

**RESOLUTION NO. 2016-17**

**RESOLUTION ADOPTING ADDENDUM NO. 1 TO MITIGATED NEGATIVE DECLARATION FOR THE STATE WATER PROJECT WATER TRANSFER AND INFRASTRUCTURE IMPROVEMENTS PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING SECOND AMENDMENT TO AGREEMENT FOR THE SALE, TREATMENT AND DELIVERY OF WATER WITH CRESTLINE-LAKE ARROWHEAD WATER AGENCY**

**RECITALS**

**WHEREAS**, on June 28, 2005, Lake Arrowhead Municipal Water District (“District”) adopted Resolution No. 2005-04 adopting a Mitigated Negative Declaration (“MND”) for the State Water Project Water Transfer and Infrastructure Improvement Project (“Project”) (State Clearinghouse No. 2004121049) under the California Environmental Quality Act, Public Resources Code section 21000 *et. seq.* (“CEQA”), adopting a Mitigation Monitoring and Reporting Program, and approving the Project;

**WHEREAS**, on June 29, 2005, District staff filed a Notice of Determination stating that the District approved the Project and adopted the MND, with the San Bernardino County Clerk’s office;

**WHEREAS**, the District and Crestline-Lake Arrowhead Water Agency (“CLAWA”) subsequently entered into an Agreement for the Sale, Treatment, and Delivery of Water dated July 7, 2005 (“Agreement”) and a First Amendment to the Agreement in September 2009. The Agreement and First Amendment are collectively referred to as “Agreement”;

**WHEREAS**, the Agreement indicates that it will remain in effect until all of the obligations of the Agreement have been satisfied. The Agreement further states that the obligations of the Agreement are expected to be satisfied by December 31, 2020 or by the extension of such date as necessary to deliver to the District all of the water contemplated in the Agreement;

**WHEREAS**, based on the amount of water yet to be delivered, the District and CLAWA desire to amend the Agreement term to expire on December 31, 2035 to allow sufficient time for all of the obligations of the Agreement to be satisfied (“Project Changes”), as reflected in the Second Amendment to Agreement for the Sale, Treatment and Delivery of Water;

**WHEREAS**, District staff evaluated the Project Changes in light of the environmental analysis contained in the MND and considered whether any supplemental or subsequent environmental review is required. Staff concluded that none of the circumstances described in Public Resources Code section 21166 or State CEQA Guidelines section 15162 have occurred, and thus no supplemental or subsequent environmental review is required;

**WHEREAS**, District staff caused to be prepared Addendum No. 1 to the MND to address any changes or additions to the Project to account for the Project Changes under State CEQA Guidelines section 15164. The Addendum incorporates by reference the analysis in the MND and MMRP, addressing those issues specific to the Project Changes;

**WHEREAS**, the Board has reviewed Addendum No. 1 to the MND, along with the information in the MND, prior to taking action on the Project Changes. Addendum No. 1 to the MND reflects the independent judgment and analysis of the District; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Directors of the Lake Arrowhead Community Services District as follows:

1. The matters set forth in the recitals to the Resolution are true and correct statements.

2. As the decision-making body for the Project, the Board has reviewed and considered the MND for the Project and Addendum No. 1 to the MND, any oral or written comments received, and the administrative record prior to making any decision. The District finds that Addendum No. 1 to the MND has been completed in compliance with CEQA, the State CEQA Guidelines, and the District's Local CEQA Guidelines.

3. Based on Addendum No. 1 to the MND and all related information presented to the District, the District finds that the preparation of a subsequent or supplemental EIR is not required for the Project because Addendum No. 1 is merely a minor modification to the MND and such a minor modification: (1) does not constitute a substantial change to the Project that will require major revisions of the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) does not constitute a substantial change with respect to the circumstances under which the Project is undertaken that will require major revisions of the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and (3) does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the MND was certified, that shows any of the following: (a) the Project will have one or more significant effects not discussed in the MND; (b) significant effects previously examined will be substantially more severe than shown in the MND; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the lead agency declined to adopt such measures or alternatives; or (d) mitigation measures or alternatives considerably different from those analyzed in the MND would substantially reduce one or more significant effects on the environment, but the lead agency declined to adopt such mitigation measures or alternatives.

4. The District approves and adopts Addendum No. 1 to the MND for the Project, dated August 2016.

5. The District approves the Project Changes and the Second Amendment to Agreement for the Sale, Treatment and Delivery of Water to extend the Agreement for 15 years.

6. The Board directs staff to file a Notice of Determination with the San Bernardino County Clerk and the Office of Planning and Research within five (5) working days of approval of the Project.

7. The documents and materials that constitute the record of proceedings on which these findings have been based are located at Lake Arrowhead Community Services District, 27307 State Highway 189, Blue Jay, California 92317. The custodian of these documents is the General Manager of the Lake Arrowhead Community Services District.

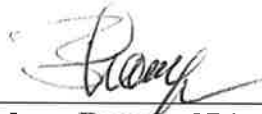
The foregoing Resolution was adopted at a meeting of the Board of Directors of the Lake Arrowhead Community Services District on September 13, 2016, by the following vote:

AYES: Boydston, Gross, Thompson, and Wurm

NOES: None

ABSENT: Keefe

ABSTAIN: None



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**President, Board of Directors  
Lake Arrowhead Community Services District**

**ATTEST:**



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**Clerk of the Board**