Appendix: J – San Sevaine Redevelopment Project Ordinance No. 3631 and Map[47]

[47] A copy of this map has been requested but not received

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA

December 5, 1995

CAO/CORDA: JOINT HEARINGS RELATING TO ADOPTION OF SAN SEVAINE REDEVELOPMENT PROJECT AND PROPOSED ORDINANCE ADOPTING REDEVELOPMENT PLAN: CONTINUE TO TUESDAY, DECEMBER 12, 1995 AT 10:00 A.M.

The Board, acting as the governing body of the County of San Bernardino and the County Redevelopment Agency, conducts a joint public hearing to consider the following:

CoRDA

1. Adoption of resolutions finding that use of taxes allocated from San Sevaine Redevelopment Project for purpose of improving, increasing and preserving community's supply of low and moderate income housing outside project area will benefit project and certifying final Environmental Impact Report, making certain findings regarding environmental impacts of project, adopting a Reporting and Monitoring Program and adopting a Statement of Overriding Considerations;

COUNTY ADMINISTRATIVE OFFICE

2. Adoption of resolutions electing to receive allocations of taxes pursuant to provisions of Community Development Law; finding that use of taxes allocated from San Sevaine Redevelopment Project for purpose of improving, increasing and preserving the community's supply of low and moderate income housing outside project area will benefit project and certifying final Environmental Impact Report for San Sevaine Redevelopment Project, making certain findings regarding environmental impacts of project, adopting a Reporting and Monitoring Program and adopting a Statement of Overriding Considerations, and;

3. Proposed ordinance approving and adopting the Redevelopment Plan for the San Sevaine Redevelopment Project.

Notification as required has been made by publication in The Sun, a newspaper of general circulation, and by mailing to lists on file in the Office of the Clerk.

The script for the joint meeting is read into the record by Chairman Marsha Turoci, and Lew Pond, Redevelopment Project Manager, copies of the script and transcript of the meeting are on file in the Office of the Clerk.

On call of the Chairman, no further testimony is presented and the joint public hearings are closed.

On motion by Supervisor Mikels, seconded by Supervisor Riordan, and carried, the Board, acting on behalf of the County of San Bernardino and the County Redevelopment Agency, **CLOSES THE HEARINGS TO FURTHER PUBLIC TESTIMONY AND CONTINUES ITEMS 1, 2 AND 3 TO TUESDAY, DECEMBER 12, 1995 AT 10:00 A.M.**

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA

December 5, 1995

CAO/CORDA: JOINT HEARINGS RELATING TO ADOPTION OF SAN SEVAINE REDEVELOPMENT PROJECT AND PROPOSED ORDINANCE ADOPTING REDEVELOPMENT PLAN: CONTINUE TO TUESDAY, DECEMBER 12, 1995 AT 10:00 A.M.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: Mikels, Riordan, Walker, Eaves, Turoci

NOES: None

ABSENT: None

* * * * * *

STATE OF CALIFORNIA }
} ss.
COUNTY OF SAN BERNARDINO }

I, EARLENE SPROAT, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by said Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of December 5, 1995.

cc: CAO-Hlawek/Pond, PWG,
Transportation, Co. Counsel-
Blakemore, File.

EARLENE SPROAT
Clerk of the Board

By_____
Deputy

12/5/95 lw #'s 1, 2 & 3

4-9507A-103

MINUTES OF THE
SAN BERNARDINO COUNTY
REDEVELOPMENT AGENCY

DECEMBER 5, 1995

FROM: JAMES J. HLAWEK
EXECUTIVE DIRECTOR

SUBJECT: **HEARING RELATING TO THE ADOPTION OF THE SAN SEVAINE REDEVELOPMENT PROJECT:**

RECOMMENDATION: Conduct hearing and consider adoption of:
1.) Resolution #95- finding that the use of taxes allocated from the San Sevaine Redevelopment Project for the purpose of improving, increasing and preserving the community's supply of low and moderate income housing outside the project area will be of benefit to the project, and

2.) Resolution $95- certifying the final environmental impact report, making certain findings regarding the environmental impacts, adopting a reporting and monitoring program, and adopting a statement of overriding considerations.

BACKGROUND: These resolutions are recommended for action by the Board of Directors of the Redevelopment Agency following the joint public hearing of the Board and the Board of Supervisors. This hearing is the culmination of the adoption process of the San Sevaine Redevelopment Project.

Under separate cover, each Board member has received a binder containing all documents relating to the public hearing and adoption process, including the Redevelopment Plan, the Owner Participation Rules previously approved by the Board, the Report of the Agency to the Board of Supervisors, the Final EIR, the finding of conformity with the County General Plan by the Planning Commission, procedures for the public hearing, and copies of all resolutions and the project adoption ordinance.

REVIEW BY OTHER DEPARTMENTS: This item has been reviewed by the Second Supervisoral District, the Public Works Group, and County Counsel.

FINANCIAL IMPACT: The Report to the Board of Supervisors contains a section assuring a finding of financial feasibility utilizing tax increments that will be generated over the life of the Project. The Project will have no impact on the General Fund.

PRESENTED BY: Lew Pond

Action of the Board of Supervisors

ITEM 1

14-9507-000
Rev. 10/81

MINUTES OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY, CALIFORNIA

December 5, 1995

FROM: James J. Hlawek
County Administrative Officer

SUBJECT: HEARING RELATING TO THE ADOPTION OF THE SAN SEVAINE REDEVELOPMENT PROJECT:

RECOMMENDATION: Conduct hearing and consider adoption of:
1.) Resolution #95- electing to receive allocations of taxes pursuant to the provisions of Community Redevelopment Law.

2.) Resolution #95- finding that the use of taxes allocated from the San Sevaine Redevelopment Project for the purpose of improving, increasing and preserving the community's supply of low and moderate income housing outside the project area will be of benefit to the project.

3.) Resolution #95- certifying the final Environmental Impact Report for the San Sevaine Redevelopment Project , making certain findings regarding the environmental impacts of the project, adopting a reporting and monitoring program, and adopting a Statement of Overriding Considerations.

BACKGROUND: These resolutions are recommended for action by the Board of Supervisors following the joint public hearing of the Board and the Board of Directors of the Redevelopment Agency. This hearing is the culmination of the adoption process of the San Sevaine Redevelopment Project.

Under separate cover, each Board member has received a binder containing all documents relating to the public hearing and adoption process, including the Redevelopment Plan, the Owner Participation Rules, the Report of the Agency to the Board of Supervisors, the Final EIR, the finding of conformity with the County General Plan by the Planning Commission, procedures for the public hearing, and copies of all resolutions and the project adoption ordinance.

REVIEW BY OTHER DEPARTMENTS: This item has been reviewed by the Second Supervisoral District, the Public Works Group, and County Counsel.

FINANCIAL IMPACT: The Report to the Board of Supervisors contains a section assuring a finding of financial feasibility utilizing tax increments that will be generated over the life of the Project. The Project will have no impact on the General Fund.

PRESENTED BY: Lew Pond

Action of the Board of Supervisors

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA

December 5, 1995

FROM: JAMES J. HLAWEK
County Administrative Officer

SUBJECT: ORDINANCE APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE SAN SEVAINE REDEVELOPMENT PROJECT

RECOMMENDATION: Read title only of proposed ordinance approving and adopting the Redevelopment Plan for the San Sevaine Redevelopment Project, waive reading of entire text and continue to Tuesday, December 12, 1995, at 10:00 a.m. for adoption on the consent calendar.

BACKGROUND: The San Sevaine Redevelopment Project adoption process is at its conclusion. The Board of Supervisors has jointly held a public hearing with the governing body of the Redevelopment Agency. All comments or objections to the San Sevaine Redevelopment Plan have been received and the final act is for the Board and Agency to act upon the Plan. The Board completes the process through the adoption of the Ordinance which approves and adopts the San Sevaine Redevelopment Project.

REVIEW BY OTHER DEPARTMENTS: This item was reviewed by the Second Supervisorial District, the Public Works Group and County Counsel.

FINANCIAL DATA: There is no financial impact associated with this recommendation.

Action of the Board of Supervisors

MDB:51549

14-9507-000
Rev. 10/81

ITEM 3

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CA

DECEMBER 12, 1995

FROM: JAMES J. HLAWEK
COUNTY ADMINISTRATIVE OFFICER

SUBJECT: **RESOLUTION REGARDING WRITTEN OBJECTIONS RE: SAN SEVAINE REDEVELOPMENT PROJECT**

RECOMMENDATION: Adopt resolution adopting written findings in response to each written objection of an affected property owner and taxing entity to the proposed Redevelopment Plan of the San Sevaine Redevelopment Project.

BACKGROUND: On December 5, 1995, the joint public hearing was held on the proposed Redevelopment Plan for the San Sevaine Redevelopment Project. Written objections on the proposed plan were received from property owners at the hearing, but not from taxing entities. At the close of the hearing, the meeting was continued to this date to provide for written responses to the comments and objections.

Written responses to these objections have been prepared and are attached to the subject resolution.

REVIEW BY OTHER DEPARTMENTS: This item has been reviewed by the Second Supervis District, the Public Works Group, and County Counsel.

FINANCIAL IMPACT: There is no financial impact associated with this item.

PRESENTED BY: Lew Pond

Action of the Board of Supervisors

ITEM 3

14-9507-000
Rev. 10/81

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA

December 12, 1995

CAO/CORDA: JOINT MEETINGS RELATING TO ADOPTION OF SAN SEVAINE REDEVELOPMENT PROJECT, FINDINGS IN RESPONSE TO WRITTEN COMMENTS AND OBJECTIONS AND PROPOSED ORDINANCE ADOPTING REDEVELOPMENT PLAN: ADOPT VARIOUS RESOLUTIONS AND CONTINUE ORDINANCE TO TUESDAY, DECEMBER 19, 1995 AT 10:00 A.M. FOR ADOPTION:

The Board, acting as the governing body of the County of San Bernardino and the County Redevelopment Agency, conducts a joint meeting to consider the following:

CoRDA

1. Continued consideration to adopt resolutions finding that use of taxes allocated from San Sevaine Redevelopment Project for purpose of improving, increasing and preserving community's supply of low and moderate income housing outside project area will benefit project and certifying final Environmental Impact Report, making certain findings regarding environmental impacts of project, adopting a Reporting and Monitoring Program and adopting a Statement of Overriding Considerations (Continued from 12/5/95, Item 1);

COUNTY ADMINISTRATIVE OFFICE

2. Continued consideration to adopt resolutions electing to receive allocations of taxes pursuant to provisions of Community Development Law; finding that use of taxes allocated from San Sevaine Redevelopment Project for purpose of improving, increasing and preserving the community's supply of low and moderate income housing outside project area will benefit project and certifying final Environmental Impact Report for San Sevaine Redevelopment Project, making certain findings regarding environmental impacts of project, adopting a Reporting and Monitoring Program and adopting a Statement of Overriding Considerations (Continued from 12/5/95, Item 2);

3. Adoption of resolution making findings in response to written comments and objections received from property owners and overruling such written comments and objections to the proposed Redevelopment Plan for the San Sevaine Redevelopment Project, and;

4. Proposed ordinance approving and adopting the Redevelopment Plan for the San Sevaine Redevelopment Project (Continued from 12/5/95, Item 3).

The script for the joint meeting is read into the record by Chairman Marsha Turoci, copies of the script and transcript of the meeting are on file in the Office of the Clerk.

On motion by Supervisor Mikels, seconded by Supervisor Walker, and carried, the Board, acting on behalf of the County Redevelopment Agency, adopts the following:

1) CORdA Resolution No. 95-10 finding that the use of taxes allocated from the San Sevaine Redevelopment Project for the purpose of improving, increasing and preserving the community's supply of low and moderate income housing outside the project area will be of benefit to the project, and;

4-9507A-103

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA

December 12, 1995

CAO/CORDA: JOINT MEETINGS RELATING TO ADOPTION OF SAN SEVAINE REDEVELOPMENT PROJECT, FINDINGS IN RESPONSE TO WRITTEN COMMENTS AND OBJECTIONS AND PROPOSED ORDINANCE ADOPTING REDEVELOPMENT PLAN: ADOPT VARIOUS RESOLUTIONS AND CONTINUE ORDINANCE TO TUESDAY, DECEMBER 19, 1995 AT 10:00 A.M. FOR ADOPTION:

2) CORdA Resolution No. 95-11 certifying the Final Environmental Impact Report, making certain findings regarding the environmental impacts, adopting a reporting and monitoring program and adopting a Statement of Overriding Considerations.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, and acting on behalf of the County Redevelopment Agency, by the following vote:

AYES: Mikels, Walker, Eaves, Turoci
NOES: None
ABSENT: Riordan

On motion by Supervisor Mikels, seconded by Supervisor Eaves and carried, the Board, adopts the following:

1) Resolution No. 95-282 electing to receive allocations of taxes pursuant to the provisions of Community Redevelopment Law;

2) Resolution No. 95-283 finding that the use of taxes allocated from the San Sevaine Redevelopment Project for the purpose of improving, increasing and preserving the community's supply of low and moderate income housing outside the project area will be of benefit to the project, and;

3) Resolution No. 95-285 certifying the Final Environmental Impact Report for the San Sevaine Redevelopment Project, making certain findings regarding the environmental impacts of the project, adopting a reporting and monitoring program and adopting a Statement of Overriding Considerations.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: Mikels, Walker, Eaves, Turoci
NOES: None
ABSENT: Riordan

On motion by Supervisor Mikels, seconded by Supervisor Eaves, and carried, the Board adopts Resolution No. 95-286 adopting written findings in response to each written objection of an affected property owner and taxing entity to the proposed Redevelopment Plan of the San Sevaine Redevelopment Project.

14-9507A-103

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA

December 12, 1995

CAO/CORDA: JOINT MEETINGS RELATING TO ADOPTION OF SAN SEVAINE REDEVELOPMENT PROJECT, FINDINGS IN RESPONSE TO WRITTEN COMMENTS AND OBJECTIONS AND PROPOSED ORDINANCE ADOPTING REDEVELOPMENT PLAN; ADOPT VARIOUS RESOLUTIONS AND CONTINUE ORDINANCE TO TUESDAY, DECEMBER 19, 1995 AT 10:00 A.M. FOR ADOPTION:

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: Mikels, Walker, Eaves, Turoci
NOES: None
ABSENT: Riordan

On motion by Supervisor Mikels, seconded by Supervisor Eaves, and carried, the Board directs the Clerk to read the title only of the proposed ordinance approving and adopting the Redevelopment Plan for the San Sevaine Redevelopment Project; waives reading of the entire text and continues the ordinance to **TUESDAY, DECEMBER 19, 1995 AT 10:00 A.M.** for final adoption on the consent calendar.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: Mikels, Walker, Eaves, Turoci
NOES: None
ABSENT: Riordan

* * * * * *

STATE OF CALIFORNIA }
} ss.
COUNTY OF SAN BERNARDINO }

I, EARLENE SPROAT, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by said Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of December 12, 1995.

cc: CAO-Hlawek/Pond, PWG,
Transportation, Co. Counsel-
Blakemore, File.

EARLENE SPROAT
Clerk of the Board

By_____
Deputy

12/12/95 lw #'s 1, 2, 3 & 4

4-9507A-103

Attachment B

MINUTES OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY, CALIFORNIA

December 19, 1995

ORDINANCE 3631: CORDA/CAO: REDEVELOPMENT PLAN FOR THE SAN SEVAINE REDEVELOPMENT PROJECT: ADOPTED:

On motion by Supervisor Riordan, seconded by Supervisor Eaves, and carried, the Board adopts Ordinance 3631, the same as is set forth in full in Ordinance Book 56, and is entitled:

> "AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE SAN SEVAINE REDEVELOPMENT PROJECT."

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: Mikels, Riordan, Walker, Eaves, Turoci

NOES: None

ABSENT: None

12/19/95 lw #77

ORDINANCE NO. 3631

AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE SAN SEVAINE REDEVELOPMENT PROJECT.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. The Board of Supervisors of the County of San Bernardino finds that:

(a) The Redevelopment Agency (hereinafter the "Agency") of the County of San Bernardino (hereinafter the "County"), formulated and prepared the proposed Redevelopment Plan for the San Sevaine Redevelopment Project for the County (hereinafter the "Redevelopment Plan").

(b) The County Planning Commission submitted its report and recommendations on said proposed Redevelopment Plan, finding that the proposed Redevelopment Plan is in conformity with the General Plan, and recommending that the proposed Redevelopment Plan be approved and adopted.

(c) The Agency submitted to the County Board of Supervisors (hereinafter the "Board") said proposed Redevelopment Plan, accompanied by the Report to Board of Supervisors on said proposed Redevelopment Plan, which Report contains, among other things, the Planning Commission's report and recommendations, the Final Environmental Impact Report on said proposed Plan, the Report of the County Fiscal Officer and Analysis thereof by the Agency, and the Implementation Plan for the first five years of

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the San Sevaine Redevelopment Project (hereinafter the "Project").

(d) The Agency adopted rules governing participation by and reasonable preferences to owners and tenants in the Project Area.

(e) The Agency consulted with the taxing agencies which levy taxes, or for which taxes are levied, on property in the Project Area with respect to the Redevelopment Plan and to the allocation of taxes pursuant to Section 33670 of the Health and Safety Code.

(f) The Agency and the Board certified that the Final Environmental Impact Report for the proposed Project was prepared and completed in compliance with the California Environmental Quality Act of 1970, and state and local regulations and guidelines adopted pursuant thereto.

(g) After due notice, a joint public hearing was held by the Board and the Agency to consider said proposed Redevelopment Plan.

(h) After said joint public hearing, the Board heard and passed upon all oral and written objections by overruling such objections.

(i) All actions required by law have been taken by all appropriate public agencies.

SECTION 2. The purposes and intent of the Board with respect to the Project Area are to:

(a) Establish, by effective use of the redevelopment process, a planning and implementation framework that will ensure

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the proper, long-term development of the Project Area to economically productive and viable use.

(b) Eliminate and prevent the spread of blight and deterioration; and conserve, rehabilitate and redevelop the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and County codes and ordinances.

(c) Facilitate planned growth by guiding revitalization activities and new development in such fashion as to meet the needs of the Project Area, the County and its citizens.

(d) Encourage business park, industrial, research and development, and office types of uses in accord with the General Plan, specific plans, the Redevelopment Plan and County codes and ordinances.

(e) Consider design and development standards that will enhance the Project Area's image and value.

(f) Replan, redesign and develop underdeveloped or poorly developed areas that are improperly utilized.

(g) Promote new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the recapture of industrial growth and commercial sales activity.

(h) Encourage investment by the private sector in the development and redevelopment of the Project Area by eliminating impediments to such development and redevelopment.

(i) Expand and promote a diversified economic base for the County to assist in achieving a balance between jobs and housing.

(j) Create and develop County job opportunities to enhance the Project Area's employment base.

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(k) Retain as many existing businesses as practicable by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area.

(l) Eliminate or ameliorate certain infrastructure deficiencies, including substandard vehicular circulation systems; inadequate water, sewer, storm drainage, and regional flood control systems; and other similar public improvements, facilities and utilities deficiencies adversely affecting the Project Area.

(m) Assemble land into parcels suitable for modern industrial development.

(n) Encourage and facilitate remediation by responsible parties of properties contaminated with hazardous substances.

(o) Expand the community's supply of housing, including opportunities for low and moderate income households.

(p) Expand and upgrade housing opportunities in the community to eliminate blight and improve the housing stock and standards.

(q) Eliminate certain physical deficiencies, including land use incompatibilities between conflicting land uses and the remedying of obsolete site conditions.

SECTION 3. All written and oral objections to the Redevelopment Plan are hereby overruled.

SECTION 4. The proposed Redevelopment Plan for the Project is hereby approved and adopted and designated the

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official Redevelopment Plan for the San Sevaine Redevelopment Project.

SECTION 5. The Redevelopment Plan for the San Sevaine Redevelopment Project is hereby incorporated herein by reference and made a part hereof as if fully set out at length herein.

SECTION 6. The Board hereby finds and determines that:

(a) The Project Area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the Community Redevelopment Law of the State of California.

(b) The Redevelopment Plan will redevelop the Project Area in conformity with the Community Redevelopment Law of the State of California and in the interests of the public peace, health, safety and welfare.

(c) The adoption and carrying out of the Redevelopment Plan is economically sound and feasible.

(d) The Redevelopment Plan conforms to the County General Plan, including, but not limited to, the County's Housing Element, which substantially complies with the requirements of Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code.

(e) The carrying out of the Redevelopment Plan will promote the public peace, health, safety and welfare of the County and will effectuate the purposes and policies of the Community Redevelopment Law of the State of California.

(f) The condemnation of real property, as provided for in the Redevelopment Plan, is necessary to the execution of the

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Redevelopment Plan and adequate provisions have been made for payment for property to be acquired as provided by law.

(g) The Agency has a feasible method or plan for the relocation of families and persons who may be temporarily or permanently displaced from housing facilities in the Project Area.

(h) There are, or shall be provided, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons who may be displaced from the Project area, decent, safe and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment.

(i) Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Health and Safety Code Sections 33411 and 33411.1. Dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Health and Safety Code Sections 33334.5, 33413 and 33413.5.

(j) Inclusion within the Project Area of any lands, buildings or improvements which are not detrimental to the public health, safety or welfare is necessary for the effective redevelopment of the area of which they are a part; any such area included is necessary for effective redevelopment and is not included for the purposes of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of

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the Community Redevelopment Law without other substantial justification for its inclusion.

(k) The elimination of blight and the redevelopment of the Project Area cannot be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency.

(l) The Project Area is predominately urbanized.

(m) The time limitation on the dollars to be allocated to the Agency that is contained in the Redevelopment Plan is reasonably related to the proposed projects to be implemented in the Project Area and to the ability of the Agency to eliminate blight within the Project Area.

SECTION 7. The Board is satisfied permanent housing facilities will be available within three (3) years from the time occupants of the Project Area are displaced and that, pending the development of such facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the County at the time of their displacement. No persons or families of low and moderate income shall be displaced from residences unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary and otherwise standard dwellings. The Agency shall not displace such person or family until such housing units are available and ready for occupancy.

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SECTION 8. In order to implement and facilitate the effectuation of the Redevelopment Plan hereby approved and adopted, it is found and determined that certain official actions may be required to be taken by the Board with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and accordingly, the Board hereby:

(a) Declares its intention to undertake and complete any proceedings necessary to be carried out by the County under the provisions of the Redevelopment Plan.

(b) Requests the various officials, departments, boards, commissions and agencies of the County having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with such Redevelopment Plan.

SECTION 9. The County Clerk is hereby directed to send a certified copy of this ordinance to the Agency, and the Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan, subject to the provisions of the Redevelopment Plan.

SECTION 10. The County Clerk is hereby directed to record with the County Recorder a description of the land within the Project Area and a statement that the proceedings for the

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redevelopment of the Project Area have been instituted under the California Redevelopment Law. The Agency is hereby directed to effectuate recordation in compliance with the provisions of Section 27295 of the Government Code to the extent applicable.

SECTION 11. The County Building Department is hereby directed for a period of two (2) years after the effective date of this ordinance to advise all applicants for building permits within the Project Area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment project area.

SECTION 12. The County Clerk is hereby directed to transmit a copy of the description and statement recorded by the County pursuant to Section 10 of this ordinance, a copy of this ordinance, and a map or plat showing the boundaries of the Project Area to the County Auditor/Controller-Recorder and Assessor, to the governing body of each of the taxing agencies which levies taxes upon any property in the Project Area, and to the State Board of Equalization.

SECTION 13. This ordinance shall be in full force and effect ninety (90) days from the date of adoption.

Marsha Turoci

MARSHA TUROCI, Chairman
Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

EARLENE SPROAT, Clerk of the
Board of Supervisors

Earlene Sproat

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STATE OF CALIFORNIA)
)ss.
COUNTY OF SAN BERNARDINO)

I, EARLENE SPROAT, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify that at a regular meeting of the Board of Supervisors of said County and State, held on the 19th day of December, 1995, at which meeting were present Supervisors: Jon D. Mikels, Barbara Cram Riordan, Larry Walker, Jerry Eaves, Marsha Turoci, and the clerk, the foregoing ordinance was passed and adopted by the following vote, to wit:

AYES: SUPERVISORS: Mikels, Riordan, Walker, Eaves, Turoci

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Supervisors this 19th day of December, 1995.

EARLENE SPROAT, Clerk of the Board of Supervisors of the County of San Bernardino, State of California

Deputy Clerk

APPROVED AS TO FORM
DATE 11/28/95
COUNTY COUNSEL
SAN BERNARDINO COUNTY, CALIFORNIA
DEPUTY

OFFICE OF THE
COUNTY COUNSEL
385 NORTH ARROWHEAD AVENUE
SAN BERNARDINO, CA 92415-0140

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51234

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA

December 19, 1995

ORDINANCE 3631: CORDA/CAO: REDEVELOPMENT PLAN FOR THE SAN SEVAINE REDEVELOPMENT PROJECT: ADOPTED:

On motion by Supervisor Riordan, seconded by Supervisor Eaves, and carried, the Board adopts Ordinance 3631, the same as is set forth in full in Ordinance Book 56, and is entitled:

> "AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE SAN SEVAINE REDEVELOPMENT PROJECT."

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: Mikels, Riordan, Walker, Eaves, Turoci

NOES: None

ABSENT: None

* * * * * *

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO } ss.

I, EARLENE SPROAT, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by said Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of 12/19/95 lw #77

cc: CAO-Hlawek/Pond, PWG,
Transportation, Co. Counsel-
Blakemore, File.

EARLENE SPROAT
Clerk of the Board

By _____
Deputy

14-835-103 Rev. 9/89

ORDINANCE NO. 3631

AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE SAN SEVAINE REDEVELOPMENT PROJECT.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. The Board of Supervisors of the County of San Bernardino finds that:

(a) The Redevelopment Agency (hereinafter the "Agency") of the County of San Bernardino (hereinafter the "County"), formulated and prepared the proposed Redevelopment Plan for the San Sevaine Redevelopment Project for the County (hereinafter the "Redevelopment Plan").

(b) The County Planning Commission submitted its report and recommendations on said proposed Redevelopment Plan, finding that the proposed Redevelopment Plan is in conformity with the General Plan, and recommending that the proposed Redevelopment Plan be approved and adopted.

(c) The Agency submitted to the County Board of Supervisors (hereinafter the "Board") said proposed Redevelopment Plan, accompanied by the Report to Board of Supervisors on said proposed Redevelopment Plan, which Report contains, among other things, the Planning Commission's report and recommendations, the Final Environmental Impact Report on said proposed Plan, the Report of the County Fiscal Officer and Analysis thereof by the Agency, and the Implementation Plan for the first five years of

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the San Sevaine Redevelopment Project (hereinafter the "Project").

(d) The Agency adopted rules governing participation by and reasonable preferences to owners and tenants in the Project Area.

(e) The Agency consulted with the taxing agencies which levy taxes, or for which taxes are levied, on property in the Project Area with respect to the Redevelopment Plan and to the allocation of taxes pursuant to Section 33670 of the Health and Safety Code.

(f) The Agency and the Board certified that the Final Environmental Impact Report for the proposed Project was prepared and completed in compliance with the California Environmental Quality Act of 1970, and state and local regulations and guidelines adopted pursuant thereto.

(g) After due notice, a joint public hearing was held by the Board and the Agency to consider said proposed Redevelopment Plan.

(h) After said joint public hearing, the Board heard and passed upon all oral and written objections by overruling such objections.

(i) All actions required by law have been taken by all appropriate public agencies.

SECTION 2. The purposes and intent of the Board with respect to the Project Area are to:

(a) Establish, by effective use of the redevelopment process, a planning and implementation framework that will ensure

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the proper, long-term development of the Project Area to economically productive and viable use.

(b) Eliminate and prevent the spread of blight and deterioration; and conserve, rehabilitate and redevelop the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and County codes and ordinances.

(c) Facilitate planned growth by guiding revitalization activities and new development in such fashion as to meet the needs of the Project Area, the County and its citizens.

(d) Encourage business park, industrial, research and development, and office types of uses in accord with the General Plan, specific plans, the Redevelopment Plan and County codes and ordinances.

(e) Consider design and development standards that will enhance the Project Area's image and value.

(f) Replan, redesign and develop underdeveloped or poorly developed areas that are improperly utilized.

(g) Promote new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the recapture of industrial growth and commercial sales activity.

(h) Encourage investment by the private sector in the development and redevelopment of the Project Area by eliminating impediments to such development and redevelopment.

(i) Expand and promote a diversified economic base for the County to assist in achieving a balance between jobs and housing.

(j) Create and develop County job opportunities to enhance the Project Area's employment base.

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(k) Retain as many existing businesses as practicable by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area.

(l) Eliminate or ameliorate certain infrastructure deficiencies, including substandard vehicular circulation systems; inadequate water, sewer, storm drainage, and regional flood control systems; and other similar public improvements, facilities and utilities deficiencies adversely affecting the Project Area.

(m) Assemble land into parcels suitable for modern industrial development.

(n) Encourage and facilitate remediation by responsible parties of properties contaminated with hazardous substances.

(o) Expand the community's supply of housing, including opportunities for low and moderate income households.

(p) Expand and upgrade housing opportunities in the community to eliminate blight and improve the housing stock and standards.

(q) Eliminate certain physical deficiencies, including land use incompatibilities between conflicting land uses and the remedying of obsolete site conditions.

SECTION 3. All written and oral objections to the Redevelopment Plan are hereby overruled.

SECTION 4. The proposed Redevelopment Plan for the Project is hereby approved and adopted and designated the

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official Redevelopment Plan for the San Sevaine Redevelopment Project.

SECTION 5. The Redevelopment Plan for the San Sevaine Redevelopment Project is hereby incorporated herein by reference and made a part hereof as if fully set out at length herein.

SECTION 6. The Board hereby finds and determines that:

(a) The Project Area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the Community Redevelopment Law of the State of California.

(b) The Redevelopment Plan will redevelop the Project Area in conformity with the Community Redevelopment Law of the State of California and in the interests of the public peace, health, safety and welfare.

(c) The adoption and carrying out of the Redevelopment Pl is economically sound and feasible.

(d) The Redevelopment Plan conforms to the County General Plan, including, but not limited to, the County's Housing Element, which substantially complies with the requirements of Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code.

(e) The carrying out of the Redevelopment Plan will promote the public peace, health, safety and welfare of the County and will effectuate the purposes and policies of the Community Redevelopment Law of the State of California.

(f) The condemnation of real property, as provided for in the Redevelopment Plan, is necessary to the execution of the

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Redevelopment Plan and adequate provisions have been made for payment for property to be acquired as provided by law.

(g) The Agency has a feasible method or plan for the relocation of families and persons who may be temporarily or permanently displaced from housing facilities in the Project Area.

(h) There are, or shall be provided, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons who may be displaced from the Project area, decent, safe and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment.

(i) Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Health and Safety Code Sections 33411 and 33411.1. Dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Health and Safety Code Sections 33334.5, 33413 and 33413.5.

(j) Inclusion within the Project Area of any lands, buildings or improvements which are not detrimental to the public health, safety or welfare is necessary for the effective redevelopment of the area of which they are a part; any such area included is necessary for effective redevelopment and is not included for the purposes of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of

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the Community Redevelopment Law without other substantial justification for its inclusion.

(k) The elimination of blight and the redevelopment of the Project Area cannot be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency.

(l) The Project Area is predominately urbanized.

(m) The time limitation on the dollars to be allocated to the Agency that is contained in the Redevelopment Plan is reasonably related to the proposed projects to be implemented in the Project Area and to the ability of the Agency to eliminate blight within the Project Area.

SECTION 7. The Board is satisfied permanent housing facilities will be available within three (3) years from the ti occupants of the Project Area are displaced and that, pending the development of such facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the County at the time of their displacement. No persons or families of low and moderate income shall be displaced from residences unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary and otherwise standard dwellings. The Agency shall not displace such person or family until such housing units are available and ready for occupancy.

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SECTION 8. In order to implement and facilitate the effectuation of the Redevelopment Plan hereby approved and adopted, it is found and determined that certain official actions may be required to be taken by the Board with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and accordingly, the Board hereby:

(a) Declares its intention to undertake and complete any proceedings necessary to be carried out by the County under the provisions of the Redevelopment Plan.

(b) Requests the various officials, departments, boards, commissions and agencies of the County having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with such Redevelopment Plan.

SECTION 9. The County Clerk is hereby directed to send a certified copy of this ordinance to the Agency, and the Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan, subject to the provisions of the Redevelopment Plan.

SECTION 10. The County Clerk is hereby directed to record with the County Recorder a description of the land within the Project Area and a statement that the proceedings for the

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redevelopment of the Project Area have been instituted under the California Redevelopment Law. The Agency is hereby directed to effectuate recordation in compliance with the provisions of Section 27295 of the Government Code to the extent applicable.

SECTION 11. The County Building Department is hereby directed for a period of two (2) years after the effective date of this ordinance to advise all applicants for building permits within the Project Area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment project area.

SECTION 12. The County Clerk is hereby directed to transmit a copy of the description and statement recorded by the County pursuant to Section 10 of this ordinance, a copy of this ordinance, and a map or plat showing the boundaries of the Project Area to the County Auditor/Controller-Recorder and Assessor, to the governing body of each of the taxing agencies which levies taxes upon any property in the Project Area, and to the State Board of Equalization.

