

RESOLUTION NO. 936

RESOLUTION OF THE CITY OF SANTA ROSA BOARD OF PUBLIC UTILITIES
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SEASONAL
STORAGE PROJECT UNDER THE INCREMENTAL RECYCLED WATER PROGRAM

WHEREAS, the City of Santa Rosa (“City”) proposes to implement a Seasonal Storage Project (“SSP”) under the Incremental Recycled Water Program (“IRWP”) to add approximately 500 million gallons of recycled water storage capacity in support of the urban reuse and/or discharge components of the Subregional Water Reuse System; and

WHEREAS, the adoption and implementation of the SSP requires compliance with the California Environmental Quality Act (“CEQA”) (Pub. Resources Code, §§ 21000 *et seq.*); and

WHEREAS, on October 5, 2006, the Santa Rosa Board of Public Utilities (“BPU”) by resolution No. 876, adopted a Purpose and Need Statement for the SSP; and

WHEREAS, on October 17, 2006, the Santa Rosa City Council by resolution No. 26692, adopted a Purpose and Need Statement for the SSP; and

WHEREAS, on November 16, 2006, the City published an SSP Draft Engineering Report; and

WHEREAS, on January 22, 2007, the City circulated the Notice of Preparation and Initial Study for the SSP; and

WHEREAS, on February 21, 2007, the City conducted a Scoping Meeting in Santa Rosa; and

WHEREAS, on April 11, 2007, the City published a Draft Screening Report for the SSP; and

WHEREAS, on April 19, 2007, the BPU accepted the SSP Draft Screening Report and confirmed the selection of Alternatives to be evaluated in the EIR; and

WHEREAS, on October 4, 2007, following geologic reconnaissance studies, the BPU was informed that the West College and Alexander Valley Road alternatives were eliminated from the EIR, because the evidence in the City’s record of proceedings indicated the alternatives were infeasible; and

WHEREAS, on March 25, 2008, the Draft EIR was published and on March 26, 2008 the Notice of Completion for the Draft EIR was filed with the State Clearinghouse, pursuant to Section 15085 of the CEQA Guidelines, thereby beginning a 65-day period for public review and comment, in excess of the 45-day public review and comment period required by CEQA; and

WHEREAS, the City distributed copies of the Draft EIR to those public agencies that have jurisdiction by law with respect to the SSP, as well as to other interested persons and agencies, and sought the comments of such persons and agencies. Copies were available for review at City Hall, the Laguna Treatment Plant Library and Branches of the Sonoma County Library at: Santa Rosa (Central Branch, Northwest Branch in Coddington, and Rincon Valley), Sebastopol, Windsor, and Rohnert Park/Cotati. The Notice of Availability of the Draft EIR was mailed to 260 individuals and emailed to approximately 479 individuals; and

WHEREAS, on April 17, 2008, the BPU held a public hearing on the Draft EIR; and

WHEREAS, on May 28, 2008, the 65-day public comment and review period closed; and

WHEREAS, on October 6, 2008, the Final EIR, containing oral and written comments on the Draft EIR (received within the comment period), responses to those comments, and appropriate changes to the Draft EIR, was released; and

WHEREAS, at that time, copies of the Final EIR were provided to public agencies that received copies of the Draft EIR, including any agencies who commented on the Draft EIR. The Notice of Availability of the Final EIR was mailed to 257 individuals who requested notice and emailed to approximately 490 individuals; and

WHEREAS, on October 6, 2008, the Notice of Completion for the Final EIR was submitted to the State Clearinghouse; and

WHEREAS, on October 16, 2008, the BPU conducted a meeting to consider whether to certify the EIR.

NOW, THEREFORE, BE IT RESOLVED, that the BPU hereby finds and certifies as follows:

1. The Final EIR has been completed in compliance with CEQA; and
2. The members of the BPU have reviewed the Final EIR including the Draft EIR, together with the record of oral and written comments received during the comment period on the Draft EIR, and have considered the completeness of the Final EIR; and
3. The responses to comments in the Final EIR represent a responsive, good faith evaluation of each comment received; and
4. No new information was produced by the City or the public during the comment period or during preparation of the Final EIR that would require recirculation of the Draft EIR pursuant to CEQA Guidelines section 15088.5; and
5. Notice and public participation in the preparation and review of the Draft and Final EIRs has been adequate and in accordance with CEQA; and

6. In certifying the Final EIR, the BPU has considered the Final EIR, including the Draft EIR, the comments received on the Draft EIR and responses to such comments, all written and oral information presented to the BPU, and other information in the BPU's record of proceedings; and
7. The Final EIR represents the independent judgment and analysis of the BPU.

BE IT FURTHER RESOLVED, that the Final EIR for the IRWP Seasonal Storage Project, dated October 6, 2008, is certified as complete, adequate, and in compliance with the California Environmental Quality Act.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 16th day of October, 2008.