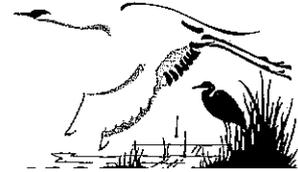


**Letter from Tom Dodson and Associates,
Addendum prepared by
Tom Dodson and Associates,
Candidate Findings of Fact and
Statement of Overriding Considerations**

Attachment 8

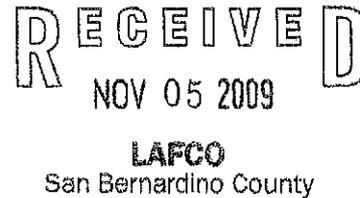
TOM DODSON & ASSOCIATES

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November 3, 2009

Ms. Kathleen Rollings-McDonald
Local Agency Formation Commission
215 North "D" Street, Suite 204
San Bernardino, CA 92415-0490



Dear Kathy:

I have completed the California Environmental Quality Act (CEQA) review of LAFCO 3050 for the Commission. The City of San Bernardino has submitted an application to the San Bernardino County Local Agency Formation Commission (LAFCO or Commission) to carry out the next step in the review and approval process, which is a reorganization to include annexation to the City (Annexation No. 360) and detachments from the San Bernardino Fire Protection District and Its Valley Service Zone, and County Service Area 70 (Arrowhead Springs Specific Plan area), which is being processed as LAFCO 3050. If the reorganization is approved (LAFCO 3050), the development of the Arrowhead Springs Specific Plan (Specific Plan) can proceed under the City's jurisdiction, which includes a 1,916-acre planning area. The Specific Plan would allow the following development to be considered and approved by the City: up to 1,350 single-family detached and multi-family residential units; up to 1,044,646 square feet of commercial and office uses; a 199-acre, 18-hole public golf course; reuse of the historic Arrowhead Springs Hotel with a 115-room annex; a new 300-room hotel; a conference center; a 14-acre corporate office area; and reuse and expansion of the historic Arrowhead Springs spa and resort. Because the annexation is a step required to allow the implementation of the Specific Plan through the City, it is appropriate to rely upon the detailed EIR prepared for this project.

Based on my review of the situation, I am recommending to the Commission that it rely upon the "San Bernardino General Plan Update and Associated Specific Plans Environmental Impact Report" SCH No: 2004111132 prepared by the City of San Bernardino and the Addendum prepared by the Commission as the appropriate environmental determination for compliance with the California Environmental Quality Act (CEQA). This Addendum is required to the certified EIR because approximately 1.7 acres, not included in the City's application and about 16.3 acres not included in the application or addressed in the certified EIR were not previously addressed as part of this application. With these two documents combined, the certified EIR and Addendum, the Commission has sufficient information before it to fully comply with CEQA for LAFCO 3050.

Thus, the Commission would make its decision as a CEQA Lead Agency for LAFCO 3050. In this case it is my conclusion that the Addendum demonstrates that proposed addition of the about 18 acres to reorganization will not result in or contribute to significant adverse environmental impacts if the Commission chooses to approve LAFCO 3050. However, even with the implementation of mitigation, the certified EIR indicates that unavoidable significant adverse environmental impacts will result from implementing the Arrowhead Springs Specific Plan. In accordance with the State

and LAFCO CEQA Guidelines, the Commission must adopt a set of Facts, Findings and a Statement of Overriding Considerations if it chooses to approve LAFCO 3050. I believe it is appropriate for the Commission's CEQA environmental determination to cite the EIR as adequate in accordance with the Commission's Responsible Agency status, with the modifications to the environmental data base provided by the Addendum.

Under this circumstance, I recommend that the Commission take the following steps if it chooses to approve LAFCO 3050:

1. Indicate that the Commission, LAFCO Staff and environmental consultant have independently reviewed the EIR and compiled the referenced Facts, Findings and Statement of Overriding Considerations and Addendum, and found them adequate for the LAFCO 3050 reorganization decision.
2. The Commission needs to indicate that it has considered the EIR and Addendum and the environmental effects as outlined in these documents, prior to reaching a decision on the project and finds the information substantiating this documentation and findings adequate.
3. The Commission needs to adopt the Facts, Findings and Statement of Overriding Considerations for LAFCO 3050.
4. The Commission should indicate that it has reviewed the mitigation measures contained in the EIR that the City must implement, but it does not intend to adopt or implement any mitigation measures for this project.
5. File a second Notice of Determination under the certified EIR for the Addendum with the County Clerk of the Board.

If you have any questions regarding these recommendations, please feel free to give me a call.

Sincerely,



Tom Dodson

**ADDENDUM TO THE
CITY OF SAN BERNARDINO
“SAN BERNARDINO GENERAL PLAN UPDATE
AND ASSOCIATED SPECIFIC PLANS
ENVIRONMENTAL IMPACT REPORT”
SCH NO. 2004111132
FOR LAFCO 3050**

I. PROJECT DESCRIPTION

This document is prepared as an Addendum to the “San Bernardino General Plan Update and Associated Specific Plans Environmental Impact Report” SCH No: 2004111132 prepared by the City of San Bernardino. If the Reorganization is approved (LAFCO 3050), the development of the Arrowhead Springs Specific Plan (Specific Plan) can proceed under the City’s jurisdiction, which includes a 1,916-acre planning area. The Specific Plan would allow the following development to be considered and approved by the City: up to 1,350 single-family detached and multi-family residential units; up to 1,044,646 square feet of commercial and office uses; a 199-acre, 18-hole public golf course; reuse of the historic Arrowhead Springs Hotel with a 115-room annex; a new 300-room hotel; a conference center; a 14-acre corporate office area; and reuse and expansion of the historic Arrowhead Springs spa and resort. Because the annexation is a step required to allow the implementation of the Specific Plan through the City, it is appropriate to rely upon the detailed EIR prepared for this project.

The City of San Bernardino has submitted an application to the San Bernardino County Local Agency Formation Commission (LAFCO or Commission) to carry out the next step in the review and approval process, which is a reorganization to include annexation to the City (Annexation No. 360) and detachments from the San Bernardino Fire Protection District and Its Valley Service Zone, and County Service Area 70 (Arrowhead Springs Specific Plan area), which is being processed as LAFCO 3050.

Under a standard environmental review process for compliance with the California Environmental Quality Act (CEQA), LAFCO would act as a responsible agency and rely totally upon the environmental documentation certified by the City of San Bernardino. However, upon review of the project by the Commission Staff, it was concluded that the reorganization area needed to be expanded. The total project being considered for the annexation and detachments in the City’s reorganization application consists of 1,572 acres of land within the Specific Plan area. In addition two relatively small expansion areas identified by the Commission are to be added to the reorganization to foster better service provision boundaries. These include approximately 1.78 acres not included in the City’s annexation proposal, but considered in the City’s General Plan/Specific Plan Environmental Impact Report (EIR); and a second area encompassing approximately 16.3 acres, primarily the entirety of the right-of-way for

State Route 18 within the City's sphere, that was not considered in the City's General Plan/Specific Plan EIR. Thus, the actual total area being considered under LAFCO 3050 is approximately 1,590 acres, of which about 18 acres are being considered in this Addendum.

LAFCO has prepared this follow-on environmental determination for LAFCO 3050, as modified by the Commission, as a CEQA lead agency to comply with the California Environmental Quality Act (CEQA).

Based on the analysis presented below, LAFCO has determined that implementation of the proposed project, approval of LAFCO 3050, as identified above, will result in impacts that are consistent with the impact findings contained in the City's certified EIR (SCH No. 2004111132). However, although LAFCO has concluded that the physical impacts of the proposed actions are fully addressed in the City's EIR, the original evaluation did not consider the correct acreage for the reorganization. Thus, LAFCO has prepared this Addendum to summarize the basis for taking action before considering LAFCO 3050 as proposed by the City of San Bernardino for approval. Assuming the Addendum is adopted by the Commission for this modified project, it will represent the Commission's CEQA determination as a CEQA lead agency for the modified action.

The specific project characteristics being considered in this document consist of the following:

1. Expansion #1 includes two parcels that were not included in the original reorganization proposal submitted by the City. These two parcels encompass 0.37 acre and 1.41 acres, respectively. The smaller parcel is occupied by Arrowhead & Puritas Waters, Inc. and was rezoned in the City's General Plan review process as RL (Residential Low). The second parcel is undeveloped and was rezoned in the City's General Plan review process as RM-AV (Residential Medium-Attached Village). No development is proposed for either parcel at this time.
2. Expansion #2 includes two areas within the State Route 18 right-of-way that was not part of the original proposal or evaluated in the City's EIR. These two parcels include about 16.3 acres. The use within these two parcels will remain the same as at present, i.e., a state highway right-of-way.

The acknowledgment of additional area for reorganization does not modify the proposed project design or operation. No change in the physical environment will occur on the additional 18 acres, and the project that may be implemented if the whole reorganization is approved, as modified, remains the Arrowhead Springs Specific Plan, with development potential as outlined above. Thus, no change in the use of any of the 1,590 acres included in the expanded reorganization is proposed and no additional

physical changes to the environment are forecast to occur if LAFCO 3050 is approved by the Commission.

II. PROCEDURAL PROCESS

This document, together with all other environmental documents incorporated by reference herein, serve as the basis for this project being proposed for implementation at this time. This Addendum modifies the City's certified EIR by correcting the acreage value as modified by LAFCO for the reorganization outlined in LAFCO 3050. No other changes in the referenced LAFCO action would occur if this project is implemented.

LAFCO will utilize the City's certified EIR as the base environmental document for considering the proposed reorganization, LAFCO 3050. In this circumstance, LAFCO is acting as a CEQA Lead Agency and has made a decision that additional environmental documentation is required to consider and, if appropriate, approve LAFCO 3050. In this role, LAFCO is required to review and consider the potential environmental effects that could result from correcting the area of annexation and, if appropriate, approving LAFCO 3050. LAFCO has compiled this Addendum as the basis for making a follow-on CEQA environmental determination for the proposed reorganization to ensure that the impacts originally identified will not be altered or significantly increased as a result of this correction.

In accordance with CEQA and the State CEQA Guidelines, this Addendum has been prepared in order to determine whether the project modifications, summarized above, could result in conditions that would require new environmental documentation to be prepared because of new or additional adverse environmental impacts. This Addendum also reviews any new information of substantial importance that was not known and could not have been known with exercise of reasonable diligence at the time the EIR was certified by the City of San Bernardino in 2006. This examination includes an analysis in accordance with the provisions of Sections 15164 and 15162 of the State CEQA Guidelines, which outline the criteria and procedures for preparing an Addendum to a previously certified EIR.

Pursuant to CEQA and the State CEQA Guidelines, LAFCO's environmental review of the proposed project modification is limited to examining the environmental effects associated with the physical changes in the environment from implementing the modified project in comparison to the approved project, i.e., addressing the effect of reorganizing the expanded acreage to the City of San Bernardino, an additional 18 acres of area. This narrow focus is based on the fact that the City's EIR has already addressed the physical environmental impacts of implementing the future uses on the property that may be annexed into the City. This previous document met the provisions of CEQA for the original project as envisioned by the City, including development of the project site as allowed by the preliminary approved entitlements.

This Addendum has been prepared in accordance with the current CEQA Statutes and Guidelines for implementing CEQA. CEQA Section 15164 includes the following procedures for the preparation and use of an Addendum:

- (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (c) An addendum need not be circulated for public review, but can be included in or attached to the Final EIR or adopted negative declaration.
- (d) The decision-making body shall consider the addendum with the Final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

This Addendum to the City's certified EIR includes those changes or additions necessary to make the adopted documentation adequate under CEQA for action by LAFCO, including the project modification summarized above. This Addendum relies on and includes the adopted City of San Bernardino EIR (SCH No. 2004111132), this document, and all staff reports and information submitted to the decision-makers regarding environmental issues affected by the proposed modification to the project defined in the EIR. This Addendum is intended as a supplemental information document to provide all of the additional information required for decision-makers and others, as appropriate, on this modified project. Collectively, these materials provide decision-makers with an objective assessment of potential environmental impacts associated with the City entitlements and the reorganization defined in LAFCO 3050.