SECTION 13. This ordinance shall be in full force and effect ninety (90) days from the date of adoption.

Marsha Turoci

MARSHA TUROCI, Chairman
Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

EARLENE SPROAT, Clerk of the
Board of Supervisors

Earlene Sproat

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MDB:af
51234

STATE OF CALIFORNIA)
)ss.
COUNTY OF SAN BERNARDINO)

I, EARLENE SPROAT, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify that at a regular meeting of the Board of Supervisors of said County and State, held on the 19th day of December, 1995, at which meeting were present Supervisors: Jon D. Mikels, Barbara Cram Riordan, Larry Walker, Jerry Eaves, Marsha Turoci, and the clerk, the foregoing ordinance was passed and adopted by the following vote, to wit:

AYES: SUPERVISORS: Mikels, Riordan, Walker, Eaves, Turoci

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Supervisors this 19th day of December, 1995.

EARLENE SPROAT, Clerk of the Board of Supervisors of the County of San Bernardino, State of California

Deputy Clerk

APPROVED AS TO FORM
11/28/95
COUNTY COUNSEL
SAN BERNARDINO COUNTY, CALIFORNIA
DEPUTY

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COUNTY COUNSEL
GOVERNMENT CENTER
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MDB:af
51234

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Clerk of the Board - 0130

Attention: Laura

Recorded in Official Records, County of San Bernardino, Errol J. Mackzum, Recorder

No Fee

Doc No. 19950436370

1:48pm 12/20/95

005 1047984 01 05

PG	FEE	APF	GIMS	PH CPY	CRT CPY	ADD NM	PEN PR	PCOR
7						✓		
			5			✓	6	✓
NON ST	LN	SVY	CIT-CO	TRANS TAX		NO FEE	CHRG	EXAM

Description of Land Within the San Sevaine Redevelopment Project and Statement that Redevelopment Proceedings Have Been Instituted

Title of Document

THIS AREA FOR

RECORDER'S

USE ONLY

RECORDER'S MEMO: POOR RECORD DUE TO QUALITY OF ORIGINAL DOCUMENT

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
($3.00 Additional Recording Fee Applies)

FREE RECORDING PER SECTION 6103, GOVERNMENT CODE

RECORDING REQUESTED BY
COUNTY OF SAN BERNARDINO

WHEN RECORDED, MAIL TO:

Clerk of the Board of Supervisors
County of San Bernardino
385 N. Arrowhead Avenue
San Bernardino, CA 92415

DESCRIPTION OF LAND WITHIN THE SAN SEVAINE REDEVELOPMENT PROJECT

and

STATEMENT THAT REDEVELOPMENT PROCEEDINGS HAVE BEEN INSTITUTED

(Pursuant to Health and Safety Code, Section 33373)

Proceedings for the redevelopment of the San Sevaine Redevelopment Project have been instituted under the California Community Redevelopment Law pursuant to a Redevelopment Plan approved and adopted, December 19, 1995 by Ordinance No. 3631 of the Board of Supervisors of the County of San Bernardino, California.

The description of the land within the San Sevaine Redevelopment Project Area is attached hereto and consists of 5 pages.

COUNTY OF SAN BERNARDINO

Earlene Sproat
Clerk of the Board

Date: 12/20/95

STATE OF CALIFORNIA }
} ss.
COUNTY OF SAN BERNARDINO }

On Tuesday, December 20, 1995 before me, Vada Gaiche, a notary public in and for said State, personally appeared Earlene Sproat, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity as Clerk of the Board of Supervisors of the County of San Bernardino, a municipal corporation, and that by her signature on the instrument the person or entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Vada Gaiche (Seal)

VADA GAICHE
COMM. # 1008529
Notary Public — California
SAN BERNARDINO COUNTY
My Comm. Expires NOV 7, 1997

SAN SEVAINE REDEVELOPMENT PROJECT

That portion of Township 1 South, Range 6 West, San Bernardino Meridian, in the unincorporated area of the County of San Bernardino, State of California, described as follows:

Beginning at the intersection of the center line of Etiwanda Avenue with the South right of way line of Interstate 10, said intersection being also on the city limits line of Ontario, as said line existed June 6, 1995;

Thence North along said center line of Etiwanda Avenue and said city limits line of Ontario to the center line of Fourth Street, said point being also coincident with the city limits line of Rancho Cucamonga, as it existed June 6, 1995;

Thence leaving said city limits line of Ontario North along said center line of Etiwanda Avenue and said city limits line of Rancho Cucamonga to the South line of the Metropolitan Aqueduct in the North half of Section 16, said Township 1 South, Range 6 West;

Thence East along said South line and said city limits line of Rancho Cucamonga to the North and South center line of said Section 16;

Thence North along the North and South center line of Sections 16 and 9 and said city limits line of Rancho Cucamonga to the center line of Whittram Avenue;

Thence leaving said city limits of Rancho Cucamonga East along said center line to the center line of Ilex Avenue;

Thence North 330.00 feet along said center line to the North line of Lot 360, Tract No. 2102, as per map recorded in Book 31 of Maps, pages 11 to 15, inclusive, records of said County;

Thence East 2219.73 feet along lot lines to the East line of the West 132.00 feet of Lot 319, said Tract No. 2102;

Thence South along said East line to the center line of Whittram Avenue;

Thence East along said center line to the center line of Mulberry Avenue;

Thence North 330.00 feet along said center line to the North line of Lot 284, said Tract No. 2102;

Thence East 924.00 feet along lot lines to the East line of the West 264.00 feet of Lot 283, said Tract No. 2102;

Thence South along said East line to the South line of the North 165.00 feet of said Lot 283;

Thence East 396.00 feet along said South line to the center line of Calabash Avenue;

Thence South along said center line 25.00 feet to the North line of the South 140.00 feet of Lot 248 of said Tract No. 2102;

Thence East along said North line to the East line of the West 185.00 feet of said Lot 248;

Thence North along said East line to the North line of the South 200.00 feet of said Lot 248;

Thence East along said North line to the East line of the West 205.00 feet of said Lot 248;

Thence North 130.00 feet along said East line to the North line of said Lot 248;

Thence East 455.00 feet along said North line to the West line of Lot 246, said Tract No. 2106;

Thence North 330.00 feet along said West line to the North line of said Lot 246;

Thence East 1320.00 feet along Lot lines to the West line of Lot 211, said Tract No. 2102;

Thence South 330.00 feet along said West line to the center line of Whittram Avenue;

Thence East 330.00 feet along said center line to the West line of Lot 212, said Tract No. 2102;

Thence North 330.00 feet along said West line to the North line of said Lot 212;

Thence East 330.00 feet along said North line to the center line of Almond Avenue;

Thence North 330.00 feet along said center line to the North line of Lot 172, said Tract No. 2102;

Thence East 1320.00 feet along lot lines to the center line of Cherry Avenue;

Thence North 660.00 feet along said center line to the center line of Arrow Route;

Thence East 660.00 feet along said center line to the East line of Lot 131, said Tract No. 2102;

Thence South 1320.00 feet along Lot lines and to the center line of Whittram Avenue;

Thence East 1320.00 feet along said center line to the West line of Lot 103, said Tract No. 2102;

Thence North 330.00 feet along said West line to the Northwest corner of said Lot 103;

Thence East 1980.00 feet along Lot lines to the center line of Hemlock Avenue;

Thence North 330.00 feet along said center line to the Westerly prolongation of the North line of Lot 6, C. W. Roger Subdivision, as per map recorded in Book 11 of Maps, page 32, records of said County;

Thence East 1366.36 feet along said prolongation and North line and its prolongation to the center line of Beech Avenue;

Thence North along said center line of Beech Avenue to the center line of Arrow Route;

Thence East along said center line of Arrow Route to the East line of Almeria Avenue, now vacated, said point being also coincident with the city limits line of Fontana, as said city limits line existed June 6, 1995;

Thence South along said East line of Almeria Avenue and said city limits line of Fontana to the South line of Lot 206, Etiwanda Vineyards Tract, as per map recorded in Book 17 of Maps, page 29, records of said County;

Thence East along said South line of Lot 206 and said city limits line of Fontana, a distance of 625.04 feet to the Southeast corner of said Lot 206;

Thence South along lot lines and their prolongation and along said city limits line of Fontana to the South line of Arrowhead Avenue, now vacated;

Thence East along said South line, being also along the North line of the Atchison, Topeka and Santa Fe Railroad right of way and said city limits line of Fontana to the Northerly prolongation of the center line of Catawba Avenue;

Thence South along said prolongation and said city limits line of Fontana to the South line of the Atchison, Topeka and Santa Fe Railroad right of way;

Thence leaving said city limits line of Fontana West along said South line to the West line of the East 8.23 acres of the North 9.67 acres of Lot 446, said Tract No. 2102, said point being on a line that is 203.00 feet East, more or less, from the center line of Cherry Avenue;

Thence South along said West line to the center line of Ceres Avenue;

Thence West along said center line to an angle point in said center line of Ceres Avenue;

Thence South along said center line of Ceres Avenue to the center line of Merrill Avenue;

Thence East along said center line to the West line of the East 5 acres of Lot 876, Semi-Tropic Land and Water Company Subdivision, as per map recorded in Book 11 of Maps, page 12, records of said County, said West line being 325.92 feet West, more or less, from the center line of Redwood Avenue;

Thence South 660.00 feet along said West line to the North line of Parcel Map No. 13017, as per map recorded in Book 167 of Parcel Maps, pages 63 and 64, records of said County;

Thence East along said North line to an angle point in the North line of Parcel 7, said Parcel Map 13017, said point being 235.00 feet West of the center line of Redwood Avenue;

Thence South 80.00 feet along the Easterly line of said Parcel 7 to an angle point therein;

Thence East 235.00 feet along the Northerly line of said Parcel 7 to the center line of Redwood Avenue;

Thence South 580.04 feet along said center line to the Northeast corner of Lot 884, said Semi-Tropic Land and Water Company Subdivision;

Thence West 170.00 feet along the North line of said Lot 884 to the West line of the East 170.00 feet of said Lot 884;

Thence South 660.00 feet along said West line to the South line of said Lot 884;

Thence West along said South line to the East line of the West 128.78 feet of the East 655.14 feet of Lot 885, said Semi-Tropic Land and Water Company Subdivision;

Thence South 325.00 feet along said East line to the North line of the South 335.00 feet of said Lot 885;

Thence West along said North line 128.78 feet to the East line of the West half of said Lot 885;

Thence South 5.00 feet, more or less, to the North line of the South half of the West 10.8 acres;

Thence West 390.64 feet;

Thence South 181.00 feet;

Thence West 150.00 feet;

Thence South 150.00 feet to the center line of Randall Avenue;

Thence East along said center line to the center line of Redwood Avenue;

Thence South 1980 feet along said center line to the North line of Lot 901, said Semi-Tropic Land and Water Company Subdivision;

Thence West along said North line to the West line of the East 5 acres of said Lot 901, being 330.00 feet West of the center line of Redwood Avenue;

Thence South along said West line to the South line of the North 396.00 feet of said Lot 901;

Thence East along said South line 330.00 feet to the center line of Redwood Avenue;

Thence South along said center line 264.00 feet to the center line of San Bernardino Avenue;

Thence West along said center line to the West line of the East 10 acres of Lot 908, said Semi-Tropic Land and Water Company Subdivision, said point being 660.00 feet from the center line of Redwood Avenue;

Thence South along the West line of the East 10 acres of Lot 908 and 909 a distance of 990.21 feet to the Northeast corner of Tract No. 3264, as per map recorded in Book 43 of Maps, page 76, records of said County;

Thence West 543.80 feet along the North line of said Tract No. 3264 to the Northeast corner of Lot 1;

Thence South 330.07 feet to the Southeast corner of Lot 4, said Tract No. 3264;

Thence West 10.00 feet along the South line of said Tract No. 3264 to the Northeast corner of Lot 1, Tract No. 3363, as per map recorded in Book 45 of Maps, page 22, records of said County;

Thence South 330.14 feet to the Southeast corner of Lot 4, said Tract No. 3363;

Thence East 531.52 feet along the South line of said Tract No. 3363 to the Southeast corner thereof, said point being also on the East line of the West half of Lot 916, said Semi-Tropic Land and Water Company Subdivision;

Thence South 330.14 feet along said East line to the South line of said Lot 916;

Thence West along said South line to the Northeast corner of Lot 5, Tract No. 2879, as per map recorded in Book 39 of Maps, page 64, records of said County, said corner being East 210.00 feet from the center line of Cherry Avenue;

Thence South 160.00 feet along the East line of said Lot 5 and its prolongation to the center line of Hunter Street;

Thence East 116.76 feet along said center line to the East line of said Tract No. 2879;

Thence South 160.00 feet along said East line to the Southeast corner of said Tract No. 2879;

Thence West 326.76 feet along the South line of said Tract No. 2879 and its prolongation to the center line of Cherry Avenue, said point being also on the city limits line of Fontana, as said line existed June 6, 1995;

Thence North along said center line and said city limits line of Fontana to the South line of Lot 1005, said Semi-Tropic Land and Water Company Subdivision;

Thence West along the South line of said Lot 1005 and said city limits line of Fontana to the center line of Almond Avenue;

Thence South along said center line of Almond Avenue and said city limits line of FONTANA, 660 feet to the Southeast corner of Lot 1011, said Semi-Tropic Land and Water Company Subdivision;

Thence West along the South line of said Lot 1011 and said city limits line of Fontana to the center line of Banana Avenue, said point being also the Southeast corner of Lot 1010, said Semi-Tropic Land and Water Company Subdivision;

Thence leaving said city limits line of Fontana West along the South line of said Lot 1010 to the center line of Calabash Avenue;

Thence South along said center line of Calabash Avenue, 660 feet to the Northwest corner of Lot 1018, said Semi-Tropic Land and Water Company Subdivision;

Thence East along the North line of said Lot 1018 to the center line of Banana Avenue, said point being also in the city limits line of Fontana, as said city limits line existed June 6, 1995;

Thence South along said center line of Banana Avenue and said city limits line of Fontana to the center line of Valley Boulevard;

Thence leaving said city limits line of Fontana South along said center line of Banana Avenue, 660 feet to the Northwest corner of Lot 1027, said Semi-Tropic Land and Water Company Subdivision;

Thence East along the North line of said Lot 1027 to the center line of Almond Avenue, said point being also in the city limits line of Fontana, as said city limits line existed June 6, 1995;

Thence South along said center line of Almond Avenue and said city limits line of Fontana to the South right of way line of Interstate 10;

Thence leaving said city limits line of Fontana West along said south right of way line of Interstate 10 to the center line of Etiwanda Avenue, being the Point of Beginning.

NOTE: Areas and distances are computed to the center lines of adjoining streets for Tract No. 2102 and the Semi-Tropic Land and Water Company Subdivision.

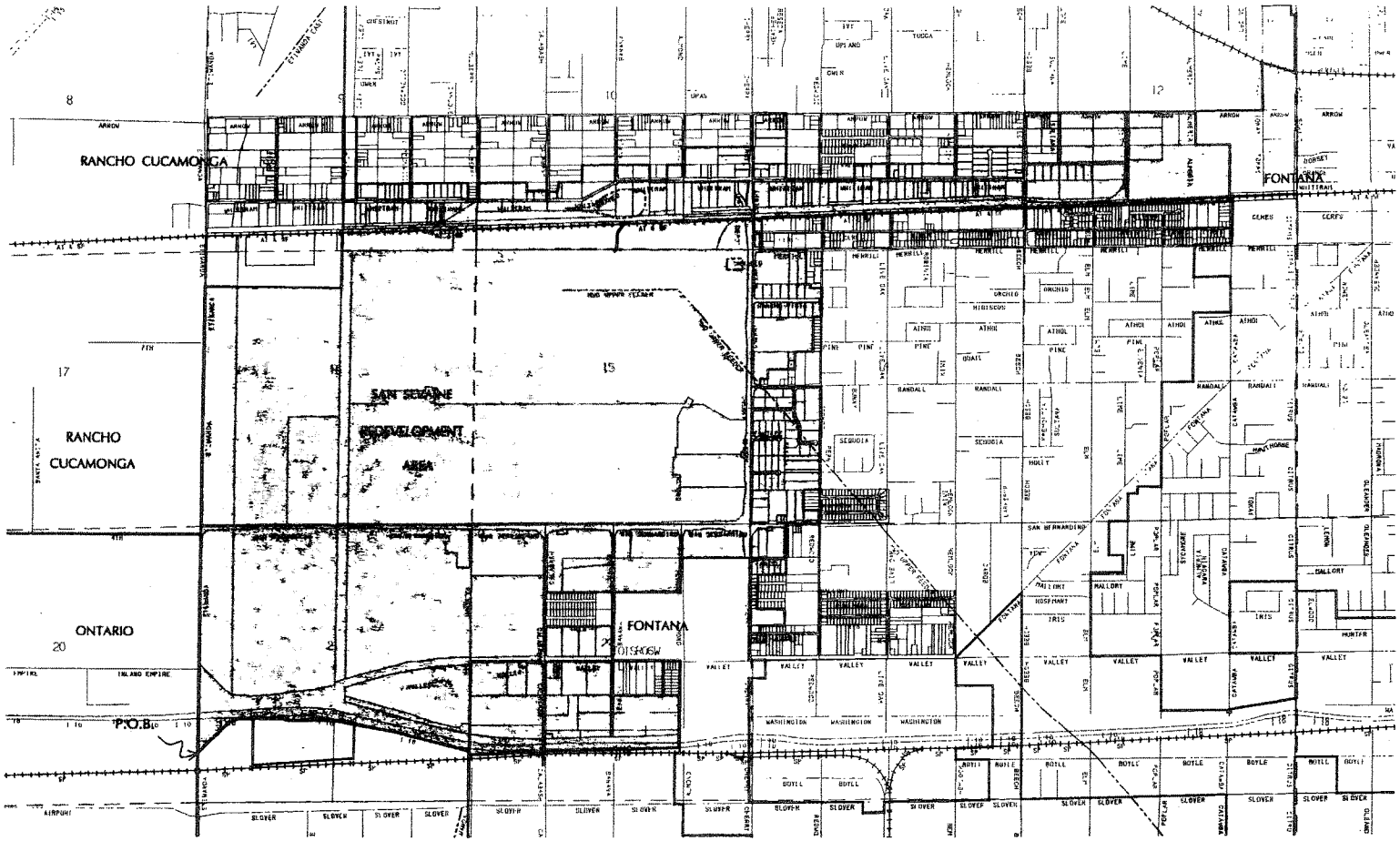
Said project contains 2806acres, more or less.

KEN A. MILLER
COUNTY SURVEYOR
COUNTY OF SAN BERNARDINO
By: Donald C. Moye Deputy
L. S. No. 5752
Date 6/6/95

PROFESSIONAL LAND SURVEYOR
LS 5752
EXPIRATION DATE
12-31-96
STATE OF CALIFORNIA

COUNTY SURVEYOR'S OFFICE

June 6, 1995



San Sevaine Redevelopment Project Area

SCALE 1:64800

1 inch on the map represents 5400 feet on the ground

2 / 1.55 0 2 / MILES

2700 0 2700 5400 8100 10800 13500 16200 18900 FEET

Kaiser Redevelopment Area

Cities of Fontana and Ontario

PROFESSIONAL LAND SURVEYOR
DANIEL C. MOYE
LS 5952
EXPIRATION DATE 12-31-96
STATE OF CALIFORNIA

KEN A. MILLER
County Surveyor
Co of San Bernardino
By Daniel C. Moye DEPUTY

L.S. No. 5952
DATE 12/20/95

SAN BERNARDINO COUNTY SURVEYOR
385 N. Arrowhead, S.B., CA 92415

Formation of
San Sevaine
Redevelopment Area

DATE 6-19-95

GENERAL DESCRIPTION Fontana, CA.
Por. T.01S., R.06W., SBM

RESOLUTION NO. 95-10

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE COUNTY OF SAN BERNARDINO FINDING THAT THE PROVISION OF LOW- AND MODERATE-INCOME HOUSING OUTSIDE THE PROJECT AREA WILL BE OF BENEFIT TO THE SAN SEVAINE REDEVELOPMENT PROJECT

On Tuesday, December 12, 1995, on motion of Director Mikels, duly second by Director Walker, and carried, the following resolution is adopted:

WHEREAS, the Redevelopment Agency of the County of San Bernardino ("Agency") is engaged in activities necessary or appropriate to carry out the California Community Redevelopment Law (Health & Safety Code Sections 33000, et seq.) within the County of San Bernardino; and

WHEREAS, pursuant to Section 33330 of the Community Redevelopment Law, the Agency has prepared a proposed Redevelopment Plan for the San Sevaine Redevelopment Project in the County of San Bernardino; and

WHEREAS, on November 2, 1995, the Planning Commission of the County of San Bernardino adopted a Report and Recommendation which found that the Redevelopment Plan conformed to the General Plan of the County of San Bernardino, and recommended approval of the Redevelopment Plan; and

WHEREAS, pursuant to Section 33334.2 of the Community Redevelopment Law, the legislative body of the community adopting a redevelopment plan must either include property within the Project Area suitable for low- and moderate-income housing or make a finding that the provisions of low- and moderate-income housing outside the project area will be of benefit to the project area; and

WHEREAS, the land uses designated for the project area in the Redevelopment Plan, and in the County's General Plan do not permit the development of housing; and

WHEREAS, there are a number of areas within the county, including some areas near or adjacent to the project area, which permit the development of housing; and

WHEREAS, among the goals of the proposed Redevelopment Plan are the expansion of a diversified economic base for San Bernardino County to assist in achieving a balance between jobs and housing, the expansion of the community's supply of housing, including opportunities for low- and moderate-income households and the expansion and upgrading of housing opportunities in the community to eliminate blight and improve the housing stock and standards; and

WHEREAS, Section 33334.2 of the Community Redevelopment Law calls for the allocation of a portion of the tax increment generated by a redevelopment project to be allocated for the purposes of improving, increasing and preserving the community's supply of low- and moderate-income housing available at affordable cost within the community (hereinafter, the "provision of low- and moderate-income housing"); and

WHEREAS, the provision of low- and moderate-income housing outside the project area will assist in accomplishing the goals and objectives of the Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of San Bernardino as follows:

1. The Board of Supervisors of the County of San Bernardino hereby finds and determines that the recitals contained hereinabove are true and correct.

2. The provision of low- and moderate-income housing outside the San Sevaine Redevelopment Project Area will be of benefit to the project area.

3. The use of tax increment generated by the San Sevaine Redevelopment Project and allocated pursuant to Section 33334.2 of the Community Redevelopment Law for the provision of low- and moderate-income housing will be of benefit to the project area, even if outside the project area.

4. The Clerk of the Board of Supervisors of the County of San Bernardino shall certify to the passage of this Resolution and thereupon and thereafter the same shall be in full force and effect.

PASSED AND ADOPTED by the Board of Directors of San Bernardino County, State of California, Redevelopment Agency, by the following vote:

AYES: Mikels, Walker, Eaves, Turoci
NOES: None
ABSENT: Riordan

STATE OF CALIFORNIA)
) ss
SAN BERNARDINO COUNTY)

I, **EARLENE SPROAT**, Clerk of the Board of Directors of San Bernardino County, California, State of California, Redevelopment Agency, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by said Board of Directors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of December 12, 1995.

EARLENE SPROAT, Clerk of the Board

BY_____
Deputy

12/12/95 lw #1

RESOLUTION NO. 95-11

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE COUNTY OF SAN BERNARDINO CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED SAN SEVAINE REDEVELOPMENT PLAN, MAKING CERTAIN FINDINGS REGARDING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED REDEVELOPMENT PROJECT, ADOPTING A REPORTING AND MONITORING PROGRAM, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS

On Tuesday, December 12, 1995, on motion of Director Mikels, duly second by Director Walker, and carried, the following resolution is adopted:

WHEREAS, the Redevelopment Agency of the County of San Bernardino (the "Agency") has prepared a proposed Redevelopment Plan for the San Sevaine Redevelopment Project (the "Project"); and

WHEREAS, the Agency, as lead agency, has prepared through the County of San Bernardino Planning Department an Environmental Impact Report ("EIR") to assess the environmental impacts which may result from the Project; and

WHEREAS, a draft EIR was prepared and circulated for review, comment and consultation with citizens, professional disciplines and public agencies pursuant to the California Environmental Quality Act of 1970 ("CEQA") and state and local guidelines and regulations adopted pursuant thereto; and

WHEREAS, a duly noticed public hearing was held by the Agency on October 17, 1995, at which all interested persons and organizations were given an opportunity to be heard; and

WHEREAS, the Final EIR relating to the proposed Redevelopment Plan for the Project and responding to the concerns raised during the review period and at the public hearing has been prepared pursuant to said statute and guidelines and regulations; and

WHEREAS, the Agency, in connection with its consideration of the adoption of the proposed Redevelopment Plan for the Project, has reviewed and considered the information contained in the Final EIR for the proposed Redevelopment Plan, as well as other documents and comments received at the Joint Public Hearing for the proposed Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the County of San Bernardino, California, as follows:

1. The Agency hereby certifies that the Final EIR for the proposed Redevelopment Plan for the Project has been prepared and completed in compliance with CEQA and state and local guidelines and regulations adopted pursuant thereto.

2. The Agency hereby further certifies that the information contained in the Final EIR has been reviewed and considered by the members of the Agency.

3. The Agency hereby finds and determines that:

a. The Final EIR reflects the independent judgment of the Agency.

b. The implementation of the Project will not result in significant environmental effects in certain respects identified in the Final EIR, as described in Section IV.A. of Attachment A (attached hereto and incorporated herein by this reference).

c. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen certain significant environmental effects of the Project identified in the Final EIR, as described in Section IV.B. of Attachment A.

d. With respect to significant environmental effects of the Project which cannot be avoided or substantially lessened, specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR, as described in Sections IV.C. and IV.D. of Attachment A.

e. The significant environmental effects of the Project which cannot be avoided or substantially lessened are acceptable due to overriding concerns and benefits, as described in Section V of Attachment A.

4. The Mitigation Monitoring and Compliance Program (identified in the Final EIR as Section 10.0, and) contained in Attachment B (attached hereto and incorporated herein by this reference) is hereby approved and adopted to monitor and ensure that the mitigation measures identified will be instituted.

5. The Executive Director of the Agency (or his designee) is hereby authorized and directed to cause the filing of a Notice of Determination with respect to the Final EIR upon adoption of the proposed Redevelopment Plan for the Project by the Board of Supervisors.

PASSED AND ADOPTED by the Redevelopment Agency of San Bernardino County, State of California, by the following vote:

AYES: Mikels, Walker, Eaves, Turoci
NOES: None
ABSENT: Riordan

STATE OF CALIFORNIA)
) ss
SAN BERNARDINO COUNTY)

I, **EARLENE SPROAT**, Clerk of the Redevelopment Agency of San Bernardino County, California, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by said Agency, by vote of the members present, as the same appears in the Official Minutes of said Agency at its meeting of December 12 1995.

EARLENE SPROAT, Clerk of the
Redevelopment Agency of San Bernardino
County

BY_____
Deputy

12/12/95 lw #1

ATTACHMENT A

FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS RELATING TO THE ENVIRONMENTAL EFFECTS OF THE SAN SEVAINE REDEVELOPMENT PROJECT

I. INTRODUCTION

The project proposed for consideration is the adoption of a Redevelopment Plan for the proposed San Sevaine Redevelopment Project. The San Sevaine Redevelopment Project Area is a 2,806-acre area within unincorporated territory in western San Bernardino County, near the Cities of Rancho Cucamonga, Ontario, and Fontana. The purpose of the Redevelopment Plan is to eliminate and prevent blight and blighting conditions in the community, and to restore and revitalize the area in accordance with California Community Redevelopment Law. The Redevelopment Plan has an effective life of 30 years, during which time planned rehabilitation and redevelopment activities will take place.

As demonstrated in the Report to Board, the Project Area suffers from numerous adverse physical and economic conditions that have resulted in the gross underutilization of the area. These conditions have discouraged private sector development in the area and constitute a serious physical and economic burden on the community. The area's long-term problems, such as residential and industrial incompatibility, irregular lot patterns, poor access, an antiquated infrastructure system, and declining property values, create serious impediments to the revitalization of the area. Overall, the San Sevaine Redevelopment Project Area is scarred by years of heavy industrial use and consists of an unplanned mix of land uses, including vacant and underutilized industrial properties and non-conforming residential uses.

The County of San Bernardino is proposing the use of redevelopment to help address the problems of the area. The purpose of redevelopment is to create a public/private partnership to eliminate blight and bring economic vitality to the area. Market forces on their own have not been able to reverse the decline of the Project Area, and other governmental attempts, such as the unsuccessful application for an Enterprise Zone designation, have proven ineffective or infeasible to provide the necessary powers to improve conditions. The primary objectives of the proposed Redevelopment Plan are to alleviate the area's inadequacies, thereby encouraging new businesses to locate in the area and preventing further decline of this established heavy industrial area.

The bulk of the public improvements proposed in the Redevelopment Plan are specifically geared toward lessening the adverse environmental conditions which presently exist in the Project as a result of the current

blighted conditions. As such, much of the proposed Redevelopment Plan is properly seen as a program of mitigation of adverse environmental effects. A certain number of potential additional impacts are also anticipated over the effective 30-year life the Redevelopment Plan and have been identified and analyzed in the EIR prepared for the Project. Mitigation measures have been proposed to reduce or avoid potentially significant adverse impacts of the Project. Nevertheless, certain adverse environmental impacts cannot be reduced to a less-than-significant level, even with the implementation of the proposed redevelopment program and the application of proposed mitigation measures, and active redevelopment over the life of the Project may incrementally add to cumulative adverse effects caused by increases in the level of development in the Project Area.

II. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

A Notice of Preparation ("NOP") for the Project was issued on June 26, 1995. The NOP included the Initial Study prepared for the Project and was sent to 62 organizations and agencies. The NOP was also published in the San Bernardino Sun on June 27, 1995. Responses to the NOP were received from 16 entities. The Draft EIR was issued in September, 1995. Copies of the Draft EIR were sent to the organizations and agencies which responded to the NOP as well as 34 additional agencies, including the State Clearinghouse, and were also available to the general public through the County Planning Department, the Fontana Branch Library, and the Norman Feldheym Public Library. Notice of Availability of the Draft EIR was published in the San Bernardino Sun and the Dailey Bulletin on September 15, 1995. A duly noticed public hearing on the Draft EIR was held by the Redevelopment Agency on October 17, 1995. The comment period for the Draft EIR ended on October 30, 1995. Comments were received from a total of eight agencies. These comments and responses thereto have been incorporated into the Final EIR and have been considered by the Agency.

III. CUSTODIAN AND LOCATION OF RECORD

The custodian of all documents and other materials which constitute the record of proceedings for the County's approval of this project is the Redevelopment Agency of the County of San Bernardino. The Agency is located at 385 North Arrowhead Avenue, Fourth Floor, San Bernardino, CA, 92415-0182.

IV. ENVIRONMENTAL IMPACTS

County and Agency reports, the EIR, written and oral testimony at public hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record serve as the basis for the County's environmental determination. The detailed analysis of potential environmental impacts and proposed mitigation measures are presented in Chapter 3.0 of the EIR. Discussions of unavoidable significant adverse impacts, significant irreversible environmental changes, and cumulative impacts are included in

Chapter 4.0 of the EIR. The growth-inducing effects of the Project are discussed in Chapter 5.0 of the EIR and Project alternatives are evaluated in Chapter 6.0.

Presented below are the discussions which explain each of the environmental findings made by the Agency after review of the EIR and the other documents referenced above, including comments presented at public meetings, hearings, and workshops during the decision-making process. Factual discussion in this document summarizes information contained in the EIR and the administrative record.

The EIR prepared for the San Sevaine Redevelopment Project evaluated eight major environmental categories for potentially significant impacts and 30 individual environmental issues. Both project and cumulative impacts were evaluated. The Agency concurs with the conclusions of the EIR regarding potential impacts which were considered less than significant, potentially significant, and significant and unavoidable. For those impacts which cannot be mitigated to below a level of significance, overriding considerations exist which make impacts acceptable, as set forth below.

In addition to the major environmental categories addressed in the EIR, nine other major categories were found to be less than significant in the Initial Study prepared for the Project. The Agency concurs with conclusions on these categories as outlined in the Initial Study (Appendix A of the EIR).

Each of the less than significant effects discussed in the EIR are described below, followed by descriptions of potentially significant, but mitigable, impacts of the Project, and significant and unavoidable impacts.

A. IMPACTS IDENTIFIED AS LESS THAN SIGNIFICANT

The following discussion explains the reasons why, in certain respects, the Project will not result in significant environmental effects.

