

## RESOLUTION NO. 2016-06

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, RESOLUTION NO. 2016-06 ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE LAKE ARROWHEAD MAINTENANCE DREDGING PROJECT AND APPROVING THE PROJECT

#### RECITALS

**WHEREAS**, the Arrowhead Lake Association (“ALA”) seeks to implement the Lake Arrowhead Maintenance Dredging Project (“Project”) located within the San Bernardino National Forest and known as the Arrowhead Woods Community, pursuant to the 2007 Agreement Regarding Protection of Beneficial Uses of Lake Arrowhead between Lake Arrowhead Community Services District (“LACSD”) and ALA;

**WHEREAS**, the District determined that approval of the Project is subject to the requirements of the California Environmental Quality Act (“CEQA”), California Public Resources Code section 21000 *et seq* and the State CEQA Guidelines, Cal. Code Regs., title. 14, section 15000 *et seq*. An Initial Study analyzing all potential impacts of the Project was prepared for the District’s consideration as the lead agency under State CEQA Guidelines section 15063;

**WHEREAS**, on the basis of the Initial Study, which indicated that all potential environmental impacts from the Project would be less than significant with the 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 Initial Study/MND was prepared in accordance with CEQA, the State CEQA Guidelines, and the District’s Local CEQA Guidelines;

**WHEREAS**, the Draft Initial Study/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**, on August 20, 2015 notice of the Project was provided to San Manuel Band of Mission Indians pursuant to AB 52, Public Resources Code section 21080.3.1, subsection (d). No requests for consultation were received by the District;

**WHEREAS**, all comments were received, considered and responded to from the public, as well as any responsible, trustee, and interested agencies, on the Initial Study/MND;

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

**WHEREAS**, at a Regular Board Meeting on May 24, 2016, the Board held a duly noticed public hearing to consider the Final Initial Study/MND, the MMRP, and the Project;

**WHEREAS**, the Board has reviewed the Final Initial Study/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 RESOLVED** 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 Initial Study/MND and administrative record for the Project, including all oral and written comments received during the comment period. The Board finds that the Final Initial Study/MND and the administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the District's Local CEQA Guidelines.
3. Based on the Final Initial Study/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 Initial Study/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. No new significant environmental effects have been identified in the Final Initial Study/MND and any changes to the Final Initial Study/MND in response to comments or otherwise do not constitute substantial revisions requiring recirculation under State CEQA Guidelines section 15073.5.
4. The Board approves and adopts the MND pursuant to Public Resources Code section 21080, subdivision (c)(2).
5. 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.
6. The Board approves the Project as described in the Final Initial Study/MND.
7. 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.
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 May 24, 2016, by the following vote:

AYES: *Boydston, Keefe, Thompson, and Wurm*

NOES: *None*

ABSENT: *Gross*

ABSTAIN: *None*



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

**ATTEST:**

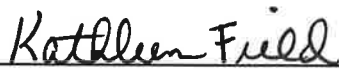
  
**Clerk of the Board**

**EXHIBIT A – MITIGATION MONITORING AND REPORTING PROGRAM**

## CERTIFICATION

I, Kathleen Field, Secretary of the Lake Arrowhead Community Services District, hereby certify that the foregoing is a full, true and correct copy of **Resolution No. 2016-06** adopted by the Board of Directors of said Agency at the regular meeting of said Board held on the **24th day of May 2016**, by the following vote:

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

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

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**MITIGATION MONITORING AND  
REPORTING PROGRAM**

**ARROWHEAD LAKE ASSOCIATION / LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT  
LAKE ARROWHEAD MAINTENANCE DREDGING  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Schedule	Verification
<p><b>Air Quality</b> III-1 Fugitive Dust Mitigation Measures:</p> <ul style="list-style-type: none"> <li>• Apply soil stabilizers to inactive areas.</li> <li>• Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds exceed 25 mph.</li> <li>• Stabilize previously disturbed areas if subsequent construction is delayed.</li> <li>• Water exposed surfaces and haul roads when appropriate.</li> <li>• Stabilize soil stock piles.</li> <li>• Reduce speeds on unpaved roads to less than 15 mph.</li> </ul>	<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 mitigation measure shall be retained in the project file. Verification of implementation shall be based on field inspections by ALA 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>
	<b>Source</b>	<b>Responsible Party</b>
	Initial Study	ALA
		<b>Status / Date / Initials</b>

