

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 01-16

**RESOLUTION ADOPTING A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE REORGANIZATION AND ELECTION TO SANITARY DISTRICT #5 (TIBURON)**

“Annexation of the Lands of Shaw to the Sanitary District #5 (Tiburon) (File #1197)”

WHEREAS, a proposal for the annexation of certain territory to Sanitary District #5 (Tiburon) 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 June 8, 2001 a Negative Declaration was completed and distributed to agencies and interested parties to commence a 20-day public review 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 after the close of the public review period on July 2, 2001 the Marin Local Agency Formation Commission conducted a public hearing on July 12, 2001 to receive public testimony on the adequacy of the Negative Declaration for approval.

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 and the County CEQA process.
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.
5. The Commission finds that the project taken together with the required mitigation measures will have no significant effect on the environment.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on this 12<sup>th</sup> day of July, 2001 by the following vote:

AYES:

NOES:

ABSENT:

  
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 JEFFRY BLANCHFIELD, Chairperson

ATTEST:

  
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 PETER V. BANNING, Executive Officer