1. LAND USE

Existing uses are likely to be displaced by new development through redevelopment activities. Redevelopment activities will likely result in the replacement of some existing uses with new development. In implementing the Redevelopment Plan, the Redevelopment Agency may choose to acquire property in the Project Area for the purpose of assembling a new development site, resulting in the displacement of existing uses on the property (if any). Alternately, some existing uses may be displaced by new development without the direct involvement of the Redevelopment Agency due to

the synergistic effect caused by the existence of the Redevelopment Project and the revitalization of the Project Area. However caused, land use changes in the Project Area are not considered adverse impacts because all such changes will be required to conform to the land use policies of the General Plan and the regulations of the County Development Code. Any existing, nonconforming uses which are displaced would be replaced with new uses in conformance with the Official Land Use Districts of the General Plan. New land uses would also need to conform to the current development standards, whereas most existing development which might be replaced probably does not meet current standards. As a result, displacement of existing uses with new development should result in a general improvement in land use compatibility and development quality by helping bring properties in the area up to current standards and into conformance with the policies of the General Plan.

Implementation of the Redevelopment Plan could result in changes to the existing land use pattern, including changes in the type and intensity land uses in the Project Area.

The appropriateness of land use changes is basically determined through consistency with the General Plan. The land use policies of the General Plan are designed to promote a logical and orderly pattern of development and minimize land use incompatibilities. Since all future development in the Project Area must be consistent with the County General Plan and meet the requirements of the Development Code, any land use changes occurring as either a direct or indirect result of the Redevelopment Project are considered less than significant. While the form and intensity of future development is expected to differ from existing development, the basic land use pattern in the Project Area will not change substantially.

Successful implementation of the Redevelopment Plan could accelerate the rate of new development in the Project Area.

One of the objectives of the Redevelopment Plan is to encourage private investment in the Project Area that would otherwise not occur without the aid of the Redevelopment Project. In this way, successful implementation of the Redevelopment Plan would result in more development within the Project Area over the life of the Plan than would otherwise be expected. Since this is a basic objective of the Redevelopment Plan which would result in the betterment of the Project Area, its accomplishment is considered beneficial rather than adverse.

2. AIR QUALITY

New industrial development in the Project Area could result in the introduction of new stationary sources of air pollutants.

Implementation of the proposed Project could engender the new industrial development. Although the exact nature and location of future industrial land uses are not known at this time, industrial development could introduce new stationary sources of air emissions into the Project Area. New stationary emission sources will need to receive Permits to Operate from the SCAQMD. Through the SCAQMD's permitting process, factors such as the availability of emission offsets and their ability to reduce emissions are addressed. Emissions from new, modified or relocated stationary source equipment are regulated extensively through SCAQMD's Regulation XIII: New Source Review Program, SCAQMD's Permitting Program, and Compliance with SCAQMD's source-specific regulations. Types of uses requiring permitting include: chemical plants, electronics, small printing and coating businesses, mechanical processing, refinery operations, printing operations, furniture, dry cleaners, plastics manufacturing, and a variety of other manufacturing, fabricating, and processing businesses. Because any new emission sources must conform to the SCAQMD procedures and policies, any impacts will be less than significant.

Future development in the Project Area would contribute to increased CO concentrations at intersections.

Growth associated with the proposed Project would probably result in CO concentrations increasing above levels that would occur in the future without the Project. None of the intersections analyzed would result in exceedances of the federal or state one-hour or eight-hour standards. In fact, CO concentrations for the Future Plus Project scenario were calculated to be lower than existing concentrations for all intersections. The reductions in emissions are primarily due to anticipated advancements in technology over the next 15 years, rather than from a decrease in traffic levels or traffic congestion. The reductions in emissions can also be attributed to an anticipated reduction in the background CO levels due to the implementation of various regional air pollution control measures. However, because CO concentrations even with the Project would not exceed state or federal standards, this impact is considered to be less than significant.

New businesses locating in the Project Area could include additional sources of air toxic emissions, potentially increasing exposure of residents and employees to air toxics.

New development that occurs in the Project Area could include industrial uses which are potential sources of air toxic emissions. Additional sources of air toxic emissions in the study area would contribute to risk of human exposure to toxic substances. Human exposure to toxic air emissions can have potential health effects depending on a variety of factors, including the nature and concentration of the toxic substance and the degree of exposure. As with other toxic substances, people who face the greatest potential for exposure to toxic air emissions are those who reside or work in close proximity to emission sources. Due to the chronic and acute health effects of many air toxics, any accidental release of these emissions should be considered a potential hazard. The SCAQMD works with the CARB and is responsible for developing and implementing rules and regulations regarding air toxics on a local level. The SCAQMD establishes permitting requirements, inspects emission sources, and enforces measures through educational programs and/or fines. Existing regulations, permitting requirements, and inspections by the SCAQMD are generally adequate to reduce this impact to a level of less than significant.

3. NOISE

New development in the Project Area will contribute to future incremental increases in traffic noise.

Development of the San Sevaine Redevelopment Project would result in minor noise level increases along ten of the fourteen roadways analyzed. These increases would consist of eight roadways with a one dBA increase, one roadway with a two dBA increase, and one roadway with a three dBA increase. None of the fourteen analyzed roadways would result in significant noise levels which would exceed San Bernardino County, City of Fontana, or City of Rancho Cucamonga standards and, therefore, this impact is less than significant.

4. UTILITIES/INFRASTRUCTURE

Anticipated future development in the Project Area would result in the daily consumption of 211,820 kilowatt-hours of electricity.

Anticipated future development in the Project Area would result in an estimated combined daily consumption of 211,820 kilowatt-hours of electricity. In addition to this daily electrical consumption, electricity would be consumed during race events at the California Speedway three to six weekends per year. According to the California Speedway EIR, daily peak demand during a race event would be about 1,500 kilovolt-ampere. SCE has indicated that they have adequate capacity to accommodate

the proposed Project's electrical needs. The Project Area is located in a fully developed region where infrastructure is readily available, even though minor extensions may be needed to serve individual development projects. Therefore, it is anticipated that development can be served through routine extension of facilities.

Anticipated future development in the Project Area would result in the daily consumption of 1,074,455 cubic feet of natural gas.

Anticipated future development in the Project Area would result in an estimated combined daily consumption of 1,074,455 cubic feet of natural gas. Natural gas consumption during race events at the California Speedway is not anticipated; however, some minor natural gas usage may occur depending upon the final design of the facilities. The Gas Company has indicated that they have adequate capacity to accommodate the proposed Project's natural gas needs. The Project Area is located in a fully developed region where infrastructure is readily available, even though minor extensions may be needed to serve individual development projects. Therefore, it is anticipated that development can be served through routine extension of facilities.

Anticipated future development in the Project Area would result in the daily demand for 1,118,700 gallons of water.

Anticipated future development in the Project Area would result in an estimated combined daily consumption of 1,118,700 gallons of water. In addition to the daily water usage described above, water would be consumed during race events at the California Speedway. According to the California Speedway EIR, about 810,000 gallons of water would be used at the Speedway during a typical race weekend. Race events would be held at the Speedway three to six weekends per year. The Fontana Water Company, which currently serves customers within the Project Area, has indicated that they have existing water system facilities of sufficient size and capacity from which service may be extended to provide water utility service to additional customers within the Project Area.

5. PUBLIC SERVICES

Anticipated future development in the Project Area over the 30-year effective life of the Redevelopment Plan would result in a negligible increase in demand for library services.

Although increased demand for library services is projected for the County of San Bernardino, including for the Fontana Branch Library (which is the closest library to the project site), it is not anticipated that the proposed project would increase demand beyond that already projected for the

County Library system. The project consists entirely of industrial uses which would be developed over a 30-year period. Increase in demand for library services is associated primarily with the construction of residential uses in which an increase in the number of residences contributes directly to increases in the community's population and subsequent additional demand for educational services, including schools and libraries. Residential development has been increasing significantly without the Project. One of the objectives of the Project, however, is to increase jobs for existing residents, thereby helping to remedy the current imbalance between jobs and housing. While there may be some indirect increase in the local population due to new employment opportunities generated by the project, these increases would not be significant in terms of direct increases in demand for library services.

Anticipated future development in the Project Area over the 30-year effective life of the Redevelopment Plan would result in a negligible increase in demand for parks and recreation services.

The County of San Bernardino has projected increased demands for use of its local park facilities and community recreation areas. This increase in demand is due primarily to direct increases in the population of the County. To offset this increase in demand for park services, the County has undertaken an aggressive approach to park planning which includes more intense utilization of existing local parks, establishment of more community park and regional park facilities, and expanding access and use of the County's large undeveloped scenic foothill and mountain areas. It is not anticipated that the proposed Project will increase demand for park and recreational facilities beyond that already projected by the County. Similar to libraries, an increase in park and recreation services is associated primarily with the construction of residential uses in which an increase in the number of residences contributes directly to increases in the community's population and subsequently creates additional demand for park space and recreational facilities. In recognition of this fact, the County regularly collects Quimby Act park fees from residential developers to offset the costs of providing additional park and recreation facilities. In addition, developers of residential subdivisions often are required to dedicate significant portions of their properties for future park areas and public open space. Because the proposed Project is primarily industrial in nature, it effect on parks and recreation facilities is considered less than significant.

6. HAZARDOUS MATERIALS

The introduction of new businesses in the Project Area could result in an increased risk of upset associated with the use, generation, and transport of hazardous substances.

New industrial development in the Project Area would likely result in an increase in the use and transport of hazardous substances and an increase in the generation of hazardous waste. The consequence of this increased presence of hazardous substances in the Project Area is an increase in the potential for human exposure to these substances, with possible public health and safety consequences. One of the means through which human exposure to hazardous substances could occur is through accidental release. An accidental release of a hazardous substance into the environment can cause contamination of soil, surface water, and groundwater, in addition to any toxic fumes which might be generated. If not cleaned up immediately and completely, the some hazardous substances can migrate into the soil or enter a local stream or channel causing contamination of soil and water. Human exposure to contaminated soil or water can have potential health effects depending on a variety of factors, including the nature of the contaminant and the degree of exposure. While the risk of exposure to hazardous substances cannot be eliminated, measures can be implemented to maintain risks to acceptable levels. As described in the EIR, there are several federal, state and local regulatory agencies that oversee hazardous substances handling and management, disposal and remediation and extensive regulatory controls, including federal, state and local laws and ordinances, that pertain to hazardous substances. Oversight by the appropriate agencies and compliance with applicable regulations are considered adequate to off-set potential significant impacts related to the use and transport of hazardous substances in the Project Area. In addition, redevelopment activities, including the rehabilitation of inadequate or obsolete structures can help to reduce the risk of upset or accidential release.

B. FINDINGS REGARDING IMPACTS DETERMINED TO BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

The following discussion explains the reasons why certain changes or alterations which have been required in, or incorporated into, the Project will avoid or substantially lessen certain significant effects of the Project.

1. NOISE

New industrial land uses introduced into Project Area could result in increased noise from industrial operations.

Implementation of the Redevelopment Plan would result in the development of a substantial amount of new industrial floor area. Although the exact nature and location of the future industrial land uses are not known, significant noise levels could be produced if proposed industrial noise sources are adjacent or near existing residential, or existing or planned commercial areas. Future industrial land uses could produce operational noise from external combustion sources, solid waste incineration, stationary internal combustion sources, surface coating operations, chemical operations, food and agricultural operations, metallurgical industry operations, mineral processing, petroleum industry, and wood products activities. Noisy activities such as rock crushing and grinding or glass recycling could be located near sensitive areas. Because the hours of operation and the type of industrial operations are not known at this time, these noise levels could occur at any time of the day.

The following mitigation measure was identified in the EIR and is incorporated into the Project:

(a) *New industrial operations in the Project Area shall reduce noise levels on adjacent and nearby residential and commercial areas to below County of San Bernardino significance levels. New industrial uses with the potential to generate significant noise shall submit noise reports to the County Planning Department analyzing operational noise levels.*

By requiring new operations to comply with County noise levels, this impact will be mitigated to a level that is less than significant.

2. PUBLIC SERVICES

Anticipated future development in the Project Area would result in an increased demand for law enforcement services, including additional Sheriff's Department officers and related capital facilities.

Although the Sheriff's Department has expressed no specific concerns regarding the proposed project, projected development over effective 30-year life of the Project will create additional incremental demand for law enforcement services. This demand will consist primarily of response to calls from businesses and investigation of reported crimes within the Project Area. The provision of adequate law enforcement services is addressed through policies contained in the County's General Plan including: 1) the periodic evaluation of service areas to determine if boundary adjustments could improve service delivery and efficiency, 2) the routine checking of major development projects by the Sheriff's Department to identify and implement physical changes to plans which will deter crime

and improve emergency vehicle access, and 3) updating of agreements with mutual aid providers to expand the services reach of the Department. Some benefits to law enforcement may result from the proposed Project. For instance, implementation of the Redevelopment Plan is expected to result in an upgrade to existing properties in the area, possibly reducing incidences of crime associated with vacant or abandoned properties.

The following mitigation measures were identified in the EIR and are incorporated into the Project:

(a) *The need for additional Sheriff's Department services shall be monitored as growth occurs within the Project Area, and the need for increased Sheriff's Department personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.*

(b) *All development projects within the Project Area shall be subject to review by the Sheriff's Department for conformance with site development standards which serve to deter crime and improve circulation and access for emergency vehicles.*

(c) *The following measures shall be incorporated into the design of new industrial and commercial developments, as appropriate:*

- *Parking areas should be illuminated and should be visible from the street if otherwise unsecured.*
- *Building entry areas should be illuminated and other security lighting should be used, as appropriate.*
- *Security fences and gates should be installed, as appropriate.*
- *Building entries should be visible from the street, where possible.*
- *Landscaping should be planned so that it does not screen views of buildings or parking areas from the street, or block security lighting.*

-- *The site should be planned so that parking and other unsecured areas are accessible to police during patrols of the area.*

Compliance with these mitigation measures will minimize the demand for additional services and reduce this impact to a less-than-significant level.

Anticipated future development in the Project Area would result in an increased demand for fire protection and emergency services, eventually requiring additional personnel and support facilities.

Fire protection services and the need for additional personnel, equipment and facilities would increase as development occurs within the Project Area. The Uniform Fire Code establishes requirements for site and building design that improve fire safety as well as the District's ability to provide fire protection services within the County. The County's General Plan Update also contains policies requiring the preparation and monitoring of a Fire Protection Master Plan, continued exploration of potential revenue sources including the creation of special tax districts, and leveling a public facilities fee on new construction. In addition, it is an objective of the Redevelopment Plan to facilitate the construction of infrastructure improvements needed to address existing deficiencies in the Project Area, possibly including the construction of water mains, improved roadways and access points, and other public improvements. Through upgrades to deteriorated and abandoned properties in the Project Area, various existing fire hazards may be ameliorated by the proposed Project. These improvements could result in improved fire safety for the Project Area and surrounding areas.

The following mitigation measures were identified in the EIR and are incorporated into the Project:

(a) *The need for additional fire protection and emergency services shall be monitored as growth occurs within the Project Area, and the need for increased fire protection personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.*

(b) *All development projects within the Project Area shall be subject to review by San Bernardino County Fire Department for conformance with Uniform Fire Code requirements, the County's Fire Protection Master Plan, and for the provision of adequate emergency vehicle access and circulation.*

Compliance with these mitigation measures will minimize the need for additional demand and will reduce this impact to a less-than-significant level.

Future development in the proposed Project Area could indirectly result in local population increases, potentially resulting in an increase in the number of school children attending local schools and contributing to the need for an expansion of school facilities.

New industrial development within the Project Area could result in a substantial increase in employment in the Project Area, possibly resulting in as many as 8,000 new employees based on a typical ratio of one employee for every 630 square feet of industrial floor area. Local increases in employment associated with future development in the Project Area could lead to future increases in local population size, if employees of new businesses in the Project Area seek housing in the local area. There has already been a substantial increase in residential development within the County, creating an imbalance between housing and jobs. One of the objectives of the Project is to increase jobs for existing residents, helping to remedy this imbalance. There are many variables which make it almost impossible to predict the Project's ultimate effect on local population size (such as the amount of new development which actually occurs in the Project Area, the type of businesses which are established in the Project Area, and whether the local labor force meets the skill requirements of new businesses). Increases in the size of the local population would result in an increase in the number of school-age children in the area and, therefore, and would cause an increase in the number of students which would attend local schools. An expansion of school facilities could be needed to accommodate the future growth anticipated in the region surrounding the Project Area, as well as any increases in student population indirectly related to the new industrial development in the Project Area.

The four school districts which serve the Project Area and surrounding vicinity currently collect fees from new industrial projects to help offset the cost of new school facilities. School facility fees also are collected from new residential development projects. In addition, the school districts can continue to rely on other "dedicated" sources of revenue including State subvention funds and general obligation bond funds. Even with these combined revenue sources, there is no guarantee that the local school districts would have adequate funds to build the various school facilities needed to accommodate future increases in student population. As a result, increases in local population (and corresponding increases in school children) which may be related to increased development in the Project Area could contribute to the need to construct new school facilities.

The following mitigation measures have been identified in the EIR to mitigate this impact:

(a) *The Redevelopment Agency shall work cooperatively with the local school districts to assist in the provision of adequate school facilities that benefit the Project Area, as such facilities may be needed as a result of Project activities.*

(b) *The County and the Agency shall include the affected school districts in the review of proposed development projects within the Project Area in an effort to help ensure that adequate school facilities are available to serve anticipated needs.*

In addition, incorporated into the Project by state law is a mandatory tax-sharing process through which school districts in the Project Area receive specified portions of tax increment generated by the Project. Combined with the mitigation measures identified above, any impact on school services that might result from the Project will be mitigated to a level of less than significant.

3. CULTURAL/PALEONTOLOGICAL RESOURCES

Future development in the Project Area has the potential to disturb, alter or destroy archaeological, prehistoric, and historic cultural resources within the Project Area.
With the exception of portions of the Kaiser Steel Plant, the archaeological sites identified within the San Sevaine Redevelopment Project Area have not been evaluated for significance using California Register, or CEQA, Appendix K criteria. According to CEQA, impacts to archaeological sites are deemed significant impacts to the environment if the site is found to be important under the established criteria. Since this phase of cultural resource work (CEQA, Phase II), has not been completed for most of these sites and features, any project related disturbance within the identified resource areas is considered to be a potentially significant impact. The Kaiser Steel Plant also requires additional consideration. There may be portions or features of the plant that retain integrity and may be significant contributing elements to the Kaiser Steel Plant site. Portions of the site that have not been previously evaluated will still need to be assessed prior to any project-related disturbances in the site area.

A complete inventory (i.e., a surface survey) for cultural resources has not been completed for the entire 2,806-acre San Sevaine Redevelopment Project Area. The records and archival research conducted for inclusion in the EIR indicates that the area has a relatively low to moderate potential

for buried prehistoric resources and a high potential for historic resources. If the Redevelopment Agency is involved in projects which would result in the demolition or alteration of buildings and other structures which are over 45 years of age, or in subsurface ground disturbance, and/or new construction, a plan for identifying potential impacts to cultural resources should be implemented. The mitigation measures listed below are recommended as part of the cultural resources management plan.

The following mitigation measures have been identified in the EIR to mitigate potential impacts to identified archaeological resources:

(a) *Prior to initiation of any construction/demolition in areas where archaeological sites have been identified, a professional archaeologist or historian shall be retained to assess potential impacts and evaluate the site in question for its eligibility to be included in the California Register of Historical Resources.*

(b) *Portions of the Kaiser Steel Plant which have not been subject to a formal evaluation shall be field surveyed and evaluated for significance by a professional historian or archaeologist prior to any demolition or construction activities within the former plant boundaries.*

The following mitigation measures have been identified in the EIR to mitigate potential impacts to prehistoric and historic cultural resources which may exist in the Project Area:

(a) *For areas that have not been subject to an adequate cultural resources survey, and prior to demolition of any building over 45 years of age, a field inventory will be conducted by a professional archaeologist or historian to determine the presence or absence of significant cultural resources.*

(b) *If evidence of subsurface prehistoric or historic archaeological resources is found during construction, excavation in the vicinity of the find shall cease and a professional archaeologist shall evaluate findings in accordance with standard practice and applicable regulations.*

(c) *If human remains are discovered during any activities that involve subsurface ground disturbance, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie human remains until:*

(1) *the San Bernardino County Coroner has been informed and has determined that no investigation of the cause of death is required, and*

(2) *if the remains are of Native American origin, the Native American Heritage Commission is contacted within 24 hours of the discovery, and the descendants from the deceased Native Americans have made a recommendation to the landowner or the project proponent, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98.*

By following these procedures for identifying, evaluating and taking any further steps required by applicable policies and programs, impacts to cultural resources as may occur will be reduced to a less-than-significant level.

Redevelopment Agency projects undertaken as part of the proposed Redevelopment Plan have the potential to destroy significant paleontological resources.

As indicated in the Paleontological Records Search conducted by the San Bernardino County Museum, Earth Sciences Department, significant Pleistocene vertebrate fossils have been found in the project vicinity in areas underlain by the same sediments found under the Project Area.

The following mitigation measures have been identified in the EIR to mitigate this impact:

(a) *Prior to the approval of any grading plans associated with Redevelopment Agency activities, a qualified paleontologist shall undertake an assessment of the potential for encountering paleontological resources. Although the results of this assessment may indicate that the site has a low probability for encountering paleontological resources, conclusions may suggest that further monitoring and mitigation is required to avoid impacts associated with excavation for building foundations and infrastructure improvements.*

(b) *If it is determined that further monitoring or mitigation is required, it shall be conducted in accordance with a Paleontological Resource Mitigation Program as described by the San Bernardino County Museum, Earth Sciences Department.*

By following these procedures for identifying, evaluating and taking any further steps required by applicable policies and programs, impacts to paleontological resources as may occur will be reduced to a less-than-significant level.

4. HAZARDOUS MATERIALS

Grading and excavation activities associated with new development within the Project Area may result in the uncovering of previously unidentified hazardous waste sites.

As discussed in the EIR, several areas of contamination have been identified in the Project Area. Given the industrial nature of the Project Area and sites of known contamination from past industrial activities, the potential exists for the discovery of additional, previously unidentified areas of contamination as redevelopment of properties occurs in the future.

According to the Redevelopment Plan, one of the goals of the proposed Project is to facilitate remediation of areas of contamination within the Project Area. Goal number 14 of the Redevelopment Plan reads as follows: "The encouragement and facilitation of remediation by responsible parties of properties contaminated with hazardous substances." The Redevelopment Plan provides the Agency with the ability to facilitate remediation through coordination with other responsible agencies.

Even with implementation of the Redevelopment Plan, the potential still exists for the unexpected discovery of areas of contamination. In the event such wastes are uncovered, it may threaten the health of workers if appropriate procedures are not in place and known to construction workers and supervisors.

The following mitigation measure have been identified in the EIR to mitigate this impact:

(a) *Where the Redevelopment Agency is directly involved in the development or redevelopment of properties located within the Project Area, a Phase I investigation shall be conducted prior to construction to investigate the potential for the existence of site contamination.*

Where contamination is suspected or discovered, appropriate Phase II and Phase III remediation shall be performed as required by federal, State, and County regulations.

Encouraging the remediation of contaminated properties is an objective of the Project and will promote elimination of blighting conditions. By requiring an investigation as to the condition of any site with which the Agency may be involved prior to development or redevelopment, possible areas of contamination can be identified and appropriate procedures put in place early on to protect health, minimize further contamination and promote efficient remediation, thereby reducing any impacts to a level of less than significant.

C. IMPACTS DETERMINED TO BE SIGNIFICANT AND UNAVOIDABLE

This section discusses the reasons why certain Project impacts analyzed within the EIR are considered significant and cannot be mitigated to a less-than-significant level even with the imposition of mitigation measures. The mitigation measures listed below will substantially lessen these impacts; however, these impacts will not be reduced to below a level of significance.

1. TRAFFIC AND CIRCULATION

Traffic generated by anticipated future development in the Project Area would result in 13 intersections operating at Levels of Service F under future conditions, and five additional intersections would operate at Level of Service E.

As indicated in the EIR, 13 intersections in the study area would operate at unacceptable LOS F conditions, while five additional intersections would operate at LOS E (the minimum LOS acceptable by the CMP guidelines). All of the other intersections analyzed would operate at LOS D or better, which is an acceptable condition for urban intersections.

In order to improve operating conditions at the intersections which would be significantly affected by future Project traffic, various improvements would be needed at each intersection. Intersection improvements will need to be constructed as future development occurs and creates the need for improvements by increasing traffic on the roadway system. Consistent with the "fair share" concept and current County practice, individual development projects in the future will be required to pay their share of the costs of needed intersection improvements.

The Redevelopment Agency plans to facilitate the construction of various roadway improvements in the Project Area. Through the adoption of the Redevelopment Plan, the Redevelopment Agency would be authorized to construct, or cause to be constructed, public improvements necessary to implement the Redevelopment Plan, including street improvements. Attached to the Redevelopment Plan is a list of public improvements and facilities (including street improvements) which the Agency proposes to construct or help construct in the Project Area, subject to future need and the availability of funds.

The mitigation measures list below are proposed to address the impacts of future Project traffic on area intersections:

(a) *Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the intersection improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed intersection improvements; however, the Agency may assist developers in providing these improvements at its discretion.*

(b) *The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary intersection improvements to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the intersection improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.*

Because it is not possible to ensure that needed improvements will be in place when needed (concurrent or preceding the onset of the traffic impact), this impact is considered to remain significant even with the application of these mitigation measures. Future development projects will be required to make a fair share contribution toward needed improvements, but that will not ensure that adequate funding will be available to construct the improvements at the time development occurs.

Projected future traffic volumes would cause segments of two CMP network streets to operate below Level of Service C.

According to CMP Guidelines, a four-lane roadway can typically carry no more than 30,000 vehicles daily and still maintain a Level of Service C. Citrus Avenue, an existing four-lane roadway, is expected to carry 34,300 total vehicles daily, including Project traffic of 1,240 vehicles. Cherry Avenue, also an existing four-lane roadway, is projected to carry between 32,700 and 41,430 vehicles daily with Project traffic. Therefore, segments of both Citrus Avenue and Cherry Avenue would need to be widened in the future to maintain LOS C.

In order to improve operating conditions along the roadways which would be significantly affected by future Project traffic, roadway widening would be needed. The Redevelopment Agency plans to facilitate the construction of various roadway improvements in the Project Area. Through the adoption of the Redevelopment Plan, the Redevelopment Agency would be authorized to construct, or cause to be constructed, public improvements necessary to implement the Redevelopment Plan, including street improvements. Attached to the Redevelopment Plan is a list of public improvements and facilities (including street improvements) which the Agency proposes to construct or help construct in the Project Area, subject to future need and the availability of funds.

The mitigation measures listed below are proposed to address the impacts of future Project traffic on CMP network streets.

(a) *Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the roadway improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed roadway improvements; however, the Agency may assist developers in providing these improvements at its discretion.*

(b) *The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary roadway widenings to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the roadway improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.*

Because it is not possible to ensure that needed improvements will be in place when needed (concurrent or preceding the onset of the traffic impact), this impact is considered to remain

significant even with the application of these mitigation measures. Future development projects will be required to make a fair share contribution toward needed improvements, but that will not ensure that adequate funding will be available to construct the improvements at the time development occurs.

Under future conditions, freeway segments along Interstate 10 would operate at Level of Service F in the peak direction, either with or without the Project.

As indicated in the EIR, each of the four freeway links analyzed along Interstate 10 (from Etiwanda Avenue to Cedar Avenue) will operate at LOS F in the peak direction in 2010, either with or without the Project. The Project's contribution to the traffic volumes in the peak direction will range from 1.8% to 5.7% of the total peak hour volumes. Even without the Project's contribution to the peak hour freeway volumes, each of freeway segments along Interstate 10 between Etiwanda and Cedar Avenues would operate at LOS F in 2010, based on current projections.

The Project would not be responsible for freeway segments operating at LOS F in the future; however, Project traffic would contribute additional traffic to these segments. There are currently no funds available for freeway construction along this section of I-10. Funds are currently available for the construction of high-occupancy vehicle (HOV) lanes on I-10 west of I-15. As noted in the Traffic Impact Study, due to the high cost for constructing HOV lanes on I-10 east of I-15, a fair share contribution to the construction of HOV lanes would only provide a small fraction of the total funds needed for this type of improvement. Therefore, suggested alternative mitigation would be the construction of a park-and-ride facility to serve the area. Such a park-and-ride facility could possibly be established on the site of the planned California Speedway.

(a) *Future development projects in the Project Area shall contribute a fair share to the construction of a park-and-ride facility to serve the Project Area. The fair share contributions shall be determined through the preparation of traffic impact analyses for future development projects.*

(b) *The Agency shall work cooperatively with CalTrans, SANBAG, and the County to facilitate the construction of a park-and-ride facility to serve the Project Area.*

Even with application of the above mitigation measures, this impact remains significant because of non-Project growth.

2. AIR QUALITY

New development occurring in the Project Area would cause temporary increases in PM_{10} (fugitive dust), ROC, NO_x, and CO emissions as a result of construction-related activities. Construction activities associated with new development occurring in the Project Area would temporarily increase localized PM_{10}, ROC, NO_x and CO concentrations in the Project vicinity. The primary source of construction-related ROC and NO_x emissions are gasoline and diesel-powered heavy duty mobile construction equipment such as scrapers and motor graders. Primary sources of PM_{10} emissions would be clearing activities, excavation and grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed earth surfaces. Emissions generated from construction activities would probably cause temporary increases in pollutant concentrations which could lead to violations of the federal and state maximum concentration standards. The frequency and concentrations of such violations would depend on several factors including the soil composition on the site, the amount of soil disturbed, wind speed, the number and type of machinery used, the construction schedule, and the proximity of other construction and demolition projects.

Given all of these variables, it is not possible to make an accurate quantitative estimation of the pollutant concentrations that could occur over the life of the proposed Project. In order to minimize this impact as much as possible, the following mitigation measure has been incorporated into the Project:

(a) *Detailed project-specific analysis demonstrating compliance with regional air quality regulations will be required on a project-by-project basis as new development occurs in the Project Area. Development projects determined to have construction-related emissions which exceed SCAQMD significance thresholds will be required to develop appropriate mitigation measures.*

Although compliance with SCAQMD regulations and AQMD control measures would reduce air quality impacts due to construction, past experience with construction projects indicates that compliance would not ensure that emissions from the construction of individual projects would be below significance thresholds.

Future development in the Project Area would result in increased regional air pollutant emissions.

Project development would result in regional air pollutant emissions. These emissions would be produced by vehicles traveling to and from the Project Area, and electricity usage and natural gas usage by land uses within the Project Area. Emissions from motor vehicle operation are anticipated to represent the greatest long-term air quality impact associated with the development. Commercial and industrial electrical usage would result in a small amount of additional emissions. These emissions are produced indirectly through increased electrical usage by air conditioners, electrical space heating, lighting and electrical appliances. Natural gas usage would also result in air pollutant emissions. Emissions are produced directly with the burning of natural gas by water heaters, space heating and gas appliances. Total emissions produced by all three quantitative sources is 5493.6 lbs/day of CO, 520.8 lbs/day of ROG, 1589.4 lbs/day of NO_x, and 103.0 lbs/day of PM_{10} emissions. Vehicle emissions would result in approximately 87 to 99 percent of all regional project emissions. Emissions of CO, ROG, and NO_x would exceed SCAQMD standards.

The impact of vehicular emissions generated by Project traffic is offset to a large degree by the Project's contribution to remedying the current imbalance of jobs and housing in the San Bernardino subregion. By helping to create jobs in this housing-rich subregion, the Project will help achieve a balance between local jobs and housing which will produce various regional benefits, including a reduction in miles traveled by commuters in reaching their jobs which, in turn, reduces air pollutant emissions, traffic congestion, and energy consumption. In addition, the following mitigation measures have been incorporated into the Project:

(a) *The Agency shall work with the County and employers in the Project Area to establish a trip reduction program. The goal of the program shall be reduce traffic congestion and vehicular air pollutant emissions by reducing the total number of vehicle trips generated from land uses within the Project Area through increased average vehicle ridership and increased transit ridership.*

(b) *The Agency shall work with SANBAG to promote mass transit programs, including the possible establishment of a Metrolink station and increased bus service in the area. Carpooling, and other traffic-reducing measures among businesses in the Project Area should also be encouraged.*

Although improving the balance between jobs and housing, and encouraging programs which promote mass transit and decrease trip generation, will significantly reduce Project-related emissions, these mitigation measures cannot guarantee that the Project-related impacts will be reduced to a level of less than significant.

3. NOISE

Future development in the Project Area would cause temporary, localized increases in noise levels during periods of construction.

Implementation of the Redevelopment Plan would result in short-term noise from construction activities. Earthmoving, materials handling, stationary and impact equipment would generate noise during demolition, clearing, excavation, grading, general building, and pipeline phases normally associated with the construction of the regional industrial, community industrial, and commercial areas. Construction worker commute vehicles would also produce traffic noise. These activities could disturb residential and commercial areas within and adjacent to the Project Area with temporary high noise levels. Since many residential and commercial land uses are within 50 feet of potential construction activities, residential and commercial land uses would be exposed to noise levels above thresholds for significance. The following mitigation measures have been incorporated into the Project to reduce this impact:

(a) *New construction activities in the Project Area shall implement all feasible measures to reduce noise levels on adjacent and nearby residential and commercial areas to below County of San Bernardino significance levels. The following measures shall be required to minimize noise levels, as appropriate:*

1. *Construction contractors shall be required by contract to employ the quietest among alternative equipment or to muffle/control noise from available equipment.*

2. *Construction contractors shall be required by contract to limit noise impacts on residential homes within 200 feet by using temporary noise barriers shields around areas where construction equipment is in use.*

3. *Hours of construction activity shall be limited to reduce adverse impacts on nearby residential properties.*

While these mitigation measures should substantially lessen this impact, the hours of construction are not known at this time and these noise levels could occur at any time of the day, and, therefore, this impact is considered to remain significant.

