

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 07-07

RESOLUTION ADOPTING A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR ANNEXATION TO THE TIBURON SANITARY DISTRICT

“Annexation of the Lands of Jansheski et al to the Tiburon Sanitary District (File #1281)”

WHEREAS, a proposal for the annexation of certain territory to the Tiburon Sanitary District in the County of Marin has been filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS the Marin Local Agency Formation Commission prepared an Initial Study for the project which determined that potential impacts are avoided or mitigated to a point where no significant effects would occur because revisions in the project plans have been made by or agreed to by the applicant and there is no evidence that the project as revised may have a significant effect on the environment.

WHEREAS the Marin Local Agency Formation Commission Executive Director determined that based on the Initial Study, a Negative Declaration of Environmental Impact was required for the project pursuant to CEQA.

WHEREAS on February 16, 2007 a Negative Declaration was completed and distributed to agencies and interested parties to commence a 30 day period for review and comment on the Negative Declaration, and a Notice of the public review period and hearing date to consider approval of the Negative Declaration was published in a general circulation newspaper pursuant to CEQA.

WHEREAS prior to the close of the public review period, the Marin Local Agency Formation Commission conducted a public hearing on March 8, 2007, April 12, 2007 and May 10, 2007 to receive public testimony on the adequacy of the Negative Declaration.

WHEREAS the Marin Local Agency Formation Commission extended the period for public comment at the March 8, 2007 hearing until April 10, and further extended the comment period until May 4, 2007.

WHEREAS after the close of the public comment period on May 4, 2007, the Marin Local Agency Formation Commission conducted a public hearing on May 10, 2007 to receive public testimony on the adequacy of the Negative Declaration for the purpose of considering approval of the proposed annexation.

WHEREAS, the Marin Local Agency Formation Commission has reviewed and considered the information contained in the Initial Study, Negative Declaration and comments and responses thereto.

NOW THEREFORE, the Marin Local Agency Formation **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

1. Notice of the public review period and hearing on the Negative Declaration was given as required by law and said hearing was conducted pursuant to Sections 15073 and 15074 of the State CEQA Guidelines.
2. All individuals, groups and agencies desiring to comment on the Negative Declaration were given the opportunity to address the Marin Local Agency Formation Commission.
3. The Negative Declaration for the project consists of the Initial Study, Negative Declaration document, and supporting information incorporated by reference therein.
4. The Negative Declaration was completed in compliance with the intent and requirements of CEQA, the State CEQA Guidelines.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 10th day of May, 2007 by the following vote:

AYES:

NOES:

ABSENT:

JEFFRY BLANCHFIELD, Chairperson

ATTEST:

PETER V. BANNING, Executive Officer