III. PURPOSE AND NEED

The City seeks to annex the original project site of 1,572 acres as defined in LAFCO 3050 in order to allow the proposed Arrowhead Springs Specific Plan to be constructed and occupied. Once the City submitted the application for LAFCO 3050, the Commission Staff determined that slight modifications were required to the original environmental documentation before the proposed reorganization can be considered by the Commission. To rectify this situation, the Commission Staff has identified the specific acreage of the parcel for reorganization as 1,590 acres. This Addendum provides LAFCO with the information substantiating that the annexation and detachment of the additional 18 acres to the City of San Bernardino, and subsequent development of the Specific Plan area for the proposed uses, will not cause substantial physical changes in the environment beyond that identified in the City's certified EIR. Therefore, the modified project will not require the preparation of a new negative declaration or environmental impact report. Such documentation would only be required due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects of the original project from approving the modified/expanded reorganization. This determination allows for

the use of an Addendum in accordance with Section 15164(a) of the State CEQA Guidelines.

IV. ENVIRONMENTAL EVALUATION

Following the decision by LAFCO to consider the modified parcels and acreage added to the City's application (LAFCO 3050), a decision was made to compile sufficient information to determine what the appropriate environmental determination would be for implementation of this corrected project definition. This Addendum considers the environmental effects of the modified project in the context of the certified EIR prepared by the City of San Bernardino and certified in 2006. Based on the findings in the analysis presented below, LAFCO chose to prepare this Addendum to provide a summary evaluation of potential project effects that would result from approving and implementing the modified LAFCO 3050 project. As stated above, this analysis is based on a comparison of the proposed project to the impact forecast contained in the certified City EIR. The following evaluation provides a summary analysis of potential environmental impacts in relation to the facts and findings contained in the referenced document. The following conclusions were developed regarding potential impacts from approval and implementation of the proposed project modification.

- a) ***POTENTIAL TO DEGRADE: Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?***

Less than Significant Impact/No Changes or No New Information Requiring Preparation of an Additional Environmental Document. The additional acreage to be included within the reorganization area is either developed (roadways and Arrowhead & Puritas Waters, Inc.) or designated for comparable development in both the City and County General Plans. Thus, the inclusion of the additional parcel of land does not modify the conclusions regarding biology resources that were evaluated in the EIR. The findings were based on data compiled by the City and a site visit by the LAFCO environmental consultant. The site was determined to have no potential for significant biological resource impacts due to inclusion in the reorganization and no mitigation is required.

The cultural resource values of the project are were evaluated in the EIR. Significant cultural resources were identified within Specific Plan area and the area considered in the EIR, which included the Arrowhead and undeveloped parcels. The additional area for inclusion in the reorganization consists of the area encompassed by State Route 18. Due to previous evaluation and the lack any potential cultural resources within the roadway with any contextual value, the potential for cultural resource impacts is not identified as being substantially modified by approval of LAFCO 3050. The correction

of the acreage for reorganization has no potential to have a substantial adverse impact on any cultural resources.

Since no significant biological or cultural resources occur within the area of potential effects, no potential to cause new or more significant adverse cultural or biological resources can occur from implementing the proposed modified project. The proposed project is not forecast to degrade or substantially reduce natural habitats, eliminate natural communities, or eliminate important examples of California history or prehistory. Therefore, impacts related to these issues will not exceed those identified in the certified EIR relative to the impact forecast in this document. Thus, the addition of the identified acreage for LAFCO 3050 will cause no significant adverse change in the environment and no additional mitigation needs to be implemented.

- b) CUMULATIVE IMPACTS: Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future project.)**

Less than Significant Impact/No Changes or No New Information Requiring Preparation of an EIR. Those environmental resources or issues subject to cumulative effects include the following: air quality, hydrology/water quality, noise, public services, transportation/traffic, and utilities/service systems. Since no additional physical changes will occur as a result of the proposed action on the acreage added to LAFCO 3050, it is not forecast to cause or make a considerable contribution to any new or more significant cumulative impacts to the issues summarized above. Based on the type of project and the potential environmental effects of approving the City’s proposed reorganization, no new or additional significant cumulative effects will result from implementing the proposed project relative to the forecast contained in the City’s certified EIR.

- c) ADVERSE IMPACTS ON HUMANS: Does the project have environmental effects on human beings, either directly or indirectly?**

Less than Significant Impact/No Changes or No New Information Requiring Preparation of an EIR. The City’s certified EIR prepared for the proposed project addressed those issues which may potentially impact human beings. These issues include: geology/soils, air quality, noise, hazards and aesthetics. Note that this project has no potential to adversely impact the area population or housing. None of the circumstances associated with the above referenced issues will be significantly altered by incorporating the additional acreage in the proposed reorganization. Thus, implementation of the proposed project is not forecast to create or result in new or more significant direct environmental impacts on humans, and such impacts will remain less

than significant as identified and addressed in the previous environmental documentation.

V. CONCLUSION

The earlier analyses from the City's certified EIR were used as a basis for this Addendum, updated with current information from sources cited and referred to as technical reports and analysis available to LAFCO for review. It is the conclusion of this Addendum that the potential adverse environmental impacts from implementation of the proposed modified project, as described in Section IV of this document, will not be significantly greater or different than those identified for the approved City actions. There are no new substantial impacts that result from the project that were not previously disclosed. This Addendum provides an update of the project, revised with the project modification.

Pursuant to CEQA Section 15164, the City's certified EIR, as updated with this Addendum, can be relied upon for documentation of the effects of the proposed modified project on the environment. Because the changes in the project do not exceed the thresholds outlined in Section 15162 of the State CEQA Guidelines, no further analysis of the environmental impacts of the project is required in a new negative declaration or supplemental/subsequent EIR. Based on all of the data presented above, it is recommended that LAFCO 3050 be processed under an Addendum to the certified, referenced documentation. The proposed project modification does not alter the conclusions contained in the City's certified EIR. The analysis presented above of the changes and additions to the adopted project justify the issuance of an Addendum by the Commission as the appropriate environmental determination for compliance with CEQA for the LAFCO 3050.

VI. REVIEW AUTHORITY

LAFCO serves as a CEQA lead agency for this project because it will consider whether to approve a modified project in its role as decision maker for LAFCO 3050 relative to that approved by the City. It is recommended that an Addendum be adopted as the appropriate CEQA environmental determination for the modified project considered in this document.

VII. CERTIFICATION



KATHLEEN ROLLINGS-McDONALD
Executive Officer

**CANDIDATE FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS
REGARDING ENVIRONMENTAL EFFECTS FROM APPROVAL OF
REORGANIZATION TO INCLUDE
CITY OF SAN BERNARDINO ANNEXATION NO. 360 AND
DETACHMENTS FROM THE SAN BERNARDINO
FIRE PROTECTION DISTRICT AND ITS VALLEY SERVICE ZONE,
AND COUNTY SERVICE AREA 70
(ARROWHEAD SPRINGS SPECIFIC PLAN AREA),
LAFCO 3050**

A. INTRODUCTION

The San Bernardino County Local Agency Formation Commission (LAFCO or Commission), in approving LAFCO 3050 Reorganization to include Annexation No. 360 to the City AND Detachments from the San Bernardino Fire Protection District and Its Valley Service Zone, and County Service Area 70 (Arrowhead Springs Specific Plan area), makes the findings described below and adopts the statement of overriding considerations presented at the end of these findings. The total project being considered for the annexation and detachments consists of 1,572 acres of land within the Specific Plan area, and two small expansion areas identified by the Commission to foster better service provision boundaries: approximately 1.78 acres not included in the City's annexation proposal, but considered in the City's General Plan/Specific Plan Environmental Impact Report (EIR); and a second area encompassing approximately 16.3 acres, primarily the entirety of the right-of-way for State Route 18, that was not considered in the City's General Plan/Specific Plan EIR. A separate Addendum prepared by the Commission will be considered to address the consideration of the 16.3-acre expansion. The findings, benefits and Statement of Overriding Considerations contained in this document also apply to the 16.3-acre expansion area. Thus, the actual total area being considered under LAFCO 3050 is approximately 1,590 acres.

If the Reorganization is approved, it will allow the development of the Arrowhead Springs Specific Plan (Specific Plan), which includes a 1,916-acre planning area. The Specific Plan would allow the following development to be considered and approved by the City: up to 1,350 single-family detached and multi-family residential units; up to 1,044,646 square feet of commercial and office uses; a 199-acre, 18-hole public golf course; reuse of the historic Arrowhead Springs Hotel with a 115-room annex; a new 300-room hotel; a conference center; a 14-acre corporate office area; and reuse and expansion of the historic Arrowhead Springs spa and resort. Because the annexation is a step required to allow the implementation of the Specific Plan through the City, it is appropriate to rely upon the detailed EIR prepared for this project, "San Bernardino General Plan Update and Associated Specific Plans Environmental Impact Report" SCH No: 2004111132.

Hereafter, the following document (Final Environmental Impact Report for the San Bernardino General Plan Update and Associated Specific Plans Environmental Impact Report" SCH No: 2004111132) will be referred to as the "FEIR". The total action that may be implemented by approval of the Commission (approval of LAFCO 3050) consists of the annexation of approximately 1,590 acres to the City and concurrent detachments as noted above. Because the annexation is an essential steps to the ultimate implementation of the whole project, the Commission must utilize the FEIR for compliance as a Responsible Agency with the California Environmental Quality Act (CEQA). Also as noted above, the expansion of the annexation area by approximately 16.3 acre is addressed in the Commission Addendum for LAFCO 3050. The evaluation that follows will summarize the project specific and cumulative effects of the approval of LAFCO 3050, which would support implementation of the Specific Plan in the future and the actions evaluated in the FEIR. However, it is solely the annexation and detachments being considered by the Commission for this reorganization that is the specific decision requiring action as a CEQA Responsible Agency.

These Findings and this Statement are based upon the entire record before LAFCO, including the above environmental documents, staff reports, the Commission's Addendum, and other information presented to the Commission and prepared for the proposed project, including other environmental documentation. These environmental documents were prepared by the City of San Bernardino and the Commission. The City served as the CEQA lead agency for preparation of the FEIR and will carry out the necessary actions to oversee implementation of the Specific Plan assuming it is annexed to the City. As noted above, LAFCO is identified as a CEQA responsible agency for its action of approving the proposed reorganization with annexation and detachments that would be authorized by the approval of LAFCO 3050.

B. PROJECT SUMMARY

B.1 Project Description and Location

Project Location

The reorganization area encompasses to separate annexation areas totaling approximately 1,590 acres located within the City of San Bernardino's northern sphere of influence. Area 1 (comprised of Parcels A and D) encompasses approximately 1,296 acres general located north of the City of San Bernardino boundaries, east of Highway 18. The annexation area includes the historic Arrowhead Springs Hotel and grounds. The area is generally bordered by the City of San Bernardino limits on the west and parcel lines on the north, east and south.

Area 2 (comprised of Parcels B and C) encompasses approximately 276 acres generally located east and west of Highway 18 in the Old Waterman Canyon area. The annexation is generally bordered by the City of San Bernardino limits on the south and parcel lines on the west, north and east. The two expansion areas, 1.78 acres and 16.3 acres, are located in the southern and northern portions of the reorganization area, respectively.

Project Description

The Arrowhead Springs Specific Plan encompasses approximately 1,940 acres, including 368 acres that are currently located within the incorporated City boundary and the remaining 1,572 acres that are located in unincorporated County of San Bernardino but within the sphere of influence of the City. Included as part of this project, is the annexation of the 1,572 acres of the Specific Plan and the expansion areas into the City of San Bernardino. The Specific Plan calls for a mixed use resort/residential development centered on the existing Arrowhead Springs Hotel and Resort/Spa and includes: 1,350 units including 36 single-family detached and 1,314 multi-family units; 1,044,646 square feet of existing and new commercial and office uses; a new 199-acre, 18-hole public golf course; the reuse of the historic Arrowhead Springs Hotel; a new 300-room hotel; a new conference center and reuse of the existing conference center and the reuse and expansion of the historic Arrowhead Springs spa/resort. Of the total non-residential area, 235,996 square feet exist and will be preserved and enhanced as a part of this plan. These non-residential uses could result in approximately 2,530 new jobs. The developable area is clustered into 506 acres near existing development and is distributed within 1,400 acres of open space and watershed, which will comprise 73 percent of the site. The Arrowhead Springs Specific Plan also includes a total of 21.0 acres of parks in the developed area. No change in land use is forecast for the expansion areas.

Discretionary Actions

The proposed project required certain discretionary approvals by the City, approval of a General Plan Amendment and the Arrowhead Springs Specific Plan. Additional entitlements will be required by future developers, such as subdivision maps, before actual development can occur. The Project also requires discretionary approvals from a number of responsible agencies, including but not limited to, the California Department of Fish and Game, California Department of Transportation (District 8); California Regional Water Quality Control Board, Santa Ana Region; the Corps of Engineers; and, of course, LAFCO.