4. UTILITIES/INFRASTRUCTURE

Wastewater generated by anticipated future development in the Project Area would require the construction of wastewater infrastructure.

Because most of the Project Area does not currently have sewer infrastructure, any development occurring as a result of the proposed Project would require the construction of wastewater facilities. In order for this to occur, the Project Area would need to enter into an agreement for the provision of sewer services with either the CBMWD or the City of Fontana. In order for the Project Area to receive wastewater service from the CBMWD, the Project Area would need to be included in the capacity demand forecast of one of CBMWD's contracting agencies. This provides a mechanism that would allow CBMWD to collect revenues to expand its facilities to serve the Project Area.

If the Project Area were to connect with CBMWD through the City of Fontana, collector lines would need to be built to tie into the City's wastewater supply system. Collector lines would be built along Mulberry Avenue from San Bernardino Avenue to Jurupa Avenue, along San Bernardino Avenue between Cherry Avenue and San Sevaine Channel, along San Sevaine Channel between San Bernardino Avenue and Whittram Avenue, along Cherry Avenue between San Bernardino Avenue and Arrow Route, and along Whittram Avenue between San Sevaine Channel and Calabash Avenue. The Whittram, Cherry, San Sevaine, and San Bernardino lines would outlet into the Mulberry line which would release flows into the CBMWD Fontana Interceptor relief sewer.

Included in the public improvements listed appended to the Redevelopment Plan are numerous improvements to local wastewater collection facilities which the Redevelopment Agency plans to undertake as part of the implementation of the proposed Project. In addition, individual development projects within the Project Area will be required to construct a fair share of the improvements needed to serve the development. The following mitigation measures have been incorporated into the Project to address this impact:

(a) *The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of sewer infrastructure to serve the needs of the area.*

(b) *The Agency shall coordinate with Chino Basin Municipal Water District and the City of Fontana to investigate ways to provide sewer service to the area.*

(c) *All development projects within the Project Area must be connected to a sewer system when adequate treatment capacity is available and necessary sewer lines are in place.*

(d) *All future development which utilizes on-site sewage disposal shall construct septic systems in a manner which facilitates future connection to a public sewer system.*

While these measures will reduce impacts, until wastewater collection systems are in place and adequate treatment capacity is available to serve future development in the Project Area, this impact is considered to remain significant.

Implementation of the proposed Project could induce increased development which would generate solid waste requiring disposal.

Anticipated future development in the Project Area would generate an estimated combined daily total of 88.46 tons of solid waste. In addition, during a typical race event weekend, approximately 75-100 tons of solid waste would be expected to be generated at the California Speedway. Solid waste generated in the Project Area would be transported to either the Milliken or Mid-Valley landfills. Both these landfills are expected to close in 1999, although an expansion of the Mid-Valley landfill is proposed in order to extend its life.

The following mitigation measures have been incorporated into the Project to reduce the demand for solid waste disposal:

(a) *All development projects within the Project Area facilitated by the Redevelopment Agency must contract with a hauler that provides recycling services, if such is available.*

(b) *The Agency shall encourage the construction of a Materials Recovery Facility in the Project Area.*

Because the landfills serving the Project Area are expected to close in 1999 and the availability of post-1999 facilities has not yet been determined, this impact is considered to remain significant and unavoidable even with the application of mitigation.

Implementation of the proposed Project could induce increased development within the Project Area which would result in the need for improved flood control facilities.

Increased development typically results in increased or altered storm flows, reduced absorption rates, and higher concentration times creating increased runoff potential. As development and redevelopment occur in the Project Area, the percentage of total area covered by impervious surfaces would be expected to increase. Given that the existing flood control facilities serving the Project Area are currently inadequate to convey flows from a 100-year storm event, any increase in runoff from the Project Area would aggravate existing deficiencies. The facilities necessary to provide flood protection to the Project Area and prevent the aggravation of existing flood control deficiencies are outlined in the Upper Etiwanda Creek and San Sevaine Creek Area Drainage Plan, and the City of Fontana and "Sphere of Influence" Master Storm Drainage Plan Study. The former plan addresses regional facilities while the latter plan addresses master storm drain facilities.

The Redevelopment Agency plans to participate in the construction of various flood control facilities to serve the Project Area. These facilities are listed in the public improvements list appended to the Redevelopment Plan. In addition, individual development projects within the Project Area will be required to pay established fees for the construction of flood control improvements. The following mitigation measures have been incorporated into the Project to speed development of the flood control improvements and reduce the impact to this infrastructure:

(a) *The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of flood control infrastructure for the Project Area.*

(b) *The Agency shall coordinate with SBCTFC and the City of Fontana to investigate ways to provide flood control infrastructure for the Project Area.*

While these measures will ultimately reduce the impact to a less-than-significant level, until the necessary flood control improvements are in place to provide adequate protection from potential flooding hazards, this impact is considered to remain significant.

D. ALTERNATIVES TO THE PROJECT

The Agency has considered the Alternatives to the Project identified in the EIR, including the No Project alternative, a Reduced Project Area alternative, and an Enlarged Project Area alternative. Those environmental impacts which cannot be mitigated to a less-than-significant level under the proposed Project would not be avoided or otherwise reduced to a less-than-significant level by the adoption of any Alternative. This section discusses the reasons why the Alternatives to the Project are considered infeasible.

No Project Alternative

The No Project Alternative was considered, as required by the California Environmental Quality Act. Under this alternative, the proposed Redevelopment Plan would not be adopted and the San Sevaine Redevelopment Project would not be established. There would be some development over time, but it would largely be haphazard and at a marginal level. Even though adverse impacts associated with the Project would be avoided through the adoption of this alternative, existing detrimental environmental conditions, including those related to traffic circulation, air quality, construction noise and utilities/infrastructure, would persist within the Project Area. Moreover, the basic objective of the Project, to revitalize the area, could not be accomplished. There would be no redevelopment activities to remedy existing blighted conditions in the Project Area, and there would be little job creation to provide employment opportunities for highly trained workers or to redress the existing jobs/housing imbalance. Furthermore, impacts by such future development in the area as might occur would not be mitigated by some of the activities proposed by the Project. Accordingly, this alternative is infeasible for physical, social and economic reasons.

Reduced Project Area Alternative

The Reduced Project Area alternative that was considered would involve the establishment of a smaller Project Area than currently proposed. This alternative was identified as the environmentally superior alternative because less new development would be engendered by redevelopment, and, as a result, fewer development-related impacts would occur with this

alternative. Nevertheless, while fewer in number or lesser in scope, the unavoidable impacts identified for the Project would still remain, largely due to the existing conditions of the site and the continuing inability to ensure timely or adequate compliance with mitigation measures. Furthermore, the Agency's ability to eliminate blighted conditions, facilitate the construction of needed infrastructure and facilitate the cleanup of contaminated sites within the Project Area would be severely curtailed under this alternative, both in terms of the physical scope of the Project Area and the revenues which could be derived to pay for activities. Accordingly, the benefits of the Project, including benefits which would serve to reduce impacts through the imposition of mitigation measures identified in the EIR would be significantly reduced, and this alternative is infeasible for physical, economic and social reasons.

Enlarged Project Area Alternative

The Enlarged Project Area alternative that was considered would involve the establishment of a Project Area larger than currently proposed. Redevelopment activities would be expanded to cover a larger area and potential benefits accruing from redevelopment could be greater with the enlarged Project Area. This alternative might result in greater benefits for the area, because it could provide the Agency with enhanced ability to ameliorate blighted conditions and physical deficiencies for a wider area. However, this alternative would be also increase the number and/or level of unavoidable impacts, especially in the area of traffic circulation and utilities/infrastructure. Additionally, in order to be included within the Project Area, properties would have to qualify as blighted properties pursuant to the California Community Redevelopment Law. However, these properties were identified as likely to redevelop on their own through private investment efforts and thus would not need Agency assistance. Because there is no assurance that the additional benefits to be incurred under the Enlarged Project Area alternative would counterbalance the increase in impacts that would be engendered, and because there has not been a determination that the properties outside the Project Area but within the scope of this alternative would in fact qualify for redevelopment, this Alternative is infeasible for physical, social, economic and legal reasons.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

The following discussion explains the reasons why specific economic, social or other considerations make infeasible the mitigation measures or project alternatives with respect to each significant environmental effect of the Project which cannot be avoided or substantially lessened.

A. The reasons for selection of the Project Area for redevelopment were as follows:

Physical Conditions

The San Sevaine Redevelopment Project Areas suffers from physical blighting conditions which include deteriorated and dilapidated buildings, buildings which do not meet modern requirements and standards, buildings with faulty or inadequate utilities, buildings of substandard design, incompatible land uses consisting of residential uses adjacent to industrial uses, and a multitude of parcels of irregular form and shape and inadequate size, which are under multiple ownership. Many areas also suffer from inadequate vehicular access, lack of parking, and deteriorated street conditions.

Economic Conditions

Economic conditions contributing to blight in the Project Area include high crime rates, decline in assessed property values, inadequate and outdated infrastructure systems to serve properties which leads to a poor investment climate, the existence of hazardous waste sites, and an excessive number of vacant lots which are indicative of weakened economic conditions. These conditions are further aggravated by the decline of a once-thriving manufacturing/industrial area which no longer provides the community with a fair share of jobs and which represents a serious economic burden to the County.

The proposed Project will respond to these conditions of blight found in the Project Area and attain the purposes of the California Community Redevelopment Law through the mechanism of the proposed Redevelopment Plan to obtain the participation of existing owners and tenants in rehabilitation and in new development; remove or rehabilitate existing deteriorated structures; provide relocation assistance where needed; upgrade the infrastructure systems to meet the needs of existing and planned levels of development; assemble land for new development consistent with community established goals; guide new development at levels compatible with the General Plan and with the social and environmental needs of the area; and provide an adequate and efficient circulation system that serves both local and regional traffic.

B. The Project will address the needs of the community through implementation of the following activities pursuant to the proposed Redevelopment Plan:

(i) eliminating areas suffering from economic dislocation and disuse;

(ii) replanning, redesigning, and redeveloping areas which are stagnant or improperly utilized, and which could not be accomplished by private enterprise acting alone without public participation and assistance;

(iii) protecting and promoting sound development and redevelopment of blighted areas and the general welfare of the citizens of the County by remedying such injurious conditions through the employment of appropriate means;

(iv) installation of new or replacement of existing public improvements, facilities and utilities in areas which are currently inadequately served;

C. The proposed Project will accomplish the goals for redevelopment of the Project Area by:

(i) elimination and prevention of the spread of blight and deterioration; and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, the Redevelopment Plan, and County codes and ordinances.

(ii) encouraging the development of business park, industrial, research and development, and office types of uses in accord with the General Plan, this Redevelopment Plan and County codes and ordinances.

(iii) implementing design and development standards that will enhance the Project Area's image and value and which will result in the replanning, redesign and development of underdeveloped or poorly developed areas that are improperly utilized.

(iv) encouraging the participation of property owners and businesses in the redevelopment of the Project Area by providing assistance in the rehabilitation and expansion of existing businesses;

(v) eliminating or ameliorating infrastructure deficiencies , including substandard vehicular circulation systems; inadequate water, sewer, storm drainage, and regional flood control systems; and other similar public improvements, facilities and utilities deficiencies adversely affecting the Project Area.

(vi) expanding San Bernardino County's economic base to achieve a more equalized balance between jobs and housing and to create new job opportunities.

(vii) providing space for industries vital to the economic development of the local community and the region thereby assisting in the retention of existing businesses deemed vital to the local and regional economy;

(viii) identifying, purchasing, and assembling sites specifically for economically feasible industrial expansion and to provide employment opportunities;

(ix) encouraging and facilitating the remediation by responsible parties of properties contaminated with hazardous substances; and

(x) expanding the supply of affordable housing and upgrading the existing housing stock through increased contributions to the Agency's Affordable Housing Fund.

D. The proposed Project will help remedy the current imbalance between jobs and housing in the San Bernardino subregion by providing long-term employment opportunities in this housing-rich subregion. An improved jobs/housing balance will reduce the distances traveled by people commuting to work, thereby reducing traffic congestion, air pollution, and energy consumption.

E. The proposed Project will provide public improvements needed to address current deficiences in local infrastructure which have been an impediment to investment in the area and a constraint to new development. The area is currently adversely affected by inadequate flood control and drainage facilities, a lack of local wastewater collection facilities, and a street system which is inadequate to meet both existing and projected needs.

F. The proposed Project will provide both short-term construction employment opportunities and long-term employment which will benefit residents of the local area and contribute to the development of the local economy, including the provision of employment opportunities for highly trained workers.

G. The proposed Project will improve unemployment conditions in the Project Area which will in turn improve the socioeconomic status of residents in adjacent communities.

H. The Project eliminates and prevents the spread of blight and deterioration, and it rehabilitates and redevelops the Project Area in compliance with the provisions of the Community Redevelopment Law.

I. The Project promotes new and continuing private sector investment in the Project Area, preventing the loss of, and facilitating the return and capture of, commercial sales activity and industrial productivity which provide general benefits to the community.

10.0 MITIGATION MONITORING AND COMPLIANCE PROGRAM

In order to ensure that the mitigation measures contained in the EIR are properly implemented, a mitigation monitoring and compliance program has been prepared pursuant to State law. For the purposes of this mitigation monitoring and compliance program, the mitigation measures have divided into two general types: 1) measures which will be implemented and monitored by the County Planning Department, and 2) measures which will be implemented and monitored by the Redevelopment Agency. On the following pages, a summary list of the mitigation measures indicates which measures are to be implemented and monitored by Planning Department and which are the responsibility of the Redevelopment Agency. The summary list is followed by detailed descriptions for implementing and monitoring each mitigation measure. The Planning Department will be responsible for monitoring the implementation of those measures which must be imposed upon future development projects in the Project Area. The Agency will be responsible for monitoring mitigation measures associated with implementation of the Redevelopment Plan. The five-year implementation plans will used as the primary vehicle for reporting compliance with EIR mitigation measures to be implemented by the Agency.

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Mitigation Number	Mitigation Measure	Responsibility for Implementation
TRANSPORTATION AND CIRCULATION		
3.2-1(a)	*Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the intersection improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed intersection improvements; however, the Agency may assist developers in providing these improvements at its discretion.*	County Planning Department
3.2-1(b)	*The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary intersection improvements to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the intersection improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.*	Redevelopment Agency
3.2-2(a)	*Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the roadway improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed roadway improvements; however, the Agency may assist developers in providing these improvements at its discretion.*	County Planning Department
3.2-2(b)	*The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary roadway widenings to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the roadway improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.*	Redevelopment Agency
3.2-3(a)	*Future development projects in the Project Area shall contribute a fair share to the construction of a park-and-ride facility to serve the Project Area. The fair share contributions shall be determined through the preparation of traffic impact analyses for future development projects.*	County Planning Department
3.2-3(b)	*The Agency shall work cooperatively with CalTrans, SANBAG, and the County to facilitate the construction of a park-and-ride facility to serve the Project Area.*	Redevelopment Agency
AIR QUALITY		
3.3-1(a)	*Detailed project-specific analysis demonstrating compliance with regional air quality regulations will be required on a project-by-project basis as new development occurs in the Project Area. Development projects determined to have construction-related emissions in exceedance of SCAQMD significance thresholds will be required to develop appropriate mitigation measures.*	County Planning Department
3.3-2(a)	*The Agency shall work with the County and employers in the Project Area to establish a trip reduction program. The goal of the program shall be reduce traffic congestion and vehicular air pollutant emissions by reducing the total number of vehicle trips generated from land uses within the Project Area through increased average vehicle ridership and increased transit ridership.*	Redevelopment Agency

Mitigation Number	Mitigation Measure	Responsibility for Implementation
3.3-2(b)	*The Agency shall work with SANBAG, Omnitrans, and Metrolink, as appropriate, to promote mass transit programs, including the possible establishment of a Metrolink station and increased bus service in the area. Carpooling, and other traffic-reducing measures among businesses in the Project Area should also be encouraged.*	Redevelopment Agency
NOISE		
3.4-1(a)	*New construction activities in the Project Area shall implement all feasible measures to reduce noise levels on adjacent and nearby residential and commercial areas. The following measures shall be required to minimize noise levels, as appropriate:* *1. Construction contractors shall be required by contract to employ the quietest among alternative equipment or to muffle/control noise from available equipment.* *2. Construction contractors shall be required by contract to limit noise impacts on residential homes within 200 feet by using temporary noise barriers shields around areas where construction equipment is in use.* *3. Hours of construction activity shall be limited to reduce adverse impacts on nearby residential properties.*	County Planning Department
3.4-2(a)	*New industrial operations in the Project Area shall reduce noise levels on adjacent and nearby residential and commercial areas to below County of San Bernardino significance levels. New industrial uses with the potential to generate significant noise shall submit noise reports to the County Planning Department analyzing operational noise levels.*	County Planning Department
UTILITIES/INFRASTRUCTURE		
Recommended Measure[1]	*The Agency shall work cooperatively with the Chino Basin Municipal Water District and the County to encourage the use of reclaimed water irrigation and industrial water applications that do not require high quality water and examine opportunities for provision of the required infrastructure to supply reclaimed water.*	Redevelopment Agency
3.5-1(a)	*The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of sewer infrastructure to serve the needs of the area.*	Redevelopment Agency
3.5-1(b)	*The Agency shall coordinate with Chino Basin Municipal Water District and the City of Fontana to investigate ways to provide sewer service to the area.*	Redevelopment Agency
3.5-1(c)	*All development projects within the Project Area must be connected to a sewer system when adequate treatment capacity is available and necessary sewer lines are in place.*	County Planning Department
3.5-1(d)	*All future development which utilizes on-site sewage disposal shall construct septic systems in a manner which facilitates future connection to a public sewer system.*	County Planning Department

Mitigation Number	Mitigation Measure	Responsibility for Implementation
3.5-2(a)	*All development projects within the Project Area facilitated by the Redevelopment Agency must contract with a hauler that provides recycling services, if such is available.*	County Planning Department
3.5-2(b)	*The Agency shall encourage the construction of a Materials Recovery Facility in the Project Area.*	Redevelopment Agency
3.5-3(a)	*The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of flood control infrastructure for the Project Area.*	Redevelopment Agency
3.5-3(b)	*The Agency shall coordinate with SBCTFC and the City of Fontana to investigate ways to provide flood control infrastructure for the Project Area.*	Redevelopment Agency
PUBLIC SERVICES		
3.6-1(a)	*The need for additional Sheriffs Department services shall be monitored as growth occurs within the Project Area, and the need for increased Sheriffs Department personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.*	County Planning Department
3.6-1(b)	*All development projects within the Project Area shall be subject to review by the Sheriff's Department for conformance with site development standards which serve to deter crime and improve circulation and access for emergency vehicles.*	County Planning Department
3.6-1(c)	*The following measures shall be incorporated into the design of new industrial and commercial developments, as appropriate:* -- *Parking areas should be illuminated and should be visible from the street if otherwise unsecured.* -- *Building entry areas should be illuminated and other security lighting should be used, as appropriate.* -- *Security fences and gates should be installed, as appropriate.* -- *Building entries should be visible from the street, where possible.* -- *Landscaping should be planned so that it does not screen views of buildings or parking areas from the street, or block security lighting.* -- *The site should be planned so that parking and other unsecured areas are accessible to police during patrols of the area.*	County Planning Department
3.6-2(a)	*The need for additional fire protection and emergency services shall be monitored as growth occurs within the Project Area, and the need for increased fire protection personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.*	County Planning Department

Mitigation Number	Mitigation Measure	Responsibility for Implementation
3.6-2(b)	*All development projects within the Project Area shall be subject to review by San Bernardino County Fire Department for conformance with Uniform Fire Code requirements, the County's Fire Protection Master Plan, and for the provision of adequate emergency vehicle access and circulation.*	County Planning Department
3.6-3(a)	*The Redevelopment Agency shall work cooperatively with the local school districts to assist in the provision of adequate school facilities that benefit the Project Area, as such facilities may be needed as a result of Project activities.*	Redevelopment Agency
3.6-3(b)	*The County and the Agency shall include the affected school districts in the review of proposed development projects within the Project Area in an effort to help ensure that adequate school facilities are available to serve anticipated needs.*	County Planning Department
CULTURAL/PALEONTOLOGICAL RESOURCES		
3.7-1(a)	*Prior to initiation of any construction/demolition in areas where archaeological sites have been identified, a professional archaeologist or historian shall be retained to assess potential impacts and evaluate the site in question for its eligibility to be included in the California Register of Historical Resources.*	County Planning Department
3.7-1(b)	*Portions of the Kaiser Steel Plant which have not been subject to a formal evaluation shall be field surveyed and evaluated for significance by a professional historian or archaeologist prior to any demolition or construction activities within the former plant boundaries.*	County Planning Department
3.7-2(a)	*For areas that have not been subject to an adequate cultural resources survey, and prior to demolition of any building over 45 years of age, a field inventory will be conducted by a professional archaeologist or historian to determine the presence or absence of significant cultural resources.*	County Planning Department
3.7-2(b)	*If evidence of subsurface prehistoric or historic archaeological resources is found during construction, excavation in the vicinity of the find shall cease and a professional archaeologist shall evaluate findings in accordance with standard practice and applicable regulations.*	County Planning Department
3.7-2(c)	*If human remains are discovered during any activities that involve subsurface ground disturbance, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie human remains until:* *(1) the San Bernardino County Coroner has been informed and has determined that no investigation of the cause of death is required, and* *(2) if the remains are of Native American origin, the Native American Heritage Commission is contacted within 24 hours of the discovery, and the descendants from the deceased Native Americans have made a recommendation to the landowner or the project proponent, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98.*	County Planning Department

Mitigation Number	Mitigation Measure	Responsibility for Implementation
3.7-3(a and b)	*Prior to the approval of any grading plans associated with Redevelopment Agency activities, a qualified paleontologist shall undertake an assessment of the potential for encountering paleontological resources. Although the results of this assessment may indicate that the site has a low probability for encountering paleontological resources, conclusions may suggest that further monitoring and mitigation is required to avoid impacts associated with excavation for building foundations and infrastructure improvements.* *If it is determined that further monitoring or mitigation is required, it shall be conducted in accordance with a Paleontological Resource Mitigation Program as described by the San Bernardino County Museum, Earth Sciences Department.*	County Planning Department
HAZARDOUS MATERIALS		
3.8-1(a)	*Where the Redevelopment Agency is directly involved in the development or redevelopment of properties located within the Project Area, a Phase I investigation shall be conducted prior to construction to investigate the potential for the existence of site contamination. Where contamination is suspected or discovered, appropriate Phase II and Phase III remediation shall be performed as required by federal, State, and County regulations.*	Redevelopment Agency

[1] This measure is not proposed in response to a significant impact identified in the EIR and, therefore, it is not a legally required mitigation measure. This measure is recommended in the EIR in order to promote the use of reclaimed water and thereby conserve water resources. It is not numbered because it is not associated with a numbered impact in the EIR.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-1(a)

Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the intersection improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed intersection improvements; however, the Agency may assist developers in providing these improvements at its discretion.

Implementation

- Future development projects in the Project Area shall be required to prepare a traffic impact analysis in accordance with CMP guidelines and County requirements, unless a determination is made by the Traffic Division of the Transportation/Flood Control Department that such an analysis is unnecessary due to the small size of a project or other valid reasons.

- When applications are submitted to the Planning Department for proposed development projects in the Project Area, the Planning Department shall consult with the Traffic Division of the Transportation/Flood Control Department to determine if a traffic impact analysis is required.

- Project applicants shall be responsible for the preparation of traffic impact analyses for their projects.

- Applicants shall pay their fair share of improvements costs in accordance with CMP and County requirements.

Compliance Record

When a traffic impact analysis is required, it shall be incorporated into the Planning Department's official files for the project as evidence of compliance with this mitigation measure. If it determined that a traffic impact analysis is not needed, a memorandum or other documentation citing this determination shall be incorporated into the project file. Evidence of fair share payment for improvement costs shall also be incorporated into the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-1(b)

The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary intersection improvements to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the intersection improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with the San Bernardino County Department of Transportation/Flood Control, SANBAG, and the Cities of Fontana, Rancho Cucamonga, and Ontario regarding the current and projected needs for intersection improvements in the vicinity of the Project Area.

- Based on this input, the Agency shall establish a list of priority intersection improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

Evidence of consultation with other agencies in determining the need for intersection improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-2(a)

Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the roadway improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed roadway improvements; however, the Agency may assist developers in providing these improvements at its discretion.

Implementation

- Future development projects in the Project Area shall be required to prepare a traffic impact analysis in accordance with CMP guidelines and County requirements, unless a determination is made by the Traffic Division of the Transportation/Flood Control Department that such an analysis is unnecessary due to the small size of a project or other valid reasons.

- When applications are submitted to the Planning Department for proposed development projects in the Project Area, the Planning Department shall consult with the Traffic Division of the Transportation/Flood Control Department to determine if a traffic impact analysis is required.

- Project applicants shall be responsible for the preparation of traffic impact analyses for their projects.

- Applicants shall pay their fair share of improvements costs in accordance with CMP and County requirements.

Compliance Record

When a traffic impact analysis is required, it shall be incorporated into the Planning Department's official files for the project as evidence of compliance with this mitigation measure. If it determined that a traffic impact analysis is not needed, a memorandum or other documentation citing this determination shall be incorporated into the project file. Evidence of fair share payment for improvement costs shall also be incorporated into the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-2(b)

The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary roadway widenings to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the roadway improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with the San Bernardino County Department of Transportation/Flood Control, SANBAG, and the Cities of Fontana, Rancho Cucamonga, and Ontario regarding the current and projected needs for roadway widening in the vicinity of the Project Area.

- Based on this input, the Agency shall establish a list of priority roadway improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

Evidence of consultation with other agencies in determining the need for intersection improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-3(a)

Future development projects in the Project Area shall contribute a fair share to the construction of a park-and-ride facility to serve the Project Area. The fair share contributions shall be determined through the preparation of traffic impact analyses for future development projects.

Implementation

- Future development projects in the Project Area shall be required to prepare a traffic impact analysis in accordance with CMP guidelines and County requirements, unless a determination is made by the Traffic Division of the Transportation/Flood Control Department that such an analysis is unnecessary due to the small size of a project or other valid reasons.

- When applications are submitted to the Planning Department for proposed development projects in the Project Area, the Planning Department shall consult with the Traffic Division of the Transportation/Flood Control Department to determine if a traffic impact analysis is required.

- Project applicants shall be responsible for the preparation of traffic impact analyses for their projects.

- Applicants shall pay a fair share contribution to the cost of constructing a park-and-ride facility in accordance with CMP and County requirements.

Compliance Record

When a traffic impact analysis is required, it shall be incorporated into the Planning Department's official files for the project as evidence of compliance with this mitigation measure. If it determined that a traffic impact analysis is not needed, a memorandum or other documentation citing this determination shall be incorporated into the project file. Evidence of fair share payment for improvement costs shall also be incorporated into the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-3(b)

The Agency shall work cooperatively with CalTrans, SANBAG, and the County to facilitate the construction of a park-and-ride facility to serve the Project Area.

Implementation

- In preparing the five-year implementation plans for the Project, the Agency shall consult with CalTrans, SANBAG, and the County Department of Transportation/Flood Control regarding the need and feasibility of constructing a park-and-ride facility to serve the Project Area.

- In establishing priorities for public improvements in the five-year implementation plans for the Project, the Agency shall report on progress in establishing park-and-ride facility to serve the Project Area and shall indicate the efforts it will undertake to facilitate the construction of a park-and-ride facility, including Agency funds available to contribute to construction of the facility.

Compliance Record

Progress on establishment of a park-and-ride facility shall be reported in each of the five-year implementation plans for the Project.

Implementation Responsibility: The Redevelopment Agency.

AIR QUALITY

Mitigation Measure 3.3-1(a)

Detailed project-specific analysis demonstrating compliance with regional air quality regulations will be required on a project-by-project basis as new development occurs in the Project Area. Development projects determined to have construction-related emissions in exceedance of SCAQMD significance thresholds will be required to develop appropriate mitigation measures.

Implementation

- Determination of the need for an air quality analysis shall be made through an Initial Study prepared for a development application.

- If it is determined by the Planning Department through the preparation of an Initial Study that a development project could have a potentially significant adverse impact on air quality, an air quality analysis shall be prepared in accordance with SCAQMD guidelines and incorporated into appropriate supplemental environmental analysis.

- Project applicants shall be responsible for the preparation of air quality analyses for their projects.

- Each air quality analysis shall provide project-specific mitigation measures to reduce all potentially significant air pollutant emissions.

Compliance Record

Initial Studies prepared for development projects shall document whether air quality analyses are necessary. If an air quality analysis is prepared for a project, it will be incorporated into either an EIR or Mitigated Negative Declaration for the project.

Enforcement Responsibility: San Bernardino County Planning Department.

AIR QUALITY

Mitigation Measure 3.3-2(a)

The Agency shall work with the County and employers in the Project Area to establish a trip reduction program. The goal of the program shall be reduce traffic congestion and vehicular air pollutant emissions by reducing the total number of vehicle trips generated from land uses within the Project Area through increased average vehicle ridership and increased transit ridership.

Implementation

- In the five-year implementation plans for the Project, the Agency shall set forth its planned approach for the establishment of a trip reduction program. Specific tasks will be identified in the implementation plan for reducing traffic congestion and vehicular air pollutant emissions through reductions in the total number of vehicle trips generated from land uses within the Project Area. It is anticipated that these tasks will emphasize increased average vehicle ridership and increased transit ridership.

Compliance Record

Progress on the Agency's efforts in establishing and maintaining trip reduction programs shall be reported in each of the five-year implementation plans for the Project.

Implementation Responsibility: The Redevelopment Agency.

AIR QUALITY

Mitigation Measure 3.3-2(b)

The Agency shall work with SANBAG, Omnitrans, and Metrolink, as appropriate, to promote mass transit programs, including the possible establishment of a Metrolink station and increased bus service in the area. Carpooling, and other traffic-reducing measures among businesses in the Project Area should also be encouraged.

Implementation

- In preparing the five-year implementation plans for the Project, the Agency shall consult with SANBAG regarding activities which can be undertaken by the Agency to promote transit use in the area, including the possible establishment of a Metrolink station and increased bus service in the area.

- In establishing priorities for public improvements in the five-year implementation plans for the Project, the Agency shall report on progress in promoting transit use and shall indicate the programs in which it will participate to promote transit use.

Compliance Record

Progress on promoting transit use shall be reported in each of the five-year implementation plans for the Project.

Implementation Responsibility: The Redevelopment Agency.

NOISE

Mitigation Measure 3.4-1(a)

New construction activities in the Project Area shall implement all feasible measures to reduce noise levels on adjacent and nearby residential and commercial areas. The following measures shall be required to minimize noise levels, as appropriate:

1. *Construction contractors shall be required by contract to employ the quietest among alternative equipment or to muffle/control noise from available equipment.*

2. *Construction contractors shall be required by contract to limit noise impacts on residential homes within 200 feet by using temporary noise barriers shields around areas where construction equipment is in use.*

3. *Hours of construction activity shall be limited to reduce adverse impacts on nearby residential properties.*

Implementation

- Project applicants shall be required to submit a description of proposed measures for minimizing construction noise levels to the Planning Department for review.

- The Planning Department shall review the applicant's proposed noise control measures to ensure that the maximum feasible measures to reduce noise are incorporated into the applicant's construction plans.

- Noise control measures shall be made conditions of project approval and shall be monitored for their satisfactory application at the construction site.

Compliance Record

Noise control measures shall be incorporated into the conditions of approval. Evidence of field monitoring of the satisfactory application of the noise control measures shall be provided in the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

NOISE

Mitigation Measure 3.4-2(a)

New industrial operations in the Project Area shall reduce noise levels on adjacent and nearby residential and commercial areas to below County of San Bernardino significance levels. New industrial uses with the potential to generate significant noise shall submit noise reports to the County Planning Department analyzing operational noise levels.

Implementation

- Determination of the need for a noise analysis shall be made through an Initial Study prepared for a development application.

- If it is determined by the Planning Department through the preparation of an Initial Study that project operations could have a potentially significant adverse noise impact on surrounding properties, a noise analysis shall be prepared and incorporated into appropriate supplemental environmental analysis.

- Project applicants shall be responsible for the preparation of noise analyses for their projects.

- Each noise analysis shall provide project-specific mitigation measures to comply with County noise standards.

Compliance Record

Initial Studies prepared for development projects shall document whether noise analyses are necessary. If a noise analysis is prepared for a project, it will be incorporated into either an EIR or Mitigated Negative Declaration for the project.

Enforcement Responsibility: San Bernardino County Planning Department.

