

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

September 24, 2024

FROM

**NOEL CASTILLO, Director, Department of Public Works – Special Districts
BEAHTA R. DAVIS, Director, Regional Parks Department**

SUBJECT

California Environmental Quality Act Findings and Plans and Specifications for the Prado East Wells Project in the Chino Area

RECOMMENDATION(S)

1. Find that the Prado East Wells Project is exempt under California Environmental Quality Act Guidelines, Title 14 of the California Code of Regulations Section 15301(b) and (d), Class 1 (Existing Facilities), Section 15302(c), Class 2 (Replacement and Reconstruction), and Section 15304(f), Class 4 (Minor Alterations to Land).
 2. Approve the Prado East Wells Project as defined in the Notice of Exemption.
 3. Approve the plans and specifications for the Prado East Wells Project.
 4. Authorize the Director of the Department of Public Works – Special Districts to advertise the Prado East Wells Project for competitive bids.
 5. Direct the Department of Public Works – Special Districts to file and post the Notice of Exemption in accordance with the California Environmental Quality Act.
- (Presenter: Noel Castillo, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). Reimbursement of eligible expenditures for the Prado East Wells Project (Project) will be funded through an allocation from the Chino Agricultural Preserve Fund as approved by the Board of Supervisors (Board) on November 14, 2023 (Item No. 90). Sufficient appropriation for the Project is included in the County Service Area 70's 2024-25 Countywide Capital Improvement Project Fund budget and will be included in future recommended budgets as needed.

BACKGROUND INFORMATION

On December 17, 2013 (Item No. 64), the Board adopted Resolution No. 2013-241 to declare 165.30 acres of County-owned dairy properties in the City of Chino as surplus and authorized holding a public auction to sell 60.65 acres (Assessor's Parcel Numbers (APNs) 0218-301-01-0000, 0218-301-05-0000, 0218-301-06-0000, 0218-301-07-0000, 0218-301-12-0000, 0218-301-14-0000, 0218-301-15-0000, 0218-301-22-0000, 0218-301-25-0000, 0218-301-26-0000, 1055-081-01-0000, and 1055-081-02-0000) of this land. At that time, the Board also authorized the

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conveyance of the remaining 104.65 acres to Watson Land Company (Watson) in exchange for \$6,364,000 and the conveyance of 271.66 acres of vacant land to the County by Watson. Most of the surplus dairy land was originally acquired by the County with grant funds under Proposition 70. However, a 4.78-acre portion of the 60.65 acres was purchased with a grant from the United States Department of Agriculture (USDA) in the amount of \$100,000.

On June 24, 2014 (Item No. 74), the Board approved the highest bid received at the auction held on March 19, 2014, from Watson to purchase the 60.65 acres for \$15,335,000. The County and Watson entered into Purchase and Sale Agreement and Escrow Instructions for Auction Sales, Contract No. 14-429 (Contract). Subsequently, escrow was opened, with the close of escrow contingent on the County's removal of a Deed Restriction associated with the USDA Grant (USDA Deed Restriction).

The USDA Deed Restriction provides that the property is restricted to agricultural operations, including the growing of food, dairy operations, growing of fiber and feed for animals, and cattle operations. The USDA Deed Restriction also provides that the land shall not be converted to non-agricultural use and includes a contingent right of enforcement in the United States.

Over the ensuing years, County staff has worked closely with USDA Natural Resources Conservation Service (NRCS) staff to remove the USDA Deed Restriction and establish an Agricultural Land Easement (Easement), which is the instrument that will replace the USDA Deed Restriction, on a 11.22-acre portion of County-owned land (APN 1057-212-17-0000) located on Hellman Avenue in the City of Chino and at the north end of the 271.66 acres. However, the USDA requires that this replacement location be irrigated, and the property does not have municipal water, but instead has two on-site wells.

The Project proposes to rehabilitate Well No. 3, install pumping equipment, and an underground pipeline that will allow for the irrigation of the future Easement area.

The Department of Public Works – Special Districts (Department) reviewed the Project and determined that a categorical exemption exists in accordance with the California Environmental Quality Act (CEQA) Guidelines, Title 14 of the California Code of Regulations, Section 15301(b) and (d) Class 1, Section 15302(c) Class 2, and Section 15304(f) Class 4. The Class 1 exemption allows for alteration of existing public electrical utilities to provide electrical to the site and the rehabilitation of existing deteriorated or damaged facilities, including mechanical equipment, to meet current standards of public health and safety.

The Project will be rehabilitating and updating the existing well to current public health and safety standards with negligible to no expansion of former use. The Class 2 exemption allows the reconstruction of the existing well site to provide water to the irrigation site within the same property with little to negligible expansion. The Class 4 CEQA exemption allows for the minor alteration of land for minor trenching and backfilling where the surface is restored. Utilities to serve the well and irrigation site will be undergrounded and backfilled where the surface is restored. When the Board considers the environmental findings, the filing and posting of a Notice of Exemption is recommended.

In addition to the CEQA finding, this item seeks Board approval of the Project's plans and specifications and authorization to advertise for bids.

PROCUREMENT

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Upon Board approval of this item, the Project will be advertised in accordance with Section 22037 of the California Public Contract Code. Following Board approval, the project will be advertised for competitive bids. The Department anticipates returning to the Board in December 2024 with a recommendation for award of the Project's construction contract.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott Runyan, Principal Assistant County Counsel and Sophie Curtis, Deputy County Counsel, 387-5455) on August 30, 2024; Finance (Jessica Trillo, 387-4222, and Elias Duenas, 387-4052 Administrative Analysts) on September 5, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on September 9, 2024.

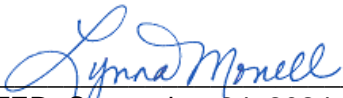
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Curt Hagman, Joe Baca, Jr.
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: September 24, 2024



cc: File – Public Works Special Districts w/CD
MBA 09/30/2024