

**CALIFORNIA STATE LANDS  
COMMISSION**100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202*Established in 1938***JENNIFER LUCCHESI**, Executive Officer**916.574.1800**TTY CA Relay Service: 711 or Phone **800.735.2922**  
from Voice Phone **800.735.2929**  
or for Spanish **800.855.3000****Contact Phone: 916.574.1900****NOTICE OF DETERMINATION  
(Public Resources Code section 21108)**File Ref: A3559  
SCH#: 2020050414  
Item: 65

Title: Flow Equalization Facility and Resource Recovery Levee Improvement and Bayfront Recycled Water Facility Project

Applicant: West Bay Sanitary District

Location: Sovereign land in Westpoint Slough, adjacent to Assessor's Parcel Numbers 055-400-010; 170; 490, near Menlo Park, San Mateo County.

Description: The West Bay Sanitary District (District) proposes to construct levee improvements and a new recycled water facility at its Flow Equalization and Resource Recovery Facility. The project provides Federal Emergency Management Agency (FEMA) 100-year and anticipated sea-level rise flood protection and allows the District to provide recycled water to customers. The State Lands Commission action is an approval of a 20-year General Lease – Public Agency Use through February 27, 2043.

This is to advise that the California State Lands Commission, as  Lead Agency  Responsible Agency, approved the above-described project on February 28, 2023, and made the following determinations regarding the project.

- 1) The project  will  will not have a significant effect on the environment.
- 2) An  Environmental Impact Report (EIR) was prepared pursuant to the provisions of CEQA.
- 3) Mitigation measures  were  were not made a condition of the approval of the project.
- 4) A mitigation reporting or monitoring plan  was or  was not adopted for this project.
- 5) A Statement of Overriding Considerations  was  was not adopted for the project.
- 6) Findings  were  were not made pursuant to the provisions of CEQA.

The lead agency for the project, West Bay Sanitary District (District) certified the Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program and approved the project on May 12, 2021. The California State Lands Commission has considered the EIR as prepared for this project by the District and adopted an independent Mitigation Monitoring Program incorporating District's document. The EIR and the record of project approval may be examined at the above shown California State Lands Commission Sacramento office address.

**DATE RECEIVED FOR FILING AND POSTING BY THE  
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH**

ERIC GILLIES, Assistant Chief  
Environmental Planning and Management Division

Contact Person: Cynthia Herzog (916) 574-1900