UTILITIES/INFRASTRUCTURE

Recommended Measure (Reclaimed Water)[1]

The Agency shall work cooperatively with the Chino Basin Municipal Water District and the County to encourage the use of reclaimed water irrigation and industrial water applications that do not require high quality water and examine opportunities for provision of the required infrastructure to supply reclaimed water.

Implementation

- The Agency shall work with the Chino Basin Municipal Water District to facilitate the construction of a reclaimed water system to serve the Project Area.

- The Agency should also inform developers about the availability or future availability of reclaimed water to serve the Project Area and should encourage developers to investigate ways to make maximum use of reclaimed water in the projects.

Compliance Record

Progress on the construction of a reclaimed water system to serve the Project Area shall be reported in each of the five-year implementation plans for the Project.

Implementation Responsibility: The Redevelopment Agency.

[1] This measure is not proposed in response to a significant impact identified in the EIR and, therefore, it is not a legally required mitigation measure. This measure is recommended in the EIR in order to promote the use of reclaimed water and thereby conserve water resources. It is not numbered because it is not associated with a numbered impact in the EIR.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-1(a)

The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of sewer infrastructure to serve the needs of the area.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with the Chino Basin Municipal Water District and the City of Fontana, as appropriate, regarding sewer collection facilities needed to serve the Project Area.

- Based on this input, the Agency shall establish a list of priority sewer improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

The need for sewer improvements in the Project Area and the Agency's proposed plans to facilitate construction of needed improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-1(b)

The Agency shall coordinate with Chino Basin Municipal Water District and the City of Fontana to investigate ways to provide sewer service to the area.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with the Chino Basin Municipal Water District and the City of Fontana regarding the current and projected needs for sewer improvements to serve the Project Area.

- Based on this input, the Agency shall establish a list of priority sewer improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

Evidence of consultation with other agencies in determining the need for sewer improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-1(c)

All development projects within the Project Area must be connected to a sewer system when adequate treatment capacity is available and necessary sewer lines are in place.

Implementation

- Future development projects in the Project Area shall be required to be connected to a sewer system if adequate treatment capacity is available and necessary sewer lines are in place.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department will confer with the appropriate sewering entity in determining whether or not a sewer line and adequate treatment capacity are available to serve the project.

- Project applicants shall be responsible for connecting their projects to sanitary sewer lines if they are available. If they are not available, project applicants shall be responsible for constructing on-site sewage disposal systems (septic systems) in a manner which later allows for future connection to a sanitary sewer line.

- Applicants shall pay their fair share of sanitary sewer improvement costs; however, the Agency may assist the developer in providing these improvements at its discretion.

Compliance Record

When connection to a sanitary sewer is required, evidence of compliance with this requirement shall be incorporated into the Planning Department's official files for the projects as evidence of compliance with this mitigation measure. If onsite sewage disposal facilities are proposed, a memorandum or other documentation indicating compliance with the terms set forth in mitigation measure 3.5-1(d) shall be placed in the project file. Evidence of fair share payment for sanitary sewer costs shall also be incorporated into the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-1(d)

All future development which utilizes on-site sewage disposal shall construct septic systems in a manner which facilitates future connection to a public sewer system.

Implementation

- Future development projects in the Project Area shall be required to construct onsite sewage disposal facilities if adequate treatment capacity is not available and necessary sewer lines are not in place.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall confer with the appropriate sewering entity in determining whether or not the property can be served by existing public sewers or whether an onsite sewage treatment system is necessary.

- If it is determined that an on-site sewage disposal systems (septic systems) is needed, it shall be constructed in a manner which later allows for future connection to a sanitary sewer line. Said facilities shall also be constructed in conformance with plans and specifications set forth by the appropriate entity.

- Applicants shall pay their fair share of sanitary sewer improvement costs; however, the Agency may assist the developer in providing these improvements at its discretion.

Compliance Record

When construction of onsite sewage disposal facilities is necessary, evidence of compliance with this requirement shall be incorporated into the Planning Department's official files for the projects as evidence of compliance with this mitigation measure. Evidence of fair share payment for sanitary sewer costs shall also be incorporated into the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-2(a)

All development projects within the Project Area facilitated by the Redevelopment Agency must contract with a hauler that provides recycling services, if such is available.

Implementation

- Future development projects in the Project Area shall be required to contract with a solid waste disposal company which provides recycling of salvageable materials.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall determine whether or not solid waste disposal services are available for the project which provides recycling services.

- If it is determined that a solid waste disposal company with recycling services can serve the property, the applicant shall be required to enter an agreement with said company to handle the disposal of solid wastes generated by the project and to salvage recyclable materials. Evidence of said agreement shall be obtained and confirmed by the Planning Department prior to issuance of a Certificate of Occupancy for the project.

Compliance Record

Evidence of compliance with this requirement, in the form of an executed agreement between the project applicant and solid waste disposal company, shall be incorporated into the Planning Department's official files for the projects as evidence of compliance with this mitigation measure.

Enforcement Responsibility: San Bernardino County Planning Department.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-2(b)

The Agency shall encourage the construction of a Materials Recovery Facility in the Project Area.

Implementation

- The Agency shall undertake an active effort to encourage the construction of a Materials Recovery Facility in the Project Area. If such a facility is established in the future to serve the Project Area, even if the facility is located outside the Project Area, the Agency will cease in efforts to encourage the construction of a Materials Recovery Facility in the Project Area.

Compliance Record

Progress on establishment of a Materials Recovery Facility to serve the Project Area will be reported in the five-year implementation plans for the Project.

Implementation Responsibility: The Redevelopment Agency.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-3(a)

The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of flood control infrastructure for the Project Area.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with the County Department of Transportation/Flood Control regarding flood control facilities needed to serve the Project Area.

- Based on this input, the Agency shall establish a list of priority flood control improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

The need for flood control improvements in the Project Area and the Agency's proposed plans to facilitate construction of needed improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-3(b)

The Agency shall coordinate with SBCTFC and the City of Fontana to investigate ways to provide flood control infrastructure for the Project Area.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with SBCTFC and the City of Fontana regarding the current and projected needs for flood control improvements to serve the Project Area.

- Based on this input, the Agency shall establish a list of priority flood control improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

Evidence of consultation with other agencies in determining the need for flood control improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

PUBLIC SERVICES

Mitigation Measure 3.6-1(a)

The need for additional Sheriffs Department services shall be monitored as growth occurs within the Project Area, and the need for increased Sheriffs Department personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.

Implementation

- Future development projects in the Project Area shall be reviewed for their impact on law enforcement services provided by the Sheriffs Department.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall refer these applications to the Sheriffs Department for review to determine whether the project would cause a substantial demand for additional law enforcement services.

- The Planning Department shall work with the Sheriffs Department in developing a list of measures to be implemented by the applicant to minimize the project's effect on law enforcement services.

Compliance Record

Evidence of compliance with this requirement shall be incorporated into the Planning Department's official files for the project.

Enforcement Responsibility: San Bernardino County Planning Department.

PUBLIC SERVICES

Mitigation Measure 3.6-1(b)

All development projects within the Project Area shall be subject to review by the Sheriff's Department for conformance with site development standards which serve to deter crime and improve circulation and access for emergency vehicles.

Implementation

- Future development projects in the Project Area shall be reviewed by the Sheriff's Department for conformance with site development standards which deter crime and improve emergency vehicle access and circulation.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall confer with the Sheriffs Department in determining whether or not the project incorporates features which serve to deter crime and which provide optimal access and circulation for emergency vehicles.

- If it is determined that the project includes adequate crime prevention features as well as adequate emergency vehicle access and circulation, said project shall be deemed to be in compliance with this mitigation measure and evidence of same shall be placed in the project file.

- If it is determined that the project does not include adequate crime prevention features or does not provide adequate circulation and access for emergency vehicles, the project applicant shall be required to revise the project plans to include such features.

Compliance Record

Evidence of compliance with this mitigation measure shall consist of an approved set of plans, to be retained in the project file, indicating review and approval of the project by the County of San Bernardino Sheriff's Department.

Enforcement Responsibility: San Bernardino County Planning Department.

PUBLIC SERVICES

Mitigation Measure 3.6-1(c)

The following measures shall be incorporated into the design of new industrial and commercial developments, as appropriate:

- *Parking areas should be illuminated and should be visible from the street if otherwise unsecured.*
- *Building entry areas should be illuminated and other security lighting should be used, as appropriate.*
- *Security fences and gates should be installed, as appropriate.*
- *Building entries should be visible from the street, where possible.*
- *Landscaping should be planned so that it does not screen views of buildings or parking areas from the street, or block security lighting.*
- *The site should be planned so that parking and other unsecured areas are accessible to police during patrols of the area.*

Implementation

- Future development projects in the Project Area shall be reviewed by the Sheriff's Department for conformance with the site development standards outlined above.
- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall confer with the Sheriffs Department in determining whether or not the project appropriate security and crime prevention features including applicable measures outlined above.
- If it is determined that the project does not include adequate security features, such as those outlined above, the project applicant shall be required to revise the project plans to include such features.

Compliance Record

Evidence of compliance with this mitigation measure shall consist of an approved set of plans, to be retained in the project file, indicating review and approval of the project by the County of San Bernardino Sheriff's Department.

Enforcement Responsibility: San Bernardino County Planning Department.

PUBLIC SERVICES

Mitigation Measure 3.6-2(a)

The need for additional fire protection and emergency services shall be monitored as growth occurs within the Project Area, and the need for increased fire protection personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.

Implementation

- Future development projects in the Project Area shall be reviewed for their impact on fire protection and emergency medical services, and in particular services provided by the San Bernardino County Fire Department (SBCFD).

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall refer these applications to the SBCFD for review to determine whether or not additional fire protection and emergency medical services or equipment will be needed to serve the project.

- The Planning Department shall work with the SBCFD in developing a list of measures to be implemented by the applicant to minimize the project's effect on fire and emergency services.

Compliance Record

Evidence of compliance with this requirement shall be incorporated into the Planning Department's official files for the project.

Enforcement Responsibility: San Bernardino County Planning Department.

PUBLIC SERVICES

Mitigation Measure 3.6-2(b)

All development projects within the Project Area shall be subject to review by San Bernardino County Fire Department for conformance with Uniform Fire Code requirements, the County's Fire Protection Master Plan, and for the provision of adequate emergency vehicle access and circulation.

Implementation

- Future development projects in the Project Area shall be reviewed by the Fire Department for conformance with Uniform Fire Code requirements, the Fire Protection Master Plan, and for the provision of adequate emergency vehicle access and circulation.

  When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall confer with the Fire Department in determining whether or not the project conforms with the Fire Code, Fire Protection Master Plan, and provides adequate emergency vehicle access and circulation.

- If it is determined that the project conforms to the Fire Code and otherwise meets all access and circulation requirements of the Fire Department, said project shall be deemed to be in compliance with this mitigation measure and evidence of same shall be placed in the project file.

- If it is determined that the project does not meet Fire Code requirements or does not provide adequate access or circulation, the project applicant shall be required to revise the project plans to include such features.

Compliance Record

Evidence of compliance with this mitigation measure shall consist of an approved set of plans, to be retained in the project file, indicating review and approval of the project by the County of San Bernardino Fire Department.

Enforcement Responsibility: San Bernardino County Planning Department.

PUBLIC SERVICES

Mitigation Measure 3.6-3(a)

The Redevelopment Agency shall work cooperatively with the local school districts to assist in the provision of adequate school facilities that benefit the Project Area, as such facilities may be needed as a result of Project activities.

Implementation

- As new development occurs in the Project Area, the Agency shall consult with the local school district on current and projected needs for new school facilities which would serve the Project Area based on such new development.

- The Agency shall comply with applicable law concerning the allocation of tax increment revenues to affected taxing entities.

Compliance Record

The cumulative amount of tax increment allocated to local school districts shall be reported in each of the five-year implementation plans. Any consultations that occurred within the last five-year period or are occurring at the time shall be summarized in each five-year implementation plan.

Implementation Responsibility: The Redevelopment Agency.

PUBLIC SERVICES

Mitigation Measure 3.6-3(b)

The County and the Agency shall include the affected school districts in the review of proposed development projects within the Project Area in an effort to help ensure that adequate school facilities are available to serve anticipated needs.

Implementation

- The Planning Department shall notify affected school districts of applications submitted for new development projects in the Project Area.

- The collection of development fees for school facilities will be the responsibility of each school district.

Compliance Record

Evidence of compliance with this mitigation measure shall consist of a transmittal in the project file indicating transmittal of project plans to affected school districts.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measure 3.7-1(a)

Prior to initiation of any construction/demolition in areas where archaeological sites have been identified, a professional archaeologist or historian shall be retained to assess potential impacts and evaluate the site in question for its eligibility to be included in the California Register of Historical Resources.

Implementation

- Future development projects in the Project Area shall be reviewed to assess the potential impacts of demolition or construction on cultural or historical resources.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall consult the *Cultural Resources Record Search and Management Plan* prepared for the San Sevaine Redevelopment Project Area to determine whether or not cultural or historical resources would be impacted by the proposed project.

- If it is determined that cultural or historical resources will be impacted by the project, an investigation shall be conducted by a cultural resources consultant and a technical report shall be prepared according to the San Bernardino County Guidelines for Cultural Resource Management Reports which describes the results of the investigation. One copy of this report shall be filed with the Historical Resources Information Center and one copy of the report shall be provided to the Redevelopment Agency for review.

- If an archaeological site is found to be significant, the report prepared by the cultural resources consultant must outline appropriate mitigation measures for consideration in supplemental environmental documentation.

- The Planning Department shall monitor the implementation of any mitigation measures approved in supplemental environmental documentation.

Compliance Record

The Planning Department shall keep on file a copy of the technical report prepared by the cultural resources specialist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measure 3.7-1(b)

Portions of the Kaiser Steel Plant which have not been subject to a formal evaluation shall be field surveyed and evaluated for significance by a professional historian or archaeologist prior to any demolition or construction activities within the former plant boundaries.

Implementation

- Future development projects in the Project Area to be located on the Kaiser Steel Plant site shall be reviewed to assess the potential impacts of demolition or construction on cultural or historical resources.

- When applications for development projects on the Kaiser Steel Plant site are submitted to the Planning Department, the Planning Department shall consult the *Cultural Resources Record Search and Management Plan* prepared for the San Sevaine Redevelopment Project Area to determine whether or not cultural or historical resources would be impacted by the proposed project.

- If it is determined that cultural or historical resources will be impacted by the project, an investigation shall be conducted by a professional historian or archeologist and a technical report shall be prepared according to the San Bernardino County Guidelines for Cultural Resource Management Reports which describes the results of the investigation. One copy of this report shall be filed with the Historical Resources Information Center and one copy of the report shall be provided to the Redevelopment Agency for review.

- If an archaeological site is found to be significant, the report prepared by the professional historian or archeologist must outline appropriate mitigation measures for consideration in supplemental environmental documentation.

- The Planning Department shall monitor the implementation of any mitigation measures approved in supplemental environmental documentation.

Compliance Record

The Planning Department shall keep on file a copy of the technical report prepared by the historian or archeologist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measure 3.7-2(a)

For areas that have not been subject to an adequate cultural resources survey, and prior to demolition of any building over 45 years of age, a field inventory will be conducted by a professional archaeologist or historian to determine the presence or absence of significant cultural resources.

Implementation

- Future development projects in the Project Area which are proposed at locations not surveyed for cultural resources shall be surveyed prior to the issuance of demolition or building permits.

- When applications for development projects in the Project Area are submitted to the Planning Department, the Planning Department shall consult the *Cultural Resources Record Search and Management Plan* prepared for the San Sevaine Redevelopment Project Area to determine whether or not the project location has been surveyed and whether or not there are buildings or structures on the site which are over 45 years of age.

- If it is determined that the location has not been surveyed for cultural resources or that there are buildings or structures on the site which are over 45 years of age, a field survey shall be conducted by a professional historian or archeologist.

- Subsequent to the field survey, a technical report shall be prepared, in accordance with County guidelines, that describes the results of the survey, the eligibility status of any cultural resource identified for its inclusion in the California Register of Historical Resources, and which provides mitigation measures for addressing impacts to any significant resource identified. The technical report must be prepared according to San Bernardino County Guidelines for Cultural Resource Management Reports which describes the results of the investigation. One copy of this report must be filed with the Historical Resources Information Center and one copy of the report should be provided to the Redevelopment Agency for review.

- If an archaeological site or any buildings or structures are found to be culturally or historically significant, the report prepared by the professional historian or archaeologist must outline appropriate mitigation measures for consideration in supplemental environmental documentation.

- The Planning Department shall monitor the implementation of any mitigation measures approved in supplemental environmental documentation.

Compliance Record

The Planning Department shall keep on file a copy of the technical report prepared by the historian or archaeologist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measure 3.7-2(b)

If evidence of subsurface prehistoric or historic archaeological resources is found during construction, excavation in the vicinity of the find shall cease and a professional archaeologist shall evaluate findings in accordance with standard practice and applicable regulations.

Implementation

- Construction or excavation for development projects in the Project Area shall be stopped if evidence of subsurface prehistoric or historic archaeological resources are found.

- Cultural remains shall be evaluated by a cultural resources specialist for their significance, depth, extent and integrity, as appropriate consistent with local, State, and federal guidelines. For all resources identified, appropriate California Office of Historic Preservation site, structure, and isolate record forms shall be completed. Prior to completion of a survey report, two copies of completed records shall be submitted to the San Bernardino County Archaeological Information Center (AIC) for assignment of appropriate County and State record numbers.

- A technical report and significant evaluation must be prepared according to San Bernardino County Guidelines for Cultural Resource Management Reports. One copy of this report must be filed with the Historical Resources Information Center and one copy of the report should be provided to the Redevelopment Agency for review. All archaeological sites found to be significant shall be protected through a program to mitigate development impacts.

- The Planning Department shall monitor the implementation of mitigation measures recommended in the report prepared by the cultural resources specialist.

Compliance Record

The Planning Department shall keep on file a copy of the technical report prepared by the cultural resources specialist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measure 3.7-2(c)

If human remains are discovered during any activities that involve subsurface ground disturbance, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie human remains until:

(1) the San Bernardino County Coroner has been informed and has determined that no investigation of the cause of death is required, and

(2) if the remains are of Native American origin, the Native American Heritage Commission is contacted within 24 hours of the discovery, and the descendants from the deceased Native Americans have made a recommendation to the landowner or the project proponent, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98.

Implementation

- Construction of development projects in the Project Area shall be stopped if evidence of human remains are found.

- The County coroner shall be notified by the applicant of the discovery of human remains and, if necessary, to determine the cause of death.

- If the remains are of Native American origin, the Native American Heritage Commission shall be contacted within 24 hours of the discovery, and the descendants from the deceased Native Americans shall make a recommendation to the landowner or the project proponent, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98.

- The site of the human remains shall be surveyed and evaluated for its cultural significance, depth, extent and integrity, as appropriate consistent with local, State, and federal guidelines. For all resources identified, appropriate California Office of Historic Preservation site, structure, and isolate record forms shall be completed. Prior to completion of a survey report, two copies of completed records shall be submitted to the San Bernardino County Archeological Information Center (AIC) for assignment of appropriate County and State record numbers.

- Subsequent to the field survey, a technical report and significant evaluation must be prepared by a cultural resource specialist according to San Bernardino County Guidelines for Cultural Resource Management Reports. One copy of this report must be filed with the Historical Resources

Information Center and one copy of the report should be provided to the Redevelopment Agency for review. A mitigation program must be developed for all archaeological sites found to be significant.

- The Planning Department shall monitor the implementation of approved measures for mitigation of significant archaeological sites.

Compliance Record

The Planning Department shall keep on file a copy of the technical report prepared by the cultural resources specialist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measures 3.7-3(a and b)

Prior to the approval of any grading plans associated with Redevelopment Agency activities, a qualified paleontologist shall undertake an assessment of the potential for encountering paleontological resources. Although the results of this assessment may indicate that the site has a low probability for encountering paleontological resources, conclusions may suggest that further monitoring and mitigation is required to avoid impacts associated with excavation for building foundations and infrastructure improvements.

If it is determined that further monitoring or mitigation is required, it shall be conducted in accordance with a Paleontological Resource Mitigation Program as described by the San Bernardino County Museum, Earth Sciences Department.

Implementation

- Future development projects in the Project Area shall be reviewed for impacts on paleontological resources.

- When applications for grading plans for development projects in the Project Area are submitted to the Planning Department, the Planning Department shall require the applicant to obtain the services of a qualified paleontologist to undertake an assessment of the potential for encountering paleontological resources.

- If it is determined by the paleontologist that potentially significant paleontological resources are present, a Paleontological Resource Mitigation Program, as described by the San Bernardino County Museum, Earth Sciences Department, shall be prepared specifying mitigation measures and monitoring which is required to avoid impacts associated with excavation for building foundations and infrastructure improvements.

- The Planning Department shall monitor the implementation of mitigation measures recommended in Paleontological Resource Mitigation Program prepared by the paleontologist.

Compliance Record

The Planning Department shall keep on file a copy of the mitigation program prepared by the paleontologist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

HAZARDOUS MATERIALS

Mitigation Measure 3.8-1(a)

Where the Redevelopment Agency is directly involved in the development or redevelopment of properties located within the Project Area, a Phase I investigation shall be conducted prior to construction to investigate the potential for the existence of site contamination. Where contamination is suspected or discovered, appropriate Phase II and Phase III remediation shall be performed as required by federal, State, and County regulations.

Implementation

- For those properties which the Agency acquires or enters into a Disposition and Development Agreement with a developer, the Agency must ensure that a Phase I investigation is performed. Recommendations made in the Phase I investigation must also be followed.

Compliance Record

A copy of each Phase I investigation shall be maintained in the Agency's files and the results of the Phase I investigations shall be reported in the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

RESOLUTION NO. 95-282

RESOLUTION OF THE COUNTY OF SAN BERNARDINO ELECTING TO RECEIVE ALLOCATIONS OF TAXES PURSUANT TO THE PROVISIONS OF THE COMMUNITY REDEVELOPMENT LAW

On Tuesday, December 12, 1995, on motion of Supervisor Mikels, duly second by Supervisor Eaves, and carried, the following resolution is adopted:

WHEREAS, the Redevelopment Agency of the County of San Bernardino ("Agency") is engaged in activities necessary or appropriate to carry out the California Community Redevelopment Law (Health & Safety Code Sections 33000, et seq.) within the County of San Bernardino; and

WHEREAS, pursuant to Section 33330 of the Community Redevelopment Law, the Agency has prepared a proposed Redevelopment Plan for the San Sevaine Redevelopment Project in the County of San Bernardino; and

WHEREAS, pursuant to Section 33670 of the Community Redevelopment Law, the Redevelopment Plan for the San Sevaine Redevelopment Project contains a provision for the allocation of taxes; and

WHEREAS, pursuant to Section 33676 of the Community Redevelopment Law, an "affected taxing agency" may elect to be allocated, in addition to the portion of taxes allocated pursuant to subdivision (a) of Section 33670, all or any portion of tax revenues allocated to a redevelopment agency pursuant to subdivision (b) of Section 33670 attributable to increases in the rate of tax imposed for the benefit of the taxing agency which levy occurs after the tax year in which the ordinance adopting the redevelopment plan becomes effective; and

WHEREAS, the County of San Bernardino is an "affected taxing agency" as defined in Section 33353.2 of the Community Redevelopment Law.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of San Bernardino as follows:

1. The Board of Supervisors of the County of San Bernardino hereby finds and determines that the recitals contained hereinabove are true and correct.

2. The County of San Bernardino, as an affected taxing agency, does hereby elect to receive, in addition to that portion of taxes allocated to the county pursuant to subdivision (a) of Section 33670 and subdivisions (a) and (b) of Section 33607.5, all that portion of the tax revenues allocated to the Agency pursuant to subdivision (b) of Section 33670 attributable to increases in the rate of tax imposed for the benefit of the taxing agency which levy occurs after the tax year in which the ordinance adopting the redevelopment plan becomes effective.

3. The Clerk of the Board is hereby authorized and directed to file copies of this Resolution with the Agency, the Auditor-Controller of the County of San Bernardino and the Tax Collector of the County of San Bernardino.

4. The Clerk of the Board of the County of San Bernardino shall certify to the passage of this Resolution and thereupon and thereafter the same shall be in full force and effect.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, State of California, by the following vote:

AYES: Mikels, Walker, Eaves, Turoci
NOES: None
ABSENT: Riordan

STATE OF CALIFORNIA)
) ss
SAN BERNARDINO COUNTY)

I, **EARLENE SPROAT**, Clerk of the Board of Supervisors of San Bernardino County, California, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by said Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of December 12, 1995.

EARLENE SPROAT, Clerk of the Board of Supervisors of San Bernardino County

BY

RESOLUTION NO. 95-283

RESOLUTION OF THE COUNTY OF SAN BERNARDINO FINDING THAT THE PROVISION OF LOW- AND MODERATE-INCOME HOUSING OUTSIDE THE PROJECT AREA WILL BE OF BENEFIT TO THE SAN SEVAINE REDEVELOPMENT PROJECT

On Tuesday, December 1995, on motion of Supervisor Mikels, duly second by Supervisor Eaves, and carried, the following resolution is adopted:

WHEREAS, the Redevelopment Agency of the County of San Bernardino ("Agency") is engaged in activities necessary or appropriate to carry out the California Community Redevelopment Law (Health & Safety Code Sections 33000, et seq.) within the County of San Bernardino; and

WHEREAS, pursuant to Section 33330 of the Community Redevelopment Law, the Agency has prepared a proposed Redevelopment Plan for the San Sevaine Redevelopment Project in the County of San Bernardino; and

WHEREAS, on November 2, 1995, the Planning Commission of the County of San Bernardino adopted a Report and Recommendation which found that the Redevelopment Plan conformed to the General Plan of the County of San Bernardino, and recommended approval of the Redevelopment Plan; and

WHEREAS, pursuant to Section 33334.2 of the Community Redevelopment Law, the legislative body of the community adopting a redevelopment plan must either include property within the Project Area suitable for low- and moderate-income housing or make a finding that the provisions of low- and moderate-income housing outside the project area will be of benefit to the project area; and

WHEREAS, the land uses designated for the project area in the Redevelopment Plan, and in the County's General Plan do not permit the development of housing; and

WHEREAS, there are a number of areas within the county, including some areas near or adjacent to the project area, which permit the development of housing; and

WHEREAS, among the goals of the proposed Redevelopment Plan are the expansion of a diversified economic base for San Bernardino County to assist in achieving a balance between jobs and housing, the expansion of the community's supply of housing, including opportunities for low- and moderate-income households and the expansion and upgrading of housing opportunities in the community to eliminate blight and improve the housing stock and standards; and

WHEREAS, Section 33334.2 of the Community Redevelopment Law calls for the allocation of a portion of the tax increment generated by a redevelopment project to be allocated for the purposes of improving, increasing and preserving the community's supply of low- and moderate-income housing available at affordable cost within the community (hereinafter, the "provision of low- and moderate-income housing"); and

WHEREAS, the provision of low- and moderate-income housing outside the project area will assist in accomplishing the goals and objectives of the Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of San Bernardino as follows:

1. The Board of Supervisors of the County of San Bernardino hereby finds and determines that the recitals contained hereinabove are true and correct.

2. The provision of low- and moderate-income housing outside the San Sevaine Redevelopment Project Area will be of benefit to the project area.

3. The use of tax increment generated by the San Sevaine Redevelopment Project and allocated pursuant to Section 33334.2 of the Community Redevelopment Law for the provision of low- and moderate-income housing will be of benefit to the project area, even if outside the project area.

4. The Clerk of the Board of Supervisors of the County of San Bernardino shall certify to the passage of this Resolution and thereupon and thereafter the same shall be in full force and effect.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, State of California, by the following vote:

AYES: Mikels, Walker, Eaves, Turoci
NOES: None
ABSENT: Riordan

STATE OF CALIFORNIA)
) ss
SAN BERNARDINO COUNTY)

I, **EARLENE SPROAT**, Clerk of the Board of Supervisors of San Bernardino County, California, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by said Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of December 12, 1995.

EARLENE SPROAT, Clerk of the Board of Supervisors of San Bernardino County

BY_____
Deputy

12/12/95 lw #2

RESOLUTION NO. 95-285

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED SAN SEVAINE REDEVELOPMENT PLAN, MAKING CERTAIN FINDINGS REGARDING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED REDEVELOPMENT PROJECT, ADOPTING A REPORTING AND MONITORING PROGRAM, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS

On Tuesday, December 12, 1995, on motion of Supervisor Mikels, duly second by Supervisor Eaves, and carried, the following resolution is adopted:

WHEREAS, the Redevelopment Agency of the County of San Bernardino (the "Agency") has prepared a proposed Redevelopment Plan for the San Sevaine Redevelopment Project (the "Project"); and

WHEREAS, the Agency, as lead agency, has prepared through the County of San Bernardino Planning Department an Environmental Impact Report ("EIR") to assess the environmental impacts which may result from the Project; and

WHEREAS, a draft EIR was prepared and circulated for review, comment and consultation with citizens, professional disciplines and public agencies pursuant to the California Environmental Quality Act of 1970 ("CEQA") and state and local guidelines and regulations adopted pursuant thereto; and

WHEREAS, a duly noticed public hearing was held by the Agency on October 17, 1995, at which all interested persons and organizations were given an opportunity to be heard; and

WHEREAS, the Final EIR relating to the proposed Redevelopment Plan for the Project and responding to the concerns raised during the review period and at the public hearing has been prepared pursuant to said statute and guidelines and regulations; and

WHEREAS, the Board of Supervisors, in connection with its consideration of the adoption of the proposed Redevelopment Plan for the Project, has reviewed and considered the information contained in the Final EIR for the proposed Redevelopment Plan, as well as other documents and comments received at the Joint Public Hearing for the proposed Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of San Bernardino, California, as follows:

1. The Board of Supervisors hereby certifies that the Final EIR for the proposed Redevelopment Plan for the Project has been prepared and completed in compliance with CEQA and state and local guidelines and regulations adopted pursuant thereto, and that the Agency has certified the Final EIR.

2. The Board of Supervisors hereby further certifies that the information contained in the Final EIR has been reviewed and considered by the members of the Board of Supervisors.

3. The Board of Supervisors hereby finds and determines that:

a. The implementation of the Project will not result in significant environmental effects in certain respects identified in the Final EIR, as described in Section IV.A. of Attachment A (attached hereto and incorporated herein by this reference).

b. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen certain significant environmental effects of the Project identified in the Final EIR, as described in Section IV.B. of Attachment A.

c. With respect to significant environmental effects of the Project which cannot be avoided or substantially lessened, specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR, as described in Sections IV.C. and IV.D. of Attachment A.

d. The significant environmental effects of the Project which cannot be avoided or substantially lessened are acceptable due to overriding concerns and benefits, as described in Section V of Attachment A.

4. The Mitigation Monitoring and Compliance Program (identified in the Final EIR as Section 10.0, and) contained in Attachment B (attached hereto and incorporated herein by this reference) is hereby approved and adopted to monitor and ensure that the mitigation measures identified will be instituted.

5. The Clerk of the Board (or his/her designee) is hereby authorized and directed to cause the filing of a Notice of Determination with respect to the Final EIR upon adoption of the proposed Redevelopment Plan for the Project by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, State of California, by the following vote:

AYES: Mikels, Walker, Eaves, Turoci
NOES: None
ABSENT: Riordan

STATE OF CALIFORNIA)
) ss
SAN BERNARDINO COUNTY)

I, **EARLENE SPROAT**, Clerk of the Board of Supervisors of San Bernardino County, California, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by said Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of December 12, 1995.

EARLENE SPROAT, Clerk of the Board of Supervisors of San Bernardino County

BY_____
Deputy

12/12/95 lw #2

ATTACHMENT A

FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS RELATING TO THE ENVIRONMENTAL EFFECTS OF THE SAN SEVAINE REDEVELOPMENT PROJECT

I. INTRODUCTION

The project proposed for consideration is the adoption of a Redevelopment Plan for the proposed San Sevaine Redevelopment Project. The San Sevaine Redevelopment Project Area is a 2,806-acre area within unincorporated territory in western San Bernardino County, near the Cities of Rancho Cucamonga, Ontario, and Fontana. The purpose of the Redevelopment Plan is to eliminate and prevent blight and blighting conditions in the community, and to restore and revitalize the area in accordance with California Community Redevelopment Law. The Redevelopment Plan has an effective life of 30 years, during which time planned rehabilitation and redevelopment activities will take place.

As demonstrated in the Report to Board, the Project Area suffers from numerous adverse physical and economic conditions that have resulted in the gross underutilization of the area. These conditions have discouraged private sector development in the area and constitute a serious physical and economic burden on the community. The area's long-term problems, such as residential and industrial incompatibility, irregular lot patterns, poor access, an antiquated infrastructure system, and declining property values, create serious impediments to the revitalization of the area. Overall, the San Sevaine Redevelopment Project Area is scarred by years of heavy industrial use and consists of an unplanned mix of land uses, including vacant and underutilized industrial properties and non-conforming residential uses.

