


LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: JANUARY 12, 2020 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #5A: Environmental Review for LAFCO 3242 and 3243:

- **Consideration of Final Environmental Impact Report (SCH No. 2018011008) Adopted by the City of Fontana for the I-15 Logistics Project, as CEQA Responsible Agency; and,**
- **Adoption of Findings and Statement of Overriding Considerations**

RECOMMENDATION:

Staff recommends that the Commission make the following determinations with respect to the environmental review for LAFCO 3242 and LAFCO 3243:

- a) Certify that the Complete Final Environmental Impact Report (EIR) and other related environmental documents prepared by the City of Fontana for the I-15 Logistics Project have been independently reviewed and considered by the Commission, its staff, and its Environmental Consultant;
- b) Determine that the Complete Final EIR for the project prepared by the City of Fontana is adequate for the Commission's use as a California Environmental Quality Act (CEQA) Responsible Agency for its determinations related to LAFCO 3242 and LAFCO 3243;
- c) Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the I-15 Logistics Project, and that the mitigation measures identified for the project are the responsibility of the City of Fontana and others, not the Commission;

- d) Adopt LAFCO Resolution No. 3323 including the Environmental Findings and Statement of Overriding Considerations; and,
- e) Direct the Executive Officer to file Notices of Determination for both LAFCO 3242 and LAFCO 3243 within five days and find that no further Department of Fish and Wildlife filing fees are required since the City of Fontana, as CEQA lead agency, has paid said fees.

BACKGROUND:

The City of Fontana (City) reviewed and considered the I-15 Logistics Project, which included the preparation, circulation, and certification of an Environmental Impact Report (EIR) and the preparation and adoption of environmental Findings and Statement of Overriding Considerations including a Mitigation Monitoring and Reporting Program (MMRP). LAFCO staff and LAFCO's Environmental Consultant participated throughout the City's environmental process, including responding to the Notice of Preparation of the EIR (including the Initial Study), and commenting on the Notice of Availability of the Draft EIR.

The Commission is a responsible agency for review of the potential environmental consequences for the two proposals related to the I-15 Logistics Project -- LAFCO 3242 and LAFCO 3243.

LAFCO 3242 is review and consideration of sphere of influence amendments for:

- City of Fontana (expansion);
- Fontana Fire Protection District (expansion);
- West Valley Water District (expansion); and,
- San Bernardino County Fire Protection District (reduction).

LAFCO 3243, the reorganization proposal, includes:

- Annexation to the City of Fontana, Fontana Fire Protection District, West Valley Water District, and San Bernardino Valley Municipal Water District; and,
- Detachment from San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70.

In order to fulfill the Commission's environmental assessment for these two proposals, the Commission will be acting as Responsible Agency to the City's certified EIR for the

I-15 Logistics Project, pursuant to the requirements of the California Environmental Quality Act (CEQA).

The City's environmental assessment for the I-15 Logistics Project not only includes the evaluation of the environmental impacts of the Project itself, but also evaluates the proposed spheres of influence amendments and the jurisdictional changes associated with said Project including pre-zoning of the entire reorganization area, which is a requirement prior to annexation. The Draft EIR and the Final EIR make up the Complete Final EIR.

CONCLUSION

The Complete Final EIR will be utilized by the Commission as the description of environmental impacts anticipated by these two proposals: LAFCOs 3242 and 3243. Prior to making a decision on either LAFCO 3242 or LAFCO 3243, the Commission must first review and consider the Complete Final EIR that the City prepared for the Project.

LAFCO's Environmental Consultant, Tom Dodson and Associates, has reviewed the City's Complete Final EIR and indicated that the City's environmental documents are adequate for the Commission's use as a responsible agency for either LAFCO 3242 or LAFCO 3243. Copies of the City's Complete Final EIR and all associated documents (included as Attachment #2 to this report), were provided to the Commissioners on December 21, 2020. Mr. Dodson has indicated in his letter to the Commission the actions that are appropriate for the review of LAFCO 3242 and LAFCO 3243, which are:

- Certify that the Commission, its staff, and its Environmental Consultant have individually reviewed and considered the certified EIR for the I-15 Logistics Project prepared by the City of Fontana;
- Determine that the Complete Final EIR is adequate for the Commission's use in making its decision related to LAFCO 3242 and/or LAFCO 3243;
- Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the project; that the mitigation measures identified in the City's environmental documents for the I-15 Logistics Project are the responsibility of the City and others, not the Commission;
- Adopt the Environmental Findings and Statement of Overriding Considerations, which are the conclusions made regarding the significance of a project in light of the impacts and mitigation measures that have been identified. (A copy of the resolution adopting the Environmental Findings and Statement of Overriding Considerations is included as Attachment #3 to this report); and,

- Direct the Executive Officer to file the Notices of Determination within five days and find that no further Department of Fish and Wildlife filing fees are required by the Commission's approval of LAFCO 3242 and/or LAFCO 3243 since the City, as lead agency, has paid said fees.

Upon approval of the environmental determination for LAFCO 3242 and LAFCO 3243, the Commission can move forward to the actual review of these proposals.

Attachments:

1. [Letter from Tom Dodson and Associates](#)
2. [Environmental Documents Related to the City of Fontana's Approval of the I-15 Logistics Project](#)
3. [Draft Resolution No. 3323](#)