

RESOLUTION NO. 2017-15

RESOLUTION OF THE BOARD OF DIRECTORS OF LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING AND ADOPTING ADDENDUM NO. 1 TO THE FINAL INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR AN ALTERNATIVE SITE FOR THE HESPERIA FARMS SOLAR PHOTOVOLTAIC PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE ALTERNATIVE SITE

RECITALS

WHEREAS, Lake Arrowhead Community Services District (“District”) intends to implement the Hesperia Farms Solar Photovoltaic Project (“Project”) consisting of 0.96 megawatt solar electric panels located on five to six acres on part of the District-owned, 350-acre Hesperia Farms property in the City of Hesperia (“City”). A map of the Project site is attached as Exhibit “A” to this Resolution. The Project would reduce the rising cost of energy at District facilities;

WHEREAS, on December 15, 2015, the District’s Board of Directors adopted Resolution No. 2015-14 adopting the Final Initial Study and Mitigated Negative Declaration (“MND”) and a Mitigation Monitoring and Reporting Program (“MMRP”) for the Project (State Clearinghouse No. 2015041074) under the California Environmental Quality Act (“CEQA”), Public Resources Code section 21000 *et seq.*; finding the Project exempt from City zoning and building ordinances under Government Code sections 53091 and 53096; and approving the Project;

WHEREAS, on December 18, 2015, District staff filed a Notice of Determination stating that the District approved the Project and adopted the Final MND with the San Bernardino County Clerk’s office;

WHEREAS, the Project, as approved in Resolution No. 2015-14, would be located in the southern portion of the Hesperia Farms property (“Original Site”). The District subsequently submitted an application for a general plan amendment and a conditional use permit under the City’s zoning ordinance for an alternative location to the Original Site that is 660 feet to the north of the Hesperia Farms southern property line (“Alternative Site”);

WHEREAS, the District, in conjunction with its environmental consultant, considered whether any supplemental or subsequent environmental review is required for the Alternative Site. Staff concluded that none of the circumstances described in Public Resources Code section 21166 or State CEQA Guidelines section 15162 have occurred, and thus no supplemental or subsequent environmental review is required;

WHEREAS, an Addendum Supplemental Environmental Checklist Form (“Addendum No. 1”), dated July 2017, was prepared to address any changes or additions to the Project to account for the Alternative Site under State CEQA Guidelines section 15164;

WHEREAS, the Board has reviewed Addendum No. 1 to the Final MND, along with the information in the Final MND, prior to taking action on the Alternative Site. Addendum No. 1 to the Final MND reflects the independent judgment and analysis of the District;

WHEREAS, the August 8, 2017 Regular Board Meeting was adjourned due to a lack of a quorum to an Adjourned Regular Board Meeting on August 9, 2017. On August 9, 2017, the Board held a duly noticed public hearing to consider Addendum No. 1 to the Final MND and the Alternative Site; 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 MND for the Project and Addendum No. 1 to the Final MND, any oral or written comments received, and the administrative record prior to making any decision. The District finds that Addendum No. 1 to the Final MND has been completed in compliance with CEQA and the State CEQA Guidelines.

3. Based on Addendum No. 1 to the Final MND and all related information presented to the District, the District finds that the preparation of a subsequent or supplemental EIR is not required for the Project because the Alternative Site for the Project in Addendum No. 1 is merely a minor modification to the Final MND and such a minor modification: (1) does not constitute a substantial change to the Project that will require major revisions of the Final MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) does not constitute a substantial change with respect to the circumstances under which the Project is undertaken that will require major revisions of the Final MND due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and (3) does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Final MND was certified, that shows any of the following: (a) the Project will have one or more significant effects not discussed in the Final MND; (b) significant effects previously examined will be substantially more severe than shown in the Final MND; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the lead agency declined to adopt such measures or alternatives; or (d) mitigation measures or alternatives considerably different from those analyzed in the Final MND would substantially reduce one or more significant effects on the

environment, but the lead agency declined to adopt such mitigation measures or alternatives.

4. The District finds that the applicable mitigation measures identified in the Final Initial MND and MMRP would ensure that any potential environmental impacts associated with the Alternative Site would be reduced to less than significant levels. No new mitigation measures are required to mitigate environmental impacts associated with the Alternative Site.

