

RESOLUTION NO. OCSD 20-XX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT CERTIFYING THE PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE FACILITIES MASTER PLAN, PROJECT NO. PS17-08; ADOPTING A STATEMENT OF FACTS AND FINDINGS; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the Orange County Sanitation District (the "District") is presently considering a project known as the FACILITIES MASTER PLAN, Project No. PS17-08, the ("Project").

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq. ("CEQA")) and the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), the District, as lead agency, prepared an Initial Study/Program Environmental Impact Report ("Program Environmental Impact Report") for the Project that analyzes the potential impacts of the Project and identifies applicable mitigation measures; and

WHEREAS, the District has consulted with other public agencies and the general public, and provided such agencies and the public with the opportunity to provide written and oral comments on the Project and the Program Environmental Impact Report as required by CEQA, including a public review period of 45 days which commenced on September 2, 2020 and ended on October 16, 2020.

WHEREAS, the District has reviewed the comments received and has responded in the Final Program Environmental Impact to all significant environmental issues raised during the review and consultation process; and

WHEREAS, the comments received on the Program Environmental Impact Report, either in full or in summary, together with the District's responses, have been included in the Final Program Environmental Impact Report for the proposed Project; and

WHEREAS, the Final Program Environmental Impact Report, including the comments received by the District on the Program Environmental Impact Report, has been presented to the District's Board of Directors for review and consideration, and certification of the Final Program Environmental Impact Report is consistent with the provisions of CEQA.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District DOES HEREBY RESOLVE, DETERMINE AND ORDER:

1. The Board of Directors has independently reviewed and considered the Program Environmental Impact Report, which consists of the Draft Environmental Impact Report and the Final Environmental Impact Report, together with all comments received during the public review process;
2. The Program Environmental Impact Report reflects the independent judgment and analysis of the Board of Directors;
3. The Board of Directors finds that the Program Environmental Impact Report, including comments and responses thereto, has been completed in compliance with CEQA;
4. The Board of Directors finds on the basis of the whole record before it that there is substantial evidence that the Project, as mitigated, will have an unavoidable significant effect on the environment;
5. The Board of Directors adopts the Findings of Fact for the Project, attached hereto as Exhibit A and incorporated herein by reference, including the Statement of Overriding Considerations within the Findings of Fact which finds that economic, legal, social, technological, and other considerations outweigh the Project's significant unavoidable environmental effects;
6. The Board of Directors adopts the Mitigation Monitoring and Reporting Program (the "MMRP"), included in the Final Program Environmental Impact Report to ensure that all mitigation measures identified in the Program Environmental Impact Report are implemented;
7. The Board of Directors certifies the Program Environmental Impact Report; and
8. The documents and other materials that constitute the record of proceedings on which the Board of Directors decision is based are located at the District Administration Offices, 10844 Ellis Avenue, Fountain Valley, CA 92708 and the custodian for these documents is the Clerk of the Board.

PASSED AND ADOPTED at a regular meeting of the Board of Directors held December 16, 2020.

David John Shawver
Board Chairman

ATTEST:

Kelly A. Lore, MMC
Clerk of the Board

APPROVED AS TO FORM:

Bradley R. Hogan
General Counsel

STATE OF CALIFORNIA)
)
 ss
COUNTY OF ORANGE)

I, Kelly A. Lore, Clerk of the Board of Directors of the Orange County Sanitation District, do hereby certify that the foregoing Resolution No. OCSD 20-XX was passed and adopted at a regular meeting of said Board on the 16th day of December 2020, by the following vote, to wit:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Orange County Sanitation District this 16th day of December 2020.

Kelly A. Lore, MMC
Clerk of the Board of Directors
Orange County Sanitation District