

**RESOLUTION NO. 2024-13**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PHELAN PIÑON HILLS  
COMMUNITY SERVICES DISTRICT ADOPTING THE MITIGATED NEGATIVE  
DECLARATION AND APPROVING THE PHELAN PIÑON HILLS COMMUNITY SERVICES  
DISTRICT RESERVOIR 6A-2 PROJECT**

**WHEREAS**, the Phelan Piñon Hills Community Services District ("District") owns the real property located at 8300 Javelin Road, Piñon Hills, CA 92372. The Phelan Piñon Hills Community is located within the High Desert region of Unincorporated San Bernardino County. The proposed reservoir is located at southern terminus of Javelin Road, with Snow Line Drive as the nearest cross street. The project is located within the USGS Topo 7.5-minute map for Phelan, CA, and is located in Section 26, Township 4 North and Range 7 West, San Bernardino Meridian. The approximate GPS coordinates of the project site are 34.402184°, -117.572605°; and

**WHEREAS**, the project commonly referred to as the Phelan Piñon Hills Community Services District Reservoir 6A-2 Project ("Project") which would construct a 1.5 million-gallon reservoir in order to enhance the District's water supply reliability and increase the District's water storage capability for customer use, fire suppression, and reduce the District's need to use electricity for water pumping during peak usage times; and

**WHEREAS**, prior to commencement of the Project, the District must comply with the California Environmental Quality Act ("CEQA"), Public Resources Code ("PRC") Section 21000 et seq., and the state Guidelines promulgated thereunder ("Guidelines"), California Code of Regulations ("CCR") Section 15000 et seq.; and

**WHEREAS**, the District, acting as the Lead Agency as defined in PRC §21067, retained Tom Dodson & Associates ("Dodson") to prepare an Initial Study for the Project to ascertain whether the Project may have a significant effect on the environment; and

**WHEREAS**, the Initial Study disclosed that all potential environmental impacts from the Project would be less than significant with the incorporation of mitigation measures, and there is no substantial evidence that the Project will have a significant effect on the environment; and

**WHEREAS**, on the basis of the Initial Study, Dodson prepared a proposed Mitigated Negative Declaration for the Project pursuant to CEQA and the Guidelines; and

**WHEREAS**, the District has made the Draft Initial Study and Mitigated Negative Declaration ("IS/MND") available for review and comment by the general public and public agencies; and

**WHEREAS**, the 30-day public review period of the Draft IS/MND commenced on May 6, 2024, and ended on June 5, 2024; and

**WHEREAS**, the District published a Notice of Availability in the local newspaper on May 6, 2024, and posted a copy of the Notice of Intent, Draft Mitigated Negative

Declaration and Draft Initial Study document at San Bernardino County Clerk, and District Offices on Mya 6, 2024; and

**WHEREAS**, the District published a copy of the Notice of Intent, Notice of Completion, Document Summary Form, Draft Mitigated Negative Declaration and Draft Initial Study document with the State Office of Planning and Research ("State Clearinghouse") on May 6, 2024; and

**WHEREAS**, the District received three letters with comments and concerns regarding the content of the Draft IS/MND from selected state agencies, some of which were obtained through the State Clearinghouse; and

**WHEREAS**, the District provided a copy of the Responses to Comments received to all parties that commented on the Draft IS/MND in advance of the public hearing at which the Project will be considered; and

**WHEREAS**, the Final IS/MND that includes the proposed Mitigation Monitoring and Reporting Program ("MMRP") has been prepared pursuant to CEQA and the Guidelines; and

**WHEREAS**, the District's Board of Directors has reviewed and considered the Final IS/MND and MMRP for the Project, and has considered all written comments on the Draft IS/MND, all written and oral comments thereto received during the public hearing process, and all written and oral responses to said comments.

**NOW THEREFORE BE IT RESOLVED** that the Board of Directors of the Phelan Piñon Hills Community Services District makes the determinations and findings and takes the actions as referenced below pursuant to CEQA and the Guidelines:

- The foregoing recitals are true and correct;
- Each and all of the findings and determinations contained herein are based upon competent and substantial evidence, either oral, written, or both, contained in the entire administrative record relating to the Project;
- The Board reviewed and considered the information contained in the IS/MND including, without limitation, the Draft Initial Study, any comments from the public and/or interested agencies, responses to comments received from the public and/or interested agencies were provided by the District to the input received, and any comments made at the public hearing or contained in the administrative record for the Project prior to approving the Project; and
- The Board hereby certifies the following with respect to the IS/MND:
  - o That the Final IS/MND prepared for the Project contains a complete and accurate reporting of the environmental impacts associated with the Project; and
  - o That the Final IS/MND has been completed in compliance with CEQA and the Guidelines and is hereby certified as adequate and complete; and

- o That the Final IS/MND was presented to the Board of Directors of the Phelan Piñon Hills Community Services District and that Board reviewed and considered the information contained in the Final IS/MND prior to adopting the Final IS/MND which reflects the independent judgment and analysis of the District.

**FURTHER, BE IT RESOLVED** that the Board of Directors of the Phelan Piñon Hills Community Services District hereby certifies the Final IS/MND attached hereto as Exhibit A and incorporated herein by this reference; and

**FURTHER, BE IT RESOLVED** that the Board of Directors of the Phelan Piñon Hills Community Services District hereby approves the Project; and

**FURTHER, BE IT RESOLVED** that District staff is hereby directed to prepare for filing with the appropriate governmental agency(ies) a written Notice of Determination memorializing the Board's determination of the IS/MND certification as to the Project and approval of the Project; and

**FURTHER, BE IT RESOLVED** that the General Manager of the Phelan Piñon Hills Community Services District or his representative is authorized to initiate such steps as appropriate and necessary to: (i) prepare final construction plans, specifications and estimates; (ii) obtain necessary permits and approvals for the construction of the Project, (iii) take such other steps as may be necessary to construct the Project; and (iv) bring back to this Board any appropriate recommendations to further implement the foregoing.

**FURTHER, BE IT RESOLVED** that the location and custodian of records with respect to all of the relevant documents and any other material which constitute the administrative record for the IS/MND are as follows: 4176 Warbler Road, Phelan, California 92371.

**ADOPTED this 28th day of August, 2024.**

AYES: Hays, Kujawa, Philips, Roberts, Snyder  
NOES:  
ABSTAIN:  
ABSENT:

BY  \_\_\_\_\_  
President, Board of Directors

ATTEST:

BY  \_\_\_\_\_  
Secretary, Board of Directors