

MONTECITO SANITARY DISTRICT

A G E N D A

for Board Meeting

August 13, 2020

The regular meeting of the Governing Board will begin at 1:15 p.m. on August 13, 2020.

Pursuant to State of California Executive Order No. N-29-20 issued on March 17, 2020, and the State of California and Santa Barbara County's shelter in place orders, the Montecito Sanitary District Board Meeting will be held remotely via Zoom Meetings.

The Meeting will be conducted in accordance with the Virtual Meeting Protocols adopted by the Board of Directors on April 9, 2020. These can be viewed and downloaded here:

<https://www.montsan.org/virtual-public-meetings>. The public may attend and make a public comment by visiting:

<https://us02web.zoom.us/j/89313746882>

You may also call in at 1-669-900-6833 Meeting ID 893 1374 6882

If you have difficulty connecting to the virtual meeting, please call 1-714-323-4667 for technical assistance once the meeting has begun.

If you need special assistance to participate in this meeting, because of any disability, please contact the District at 1-805-969-4200. Notification at least twenty-four hours before the meeting will allow the District to make appropriate arrangements for you; thank you.

Materials related to an item on this Agenda, which are part of the agenda packet, are available for public inspection on the District website www.montsan.org

1. CALL TO ORDER/ROLL CALL

2. PUBLIC COMMENT

Persons may, in addition to any other matter within the Board of Director's subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered. Anyone wishing to address the Board of Directors must comply with the Virtual Meeting Protocols; will be recognized by the President; and must state their name for the record. If you wish to address the Board of Directors on an Agenda

Item, you may do so as that particular item is announced. You will be given a reasonable amount of time to address the Board of Directors.

While all comments are welcome, the Brown Act does not allow the Board to take action on any item not on the agenda. The Board may briefly respond to comments after Public Comment is closed.

In accordance with Executive Order No. N-29-20 and the Virtual Meeting Protocols, remote public participation is allowed in the following ways:

Participants are encouraged to join the meeting 30 minutes before the start of the meeting.

Public comment will be accepted via email during the meeting, before the close of public comment, and read into the record during public comment, when feasible. We request that written communications be limited to not more than 50 words.

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling **1-669-900-6833** and entering Zoom Meeting ID: **893 1374 6882** then press pound (#). When prompted to enter participation ID number press pound (#) again. If participants would like to make a public comment they will enter “*9” then the Clerk to the Board will be notified and you will be in the rotation to make a public comment.

3. APPROVAL OF MINUTES

It is recommended that the Board consider approving the July 30, 2020 regular meeting minutes.

4. APPROVAL OF PAYABLES

It is recommended that the Board consider approving the payables list for expenses incurred by the District between July 25, 2020 and August 7, 2020.

5. OLD BUSINESS

A. Approval of Minutes of July 9, 2020 Board Meeting

It is recommended that the Board consider:

- i) Approving the minutes of the July 9, 2020 Board meeting;
- ii) Taking such additional, related, action that may be desirable.

6. NEW BUSINESS

A. Administration & Operations (A&O) Committee Meetings - Report

It is recommended that the Board consider:

- i) Receiving and filing a report provided by the A&O Committee from its July 29th, August 4th, August 6th and August 11th meetings;
- ii) Taking such additional, related, action that may be desirable.

B. Resolution No. 2020-926 - Mitigated Negative Declaration and Mitigation, Monitoring and Report Program for a Development Plan consisting of the construction, operations, and maintenance of: (1) a recycled wastewater treatment system; (2) Essential Services Building and parking lot with a new driveway off Channel Drive; and (3) five solar structures with panels – Initial Study/Mitigated Negative Declaration

It is recommended the Board consider:

- i) Adopting a resolution that adopts the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for a Development Plan consisting of the construction, operations, and maintenance of: (1) a recycled wastewater treatment system; (2) Essential Services Building and parking lot with a new driveway off Channel Drive; and (3) five solar structures with panels;
- ii) Authorizing the General Manager to sign the Proposed Finding Document and file a Notice of Determination;
- iii) Taking such additional, related action that may be desirable.

C. Coastal Development Plan – Letter to Montecito Water District requesting support and Information Letter to the Community

It is recommended the Board consider:

- i) Reviewing a letter to the Montecito Water District requesting support;
- ii) Reviewing an information letter to the community;
- iii) Taking such additional, related, action that may be desirable.

D. Review District COVID-19 Emergency Declaration

It is recommended the Board consider:

- i) Review of COVID-19 Emergency Declaration
- ii) Taking such additional, related, action that may be desirable.

E. Recording of Committee Meetings

It is recommended the Board consider:

- i) Recording District Committee Meetings;
- ii) Amending Board Policies and Procedures Manual accordingly;
- iii) Taking such additional, related, action that may be desirable.

F. Information Items

None

G. Agreements to be Signed

710 East Mountain Drive – Dedication agreement for sewer facilities

7. OPERATIONS AND MAINTENANCE

Review the Operations and Maintenance reports included in the agenda packet.

Agenda
August 13, 2020

8. ITEMS FOR THE NEXT AGENDA

9. ADJOURNMENT

**MINUTES OF THE REGULAR MEETING
of the
BOARD OF DIRECTORS
of the
MONTECITO SANITARY DISTRICT**

July 30, 2020

1. CALL TO ORDER/ROLL CALL

The Governing Board of the Montecito Sanitary District convened a regular meeting at 1:21 p.m. on July 30, 2020 using Zoom teleconferencing in accordance with State of California Executive Order No. N-29-20 issued on March 17, 2020.

ATTENDANCE

Board Members Present:

Directors Tom Bollay, Thomas Kern, Jeff Kerns, Dana Newquist, and Woody Barrett

Board Members Absent:

None

Also Present and Participating:

Diane M. Gabriel, MSD General Manager/District Engineer
Toni M. McDonald, MSD District Administrator
Carrie Poytress, MSD Engineering Manager
Alex Alonzo, MSD Operations Manager
Karl H. Berger, MSD Legal Counsel
Ken Coates, Ratepayer
Leon Bartholomew, Ratepayer
Edwin Martin, Ratepayer
John Klein
Betsy Byrne
Unnamed Resident

2. PUBLIC COMMENT

Mr. Leon Bartholomew and Mr. Edwin Martin addressed the Board during public comment.