The County of San Bernardino is proposing the use of redevelopment to help address the problems of the area. The purpose of redevelopment is to create a public/private partnership to eliminate blight and bring economic vitality to the area. Market forces on their own have not been able to reverse the decline of the Project Area, and other governmental attempts, such as the unsuccessful application for an Enterprise Zone designation, have proven ineffective or infeasible to provide the necessary powers to improve conditions. The primary objectives of the proposed Redevelopment Plan are to alleviate the area's inadequacies, thereby encouraging new businesses to locate in the area and preventing further decline of this established heavy industrial area.

The bulk of the public improvements proposed in the Redevelopment Plan are specifically geared toward lessening the adverse environmental conditions which presently exist in the Project as a result of the current

blighted conditions. As such, much of the proposed Redevelopment Plan is properly seen as a program of mitigation of adverse environmental effects. A certain number of potential additional impacts are also anticipated over the effective 30-year life the Redevelopment Plan and have been identified and analyzed in the EIR prepared for the Project. Mitigation measures have been proposed to reduce or avoid potentially significant adverse impacts of the Project. Nevertheless, certain adverse environmental impacts cannot be reduced to a less-than-significant level, even with the implementation of the proposed redevelopment program and the application of proposed mitigation measures, and active redevelopment over the life of the Project may incrementally add to cumulative adverse effects caused by increases in the level of development in the Project Area.

II. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

A Notice of Preparation ("NOP") for the Project was issued on June 26, 1995. The NOP included the Initial Study prepared for the Project and was sent to 62 organizations and agencies. The NOP was also published in the San Bernardino Sun on June 27, 1995. Responses to the NOP were received from 16 entities. The Draft EIR was issued in September, 1995. Copies of the Draft EIR were sent to the organizations and agencies which responded to the NOP as well as 34 additional agencies, including the State Clearinghouse, and were also available to the general public through the County Planning Department, the Fontana Branch Library, and the Norman Feldheym Public Library. Notice of Availability of the Draft EIR was published in the San Bernardino Sun and the Dailey Bulletin on September 15, 1995. A duly noticed public hearing on the Draft EIR was held by the Redevelopment Agency on October 17, 1995. The comment period for the Draft EIR ended on October 30, 1995. Comments were received from a total of eight agencies. These comments and responses thereto have been incorporated into the Final EIR and have been considered by the Board.

III. CUSTODIAN AND LOCATION OF RECORD

The custodian of all documents and other materials which constitute the record of proceedings for the County's approval of this project is the Redevelopment Agency of the County of San Bernardino. The Agency is located at 385 North Arrowhead Avenue, Fourth Floor, San Bernardino, CA, 92415-0182.

IV. ENVIRONMENTAL IMPACTS

County and Agency reports, the EIR, written and oral testimony at public hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record serve as the basis for the County's environmental determination. The detailed analysis of potential environmental impacts and proposed mitigation measures are presented in Chapter 3.0 of the EIR. Discussions of unavoidable significant adverse impacts, significant irreversible environmental changes, and cumulative impacts are included in

Chapter 4.0 of the EIR. The growth-inducing effects of the Project are discussed in Chapter 5.0 of the EIR and Project alternatives are evaluated in Chapter 6.0.

Presented below are the discussions which explain each of the environmental findings made by the Board after review of the EIR and the other documents referenced above, including comments presented at public meetings, hearings, and workshops during the decision-making process. Factual discussion in this document summarizes information contained in the EIR and the administrative record.

The EIR prepared for the San Sevaine Redevelopment Project evaluated eight major environmental categories for potentially significant impacts and 30 individual environmental issues. Both project and cumulative impacts were evaluated. The Board concurs with the conclusions of the EIR regarding potential impacts which were considered less than significant, potentially significant, and significant and unavoidable. For those impacts which cannot be mitigated to below a level of significance, overriding considerations exist which make impacts acceptable, as set forth below.

In addition to the major environmental categories addressed in the EIR, nine other major categories were found to be less than significant in the Initial Study prepared for the Project. The Board concurs with conclusions on these categories as outlined in the Initial Study (Appendix A of the EIR).

Each of the less than significant effects discussed in the EIR are described below, followed by descriptions of potentially significant, but mitigable, impacts of the Project, and significant and unavoidable impacts.

A. IMPACTS IDENTIFIED AS LESS THAN SIGNIFICANT

The following discussion explains the reasons why, in certain respects, the Project will not result in significant environmental effects.

1. LAND USE

Existing uses are likely to be displaced by new development through redevelopment activities. Redevelopment activities will likely result in the replacement of some existing uses with new development. In implementing the Redevelopment Plan, the Redevelopment Agency may choose to acquire property in the Project Area for the purpose of assembling a new development site, resulting in the displacement of existing uses on the property (if any). Alternately, some existing uses may be displaced by new development without the direct involvement of the Redevelopment Agency due to

the synergistic effect caused by the existence of the Redevelopment Project and the revitalization of the Project Area. However caused, land use changes in the Project Area are not considered adverse impacts because all such changes will be required to conform to the land use policies of the General Plan and the regulations of the County Development Code. Any existing, nonconforming uses which are displaced would be replaced with new uses in conformance with the Official Land Use Districts of the General Plan. New land uses would also need to conform to the current development standards, whereas most existing development which might be replaced probably does not meet current standards. As a result, displacement of existing uses with new development should result in a general improvement in land use compatibility and development quality by helping bring properties in the area up to current standards and into conformance with the policies of the General Plan.

Implementation of the Redevelopment Plan could result in changes to the existing land use pattern, including changes in the type and intensity land uses in the Project Area.

The appropriateness of land use changes is basically determined through consistency with the General Plan. The land use policies of the General Plan are designed to promote a logical and orderly pattern of development and minimize land use incompatibilities. Since all future development in the Project Area must be consistent with the County General Plan and meet the requirements of the Development Code, any land use changes occurring as either a direct or indirect result of the Redevelopment Project are considered less than significant. While the form and intensity of future development is expected to differ from existing development, the basic land use pattern in the Project Area will not change substantially.

Successful implementation of the Redevelopment Plan could accelerate the rate of new development in the Project Area.

One of the objectives of the Redevelopment Plan is to encourage private investment in the Project Area that would otherwise not occur without the aid of the Redevelopment Project. In this way, successful implementation of the Redevelopment Plan would result in more development within the Project Area over the life of the Plan than would otherwise be expected. Since this is a basic objective of the Redevelopment Plan which would result in the betterment of the Project Area, its accomplishment is considered beneficial rather than adverse.

2. AIR QUALITY

New industrial development in the Project Area could result in the introduction of new stationary sources of air pollutants.

Implementation of the proposed Project could engender the new industrial development. Although the exact nature and location of future industrial land uses are not known at this time, industrial development could introduce new stationary sources of air emissions into the Project Area. New stationary emission sources will need to receive Permits to Operate from the SCAQMD. Through the SCAQMD's permitting process, factors such as the availability of emission offsets and their ability to reduce emissions are addressed. Emissions from new, modified or relocated stationary source equipment are regulated extensively through SCAQMD's Regulation XIII: New Source Review Program, SCAQMD's Permitting Program, and Compliance with SCAQMD's source-specific regulations. Types of uses requiring perm. ing include: chemical plants, electronics, small printing and coating businesses, mechanical processing, refinery operations, printing operations, furniture, dry cleaners, plastics manufacturing, and a variety of other manufacturing, fabricating, and processing businesses. Because any new emission sources must conform to the SCAQMD procedures and policies, any impacts will be less than significant.

Future development in the Project Area would contribute to increased CO concentrations at intersections.

Growth associated with the proposed Project would probably result in CO concentrations increasing above levels that would occur in the future without the Project. None of the intersections analyzed would result in exceedances of the federal or state one-hour or eight-hour standards. In fact, CO concentrations for the Future Plus Project scenario were calculated to be lower than existing concentrations for all intersections. The reductions in emissions are primarily due to anticipated advancements in technology over the next 15 years, rather than from a decrease in traffic levels or traffic congestion. The reductions in emissions can also be attributed to an anticipated reduction in the background CO levels due to the implementation of various regional air pollution control measures. However, because CO concentrations even with the Project would not exceed state or federal standards, this impact is considered to be less than significant.

New businesses locating in the Project Area could include additional sources of air toxic emissions, potentially increasing exposure of residents and employees to air toxics.

New development that occurs in the Project Area could include industrial uses which are potential sources of air toxic emissions. Additional sources of air toxic emissions in the study area would contribute to risk of human exposure to toxic substances. Human exposure to toxic air emissions can have potential health effects depending on a variety of factors, including the nature and concentration of the toxic substance and the degree of exposure. As with other toxic substances, people who face the greatest potential for exposure to toxic air emissions are those who reside or work in close proximity to emission sources. Due to the chronic and acute health effects of many air toxics, any accidental release of these emissions should be considered a potential hazard. The SCAQMD works with the CARB and is responsible for developing and implementing rules and regulations regarding air toxics on a local level. The SCAQMD establishes permitting requirements, inspects emission sources, and enforces measures through educational programs and/or fines. Existing regulations, permitting requirements, and inspections by the SCAQMD are generally adequate to reduce this impact to a level of less than significant.

3. NOISE

New development in the Project Area will contribute to future incremental increases in traffic noise.

Development of the San Sevaine Redevelopment Project would result in minor noise level increases along ten of the fourteen roadways analyzed. These increases would consist of eight roadways with a one dBA increase, one roadway with a two dBA increase, and one roadway with a three dBA increase. None of the fourteen analyzed roadways would result in significant noise levels which would exceed San Bernardino County, City of Fontana, or City of Rancho Cucamonga standards and, therefore, this impact is less than significant.

4. UTILITIES/INFRASTRUCTURE

Anticipated future development in the Project Area would result in the daily consumption of 211,820 kilowatt-hours of electricity.

Anticipated future development in the Project Area would result in an estimated combined daily consumption of 211,820 kilowatt-hours of electricity. In addition to this daily electrical consumption, electricity would be consumed during race events at the California Speedway three to six weekends per year. According to the California Speedway EIR, daily peak demand during a race event would be about 1,500 kilovolt-ampere. SCE has indicated that they have adequate capacity to accommodate

the proposed Project's electrical needs. The Project Area is located in a fully developed region where infrastructure is readily available, even though minor extensions may be needed to serve individual development projects. Therefore, it is anticipated that development can be served through routine extension of facilities.

Anticipated future development in the Project Area would result in the daily consumption of 1,074,455 cubic feet of natural gas.

Anticipated future development in the Project Area would result in an estimated combined daily consumption of 1,074,455 cubic feet of natural gas. Natural gas consumption during race events at the California Speedway is not anticipated; however, some minor natural gas usage may occur depending upon the final design of the facilities. The Gas Company has indicated that they have adequate capacity to accommodate the proposed Project's natural gas needs. The Project Area is located in a fully developed region where infrastructure is readily available, even though minor extensions may be needed to serve individual development projects. Therefore, it is anticipated that development can be served through routine extension of facilities.

Anticipated future development in the Project Area would result in the daily demand for 1,118,700 gallons of water.

Anticipated future development in the Project Area would result in an estimated combined daily consumption of 1,118,700 gallons of water. In addition to the daily water usage described above, water would be consumed during race events at the California Speedway. According to the California Speedway EIR, about 810,000 gallons of water would be used at the Speedway during a typical race weekend. Race events would be held at the Speedway three to six weekends per year. The Fontana Water Company, which currently serves customers within the Project Area, has indicated that they have existing water system facilities of sufficient size and capacity from which service may be extended to provide water utility service to additional customers within the Project Area.

5. PUBLIC SERVICES

Anticipated future development in the Project Area over the 30-year effective life of the Redevelopment Plan would result in a negligible increase in demand for library services.

Although increased demand for library services is projected for the County of San Bernardino, including for the Fontana Branch Library (which is the closest library to the project site), it is not anticipated that the proposed project would increase demand beyond that already projected for the

County Library system. The project consists entirely of industrial uses which would be developed over a 30-year period. Increase in demand for library services is associated primarily with the construction of residential uses in which an increase in the number of residences contributes directly to increases in the community's population and subsequent additional demand for educational services, including schools and libraries. Residential development has been increasing significantly without the Project. One of the objectives of the Project, however, is to increase jobs for existing residents, thereby helping to remedy the current imbalance between jobs and housing. While there may be some indirect increase in the local population due to new employment opportunities generated by the project, these increases would not be significant in terms of direct increases in demand for library services.

Anticipated future development in the Project Area over the 30-year effective life of the Redevelopment Plan would result in a negligible increase in demand for parks and recreation services.

The County of San Bernardino has projected increased demands for use of its local park facilities and community recreation areas. This increase in demand is due primarily to direct increases in the population of the County. To offset this increase in demand for park services, the County has undertaken an aggressive approach to park planning which includes more intense utilization of existing local parks, establishment of more community park and regional park facilities, and expanding access and use of the County's large undeveloped scenic foothill and mountain areas. It is not anticipated that the proposed Project will increase demand for park and recreational facilities beyond that already projected by the County. Similar to libraries, an increase in park and recreation services is associated primarily with the construction of residential uses in which an increase in the number of residences contributes directly to increases in the community's population and subsequently creates additional demand for park space and recreational facilities. In recognition of this fact, the County regularly collects Quimby Act park fees from residential developers to offset the costs of providing additional park and recreation facilities. In addition, developers of residential subdivisions often are required to dedicate significant portions of their properties for future park areas and public open space. Because the proposed Project is primarily industrial in nature, it effect on parks and recreation facilities is considered less than significant.

6. HAZARDOUS MATERIALS

The introduction of new businesses in the Project Area could result in an increased risk of upset associated with the use, generation, and transport of hazardous substances.

New industrial development in the Project Area would likely result in an increase in the use and transport of hazardous substances and an increase in the generation of hazardous waste. The consequence of this increased presence of hazardous substances in the Project Area is an increase in the potential for human exposure to these substances, with possible public health and safety consequences. One of the means through which human exposure to hazardous substances could occur is through accidental release. An accidental release of a hazardous substance into the environment can cause contamination of soil, surface water, and groundwater, in addition to any toxic fumes which might be generated. If not cleaned up immediately and completely, the some hazardous substances can migrate into the soil or enter a local stream or channel causing contamination of soil and water. Human exposure to contaminated soil or water can have potential health effects depending on a variety of factors, including the nature of the contaminant and the degree of exposure. While the risk of exposure to hazardous substances cannot be eliminated, measures can be implemented to maintain risks to acceptable levels. As described in the EIR, there are several federal, state and local regulatory agencies that oversee hazardous substances handling and management, disposal and remediation and extensive regulatory controls, including federal, state and local laws and ordinances, that pertain to hazardous substances. Oversight by the appropriate agencies and compliance with applicable regulations are considered adequate to off-set potential significant impacts related to the use and transport of hazardous substances in the Project Area. In addition, redevelopment activities, including the rehabilitation of inadequate or obsolete structures can help to reduce the risk of upset or accidential release.

B. FINDINGS REGARDING IMPACTS DETERMINED TO BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

The following discussion explains the reasons why certain changes or alterations which have been required in, or incorporated into, the Project will avoid or substantially lessen certain significant effects of the Project.

1. NOISE

New industrial land uses introduced into Project Area could result in increased noise from industrial operations.

Implementation of the Redevelopment Plan would result in the development of a substantial amount of new industrial floor area. Although the exact nature and location of the future industrial land uses are not known, significant noise levels could be produced if proposed industrial noise sources are adjacent or near existing residential, or existing or planned commercial areas. Future industrial land uses could produce operational noise from external combustion sources, solid waste incineration, stationary internal combustion sources, surface coating operations, chemical operations, food and agricultural operations, metallurgical industry operations, mineral processing, petroleum industry, and wood products activities. Noisy activities such as rock crushing and grinding or glass recycling could be located near sensitive areas. Because the hours of operation and the type of industrial operations are not known at this time, these noise levels could occur at any time of the day.

The following mitigation measure was identified in the EIR and is incorporated into the Project:

(a) *New industrial operations in the Project Area shall reduce noise levels on adjacent and nearby residential and commercial areas to below County of San Bernardino significance levels. New industrial uses with the potential to generate significant noise shall submit noise reports to the County Planning Department analyzing operational noise levels.*

By requiring new operations to comply with County noise levels, this impact will be mitigated to a level that is less than significant.

2. PUBLIC SERVICES

Anticipated future development in the Project Area would result in an increased demand for law enforcement services, including additional Sheriff's Department officers and related capital facilities.

Although the Sheriff's Department has expressed no specific concerns regarding the proposed project, projected development over effective 30-year life of the Project will create additional incremental demand for law enforcement services. This demand will consist primarily of response to calls from businesses and investigation of reported crimes within the Project Area. The provision of adequate law enforcement services is addressed through policies contained in the County's General Plan including: 1) the periodic evaluation of service areas to determine if boundary adjustments could improve service delivery and efficiency, 2) the routine checking of major development projects by the Sheriff's Department to identify and implement physical changes to plans which will deter crime

and improve emergency vehicle access, and 3) updating of agreements with mutual aid providers to expand the services reach of the Department. Some benefits to law enforcement may result from the proposed Project. For instance, implementation of the Redevelopment Plan is expected to result in an upgrade to existing properties in the area, possibly reducing incidences of crime associated with vacant or abandoned properties.

The following mitigation measures were identified in the EIR and are incorporated into the Project:

(a) *The need for additional Sheriff's Department services shall be monitored as growth occurs within the Project Area, and the need for increased Sheriff's Department personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.*

(b) *All development projects within the Project Area shall be subject to review by the Sheriff's Department for conformance with site development standards which serve to deter crime and improve circulation and access for emergency vehicles.*

(c) *The following measures shall be incorporated into the design of new industrial and commercial developments, as appropriate:*

- *Parking areas should be illuminated and should be visible from the street if otherwise unsecured.*
- *Building entry areas should be illuminated and other security lighting should be used, as appropriate.*
- *Security fences and gates should be installed, as appropriate.*
- *Building entries should be visible from the street, where possible.*
- *Landscaping should be planned so that it does not screen views of buildings or parking areas from the street, or block security lighting.*

-- *The site should be planned so that parking and other unsecured areas are accessible to police during patrols of the area.*

Compliance with these mitigation measures will minimize the demand for additional services and reduce this impact to a less-than-significant level.

Anticipated future development in the Project Area would result in an increased demand for fire protection and emergency services, eventually requiring additional personnel and support facilities.

Fire protection services and the need for additional personnel, equipment and facilities would increase as development occurs within the Project Area. The Uniform Fire Code establishes requirements for site and building design that improve fire safety as well as the District's ability to provide fire protection services within the County. The County's General Plan Update also contains policies requiring the preparation and monitoring of a Fire Protection Master Plan, continued exploration of potential revenue sources including the creation of special tax districts, and leveling a public facilities fee on new construction. In addition, it is an objective of the Redevelopment Plan to facilitate the construction of infrastructure improvements needed to address existing deficiencies in the Project Area, possibly including the construction of water mains, improved roadways and access points, and other public improvements. Through upgrades to deteriorated and abandoned properties in the Project Area, various existing fire hazards may be ameliorated by the proposed Project. These improvements could result in improved fire safety for the Project Area and surrounding areas.

The following mitigation measures were identified in the EIR and are incorporated into the Project:

(a) *The need for additional fire protection and emergency services shall be monitored as growth occurs within the Project Area, and the need for increased fire protection personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.*

(b) *All development projects within the Project Area shall be subject to review by San Bernardino County Fire Department for conformance with Uniform Fire Code requirements, the County's Fire Protection Master Plan, and for the provision of adequate emergency vehicle access and circulation.*

Compliance with these mitigation measures will minimize the need for additional demand and will reduce this impact to a less-than-significant level.

Future development in the proposed Project Area could indirectly result in local population increases, potentially resulting in an increase in the number of school children attending local schools and contributing to the need for an expansion of school facilities.

New industrial development within the Project Area could result in a substantial increase in employment in the Project Area, possibly resulting in as many as 8,000 new employees based on a typical ratio of one employee for every 630 square feet of industrial floor area. Local increases in employment associated with future development in the Project Area could lead to future increases in local population size, if employees of new businesses in the Project Area seek housing in the local area. There has already been a substantial increase in residential development within the County, creating an imbalance between housing and jobs. One of the objectives of the Project is to increase jobs for existing residents, helping to remedy this imbalance. There are many variables which make it almost impossible to predict the Project's ultimate effect on local population size (such as the amount of new development which actually occurs in the Project Area, the type of businesses which are established in the Project Area, and whether the local labor force meets the skill requirements of new businesses). Increases in the size of the local population would result in an increase in the number of school-age children in the area and, therefore, and would cause an increase in the number of students which would attend local schools. An expansion of school facilities could be needed to accommodate the future growth anticipated in the region surrounding the Project Area, as well as any increases in student population indirectly related to the new industrial development in the Project Area.

The four school districts which serve the Project Area and surrounding vicinity currently collect fees from new industrial projects to help offset the cost of new school facilities. School facility fees also are collected from new residential development projects. In addition, the school districts can continue to rely on other "dedicated" sources of revenue including State subvention funds and general obligation bond funds. Even with these combined revenue sources, there is no guarantee that the local school districts would have adequate funds to build the various school facilities needed to accommodate future increases in student population. As a result, increases in local population (and corresponding increases in school children) which may be related to increased development in the Project Area could contribute to the need to construct new school facilities.

The following mitigation measures have been identified in the EIR to mitigate this impact:

(a) *The Redevelopment Agency shall work cooperatively with the local school districts to assist in the provision of adequate school facilities that benefit the Project Area, as such facilities may be needed as a result of Project activities.*

(b) *The County and the Agency shall include the affected school districts in the review of proposed development projects within the Project Area in an effort to help ensure that adequate school facilities are available to serve anticipated needs.*

In addition, incorporated into the Project by state law is a mandatory tax-sharing process through which school districts in the Project Area receive specified portions of tax increment generated by the Project. Combined with the mitigation measures identified above, any impact on school services that might result from the Project will be mitigated to a level of less than significant.

3. CULTURAL/PALEONTOLOGICAL RESOURCES

Future development in the Project Area has the potential to disturb, alter or destroy archaeological, prehistoric, and historic cultural resources within the Project Area.
With the exception of portions of the Kaiser Steel Plant, the archaeological sites identified within the San Sevaine Redevelopment Project Area have not been evaluated for significance using California Register, or CEQA, Appendix K criteria. According to CEQA, impacts to archaeological sites are deemed significant impacts to the environment if the site is found to be important under the established criteria. Since this phase of cultural resource work (CEQA, Phase II), has not been completed for most of these sites and features, any project related disturbance within the identified resource areas is considered to be a potentially significant impact. The Kaiser Steel Plant also requires additional consideration. There may be portions or features of the plant that retain integrity and may be significant contributing elements to the Kaiser Steel Plant site. Portions of the site that have not been previously evaluated will still need to be assessed prior to any project-related disturbances in the site area.

A complete inventory (i.e., a surface survey) for cultural resources has not been completed for the entire 2,806-acre San Sevaine Redevelopment Project Area. The records and archival research conducted for inclusion in the EIR indicates that the area has a relatively low to moderate potential

for buried prehistoric resources and a high potential for historic resources. If the Redevelopment Agency is involved in projects which would result in the demolition or alteration of buildings and other structures which are over 45 years of age, or in subsurface ground disturbance, and/or new construction, a plan for identifying potential impacts to cultural resources should be implemented. The mitigation measures listed below are recommended as part of the cultural resources management plan.

The following mitigation measures have been identified in the EIR to mitigate potential impacts to identified archaeological resources:

(a) *Prior to initiation of any construction/demolition in areas where archaeological sites have been identified, a professional archaeologist or historian shall be retained to assess potential impacts and evaluate the site in question for its eligibili, .o be included in the California Register of Historical Resources.*

(b) *Portions of the Kaiser Steel Plant which have not been subject to a formal evaluation shall be field surveyed and evaluated for significance by a professional historian or archaeologist prior to any demolition or construction activities within the former plant boundaries.*

The following mitigation measures have been identified in the EIR to mitigate potential impacts to prehistoric and historic cultural resources which may exist in the Project Area:

(a) *For areas that have not been subject to an adequate cultural resources survey, and prior to demolition of any building over 45 years of age, a field inventory will be conducted by a professional archaeologist or historian to determine the presence or absence of significant cultural resources.*

(b) *If evidence of subsurface prehistoric or historic archaeological resources is found during construction, excavation in the vicinity of the find shall cease and a professional archaeologist shall evaluate findings in accordance with standard practice and applicable regulations.*

(c) *If human remains are discovered during any activities that involve subsurface ground disturbance, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie human remains until:*

(1) *the San Bernardino County Coroner has been informed and has determined that no investigation of the cause of death is required, and*

(2) *if the remains are of Native American origin, the Native American Heritage Commission is contacted within 24 hours of the discovery, and the descendants from the deceased Native Americans have made a recommendation to the landowner or the project proponent, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98.*

By following these procedures for identifying, evaluating and taking any further steps required by applicable policies and programs, impacts to cultural resources as may occur will be reduced to a less-than-significant level.

Redevelopment Agency projects undertaken as part of the proposed Redevelopment Plan have the potential to destroy significant paleontological resources.

As indicated in the Paleontological Records Search conducted by the San Bernardino County Museum, Earth Sciences Department, significant Pleistocene vertebrate fossils have been found in the project vicinity in areas underlain by the same sediments found under the Project Area.

The following mitigation measures have been identified in the EIR to mitigate this impact:

(a) *Prior to the approval of any grading plans associated with Redevelopment Agency activities, a qualified paleontologist shall undertake an assessment of the potential for encountering paleontological resources. Although the results of this assessment may indicate that the site has a low probability for encountering paleontological resources, conclusions may suggest that further monitoring and mitigation is required to avoid impacts associated with excavation for building foundations and infrastructure improvements.*

(b) *If it is determined that further monitoring or mitigation is required, it shall be conducted in accordance with a Paleontological Resource Mitigation Program as described by the San Bernardino County Museum, Earth Sciences Department.*

By following these procedures for identifying, evaluating and taking any further steps required by applicable policies and programs, impacts to paleontological resources as may occur will be reduced to a less-than-significant level.

4. HAZARDOUS MATERIALS

Grading and excavation activities associated with new development within the Project Area may result in the uncovering of previously unidentified hazardous waste sites.
As discussed in the EIR, several areas of contamination have been identified in the Project Area. Given the industrial nature of the Project Area and sites of known contamination from past industrial activities, the potential exists for the discovery of additional, previously unidentified areas of contamination as redevelopment of properties occurs in the future.

According to the Redevelopment Plan, one of the goals of the proposed Project is to facilitate remediation of areas of contamination within the Project Area. Goal number 14 of the Redevelopment Plan reads as follows: "The encouragement and facilitation of remediation by responsible parties of properties contaminated with hazardous substances." The Redevelopment Plan provides the Agency with the ability to facilitate remediation through coordination with other responsible agencies.

Even with implementation of the Redevelopment Plan, the potential still exists for the unexpected discovery of areas of contamination. In the event such wastes are uncovered, it may threaten the health of workers if appropriate procedures are not in place and known to construction workers and supervisors.

The following mitigation measure have been identified in the EIR to mitigate this impact:

(a) *Where the Redevelopment Agency is directly involved in the development or redevelopment of properties located within the Project Area, a Phase I investigation shall be conducted prior to construction to investigate the potential for the existence of site contamination.*

Where contamination is suspected or discovered, appropriate Phase II and Phase III remediation shall be performed as required by federal, State, and County regulations.

Encouraging the remediation of contaminated properties is an objective of the Project and will promote elimination of blighting conditions. By requiring an investigation as to the condition of any site with which the Agency may be involved prior to development or redevelopment, possible areas of contamination can be identified and appropriate procedures put in place early on to protect health, minimize further contamination and promote efficient remediation, thereby reducing any impacts to a level of less than significant.

C. IMPACTS DETERMINED TO BE SIGNIFICANT AND UNAVOIDABLE

This section discusses the reasons why certain Project impacts analyzed within the EIR are considered significant and cannot be mitigated to a less-than-significant level even with the imposition of mitigation measures. The mitigation measures listed below will substantially lessen these impacts; however, these impacts will not be reduced to below a level of significance.

1. TRAFFIC AND CIRCULATION

Traffic generated by anticipated future development in the Project Area would result in 13 intersections operating at Levels of Service F under future conditions, and five additional intersections would operate at Level of Service E.

As indicated in the EIR, 13 intersections in the study area would operate at unacceptable LOS F conditions, while five additional intersections would operate at LOS E (the minimum LOS acceptable by the CMP guidelines). All of the other intersections analyzed would operate at LOS D or better, which is an acceptable condition for urban intersections.

In order to improve operating conditions at the intersections which would be significantly affected by future Project traffic, various improvements would be needed at each intersection. Intersection improvements will need to be constructed as future development occurs and creates the need for improvements by increasing traffic on the roadway system. Consistent with the "fair share" concept and current County practice, individual development projects in the future will be required to pay their share of the costs of needed intersection improvements.

The Redevelopment Agency plans to facilitate the construction of various roadway improvements in the Project Area. Through the adoption of the Redevelopment Plan, the Redevelopment Agency would be authorized to construct, or cause to be constructed, public improvements necessary to implement the Redevelopment Plan, including street improvements. Attached to the Redevelopment Plan is a list of public improvements and facilities (including street improvements) which the Agency proposes to construct or help construct in the Project Area, subject to future need and the availability of funds.

The mitigation measures list below are proposed to address the impacts of future Project traffic on area intersections:

(a) *Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the intersection improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed intersection improvements; however, the Agency may assist developers in providing these improvements at its discretion.*

(b) *The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary intersection improvements to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the intersection improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.*

Because it is not possible to ensure that needed improvements will be in place when needed (concurrent or preceding the onset of the traffic impact), this impact is considered to remain significant even with the application of these mitigation measures. Future development projects will be required to make a fair share contribution toward needed improvements, but that will not ensure that adequate funding will be available to construct the improvements at the time development occurs.

Projected future traffic volumes would cause segments of two CMP network streets to operate below Level of Service C.

According to CMP Guidelines, a four-lane roadway can typically carry no more than 30,000 vehicles daily and still maintain a Level of Service C. Citrus Avenue, an existing four-lane roadway, is expected to carry 34,300 total vehicles daily, including Project traffic of 1,240 vehicles. Cherry Avenue, also an existing four-lane roadway, is projected to carry between 32,700 and 41,430 vehicles daily with Project traffic. Therefore, segments of both Citrus Avenue and Cherry Avenue would need to be widened in the future to maintain LOS C.

In order to improve operating conditions along the roadways which would be significantly affected by future Project traffic, roadway widening would be needed. The Redevelopment Agency plans to facilitate the construction of various roadway improvements in the Project Area. Through the adoption of the Redevelopment Plan, the Redevelopment Agency would be authorized to construct, or cause to be constructed, public improvements necessary to implement the Redevelopment Plan, including street improvements. Attached to the Redevelopment Plan is a list of public improvements and facilities (including street improvements) which the Agency proposes to construct or help construct in the Project Area, subject to future need and the availability of funds.

The mitigation measures listed below are proposed to address the impacts of future Project traffic on CMP network streets.

(a) *Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the roadway improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed roadway improvements; however, the Agency may assist developers in providing these improvements at its discretion.*

(b) *The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary roadway widenings to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the roadway improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.*

Because it is not possible to ensure that needed improvements will be in place when needed (concurrent or preceding the onset of the traffic impact), this impact is considered to remain

significant even with the application of these mitigation measures. Future development projects will be required to make a fair share contribution toward needed improvements, but that will not ensure that adequate funding will be available to construct the improvements at the time development occurs.

Under future conditions, freeway segments along Interstate 10 would operate at Level of Service F in the peak direction, either with or without the Project.

As indicated in the EIR, each of the four freeway links analyzed along Interstate 10 (from Etiwanda Avenue to Cedar Avenue) will operate at LOS F in the peak direction in 2010, either with or without the Project. The Project's contribution to the traffic volumes in the peak direction will range from 1.8% to 5.7% of the total peak hour volumes. Even without the Project's contribution to the peak hour freeway volumes, each of freeway segments along Interstate 10 between Etiwanda and Cedar Avenues would operate at LOS F in 2010, based on current projections.

The Project would not be responsible for freeway segments operating at LOS F in the future; however, Project traffic would contribute additional traffic to these segments. There are currently no funds available for freeway construction along this section of I-10. Funds are currently available for the construction of high-occupancy vehicle (HOV) lanes on I-10 west of I-15. As noted in the Traffic Impact Study, due to the high cost for constructing HOV lanes on I-10 east of I-15, a fair share contribution to the construction of HOV lanes would only provide a small fraction of the total funds needed for this type of improvement. Therefore, suggested alternative mitigation would be the construction of a park-and-ride facility to serve the area. Such a park-and-ride facility could possibly be established on the site of the planned California Speedway.

(a) *Future development projects in the Project Area shall contribute a fair share to the construction of a park-and-ride facility to serve the Project Area. The fair share contributions shall be determined through the preparation of traffic impact analyses for future development projects.*

(b) *The Agency shall work cooperatively with CalTrans, SANBAG, and the County to facilitate the construction of a park-and-ride facility to serve the Project Area.*

Even with application of the above mitigation measures, this impact remains significant because of non-Project growth.

