

RESOLUTION NO. 2017-05

RESOLUTION OF THE BOARD OF DIRECTORS OF LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE PUMP STATION MODIFICATIONS AND WATER SUPPLY INTAKE REPLACEMENT LAKE ARROWHEAD PROJECT; APPROVING THE AGREEMENT REGARDING LAKE ARROWHEAD PUMP STATION AND INTAKE REPLACEMENT PROJECT; AND APPROVING THE PROJECT

RECITALS

WHEREAS, Lake Arrowhead Community Services District (“LACSD”) staff determined that the Pump Station Modifications and Water Supply Intake Replacement Lake Arrowhead (“Project”) is considered a “project” under the requirements of the California Environmental Quality Act (“CEQA”), Public Resources Code section 21000 *et seq.*;

WHEREAS, LACSD is the lead agency and decision-making body for the Project;

WHEREAS, LACSD, in conjunction with its environmental consultant, prepared an Initial Study to determine possible environmental impacts under State CEQA Guidelines section 15063;

WHEREAS, on the basis of the Initial Study (“IS”), which indicated that all potential environmental impacts from the Project would be less than significant with incorporation of the mitigation measures in the Mitigation Monitoring and Reporting Program (“MMRP”), District staff determined that a Mitigated Negative Declaration (“MND”) should be prepared;

WHEREAS, the Draft IS/MND was prepared in accordance with CEQA, the State CEQA Guidelines (Title 14 of the California Code of Regulations, section 15000 *et seq.*), and LACSD’s Local CEQA Guidelines;

WHEREAS, the Draft IS/MND was circulated for review by the public and interested, responsible, and trustee agencies for at least 30 days by: (1) filing a Notice of Intent to Adopt a Mitigated Negative Declaration (“NOI”) with the State Clearinghouse; (2) filing a NOI with the San Bernardino County Clerk; (3) placing a NOI in the Mountain News, a newspaper of General Circulation; and (4) mailing a NOI to various interested persons, agencies, and tribes;

WHEREAS, the Arrowhead Lake Association (“ALA”) and Hamiltair Property Owners Association (“HPOA”), also known as Hamiltair Estates (collectively referred to as “Associations”) submitted written comments on the Draft IS/MND including their concerns about the Project’s potential impacts. LACSD staff worked with the Associations to resolve their concerns, as memorialized in the Agreement Regarding Lake Arrowhead Pump Station and Intake Replacement Project (“Agreement”) between LACSD and the Associations;

WHEREAS, LACSD received, considered and responded to comments from the Associations, as well as all other comments from the public and any responsible, trustee, and interested agencies, on the Draft Initial Study/MND. The Draft Initial Study/MND was revised to address the comments and other clarifications related to the Project;

WHEREAS, under State CEQA Guidelines section 15074.1, LACSD staff concluded that certain mitigation measures identified in the Draft IS/MND circulated for review should be revised or substituted for other measures that are equivalent or more effective than the original measures and will not, in and of themselves, cause any potentially significant effects on the environment. The substituted mitigation measures are incorporated into the MMRP and made part of the Project;

WHEREAS, the Final IS/MND consists of the responses to comments and the revised Initial Study/MND;

WHEREAS, at a Regular Board Meeting on March 28, 2017, the Board held a duly noticed public hearing to consider the Final IS/MND, the substitution and revision of mitigation measures, the MMRP, the Agreement, and the Project;

WHEREAS, the Board has reviewed the Final IS/MND and all other relevant information contained in the administrative record regarding the Project; and,

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Lake Arrowhead Community Services District as follows:

1. The matters set forth in the recitals to the Resolution are true and correct statements.
2. As the decision-making body for the Project, the Board has reviewed and considered the Final IS/MND and administrative record for the Project, including all oral and written comments received during the comment period. The Board finds that the Final IS/MND and the administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and LACSD's Local CEQA Guidelines.
3. Pursuant to State CEQA Guidelines section 15074.1, the Board finds that certain mitigation measures that were included in the Draft IS/MND circulated for review are revised and substituted for other measures that are equivalent or more effective than the original measures and will not, in and of themselves, cause any potentially significant effects on the environment. LACSD held a duly noticed public hearing on the Final IS/MND, the substitution and revision of mitigation measures, the MMRP, and the Project on March 28, 2017. The substituted and revised mitigation measures are incorporated into the MMRP and made part of the Project. Specifically,
 - Mitigation Measure VI-1 requiring implementation of an Erosion and Sediment Control Plan specifying best management practices to prevent water quality degradation is substituted for a more detailed mitigation measure specifying the requirements to be included in the plan to reduce potential soil erosion or loss of topsoil impacts to less than significant.