3. APPROVAL OF MINUTES

The minutes of the July 9, 2020 meetings were included in the agenda packet. Director Barrett disagreed with the minutes regarding agenda item 7 – Items for Future Agendas. Director Barrett requested staff send him the recording of the minutes prior to his approval. On MOTION by Director Newquist and second by Director J. Kerns, the Board to table the approval of the minutes of the July 9th meeting to the next Board meeting.

. AYES: Directors Kern, Newquist, Bollay, Kerns, Barrett

NAYS: None
ABSTAIN: None
ABSENT: None

4. APPROVAL OF PAYABLES

On MOTION by Director Newquist and second by Director J. Kerns, the Board approved with a roll call vote these payroll and accounts payable expenses from July 4, 2020 through July 24, 2020:

Accounts Payable Expenses	\$ 232,432.97
Capital Improvement Projects	24,850.40
Payroll and Related Expenses	<u>97,089.41</u>
Total Expenses	\$ 354,372.78

AYES: Directors Kern, Newquist, Bollay, Kerns, Barrett
NAYS: None
ABSTAIN: None
ABSENT: None

5. NEW BUSINESS

A. Public Information Committee Meeting Report

The Public Information Committee Meeting (Directors Bollay and Newquist) reported on its meeting of July 15th. Director Bollay stated the Committee agreed to review all ads proposed by Davies Communications prior to publication. Ongoing Public Service Announcements (PSAs) that run frequently, such as not disposing of grease down the drain, or wipes down the toilet, will not be reviewed by the Committee prior to publication. Director Newquist reported that he had spoken to Mr. Macfadyen at Noozhawk regarding online opportunities and had requested Mr. Macfadyen contact staff.

B. Finance Committee Meeting - Report

The Finance Committee (Directors T. Kern and Barrett) reported on its meetings of July 22nd. At its meeting the Committee reviewed the Unaudited Financial Reports in detail. Director Barrett also requested further analysis done on leasing vs. buying the District's forklift.

C. Unaudited Fiscal Year 2019-20 Financial Reports

District Administrator McDonald reviewed with the Board the following Unaudited Financial Reports for the fiscal year ending June 30, 2020:

- Operations & Maintenance Budget Status
- Revenues FY19-20
- Quarterly Investment/Cash Activity

- Capital Improvement Projects Year End Status

D. Quarterly Investment Policy Statement – June 30, 2020

Treasurer T. Kern summarized District Investment Policy 2013-883 (adopted October 2013), and read and will sign the quarterly Certification Statement.

ACTION: Treasurer Kern

E. 2020 Local Biennial Notice

District Administrator informed the Board of the County requirement to review the District Conflict of Interest code every two years and submit a form to the County of Santa Barbara Board of Supervisors. District Counsel advised the Board that he had reviewed the current Resolution No. 2016-900 Conflict of Interest Code and that no amendments to the Code were required.

On MOTION by Director Newquist and second by Director J. Kerns, the Board approved with a roll call vote the 2020 Local Biennial Notice as presented and directed staff to sign and return the Notice to the Santa Barbara County Clerk of the Board of Supervisors.

AYES: Directors Kern, Newquist, Bollay, Kerns, Barrett
NAYS: None
ABSTAIN: None
ABSENT: None

ACTION: Staff

F. Pick Up Truck – Purchase Order Authorization – National Auto Fleet Group

General Manager Gabriel reported the District's Capital Improvement Program (CIP) budget for fiscal year 2020-21 includes \$36,000 for a Pickup Truck. This vehicle would replace the District's 2009 Ford Escape. Staff has researched various models and determined that a four wheel drive Chevy Colorado with a V6 engine and an extended cab would best meet the needs of the District.

The District has received a competitive price from National Auto Fleet Group for a 2021 Chevy Colorado four wheel drive extended cab V6 using the Sourcewell Cooperative Contract pricing of \$32,520.17.

Director Newquist suggested using a local company to supply the Chevy pick up truck, and reported that he had spoken with Bunnin Chevrolet about matching or beating the low bid price. District Legal Counsel Berger advised that he was familiar with Sourcewell Cooperative and that the District could give local vendors a preference when purchasing equipment such as vehicles. Ordinarily, this amounts to a percentage preference based upon the local vendor being required to pay local taxes and rates such as wastewater rates. Frequently, this results in a 1-5% preference for local vendors. Based upon the District's immediate need for a vehicle and the offered price from Sourcewell, the District could seek a competitive price from a local vendor. Any local vendor, however, would need to have

the exact same vehicle as specified by the District and have it on the same, or better, terms as quoted from Sourcewell including, without limitation, delivery date.

On MOTION by Director J. Kerns and second by Director Barrett, the Board directed the General Manager to authorize a purchase order in an amount not to exceed \$32,520.17 to either National Auto Fleet Group or Bunnin Chevrolet if they can match or better the price with the following roll call vote:

AYES: Directors Kern, Newquist, Bollay, Kerns, Barrett
NAYS: None
ABSTAIN: None
ABSENT: None

ACTION: Staff

6. OPERATIONS AND MAINTENANCE

The Board reviewed the information in the Board packet.

7. ITEMS FOR FUTURE AGENDAS

The Board discussed items for the next agenda, and agreed to include the following items:

- Approval of July 9th Board minutes
- Review of Emergency Declaration dated March 12, 2020
- Recording of Committee Meetings
- Hearing on IS/MND for the Coastal Development Plan

8. ADJOURNMENT

There being no other business, on MOTION to adjourn by Director Newquist and second by Director Barrett, the MOTION to adjourn passed unanimously without abstention at 2:54 p.m.