Mitigation Measure	Implementation Schedule	Verification
<p><b>Biological Resources</b> IV-1 Prior to dredge or alteration of the Lake bed, the project proponent shall obtain regulatory permits from the U.S. Army Corps of Engineers, South Lahontan Regional Water Quality Control Board and the California Department of Fish and Wildlife. This project is a self mitigating project relative to water quality because it will enhance the water quality of the lake. This project will also serve to the convert of shallow aquatic habitat to deeper aquatic habitat which should be considered a net gain. To offset the temporal loss of riparian habitat within the inlet channels, the project proposes a minimum 1/2:1 ratio of habitat enhancement in the upper reaches of the inlets. This enhancement may include one or more of the following activities, depending on the site specific conditions; vegetation thinning/pruning, trash and/or debris removal, slope, bank and/or channel bottom stabilization, planting and/or seeding with natives where appropriate. Enhancements will be conducted under the provisions of a Habitat Mitigation and Monitoring Plan that is approved by the regulatory agencies.</p>	<p>Prior to initiating project activities.</p>	<p>A copy of the regulatory permits and Habitat Mitigation and Monitoring Plan shall be retained in the project file. Verification of implementation shall be based on field inspections by ALA personnel that verify the permits are current; conditions have been implemented as required in these measures. Field notes documenting verification shall be retained in the project file</p>

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LAKE ARROWHEAD MAINTENANCE DREDGING  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure		Implementation Schedule		Verification	
		Source	Responsible Party	Status / Date / Initials	
		Initial Study	ALA		

Mitigation Measure	Implementation Schedule	Verification
<p><b>Biological Resources</b></p> <p><b>IV-2</b> The State of California prohibits the "take" of active bird nests. To avoid an illegal take of active bird nests, any grubbing, brushing or tree removal should be conducted outside of the State identified nesting season for migratory birds is March 15 through September 1. Alternatively, the site shall be evaluated by a qualified biologist prior to the initiation of ground disturbance in areas that contain vegetation to determine the presence or absence of nesting birds. Active bird nests <b>MUST</b> be avoided during the nesting season. If an active nest is located in the project construction area it will be flagged and an avoidance buffer determined by a qualified and experience avian biologist will be placed around it. The buffer will be determined by the qualified avian biologist and will be based on the following factors: bird species; nesting stage; nest location; existing visual and/or noise buffers; current disturbances; and type, intensity and duration of proposed activities. No activity shall occur within the buffer until the young have fledged the nest.</p>	<p>This measure shall be implemented at least 7 days prior to construction activities.</p>	<p>Verification of implementation shall be based on the field inspection by a qualified biologist that verifies in a letter report that this measure has been implemented as required. The letter report documenting verification (and any recommendations) shall be retained in the project file.</p>
	<p><b>Source</b> Initial Study</p>	<p><b>Responsible Party</b> ALA</p>
		<p><b>Status / Date / Initials</b></p>

Mitigation Measure	Implementation Schedule	Verification
<p><b>Cultural Resources</b></p> <p><b>V-1</b> In the event that historical, cultural or paleontological resources are encountered during on site activities, grading, dredging or general construction activities will be stopped until a qualified professional evaluates the resources. If resources are encountered, adequate funding will be provided by the site</p>	<p>This measure shall be implemented during construction activities.</p>	<p>If subsurface cultural or paleontological resources are accidentally exposed during construction, the event shall be documented as required in this measure and the documentation retained in the project</p>

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Mitigation Measure	Implementation Schedule	Verification
developer to collect, curate and report on these resources.	file.	Status / Date / Initials
Source	Responsible Party	Status / Date / Initials
Initial Study	ALA	



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<b>Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Verification</b>
<p><b>Geology and Soils</b> 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"> <li>• Dredge material will not be stored in areas which are subject to the erosive flows of water.</li> <li>• 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.</li> <li>• Rainfall will be prevented from entering material and waste storage areas and pollution-laden surfaces.</li> <li>• Construction-related contaminants will be prevented from leaving the site and polluting waterways.</li> <li>• A spill prevention control and remediation plan to control release and remediation of hazardous substances accidentally released to the environment.</li> <li>• A silt screen or comparable method of controlling sediment in the Lake from dispersing from the immediate dredge area.</li> </ul>	<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 mitigation measure shall be retained in the project file. Verification of implementation shall be based on field inspections by ALA personnel that verify this measure have been implemented as required in these measures. Field notes documenting verification shall be retained in the project file.</p>
	<p align="center"><b>Source</b></p> <p align="center">Initial Study</p>	<p align="center"><b>Responsible Party</b></p> <p align="center">ALA</p>
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<b>Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Verification</b>
<p><b>Hazards and Hazardous Materials</b> 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 contaminated area (including any spills reaching the Lake) will be immediately stabilized; the waste will be collected; residual concentrations of the waste will be documented to be below any hazardous level; and the contaminate material will be disposed of at an appropriately licensed disposal or treatment facility.</p>	<p>This measure shall be implemented during project activities by a qualified contractor.</p> <p>This measure shall be included in the construction contract as a contract specification and implemented by the contractor during construction.</p>	<p>The qualified contractor will prepare a report of findings documenting that the requirements of this measure have been met and the documentation retained in the project file.</p>
	<p><b>Source</b> Initial Study</p>	<p><b>Responsible Party</b> ALA</p>

