

RESOLUTION NO. 2021-118

A RESOLUTION BY THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA 60 ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND MAKING CERTAIN FINDINGS OF FACT AS LEAD AGENCY FOR THE APPLE VALLEY AIRPORT DETENTION BASIN PROJECT

On Tuesday June 22, 2021, on motion of Supervisor Baca, duly seconded by Supervisor Rowe and carried, the following resolution is adopted by the Board of Supervisors, acting as the governing body of the County Service Area 60 (CSA 60).

WHEREAS, the Department of Airports, acting on behalf of the County of San Bernardino (County) and CSA 60, proposes the acquisition of approximately 18.86 acres of vacant land (portion of Assessor Parcel Number 0463-381-77) (Property) to provide for the construction and operation of a stormwater detention basin and associated improvements to control runoff from the Apple Valley Airport (Project) located in the County of San Bernardino; and

WHEREAS, CEQA and the CEQA Guidelines require that the appropriate environmental review be completed prior to initiation of a project, and

WHEREAS, the County is the Lead Agency on the Project for purposes of CEQA review, and as a result, the Board of Supervisors of the County (Board) is the appropriate authority to act on the adoption of environmental documents and must do so prior to the approval of the acquisition of the Property for the Project; and

WHEREAS, pursuant to CEQA and the CEQA Guidelines, the County prepared a draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project, analyzing all potential environmental impacts; and

WHEREAS, the proposed IS/MND was circulated through the State Office of Planning and Research Clearinghouse (SCH #2019049129) on April 19, 2020 among the interested organizations and entities for the 30-day comment period as specified in the CEQA Guidelines, and the Notice of Intent to Adopt the MND was advertised by newspaper publication as well as posted on the County Website; and

WHEREAS, the County considered the comments made during the comment period and determined that none of them would require revisions to the IS/MND. One comment from the Division of Safety of Dams requested information to determine whether the basin would fall under their jurisdiction. The County submitted plans that confirmed the improvements did not reach the structural thresholds that would require State oversight for dam safety. The Department of Transportation identified a planned highway corridor that would traverse the future Project site, but only over a construction staging area with no impact to the basin improvements; and

WHEREAS, the IS/MND concludes that the Project will not have a significant impact on the environment with implementation of the mitigation measures outlined therein; and

WHEREAS, pursuant to CEQA, the County prepared the Mitigation Monitoring and Reporting Program (MMRP) that delineates the responsibilities for implementing the mitigation measures in order to reduce potentially significant impacts to less than significant; and

WHEREAS, the Board of Supervisors has exercised independent judgment in its consideration of the IS/MND; and

NOW, THEREFORE, the Board of Supervisors of San Bernardino County hereby finds, determines, and resolves as follows:

SECTION 1. The foregoing recitals constitute findings of the Board and are incorporated herein.

SECTION 2. The IS/MND and MMRP for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein.

SECTION 3. The Board hereby certifies that, acting as a Lead Agency for the Project pursuant to the CEQA Guidelines, it has independently reviewed and analyzed the IS/MND, together with the MMRP and other information in the record of the Project approval, and has considered the information contained therein prior to acting upon or approving the acquisition of the Property for the Project before the Board for consideration.

SECTION 4. Based on its review of the Project, the Board finds that as to the potential environmental impacts of the Project that are within the Board's powers and authorities as a Lead Agency, that the IS/MND contains a complete, objective, and accurate reporting of potential impacts of the Project, based on the independent judgment and analysis of the Board as the Lead Agency.

SECTION 5. The Board, in its capacity as the Lead Agency, considered the IS/MND together with the MMRP prepared and adopted for the Project, and independently finds that the IS/MND and MMRP are adequate for use by the Board in its approval of the acquisition of the Property for the Project and the Board further finds that no significant impacts will occur as a result of its approval of the acquisition of the Property for the Project and that no further CEQA analysis is required.

SECTION 6. The Clerk of the Board of Supervisors shall post the Notice of Determination pursuant to CEQA.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, 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)
) ss.
COUNTY OF SAN BERNARDINO)

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of the County of San Bernardino, 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 June 22, 2021. Item #108, CCM.

LYNNA MONELL
Clerk of the Board of Supervisors

By _____

Deputy