Thomas Bollay, President

Jeffrey Kerns, Vice President

Ellwood T. Barrett, Secretary

Thomas Kern, Treasurer

Dana Newquist, Director

**MONTECITO SANITARY DISTRICT
BOARD LIST OF PAYABLES**

<u>CHECKS DATED</u>	<u>SUMMARY & TYPE</u>	<u>BATCH TOTALS</u>
07/31/20	ACCOUNTS PAYABLE	20,596.50
08/07/20	ACCOUNTS PAYABLE	<u>43,953.81</u>
	Subtotal	64,550.31
07/30/20	PAYROLL	<u>99,554.36</u>
	Subtotal	99,554.36
	TOTAL	<u>\$164,104.67</u>

Approved for Payment:

Date: August 13, 2020 Amount: \$164,104.67

_____, General Manager

_____, Director

_____, Director

Check History Report

Sorted By Check Number

Operating Fund

Activity From: 7/30/2020 to 7/31/2020

MONTECITO SANITARY DISTRICT (MSD)

Check Number	Check Date	Name	Check	Description
025694	7/31/2020	AGS REBUILDERS INC	132.50	Tractor Repair Parts
025695	7/31/2020	CIARLO, MARC	110.00	SWRCB Certification Renewal Reimbursement
025696	7/31/2020	DUGAN FAMILY TRUST	3,962.00	Deposit Refund - 759 Picacho Lane
025697	7/31/2020	MARBORG INDUSTRIES	167.85	Portable Restroom Rental-July
025698	7/31/2020	MCMASTER-CARR SUPPLY COMPANY	708.64	Vehicle Parts, Plant Maintenance Materials
025699	7/31/2020	ROYAL ADHESIVES & SEALANTS, LLC	397.01	Adhesive for SmartCovers
025700	7/31/2020	STAPLES BUSINESS CREDIT	488.51	Office Supplies
025701	7/31/2020	GREG (or) DAPHNE TEBBE	2,000.00	Lateral Replacement Rebate - 1685 East Valley Road
025702	7/31/2020	UNION BANK	1,282.94	Public Relations, Computer Consultant Expense
025703	7/31/2020	UNION BANK	476.43	Staff Training, Plant Maintenance Materials
025704	7/31/2020	***Void Check***		
025705	7/31/2020	***Void Check***		
025706	7/31/2020	***Void Check***		
025707	7/31/2020	AT&T MOBILITY	6.22	Wireless Office Data Port-July
025708	7/31/2020	BARTLETT, PRINGLE & WOLF, LLP	850.00	Accounting Consulting Services
025709	7/31/2020	BIG GREEN CLEANING COMPANY	181.75	Janitorial Supplies
025710	7/31/2020	COASTLINE EQUIPMENT	77.32	Tractor Repair Parts
025711	7/31/2020	DOCU PRODUCTS	57.13	Copier Maintenance Agreement-August
025712	7/31/2020	PERRY FORD	105.04	Vehicle Repair Parts
025713	7/31/2020	STANDARD INSURANCE COMPANY	1,879.52	Short/Long Term Disability Insurance Premium-August
025714	7/31/2020	STANTEC CONSULTING SERVICES INC.	1,793.50	Additional Consulting Services for CDP
025715	7/31/2020	TAFT ELECTRIC COMPANY	1,650.33	Install Electrical to Temporary Trailers
025716	7/31/2020	T-MOBILE	20.00	Wireless Data Port for UF/RO-July
025717	7/31/2020	UNION BANK	257.52	Propane, Office Supplies, Shipping Expense
025718	7/31/2020	UNION BANK	38.00	Staff Training
025719	7/31/2020	UNION BANK	84.41	Shipping Expense, Plant Maintenance Materials, Safety
025720	7/31/2020	UNIVAR SOLUTIONS	3,282.90	Plant Chemicals
025721	7/31/2020	WINZER	586.98	Spare Sample Pump for WWTP
Bank B Total:			<u>20,596.50</u>	
Report Total:			<u><u>20,596.50</u></u>	

Check History Report
Sorted By Check Number
Activity From: 8/7/2020 to 8/7/2020
MONTECITO SANITARY DISTRICT (MSD)

Check Number	Check Date	Name	Check Amount	Check Type
025722	8/7/2020	BEDROCK BUILDING SUPPLIES, INC	304.78	Concrete Supplies
025723	8/7/2020	COMPUVISION COMMUNICATIONS	520.44	Webcams for Office Computers
025724	8/7/2020	CALIFORNIA WATER ENVIRONMENT	91.00	Staff Certification Renewal
025725	8/7/2020	FASTENAL COMPANY	535.39	Gloves, Tools, Face Masks, Shop Towels
025726	8/7/2020	FELIX, MARCO	129.36	Boot Allowance Reimbursement
025727	8/7/2020	FISHER SCIENTIFIC	2,617.02	Under Counter Refrigerator for Lab Sampling
025728	8/7/2020	GLS COMPANIES	2,100.00	Landscape and Clean-up at Office Building
025729	8/7/2020	GRAINGER	1,505.87	UF/RO Parts/Piping, Cold Patch, Face Masks
025730	8/7/2020	HENSLEY LAW GROUP	6,050.00	Legal Services-July
025731	8/7/2020	IBS OF SIERRA MADRE	133.62	Battery for Loader
025732	8/7/2020	MCCORMIX CORP	556.08	Vehicle Fuel 7/15-7/31/2020
025733	8/7/2020	MCMASTER-CARR SUPPLY COMPANY	70.93	Plant Maintenance Materials
025734	8/7/2020	MILPAS RENTAL INC	457.44	Tool / Equipment Rental
025735	8/7/2020	OILFIELD ENVIRONMENTAL & COMPLIANCE	90.00	Outside Lab Analyses
025736	8/7/2020	RAPID PREP, LLC	3,876.25	Decontamination Trailer Rental-July
025737	8/7/2020	SANSUM CLINIC	279.00	Pre-Employment Physical
025738	8/7/2020	SOUTHERN CALIFORNIA EDISON CO	19,975.28	Electric Service-July
025739	8/7/2020	SEWER EQUIPMENT COMPANY	100.62	Vehicle Parts
025740	8/7/2020	UNIVAR SOLUTIONS	4,359.83	Plant Chemicals
025741	8/7/2020	UNDERGROUND SERVICE ALERT	200.90	Dig Alert-July
Bank B Total:			<u>43,953.81</u>	
Report Total:			<u><u>43,953.81</u></u>	

**MINUTES OF THE REGULAR MEETING
of the
BOARD OF DIRECTORS
of the
MONTECITO SANITARY DISTRICT**

July 9, 2020

1. CALL TO ORDER/ROLL CALL

The Governing Board of the Montecito Sanitary District convened a regular meeting at 1:21 p.m. on July 9, 2020 using Zoom teleconferencing in accordance with State of California Executive Order No. N-29-20 issued on March 17, 2020.