2. AIR QUALITY

New development occurring in the Project Area would cause temporary increases in PM_{10} (fugitive dust), ROC, NO_x, and CO emissions as a result of construction-related activities. Construction activities associated with new development occurring in the Project Area would temporarily increase localized PM_{10}, ROC, NO_x and CO concentrations in the Project vicinity. The primary source of construction-related ROC and NO_x emissions are gasoline and diesel-powered heavy duty mobile construction equipment such as scrapers and motor graders. Primary sources of PM_{10} emissions would be clearing activities, excavation and grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed earth surfaces. Emissions generated from construction activities would probably cause temporary increases in pollutant concentrations which could lead to violations of the federal and state maximum concentration standards. The frequency and concentrations of such violations would depend on several factors including the soil composition on the site, the amount of soil disturbed, wind speed, the number and type of machinery used, the construction schedule, and the proximity of other construction and demolition projects.

Given all of these variables, it is not possible to make an accurate quantitative estimation of the pollutant concentrations that could occur over the life of the proposed Project. In order to minimize this impact as much as possible, the following mitigation measure has been incorporated into the Project:

(a) *Detailed project-specific analysis demonstrating compliance with regional air quality regulations will be required on a project-by-project basis as new development occurs in the Project Area. Development projects determined to have construction-related emissions which exceed SCAQMD significance thresholds will be required to develop appropriate mitigation measures.*

Although compliance with SCAQMD regulations and AQMD control measures would reduce air quality impacts due to construction, past experience with construction projects indicates that compliance would not ensure that emissions from the construction of individual projects would be below significance thresholds.

Future development in the Project Area would result in increased regional air pollutant emissions.

Project development would result in regional air pollutant emissions. These emissions would be produced by vehicles traveling to and from the Project Area, and electricity usage and natural gas usage by land uses within the Project Area. Emissions from motor vehicle operation are anticipated to represent the greatest long-term air quality impact associated with the development. Commercial and industrial electrical usage would result in a small amount of additional emissions. These emissions are produced indirectly through increased electrical usage by air conditioners, electrical space heating, lighting and electrical appliances. Natural gas usage would also result in air pollutant emissions. Emissions are produced directly with the burning of natural gas by water heaters, space heating and gas appliances. Total emissions produced by all three quantitative sources is 5493.6 lbs/day of CO, 520.8 lbs/day of ROG, 1589.4 lbs/day of NO_x, and 103.0 lbs/day of PM_{10} emissions. Vehicle emissions would result in approximately 87 to 99 percent of all regional project emissions. Emissions of CO, ROG, and NO_x would exceed SCAQMD standards.

The impact of vehicular emissions generated by Project traffic is offset to a large degree by the Project's contribution to remedying the current imbalance of jobs and housing in the San Bernardino subregion. By helping to create jobs in this housing-rich subregion, the Project will help achieve a balance between local jobs and housing which will produce various regional benefits, including a reduction in miles traveled by commuters in reaching their jobs which, in turn, reduces air pollutant emissions, traffic congestion, and energy consumption. In addition, the following mitigation measures have been incorporated into the Project:

(a) *The Agency shall work with the County and employers in the Project Area to establish a trip reduction program. The goal of the program shall be reduce traffic congestion and vehicular air pollutant emissions by reducing the total number of vehicle trips generated from land uses within the Project Area through increased average vehicle ridership and increased transit ridership.*

(b) *The Agency shall work with SANBAG to promote mass transit programs, including the possible establishment of a Metrolink station and increased bus service in the area. Carpooling, and other traffic-reducing measures among businesses in the Project Area should also be encouraged.*

Although improving the balance between jobs and housing, and encouraging programs which promote mass transit and decrease trip generation, will significantly reduce Project-related emissions, these mitigation measures cannot guarantee that the Project-related impacts will be reduced to a level of less than significant.

3. NOISE

Future development in the Project Area would cause temporary, localized increases in noise levels during periods of construction.

Implementation of the Redevelopment Plan would result in short-term noise from construction activities. Earthmoving, materials handling, stationary and impact equipment would generate noise during demolition, clearing, excavation, grading, general building, and pipeline phases normally associated with the construction of the regional industrial, community industrial, and commercial areas. Construction worker commute vehicles would also produce traffic noise. These activities could disturb residential and commercial areas within and adjacent to the Project Area with temporary high noise levels. Since many residential and commercial land uses are within 50 feet of potential construction activities, residential and commercial land uses would be exposed to noise levels above thresholds for significance. The following mitigation measures have been incorporated into the Project to reduce this impact:

(a) *New construction activities in the Project Area shall implement all feasible measures to reduce noise levels on adjacent and nearby residential and commercial areas to below County of San Bernardino significance levels. The following measures shall be required to minimize noise levels, as appropriate:*

1. *Construction contractors shall be required by contract to employ the quietest among alternative equipment or to muffle/control noise from available equipment.*

2. *Construction contractors shall be required by contract to limit noise impacts on residential homes within 200 feet by using temporary noise barriers shields around areas where construction equipment is in use.*

3. *Hours of construction activity shall be limited to reduce adverse impacts on nearby residential properties.*

While these mitigation measures should substantially lessen this impact, the hours of construction are not known at this time and these noise levels could occur at any time of the day, and, therefore, this impact is considered to remain significant.

4. UTILITIES/INFRASTRUCTURE

Wastewater generated by anticipated future development in the Project Area would require the construction of wastewater infrastructure.

Because most of the Project Area does not currently have sewer infrastructure, any development occurring as a result of the proposed Project would require the construction of wastewater facilities. In order for this to occur, the Project Area would need to enter into an agreement for the provision of sewer services with either the CBMWD or the City of Fontana. In order for the Project Area to receive wastewater service from the CBMWD, the Project Area would need to be included in the capacity demand forecast of one of CBMWD's contracting agencies. This provides a mechanism that would allow CBMWD to collect revenues to expand its facilities to serve the Project Area.

If the Project Area were to connect with CBMWD through the City of Fontana, collector lines would need to be built to tie into the City's wastewater supply system. Collector lines would be built along Mulberry Avenue from San Bernardino Avenue to Jurupa Avenue, along San Bernardino Avenue between Cherry Avenue and San Sevaine Channel, along San Sevaine Channel between San Bernardino Avenue and Whittram Avenue, along Cherry Avenue between San Bernardino Avenue and Arrow Route, and along Whittram Avenue between San Sevaine Channel and Calabash Avenue. The Whittram, Cherry, San Sevaine, and San Bernardino lines would outlet into the Mulberry line which would release flows into the CBMWD Fontana Interceptor relief sewer.

Included in the public improvements listed appended to the Redevelopment Plan are numerous improvements to local wastewater collection facilities which the Redevelopment Agency plans to undertake as part of the implementation of the proposed Project. In addition, individual development projects within the Project Area will be required to construct a fair share of the improvements needed to serve the development. The following mitigation measures have been incorporated into the Project to address this impact:

(a) *The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of sewer infrastructure to serve the needs of the area.*

(b) *The Agency shall coordinate with Chino Basin Municipal Water District and the City of Fontana to investigate ways to provide sewer service to the area.*

(c) *All development projects within the Project Area must be connected to a sewer system when adequate treatment capacity is available and necessary sewer lines are in place.*

(d) *All future development which utilizes on-site sewage disposal shall construct septic systems in a manner which facilitates future connection to a public sewer system.*

While these measures will reduce impacts, until wastewater collection systems are in place and adequate treatment capacity is available to serve future development in the Project Area, this impact is considered to remain significant.

Implementation of the proposed Project could induce increased development which would generate solid waste requiring disposal.

Anticipated future development in the Project Area would generate an estimated combined daily total of 88.46 tons of solid waste. In addition, during a typical race event weekend, approximately 75-100 tons of solid waste would be expected to be generated at the California Speedway. Solid waste generated in the Project Area would be transported to either the Milliken or Mid-Valley landfills. Both these landfills are expected to close in 1999, although an expansion of the Mid-Valley landfill is proposed in order to extend its life.

The following mitigation measures have been incorporated into the Project to reduce the demand for solid waste disposal:

(a) *All development projects within the Project Area facilitated by the Redevelopment Agency must contract with a hauler that provides recycling services, if such is available.*

(b) *The Agency shall encourage the construction of a Materials Recovery Facility in the Project Area.*

Because the landfills serving the Project Area are expected to close in 1999 and the availability of post-1999 facilities has not yet been determined, this impact is considered to remain significant and unavoidable even with the application of mitigation.

Implementation of the proposed Project could induce increased development within the Project Area which would result in the need for improved flood control facilities.

Increased development typically results in increased or altered storm flows, reduced absorption rates, and higher concentration times creating increased runoff potential. As development and redevelopment occur in the Project Area, the percentage of total area covered by impervious surfaces would be expected to increase. Given that the existing flood control facilities serving the Project Area are currently inadequate to convey flows from a 100-year storm event, any increase in runoff from the Project Area would aggravate existing deficiencies. The facilities necessary to provide flood protection to the Project Area and prevent the aggravation of existing flood control deficiencies are outlined in the Upper Etiwanda Creek and San Sevaine Creek Area Drainage Plan, and the City of Fontana and "Sphere of Influence" Master Storm Drainage Plan Study. The former plan addresses regional facilities while the latter plan addresses master storm drain facilities.

The Redevelopment Agency plans to participate in the construction of various flood control facilities to serve the Project Area. These facilities are listed in the public improvements list appended to the Redevelopment Plan. In addition, individual development projects within the Project Area will be required to pay established fees for the construction of flood control improvements. The following mitigation measures have been incorporated into the Project to speed development of the flood control improvements and reduce the impact to this infrastructure:

(a) *The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of flood control infrastructure for the Project Area.*

(b) *The Agency shall coordinate with SBCTFC and the City of Fontana to investigate ways to provide flood control infrastructure for the Project Area.*

While these measures will ultimately reduce the impact to a less-than-significant level, until the necessary flood control improvements are in place to provide adequate protection from potential flooding hazards, this impact is considered to remain significant.

D. ALTERNATIVES TO THE PROJECT

The Agency has considered the Alternatives to the Project identified in the EIR, including the No Project alternative, a Reduced Project Area alternative, and an Enlarged Project Area alternative. Those environmental impacts which cannot be mitigated to a less-than-significant level under the proposed Project would not be avoided or otherwise reduced to a less-than-significant level by the adoption of any Alternative. This section discusses the reasons why the Alternatives to the Project are considered infeasible.

No Project Alternative

The No Project Alternative was considered, as required by the California Environmental Quality Act. Under this alternative, the proposed Redevelopment Plan would not be adopted and the San Sevaine Redevelopment Project would not be established. There would be some development over time, but it would largely be haphazard and at a marginal level. Even though adverse impacts associated with the Project would be avoided through the adoption of this alternative, existing detrimental environmental conditions, including those related to traffic circulation, air quality, construction noise and utilities/infrastructure, would persist within the Project Area. Moreover, the basic objective of the Project, to revitalize the area, could not be accomplished. There would be no redevelopment activities to remedy existing blighted conditions in the Project Area, and there would be little job creation to provide employment opportunities for highly trained workers or to redress the existing jobs/housing imbalance. Furthermore, impacts by such future development in the area as might occur would not be mitigated by some of the activities proposed by the Project. Accordingly, this alternative is infeasible for physical, social and economic reasons.

Reduced Project Area Alternative

The Reduced Project Area alternative that was considered would involve the establishment of a smaller Project Area than currently proposed. This alternative was identified as the environmentally superior alternative because less new development would be engendered by redevelopment, and, as a result, fewer development-related impacts would occur with this

alternative. Nevertheless, while fewer in number or lesser in scope, the unavoidable impacts identified for the Project would still remain, largely due to the existing conditions of the site and the continuing inability to ensure timely or adequate compliance with mitigation measures. Furthermore, the Agency's ability to eliminate blighted conditions, facilitate the construction of needed infrastructure and facilitate the cleanup of contaminated sites within the Project Area would be severely curtailed under this alternative, both in terms of the physical scope of the Project Area and the revenues which could be derived to pay for activities. Accordingly, the benefits of the Project, including benefits which would serve to reduce impacts through the imposition of mitigation measures identified in the EIR would be significantly reduced, and this alternative is infeasible for physical, economic and social reasons.

Enlarged Project Area Alternative

The Enlarged Project Area alternative that was considered would involve the establishment of a Project Area larger than currently proposed. Redevelopment activities would be expanded to cover a larger area and potential benefits accruing from redevelopment could be greater with the enlarged Project Area. This alternative might result in greater benefits for the area, because it could provide the Agency with enhanced ability to ameliorate blighted conditions and physical deficiencies for a wider area. However, this alternative would be also increase the number and/or level of unavoidable impacts, especially in the area of traffic circulation and utilities/infrastructure. Additionally, in order to be included within the Project Area, properties would have to qualify as blighted properties pursuant to the California Community Redevelopment Law. However, these properties were identified as likely to redevelop on their own through private investment efforts and thus would not need Agency assistance. Because there is no assurance that the additional benefits to be incurred under the Enlarged Project Area alternative would counterbalance the increase in impacts that would be engendered, and because there has not been a determination that the properties outside the Project Area but within the scope of this alternative would in fact qualify for redevelopment, this Alternative is infeasible for physical, social, economic and legal reasons.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

The following discussion explains the reasons why specific economic, social or other considerations make infeasible the mitigation measures or project alternatives with respect to each significant environmental effect of the Project which cannot be avoided or substantially lessened.

A. The reasons for selection of the Project Area for redevelopment were as follows:

Physical Conditions

The San Sevaine Redevelopment Project Areas suffers from physical blighting conditions which include deteriorated and dilapidated buildings, buildings which do not meet modern requirements and standards, buildings with faulty or inadequate utilities, buildings of substandard design, incompatible land uses consisting of residential uses adjacent to industrial uses, and a multitude of parcels of irregular form and shape and inadequate size, which are under multiple ownership. Many areas also suffer from inadequate vehicular access, lack of parking, and deteriorated street conditions.

Economic Conditions

Economic conditions contributing to blight in the Project Area include high crime rates, decline in assessed property values, inadequate and outdated infrastructure systems to serve properties which leads to a poor investment climate, the existence of hazardous waste sites, and an excessive number of vacant lots which are indicative of weakened economic conditions. These conditions are further aggravated by the decline of a once-thriving manufacturing/industrial area which no longer provides the community with a fair share of jobs and which represents a serious economic burden to the County.

The proposed Project will respond to these conditions of blight found in the Project Area and attain the purposes of the California Community Redevelopment Law through the mechanism of the proposed Redevelopment Plan to obtain the participation of existing owners and tenants in rehabilitation and in new development; remove or rehabilitate existing deteriorated structures; provide relocation assistance where needed; upgrade the infrastructure systems to meet the needs of existing and planned levels of development; assemble land for new development consistent with community established goals; guide new development at levels compatible with the General Plan and with the social and environmental needs of the area; and provide an adequate and efficient circulation system that serves both local and regional traffic.

B. The Project will address the needs of the community through implementation of the following activities pursuant to the proposed Redevelopment Plan:

(i) eliminating areas suffering from economic dislocation and disuse;

(ii) replanning, redesigning, and redeveloping areas which are stagnant or improperly utilized, and which could not be accomplished by private enterprise acting alone without public participation and assistance;

(iii) protecting and promoting sound development and redevelopment of blighted areas and the general welfare of the citizens of the County by remedying such injurious conditions through the employment of appropriate means;

(iv) installation of new or replacement of existing public improvements, facilities and utilities in areas which are currently inadequately served;

C. The proposed Project will accomplish the goals for redevelopment of the Project Area by:

(i) elimination and prevention of the spread of blight and deterioration; and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, the Redevelopment Plan, and County codes and ordinances.

(ii) encouraging the development of business park, industrial, research and development, and office types of uses in accord with the General Plan, this Redevelopment Plan and County codes and ordinances.

(iii) implementing design and development standards that will enhance the Project Area's image and value and which will result in the replanning, redesign and development of underdeveloped or poorly developed areas that are improperly utilized.

(iv) encouraging the participation of property owners and businesses in the redevelopment of the Project Area by providing assistance in the rehabilitation and expansion of existing businesses;

(v) eliminating or ameliorating infrastructure deficiencies , including substandard vehicular circulation systems; inadequate water, sewer, storm drainage, and regional flood control systems; and other similar public improvements, facilities and utilities deficiencies adversely affecting the Project Area.

(vi) expanding San Bernardino County's economic base to achieve a more equalized balance between jobs and housing and to create new job opportunities.

(vii) providing space for industries vital to the economic development of the local community and the region thereby assisting in the retention of existing businesses deemed vital to the local and regional economy;

(viii) identifying, purchasing, and assembling sites specifically for economically feasible industrial expansion and to provide employment opportunities;

(ix) encouraging and facilitating the remediation by responsible parties of properties contaminated with hazardous substances; and

(x) expanding the supply of affordable housing and upgrading the existing housing stock through increased contributions to the Agency's Affordable Housing Fund.

D. The proposed Project will help remedy the current imbalance between jobs and housing in the San Bernardino subregion by providing long-term employment opportunities in this housing-rich subregion. An improved jobs/housing balance will reduce the distances traveled by people commuting to work, thereby reducing traffic congestion, air pollution, and energy consumption.

E. The proposed Project will provide public improvements needed to address current deficiences in local infrastructure which have been an impediment to investment in the area and a constraint to new development. The area is currently adversely affected by inadequate flood control and drainage facilities, a lack of local wastewater collection facilities, and a street system which is inadequate to meet both existing and projected needs.

F. The proposed Project will provide both short-term construction employment opportunities and long-term employment which will benefit residents of the local area and contribute to the development of the local economy, including the provision of employment opportunities for highly trained workers.

G. The proposed Project will improve unemployment conditions in the Project Area which will in turn improve the socioeconomic status of residents in adjacent communities.

H. The Project eliminates and prevents the spread of blight and deterioration, and it rehabilitates and redevelops the Project Area in compliance with the provisions of the Community Redevelopment Law.

I. The Project promotes new and continuing private sector investment in the Project Area, preventing the loss of, and facilitating the return and capture of, commercial sales activity and industrial productivity which provide general benefits to the community.

10.0 MITIGATION MONITORING AND COMPLIANCE PROGRAM

In order to ensure that the mitigation measures contained in the EIR are properly implemented, a mitigation monitoring and compliance program has been prepared pursuant to State law. For the purposes of this mitigation monitoring and compliance program, the mitigation measures have divided into two general types: 1) measures which will be implemented and monitored by the County Planning Department, and 2) measures which will be implemented and monitored by the Redevelopment Agency. On the following pages, a summary list of the mitigation measures indicates which measures are to be implemented and monitored by Planning Department and which are the responsibility of the Redevelopment Agency. The summary list is followed by detailed descriptions for implementing and monitoring each mitigation measure. The Planning Department will be responsible for monitoring the implementation of those measures which must be imposed upon future development projects in the Project Area. The Agency will be responsible for monitoring mitigation measures associated with implementation of the Redevelopment Plan. The five-year implementation plans will used as the primary vehicle for reporting compliance with EIR mitigation measures to be implemented by the Agency.

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Mitigation Number	Mitigation Measure	Responsibility for Implementation
TRANSPORTATION AND CIRCULATION		
3.2-1(a)	*Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the intersection improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed intersection improvements; however, the Agency may assist developers in providing these improvements at its discretion.*	County Planning Department
3.2-1(b)	*The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary intersection improvements to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the intersection improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.*	Redevelopment Agency
3.2-2(a)	*Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the roadway improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed roadway improvements; however, the Agency may assist developers in providing these improvements at its discretion.*	County Planning Department
3.2-2(b)	*The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary roadway widenings to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the roadway improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.*	Redevelopment Agency
3.2-3(a)	*Future development projects in the Project Area shall contribute a fair share to the construction of a park-and-ride facility to serve the Project Area. The fair share contributions shall be determined through the preparation of traffic impact analyses for future development projects.*	County Planning Department
3.2-3(b)	*The Agency shall work cooperatively with CalTrans, SANBAG, and the County to facilitate the construction of a park-and-ride facility to serve the Project Area.*	Redevelopment Agency
AIR QUALITY		
3.3-1(a)	*Detailed project-specific analysis demonstrating compliance with regional air quality regulations will be required on a project-by-project basis as new development occurs in the Project Area. Development projects determined to have construction-related emissions in exceedance of SCAQMD significance thresholds will be required to develop appropriate mitigation measures.*	County Planning Department
3.3-2(a)	*The Agency shall work with the County and employers in the Project Area to establish a trip reduction program. The goal of the program shall be reduce traffic congestion and vehicular air pollutant emissions by reducing the total number of vehicle trips generated from land uses within the Project Area through increased average vehicle ridership and increased transit ridership.*	Redevelopment Agency

Mitigation Number	Mitigation Measure	Responsibility for Implementation
3.3-2(b)	*The Agency shall work with SANBAG, Omnitrans, and Metrolink, as appropriate, to promote mass transit programs, including the possible establishment of a Metrolink station and increased bus service in the area. Carpooling, and other traffic-reducing measures among businesses in the Project Area should also be encouraged.*	Redevelopment Agency
NOISE		
3.4-1(a)	*New construction activities in the Project Area shall implement all feasible measures to reduce noise levels on adjacent and nearby residential and commercial areas. The following measures shall be required to minimize noise levels, as appropriate:* 1. *Construction contractors shall be required by contract to employ the quietest among alternative equipment or to muffle/control noise from available equipment.* 2. *Construction contractors shall be required by contract to limit noise impacts on residential homes within 200 feet by using temporary noise barriers shields around areas where construction equipment is in use.* 3. *Hours of construction activity shall be limited to reduce adverse impacts on nearby residential properties.*	County Planning Department
3.4-2(a)	*New industrial operations in the Project Area shall reduce noise levels on adjacent and nearby residential and commercial areas to below County of San Bernardino significance levels. New industrial uses with the potential to generate significant noise shall submit noise reports to the County Planning Department analyzing operational noise levels.*	County Planning Department
UTILITIES/INFRASTRUCTURE		
Recommended Measure[1]	*The Agency shall work cooperatively with the Chino Basin Municipal Water District and the County to encourage the use of reclaimed water irrigation and industrial water applications that do not require high quality water and examine opportunities for provision of the required infrastructure to supply reclaimed water.*	Redevelopment Agency
3.5-1(a)	*The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of sewer infrastructure to serve the needs of the area.*	Redevelopment Agency
3.5-1(b)	*The Agency shall coordinate with Chino Basin Municipal Water District and the City of Fontana to investigate ways to provide sewer service to the area.*	Redevelopment Agency
3.5-1(c)	*All development projects within the Project Area must be connected to a sewer system when adequate treatment capacity is available and necessary sewer lines are in place.*	County Planning Department
3.5-1(d)	*All future development which utilizes on-site sewage disposal shall construct septic systems in a manner which facilitates future connection to a public sewer system.*	County Planning Department

Mitigation Number	Mitigation Measure	Responsibility for Implementation
3.5-2(a)	*All development projects within the Project Area facilitated by the Redevelopment Agency must contract with a hauler that provides recycling services, if such is available.*	County Planning Department
3.5-2(b)	*The Agency shall encourage the construction of a Materials Recovery Facility in the Project Area.*	Redevelopment Agency
3.5-3(a)	*The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of flood control infrastructure for the Project Area.*	Redevelopment Agency
3.5-3(b)	*The Agency shall coordinate with SBCTFC and the City of Fontana to investigate ways to provide flood control infrastructure for the Project Area.*	Redevelopment Agency
PUBLIC SERVICES		
3.6-1(a)	*The need for additional Sheriffs Department services shall be monitored as growth occurs within the Project Area, and the need for increased Sheriffs Department personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.*	County Planning Department
3.6-1(b)	*All development projects within the Project Area shall be subject to review by the Sheriff's Department for conformance with site development standards which serve to deter crime and improve circulation and access for emergency vehicles.*	County Planning Department
3.6-1(c)	*The following measures shall be incorporated into the design of new industrial and commercial developments, as appropriate:* -- *Parking areas should be illuminated and should be visible from the street if otherwise unsecured.* -- *Building entry areas should be illuminated and other security lighting should be used, as appropriate.* -- *Security fences and gates should be installed, as appropriate.* -- *Building entries should be visible from the street, where possible.* -- *Landscaping should be planned so that it does not screen views of buildings or parking areas from the street, or block security lighting.* -- *The site should be planned so that parking and other unsecured areas are accessible to police during patrols of the area.*	County Planning Department
3.6-2(a)	*The need for additional fire protection and emergency services shall be monitored as growth occurs within the Project Area, and the need for increased fire protection personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.*	County Planning Department

Mitigation Number	Mitigation Measure	Responsibility for Implementation
3.6-2(b)	*All development projects within the Project Area shall be subject to review by San Bernardino County Fire Department for conformance with Uniform Fire Code requirements, the County's Fire Protection Master Plan, and for the provision of adequate emergency vehicle access and circulation.*	County Planning Department
3.6-3(a)	*The Redevelopment Agency shall work cooperatively with the local school districts to assist in the provision of adequate school facilities that benefit the Project Area, as such facilities may be needed as a result of Project activities.*	Redevelopment Agency
3.6-3(b)	*The County and the Agency shall include the affected school districts in the review of proposed development projects within the Project Area in an effort to help ensure that adequate school facilities are available to serve anticipated needs.*	County Planning Department
CULTURAL/PALEONTOLOGICAL RESOURCES		
3.7-1(a)	*Prior to initiation of any construction/demolition in areas where archaeological sites have been identified, a professional archaeologist or historian shall be retained to assess potential impacts and evaluate the site in question for its eligibility to be included in the California Register of Historical Resources.*	County Planning Department
3.7-1(b)	*Portions of the Kaiser Steel Plant which have not been subject to a formal evaluation shall be field surveyed and evaluated for significance by a professional historian or archaeologist prior to any demolition or construction activities within the former plant boundaries.*	County Planning Department
3.7-2(a)	*For areas that have not been subject to an adequate cultural resources survey, and prior to demolition of any building over 45 years of age, a field inventory will be conducted by a professional archaeologist or historian to determine the presence or absence of significant cultural resources.*	County Planning Department
3.7-2(b)	*If evidence of subsurface prehistoric or historic archaeological resources is found during construction, excavation in the vicinity of the find shall cease and a professional archaeologist shall evaluate findings in accordance with standard practice and applicable regulations.*	County Planning Department
3.7-2(c)	*If human remains are discovered during any activities that involve subsurface ground disturbance, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie human remains until:* *(1) the San Bernardino County Coroner has been informed and has determined that no investigation of the cause of death is required, and* *(2) if the remains are of Native American origin, the Native American Heritage Commission is contacted within 24 hours of the discovery, and the descendants from the deceased Native Americans have made a recommendation to the landowner or the project proponent, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98.*	County Planning Department

Mitigation Number	Mitigation Measure	Responsibility for Implementation
3.7-3(a and b)	*Prior to the approval of any grading plans associated with Redevelopment Agency activities, a qualified paleontologist shall undertake an assessment of the potential for encountering paleontological resources. Although the results of this assessment may indicate that the site has a low probability for encountering paleontological resources, conclusions may suggest that further monitoring and mitigation is required to avoid impacts associated with excavation for building foundations and infrastructure improvements.* *If it is determined that further monitoring or mitigation is required, it shall be conducted in accordance with a Paleontological Resource Mitigation Program as described by the San Bernardino County Museum, Earth Sciences Department.*	County Planning Department
HAZARDOUS MATERIALS		
3.8-1(a)	*Where the Redevelopment Agency is directly involved in the development or redevelopment of properties located within the Project Area, a Phase I investigation shall be conducted prior to construction to investigate the potential for the existence of site contamination. Where contamination is suspected or discovered, appropriate Phase II and Phase III remediation shall be performed as required by federal, State, and County regulations.*	Redevelopment Agency

[1] This measure is not proposed in response to a significant impact identified in the EIR and, therefore, it is not a legally required mitigation measure. This measure is recommended in the EIR in order to promote the use of reclaimed water and thereby conserve water resources. It is not numbered because it is not associated with a numbered impact in the EIR.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-1(a)

Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the intersection improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed intersection improvements; however, the Agency may assist developers in providing these improvements at its discretion.

Implementation

- Future development projects in the Project Area shall be required to prepare a traffic impact analysis in accordance with CMP guidelines and County requirements, unless a determination is made by the Traffic Division of the Transportation/Flood Control Department that such an analysis is unnecessary due to the small size of a project or other valid reasons.

- When applications are submitted to the Planning Department for proposed development projects in the Project Area, the Planning Department shall consult with the Traffic Division of the Transportation/Flood Control Department to determine if a traffic impact analysis is required.

- Project applicants shall be responsible for the preparation of traffic impact analyses for their projects.

- Applicants shall pay their fair share of improvements costs in accordance with CMP and County requirements.

Compliance Record

When a traffic impact analysis is required, it shall be incorporated into the Planning Department's official files for the project as evidence of compliance with this mitigation measure. If it determined that a traffic impact analysis is not needed, a memorandum or other documentation citing this determination shall be incorporated into the project file. Evidence of fair share payment for improvement costs shall also be incorporated into the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-1(b)

The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary intersection improvements to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the intersection improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with the San Bernardino County Department of Transportation/Flood Control, SANBAG, and the Cities of Fontana, Rancho Cucamonga, and Ontario regarding the current and projected needs for intersection improvements in the vicinity of the Project Area.

- Based on this input, the Agency shall establish a list of priority intersection improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

Evidence of consultation with other agencies in determining the need for intersection improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-2(a)

Traffic impact analyses shall be completed for future development projects in the Project Area in accordance with CMP guidelines. The traffic impact analyses shall indicate the roadway improvements needed to mitigate each project's significant traffic impacts, the costs for these improvements, and the project's share of the improvement costs. Each individual development project shall be responsible for its fair share of needed roadway improvements; however, the Agency may assist developers in providing these improvements at its discretion.

Implementation

- Future development projects in the Project Area shall be required to prepare a traffic impact analysis in accordance with CMP guidelines and County requirements, unless a determination is made by the Traffic Division of the Transportation/Flood Control Department that such an analysis is unnecessary due to the small size of a project or other valid reasons.

- When applications are submitted to the Planning Department for proposed development projects in the Project Area, the Planning Department shall consult with the Traffic Division of the Transportation/Flood Control Department to determine if a traffic impact analysis is required.

- Project applicants shall be responsible for the preparation of traffic impact analyses for their projects.

- Applicants shall pay their fair share of improvements costs in accordance with CMP and County requirements.

Compliance Record

When a traffic impact analysis is required, it shall be incorporated into the Planning Department's official files for the project as evidence of compliance with this mitigation measure. If it determined that a traffic impact analysis is not needed, a memorandum or other documentation citing this determination shall be incorporated into the project file. Evidence of fair share payment for improvement costs shall also be incorporated into the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-2(b)

The Agency shall work jointly with the County, SANBAG, and nearby cities to provide necessary roadway widenings to serve the Project Area and vicinity. In its five-year implementation plans for the Project, the Agency shall review the roadway improvements needed in the Project Area and formulate a program to facilitate the construction of priority improvements.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with the San Bernardino County Department of Transportation/Flood Control, SANBAG, and the Cities of Fontana, Rancho Cucamonga, and Ontario regarding the current and projected needs for roadway widening in the vicinity of the Project Area.

- Based on this input, the Agency shall establish a list of priority roadway improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

Evidence of consultation with other agencies in determining the need for intersection improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-3(a)

Future development projects in the Project Area shall contribute a fair share to the construction of a park-and-ride facility to serve the Project Area. The fair share contributions shall be determined through the preparation of traffic impact analyses for future development projects.

Implementation

- Future development projects in the Project Area shall be required to prepare a traffic impact analysis in accordance with CMP guidelines and County requirements, unless a determination is made by the Traffic Division of the Transportation/Flood Control Department that such an analysis is unnecessary due to the small size of a project or other valid reasons.

- When applications are submitted to the Planning Department for proposed development projects in the Project Area, the Planning Department shall consult with the Traffic Division of the Transportation/Flood Control Department to determine if a traffic impact analysis is required.

- Project applicants shall be responsible for the preparation of traffic impact analyses for their projects.

- Applicants shall pay a fair share contribution to the cost of constructing a park-and-ride facility in accordance with CMP and County requirements.

Compliance Record

When a traffic impact analysis is required, it shall be incorporated into the Planning Department's official files for the project as evidence of compliance with this mitigation measure. If it determined that a traffic impact analysis is not needed, a memorandum or other documentation citing this determination shall be incorporated into the project file. Evidence of fair share payment for improvement costs shall also be incorporated into the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

TRANSPORTATION AND CIRCULATION

Mitigation Measure 3.2-3(b)

The Agency shall work cooperatively with CalTrans, SANBAG, and the County to facilitate the construction of a park-and-ride facility to serve the Project Area.

Implementation

- In preparing the five-year implementation plans for the Project, the Agency shall consult with CalTrans, SANBAG, and the County Department of Transportation/Flood Control regarding the need and feasibility of constructing a park-and-ride facility to serve the Project Area.

- In establishing priorities for public improvements in the five-year implementation plans for the Project, the Agency shall report on progress in establishing park-and-ride facility to serve the Project Area and shall indicate the efforts it will undertake to facilitate the construction of a park-and-ride facility, including Agency funds available to contribute to construction of the facility.

Compliance Record

Progress on establishment of a park-and-ride facility shall be reported in each of the five-year implementation plans for the Project.

