

RESOLUTION NO. 771

RESOLUTION OF THE CITY OF SANTA ROSA BOARD OF PUBLIC UTILITIES CERTIFYING THE COMPLETION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE Incremental Recycled Water Program

WHEREAS, the City of Santa Rosa ("City") proposes to implement an Incremental Recycled Water Program ("IRWP") to provide for reliable treatment, reuse, recycling, and/or disposal of the wastewater generated from population anticipated in the new General Plans of the communities making up the Subregional Water Reclamation System; and

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

WHEREAS, on June 26, 2001, the City entered into a contract with environmental consultants ("Parsons-HBA") to prepare a Program Environmental Impact Report for the IRWP ("EIR"), pursuant to CEQA, the CEQA Guidelines (Cal. Code Regs., tit. 14, 15000 *et seq.*), and the local procedures adopted by the City pursuant thereto; and

WHEREAS, on August 30, 2001, the Santa Rosa Board of Public Utilities ("BPU") approved a Purpose and Needs Statement for the IRWP; and

WHEREAS, on October 2, 2003, the Santa Rosa City Council ("City Council"), by Resolution No. 24989, -->

adopted the Purpose and Needs Statement as approved by BPU; and

WHEREAS, between October 2001, and July 2002, the City and Parsons-HBA conducted three initial IRWP pre-scoping meetings and held a joint City Council and BPU study session; and

WHEREAS, on July 16, 2002, the City circulated the Notice of Preparation and Initial Study for the IRWP; and

WHEREAS, on July 31, 2002, the City and Parsons-HBA conducted the primary scoping meeting for the IRWP; and

WHEREAS, on August 1, 2002, the BPU recommended amendments to the Purpose and Needs Statement; and

WHEREAS, on August 6, 2002, the City Council, by Resolution No. 25349, adopted a revised Purpose and Needs Statement for the IRWP; and

WHEREAS, on September 13, 2002, the City published Draft Scoping and Draft Screening Reports for the IRWP; and

WHEREAS, between September and October 2002, BPU and the City Council evaluated Alternatives to be studied in the EIR; and

WHEREAS, on September 24, 2002, the City Council, by Resolution No. 25393, accepted BPU's recommendation to accept the IRWP Draft Scoping and Draft Screening Reports and confirmed BPU's selection of Alternatives to be evaluated in the EIR; and

WHEREAS, between February and March 2003, the City considered additional Ocean Outfall and Napa Salt Marsh Alternatives for inclusion in the EIR; and

WHEREAS, on March 20, 2003, following public comments on the Ocean Outfall and Napa Salt Marsh Alternatives, the City rejected these alternatives because the evidence in the City's record of proceedings at that time indicated the alternatives were infeasible and inconsistent with the City's objectives for the project; and

WHEREAS, on May 16, 2003, the Draft EIR was published and the Notice of Completion ("NOC") for the Draft EIR was filed with the State Clearinghouse, pursuant to Section 15085 of the CEQA Guidelines, thereby beginning the required 45-day public review and comment period; and

WHEREAS, the City also distributed copies of the Draft EIR to those public agencies that have jurisdiction by law with respect to the IRWP, as well as to other interested persons and agencies, and sought the comments of such persons and agencies; and

WHEREAS, on June 19, 2003, the City held a public hearing on the Draft EIR; and

WHEREAS, on June 30, 2003, the 46-day public comment and review period closed; and

WHEREAS, on October 20, 2003, 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, on October 24, 2003, the NOC for the Final EIR was submitted to the State Clearinghouse; and

WHEREAS, on November 6, 2003, the BPU and City Council conducted a joint 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 Parsons-HBA, City Staff, or the public during the comment period or during preparation of the Final EIR that would require recirculation pursuant to CEQA Guidelines section 15088.5; and

5. 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 Incremental Recycled Water Program, dated October 20, 2003, 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 6th day of November, 2003.