ATTENDANCE

Board Members Present:

Directors Tom Bollay, Thomas Kern, Jeff Kerns, Dana Newquist, and Woody Barrett

Board Members Absent:

None

Also Present and Participating:

Diane M. Gabriel, MSD General Manager/District Engineer
Toni M. McDonald, MSD District Administrator
Carrie Poytress, MSD Engineering Manager
Alex Alonzo, MSD Operations Manager
Gregg Kovacevich, MSD Legal Counsel
Ken Coates, Ratepayer
Leon Bartholomew, Ratepayer
Edwin Martin, Ratepayer
Keith Berry, Ratepayer
Don Eversoll, Ratepayer
Unnamed Montecito Resident
Unnamed Resident

2. PUBLIC COMMENT

None

President Bollay announced Mr. Gregg Kovacevich as Legal Counsel, filling in for Mr. Karl Berger who was unavailable for today's meeting.

3. APPROVAL OF MINUTES

The minutes of the June 11, 2020 meetings were included in the agenda packet. On MOTION by Director Newquist and second by Director T. Kern, the Board approved the minutes of June 11, 2020 with the following roll call vote:

- AYES: Directors Kern, Newquist, Bollay, Kerns, Barrett
- NAYS: None
- ABSTAIN: None ABSENT: None

4. APPROVAL OF PAYABLES

On MOTION by Director T. Kern and second by Director Barrett, the Board approved with a roll call vote these payroll and accounts payable expenses from June 8, 2020 through July 3, 2020:

Accounts Payable Expenses	\$ 201,703.57
Capital Improvement Projects	3,558.75
Recycled Water	9,500.00
Payroll and Related Expenses	<u>188,880.68</u>
Total Expenses	\$ 403,643.00

- AYES: Directors Kern, Newquist, Bollay, Kerns, Barrett
- NAYS: None
- ABSTAIN: None
- ABSENT: None

5. NEW BUSINESS

A. Annual Sewer Service Charge Hearing to Collect Sewer Service Charges on the County Tax Roll – Resolution No. 2020-925

President Bollay announced it was the time and place for the annual hearing and decision whether the District’s sewer service charges for fiscal year 2020-21 should be placed on the County tax roll for collection as allowed under Ordinance 6. President Bollay asked District Administrator McDonald if the District had received any written or oral objections or protests by the owners of a majority of the parcels described in the report. Ms. McDonald responded that none had been received.

President Bollay reported that a letter sent on June 20th to all properties applying for a new sewer connection during the past fiscal year had informed these property owners of the District policy to collect the annual sewer service charges by means of the County tax roll and the annual hearing date. The Notice of Hearing had been published in the *Montecito Journal* on June 26th and July 1st and a Service Charge Report (listed by Assessor Parcel Numbers and Address) has been and remains available for inspection to advise any interested person of the service charge for a property in fiscal year 2020-21. District Administrator McDonald verified that the Affidavit of Mailing of the Notices of the Hearing to new customers had been signed by the Clerk to the Board, and that a Statement of the Secretary certifying that the service charge report was in order was ready to be signed.

President Bollay called for the adoption of Resolution No. 2020-925 directing the filing with the County Auditor of the Report of Sewer Service Charges for Fiscal Year 2020-21, which shall be placed on and collected by means of the County tax roll.

Upon MOTION by Director Newquist and second by Director J. Kerns to adopt Resolution No. 2020-925, the MOTION passed on the following roll call vote:

AYES: Newquist, Kern, Bollay, Barrett, Kerns
NAYS: None
ABSENT: None

ACTION: Staff

B. Administration & Operations (A&O) Committee Meeting - Report

The A&O Committee (Directors Bollay and J. Kerns) reported on its meetings of June 15th and June 26th. The Committee reviewed the status of the Coastal Development Plan (CDP) Permit. The Committee also discussed a possible Joint Committee meeting with the Montecito Water District Strategic Planning Committee and discussed and revised the “roles and responsibilities” spreadsheet that had previously been presented by Nick Turner at a previous joint meeting. The Committee also reviewed two letters from Central Coast Regional Water Quality Board to the District. The Board requested those letters be posted on the District website.

The Committee also discussed recycled water including the District’s pilot project and the MWD water supply study prepared by Steve Bachman.

ACTION: Staff

C. Information Items

- Operations Manager Alonzo presented a slide show presentation of the temporary facilities

D. Agreements

- None

6. OPERATIONS AND MAINTENANCE

The Board reviewed the information in the Board packet.

7. ITEMS FOR FUTURE AGENDAS

The Board discussed items for the next agenda, and agreed to include the following items:

- Status update on District COVID-19 measures, including Emergency Declaration dated March 12, 2020

Montecito Sanitary District
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- Consideration of revising the July 16, 2019 approved Board Policy and Procedures Manual to require recording of all District Committee meetings
- Unaudited financial reports for Fiscal Year ending June 30, 2020

The Board also requested scheduling a Public Information Committee in the near future.

8. ADJOURNMENT

There being no other business, on MOTION to adjourn by Director Newquist and second by Director T. Kern, the MOTION to adjourn passed unanimously without abstention at 2:55 p.m.