<b>Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Verification</b>
<p><b>Noise</b> XII-1 All exterior construction activities shall be limited to the hours between 7 a.m. to 6 p.m. from Monday through Saturday. Construction shall not be allowed on Sunday or holidays, except during an emergency as identified in the County's Development Code.</p>	<p>This measure shall be implemented during project activities by a qualified contractor.</p> <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 mitigation measure shall be retained in the project file. Verification of implementation shall be based on field inspections by ALA personnel that verify this measure have been implemented as required in these measures. Field notes documenting verification shall be retained in the project file.</p>
	<p><b>Source</b> Initial Study</p>	<p><b>Responsible Party</b> ALA</p>

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<b>Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Verification</b>
<p><b>Noise</b> XII-2 During construction the contractor shall ensure that all construction equipment is equipped with appropriate noise attenuating devices.</p>	<p>This measure shall be implemented during project activities by a qualified contractor.</p> <p>This measure shall be included in the construction contract as a contract specification and implemented by the contractor during construction.</p>	<p>The qualified contractor will prepare a report of findings documenting that the requirements of this measure have been met and the documentation retained in the project file. A copy of the construction contract including this mitigation measure shall be retained in the project file. Verification of implementation shall be based on field inspections by ALA personnel that verify this measure have been implemented as required in these measures. Field notes documenting verification shall be retained in the project file.</p>
	<p><b>Source</b> Initial Study</p>	<p><b>Responsible Party</b> ALA</p>
		<p><b>Status / Date / Initials</b></p>

<b>Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Verification</b>
<p><b>Noise</b> XII-3 All idling equipment shall be turned off when not in use.</p>	<p>This measure shall be implemented during project activities.</p>	<p>Verification of implementation shall be based on field inspections by ALA personnel that verify this measure have been implemented as required in these measures. Field notes documenting verification shall be retained in the project file.</p>
	<p><b>Source</b> Initial Study</p>	<p><b>Responsible Party</b> ALA</p>
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<b>Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Verification</b>					
<b>Noise XII-4</b> Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.	This measure shall be implemented during project activities.	Verification of implementation shall be based on field inspections by ALA personnel that verify this measure have been implemented as required in these measures. Field notes documenting verification shall be retained in the project file.					
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Initial Study	ALA						

<b>Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Verification</b>					
<b>Noise XII-5</b> Limit the amount of heavy machinery equipment operating simultaneously to two pieces of equipment within a 50-foot radius of each other (when located within 100 feet of existing residential units).	This measure shall be implemented during project activities.	Verification of implementation shall be based on field inspections by ALA personnel that verify this measure have been implemented as required in these measures. Field notes documenting verification shall be retained in the project file.					
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Initial Study	ALA						

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<b>Mitigation Measure</b>	<b>Implementation Schedule</b>	<b>Verification</b>
<p><b>Noise</b> 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. If complaints are received, the contractor shall take efforts to control noise (portable sound barriers, short-term relocation, etc.) and document these efforts with the Lead Agency (LACSD) and the Project Sponsor (ALA).</p>	<p>This measure shall be implemented during project activities by a qualified contractor.</p> <p>This measure shall be included in the construction contract as a contract specification and implemented by the contractor during construction.</p>	<p>The qualified contractor will prepare a report of findings documenting that the requirements of this measure have been met and the documentation retained in the project file. A copy of the construction contract including this mitigation measure shall be retained in the project file. Verification of implementation shall be based on field inspections by ALA personnel that verify this measure have been implemented as required in these measures. Field notes documenting verification shall be retained in the project file.</p>
	<p><b>Source</b> Initial Study</p>	<p><b>Responsible Party</b> ALA</p>
<p><b>Utilities and Service Systems</b> XVI-1 Vegetative waste generated from the project site shall be shredded and placed in a green waste recycling program or used onsite as a ground cover to minimize generation of fugitive dust.</p>	<p>This measure shall be implemented during project activities by a qualified contractor.</p> <p>This measure shall be included in the construction contract as a contract specification and implemented by the contractor during construction.</p>	<p>The qualified contractor will prepare a report of findings documenting that the requirements of this measure have been met and the documentation retained in the project file. A copy of the construction contract including this mitigation measure shall be retained in the project file. Verification of implementation shall be based on field inspections by ALA personnel that verify this measure have been implemented as required in these measures. Field notes documenting verification shall be retained in the project file.</p>
	<p><b>Source</b> Initial Study</p>	<p><b>Responsible Party</b> ALA</p>
		<p><b>Status / Date / Initials</b></p>