B.2 Project Objectives

A series of project objectives were identified in the FEIR for the Arrowhead Springs Specific Plan. These include:

1. Create a unique and economically viable mixed-use resort and residential living environment that utilizes the existing natural and historic resources to the greatest extent possible.
2. Preserve and enhance the historic Arrowhead Springs Hotel and Spa and make these the centerpiece of Arrowhead Springs.
3. Develop a unique shopping and entertainment environment.
4. Concentrate development in a limited area and maintain the existing environmental conditions to the greatest extent possible.
5. Create a development that is based on sustainable development principles as outlined in the U. S. Green Building Council's L.E.E.D. rating program.
6. Maximize open space and recreational opportunities.
7. Create both passive and active recreational opportunities.
8. Create a mixture of housing types and products to appeal to many segments of the housing market.
9. Integrate commercial, service, employment, entertainment, and recreational opportunities near housing and connect with a range of mobility options.
10. Develop a comprehensive system of mobility options for vehicular, bicycle, pedestrian, and equestrian travel.
11. Incorporate the existing water and thermal water resources into Arrowhead Springs.
12. Create strong development standards and design guidelines to ensure quality development within Arrowhead Springs that complements the existing historical buildings.

C. ENVIRONMENTAL REVIEW & PUBLIC PARTICIPATION

The City conducted an extensive environmental review for this Project which included an Initial Study, Draft EIR, Final EIR, appendices and attachments, along with public review and comment periods, and public information meetings. In conformance with CEQA and the State CEQA Guidelines, the City of San Bernardino conducted an extensive environmental review of the proposed Project. The environmental review process has included the following:

1. Completion of an Initial Study by the City of San Bernardino, which concluded that an EIR should be prepared, and the Notice of Preparation (NOP) which was released for a 30-day public review period from November 29, 2004 to December 28, 2004. Section 2.3 of the DEIR describes the issues identified for analysis in the DEIR through the Initial Study, Notice of Preparation and public scoping process.
2. Preparation of a Draft EIR by the City of San Bernardino, which was made available for a 45-day public review period (July 25, 2005 – September 8, 2005). The Draft EIR consisted of three volumes. Volume I contains the text of the Draft EIR. Volume II contains the Appendices for the San Bernardino General Plan update analysis, including the NOP, comments on the NOP, service letters and supporting data and/or analysis of the following subjects: air quality, noise and traffic. Volume III contains the Appendices for the Arrowhead Springs Specific Plan analysis including the supporting data and/or analysis for air quality, biological resources, cultural resources, geotechnical, hazards (Phase I Environmental Site Assessment), hydrology/water quality, noise, transportation and circulation, water supply, facility plan and annexation study. The Notice of Availability/Completion of the Draft EIR was sent to interested persons and organizations, was noticed in the San Bernardino County Sun and was posted at the Clerk of the Board of Supervisors of San Bernardino County.
3. Preparation of a Final EIR, including the Comments and Responses to Comments on the Draft EIR. The Final EIR/Response to Comments contains the following: comments on the Draft EIR; responses; the Final EIR/Response to Comments was released for a 10-day public review period on September 30, 2005.

4. Public hearings on the proposed Project.

In addition to the FEIR being considered by the Commission as a CEQA Responsible Agency, an Addendum has been compiled by the Commission to address the expansion of this reorganization from 1,572 acres to approximately 1,590 acres. Approximately 16.3 acres of this expansion were not addressed as part of the City's FEIR and the Addendum addresses the potential environmental effects of adding the additional 16.3 acres to this reorganization. An Addendum is prepared when the change in the original project does not cause substantial new adverse environmental impacts. Section 15164 includes the following procedures for the preparation and use of an Addendum:

- (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (c) An addendum need not be circulated for public review, but can be included in or attached to the Final EIR or adopted negative declaration.
- (d) The decision-making body shall consider the addendum with the Final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

The Commission serves as the Lead Agency under CEQA for consideration and approval of the Addendum.

C.1 Custodian and Location of the Record

The documents and other materials which constitute the record of proceedings for LAFCO's approval of LAFCO 3050 is located at the Local Agency Formation Commission's office at 215 North D Street, Suite 204, San Bernardino, CA.

C.2 Independent Judgment

The FEIR, Addendum and these findings and statement have been provided to the Commission to facilitate an independent decision by the Commission for the action before it, LAFCO 3050. The FEIR was prepared under the supervision and direction of City by The Planning Center. This document and the Addendum were prepared by the Commission's environmental consultant, Tom Dodson & Associates, and extensively relies upon the City's previously adopted findings of fact and statement of overriding consideration. However, the LAFCO staff and consultant have performed a fully independent review of the previous environmental documents and has independently prepared this compilation of facts, findings and statement of overriding considerations for the Commission's consideration before making a decision on LAFCO 3050.

Findings: The reliance on all of the referenced environmental documents reflects the Commission's independent judgment exercised in accordance with CEQA Section 21082.1(a) by reviewing and considering the FEIR. This consideration in relation to the proposed action, LAFCO 3050, reflects the independent judgment of the Commission as a CEQA Responsible Agency as it considers the sphere expansion and reorganization, including annexation.

D. ENVIRONMENTAL IMPACTS

The City's staff reports, the EIR, written and oral testimony at public hearings, and these facts, findings of facts and statements of overriding consideration and other information in the administrative record serve as the basis for the Commission's environmental determination. The environmental documents considered by the Commission include the Draft EIR and technical appendices, the Mitigation Monitoring and Reporting Program, comments on the Draft EIR, and responses and minor revisions to the Draft EIR and the Commission prepared Addendum for the expansion area. The detailed analyses of potential environmental impacts and proposed mitigation measures for the Arrowhead Springs Specific Plan are presented in Chapter 5 of the Draft EIR. The Mitigation Monitoring and Reporting Program (MMRP) is provided in the FEIR. Public comments on the Draft EIR and the City's responses are provided in the FEIR.

Presented below are the environmental findings made by the Commission after its review of the documents referenced above, as well as the written and oral comments received at public hearing before the Commission for LAFCO 3050. Factual discussion in this document summarizes the information contained in the FEIR and the administrative record upon which this Commission bases its decision to consider the FEIR as the CEQA document for LAFCO 3050. These findings provide a summary of the information contained in the environmental documents, related technical documents, and the public hearing record that have been referenced by the Commission in making its decision to approve LAFCO 3050 and the subsequent reorganization, including annexation and detachments, to the identified agencies.

The Commission has determined that, based on all of the evidence presented, including but not limited to the Initial Study, the Final EIR, Addendum, written and oral testimony given at meetings and hearings, and submission of testimony from the public, organizations and regulatory agencies, the following environmental impacts associated with the project are: (1) less than significant and do not require mitigation; or (2) potentially significant and each of these impacts will be avoided or reduced to a level of insignificance through the identified mitigation measures and/or implementation of an environmentally superior alternative to the Project; or (3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified mitigation measures.

D.1 Environmental Effects Which Were Determined Not to Have Any Potential to Experience Significant Adverse Effects from the Proposed Project

The Commission hereby finds that the following potential environmental impacts of the project are less than significant with the implementation of the project and therefore do not require the imposition of mitigation measures.

The Initial Study and FEIR prepared for the Arrowhead Springs Specific Plan concluded that the project would not result in any potential significant impacts to the following issues or resources: Aesthetics, Agricultural Resources, Land Use/Planning, Mineral Resources, and Population/Housing (Final EIR, Chapter 1, Executive Summary, Table 1.8-1). The NOP indicated the EIR would address impacts to all environmental resource issues listed in a standard Initial Study Environmental Checklist Form, except agricultural resources which do not occur within the project area. The following findings were made in the FEIR for those issues experiencing less than significant impacts without any mitigation.

1. Aesthetics

The potential impacts to aesthetic/visual issues were determined to be less than significant with application of the existing conditions and regulations in addition to adherence to the goals and policies contained within the General Plan and Arrowhead Springs Specific Plan. Therefore, no potential for significant unavoidable adverse aesthetic or visual impact was identified from implementing the Specific Plan.

2. Agriculture

There is no designated Prime or Unique Farmland, or Farmland of Statewide Importance within the project area. (Final EIR, Appendix 1, p. 15.) The project is not located on land subject to Williamson Act contract, nor will implementation of the project conflict with agricultural zoning. (Ibid.) In addition, the County of San Bernardino discourages agricultural land uses from locating in the San Bernardino Mountains area due to a lack of water and appropriate soils, and to prevent damage to desirable mountain resources. (Ibid.) Therefore, implementation of the project will not result in the conversion of any farmland to non-agricultural uses. (Ibid.) Impacts to agriculture are less than significant and no mitigation is required.

3. Land Use and Planning

Aside from compliance with General Plan and Specific Plan policies, including Plan modifications addressed as part of the FEIR, no potential significant land use impacts were identified for the Arrowhead Springs Specific Plan and no mitigation was required.

4. Mineral Resources

The southern-most portion of the site is within an area designated as MRZ-3. Upon implementation of project design features, regulatory requirements, and standard conditions of approval, all potentially significant impacts to mineral resources from project implementation were determined to be less than significant. No mitigation was required.

5. Population and Housing

The implementation of the Arrowhead Spring Specific Plan would enhance the City's jobs/housing balance and the range of housing products available to the community. The loss of 11 existing residential units is not considered to be a significant impact and overall, the effect on implementing the proposed project was found to cause no potential significant population or housing impacts. No mitigation was required.

D.2 Environmental Effects Which Were Determined Not to Experience Significant Adverse Effects from the Proposed Project after Application of Mitigation Measures

This section includes findings for project impacts identified in the FEIR which are potentially significant but are capable of being reduced to a less than significant impact level with the implementation of recommended mitigation measures. The Commission finds that the following impacts of approving LAFCO 3050 listed below, including build-out of the Arrowhead Springs Specific Plan, can be reduced or avoided by the imposition of mitigation measures. Specific findings of this Commission for each category of impacts are set forth below in this section.

Public Resources Code (PRC) Section 21081(a) states that no public agency shall approve or carry out a project for which an environmental impact report has been completed which identifies one or more significant impacts on the environment unless the public agency makes one or more of the following findings with respect to each significant impact:

1. Changes or alterations have been required in, or incorporated into the project, which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

The Commission hereby finds, pursuant to PRC Section 21081(a), that the following potential environmental impacts can and will be mitigated to below a level of significance, based upon a finding that the implementation of

the mitigation measures recommended in the FEIR were adopted by the City and were included in the MMRP for implementation by the City. None of the mitigation measures referenced below fall within the authority or responsibility of the Commission. The City's monitoring program ensures that the measures identified in the environmental documents are implemented in accordance with discussions in these documents for future developments, including buildout of the Specific Plan.

Biological Resources

AHS Impact 5.3-1: *Development of the project would disturb or remove approximately 420 acres of plant communities of which approximately 124 acres contain sensitive vegetation communities, plant and animal species. [Threshold B-1]*

Project implementation, primarily construction in West Twin Creek/Waterman Canyon would result in the direct removal of sensitive vegetation communities. Impacts would be potentially significant.

Direct impacts to one federal and state-listed plant species (thread leaved brodiaea) known to occur on the site; and four federal candidate plant species (smooth tarplant, Plummer's mariposa lily, Parry's spineflower, and many-stemmed dudleya) that were not observed but with a moderate likelihood to occur would result in a potentially significant impact.

Direct impacts to one federal threatened and one federal proposed endangered amphibian species, and one federal candidate wildlife species.

Mitigation Measures:

AHS 5.3-1 Prior to the issuance of grading permits, a qualified biologist shall conduct detailed surveys for sensitive vegetation communities, plants, and wildlife that occur within the final grading footprint and associated construction staging areas for the proposed development. If listed species are determined to be present, consultation with the USFWS and CDFG shall be initiated. The applicant shall comply with project-specific permit conditions and requirements developed through consultation with USFWS and CDFG. Including:

- Avoidance and minimization of impacts to listed species through revised project design.
- Provision of in-kind native habitat/vegetation through onsite revegetation and restoration at a minimum 2 to 1 ratio or higher ratio as required by USFWS and CDFG.
- Provision of compensation through acquisition of offsite mitigation areas at a minimum 2 to 1 ratio or higher ratio as required by USFWS and CDFG.

Finding: The mitigation measure identified is feasible and would avoid or substantially lessen the potentially significant impacts associated with biological resources to a level of less than significant and no unavoidable adverse impacts would occur.