5. The District re-adopts those mitigation measures identified in the Final MND as detailed in Addendum No. 1 to the Final MND for the Project and the MMRP, attached as Exhibit "B" to this Resolution. The District approves and adopts Addendum No. 1 to the Final MND for the Project.

6. The District approves the Alternative Site as described in Addendum No. 1 to the Final MND.

7. The Board directs staff to file a Notice of Determination with the San Bernardino County Clerk within five (5) days of approval of Addendum No. 1 to the Final MND and the Office of Planning and Research.

8. 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 August 9, 2017, by the following vote:

AYES: Gross, Thompson, Wurm

NOES: None

ABSENT: Boydston, Keefe

ABSTAIN: None



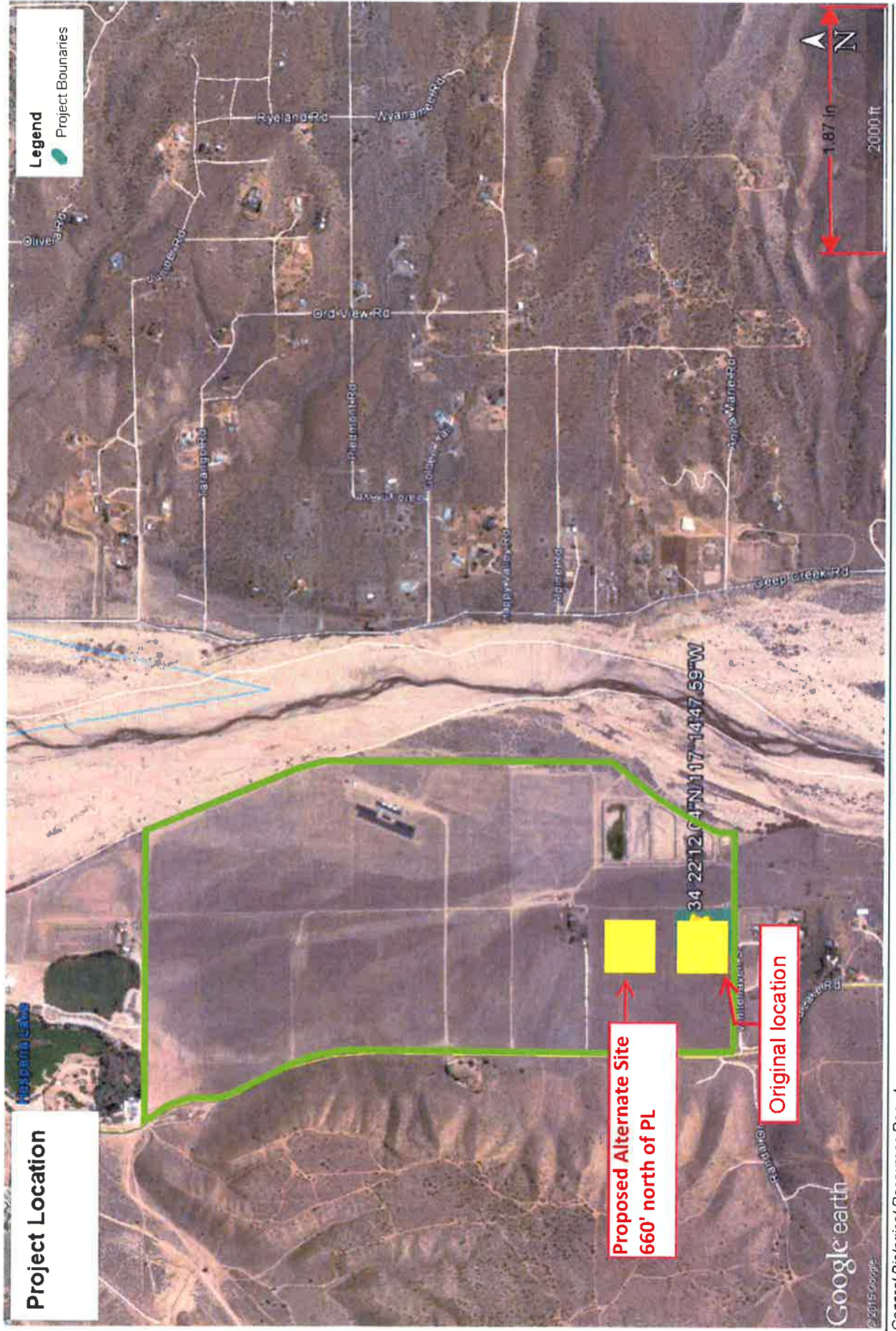
**President, Board of Directors
Lake Arrowhead Community Services District**

