

RESOLUTION NO. 913

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES DETERMINING THAT THE SANTA ROSA URBAN REUSE PROJECT PHASE 1 WEST IS WITHIN THE SCOPE OF THE IRWP EIR, ADOPTING A MITIGATION MONITORING PROGRAM, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, MAKING CEQA FINDINGS OF FACT; APPROVING PHASE 1 WEST OF THE SANTA ROSA URBAN REUSE PROJECT; AND RECOMMENDING THAT THE COUNCIL APPROVE THE PROJECT AND AUTHORIZE THE DIRECTOR OF UTILITIES TO APPROVE CHANGES TO THE PROJECT AND TO CONSIDER CEQA DOCUMENTS THEREFOR

WHEREAS, the City proposes to approve the Santa Rosa Urban Reuse Project Phase 1 West (Project); and

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

WHEREAS, the Project helps carry out the August 2007 Update to the IRWP Recycled Water Master Plan; 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. 899 certified the August 2007 Addendum to the IRWP evaluating the August 2007 Update to the Recycled Water Master Plan; and

WHEREAS, 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 November 20, 2007, the Santa Rosa Urban Reuse Project Phase 1 CEQA Checklist (Checklist), attached to this resolution as Exhibit A for the December 6, 2007, Board of Public Utilities meeting for the Santa Rosa Urban Reuse Project Phase 1, was prepared under CEQA Guidelines Section 15168(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, recycled water use for urban irrigation and other approved uses is one source of future water supply for the Santa Rosa community and provides recycled water disposal capacity for the Subregional System; and

WHEREAS, the City has incorporated into City Code the rules and regulations that govern the use of recycled water in urban areas and the authority to require recycled water use for new connections; and

WHEREAS, Santa Rosa undertook a feasibility study and a preliminary design engineering study which concluded that expanding the current urban reuse system by up to 1,000 million gallons per year is a feasible project; and

WHEREAS, the feasibility and predesign studies identified phased implementation of the 1,000 million gallon per year project as preferred because water supply and recycled water disposal needs are expected to develop over an extended period, financing phased implementation is considered fiscally advantageous, and construction of pipelines in streets in phases is expected to be less disruptive to motorists and business; and

WHEREAS, Phase 1 West will serve more existing customers than Phase 1 South, and, as such, is expected to generate greater revenue during the initial 10-year implementation period, provide greater drought protection than would Phase 1 South, and provide greater flexibility to speed up or slow down implementation to more closely match disposal and water supply need; and

WHEREAS, implementation of Phase 1 West is expected to take approximately six years, and water supply and recycled water disposal needs are expected to develop within the six-year implementation period; and

WHEREAS, the incidental runoff from urban reuse between May 15th and September 30th is currently considered by the North Coast Regional Water Quality Control Board (Regional Water Board) to be a violation of the Basin Plan seasonal discharge prohibition; and

WHEREAS, in September 2007, the Regional Water Board adopted Resolution R1-2007-0073, its "Policy Statement in the Matter of Recycled Water Use in the North Coast Region," which expressed the Regional Water Board's support of water recycling and its intent to consider modifications to the Basin Plan that would define and permit incidental runoff; and

WHEREAS, minor changes to the Project may be required during the design and construction of the Project; and

WHEREAS, delegation of authority to the Director of Utilities to approve changes to the Santa Rosa Urban Reuse Project Phase 1 West when the need for such changes arises during design and construction is desirable so that design and construction can continue without disruptions or undue delays, provided the project remains consistent with, and within the scope of, the Urban Reuse Alternative as described in the IRWP.

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 Santa Rosa Urban Reuse Project Phase 1 West in light of the Program EIR, to determine whether an additional environmental document must be prepared, and has reviewed the Checklist (Exhibit A) that was prepared in compliance with CEQA and the CEQA Guidelines; and
2. The Board of Public Utilities hereby determines that the Santa Rosa Reuse Project Phase 1 West is 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 hereby approves the Santa Rosa Urban Reuse Project Phase 1 West; and
4. The Board of Public Utilities hereby states that construction of the Santa Rosa Urban Reuse Project Phase 1 West shall not proceed until the North Coast Regional Water Quality Control Board has amended its Basin Plan so that incidental runoff from urban reuse is no longer considered a violation of the seasonal discharge prohibition; and
5. The Board of Public Utilities hereby adopts the findings attached as Exhibit B to the Resolution, in accordance with Public Resources Code § 21081(a); and
6. The Board of Public Utilities hereby adopts the Statement of Overriding Considerations attached as Exhibit C to this Resolution, in accordance with Public Resources Code § 21081(b); and
7. The Board of Public Utilities hereby adopts the Santa Rosa Urban Reuse Project Phase 1 West Mitigation Monitoring Program attached as Exhibit D to this Resolution, in accordance with Public Resources Code § 21081.6(a)(1); and
8. The Board of Public Utilities hereby recommends that the City Council approve the Santa Rosa Urban Reuse Project Phase 1 West; and

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9. The Board of Public Utilities requests that staff initiate engineering design of the first segment of Santa Rosa Urban Reuse Project Phase 1 West; and
10. The Board of Public Utilities requests that staff transmit this resolution to the North Coast Regional Water Quality Control Board requesting that it consider a Basin Plan amendment to address incidental runoff as scheduled in 2008; and
11. The Board of Public Utilities hereby recommends that the City Council authorize the Director of Utilities to approve changes to the Santa Rosa Urban Reuse Project Phase 1 West as needed, and consider CEQA documents therefor, including authorization to make Statements of Overriding Considerations, CEQA Findings of Fact, and amend the Mitigation Monitoring Program relative to Project Measures and monitoring; such decisions being appealable to the Council pursuant to Santa Rosa City Code Section 1-20.010; and
12. The custodian of the documents or other material which constitutes the record of proceedings upon which this resolution is based is:

Jennifer Burke, Senior Water Resources Planner
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 December, 2007.

Attachments:

Exhibit A – Santa Rosa Urban Reuse Project Phase 1 CEQA Checklist

Exhibit B – CEQA Findings of Fact

Exhibit C – Statement of Overriding Considerations

Exhibit D – Mitigation Monitoring Program