AHS Impact 5.3-2: *Development of the project would potentially result in the loss of approximately 51 acres of riparian habitat. [Threshold B-2]*

Approximately 51 acres of riparian habitat would be impacted by construction of the proposed project primarily along West Twin Creek in Waterman Canyon.

Mitigation Measures:

AHS 5.3-2A Prior to the issuance of grading permits for any project potentially affecting riparian habitat, jurisdictional waters, and/or wetland habitat, the property owner/developer shall provide evidence to the that all necessary permits have been obtained from the CDFG (pursuant to Section 1600 of the Fish and Game Code) and the USACE (pursuant to Section 404 of the CWA) or that no such permits are required, in a manner meeting the approval of the Director of Development Services for the City of San Bernardino. Section 404 Permits from the USCOE will also require a Section 401 Water Quality Certification from the California RWQCB Santa Ana. Project applicant shall provide evidence of a Section 401 Water Quality Certification. If federally listed species are present, consultation with USFWS shall also occur in conjunction with the Section 404 permit.

AHS 5.3-2B Prior to issuance of a grading permit for any area containing resources subject to the jurisdiction of USACE and CDFG, USFWS, and RWQCB, a comprehensive Revegetation and Restoration Plan shall be developed by the applicant in consultation with the applicable agencies. The plan shall incorporate the applicable permit conditions and requirements of these agencies including the Section 404 Permit, 401 Water Quality Certification, and CDFG Section 1600 Streambed Alteration Agreement.

Native vegetation shall be installed at a minimum ratio of 2 to 1 and maintained along the developed/wildland interface of the golf course and associated residential units, including local native plant landscaping.

The plan will address the following items:

- *Responsibilities and qualifications of the personnel to implement and supervise the plan:* The responsibilities of the landowner, specialists and maintenance personnel that will supervise and implement the plan will be specified.
- *Site selection:* The site for mitigation will be determined in coordination with the City, USFWS, CDFG, and USFWS. The site will be located within land to be purchased or preserved offsite within the Santa Ana watershed.
- *Restoration and creation of habitat:* The plan shall require the creation of riparian habitat in the amount and of the type required by CDFG and USACE, provided, however, that, in order to assure no net loss of jurisdictional resources on an acre-for-acre basis, all impacted USACE and CDFG jurisdictional habitat shall be compensated by restoration, enhancement or creation at a minimum of 3:1 ratio.
- *Site preparation and planting implementation:* The site preparation will include: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e. duff), 4) soil treatments (i.e. imprinting, decompacting), 5) temporary irrigation installation, 6) erosion control measures (i.e. rice or willow wattles), 7) seed mix application, and 8) container species.
- *Schedule:* A schedule will be developed that includes planting to occur during the appropriate season.
- *Maintenance plan/guidelines:* The maintenance plan will include: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting.

- *Monitoring plan:* The monitoring plan will include: 1) qualitative monitoring (i.e., photographs and general observation), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the resource agencies, 4) monitoring reports for three to five years, 5) site monitoring as required by the resource agencies to ensure successful establishment of riparian habitat within the restored and created area. Successful establishment is defined per the performance criteria agreed to by the USACE, USFWS, CDFG, and the City or subsequent project applicant.
- *Long-term preservation:* Long-term preservation of the site will also be outlined in the conceptual mitigation plan.

AHS 5.3-2C The applicant shall ensure that polluted runoff from the golf course will not enter riparian habitat and jurisdictional waters, including wetland habitat, through implementation of Mitigation Measures 5.7-1B, 5.7-1C, 5.7-1D, and 5.7-1E (Section 5.7, Hydrology).

Finding: The mitigation measures identified are feasible and would avoid or substantially lessen the potentially significant impacts associated with biological resources to a level of less than significant and no unavoidable adverse impacts would occur.

AHS Impact 5.3-3: *The proposed project would impact approximately 58 acres of potential jurisdictional waters, including wetlands. [Threshold B-3]*

Approximately 58 acres of potential jurisdictional (U.S. Army Corp of Engineers and California Department of Fish and Game) waters, including wetlands, would be impacted by the proposed project.

Mitigation Measures:

AHS 5.3-3 Project applicant shall implement mitigation measure 5.3-2 to address impacts to jurisdictional waters and wetlands.

Finding: The mitigation measure identified is feasible and would avoid or substantially lessens the potentially significant impacts associated with biological resources to a level of less than significant and no unavoidable adverse impacts would occur.

AHS Impact 5.3-4: *The proposed project would affect wildlife movement in West Twin Creek/Waterman Canyon. [Threshold B-4]*

The proposed project may potentially affect the movement of resident or migratory wildlife species in West Twin Creek/Waterman Canyon.

Mitigation Measures:

AHS 5.3-4A Prior to issuance of a grading permit for the golf course construction and creek realignment, the applicant shall conduct a wildlife corridor/movement analysis of West Twin Creek/Waterman Canyon to identify and define the limits of the existing wildlife corridor. Based on the results of the analysis, and in consultation with a qualified biologist and a qualified native community restorationist, the landscaping plan for manufactured slopes along the drainage shall include:

- Provision of north-south wildlife movement and linkage opportunities for the affected species along and adjacent to the realigned creek.
- Planting of a minimum 25-foot buffer zone, within a 50-foot setback, of native shrubs and

trees that provide maximum screening.

- Exterior lighting shall be prohibited within the 50-foot setback zone. Light sources adjacent to the wildlife corridor shall be directed away from the corridor.
- To allow for the mobility of animals, fencing used in the 50-foot setback zone shall be limited to open fencing, such as split rail fencing, which does not exceed 40 inches in height above the finished grade.

AHS 5.3-4B If construction activities, including removal of riparian vegetation or construction adjacent to riparian habitat, is to occur between March 15 and August 30, the project proponent shall have a biologist conduct a pre-construction, migratory bird and raptor nesting site check. The biologist must be qualified to determine the status and stage of nesting effort by all locally breeding raptor species without causing intrusive disturbance. If an active nesting effort is confirmed very likely by the biologist, no construction activities shall occur within at least 300 feet of the nesting site until measures to address the constraint are agreed to by the project proponent and USFWS personnel. This agreement may be made by conference call, an on-site meeting, or other mutually agreeable means.

Measures available as options to address this constraint are dependent on the species and any other protections afforded it, details of the nest site, the nest stage, types and levels of ongoing disturbances, the relevant project actions, and distances involved. Specific measures would be determined by the regulating agency (USFWS).

Finding: The mitigation measures identified are feasible and would avoid or substantially lessen the potentially significant impacts associated with biological resources to a level of less than significant and no unavoidable adverse impacts would occur.

Cultural Resources

AHS Impact 5.4-2: *Build-out of the Arrowhead Springs Specific Plan would impact archaeological resources, paleontological resources, or a unique geologic feature. [Thresholds C2 and C-3]*

Development activities pursuant to the Arrowhead Springs Specific Plan, such as grading and establishment of infrastructure would result in significant impacts to known archaeological resources. Portions of the Arrowhead Springs area that are proposed for development may contain additional prehistoric sites which have not been recorded or identified and which may be impacted by site disturbance activities.

Mitigation Measures:

AHS 5.4-2A Prior to issuance of the first preliminary or precise grading permit, and for any subsequent permit involving excavation to increased depth, the landowner or subsequent project applicant shall provide evidence that an archaeologist and/or paleontologist have been retained by the landowner or subsequent project applicant, and that the consultant(s) will be present during all grading and other significant ground disturbing activities. These consultants shall be selected from the roll of qualified archaeologist and paleontologists maintained by the County of San Bernardino. Should any archeological/paleontological resources be discovered, the monitor is authorized to stop all grading in the immediate area of the discovery, and shall make recommendations to the Director of Development Services on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If

the resources are determined to be "historic resources" at that term is defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Director of Development Services. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in greenspace, parks or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Director approves the measures to protect these resources. If any Native American paleontological or archaeological artifacts are recovered as a result of mitigation the City shall contact the Morongo Band of Mission Indians and any other designated Tribe(s)' tribal representative, as determined by the Native American Heritage Commission (NAHC) to notify them of the discovery. The applicant shall coordinate with the City of San Bernardino and the designated Tribe(s) to determine, in good faith, the appropriate disposition of Native American artifacts and the designated Tribe(s) shall be given the opportunity to seek the return of any Native American artifacts discovered. Any non-Native American paleontological or archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Director of Community Development where they would be afforded long-term preservation to allow future scientific study.

AHS 5.4-2B Prior to the issuance of any grading permit, the following note shall be placed on the cover sheet, and discussed at the pre-grade meeting:

- a) The paleontologist retained for the project shall immediately evaluate the fossils which have been discovered to determine if they are significant and, if so, to develop a plan to collect and study them for the purpose of mitigation.
- b) The paleontologic monitor must be empowered to temporarily halt or redirect excavation equipment if fossils are found to allow evaluation and removal of them if necessary, the monitor should be equipped to speedily collect specimens if they are encountered.
- c) The monitor, with assistance if necessary, shall collect individual fossils and/or samples of fossil bearing sediments. If specimens of small animal species are encountered, the most time and cost efficient method of recovery is to remove a selected volume of fossil bearing earth from the grading area and screen it off-site.
- d) Fossils recovered during the earthmoving or as a result of screen-washing of sediment samples shall be cleaned and prepared sufficiently to allow identification. This allows the fossils to be described in a report of findings and reduces the volume of matrix around specimens prior to storage, thus reducing storage costs.
- e) A report of findings shall be prepared and submitted to the public agency responsible for overseeing developments and mitigation of environmental impacts upon completion of mitigation. This report would minimally include a statement of the type of paleontological resources found, the methods and procedures used to recover them, an inventory of the specimens recovered, and a statement of their scientific significance.

AHS 5.4-2C The EIR concludes that there are or may be significant archaeological resources within areas where ground disturbing activity is proposed by the project. Therefore, prior to the first preliminary or precise grading permit for development in the Arrowhead Springs Specific Plan area, each **prehistoric** and **historic archeological site** (listed below and described in Table 5.4-3) located within the project grading footprint must be tested and evaluated, following clearing and scraping activities.

- CA-SBR-2268/H, including the four loci
- CA-SBR-6870H
- CA-SBR-7019H
- CA-SBR-7020H
- CA-SBR-7022H
- CA-SBR-7049H
- P1071-21
- P36-017732

Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for sites are determined to be unique archaeological sites or historical resources as set forth in CEQA Guidelines Section 15064.5, the following measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code.

- Preparation of a research design for those sites determined to the "historical resources" that cannot be avoided that describes the recommended field investigations, and makes provisions for adequately recovering the scientifically consequential information from and about the "historical resource."
-
- Conducting site excavations in accordance with the research design with an emphasis on obtaining an adequate sample for analysis within the limits of the research questions being addressed. Special studies such as pollen analyses, soil analyses, radiocarbon dating, and obsidian hydration dating should be conducted as appropriate.
- Monitoring of all field excavations by a Native American representative.
- Preparation of a final report of the Phase 3 data recovery work and submittal of the research design and final report to the South Central Coastal Information Center (SCCIC), and other agencies, as appropriate.
- If any Native American archaeological artifacts are recovered, the project applicant shall contact the City, which shall in turn contact the Morongo Band of Mission Indians and any other designated Tribe(s)' tribal representative, as determined by the Native American Heritage Commission (NAHC) to notify them of the discovery. The applicant shall coordinate with the City of San Bernardino and the designated Tribe(s) to determine, in good faith, the appropriate disposition Native American artifacts and the designated Tribe(s) shall be given the opportunity to seek the return of any Native American artifacts discovered. Any non-Native American archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Director of Community Development where they would be afforded long-term preservation to allow future scientific study.

Finding: The mitigation measures identified are feasible and would avoid or substantially lessen the potentially significant impacts associated with archeological and/or paleontological resources or unique geologic features to a level of less than significant and no unavoidable adverse impacts would occur.

AHS Impact 5.4-3: *Grading activities could potentially disturb human remains in the Arrowhead Springs Specific Plan area. [Threshold C-4]*

The site does contain the remains of David Nobel Smith at a marked memorial and the area was also known to be used by Native American tribes, increasing the likelihood that undiscovered human remains may exist. Site grading and construction activities may result in the discovery of human remains, which would result in a significant impact.