ATTEST:

Kathleen Field
Clerk of the Board

EXHIBIT A - MAP OF PROJECT SITE

Figure 1a. Project Location-Aerial Base



Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) for the proposed project has been prepared in accordance with PRC Section 21081.6 and *State CEQA Guidelines* Section 15091(d). The Lake Arrowhead Community Services District (District) will use this MMRP to track compliance with the project mitigation measures. The District's Board of Directors will consider adoption of the MMRP for the Mitigated Negative Declaration (MND). The MMRP will incorporate all mitigation measures adopted for the proposed project.

This MMRP summarizes potentially significant impacts and mitigation commitments identified in the Hesperia Farms Solar Photovoltaic Project MND. **Table 7-1** provides the MMRP which includes all mitigation measures, monitoring process, monitoring timing, and responsible persons/agency for implementation. Impacts and mitigation measures are presented in the same order as in the project MND. The columns in the table provide the following information:

- **Mitigation Measures:** The action(s) that will be taken to reduce the impact to a less-than-significant level.
- **Monitoring Process:** This column outlines the appropriate steps to implement and verify compliance with the mitigation measures.
- **Monitoring Timing:** This column indicates the general schedule for conducting each monitoring task, either prior to construction, during construction, and/or after construction.
- **Responsible Person(s):** This column lists the agency responsible for ensuring implementation of the mitigation measure. The District will assume responsibility for all monitoring and reporting actions.

**TABLE 7-1
MITIGATION MONITORING AND REPORTING PROGRAM – HESPERIA FARMS SOLAR PHOTOVOLTAIC PROJECT**

Mitigation Measures	Monitoring Process	Monitoring Timing	Responsible Person(s)			
I. Aesthetics						
<p>Mitigation Measure I-1: The District shall install a low height vegetation barrier on the southern boundary of the solar facility that will shield nearby residences from visual access to the facility, but not eliminate scenic views north of the project site. This "hedge" or vegetation barrier shall be planted prior to initiating construction of the solar facility and shall be irrigated using District provided well water. It shall be maintained at a maximum height of six feet.</p>	Site Inspection	Prior to Construction, During Construction, Post Construction	District			
<p>Mitigation Measure I-2: Night lighting will be located and shielded so as to avoid creating a nuisance to nearby residents. Light from onsite security and safety lighting shall not spill off the solar facility site onto adjacent residences or other light sensitive uses. A maximum change in light at the nearest residence of 0.5 foot candle shall be used as the threshold of significance.</p>	Site Inspection	During Construction	District			
III. Air Quality						
Mitigation Measure III-1: Fugitive Dust Mitigation Measures:						
<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 miles per hour (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>Prior to initiating ground disturbance activities, the District shall incorporate the above measures and any other fugitive dust control measures into a dust control plan and submit it to MDAQMD.</p>	Site Monitoring	Prior to Construction, During Construction	District			
Mitigation Measure III-2: The District shall erect a sign with the following dimensions prior to the commencement of construction: A minimum 48 inch in height by 96 inch width; the sign shall be located within 50 feet of each project site entrance; text shall meet minimum text height (identified below); text shall be black on a white background on one inch A/C laminated plywood board; lower edge of the sign shall be between six and seven feet above grade; text shall include the contact name of the responsible official for the site and a local or toll-free number that is accessible 24 hours per day; and text shall be arranged as follows: <p>"Site Name (four inch text) Project Name/Project Number (four inch text) IF YOU SEE DUST COMING FROM (four inch text) THIS PROJECT CALL: (four inch text)</p>				Site Inspection	During Construction	District

