

RESOLUTION NO. 13-02

RESOLUTION OF THE BOARD OF DIRECTORS OF IRONHOUSE SANITARY DISTRICT ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE IMPLEMENTATION OF THE PROPOSED SOLAR PHOTOVOLTAIC PROJECT

WHEREAS, Ironhouse Sanitary District (ISD) provides sanitary sewer services to the City of Oakley, Bethel Island, and unincorporated areas in eastern Contra Costa County, with treatment facilities located in Contra Costa County, within the urban limit line of the City of Oakley. All effluent is processed at a tertiary treatment facility on-site that uses a membrane bioreactor to treat effluent, and ultraviolet irradiation to disinfect effluent prior to discharge. Effluent is discharged through a combination of land application of recycled water onto agricultural lands on Jersey Island (up to 333 acres) and direct discharge into the San Joaquin River off the north shore of Jersey Island;

WHEREAS, the intent of the proposed Solar Photovoltaic Project (Project) is to provide ISD with renewable energy through installation and operation of solar modules capable of providing electric energy. ISD has contracted with SEC UBBOE Solar One, LLC to design, install, own, operate and maintain the solar modules. SEC UBBOE Solar One, LLC has proposed to install solar modules at two locations within ISD's property: Field A and on a new carport;

WHEREAS, upon review of an Initial Study evaluating the environmental effects the Project, the ISD Board of Directors (Board) directed and supervised the preparation of a Mitigated Negative Declaration (MND) and a Mitigation Monitoring and Reporting Program (MMRP), each which is dated January 2013;

WHEREAS, the Board directed that a Notice of Intent to adopt a MND be published and the MND was available for public review from January 11 to February 5, 2013

WHEREAS, on January 23 the Board held a noticed work shop open to members of the public at which it reviewed and evaluated all economic, environmental and other aspects of the Project, including without limitation the MND and the MMRP;

WHEREAS, the Board desires to implement the proposed Project.

NOW, THEREFORE, BE IT RESOLVED by the Board, based on the foregoing facts and circumstances and all other information contained in the record, hereby finds and determines as follows:

1. As lead agency, the Board has analyzed the environmental impacts of the Project, the compliance of the MND and the MMRP with the California Environmental Quality Act (CEQA). The Board hereby determines that the MND and the MMRP meet the requirements of CEQA, reflect the independent judgment of the Board and the Board hereby adopts the MND and the MMRP.
2. The Board finds and determines based on the IS, the MND, the MMRP and all comments on the foregoing, that there is no substantial evidence in the record before the Board that the Project will have a significant effect on the environment.
3. The ISD Board hereby approves the Project as described in the MND and the ISD Board hereby directs staff to implement the Project and the MMRP.
4. The Board appoints the District Engineer to be the custodian of all documents and other materials related to the Project and direct that the same be maintained at the District's office at 450 Walnut Meadows Drive, Oakley, California.
5. This Resolution is adopted following a meeting at which a public hearing was held at a regularly scheduled meeting of the Board for which a minimum of two weeks' public notice was duly given. The Board hereby finds that, pursuant to Government Code section 4217.12, the anticipated cost to ISD for electrical energy services to be purchased by ISD under the Agreement will be less than the anticipated marginal cost to the District of electrical or other energy that would have been consumed by the District if purchased from the local utility. The District Board also finds that, pursuant to Government Code section 4217.12, that the difference, if any, between the fair market value of the lease and/or easement and the proposed lease/easement, is anticipated to be offset by below-market energy purchases under the Agreement.
6. Based on the findings herein, the Board hereby authorizes the General Manager or designee to execute the proposed Solar Power Services Agreement in substantially the same form as Exhibit 1 with SEC UBBOE Solar One, LLC.

7. The Board directs staff to file a Notice of Determination with the Contra Costa County Clerk and to pay the \$50.00 filing fee required by the Contra Costa County Clerk and the \$2,156.25 fee required by the California Department of Fish and Wildlife.

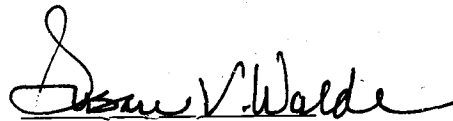
AYES, and in favor thereof, Members: D. Contreras, D. Huerta,
C. Lauritzen, M. Painter and D. Scheer

NOES, Members: None

ABSTAIN, Members: None

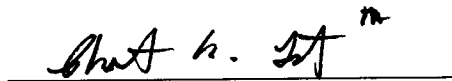
ABSENT, Members: None

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by the Board of Directors of ISD at a meeting thereof held on the 5th day February, 2013.



Secretary
(SEAL)

APPROVED:



President