

RESOLUTION NO. 2012-14

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE UNITED WATER CONSERVATION DISTRICT MAKING CERTAIN FINDINGS AND DETERMINATIONS IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR IMPLEMENTATION OF GEOTECHNICAL INVESTIGATIONS NEAR THE VERN FREEMAN DIVERSION FACILITY, FOR WHICH AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE GENERAL MANAGER TO PROCEED WITH IMPLEMENTATION OF THE GEOTECHNICAL INVESTIGATIONS; ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM; AND DIRECTING THE GENERAL MANAGER TO FILE A NOTICE OF DETERMINATION

WHEREAS, the United Water Conservation District (“District”) intends to undertake a geotechnical investigations (“Project”) near to and on the upstream side of the Vern Freeman Diversion Facility (“Freeman Diversion”) in support of studies for potential proposed installation of a hardened ramp at the Freeman Diversion; and

WHEREAS, the California Environmental Quality Act of 1970, as amended (“CEQA”) requires that, in the approval of a project for which a mitigated negative declaration (MND) has been prepared, the decision-making body shall review the MND and any comments thereto and make certain findings regarding the significant effects on the environment identified in the MND; and

WHEREAS, such decision-making body in this circumstance is the District Board of Directors; and

WHEREAS, the Project is the subject of the July 2, 2012 “Draft Initial Study/Mitigated Negative Declaration—Geotechnical Investigations on the Santa Clara River near Saticoy, CA” (“Draft IS/MND”)(SCH #2012061097) prepared by the District as Lead Agency under CEQA; and

WHEREAS, the District published a Public Notice regarding the Draft IS/MND in the *Ventura County Star* on June 29, 2012, and in accordance with CEQA the Draft IS/MND was circulated to responsible and trustee agencies and other parties, including the office of the Ventura County Clerk and the State Clearinghouse, and the Notice was posted in accordance with CEQA by the Ventura County Clerk; and

WHEREAS, the District received minor comments to the Draft IS/MND, and the District’s responses to the comments are contained in the Final MND; and

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WHEREAS, the MND concludes that implementation of the Project could result in a number of potentially significant effects on the environment, but further identifies mitigation measures which will reduce any potentially significant effects to a less than significant level; and

WHEREAS, such mitigation measures are set forth in a Mitigation Monitoring And Reporting Plan (“MMRP”) prepared by the District as Lead Agency, together with and as part of the MND; and

WHEREAS, with the incorporation and implementation of measures contained in the MMRP into the Project, any potentially significant effects on the environment arising from the Project will be reduced to a less than significant level; and

WHEREAS, the District Board of Directors hereby certifies that it has considered the MND and MMRP and the information contained within, together with comments received thereto; and

WHEREAS, the MND and the MMRP for the Project are hereby incorporated into this Resolution as if fully set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UNITED WATER CONSERVATION DISTRICT AS FOLLOWS:

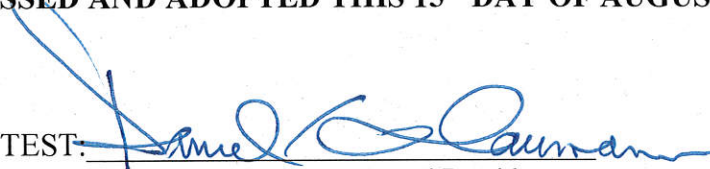
1. The District Board of Directors makes the following findings: (a) on the basis of the whole record before the Board (including the Draft IS/MND, the comments received and the responses thereto, the MND together with the MMRP, and other information in the record), there is no substantial evidence that the project will have a significant effect on the environment; (b) the MND together with the MMRP prepared for the Project have been completed in compliance with CEQA and consistent with State CEQA Guidelines; (c) the Board has independently reviewed and analyzed the MND together with the MMRP, comments and responses thereto and other information in the record, prior to its approval of the Project and this Resolution; and (d) the MND together with the MMRP reflects the District’s independent judgment and analysis as a lead agency.
2. The Board hereby adopts the MND, together with the mitigation, monitoring and reporting measures contained in the MMRP, prepared for the Project. The Board further designates the District’s Administrative Services Manager at the District’s offices, located at 1206 North Eighth Street, Santa Paula, California 93060, as the custodian of documents and record of proceedings on which this decision is based.
3. The Board approves the Project and authorizes the District’s General Manager to proceed with implementation upon receipt of necessary permits thereto.

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4. The Board authorizes and directs the District General Manager to file a Notice of Determination with the Office of Planning and Research and the Ventura County Clerk in accordance with the provisions of CEQA.
5. The foregoing recitals are true and correct and incorporated herein as if fully set forth.

PASSED AND ADOPTED THIS 15th DAY OF AUGUST, 2012

ATTEST:


Daniel C. Naumann, Board President

ATTEST:


F.W. Richardson, Board Secretary/Treasurer

