

RESOLUTION NO. OC SAN 21-XX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE BAY BRIDGE PUMP STATION AND FORCE MAINS REPLACEMENT PROJECT, PROJECT NO. 5-67; ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM; AND APPROVING THE BAY BRIDGE PUMP STATION AND FORCE MAINS REPLACEMENT PROJECT, PROJECT NO. 5-67

WHEREAS, the Orange County Sanitation District (the "District") is presently considering the approval of a project known as the Bay Bridge Pump Station and Force Mains Replacement Project, Project No. 5-67 (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 a Draft 2020 Recirculated Environmental Impact Report ("2020 REIR") (State Clearinghouse Number 2016111031) that reflected the independent judgment of the District as to the potential environmental impacts of the Project. The 2020 REIR determined that the Project would not have significant impacts on the environment with the incorporation of feasible mitigation measures, and therefore the District has not prepared a Statement of Overriding Considerations for the Project;

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 comments on the Project and the Environmental Impact Report as required by CEQA, including, without limitation, a public review period of 45 days which commenced on August 7, 2020 and ended on September 21, 2020;

WHEREAS, on September 21, 2020, District staff held a public meeting to provide a further opportunity for public agencies and the general public to comment on the Draft 2020 REIR;

WHEREAS, the District has reviewed the comments received and has responded in the Final Environmental Impact Report to all significant environmental issues raised during the public comment period;

WHEREAS, the comments received on the Draft 2020 REIR, either in full or in summary, together with the District's responses, have been included in the Final Environmental Impact Report for the proposed Project; and

WHEREAS, the Final 2020 Environmental Impact Report, including the comments received by the District on the Draft 2020 REIR, has been presented to the District's Board of Directors (the "Board") for review and consideration prior to the approval of, and commitment to, the Project, and the certification of the Final 2020 Environmental Impact Report, and approval of the Mitigation Monitoring and Reporting Program 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 certifies that the Final 2020 Environmental Impact Report, including comments and responses thereto, has been completed in compliance with CEQA;
2. The Board of Directors has independently reviewed and considered the Final Environmental Impact Report together with all comments received during the public review process;
3. The Final Environmental Impact Report reflects the independent judgment and analysis of the Board;
4. The Board of Directors adopts the Findings of Fact for the Project attached hereto as Exhibit A and incorporated herein by reference;
5. The Board of Directors finds on the basis of the whole record before it that there is no substantial evidence that the Project, as mitigated, will have a significant impact on the environment;
6. The Board of Directors adopts the Mitigation Monitoring and Reporting Program (the "MMRP"), included in the Final Environmental Impact Report, to ensure that all mitigation measures identified in the Mitigated Negative Declaration are implemented;
7. The Final Environmental Impact Report has been completed in compliance with the requirements of CEQA and is hereby Certified;
8. The Board of Directors approves the Bay Bridge Pump Station and Force Mains Rehabilitation Project;
9. 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; and

10. District staff is authorized and directed to file the Notice of Determination (NOD) and any other documents in accordance with the requirements of CEQA.

PASSED AND ADOPTED at a regular meeting of the Board of Directors held February 24, 2021.

David John Shawver
Board Chairman

ATTEST:

Kelly A. Lore, MMC
Clerk of the Board

APPROVED AS TO FORM:

Bradley R. Hogin
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. OC SAN 21-XX was passed and adopted at a regular meeting of said Board on the 24th day of February 2021, 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 24th day of February, 2021.

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