

**LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN BERNARDINO**

215 North D Street, Suite 204, San Bernardino, CA 92415-0490
(909) 383-9900 • Fax (909) 383-9901
E-MAIL: lafco@lafco.sbcounty.gov
www.sbclafco.org

PROPOSAL NO.: LAFCO 3076

HEARING DATE: January 21, 2009

RESOLUTION NO. 3046

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR LAFCO 3076 – CONSOLIDATION OF THE SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT AND THE SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT.

On motion of Commissioner Biane, duly seconded by Commissioner Pearson, and carried, the Local Agency Formation Commission adopts the following resolution:

WHEREAS, the San Bernardino Valley Municipal Water District filed an application with the San Bernardino County Local Agency Formation Commission (hereinafter referred to as “the Commission”) initiating a proposal to consolidate the San Bernardino Valley Water Conservation District and the San Bernardino Valley Municipal Water District, designated LAFCO 3076; and,

WHEREAS, pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq. (“CEQA”), the State CEQA Guidelines, 14 California Code of Regulations 15000 et seq. (“State CEQA Guidelines”), and the Commission’s Local CEQA Guidelines, the Commission is the lead agency for LAFCO 3076; and

WHEREAS, the Commission, as lead agency, determined that an Environmental Impact Report (“EIR”) should be prepared pursuant to CEQA in order to analyze all potential significant environmental impacts associated with the implementation of LAFCO 3076; and

WHEREAS, a Notice of Preparation of a Draft Environmental Impact Report (“Draft EIR”) for LAFCO 3076 was prepared and distributed for public review and comment from September 7, 2007 to October 9, 2007; and,

WHEREAS, the Commission received oral and written public comments on the Notice of Preparation of the Draft EIR at a public scoping meeting held on September 26, 2007, which assisted the Commission in narrowing the issues and developing alternatives for analysis in the EIR; and,

RESOLUTION NO. 3046

WHEREAS, a Draft EIR was prepared for LAFCO 3076 and submitted to the State Clearinghouse together with a Notice of Completion, and a Notice of Availability filed, published, and mailed to responsible agencies, interested parties and local public libraries providing a 45-day public review and comment period. Said comment period was from June 4, 2008 through July 21, 2008; and,

WHEREAS, the Commission received written comments on the Draft EIR from six (6) individuals and organizations, and a Response to Comments was prepared and provided to responders to the Draft EIR on January 9, 2009; and,

WHEREAS, the Commission determined that the Response to Comments and Errata, together with the Draft EIR, constitute the Final Environmental Impact Report ("Final EIR"), which was distributed to the responsible agencies, interested parties and local public libraries on January 9, 2009; and,

WHEREAS, the Commission conducted a noticed public hearing on January 21, 2009 to consider certification of the Final EIR; and,

WHEREAS, the Commission has reviewed and considered the Final EIR, and fully reviewed and considered the staff report and the recommendation by LAFCO staff during its meeting on January 21, 2009 and heard and received public comments on the Final EIR at that meeting, and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the Final EIR, in evidence presented at the hearing;

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby determine, find, resolve, and order as follows:

DETERMINATIONS:

1. The Commission finds that it has reviewed and considered all information contained in the Final EIR for LAFCO 3076 and the Commission finds that the Final EIR has been completed in compliance with CEQA, the State CEQA Guidelines, and the Commission's local CEQA guidelines;
2. The Commission finds that the Final EIR reflects the Commission's independent judgment;
3. The Commission finds that no new significant information as defined by State CEQA Guidelines section 15088.5 has been received after circulation of the Draft EIR which would require re-circulation; and
4. The Final EIR is hereby certified as being complete in compliance with the provisions of CEQA, the State CEQA Guidelines and the Commission's local CEQA guidelines.

RESOLUTION NO. 3046

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission of the County of San Bernardino by the following vote:

AYES: COMMISSIONERS: Biane, Cox, Curatalo, McCallon, Mitzelfelt, Nuaimi, Pearson

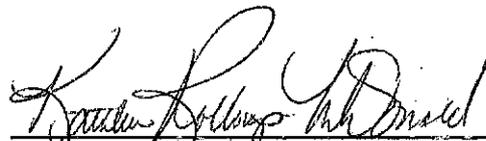
NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, KATHLEEN ROLLINGS-MCDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of January 21, 2009.

DATED: January 21, 2009



KATHLEEN ROLLINGS-MCDONALD
Executive Officer