Thomas Bollay, President

Jeffrey Kerns, Vice President

Ellwood T. Barrett, Secretary

Thomas Kern, Treasurer

Dana Newquist, Director

MONTECITO SANITARY DISTRICT

MANAGER'S REPORT

AUGUST 13, 2020

AGENDA ITEM 6. NEW BUSINESS

A. ADMINISTRATION & OPERATIONS (A&O) COMMITTEE MEETINGS - REPORT

The A&O Committee (Directors Bollay and J. Kerns) will report on its July 29th, August 6th, August 11th meetings and its Joint Committee meeting with the Montecito Water District on August 4th.

B. RESOLUTION NO. 2020-926 - MITIGATED NEGATIVE DECLARATION AND MITIGATION, MONITORING AND REPORT PROGRAM FOR A DEVELOPMENT PLAN CONSISTING OF THE CONSTRUCTION, OPERATIONS, AND MAINTENANCE OF: (1) A RECYCLED WASTEWATER TREATMENT SYSTEM; (2) ESSENTIAL SERVICES BUILDING AND PARKING LOT WITH A NEW DRIVEWAY OFF CHANNEL DRIVE; AND (3) FIVE SOLAR STRUCTURES WITH PANELS – INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The Notice of Availability and Notice of Intent to adopt a Mitigated Negative Declaration for the Development Plan Projects, pursuant to California Environmental Quality Act guidelines Section 15072, along with the Initial Study/ Mitigated Negative Declaration document were posted at the State of California Clearinghouse's web portal and the Montecito Sanitary District website on May 5, 2020. Notice was also published in the Montecito Journal in the May 21st edition regarding the Notice of Availability and Notice of Intent and directing the community to the MSD website to review the entire environmental document. The public review and comment period on the Mitigated Negative Declaration began on May 5, 2020 and written comments were received through June 17, 2020.

As approved by the MSD Board on December 12, 2019, the Development Plan Projects consist of the construction, operations, and maintenance of: (1) a recycled wastewater treatment system; (2) Essential Services Building and parking lot with new driveway off Channel Drive; and (3) five solar structures with panels. In coordination with the Montecito Water District, the recycled water produced from the recycled wastewater treatment system would be used to help irrigate the adjacent existing Santa Barbara Cemetery. The use of recycled water for the irrigation of the cemetery will allow the cemetery to cease use of potable water for irrigation purposes. All project components would be located either within or adjacent to the existing Montecito Sanitary District facility located at 910 Channel Drive.

As the CEQA Lead Agency for the proposed Development Plan Projects, the Montecito Sanitary District retained an environmental consulting firm, Stantec, to conduct an Initial Study of the potential effects of the proposed Projects, and determined the proposed Projects would not result in a significant impact on the environment. However, the following issue areas require mitigation measures to reduce potential impacts to a less-than-significant level:

- Biological Resources
- Cultural resources
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

The District received some comments on the Mitigated Negative Declaration during the public comment period. At Thursday's meeting, the Board will hear a presentation, from Mike Weber with Stantec, including a summary of the work that was done, why this project is appropriately analyzed, and a general overview of the comments and responses.

The Board will then consider adopting Resolution No. 2020-926, Adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the District's development plan project (**EXHIBIT A**), along with authorizing the General Manager to sign the Proposed Finding document enclosed as **EXHIBIT B** and filing a Notice of Determination.

C. COASTAL DEVELOPMENT PLAN (CDP) - LETTER TO MONTECITO WATER DISTRICT REQUESTING SUPPORT AND AN INFORMATION LETTER TO DISTRICT CUSTOMERS

At the August 4th Recycled Water Joint Committee meeting with the Montecito Water District (MWD), it was agreed that MSD would write a letter to MWD requesting their Board's support for the recycled water project identified in the MSD CDP. The recycled water project described in the CDP would serve the Santa Barbara Cemetery with high quality recycled water to use for irrigation purposes. The MSD CDP is currently scheduled to be considered by the Montecito Planning Commission on September 16, 2020. At Thursday's meeting, the Board will review a letter prepared by the A&O Committee and consider authorizing its issuance to MWD.

Additionally, MSD Public Information Committee members Bollay and Newquest have reviewed a letter to MSD customers informing them of the CDP and the various projects included in the plan. At Thursday's meeting, the Board will review this letter and consider authorizing its issuance.

D. REVIEW DISTRICT COVID-19 EMERGENCY DECLARATION

The General Manager and District Legal Counsel will provide the Board with an update on the status of the national, state and local emergency due to the COVID-19 pandemic.

E. RECORDING OF COMMITTEE MEETINGS

At the request of the Board, District Legal Counsel will present the pros and cons of recording all committee meetings of the District. The Board will consider directing staff and Legal Counsel to revise the Board handbook to include such a requirement.

F. INFORMATION ITEMS

None

G. AGREEMENT TO BE SIGNED

710 East Mountain Drive – Dedication agreement for sewer facilities

AGENDA ITEM 7. OPERATIONS AND MAINTENANCE REPORTS

TREATMENT PLANT

Treatment Data	Current Year 07/20/20 – 08/02/20	Prior Year 07/15/19 – 08/18/19
Average daily flow	0.543 MGD	0.548 MGD
Average hypochlorite	154 GPD	153 GPD
Average bisulfite	86 GPD	86 GPD
Average effluent SS	5.6 mg/L	6.5 mg/L
Average effluent CBOD ₅	3.26 mg/L	3.0 mg/L
Median coliform	< 1.8 MPN / 100 mL	< 1.8 MPN / 100 mL

- The belt press was operated for 6.3 hours during this reporting period.
- A total of 19.81 tons of biosolids were transported in one load to Engel and Gray during this reporting period.
- No rainfall was recorded during this reporting period.

