

RESOLUTION NO. R.01-2006

**A RESOLUTION OF THE GOVERNING BOARD OF THE
BIG BEAR AREA REGIONAL WASTEWATER AGENCY
TO CERTIFY THE FINAL ENVIRONMENTAL IMPACT
REPORT PREPARED FOR RECYCLED WATER MASTER
PLAN PROJECT AND TO RECEIVE AND FILE THE
RECYCLED WATER MASTER PLAN**

WHEREAS, the Big Bear Area Regional Wastewater Agency (“BBARWA”), established in 1974, is a public agency whose mission is to transport, treat and dispose of wastewater for the Big Bear Valley area residents and businesses; and

WHEREAS, the Recycled Water Master Plan (“RWMP”) and the Program Environmental Impact Report (“PEIR”) were developed because BBARWA staff was urged by their Governing Board and other local agencies to consider examining ways to utilize recycled water, which is produced by their wastewater treatment plant, for beneficial uses in the Big Bear Valley; and

WHEREAS, BBARWA’s Recycled Water Master Plan Project consists of (1) the RWMP; (2) identifying Phase 1 facilities to support the surface recharge of groundwater at the Greenspot site; and (3) identifying potential future second-tier facilities to deliver recycled water to customers as required and as consistent with the RWMP (hereafter, collectively referred to as the “Project”); and

WHEREAS, the Project area is located in the Big Bear Valley, including the City of Big Bear Lake, the Big Bear City Community Services District and the County of San Bernardino, County Service Area 53B, in the mountains of western San Bernardino County, California; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) (Pub. Res. Code, § 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), BBARWA is the lead agency for the Project; and

WHEREAS, BBARWA, as lead agency, determined that an Environmental Impact Report (“EIR”) should be prepared pursuant to CEQA to analyze all potential adverse environmental impacts of the Project; and

WHEREAS, BBARWA issued a Notice of Preparation (“NOP”) of a Draft EIR on or about April 20, 2005, and circulated the NOP for a period of 30 days, pursuant to State CEQA Guidelines sections 15082(a), 15103 and 15375; and

WHEREAS, BBARWA held a public meeting to discuss the scope and content of the environmental information to be contained in the Draft EIR on or about May 10, 2005 pursuant to State CEQA Guidelines sections 15083 and 15104; and

WHEREAS, pursuant to State CEQA Guidelines section 15082, BBARWA solicited comments from potential responsible agencies, including details about the scope and content of the environmental information related to the responsible agency’s area of statutory responsibility, as well as the significant environmental issues, reasonable alternatives and mitigation measures that the responsible agency would have analyzed in the Draft EIR; and

WHEREAS, approximately twenty-four (24) written and oral statements, consisting of approximately one hundred seventy two (172) comments, were received by BBARWA in response to the NOP, which assisted BBARWA in narrowing the issues and alternatives for analysis in the Draft EIR; and

WHEREAS, the Draft EIR was completed and released for public review on or about November 14, 2005 and BBARWA initiated a 45-day public comment period by filing a Notice of Completion and Availability with the State Office of Planning and Research; and

WHEREAS, BBARWA extended the public review period on or about November 28, 2005 for seven days to January 5, 2006 by filing an Amended Notice of Completion and Availability with the State Office of Planning and Research; and

WHEREAS, pursuant to Public Resources Code section 21092, BBARWA also provided a Notice of Completion and Availability to all organizations and individuals who had previously requested such notice and published the Notice of Completion on or about November 14, 2004 in a newspaper of general circulation in the Project area; copies of the Draft EIR were provided to interested public agencies, organizations and individuals; and in addition, BBARWA placed copies of the Draft EIR at BBARWA’s general office headquarters counter, BBARWA’s website, the public library and made copies available to the public; and

WHEREAS, during the 45-day comment period, BBARWA consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies and others pursuant to State CEQA Guidelines section 15086; and

WHEREAS, all potential significant adverse environmental impacts were sufficiently analyzed in the Draft EIR; and

WHEREAS, during the official public review period for the Draft EIR, BBARWA received approximately fifteen (15) written comments; and

WHEREAS, pursuant to Public Resources Code section 21092.5, BBARWA provided written responses to comments to all commenting agencies within the statutory time frame; and

WHEREAS, BBARWA prepared the Final EIR and, pursuant to Public Resources Code section 21092.5, BBARWA provided copies of the Final EIR to all commenting agencies; and

WHEREAS, as contained herein, BBARWA has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied by BBARWA in the Final EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the Final EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project's potential environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA, the State CEQA Guidelines and BBARWA's Local CEQA Guidelines; and

WHEREAS, all of the findings and conclusions made by BBARWA pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, prior to taking action, BBARWA has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the Initial Study, the Final EIR, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, the Final EIR reflects the independent judgment of BBARWA's Governing Board and is deemed adequate for purposes of making decisions on the merits of the Project; and

WHEREAS, no comments made in the public hearings conducted by BBARWA or any additional information submitted to BBARWA have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY AS FOLLOWS:

1. The Governing Board finds that (1) the Final PEIR is an accurate and objective statement that has been completed in compliance with CEQA and the State CEQA Guidelines; (2) the Final PEIR was presented to the Governing Board and the Governing Board reviewed and considered the information contained in the Final PEIR; and (3) the Final EIR reflects BBARWA's independent judgment and analysis.
2. The Governing Board certifies the Final Program Environmental Impact Report for the Recycled Water Master Plan (SCH #2005041114).
3. The Governing Board receives and files the Recycled Water Master Plan.
4. The Governing Board may consider the Recycled Water Master Plan and/or the Alternatives for approval at a later date.

PASSED, APPROVED, and ADOPTED this 22nd day of February, 2006.

Ken Dally
Chairman of the Governing Board
Big Bear Area Regional Wastewater Agency

ATTEST:

Dr. Don Eads
Secretary of the Governing Board
Big Bear Area Regional Wastewater Agency

I, _____, Secretary of the Governing Board of the Big Bear Area Regional Wastewater Agency, do hereby certify that the foregoing Resolution was regularly introduced and adopted in Regular Session of said Governing Board duly called and held on the 22nd day of February 2006 was duly passed and adopted by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

Dr. Don Eads
Secretary of the Governing Board
Big Bear Area Regional Wastewater Agency