

RESOLUTION NO. 2022-54

RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY MAKING RESPONSIBLE AGENCY FINDINGS IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT REGARDING THE CEDAR AVENUE AT INTERSTATE 10 IMPROVEMENT PROJECT.

On Tuesday March 29, 2022, on motion of Supervisor Baca Jr., duly seconded by Supervisor Rowe and carried, the following resolution is adopted by the Board of Supervisors, State of California.

WHEREAS, the Cedar Avenue at Interstate 10 Improvement Project (Project) is a joint effort among the County, the California Department of Transportation (Caltrans), the San Bernardino County Transportation Authority (SBCTA), the City of Fontana, and the City of Rialto; and

WHEREAS, SBCTA is the lead agency for the Right-of-Way and Construction phases, with the County's Real Estate Service Department assisting with right-of-way acquisition services. Caltrans provides project design services and is the lead agency for environmental compliance. The proposed Project improvements will impact the interchange at Cedar Avenue and I-10, between Slover Avenue and Bloomington Avenue, and will consist of widening Cedar Avenue from Bloomington Avenue to Orange Street, adding turn lanes, widening the interstate overcrossing, replacing the UPRR/Cedar Avenue bridge, and modifying existing ramps; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.) (CEQA), a Mitigated Negative Declaration (MND) for the Project was prepared and adopted by the Caltrans as the CEQA Lead Agency on or about June 28, 2013; and

WHEREAS, Caltrans, as CEQA Lead Agency, adopted the MND and the related Mitigation Monitoring and Reporting Plan (MMP), and adopted written environmental findings; and

WHEREAS, the County as a CEQA Responsible Agency must make certain findings pursuant to Section 15096(h) of the CEQA Guidelines (Title 14 of the California Code of Regulations) in order to take actions associated with the Project; and

WHEREAS, the County, as the Responsible Agency, has verified that the Caltrans-adopted MND and MMP adequately analyze the potential environmental impacts and concurs in the analysis and conclusions set forth in said MND; and

WHEREAS, the accompanying report/recommendation provides supporting information upon which the declaration and findings set forth in this Resolution are based; and

NOW, THEREFORE, the Board of Supervisors hereby finds, declares, and resolves as follows:

SECTION 1. The above recitals are true and correct and are substantive part of the Resolution.

SECTION 2. The MND and MMP for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein. The County hereby certifies that, acting as the Responsible Agency for the project pursuant to Section 15096 of the CEQA Guidelines, it has independently reviewed and analyzed the MND, together with the MMP, and other information in the record and has considered the information contained therein. Based on this review, the County finds that, as to those potential environmental impacts within the County's powers and authorities as Responsible Agency, that the MND contains a complete, objective, and accurate reporting of the potential impacts and represents the independent judgment and analysis of the San Bernardino County as Responsible Agency. The County, in its capacity as Responsible Agency, considered the MND together with the MMP prepared for the Project, and independently finds that the MND is adequate for use by the County to take actions associated with the Project. Furthermore, the County finds that no further CEQA analysis is required and no significant adverse impacts will occur as a result of the County taking actions associated with the Project, including, but not limited to the following: granting a Temporary Construction Easement to SBCTA, approving a Public Highway Overpass Agreement with the Union Pacific Railroad Company, and approving the Assignment and Assumption Agreement between SBCTA and the County to assign the right to perform the construction described in the Public Highway Overpass Agreement.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, by the following vote:

AYES: SUPERVISORS: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe,
Curt Hagman, Joe Baca, Jr.

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

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STATE OF CALIFORNIA)
)
SAN BERNARDINO COUNTY) ss.

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify the foregoing to be a full, true, and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of March 29, 2022. #47 LA

LYNNA MONELL
Clerk of the Board of Supervisors

By _____
Deputy