In addition to completing all daily treatment plant operational tasks and preventative maintenance duties, Operations staff and others performed the following work:

- Cleaned RO pH and conductivity sensors
- Placed #4 clarifier in service and removed #2 clarifier from service for cleaning and inspection
- Ran maintenance cleaning #1 on Ultra Filtration system
- Installed UF/RO Bag filter
- Installed new polymer drum for DAFT

Completed Preventative Maintenance duties:

- Rotated plant equipment
- Cleaned plant water wye screens every M/W/F
- Changed influent flow through channel grinders and remove grit from influent channel
- Collected plant equipment meter readings
- Cleaned secondary clarifier weirs and side walls
- Operated and exercised various valves throughout the treatment plant
- Performed treatment plant housekeeping

Completed Activated Sludge duties:

- Hosed clarifier weirs and skimmed grease in chlorine contact chambers twice each day
- Scrubbed effluent channel, hosed DAFT weirs and catwalk, and cleaned lower slip tubes
- Collected samples for Lab and set-up composite samplers
- Hosed Rotary Drum Screen and disposed all screenings
- Skimmed grease and floatables in back channel and clarifiers

Completed Operator duties:

- Calibrated chlorine analyzers
- Collected Dissolved Oxygen levels in the Aeration Basins, Digesters, and Effluent channel
- Collected clarifier sludge depths
- Scoured Return Activated Sludge (RAS) sumps
- Cleaned chemical analyzer screens and probes
- Collected irrigation water meter readings
- Performed Treatment Plant system checks (SCADA, Mission Box, Mini Trends, Aeration Blowers, Influent Pump Station, Back-up generator, Chemical analyzers, Clarifiers and Contact Chamber motors and equipment, RAS/WAS pump station, Chemical feeders, Digester Blowers, DAFT, Polymer feed equipment, Ultra Filtration and Reverse Osmosis)
- Performed all required data collection and record keeping
- Maintained chemical levels for all analyzers
- Performed Pressure Decay Test on UF

TESTING LABORATORY

During this 14 day period the Laboratory Manager and Operators assigned to the Laboratory performed the following activities:

- Collected 84 samples
- Ran 133 tests plus 37 duplicate tests for NPDES permit compliance and process control
- Performed 31 calibrations on laboratory equipment and 340 quality control checks
- Made 2 liters of coliform media
- Sent 2 samples to a contract lab for Oil & Grease testing from the Recycled Pilot Project for process control.

During this reporting period Operations staff performed the following additional Laboratory activities:

- 3 Activated Sludge samples were analyzed under the microscope and 69 organisms were identified
- Prepared 2 gallons of reagents for chlorine analyzer

In addition, the following Laboratory activities occurred:

- Data was received for annual biosolids analysis. All levels were below maximum allowances.

COLLECTION SYSTEM MAINTENANCE

Collection staff continued to work on the preventive maintenance plan for 2020 (see the enclosed reports.)

During the reporting period, Collection staff has also:

- Inspected 43 Manholes
- Marked locations of existing District facilities for Underground Service Alert requests
- Performed routine inspection and maintenance of District vehicles
- Performed routine inspection and maintenance at all five Collection System Lift Stations
- Priority Safety calibrated and tested all District gas monitors
- Collection staff assisted maintenance staff with recycled water bag filter install

Maintenance staff continued to work on the preventive maintenance plan for 2020.

During the reporting period, Maintenance staff has also:

- Performed routine inspection and maintenance of District buildings and equipment
- Performed preventative maintenance on belt press telescoping conveyer
- Installed new hydraulic pressure adjustment valves on belt press
- Installed new bag filter on recycled water pilot

TRAINING / OTHER ACTIVITIES

Staff participated in the following training webinars:

7/21/20 Treatment Plant Operator Michael Arce completed his annual Laboratory Demonstrations of Capability

7/22/20 Collection and Treatment staff attended CWEA COVID-19 webinar

Collection System Cleaning and TV-ing History

Linear Feet Cleaned & Inspected July 20, 2020 through August 2, 2020		Esmt	Length of Cleaning 256,192	Length of TV-ing 19,920	Length of Re-cleans 32,925	C - CLEAR L - LIGHT M - MEDIUM H - HEAVY	R - ROOTS G - GREASE D - DEBRI	Clear : No observable grease, roots or debris Light : .5 gallons of roots/ debris, small chunks of grease Medium : .5-1.5 gallons of roots/ debris, moderate chunks grease Heavy : 1.5 or more gallons of roots, debris or grease	
Date	Location	(X)	Cleaning (Linear Feet)	TV-ing (Linear Feet)	Re-cleans (Linear Feet)	Condition Findings		X	Notes
7/20/2020	Lift Station Maintenance / USA								
7/20/2020	Picacho Lane		142			C		1	Clear
7/20/2020	San Ysidro Road	X	240			L	R	1	Light Roots
7/20/2020	Picacho Lane	X	398			L	R	1	Light Roots
7/20/2020	Picacho Lane	X	226			L	R	1	Light Roots
7/20/2020	San Ysidro Road	X	191			L	R	1	Light Roots
7/20/2020	San Ysidro Road	X	47			L	R	1	Light Roots
7/20/2020	Wyant Road	X	158			L	R	1	Light Roots
7/20/2020	Wyant Road	X	212			L	R	1	Light Roots
7/20/2020	Wyant Road	X	236			L	R	1	Light Roots
7/20/2020	Wyant Road	X	231			L	R	1	Light Roots
7/21/2020	N Jameson Lane		206			C		1	Clear
7/21/2020	Danielson Road		225			C		1	Clear
7/21/2020	Olive Mill Road		118			C		1	Clear
7/21/2020	Olive Mill Road		186			L	D	1	Light Debris
7/21/2020	Virginia Road		346			L	D	1	Light Debris
7/21/2020	Olive Mill Road		305			C		1	Clear
7/21/2020	Spring Road		277			L	R	1	Light Roots
7/21/2020	N Jameson Lane		243			C		1	Clear
7/21/2020	N Jameson Lane		281			C		1	Clear
7/21/2020	N Jameson Lane		286			C		1	Clear
7/21/2020	N Jameson Lane		292			C		1	Clear
7/21/2020	N Jameson Lane		201			C		1	Clear
7/21/2020	N Jameson Lane		208			C		1	Clear
7/21/2020	N Jameson Lane		176			L	D	1	Light Debris
7/21/2020	Miramar Avenue		230			C		1	Clear
7/21/2020	Hixon Road		166			C		1	Clear
7/21/2020	Sheffield Drive	X	245			C		1	Clear
7/21/2020	Sheffield Drive		210			C		1	Clear
7/21/2020	Sheffield Drive		199			C		1	Clear
7/21/2020	Sheffield Drive	X	66			C		1	Clear
7/21/2020	Sheffield Drive		118			C		1	Clear
7/21/2020	East Valley Lane	X	236			L	D	1	Light Debris
7/21/2020	Glen Oaks Drive	X	98			L	R	1	Light Roots
7/21/2020	Glen Oaks Drive	X	121			L	R	1	Light Roots
7/21/2020	Glen Oaks Drive	X	210			L	R	1	Light Roots
7/21/2020	Olive Mill Road	X	177			C		1	Clear
7/21/2020	Olive Mill Road	X	165			C		1	Clear
7/21/2020	East Valley Lane	X	313			M	D	2	Medium Debris
7/21/2020	East Valley Lane	X	227			M	D	2	Medium Debris
7/21/2020	East Valley Lane	X	229			L	D	1	Light Debris
7/21/2020	East Valley Lane	X	43			L	D	1	Light Debris
7/21/2020	East Valley Lane	X	318			L	D	1	Light Debris
7/21/2020	N Jameson Lane		275			L	D	1	Light Debris
7/21/2020	East Valley Road				280	L	D	1	Light Debris
7/21/2020	San Ysidro Road				261	L	D	1	Light Debris
7/21/2020	Pomar Lane			411					No Problems
7/22/2020	Moore Road	X	263			C		1	Clear
7/22/2020	Glen Oaks Drive		118			L	R	1	Light Roots
7/22/2020	Glen Oaks Drive		69			L	R	1	Light Roots
7/22/2020	Glen Oaks Drive		276			C		1	Clear
7/22/2020	Glen Oaks Drive	X	271			C		1	Clear
7/22/2020	Glen Oaks Drive		66			C		1	Clear
7/22/2020	Glen Oaks Drive		208			C		1	Clear
7/22/2020	Glen Oaks Drive		366			C		1	Clear
7/22/2020	Isabella Lane		233			C		1	Clear
7/22/2020	Isabella Lane		147			C		1	Clear
7/22/2020	Pimiento Lane		312			C		1	Clear
7/22/2020	Wyant Road	X	206			L	D	1	Light Debris