Mitigation Measures:

AHS 5.4-3A In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

- There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the San Bernardino County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or
- Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendation of the most likely descendant or on the property in a location not subject to further subsurface disturbances:
 - The Native American Heritage Commission is unable to identify a most likely descendant or the likely descendant failed to make a recommendation within 24 hours after being notified by the commission; or
 - The descendant identified fails to make a recommendation; or
 - The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

AHS 5.4-3B Upon receipt of an application for a project subject to CEQA and within the City's jurisdiction, the City of San Bernardino's representative shall consult with the relevant Tribe(s)' tribal representative(s), as determined by the Native American Heritage Commission, to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by a City-certified archaeologist shall be required. The

findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the Tribe(s). If mitigation is recommended in the CEQA document, the procedure described in MM 5.4-3C shall be followed.

AHS 5.4-3C Prior to the issuance of grading permits for which the CEQA document defines cultural resource mitigation for potential tribal cultural resources, the project applicant shall contact the designated Tribe(s)' tribal representative to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of San Bernardino and the tribal representative(s) to negotiate an Agreement that addresses the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of San Bernardino shall be the final arbiter of the conditions included in the Agreement.

Finding: The mitigation measures identified are feasible and would avoid or substantially lessen the potentially significant impacts associated with disturbance of human remains outside of formal cemeteries to a level of less than significant and no unavoidable adverse impacts would occur.

Geology and Soils

AHS Impact 5.5-2: *Unstable geologic unit or soils conditions, including soil erosion, could result due to build-out of the Arrowhead Springs Specific Plan. [Thresholds G-2 and G-3]*

Portions of the Arrowhead Springs Specific Plan area are located on unstable geological units or have unstable soil conditions that may result in loss of topsoil or be susceptible to landslides, lateral spreading, liquefaction, subsidence, and collapse.

Mitigation Measures:

AHS 5.5-2a All projects within the Arrowhead Springs Specific Plan area shall follow all geotechnical recommendations provided within the Report of Preliminary Geotechnical Evaluations produced by Soils Southwest Inc.

AHS 5.5-2b Site specific geotechnical analysis shall be required for all new developments within the Arrowhead Springs Specific Plan area to determine existing soils conditions, soil recommendations for fill material prior to grading, and slope stability. Detailed geologic and geotechnical evaluations shall be made for construction of structural footings and slab-on-grade for placement on compacted fill soils.

AHS 5.5-2c No fill shall be placed, spread or rolled during unfavorable weather conditions. Where work is interrupted by heavy rains, fill operations shall not be resumed until moisture conditions are considered favorable by the soils engineer.

AHS 5.5-2d Proposed level structural pad areas shall be carefully evaluated by project geologist to determine whether these locations can be rendered safe and stable without potentially affecting offsite improvements. Excavated footings shall be inspected, verified, and certified by soils engineer prior to steel and concrete placement to ensure their sufficient embedment and proper bearing. Structural backfill shall be placed under direct observation and testing.

Finding: The mitigation measures identified are feasible and would avoid or substantially lessen the potentially significant impacts associated with geology and soils to a level of less than significant and no unavoidable adverse impacts would occur.

Hazards and Hazardous Materials

AHS Impact 5.6-1: *Arrowhead Springs Specific Plan operations would involve the transport, use and/or disposal of hazardous materials or release of hazardous materials. [Thresholds H-1, H-2, and H-3]*

The Arrowhead Springs Specific Plan area would result in the expansion of the existing development to include new commercial and residential uses. The Phase I Site Assessment identified recognized environmental conditions and historical recognized environmental conditions that may pose a hazard to people or the environment. Furthermore, naturally occurring emissions from the geothermal activity may also pose a hazard to people if development were to be concentrated in these areas.

Mitigation Measures:

- AHS 5.6-1a Oil impacted materials identified onsite shall be properly cleaned and disposed of in accordance state and local laws.
- AHS 5.6-1b Soil samples shall be collected in the area surrounding the drying beds at the small sanitary sewer treatment facility and shall be tested for elevated metal concentrations.
- AHS 5.6-1c Prior to approval of Tentative Tract Maps in the Arrowhead Springs Specific Plan area in the vicinity of the identified geothermal areas, the developer shall initiate a risk assessment to identify possible risks associated with the development adjacent to the geothermal activity of Arrowhead Springs. The risk analysis shall include a risk assessment of radon, methane, propane, and mercury associated with the geothermal vents, hot springs, and mercury accumulation in the soils where development is to occur. Ventilation systems shall be designed in accordance with the National Fire Protection Association guide to ensure that indoor air concentrations of these hazards associated with the geothermal activity would not result in a hazard for building occupants. If an active (i.e. mechanically operated) ventilation system is used, the developer would be required to obtain relevant permits from the AQMD.

Finding: The mitigation measure identified is feasible and would avoid or substantially lessen the potentially significant impacts associated with hazards and hazardous material to a level of less than significant and no unavoidable adverse impacts would occur

Hydrology and Water Quality

AHS Impact 5.7-1: *During the construction phase of the proposed project, there is the potential for short-term unquantifiable increases in pollutant concentrations from the site. After project development, the quality of storm water runoff (sediment, nutrients, metals, pesticides, pathogens, and hydrocarbons) may be altered. [Thresholds HD-1 and HD-6]*

Construction activities could lead to temporary impacts on surface water quarter quality through an increase in sediment deposited in local streams due to soil erosion and/or the release of other pollutants associated with construction. Development of the site would urbanize a total of approximately 506 acres, including 199 acres for a

golf course, which would result in substantial alteration in the existing site conditions and the introduction of urban pollutant sources that could impact water quality for surface and ground water resources.

Mitigation Measures:

AHS 5.7-1A Prior to the issuance of land disturbing permits, the applicant shall provide the City Engineer with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed a minimum of thirty days prior to commencing grading operations.

AHS 5.7-1B Prior to issuance of land disturbing permits and in compliance with the requirements of the State General Construction Activity Storm Water Permit, the project applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) that incorporates measures or comparable Best Management Practices which describe the site, erosion and sediment controls, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion control measures and maintenance responsibilities, and non-storm water management controls. The SWPPP shall also be submitted to the City of San Bernardino Public Works Department. The applicant shall require all construction contractors to retain a copy of the approved SWPPP on each construction site. Additionally, the SWPPP shall ensure that all water discharges are in compliance with the current requirements of the California Regional Water Quality Control Board, Santa Ana Region.

AHS 5.7-1C Prior to issuance of land disturbing permits and in compliance with City of San Bernardino Municipal Code Chapter 8.80, the applicant shall prepare a Storm Water Quality Management Plan (SWQMP). The SWQMP shall implement all applicable BMPs, as listed in the California Storm Water Best Management Practices Handbooks or the current, San Bernardino County Storm Water Program's Report of Waste Discharge, to reduce pollutants in storm water and runoff and reduce non-storm water discharges to the City's storm water drainage system to the maximum extent practicable. The SWQMP shall demonstrate compliance with California Department of Health Services Section 60310 Use Area Requirements, which state that "no impoundment of disinfected tertiary recycled water shall occur within 100 feet of any domestic water supply well," and "no irrigation with, or impoundment of, disinfected secondary or disinfected secondary recycled water shall take place within 100 feet of any domestic water supply well."

AHS 5.7-1D Prior to the issuance of land disturbing permits for the golf course, a Chemical Application Management Plan (CHAMP) shall be submitted to and approved by the City of San Bernardino. The CHAMP or similar management plan shall incorporate but not be limited to the following:

- A description of chemicals authorized for use and approved by the State of California, along with guidelines for their application. Guidelines shall include restrictions on their application and their use near drainage systems. Chemicals include fertilizers, herbicides, fungicides, insecticides and rodenticides. Guidelines on the application of fertilizers and soil amendments shall take into account consideration the physical characteristics and nutrient content of the soil on the golf course site.
- Guidelines for the irrigation of the golf course that take into consideration the field capacity of soil types and the timing with chemical applications; and
- Chemical storage requirements and chemical spill response and chemical inventory response plans shall be prepared and implemented.

AHS 5.7-1E A water quality monitoring system and program shall be developed and implemented in conjunction with the CHAMP that provides for sampling of all permanent surface water features on a quarterly basis and includes an analysis for non-volatile synthetic organic chemicals, total dissolved solids, chloride, sulfate, total phosphorus, boron, nitrogen as nitrate, total nitrogen, and iron. This monitoring program shall be implemented with consideration of the RWQCB water quality objectives.

Finding: The mitigation measures identified are feasible and would avoid or substantially lessen the potentially significant impacts associated with hydrology and water quality to a level of less than significant and no unavoidable adverse impacts would occur.

AHS Impact 5.7-2: *Development pursuant to the proposed project would increase the amount of impervious surfaces on the site and utilize surface waters otherwise destined for groundwater recharge reducing opportunities for groundwater recharge. [Threshold HD-2]*

Project implementation would increase the amount of impervious surfaces in the area, thus impacting the opportunity for groundwater recharge in those areas. Additionally, the proposed project would withdraw water from the surface water streams for drinking water and irrigation purposes and/or retrieve through wells in the Basin excess water that would normally reach the percolation ponds, which would reduce the amount of water available for groundwater recharge in the Basin.

Mitigation Measures:

AHS 5.7-2A Prior to approval of the first Tentative Tract Map, evidence shall be provided to the Development Services Department that appropriate water rights have been granted including a determination of maximum and minimum withdrawal of water from East and West Twin Creek watersheds (in conjunction with mitigation measure 5.15-1).

AHS 5.7-2B Prior to approval of the first Tentative Tract Map, the applicant shall secure a site for the supplemental water wells in the San Bernardino Basin and obtain a drilling and operation permit in accordance with Chapter 13.24 (Water Supply System) of the Municipal Code.

Finding: The mitigation measures identified are feasible and will avoid or substantially lessen the potentially significant impacts associated with hydrology and water quality to a level of less than significant and no unavoidable adverse impacts would occur.

AHS Impact 5.7-3: *Development pursuant to the proposed project would increase the amount of impervious surfaces on the site and would therefore increase surface water flows into drainage systems within the watershed. [Threshold HD-3, HD-4, and HD-5]*

The existing drainage pattern of the site would be substantially altered and development would create an increase in impervious surfaces causing an increase in the amount and rate of storm water discharge to local streams.

Mitigation Measures:

AHS 5.7-3A Prior to issuance of land disturbing permits, the applicant shall submit a Final Drainage Plan Report to the City of San Bernardino for review and approval in conformance with the City of San Bernardino requirements that are in effect at the time of submittal. The report shall be prepared by a qualified registered professional civil engineer and shall, at a minimum, include the following:

- A written text addressing existing conditions, the effects of projects improvements, all appropriate calculations, a watershed and hydrology map, changes in downstream flows

and elevations, proposed on and off-site improvements (catch basins, inlets, vaults, swales, filters, etc. for entrapment of sediment debris and contaminants), and features to protect downstream uses and property. The project drainage features shall be designed to ensure no change in downstream flow conditions that would result in new or increased severity of flooding.

- The report shall provide evidence of compliance with all required approvals from the Regional Water Quality Control Board (401 Water Quality Waiver) and with USCOE 404 permitting for changes to "waters of the U.S."

AHS 5.7-3B Maintenance of the storm drainage facilities shall be the responsibility of the project applicant until such time as the facilities are turned over to the City as a public improvement, or included within a Landscape Maintenance District or project homeowners or maintenance association. Easements shall be created and offered for dedication to the City for maintenance and access to these facilities as necessary in anticipation of possible City maintenance.

Finding: The mitigation measures identified are feasible and would avoid or substantially lessen the potentially significant impacts associated with hydrology and water quality to a level of less than significant and no unavoidable adverse impacts would occur.

AHS Impact 5.7-4: *Portions of the project site proposed for development are located within a 100-year flood hazard area. [Thresholds HD-7 and HD-8]*

Portions of the specific plan area selected for residential development that are adjacent to West Twin Creek are subject to 100-year flood plain inundation.

Mitigation Measures:

AHS 5.7-4 Prior to issuance of building permits the project applicant shall prepare and file an application with Federal Emergency Management Agency (FEMA), a Letter of Map Revision (LOMR) for Flood Insurance Rate Maps as necessary to reflect changes to the floodway or flood plain resulting from the development to demonstrate that all habitable structures are not subject to flooding in a 100-year storm. The Department of Public Works shall be provided a copy of the LOMR.

Finding: The mitigation measure identified is feasible and will avoid or substantially lessen the potentially significant impacts associated with hydrology and water quality to a level of less than significant and no unavoidable adverse impacts would occur

Public Services: Fire Protection

AHS Impact 5.12-1: *Incorporation of the Arrowhead Springs Specific Plan area and subsequent development would introduce new structures, residents, and workers within the City of San Bernardino Fire Department service boundaries, thereby increasing the requirement for fire protection facilities and personnel. [Threshold FP-1]*

Incorporation and build-out of the Arrowhead Springs Specific Plan area would expand the service boundary for the San Bernardino City Fire Department in an area that has a high number of emergency response calls and high fire danger thereby reducing the level of service for the remainder of the City and resulting in an increased need for addition fire protection facilities and personnel.