Implementation Responsibility: The Redevelopment Agency.

AIR QUALITY

Mitigation Measure 3.3-1(a)

Detailed project-specific analysis demonstrating compliance with regional air quality regulations will be required on a project-by-project basis as new development occurs in the Project Area. Development projects determined to have construction-related emissions in exceedance of SCAQMD significance thresholds will be required to develop appropriate mitigation measures.

Implementation

- Determination of the need for an air quality analysis shall be made through an Initial Study prepared for a development application.

- If it is determined by the Planning Department through the preparation of an Initial Study that a development project could have a potentially significant adverse impact on air quality, an air quality analysis shall be prepared in accordance with SCAQMD guidelines and incorporated into appropriate supplemental environmental analysis.

- Project applicants shall be responsible for the preparation of air quality analyses for their projects.

- Each air quality analysis shall provide project-specific mitigation measures to reduce all potentially significant air pollutant emissions.

Compliance Record

Initial Studies prepared for development projects shall document whether air quality analyses are necessary. If an air quality analysis is prepared for a project, it will be incorporated into either an EIR or Mitigated Negative Declaration for the project.

Enforcement Responsibility: San Bernardino County Planning Department.

AIR QUALITY

Mitigation Measure 3.3-2(a)

The Agency shall work with the County and employers in the Project Area to establish a trip reduction program. The goal of the program shall be reduce traffic congestion and vehicular air pollutant emissions by reducing the total number of vehicle trips generated from land uses within the Project Area through increased average vehicle ridership and increased transit ridership.

Implementation

- In the five-year implementation plans for the Project, the Agency shall set forth its planned approach for the establishment of a trip reduction program. Specific tasks will be identified in the implementation plan for reducing traffic congestion and vehicular air pollutant emissions through reductions in the total number of vehicle trips generated from land uses within the Project Area. It is anticipated that these tasks will emphasize increased average vehicle ridership and increased transit ridership.

Compliance Record

Progress on the Agency's efforts in establishing and maintaining trip reduction programs shall be reported in each of the five-year implementation plans for the Project.

Implementation Responsibility: The Redevelopment Agency.

AIR QUALITY

Mitigation Measure 3.3-2(b)

The Agency shall work with SANBAG, Omnitrans, and Metrolink, as appropriate, to promote mass transit programs, including the possible establishment of a Metrolink station and increased bus service in the area. Carpooling, and other traffic-reducing measures among businesses in the Project Area should also be encouraged.

Implementation

- In preparing the five-year implementation plans for the Project, the Agency shall consult with SANBAG regarding activities which can be undertaken by the Agency to promote transit use in the area, including the possible establishment of a Metrolink station and increased bus service in the area.

- In establishing priorities for public improvements in the five-year implementation plans for the Project, the Agency shall report on progress in promoting transit use and shall indicate the programs in which it will participate to promote transit use.

Compliance Record

Progress on promoting transit use shall be reported in each of the five-year implementation plans for the Project.

Implementation Responsibility: The Redevelopment Agency.

NOISE

Mitigation Measure 3.4-1(a)

New construction activities in the Project Area shall implement all feasible measures to reduce noise levels on adjacent and nearby residential and commercial areas. The following measures shall be required to minimize noise levels, as appropriate:

1. *Construction contractors shall be required by contract to employ the quietest among alternative equipment or to muffle/control noise from available equipment.*

2. *Construction contractors shall be required by contract to limit noise impacts on residential homes within 200 feet by using temporary noise barriers shields around areas where construction equipment is in use.*

3. *Hours of construction activity shall be limited to reduce adverse impacts on nearby residential properties.*

Implementation

- Project applicants shall be required to submit a description of proposed measures for minimizing construction noise levels to the Planning Department for review.

- The Planning Department shall review the applicant's proposed noise control measures to ensure that the maximum feasible measures to reduce noise are incorporated into the applicant's construction plans.

- Noise control measures shall be made conditions of project approval and shall be monitored for their satisfactory application at the construction site.

Compliance Record

Noise control measures shall be incorporated into the conditions of approval. Evidence of field monitoring of the satisfactory application of the noise control measures shall be provided in the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

NOISE

Mitigation Measure 3.4-2(a)

New industrial operations in the Project Area shall reduce noise levels on adjacent and nearby residential and commercial areas to below County of San Bernardino significance levels. New industrial uses with the potential to generate significant noise shall submit noise reports to the County Planning Department analyzing operational noise levels.

Implementation

- Determination of the need for a noise analysis shall be made through an Initial Study prepared for a development application.

- If it is determined by the Planning Department through the preparation of an Initial Study that project operations could have a potentially significant adverse noise impact on surrounding properties, a noise analysis shall be prepared and incorporated into appropriate supplemental environmental analysis.

- Project applicants shall be responsible for the preparation of noise analyses for their projects.

- Each noise analysis shall provide project-specific mitigation measures to comply with County noise standards.

Compliance Record

Initial Studies prepared for development projects shall document whether noise analyses are necessary. If a noise analysis is prepared for a project, it will be incorporated into either an EIR or Mitigated Negative Declaration for the project.

Enforcement Responsibility: San Bernardino County Planning Department.

UTILITIES/INFRASTRUCTURE

Recommended Measure (Reclaimed Water)[1]

The Agency shall work cooperatively with the Chino Basin Municipal Water District and the County to encourage the use of reclaimed water irrigation and industrial water applications that do not require high quality water and examine opportunities for provision of the required infrastructure to supply reclaimed water.

Implementation

- The Agency shall work with the Chino Basin Municipal Water District to facilitate the construction of a reclaimed water system to serve the Project Area.

- The Agency should also inform developers about the availability or future availability of reclaimed water to serve the Project Area and should encourage developers to investigate ways to make maximum use of reclaimed water in the projects.

Compliance Record

Progress on the construction of a reclaimed water system to serve the Project Area shall be reported in each of the five-year implementation plans for the Project.

Implementation Responsibility: The Redevelopment Agency.

[1] This measure is not proposed in response to a significant impact identified in the EIR and, therefore, it is not a legally required mitigation measure. This measure is recommended in the EIR in order to promote the use of reclaimed water and thereby conserve water resources. It is not numbered because it is not associated with a numbered impact in the EIR.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-1(a)

The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of sewer infrastructure to serve the needs of the area.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with the Chino Basin Municipal Water District and the City of Fontana, as appropriate, regarding sewer collection facilities needed to serve the Project Area.

- Based on this input, the Agency shall establish a list of priority sewer improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

The need for sewer improvements in the Project Area and the Agency's proposed plans to facilitate construction of needed improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-1(b)

The Agency shall coordinate with Chino Basin Municipal Water District and the City of Fontana to investigate ways to provide sewer service to the area.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with the Chino Basin Municipal Water District and the City of Fontana regarding the current and projected needs for sewer improvements to serve the Project Area.

- Based on this input, the Agency shall establish a list of priority sewer improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

Evidence of consultation with other agencies in determining the need for sewer improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-1(c)

All development projects within the Project Area must be connected to a sewer system when adequate treatment capacity is available and necessary sewer lines are in place.

Implementation

- Future development projects in the Project Area shall be required to be connected to a sewer system if adequate treatment capacity is available and necessary sewer lines are in place.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department will confer with the appropriate sewering entity in determining whether or not a sewer line and adequate treatment capacity are available to serve the project.

- Project applicants shall be responsible for connecting their projects to sanitary sewer lines if they are available. If they are not available, project applicants shall be responsible for constructing on-site sewage disposal systems (septic systems) in a manner which later allows for future connection to a sanitary sewer line.

- Applicants shall pay their fair share of sanitary sewer improvement costs; however, the Agency may assist the developer in providing these improvements at its discretion.

Compliance Record

When connection to a sanitary sewer is required, evidence of compliance with this requirement shall be incorporated into the Planning Department's official files for the projects as evidence of compliance with this mitigation measure. If onsite sewage disposal facilities are proposed, a memorandum or other documentation indicating compliance with the terms set forth in mitigation measure 3.5-1(d) shall be placed in the project file. Evidence of fair share payment for sanitary sewer costs shall also be incorporated into the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-1(d)

All future development which utilizes on-site sewage disposal shall construct septic systems in a manner which facilitates future connection to a public sewer system.

Implementation

- Future development projects in the Project Area shall be required to construct onsite sewage disposal facilities if adequate treatment capacity is not available and necessary sewer lines are not in place.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall confer with the appropriate sewering entity in determining whether or not the property can be served by existing public sewers or whether an onsite sewage treatment system is necessary.

- If it is determined that an on-site sewage disposal systems (septic systems) is needed, it shall be constructed in a manner which later allows for future connection to a sanitary sewer line. Said facilities shall also be constructed in conformance with plans and specifications set forth by the appropriate entity.

- Applicants shall pay their fair share of sanitary sewer improvement costs; however, the Agency may assist the developer in providing these improvements at its discretion.

Compliance Record

When construction of onsite sewage disposal facilities is necessary, evidence of compliance with this requirement shall be incorporated into the Planning Department's official files for the projects as evidence of compliance with this mitigation measure. Evidence of fair share payment for sanitary sewer costs shall also be incorporated into the project file.

Enforcement Responsibility: San Bernardino County Planning Department.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-2(a)

All development projects within the Project Area facilitated by the Redevelopment Agency must contract with a hauler that provides recycling services, if such is available.

Implementation

- Future development projects in the Project Area shall be required to contract with a solid waste disposal company which provides recycling of salvageable materials.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall determine whether or not solid waste disposal services are available for the project which provides recycling services.

- If it is determined that a solid waste disposal company with recycling services can serve the property, the applicant shall be required to enter an agreement with said company to handle the disposal of solid wastes generated by the project and to salvage recyclable materials. Evidence of said agreement shall be obtained and confirmed by the Planning Department prior to issuance of a Certificate of Occupancy for the project.

Compliance Record

Evidence of compliance with this requirement, in the form of an executed agreement between the project applicant and solid waste disposal company, shall be incorporated into the Planning Department's official files for the projects as evidence of compliance with this mitigation measure.

Enforcement Responsibility: San Bernardino County Planning Department.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-2(b)

The Agency shall encourage the construction of a Materials Recovery Facility in the Project Area.

Implementation

- The Agency shall undertake an active effort to encourage the construction of a Materials Recovery Facility in the Project Area. If such a facility is established in the future to serve the Project Area, even if the facility is located outside the Project Area, the Agency will cease in efforts to encourage the construction of a Materials Recovery Facility in the Project Area.

Compliance Record

Progress on establishment of a Materials Recovery Facility to serve the Project Area will be reported in the five-year implementation plans for the Project.

Implementation Responsibility: The Redevelopment Agency.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-3(a)

The Redevelopment Agency, in its five-year implementation plan for the Redevelopment Project, shall establish as a priority the provision of flood control infrastructure for the Project Area.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with the County Department of Transportation/Flood Control regarding flood control facilities needed to serve the Project Area.

- Based on this input, the Agency shall establish a list of priority flood control improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

The need for flood control improvements in the Project Area and the Agency's proposed plans to facilitate construction of needed improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

UTILITIES/INFRASTRUCTURE

Mitigation Measure 3.5-3(b)

The Agency shall coordinate with SBCTFC and the City of Fontana to investigate ways to provide flood control infrastructure for the Project Area.

Implementation

- In preparing its five-year implementation plans, the Agency shall consult with SBCTFC and the City of Fontana regarding the current and projected needs for flood control improvements to serve the Project Area.

- Based on this input, the Agency shall establish a list of priority flood control improvements for the next five-year period and shall incorporate feasible improvements into its five-year implementation plan for the San Sevaine Redevelopment Project.

- The Agency shall be limited to participating only in the construction of those improvements listed in the Redevelopment Plan for the Project.

Compliance Record

Evidence of consultation with other agencies in determining the need for flood control improvements shall be incorporated into each of the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

PUBLIC SERVICES

Mitigation Measure 3.6-1(a)

The need for additional Sheriffs Department services shall be monitored as growth occurs within the Project Area, and the need for increased Sheriffs Department personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.

Implementation

- Future development projects in the Project Area shall be reviewed for their impact on law enforcement services provided by the Sheriffs Department.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall refer these applications to the Sheriffs Department for review to determine whether the project would cause a substantial demand for additional law enforcement services.

- The Planning Department shall work with the Sheriffs Department in developing a list of measures to be implemented by the applicant to minimize the project's effect on law enforcement services.

Compliance Record

Evidence of compliance with this requirement shall be incorporated into the Planning Department's official files for the project.

Enforcement Responsibility: San Bernardino County Planning Department.

PUBLIC SERVICES

Mitigation Measure 3.6-1(b)

All development projects within the Project Area shall be subject to review by the Sheriff's Department for conformance with site development standards which serve to deter crime and improve circulation and access for emergency vehicles.

Implementation

- Future development projects in the Project Area shall be reviewed by the Sheriff's Department for conformance with site development standards which deter crime and improve emergency vehicle access and circulation.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall confer with the Sheriffs Department in determining whether or not the project incorporates features which serve to deter crime and which provide optimal access and circulation for emergency vehicles.

- If it is determined that the project includes adequate crime prevention features as well as adequate emergency vehicle access and circulation, said project shall be deemed to be in compliance with this mitigation measure and evidence of same shall be placed in the project file.

- If it is determined that the project does not include adequate crime prevention features or does not provide adequate circulation and access for emergency vehicles, the project applicant shall be required to revise the project plans to include such features.

Compliance Record

Evidence of compliance with this mitigation measure shall consist of an approved set of plans, to be retained in the project file, indicating review and approval of the project by the County of San Bernardino Sheriff's Department.

Enforcement Responsibility: San Bernardino County Planning Department.

PUBLIC SERVICES

Mitigation Measure 3.6-1(c)

The following measures shall be incorporated into the design of new industrial and commercial developments, as appropriate:

- *Parking areas should be illuminated and should be visible from the street if otherwise unsecured.*
- *Building entry areas should be illuminated and other security lighting should be used, as appropriate.*
- *Security fences and gates should be installed, as appropriate.*
- *Building entries should be visible from the street, where possible.*
- *Landscaping should be planned so that it does not screen views of buildings or parking areas from the street, or block security lighting.*
- *The site should be planned so that parking and other unsecured areas are accessible to police during patrols of the area.*

Implementation

- Future development projects in the Project Area shall be reviewed by the Sheriff's Department for conformance with the site development standards outlined above.
- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall confer with the Sheriffs Department in determining whether or not the project appropriate security and crime prevention features including applicable measures outlined above.
- If it is determined that the project does not include adequate security features, such as those outlined above, the project applicant shall be required to revise the project plans to include such features.

Compliance Record

Evidence of compliance with this mitigation measure shall consist of an approved set of plans, to be retained in the project file, indicating review and approval of the project by the County of San Bernardino Sheriff's Department.

Enforcement Responsibility: San Bernardino County Planning Department.

PUBLIC SERVICES

Mitigation Measure 3.6-2(a)

The need for additional fire protection and emergency services shall be monitored as growth occurs within the Project Area, and the need for increased fire protection personnel shall be examined and mitigated during the discretionary review process for future development projects within the Project Area.

Implementation

- Future development projects in the Project Area shall be reviewed for their impact on fire protection and emergency medical services, and in particular services provided by the San Bernardino County Fire Department (SBCFD).

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall refer these applications to the SBCFD for review to determine whether or not additional fire protection and emergency medical services or equipment will be needed to serve the project.

- The Planning Department shall work with the SBCFD in developing a list of measures to be implemented by the applicant to minimize the project's effect on fire and emergency services.

Compliance Record

Evidence of compliance with this requirement shall be incorporated into the Planning Department's official files for the project.

Enforcement Responsibility: San Bernardino County Planning Department.

PUBLIC SERVICES

Mitigation Measure 3.6-2(b)

All development projects within the Project Area shall be subject to review by San Bernardino County Fire Department for conformance with Uniform Fire Code requirements, the County's Fire Protection Master Plan, and for the provision of adequate emergency vehicle access and circulation.

Implementation

- Future development projects in the Project Area shall be reviewed by the Fire Department for conformance with Uniform Fire Code requirements, the Fire Protection Master Plan, and for the provision of adequate emergency vehicle access and circulation.

  When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall confer with the Fire Department in determining whether or not the project conforms with the Fire Code, Fire Protection Master Plan, and provides adequate emergency vehicle access and circulation.

- If it is determined that the project conforms to the Fire Code and otherwise meets all access and circulation requirements of the Fire Department, said project shall be deemed to be in compliance with this mitigation measure and evidence of same shall be placed in the project file.

- If it is determined that the project does not meet Fire Code requirements or does not provide adequate access or circulation, the project applicant shall be required to revise the project plans to include such features.

Compliance Record

Evidence of compliance with this mitigation measure shall consist of an approved set of plans, to be retained in the project file, indicating review and approval of the project by the County of San Bernardino Fire Department.

Enforcement Responsibility: San Bernardino County Planning Department.

PUBLIC SERVICES

Mitigation Measure 3.6-3(a)

The Redevelopment Agency shall work cooperatively with the local school districts to assist in the provision of adequate school facilities that benefit the Project Area, as such facilities may be needed as a result of Project activities.

Implementation

- As new development occurs in the Project Area, the Agency shall consult with the local school district on current and projected needs for new school facilities which would serve the Project Area based on such new development.

- The Agency shall comply with applicable law concerning the allocation of tax increment revenues to affected taxing entities.

Compliance Record

The cumulative amount of tax increment allocated to local school districts shall be reported in each of the five-year implementation plans. Any consultations that occurred within the last five-year period or are occurring at the time shall be summarized in each five-year implementation plan.

Implementation Responsibility: The Redevelopment Agency.

PUBLIC SERVICES

Mitigation Measure 3.6-3(b)

The County and the Agency shall include the affected school districts in the review of proposed development projects within the Project Area in an effort to help ensure that adequate school facilities are available to serve anticipated needs.

Implementation

- The Planning Department shall notify affected school districts of applications submitted for new development projects in the Project Area.

- The collection of development fees for school facilities will be the responsibility of each school district.

Compliance Record

Evidence of compliance with this mitigation measure shall consist of a transmittal in the project file indicating transmittal of project plans to affected school districts.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measure 3.7-1(a)

Prior to initiation of any construction/demolition in areas where archaeological sites have been identified, a professional archaeologist or historian shall be retained to assess potential impacts and evaluate the site in question for its eligibility to be included in the California Register of Historical Resources.

Implementation

- Future development projects in the Project Area shall be reviewed to assess the potential impacts of demolition or construction on cultural or historical resources.

- When applications for development projects within the Project Area are submitted to the Planning Department, the Planning Department shall consult the *Cultural Resources Record Search and Management Plan* prepared for the San Sevaine Redevelopment Project Area to determine whether or not cultural or historical resources would be impacted by the proposed project.

- If it is determined that cultural or historical resources will be impacted by the project, an investigation shall be conducted by a cultural resources consultant and a technical report shall be prepared according to the San Bernardino County Guidelines for Cultural Resource Management Reports which describes the results of the investigation. One copy of this report shall be filed with the Historical Resources Information Center and one copy of the report shall be provided to the Redevelopment Agency for review.

- If an archaeological site is found to be significant, the report prepared by the cultural resources consultant must outline appropriate mitigation measures for consideration in supplemental environmental documentation.

- The Planning Department shall monitor the implementation of any mitigation measures approved in supplemental environmental documentation.

Compliance Record

The Planning Department shall keep on file a copy of the technical report prepared by the cultural resources specialist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measure 3.7-1(b)

Portions of the Kaiser Steel Plant which have not been subject to a formal evaluation shall be field surveyed and evaluated for significance by a professional historian or archaeologist prior to any demolition or construction activities within the former plant boundaries.

Implementation

- Future development projects in the Project Area to be located on the Kaiser Steel Plant site shall be reviewed to assess the potential impacts of demolition or construction on cultural or historical resources.

- When applications for development projects on the Kaiser Steel Plant site are submitted to the Planning Department, the Planning Department shall consult the *Cultural Resources Record Search and Management Plan* prepared for the San Sevaine Redevelopment Project Area to determine whether or not cultural or historical resources would be impacted by the proposed project.

- If it is determined that cultural or historical resources will be impacted by the project, an investigation shall be conducted by a professional historian or archeologist and a technical report shall be prepared according to the San Bernardino County Guidelines for Cultural Resource Management Reports which describes the results of the investigation. One copy of this report shall be filed with the Historical Resources Information Center and one copy of the report shall be provided to the Redevelopment Agency for review.

- If an archaeological site is found to be significant, the report prepared by the professional historian or archeologist must outline appropriate mitigation measures for consideration in supplemental environmental documentation.

- The Planning Department shall monitor the implementation of any mitigation measures approved in supplemental environmental documentation.

Compliance Record

The Planning Department shall keep on file a copy of the technical report prepared by the historian or archeologist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measure 3.7-2(a)

For areas that have not been subject to an adequate cultural resources survey, and prior to demolition of any building over 45 years of age, a field inventory will be conducted by a professional archaeologist or historian to determine the presence or absence of significant cultural resources.

Implementation

- Future development projects in the Project Area which are proposed at locations not surveyed for cultural resources shall be surveyed prior to the issuance of demolition or building permits.

- When applications for development projects in the Project Area are submitted to the Planning Department, the Planning Department shall consult the *Cultural Resources Record Search and Management Plan* prepared for the San Sevaine Redevelopment Project Area to determine whether or not the project location has been surveyed and whether or not there are buildings or structures on the site which are over 45 years of age.

- If it is determined that the location has not been surveyed for cultural resources or that there are buildings or structures on the site which are over 45 years of age, a field survey shall be conducted by a professional historian or archeologist.

- Subsequent to the field survey, a technical report shall be prepared, in accordance with County guidelines, that describes the results of the survey, the eligibility status of any cultural resource identified for its inclusion in the California Register of Historical Resources, and which provides mitigation measures for addressing impacts to any significant resource identified. The technical report must be prepared according to San Bernardino County Guidelines for Cultural Resource Management Reports which describes the results of the investigation. One copy of this report must be filed with the Historical Resources Information Center and one copy of the report should be provided to the Redevelopment Agency for review.

- If an archaeological site or any buildings or structures are found to be culturally or historically significant, the report prepared by the professional historian or archaeologist must outline appropriate mitigation measures for consideration in supplemental environmental documentation.

- The Planning Department shall monitor the implementation of any mitigation measures approved in supplemental environmental documentation.

Compliance Record

The Planning Department shall keep on file a copy of the technical report prepared by the historian or archaeologist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measure 3.7-2(b)

If evidence of subsurface prehistoric or historic archaeological resources is found during construction, excavation in the vicinity of the find shall cease and a professional archaeologist shall evaluate findings in accordance with standard practice and applicable regulations.

Implementation

- Construction or excavation for development projects in the Project Area shall be stopped if evidence of subsurface prehistoric or historic archaeological resources are found.

- Cultural remains shall be evaluated by a cultural resources specialist for their significance, depth, extent and integrity, as appropriate consistent with local, State, and federal guidelines. For all resources identified, appropriate California Office of Historic Preservation site, structure, and isolate record forms shall be completed. Prior to completion of a survey report, two copies of completed records shall be submitted to the San Bernardino County Archaeological Information Center (AIC) for assignment of appropriate County and State record numbers.

- A technical report and significant evaluation must be prepared according to San Bernardino County Guidelines for Cultural Resource Management Reports. One copy of this report must be filed with the Historical Resources Information Center and one copy of the report should be provided to the Redevelopment Agency for review. All archaeological sites found to be significant shall be protected through a program to mitigate development impacts.

- The Planning Department shall monitor the implementation of mitigation measures recommended in the report prepared by the cultural resources specialist.

Compliance Record

The Planning Department shall keep on file a copy of the technical report prepared by the cultural resources specialist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measure 3.7-2(c)

If human remains are discovered during any activities that involve subsurface ground disturbance, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie human remains until:

(1) the San Bernardino County Coroner has been informed and has determined that no investigation of the cause of death is required, and

(2) if the remains are of Native American origin, the Native American Heritage Commission is contacted within 24 hours of the discovery, and the descendants from the deceased Native Americans have made a recommendation to the landowner or the project proponent, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98.

Implementation

- Construction of development projects in the Project Area shall be stopped if evidence of human remains are found.

- The County coroner shall be notified by the applicant of the discovery of human remains and, if necessary, to determine the cause of death.

- If the remains are of Native American origin, the Native American Heritage Commission shall be contacted within 24 hours of the discovery, and the descendants from the deceased Native Americans shall make a recommendation to the landowner or the project proponent, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98.

- The site of the human remains shall be surveyed and evaluated for its cultural significance, depth, extent and integrity, as appropriate consistent with local, State, and federal guidelines. For all resources identified, appropriate California Office of Historic Preservation site, structure, and isolate record forms shall be completed. Prior to completion of a survey report, two copies of completed records shall be submitted to the San Bernardino County Archeological Information Center (AIC) for assignment of appropriate County and State record numbers.

- Subsequent to the field survey, a technical report and significant evaluation must be prepared by a cultural resource specialist according to San Bernardino County Guidelines for Cultural Resource Management Reports. One copy of this report must be filed with the Historical Resources

Information Center and one copy of the report should be provided to the Redevelopment Agency for review. A mitigation program must be developed for all archaeological sites found to be significant.

- The Planning Department shall monitor the implementation of approved measures for mitigation of significant archaeological sites.

Compliance Record

The Planning Department shall keep on file a copy of the technical report prepared by the cultural resources specialist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

CULTURAL/PALEONTOLOGICAL RESOURCES

Mitigation Measures 3.7-3(a and b)

Prior to the approval of any grading plans associated with Redevelopment Agency activities, a qualified paleontologist shall undertake an assessment of the potential for encountering paleontological resources. Although the results of this assessment may indicate that the site has a low probability for encountering paleontological resources, conclusions may suggest that further monitoring and mitigation is required to avoid impacts associated with excavation for building foundations and infrastructure improvements.

If it is determined that further monitoring or mitigation is required, it shall be conducted in accordance with a Paleontological Resource Mitigation Program as described by the San Bernardino County Museum, Earth Sciences Department.

Implementation

- Future development projects in the Project Area shall be reviewed for impacts on paleontological resources.

- When applications for grading plans for development projects in the Project Area are submitted to the Planning Department, the Planning Department shall require the applicant to obtain the services of a qualified paleontologist to undertake an assessment of the potential for encountering paleontological resources.

- If it is determined by the paleontologist that potentially significant paleontological resources are present, a Paleontological Resource Mitigation Program, as described by the San Bernardino County Museum, Earth Sciences Department, shall be prepared specifying mitigation measures and monitoring which is required to avoid impacts associated with excavation for building foundations and infrastructure improvements.

- The Planning Department shall monitor the implementation of mitigation measures recommended in Paleontological Resource Mitigation Program prepared by the paleontologist.

Compliance Record

The Planning Department shall keep on file a copy of the mitigation program prepared by the paleontologist. Evidence of compliance with the recommended mitigation measures in the report shall also be maintained in the official project file.

Enforcement Responsibility: San Bernardino County Planning Department.

HAZARDOUS MATERIALS

Mitigation Measure 3.8-1(a)

Where the Redevelopment Agency is directly involved in the development or redevelopment of properties located within the Project Area, a Phase I investigation shall be conducted prior to construction to investigate the potential for the existence of site contamination. Where contamination is suspected or discovered, appropriate Phase II and Phase III remediation shall be performed as required by federal, State, and County regulations.

Implementation

- For those properties which the Agency acquires or enters into a Disposition and Development Agreement with a developer, the Agency must ensure that a Phase I investigation is performed. Recommendations made in the Phase I investigation must also be followed.

Compliance Record

A copy of each Phase I investigation shall be maintained in the Agency's files and the results of the Phase I investigations shall be reported in the five-year implementation plans.

Implementation Responsibility: The Redevelopment Agency.

RESOLUTION NO. 95-286

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO ADOPTING WRITTEN FINDINGS IN RESPONSE TO EACH WRITTEN OBJECTION OF AN AFFECTED PROPERTY OWNER OR TAXING ENTITY TO THE PROPOSED REDEVELOPMENT PLAN FOR THE SAN SEVAINE REDEVELOPMENT AGENCY

On Tuesday, December 12, 1995, on motion of Supervisor Mikels, duly seconded by Supervisor Eaves, and carried, the following resolution is adopted:

WHEREAS, the Redevelopment Agency of the County of San Bernardino (the Agency) has prepared and submitted to this Board of Supervisors, a proposed Redevelopment Plan for the San Sevaine Redevelopment Project (the Project); and

WHEREAS, after due notice as provided by the California Community Redevelopment Law (Health & Safety Code, Sections 33000, et seq.) a joint public hearing was held by the Board of Supervisors and the Agency to consider the proposed Redevelopment Plan; and

WHEREAS, any and all persons and organizations having any objections to the proposed Redevelopment Plan or who deny the existence of blight in the Project Area, or the regularity of the prior proceedings, were given an opportunity to submit written comments prior to the joint public hearing, and to give written or oral testimony at the joint public hearing, and show cause why the proposed Redevelopment Plan should not be adopted; and

WHEREAS, the Board of Supervisors has considered and evaluated all evidence and testimony for and against the adoption of the Redevelopment Plan, including among other things the Report of the Redevelopment Agency to the Board of Supervisors on the San Sevaine Redevelopment Plan; and

WHEREAS, the Board of Supervisors has prepared written findings in response to each written objection of an affected property owner or taxing entity as provided for in Section 33363 of the Community Redevelopment Law.

NOW, THEREFORE, the Board of Supervisors of the County of San Bernardino, California, does resolve as follows:

Only one written comment concerning to the proposed San Sevaine Redevelopment Project as submitted at the December 5, 1995, Joint Public Hearing of the County of San Bernardino and the Redevelopment Agency of the County of San Bernardino. This comment, submitted by CSI, Inc., and joined in by certain other property and business owners in the Project Area, did not object to the adoption of the San Sevaine Redevelopment Plan but raised what it called "some concerns" relating to the Agency's authority to use eminent domain and the prioritizing of redevelopment activities.

COMMENT OR OBJECTION:

"The use of eminent domain should . . . be clearly spelled out and limitations established as to its use in this Redevelopment Plan."

RESPONSE:

It is not a goal of the Agency or the San Sevaine Redevelopment Plan to displace existing businesses; instead, the Plan seeks to encourage the improvements or expansion of existing businesses as well as attracting new industrial uses into the Project Area. The Agency seeks a partnership with existing owners and users to revitalize the area. The primary activity of the Agency in this partnership is expected to be reducing impediments to private investment by seeking to cure existing deficiencies in infrastructure (such as traffic circulation, sewage and flood control). With these impediments removed and with some initial assistance in the form of loan funds for the rehabilitation of existing structures, the Agency expects that the private market will reinvest in the Project Area.

The Redevelopment Plan provides the Agency with the authority to acquire property by any means, including gift, purchase or the use of eminent domain. Because successful redevelopment often depends upon the ability to take advantage of opportunities which are difficult to predict, the Redevelopment Plan is designed to permit the Agency flexibility. Although the Agency does not foresee the need to exercise its authority to acquire property (voluntarily or by condemnation) except for rare occasions, its retention of that power is important to the ability of the Redevelopment Project to succeed. An agency needs to be able to resort to this authority in cases where an individual property owner threatens the Project by refusing to participate in an approved redevelopment activity, or by seeking an unfair advantage over other property owners.

The conditions and restrictions placed on an agency's ability to compel a property owner to sell his other property, place considerable safeguards on the use of this power. For example,

- before an agency can even consider acquiring property, it must offer the property owner the opportunity to participate in redevelopment;

- an agency must negotiate in good faith to acquire the property on a voluntary basis, for fair market value, before it may even consider the use of eminent domain; and

- an agency can only use eminent domain if it makes an express finding that the public benefits outweigh private harm, if any

Moreover, should an agency decide to exercise its power, it must follow the State's Eminent Domain Law, which is designed to ensure that property owners receive fair treatment.

As stated previously, the intent of the San Sevaine Redevelopment Plan and Project is to encourage, promote and preserve industrial uses in the Project Area. The Project Area is grossly underutilized because of the presence of blighting influences, and removal of these influences should enable significant redevelopment without displacement. Because it foresees ample opportunity for all existing business and industrial owners to stay and revitalize their properties, the Agency does not anticipate the need to acquire property very often. Nevertheless, the purchase of property is important to the successful redevelopment of the Project Area, the Agency must retain its full authority to act.

COMMENT OR OBJECTION:

"There should be a clear priority established as to the public works projects in the redevelopment area."

RESPONSE:

The Agency will establish general priority for all activities, including any public works activities, through the development and adoption of the Implementation Plans required by law. The first Implementation Plan, covering the initial five years of the Project, is included in the Report to the Board of Supervisors for the Plan adoption. This Implementation Plan was previously the subject of a community meeting, and public comment was sought and obtained on the issue of priorities and public improvements. This Implementation Plan will be reviewed through a public hearing process within the next two to three; years, and a new Implementation Plan will be adopted every five years of the Project. While the Agency always encourages public comment on any aspect of the Plan, within 90 days of adoption of the San Sevaine Redevelopment Plan, an advisory body will be established made up of property owners and tenants in the Project Area. The Agency will then consult with that body on a regular basis concerning the developing, reviewing and prioritizing of proposed redevelopment activities for the San Sevaine Redevelopment Project.