Collection System Cleaning and TV-ing History

Date	Location	(X)	Cleaning (Linear Feet)	TV-ing (Linear Feet)	Re-cleans (Linear Feet)	Condition Findings		X	Notes
7/22/2020	Wyant Road	X	195			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	189			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	317			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	114			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	108			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	53			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	86			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	110			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	160			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	277			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	68			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	42			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	60			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	140			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	213			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	164			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	215			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	89			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	128			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	94			L	D	1	Light Debris
7/23/2020	N Jameson Lane		299			L	D	1	Light Debris
7/23/2020	N Jameson Lane		215			L	D	1	Light Debris
7/23/2020	N Jameson Lane		216			L	D	1	Light Debris
7/23/2020	N Jameson Lane		52			L	D	1	Light Debris
7/23/2020	N Jameson Lane		125			L	D	1	Light Debris
7/23/2020	N Jameson Lane		345			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X	50			L	D	1	Light Debris
7/23/2020	La Vuelta Road		132			L	D	1	Light Debris
7/23/2020	N Jameson Lane	X			35	L	D	2	Light Debris
7/23/2020	N Jameson Lane	X			75	L	D	2	Light Debris
7/23/2020	N Jameson Lane	X			38	L	D	2	Light Debris
7/24/2020	Glen Oaks Drive	X		66					No Problems
7/24/2020	Glen Oaks Drive	X		187					No Problems
7/24/2020	Glen Oaks Drive	X		201					No Problems
7/24/2020	Lift Stations / USA / Vehicle Maintenance								
7/25/2020	Weekend								
7/26/2020	Weekend								
7/27/2020	Lift Station Maintenance / USA								
7/27/2020	The Fairway		236			C		1	Clear
7/27/2020	The Fairway		306			C		1	Clear
7/27/2020	Alston Road	X	215			C		1	Clear
7/27/2020	Wyant Road	X	208			C		1	Clear
7/28/2020	Fernald Point Lane		169			C		1	Clear
7/28/2020	Fernald Point Lane		150			C		1	Clear
7/28/2020	Fernald Point Lane		161			L	D	1	Light Debris
7/28/2020	Fernald Point Lane		401			L	D	1	Light Debris
7/28/2020	Fernald Point Lane		396			L	D	1	Light Debris
7/28/2020	Fernald Point Lane		395			L	D	1	Light Debris
7/28/2020	Posilipo Lane	X	198			C		1	Clear
7/28/2020	Posilipo Lane	X	105			C		1	Clear
7/28/2020	Lingate Lane			216					No Problems
7/28/2020	Pomar Lane			44					No Problems
7/28/2020	Pomar Lane	X		22					Fine roots at joints
7/28/2020	Hixon Road			282					No Problems
7/28/2020	Pomar Lane			271					No Problems
7/29/2020	San Leandro Lane			195					Fine roots at joints
7/29/2020	Hixon Road			207					Fine roots at joints
7/29/2020	Hixon Road			209					Fine roots at joints
7/29/2020	Hixon Road			124					No Problems
7/29/2020	Miramar Lane			207					Fine roots at joints
7/29/2020	Miramar Lane			174					No Problems
7/29/2020	Miramar Lane			42					No Problems
7/29/2020	Ramona Lane			161					No Problems