Mitigation Measures:

AHS 5.12-1 Prior to approval of any tract map or development application, the project applicant shall enter into a secured fire protection agreement with the City of San Bernardino to provide necessary fire fighting facilities, personnel, equipment for fire, and emergency services delivery, either through construction of fire facilities, funding or a combination of both. The Agreement shall also address the phasing of required fire facilities.

Finding: The mitigation measure identified is feasible and will avoid or substantially lessen the potentially significant impacts associated with fire protection and emergency services to a level of less than significant and no unavoidable adverse impacts would occur.

Recreation

AHS Impact 5.13-2: *Buildout of the Arrowhead Springs Specific Plan area would result in environmental impacts to provide new and/or expanded recreational facilities. [Threshold R-2]*

Implementation of the Arrowhead Springs Specific Plan would result in new recreation facilities including the development of a 199-acre public golf course in an area of natural environmental. Development of the golf course would result in direct environmental impacts to West Twin Creek and its natural biotic community.

Mitigation Measures:

AHS 5.13-2 Project applicant shall adhere to mitigation measures (AHS 5.3-1, AHS 5.3-2A, AHS 5.3-2B, AHS 5.3-2C, AHS 5.3-4A, AHS 5.3-4B) as detailed in Section 5.3 which are established to reduce the impact to the biological resources of West Twin Creek.

Finding: The mitigation measure identified is feasible and will avoid or substantially lessen the potentially significant impacts associated with recreation to a level of less than significant and no unavoidable adverse impacts would occur.

Transportation and Traffic

AHS Impact 5.14-1: *Project-related trip generation would impact levels of service for the existing area roadway system. [Threshold T-1]*

Two intersections were determined to be impacted by Phase I traffic and 7 intersections would be impacted by full build-out of the project or by the year 2030. No roadway segments would be impacted after Phase I or full build-out of the project.

Mitigation Measures:

AHS 5.14-1A Prior to issuance of occupancy permits the project applicant shall be required to complete or bond for the costs of engineering and construction of the following project related traffic improvements or equivalent for Phase I (as detailed in the traffic study) impacts of 2007:

- Waterman Avenue @ 36th Street. Install signalization with permitted phasing.
- Waterman Avenue @ 34th Street. Install signalization with permitted phasing.

AHS 5.14-1B Prior to issuance of occupancy permits for Phase II (as detailed in the traffic study) and all phases thereafter the project applicant shall be required to complete or bond for the costs of engineering and construction of the following project related traffic improvements or equivalent for impacts due to full build-out of the project:

- Waterman Avenue @ 30th Street. Install protected phasing and one additional WB right-turn lane, and one additional SB right-turn lane, both with overlap right-turn phasing.
- Harrison Parkway (new) @ 40th Street. Install signalization, permitted phasing and two NB left-turn lanes, one NB right-turn lane, an exclusive EB right-turn lane and an exclusive WB left-turn lane
- Waterman Avenue @ 36th Street. Install signalization and permitted phasing.
- 30th Street @ Lynwood Drive. Reconfigure intersection to align with new Harrison Parkway and install signal.
- Waterman Avenue @ 40th Street. Add an exclusive right-turn lane in each direction and westbound right-turn overlap phasing.
- Waterman Avenue @ 34th Street. Install signal and permitted phasing.
- Village Parkway @ 40th Street. Install signal with protected EW phasing and the intersection configuration of; two SB left-turn lanes, one SB right-turn lane, two EB thru-lanes, one EB left-turn lane, two WB thru-lanes and one WB right-turn lane.

Finding: The mitigation measures identified are feasible and will avoid or substantially lessen the potentially significant impacts associated with traffic and transportation to a level of less than significant and no unavoidable adverse impacts would occur.

Utilities and Services Systems: Water

AHS Impact 5.15-1: *Implementation of the Arrowhead Springs Specific Plan would require construction of a new water system and increase on-site water demand by approximately 4,035 acre-feet at build-out. [Thresholds WS-1 and WS-2]*

The environmental impact of constructing of the water distribution system for the Arrowhead Springs Specific Plan project has been analyzed throughout DEIR as part of the development as a whole and calculation of "average" water supply indicates that a sufficient supply is potentially available. However, the water supply and distribution system has not been permitted by the appropriate agencies and amount of water granted through existing water rights has not been verified.

Mitigation Measures:

AHS 5.15-1 Prior to approval of the first Tentative Tract Map, evidence shall be provided to Public Works/Engineering to confirm the availability and quantity of existing water rights through the State and that the drinking water system has obtained all appropriate operating and design permits through the California State Department of Health Services.

Finding: The mitigation measure identified is feasible and will avoid or substantially lessen the potentially significant impacts associated with water supply and distribution systems to a level of less than significant and no unavoidable adverse impacts would occur.

Wastewater

AHS Impact 5.15-2: *Project-generated wastewater could be adequately collected and treated by the wastewater service provider for the project however some related facility operations may affect the environment. [Thresholds WW-1, WW-2, and WW-3]*

Impacts of the construction of the wastewater collection and treatment facilities for the Arrowhead Springs Specific Plan project has been analyzed throughout the DEIR where included as part of the grading footprint; however, operational impacts including use of recycled water may affect local water quality.

Mitigation Measures:

AHS 5.15-2 Prior to approval of the first Tentative Tract Map, evidence shall be provided to the Public Works/Engineering Division that appropriate permits have been obtained from the State Water Resources Board, the State Department of Health Services, California Department of Corporations and the SCAQMD for the operation of the wastewater treatment plant including disposal of bio-solids and use of recycled water.

Finding: The mitigation measure identified is feasible and will avoid or substantially lessen the potentially significant impacts associated with wastewater treatment and collection systems to a level of less than significant and no unavoidable adverse impacts would occur.

This concludes the discussion of all potentially significant adverse impacts that can be mitigated to a less than significant level from implementation of the proposed project, including approval of LAFCO 3050..

D.3 Summary of Impacts Analyzed in the FEIR and Determined to Be Significant and Unavoidable

This section includes a summary of project impacts identified in the FEIR which are significant and unavoidable even after the implementation of mitigation measures. The Commission finds that despite the incorporation of extensive changes and alterations into the proposed project, approving LAFCO 3050 will allow several environmental impacts to remain unavoidably significant and adverse because these impacts cannot be mitigated to a less than significant level. Specific findings of this Commission for each category of impacts are set forth below.

Thus, despite the incorporation of changes to the proposed project outlined in the environmental documents, and summarized below, the following impacts attributable to the proposed project cannot be fully mitigated to a level of insignificance and a statement of overriding consideration is thereby included herein. Although most potential project impacts have been substantially avoided or mitigated, as described in this Findings and Facts in Support of Findings, there remain some project impacts for which complete mitigation is not feasible. For some impacts, mitigation measures were identified and adopted by the Lead Agency, however, even with implementation of the measures, the Commission finds that the impact cannot be reduced to a level of less than significant. For other impacts, no feasible mitigation measures were identified and no feasible alternatives were identified that would avoid or minimize these impacts.

The Commission hereby finds that the following impacts cannot be fully mitigated to a less than significant level and that no feasible mitigation measures are available and a Statement of Overriding Considerations is therefore included herein:

Air Quality

AHS Impact 5.2-2: *Construction activities associated with the proposed project would generate short-term emissions while long-term operation of the project would generate additional vehicle trips and associated emissions in exceedance of SCAQMD's threshold criteria. [Thresholds AQ-2 and AQ-3]*

The magnitude of development and corresponding generation of air pollutant emissions would exceed the SCAQMD's construction and operational phase emissions thresholds for CO, ROG, NOx and PM₁₀.

Mitigation Measures:

AHS 5.2-2A The developer or project applicant shall use zero Volatile Organic Compounds (VOC) content architectural coatings during the construction of the project to the maximum extent feasible which would reduce VOC (ROG) emissions by 95 percent over convention architectural coatings.

AHS 5.2-2B Prior to and/or during construction operations, the property owner/developer shall implement the following measures to further reduce fugitive dust emission to the extent feasible. To assure compliance, the City shall verify that these measures have been implemented during normal construction site inspections:

- Pave, gravel or apply nontoxic soil stabilizers on-site haul roads with 150 or more daily trips.
- Phase grading to prevent the susceptibility of large areas to erosion over extended periods of time.
- Schedule activities to minimize the amounts of exposed excavated soil during and after the end of work periods.
- Dispose of surplus excavated material in accordance with local ordinances and use sound engineering practices.
- Maintain a minimum of one-foot freeboard ratio on haul trucks or cover payloads on trucks hauling soil using tarps or other suitable means.
- Install adequate storm water control systems to prevent mud deposition onto paved areas.
- Water active sites at least three times daily.

Finding: The mitigation measures identified above would reduce potential impacts associated with air quality to the extent feasible. Despite the application of mitigation measures, Impact 5.2-2 would result in a significant unavoidable adverse air quality impact due to the magnitude of emissions that would be generated during construction and operation. The proposed project is expected to generate emissions levels that exceed the AQMD threshold criteria for CO, ROG, NOx, and PM₁₀ in the SoCAB. A Statement of Overriding Considerations must be adopted by the Commission concurrent with project approval.

AHS Impact 5.2-3: *The Arrowhead Springs Specific Plan project would delay attainment of the South Coast AQMP. [Threshold AQ-3]*

Emissions associated with the Arrowhead Springs Specific Plan would exceed the SCAQMD significance thresholds during construction and operational phases. As such, the SCAQMD considers these emissions to be significant on a cumulative basis.

Mitigation Measure:

AHS 5.2-3 Implementation of mitigation measures AHS 5.2-2A and AHS 5.2-2B shall be applied to reduce cumulative impacts.

Finding: The mitigation measures identified above would reduce potential cumulative impacts associated with air quality to the extent feasible. Despite the application of mitigation measures Impact 5.2-3 would result in a significant unavoidable adverse air quality impact due to the magnitude of emissions that would be generated during construction and operation. The proposed project is expected to generate emissions levels that exceed AQMD threshold criteria for CO, ROG, NOx, and PM₁₀ in the SoCAB. A Statement of Overriding Considerations must be adopted by the Commission concurrent with project approval.

Cultural Resources

AHS Impact 5.4-1: *Build-out of the Arrowhead Springs Specific Plan would impact an identified historic resource. [Threshold C-1]*

The proposed land use plan would result in the demolition of several buildings which contribute to the historical significance of the property. The CEQA Guidelines require a project which will have potentially adverse impacts on historic resources to conform to the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, in order for the impacts to be mitigated to below significant and adverse levels. The demolition of an historic property cannot be seen as conforming with the *Secretary of the Interior's Standards*. Build-out of the proposed plan would also result in the introduction of land uses in close proximity to remaining historic features, which would substantially alter the existing historic and natural setting of the Arrowhead Springs property.

Mitigation Measures:

AHS 5.4-1A Prior to issuance of any building, grading or demolition permit for the modification or destruction of any historic structure, the project applicant shall submit to the Director of Development Services written recommendations prepared by a qualified architectural historian of the measures that shall be implemented to protect each **historic site** eligible for listing on the NRHP and CRHP. The list includes but is not limited to the following as shown in Table 5.4-1 and illustrated in Figure 5.4-3.

Hotel/Steam Caves	Bungalow 10
Pool, Cabanas, Tennis Courts	Mud Baths
Bungalow 1	Smith Memorial
Bungalow 3	Indian Statue
Bungalow 4	Reservoir
Bungalow 5	Springs
Bungalow 6	Fountains
Bungalow 7	Terrace and Tennis Courts
Bungalow 8	Landscape Elements
Bungalow 9	Miscellaneous Features

- **Modification.** Appropriate mitigation measures for "historical resources" could include preservation of the site through avoidance or capping, incorporation of the site in greenspace, parks, or open space, data recovery excavations of the finds, or a rehabilitation plan in compliance with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995) prepared by a qualified historic preservation professional that would be based to the greatest extent feasible on historical data. A particular focus of the rehabilitation plan should be the hotel building, including landscaping, interiors, exteriors and furnishings.

