

RESOLUTION NO. R.03 – 2011

**A RESOLUTION OF THE GOVERNING BOARD OF THE
BIG BEAR AREA REGIONAL WASTEWATER AGENCY
MAKING FINDINGS AND ADOPTING A MITIGATED
NEGATIVE DECLARATION PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT AND
APPROVING THE SEWER MASTER PLAN**

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

WHEREAS, the purpose of BBARWA pursuant to the Joint Powers Agreement is to create an agency which will acquire, construct, install, maintain, and operate a regional system for the treatment and disposal of sewage and wastewater for the entire Big Bear Valley area, which system may ultimately be modified to include facilities for the reclamation of wastewater, and otherwise implement the 1974 Big Bear Area Regional Wastewater Management Plan; and

WHEREAS, pursuant to the 1974 Big Bear Area Regional Wastewater Management Plan, the purpose of the Plan was to develop a wastewater management plan for the Big Bear Area to meet short and long-term treatment and disposal needs, recognizing a regional concept and giving consideration to beneficial reuse and environmental economic constraints in conformance with regulatory agency requirements; and

WHEREAS, BBARWA compiled an updated Sewer Master Plan (“Sewer Master Plan”) which identifies current system deficiencies and determines anticipated long-term system requirements through 2030; and

WHEREAS, BBARWA's proposed Sewer Master Plan consists of anticipated upgrades and improvements to BBARWA’s sewer system, including improvements to the Wastewater Treatment Plant, the Lake Pump Station, and the Interceptor System; and

WHEREAS, the implementation of the Sewer Master Plan would include areas 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 (Pub. Res. Code, § 21000 et seq.), the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), and BBARWA’s local CEQA Guidelines (collectively, “CEQA”) BBARWA is the lead agency for the proposed Sewer Master Plan; and

WHEREAS, pursuant to State CEQA Guidelines section 15063, an initial study (“Initial Study”) was prepared for the Sewer Master Plan to analyze whether the approval of the Sewer Master Plan would cause a potentially significant effect on the environment; and

WHEREAS, BBARWA, as lead agency, has determined that a Mitigated Negative Declaration (“MND”) should be prepared in order to analyze the Sewer Master Plan’s potential environmental effects; and

WHEREAS, BBARWA circulated the MND and Initial Study to the State Clearinghouse, the County Clerk’s Office, and the public in the manner required by CEQA for a thirty-day review and comment period beginning on February 11, 2011, and ending on March 14, 2011, pursuant to Public Resources Code section 21091(b); and

WHEREAS, pursuant to State CEQA Guidelines section 15097, BBARWA has prepared a Mitigation Monitoring and Reporting Plan; and

WHEREAS, the BBARWA Governing Board (“Board”) has carefully reviewed the Sewer Master Plan in connection with the MND, and has also considered all other relevant information contained in the record regarding the Sewer Master Plan; and

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

NOW, THEREFORE, THE GOVERNING BOARD OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Compliance with the California Environmental Quality Act. As the decision-making body, the Board has reviewed and considered the information contained in the record as a whole in connection with the Sewer Master Plan and the MND. The Board finds that the MND, Initial Study and administrative record contain a complete and accurate reporting of the environmental impacts associated with the Sewer Master Plan’s approval. The Board further finds that the MND and Initial Study have been completed in compliance with CEQA.

SECTION 2. Findings on Environmental Impacts. Based on the whole record before it, including the MND, the Initial Study, the Mitigation Monitoring and Reporting Plan, the administrative record and all other written and oral evidence presented to the Board, the Board finds that all environmental impacts of the Sewer Master Plan are either less than significant or can be mitigated to a less than significant level with implementation of the mitigation measures set forth in the Mitigation Monitoring and Reporting Plan. The Board further finds that there is no substantial evidence in the administrative record supporting a fair argument that the Sewer Master Plan may result in any potentially significant environmental impacts. The Board finds that the MND contains a complete, objective, and accurate reporting of the environmental impacts associated with the Sewer Master Plan and reflects the independent judgment and analysis of the Board.

SECTION 3. Adoption of MND. The Board hereby adopts the MND prepared for the Sewer Master Plan, a copy of which has been provided to each Board member.

SECTION 4. Adoption of Mitigation Monitoring and Reporting Plan. Pursuant to Public Resources Code section 21081.6, the Board hereby adopts the Mitigation Monitoring and Reporting Plan prepared for the Sewer Master Plan and attached to this Resolution as Exhibit "A."

SECTION 5. Approval of the Sewer Master Plan. The Board hereby approves the Sewer Master Plan.

SECTION 6. Notice of Determination. The Board directs staff to file a Notice of Determination with the San Bernardino County Clerk and the State Clearinghouse within five (5) working days of the approval of the Sewer Master Plan.

SECTION 7. Custodian of Records. The custodian for the documents and materials that constitute the record of proceedings on which these findings are based is BBARWA, and the documents are available for public review at BBARWA's office.

SECTION 8. Execution of Resolution. The Chairperson of the Board shall sign this Resolution and the Secretary of the Board shall certify this Resolution was duly and properly adopted by the Board.

PASSED, ADOPTED, AND APPROVED this 23rd day of March, 2011.

Rick Herrick, Chairman of the Governing Board
Big Bear Area Regional Wastewater Agency

ATTEST:

Liz Harris, Ed.D, Secretary of the Governing Board
Big Bear Area Regional Wastewater Agency

EXHIBIT "A"

Mitigation Monitoring and Reporting Program

Summary Report:	
Litera Change-Pro ML 6.5.0.313 Document Comparison done on 3/7/2011	
2:03:00 PM	
Style Name: Default Style	
Original Filename:	
Original DMS: iw://iManage/iManage/5862398/3	
Modified Filename:	
Modified DMS: iw://iManage/iManage/5862398/4	
Changes:	
Add	5
Delete	0
Move From	0
Move To	0
Table Insert	0
Table Delete	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Total Changes:	5