- Mitigation Measures IX-1 has been revised to require the addition of a silt curtain or suitable alternative to be installed around the area of Lake Arrowhead where the intake facilities will be installed to further reduce potential water quality impacts as part of the Storm Water Pollution Prevention Plan. Suspended solid concentrations outside of the fenced area within the Lake shall not exceed the current suspended solid standard in the Basin Plan.

4. Based on the Final IS/MND and the administrative record, including all written and oral evidence presented to the Board, the Board finds that all environmental impacts of the Project are less than significant with mitigation. The Board further finds that there is no substantial evidence in the administrative record supporting a fair argument that the Project may result in significant environmental impacts. The Board finds that the Final IS/MND contains a complete, objective and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the Board.

5. The Board further finds that no new significant environmental effects have been identified in the Final IS/MND and any changes to the Final IS/MND in response to comments or otherwise do not constitute substantial revisions requiring recirculation under State CEQA Guidelines section 15073.5.

6. The Board approves and adopts the MND pursuant to Public Resources Code section 21080, subdivision (c)(2).

7. Pursuant to Public Resources Code section 21081.6, the Board approves and adopts the MMRP prepared for the Project and attached to this Resolution as Exhibit "A" and made a condition of Project approval.

8. The Board approves the Agreement and the Project as described in the Final Initial Study/MND.

9. The Board directs staff to file a Notice of Determination with the San Bernardino County Clerk and the Office of Planning and Research within five (5) working days of approval of the Project.

10. The documents and materials that constitute the record of proceedings on which these findings have been based are located at Lake Arrowhead Community Services District, 27307 State Highway 189, Blue Jay, California 92317. The custodian of these documents is the General Manager of the Lake Arrowhead Community Services District.

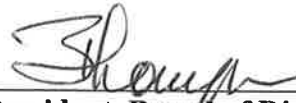
The foregoing Resolution was adopted at a meeting of the Board of Directors of the Lake Arrowhead Community Services District on March 28, 2017, by the following vote:

AYES: Boydston, Gross, Thompson, and Wurm

NOES: None

ABSTAIN: None

ABSENT: Keefe



**President, Board of Directors
Lake Arrowhead Community Services District**

ATTEST:



Clerk of the Board

EXHIBIT A – MAP OF PROJECT SITE

EXHIBIT B – MITIGATION MONITORING AND REPORTING PROGRAM

CERTIFICATION

I, Kathleen Field, Board Secretary of the Lake Arrowhead Community Services District, hereby certify that the foregoing is a full, true and correct copy of the Resolution No. 2017-05 adopted by the Board of Directors of said Agency at the regular meeting of said Board held on the 28th day of March 2017, by the following vote:

