Environmental Record.

SECTION 7. Groveland CSD staff is authorized and directed to cause a Notice of Determination concerning the adoption of the Mitigated Negative Declaration for the Project to be filed in the office of the Tuolumne County Clerk and with the Office of Planning and Research in accordance with CEQA and State CEQA Guidelines.

This foregoing resolution is hereby approved and adopted at a regular meeting the Board of Directors of the Groveland Community Services District held on the 14th day of March, 2023 by the following vote:

AYES: Directors Mora, Armstrong, Edwards, and Mora

ABSENT: Director Kwiatkowski

APPROVE:


Nancy Mora, Board President

ATTEST:


Rachel Pearlman, Board Secretary