

RESOLUTION NO. 904

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES
OF THE CITY OF SANTA ROSA

DETERMINING THAT THE REVISIONS TO THE UTILITIES DEPARTMENT GUIDE TO WATER AND WASTEWATER POLICY ARE WITHIN THE SCOPE OF THE IRWP EIR, ADOPTING A MITIGATION MONITORING PROGRAM, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, MAKING CEQA FINDINGS OF FACT, AND CONDITIONALLY APPROVING THE PROJECT

WHEREAS, the City proposes to make revisions to the Utilities Department Guide to Water and Wastewater Policy (Project); and

WHEREAS, the Project constitutes a project under the California Environmental Quality Act because of the potential for physical environmental impacts to result from implementation of the revised policies in the Guide; and

WHEREAS, the Project implements the Urban Reuse Alternative that is included as part of the larger Incremental Recycled Water Program (IRWP); and

WHEREAS, on November 6, 2003, the Council, by Resolution No. 25809, and the Board of Public Utilities ("BPU"), by Resolution No. 771, certified the Program Environmental Impact Report (EIR) for the IRWP; and

WHEREAS, on March 4, 2004, the Council, by Resolution No. 25910, and the BPU, by Resolution No. 791, certified an Addendum to the IRWP EIR and approved and adopted the IRWP Recycled Water Master Plan; and

WHEREAS, on April 5, 2007, the BPU, by Resolution No. 886, and, on April 24, 2007, the Council, by Resolution No. 26826, certified the April 2007 Addendum to the IRWP EIR evaluating the April 2007 Update to the Recycled Water Master Plan; and

WHEREAS, on August 2, 2007, the BPU by Resolution No.889 certified the August 2007 Addendum to the IRWP evaluating the August 2007 Update to the Recycled Water Master Plan, and subsequent references to the Program EIR are intended to refer to the IRWP EIR, the 2004 Addendum, the April 2007 Addendum, and the August 2007 Addendum together; and

WHEREAS, on August 21, 2007, the Santa Rosa Urban Recycled Water Ordinance and Policies CEQA Checklist (Checklist), attached to the Staff Report for Agenda Item 9.2 for the September 6, 2007 Board of Public Utilities meeting for the Santa Rosa Urban Recycled Water Ordinance, was prepared under CEQA Guidelines Section 16168(c) to evaluate whether the Project is within the scope of the Program EIR for the IRWP; and

WHEREAS, the Checklist concludes that the Project implements a portion of the Urban Reuse Alternative which is specifically included within the Program EIR Project Description, and that no new effects have been identified and no new mitigation measures would be required that were not already included in the Program EIR; and

WHEREAS, the Program EIR, Checklist, and supporting documentation can be reviewed at the Santa Rosa Subregional Water Reuse Plant, 4300 Llano Road, Santa Rosa, CA 95407, and online at www.SRCity.org/IRWP; and

WHEREAS, the Utilities Department Guide to Water and Wastewater Policy provides guidance, consistency and assistance to the public and staff on key policy decisions of the Board; and

WHEREAS, City Council is scheduled to consider adoption of the Urban Recycled Water Ordinance and recycled water demand fees; and

WHEREAS, to be consistent with the proposed Ordinance and fees, the Utilities Department Guide to Water and Wastewater Policy must be updated; and

WHEREAS, numerous other provisions of the Utilities Department Guide to Water and Wastewater Policy can appropriately be extended to the recycled water system.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities finds and certifies as follows:

1. The Board of Public Utilities has examined the revisions to the Utilities Department Guide to Water and Wastewater Policy in light of the Program EIR, to determine whether an additional environmental document must be prepared, and, has reviewed the Checklist that was prepared in compliance with CEQA and the CEQA Guidelines; and
2. The Board of Public Utilities hereby determines that revisions to the Utilities Department Guide to Water and Wastewater Policy are within the scope of the Program EIR for the IRWP Master Plan, and that this Project was covered in the Program EIR for the purposes of CEQA (CEQA Guidelines, § 15168, subd. (c)(4)); and
3. The Board of Public Utilities, subject to the City Council adopting the Santa Rosa Urban Recycled Water Ordinance and the recycled water demand fees, hereby approves the revisions to the Utilities Department Guide to Water and Wastewater Policy; and
4. The Board of Public Utilities hereby adopts the “CEQA Findings of Fact for the Santa Rosa Urban Recycled Water Ordinance and Policies Project” attached to the Staff Report for Agenda Item 9.2 for the September 6, 2007 Board of Public Utilities meeting for the Santa Rosa Urban Recycled Water Ordinance, in accordance with Public Resources Code § 21081(a); and
5. The Board of Public Utilities hereby adopts the “Statement of Overriding Considerations for the Santa Rosa Urban Recycled Water Ordinance and Policies Project” attached to the Staff Report for Agenda Item 9.2 for the September 6, 2007 Board of Public Utilities meeting for the Santa Rosa Urban Recycled Water Ordinance, in accordance with Public Resources Code § 21081(b); and

6. The Board of Public Utilities hereby adopts the “August 2007 Mitigation and Monitoring Program for the Santa Rosa Urban Recycled Water Ordinance and Policies Project” attached to the Staff Report for Agenda Item 9.2 for the September 6, 2007 Board of Public Utilities meeting for the Santa Rosa Urban Recycled Water Ordinance, in accordance with Public Resources Code § 21081.6(a)(1); and
7. The custodian of the documents or other material which constitutes the record of proceedings upon which this resolution is based is:

Glen Wright, Deputy Director Water Resources
Santa Rosa Utilities Department
69 Stony Circle
Santa Rosa, CA 95401

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 6th day of September, 2007.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Chairman Richard Dowd

ATTEST: _____
Gina Perez
Recording Secretary

APPROVED AS TO FORM:

City Attorney