AYES: Boydston, Gross, Thompson, and Wurm

NOES: None

ABSTENTIONS: None

ABSENT: Keefe

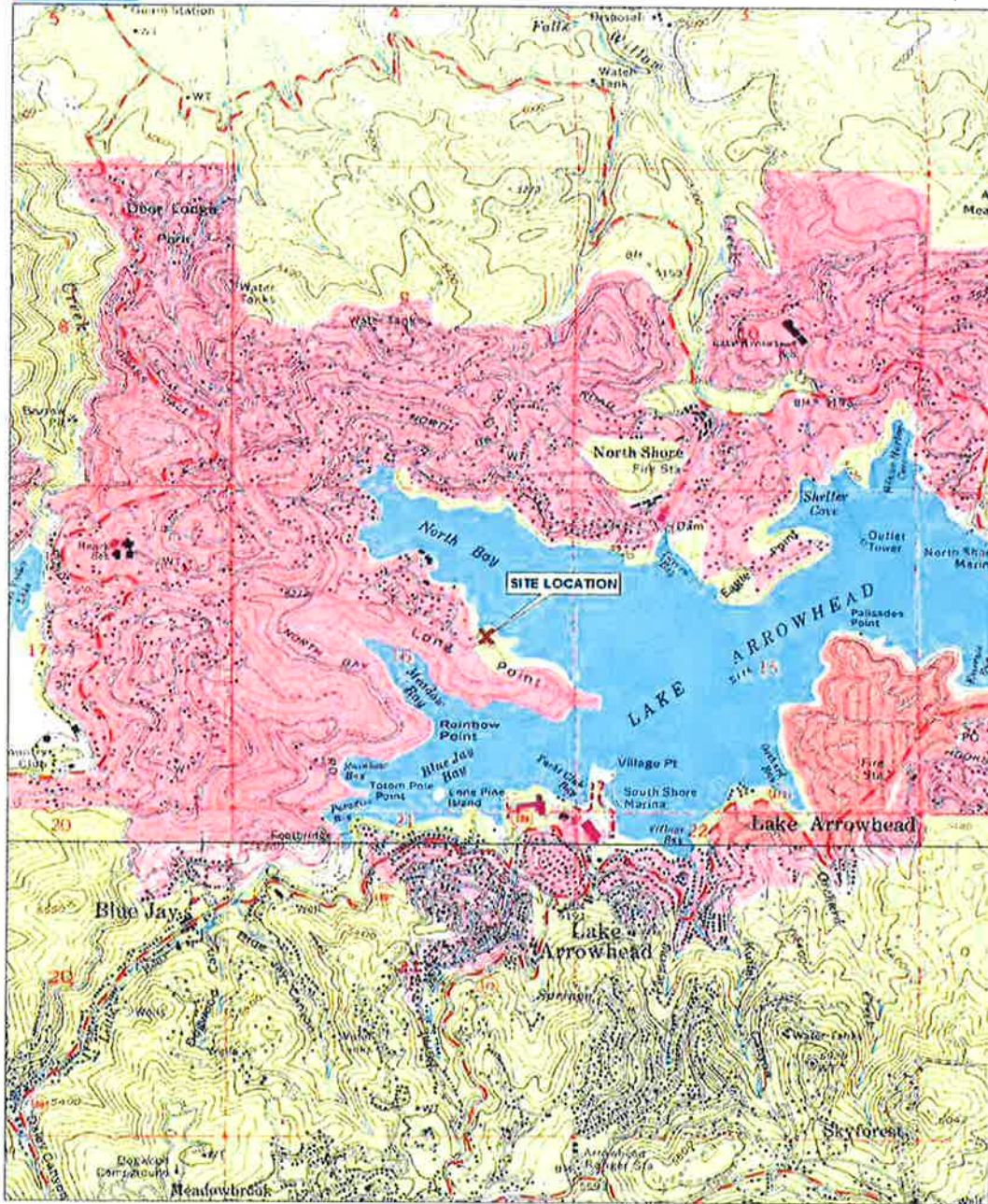
Kathleen Field
Kathleen Field, Secretary to the Lake
Arrowhead Community Services District
and to the Board of Directors

EXHIBIT "A"