Collection System Cleaning and TV-ing History

Date	Location	(X)	Cleaning (Linear Feet)	TV-ing (Linear Feet)	Re-cleans (Linear Feet)	Condition Findings	X	Notes
7/29/2020	Mimosa Lane			190				No Problems
7/29/2020	Mimosa Lane			191				Fine roots at joints
7/29/2020	Miramar Avenue			66				No Problems
7/30/2020	Arcady Road			197				Fine roots at joints
7/30/2020	Arcady Road			117				Fine roots at joints
7/30/2020	Arcady Road			172				Fine roots at joints
7/30/2020	China Flat Road			194				No Problems
7/30/2020	China Flat Road			210				No Problems
7/30/2020	China Flat Road			132				No Problems
7/30/2020	Crocker Sperry Drive	X		52				No Problems
7/30/2020	Forge Road			237				No Problems
7/30/2020	Forge Road			206				No Problems
7/30/2020	Forge Road	X		145				No Problems
7/31/2020	Lift Stations / USA / Vehicle Maintenance							No Problems
8/1/2020	Weekend							
8/2/2020	Weekend							
	Current period 7/20/20-8/2/20		Linear Feet	18804	5,128	689		
			Prior periods	Linear Feet	256192	19,920	32,925	
			YTD Total	Linear Feet	274,996	25,048	33,614	
			YTD Total	Miles	52.1	4.7	6.4	

RESOLUTION NO. 2020-926**RESOLUTION OF THE GOVERNING BOARD OF THE MONTECITO SANITARY DISTRICT ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE DISTRICT'S DEVELOPMENT PLAN PROJECT**

The Montecito Sanitary District Board of Directors resolves as follows:

SECTION 1. The Board of Directors finds as follows:

A. The District is pursuing a Development Plan that includes three projects located at or adjacent to 1042 Monte Cristo Lane (a.k.a. 910 Channel Drive). The first project is a Title 22-compliant (Title 22, California Code of Regulations, § 60301, *et seq.*) recycled water treatment system at the District's wastewater treatment facility. The second project is an Essential Services Building and parking lot with a new driveway access off Channel Drive. The third project consists of five solar supporting structures with panels to provide renewable energy for the proposed recycled water treatment system. These are collectively referred to as the "Development Plan Projects" or the "Project."

B. The District evaluated potential environmental effects of the Project through the preparation and circulation of a Mitigated Negative Declaration ("MND") incorporated herein by this reference. The MND process included the following actions:

1. Consistent with the Public Resources Code, the CEQA Guidelines, and Executive Order N-54-20, a Notice of Availability and Notice of Intent to Adopt a Mitigated Negative Declaration (the "Notice of Intent") was posted on the District's website (www.montsan.org) and submitted electronically to the State Clearinghouse CEQAnet Web Portal on May 5, 2020. At the time of posting, the County Clerk of the Board of Supervisors was closed to the public due to the COVID-19 emergency. In addition, at the time of posting, there were no individuals or organizations that had previously requested written notice.

2. The Draft IS/MND was sent to the County of Santa Barbara for its review on April 21, 2020. A link to the electronic Draft IS/MND documents posted on the District's website was sent to the County on May 11, 2020.

3. A Notice of Availability and Notice of Intent to Adopt a Mitigated Negative Declaration was published in the Montecito Journal on May 21, 2020. The Notice included all of the information required by section 15072(g) of the CEQA Guidelines.

4. The review period for the MND commenced on May 5, 2020 and written comments were accepted through June 17, 2020. Copies of the draft documents were made available for review on the District's website (www.montsan.org). In addition, publicly noticed District meetings were held on June 11, 2020, June 15, 2020, June 26, 2020, July 9, 2020, July 29, 2020, and August 5, 2020 that allowed for public comment on the IS/MND. Each of these meetings were posted in advance in accordance with the Brown Act.

C. All actions required to be taken by applicable law related to the preparation, circulation, and review of the MND have been taken.

D. A Mitigated Negative Declaration was prepared consisting of the Initial Study, all comments and recommendations received during the public review period and responses thereto, and a Mitigation Monitoring and Reporting Program. This MND was posted on the District's website at www.montsan.org on August 7, 2020.

E. The District Board independently reviewed and considered the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program ("MMRP") at its regular meeting on August 13, 2020. The MND and the MMRP are, by this reference, incorporated into this Resolution as though fully set forth herein.

SECTION 2. The District Board has independently reviewed, analyzed, and considered the Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program, and the whole of the record before it (including, without limitation, the initial study and all written and oral comments and testimony received) and, based on the foregoing, the Board finds that all environmental impacts of the Project will be less than significant after mitigation and that there is no substantial evidence supporting a fair argument that the Project will have a significant effect on the environment. Adoption of the Mitigation Monitoring and Reporting Program will constitute fulfillment of the CEQA monitoring and/or reporting requirements set forth in Public Resources Code section 21081.6. All proposed mitigation measures are capable of being fully implemented by the efforts of the District or other identified public agencies of responsibility.

SECTION 3. Compliance with CEQA. The District Board finds that the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program were completed in compliance with CEQA and consistent with the CEQA Guidelines.

SECTION 4. Independent Judgment. The Mitigated Negative Declaration represents the independent judgment and analysis of the District Board as lead agency for the Project.

SECTION 5. MND/MMRP Adopted. The District Board, after considering all evidence and testimony in the record, and after exercising its independent judgment and review, hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project.

SECTION 6. Filing of Notice of Determination. The District Board directs staff to file a Notice of Determination within five working days of adoption of this Resolution.

SECTION 7. The Clerk of the Board is the custodian of records of the proceedings on which this decision is based. The records are located at 1042 Monte Cristo Lane, Santa Barbara, California 93108.

SECTION 8. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED by the Governing Board of the MONTECITO SANITARY DISTRICT on the 13th day of August, 2020 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Tom Bollay, President
of the Governing Board of the
MONTECITO SANITARY DISTRICT

ATTEST:

Toni M McDonald
Clerk to the Governing Board of the
MONTECITO SANITARY DISTRICT

4.0 PROPOSED FINDING

ENVIRONMENTAL DETERMINATION

On the basis of this initial evaluation:

I find that the proposed Development Plan Projects COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed Development Plan Projects could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared. Attached Mitigation Measures and Monitoring Program.

I find that the proposed Development Plan Projects MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed Development Plan Projects MAY have a significant effect on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or “potentially significant unless mitigated.” An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed Development Plan Projects could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, nothing further is required.

Signature

Date