**TABLE 8-1 (continued)
MITIGATION MONITORING AND REPORTING PROGRAM – WEYMOUTH IMPROVEMENTS PROGRAM**

Mitigation Measures	Monitoring Process	Monitoring Timing	Responsible Person(s)
<p>Contact Name, PHONE NUMBER XXXXXXXX (six inch text) If you do not receive a response, Please call (three inch text) The MDACMD at 1-800-635-4617 (three inch text)."</p>			
<p>Mitigation Measure III-3: Additional fugitive dust measures:</p>	<p>Site Monitoring</p>	<p>During Construction</p>	<p>District</p>
<ul style="list-style-type: none"> • A water truck shall be used to maintain moist disturbed surfaces and actively spread water during visible fugitive dust emissions. For projects with exposed soil or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits. • All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing. • All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Actions must be taken to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion. 			
<p>IV. Biological Resources</p>			
<p>Mitigation Measure IV-1: Within 14 days prior to the initiation of any grading or clearing activities, a subsequent Western Burrowing Owl Survey shall be performed to confirm that burrowing owls have not occupied any portion of the site. In the event that a portion of the site has been occupied by the burrowing owl, the survey biologist in consultation with California Department of Fish and Wildlife shall establish no disturbance areas around the burrow and related foraging area to ensure that no impacts to the burrowing owl occur. The subsequent survey will comply with the survey protocols established by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service.</p>	<p>Site Survey</p>	<p>Prior to Construction, During Construction</p>	<p>District</p>
<p>Mitigation Measure IV-2: Within 30 days prior to the initiation of any grading or clearing activities, preconstruction surveys shall be conducted to determine the absence of special status species (including arroyo toad, Mohave ground squirrel, and desert kit fox) within the project impact areas. If special status species, burrows, dens, nest, or sign are found within project impact areas, these areas shall be avoided with the establishment of a non-disturbance zone or other avoidance measures as determined in coordination with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service. Where avoidance is infeasible, the District shall coordinate with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service.</p>	<p>Site Survey</p>	<p>Prior to Construction, During Construction</p>	<p>District</p>

Mitigation Measures	Monitoring Process	Monitoring Timing	Responsible Person(s)
<p>Mitigation Measure IV-3: The removal of potential nesting vegetation of native bird species shall be conducted outside of the nesting season (February 1 to August 31), if feasible. Regardless of the nesting season, prior to any vegetation removal, a qualified biologist shall conduct a nesting bird survey of potentially suitable nesting vegetation or substrate on the entire solar project site. Surveys shall be conducted no more than three days prior to scheduled vegetation removal. If active nests are identified, the biologist shall establish buffers around the vegetation or ground substrate containing the active nest (500 feet for raptors and 200 feet for non-raptors). The vegetation or ground substrate containing the active nest shall not be removed, and no grading shall occur within the established buffer until a qualified biologist has determined that the nest is no longer active. If clearing is not conducted within three days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds.</p>	Site Survey	Prior to Construction, During Construction	District
<p>V. Cultural Resources</p>			
<p>Mitigation Measure V-1: If buried cultural material is discovered during any earth-moving operations associated with the Project, all work in that area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds. Any resources of significance shall be managed in accordance with pertinent professional standards for such resource. If human remains are discovered the County Coroner shall be contacted to appropriately manage any such remains.</p>	Site Inspection/Survey	During Construction	District
<p>VI. Geology and Soils</p>			
<p>Mitigation Measure VI-1: To manage both seismic and liquefaction hazards at the project site, the District shall implement the recommended seismic design criteria and measures provided in the project geology report, reproduced here as Appendix 5.</p>	Site Inspection	During Construction	District
<p>Mitigation Measure VI-2: Stored backfill material shall be covered with water resistant material during periods of heavy precipitation to reduce the potential for rainfall erosion of the material. If covering is not feasible, then measures such as the use of straw bales or sand bags shall be used to capture and hold eroded material on the project site for future cleanup.</p>	Site Inspection	During Construction	District
<p>Mitigation Measure VI-3: Excavated areas shall be properly backfilled and compacted. Paved areas disturbed by this project will be repaved in such a manner that roadways and other disturbed areas are returned to as near the pre-project condition as is feasible.</p>	Site Inspection	During Construction, Post Construction	District
<p>Mitigation Measure VI-4: All exposed, disturbed soil (trenches, stored backfill, etc.) will be sprayed with water or soil binders twice a day or more frequently if fugitive dust is observed migrating from the site within which the water facilities are being installed.</p>	Site Inspection	During Construction	District
<p>Mitigation Measure VI-5: The length of trench which can be left open at any given time will 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.</p>	Site Inspection	During Construction	District

