

SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

INTRODUCTION: The questions on this form and its supplements are designed to obtain enough data about the application to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

GENERAL INFORMATION

1. NAME OF PROPOSAL:

Reorganization to include activation of authorized services to include wastewater treatment, reclamation, disposal, and recharge of recycled water and exemption pursuant to Government Code Section 56133(e) for a contract between East Valley Water District and the City of San Bernardino Municipal Water Department for the exchange of wastewater services.

2. NAME OF APPLICANT: East Valley Water District

APPLICANT TYPE: Landowner Local Agency
 Registered Voter Other _____

MAILING ADDRESS:

31111 Greenspot Road, Highland, CA 92346

PHONE: (909) 885-4900 _____

FAX: (909) 889-5732 _____

E-MAIL ADDRESS: jmura@eastvalley.org

3. GENERAL LOCATION OF PROPOSAL:

The general location of the proposal is within the boundaries of East Valley Water District (District). The service area encompasses 30.1 square miles within the incorporated cities of Highland and San Bernardino and portions of unincorporated San Bernardino County. It is located in the foothills of the San Bernardino Mountains, 65 miles east of Los Angeles in the County of San Bernardino.

4. Does the application possess 100% written consent of each landowner in the subject territory?
YES NO If YES, provide written authorization for change.

5. Indicate the reason(s) that the proposed action has been requested.

The District currently provides sewer collection services. It is requesting that its sewer function be expanded to include wastewater treatment, reclamation, disposal, and recharge of recycled water. In 1976, at the time that Special District representation was seated on LAFCO, the active authorized services of the District were identified as water, sewer, and park and recreation. The 1976 determination limited the sewer function to conveyance, with the ability to request the activation of the latent power at a later date. Since then the District has conducted a feasibility study to evaluate the benefits of sewer treatment activation. By providing wastewater treatment services, the District will be able to use the recycled water to recharge the Bunker Hill Groundwater Basin, which is approximately 74% of the water supply used to serve its customers. Additionally, the District seeks this action as part of the long-term water conservation program objectives to be more efficient and cost effective.

LAND USE AND DEVELOPMENT POTENTIAL

- 1. Total land area of subject territory (defined in acres): 19,264 acres
- 2. Current dwelling units within area classified by type (single-family residential, multi-family [duplex, four-plex, 10-unit], apartments)

Approximately 25,000 dwelling units

- 3. Approximate current population within area:
102,000 residents

- 4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):
The General Plans of both the City of Highland and City of San Bernardino have identified the full range of land uses within East Valley Water District's service area including: agricultural/ equestrian, low-high density residential, single family and multi-family residential, office professional, mixed use, business park, industrial, planned commercial, open space, and public/institutional.

- 5. San Bernardino County General Plan designation(s) and uses permitted by this designation(s):
Resource conservation, multiple residential, single residential, general commercial, floodway, neighborhood commercial, and community industrial.

- 6. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:
N/A- Not applicable

- 7. Indicate the existing use of the subject territory.
N/A- Not applicable

What is the proposed land use?
Same as currently existing

- 8. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES NO If YES, please explain.
Both the San Bernardino Municipal Water District and East Valley Water District systems have current and future capacity.

9. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

- Agricultural Land Uses
- Williamson Act Contract
- Any other unusual features of the area or permits required: Santa Ana River
- Agricultural Preserve Designation
- Area where Special Permits are Required

10. Provide a narrative response to the following factor of consideration as identified in §56668(p):
The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:

The expansion of the sewer services will provide for expanded services regardless of race, culture, or religion. The District plans to construct a state-of-the-art wastewater treatment facility which will enhance the local community. This facility would provide numerous employment and career training opportunities directly benefiting the immediate community. The planned wastewater treatment facility would provide a new community gathering space. The planned facility would also provide a valuable public resource through the capture and recharge of water that will benefit both the local community and entire region.

ENVIRONMENTAL INFORMATION

1. Provide general description of topography. A combination of flat and slight sloping at the base of the San Bernardino National Forest from the northeast to the southwest toward the Santa Ana River.

2. Describe any existing improvements on the subject territory as % of total area.

Residential	<u>80</u> %	Agricultural	<u>5</u> %
Commercial	<u>5</u> %	Vacant	<u>10</u> %
Industrial	<u>0</u> %	Other	<u>0</u> %

3. Describe the surrounding land uses:

- NORTH Resource Conservation/ Open Space (San Bernardino National Forest)
- EAST Full range of land uses
- SOUTH Resource Conservation/ Open Space (Santa Ana River)
- WEST Full range of land uses

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

This activated service authorization will lead to the construction of a wastewater treatment facility which has complied with its own environmental review process (Appendix 1) and has withstood all judicial challenges (Appendix 2).

5. Will service extensions accomplished by this proposal induce growth on this site? YES
 NO Adjacent sites? YES NO Unincorporated Incorporated

This new service will not induce growth, it will address growth previously identified by local land use agencies.

6. Are there any existing out-of-agency service contracts/agreements within the area? YES
 NO If YES, please identify.

Currently wastewater treatment for District customers is completed through an agreement with the San Bernardino Municipal Water Department. Following the authorization for service expansion, East Valley Water District and the San Bernardino Municipal Water Department will enter in an exchange for wastewater services as identified Appendix 3- Settlement Agreement.

7. Is this proposal a part of a larger project or series of projects? YES NO If YES, please explain.

N/A- Not Applicable

NOTICES

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME John Mura, General Manager/CEO TELEPHONE NO. (909) 885-4900

ADDRESS: East Valley Water District, 31111 Greenspot Road, Highland, CA 92346

NAME Justine Hendricksen, District Clerk TELEPHONE NO. (909) 885-4900

ADDRESS: East Valley Water District, 31111 Greenspot Road, Highland, CA 92346

NAME Jean Cihigoyenette, General Counsel TELEPHONE NO. (909) 941-3382

ADDRESS: The JC Law Firm, 5871 Pine Avenue, Suite 200, Chino Hills, CA 91709

CERTIFICATION

As a part of this application, the City/Town of _____, or the East Valley Water District District/Agency, _____ (the applicant) and/or the _____ (real party in interest - landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees,

and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE February 21, 2018



SIGNATURE

John Mura

Printed Name of Applicant or Real Property in Interest
(Landowner/Registered Voter of the Application Subject Property)

General Manager/CEO

Title and Affiliation (if applicable)

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
- SPHERE OF INFLUENCE CHANGE SUPPLEMENT
- CITY INCORPORATION SUPPLEMENT
- FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
- ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT