



# San Bernardino County

## Legislation Text

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**File #: 7398, Agenda Item #: 44**

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

**January 24, 2023**

**FROM**

**TERRY W. THOMPSON, Director, Real Estate Services Department**

**JAMES E. JENKINS, Director, Department of Airports**

**SUBJECT**

Conveyance of Easements to Southern California Edison Company Over Certain Portions of County-Owned Property at Chino Airport in Chino

**RECOMMENDATION(S)**

1. Adopt Resolution declaring the conveyance of three non-exclusive easements totaling approximately 1,578 square feet over portions of San Bernardino County-owned property (comprising a portion of Assessor's Parcel Number 1026-072-06 for approximately 644 square feet; a portion of Assessor's Parcel Number 1026-102-01 for approximately 518 square feet; and a portion of Assessor's Parcel Number 1026-081-14 for approximately 416 square feet) located at Chino Airport in the City of Chino to the Southern California Edison Company for electrical supply and communication systems purposes for the Chino Airport Groundwater Remedial Action Plan Project is in the public interest, the interest conveyed will not substantially conflict or interfere with the use of the property by the County and authorizing the conveyance by Grants of Easement in accordance with Government Code Section 25526.6 at no cost.
2. Authorize the Chair of the Board of Supervisors to execute three Grants of Easement to convey said easements to the Southern California Edison Company.
3. Authorize the Director of the Real Estate Services Department to execute any other documents necessary to complete this transaction, subject to County Counsel review.

(Presenter: Terry W. Thompson, Director, 387-5000)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

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

**Ensure the Development of a Well-Planned, Balanced, and Sustainable County.**

**Provide for the Safety, Health, and Social Service Needs of County Residents.**

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The easements are granted to the Southern California Edison Company (Edison) at no cost pursuant to Government Code Section 25526.6 due to the County's need to provide electrical supply and communication systems for the Chino Airport Groundwater Remedial Action Plan Project (Project). Edison will be responsible for the maintenance of the easement areas and the construction, operation, and maintenance of Edison's improvements thereon.

**BACKGROUND INFORMATION**

The County is under Regional Water Quality Control Board (RWQCB) Order No. R8-2017-0011 (Order), to cleanup and abate groundwater contaminated by volatile organic compounds (VOCs) proximate to the Chino Airport. VOCs are a group of chemical compounds that are volatile at room temperature, and include such substances as gasoline, diesel, paints, paint strippers, aerosol sprays, degreasers, cleansers, and disinfectants. As part of the Order, the County prepared an Interim Remedial Action Plan (IRAP) that proposes implementation of a pump-and-treat system. The system includes two sets of groundwater extraction wells and conveyance system to a treatment plant to contain groundwater contamination and treat the VOCs in compliance with the Order, which the treatment system is generally referred to as the Project.

On January 29, 2019 (Item No. 24), the Board of Supervisors (Board) approved the IRAP, and after review by the RWQCB, the final IRAP was submitted to the RWQCB in May of 2020. The IRAP was approved by the RWQCB on November 4, 2020. Construction of the treatment plant is almost complete and is expected to be finalized in the first quarter of 2023. Construction of the groundwater extraction wells and conveyance system to the treatment plant is estimated to begin in the first quarter of 2023 and is anticipated to continue through 2025.

The conveyance of three non-exclusive easements totaling approximately 1,578 square feet over portions of County-owned property [comprising of portions of Assessor's Parcel Number (APN) 1026-072-06 for approximately 644 square feet, APN 1026-102-01 for approximately 518 square feet, and APN 1026-081-14 for approximately 416 square feet] at the Chino Airport to Edison for electrical supply and communication systems purposes will support the operation of County owned extraction wells at the Chino Airport for the Project .

The Real Estate Services Department (RESD) reviewed Edison's request for the easements and determined they are in the public interest, serve a County purpose to comply with the RWQCB Order, and do not substantially conflict nor interfere with the operation of the Chino Airport. The easements will be conveyed to Edison at no cost pursuant to Government Code section 25526.6.

Since the easements are located on Federal Aviation Administration (FAA) obligated Airport property, they include provisions that the County may require that Edison relocate its systems installed thereunder. The County shall be solely responsible for the cost of such relocation and Edison shall not be required to relocate until the County has secured a replacement easement for Edison on terms that are reasonably satisfactory to Edison. Upon the completion of such a relocation, the County may terminate the easements and Edison shall quitclaim the easements on a mutually agreed-to form.

Additionally, this item will authorize the RESD Director to execute other documents necessary to complete this transaction, subject to County Counsel review. The RESD Director will not be authorized to execute any documents that would bind the County to any actions not contemplated by, or arising from, the transaction which is the subject of these recommendations.

The County prepared an Initial Study (IS) for the IRAP that evaluated its potential environmental impacts. Such impacts were found not significant or could be reduced to a level below significant with implementation of mitigation. Accordingly, the County exercised its independent judgment and determined a Mitigated Negative Declaration (MND) was appropriate. The Board adopted the MND on January 29, 2019 (Item No. 24). The easements are a component of the approved Project and no additional review under The California Environmental Quality Act is required.

**PROCUREMENT**

The County can convey the easement interests to Edison in accordance with Section 25526.6 of the Government Code.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Agnes Cheng, Deputy County Counsel, and Maria Insixiengmay, Deputy County Counsel, 387-5455) on December 21, 2022; Airports (Maureen Snelgrove, Assistant Director, 387-8812) on December 7, 2022; Purchasing (Bruce Cole, Supervising Buyer, 387-2148) on December 6, 2022; Finance (Penelope Chang, Administrative Analyst, 387-5404) on December 28, 2022; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on January 5, 2022.

(TJS: 893-0340)