

Resolution No.
County Administration Building
Santa Rosa, California

Date

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA COUNTY WATER AGENCY DETERMINING THAT EXECUTING A CONSENT AGREEMENT FOR WORK AND IMPROVEMENTS PROPOSED IN CONNECTION WITH THE MESA BEVERAGES WAREHOUSE/DISTRIBUTION FACILITY WILL NOT ADVERSELY AFFECT THE AGENCY IN ANY RESPECT AND WILL NOT HAVE A SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT; AUTHORIZING THE CHAIRMAN TO EXECUTE A CONSENT AGREEMENT BETWEEN THE SONOMA COUNTY WATER AGENCY AND LIQUID INVESTMENTS, INC.; AND DIRECTING THE GENERAL MANAGER/CHIEF ENGINEER TO FILE A NOTICE OF DETERMINATION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Sonoma County Water Agency (Agency) possesses a right of way (Easement) for the Santa Rosa Aqueduct pursuant to that certain Easement Agreement recorded in Book 1560 beginning at Page 287, Official Records of the County of Sonoma (Easement Agreement); and

WHEREAS, Liquid Investments, Inc., is the owner of the lands through which the Agency's Easement for the Santa Rosa Aqueduct passes; and

WHEREAS, Liquid Investments, Inc., has requested the consent of the Agency for the installation of improvements in connection with the Mesa Beverage Warehouse/Distribution Facility (Mesa Beverage Project) that would otherwise violate terms of the Easement Agreement without the prior written approval of the Agency; and

WHEREAS, following review of the plans and specifications for improvements proposed for the Mesa Beverage Project by Agency staff, Liquid Investments, Inc., and Agency staff have agreed to measures that would safeguard the Santa Rosa Aqueduct; and

WHEREAS, Liquid Investments, Inc., have caused the plans and specifications for the proposed improvements to be modified to the satisfaction of Agency staff; and

WHEREAS, Agency staff, with consultation of County Counsel, have developed a Consent Agreement that will provide the written authorization Liquid Investments, Inc., requires to comply with the terms of the Easement Agreement; and

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WHEREAS, Liquid Investments, Inc., has agreed to reimburse the Agency for cost incurred by the Agency in connection with Mesa Beverage Project, and have deposited with the Agency a check in the amount of \$4,000 as payment for those costs.

WHEREAS, the Sonoma County Permit and Resource Management Department (PRMD), as the Lead Agency for the Project, prepared an Initial Study and Mitigated Negative Declaration which discloses the potential environmental impacts of constructing and operating the Project; and

WHEREAS, with the incorporation of mitigation measures required by PRMD, the Agreement Regarding Use of Easement for the Project would not have a significant adverse effect on the environment; and

WHEREAS, the Agency has reviewed the proposed Agreement Regarding Use of Easement for the Project and the General Manager/Chief Engineer has determined that it will not have a significant adverse effect on the environment; and

WHEREAS, the Agency, as a responsible agency, has prepared a Notice of Determination in accordance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Agency's Procedures for the Implementation of CEQA.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the Sonoma County Water Agency hereby finds, determines, and declares as follows:

1. The above recitals are true and correct.
2. The Consent Agreement for the work and improvements proposed within the Agency's Easement for the Mesa Beverage Distribution Center Project will not have a significant adverse effect on the Agency or the environment.
3. The Chairman is authorized to execute the Consent Agreement in the form presented to this Board.
4. The General Manager/Chief Engineer is hereby directed to file a Notice of Determination with the Sonoma County Clerk stating that this Board has considered the Mitigated Negative Declaration prepared by Sonoma County Permit and Resource Management Department.

DIRECTORS:

BROWN:	KERNS:	ZANE:	CARRILLO:	KELLEY:
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Ayes	Noes	Absent	Abstain
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SO ORDERED.