**TABLE 8-1 (continued)
MITIGATION MONITORING AND REPORTING PROGRAM – WEYMOUTH IMPROVEMENTS PROGRAM**

Mitigation Measures	Monitoring Process	Monitoring Timing	Responsible Person(s)
<p>Mitigation Measure VI-6: The District shall identify any additional best management practices (BMPs) to ensure that the discharge of surface water does not cause erosion downstream of the discharge point. This shall be accomplished by reducing the energy of any site discharge through an artificial energy dissipator or equivalent device. If any substantial erosion or sedimentation occurs, any erosion or sedimentation damage shall be restored to pre-discharge conditions immediately following an erosive event. Restoration shall consist of repairing the onsite erosion by recontouring the eroded area and providing additional protection to prevent a similar event in the future.</p>	Site Inspection	During Construction	District
<p>VIII. Hazards and Hazardous Materials</p>			
<p>Mitigation Measure VIII-1: All spills or leakage of petroleum products during construction activities will be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste will be collected and disposed of at an appropriately licensed disposal or treatment facility. This measure will be incorporated into the Stormwater Pollution Prevention Plan (SWPPP) prepared for the project development.</p>	Site Monitoring	During Construction	District
<p>IX. Hydrology and Water Quality</p>			
<p>Mitigation Measure IX-1: The District shall prepare and implement a construction SWPPP. The plan shall identify the BMPs that will be used for the project site to minimize the potential for accidental releases of any chemicals or materials on the site that could degrade water quality, including solid waste and require that any spills be cleaned-up, contaminated material properly disposed of and the site returned to pre-discharge condition, or in full compliance with regulatory limits for the discharged material. The portion of the SWPPP that addresses erosion and related sediment discharge shall specify the percentage of pollutant removal from discharges that is proposed to be achieved. At a minimum, BMPs shall be designed to achieve 60 percent removal of sediment other pollutants from runoff generated by disturbed sites during construction.</p>	Site Monitoring	Prior to Construction, During Construction	District
<p>XII. Noise</p>			
<p>Mitigation Measure XII-1: Construction activities shall be limited to the hours at 7 a.m. to 7 p.m. on Monday through Friday, and between 9 a.m. to 6 p.m. on Saturday, and shall be prohibited on Sundays and federal holidays except during documented emergencies.</p>	Site Monitoring	During Construction	District
<p>Mitigation Measure XII-2: All construction vehicles and fixed or mobile equipment shall be equipped with properly operating and maintained sound attenuating devices such as mufflers.</p>	Site Inspection, Equipment Inspection	During Construction	District
<p>Mitigation Measure XII-3: All employees that will be exposed to noise levels greater than 75 dB over an 8-hour period shall be provided with adequate hearing protection devices to ensure no hearing damage will result from construction activities.</p>	Site Inspection, Equipment Inspection	During Construction	District
<p>Mitigation Measure XII-4: If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds.</p>	Site Monitoring, Equipment Inspection	During Construction	District

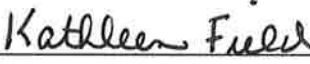
Appendix 7: Mitigation Monitoring and Reporting Program

Mitigation Measures	Monitoring Process	Monitoring Timing	Responsible Person(s)
<p>Mitigation Measure XII-5: Schedule the construction such that the minimum number of pieces of equipment will be operating at the same time.</p>	<p>Site Inspection</p>	<p>Prior to Construction, During Construction</p>	<p>District</p>
<p>Mitigation Measure XII-6: The construction contractor shall establish a noise complaint program and post a number at the job site where such complaints can be registered. The contractor shall take efforts to control noise (portable sound barriers, short-term relocation, etc.) and document these efforts with the District.</p>	<p>Site Inspection</p>	<p>Prior to Construction, During Construction</p>	<p>District</p>

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 **Resolution No. 2017-15** adopted by the Board of Directors of said Agency at an adjourned regular meeting of said Board held on the **9th day of August 2017**, by the following vote:

AYES: Gross, Thompson, and Wurm
NOES: None
ABSTAIN: None
ABSENT: Boydston, Keefe



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