Site Location

DELORME

XMap® 4.5



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Data Zoom 13-0

Aerial Location of Project Facilities

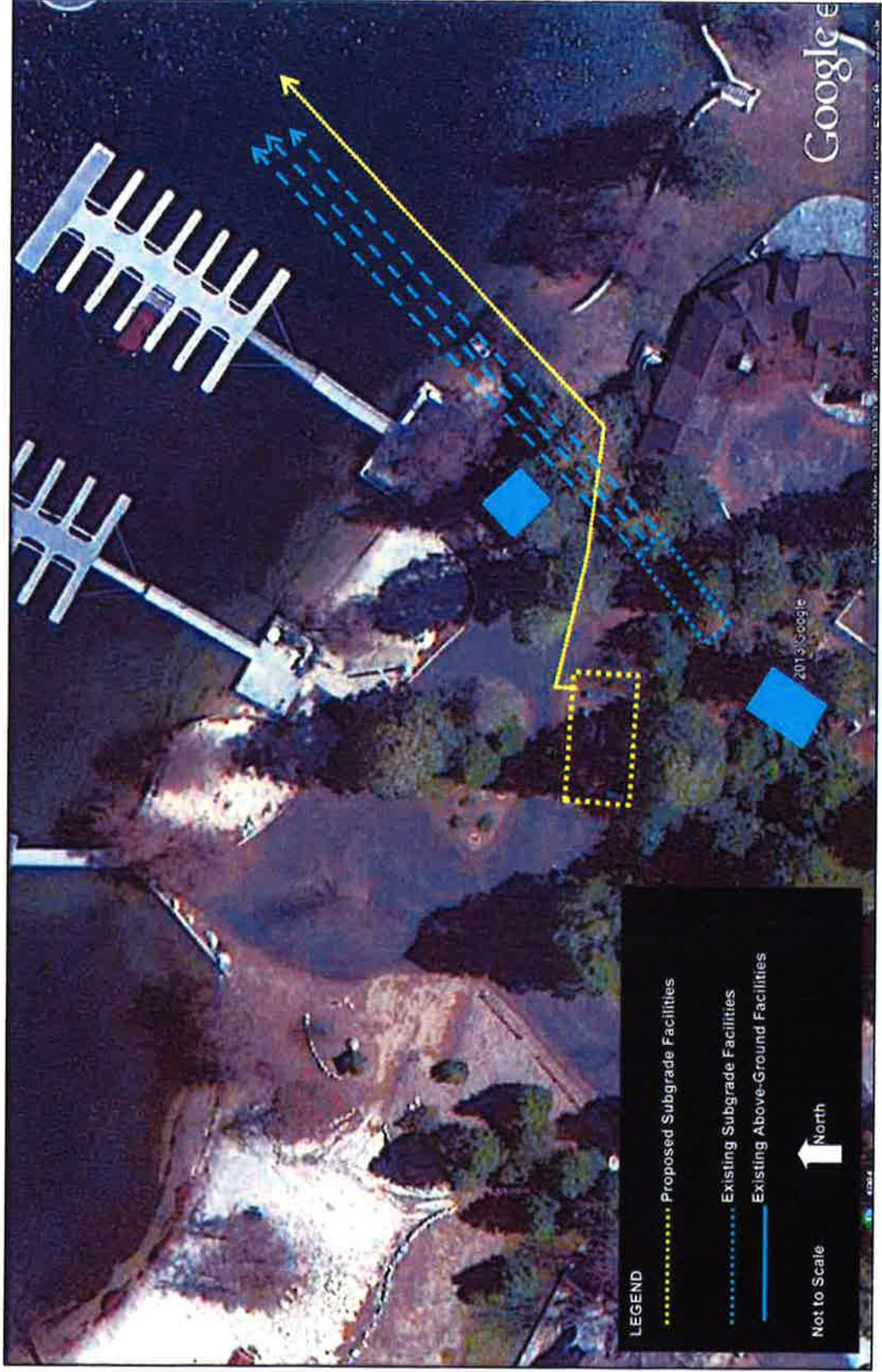


EXHIBIT "B"

**LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT
PUMP STATION MODIFICATIONS AND WATER SUPPLY INTAKE REPLACEMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM**

The Lake Arrowhead Community Services District (LACSD) in August 2014 prepared an Initial Study for the Pump Station Modifications and Water Supply Intake Replacement Project (Proposed Project) in Lake Arrowhead in accordance with Section 15063(d)(3) of the California Environmental Quality Act (CEQA) Guidelines to determine if the Proposed Project would have a potentially significant effect on the physical environment.

