

RESOLUTION NO. R.15-2003

**A RESOLUTION OF THE BIG BEAR AREA REGIONAL
WASTEWATER AGENCY APPROVING AND ADOPTING RELATED
MITIGATED NEGATIVE DECLARATION AND MITIGATION
MONITORING PROGRAM**

WHEREAS, the Big Bear Area Regional Wastewater Agency ("Agency") is a joint powers agency established and authorized to exercise its powers under and pursuant to Government Code Section 6500 et. seq. and the laws of the State of California; and

WHEREAS, the Agency is proposing surface artificial recharge pilot test field studies, which consist of three pilot recharge studies to be conducted at three separate site locations: Green Spot, Van Dusen Canyon and Sand Canyon ("Project"); and

WHEREAS, the Project is necessary to protect the health, safety and welfare of the Citizens the Agency serves; and

WHEREAS, the Agency determined that the approval of the Project is subject to the environmental review requirements of the California Environmental Quality Act ("CEQA") and as lead agency prepared an initial study to analyze all potential environmental impacts; and

WHEREAS, on the basis of the initial study which indicated that all potential environmental impacts from implementation of the Project could be mitigated to a level of insignificance, the Agency determined that a Mitigated Negative Declaration ("MND") should be prepared; and

WHEREAS, the MND was prepared pursuant to CEQA, the State CEQA Guidelines and the Agency's local CEQA Guidelines; and

WHEREAS, the Agency made the MND available to the public and to all interested agencies for review and comment by publishing notice of its availability in a newspaper of general circulation on September 10, 17 and 24, 2003 and by submission to the State Clearinghouse on August 22, 2003; and the Clerk of the Board of Supervisors on August 25, 2003; and

WHEREAS, the Agency received, considered and responded to comments received from the public and other interested agencies on the MND; and

WHEREAS, the Agency held a public meeting to receive additional public testimony regarding the MND on September 24, 2003, where the MND was an item on the agenda, and where the MND was discussed; and

WHEREAS, the Agency has carefully reviewed the MND and all other relevant information contained in the record regarding the Project; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY:

Section 1. Compliance with the California Environmental Quality Act. As the decision making body for the Project, the Agency has reviewed and considered the information contained in the MND, initial study and administrative record. The Agency finds that the MND and initial study contain a complete and accurate reporting of the environmental impacts associated with the Project. The Agency further finds that the documents have been completed in compliance with CEQA, the State CEQA Guidelines and the Agency's local CEQA Guidelines. The Agency further finds that all environmental impacts of the Project are either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the MND and initial study. The Agency further finds that there is no substantial evidence in the record supporting a fair argument that the Project may result in significant environmental impacts. The Agency finds that the MND contains a complete, objective and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment of the Agency. The Agency hereby approves the MND and related Mitigation Monitoring and Reporting Program prepared for the Project.

Section 2. Approval of the Mitigated Negative Declaration. The Agency hereby approves and adopts RESOLUTION NO. R.15-2003 OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY APPROVING AND ADOPTING RELATED MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM.

Section 3. Custodian of Record. The documents and materials that constitute the record of proceedings on which these Findings have been based, are located at the Big Bear Area Regional Wastewater Agency, 122 Palomino Drive, Big Bear City, California. The custodian for these records is the Secretary of the Governing Board of the Big Bear Area Regional Wastewater Agency.

Section 4. Notice of Determination. The Agency directs staff to file a notice of determination with the County Clerk of San Bernardino County within five (5) working days of Project approval.

ADOPTED AND APPROVED this 24 day of September, 2003.

Dr. Donald Eads, Chairman of the Governing Board
of the Big Bear Area Regional Waste Water Agency

ATTEST:

Bob Colven, Secretary of the Governing Board
of the Big Bear Area Regional Wastewater Agency