- **Demolition.** To the extent eligible sites are not preserved in place, prior to the issuance of a demolition permit for the demolition of any Historic Structure eligible for listing on the NRHP and CRHP, including Bungalows 3,7,8,9,10 and 11, the historian shall conduct a data recovery program which includes:
 - **Comprehensive Survey.** A comprehensive inventory of historic features on the property, including but not limited to buildings, structures, objects, water features, wall, and landscape materials shall be conducted. To the greatest extent feasible, the preservation and rehabilitation of historic features on the property shall be incorporated into the development plan.

 - **Interpretative Plan.** The applicant shall be required to produce an historical interpretation plan for the property. This plan shall include a permanent, on-site display within a public area which will provide historic information about the founding and history of Arrowhead Springs. Historic and/or contemporary photographs and other artifacts and materials should be included within the display. Other indoor or outdoor interpretive displays shall be produced, as appropriate. The precise content, format, and location and design shall be determined by a qualified historic preservation professional, and subject to the approval by the City of San Bernardino.

 - **Documentation.** A Historic American Buildings Survey (HABS) outline format narrative description of the property, contemporary and historic photographs, and other relevant documentation shall be prepared by a historic consultant approved by the City. Prior to the issuance of a demolition permit for the subject property, the report shall be submitted for approval to the Director of Community Development and the Director of Community Services, and an approved original shall be deposited in the City of San Bernardino Branches of the San Bernardino County Public Library (or other suitable repository as determined by the Directors of Community Development and Community Services).

AHS 5.4-1B

The EIR concludes that there are or may be significant historical structures/resources not currently ascertainable within areas where ground disturbing activity is proposed by the project. Therefore, prior to issuance of the first preliminary or precise grading permit for development in the Arrowhead Springs Specific Plan area, the landowner or subsequent project applicant shall provide evidence that a qualified historic preservation professional has been retained by the landowner or subsequent project applicant, and has conducted a site survey of the development area at such time as all ground surfaces are visible after current uses are removed. If any sites are discovered, the historian shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from

which they originated. Upon completion of the test level investigations, for sites are determined to be unique a "historical resource" as set forth in CEQA Guidelines Section 15064.5, the following measures shall be undertaken: the historian shall submit its recommendations to the landowner or subsequent project applicant and the Director of Community Development on the measures that shall be implemented to protect the site. Appropriate measures could include preservation in place through planning construction to avoid the historical resource, incorporation into greenspace, parks, or open space, data recovery excavations of the finds or compliance with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic buildings (1995).

- Preparation of a research design for those sites determined to the "historical resources" that cannot be avoided that describes the recommended field investigations, and makes provisions for adequately recovering the scientifically consequential information from and about the "historical resource."
- Conducting site excavations in accordance with the research design with an emphasis on obtaining an adequate sample for analysis within the limits of the research questions being addressed. Special studies such as pollen analyses, soil analyses, radiocarbon dating, and obsidian hydration dating should be conducted as appropriate.
- Monitoring of all field excavations by a Native American representative.
- Preparation of a final report of the Phase 3 data recovery work and submittal of the research design and final report to the South Central Coastal Information Center (SCCIC), and other agencies, as appropriate.
- If any Native American archaeological artifacts are recovered, the project applicant shall contact the City, which shall in turn contact the Morongo Band of Mission Indians and any other designated Tribe(s)' tribal representative, as determined by the Native American Heritage Commission(NAHC) to notify them of the discovery. The applicant shall coordinate with the City of San Bernardino and the designated Tribe(s) to determine, in good faith, the appropriate disposition Native American artifacts and the designated Tribe(s) shall be given the opportunity to seek the return of any Native American artifacts discovered. Any non-Native American archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Director of Community Development where they would be afforded long-term preservation to allow future scientific study.

Finding: **Although the mitigation measures listed above would reduce the impacts to historic resources, demolition of historic structures can not be mitigated in accordance with CEQA Guidelines. Therefore the impacts to historic resources would remain a significant unavoidable adverse impact and a Statement of Overriding Considerations must be adopted by the Commission.**

Noise

AHS Impact 5.10-1: ***Implementation of the Arrowhead Springs Specific Plan would result in long-term operation-related noise that would exceed local standards. [Thresholds N-1 and N-3]***

Project implementation would result in long-term operation-related noise that would exceed local noise standards primarily derived from operation of the proposed wastewater treatment plant and traffic on the new Harrison Parkway and other local roadways studied due to the proximity of residential uses. Cumulative noise impacts would occur due project and background traffic in the year 2030 at Sterling Avenue south of Foothill Drive.

Mitigation Measures:

AHS 5.10-1A A site specific acoustic study shall be conducted to analyze and mitigate noise levels along the existing Harrison Street from 40th to 30th Street and submitted to the Development Services Department with plans for road widening of Harrison Street. This acoustic study shall specify the necessary mitigation to achieve exterior noise level limits at residential uses proximate to the new Harrison Parkway. Mitigation measures may include the use of berms or sound walls to attenuate exterior noise levels.

AHS 5.10-1B A site specific acoustic study shall be conducted to evaluate and, if necessary, mitigate potential noise impacts from the proposed wastewater treatment plan on the golf course and residences located proximate to the project site. The study shall be submitted to the Development Services Department with building plans for approval. Mitigation, if necessary, shall be in compliance with the City's exterior and interior noise limits.

Finding: The mitigation measures identified are feasible and will avoid or substantially lessen the potentially significant impacts associated with most noise derived from traffic and noise due to operation of the wastewater treatment plant to a level of less than significant. However cumulative noise levels from traffic along Sterling Avenue south of Foothill Drive can not be sufficiently mitigated resulting in a significant unavoidable adverse noise impact and a statement of overriding consideration must be adopted by the Commission.

AHS Impact 5.10-2: *Implementation of the Arrowhead Springs Specific Plan project would create short-term and long-term groundborne vibration and groundborne noise. [Threshold N-2]*

The project would create groundborne vibration and groundborne noise that may result in significant vibration impacts from vibration intensive construction activities. Vibration intensive construction activities may temporarily lead to significant vibration impacts if vibration sensitive receivers are located proximate to the construction activities.

Mitigation Measures:

AHS 5.10-2A Prior to issuance of land disturbing permits for projects that would occur within 25 feet of sensitive uses, the project applicant shall submit a list of equipment to the Development Services Department demonstrating compliance with USDOT significance threshold for vibration annoyance of 72 VdB.

AHS 5.10-2B Prior to issuance of land disturbing permits for projects that would occur within 25 feet of sensitive uses, the project applicant shall submit a list of equipment to the Development Services Department demonstrating compliance with USDOT significance threshold for vibration induced structural damage of 0.20 in/sec.

Finding: The mitigation measures identified are feasible and will avoid or substantially lessen most of the potentially significant impacts associated with groundborne vibration and groundborne noise. However, the phasing of development may place sensitive users adjacent to sources of groundborne vibration and groundborne noise during construction activities such that mitigation measures would not be effective in reducing impacts,

resulting in a significant unavoidable adverse impact and a statement of overriding considerations must be adopted by the Commission.

This concludes the discussion of all potential significant unavoidable adverse impacts attributable to the implementation of the proposed project, including approval of LAFCO 3050.

E. FINDINGS REGARDING ALTERNATIVES TO THE PROJECT

CEQA requires that a lead agency identify and evaluate a range of reasonable alternatives to the project in the FEIR to foster informed decisionmaking and public participation. The alternatives identified should achieve most of the basic objectives of the proposed project while substantially lessening or avoiding significant environmental damage of the proposed Project [CEQA Guidelines Section 15126.6(a)]. This discussion must focus on feasible alternatives capable of either eliminating any significant adverse effects, or reducing them to a less than significant level. A total of three alternatives were considered in the FEIR.

The Commission hereby declares that it has considered and rejected as either infeasible, or environmentally inferior, the alternatives identified in the Final EIR and described below. CEQA requires that an EIR evaluate a reasonable range of alternatives to a project, or to the location of the project, which: (1) offer substantial environmental advantages over the project proposal, and (2) may be feasibly accomplished in a successful manner within a reasonable period of time considering the economic, environmental, social and technological factors involved. An EIR must only evaluate reasonable alternatives to a project which could feasibly attain most of the project objectives, and evaluate the comparative merits of the alternatives. In all cases the consideration of alternatives is to be judged against a rule of reason. The lead agency is not required to choose the environmentally superior alternative identified in the EIR if the alternative does not provide substantial advantages over the project and: (1) through the imposition of mitigation measures the environmental effects of a project can be reduced to an acceptable level, or (2) there are social economic, technological or other considerations which make the alternative infeasible.

Alternatives Considered and Rejected During the Scoping/Project Planning Process

The Arrowhead Springs Specific Plan has undergone several iterations; however, no significant alternatives were developed. The iterations included subtle variations in the acreages of land uses, residential density, and commercial intensity. The changes occurred in response to input from the City or as more detailed studies (grading, etc.) were completed and resulted in shifts in land use boundaries or product type. However, throughout the numerous iterations, the basic concept and location of the land uses remained unchanged. The various iterations were refined to reflect new direction and information and did not represent true alternatives for consideration.

Alternatives Selected for Analysis

This section contains alternatives that have been determined to represent a reasonable range of alternatives which have the potential to feasibly attain most of the basic objectives of the Arrowhead Springs Specific Plan but which may avoid or substantially lessen any of the significant effects of the project. Only those impacts found significant and unavoidable are used in making the final determination of whether an alternative is environmentally superior or inferior to the proposed project. Environmental impacts of the Specific Plan involving air quality and cultural resources, and noise were found to be significant and unavoidable. The alternatives include the No Project/Use of Existing Facilities Alternative, Reduced Intensity Alternative, and Wetlands Avoidance Alternative.

No-Project/Existing Zoning Alternative

The No Project alternative for the Arrowhead Springs area assumes that the County portion of the property is not annexed into the City of San Bernardino and the area is allowed to develop with existing zoning which would allow residential development with densities anywhere between 4.5 dwelling units per acre and one (1) dwelling unit per 40 acres. This alternative also assumes that operation of existing facilities for use as a resort could resume with minor and necessary health and safety repairs.

The No Project/Existing Zoning Alternative would be considered the environmentally superior alternative as compared to the proposed Arrowhead Springs Specific Plan for Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards, Hazardous Materials, Hydrology and Water Quality, Noise, Population and Housing, Transportation and Traffic, and Utilities and Service Systems. The No Project/Zoning Alternative would be considered the environmentally inferior for Aesthetics and environmentally neutral for Land Use and Planning, Public Services, and Recreation.

Finding: Alternative Less Than Desirable

The Local Agency Formation Commission finds that the No-Project/Existing Zoning Alternative, while feasible, is less than desirable than the proposed project and rejected this alternative for the following reasons:

- Although the number of residential units would nearly be the same as the proposed project, existing City/County zoning would result in mostly large lot development that could be scattered over the entire property along with the road infrastructure. Coordinating development between two jurisdictions may be difficult and not result in development of the entire site that is well thought out.
- There would be no development standards or design guidelines that would ensure preservation of as much open space as the proposed project. There would be no encouragement for compact development that would keep the development of hillsides at a minimum thus preserving the aesthetic mountainous character of the property.
- Providing services such as fire protection would continue to be difficult and expensive without compact development or a reliable self contained water infrastructure considering that water service would have to be extended from the City of San Bernardino.
- The City of San Bernardino would not realize the goal becoming a "gateway" to the San Bernardino Mountains by establishing a world-class resort, providing jobs and recreational opportunities.

Reduced Intensity Alternative

Since construction activities are the primary source of air quality and noise impacts and commercial uses generate the greatest amount of traffic (also contributing to air quality and noise impacts), the reduced intensity alternative focuses on reducing the amount of commercial and office use, which would reduce the size of the area to be graded and consequently would also reduce traffic and associated impacts. This alternative assumes that the Hilltown shops, new hotel, office building, and restaurant are not built and the Village Walk commercial area is limited to 150,000 square feet for neighborhood commercial. The hotel complex would be restored and the associated conference facilities and annex built and all residential areas would be built with this alternative.

The Reduced Intensity Alternative would be considered the environmentally superior alternative as compared to the proposed Arrowhead Springs Specific Plan for Aesthetics, Air Quality, Geology and Soils, Hazards and Hazardous Materials, Noise, Public Services, Transportation and Traffic and Utilities. The Reduced Intensity Alternative would be considered the environmentally neutral alternative for Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, and Recreation.