The Initial Study and proposed Mitigated Negative Declaration (IS/MND) were circulated for public review and comment beginning May 29, 2014 (State Clearinghouse Number 2014051095). LACSD received fifteen (15) written comments on the IS/MND. *The Errata of this Initial Study, located in Appendix 4, clarifies or amends certain portions of the Proposed Project and mitigation measures to further reduce impacts in response to comments. Such changes do not constitute new, avoidable significant effects, are not necessary to mitigate a significant effect to less than significant, and are not required under CEQA. Thus, recirculation of the IS/MND is not required under State CEQA Guidelines section 15073.5.*

Throughout this document, some text is noted with underline (to correspond to text added or corrected since the circulation of the original Initial Study) or with ~~strikeout~~ type (for text deleted since the circulation of the original Initial Study). The portions of the Initial Study that were clarified or amended by the Errata in Appendix 4 are noted as such throughout this document.

**LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT
PUMP STATION MODIFICATIONS AND WATER SUPPLY INTAKE REPLACEMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Schedule	Verification
<p>Air Quality III-1 Fugitive Dust Mitigation Measures:</p> <ul style="list-style-type: none"> • Apply soil stabilizers such as hay bales or aggregate cover to inactive areas. • Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds exceed 25 mph. • Stabilize previously disturbed areas if subsequent construction is delayed. • Water exposed surfaces and haul roads 3 times/day. • Cover all stock piles with tarps. • Replace ground cover in disturbed areas quickly. • Reduce speeds on unpaved roads to less than 15 mph. • Minimize the time that trenches or other excavations are left exposed. • Identify proper compaction for backfilled soils in construction specifications. 	<p>This measure shall be included in the construction contract as a contract specification and implemented by the contractor during construction.</p>	<p>A copy of the construction contract including this air mitigation measures shall be retained in the project file. Verification of implementation shall be based on field inspections by District inspection personnel that verify the air quality measures have been implemented as required in these measures. Field notes documenting verification shall be retained in the project file.</p>
	Source Initial Study	Responsible Party Lake Arrowhead CSD
		Status / Date / Initials

Mitigation Measure	Implementation Schedule	Verification
<p>Biological Resources IV-1 Conduct visual inspection of the intake structure for the Quagga mussel at least twice per year, immediately prior to the start of active boating season, and immediately following the end of the active boating season if found, immediately contact and/or consult with ALA and the California Department of Fish and Wildlife for appropriate eradication methods.</p>		
	Source Initial Study	Responsible Party Lake Arrowhead CSD
		Status / Date / Initials

**LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT
PUMP STATION MODIFICATIONS AND WATER SUPPLY INTAKE REPLACEMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Schedule	Verification
<p>Cultural Resources V-1</p> <p>If buried cultural materials are discovered during any earth-moving operations associated with the Project, all work in that area should be halted or diverted until a qualified archaeologist/paleontologist can evaluate the nature and significance of the finds. Any cultural resources accidentally exposed shall be properly evaluated, curated, and documented.</p>	<p>This measure shall be implemented during construction activities.</p>	<p>If subsurface cultural resources are accidentally exposed during construction, the event shall be documented as required in this measure and the documentation retained in the project file.</p>
<p>Source</p> <p>Initial Study</p>	<p>Responsible Party</p> <p>Lake Arrowhead CSD</p>	<p>Status / Date / Initials</p>

Mitigation Measure	Implementation Schedule	Verification
<p>Geology and Soils VI-1</p> <p>An erosion control plan shall be prepared for the construction activities on the lake shore. This plan shall incorporate Best Management Practices (BMPs) that will control soil erosion in all area disturbed in support of the project and control the loss of topsoil within disturbed areas to a minimum. The plan shall also incorporate BMPs to control sediment loss from any soil stockpiled on- or off-site for future use.</p> <p>VI-1 The Project shall implement an Erosion and Sediment Control Plan which specifies Best Management Practices that will be implemented to prevent Project activities from degrading water quality from flows off the land above the Lake or from dredge activities within the Lake. The objective is to keep all products of erosion from moving into the Lake or from the immediate area of dredge activity below the Lake high water mark. The plan shall be developed with the goal of achieving a reduction in pollutants both during and following construction to control urban runoff to the maximum extent practicable based on available, feasible best management practices. The plan and the monitoring program for the construction projects shall be consistent with the requirements of the latest version of the State's General Construction Activity Storm Water Permit.</p> <p>The following items or equivalent measures will be included in the Plan:</p> <ul style="list-style-type: none"> • Dredge material will not be stored in areas which are subject to the erosive flows of water. • Measures such as the use of straw bales, sandbags, silt fencing 		

**LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT
PUMP STATION MODIFICATIONS AND WATER SUPPLY INTAKE REPLACEMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Schedule	Verification
<p>Continued.....</p> <ul style="list-style-type: none"> • or detention basins shall be used to capture and hold eroded material for future cleanup. • Rainfall will be prevented from entering material and waste storage areas and pollution-laden surfaces. • Construction-related contaminants will be prevented from leaving the site and polluting waterways. • A spill prevention control and remediation plan to control release and remediation of hazardous substances accidentally released to the environment. • A silt screen or comparable method of controlling sediment in the Lake from dispersing from the immediate dredge area. 		
	<p>Source Initial Study</p>	<p>Responsible Party Lake Arrowhead CSD</p>
		<p>Status / Date / Initials</p>

**LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT
PUMP STATION MODIFICATIONS AND WATER SUPPLY INTAKE REPLACEMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Schedule	Verification
<p>Hazards and Hazardous Materials VIII-1 All spills or leakage of petroleum products or other hazardous materials during construction activities will be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contractor shall maintain equipment and material onsite to manage the accidental release of any hazardous materials during construction. The management capabilities shall include: immediate control of any accidental spill; prevention of dispersion of any accidentally spilled hazardous material; immediate removal of any spilled material; verification that any residual concentration of spilled material in the affected area does not exceed acceptable maximum concentration levels in the environment; and transport and disposal of the contaminated material, including soil, to a facility that is appropriately licensed serve as a repository or treatment facility for the contaminated material. A record of all the above management actions shall be compiled and submitted to the District.</p>		
	Source Initial Study	Responsible Party Lake Arrowhead CSD
		Status / Date / Initials

Mitigation Measure	Implementation Schedule	Verification
<p>Hydrology and Water Quality IX-1 The construction contractor shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices that will be implemented to prevent construction pollutants from contacting storm water on land with the intent of keeping all products of erosion from moving offsite, or within the lake containing any sediment from degrading surrounding water quality. The SWPPP shall be developed with the goal of achieving a reduction in pollutants both during and following construction to control urban runoff to the maximum extent practicable based on available, feasible best management practices. The SWPPP and the monitoring program for the construction projects shall be consistent with the requirements of the latest version of the State's General Construction Activity Storm Water Permit and NPDES Permit No. CAS618036, Order No. R8-2002-0012.</p>	<p>The SWPPP shall be completed prior to initiating construction and implemented during construction.</p>	<p>A copy of the SWPPP shall be retained in the project file. Verification of implementation shall be based on field inspections by District inspection personnel that verify the SWPPP BMPs have been implemented as required in this measure. Field notes documenting verification shall be retained in the project file.</p>
Continued.....		

**LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT
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Mitigation Measure	Implementation Schedule	Verification
<p>The following items, or equivalent measures, shall be included in the SWPPP:</p> <ul style="list-style-type: none"> • The length of trenches for footings which can be left open at any given time should be limited to that needed to reasonably perform construction activities. This will serve to reduce the amount of backfill stored onsite at any given time. • Backfill material should not be stored in areas which are subject to the erosive flows of water • Measures such as the use of straw bales, sandbags, silt fencing or detention basins shall be used to capture and hold eroded material for future cleanup. • Rainfall will be prevented from entering material and waste storage areas and pollution-laden surfaces. • Construction-related contaminants will be prevented from leaving the site and polluting waterways. • A spill prevention control and remediation plan to control release and remediation of hazardous substances accidentally released to the environment. • <u>A silt fence or suitable alternative shall be installed around the area of Lake Arrowhead where the intake facilities will be installed. Sediment concentrations outside of the fenced area shall not exceed the current suspended solid standard in the Basin Plan.</u> 		
	<p>Source Initial Study</p>	<p>Responsible Party Lake Arrowhead CSD</p>
	<p>Status / Date / Initials</p>	

**LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT
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Mitigation Measure	Implementation Schedule	Verification
<p>Noise XII-1 Project construction activities shall be limited to the period of 7:00 a.m. to 7:00 p.m., Monday through Saturday. Construction during other periods, or on Sundays or holidays, would be limited to emergencies and activities determined to be in the interest of the general public.</p>	<p>This measure shall be included in the construction contract and implemented during construction.</p>	<p>A copy of the construction contract shall be retained in the project file. Verification of implementation shall be based on field inspections by District inspection personnel that verify this noise measure has been implemented as required in this measure. Field notes documenting verification shall be retained in the project file.</p>
	<p>Source Initial Study</p>	<p>Responsible Party Lake Arrowhead CSD</p>

Mitigation Measure	Implementation Schedule	Verification
<p>Noise XII-2 The contractor will require that all construction equipment be operated with mandated noise control equipment (mufflers or silencers). Enforcement will be accomplished by random field inspections by applicant personnel during construction activities.</p>	<p>This measure shall be included in the construction contract and implemented during construction.</p>	<p>A copy of the construction contract shall be retained in the project file. Verification of implementation shall be based on field inspections by District inspection personnel that verify this noise measure has been implemented as required in this measure. Field notes documenting verification shall be retained in the project file.</p>
	<p>Source Initial Study</p>	<p>Responsible Party Lake Arrowhead CSD</p>

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Mitigation Measure	Implementation Schedule	Verification
<p>Noise XII-3</p> <p>For continuous high-noise activities taking place adjacent to existing sensitive receptors, small, portable noise barriers should be placed near the noise-producing equipment, between the noise source and the receptors. These barriers may be constructed from on-site (for example) from 4-foot by 8-foot sheets of marine plywood (minimum one-inch thickness) or one and one eighth inch (1 1/8") tongue-in-groove sub-floor, backed with three and a half inch thick R-11 fiberglass insulation for sound absorption. Several such panels may be hinged together in order to be self-supporting and to provide a continuous barrier.</p>	<p>This measure shall be included in the construction contract and implemented during construction.</p>	<p>A copy of the construction contract shall be retained in the project file. Verification of implementation shall be based on field inspections by District inspection personnel that verify this noise measure has been implemented as required in this measure. Field notes documenting verification shall be retained in the project file.</p>
	Source Initial Study	Responsible Party Lake Arrowhead CSD
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Mitigation Measure	Implementation Schedule	Verification
<p>Noise XII-4</p> <p>The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the Project site during all Project construction.</p>	<p>This measure shall be included in the construction contract and implemented during construction.</p>	<p>A copy of the construction contract shall be retained in the project file. Verification of implementation shall be based on field inspections by District inspection personnel that verify this noise measure has been implemented as required in this measure. Field notes documenting verification shall be retained in the project file.</p>
	Source Initial Study	Responsible Party Lake Arrowhead CSD
		Status / Date / Initials

**LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT
PUMP STATION MODIFICATIONS AND WATER SUPPLY INTAKE REPLACEMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Schedule	Verification
<p>Noise XII-5 No music or electronically reinforced speech from construction workers shall be audible at noise-sensitive property</p>	<p>This measure shall be included in the construction contract and implemented during construction.</p>	<p>A copy of the construction contract shall be retained in the project file. Verification of implementation shall be based on field inspections by District inspection personnel that verify this noise measure has been implemented as required in this measure. Field notes documenting verification shall be retained in the project file.</p>
<p style="text-align: center;">Source Initial Study</p>		<p style="text-align: center;">Responsible Party Lake Arrowhead CSD</p>

Mitigation Measure	Implementation Schedule	Verification
<p>Noise XII-6 The District and contractor shall incorporate sufficient noise attenuation design features in pump station vault that noise levels will not exceed 45 dB at the nearest residence after the pumps are primed. Enforcement will be accomplished by random field test subsequent to initiating operations to verify the noise levels at the nearest residence.</p>	<p>This measure shall be included in the construction contract and implemented during construction.</p>	<p>A copy of the construction contract shall be retained in the project file. Verification of implementation shall be based on field inspections by District inspection personnel that verify this noise measure has been implemented as required in this measure. Field notes documenting verification shall be retained in the project file.</p>
<p style="text-align: center;">Source Initial Study</p>		<p style="text-align: center;">Responsible Party Lake Arrowhead CSD</p>