

RESOLUTION NO. 12-08-883

A RESOLUTION OF THE BOARD OF DIRECTORS OF WEST BASIN MUNICIPAL WATER DISTRICT ADOPTING CEQA FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE TEMPORARY OCEAN WATER DESALINATION DEMONSTRATION PROJECT

WHEREAS, West Basin Municipal Water District ("District") has developed a project description, as set forth in the Final Environmental Impact Report ("Final EIR") for the Temporary Ocean-Water Desalination Demonstration Project (the "Project"), for evaluating various alternative technologies and processes, sustainable operation, water quality monitoring and to study the impacts of desalination on the environment; and

WHEREAS, the objectives of the Project are: to implement a subsurface pilot program to evaluate subsurface intake feasibility, investigate feasibility of passive screening using wedgewire technology in an open ocean environment; to the extent practical, utilize existing infrastructure to minimize adverse effects upon the environment; provide opportunities for public education, successfully demonstrate full-scale reverse osmosis equipment; test various pretreatment options; conduct raw and finished water quality and salinity tests; evaluate energy consumption and efficiency; during Temporary Facility construction and operation, minimize adverse effects upon SEA Lab and AES Operations; and, following completion of Temporary Facility operation, West Basin's equipment is removed and the site is returned to SEA Lab in such a manner that its functional use meets the collaborative approval of both SEA Lab and the City of Redondo Beach; and

WHEREAS, the Project includes a temporary desalination demonstration facility utilizing approximately 580,000 gallons per day (GPD) of open ocean water (via an existing AES intake tunnel), improvements to the abandoned AES pumphouse, and using an adjacent 40' x 100' area (the "South Yard") for desalination equipment, and other minor improvements. The Project will also utilize portions of the AES parking lot across North Harbor Drive, for construction parking and staging, and for employee/visitor parking when the Temporary Facility is operational. The Temporary Facility includes the following key components: facility construction/staging, temporary desalination facility, pumphouse improvements, south yard equipment area, modified ocean intake/wedgewire system, subsurface intake pilot study, AES parking/staging area, water quality sampling station, marine research studies, residuals management, infrastructure/utilities, maintenance/replacement activities, and decommissioning; and

WHEREAS, a Notice of Preparation of a draft EIR was issued on January 22, 2008 allowing a thirty day comment and review period in accordance with the CEQA Guidelines; and

WHEREAS, although not required by CEQA, West Basin held three duly noticed public scoping meetings on February 5, 7 and 11, 2008 to solicit input from the general public, regulatory agencies and environmental organizations; and

WHEREAS, the Draft EIR was circulated to the public on October 22, 2008 through December 5, 2008 for comment and review in accordance with applicable CEQA Guidelines, with copies available at the West Basin office, City of Redondo Beach Main Library and West Basin website; and

WHEREAS, although not required by CEQA, West Basin held two duly noticed Draft EIR public meetings on November 10, 2008 to receive comments on the Draft EIR from the general public and environmental organizations, during which West Basin staff responded to various questions from the attendees; and

WHEREAS, various written comments on the Draft EIR were received from agencies and other interested parties; and

WHEREAS, on December 10, 2008, West Basin's Water Resources Committee reviewed the proposed Final EIR, including draft Responses to Comments and related documents, and recommended that the Final EIR and project comments be forwarded to the Board for consideration;

WHEREAS, West Basin has prepared the "Final EIR" for the project, which includes the following components:

- 1) "Volume I" - the Draft EIR and Technical Appendices
- 2) "Volume II" – Response to Comments and Errata
- 3) Oral testimony and presentations made at public meetings for the EIR
- 4) The December 22, 2008 Board memo and attachments
- 5) Documents cited or incorporated by reference into the Final EIR

WHEREAS, the Board conducted a duly noticed public meeting where any and all members of the public were allowed to comment on the Final EIR, project and related documents, and received public testimony with respect to environmental documentation on the 22nd day of December 2008;

WHEREAS, West Basin has reviewed and considered the Water Resources Committee comments, environmental information contained in the Final EIR, all staff reports, oral and written testimony given at public meetings on the Project, and all other matters deemed material and relevant prior to adopting this Resolution;

NOW THEREFORE, BE IT RESOLVED by the Board of Directors as follows:

- 1) The Board has reviewed and considered, and hereby approves and adopts, pursuant to CEQA Section 21081 and CEQA Guidelines Sections 15091 and 15093, the specific CEQA Findings and Statement of Overriding Considerations, attached as Exhibit "A" hereto and incorporated herein by this reference, in order to satisfy the requirements of CEQA in connection with the assessment of the environmental impacts of the Project, as set forth in the Final EIR;
- 2) The Board has reviewed and considered and hereby approves and adopts, pursuant to CEQA Guidelines Sections 15091 (a)(1) and 15097, the Mitigation Monitoring and Reporting Program, attached as Exhibit "B" hereto and incorporated herein by this reference, as a condition of approval of the Project, in order to ensure implementation of the mitigation measures identified in the Final EIR which have been required to mitigate or avoid significant environmental effects of the Project;
- 3) The Board hereby approves the Temporary Ocean-Water Desalination Demonstration Project as set forth in the Final EIR;
- 4) The Board hereby authorizes the General Manager to file a CEQA Notice of Determination reflecting the Board's approval of the Project;
- 5) The Board hereby authorizes the General Manager to implement all aspects of the "Project" as set forth in the Final EIR, including completion of the Project's final design plans, regulatory permitting, construction bid documents, facility construction, facility operation and maintenance, and facility decommissioning.

PASSED, APPROVED, and ADOPTED on December 22, 2008.

West Basin Municipal Water District

President of the Board

ATTEST:

(SEAL)

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