

RESOLUTION NO. 2021-137

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT DECLARING THAT CONVEYANCE OF AN ACCESS EASEMENT OVER DISTRICT-OWNED LAND CONSISTING OF APPROXIMATELY 472 SQUARE FEET (PORTION OF ASSESSOR PARCEL NUMBER 1191-121-35) IS IN THE PUBLIC INTEREST, THE EASEMENT INTEREST CONVEYED WILL NOT SUBSTANTIALLY CONFLICT OR INTERFERE WITH THE USE OF THE PROPERTY BY THE DISTRICT, AND WILL HAVE NO IMPACT NOR INTERFERE WITH FLOOD PROTECTION IN THE REGION, AND AUTHORIZING THE CONVEYANCE OF SAID EASEMENT INTEREST TO THE STATE OF CALIFORNIA

On Tuesday July 13, 2021, on motion of Supervisor Baca Jr., duly seconded by Supervisor Rutherford and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County Flood Control District (District), County of San Bernardino, State of California.

WHEREAS, the District owns fee title to approximately 0.90 acres commonly known as APN 1191-121-35 in the City of Highland that makes up a portion of the Sand Creek Channel system (District Property); and

WHEREAS, San Bernardino County Transportation Agency (SBCTA) in partnership with the State of California Department of Transportation (Caltrans) is proposing the State Route 210 Lane Addition/Base Line Interchange Project (Project); and

WHEREAS, conveyance of an access easement containing 472 square feet across District Property to the State of California was requested by SBCTA, on behalf of Caltrans, to allow Caltrans to maintain a proposed sound wall constructed on Caltrans property as part of the Project; and

WHEREAS, the District reviewed the request and determined that the conveyance of the easement is in the public interest, the easement interest conveyed will not substantially conflict or interfere with the use of the land by the District, and will have no impact nor interfere with flood protection in the region; and

WHEREAS, SBCTA has agreed to pay fair market value to the District for the easement; and

WHEREAS, the fair market value of the proposed easement interest was determined to be \$1,000; and

WHEREAS, the easement interest will be conveyed to Caltrans in accordance with the Water Code Appendix Section 43-6, Government Code Section 25526.6, and County Policy No. 12-17; and

WHEREAS, the conveyance of this easement interest was reviewed pursuant to the California Environmental Quality Act (CEQA) and determined to be categorically exempt from further environmental review in accordance with Section 15312 (Class 12) regarding Surplus Government Property Sales and Section 15305 (Class 5) Minor Alterations in Land Use Limitations of the CEQA guidelines. The proposed easement is not located in an area of statewide, regional or areawide concern and no significant values for wildlife habitat or other environmental concerns were identified on-site as required under CEQA Section 15206(b)(4); and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the San Bernardino County Flood Control District hereby finds that the recitals set forth hereinabove are true and correct, and finds based on the facts described hereinabove, that the conveyance of an access easement over District-owned land consisting of approximately 472 square feet (portion of APN 1191-121-35) is in the public interest, the easement interest conveyed will not substantially conflict or interfere with the

use of the property by the District, and will have no impact nor interfere with flood protection in the region; and authorizes the conveyance of said easement interest to the State of California in accordance with Water Code Appendix Section 43-6, Government Code Section 25526.6 and County Policy No. 12-17 upon payment of \$1,000 to the District.

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

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

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: Dawn Rowe

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STATE OF CALIFORNIA)
) ss.
SAN BERNARDINO COUNTY)

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of the San Bernardino County Flood Control District, 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 July 13, 2021. #56 LA

LYNNA MONELL
Clerk of the Board of Supervisors

By _____
Deputy