Finding: Alternative Less Than Desirable

The Local Agency Formation Commission finds that the Reduced Intensity Alternative, while feasible, is less than desirable than the proposed project and rejected this alternative for the following reasons:

- This alternative would not accomplish many of the project goals, most importantly creating an economically viable mixed-use resort. Historic restoration of the Arrowhead Springs Hotel, because of the expense, may be jeopardized without the revenue stream and increased property value derived from commercial development. Revitalization and reuse of this historic hotel is the cornerstone of the project which is important to the City not only for the tax revenue but also for accomplishing the goals of the General Plan Update to enhance cultural, recreational and entertainment opportunities.
- The desirable goal of having a sustainable development would be difficult to accomplish without the jobs created by the commercial development. The jobs to housing ratio for the proposed project at 1.97, is close to the range preferred by the Southern California Association of Governments. The proposed project provides for a wide range of housing and with an equally wide range of job opportunities in close proximity, employees would be able to live close to work, thus reducing potential traffic.

Wetlands Avoidance Alternative

The wetlands avoidance alternative assumes that development would not occur in areas of potential jurisdictional waters and riparian habitat and in particular Waterman Canyon and West Twin Creek. Although a few holes of the golf course might fit in the non-jurisdictional areas, this alternative would essentially eliminate development of an 18-hole golf course and eliminate some of the residential pad sites along Waterman Canyon. With only minor adjustment to the development plan near Lake Vonette that could be arranged without loss of riparian habitat, the remainder of the development would be built.

The Wetlands Avoidance Alternative would be considered the environmentally superior alternative as compared to the proposed Arrowhead Springs Specific Plan for Aesthetics, Air Quality, Biological Resources, Geology and Soils, Population and Housing, and Utilities. The Wetlands Avoidance Alternative would be considered the environmentally neutral alternative when compared to the proposed Arrowhead Springs Specific Plan for Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Public Services, Recreation, and Transportation and Traffic.

Finding: Alternative Less Than Desirable

The Local Agency Formation Commission finds that the Wetlands Avoidance Alternative, while feasible, is less than desirable than the proposed project and rejected this alternative for the following reasons:

- West Twin Creek in Waterman Canyon has been known for dangerous flooding events that have resulted in extensive damage to infrastructure and lost lives. The most recent flooding events scoured the reach through Arrowhead Springs removing riparian vegetation and reducing water quality by greatly increasing sediment carried in the creek. The project proposes to improve the alignment and hydraulics of the stream and create flood overflow basins on fairways as part of the development of the golf course. The Wetlands Avoidance Alternative would not provide the valuable flood protection planned as part of the golf course design. Flooding events would continue jeopardizing the residential development and infrastructure planned to the community. Riparian vegetation that may be lost in the process of developing the golf course would be restored in the same approximate location and opportunities exist to enhance the quality of the riparian vegetation with the assurance that it will not be destroyed by future flooding events through improvements to the stream bed.
- Eliminating the golf course would not accomplish the goal of creating a “unique” resort community or the

goal of providing both passive and active recreational opportunities. Many world class resorts provide a variety of recreational opportunities to attract a broad range of consumers. Resorts in mountain settings usually rely on natural features such as a lake or ski slopes to provide a range of recreational opportunities. Those natural features are not available at Arrowhead Springs but a golf course can be integrated into Waterman Canyon in such a way that the natural beauty of the area is preserved and additional recreation opportunities are available not only for the resort but for community as a whole.

E. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-maker to balance the benefits of the proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered "acceptable" (State CEQA Guidelines Section 15093[a]). However, in this case CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (State CEQA Guidelines Section 15093 [b]). The agency's statement is referred to as a "Statement of Overriding Considerations."

The Local Agency Formation Commission (LAFCO) is proposing to approve LAFCO 3050 (sphere expansion and reorganization, including annexation) and is utilizing the City of San Bernardino certified FEIR as a CEQA Responsible Agency in conjunction with an Addendum prepared by the Commission that satisfies the requirements of CEQA. The following adverse impacts of the Arrowhead Springs Specific Plan project are considered significant and unavoidable based on the DEIR, FEIR, MMP, and the findings discussed previously in Part B, Section B1 and B2 of this document.

Significant Unavoidable Adverse Impacts

Air Quality

Construction activities of the first phase of development that largely involve grading would cause temporary pollutant emissions that would exceed the daily emission thresholds for NO_x and PM₁₀ for the SCAQMD. Over the course of Phase 2 construction of facilities the daily emission thresholds for ROG, and NO_x would be exceeded. Operational emissions largely attributed to mobile (vehicle) sources would also exceed the daily thresholds for CO, ROG, NO_x and PM₁₀. Emissions that exceed the daily threshold are considered to be significant on a cumulative basis by the SCAQMD.

Cultural Resources

While the Arrowhead Springs Specific Plan calls for the restoration and revitalization of the historic hotel and many of the historic structures surrounding the hotel that contribute to the historical significance of the area, several structures considered to have historic significance would also be demolished. In accordance to CEQA guidelines, destruction of an historic resource can not be mitigated and must be considered a significant unavoidable adverse impact.

Noise

The traffic from the Arrowhead Springs project would contribute to a small increase in noise from traffic along a portion of Sterling Avenue that in and of itself would not be considered significant however the increase causes a cumulative increase in noise that exceeds the threshold for impact. The cumulatively significant noise impact cannot be mitigated resulting in an unavoidable adverse noise impact.

Considerations in Support of the Statement of Overriding Considerations

The Commission, after balancing the specific economic, legal, social, technological, and other benefits of the proposed Project (Arrowhead Springs Specific Plan), has determined that the unavoidable adverse environmental impacts identified above may be considered "acceptable" due to the following specific considerations, which outweigh the unavoidable, adverse environmental impacts of the proposed Project. Each of the separate benefits of the proposed Project, as stated herein, is determined to be, unto itself and independent of the other Project benefits, a basis for overriding all unavoidable adverse environmental impacts identified in these Findings.

The benefits of the Arrowhead Springs Specific Plan can best be understood in light of the manner the project assists the City in attaining its long term goals. To that end, the Arrowhead Springs Specific Plan is consistent with the Updated General Plan and addresses several key City goals, including:

- **Preserve and enhance San Bernardino's unique neighborhoods and create and enhance dynamic, recognizable places.**

The Arrowhead Springs Specific Plan provides for the preservation and enhancement of a local icon. The Arrowhead Springs Hotel and Resort/Spa will be improved and surrounded by complementary uses, such as conference facilities, offices, hotels, a golf course, a village shopping environment, and residential uses. The mixture of uses, resort nature of the site, and enhancement of historic structures provide an identity to Arrowhead Springs that is unique to the area.

- **Promote development that integrates with and minimizes impacts on surrounding land uses.**

The Arrowhead Springs Specific Plan concentrates development on 506 acres near existing, on and off site development and leaves the remaining 1,400 acres in permanent open space. This allows the majority of Arrowhead Springs to blend with the adjacent National Forest Development while focusing development near existing roadways and infrastructure. In addition, the Arrowhead Springs Specific Plan includes development standards, design guidelines, grading standards, hillside development standards, fire protection standards, and resource protection measures that will ensure that new development be of a high quality and blends with surrounding uses.

- **Enhance the quality of life and economic vitality in San Bernardino by strategic infill of new development and revitalization of existing development.**

The Arrowhead Springs Specific Plan is the revitalization of an existing hotel and resort that has not been in operation in years. Development of Arrowhead Springs will result in 1,350 single-family detached and multi-family units and approximately 2,530 new jobs. Arrowhead Springs will also be a unique resort and historic icon and attract visitors and tourists to the City.

- **Enhance the aesthetic quality of land uses and structures in San Bernardino.**

The existing historic buildings on site create a benchmark for future development to complement and enhance. The Arrowhead Springs Specific Plan includes detailed development standards and design guidelines and clear maintenance requirements to ensure a quality, long-term project.

- **Provide for the development and maintenance of public infrastructure and services to support existing and future residents, businesses, recreation and other uses.**

The Arrowhead Springs Specific Plan provides for the necessary infrastructure, including domestic and recycled water, sewer, drainage, utilities, and roadways, to accommodate the buildout of the property.

Arrowhead Springs will provide on-site: domestic water treatment, supply, distribution, and storage systems; stormwater and flood management systems, including untouched natural channels; wastewater treatment; and solid waste collection and recycling in sufficient size and capacity to support buildout of the plan. Arrowhead Water & Power, the on-site utility company in cooperation with the City of San Bernardino public utilities agencies, will provide these services within Arrowhead Springs.

- **Ensure that the costs of infrastructure improvements are borne by those who benefit.**

The necessary infrastructure to support the buildout of Arrowhead Springs will be installed and financed by Arrowhead Water & Power or by individual developers in cooperation with the City public utilities agencies. User fees will accommodate the long-term use and on-going maintenance of the utilities.

- **Facilitate the development of a variety of types of housing to meet the needs of all income levels in the City of San Bernardino.**

Arrowhead Springs Specific Plan accommodates 1,350 new residential units that provide housing opportunities for multiple segments of the housing market, from first time buyers, to executive homes, to condominiums and multi-family units. Arrowhead Springs accommodates 36 custom estates, 34 'urban' flats in Village Walk, 266 condominiums and townhomes adjacent to Village Walk, 150 upscale senior units, 150 non-age restricted attached units, 429 golf course condominiums, and 285 townhomes and condominiums in the unique Hilltown.

- **Expand on historic and the natural assets to attract recreational visitors.**

Arrowhead Springs represents a significant gateway into the City from the mountain resorts. The development creates a powerful transitional edge from the City to the US National Forest of the San Bernardino Mountains. Arrowhead Springs is located immediately below the famous geologic 'arrowhead' that is imprinted on the mountainside, providing a natural landmark to the property. Arrowhead Springs, with its unique history and natural resources, will become a regional tourist destination. The creation of up-scale residential neighborhoods, a unique "village" commercial center, corporate office center, high-end hotels, convention center, world-class spa/health resort, public golf course, and equestrian trails will create a mountain resort at a gateway to the City from SR-18.

- **Improve the quality of life in San Bernardino by providing adequate parks and recreation facilities and services to meet the needs of our residents.**

Arrowhead Springs includes 21 acres of Neighborhood/Mini-Parks and 1,400 acres of open space. Above this, a 199-acre public golf course is also provided in Arrowhead Springs. In the developed area, there is one 14-acre public Botanical Garden and seven Mini-Parks ranging in size from 0.2 acres to 3.0 acres. The Park Plan for Arrowhead Springs also includes approximately 1,400 acres of Open Space/Watershed uses. This designation is intended to establish open space areas serving multiple purposes including active and passive recreation, such as hiking, as well as watershed control.

- **Protect people and property from brush urban and wildland fire hazards.**

Arrowhead Springs concentrates development on 27% of the site. Surrounding the developed areas of the site are fuel modification zones that will be planted with vineyards and orchards. These natural buffers will help protect the people and property from brush fire hazards and enhance the character of the area. Development in Arrowhead Springs will be required to comply with the requirements of the City's Foothill Fire Zone and Arrowhead Springs Hillside Development provisions, which address building, grading, and landscaping standards in high-fire areas.

Conclusion

The Commission finds that the previously stated benefits of the Project outweigh the significant adverse environmental impacts noted above. The Commission's findings set forth in the preceding sections have identified all of the significant adverse environmental impacts and the feasible mitigation measures which can reduce impacts to insignificant levels where feasible, or to the lowest feasible achievable levels where unavoidable significant adverse impacts remain. The findings have also analyzed a number of alternatives (Section E) to determine whether they are reasonable or feasible alternatives to, the proposed action or whether they might reduce or eliminate the significant impacts of the proposed action. The FEIR presents evidence that implementing the Project will cause significant adverse environmental impacts which cannot be substantially mitigated to a less than significant level. This finding includes the proposed Project area. These impacts have been outlined above and the Commission finds that all feasible mitigation measures have been adopted or identified for implementation by the County or other regulatory agencies.

The Commission finds that the Project's benefits are substantial and override the unavoidable adverse impacts of the Project. The Commission has identified benefits which will result from implementing the proposed Project, which includes Reorganization to include the City of San Bernardino Annexation No. 360 (LAFCO 3050) and detachments identified above. The approval of LAFCO 3050 will allow development of the Arrowhead Springs Specific Plan to proceed as outlined in the FEIR. The Commission has balanced these benefits against the unavoidable significant adverse effects of the proposed Project and finds that the benefits identified herein override the unavoidable significant environmental effects. Approval of LAFCO 3050 is acceptable based on the benefits that will accrue to the City of San Bernardino and the surrounding area if and when the Arrowhead Springs Specific Plan proceeds to be developed and the area occupied.